



ITEM NUMBER:	7
PLANNING COMMITTEE DATE:	17 September 2025
REFERENCE NUMBER:	UTT/25/1729/FUL
LOCATION:	The Oaks Cornells Lane Widdington Essex CB11 3SP

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 27 August 2025

PROPOSAL: Demolition of existing outbuilding and erection of single storey three bedroom self-build dwelling

APPLICANT:

AGENT: Mr Samuel Bampton

EXPIRY DATE: 21/08/2025

EOT EXPIRY DATE: 18/09/2025

CASE OFFICER: Ashley Neale

NOTATION: Outside Development Limits
Historic Landscape (Widdington)
Protected Lane (UTTLANE158)
Within 250m of Local Wildlife Site
Aerodrome Direction
SSSI impact Risk Zones – Natural England

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

1. EXECUTIVE SUMMARY

- 1.1** The applicant seeks planning permission to demolish the existing outbuilding and erect 1no. single storey, three-bedroom, self-build dwelling.
- 1.2** The proposed dwelling is the same scale, footprint and bulk as the existing redundant poultry building on site and is designed in the similar style as the dwellings currently under construction adjacent to the site, as approved under UTT/21/2649/FUL with brick plinth, weatherboard cladding and a slate grey standing seam roof. As such, the scale, form, bulk and appearance of the proposed dwelling would not appear overbearing or over dominant within the plot and would respond to the existing style, character and built form of the adjacent residential units.
- 1.3** The proposed development seeks to replace a former agricultural building at the site which is no longer in active use. The building and land is considered to be under-utilised the proposal represents a more efficient use of underutilised land in accordance with paragraphs 124 and 125(d) of the

NPPF. Recent decisions (including an appeal decision) confirm that the site is accessible to Widdington and given the context of the development, 1no. new self-build dwelling would not be an inappropriate use of the site.

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

2. RECOMMENDATION

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 –
Conditions

3. SITE LOCATION AND DESCRIPTION:

- 3.1** The application site refers to a parcel of land on the southern side of Cornells Lane, to the rear of the dwelling known as The Oaks. The site is approximately 1km east of the village core of Widdington. The Oaks was built under planning permission UTT/16/0746/FUL replacing Malt Place Bungalow, which was formerly associated with the Poultry Farm to the rear of the site. This is currently being redeveloped to create 10 new dwellings (UTT/21/2649/FUL) and is adjacent to the application site. The application site comprises an outbuilding which is a former poultry shed and has been used for domestic storage in association with the Oaks since 2019.
- 3.2** The site also comprises a large area of amenity grassland and mature trees across the site and is bounded by established hedgerows on all boundaries. To the north, the site abuts the rear gardens of The Oaks and the recently approved dwelling under UTT/25/0580/FUL which has not yet been constructed. To the east, the site borders the former poultry farm which is currently being redeveloped for 10no. homes under UTT/21/2649/FUL. There is an existing access point to the northeast of the site onto Cornells Lane which currently serves The Oaks and the dwellings currently being constructed to the east of the site. The south is bounded by arable fields to the west and south. Cornells Lane is a Protected Lane.

4. PROPOSAL

- 4.1** The proposal seeks to demolish the existing outbuilding and erect 1no. single storey three-bedroom self-build dwelling
- 4.2** The application includes the following supporting documents:
- Application Form
 - Bat Survey
 - Planning Design & Access Statement
 - Biodiversity Checklist

- 659.0001 Existing Plans & Site Location
- 659.0002a Site Plan, Location Plan, Existing and Proposed Plans

5. ENVIRONMENTAL IMPACT ASSESSMENT

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

6. RELEVANT SITE HISTORY

6.1

Reference No.	Status	Decision Date	Proposal
UTT/14/1990/FUL	AC	02/09/2014	Erection of replacement dwelling (alternative scheme to that approved under planning permission UTT/0363/09/FUL)
UTT/14/2924/P3MPA	ARPR	21/11/2014	Prior notification of change of use of agricultural buildings to 3 dwellings
UTT/15/0378/FUL	AC	02/04/2015	Demolition of existing dwelling and erection of replacement dwelling (alternative scheme to that approved under UTT/14/1990/FUL)
UTT/16/0746/FUL	AC	17/05/2016	Demolition of existing dwelling and outbuilding. Erection of replacement dwelling and 3 bay cartlodge (alternative scheme to that approved under UTT/15/0378/FUL)
UTT/17/1901/FUL	AC	13/09/2017	Proposed 3 bay cart lodge with store over and cycle store/log store to south end. (revised from 3 bay cart lodge as ref. UTT/16/0746/FUL granted dated 17th May 2016)
UTT/17/3644/DOC	CF	12/01/2018	Application to discharge condition 2(details of the eaves and ridge heights) attached to UTT/17/1901/FUL dated 13.09.2017.
UTT/25/0580/FUL	AC	02/05/2025	Proposed single self-build dwelling on existing

			residential garden land including covered open bay parking for 2No. cars and integral bicycle and garden store.
UTT/0879/76	W	21/10/1976	Extension
SWR/0200/73	R	03/05/1973	Development of land for dwelling
SWR/0078/55	AC	05/07/1955	Erection of bungalow
SWR/0675/72	UA	09/11/1972	Single storey extension
UTT/0968/76	AC	20/12/1976	Conversion of one dwelling into 2 separate units and extension
UTT/0336/78	R	19/06/1978	Outline application for erection of one bungalow and detached garage.
UTT/0363/09/FUL	AC	02/09/2009	Erection of replacement dwelling
UTT/1615/00/FUL	AC	08/01/2001	Construction of vehicular access
UTT/1213/12/REN	AC	06/08/2012	Renewal of extant permission UTT/0363/09/FUL for the Erection of replacement dwelling
UTT/1355/00/FUL	W	20/11/2000	Erection of office building
UTT/1266/01/FUL	AC	14/12/2001	Erection of attached garage

7. PRE-APPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 Paragraph 39 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

7.2 No pre-application advice was sought.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority

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

9. WIDDINGTON PARISH COUNCIL

9.1 Widdington Parish Council object to this planning application for the following reasons:

- The Council has a 5-year housing land supply
- The development doesn't meet the definition of self-build
- Widdington is not a 'sustainable' location for new housing
- Comprises backland development – encroaching on countryside/at odds with linear pattern of development on the lane

10. CONSULTEE RESPONSES

10.1 Place Services (Ecology)

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

10.2 UDC Environmental Health

10.2.1 No objection subject to conditions managing ground contamination and lighting. UDC Environmental Health consultee response can be found in Appendix 3 of this report.

11. REPRESENTATIONS

11.1 A site notice was displayed near the site.

11.2 Support

11.2.1 There are no letters of support for this application.

11.3 Object

11.3.1

- There are 25 letters of objection for this application. The following comments were received:
- Doesn't fit with the low-density linear pattern of development along the lane – backland development will open the flood gates to more unrestricted development along the lane
- Lack of clarity over whether the dwelling is self-build or not
- Other backland development approved was through Class Q – this is not through that method
- The site is unsustainably located with regards to access to services, facilities and public transport links
- Development is outside settlement boundary – with cause harm to the countryside setting of Cornells Lane and Widdington
- Out of keeping with rural character of the site
- Cumulatively with the adjacent site and other sites along Cornells Lane, too many houses are being built in this area - Overdevelopment of the area

- Increase of traffic on single lane track – there are no passing places/increased harm on highway safety for pedestrians and cyclists
- Harm to protected lane
- Harm to historic landscape – the development would erode and damage this important historic landscape by way of damage to the grasslands/increased domestication of the site
- Harm to ecology/wildlife – the site comprises numerous habitats and species
- The site is not infill or previously developed – it is agricultural
- The building is not used for storage in association with The Oaks
- Lacks access to mains drainage
- Amberden is both historically a manor in its own right and listed in the Domesday Book, it deserves to be sensitively appreciated for its historic and ecological significance – this development would harm its setting
- Does not contribute towards reducing global warming
- Noise, disruption and delays caused by building and construction works

12. MATERIAL CONSIDERATIONS

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

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to The provisions of the development plan, so far as material to the application: (aza) a post-examination draft neighbourhood development plan, so far as material to the application, any local finance considerations, so far as material to the application, and any other material considerations.

12.3 The Development Plan

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

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (December 2024).

13.2 Uttlesford District Local Plan (2005)

13.2.1 S7 – The Countryside
GEN1 – Access
GEN2 – Design
GEN3 – Flood Protection
GEN4 – Good Neighbourliness
GEN5 – Light Pollution
GEN7 – Nature Conservation
GEN8 – Vehicle Parking Standards
ENV3 – Open Spaces and Trees
ENV7 – Protection of the Natural Environment
ENV8 – Other Landscape Elements of Importance
ENV9 - Historic landscape
ENV10 – Noise Sensitive Developments
ENV12 – Groundwater Protection
ENV14 – Contaminated Land
H4 – Backland Development

13.3 Neighbourhood Plan

13.3.1 There is no made neighbourhood plan for Widdington.

13.4 Supplementary Planning Document or Guidance

13.4.1 Essex Design Guide
Supplementary Planning Document – Home Extensions
Supplementary Planning Document – Uttlesford District-Wide Design Code (2024).

14. CONSIDERATIONS AND ASSESSMENT

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

14.2 A) Principle of Development
B) Design, Character and Appearance
C) Heritage and Conservation
D) Residential Amenity
E) Transport and Parking
F) Ecology and Biodiversity
G) Land Contamination
H) Lighting
I) Accessible Homes

14.3 A) Principle of Development

14.3.1 Uttlesford Local Plan Policy S7 sets out that in the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there. The site is located outside the Development Limits and therefore in the countryside for the purposes of the Local Plan. The proposal conflicts with the restrictive approach to housing development in the countryside advocated by Policy S7.

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

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

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

14.3.4 Paragraph 79 of the NPPF sets out that where the Housing Delivery Test indicates that where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of this Framework, in addition to the requirements for an action plan and 20% buffer. Given that the latest HDT for Uttlesford was 46%, situation (b) of Footnote 8 applies, which means that the Council must continue engaging with the presumption in favour of sustainable development under paragraph 11(d) of the NPPF. The age of the Local Plan is also supportive of this.

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

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

14.3.7 Sustainable Development:

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

14.3.9 Economic benefits:

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

14.3.11 Location – isolation, infill, services and facilities:

14.3.12 Case law defined ‘isolation’ as the spatial/physical separation from a housing settlement or hamlet, meaning that a site within or adjacent to a housing group is not isolated. The site is not isolated, as it is part of a small housing group with residential properties along Cornells Lane. Paragraph 84 of the NPPF is not applicable.

14.3.13 Paragraph 6.14 of the Local Plan allows “sensitive infilling of small gaps in small groups of houses outside development limits but close to settlements” if the development is in character with the surroundings and have limited impacts on the countryside. By reason of the development’s position in relation to the neighbouring dwellings, the site is not an infill opportunity, as it is not a gap between existing properties, rather an area of formerly agricultural land that is sited to the south and west of existing residential development.

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

- 14.3.15** However, it is noted that the site is approximately 0.7 miles (15-minute walk) from High Street in Widdington, a small-sized village with some limited facilities and services, including a public house, village hall, church and bus stops. Bus stops along High Street provide access to the 301-route which is a twice-an-hour service to both Saffron Walden (via Newport) and Bishop's Stortford (via Stansted Mountfitchet). Notwithstanding this, there are no public footpaths to the village along the road from the application site and it is realistic to surmise that there would be some reliance on the private car. Nevertheless cycling, walking and public transport would not be impossible for occupants and future occupants would not necessarily be entirely dependent on private vehicles, albeit car journeys would be more likely.
- 14.3.16** UTT/25/0580/FUL was approved in May 2025 for 1no. self-build dwelling to the east of The Oaks. The LPA's assessment of the scheme concluded a similar of level of sustainability of the site for new housing in that sustainable modes of transport were not impossible, although the use of private cars was more likely. This is the most recent, relevant decision pertaining to the sustainability of the area along this part of Cornells Lane which is a material consideration in the decision-making of this application. Appeal ref. APP/C1570/W/20/3264013 for the Land Rear of The Malt Place (the site immediately east of the application site) was allowed and the Inspector assessed in paragraph 21 that "The site is also accessible from the nearest settlement. Given the context of the development, I do not believe that it would be inappropriate to create dwellings on this site". The Inspector's assessment of this scheme is relevant to the assessment of the application site's sustainability and suitability for new housing. This is also a material consideration.
- 14.3.17** The NPPF does acknowledge that *'opportunities to maximise sustainable transport solutions will vary between urban and rural areas'* with rural areas naturally much more likely to have to make use of a car. Therefore, whilst car usage would be more likely, sustainable transport options would be available to future occupants which is a positive for the development. The addition of one more house to the Council's current lack of housing delivery is also positive.
- 14.3.18** Previously developed land – Effective use of land:
- 14.3.19** The applicant pertains that the structure was a former agricultural building which has since been used as domestic storage for the occupants of The Oaks. However, there is no planning history to lawfully demonstrate that the site's association as a domestic outbuilding associated with The Oaks, nor the date in which the site was severed from its historical association with adjacent former farmstead. From the Officer's site visit on 2nd July 2025, it could not be established whether the outbuilding was domestic in nature or associated with the occupancy of The Oaks. The building was fairly dilapidated and appeared to be storing a mixture of construction materials and tools.

14.3.20 The exact boundaries and what is included in a property's curtilage are a question of fact and degree, dependent on the physical layout, ownership, and past and present use of the land. The building and the parcel of land are distinctly separate from that of The Oaks by way of separate enclosures and are not physically well-related. There is no evidence provided to suggest that the building is domestic in nature or ancillary to The Oaks. In terms of the ownership history, and as alluded to in third party representations, the site was included within the blue line ownership boundary on the approved plans of UTT/20/2154/FUL. The Applicant has confirmed that the building was formerly agricultural and was historically associated with the former farm buildings to the east of the site which are currently being developed. It is unclear when the severing of this association took place, however with the lack of evidence to confirm its purported ancillary domestic use, the building is considered to still be a redundant former agricultural unit and not form part of the curtilage of The Oaks. Previously developed land excludes land that is or was last occupied by agricultural or forestry buildings, as per the NPPF definition.

14.3.21 The site is therefore not considered to be previously developed land by way of the NPPF definition, instead comprising a greenfield plot, as there is no planning record or other considerations to indicate otherwise. It has also not been demonstrated that a residential use would make more effective use of the land, however as assessed in the appeal decision for APP/C1570/W/20/3264013 at the Land Rear of The Malt Place, the agricultural buildings were not currently in use and as such, the development would not displace an existing economic activity. The building is redundant and fairly dilapidated and this is not disputed, however, the site does not meet the definition of previously-developed "brownfield" land. Nevertheless, with agricultural use no longer active at the site, the building and land is considered to be under-utilised. The proposal would not necessarily conflict with paragraphs 124 and 125(d) of the NPPF.

14.3.22 Environmental dimension of sustainable development / The Countryside:

14.3.23 The site is located within a plot of land to the south of an existing dwelling (The Oaks) and was historically connected with the former farmstead to the east of the site which is currently undergoing development for 10no. dwellings. It is understood that the structure on the site was a former poultry building. The site is physically separate from the surrounding arable landscapes to the south and west and is visually connected with the existing residential developments off this part of Cornells Lane, some of which are under currently construction. Nevertheless, the introduction of the dwelling will by virtue result in a conflict with ULP Policy S7 and the current openness of the site has some contribution to the character and appearance of the rural area. The site is physically well-connected to the dwellings being built to the rear of Malt Place which are sited opposite the access drive. The appearance of this shared access drive and the residential dwellings being built are highly domestic in character and appearance by way of built form and extensive domestic paraphernalia. The siting of the proposed dwelling would not be out of character within this part of the countryside. Dense tree

and vegetation along the boundaries of the site would also screen development from long distance views from Cornells Lane. Whilst the site does somewhat contribute to the openness of the countryside, the development of 1no. dwelling would not necessarily overly urbanise the site, nor the surrounding environs. Visually, the new dwelling would appear related to the existing cluster of houses to the rear of Malt Place and the sporadic pattern of development in this part of the countryside would be preserved with plots of open, verdant land remaining between these rural clusters of built form.

14.3.24 The principle of residential use at the site in the form of one new dwelling will not necessarily have overly harmful impact with regards to encroachment or changing the wider landscape character of the area as a result of the existing footprint, bulk and height of the former agricultural building which is sought to be replaced. Established vegetation boundaries to the site and the existing domestic nature of the immediate environs would limit any harm to the character and appearance of the countryside.. The plans demonstrate that a single-storey dwelling could be integrated into the land subtly and sympathetically which would be well screened by existing vegetation around the site boundaries to the south and west. The overall scale of the dwelling being proposed is moderate and largely replicated the size, bulk and form of the former agricultural building. The proposal would result in a slightly increased domestic appearance of the overall site but would not be out of place within this rural location, nor would overly alter or urbanise the character of the site. The introduction of the proposed built form at this location would cause a minimal change to the countryside character of the site by creating somewhat of an increased domesticated appearance over an agricultural one, but it would not be excessive nor detrimental to the countryside given the context of the site and the existing built form within this area along Cornells Lane.

14.3.25 Self/Custom-Build Housing

14.3.26 As well as forming one reason for the local ward councillor calling in the application to planning, a number of third party representations (including the Parish Council) allude that the proposed development does not satisfy the definition of a self-build and custom build application as defined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015 (as amended). The basis for this appears to be that the applicant's name does not appear on the application form and that Ownership Certificate B has been served on a development company.

14.3.27 The definition of Self-build and Custom housebuilding is contained within Self-build and Custom Housebuilding Act 2015 (as amended), contained in section 1(A1) and (A2) of that Act. This reads as follows:

(A1)In this Act “self-build and custom housebuilding” means the building or completion by—

(a)individuals,

(b)associations of individuals, or

(c) persons working with or for individuals or associations of individuals, of houses to be occupied as homes by those individuals.

(A2) But it does not include the building of a house on a plot acquired from a person who builds the house wholly or mainly to plans or specifications decided or offered by that person.

(1) Each relevant authority must keep a register of—

(a) individuals, and

(b) associations of individuals... ,

who are seeking to acquire serviced plots of land in the authority's area for their own self-build and custom housebuilding

14.3.28 The agent provided a rebuttal to the holding objection confirming that the proposed dwellings do meet the definition of self-build housing, as outlined in section 1(A1) of the Self-build and Custom Housebuilding Act 2015. The ownership certificate was served as the access drive which connects to the adopted highway on Cornells Lane is owned by the development company currently undertaking development at the land to the east of the application site – the land pertaining to the proposed dwelling is under the same ownership of The Oaks. As per the Applicant's Planning Statement, the house has been designed for the applicant's daughter in grounds of their own home, thus, meeting the definition above. It is also noted that the self-build nature of the scheme should be secured by Condition or Unilateral Undertaking.

14.3.29 The LPA are satisfied that the dwellings do meet the definition of self-build/custom-build housing and this can be reasonably enforced through a condition implemented to any permission. Paragraph 73(b) of the NPPF sets out that to promote the development of a good mix of sites local planning authorities should seek opportunities, through policies and decisions, to support small sites to come forward for community-led development for housing and self-build and custom build housing.

14.3.30 Conclusion:

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

14.4 B) Design, Character and Appearance

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

- 14.4.2** Policy GEN2 of the Local Plan states that development will be permitted if it is compatible with the scale, form, layout, appearance and materials of surrounding buildings and it safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate.
- 14.4.3** The proposed development involves the demolition of the former poultry building and the erection of one detached single storey dwelling at the site on the same footprint as the existing building. The proposed dwelling is the same scale as the existing building and is designed in the same style as the dwellings currently under construction adjacent to the site, as approved UTT/21/2649/FUL with brick plinth, weatherboard cladding and a slate grey standing seam roof.
- 14.4.4** The dwelling takes a fairly simple approach to design in terms of its form and massing with gable end roof design and low eaves heights. The built footprint of the proposed dwelling would not extend beyond the existing built footprint of the existing building on site. As such, the scale, form and bulk of the proposed dwelling would not appear overbearing or over dominant within the plot and would respond to the existing style, character and built form of the adjacent residential units.
- 14.4.5** Overall, the new dwelling with the hardstanding included would slightly intensify the built form on the site and create a more domesticated appearance on the site, but it is considered that the design approach carefully responds to the context of the site. The neighbouring properties along the drive are single storey in nature and reference the former agricultural nature of the site. The proposed development would maintain and respond to the existing built form along the lane and would not be incompatible with the existing character or built form in the immediate environs.
- 14.4.6** In terms of materials, the applicant demonstrates that the dwellings would be of a fairly simple design and would be in keeping with the adjacent dwellings being built opposite the site. The house is proposed to be finished with brick plinth, weatherboard cladding and a slate grey standing seam roof. Whilst simple built forms and materials are proposed, the overall appearance would not be out of place in this location and the design reference to the agricultural buildings on site will help to limit any perceived urbanising feel that the new dwelling would have. The proposed appearance of the dwelling would promote an organic and individual form, but would reflect traditional, sympathetic design features which would preserve the semi-rural character within the street scene.
- 14.4.7** Overall, it is considered that the proposed development would not be incompatible with the character of the surrounding area or in the street scene. The proposals make effective use of the site and it is clear that the design elements of the proposals have been implemented to respect existing built form of the area and traditional design vernaculars that respect the rural

character of the site. As such, the proposals accord with Policies S7 and GEN2 of the Uttlesford Local Plan (2005).

14.5 C) Heritage and Conservation

14.5.1 Due to the proximity of the site from any designated heritage assets and the intervening built form between the site and any heritage assets, the application site is not considered to impact on the setting of any Listed Buildings.

14.5.2 Policy ENV9 further seeks to protect historic landscapes, stating that development proposals likely to harm significant local historic landscapes, historic parks and gardens and protected lanes will not be permitted unless the need for the development outweighs the historic significance of the site. The guidance contained within Section 16 of the NPPF, 'Conserving and enhancing the historic environment', relates to the historic environment, and developments which may have an effect upon it.

14.5.3 The site falls within a designated Historic Landscape (Widdington) and Cornells Lane is a non-designated heritage asset (Protected Lane). The proposals seek to erect 1no. dwelling at the site utilising an existing point of access off this lane. Paragraph 216 of the NPPF sets out that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Paragraph 217 states that local planning authorities should not permit the loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred. Third party representations on potential harm to the historic landscape and protected lane are duly noted

14.5.4 The proposed development at the site would not be visible from the lane itself and as a result of the existing residential nature of the surroundings and the limited contribution to the character of the open countryside, visual impacts on views from the protected lane and within the wider historic landscape are not considered inappropriate, nor adverse. The proposed dwelling would utilise an existing access point off Cornells Lane and does not propose any physical changes or alterations to the highway. The land also forms part of a wider historic farmstead which has largely been developed into residential uses. The site is physically well-related to this site and is bounded by mature tree and vegetation screening which provides a sense of enclosure and focusses the application site to this cluster of residential dwellings, rather than to sprawling, agricultural uses to the south and west of the site. As such, it is considered that the site has a limited contribution the Historic Landscape which spans south and east of the village of Widdington. In applying the impacts of the proposed development on the Protected Lane and the Historic Landscape, great weight is given to their preservation. However, no physical changes are proposed to the protected lane as part of the proposed

development and there is not considered to be any harm caused to this non-designated heritage asset. The site holds limited value to the purpose of the Historic Landscape and is largely residential in character. A condition would be applied to any grant of permission to provide a Construction Method Statement to mitigate any potential harm caused to the historic fabric of the protected lane during the construction phase. Therefore, the proposed development is capable of according with Policy ENV9 of the Uttlesford Local Plan (2005).

14.6 D) Residential Amenity

14.6.1 Policy GEN2 further sets out that new development should not cause any loss of privacy, loss of light or be an overbearing form of development for nearby properties which would result in the loss of amenities of the occupants of the neighbouring properties. With regards to residential amenity, Policy GEN2 also highlights that new developments must provide an environment, which meets the reasonable needs of all potential users.

14.6.2 The proposed garden would exceed the 100m² standard as set out in the Essex Design Guide. This would provide sufficient private amenity space for future occupants of the new dwelling. The shape and form of the proposed gardens would be spacious and expansive. Due to the siting of the new dwelling and its modest scale and form, there are no concerns with regards to overlooking, privacy or having an overbearing impact.

14.6.3 Therefore, it is considered that the proposed development would not cause any detrimental impacts to the amenities of neighbouring properties and would provide suitable private amenity space to which meets the needs of all potential users. As such, the proposals accord with Policies GEN2 and GEN4 of the Uttlesford Local Plan (2005).

14.7 E) Transport and Parking

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

14.7.2 The Applicant submits that an existing access point off Cornells Lane to would be utilised to serve the proposed dwellings. Essex County Council's Highway team were consulted on the proposals. From a highway and transportation perspective the Highway Authority had no objections to make on this proposal, subject to compliance conditions being added to any grant of permission and the submission of a Construction Management Plan prior

to the commencement of development. Therefore, the proposal accords with Policy GEN1 of the Local Plan and the NPPF..

14.7.3 Policy GEN8 of the Local Plan sets out that the number, design and layout of vehicle parking places proposed is appropriate for the location, as set out in Supplementary Planning Guidance “Vehicle Parking Standards”. The proposed development would trigger the requirement for two vehicle parking spaces to be provided for the 3-bedroom dwelling.

14.7.4 The Applicant has demonstrated that 3no. spaces would be provided at the site. This exceeds the requirements for 3-bedroom dwellings, as set out in the Vehicle Parking Standards SPD. As such, the proposed development accords with Policy GEN8 of the Uttlesford Local Plan (2005).

14.8 F) Ecology and Biodiversity

14.8.1 Policy GEN7 sets out that development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation. This report also addresses the distinct legal requirements, ensuring a comprehensive analysis of the ecology and biodiversity impacts of the proposal in line with regulatory standards.

14.8.2 General duty on all authorities

14.8.3 The Natural Environment and Rural Communities Act 2006 amended by the Environment Act 2021 provides under Section 40 the general duty to conserve and enhance biodiversity: “For the purposes of this section “the general biodiversity objective” is the conservation and enhancement of biodiversity in England through the exercise of functions in relation to England.” Section 40 states authorities must consider what actions they can take to further the general biodiversity objective and determine policies and specific objectives to achieve this goal. The actions mentioned include conserving, restoring, or enhancing populations of particular species and habitats. In conclusion for decision making, it is considered that the Local Planning Authority must be satisfied that the development would conserve and enhance.

14.8.4 This development is subject to the general duty outlined above. The following features underscore how the proposal positively impacts biodiversity, offsetting requirements necessary for the development to take place.

14.8.5 Protected Species:

14.8.6 In accordance with Natural England’s standing advice the application site and surrounding habitat have been assessed for potential impacts on protected species. The application is supported by a Bat Survey (Essex Mammal Surveys, September 2024) and Biodiversity Validation Checklist.

- 14.8.7** Place Services Ecology have been consulted on the proposed development and are satisfied that there is sufficient ecological information available to support determination of this application. This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable. They have no objection subject to securing biodiversity mitigation and enhancement measures.
- 14.8.8** It is considered that the proposal is unlikely to adversely impact upon protected species or habitats by virtue of the current habitat on site and the lack of any evidence of any protected species being present on site. The mitigation measures identified in the Bat Survey (Essex Mammal Survey, September 2024) should be secured by a condition of any consent and implemented in full.
- 14.8.9** The proposed reasonable biodiversity enhancements which have been recommended in the Bat Survey (Essex Mammal Survey, September 2024) are supported in order to secure net gains for biodiversity, as outlined under Paragraph 187d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be secured by a condition of any consent
- 14.8.10** Biodiversity net gain
- 14.8.11** Biodiversity net gain (BNG) is an approach that aims to leave the natural environment in a measurably better state than it was beforehand. The minimum requirement is for a 10% net gain in biodiversity value achieved on a range of development proposals (excluding Listed Building Consent, Advert Consent, Reserved Matters, Prior Approvals, Lawful Certificates, householders, self builds, and other types of application which are below the threshold i.e. does not impact a priority habitat and impacts less than 25 sq.m of habitat, or 5m of linear habitats such as hedgerow). As set out in the application form and agreed by the applicant, the statutory framework for BNG applies. This involves the imposition (automatically applied as a deemed condition) of a planning condition on approvals to ensure the objective of at least 10% net gain over 30 years. The determination of the Biodiversity Gain Plan (BGP) under this planning condition is the mechanism to confirm whether the development meets the biodiversity gain objective. Development may not be begun until the BGP, via planning condition discharge, is approved.
- 14.8.12** Given this position, the government strictly provides it would generally be inappropriate for decision makers to refuse an application on the grounds that the biodiversity gain objective will not be met. It is considered logical to confirm this closer to commencement of development, given the potential number of options available. This further supports the position that the biodiversity gain objective can always be met in some form.
- 14.8.13** With regard to mandatory biodiversity net gains, Place Services are satisfied

that this application is exempt from mandatory biodiversity net gains, as the development meets the householder exemption.

14.8.14 Conclusion

14.8.15 In accordance with the overarching duty outlined above, The proposed reasonable biodiversity enhancements are supported for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent. This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended). In conclusion, this development is considered to accord to best practice, policy, and legislation requirements in consideration of the impacts on ecology interests. As such, it is considered that with conditions attached, the proposed development is also capable of according with Policy GEN7 of the Uttlesford Local Plan (2005).

14.9 **G) Land Contamination**

14.9.1 UDC Environmental Health were consulted on the proposal and stated that in view of this historic agricultural use, and the fact that the proposed development is for a very contamination-sensitive end use of residential occupancy with gardens, it is imperative to ensure that any contamination risks that may be present on site are identified, assessed and where necessary remediated to a suitable standard. For these reasons, further ground contamination investigations are recommended by way of pre-commencement condition.

14.9.2 Overall, with conditions attached, the proposal is acceptable in contamination terms and accords with Policy ENV14 and the NPPF.

14.10 **H) Lighting**

14.10.1 Policy GEN5 states that development shall not be permitted unless the lighting is shown to be necessary and glare and light spillage are shown to be minimised.

14.10.2 The Applicant's plans do not demonstrate any external lighting to be installed at the proposed dwelling and therefore no lighting scheme can be assessed against Policy GEN5. However, in the interests of preserving neighbouring amenity, aerodrome safety and any protected species, a condition will be implemented to ensure that any potential future external lighting at the site is subject to approval by the LPA.

14.11 **I) Accessible Homes**

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

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

- 15.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

- 15.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

- 15.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application; no conflicts are raised.

15.2 Human Rights

- 15.2.1** There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application.

16. CONCLUSION

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

17. CONDITIONS

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

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

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

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

- 3** No development shall take place until samples of the materials to be used in the construction of the external finishes of the development, including but not limited to walls, tiles, windows, doors, fences and hard surfacing have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

- i. proposed finished levels or contours;
- ii. means of enclosure;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- vii. proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports.); retained historic landscape features and proposals for restoration, where relevant.
- viii. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

The details shall be implemented in accordance with the approved details.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- 5** The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, has been provided. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety

- 6** Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times.

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.

- 7** No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
- i. vehicle routing,
 - ii. the parking of vehicles of site operatives and visitors,
 - iii. loading and unloading of plant and materials,
 - iv. storage of plant and materials used in constructing the development,
 - v. wheel and underbody washing facilities.

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

- 8** No development shall take place, including any ground works or demolition, until a condition survey of the existing adopted Highway (carriageway and verges) from the site access to the junction of Cornells Lane with Widdington High Street has been submitted to, and approved in writing by, the local planning authority. The survey must consist of:
- i. A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.

- ii. a site plan showing the location of where the photographs were taken on the public highway.

REASON: To ensure that the construction works do not result in the deterioration of the condition of the public highway along the site and to ensure repairs are undertaken at the developer's expense where, caused by developer in the interests of highway safety.

9

After the completion of the development works, a follow up photographic condition survey to identify new defects to the existing adopted highway (carriageway and verges) from the site access to the junction of Cornells Lane with Widdington High Street shall be submitted to, and approved in writing by, the local planning authority. Any identified damage to the adopted highway shall be made good to the satisfaction of the local Authority prior to first occupation. The survey must consist of:

- i. A written and photographic record of all new defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.
- ii. a site plan showing the location of where the photographs were taken on the public highway.
- iii. Should the post construction survey identify any damage to the highway caused by the construction works, details of measures to repair the highway, including timescales.

REASON: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer, In the interest of pedestrian and highway safety.

10

No development approved by this permission shall take place until a Phase 1 Desk Study report documenting the ground conditions of the site with regard to potential contamination has been submitted to and approved in writing by the Local Planning Authority. This report shall adhere to BS10175:2011. Where shown to be necessary by the Phase 1 Desk Study, a Phase 2 Site Investigation adhering to BS 10175:2011 shall submitted to and approved in writing by the Local Planning Authority. Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme shall be submitted for approval in writing by the Local Planning Authority.

This scheme shall detail measures to be taken to mitigate any risks to human health, groundwater and the wider environment. Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied.

Prior to occupation the effectiveness of any scheme shall be demonstrated to the Local Planning Authority by means of a validation report (to incorporate photographs, material transport tickets and

validation sampling), unless an alternative period is approved in writing by the Authority. Any such validation should include responses to any unexpected contamination discovered during works.

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

REASON: In the interests of Policy ENV14 of the Uttlesford Local Plan (2005) and to protect human health and the environment

- 11** Under the Control of Asbestos Regulations a refurbishment and demolition survey is required before the demolition of any buildings which may contain asbestos, and any asbestos found must be safely removed by a trained contractor before work commences. All asbestos removed in relation to this development shall be done in full consultation with the Health & Safety Executive using a licenced contractor. Contractor details and asbestos disposal records (waste transfer notes) should be submitted to the council upon completion.

REASON: In the interests of Policy ENV14 of the Uttlesford Local Plan (2005) and to protect human health and the environment

- 12** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Bat Survey (Essex Mammal Survey, September 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

- 13** 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 Bat & GCN Survey and Assessment (Essex Mammal Surveys, 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, orientations, and heights of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance (where relevant).

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

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

- 14** Prior to occupation, a “lighting design strategy for biodiversity in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through provision of appropriate lighting plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

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

REASON: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended), s40 of the NERC Act 2006 (as amended) and Policy GEN7 of the Uttlesford Local Plan (2005)

- 15** The residential unit hereby permitted shall be constructed as a self-build and custom housebuilding dwelling within the definitions of self-build and custom housebuilding dwelling in the 2015 Self-Build and Custom Housebuilding Act (as Amended by the 2016 Housing and Planning Act:
- o The first occupation of the residential unit hereby permitted shall be by a person or persons who had a primary input into the design and layout of the dwelling.
 - o The Council shall be notified of the persons who intended to take up first occupation of the residential unit hereby permitted at least two months prior to the first occupation.

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

- 16** The 1-no. dwelling approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4 (2) of the Building Regulations 200 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with ULP Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Play space

APPENDIX 1 – ECC HIGHWAYS

Your Ref: UTT/25/1729/FUL
Our Ref: 60957
Date: 14th August 2025



Director for Highways
and Transportation

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

County Hall
Chelmsford
Essex CM1 1QH

Recommendation

Application No.	UTT/25/1729/FUL
Applicant	Mr Samuel Bampton
Site Location	The Oaks Cornells Lane Widdington Essex CB11 3SP
Proposal	Demolition of existing outbuilding and erection of single storey three bedroom self-build dwelling

The Highway Authority has reviewed the submitted information. The access, access road, passing places and visibility splays currently on site are deemed safe and suitable for the one additional dwelling proposed.

It must be noted that the rural location of the site is such that access to key facilities, public transport, employment and leisure opportunities is limited and for the vast majority of journeys the only practical option would be the car.

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

1. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, has been provided. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority. **Reason:** To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety
2. Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times. **Reason:** To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.
3. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:

- i. vehicle routing,
- ii. the parking of vehicles of site operatives and visitors,
- iii. loading and unloading of plant and materials,
- iv. storage of plant and materials used in constructing the development,
- v. wheel and underbody washing facilities.

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety.

4. No development shall take place, including any ground works or demolition, until a condition survey of the existing adopted Highway (carriageway and verges) from the site access to the junction of Cornells Lane with Widdington High Street has been submitted to, and approved in writing by, the local planning authority.

The survey must consist of:

- i. A written and photographic record of all defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.
- ii. a site plan showing the location of where the photographs were taken on the public highway.

Reason: To ensure that the construction works do not result in the deterioration of the condition of the public highway along the site and to ensure repairs are undertaken at the developer's expense where, caused by developer in the interests of highway safety.

5. After the completion of the development works, a follow up photographic condition survey to identify new defects to the existing adopted highway (carriageway and verges) from the site access to the junction of Cornells Lane with Widdington High Street shall be submitted to, and approved in writing by, the local planning authority. Any identified damage to the adopted highway shall be made good to the satisfaction of the local Authority prior to first occupation.

The survey must consist of:

- i. A written and photographic record of all new defects with corresponding location references accompanied by a description of the extent of the assessed area and a record of the date, time and weather conditions at the time of the survey.
- ii. a site plan showing the location of where the photographs were taken on the public highway.
- iii. Should the post construction survey identify any damage to the highway caused by the construction works, details of measures to repair the highway, including timescales.

Reason: To ensure that any damage to the adopted highway sustained throughout the development process can be identified and subsequently remedied at the expense of the developer, In the interest of pedestrian and highway safety.

The above conditions are required to ensure that the development accords with the National Planning Policy Framework (NPPF) 2024 and the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Informative:

- i. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.
- ii. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.
- iii. There shall be no discharge of surface water onto the Highway.
- iv. The rural location of the site is such that access to key facilities, public transport, employment and leisure opportunities is limited and for the vast majority of journeys the only practical option would be the car. This should be taken into consideration by the Planning Authority when assessing the overall sustainability and acceptability of the site.
- v. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.

F Masne

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pp. Director for Highways and Transportation
Enquiries to Eirini Spyratou

APPENDIX 2 – PLACE SERVICES (ECOLOGY)

Place Services
Essex County Council
County Hall, Chelmsford
Essex, CM1 1QH
www.placeservices.co.uk



Date: 21 July 2025

Our ref: 06688

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

By email only: Planning Department, planning@uttlesford.gov.uk

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Uttlesford District Council planning decisions with regard to potential ecological impacts from development. Any additional information, queries or comments on this advice that the applicant or other interested parties may have, must be directed to the Planning Officer who will seek further advice from us where appropriate and necessary.

Application: UTT/25/1729/FUL
Location: The Oaks Cornells Lane Widdington
Proposal: Demolition of existing outbuilding and erection of single storey three-bedroom self-build dwelling

Thank you for consulting Place Services on the above full application.

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

Summary

We have reviewed the Bat Survey (Essex Mammal Surveys, September 2024) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures and mandatory Biodiversity Net Gain.



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

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

With regard to mandatory biodiversity net gains, it is highlighted that applications are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under [paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990](#) and the [Biodiversity Gain Requirements \(Exemptions\) Regulations 2024](#). As a result, we are satisfied that this application is exempt from mandatory biodiversity net gains, as the development meets the householder exemption.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). The reasonable biodiversity enhancement measures should be outlined within a separate Biodiversity Enhancement Strategy and should be secured by a condition of any consent.

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

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

"All mitigation measures and/or works shall be carried out in accordance with the details contained in the Bat Survey (Essex Mammal Survey, September 2024) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

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

"Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Bat Survey (Essex Mammal Survey, September 2024), shall be submitted to and approved in writing by the local planning authority.

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

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs or product descriptions to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);*
- d) persons responsible for implementing the enhancement measures; and*
- e) details of initial aftercare and long-term maintenance (where relevant).*

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

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

3. PRIOR TO OCCUPATION: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME

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

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

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

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

Please do not hesitate to contact us if you have any queries in relation to this advice.

Beth Archer BSc (Hons)
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Place Services at Essex County Council
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Place Services provide ecological advice on behalf of Uttlesford District Council.

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



APPENDIX 3 – UDC ENVIRONMENTAL HEALTH

Environmental Health Consultee Comments for Planning

Application Number: UTT/25/1729/FUL

The Oaks Cornells Lane Widdington

Consultee

Name: Rebecca Page

Title: EHO

Tel: x

Email: rpage@thurrock.gov.uk

Date: 07 July 2025

Demolition of existing outbuilding and erection of single storey three bedroom self-build dwelling

Comments

Contaminated Land:

In view of this historic agricultural use, and the fact that the proposed development is for a very contamination-sensitive end use of residential occupancy with gardens, it is imperative to ensure that any contamination risks that may be present on site are identified, assessed and where necessary remediated to a suitable standard.

For these reasons, I would recommend that the following condition is attached to any planning consent granted for the outline application as proposed:

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

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

Where shown to be necessary by the Phase 2 Site Investigation a detailed Phase 3 remediation scheme shall be submitted for approval in writing by the Local Planning Authority. This scheme shall detail measures to be taken to mitigate any risks to human health, groundwater and the wider environment. Any works which form part of the Phase 3 scheme approved by the local authority shall be completed in full before any permitted building is occupied.

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

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

External Lighting:

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

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

Asbestos:

Under the Control of Asbestos Regulations a refurbishment and demolition survey is required before the demolition of any buildings which may contain asbestos, and any asbestos found must be safely removed by a trained contractor before work commences. All asbestos removed in relation to this development shall be done in full consultation with the Health & Safety Executive using a licenced contractor. Contractor details and asbestos disposal records (waste transfer notes) should be submitted to the council upon completion.

Informatives

Construction Advice: Developers are referred to the Uttlesford District Council Environmental Code of Development Practice. To avoid/minimise the impact upon the amenity of adjoining residents; developers are advised to follow the General Principle, and advice contained therein.