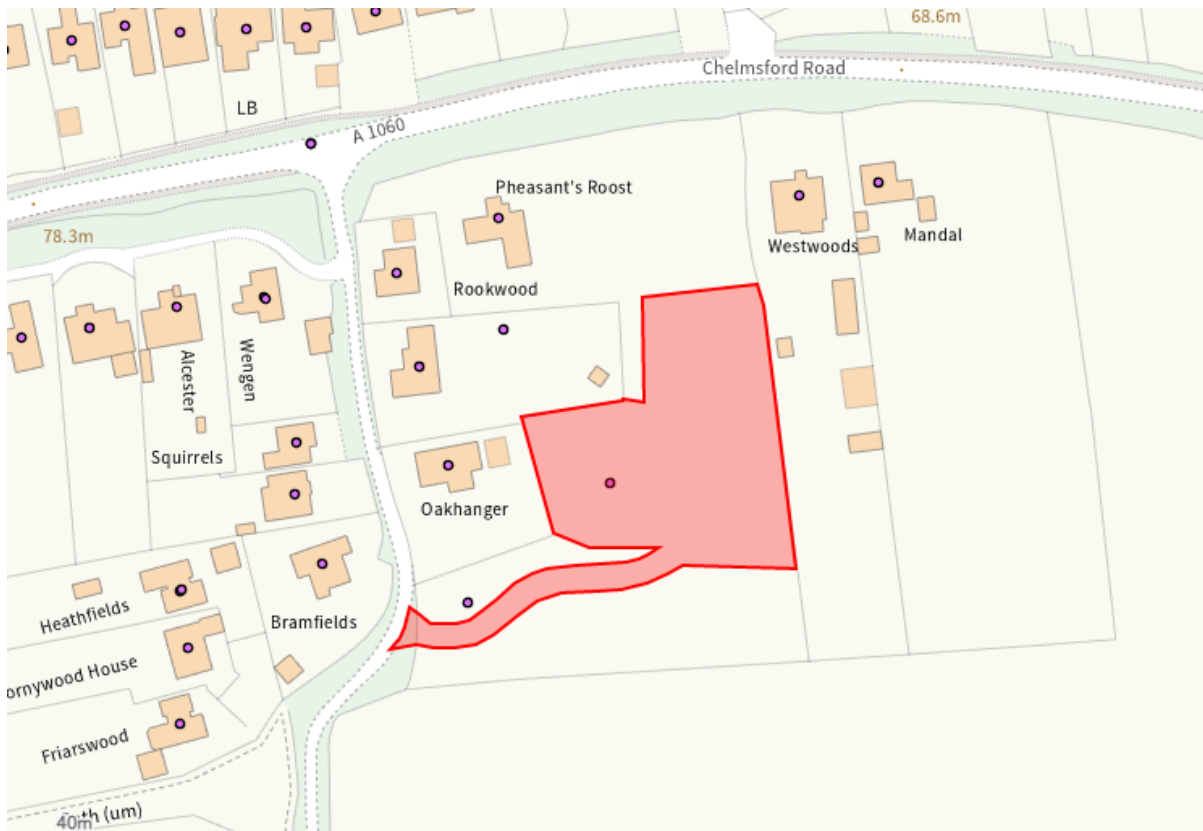




ITEM NUMBER:	11
PLANNING COMMITTEE DATE:	22 October 2025
REFERENCE NUMBER:	UTT/25/2262/FUL
LOCATION:	Land East of Oakhanger Friars Lane Hatfield Heath Essex

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 27 August 2025

PROPOSAL: Proposed erection of 7 no. dwellings with new access and associated development.

APPLICANT: Mr & Mrs David & Debbie Worrell

AGENT: Mr Matthew Wood

EXPIRY DATE: 21/10/2025

EOT EXPIRY DATE: 23/10/2025

CASE OFFICER: Ashley Neale

NOTATION: Outside Development Limits
Metropolitan Greenbelt
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 erect 7 no. dwellings with new access and associated development.
- 1.2** The proposed development would utilise grey belt land, in accordance with the Framework and all criteria set out in paragraph 155 are met. The site is adjacent the development limits for Hatfield Heath and is approximately 600-metres (10-minute walk) to the village core. The proposed development would be well connected and sustainably located with regards to its access to services, amenities and sustainable modes of transport.
- 1.3** The scale, layout and appearance of the proposed dwelling would be fairly modest and represent a housing mix largely consisting of small properties (2-3-bedroom dwellings). The design of the dwellings largely reflects that of other detached properties located along Friars Lane and Chelmsford Road and continues the nucleated pattern of development spanning off, and around Chelmsford Road

- 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 east side of Friars Lane, Hatfield Heath and lies to the rear of the dwelling of Oakhanger. The site comprises a parcel of gently sloping grassland consisting of 0.76 ha which lies to the south of Chelmsford Road, to the east of Oakhanger and Heritage House, and to the west of the rear garden of Westwoods. There is a field gate and vehicular access onto Friars Lane to the southwest of the site. Open countryside comprising gently rolling farmland lies to the south of the site beyond a stream. The southern boundary of the site is partially screened by vegetation to this wider rural landscape. The site is also located within the Metropolitan Green Belt.

4. **PROPOSAL**

- 4.1 Proposed erection of 7 no. dwellings with new access and associated development.
- 4.2 The application includes the following supporting documents:
- Application Form
 - Covering Letter
 - Planning Statement
 - Green Belt Appraisal
 - Energy And Sustainability Statement
 - Transport Statement
 - Arboricultural Impact Assessment Report
 - Environmental Noise Assessment
 - Preliminary Ecological Appraisal
 - Reptile Survey
 - Biodiversity Net Gain Statement
 - Biodiversity Checklist

5. **ENVIRONMENTAL IMPACT ASSESSMENT**

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

6. RELEVANT SITE HISTORY

6.1

Reference No.	Status	Decision Date	Proposal
UTT/13/2531/OP	R	11/11/2013	Outline application for the erection of 3 no. single storey dwellings with all matters reserved except access, layout and scale
UTT/15/3109/FUL	W	09/12/2015	Erection of 7 no. dwellings including new road and associated landscaping
UTT/15/3816/FUL	R	15/02/2016	Erection of 7 no. dwellings including new road and associated landscaping
UTT/18/1437/FUL	R	19/11/2018	Erection of 8 no. detached dwellings with associated access from Friars Lane and the introduction of a new community orchard
UTT/19/0140/FUL	R	12/04/2019	New residential development comprising the construction of 8 no. new dwellings, 4 of which would be affordable, associated access from Friars Lane, the introduction of a new community orchard and associated development
UTT/19/1319/CLP	W	13/08/2019	Change of use to a community orchard. New access road, planting, erecting production and storage building, erecting fencing, restoring pond.
UTT/19/2173/CLP	APPNON	19/01/2020	Proposed planting of fruit orchard, erecting fencing and gates, restoring pond, maintaining and improving existing boundary trees and

			hedgerow. Forming hardened access.
UTT/20/2317/FUL	R	22/01/2021	Formation of hardened access to allow all year round planting and maintenance.
DUN/0287/72	R	02/10/1972	Site for residential development.
DUN/0364/64	R	21/09/1964	Site for residential development
UTT/0749/78	R	23/12/1978	Outline application for erection of two residential buildings
UTT/0452/81	R	11/05/1981	Outline application for erection of two detached dwellings with double garages

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 The Highways Authority were consulted on the proposal but made no comments on the application.

9. HATFIELD HEATH PARISH COUNCIL

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

- Site is in Metropolitan Green Belt, application appears contrary to Policies S6, H9 and GEN 6 of the Adopted Plan 2005.
- Access is over a roadway that has not received planning consent and is subject to a current enforcement request.

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 1 of this report.

10.2 UDC Environmental Health

10.2.1 No objection subject to conditions managing noise, construction impacts, ground contamination and lighting. UDC Environmental Health consultee response can be found in Appendix 2 of this report.

10.3 MAG Aerodrome Safeguarding

10.3.1 No objection. MAG Aerodrome Safeguarding 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 two letters of support for this application. The following comments were received:

- This would allow elderly people the opportunity to stay in the village and downsize, subsequently releasing a large home to a new family
- The land is suitable for residential use and that the layout and scale of the proposed homes have been thoughtfully designed to complement the surrounding area.
- Modest and respectful addition to the village
- Housing is in high demand, and this would positively use the land
- Would enhance the local area

11.3 Object

11.3.1 There are no letters of objection for this application

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** S6 – Metropolitan Green Belt
- GEN1 – Access
- GEN2 – Design
- GEN3 – Flood Protection
- GEN4 – Good Neighbourliness
- GEN5 – Light Pollution
- GEN7 – Nature Conservation
- GEN8 – Vehicle Parking Standards
- ENV7 – Protection of the Natural Environment
- ENV8 – Other Landscape Elements of Importance
- 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 Hatfield Heath.

13.4 Supplementary Planning Document or Guidance

- 13.4.1** Essex Design Guide
- Supplementary Planning Document – Home Extensions

14. CONSIDERATIONS AND ASSESSMENT

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

- 14.2**
- A) Principle of Development**
 - B) Design, Character and Appearance**
 - C) Residential Amenity**
 - D) Access**
 - E) Parking**
 - F) Ecology and BNG**
 - G) Land Contamination**
 - H) Noise**
 - I) Lighting**
 - J) Accessible Homes**
 - K) Planning Balance**

14.3 A) Principle of Development

14.3.1 The application site is located within the Metropolitan Green Belt as defined by the Uttlesford District Local Plan. Chapter 13 of the Framework considers Green Belt land in relation to development proposals.

14.3.2 The Framework identifies in paragraph 142 that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. When considering any planning application, substantial weight is given to any harm to the Green Belt (Paragraph 153). Policy S6 of the Local Plan, amongst other matters, that the Council will carefully manage the Green Belt in accordance with any national policy. In this regard local policy relevant to this proposal is largely consistent with the Framework.

14.3.3 Paragraph 143 of the Framework identifies five purposes that the Green Belt serves as listed below:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

14.3.4 Paragraph 153 stipulates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 14.3.5** The Framework states that the construction of new buildings should be regarded as inappropriate development in the Green Belt.
- 14.3.6** Paragraphs 154 and 155 of the Framework identifies exceptions to this. This includes, at paragraph 154 g) limited infilling or the partial or complete redevelopment of previously developed land (PDL) (including a material change of use to residential or mixed use including residential), which would not cause substantial harm to the openness of the Green Belt.
- 14.3.7** The Glossary of the Framework defines PDL as land which has been lawfully developed, and it's occupied by a permanent structure and any fixed surface infrastructure associated with it. The Framework definition of PDL goes on to clarify that it excludes land that is occupied by agricultural buildings.
- 14.3.8** The application site appears to agricultural in use. The site thereby not PDL in terms of the Framework and therefore this proposal would fail to satisfy this requirement of paragraph 154 g).
- 14.3.9** The Framework at Paragraph 155 states that the development of homes, commercial and other development in the Green Belt should also not be regarded as inappropriate where:
- a) The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
 - b) There is a demonstrable unmet need for the type of development proposed⁵⁶;
 - c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework⁵⁷; and
 - d) Where applicable the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 below.
- 14.3.10** In respect to point para 155 a), the Framework defines grey belt as land in the Green Belt comprising PDL and/or any other land that, in either case, does not strongly contribute to any purposes (a), (b), or (d) in paragraph 143. For the purposes of this proposal the test involves as to whether the proposed site 'strongly' contributes to the purposes of the Green Belt.
- 14.3.11** The assessment of whether the site 'strongly contributes to the purposes is accepted as a matter of planning judgement. This is addressed below:
- a) to check the unrestricted sprawl of large built-up areas;
- 14.3.12** Planning Practice Guidance defines areas of which contribute strongly are likely to be free of existing development and lack physical feature(s) in reasonable proximity that could restrict and contain development. They are also likely to include all of the following features:
- be adjacent or near to a large built-up area

- if developed, result in an incongruous pattern of development (such as an extended “finger” of development into the Green Belt)

14.3.13 Case law states that large built-up areas are defined as towns and not small villages.

14.3.14 The built development proposed, including the access drive, would not extend any further south than the existing development limits of Hatfield and no further south than exiting development off Friars Lane. The site is bound to the west by the residential properties of Westwoods and Mandal. This would not represent unrestricted sprawl of a built-up area.

14.3.15 b) to prevent neighbouring towns merging into one another;

14.3.16 Planning Practice Guidance defines areas of which contribute strongly are likely to be free of existing development and include all of the following features:

- forming a substantial part of a gap between towns
- the development of which would be likely to result in the loss of visual separation of towns

14.3.17 Hatfield Heath is defined as a village and not a town within the settlement Hierarchy. The proposals would not result in towns merging or reducing the visual separation.

14.3.18 d) to preserve the setting and special character of historic towns; and

14.3.19 Planning Practice Guidance defines areas of which contribute strongly are likely be free of existing development and to include all of the following features:

- form part of the setting of the historic town
- make a considerable contribution to the special character of a historic town. This could be (but is not limited to) as a result of being within, adjacent to, or of significant visual importance to the historic aspects of the town.

14.3.20 Hatfield Heath is not a historic town, and the proposals would neither result in significant harm to the setting or visual importance of historic aspects of the village.

14.3.21 In light of the evidence relating to the purposes of the Green Belt outlined and taken account of the particular site features and the small scale of this proposal, the Local Planning Authority find that this development would not fundamentally undermine the purposes (taken together).

- 14.3.22** 'Grey Belt' excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development. In this case, the development would not affect any other assets in Footnote 7 of the Framework. (Need to assess whether the application of the policies in footnote 7 of the NPPF do not provide a strong reasons for refusing development)
- 14.3.23** Moving on to the requirements of Paragraph 155 b) of the Framework, the evidence shows that the Council is unable to demonstrate a five year housing land supply (HLS). At around 3.46 years, the districts HLS is critically low. The proposals would result in 7 dwellings and its contribution to the supply of new homes in the area would be limited. Nonetheless, there is a demonstratable unmet need for the type of development proposed in this case in the district.
- 14.3.24** Paragraph 155 c) requires development would be in a sustainable location, with reference to paragraphs 110 and 115 of the Framework. Addressing this, while the site is not near large built-up areas, it is close to the local centre of Hatfield Heath and the services this settlement offers.
- 14.3.25** With regards to accessibility, the site falls outside development limits for Hatfield Heath but is approximately 600-metres (10-minute walk) to the village core. The villages services and facilities (including primary school, shops, bus stops and other employment and community facilities) would all be within close walking and cycling distance. Future residents would not be reliant on private motor vehicle to access day-to-day services and sustainable modes of transport would be readily accessible to the site. In terms of its location, the application site is considered a sustainable location in respect to accessibility to employment, cultural, health and commercial activities to meet the daily needs of future occupiers and suitable for new housing.
- 14.3.26** Whether the proposals meet the requirements of the paragraph 155 d) is set out in the 'Golden Rules in paragraph 156 of the Framework. This identifies contributions that major development proposals should make, involving the provision of housing on sites in the Green Belt subject to a planning application. These relate to affordable housing, necessary improvements to local and national infrastructure and the provision for new and improved existing green spaces which are accessible to the public.
- 14.3.27** The scheme is not a major development and thus apply the 'Golden Rules' is no applicable.
- 14.3.28** For the above reasons, the proposal is determined as not inappropriate development in the Green Belt under paragraph 153 as it is 'Grey Belt' land, meeting all the requirements of paragraph 155 of the Framework. The scheme proposed can be determined as not inappropriate development in the Green Belt.
- 14.3.29** **Openness, and purposes of the Green Belt and very special circumstances.**

14.3.30 Footnote 55 of the Framework sets out that if development is not inappropriate development on previously developed land or grey belt, then this is excluded from the policy requirement to give substantial weight to any harm to the Green Belt, including to its openness.

14.3.31 The effect of openness arises only where a site is not considered as Grey Belt land or not inappropriate development in the Green Belt. Given the Local Planning Authorities findings on the proposals as set out above, in accordance with the Framework, an assessment of the effect of the proposal on the Green Belt openness and its purposes are not required. Therefore, it is not necessary for the Local Planning Authority to undertake such an assessment. For similar reasons, an assessment of whether 'very special circumstances' exist to make the proposal appropriate and acceptable in the Green Belt is also not required and therefore has not been undertaken.

14.3.32 Summary

14.3.33 The Framework recognises the need for a pragmatic and flexible balance to be found on Green Belt policy. The site is determined as Grey Belt land, in accordance with the Framework and all criteria set out in paragraph 155 are met. The proposal is therefore not inappropriate development in the Green Belt. As such, assessments on the contribution it makes to the openness and function of the Green Belt and whether there are any very special circumstances exist for the development to be considered appropriate are not necessary. There is no footnote 7 policies that provide a strong reason of refusal. Therefore, paragraph 11d(ii) is to be applied in the overall planning balance.

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 Applicant has provided a provided limited information detailing the design approach to the proposed dwellings and how their design, layout, scale and appearance responds to the site's character and setting.

14.4.4 The proposed development involves a mix of 1.5 and 2-storey accommodation with 5 no. detached and 2 no. semi-detached building types. The proposals include for a mix of 2, 3 and 4-bedroom properties. The dwelling takes a fairly

simple approach to design in terms of their appearance, form and fenestration with some traditional design aspects including gable end roofs and gable dormers. The built footprint of the proposed dwellings would be fairly modest and represent a housing mix largely consisting of small properties (2-3-bedroom dwellings). The scale and footprint of the dwellings largely reflects that of other detached properties located along Friars Lane and Chelmsford Road and continues the nucleated pattern of development spanning off, and around Chelmsford Road – the main throughfare through Hatfield Heath . As such, the scale, form and bulk of the proposed dwelling would not appear overbearing or over dominant within the setting of the site. The scale and appearance of the dwelling are considered to be in keeping with the neighbouring dwellings and style of built form existent in Hatfield Heath which is varied and generally suburban in appearance.

- 14.4.5** The seven dwellings will be sited to the north of the site with open undeveloped land retained to flank the access drive. The positioning of the driveway to the dwellings will introduce a further hard surface, however this will be limited to the southern area of the site and not appear urbanising or obtrusive given the existing number of driveways nucleated off Friars Lane. Limited landscaping details are included with the application other than boundary treatments and some light shrub and vegetation planting around the dwellings. Further landscaping details would be required prior to commencement of development, however, this could be implemented as a condition to ensure the visual impacts of the development are mitigated from views outside the application site. It is considered further information would be required to consider the landscaping of the proposal and as such a condition should be included.
- 14.4.6** In terms of materials, the applicant demonstrates that the dwellings will have a fairly traditional external appearance with materials including facing brickwork, painted feather-edged weatherboarding, brick plinth, painted render and a combination of slate tiles and plain tiles. Timber casement windows are proposed throughout. The material palette is varied for each dwelling and variety is to help break up any sense of monotony and limit urbanising effects. Whilst fairly simple built forms and materials are proposed, there overall appearance would avoid monotony and help to limit any perceived urbanising feel that the new dwellings would have. The proposed appearance of the dwellings would partially promote an organic and individual form, whilst being cohesive and sharing a mixed material palette, as they would be visually read as seven independent dwellings. This aligns with the individual forms and appearances of the dwellings in the surrounding area. The dwellings would reflect a low-scale and sympathetic design which would preserve the semi-rural character within the setting of the site.
- 14.4.7** Overall, it is considered that the proposed development, whilst increasing built form within the site, 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 their vernaculars

would respect the rural character of the site. As such, the proposals accord with Policy GEN2 of the Uttlesford Local Plan (2005).

14.5 C) Residential Amenity

- 14.5.1** Policy GEN2 further sets out that new development should not cause any loss of privacy, loss of light or be an overbearing form of development for nearby properties which would result in the loss of amenities of the occupants of the neighbouring properties. With regards to residential amenity, Policy GEN2 also highlights that new developments must provide an environment, which meets the reasonable needs of all potential users.
- 14.5.2** The proposed gardens for 3 and 4-bed dwellings would well exceed the 100m² standard as set out in the Essex Design Guide. The proposed gardens for the 2no. 2-bedroom dwellings would also exceed 100m². This would provide sufficient private amenity space for future occupiers of the new dwelling. The shape and form of the proposed gardens would be functional and logically located with respect to their associated dwellings.
- 14.5.3** Taking into account the submitted site layout, floor and elevation plans, it is considered that the scale and appearance of the dwellings will not result in any loss of privacy, loss of daylight, overbearing impact or overshadowing. In view of the separation distances from neighbouring properties location, the proposal would not result in any material detrimental impact to neighbouring occupier's amenity.
- 14.5.4** Therefore, it is considered that the proposed development would not cause any detrimental impacts to the amenities of neighbouring properties and would provide suitable private amenity space to which meets the needs of all potential users. As such, the proposals accord with Policies GEN2 and GEN4 of the Uttlesford Local Plan (2005).

14.6 D) Access

- 14.6.1** Policy GEN1 of the Local Plan lists a number of criteria regarding access with which development must comply in order 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. Parish Council and Ward Councillor representations received raise concerns with regards to the proposed access point onto Friars Lane, particularly with regards to visibility and the impact on highway safety. These are noted and taken into consideration.
- 14.6.2** The Applicant submits that a new existing access point off Friars Lane would be utilised to serve the seven dwellings. It should be highlighted the access

currently built on site has been constructed unlawfully and is currently subject to a separate enforcement case with the Council (ref. INV/24/0150/C). Notwithstanding this, the proposed access and shared drive has been constructed in accordance with the plans submitted under application UTT/19/0140/FUL which proposed the redevelopment of the site for 8no. dwellings. This was refused and later dismissed at appeal with the sole reason for harm to the Green Belt. The access was reviewed by the Highways Authority who at the time stated that from a highway and transportation perspective the Highway Authority had no objections.

14.6.3 The access would be located to the south-west of the site off Friars Lane. The applicant proposes a site access which enables visibility splays of 2.4m x 31m to the north and 2.4m x 32m to the south. Although the speed limit of Friars Lane where the access is located is a 40mph limit, speed surveys were undertaken demonstrating that the northbound 85%ile speed was 24.1 mph and the southbound 85%ile speed was 23.5mph. The MfS indicates that for a recorded 85%ile speed of 24.1mph, visibility at 2.4m by 32.0m to the south from the access would be required and for an 85%ile speed of 23.5mph, visibility at 2.4m by 31m would be required to the north from the access. These lengths correspond to the stopping sight distance required for vehicles travelling at speeds up to 23.5mph and 24.1 mph, as in accordance with MfS guidance.

14.6.4 Essex County Council's Highway team were consulted on the proposals but provided no comment on the application. However, considering that the access being proposed has already been deemed safe and appropriate under UTT/19/0140/FUL and in accordance with the Highway Authority's Development Management Policies, the proposal is considered to accord with Policy GEN1 of the Local Plan and the NPPF.

14.7 E) Parking

14.7.1 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 spaces to be provided for each 2 and 3-bedroom dwelling and three vehicle parking spaces to be provided for each 4-bedroom dwelling. For a total of 7no. dwellings, 2no. additional visitor parking spaces should be provided.

14.7.2 The Applicant has demonstrated that the above standards are met and the proposed quantum and layout of parking proposed is appropriate for the proposed development. The proposals meet the requirements 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 BNG

14.8.1 ULP Policy GEN7 seeks to ensure that development would not have a harmful effect on wildlife, geological features, or protected species. The application

was submitted with a supporting Preliminary Ecological Appraisal report (Hybrid Ecology, June 2025) and Reptile Survey (Hybrid Ecology, August 2025)

- 14.8.2** This report addresses the distinct legal requirements, ensuring a comprehensive analysis of the ecology and biodiversity impacts of the proposal in line with regulatory standards.
- 14.8.3** General duty on all authorities:
- 14.8.4** 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. This development is subject to the general duty outlined above.
- 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.
- 14.8.7** Place Services have reviewed the Preliminary Ecological Appraisal report (Hybrid Ecology, June 2025) and the Reptile Survey (Hybrid Ecology, August 2025) supplied by the applicant, relating to the likely impacts of development on designated sites, protected & Priority species and habitats and identification of proportionate mitigation. Place Services are satisfied that there is sufficient ecological information available for determination of this application and raise no adverse comments with regards the likely impacts of development on designated sites, protected & Priority species and habitats 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 Preliminary Ecological Appraisal (Hybrid Ecology, June 2025) and the Reptile Survey (Hybrid Ecology, August 2025) should be secured by a condition of any consent and implemented in full.
- 14.8.9** Biodiversity net gain
- 14.8.10** 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.

14.8.11 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.

14.8.12 With regard to mandatory biodiversity net gains, Place Services have also reviewed the information submitted relating to mandatory biodiversity net gains and support the submitted documents. Place Services have reviewed Biodiversity Net Gain Assessment (Samsara Ecology, June 2025), including the Baseline Habitat Map, and the Statutory Biodiversity Metric – Calculation Tool and are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement

14.8.13 Conclusion

14.8.14 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 The Council has no reason to believe this site is contaminated and is not aware of any potentially contaminative past use, however, it is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site and request a condition to be attached to any permission. This requires the applicant to notify the LPA of any identified land contamination immediately and to remediate it to the satisfaction of LPA.

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) Noise

14.10.1 The application site lies within the current 51dB LAeq contour for day noise and 45dB LAeq contour for night noise from Stansted Airport. As such, noise should be taken into account as a material consideration in determining the application.

14.10.2 The Council's Environmental Health Team have been consulted with regards to the potential for noise disturbances on future occupants. The applicants have submitted a Noise Report dated 11th August by dBC Consultation Ltd. The report concludes BS8233:2014 values can be met with mitigation, including glazing, ventilation and a timber barrier (for external noise).

14.10.3 With this in mind, UDC Environmental Health recommend a condition to be attached to any permission requiring a detailed scheme of noise mitigation to be submitted to the Local Planning Authority for written approval prior to the commencement of development. The scheme should follow BS8233:2014 Guidance and the recommendations identified in the Noise Report (Report dated 11th August by dBC Consultation Ltd).

14.10.4 As such, the proposal, with conditions attached, accords with Policies GEN2, GEN4 and ENV10 of the Uttlesford Local Plan (2005).

14.11 I) Lighting

14.11.1 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.

14.11.2 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.

14.12 J) Accessible Homes

14.12.1 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

14.13 K) Planning Balance

14.13.1 The Framework recognises the need for a pragmatic and flexible balance to be found on Green Belt policy. The site is determined as Grey Belt land, in accordance with the Framework and all criteria set out in paragraph 155 are met. The proposal is therefore not inappropriate development in the Green Belt. As such, assessments on the contribution it makes to the openness and function of the Green Belt and whether there are any very special circumstances exist for the development to be considered appropriate are not necessary

14.13.2 There are no footnote 7 policies that provide a strong reason of refusal. Therefore, paragraph 11d(ii) is to be applied in the overall planning balance.

14.13.3 The planning balance in paragraph 11 of the NPPF favours the principle of the scheme. The public benefits would include:

- The use of grey belt land – significant weight.
- Provision of 7-no. units to the 5YHLS – limited weight.
- Ecological enhancements – limited benefit.
- Economic and social benefits – limited benefit.

14.13.4 Consequently, when assessed against the policies in the NPPF taken as a whole, and as there are no other material considerations indicating otherwise, the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits. The proposal would be sustainable development for which paragraph 11(d) of the NPPF indicates a presumption in favour.

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 commence until a detailed scheme of noise mitigation from 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 (Report dated 11th August by dBC Consultation Ltd).

REASON: In the interests of protecting the amenities of future occupiers from undue noise pollution in accordance with Policies GEN2 and ENV10 of the Uttlesford Local Plan (adopted 2005).

- 8** No development shall take place until a Construction and Demolition Method Statement has been submitted to and approved in writing by the local planning authority. The statement shall specify the provisions to be made for the control of noise and dust emanating from the site and shall be consistent with the best practicable means as set out in the Uttlesford Code of Development Practice. The approved Statement shall be adhered to throughout the construction period

REASON: In the interests of the amenity of neighbouring uses and amenities during the construction phase of development in accordance with Policies GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

- 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.
- ii. 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** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Hybrid Ecology, June 2025) and the Reptile Survey (Hybrid Ecology, August

2025) 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).

- 11** 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 Preliminary Ecological Appraisal (Hybrid Ecology, June 2025) and the Reptile Survey (Hybrid Ecology, August 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 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)

- 12** 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)

- 13** 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:

- o initial enhancements, as set in the HMMP, have been implemented; and
- o 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.

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

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

APPENDIX 1 – PLACE SERVICES (ECOLOGY)

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



Date: 24 September 2025

Our ref: 09240

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/25/2262/FUL
Location: Land East Of Oakhanger Friars Lane Hatfield Heath
Proposal: Proposed erection of 7 no. dwellings with new access and associated development

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

No ecological objection	☐
No ecological objection subject to attached conditions	☒
Further information required/Temporary holding objection	☐
Recommend Refusal	☐
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	☐

Summary

We have reviewed the Preliminary Ecological Appraisal report (Hybrid Ecology, June 2025) and the Reptile Survey (Hybrid Ecology, August 2025) relating to the likely impacts of



development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures.

We have also reviewed the information submitted relating to 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.

We note that the development site is situated within the 11.1km evidenced Zone of Influence (ZOI) for recreational impacts at Hatfield Forest Site of Special Scientific Interest (SSSI)/National Nature Reserve (NNR) as shown on MAGIC map (www.magic.gov.uk). Therefore, Natural England's letter to Uttlesford DC relating to Hatfield Forest Mitigation Strategy (19 June 2025) should be followed to ensure that impacts are minimised to this site from new residential development.

When the Hatfield Forest Mitigation Strategy is adopted by Uttlesford DC Cabinet, the apportioned SAMM tariff for Uttlesford District will be £1,333.60/new dwelling towards delivery of the approved package of funded Strategic Access Management Measures (SAMMs) at Hatfield Forest.

The SAMM tariff will apply to all new additional units for residential development where there is a net increase in dwelling numbers. It excludes replacement dwellings where there is no net gain in dwelling numbers. The full per dwelling tariff applies to all C3 dwellings and sites for gypsy, traveller and travelling show people (one pitch = one C3 dwelling).

At present, there is no requirement for a tariff for this application, but we advise the LPA to check for an update on adoption of this strategic mitigation before issuing a decision.

We have reviewed the Reptile Survey (Hybrid Ecology, August 2025), which included the results of reptile surveys. The surveys identified a maximum count of one Grass Snake. As such the document has recommended precautionary mitigation measures are implemented, as detailed in Section 4.7. The mitigation measures detailed within the Reptile Survey (Hybrid Ecology, August 2025) should be secured by a condition of any consent and implemented in full.

The mitigation measures identified in the Preliminary Ecological Appraisal (Hybrid Ecology, June 2025) should be secured by a condition of any consent and implemented in full. This is necessary to conserve and enhance protected and Priority species particularly those recorded in the locality.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Biodiversity Net Gain Assessment (Samsara Ecology, June 2025), including the Baseline Habitat Map, and the Statutory Biodiversity Metric – Calculation Tool. Biodiversity net gains is a statutory requirement set out under [Schedule 7A \(Biodiversity Gain in England\) of the Town and Country Planning Act 1990](#) and we are satisfied that submitted information

provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

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

In addition, a [Habitat Management and Monitoring Plan](#) (HMMP) should be secured for all [significant on-site enhancements](#). Based on the submitted post-intervention values, it is suggested that this includes the following habitats: Rural tree, Native hedgerow with trees, Modified grassland.

Additionally, the submitted information does not include a post development plan. Should any of the habitat provisions (individual trees, hedgerow and/ or modified grassland) be located within areas of private gardens, it is indicated that such habitats cannot be calculated in private gardens, towards the final onsite Biodiversity Net Gain provision. The post intervention habitats may need to be recalculated as part of the final calculations when the applicant comes to discharge the Biodiversity Gain Condition if this has occurred.

The maintenance and monitoring outlined in the HMMP should be secured via planning obligation for a period of up to 30 years, which will be required to be submitted concurrent with the discharge of the biodiversity gain condition. Therefore, the LPA is encouraged to secure draft heads of terms for this planning obligation at application stage, to be finalised as part of the biodiversity gain condition. Alternatively, the management and monitoring of significant on-site enhancements could be secured as a condition of any consent. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 1, 2, 5, 10, 15, 20, 25, 30, unless otherwise specified by the LPA. Any remedial action or adaptive management will then be agreed with the LPA during the monitoring period to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

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 Preliminary Ecological Appraisal (Hybrid Ecology, June 2025) and the Reptile Survey (Hybrid Ecology, August 2025) 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 Preliminary Ecological Appraisal (Hybrid Ecology, June 2025) and the Reptile Survey (Hybrid Ecology, August 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 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 (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 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).

Optional condition:

Management and monitoring for significant on-site enhancements should be secured by planning obligation as part of the biodiversity gain condition, to allow aftercare and monitoring to be secured for the 30-year period and the LPA to cover its monitoring costs. However, if the LPA would prefer that this is secured via a separate condition, the following pre-commencement condition could be used:

1. **PRIOR TO COMMENCEMENT: HABITAT MANAGEMENT AND MONITORING PLAN (HMMP)**

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.

Biodiversity Gain condition

Natural England advises that the biodiversity gain condition has its own separate statutory basis, as a planning condition under [paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990](#). The condition is deemed to apply to every planning permission granted for the development of land in England (unless exemptions or transitional provisions apply), and there are separate provisions governing the Biodiversity Gain Plan.

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

“Biodiversity Net Gain

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

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

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

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

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

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

Beth Archer BSc (Hons)

Assistant Ecological Consultant

Place Services at Essex County Council

Email: PlaceServicesEcology@essex.gov.uk



Place Services provide ecological advice on behalf of Uttlesford District Council.

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

APPENDIX 2 – UDC ENVIRONMENTAL HEALTH

Environmental Health Consultee Comments for Planning

Application Number: **UTT/25/2262/FUL**

Land East Of Oakhanger Friars Lane Hatfield Heath Hertfordshire

Consultee

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

Date: 18 September 2025

Proposed erection of 7 no. dwellings with new access and associated development.

Comments

Noise

I have reviewed the Noise Report dated 11th August by dBC Consultation Ltd. The report concludes BS8233:2014 values can be met with mitigation, including glazing, ventilation and a timber barrier (for external noise). With this in mind, the following condition is recommended:

No development shall commence until a detailed scheme of noise mitigation from 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 (Report dated 11th August by dBC Consultation Ltd).

Contaminated Land

The Council has no reason to believe this site is contaminated and is not aware of any potentially contaminative past use, however, it is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site therefore the following condition is requested:

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.

Construction Impacts

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

No development shall take place until a Construction and Demolition Method Statement has been submitted to and approved in writing by the local planning authority. The statement shall specify the provisions to be made for the control of noise and dust emanating from the site and shall be consistent with the best practicable means as set out in the Uttlesford Code of Development Practice. The approved Statement shall be adhered to throughout the construction period.

External Lighting

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

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

Informatives

Renewable Technologies:

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

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.

APPENDIX 3 – MAG AERODROME SAFEGUARDING



16 September 2025

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

By email only.

Dear Ashley,

Planning Application ref: UTT/25/2262/FUL

Proposal: Proposed erection of 7 no. dwellings with new access and associated development

Location: Land East Of Oakhanger Friars Lane Hatfield Heath Hertfordshire

The application site lies within the current 51dB LAeq contour for day noise and 45dB LAeq contour for night noise from Stansted Airport. As such, noise should be taken into account as a material consideration in determining the application.

The National Planning Policy Framework (NPPF) (2024) details in paragraph 187 that to prevent unacceptable risks from pollution and land instability, planning policies and decisions should ensure that new development is appropriate for its location. Policy ENV10 of the adopted Uttlesford Local Plan (Noise Sensitive Development and Disturbance from Aircraft) states housing and other noise sensitive development will not be permitted if the occupants would experience significant noise disturbance. Policy GEN2 states that development will not be permitted unless "it provides an environment which meets the reasonable needs of all potential users". Further to this, emerging plan policy Core Policy 44 (Noise Sensitive Development) reiterates that development will not be permitted if the future occupants and/or occupiers of surrounding land are exposed to unacceptable adverse levels of noise and/or vibration.

The Aviation Policy Framework (APF) states:

3.12 The Government's overall policy on aviation noise is to limit and, where possible, reduce the number of people in the UK significantly affected by aircraft noise, as part of a policy of sharing benefits of noise reduction with industry.

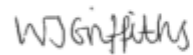
3.13 This is consistent with the Government's Noise Policy, as set out in the Noise Policy Statement for England (NPSE) which aims to avoid significant adverse impacts on health and quality of life.

In respect of the NPSE, the second aim is relevant to this application as the site in question is above the LOAEL (51dB LAeq) for aircraft noise. Accordingly, the Local Planning Authority must 'mitigate and minimise

adverse impacts on health and quality of life from environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development'.

It is Stansted Airport's opinion that the Local Authority should ensure that the relevant policies are complied with and that the internal and external living environment have been suitably considered against all planning policies and suitable mitigation is taken into account. Where appropriate, conditions should be imposed to ensure an adequate level of protection against noise. Given the existing noise environment and the need for mitigation, if the application is approved, Stansted Airport consider that any dwellings developed at this site would be ineligible for the current or future Stansted Airport Sound Insulation Grant Scheme.

Sincerely,

A handwritten signature in black ink, appearing to read 'WJ Griffiths'.

Will Griffiths
Planner