

**ITEM NUMBER:** 5

**PLANNING COMMITTEE DATE:** 17 December 2025

**REFERENCE NUMBER:** UTT/25/2181/OP

**LOCATION:** Land At Camps Field, Lower Road Little Hallingbury

## SITE LOCATION PLAN:



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Organisation: Uttlesford District Council      Date: November 2025

**PROPOSAL:** Outline planning application, with all matters reserved (except for principal access), for the demolition of existing structures and erection of up to 52 dwellings, including affordable housing, associated green and hard infrastructure, public open space, biodiversity enhancements, and principal access off Lower Road.

**APPLICANT:** Hawridge Strategic Land Limited, Orchestra

**AGENT:** Mr Sam Metson

**EXPIRY DATE:** 26 November 2025

**EOT EXPIRY DATE:** N/A

**CASE OFFICER:** Rachel Beale

**NOTATION:** Outside Development Limits. Metropolitan Greenbelt. Grade II listed buildings nearby. Flood Zone 3. Footpath 45 (PROW 37). Within 2km of SSSI (Hatfield Forest). Grade 3 agricultural.

**REASON THIS APPLICATION IS ON THE AGENDA:** Major application

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## **1. EXECUTIVE SUMMARY**

- 1.1** This application seeks outline planning permission for up to 52 dwellings, with all matters reserved except access, on land at Camps Field, Lower Road, Little Hallingbury. The site lies within the Metropolitan Green Belt, outside the defined development limits of the village. It is currently in use as a paddock and comprises a visually contained field enclosed by established boundaries.
- 1.2** Following changes to national policy (NPPF 2024), the relevant Green Belt assessment for this site is NPPF paragraph 155, which introduces the concept of “Grey Belt” land. Both the Planning Inspectorate (at pre-application stage) and Officers have concluded that the site does not strongly contribute to Green Belt purposes (a), (b) or (d) and therefore falls within the NPPF definition of Grey Belt. Accordingly, the development has been assessed against the four criteria in paragraph 155 to determine whether it is “not inappropriate” development.

- 1.3** The proposal meets all four limbs of NPPF paragraph 155. The site is a contained parcel whose development would not undermine the functioning of the wider Green Belt; there is clear evidence of a significant unmet housing need, with the Council currently demonstrating a 3.46-year supply; the location is reasonably accessible in a rural context with pedestrian routes, an hourly bus service and secured improvements to local bus infrastructure; and the scheme provides 50% affordable housing alongside the necessary infrastructure, green space and community benefits required by the “Golden Rules” in paragraph 156. The proposal is therefore treated as not ‘inappropriate development’ in the Green Belt and attracts the significant positive weight as set out in paragraph NPPF 158.
- 1.4** The site is well related to the existing built form of Little Hallingbury, with access to village facilities within walking distance and opportunities for enhanced pedestrian permeability, including new links to Lower Road, Wrights Green Lane and the PROW network. In locational terms, and recognising the rural context, the site is considered reasonably sustainable. The proposal offers substantial social benefits through the delivery of 52 homes, including 26 affordable units (50%).
- 1.5** The development would result in the loss of an open paddock and introduce built form into the countryside, giving rise to moderate and localised landscape harm. The scheme would also give rise to a low level of less than substantial harm to the setting of certain Grade II listed buildings; however, this harm is judged to be outweighed by the significant public benefits.
- 1.6** Technical consultees raise no objections subject to conditions. The LLFA confirms that a compliant SuDS strategy is feasible; ECC Highways confirms the access is acceptable and set out the required infrastructure improvements; ECC Place Services Ecology confirm that ecological impacts and mandatory BNG can be satisfactorily mitigated; and Environmental Health raises no objection subject to a detailed noise mitigation scheme at Reserved Matters stage. Necessary contributions and obligations, including affordable housing, public open space, Accessible Natural Greenspace, the circular dog-walking route, bus infrastructure upgrades, the bus service contribution, and healthcare contributions, can be secured via a S106 agreement.
- 1.7** Overall, the proposal represents sustainable development in the terms of the NPPF. The identified harms, while carrying weight, do not significantly or demonstrably outweigh the benefits. The scheme complies with NPPF paragraph 155 and the Golden Rules in paragraph 156 and attracts significant positive weight accordingly. Subject to conditions and completion of the S106 agreement, the application is recommended for approval.

## **2. RECOMMENDATION**



That the Strategic Director of Planning be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report -

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

**And**

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

**3. SITE LOCATION AND DESCRIPTION:**

- 3.1 The site lies outside the settlement of Little Hallingbury, adjacent the southern boundary. It lies within the Metropolitan Greenbelt, just inside the northern boundary. The site is contained to the west by Lower Road, to the east by Wrights Green Lane, to the north by a residential area within the Little Hallingbury settlement boundary, and to the south by dwellings and the M11. Other than a stable building to the north, the site comprises a largely undeveloped field currently used as paddock land.
- 3.2 The most southerly point of the site is within flood zone 3. Footpath 45 (PROW 37) runs along the southern boundary. There are six grade II listed buildings to the south and east of the site.

**4. PROPOSED DEVELOPMENT**

- 4.1 In total, the application proposes up to 52 dwellings with all matters reserved except for access and those matters to be secured as part of the parameter plan to be approved and the section 106 – see section 17 for details.
- 4.2 The submitted parameter plan includes the location of the attenuation basin, the public open space and play area, vehicular access and pedestrian connections to the existing PROW, Wrights Green Lane and Lower Road.

**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 No recent/relevant history.

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

- 7.1** The Localism Act requires pre-application consultation on certain types of planning applications made in England. The applicant has undertaken no pre-app engagement with the Local Authority but did undertake pre-app engagement with PINS when the Council was under designation. The scheme submitted at pre-app was for up to 71 dwellings with a much larger area of development proposed. See section 14.3 of the report for further details.

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

### **8.1 Highway Authority**

- 8.1.1** From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions/obligations.

### **8.2 National Highways**

- 8.2.1** No objection.

### **8.3 Local Flood Authority**

- 8.3.1** No objection subject to condition.

### **8.4 Natural England**

- 8.4.1** No objection subject to mitigation (S106 obligations).

## **9. PARISH COUNCIL COMMENTS**

- 9.1** All Parish Council comments are included at Appendix A.

## **10. CONSULTEE RESPONSES**

### **10.1 UDC Housing Enabling Officer**

- 10.1.1** The policy compliant affordable tenure split is currently 70% for Affordable/Social Rent and 30% for Affordable Home Ownership. The affordable housing mix can be agreed at the DFO stage subject to the outline application being approved. The mix needs to reflect the need identified in the Local Housing Needs Assessment (LHNA) June 2024.

### **10.2 UDC Environmental Health**

- 10.2.1** No objection subject to condition.

### **10.3 Conservation Officer**

**10.3.1** The proposed development would result in a low level of less than substantial harm to the significance of the adjacent designated heritage assets, arising from changes to their setting. In this context, paragraph 215 of the NPPF (2024) is relevant.

**10.4 Place Services (Ecology)**

**10.4.1** No objection, subject to condition.

**10.5 Landscape Officer**

**10.5.1** Revised parameter plan:

The following amendments are positive:

- Additional provision of public open space across the scheme.
- Additional footpath links to the existing PROW and to both Lower Road and Wrights Green Lane, providing greater accessibility and more direct active transport connections separate from the vehicular access.

**10.5.2** Revised illustrative plan:

I note there is still scope for future improvements to the public domain, but that these can be included as part of future detailed plans. The “developable area” in the parameter plan includes “pedestrian and cycle paths, internal roads, and landscaping”. For example, suggested improvements could include:

- A central park/plaza/focal point for socialising;
- ‘Play on the way’ or a trim trail to provide more amenity along the internal footpaths.
- Additional street trees

**10.6 Place Services Archaeology**

**10.6.1** No objection subject to condition.

**10.7 Essex Police**

**10.7.1** No objection subject to condition.

**10.8 NHS**

**10.8.1** No objection subject to S106 obligations.

**10.9 UDC Urban Design Officer**

**10.9.1** The applicant has made minor revisions to the parameter plans to reduce the footprint of built development and increase the provision of publicly accessible open space. However, these changes do not mitigate my previous concerns, summarised below.

**10.9.2** There have been no pre-application discussions with the LPA, and the scheme has not been to the Uttlesford Quality Review Panel (UQRP). In

my opinion, a scheme of this scale in a sensitive edge of settlement location should be referred to the UQRP and a Design Code should be prepared to accompany the application to ensure that the delivery of high-quality design is secured at outline stage.

**10.9.3** The illustrative layout provided describes a generic suburban layout that will have an urbanising effect on this edge of settlement open space.

**10.10 Thames Water**

**10.10.1** No objection.

**10.11 NATS Safeguarding**

**10.11.1** No objection.

**10.12 MAG London Stansted Airport**

**10.12.1** No objection subject to condition.

**10.13 Affinity Water**

**10.13.1** No objection.

**10.14 ECC Minerals**

**10.14.1** No comment.

**10.15 Utilities – Cadent Gas, National Gas, Gigaclear, UKPN,**

**10.15.1** No objection.

**11. REPRESENTATIONS**

**11.1** A site notice was displayed on site, the application was advertised in the local press and notifications letters were sent to nearby properties. A large number of objections have been received and are summarised below.

- 11.2**
- Site is Metropolitan Green Belt; development is inappropriate under NPPF 147–149 with no very special circumstances.
  - “Grey Belt” labelling is misleading; land performs full Green Belt functions.
  - Outside settlement boundary / not a planned allocation; conflicts with Local Plan strategy and emerging spatial strategy.
  - Fear of setting a dangerous precedent for wider Green Belt release and speculative countryside development.
  - 59–60 dwellings is disproportionate for a small rural village; constitutes overdevelopment.
  - Suburban, dense estate form out of keeping with low-density, linear, historic pattern; harms rural character, tranquillity and identity.

- Visual intrusion and loss of open countryside views, settlement gaps and separation between Little Hallingbury, Wrights Green, Motts Green and the M11.
- Concerns that the village will effectively become a small town / concrete estate rather than a rural community.
- Harm to setting of multiple Grade II listed buildings, Motts Green heritage area, and wider historic landscape.
- No or inadequate Heritage Impact Assessment.
- References to archaeological interest; request for proper investigation before determination.
- Site supports a wide range of wildlife.
- No 10% BNG.
- Impact on Hatfield Forest and the River Stort, and around National Trust land.
- Ecological surveys/mitigation (bat boxes etc.) seen as inadequate; reliance on off-site biodiversity credits opposed.
- Site and access in/adjacent to Flood Zones 2 & 3, with historic surface water and groundwater flooding, ponding and sewer overflows.
- Criticisms of FRA and SuDS: infiltration basins and detention ponds unsuitable.
- Risk of increased run-off, flooding and pollution to the River Stort (chalk stream) and local watercourses.
- Existing sewerage and drainage networks already at/over capacity.
- Alleged non-compliance with NPPF flood tests, Building Regs Part H, Environmental Permitting Regulations and local SFRA guidance.
- A1060 / Lower Road already heavily trafficked; speeding and accident history highlighted.
- Proposed main access on/near a blind bend / speed-limit change, with poor visibility and regular flooding.
- Narrow rural lanes are single-track, potholed, with no pavements; unsafe for pedestrians, cyclists, horse riders and farm traffic.
- Development expected to generate 100–120+ additional cars plus service and construction vehicles.
- Lack of safe crossings; risks to children walking to school.
- No robust evidence of junction capacity modelling, Road Safety Audits etc.
- Bus service is unreliable; some stops difficult or unsafe to access.
- Residents would be car-dependent.
- Schools full or near capacity with no obvious expansion.
- GP and NHS services already overstretched.
- Village has minimal amenities.
- Concerns over water, electricity reliability, bins and local maintenance.
- No convincing infrastructure strategy.
- New houses behind existing would impact residential amenity.
- Construction period expected to bring noise, dust, mud, HGV traffic and disruption on roads.

- Loss of peace, quiet and rural outlook considered harmful to mental and physical wellbeing.
- Fears of long-term increase in noise and general activity incompatible with a quiet rural village.
- Loss of Camps Field and related land as valued green space.
- Land used for stabling/grazing horses; development would remove relatively affordable equestrian facilities.
- Concern that loss of this land restricts opportunities for children and families to engage with outdoor activities.
- Car-dependence and increased traffic seen as inconsistent with climate and air-quality objectives.
- Loss of Green Belt and vegetated land reduces natural flood storage and carbon/heat-regulation functions.
- Doubts that the scheme addresses genuine local housing need; viewed as speculative, profit-driven.
- “Affordable” housing considered unaffordable for local incomes in a high-value parish; no clear link to local households.
- Some suggest more appropriate/limited growth (e.g. around 15 dwellings, landscape-led) would be the maximum the village could absorb.
- Claim that no or inadequate Environmental Impact Assessment (EIA) has been carried out despite sensitive location.
- Concerns over adequacy/accuracy of technical reports.
- Criticism of draft conditions (e.g. LLFA).
- Concern that development would overwhelm a close-knit village, alter social balance and harm community cohesion.
- Concern that Neighbourhood Plan work and design codes are being ignored.
- Concern that approval would trigger further schemes on adjoining land, leading to cumulative erosion of countryside and identity.
- Worries about property devaluation for homes that bought into Green Belt protections.
- Safety concern about detention basin near the proposed playground.
- Perception that the scheme is primarily about developer profit rather than community benefit.

### **11.3 Comment**

**11.3.1** Where material planning considerations have been raised, all representations are addressed in the report.

## **12. MATERIAL CONSIDERATIONS**

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

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

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

a) The provisions of the development plan, so far as material to the application:

(a) a post-examination draft neighbourhood development plan, so far as material to the application,

b) any local finance considerations, so far as material to the application, and

c) any other material considerations.

**12.3** Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.

## **12.4 The Development Plan**

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

## **13. POLICY**

### **13.1 National Policies**

**13.1.1** National Planning Policy Framework (2023)

### **13.2 Uttlesford District Plan 2005**

**13.2.1** S6 – Metropolitan Green Belt  
S7 – The Countryside  
GEN1 – Access

GEN2 – Design  
 GEN3 – Flood Protection  
 GEN4 – Good Neighbourliness  
 GEN5 – Light Pollution  
 GEN6 – Infrastructure Provision  
 GEN7 – Nature Conservation  
 GEN8 – Vehicle Parking Standards  
 ENV2 – Development Affecting Listed Buildings  
 ENV4 – Ancient monuments and Sites of Archaeological Importance  
 ENV10 – Noise Sensitive Developments  
 ENV14 – Contaminated Land  
 H1 – Housing development  
 H9 – Affordable Housing

### **13.3 Neighbourhood Plan**

**13.3.1** There is one being drafted but is still at an informal stage and not yet published for Regulation 14 consultation. It therefore carries no material weight in the determination of this application.

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

Uttlesford Local Residential Parking Standards (2013)  
 Essex County Council Parking Standards (2009)  
 Supplementary Planning Document – Accessible homes and playspace  
 Supplementary Planning Document – Developer’s contributions  
 Essex Design Guide  
 Uttlesford Interim Climate Change Policy (2021)  
 Uttlesford Design Code

## **14. CONSIDERATIONS AND ASSESSMENT**

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

**14.2**

- A) PINS Pre-App Response**
- B) Principle of Development**
- C) Suitability and Location**
- D) Countryside Location**
- E) Countryside Impact**
- F) Character and Design**
- G) Heritage impacts and Archaeology**
- H) Affordable Housing**
- I) Highways, Access and Parking**
- J) Ecology and Biodiversity Net Gain**
- K) Noise and Residential Amenity**
- L) Flood Risk and Drainage**
- M) Planning Obligations**

**14.3 A) PINS Pre-App Response**



**14.3.1** The Planning Inspectorate provided pre-application advice on an earlier proposal for up to 71 dwellings on this site – see fig.1.

**14.3.2** As there is a response from the Planning Inspectorate, the Officer assessment is mindful of the Inspector's pre-app response and conclusions that have already been made in regard to development of the site.

**14.3.3** The application as now submitted means there are elements of the Inspector's conclusions that are no longer applicable or have been addressed by the amended proposals. However, principle of development issues such as conclusions on Green/Grey Belt remain as concluded by the Inspector.

**14.3.4**



*Fig.1 Illustrative Layout as submitted at pre-app and assessed by PINS*

**14.3.5** Inspector's Overall Conclusions

**14.3.6** The Inspector concluded that the land fell within the definition of Grey Belt for the purposes of the NPPF, as it did not strongly contribute to Green Belt purposes (a), (b) or (d), and no Footnote 7 constraints were engaged. On that basis, the Inspector advised that a residential development could, in principle, be capable of meeting the tests in NPPF

paragraph 155, and therefore of being treated as not 'inappropriate development' in the Green Belt.

- 13.3.7** However, the Inspector was clear that not all of the paragraph 155 criteria were yet satisfied. In particular, further justification and refinement were required in relation to criteria 155(c) (sustainable location) and 155(d) (the Golden Rules in paragraphs 156–157). The Inspector highlighted aspects of the earlier scheme that would require amendment or further detail before a formal planning application could demonstrate full compliance.
- 13.3.8** The overall position of the Inspector, in summary, was that the site was capable of accommodating Grey Belt development, but only if the applicant addressed the outstanding issues through a revised scheme and supporting technical work.
- 14.3.9** Matters the Inspector Considered Acceptable
- 14.3.10** **Grey Belt Status** – The site did not strongly contribute to Green Belt purposes (a), (b) or (d), and therefore constituted Grey Belt land under the NPPF glossary
- 14.3.11** **Potential to Meet Paragraph 155** – The Inspector acknowledged that, subject to resolving outstanding points, the proposal had the potential to satisfy the four criteria of paragraph 155 and therefore be treated as not inappropriate development in the Green Belt.
- 14.3.12** **Access Strategy (In Principle)** – While rejecting vehicular access from Wrights Green Lane, the Inspector advised that access from Lower Road appeared suitable in principle, subject to Highways Authority engagement and detailed design.
- 14.3.13** **Affordable Housing Quantum** – The Inspector recognised that 50% affordable housing was proposed and noted this accorded with the expectations of NPPF paragraph 157, subject to confirmation of mix, tenure and S106 delivery.
- 14.3.14** Matters the Inspector Found Required Further Work
- 14.3.15** The Inspector identified two key areas where the previous 71-dwelling concept did not yet satisfy NPPF 155(c) and 155(d). The key outstanding matters were:
- 14.3.16** **Sustainable Location (Paragraph 155(c))** – The Inspector noted that Little Hallingbury contains few local facilities, with the private car likely to remain an important mode of travel. Although pedestrian routes and a bus stop existed, the Inspector required further justification to demonstrate that the scheme was sufficiently accessible, recommending that the applicant consult with ECC Highways, investigate bus stop improvements, explore improvements to bus services, enhance the pedestrian network, and ensure access was taken

from Lower Road, not Wrights Green Lane. The Inspector concluded that 155(c) was not yet met.

**14.3.17 Golden Rules (Paragraph 155(d) and 156–157)** – The Inspector identified deficiencies in the earlier design and supporting information including: quality of green space, finding the earlier concept did not yet demonstrate green space of sufficient quality or usability, especially given areas overlapped with Flood Zones 2 and 3; development that would be overly dense; a stronger green infrastructure network and clearer landscape buffers were required for compliance with paragraph 156; and lack of a clear and comprehensive package of contributions. The Inspector concluded that criterion 155(d) was not yet met, and that further justification would be needed to address the Golden Rules in full.

**14.3.18** What the Inspector Expected in a Subsequent Application

**14.3.19** The Inspector was clear that any planning application would need to:

- provide a revised parameter plan
- reduce or rationalise density
- secure Lower Road as the vehicular access
- demonstrate enhanced pedestrian routes
- provide bus stop and service improvements
- supply a high-quality green infrastructure strategy
- clarify and improve public open space provision
- avoid reliance on FZ2/FZ3 areas for primary open space
- demonstrate 50% affordable housing secured via S106
- supply a full suite of technical documents
- justify compliance with each limb of paragraph 155 with updated evidence.

**14.3.20** Scheme as now proposed

### 14.3.21



*Fig.2 Illustrative Layout as now proposed*

**14.3.22** The proposal now put forward and assessed in the following Officer report responds to the Inspector's pre-application advice and has amended the scheme in direct accordance with the matters identified as requiring further work. A full assessment of the scheme as now brought forward is undertaken in the following report.

## **14.4 B) Principle of Development**

### **14.4.1** Emerging Local Plan and Housing Land Supply

**14.4.2** The development plan for the site is the Uttlesford District Local Plan (2005) ("the Local Plan"). The Emerging Local Plan currently carries limited weight given its stage of preparation. As such, the saved policies of the 2005 Local Plan comprise the starting point for decision-making. Due weight is given to these policies according to their consistency with the National Planning Policy Framework (NPPF), in accordance with paragraph 232.

**14.4.3** The Council can currently demonstrate a 3.46-year housing land supply (including a 20% buffer as required by the most recent published Housing Delivery Test (HDT)). These indicators demonstrate that there is a significant and ongoing shortfall in housing delivery within the district.

- 14.4.4** In these circumstances, Footnote 8 of the NPPF applies and the presumption in favour of sustainable development under paragraph 11(d) is engaged in principle. Paragraph 11(d)(i) requires permission to be granted unless the application of policies in the NPPF that protect areas or assets of particular importance (listed in Footnote 7) provides a clear reason for refusal. Land designated as Green Belt is one such protected area.
- 14.4.5** Because the site lies within the Green Belt, the application of the presumption is contingent upon first establishing whether the proposal constitutes inappropriate development having regard to NPPF paragraphs 154–157. Only if the development is found to be ‘not inappropriate’ in Green Belt terms can the presumption in favour of sustainable development be applied in full.
- 14.4.6** Green Belt Policy Context (NPPF para 154)
- 14.4.7** The site lies within the Metropolitan Green Belt and Local Plan Policy S6 relates to development within the Green Belt but derives from earlier national policy and is not consistent with the NPPF; therefore, the NPPF carries greater weight.
- 14.4.8** Paragraph 154 establishes that development in the Green Belt is inappropriate unless a listed exemption applies. While the proposed development does not accord with any of the exemptions listed in para 154, recent changes to the NPPF introduce the term ‘Grey Belt’, with the policy allowing for some development to be acceptable in the green belt if it meets the requirements of paragraphs 155 (a), (b) and (c).
- 14.4.9** Grey Belt Definition Test (Glossary: Purposes (a), (b), (d))
- 14.4.10** The first thing that needs to be established is if the site can be considered ‘Grey Belt’ land. In the NPPF’s Glossary, Grey Belt is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143.
- 14.4.11** The site is an undeveloped green field and therefore it must be assessed as to whether the site ‘strongly contributes’ to purposes (a), (b), and (d) of paragraph 143.
- 14.4.12** **Purpose (a): Checking the unrestricted sprawl of large built-up areas – NPPF 143**
- 14.4.13** The site lies adjacent to the southern edge of the village of Little Hallingbury, and as identified by the Inspector, is not in the vicinity of a “large built-up area” in Green Belt terms. The parcel is framed by existing residential development to the north; Lower Road to the west; Wrights Green Lane to the east; and a number of dwellings and the M11 corridor to the south.

- 14.4.14** These established features form a distinct physical envelope around the land. As a result, the site does not serve to prevent outward sprawl of any major settlement, nor does it function as part of an open countryside gap between Little Hallingbury and a larger urban area. Development of this parcel, in the form proposed, would read as an extension of the existing development rather than uncontained or straggling growth.
- 14.4.15** Accordingly, the land makes at most a limited contribution to purpose (a), consistent with the Inspector's view.
- 14.4.16** **Purpose (b): Preventing neighbouring towns from merging – NPPF 143**
- 14.4.17** Development of this parcel would not perceptibly narrow the separation between any of the nearby large towns such as Bishop's Stortford, or between Little Hallingbury and nearby villages such as Hatfield Heath. The site is a relatively small, visually contained field on the edge of the village and as concluded by the Inspector, would ensure sufficient open land is retained to ensure that settlements would not merge.
- 14.4.18** The contribution to purpose (b) is therefore limited, again aligning with the Inspector's conclusion.
- 14.4.19** **Purpose (d): Preserving the setting and special character of historic towns – NPPF 143**
- 14.4.20** The site is not associated with the setting of a historic town as referred to in paragraph 143. While there are Grade II listed buildings to the south and east, these are individual heritage assets rather than components of a wider historic town. Their settings are localised and influenced by the existing pattern of vegetation, plot boundaries and surrounding residential development. As such, and as concluded by the Inspector, the land does not contribute to preserving the setting of a historic town.
- 14.4.21** The contribution to purpose (d) is therefore negligible.
- 14.4.22** Grey Belt Conclusion
- 14.4.23** Taking all of the above into account, the site does not strongly contribute to Green Belt purposes (a), (b) or (d) as set out in NPPF paragraph 143.
- 14.4.24** It therefore falls within the definition of Grey Belt land in the NPPF glossary. This conclusion aligns with the assessment reached by the Planning Inspectorate at pre-application stage and forms the basis for the following assessment under paragraph 155.
- 14.4.25** Assessment under NPPF Paragraph 155 (a–d)
- 14.4.26** As the site has been assessed as Grey Belt, Green Belt policy does not apply in the usual way that relies solely on the closed list of exceptions

in paragraph 154 and, where relevant, the need to demonstrate Very Special Circumstances. Instead, paragraph 155 provides a specific policy route by which certain forms of development on Green Belt land may be regarded as not inappropriate in the Green Belt, provided that all of its criteria are satisfied. It is therefore necessary to assess the proposal against each limb of paragraph 155(a)–(d) in order to determine whether it qualifies as not inappropriate Green Belt development and can proceed without the need to demonstrate Very Special Circumstances.

**14.4.27 (a) development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt – NPPF 155**

**14.4.28** The development relates to a visually contained parcel located on the edge of Little Hallingbury, modest in size relative to the village. The site is enclosed by existing residential development to the north, established roads to the east and west, and small pockets of residential and the M11 corridor to the south. The proposal would not open up any wider tracts of Green Belt land to development pressure, nor would it diminish the ability of the remaining Green Belt to prevent urban sprawl, avoid settlement coalescence, or protect the countryside, in NPPF terms.

**14.4.29** The Planning Inspectorate expressly acknowledged that in its view development of this parcel would not materially harm the performance of the wider Green Belt across Uttlesford, and nothing in the current application leads officers to depart from that conclusion. The essential functions of the Green Belt would remain intact at a strategic level.

**14.4.30** The proposal therefore accords with criterion (a).

**14.4.31 (b) There is evidence of a demonstrable unmet need for housing – NPPF 155**

**14.4.32** The Council can currently demonstrate a 3.46-year housing land supply (including a 20% buffer). The most recent Housing Delivery Test result is 69%. Both indicators confirm an unmet need for housing, including affordable housing, within the district.

**14.4.33** The scheme proposes up to 52 dwellings, 50% (26) of which would be affordable. This represents a meaningful contribution to identified need and is a substantial benefit of the proposal. The presence of such a shortfall is a key consideration under criterion (b) and is endorsed by the Inspector in the pre-application advice. Despite the proposal now proposed being smaller than that assessed by the Inspector, 26 affordable homes continue to represent a significant public benefit.

**14.4.34** Criterion (b) is therefore satisfied.

**14.4.35 (c) The development is located in a sustainable location – NPPF 155**

- 14.4.36** Little Hallingbury is a rural settlement with limited local services and facilities compared to other areas of the district. There is a small community run shop and post office, village hall, primary school, church and pub within walking distance from the site, with pedestrian access available via existing footways. The site has access on foot to an hourly bus service connecting the residents to Bishop's Stortford and Stansted Airport
- 14.4.37** As part of their pre-app response, the Inspector noted that further justification would be required in terms of accessibility and therefore the level of accordance the scheme had with paragraph 155(c). As the Inspector was commenting at pre-app stage, limited information was available in terms of the infrastructure improvements that would be necessary and therefore advised consultation with the Highway Authority.
- 14.4.38** Now the application has come forward, Essex County Council has requested upgrades to bus infrastructure and a contribution towards providing a new Sunday bus service, which the applicant is willing to secure. This enhances accessibility to higher-order services and employment areas.
- 14.4.39** The proposal includes improvements to local pedestrian permeability, with new connections to Lower Road and Wrights Green Lane providing a new accessible connection between the two. Two new links would also be provided to Footpath 45 (PROW 37) along the southern boundary. These routes would improve walkability for both existing and future residents.
- 14.4.40** While the site is located within a rural village where the private car is likely to remain an important mode of travel, the NPPF acknowledges that opportunities for sustainable travel vary between urban and rural areas and that development should take account of these differences. In this context, the proposal is supported by a safe and continuous pedestrian route to local village facilities and an hourly bus service between Bishop's Stortford and the Airport, with infrastructure upgrades and a financial contribution secured through the S106 to facilitate a new Sunday service, which would also benefit existing residents. New pedestrian connections also enhance permeability. Taking these factors together, and recognising the rural context, the site is considered to occupy a reasonably accessible and sustainable location for residential development in accordance with the expectations of the NPPF.
- 14.4.41** Criterion (c) is therefore met.
- 14.4.42** **(d) The development secures affordable homes, appropriate infrastructure, green space and community benefits (NPPF "Golden Rules") – NPPF 155**
- 14.4.43** Criterion (d) of paragraph 155 requires development on Grey Belt land to meet the "Golden Rules" set out in paragraph 156 of the NPPF.



Paragraph 157-158 then adds to this, outlining the affordable housing requirements and detailing the significant weight to be given to compliant development.

**14.4.44** Paragraph 156 expects residential development in the Green Belt to deliver 50% affordable housing (in line with para 157), secure necessary improvements to local or national infrastructure, and provide new or improvements to existing green spaces that are accessible to the public. The application has been assessed against these requirements, as follows.

**14.4.45 (a) Affordable Housing – NPPF 156**

**14.4.46** The proposal includes 50% affordable housing, which aligns with the requirement of paragraph 156(a) and 157 of the NPPF for development in the 'Grey Belt'. As the Council does not yet have an up-to-date Local Plan produced in accordance with paragraphs 67–68, paragraph 157 applies, requiring an uplift of 15 percentage points above the existing local requirement, subject to a cap of 50%. The scheme therefore meets the maximum affordable housing requirement applicable to Grey Belt development. This level of provision would represent a significant community benefit and would contribute meaningfully towards meeting identified local and district-wide housing need.

**14.4.47 (b) Infrastructure – NPPF 156**

**14.4.48** Paragraph 156(b) requires that development to make improvements to local or national infrastructure as necessary. As part of the pre-app, the Inspector noted that contributions would be required to local infrastructure, to be secured by a S106 to meet this paragraph.

**14.4.49** Essex County Council and the NHS have identified the relevant infrastructure requirements, and none has indicated an insurmountable constraint. No other consultees have requested contributions.

**14.4.50** Via the S106, the scheme will provide enhancements to local bus infrastructure, a contribution towards a new Sunday bus service and contribution to the ambulance service. The scheme also provides new pedestrian linkages.

**14.4.51** Accordingly, the proposal is capable of meeting paragraph 156(b).

**14.4.52 (c) Quality Green Space – NPPF 156**

**14.4.53** Paragraph 156(c) requires that development on Grey Belt land provides well-designed, usable and publicly accessible green space.

**14.4.54** As part of their pre-app response, the Inspector noted there is opportunity to provide good quality green space on the application site as part of the development. The pre-app scheme provided limited open space and while discussions were had in regard to the proposed

connections to the wider countryside, the Inspector was not convinced that this in itself would meet the requirements of paragraph 156c of the Framework.

**14.4.55** The scheme has been reduced from up to 71 to up to 52 homes and a larger area of open space provided.

**14.4.56** The revised parameter plan now provides a large swathe of open space that serves both flooding resilience and drainage purposes and recreation. While the scheme is only proposed in outline, the parameter plan demonstrates that the development can deliver a meaningful area of public accessible open space with the addition of new integrated pedestrian connections that ensure it is a genuine public benefit, in line with the requirements of paragraph 156(c).

**14.4.57** Furthermore, in line with the requirements of Natural England, the S106 agreement will secure on-site Accessible Natural Greenspace (ANG), a circular dog-walking route, and long-term management arrangements. These elements further ensure that the site will deliver the quality green space on site that the NPPF requires.

**14.4.58** Accordingly, the proposal is capable of meeting paragraph 156(c).

**14.4.59** Green Belt Summary and Weight

**14.4.60** In summary, the site lies within the Metropolitan Green Belt but as confirmed by the Planning Inspectorate and supported by the Council's own assessment, it falls within the NPPF definition of Grey Belt. The land is tightly contained by existing development and infrastructure, and it does not strongly contribute to Green Belt purposes (a), (b) or (d). It does not play a strategic role in preventing the sprawl of a large built-up area, in maintaining separation between towns, or in preserving the setting of a historic town.

**14.4.61** Having regard to this context, and to the evidence submitted with the application, the proposal has been assessed against the four criteria in paragraph 155 of the NPPF. The development of this relatively modest, enclosed parcel would not undermine the ability of the remaining Green Belt across the district to perform its functions. There is a clear and demonstrable unmet need for housing, reflected in the Council's sub-five-year housing land supply and Housing Delivery Test result. The site is in a rural but reasonably accessible edge-of-village location, with existing facilities, safe pedestrian routes, PROW connections and an hourly bus service, alongside committed improvements to bus infrastructure.

**14.4.62** With regard to criterion 155(d), the proposal is capable of meeting the Golden Rules in paragraphs 156, by providing a significant level of affordable housing (50%) and securing the necessary infrastructure through a S106 agreement. The parameter plan and S106 obligations indicate that good-quality, usable public open space and improved

pedestrian connections can be delivered, aligning with the type of green space and landscape improvements envisaged by the NPPF. On this basis, all four limbs of paragraph 155 are considered to be satisfied, and the development is therefore treated as 'not inappropriate in the Green Belt'.

- 14.4.63** Because the proposal is not inappropriate development, there is no requirement to apply the further tests relating to openness or to demonstrate Very Special Circumstances. Instead, the Green Belt considerations form part of the overall planning balance in the normal way. Paragraph 158 confirms that compliance with the Golden Rules should attract significant weight in favour of granting permission. That positive weight is recognised later in this report, alongside the separate assessment of countryside and landscape impacts.

## **14.5 C) Suitability and Location**

- 14.5.1** While the accessibility of the site for the purposes of paragraph 155(c) has been assessed within the Green Belt section of this report, a broader consideration of locational sustainability is also required as part of the overall planning balance.

- 14.5.2** The site lies immediately adjacent to the southern edge of Little Hallingbury, identified in the 2005 Local Plan as an "Other Village" with tightly drawn development limits. Although these boundaries are now out of date, they provide a useful indication of the existing settlement pattern, with development concentrated around a defined village core. In this context, the site is well related to the built form, lying directly south of the established settlement boundary and enclosed by Lower Road to the west and Wrights Green Lane to the east.

- 14.5.3** Little Hallingbury contains limited facilities, as discussed above. These facilities are within walking distance of the site via existing footways. Access to higher-order services, retail, healthcare and employment would continue to rely on travel to larger settlements such as Bishop's Stortford, Great Dunmow and Harlow, as is typical in a rural context.

- 14.5.4** The site is served by an hourly bus service between Bishop's Stortford and Stansted Airport, accessed from bus stops on Lower Road. The S106 contribution to facilitate a Sunday service, as discussed above, would be a further benefit. The proposal also incorporates improved pedestrian permeability, including new connections to Lower Road, Wrights Green Lane and two links to Footpath 45 (PROW 37), enhancing local walkability for both new and existing residents.

- 14.5.5** The NPPF recognises that opportunities to maximise sustainable transport vary between urban and rural areas (paragraph 110). In this context, while it is acknowledged that many trips will continue to be made by private car, the site benefits from reasonable access to local services and public transport, existing pedestrian routes, and opportunities for enhancements identified by the Highway Authority.

**14.5.6** Overall, and having regard to the rural nature of the settlement, the site is considered to occupy a reasonably sustainable location for residential development and is acceptable in locational terms within the wider planning balance.

**14.5.7** Social and Economic Benefits

**14.5.8** Paragraphs 78 and 83 of the NPPF encourage housing in rural areas where it can enhance or maintain the vitality of rural communities. The introduction of up to 52 dwellings would increase local population and in turn support the viability of existing village services.

**14.5.9** The development proposes 50% affordable housing, which represents a significant level of provision in both absolute and proportional terms, helping to meet identified local housing needs.

**14.5.10** The scheme includes areas of public open space, green infrastructure, and new pedestrian links. These features would support social interaction, outdoor recreation, and healthy lifestyles for residents and the wider community. Construction and occupation phases would contribute to local economic activity.

**14.5.11** Overall, the development would make a positive contribution to the social and economic objectives of sustainable development.

**14.5.12** Environmental Considerations

**14.5.13** The site is currently in use as paddock land, classified as Grade 3 agricultural land, and therefore within the broad definition of “best and most versatile” land. However, the extent of land affected is relatively modest in district terms and carries limited weight in the planning balance.

**14.5.14** An Energy, Climate, and Sustainability Statement (‘ECSS’) has been submitted in support of the planning application, which sets out how the proposals plan to deliver sustainable development including ‘zero-carbon ready’ and ‘fabric-first’ approach, insulation, high-performance glazing and air-tightness, renewable energy provision and water efficiency. Notwithstanding this, a Sustainability and Energy Statement is required to be submitted at Reserved Matters Stage to align with the detailed layout. This is secured by way of planning condition.

**14.5.15** The scheme includes substantial green infrastructure, retention and enhancement of boundary hedgerows, delivery of SuDS features within the landscape. ECC Ecology raises no objection subject to conditions and off-site BNG delivery. These measures collectively support the environmental limb of sustainable development.

**14.6** **D) Countryside Location**

**14.6.1** The application site is located outside the development limits of Little Hallingbury within open countryside and is therefore located within the Countryside where Policy S7 applies.

**14.6.2** This specifies that the countryside will be protected for its own sake and 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. A review of policy S7 for its compatibility with the NPPF concluded that it is partially compatible but has a more protective rather than positive approach towards development in rural areas.

## **14.7 E) Countryside Impact**

**14.7.1** Landscape character is the combination of natural and human influences that give an area its distinctive sense of place. Landscape assessment is not a tool to prevent all change, but to ensure change respects valued characteristics and integrates appropriately.

**14.7.2** The site is not within a nationally or locally designated landscape and does not possess qualities amounting to a “valued landscape” under paragraph 187 of the NPPF.

**14.7.3** The land comprises a gently sloping paddock with established hedgerows to all boundaries. It is visually contained by built form to the north; houses, vegetation and the M11 corridor to the south; Lower Road to the west; and Wrights Green Lane to the east. The wider context includes the built-up area of the village, sporadic residential plots and several Grade II listed buildings to the south and east, which are experienced within a semi-rural edge-of-village setting.

**14.7.4** Views of the site are primarily obtained from localised gaps along Lower Road and Wrights Green Lane; Footpath 45 (PROW 37) to the south; and some immediate viewpoints from adjacent dwellings. There are no meaningful long-distance or elevated views.

**14.7.5** Development of the site would inevitably result in the loss of open countryside and introduce built form where none currently exists, resulting in a degree of landscape and visual harm. This harm is most evident when travelling south out of the village where glimpsed views across the paddock are presently experienced.

**14.7.6** However, the site forms part of a visually enclosed field parcel and sits within a context influenced by existing residential and transport infrastructure. The revised parameter plan demonstrates that built development would be set back from sensitive boundaries, adjoining the existing residential development, with structural landscaping and green infrastructure established around the perimeter. Proposed enhancements include strengthened native hedgerows, additional tree

planting, and landscape buffers adjacent to the PROW. These features would soften the appearance of the development, filter views, and provide a green edge that is characteristic of the local landscape pattern.

**14.7.7** Over time, planting would mature, further reducing visual effects. From more distant or oblique viewpoints, the development would be perceived as a natural extension to the existing settlement rather than an isolated intrusion into open countryside.

**14.7.8** Overall, while there would be localised landscape harm, this impact would be moderate, contained, and capable of mitigation through the detailed design and landscaping to be secured at Reserved Matters stage. This harm must be weighed in the overall planning balance.

## **14.8 F) Design**

**14.8.1** Good design is central to national and local planning policy. Section 12 of the NPPF emphasises that the creation of high-quality, safe and attractive places is fundamental to the planning process, and paragraph 135 requires development to be sympathetic to local character while allowing for innovation and appropriate change. Local Plan Policy GEN2 requires development to be compatible with its surroundings, provide an appropriate layout and landscape framework, and ensure high standards of design. The Uttlesford Design Code (2023) establishes district-wide expectations for resilient, sustainable, landscape-led design.

**14.8.2** This application seeks outline planning permission with all matters of layout, scale, appearance and landscaping reserved. Accordingly, the assessment at this stage is limited to the principle of the amount of development, the broad disposition of land uses, and the submitted parameter plan. The Council must therefore be satisfied that the site is capable of accommodating the proposed quantum of development in a manner that could meet relevant design policy requirements at the Reserved Matters stage. The Design Officer's comments would be applied at reserved matters stage.

### **14.8.3 Parameter Plan and Development Framework**

**14.8.4** The submitted parameter plan sets out the key development principles, including:

- the location of the developable area,
- areas of public open space,
- access points and pedestrian connections,
- play area,
- SuDS and drainage features

**14.8.5** Little Hallingbury is characterised by relatively low-density development around a modest rural core, with linear and infill development along established routes. The parameter plan positions the built form adjacent to the existing settlement edge. This prevents outward projection into the

wider countryside and reflects the general pattern of development in the locality. Detailed matters of layout, appearance, scale and landscaping will be considered at Reserved Matters stage, and these will determine the extent to which the final scheme responds to local character.

- 14.8.6** The developable area shown is located in the northern and north-eastern part of the site, set away from the motorway corridor and majority of the heritage assets. At outline stage, this arrangement is considered to provide a reasonable basis for assessing whether the site could accommodate the quantum of development proposed.
- 14.8.7** The access comprises a single vehicular access from Lower Road, with an internal route indicatively extending eastwards. The parameter plan also includes pedestrian links to Lower Road, Wrights Green Lane and two new connections to the Public Right of Way (PROW) along the southern boundary. These elements indicate that a permeable layout could be achieved, subject to detailed design.
- 14.8.8** A large green infrastructure zone is identified to the south of the site, incorporating SuDS features and public open space. This would provide a landscaped margin between the proposed development, the PROW and the more dispersed pattern of development further south. The detailed form, function and ecological value of this area will be subject to condition and consideration at Reserved Matters stage.
- 14.8.9** On the basis of the parameter plan and illustrative material submitted, Officers consider that the site is capable of accommodating up to 52 dwellings together with the necessary supporting infrastructure, garden areas, parking, internal circulation and green infrastructure. The final arrangement will however be determined through subsequent Reserved Matters applications.
- 14.8.10** Public Open Space and Recreation
- 14.8.11** Local Plan Policy GEN2, the Uttlesford Design Code and national guidance require major residential schemes to make appropriate provision for public open space, including children's play facilities and natural greenspace. While layout and landscaping are reserved matters, it is necessary at outline stage to establish whether the site can provide the required quantum and quality of open space. This also relates to paragraph 156(c) of the NPPF.
- 14.8.12** The parameter plan identifies a large area of open space in the southern part of the site. This area is shown to accommodate informal recreation space, SuDS features and enhanced links to Footpath 45 (PROW 37).
- 14.8.13** The scheme would provide approximately 0.738ha of usable public open space, sufficient for the scale of the site and development proposed, with 0.167ha of planted areas and 0.224ha for the SuDS which will need to be designed at Reserved Matters stage with appropriate slopes, depths, fencing or planting. In total, over 40% of the site will be left free of built

form. At this stage, the amount and disposition of land indicate that policy-compliant open space provision could be achieved, subject to detailed design.

- 14.8.14** A detailed open space schedule, including typologies and Accessible Natural Greenspace (ANG), will be secured by obligations within the S106. These elements would contribute to both recreation and biodiversity objectives.
- 14.8.15** An indicative location for a play area is shown within the southern open space. This location would offer opportunities for natural surveillance and separation from the motorway corridor. Delivery of a LEAP to appropriate standards would be secured through the S106 agreement.
- 14.8.16** At outline stage, and based on the submitted parameter plan, it is considered that the site is capable of accommodating up to 52 dwellings together with the necessary supporting infrastructure, green infrastructure and public open space. The parameter plan provides a broad and flexible framework indicating that an appropriate layout, access strategy, landscape structure and play provision could be achieved, subject to detailed assessment at Reserved Matters stage. All matters of layout, scale, appearance and landscaping remain to be determined, and the acceptability of the final design will depend on how these detailed elements respond to the site's edge-of-settlement context, local character, heritage setting and the requirements of Policy GEN2, the Uttlesford Design Code and the NPPF.

## **14.9 G) Heritage impacts and Archaeology**

- 14.9.1** The application site does not contain any designated heritage assets and does not fall within a Conservation Area. However, it lies within the setting of a number of Grade II listed buildings.
- 14.9.2** The NPPF places great weight on the conservation of heritage assets. Paragraph 135 emphasises the importance of securing high-quality design that is sympathetic to local character, while paragraph 203(f) requires new development to make a positive contribution to local character and distinctiveness.
- 14.9.3** As stated by the Conservation Officer, the application includes a Heritage Statement (HS), which demonstrates an understanding of the site, and the historical development of the surrounding environment. It provides a reasonable assessment of the contribution of setting to the significance of the heritage assets. In relation to the designated heritage assets to the south of the site, specifically those around Motts Green, and the Conservation Officer agrees that the proposed development would not cause harm to the significance of the listed buildings, nor would it affect their setting or the ability to appreciate and understand their heritage value. The Conservation Officer finds the outline nature of the application does not allow for sufficient detail to be provided to fully support the conclusions presented in Section 5.19 of the HS.



- 14.9.4** The Conservation Officer acknowledges that the visibility of the development in this area would be limited due to the existing dense vegetative boundary and the proposed design approach, which sets the housing back from this edge of the site.
- 14.9.5** The Conservation Officer considers the design principles established for the Reserved Matters acceptable. Detailed elements including appearance, landscaping, layout, and massing will be addressed and agreed through subsequent Reserved Matters applications which should be supported by a Heritage Impact Assessment.
- 14.9.6** The Conservation Officer concludes that the development would result in a low level of less than substantial harm to the significance of the nearby Grade II listed buildings, arising primarily from changes to their wider setting. In accordance with paragraph 208 of the NPPF, this harm must be weighed against the public benefits of the proposal. These include the delivery of up to 52 dwellings, with 50% affordable housing, together with improvements to local pedestrian connectivity, public transport and associated infrastructure, green infrastructure, public open space.
- 14.9.7** In undertaking this assessment, the Council has applied the statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to give special regard to the desirability of preserving the setting of listed buildings. Having afforded this harm considerable the necessary weight, Officers consider that the identified public benefits would outweigh the low level of less than substantial harm. The proposal is therefore considered to comply with the requirements of the NPPF and the relevant heritage policies of the adopted Local Plan.
- 14.9.8** Archaeology
- 14.9.9** In terms of archaeology, Policy ENV4 of the adopted local plan, the preservation of locally important archaeological remains will be sought unless the need for development outweighs the importance of the archaeology. It further highlights that in situations where there are grounds for believing that a site would be affected, applicants would be required to provide an archaeological field assessment to be carried out before a planning application can be determined, thus allowing and enabling informed and reasonable planning decisions to be made.
- 14.9.10** The application was formally consulted to Place Services Historic Environment and it is recommended that an Archaeological Programme of Trial Trenching followed by Open Area Excavation be required. This would be secured by way of condition, as suggested by the Place Services Historic Environment Consultant.
- 14.9.11** As such, subject to the imposition of conditions relating to an Archaeological Programme of Trial Trenching followed by Open Area

Excavation with a written scheme of investigation, the proposal would be **acceptable** and in compliance with Policy ENV4 of the Local Plan.

#### **14.10 H) Affordable Housing**

**14.10.1** In accordance with Policy H9 of the Local Plan, the Council's adopted housing strategy sets out the approach to meeting local housing needs, including the provision of affordable housing. Paragraph 63 of the NPPF requires developments to contribute to the delivery of a wide choice of high-quality homes, including affordable homes, and to support the creation of sustainable, inclusive and mixed communities.

**14.10.2** While these policies apply in the normal way, the particular circumstances of this site, being located within the Green Belt and assessed as Grey Belt land, mean that the enhanced affordable housing expectations of paragraphs 155(d), 156(a) and 157 of the NPPF also apply. As a result, the affordable housing requirement for this scheme must reflect not only the Council's policy position but also the Golden Rules applicable to development on Grey Belt land.

**14.10.3** In accordance with paragraph 155(d) of the NPPF, development on Grey Belt land must meet the Golden Rules set out in paragraphs 156–157. Paragraph 156(a) requires that affordable housing should reflect either development plan policies produced in accordance with paragraphs 67–68 or, the policy set out in paragraph 157.

**14.10.4** As the Council does not have an up-to-date development plan containing policies prepared under paragraphs 67–68, paragraph 157 applies in full. Paragraph 157 requires an uplift of 15 percentage points above the existing affordable housing requirement, subject to a cap of 50%. The Council's current requirement is 40%; applying the uplift results in a policy requirement of 50%, the maximum allowed under the Framework.

**14.10.5** The proposal includes 50% affordable housing, which represents compliance with paragraphs 156(a) and 157 and equates to approximately 26 affordable dwellings. This satisfies the affordable housing element of the Golden Rules under NPPF paragraph 155(d).

**14.10.6** Specific details of the affordable housing would come forward at the reserved matter stage, once the overall proposed mix of both the affordable and private homes is developed up.

#### **14.11 I) Highways, Access and Parking**

**14.11.1** Paragraph 115 (b) of the NPPF states that development should ensure that 'safe and suitable access to the site can be achieved for all users', whilst Paragraph 117 (c) states that development should 'create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.'

- 14.11.2** Policy GEN1 of the Local Plan requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must compromise road safety and take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and also encourage movement by means other than a vehicle.
- 14.11.3** The main access to the site is proposed as a new priority junction taken from Lower Road, designed in accordance with Essex County Council's Highways Technical Manual within the Essex Design Guide.
- 14.11.4** Essex County Council (ECC) Highways has been consulted on the proposed development and raises no objection to the development subject to the imposition of conditions and the completion of a S106.
- 14.11.5** The development will secure improvements to the bus stop infrastructure on Lower Road and a financial contribution towards establishing a Sunday bus service, in line with the expectations of the Highway Authority and the Inspector's advice. These measures will enhance the sustainability of the location and provide improved public transport options for new and existing residents.
- 14.11.6** Parking provision, internal road layout, refuse tracking and cycle storage will be determined at the Reserved Matters stage, in accordance with the Essex Parking Standards (2020) and relevant UDC guidance.
- 14.11.7** The proposal therefore accords with Policy GEN1 of the Uttlesford Local Plan and the NPPF.

**14.12 J) Ecology and Biodiversity Net Gain**

- 14.12.1** An Ecological Impact Assessment Addendum (Clarkson & Woods, November 2025), Biodiversity Net Gain Statement (August 2025) and Statutory Biodiversity Metric (21 August 2025) have been reviewed by Place Services. They are satisfied that sufficient information is available to determine the application, including bat activity surveys confirming that trees with bat roost potential will be retained. Only one such tree (T1/T22) lies within the RPA of the existing stable block and may be subject to disturbance from demolition and possible utility trenching; an updated bat survey and aerial inspection of this and any other trees that may develop features before Reserved Matters will therefore be required by condition.
- 14.12.2** The site lies within the 11.1km Zone of Influence for Hatfield Forest SSSI/NNR. In line with Natural England's Hatfield Forest Mitigation Strategy, Place Services advise that a proportionate SAMM contribution and on-site Accessible Natural Greenspace, including a signposted circular dog-walking route of around 2.3–2.5km, should be secured. As can be seen from section 17, this is to be secured within the S106.

**14.12.3** They support the submitted BNG metric and confirm that, subject to securing a Biodiversity Gain Plan (using the statutory template), long-term management and monitoring (up to 30 years) of significant on-site habitats, and any off-site units through legal agreement and/or condition, the mandatory 10% BNG requirement can be met.

**14.12.4** A separate Biodiversity Enhancement Strategy will also be required to secure reasonable enhancements for protected and Priority species.

**14.12.5** On this basis, Place Services conclude that, with the recommended conditions and obligations in place, the impacts on designated sites, protected species and habitats can be acceptably mitigated and the Council's statutory biodiversity duties and mandatory BNG requirements can be satisfied.

**14.13 K) Noise and Residential Amenity**

**14.13.1** Due to the site's location, the primary noise source is road traffic noise attributable to Lower Road and the M11. Aircraft noise is also significantly perceptible onsite, however is not considered to be the dominant source of noise most of the time.

**14.13.2** A Noise Impact Assessment has been submitted and reviewed by the Council's Environmental Health Officer. The report demonstrates that acceptable internal noise levels in habitable rooms can be achieved through appropriate façade design, glazing and ventilation in accordance with BS 8233:2014 and ProPG guidance.

**14.13.3** The assessment also identifies that daytime external noise levels in parts of the site would be at or above the upper guideline value for outdoor amenity areas. It also identifies that in the area of the site that is to contain the residential dwellings, the noise levels would not exceed the upper guideline value. As layout and detailed design are reserved matters, it is not possible at this stage to fix the precise arrangement of gardens and external spaces, but the parameter plan indicates that these can be located and screened so as to achieve the lowest practicable external noise levels.

**14.13.4** The Environmental Health Officer raises no objection to the proposal subject to conditions requiring a detailed noise mitigation scheme to be submitted and approved prior to commencement of any development. On this basis, the noise environment is not considered to represent an in-principle constraint to residential development of the site, and it is considered that, with an appropriate layout and mitigation secured by condition, future occupiers can be provided with acceptable internal and external noise conditions

**14.13.5** With respect to neighbours, separation distances to existing dwellings to the north and south are capable of being achieved within the parameters of the outline scheme. Final relationships, privacy distances, garden

sizes, and overshadowing impacts will all be assessed at the Reserved Matters stage.

- 14.13.6** Subject to conditions, the proposal is acceptable with regard to noise and residential amenity.

**14.14 L) Flood Risk and Drainage**

- 14.14.1** The southernmost portion of the site lies within Flood Zone 3. The submitted parameter plan confirms that no built development is proposed within Flood Zones 2 or 3, and all residential development is confined to Flood Zone 1 (low risk), in accordance with the sequential approach set out in NPPF paragraphs 171-172.

- 14.14.2** A site-specific Flood Risk Assessment and outline drainage strategy have been submitted and reviewed by the Lead Local Flood Authority (LLFA) who confirm they have no objection to the development subject to conditions. The LLFA confirms that the outline strategy demonstrates a feasible means of achieving compliant SuDS features within the site.

- 14.14.3** The development is therefore acceptable in flood risk and drainage terms, subject to conditions.

**14.15 M) Planning Obligations**

- 14.15.1** Paragraph 57 of the NPPF sets out that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. This is in accordance with Regulation 122 of the Community Infrastructure Levey (CIL) Regulations. The following identifies those matter that the Council should seek to secure through a planning obligation, in order to grant planning permission.

- 14.15.2**
- Provision of 50% affordable housing
  - Provision of 5% wheelchair accessible and adaptable dwellings (M4(3) – Building Regulations 2010).
  - Public open space
    - Provision of an onsite LEAP
    - on-site Accessible Natural Greenspace (ANG)
    - circular dog walking route
    - Maintenance
  - SAMM contribution (Hatfield Forest)
  - Highways
    - contribution towards enhancement of public transport services
    - provision of bus infrastructure
  - NHS Contribution
  - Reasonable legal costs
  - ECC Monitoring Fee
  - UDC Monitoring Fee

## **15. ADDITIONAL DUTIES**

### **15.1 Public Sector Equalities Duties**

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

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

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

### **15.2 Human Rights**

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

## **16. PLANNING BALANCE**

**16.1** In considering this application, the Council must determine whether the proposal represents sustainable development in the terms set out by the National Planning Policy Framework (NPPF), having regard to the statutory development plan, material considerations—including the revised Green Belt framework for Grey Belt land—and the detailed technical assessments summarised in this report.

### **16.2 Green Belt and Grey Belt Assessment**

**16.3** The site lies within the Metropolitan Green Belt. However, as set out earlier, both the Planning Inspectorate and Officers have concluded that the land constitutes Grey Belt under the NPPF glossary definition, as it does not strongly contribute to Green Belt purposes (a), (b) or (d). The proposal has therefore been assessed under NPPF paragraph 155, rather than the closed list of exceptions in paragraph 154.

- 16.4** For the reasons set out in detail in the Green Belt section of this report, the development meets all four criteria in paragraph 155:
- Paragraph 155(a): The development would not undermine the functioning of the remaining Green Belt at a strategic level;
  - Paragraph 155(b): There is a clear and substantial unmet need for housing, including affordable housing, demonstrated by the Council's 3.46-year housing supply and HDT result of 69%;
  - Paragraph 155(c): The site, while rural, occupies a reasonably accessible location with pedestrian routes, an hourly bus service and secured improvements to public transport and connectivity;
  - Paragraph 155(d): The proposal is capable of meeting the “Golden Rules” by providing 50% affordable housing, delivering necessary infrastructure, and providing high-quality, publicly accessible green space.
- 16.5** Accordingly, the proposal is treated as **not inappropriate development** in the Green Belt and attracts the significant weight required by paragraph 158.
- 16.6** Housing Need and Affordable Housing
- 16.7** The Council's inability to demonstrate a five-year housing land supply is a significant material consideration. The proposal would deliver up to 52 dwellings, including 26 affordable homes (50%), consistent with NPPF paragraph 157's requirement for Green Belt development. This represents a substantial social benefit, proportionate to the scale of Little Hallingbury but highly meaningful in district-wide terms and therefore attracts significant weight.
- 16.8** The development would contribute directly to addressing acute affordable housing need and would support rural vitality in accordance with paragraphs 78 and 83 of the NPPF.
- 16.9** Sustainable Location and Accessibility
- 16.10** While Little Hallingbury is a rural settlement with limited services, the site is well related to the existing village and benefits from pedestrian links to local facilities, an hourly bus service and new bus infrastructure and service enhancements secured via S106. The scheme also embeds improved pedestrian permeability, including new connections to the PROW network.
- 16.11** In a rural context, the NPPF recognises that opportunities for sustainable travel are more limited. Taking into account both existing and secured improvements, the site is considered to be in a **reasonably sustainable and accessible location**, consistent with national policy.
- 16.12** Countryside Impact

- 16.13** The development would result in the loss of an undeveloped field and introduce built form into the local countryside. Localised landscape harm would arise, particularly from short-range views along Lower Road and Wrights Green Lane. However, the site is visually enclosed and relates closely to the existing built edge of the village. Boundary hedgerows, proposed planting and the large southern green infrastructure zone would mitigate change over time.
- 16.14** Officers conclude that the landscape harm would be **moderate and localised**, and capable of reduction through detailed design. This weighs **negatively, but not significantly**, in the planning balance.
- 16.15** Design and Layout (Outline Stage)
- 16.16** At outline stage, only parameter-level assessments can be undertaken. The submitted parameter plan demonstrates that the quantum of development can be appropriately accommodated with sufficient space for landscaping, SuDS, open space and pedestrian connections. The reserved matters process will secure detailed design quality in accordance with Policy GEN2 and the Uttlesford Design Code.
- 16.17** Heritage Impacts
- The development would result in a **low level of less than substantial harm** to the significance of nearby Grade II listed buildings through change to their wider setting. In accordance with Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Council has given special regard to the desirability of preserving their setting and attributed relevant weight to the identified harm.
- 16.18** However, when weighed against the **public benefits**, including significant affordable housing, improved accessibility, green infrastructure and open space, Officers conclude the harm is outweighed under NPPF paragraph 208. This weighs slightly negatively but is **clearly overcome in the overall balance**.
- 16.19** Highways, Access and Parking
- 16.20** ECC Highways raises no objection subject to conditions and planning obligations. The new access from Lower Road is acceptable, four pedestrian connections can be delivered, and the scheme will fund bus stop upgrades and a new Sunday bus service. As such, there are **no highway or safety grounds to resist the proposal**, in compliance with Policy GEN1 and the NPPF.
- 16.21** Ecology and Biodiversity Net Gain
- 16.22** Place Services confirms that—with conditions and S106 obligations, the scheme will **avoid unacceptable ecological impacts** and deliver mandatory BNG. **This weighs positively**.



**16.23**      Residential Amenity and Noise

**16.24**      The Noise Impact Assessment demonstrates that acceptable internal noise levels can be achieved, and the Environmental Health Officer raises no objection subject to conditions. External private amenity areas can be designed to achieve the lowest practicable noise levels at Reserved Matters stage. No unacceptable effects on neighbouring properties are anticipated. This weighs **neutrally**.

**16.25**      Flood Risk and Drainage

**16.26**      All residential development is located in Flood Zone 1, with Flood Zone 3 confined to the southernmost portion of the open space. The LLFA raises no objection subject to conditions. SuDS can be accommodated within the layout. This weighs **neutrally**.

**16.27**      Planning Obligations

**16.28**      All necessary contributions—including affordable housing, open space, SAMM, Accessible Natural Greenspace, the circular dog-walking route, bus service improvements, NHS contributions, and monitoring fees—can be secured via a S106 agreement. There are no outstanding infrastructure objections.

**16.29**      Overall Planning Balance and Conclusion

**16.30**      The proposal must be assessed against the development plan unless material considerations indicate otherwise. The adopted Local Plan is out-of-date, the Council cannot demonstrate a five-year housing land supply, and therefore the tilted balance under NPPF paragraph 11(d) is engaged—but only because the development has been found to be “not inappropriate” in the Green Belt following application of paragraph 155.

**16.31**      Having regard to all matters:

- 16.32**
- **Significant positive weight** is attributed to the delivery of housing, including **50% affordable housing**, in a district with a substantial and persistent housing shortfall.
  - **Significant positive weight** is attributed to the proposal's compliance with NPPF paragraph 155(d) and the Golden Rules in paragraph 156, with paragraph 158 expressly requiring such compliance to attract positive weight.
  - **Moderate positive weight** is attributed to improvements to green infrastructure, public open space, pedestrian permeability and biodiversity net gain.
  - **Neutral to modest positive weight** is given to economic and social benefits during construction and occupation.
  - **Moderate but localised negative weight** is attributed to landscape and countryside impacts.
  - **Low level less than substantial heritage harm** is judged to be **outweighed by the substantial public benefits**.

**16.33** Taking all factors into account, the balance of considerations weighs in favour of granting planning permission. The adverse impacts of the development would not significantly and demonstrably outweigh the benefits, and the development would represent sustainable development in the terms of the NPPF.

**16.34** Subject to the conditions and completion of the S106 agreement securing the identified obligations, the application is therefore recommended for approval.

**17. S106 / CONDITIONS**

**17.1 S106 HEADS OF TERMS**

- Provision of 50% affordable housing
- Provision of 5% wheelchair accessible and adaptable dwellings (M4(3) – Building Regulations 2010).
- Public open space
  - Provision of an onsite LEAP
  - on-site Accessible Natural Greenspace (ANG)
  - circular dog walking route
  - Maintenance
- SAMM contribution
- Highways
  - contribution towards enhancement of public transport services
  - provision of bus infrastructure
- NHS Contribution
- Reasonable legal costs
- ECC Monitoring Fee
- UDC Monitoring Fee

**17.3 CONDITIONS**

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

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

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

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

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

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

4. All applications for Reserved Matters shall be in general accordance with the approved Parameter Plan.

REASON: To ensure that the detailed design brought forward at Reserved Matters stage accords with the approved parameters established at outline stage.

5. All mitigation measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment Ecological Appraisal Report (Clarkson & Woods, September 2025) and its Addendum (Nov 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). In accordance with Policy GEN7 of the Uttlesford Local Plan (2005).

6. Concurrent with reserved matters further supplementary ecological surveys for roosting bats shall be undertaken to inform the preparation and implementation of corresponding phases of ecological measures required. The supplementary surveys shall be of an appropriate type for the above species and survey methods shall follow national good practice guidelines.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new or amended measures, and a timetable for their implementation, will be submitted to and approved in writing by the local planning authority prior to the commencement of development. Works will then be carried out in accordance with the proposed new approved ecological measures and timetable.

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). In accordance with Policy GEN7 of the Uttlesford Local Plan (2005).

7. Concurrent with reserved matters, prior to commencement, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
  - b) Identification of “biodiversity protection zones”.
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
  - d) The location and timing of sensitive works to avoid harm to biodiversity features.
  - e) The times during construction when specialist ecologists need to be present on site to oversee works.
  - f) Responsible persons and lines of communication.
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
  - h) Use of protective fences, exclusion barriers and warning signs.

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

REASON: To conserve 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). In accordance with Policy GEN7 of the Uttlesford Local Plan (2005).

8. Concurrent with reserved matters 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 Ecological Impact Assessment (Clarkson & Woods, September 2025) and its Addendum (November 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). In accordance with Policy GEN7 of the Uttlesford Local Plan (2005).

9. Concurrent with reserved matters prior to occupation a “lighting design strategy for biodiversity” for the development in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) as recommended in the Ecological Impact Assessment (Clarkson & Woods, September 2025) and its Addendum (Nov 2025) 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). In accordance with Policy GEN7 of the Uttlesford Local Plan (2005).

10. 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) a non-technical summary;
  - b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
  - c) 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;

- d) 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;
- e) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
- f) 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, 3, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

The Council shall only issue approval of the habitat creation and enhancement works until:

- the habitat creation and enhancement works set out in the approved HMMP have been completed; and
- a completion report, evidencing the completed habitat enhancements, has been submitted to, and approved in writing by the Local Planning Authority.

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. In accordance with Policy GEN7 of the Adopted Local Plan (2005).

11. Construction Management Plan: 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, in consultation with the local highway authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
- a) construction vehicle routing and safe site access
  - b) the parking of vehicles of site operatives and visitors
  - c) loading and unloading of plant and materials
  - d) storage of plant and materials used in constructing the development
  - e) wheel and underbody washing facilities
  - f) routing strategy for construction vehicles

g) protection of public rights of way within/adjacent to the site

REASON: in the interests of highway safety and efficiency in accordance with Policies DM1 and DM20 of the Highway Authority's Development Management Policies and to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and Uttlesford Local Plan Policy GEN1.

12. Vehicular access: prior to occupation of the development, the provision of an access formed at right angles to A1060 Lower Road, as shown in principle on drawing no. LH-RGP-XX-XX-DR-T-003 Rev P05 to include but not limited to: minimum 5.5 metre carriageway width with minimum radii of 10 metres; two 2m footways and a dropped kerb pedestrian crossing point. The road junction at its centre line shall be provided with a clear to ground visibility splays with dimensions of 2.4 metres by 120 metres to the east and west, as measured from and along the nearside edge of the carriageway, as also shown on drawing no. LH-RGP-XX-XX-DR-T-003Rev P05. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: to ensure that vehicles can enter and leave the highway in a controlled manner and to provide adequate inter-visibility between vehicles using the road junction and those in the existing highway network in the interest of highway safety in accordance with policy DM1 of the Highway Authority's Development Management Policies and to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and Uttlesford Local Plan Policy GEN1.

13. Highway works: prior to occupation, the following highway works, as shown indicatively on LH-RGP-XX-XX-DR-T-003 Rev P05 will be provided entirely at the developer's expense:
- a) Footway (minimum width 2m) to be provided along the carriageway edge from the proposed site access northwards to a new pedestrian crossing point
  - b) Dropped-kerb pedestrian crossing point with adequate visibility splays to provide accessible route to/from the northbound bus stop

REASON: in the interests of highway safety, reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM1, DM9 and DM10 of the Highway Authority's Development Management Policies and to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and Uttlesford Local Plan Policy GEN1.

14. Residential Travel Information Packs: prior to occupation of the development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for

sustainable transport, approved by Essex County Council (to include six one day travel vouchers for use with the relevant local public transport operator).

REASON: in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Development Management Policies and to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and Uttlesford Local Plan Policy GEN1.

15. Bus infrastructure: prior to occupation of the development, the provision of the following bus infrastructure entirely at the developer's expense:
- a) Pole, flag, timetable frame and raised kerbs at southbound bus stop (Grinstead Lane (opp) / NaPTAN Code: esxdgjjw)
  - b) Replacement pole and flag at northbound bus stop (Grinstead Lane (adj) / NaPTAN Code: esxdgmda)

REASON: in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM9 of the Development Management Policies and to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance and Uttlesford Local Plan Policy GEN1.

16. Archaeological trial trenching and excavation
- (1) No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a Written Scheme of Investigation (WSI) which has been submitted by the applicant, for approval by the Local Planning Authority.
  - (2) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above, and any subsequent mitigation has been agreed.
  - (3) The applicant will submit a final archaeological report or (if appropriate) a Post Excavation Assessment report and/or an Updated Project Design for approval by the Local Planning Authority. This shall be submitted within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance by the Local Planning Authority

REASON: To ensure that any archaeological remains are identified, investigated, and recorded prior to and during development, and that the results are appropriately reported, in accordance with Policy ENV4 of the Uttlesford Local Plan 2005) and relevant national heritage guidance.

17. No works except demolition shall takes place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in



writing by the local planning authority. The scheme should include but not be limited to:

- a) Limiting discharge rates to 5.2l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event subject to agreement with the relevant third party/ All relevant permissions to discharge from the site into any outfall should be demonstrated.
- b) Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- c) Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- d) A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- e) An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site. In accordance with Policy GEN3 of the Local Plan (2005).

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

REASON: The National Planning Policy Framework paragraph 167 and paragraph 174 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may

also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed. In accordance with Policy GEN3 of the Local Plan (2005).

19. Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the local planning authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. In accordance with Policy GEN3 of the Uttlesford Local Plan (2005).

20. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the local planning authority.

REASON: to ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. In accordance with Policy GEN3 of the Uttlesford Local Plan (2005).

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

REASON: In the interests of flight safety and to prevent distraction and confusion to pilots using Stansted Airport, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (2005).

22. During construction, robust measures are to be taken to prevent birds hazardous to aviation being attracted to the site. No pools of water should occur and prevent the scavenging of any detritus.

REASON: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN.

23. The proposed SUDS are to be generally dry, only holding water after an extreme rainfall event (1:30 year) for up to 48 hours before returning to a dry state.

REASON: Flight safety – Birdstrike risk avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (2005).

24. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no reflective materials (including solar PV) other than clear or obscure glass shall be added to the building without the express consent of the local planning authority.

REASON: In the interests of flight safety and to prevent distraction and ocular damage to pilots using Stansted Airport. In the case of PV, also to ensure that the arrays will not attract birds hazardous to aviation and increase the bird strike risk at Stansted Airport, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (2005).

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

REASON: Flight safety – dust and smoke are hazardous to aircraft engines; dust and smoke clouds can present a visual hazard to pilots and air traffic controllers, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (2005).

26. No development shall commence until a detailed scheme of noise mitigation (covering façade, glazing, ventilation specifications, acoustic barriers) 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 (Hawkins Environmental Ltd. dated 4th August 2025).

External amenity areas shall be designed to achieve the lowest practicable noise levels, with a design threshold of 55 dB LAeq,16hr, in accordance with BS8233:2014. Any exceedance above 55 dB LAeq,16hr must be clearly justified, demonstrating that all reasonable and practicable mitigation measures have been employed and that external amenity noise levels are as low as reasonably practicable. Such justification shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that future occupiers are protected from unacceptable levels of noise, and that appropriate mitigation is secured in accordance with Policy ENV10 of the Uttlesford Local Plan (2005).

27. A noise validation report, demonstrating compliance with the noise criteria shall be submitted to and approved by the local planning authority before any of the dwellings are occupied. This assessment shall be conducted in

accordance with Professional Practice Guidance: Planning and Noise-New Residential Development (May 2017) and the approved noise design scheme. Such noise protection measures shall thereafter be maintained and operated in accordance with the approved scheme.

REASON: To ensure that future occupiers are protected from unacceptable levels of noise, and that appropriate mitigation is in place in accordance with Policy ENV10 of the Uttlesford Local Plan (2005).

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

REASON: To ensure that any unexpected contamination is appropriately identified and remediated to safeguard human health and the environment, in accordance with Policy ENV14 of the Uttlesford Local Plan (2005) and relevant national guidance.

29. Prior to the commencement of the development, a detailed Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority, and the plan shall include the following:

- a) The construction programme and phasing
- b) Hours of operation, delivery and storage of materials
- c) Details of any highway works necessary to enable construction to take place
- d) Parking and loading arrangements
- e) Details of hoarding
- f) Management of traffic to reduce congestion
- g) Control of dust and dirt on the public highway
- h) Details of consultation and complaint management with local businesses and neighbours
- i) Waste management proposals
- j) Mechanisms to deal with environmental impacts such as noise and vibration, air quality and dust, light and odour.
- k) Details of any proposed piling operations, including justification for the proposed piling strategy, a vibration impact assessment and proposed control and mitigation measures.

REASON: To minimise adverse impacts on the environment, local amenity, and the highway network during construction, and to ensure that construction activities are appropriately managed in accordance with Policy ENV14, GEN1 and GEN4 of the Uttlesford Local Plan (2005) and relevant national guidance.

30. Details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure, and the extent of the area to be illuminated, shall be submitted to and approved in writing by

the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.

REASON: To safeguard residential amenity, protect the character of the area, and prevent unnecessary light pollution, in accordance with Policy GEN2 and GEN4 of the Uttlesford Local Plan (2005) and relevant national guidance.

31. The development shall be carried out in accordance with the principles and specifications of Secured by Design. Prior to the commencement of above-ground works, a Secured by Design compliance statement, demonstrating how the development meets the relevant standards, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full and retained thereafter.

REASON: To ensure the development incorporates appropriate crime prevention measures and creates a safe and secure environment, in accordance with Policy GEN2 of the Uttlesford Local Plan (2005) and Secured by Design guidance.

32. Concurrent with the Reserved Matters application, a Sustainability and Energy Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall be assessed alongside any application for Reserved Matters relating to layout, scale and appearance. The Statement shall include, as a minimum:
- a. A fabric-first energy efficiency strategy demonstrating how the development will minimise energy demand and carbon emissions in accordance with the Uttlesford Design Code and the NPPF;
  - b. Details of proposed low-carbon and renewable energy technologies (including feasibility of air-source heat pumps, solar PV or other technologies), with predicted regulated carbon savings;
  - c. A layout-specific assessment of passive design measures including orientation, shading, solar gain, natural ventilation and overheating risk;
  - d. Water efficiency measures demonstrating how dwellings will achieve the required consumption standard.

The approved Sustainability and Energy Statement shall be implemented in full prior to the first occupation of the dwellings and shall thereafter be retained and maintained.

REASON: To ensure that the development achieves a high standard of environmental performance, minimises energy demand and carbon emissions, and complies with the objectives of the NPPF, the Uttlesford Design Code and relevant local policy.

## **INFORMATIVES**

### **Highways:**

- i. All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.
- ii. 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 applicant should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org)
- iii. Prior to any works taking place in public highway or areas to become public highway, the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design checks, safety audits, site supervision, commuted sums for maintenance and any potential claims under Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims, a cash deposit or bond may be required.
- iv. 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
- v. There shall be no discharge of surface water onto the Highway.
- vi. 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
- vii. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over footpath 45 (Little Hallingbury 37) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

- viii. Under Section 23 of the Land Drainage Act 1991, prior written consent from the Lead Local Flood Authority (Essex County Council) is required to construct any culvert (pipe) or structure (such as a dam or weir) to control, or alter the flow of water within an ordinary watercourse. Ordinary watercourses include ditches, drains and any other networks of water which are not classed as Main River.

**MAG:**

- i. The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Cranenotification/>
- ii. No lighting directly beneath any roof lights that will emit light upwards – only downward facing ambient lighting to spill from any roof lights upwards – ideally, automatic blinds to be fitted that close at dusk. Reason: Flight safety - to prevent distraction or confusion to pilots using Stansted Airport.

**LLFA:**

- i. Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to [suds@essex.gov.uk](mailto:suds@essex.gov.uk).
- ii. Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- iii. Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- iv. It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- v. The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- vi. We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

**Environmental Health:**

- i. Renewable Technologies:
  - a. Energy saving and renewable technologies should be considered for this development

- b. 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.
- ii. Construction Advice:
  - a. 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.
- iii. Private Water Supply:
  - a. Under the Private Water Supply Regulations 2016 a new private water supply may not
  - b. be used until the local authority is satisfied it does not constitute a potential danger to human health. Environmental Health should be consulted if the new development is to have a private water supply



## **APPENDIX A – PARISH COUNCIL COMMENTS**

# LITTLE HALLINGBURY PARISH COUNCIL

CLERK OF THE COUNCIL

06 October 2025

Uttlesford District Council  
Planning

For the attention of: To whom it may concern

**SUBJECT: Planning Application UTT/25/2181/OP**

Proposal:	Outline planning application, with all matters reserved (except for principal access), for the demolition of existing structures and erection of up to 59 dwellings, including affordable housing, associated green and hard infrastructure, public open space, biodiversity enhancements, and principal access off Lower Road.
Address:	Land at Camps Field, Lower Road, Little Hallingbury

1. The following document sets out the objections to the above referenced outline planning application by Little Hallingbury Parish Council ('the Parish Council'). It follows from the resolution of the Parish Council on 23<sup>rd</sup> September, recorded as item 25/173 in the minutes, having considered the said application to object on the following basis:
2. This representation, which has been prepared by an expert planning barrister, sets out and expands upon the reasons why the housing development proposed by the Application is unacceptable in planning terms and contrary to the current as well as emerging development plan and there are no material considerations of sufficient weight that lawfully should lead Uttlesford District Council to allow the Application.

3. In summary the Site is unsuitable for this development and does not represent sustainable development due to Noise; Air Quality and Flood Risk implications as well as representing inappropriate development in the Green Belt; harm to the landscape and heritage assets as well as ecological harm.
4. The application fails to accord with the development plan and there are no or no sufficient material considerations that outweigh that failure and the planning harm (including heritage harm) arising out of this scheme. As such the Council should refuse this application.

#### **Little Hallingbury & the Site**

5. Little Hallingbury itself is recognised as a larger village within Uttlesford District Council's ('the Council') latest (post examination) Local Plan (which is at main modifications stage currently) ('the emerging plan' or 'Local plan 20241') and lies wholly within the metropolitan Green Belt (GB) which skirts this southeastern edge of the district. It is therefore a 'GB Settlement'
6. In core policy 3, Settlement Hierarchy, the emerging plan classifies Little Hallingbury as a larger village and for the type of development to be allowed confirms that *"Development outside the existing built areas of these settlements will only be permitted where it is allocated by the Local Plan 2041 or has been allocated within a Made Neighbourhood Development Plan, or future parts of the Local Plan. Development at washed over GB settlements should be assessed in accordance with National Policy"*.
7. In Chapter 8, Thaxted and Rural Area Strategy, para 8.19 the emerging plan also states:  
*"In relation to the housing requirement figures for the Larger Villages, it is proposed that any Larger Villages located in the Green Belt would not be appropriate locations for allocations to be made. The Council does not consider there are any exceptional circumstances for allocating development in the Green Belt in Uttlesford, as there are a large number of opportunities for development in the District that fall outside of the Green Belt. This means that the villages of Birchanger and Little Hallingbury are not appropriate locations for non-strategic allocations, and the housing requirement for these villages is set at the level of completions and commitments as at 1st April 2024"*

8. In addition, as part of the evidence base to the emerging Little Hallingbury Neighbourhood Plan a Landscape Assessment Survey Report ('the LAS') (dated October 2024) has been carried out.
9. In terms of the wider context the LAS states as follows [1.1.3-1.1.4]:
  - 1.1.3 *The rural landscape of Uttlesford district provides the setting for the village of Little Hallingbury. There are 58 Grade II Listed Buildings and three Grade II\* Listed Buildings including St Mary the Virgin Church, Hallingbury Mill and Gaston House. The historic settlement pattern was originally dispersed along the route of the now A1060 and is now connected with spurs of development extending along Dell Lane and has infilled the land between Wrights Green and the A1060 and between Wrights Green and Goose Lane. The historic settlement pattern at Gaston Green survives well with limited development focused around the pond.*
  - 1.1.4 *Although locally-generated development pressure is relatively small compared to other parts of the District, the potential of future pressures of development from the conversion of equestrian paddocks poses a threat to the Parish's remote, tranquil character...."*
10. The LAS describes the landscape character of the area as being *"representative of English lowland countryside character with dispersed rural settlements. The strength of character generally increases with distance from Bishop's Stortford with the eastern part of the Parish being the strongest in rural countryside character, despite the M11."* The eastern part is of course where the site is located and the LAS identifies this area in section 8 as Local Parish Landscape Character Areas (LPLCA) *"Little Hallingbury Hall & Motts Green Pasture"* which is described as having a medium overall landscape sensitivity [9.1.3] and where *"every opportunity should be taken to restore and replace lost landscape features and field patterns to strengthen the contribution to local landscape character"* [11.0.13].
11. In its assessment of landscape planning issues and development pressure within the parish the LAS at [10.2.4] refers specifically to :  
*"Development of equestrian fields adjoining the village envelope: There are a number of equestrian fields adjoining the village envelope of Little Hallingbury. Although there is a presumption against development and the New Local Plan for the Uttlesford District states*

*that there is no requirement for housing in the village of Little Hallingbury as the Village is in Green Belt, however there could be a risk of future conversion of equestrian paddocks to residential and commercial purposes. Therefore considerations should include:*

- The potential for coalescence (perceived or physical) with Bishop's Stortford, Sawbridgeworth and Hatfield Heath*
- The visual impact of new development upon the rural countryside adjoining the Parish*
- The potential loss of small pastoral fields*
- The setting of Listed Buildings within the countryside and on the village edges*
- Rural view from public rights of way, particularly views out of the village envelope across the rural countryside of the Little Hallingbury Parish and adjacent Parish landscapes*
- The pressure of increased traffic on rural lanes"*

12. The Site is bounded to the south west by the A1060 Lower Road; by Wrights Green Lane to the northeast and by Public Footpath 4537 to the southeast. It is notable that whilst the redline of the Site does not include the footpath it is understood that the applicant is the owner of the strip of land across which the footpath runs as shown on the Site Boundary Plan ref 2054/02 A or Location Plan submitted on 27 August 2025.
13. The applicant must be aware of the footpath (see e.g. Heritage Assessment and Landscape and Visual Green Belt Appraisal) but the illustrative layout plan omit to show it and the Design and Access Statement does not show it either and suggests only with indicative arrows there may be a future potential link with it from the proposed development. We return to the significant impact that would arise from the proposal upon this footpath and its users below.
14. It should be noted that the Site has been considered in the past as part of a call for sites by the Council during preparation of the Uttlesford Local Plan 2021 – 2041. In July 2024 the Council published a Site Selection Topic Paper and accompanying appendix. On page 89 the Appendix ([https://www.uttlesford.gov.uk/media/12629/Site-Selection-Topic-Paper-Appendix-A-Stage-1-to-Stage-5-Site-Selection-Assessment/pdf/Site\\_Selection\\_Topic\\_Paper\\_-\\_Appendix\\_A\\_Stage\\_1\\_to\\_Stage\\_5\\_Site\\_Selection\\_Assessment.pdf?m=1701349887720](https://www.uttlesford.gov.uk/media/12629/Site-Selection-Topic-Paper-Appendix-A-Stage-1-to-Stage-5-Site-Selection-Assessment/pdf/Site_Selection_Topic_Paper_-_Appendix_A_Stage_1_to_Stage_5_Site_Selection_Assessment.pdf?m=1701349887720)) states that the site (LtHallingbury 002 RES) was discounted at Stage 2 Site Sifting with the comment: 'The site is unable to deliver 100 home or above individually or



cumulatively with adjacent sites. It is not located within or in close proximity to the top two tier settlements of the District'. The appendix also states that no sites in Little Hallingbury are carried forward to Stage 3 Detailed Assessment of Constraints and Opportunities.

**Policy Context & Presumption in Favour of Sustainable Development (Housing Land Supply 'tilted balance')**

15. Specific relevant passages of the NPPF will be raised when addressing the related issues below however of general note it is asserted that the Council cannot demonstrate it has 5 year housing land supply ('HLS').
16. We note the Examination Inspectors' findings in respect of the emerging plan set out in their post hearing note dated 31 July 2025 [9 and 12] rejecting the need for further delay to the plan and confirming soundness in this respect:  
*"9. Various alternative housing supply figures have been offered in representations, but we prefer that calculated by the Council in UTT5 of 4.77 years' supply, assuming a 20% buffer, updated housing completion data 2024/25 and inclusion of the shortfall in housing supply since the base date of the Plan. Consequently, the housing trajectory should be modified to accord with the above calculation, and main modifications made to Core Policy 2 to update the housing figures.*  
...  
*12. We are satisfied that the Plan identifies sufficient land to meet its housing requirement over the plan period, with headroom of approximately 12.6% based on the updated figures in UTT5. Furthermore, the rate of housing delivery in Uttlesford in recent years has been significant and is forecast to continue, such that the Council is unlikely to have to include an increased buffer to account for undersupply. While we are unable to take account of that in our conclusion for the reason set out above, based on the calculations in UTT5 it is very possible that the Council will be able to show a five-year housing supply on or shortly after the anticipated date for adoption."*
17. As such the question of shortfall and what is more the extent of any genuine shortfall that is finally determined is highly material.
18. The Parish Council accepts that the consequence of not being able to demonstrate 5 YHLS and an up to date plan is that the application of the presumption in favour of sustainable development as set out in NPPF 11 gives rise in the first instance to a tilted balance in favour of development.

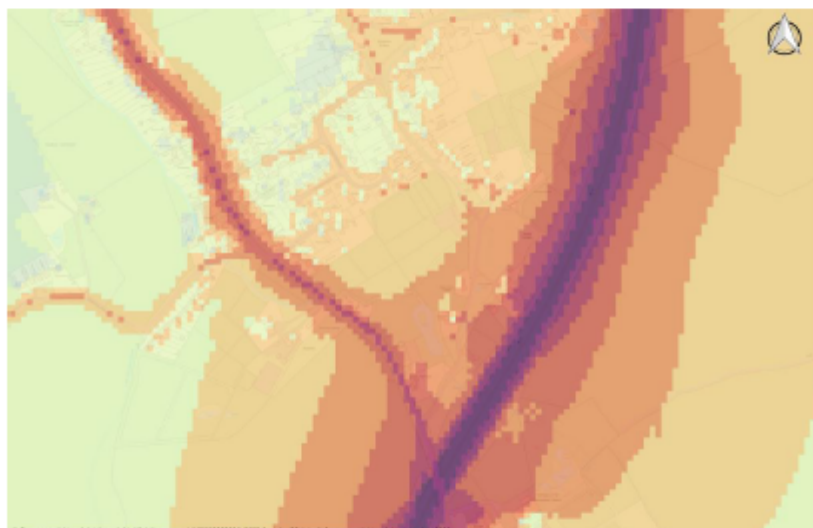
19. If the Council can demonstrate 5 YHLS then clearly no such tilted balance arises and the development must be assessed against the development plan in accordance with s70 of the Town and Country Planning Act 1990 and s38(6) of the Planning and Compulsory Purchase Act 2004 and if it fails to accord with the plan taken as a whole, planning permission should be refused, unless material considerations indicate otherwise.
20. Even if the tilted balance arises initially, NPPF 11(d)(i) makes it clear that consideration must be given first to whether the application of the relevant policies set out in footnote 7 which *"protect areas or assets of particular importance provides a strong reason for refusing the development proposed"*. These footnote 7 policies include policies in respect of *"land designated as Green Belt"* as well as *"designated heritage assets ...;and areas at risk of flooding"*.
21. As set out below, the Applicant misapplies the Grey Belt and Golden Rules policies to the facts in order to assert that the Site should not be treated as subject to full Green Belt protection. In addition the Heritage Assessment and Flood Risk Assessment are flawed such that it must be concluded that harm to heritage assets arises, engaging strong reasons to refuse the application as well as a failure to comply with flood risk policy.
22. This means that even if the tilted balance arises in the first instance as a result of the HLS position, NPPF 11(d)(i) means that the a tilted balance is disapplied as a result of either the individual or collective proper application of Green Belt; Heritage and Flood Risk policies as set out in the NPPF.
23. That means that the Council need only consider whether the development accords with the plan and if not whether there are sufficient material considerations to outweigh the presumption in favour of the plan.
24. Given the harm identified it is clear that the conclusion should be to refuse this application.
25. Even if the Council was to conclude that the application of NPPF 11 (d)(i) and the footnote 7 policies does not give rise to a strong reason to refuse, the Council would then need to consider in accordance with NPPF 11 (d) (ii) whether any adverse impacts of

granting permission “*would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*” .

26. As set out here the Parish Council considers that the adverse impacts of this proposal identified are clearly sufficient enough significantly and demonstrably to outweigh the alleged benefits in any event.

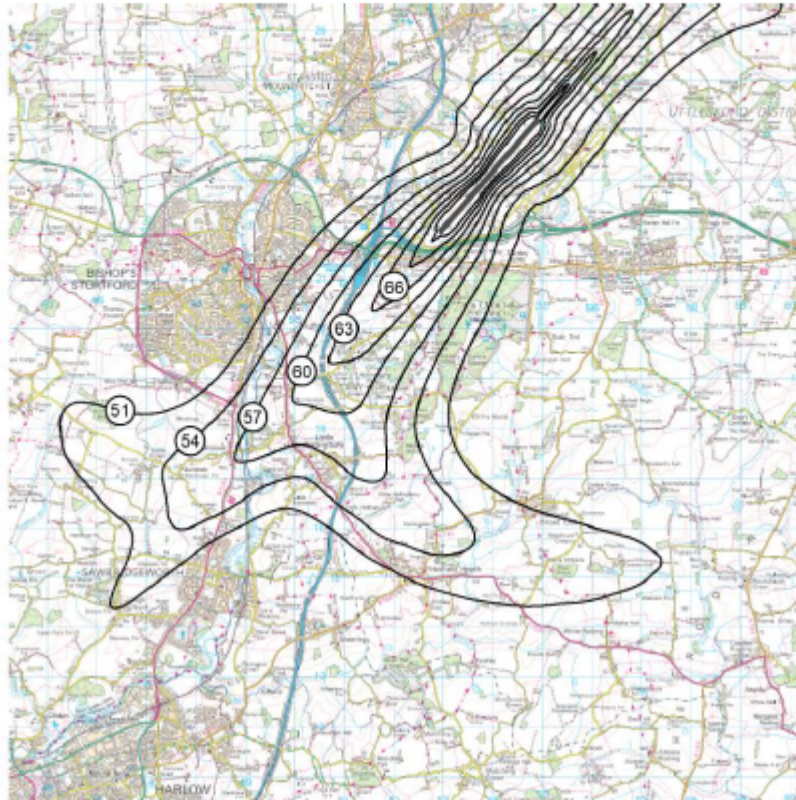
### **Noise**

27. The Site lies in close proximity to the M11 and suffers from constant noise from the motorway. This is the DEFRA 24hr Road Noise map for the immediate area of the site.



28. In addition, on top of noise from the motorway the application site lies within the current 54dB LAeq contour for day noise and 48dB LAeq contour for night noise from Stansted Airport (see letter from London Stansted Airport ('LAS') dated 16 Sept 2025).





29. It is well established that in respect of aircraft noise this represents LOAEL the level at which people exposed to this level and type of noise have an observed adverse impact to it and triggers "community annoyance" as well as *"above which adverse effects on health and quality of life can be detected"*.
30. This proposal clearly seeks cynically to expose 50 odd families deliberately to this adverse noise impact.
31. This is demonstrated by the Applicant's noise impact assessment and recommendations which confirm that given the noise exposure from both the M11 and Stansted the occupants of the proposed houses will effectively have to avoid opening their windows in order to meet requisite standards. Those who choose to use any of the outside areas including children around the houses will clearly simply be affected by the noise.

32. This is akin to accepting the conditions at this Site are as bad as being in a large city (if not worse) whilst equally relying upon its location as part of the Green Belt between villages to argue for the Site's release from the Green Belt to argue it is suitable for housing development.
33. The clear implication however of the noise evidence alone is that this Site is clearly not suitable for housing but should remain in its current condition as open and rural serving its recognised Green Belt and landscape function as well as serving as part of the setting of a number of heritage assets.
34. The exposure of housing as a recognised noise sensitive form of development to unacceptable noise is contrary to NPPF187 which requires that planning decisions should prevent "*new and existing development from... being put at unacceptable risk from, or being adversely affected by, unacceptable levels of...noise pollution*".
35. It is also contrary to existing Local Plan 2005 policy ENV10 and emerging plan Core Policy 44.
36. The latter in particular requires applicants for residential schemes to demonstrate "*that users of the development will not be exposed to unacceptable noise impact from existing, temporary or future uses*" and that "*Noise sensitive uses proposed in areas that are exposed to noise at the Lowest Observed Adverse Effect Level (LOAEL) or the Significant Observed Adverse Effect Level (SOAEL) from existing... transport (air, road, rail and mixed) sources will not be permitted unless it can be demonstrated good acoustic design has been considered early in the planning process, and that all appropriate mitigation, through careful planning, layout and design, will be undertaken to ensure that the noise impact for future users will be made acceptable*".
37. The applicant's noise assessment and recommendations clearly do not meet this approach and the general lack of any assurance of good design as part of the scheme is highlighted in the response from the Council's Urban Design officer (see letter dated 17 September 2025) which confirms that "*a scheme of this scale in a sensitive edge of settlement location should be referred to the UQRP and a Design Code should be prepared to accompany the application to ensure that the delivery of high-quality design is secured at outline stage*".

38. Emerging plan policy 44 also goes on to refer to confirm that *"Noise sensitive uses proposed in areas that are exposed to noise at the Unacceptable Adverse Effect level will not be permitted"*.
39. This requires the identification of the *Unacceptable Adverse Effect Level* which it is explained *" for most sources, including surface transport, will be determined on a case-by-case basis subject to the nature of the proposal, the source of the noise and guidance from the Council's Environmental Health officer the Unacceptable Adverse Effect level"*.
40. It is interesting to note the response from the Council's Environmental Health officer which confirms that the Applicant's noise assessment shows the Site *"exceeds the recommended upper guideline of 55 dB LAeq,16hr for external amenity areas set out in BS8233:2014"* and that this such noise levels *"raise concerns about the suitability of the site for residential use, as future occupiers will be exposed to noise in external spaces"*.
41. The EHO also complains about the absence of an *"indicative strategy showing how external noise will be managed or reduced (there is some mentions of potential shielding, however there is no objective data to support this)"*.
42. Notably the EHO recommend a condition which based upon the levels assessed cannot it seems be met in any event because it requires all external areas to be *"designed and located to ensure that amenity areas are protected on all boundaries as to not exceed 50 dBLAeq,16hr"*. Given the height of the motorway relative to the development site it would be argued that soundproofing with trees or screens would be ineffective.
43. The application would also fail to accord with existing plan Policy GEN2 which provides that *"development will not be permitted unless...it provides an environment which meets the reasonable needs of all potential users"*.
44. Again as noted in LAS's response to this application, increasing the number of people in the UK significantly affected by aircraft noise is contrary to the Government's Aviation Policy Framework (APF).
45. Whilst the Applicant's Noise Assessment refers to the Noise Policy Statement for England (NPSE) it only appears to deal with the first of the three aim Noise Policy Aims set out in the NPSE by focusing



on whether noise would be significant adverse levels (SOAEL). The NP Aims provide:

*“Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:*

- ☐ *avoid significant adverse impacts on health and quality of life;*
- ☐ *mitigate and minimise adverse impacts on health and quality of life;*
- and*
- ☐ *where possible, contribute to the improvement of health and quality of life.”*

46. Again as noted by the LAS and implied by the EHO responses given the Site is exposed to noise levels above the LOAEL (51 dB LAeq) for aircraft noise (ignoring motorway traffic noise exposure on top of that) there would clearly be adverse impact upon the health and quality of life of future occupants at the Site and there has been a wholesale failure to provide evidence that these recognised adverse impacts would be mitigated and minimised adverse impacts.

#### **Air Quality**

47. The Air Quality Assessment submitted with the application is flawed.
48. It bases the assessment upon Traffic Data and in the first instance it can be seen that M11 as part of the dispersion modelling shows traffic flow data (over 107,000 AADT in 2027, with 10.8% HGVs). This confirms the M11 is a major contributor to local emissions.
49. However when it comes to modelling Pollutant Concentrations, the AQA models NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> levels at various receptor points across the site. These concentrations are stated to be below the respective national air quality objectives — but only individually, not cumulatively with other sources like aircraft and other traffic.
50. The AQA then goes on to apply a background concentration adjustment which is said to account for the M11's contribution but the report removes “major road sources” from the background data in order it states to avoid double-counting. This however implies the M11 is treated as a standalone input but without isolating its specific impact.

51. In addition the AQA does not account for how the M11's elevated structure or prevailing wind patterns might intensify pollution exposure at first-floor level or across seasons — a key omission given the site's topography.
52. As a result the output and stated conclusions of the AQA are absent key elements which underplay the level of harmful emissions that arise at the Site.
53. No part of the AQA quantifies or discusses the direct health or amenity impact of M11 emissions alone — despite its proximity and acknowledged traffic intensity.
54. No consideration is given within the AQA to the combined effects of traffic related and aircraft related harmful emissions. Instead the AQA treats motorway and airport emissions separately. It fails to assess the cumulative exposure from both sources, which is critical for residential suitability.
55. In addition, while general mitigation is discussed (e.g. construction dust, site layout), there is no targeted strategy for shielding residents from motorway-related air pollution.
56. In summary the AQA is flawed and fails to provide an accurate and full picture of the emissions the Site is exposed to. It includes traffic data from the M11 motorway but fails to isolate or evaluate its specific impact on site air quality. Despite the motorway's elevated position and high HGV flow, the report does not address seasonal variation, wind effects, or first-floor exposure. Crucially, it omits any assessment of the cumulative impact of motorway and airport emissions — a known constraint in previous planning assessments — and offers no targeted mitigation for this combined exposure.

#### **Landscape and Amenity Impact and Design**

57. The emerging local plan Core Policy 41 (to which weight can be given) confirms that *"Development will be expected to reflect and enhance local landscape character in accordance with the applicable guidelines to protect and conserve, manage and plan landscapes outlined for each landscape character area within the Uttlesford Landscape Character Assessment (2023), particularly in settlement edge locations and Rural Areas. Development should, in the first*

*instance, seek to avoid damage to the local landscape character, with appropriate mitigation secured"*

58. The NPPF 187 also confirms that planning decisions *"should contribute to and enhance the natural and local environment...recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;"*
59. Further NPPF 100-104 stress the importance of safeguarding and enhancing public rights of way.
60. The applicant's own Landscape Assessment confirms that the impact of the development on the Landscape Character of the Site and Context would be major adverse as well as upon users of Wrights Green Lane and the footpath that runs alongside the Site (Little Hallingbury 45 ) as well as the continuation of same footpath to the northeast of the Site (Little Hallingbury 11).
61. The impact and loss of the Site itself is also clearly one of major adverse as well.
62. The suggestion is made in the developer's Landscape Assessment that these impacts are *"not an indication of bad design"* rather than this is the sort of impact that one should 'expect' from the development of a such as this.
63. The Council is referred to the concern raised by its own design officers however this comment is telling in that it is certainly not a positive endorsement of the Site as suitable one for this form of development - to the contrary the assessment of this degree of harm confirms that Site is clearly not.
64. The Parish Council can confirm that FP 3745 is a well-used local route, contributing to active travel, recreation, and landscape connectivity. It is The footpath is a valued community asset and must be properly recognised and protected in accordance ith line with national and local planning policy.
65. In overall terms therefore the applicant's own evidence shows that the impact of the proposal in landscape terms and upon the local footpath would be significant and contrary to policy. Further it

underlines the fact that the site is clearly not suitable for this form of development.

66. Please see below and separately the Parish Council's required condition that in the event that the Council seeks (contrary to the matters set out herein) that the application can be permitted that it only be subject to the conditions set out in the Annex hereto and which includes in particular detailed reference to the Little Hallingbury Design Code.

**Green Belt and Grey Belt plus application of Golden Rules]:**

67. The Green Belt which surrounds the built-up areas of Little Hallingbury (see LAS Fig 4 showing settlement boundaries and Green Belt) was considered as part of the *2016 Uttlesford Green Belt Review ('the GBR')* and its recent Addendum *Green Belt Study Update ('the GBS Update')* dated June 2024 which formed the part of the evidence base to the emerging Local Plan.
68. The GBS confirms at [4.7] *"The Green Belt within Uttlesford District prevents the narrowing of the gap between the neighbouring towns of Bishop's Stortford to the west and Harlow to the south west (Purpose 2) and inhibits the encroachment of the villages along the A1060 (Hatfield Heath, Leaden Rodding, Little Hallingbury, White Rodding and Wright's Green), and B1383 (Birchanger and Stanstead Mountfitchet) into the countryside (Purpose 3)."*.
69. It should be noted that the Green Belt parcel or General Area (GA) within which the Site falls is identified as GA 14 within the GBR and GBS.
70. The GBR confirms that GA 14 performs strongly overall against the criteria (see Fig 2.1) (GBS Update and GBR Map 5.4) which reflected the 5 Green Belt purposes set out in NPPD 143 (which are in addition to the *"fundamental aim of Green Belt policy"* identified in NPPG 142 as being *"to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence"*.
71. The GBS Update [2.3] and the GBR assessment criteria were developed to assess the performance of each of the GAS against all 5 Green Belt purposes set out in NPPF 143 (which remain unchanged from earlier NPPFs) namely:
- 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."*

72. With regard to the application of purpose (b) (or purpose 2), the GBS Update specifically identified at [2.6] that Little Hallingbury was to be defined as a 'town'.

73. In addition Table 5.1 of the GBR sets out that GA 14 scored the maximum (5) in respect of both purpose (b)/(2) and purpose (c)/3.

74. The Neighbourhood Plan LAS also reflects on the GBR at [5.1.20- 5.1.25] confirming :  
*" General Area 14 is considered to very strongly contribute to purpose 2 of the Green Belt due to the role the area plays in the wider gap between the non Green Belt settlements of Bishop's Stortford and Little Hallingbury. ...General Area 14 also plays an important role in restricting further ribbon development along the A1060 which would cause coalescence between Little Hallingbury and Wrights Green. General Area 14 is considered to contribute very strongly to purpose 2 of the Green Belt.*  
 ...

75. The Applicant argues the Site should be treated as Grey Belt as assessed against NPPF tests set out in NPPF Annex 2 <sup>1</sup>and in order to argue that the proposed development should not be *"regarded as inappropriate"* development in the Green Belt and which would otherwise engage the need to provide very special circumstances to justify the Site's loss to this scheme

76. First it is clear that as long as a site contributes to *"any of purposes (a), (b), or (d) in paragraph 143"* will not qualify as Grey Belt.

77. As set out above, as part of the GBR and GBS that in order to assess the role of the Green Belt around Little Hallingbury, that it should be treated as a 'town'. This was no doubt because whether a settlement amounts to a 'town' compared with what amounts to a 'village' or 'hamlet' in any given local plan area will be different. Notably

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<sup>1</sup> *ie Grey belt: For the purposes of plan-making and decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. '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.*



there is no suggestion that the NPPF should not be interpreted as excluding larger towns which are 'Cities' either from purpose (a) or (b).

78. It is clear therefore that the definition is aimed at the relative size of the settlements which are separated by Green Belt within the specific plan areas not simply by the fact that despite evidence that a large village might equate to a small town in its area, because it is not called a town means Green Belt purpose (b) does not apply.
79. As noted, it is clear that the GBS and GBR clearly do consider that Little Hallingbury should be treated as a town for GB purposes and that the GB here functions strongly under purpose (b) (*to prevent neighbouring towns merging into one another*).
80. The Parish Council considers therefore that the site is properly still to be treated as Green Belt and it is noted that the applicant makes no suggestion that very special circumstances arise here in order to outweigh the harm by reason of inappropriateness and other harm.
81. Further or alternatively, even if the Council considers that the site is to be treated as Grey Belt it is clear that *all* the other tests set out in NPPF 155 must be met ie:
- (i) The development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across area of the plan'
  - (ii) There is a demonstrable unmet need for the type of development proposed;
  - (iii) The development would be in a sustainable location; and
  - (iv) the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 where they apply.
82. If any one of the above requirements is not met then the exception to Green Belt is not met.
83. There is clearly a question of requirement NPPF 155 (ii) and the Parish Council considers that the site is not in a sustainable location given the absence of reliable public transport links to the site.
84. With regard to the Golden Rules, they apply as set out in NPPF 156 as this is "*major development involving the provision of housing is proposed on....[a site] in the Green Belt subject to a planning*

*application*" and as a result the developer must show that the following contributions ('Golden Rules') will be made:

- (a) affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;
- (b) necessary improvements to local or national infrastructure; and
- (c) the provision of new, or improvements to existing, green spaces that are accessible to the public.

## Heritage

85. The Neighbourhood Plan LAS confirms that [4.1.5] Little Hallingbury Parish contains approximately 60 Historic England listed buildings in total, *"providing the area with a rich historical context"* (see Figure 9). The LAS also notes that the listed buildings are focused *"around Gaston Green, Motts Green, Wrights Green, St Mary's Church, The George Inn and Little Hallingbury Hall"*.
86. With regard in particular to the area around Motts Green in which the Site is located the LAS describes it at [4.3.2] as one of *"three key heritage areas in the southern extents of the Little Hallingbury Village " (the others being Wrights Green and Church Green)"* and at [4.3.3] the LAS concludes that in terms of development in Little Hallingbury *"there remains a strong sense of historic integrity surrounding the key heritage areas"*.
87. The applicant's Landscape Assessment notably confirms the major adverse impact upon Wrights Lane and to the properties along it see [6.4.3] *Wright's Green Lane is lined with properties to the north-east of the site extending the settlement edge towards Motts Green (Braemar, Fernside, Cornfields and Chelsea). Large, scattered properties are also located to the south of the site either, side of Motts Green (Motts Green Cottage, Chestnut Cottage, Walnut Tree Cottage, The Cottage, Three Acres, and Thatched Cottage). As with the road users, due to their proximity to the proposed development a degree of change would be noticeable, particularly for those properties overlooking gaps in vegetation in the north-east corner."*
88. The applicant's Heritage Assessment ('the HA') identifies the 7 listed buildings close and surrounding to the Site (ie Chelsea – Grade II listed (list entry 1111992) Pump on Green to South of Chelsea – Grade II listed (list entry 1322683) Chestnut Cottage – Grade II listed (list

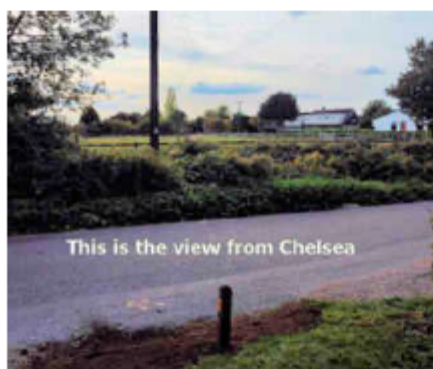
entry 1111993) 1 The Cottages – Grade II listed (list entry 1322684)  
Motts Green Cottage – Grade II listed (list entry 1111994) Thatch  
Cottage – Grade II listed (list entry 1111995) Old Forge – Grade II listed  
(list entry 1112031)).

89. The evidence objectively shows that the setting of these buildings must be affected by their historical rural context reflected by the open area formed by Motts Green Wrights Lane and the site, when it comes however to assessing the settings of each of these 7 listed buildings (and thereafter the contribution their settings make to each of the listed buildings) it is clear that the HA deliberately seeks to limit the settings of each of them to their immediate holdings and the buildings themselves so as to exclude the site from their settings. It goes out of its way to argue that the significance of each of them is directly related to the historical fabric even where the HA is forced to include land outside the historical fabric as part of the setting of certain LB's the HA, only Motts Green is mentioned.
90. The proposed development would completely destroy the settings of the seven listed buildings located around the edge of Motts Green. The open space around the hamlet positions the heritage buildings in the landscape and maintains the feel of continuity over time. All seven are low, traditional buildings which enjoy either full or partial views across the open space of Camps Field. Erecting modern two storey structures will destroy their settings, and allow the area to be dominated by a tightly packed roofscape.
91. This plan shows the locations of the listed building relative to the site.

- 1 – Chelsea
- 2 – Pump on the green
- 3 - Motts Green Cottage
- 4 – Thatched Cottage
- 5 – Old Forge
- 6 – Chestnut Cottage
- 7 – The Cottages



The photos below show the views of the site from each of the seven locations







92. As set out in the NPPF

*"Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*

*Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site's Statement of Outstanding Universal Value forms part of its significance."*

93. The Guidance provided by Historic England (which receives only brief mention in the HA) (see GPA 3) confirms that the contribution of setting to the significance of a heritage asset "is often expressed by

*reference to views*" i.e. inter visibility between a heritage asset and an area of land/site as well as views of both the asset and the subject site. This is part of how the asset is 'experienced' in heritage terms.

94. It is clear that the applicant's HA seeks to ignore the findings of the Landscape Assessment with regard to visual impact from the development of the site on the same properties. It is both partial and flawed.
95. In short it is plain to the Parish Council that the site does form part of the historical rural setting of the listed assets and that the significant of all these assets will be negatively affected by the proposal.
96. As such s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged and the Council is required to exercise its duty under this provision when deciding this application. This means that "*considerable importance and weight*" must be given to the desirability of preserving the setting of a heritage asset and to any harm which is caused to the asset by a development as a matter of law<sup>2</sup>.
97. The Council should seek the views of its own heritage experts but given the importance of this case, the Parish Council is in the process of having a Heritage Assessment carried out on the seven listed buildings in the immediate area of the site, which will further assist in addressing the harm that would arise as a consequence of the proposal.
98. It is further noted that the applicant's HA at [5.21] does in fact recognise that harm will arise "*through bringing the settlement edge closer to heritage assets along Wrights Green Lane*" and also that this amounts "*adverse change*" to the "*openness and rurality*" of their settings. But suggests that it "*will still be maintained*" and that the harm is "*negligible*".
99. This clearly is at odds with the HA's earlier efforts to suggest that the settings of the assets do not involve land outside of their immediate built form (save for one) and further underlines the flawed and partial nature of the HA. In addition, despite this finding of harm/failure to preserve the setting of these assets at [6.1] the HA states the proposal

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<sup>2</sup> see *East Northamptonshire District Council v Secretary of State for Communities and Local Government* [2015] 1 W.L.R. 45; *Jones v Mordue* [2016] 1 W.L.R. 2682

*“will not result in harm to the significance of any of the listed buildings as there will be no impact on the experience of the listed buildings, or on the ability to understand or appreciate their significance”.*

100. The Parish Council considers that there clearly will be harm to the listed buildings from the development being proposed within their setting. The Parish Council considers that both collectively and individually that harm will give rise to a strong reason to refuse this application.
101. To the extent that the harm is either substantial or less than substantial then the Council will need to weigh the benefits of the development against that harm as set out in the NPPF.
102. The Parish Council considers that the effect of the development however is strong enough to disengage any tilted balance (as per NPPF 11(d)(i)) and also that the site is unsuitable and the development unsustainable.

#### **Flood Risk**

103. The Parish Council has looked carefully at the Environmental Agency's Flood Risk Assessment Map and compared this with the version shown in the applicant's Flood Risk Assessment at Fig 5.
104. It is clear that the EA's map (see below) shows that the area proposed for the access to the development off Lower Road in fact lies within the highest flood risk zone, Flood Zone 3 and that the narrow gap between the far western corner of the site and Flood Zone 3 edge of the application site and the neighbouring property, white Oak on Lower Road, upon which the applicant relies to provide the access outside of any flood zone, does not exist.
105. As such the FRA is misleading and its credibility in question (see PPG ID: 7-021-20220825) and flood risk relating to this site and this proposal needs to be reconsidered.

#### Environment Agency Pre March 2025 Zones 2 and 3 Flood Map



106. Further this means that the applicant cannot demonstrate that *"no built development within the site boundary, including access or escape routes, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)"* as required by NPPF 175. Therefore, a sequential test to this proposal is required to be carried out in order to demonstrate that *"it is not possible for development to be located in areas with a lower risk of flooding"*.

107. In the absence of the carrying out and satisfaction of the sequential test the Council must not assume that there are no *"reasonably available sites appropriate for the proposed development"* (see NPPF 174) and the development cannot be permitted.

108. It is also clear that the Environment Agency needs to be consulted by the Council in respect of this application.

#### Ecological Impact and BNG

106. It is noted that the Applicant cannot provide on site BNG but has to rely upon off site improvements. This is further indication that this development performs badly in sustainability terms.



- 106           The EIA desk study (Section 3.4.1) revealed four statutory designated sites within the search area: Hatfield Forest NNR & SSSI, Little Hallingbury Marsh SSSI, Sawbridgeworth Marsh SSSI and Thorley Flood Pound SSSI and states that the Camps Field site is within the SSSI Impact Risk Zones for each of these sites and Natural England should be consulted on this planning application.
- 107           With regard to the Ecological Impact Assessment ('the EIA') submitted with the application the Parish Council wishes to raise the issue of impact on bats and the suggested mitigation of harm caused to bats as a consequence of the development.
- 108           Bats are European Protected Species under the Conservation of Habitats and Species Regulations 2017. Any disturbance or loss of habitat must be fully justified and mitigated under Natural England licensing criteria.
- 109           The EIA identifies in table 11 a bat activity hotspot in the southwest corner of the site (, precisely where the housing is proposed. This area recorded high volumes of bat species and flight paths, as evidenced by the NEW (Number of bat passes per detector per night) results and heatmap data. Despite this, the developer proposes only the installation of bat boxes as mitigation—an approach that is wholly insufficient given the ecological significance of the site.
- 110           The NEW Bat survey results within the EIA show consistent bat activity across June, July, and August, with a mean NEW of 4.3–4.5, indicating regular use of the site by multiple species.
- 111           The heatmap clearly identifies the southwest corner as a key foraging and commuting zone, likely due to its proximity to hedgerows, open fields, and tree cover.
- 112           Bat boxes do not replicate the ecological function of open flight corridors, foraging grounds, or roosting habitats.
- 113           The loss of this hotspot to housing will result in **direct habitat destruction**, fragmentation of flight paths, and potential disturbance from lighting and human activity.

- 114 No evidence is provided in any event that the proposed bat boxes will be appropriately located, monitored, or maintained to support displaced populations.
- 115 The EIA (Para 2.5.71) indicates that the site falls within an Amber Risk Zone of a District Level Licensing scheme for Amphibians administered by Natural England, and that 4 records of 10 animals of GCN *Triturus cristatus* have been discovered within 0.6km of the site.
- 116 The EIA (Para 2.5.73) further states that a network of approximately ten ponds was identified within 250m of the Site, the nearest of which was located approximately 35m from the southern site boundary.
- 117 In view of the above statements, it is highly likely that GCN may be present in the nearest pond. Although this is outside the site its close proximity means that it would be highly susceptible to contamination from building work. This pond should be surveyed for the presence of GCN before the application is reviewed.
- 118 As such it is clear that the development in the absence of a robust and suitable mitigation strategy would conflict with:
- **NPPF Paragraph 180:** which requires avoidance of significant harm to biodiversity.
  - **Local Plan Core Policies 38, 39 and 40** on ecological networks and protected species
  - **Policies ENV13 and ENV14** in the emerging Little Hallingbury Neighbourhood Plan objectives for biodiversity and landscape connectivity.

#### **ANNEX 1 PARISH COUNCIL PROPOSED CONDITIONS AND PLANNING OBLIGATIONS WITHOUT PREJUDICE TO OBJECTION:**

*This document sets out the Parish Council's planning comments submitted without prejudice to its strong objection to the proposal.  
In the event that application UTT/25/2181/OP is approved the Parish Council considers that the following recommended planning conditions, mitigation measures, and governance safeguards should be imposed on any planning permission:*

#### **Contents**

**1. Design and Appearance**

*The development needs to align with the Little Hallingbury Design Code and recommendations for layout, materials, and landscape integration.*

**2. Light Pollution and Residential Amenity**

*Risks to wildlife and dark skies, with recommendations for compliant lighting strategy.*

**3. Management of Communal Spaces and Infrastructure**

*Governance risks, affordability concerns, and planning recommendations for oversight and transparency.*

**4. Road Adoption and Long-Term Stewardship**

*There are concerns about the governance and ongoing maintenance of the internal road network.*

**5. Management and Stewardship of the Play Area**

*Safety, accessibility, and financial implications, with recommendations for planning conditions.*

**6. Housing Mix – Local Needs and Missed Opportunities**

*Evidence of demand for smaller homes and recommendations for revised mix to support downsizing and first-time buyers.*

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**1.Design and Appearance – Alignment with the Little Hallingbury Design Code**

*The development needs to align with the Little Hallingbury Design Code (see below) and recommendations for layout, materials, and landscape integration which need to be followed.*

**Area Placement**

*Concerns about location, safety, ecological integration, and recommendations for compliant design.*

**Green Infrastructure and Connectivity**

*Need for continuous ecological corridors and amphibian-friendly features.*

**Retention Basin and SuDS Integration**

*Recommendations for multifunctional design and biodiversity enhancement.*

**Road Layout and Character**

*Observations on suburban form and recommendations for rural character alignment.*

*The condition should require at reserved matters stage that the development be assessed against the principles set out in the Little Hallingbury Design Code (2024), which was developed to safeguard the parish's rural character, heritage assets, and landscape identity. The Design Code emphasises:*

- *Low-density layouts that reflect the village's dispersed settlement pattern*
- *Modest building heights, typically no more than two storeys, to preserve views and avoid visual dominance.*
- *Traditional materials and detailing, including brick, render, clay tiles, and timber features that harmonise with existing vernacular architecture.*
- *Green infrastructure integration, with hedgerows, native planting, and informal open spaces forming part of the street scene.*
- *Dark skies preservation, through minimal and downward directed lighting*

*The developer's current design proposals do not demonstrate clear compliance with these principles. In particular:*

- *The layout appears suburban in character, with uniform plot sizes and limited visual permeability.*
- *The use of materials and architectural detailing is generic, lacking reference to local building traditions.*
- *The treatment of boundaries and public realm does not reflect the soft edges and informal transitions typical of Little Hallingbury's lanes and hamlets.*

*As part of any condition a full Design Code Compliance Statement should be required, demonstrating how the development meets the 2024 guidance. This should include:*

- *Revised layout and massing to reflect local grain and scale.*
- *Material palette and detailing aligned with parish character.*
- *Integration of green corridors and hedgerow boundaries*
- *Lighting strategy that supports dark skies and biodiversity*

*Without this alignment, the development risks undermining the parish's distinct identity and contravenes Core Policy 41 on landscape character and design quality.*

#### **Play Area Placement**

*The designated play area is located near the centre-left of the site, but it appears closely bordered by residential plots and internal roads, with limited green buffer or separation. This raises concerns about:*

- *Noise and safety conflicts with nearby dwellings*
- *Insufficient visual and physical enclosure, which may reduce usability and supervision.*
- *Lack of ecological integration, missing an opportunity to link play with nature*

#### **Recommendation:**

*Request a detailed layout that provides a larger, better-buffered play zone, ideally adjacent to green corridors or informal open space, with natural surveillance and biodiversity features.*

*Green Infrastructure and Connectivity*



While green areas and trees are distributed across the site, the plan lacks continuous ecological corridors or hedgerow linkages that would support species movement — particularly for Great Crested Newts and bats.

**Recommendation:**

Call for a site-wide green infrastructure strategy, including:

- Hedgerow restoration and connectivity
- Native planting along boundaries and internal roads
- Amphibian-friendly design features (e.g. dropped kerbs, permeable fencing)

**Detention Basin and SuDS Integration**

The detention basin is located at the bottom-left of the site, but its relationship to surrounding landscape and access routes is unclear. It appears isolated, with no obvious ecological enhancement or community function.

**Recommendation:**

Request that SuDS features be designed as multifunctional assets, combining:

- Biodiversity value (e.g. wetland planting, habitat creation)
- Educational or recreational access (e.g. boardwalks, interpretation signage)
- Integration with wider drainage and landscape strategy

**Road Layout and Character**

The illustrative internal road network appears uniform and suburban, lacking the informal, lane-like character typical of Little Hallingbury. There's minimal variation in building orientation or plot rhythm.

**Recommendation:**

Request detailed design at reserved matters stage reflect the Design Code principles, including:

- Varied building lines and plot widths
- Soft boundary treatments (e.g. hedgerows, low walls)
- Reduced hard surfacing and increased permeability.

**2. Light Pollution and Residential Amenity**

The developer's submission does not adequately assess the impact of artificial lighting on local ecology, landscape character, or residential amenity. Given the site's proximity to open countryside and its location beneath the Stansted flight path, excessive lighting risks:

- Disrupting nocturnal wildlife, including bats, mammals, and amphibians
- Eroding the rural character of Little Hallingbury through urban-style illumination
- The development must include a low-impact lighting strategy that respects Little Hallingbury's rural character and supports the community's appreciation of dark skies.
- Lighting should be minimised, downward-directed, and time-controlled, especially near habitat corridors and open countryside.

- The site lies in a location where night-time tranquillity is a valued amenity, and artificial lighting risks eroding both ecological integrity and landscape identity.

*Planning Response:*

A condition should be imposed requiring a Dark Skies-compliant lighting scheme, with lux level mapping, shielding specifications, and curfews. This should be reviewed in consultation with the parish council and local residents to ensure alignment with community expectations.

### **3. Management of Communal Spaces and Infrastructure – Governance and Risk**

The developer proposes that a privately appointed management company will be responsible for the long-term maintenance of communal infrastructure, including drainage systems and SuDS features. While this may offer operational flexibility, it raises several concerns that must be addressed through planning conditions or legal agreements:

*Governance and Accountability Risks*

- No clear structure or timeline for resident control: The documentation does not specify when or how residents will gain democratic oversight of the management company. This risks long-term disenfranchisement and opaque decision-making.
- Limited recourse for poor service delivery: Without statutory safeguards or independent review mechanisms, residents may face escalating service charges or inadequate maintenance with little ability to challenge outcomes.

#### **Affordability and Stewardship Concerns**

- Service charges tied to critical infrastructure: Drainage, lighting, and landscaping are essential to site safety and amenity. Their maintenance must be affordable, transparent, and subject to regulatory oversight—not left to private discretion.
- Fragmented land ownership: Retention of residual land parcels by the developer or associated entities may inhibit community-led enhancement, ecological stewardship, or future public adoption.

#### **Planning Recommendations**

To mitigate these risks, the following should be secured via planning condition or S106 agreement:

- A detailed governance plan outlining the management company's structure, transition timeline to resident control, and dispute resolution mechanisms.
- A long-term Landscape and Infrastructure Management Plan, including:
  - o Maintenance schedules for SuDS, lighting, green spaces, and accessways
  - o Biodiversity enhancement targets and monitoring
  - o Public access provisions and ecological connectivity
- A financial viability assessment of service charges, with caps or review mechanisms to prevent unaffordable escalation.
- A requirement for transparency, including annual reporting to residents and the local authority.

#### **4. Road Adoption and Long-Term Stewardship**

*The application does not clarify whether the internal road network is intended for public adoption by the Highway Authority or retained under private management. This ambiguity raises several planning and governance concerns:*

*Risks of Private Road Management:*

- *Access and Maintenance Uncertainty: Privately managed roads may lack guaranteed long-term maintenance standards, leading to deterioration and safety risks.*
- *Resident Liability and Cost Exposure: Without public adoption, residents may bear disproportionate service charges for essential infrastructure, including road surfacing, lighting, and winter gritting.*
- *Emergency and Service Access: Non-adopted roads can complicate access for emergency services, waste collection, and public transport, undermining community safety, and connectivity.*

#### **Planning Recommendations:**

- *A condition should be imposed requiring the developer to clarify the road adoption strategy, including:*
- *Whether roads will be constructed to adoptable standards and offered to Essex Highways for adoption.*
- *If private management is proposed, a detailed Road Management Plan should be secured via S106, covering:*
  - *Maintenance schedules and funding mechanisms*
  - *Access rights for emergency and public services*
  - *Transparency and resident control over service charges*

*The Parish Council should be consulted on any proposed management structure to ensure alignment with community expectations and long-term sustainability.*

*This addition would reinforce the Council's broader concerns about infrastructure governance and resident empowerment, while also pre-empting future disputes over access, safety, and cost.*

#### **5 Management and Stewardship of the Play Area**

*The proposed Local Area for Play (LAP) is a key element of the development's public open space, yet the governance and long-term maintenance of this facility remain undefined. Based on the developer's drainage and infrastructure documents, responsibility is expected to fall to a privately appointed management company, raising several concerns:*

*Governance and Safety Risks*

- *No clarity on inspection regimes or liability: The play area will require regular safety inspections, equipment maintenance, and surface upkeep. The absence of a defined statutory framework or public oversight risks inconsistent standards and unclear accountability in the event of injury or equipment failure.*



- *No commitment to inclusive or accessible design: Without public sector involvement, there is no guarantee that the play area will meet accessibility standards or reflect community needs.*

#### *Financial and Operational Burden*

- *Service charges may include play area upkeep: Residents could face escalating costs for inspection, insurance, and equipment replacement — with no democratic control over budgeting or prioritisation.*
- *No mechanism for public adoption or parish oversight: The play area remains outside the scope of local authority or parish stewardship, limiting opportunities for community-led enhancement or integration with wider recreational strategies.*

#### *Planning Recommendations*

*To address these risks, the following should be secured via planning condition or legal agreement:*

- *A Play Area Management Plan, detailing:*
  - o *Inspection frequency and safety protocols (e.g. ROSPA standards)*
  - o *Maintenance responsibilities and funding mechanisms*
  - o *Resident access rights and dispute resolution procedures*
- *A commitment to inclusive design, aligned with Fields in Trust and Play England guidance.*
- *A triggered review mechanism, allowing for future transfer of stewardship to the parish council or a community trust if residents seek democratic control.*

### **6 Housing Mix – Local Needs and Missed Opportunities**

*The proposed housing mix fails to reflect the well-documented local demand for smaller, more affordable homes that would enable existing residents to downsize or enter the housing market for the first time. Feedback from parish engagement and housing needs surveys consistently highlights:*

- *A shortage of 2-bedroom homes and bungalows suitable for older residents wishing to remain in the village while freeing up larger family homes.*
- *Limited opportunities for young adults and first-time buyers to stay in or return to Little Hallingbury due to high prices and lack of starter homes.*
- *A desire for accessible, adaptable housing that supports ageing in place and intergenerational living.*

*Uttlesford's Housing Strategy 2021–2026 and emerging Local Plan both emphasise the importance of delivering a balanced mix of housing types and tenures, tailored to local character and demographic need. Local feedback and housing needs evidence consistently highlight demand for smaller, more affordable homes — particularly 2-bedroom dwellings and bungalows — to support downsizing among older residents and provide entry-level options for younger households wishing to remain in the parish.*

#### *Planning Response:*

*The application should include a greater proportion of 2- or 3-bedroom homes, bungalows, and accessible units. This would better align with Core Policy 14 and 40, support local housing mobility, and ensure the development contributes meaningfully to meeting identified parish needs.*





# LITTLE HALLINGBURY PARISH COUNCIL

CLERK OF THE COUNCIL

27 October 2025

Uttlesford District Council

Planning

For the attention of: To whom it may concern

**SUBJECT: Planning Application UTT/25/2181/OP**

Dear Sirs,

**Land at Land At Camps Field Lower Road Little Hallingbury ('the Site')**

**Planning Application ref UTT/25/2181/OP - Outline planning application, with all matters reserved (except for principal access), for the demolition of existing structures and erection of up to 59 dwellings, including affordable housing, associated green and hard infrastructure, public open space, biodiversity enhancements, and principal access off Lower Road ('the Application')**

1. The following document sets out the objections to the above referenced outline planning application by Little Hallingbury Parish Council ('the Parish Council'). It follows from the resolution of the Parish Council on 23<sup>rd</sup> September, recorded as item 25/173 in the minutes, having considered the said application to object on the following basis:
  - This representation, which has been prepared following advice by an expert planning barrister, sets out and expands upon the reasons why the housing development proposed by the Application is unacceptable in planning terms and contrary to the current as well as emerging development plan and there are no material considerations of sufficient weight that lawfully should lead Uttlesford District Council to allow the Application.

- In summary the Site is unsuitable for this development and does not represent sustainable development due to Noise; Air Quality and Flood Risk implications as well as representing inappropriate development in the Green Belt; harm to the landscape and heritage assets as well as ecological harm.
- The application fails to accord with the development plan and there are no or no sufficient material considerations that outweigh that failure and the planning harm (including heritage harm) arising out of this scheme. As such the Council should refuse this application.

#### Little Hallingbury & the Site

2. Little Hallingbury itself is recognised as a larger village within Uttlesford District Council's ('the Council') latest (post examination) Local Plan (which is at main modifications stage currently) ('the emerging plan' or 'Local plan 20241') and lies wholly within the metropolitan Green Belt (GB) which skirts this southeastern edge of the district. It is therefore a 'GB Settlement'
3. In core policy 3, Settlement Hierarchy, the emerging plan classifies Little Hallingbury as a larger village and for the type of development that is the subject of the application to be allowed confirms that *"Development outside the existing built areas of these settlements will only be permitted where it is allocated by the Local Plan 2041 or has been allocated within a Made Neighbourhood Development Plan, or future parts of the Local Plan. Development at washed over GB settlements should be assessed in accordance with National Policy"*.
4. In Chapter 8, Thaxted and Rural Area Strategy, para 8.19 the emerging plan also states:  
*"In relation to the housing requirement figures for the Larger Villages, it is proposed that any Larger Villages located in the Green Belt would not be appropriate locations for allocations to be made. The Council does not consider there are any exceptional circumstances for allocating development in the Green Belt in Uttlesford, as there are a large number of opportunities for development in the District that fall outside of the Green Belt. This means that the villages of Birchanger and Little Hallingbury are not appropriate locations for non-strategic allocations, and the housing requirement for these villages is set at the level of completions and commitments as at 1st April 2024"*
5. In addition, as part of the evidence base to the emerging Little Hallingbury Neighbourhood Plan a Landscape Assessment Survey Report ('the LAS') (dated October 2024) has been carried out.

6. In terms of the wider context the LAS states as follows [1.1.3- 1.1.4]:

*“1.1.3 The rural landscape of Uttlesford district provides the setting for the village of Little Hallingbury. There are 58 Grade II Listed Buildings and three Grade II\* Listed Buildings including St Mary the Virgin Church, Hallingbury Mill and Gaston House. The historic settlement pattern was originally dispersed along the route of the now A1060 and is now connected with spurs of development extending along Dell Lane and has infilled the land between Wrights Green and the A1060 and between Wrights Green and Goose Lane. The historic settlement pattern at Gaston Green survives well with limited development focused around the pond.*

*1.1.4 Although locally-generated development pressure is relatively small compared to other parts of the District, the potential of future pressures of development from the conversion of equestrian paddocks poses a threat to the Parish's remote, tranquil character....”*

7. The LAS describes the landscape character of the area as being “representative of English lowland countryside character with dispersed rural settlements. The strength of character generally increases with distance from Bishop's Stortford with the eastern part of the Parish being the strongest in rural countryside character, despite the M11.” The eastern part is of course where the site is located and the LAS identifies this area in section 8 as Local Parish Landscape Character Area ('LPLCA') “Little Hallingbury Hall & Motts Green Pasture”. This is described as having a medium overall landscape sensitivity [9.1.3] and where “every opportunity should be taken to restore and replace lost landscape features and field patterns to strengthen the contribution to local landscape character” [11.0.13].

8. In its assessment of landscape planning issues and development pressure within the parish the LAS at [10.2.4] refers specifically to :

*“Development of equestrian fields adjoining the village envelope: There are a number of equestrian fields adjoining the village envelope of Little Hallingbury. Although there is a presumption against development and the New Local Plan for the Uttlesford District states that there is no requirement for housing in the village of Little Hallingbury as the Village is in Green Belt, however there could be a risk of future conversion of equestrian paddocks to residential and commercial purposes. Therefore considerations should include:*

- The potential for coalescence (perceived or physical) with Bishop's Stortford, Sawbridgeworth and Hatfield Heath*
- The visual impact of new development upon the rural countryside adjoining the Parish*
- The potential loss of small pastoral fields*
- The setting of Listed Buildings within the countryside and on the village edges*

- Rural view from public rights of way, particularly views out of the village envelope across the rural countryside of the Little Hallingbury Parish and adjacent Parish landscapes
- The pressure of increased traffic on rural lanes”

9. The Site is in equestrian use and is bounded to the south west by the A1060 Lower Road; by Wrights Green Lane to the northeast and by Public Footpath 4537 to the southeast. It is notable that, whilst the redline of the Site does not include the footpath, it is understood that the applicant is the owner of the strip of land over which the footpath runs as shown on the Site Boundary Plan ref 2054/02 A or Location Plan submitted on 27 August 2025.
10. The applicant must in any event be aware of the footpath (see e.g. Heritage Assessment and Landscape and Visual Green Belt Appraisal) but the illustrative layout plan omits to show it and the Design and Access Statement does not show it either but suggests only with indicative arrows there may be a future potential link with the footpath from the proposed development. We return to the significant impact that would arise from the proposal upon this footpath and its users below.
11. It should be noted that the Site has been considered in the past as part of a call for sites by the Council during preparation of the Uttlesford Local Plan 2021 – 2041. In July 2024 the Council published a Site Selection Topic Paper and accompanying appendix. On page 89 the Appendix ([https://www.uttlesford.gov.uk/media/12629/Site-Selection-Topic-Paper-Appendix-A-Stage-1-to-Stage-5-Site-Selection-Assessment/pdf/Site\\_Selection\\_Topic\\_Paper\\_-\\_Appendix\\_A\\_Stage\\_1\\_to\\_Stage\\_5\\_Site\\_Selection\\_Assessment.pdf?m=1701349887720](https://www.uttlesford.gov.uk/media/12629/Site-Selection-Topic-Paper-Appendix-A-Stage-1-to-Stage-5-Site-Selection-Assessment/pdf/Site_Selection_Topic_Paper_-_Appendix_A_Stage_1_to_Stage_5_Site_Selection_Assessment.pdf?m=1701349887720)) states that the site (LtHallingbury 002 RES) (together with a number of other sites within Little Hallingbury) was discounted at Stage 2 Site Sifting with the comment: *‘The site is unable to deliver 100 home or above individually or cumulatively with adjacent sites. It is not located within or in close proximity to the top two tier settlements of the District’*. The appendix also confirms that no sites in Little Hallingbury are carried forward to Stage 3 Detailed Assessment of Constraints and Opportunities.

#### **Policy Context & Presumption in Favour of Sustainable Development (Housing Land Supply ‘tilted balance’)**

12. Specific relevant passages of the NPPF will be raised when addressing the related issues below however of general note it is asserted that the Council cannot demonstrate it has 5 year housing land supply (‘HLS’).



13. We note the Examination Inspectors' findings in respect of the emerging plan set out in their post hearing note dated 31 July 2025 [9 and 12] rejecting the need for further delay to the plan and confirming soundness in this respect:

*"9. Various alternative housing supply figures have been offered in representations, but we prefer that calculated by the Council in UTT5 of 4.77 years' supply, assuming a 20% buffer; updated housing completion data 2024/25 and inclusion of the shortfall in housing supply since the base date of the Plan. Consequently, the housing trajectory should be modified to accord with the above calculation, and main modifications made to Core Policy 2 to update the housing figures.*

...

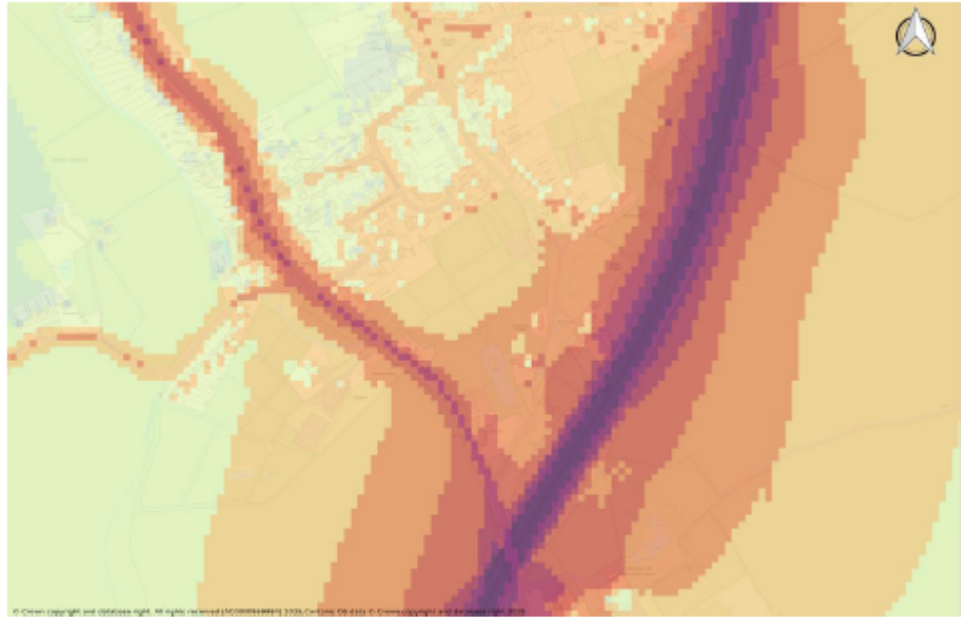
12. *We are satisfied that the Plan identifies sufficient land to meet its housing requirement over the plan period, with headroom of approximately 12.6% based on the updated figures in UTT5. Furthermore, the rate of housing delivery in Uttlesford in recent years has been significant and is forecast to continue, such that the Council is unlikely to have to include an increased buffer to account for undersupply. While we are unable to take account of that in our conclusion for the reason set out above, based on the calculations in UTT5 it is very possible that the Council will be able to show a five-year housing supply on or shortly after the anticipated date for adoption."*

14. As such the question of shortfall and, what is more, the extent of any genuine shortfall that is finally determined is highly material.
15. The Parish Council accepts that the consequence of not being able to demonstrate a 5 YHLS and an up to date plan is that the application of the presumption in favour of sustainable development, as set out in NPPF 11, gives rise, in the first instance, to a tilted balance in favour of the development.
16. If the Council can demonstrate 5 YHLS however, then clearly no such tilted balance arises and the development must be assessed solely against the development plan in accordance with s70 of the Town and Country Planning Act 1990 and s38(6) of the Planning and Compulsory Purchase Act 2004 and if it fails to accord with the plan taken as a whole, planning permission should be refused, unless material considerations indicate otherwise.
17. Even if the tilted balance arises initially, NPPF 11(d)(i) makes it clear that consideration must be given at that stage to whether the application of the relevant policies set out in footnote 7 which "protect areas or assets of particular importance provides a strong reason for refusing the development proposed". These footnote 7 policies include policies in respect of "land designated as Green Belt" as well as "designated heritage assets ...; and areas at risk of flooding".

18. As set out below, the Applicant misapplies the Grey Belt and Golden Rules policies to the facts of this Green Belt site in order to assert that the Site should not be treated as subject to full Green Belt protection. In addition the Heritage Assessment and Flood Risk Assessment are flawed such that it must be concluded that harm to heritage assets arises as well as a clear failure to comply with flood risk policy strong reasons to refuse the application also arise.
19. This means that even if the tilted balance arises in the first instance as a result of the HLS position, NPPF 11(d)(i) means that any tilted balance is disapplied as a result of either the individual or collective application properly of Green Belt; Heritage and Flood Risk policies as set out in the NPPF.
20. That means that the Council effectively need only consider whether the development accords with the plan and, if not, whether there are sufficient material considerations to outweigh the presumption in favour of the plan.
21. Given the harm identified it is clear that the conclusion should be to refuse this application.
22. Even if the Council was to conclude that the application of NPPF 11 (d)(i) and the footnote 7 policies does not give rise to a strong reason to refuse, the Council would then need to consider, in accordance with NPPF 11 (d) (ii), whether any adverse impacts of granting permission *“would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole”* .
23. As set out here the Parish Council considers that the adverse impacts identified of this proposal are clearly sufficient enough significantly and demonstrably to outweigh the alleged benefits in any event.

#### Noise

24. The Site lies in close proximity to the M11 and suffers from constant noise from the motorway. This is the DEFRA 24hr Road Noise map for the immediate area of the site and shows that the site lies within 55 to 60 LAEQ Contour.



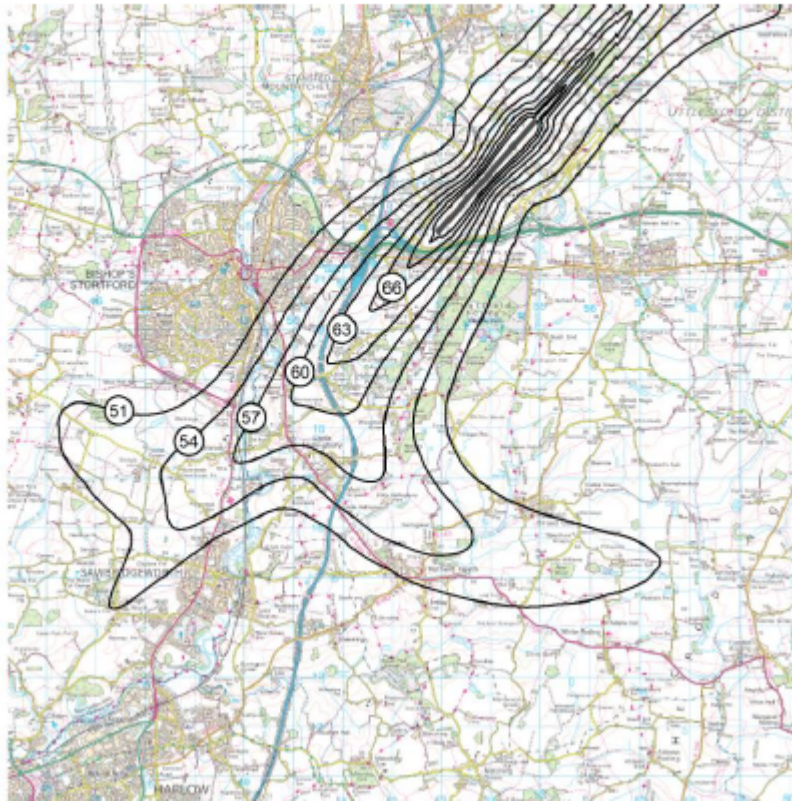
25. In addition, on top of noise from the motorway the application site lies within the current 54dB LAeq contour for day noise and 48dB LAeq contour for night noise from Stansted Airport (see letter from London Stansted Airport ('LAS') dated 16 Sept 2025).

Stansted Noise Contours

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26. It is well established that in respect of aircraft noise this represents LOAEL the level at which people exposed to this level and type of noise have an observed adverse impact to it and triggers "community annoyance" as well as *"above which adverse effects on health and quality of life can be detected"*.
27. This proposal clearly seeks cynically to expose 50 odd families deliberately to this adverse noise impact.
28. This is demonstrated by the Applicant's noise impact assessment and recommendations which confirm that, given the noise exposure from both the M11 and Stansted, the occupants of the proposed houses will effectively have to avoid opening their windows in order to meet requisite standards to avoid suffering unduly from being exposed to the noise. Those who choose to use any of the outside areas including children around the houses will clearly simply be affected by the noise and have no choice other than staying inside with the windows closed.
29. This shows that the site is not acceptable for this form of development and the Council should not accept the applicant's approach which relies upon the site's location as part of the Green Belt between villages to argue for the Site's release from the Green Belt to argue it is suitable for housing development.

30. The clear implication however of the noise evidence alone is that this Site is clearly not suitable for housing but should remain in its current condition as open and rural serving its recognised Green Belt and landscape function as well as serving as part of the setting of a number of heritage assets.
31. The exposure of housing as a recognised noise sensitive form of development to unacceptable noise is contrary to NPPF187 which requires that planning decisions should prevent “*new and existing development from... being put at unacceptable risk from, or being adversely affected by, unacceptable levels of...noise pollution*” .
32. It is also contrary to existing Local Plan 2005 policy ENV10 and emerging plan Core Policy 44.
33. The latter in particular requires applicants for residential schemes to demonstrate “*that users of the development will not be exposed to unacceptable noise impact from existing, temporary or future uses*” and that “*Noise sensitive uses proposed in areas that are exposed to noise at the Lowest Observed Adverse Effect Level (LOAEL) or the Significant Observed Adverse Effect Level (SOAEL) from existing... transport (air, road, rail and mixed) sources will not be permitted unless it can be demonstrated good acoustic design has been considered early in the planning process, and that all appropriate mitigation, through careful planning, layout and design, will be undertaken to ensure that the noise impact for future users will be made acceptable*”.
34. The applicant’s noise assessment and recommendations clearly do not meet this approach and the general lack of any assurance of good design as part of the scheme is in fact highlighted in the response from the Council’s Urban Design officer (see letter dated 17 September 2025) which confirms that “*a scheme of this scale in a sensitive edge of settlement location should be referred to the UQRP and a Design Code should be prepared to accompany the application to ensure that the delivery of high-quality design is secured at outline stage*”.
35. Emerging plan policy 44 also goes on to refer to confirm that “*Noise sensitive uses proposed in areas that are exposed to noise at the Unacceptable Adverse Effect level will not be permitted*”.
36. This requires the identification of the *Unacceptable Adverse Effect Level* which it is explained “*for most sources, including surface transport, will be determined on a case-by-case basis subject to the nature of the proposal, the*

*source of the noise and guidance from the Council's Environmental Health officer the Unacceptable Adverse Effect level".*

37. It is interesting to note the response from the Council's Environmental Health officer which confirms that the Applicant's noise assessment shows the Site *"exceeds the recommended upper guideline of 55 dB LAeq,16hr for external amenity areas set out in BS8233:2014"* and that this such noise levels *"raise concerns about the suitability of the site for residential use, as future occupiers will be exposed to noise in external spaces"*.
38. The EHO also complains about the absence of an *"indicative strategy showing how external noise will be managed or reduced (there is some mentions of potential shielding, however there is no objective data to support this)"*.
39. Notably the EHO recommends a condition which is based upon the levels assessed however this cannot it seems be met in any event because it requires all external areas to be *"designed and located to ensure that amenity areas are protected on all boundaries as to not exceed 50 dB LAeq,16hr"*. Given the height of the motorway relative to the development site it would be argued that soundproofing with trees or screens would be ineffective.
40. The application would also fail to accord with existing plan Policy GEN2 which provides that *"development will not be permitted unless ...it provides an environment which meets the reasonable needs of all potential users"*.
41. Again as noted in the LAS's response to this application, increasing the number of people in the UK significantly affected by aircraft noise is contrary to the Government's Aviation Policy Framework (APF).
42. Whilst the Applicant's Noise Assessment refers to the Noise Policy Statement for England (NPSE) it only appears to deal with the first of the three aim Noise Policy Aims set out in the NPSE by focusing on whether noise would be significant adverse levels (SOAEL) but the NP Aims provide three aims not simply avoiding significant adverse impacts as follows:

*"Through the effective management and control of environmental, neighbour and neighbourhood noise within the context of Government policy on sustainable development:*

- ☐ *avoid significant adverse impacts on health and quality of life;*
- ☐ *mitigate and minimise adverse impacts on health and quality of life; and*
- ☐ *where possible, contribute to the improvement of health and quality of life."*

**[emphasis added]**



43. Again, as noted by the LAS and implied by the EHO responses, given the Site is exposed to noise levels above the LOAEL (51 dB LAeq) for aircraft noise (ignoring motorway traffic noise exposure on top of that) there would clearly be adverse impact upon the health and quality of life of future occupants at the Site and there has been a wholesale failure to provide evidence that these recognised adverse impacts would be mitigated and minimised.

#### Air Quality

44. The Air Quality Assessment submitted with the application is flawed.
45. It bases the assessment upon Traffic Data and in the first instance it can be seen that M11 as part of the dispersion modelling shows traffic flow data (over 107,000 AADT in 2027, with 10.8% HGVs). This confirms the M11 is a major contributor to local emissions.
46. However when it comes to modelling Pollutant Concentrations, the AQA models NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> levels at various receptor points across the site. These concentrations are stated to be below the respective national air quality objectives — but only individually, not cumulatively with other sources like aircraft and other traffic.
47. The AQA then goes on to apply a background concentration adjustment which is said to account for the M11's contribution but the report removes "*major road sources*" from the background data in order it states to avoid double-counting. This however implies the M11 is treated as a standalone input but without isolating its specific impact.
48. In addition the AQA does not account for how the M11's elevated structure or prevailing wind patterns might intensify pollution exposure at first-floor level or across seasons — a key omission given the site's topography.
49. As a result the output and stated conclusions of the AQA are absent key elements which underplay the level of harmful emissions that arise at the Site.
50. No part of the AQA quantifies or discusses the direct health or amenity impact of M11 emissions alone — despite its proximity and acknowledged traffic intensity.
51. No consideration is given within the AQA to the combined effects of traffic related and aircraft related harmful emissions. Instead the AQA treats motorway and airport emissions separately. It fails to assess the cumulative exposure from both sources, which is critical for residential suitability.

52. In addition, while general mitigation is discussed (e.g. construction dust, site layout), there is no targeted strategy for shielding residents from motorway-related air pollution.
53. In summary the AQA is flawed and fails to provide an accurate and full picture of the emissions the Site is exposed to. It includes traffic data from the M11 motorway but fails to isolate or evaluate its specific impact on site air quality. Despite the motorway's elevated position and high HGV flow, the report does not address seasonal variation, wind effects, or first-floor exposure. Crucially, it omits any assessment of the cumulative impact of motorway and airport emissions — a known constraint in previous planning assessments — and offers no targeted mitigation for this combined exposure.

#### **Landscape and Amenity Impact and Design**

54. The emerging local plan Core Policy 41 (to which weight can be given) confirms that *“Development will be expected to reflect and enhance local landscape character in accordance with the applicable guidelines to protect and conserve, manage and plan landscapes outlined for each landscape character area within the Uttlesford Landscape Character Assessment (2023), particularly in settlement edge locations and Rural Areas. Development should, in the first instance, seek to avoid damage to the local landscape character; with appropriate mitigation secured”*
55. The NPPF 187 also confirms that planning decisions *“should contribute to and enhance the natural and local environment...recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;”*
56. Further NPPF 100-104 stress the importance of safeguarding and enhancing public rights of way.
57. The applicant's own Landscape Assessment confirms that the impact of the development on the Landscape Character of the Site and Context would be 'major adverse' as well as for users of Wrights Green Lane and the footpath that runs alongside the Site (Little Hallingbury 45 ) together with the continuation of same footpath to the northeast of the Site (Little Hallingbury 11).
58. The impact and loss of the Site itself is also clearly one of 'major adverse' as well.

59. The suggestion is made in the developer's Landscape Assessment that these impacts are "*not an indication of bad design*" rather that this is the sort of impact that one should 'expect' from the development of a site such as this. This is wholly unpersuasive – unacceptable adverse impacts mean that development proposal should not be granted permission.
60. The Council is referred to the concern raised by its own design officers however this comment is telling in that it is certainly not a positive endorsement of the Site as suitable one for this form of development - to the contrary the assessment of this degree of harm confirms that Site is clearly not.
61. The Parish Council can confirm that FP 3745 is a well-used local route, contributing to active travel, recreation, and landscape connectivity. The footpath is a valued community asset and must be properly recognised and protected in accordance with national and local planning policy.
62. In overall terms therefore, the applicant's own evidence shows that the adverse impact of the proposal in landscape terms and upon the local footpath would be significant and contrary to policy. Further it underlines the fact again that the site is clearly not suitable for this form of development.
63. Please see below and separately the Parish Council's required condition that, in the event that the Council concludes that (contrary to the matters set out herein) the application can be permitted, this should be only on the basis of the imposition of the conditions set out in the Annex hereto. These include in particular detailed reference to the Little Hallingbury Design Code.

**Green Belt and Grey Belt plus application of Golden Rules];**

64. The Green Belt which surrounds the built-up areas of Little Hallingbury (see LAS Fig 4 showing settlement boundaries and Green Belt) was considered as part of the *2016 Uttlesford Green Belt Review ('the GBR')* and its recent *Addendum Green Belt Study Update ('the GBS Update')* dated June 2024 which formed the part of the evidence base to the emerging Local Plan.
65. The GBS confirms at [4.7] "*The Green Belt within Uttlesford District prevents the narrowing of the gap between the neighbouring towns of Bishop's Stortford to the west and Harlow to the south west (Purpose 2) and inhibits the encroachment of the villages along the A1060 (Hatfield Heath, Leaden Rodding, Little Hallingbury, White Roding and Wright's Green), and B1383 (Birchanger and Stanstead Mountfitchet) into the countryside (Purpose 3).*" [emphasis added].

66. It should be noted that the Green Belt parcel or General Area (GA) within which the Site falls is identified as GA 14 within the GBR and GBS.
67. The GBR confirms that GA 14 performs strongly overall against the criteria (see Fig 2.1) (GBS Update and GBR Map 5.4) which reflected the 5 Green Belt purposes set out in NPPD 143 (which are in addition to the “*fundamental aim of Green Belt policy*” identified in NPPG 142 as being “*to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*”).
68. The GBS Update [2.3] and the GBR assessment criteria were developed to assess the performance of each of the GAS against all 5 Green Belt purposes set out in NPPF 143 (which remain unchanged from earlier NPPFs) namely:
- “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.”
69. With regard to the application of purpose (b) (or purpose 2), the GBS Update specifically identified at [2.6] that Little Hallingbury was to be defined as a ‘town’.
70. In addition Table 5.1 of the GBR sets out that GA 14 scored the maximum (5) in respect of both purpose (b)/(2) and purpose (c)/3.
71. The Neighbourhood Plan LAS also reflects on the GBR at [5.1.20- 5.1.25] confirming :
- “General Area 14 is considered to very strongly contribute to purpose 2 of the Green Belt due to the role the area plays in the wider gap between the non Green Belt settlements of Bishop’s Stortford and Little Hallingbury. ...General Area 14 also plays an important role in restricting further ribbon development along the A1060 which would cause coalescence between Little Hallingbury and Wrights Green. General Area 14 is considered to contribute very strongly to purpose 2 of the Green Belt.
- ...
72. The Applicant argues the Site should be treated as Grey Belt as assessed against NPPF tests set out in NPPF Annex 2<sup>1</sup> in order to argue that the proposed development should not be “regarded as inappropriate”

<sup>1</sup> i.e Grey belt: For the purposes of plan-making and decision-making, ‘grey belt’ is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘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.



development in the Green Belt, which would otherwise engage the need to provide very special circumstances to justify the Site's loss to this scheme

73. First it is clear that as long as a site contributes to "*any of purposes (a), (b), or (d) in paragraph 143*" it will not qualify as 'Grey Belt'.
74. As set out above, the GBR and GBS in order to assess the role of the Green Belt around Little Hallingbury, confirmed Little Hallingbury should be treated as a 'town'. This was no doubt because whether a settlement amounts to a 'town' compared with what amounts to a 'village' or 'hamlet' in any given local plan area will be different. Notably there is no suggestion that the NPPF should not be interpreted as excluding larger towns which are 'Cities' either from purpose (a) or (b).
75. It is clear therefore that the definition is relative being aimed at the relative size of the settlements which are separated by Green Belt within the specific plan areas and not simply limited to the fact that, despite evidence that a large village might equate to a small town in its area, because it is not called 'a town' means Green Belt purpose (b) does not apply.
76. As noted, it is clear that the GBS and GBR clearly do consider that Little Hallingbury should be treated as a town for GB purposes and that the GB here functions strongly under purpose (b) (*to prevent neighbouring towns merging into one another*).
77. The Parish Council considers therefore that there is clear evidence that the site is properly to be treated as Green Belt.
78. In light of that fact therefore that the applicant makes no suggestion that very special circumstances arise here in order to outweigh the harm by reason of inappropriateness and other harm, the proposal must therefore be rejected for this reason alone
79. Further or alternatively, even if the Council considers that the site is to be treated as Grey Belt it is clear that *all* the other tests set out in NPPF 155 must be met ie:
  - (i) The development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across area of the plan'
  - (ii) There is a demonstrable unmet need for the type of development proposed;
  - (iii) The development would be in a sustainable location; and
  - (iv) the development proposed meets the 'Golden Rules' requirements set out in paragraphs 156-157 where they apply.



80. If any one of the above requirements is not met then the exception to Green Belt is not met.
81. In light of the question of the Council's HLS position it is not clear that NPPF 155 (ii) is met however in light of the issue raised about the suitability of the site due to noise exposure and below in respect of flood risk the Parish Council considers there is clear evidence that the site is not in a sustainable location.
82. With regard to the Golden Rules, they apply as set out in NPPF 156 as this is *"major development involving the provision of housing is proposed on....[a site] in the Green Belt subject to a planning application"* and as a result the developer must show that the following contributions ('Golden Rules') will be made:
- (a) affordable housing which reflects either: (i) development plan policies produced in accordance with paragraphs 67-68 of this Framework; or (ii) until such policies are in place, the policy set out in paragraph 157 below;
  - (b) necessary improvements to local or national infrastructure; and
  - (c) the provision of new, or improvements to existing, green spaces that are accessible to the public.

83. The Parish Council does not consider that the applicant has been able to show that necessary improvements to local infrastructure to overcome the adverse issues raised but also the proposal fails to provide sufficient improvements to existing, green spaces that are accessible to the public.

#### Heritage

83. The Neighbourhood Plan LAS confirms that [4.1.5] Little Hallingbury Parish contains approximately 60 Historic England listed buildings in total, *"providing the area with a rich historical context"* (see Figure 9). The LAS also notes that the listed buildings are focused *"around Gaston Green, Motts Green, Wrights Green, St Mary's Church, The George Inn and Little Hallingbury Hall"*.
84. With regard in particular to the area around Motts Green in which the Site is located the LAS describes it at [4.3.2] as one of *"three key heritage areas in the southern extents of the Little Hallingbury Village"* (the others being *Wrights Green and Church Green*) and at [4.3.3] the LAS concludes that in terms of development in Little Hallingbury *"there remains a strong sense of historic integrity surrounding the key heritage areas"*.

85. The applicant's Landscape Assessment notably confirms the major adverse impact upon Wrights Lane and to the properties along it as set out in [6.4.3] *Wright's Green Lane is lined with properties to the north-east of the site extending the settlement edge towards Motts Green (Braemar, Fernside, Cornfields and Chelsea). Large, scattered properties are also located to the south of the site either, side of Motts Green (Motts Green Cottage, Chestnut Cottage, Walnut Tree Cottage, The Cottage, Three Acres, and Thatched Cottage). As with the road users, due to their proximity to the proposed development a degree of change would be noticeable, particularly for those properties overlooking gaps in vegetation in the north-east corner."*
86. The applicant's Heritage Assessment ('the HA') identifies the 7 listed buildings close to and surrounding the Site (ie Chelsea – Grade II listed (list entry 1111992) Pump on Green to South of Chelsea – Grade II listed (list entry 1322683) Chestnut Cottage – Grade II listed (list entry 1111993) 1 The Cottages – Grade II listed (list entry 1322684) Motts Green Cottage – Grade II listed (list entry 1111994) Thatch Cottage – Grade II listed (list entry 1111995) Old Forge – Grade II listed (list entry 1112031)).
87. The Parish Council has instructed a heritage consultancy to undertake a heritage assessment of the whole parish. Whilst that work is at an early stage, the consultancy has already identified the considerable group value of the listed buildings at Motts Green. These listed buildings represent the historic hamlet of Motts Green, remaining parts of which are 16th century. The site provides an extensive area of the setting to these listed buildings, which makes a considerable contribution to understanding the early form of this settlement."
88. The evidence objectively shows that the setting of these buildings must be affected by their historical rural context reflected by the open area formed by Motts Green Wrights Lane and the site. When it comes, however, to assessing the settings of each of these 7 listed buildings (and thereafter the contribution their settings make to the significance of each of the listed buildings) it is clear that the HA deliberately seeks to limit the settings of each of them to their immediate landholdings and to the buildings themselves so as to exclude the site from their settings. The HA goes out of its way to argue that the significance of each of the LBs is directly related only to its historical fabric, even where the HA is forced to include land outside the historical fabric as part of the setting of certain LB's the HA. In these instances, only Motts Green is mentioned and not the Site and land directly adjacent.
89. It is the Parish Council's position that this cannot be correct and the Site both lies within but contributes to the significance of these LBs.

The proposed development would in fact result in the substantial loss of the important contribution that their settings make to the significance of the seven listed buildings, that form the historic core of Motts Green."

90. The open space around the hamlet is an important part of the the heritage value of these buildings in the landscape and maintains the feel of continuity over time. All seven are low, traditional buildings which enjoy either full or partial views across the open space of Camps Field. Erecting modern two storey structures within their settings will therefore destroy their settings, and allow the area to be dominated by a tightly packed roofscape compared with the open rural hamlet character now.

91. This plan shows the locations of the listed building relative to the site.

- 1 – Chelsea
- 2 – Pump on the green
- 3 - Motts Green Cottage
- 4 – Thatched Cottage
- 5 – Old Forge
- 6 – Chestnut Cottage
- 7 – The Cottages



The photos below show the views of the site from each of the seven locations.





This is the view from Motts Green Cottage



This is from the garden of Thatched Cottage





92. As set out in the Annex to the NPPF

*“Setting of a heritage asset: The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.*

*Significance (for heritage policy): The value of a heritage asset to this and future generations because of its heritage interest. The interest may be archaeological, architectural, artistic or historic. Significance derives not only from a heritage asset’s physical presence, but also from its setting. For World Heritage Sites, the cultural value described within each site’s Statement of Outstanding Universal Value forms part of its significance.”*

93. The Guidance provided by Historic England (which receives only brief mention in the HA) (see GPA 3) confirms that the contribution of setting to the significance of a heritage asset “*is often expressed by reference to views*” i.e. inter visibility between a heritage asset and an area of land/site as well as views of both the asset and the subject site. This is part of how the asset is ‘experienced’ in heritage terms.
94. It is clear that the applicant’s HA seeks to ignore the findings of the Landscape Assessment with regard to visual impact from the development of the site on the same properties. It is both partial and flawed.
95. In short it is plain to the Parish Council that the site does form part of the historical rural setting of the listed assets and that the significance of all these assets will be negatively affected by the proposal
- 96.
97. SUBSTANTIAL HARM AT THE HIGHER END OF THE SPECTRUM OF SUCH HARM WILL ARISE.
98. As such s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is engaged and the Council is required to exercise its duty under this provision when deciding this application. This means that “*considerable importance and weight*” must be given to the desirability of preserving the setting of a heritage asset and to any harm which is caused to the asset by a development as a matter of law<sup>2</sup>.
99. It is the expert opinion of the Parish Council’s heritage advisors that the Site makes a major contribution to the setting and significance of these listed buildings and that the resulting loss caused by the development will lead to a very high level of harm to the significance of the heritage assets. They are not yet able to advise if the harm will be substantial or at the top of the less than substantial spectrum. We will forward a copy of their final advice once it is received. But it is clear that the level of harm will be high, and given the strong presumption against causing harm to a listed building, the harm far exceeds the public benefits of the scheme
100. It is further noted that the applicant’s HA at [5.21] does in fact recognise that harm will arise “*through bringing the settlement edge closer to heritage assets along Wrights Green Lane*” and also that this amounts “*adverse*

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<sup>2</sup> see *East Northamptonshire District Council v Secretary of State for Communities and Local Government* [2015] 1 W.L.R. 45; *Jones v Mordue* [2016] 1 W.L.R. 2682



*change*” to the “*openness and rurality*” of their settings. But suggests that it “*will still be maintained*” and that the harm is “*negligible*”.

101. This clearly is at odds with the HA’s earlier efforts to suggest that the settings of the assets do not involve land outside of their immediate built form (save for one) and further underlines the flawed and partial nature of the HA. In addition, despite this finding of harm/failure to preserve the setting of these assets at [6.1] the HA states the proposal “*will not result in harm to the significance of any of the listed buildings as there will be no impact on the experience of the listed buildings, or on the ability to understand or appreciate their significance*”.
102. The Parish Council considers that there clearly will be harm to the listed buildings from the development being proposed within their setting. The Parish Council considers that both collectively and individually that harm will give rise to a strong reason to refuse this application.
103. To the extent that the harm is either substantial or less than substantial then the Council will need to weigh the benefits of the development against that harm as set out in the NPPF.
104. The Parish Council considers that the effect of the development however is strong enough to disengage any tilted balance (as per NPPF 11(d)(i)) and also that the site is unsuitable and the development unsustainable.

#### **Flood Risk**

105. The Parish Council has looked carefully at the latest Environmental Agency’s Flood Risk Assessment Map available online and compared this with the version shown in the applicant’s Flood Risk Assessment at Fig 5.
106. It is clear that the EA’s map (see below) shows that the area proposed for the access to the development off Lower Road in fact lies within the highest flood risk zone, Flood Zone 3 and that the narrow gap between the far western corner of the site and Flood Zone 3 edge of the application site and the neighbouring property, White Oak on Lower Road, upon which the applicant relies to provide the access outside of any flood zone, does not exist.
107. As such the FRA is misleading and its credibility in question (see PPG ID: 7-021-20220825) and flood risk relating to this site and this proposal needs to be reconsidered.

Environment Agency Pre March 2025 Zones 2 and 3 Flood Map



108. Further this means that the applicant cannot demonstrate that *"no built development within the site boundary, including access or escape routes, would be located on an area that would be at risk of flooding from any source, now and in the future (having regard to potential changes in flood risk)"* as required by NPPF 175. Therefore, a sequential test to this proposal is required to be carried out in order to demonstrate that *"it is not possible for development to be located in areas with a lower risk of flooding"*.

109. In the absence of the carrying out and satisfaction of the sequential test, the Council must not assume that there are no *"reasonably available sites appropriate for the proposed development"* (see NPPF 174) and the development cannot be permitted.

110. It is also clear that the Environment Agency needs to be consulted by the Council in respect of this application.

### Ecological Impact and BNG

106. It is noted that the Applicant cannot provide on site BNG but has to rely upon off site improvements. This is further indication that this development performs badly in sustainability terms.

- 106        The EIA desk study (Section 3.4.1) revealed four statutory designated sites within the search area: Hatfield Forest NNR & SSSI, Little Hallingbury Marsh SSSI, Sawbridgeworth Marsh SSSI and Thorley Flood Pound SSSI and states that the Camps Field site is within the SSSI Impact Risk Zones for each of these sites and Natural England should be consulted on this planning application.
- 107        With regard to the Ecological Impact Assessment ('the EIA') submitted with the application, the Parish Council wishes to raise the issue of impact on bats and the suggested mitigation of harm caused to bats as a consequence of the development.
- 108        Bats are European Protected Species under the Conservation of Habitats and Species Regulations 2017. Any disturbance or loss of habitat must be fully justified and mitigated under Natural England licensing criteria.
- 109        The EIA identifies in table 11 a bat activity hotspot in the southwest corner of the site (, precisely where the housing is proposed. This area recorded high volumes of bat species and flight paths, as evidenced by the NEW (Number of bat passes per detector per night) results and heatmap data. Despite this, the developer proposes only the installation of bat boxes as mitigation—an approach that is wholly insufficient given the ecological significance of the site.
- 110        The NEW Bat survey results within the EIA show consistent bat activity across June, July, and August, with a mean NEW of 4.3–4.5, indicating regular use of the site by multiple species.
- 111        The heatmap clearly identifies the southwest corner as a key foraging and commuting zone, likely due to its proximity to hedgerows, open fields, and tree cover.
- 112        Bat boxes do not replicate the ecological function of open flight corridors, foraging grounds, or roosting habitats.
- 113        The loss of this hotspot to housing will result in direct habitat destruction, fragmentation of flight paths, and potential disturbance from lighting and human activity.
- 114        No evidence is provided in any event that the proposed bat boxes will be appropriately located, monitored, or maintained to support displaced populations.
- 115        The EIA (Para 2.5.71) indicates that the site falls within an Amber Risk Zone of a District Level Licensing scheme for Amphibians administered by Natural

England, and that 4 records of 10 animals of GCN *Triturus cristatus* have been discovered within 0.6km of the site.

116        The EIA (Para 2.5.73) further states that a network of approximately ten ponds was identified within 250m of the Site, the nearest of which was located approximately 35m from the southern site boundary.

117        In view of the above , it is highly likely that GCN may be present in the nearest pond. Although this is outside the site its close proximity means that it would be highly susceptible to contamination from building work. This pond should be surveyed for the presence of GCN before the application is reviewed.

118.        As such it is clear that the development in the absence of a robust and suitable mitigation strategy would conflict with:

- **NPPF Paragraph 180:** which requires avoidance of significant harm to biodiversity.
- **Local Plan Core Policies 38, 39 and 40** on ecological networks and protected species
- **Policies ENV13 and ENV14** in the emerging Little Hallingbury Neighbourhood Plan objectives for biodiversity and landscape connectivity.

## ANNEX 1

### PARISH COUNCIL PROPOSED CONDITIONS AND PLANNING OBLIGATIONS WITHOUT PREJUDICE TO OBJECTION:

*This document sets out the Parish Council's planning comments submitted without prejudice to its strong objection to the proposal.*

*In the event that application UTT/25/2181/OP is approved the Parish Council considers that the following recommended planning conditions, mitigation measures, and governance safeguards should be imposed on any planning permission:*

#### Contents

##### 1. Design and Appearance

*The development needs to align with the Little Hallingbury Design Code and recommendations for layout, materials, and landscape integration.*

##### 2. Light Pollution and Residential Amenity

*Risks to wildlife and dark skies, with recommendations for compliant lighting strategy.*

##### 3. Management of Communal Spaces and Infrastructure

*Governance risks, affordability concerns, and planning recommendations for oversight and transparency.*

##### 4. Road Adoption and Long-Term Stewardship

*There are concerns about the governance and ongoing maintenance of the internal road network.*

##### 5. Management and Stewardship of the Play Area

*Safety, accessibility, and financial implications, with recommendations for planning conditions.*

##### 6. Housing Mix – Local Needs and Missed Opportunities

*Evidence of demand for smaller homes and recommendations for revised mix to support downsizing and first-time buyers.*

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##### 1. Design and Appearance – Alignment with the Little Hallingbury Design Code

*The development needs to align with the Little Hallingbury Design Code (see below) and recommendations for layout, materials, and landscape integration which need to be followed.*



#### Area Placement

*Concerns about location, safety, ecological integration, and recommendations for compliant design.*

#### Green Infrastructure and Connectivity

*Need for continuous ecological corridors and amphibian-friendly features.*

#### Retention Basin and SuDS Integration

*Recommendations for multifunctional design and biodiversity enhancement.*

#### Road Layout and Character

*Observations on suburban form and recommendations for rural character alignment.*

*The condition should require at reserved matters stage that the development be assessed against the principles set out in the Little Hallingbury Design Code (2024), which was developed to safeguard the parish's rural character, heritage assets, and landscape identity. The Design Code emphasises:*

- Low-density layouts that reflect the village's dispersed settlement pattern*
- Modest building heights, typically no more than two storeys, to preserve views and avoid visual dominance.*
- Traditional materials and detailing, including brick, render, clay tiles, and timber features that harmonise with existing vernacular architecture.*
- Green infrastructure integration, with hedgerows, native planting, and informal open spaces forming part of the street scene.*
- Dark skies preservation, through minimal and downward directed lighting*

*The developer's current design proposals do not demonstrate clear compliance with these principles. In particular:*

- The layout appears suburban in character, with uniform plot sizes and limited visual permeability.*
- The use of materials and architectural detailing is generic, lacking reference to local building traditions.*
- The treatment of boundaries and public realm does not reflect the soft edges and informal transitions typical of Little Hallingbury's lanes and hamlets.*

*As part of any condition a full Design Code Compliance Statement should be required, demonstrating how the development meets the 2024 guidance. This should include:*

- Revised layout and massing to reflect local grain and scale.*

- *Material palette and detailing aligned with parish character.*
- *Integration of green corridors and hedgerow boundaries*
- *Lighting strategy that supports dark skies and biodiversity*

*Without this alignment, the development risks undermining the parish's distinct identity and contravenes Core Policy 41 on landscape character and design quality.*

#### **Play Area Placement**

*The designated play area is located near the centre-left of the site, but it appears closely bordered by residential plots and internal roads, with limited green buffer or separation. This raises concerns about:*

- *Noise and safety conflicts with nearby dwellings*
- *Insufficient visual and physical enclosure, which may reduce usability and supervision.*
- *Lack of ecological integration, missing an opportunity to link play with nature*

#### **Recommendation:**

*Request a detailed layout that provides a larger, better-buffered play zone, ideally adjacent to green corridors or informal open space, with natural surveillance and biodiversity features.*

#### **Green Infrastructure and Connectivity**

*While green areas and trees are distributed across the site, the plan lacks continuous ecological corridors or hedgerow linkages that would support species movement — particularly for Great Crested Newts and bats.*

#### **Recommendation:**

*Call for a site-wide green infrastructure strategy, including:*

- *Hedgerow restoration and connectivity*
- *Native planting along boundaries and internal roads*
- *Amphibian-friendly design features (e.g. dropped kerbs, permeable fencing)*

#### **Detention Basin and SuDS Integration**

*The detention basin is located at the bottom-left of the site, but its relationship to surrounding landscape and access routes is unclear. It appears isolated, with no obvious ecological enhancement or community function.*

#### **Recommendation:**

*Request that SuDS features be designed as multifunctional assets, combining:*

- *Biodiversity value (e.g. wetland planting, habitat creation)*



- Educational or recreational access (e.g. boardwalks, interpretation signage)
- Integration with wider drainage and landscape strategy

#### **Road Layout and Character**

*The illustrative internal road network appears uniform and suburban, lacking the informal, lane-like character typical of Little Hallingbury. There's minimal variation in building orientation or plot rhythm.*

#### **Recommendation:**

*Request detailed design at reserved matters stage reflect the Design Code principles, including:*

- Varied building lines and plot widths
- Soft boundary treatments (e.g. hedgerows, low walls)
- Reduced hard surfacing and increased permeability.

### **2. Light Pollution and Residential Amenity**

*The developer's submission does not adequately assess the impact of artificial lighting on local ecology, landscape character, or residential amenity. Given the site's proximity to open countryside and its location beneath the Stansted flight path, excessive lighting risks:*

- Disrupting nocturnal wildlife, including bats, mammals, and amphibians
- Eroding the rural character of Little Hallingbury through urban-style illumination
- The development must include a low-impact lighting strategy that respects Little Hallingbury's rural character and supports the community's appreciation of dark skies.
- Lighting should be minimised, downward-directed, and time-controlled, especially near habitat corridors and open countryside.
- The site lies in a location where night-time tranquillity is a valued amenity, and artificial lighting risks eroding both ecological integrity and landscape identity.

#### **Planning Response:**

*A condition should be imposed requiring a Dark Skies-compliant lighting scheme, with lux level mapping, shielding specifications, and curfews. This should be reviewed in consultation with the parish council and local residents to ensure alignment with community expectations.*

### **3. Management of Communal Spaces and Infrastructure – Governance and Risk**

*The developer proposes that a privately appointed management company will be responsible for the long-term maintenance of communal infrastructure, including drainage systems and*

*SuDS features. While this may offer operational flexibility, it raises several concerns that must be addressed through planning conditions or legal agreements:*

#### *Governance and Accountability Risks*

- *No clear structure or timeline for resident control: The documentation does not specify when or how residents will gain democratic oversight of the management company. This risks long-term disenfranchisement and opaque decision-making.*
- *Limited recourse for poor service delivery: Without statutory safeguards or independent review mechanisms, residents may face escalating service charges or inadequate maintenance with little ability to challenge outcomes.*

#### *Affordability and Stewardship Concerns*

- *Service charges tied to critical infrastructure: Drainage, lighting, and landscaping are essential to site safety and amenity. Their maintenance must be affordable, transparent, and subject to regulatory oversight—not left to private discretion.*
- *Fragmented land ownership: Retention of residual land parcels by the developer or associated entities may inhibit community-led enhancement, ecological stewardship, or future public adoption.*

#### *Planning Recommendations*

*To mitigate these risks, the following should be secured via planning condition or S106 agreement:*

- *A detailed governance plan outlining the management company's structure, transition timeline to resident control, and dispute resolution mechanisms.*
- *A long-term Landscape and Infrastructure Management Plan, including:*
  - o *Maintenance schedules for SuDS, lighting, green spaces, and accessways*
  - o *Biodiversity enhancement targets and monitoring*
  - o *Public access provisions and ecological connectivity*
- *A financial viability assessment of service charges, with caps or review mechanisms to prevent unaffordable escalation.*
- *A requirement for transparency, including annual reporting to residents and the local authority.*

#### **4. Road Adoption and Long-Term Stewardship**

*The application does not clarify whether the internal road network is intended for public adoption by the Highway Authority or retained under private management. This ambiguity raises several planning and governance concerns:*

#### *Risks of Private Road Management:*

- *Access and Maintenance Uncertainty:* Privately managed roads may lack guaranteed long-term maintenance standards, leading to deterioration and safety risks.
- *Resident Liability and Cost Exposure:* Without public adoption, residents may bear disproportionate service charges for essential infrastructure, including road surfacing, lighting, and winter gritting.
- *Emergency and Service Access:* Non-adopted roads can complicate access for emergency services, waste collection, and public transport, undermining community safety, and connectivity.

#### *Planning Recommendations:*

- *A condition should be imposed requiring the developer to clarify the road adoption strategy, including:*
- *Whether roads will be constructed to adoptable standards and offered to Essex Highways for adoption.*
- *If private management is proposed, a detailed Road Management Plan should be secured via S106, covering:*
  - *Maintenance schedules and funding mechanisms*
  - *Access rights for emergency and public services*
  - *Transparency and resident control over service charges*

*The Parish Council should be consulted on any proposed management structure to ensure alignment with community expectations and long-term sustainability.*

*This addition would reinforce the Council's broader concerns about infrastructure governance and resident empowerment, while also pre-empting future disputes over access, safety, and cost.*

## **5 Management and Stewardship of the Play Area**

*The proposed Local Area for Play (LAP) is a key element of the development's public open space, yet the governance and long-term maintenance of this facility remain undefined. Based on the developer's drainage and infrastructure documents, responsibility is expected to fall to a privately appointed management company, raising several concerns:*

#### *Governance and Safety Risks*

- *No clarity on inspection regimes or liability:* The play area will require regular safety inspections, equipment maintenance, and surface upkeep. The absence of a defined statutory framework or public oversight risks inconsistent standards and unclear accountability in the event of injury or equipment failure.

- *No commitment to inclusive or accessible design: Without public sector involvement, there is no guarantee that the play area will meet accessibility standards or reflect community needs.*

#### *Financial and Operational Burden*

- *Service charges may include play area upkeep: Residents could face escalating costs for inspection, insurance, and equipment replacement — with no democratic control over budgeting or prioritisation.*
- *No mechanism for public adoption or parish oversight: The play area remains outside the scope of local authority or parish stewardship, limiting opportunities for community-led enhancement or integration with wider recreational strategies.*

#### *Planning Recommendations*

*To address these risks, the following should be secured via planning condition or legal agreement:*

- *A Play Area Management Plan, detailing:*
  - o *Inspection frequency and safety protocols (e.g. ROSPA standards)*
  - o *Maintenance responsibilities and funding mechanisms*
  - o *Resident access rights and dispute resolution procedures*
- *A commitment to inclusive design, aligned with Fields in Trust and Play England guidance.*
- *A triggered review mechanism, allowing for future transfer of stewardship to the parish council or a community trust if residents seek democratic control.*

### **6 Housing Mix – Local Needs and Missed Opportunities**

*The proposed housing mix fails to reflect the well-documented local demand for smaller, more affordable homes that would enable existing residents to downsize or enter the housing market for the first time. Feedback from parish engagement and housing needs surveys consistently highlights:*

- *A shortage of 2-bedroom homes and bungalows suitable for older residents wishing to remain in the village while freeing up larger family homes.*
- *Limited opportunities for young adults and first-time buyers to stay in or return to Little Hallingbury due to high prices and lack of starter homes.*
- *A desire for accessible, adaptable housing that supports ageing in place and intergenerational living.*

*Uttlesford's Housing Strategy 2021–2026 and emerging Local Plan both emphasise the importance of delivering a balanced mix of housing types and tenures, tailored to local character and demographic need. Local feedback and housing needs evidence consistently highlight demand for smaller, more affordable homes — particularly 2-bedroom dwellings and bungalows — to support downsizing among older residents and provide entry-level options for younger households wishing to remain in the parish.*

*Planning Response:*

*The application should include a greater proportion of 2- or 3-bedroom homes, bungalows, and accessible units. This would better align with Core Policy 14 and 40, support local housing mobility, and ensure the development contributes meaningfully to meeting identified parish needs.*



# LITTLE HALLINGBURY PARISH COUNCIL

CLERK OF THE COUNCIL

12 November 2025

Uttlesford District Council  
Planning

For the attention of: To whom it may concern

**SUBJECT: Planning Application UTT/25/2181/OP**

Dear Sirs,

**Land at Camps Field Lower Road Little Hallingbury ('the Site')**  
**Planning Application ref UTT/25/2181/OP - Outline planning application,**  
**with all matters reserved (except for principal access), for the demolition**  
**of existing structures and erection of up to 59 dwellings, including**  
**affordable housing, associated green and hard infrastructure, public**  
**open space, biodiversity enhancements, and principal access off Lower**  
**Road ('the Application')**

1. I write further to the letter dated 27 October 2025 setting out the objections by Little Hallingbury Parish Council ('the Parish Council') to the above outline application and which followed the resolution of the Parish Council on 23rd September 2025 to object, recorded as item 25/173 in the minutes, having considered the said application to object on the following basis:
  - the housing development proposed by the Application is unacceptable in planning terms and contrary to the current as well as emerging development plan and there are no material considerations of sufficient weight that lawfully should lead Uttlesford District Council to allow the Application.
  - the Site is unsuitable for this development and does not represent sustainable development due to Noise; Air Quality and Flood Risk implications as well as representing inappropriate development in the Green Belt; harm to the landscape and heritage assets as well as ecological harm.

- The application fails to accord with the development plan and there are no or no sufficient material considerations that outweigh that failure and the planning harm (including heritage harm) arising out of this scheme. As such the Council should refuse this application.
2. With regard to harm to heritage assets that would arise, the Parish Council at para 99 of the above referenced letter confirmed that it was *"the expert opinion of the Parish Council's heritage advisors that the Site makes a major contribution to the setting and significance of these listed buildings and that the resulting loss caused by the development will lead to a very high level of harm to the significance of the heritage assets"* but that at the time of writing they were *"not yet able to advise if the harm will be substantial or at the top of the less than substantial spectrum"*. The Parish Council then undertook to copy of the final advice of its heritage expert's assessment once it is received.
  3. In accordance with that undertaking please find attached the Heritage Assessment carried out by Vitruvius Heritage.
  4. This confirms that section s66 of the Listed Building Act 1990 is engaged and as such the Council has to be given considerable weight to any harm caused by the development. The NPPF reflects the law by stating that *"great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."* [NPPF 212] and that *"213. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."*
  5. The NPPF [215] also says that *"Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal"*.
  6. Vitruvius draws attention to the relevant listed buildings close to the site which *"contain a high level of significance by virtue of their Grade II listed status"* [3.6].
  7. Having considered the applicant's heritage assessment (HA) Vitruvius confirms at [3.3.7] that the HA failed to carry out the proper exercise in accordance, amongst other advice, with Historic England's guidance in respect of the requisite assessment of the contribution the site makes to the heritage significance of each of the heritage assets/listed buildings and only considers impact on views. At [3.3.7] Vitruvius states in terms *"the statement focuses upon the visual effect of the development and whether it changes views of the Site or views of the listed buildings from the Site. However, whether there is a change in*



*the appearance of a view is not the assessment of impact, it is whether that change erodes the contribution of the view to the significance of the asset or affects the ability to appreciate the asset's significance".*

8. Vitruvius' own conclusions, having carried out the exercise as required, confirms at [3.3.6] that *"[t]he Site forms a considerable part " of the individual and wider setting of the listed building "and is particularly important because it retains the wider valley view of the group and the ability to experience their historic separation from any other settlement"* Vitruvius confirms that the *"contribution that the Site makes to the setting and significance of these listed buildings is moderate in each case"*.
9. Vitruvius then notes at [4.2.5 ] that the applicant's HA goes on to conclude that the scheme *"will not result in any major adverse change to the significance or settings of any oof the listed buildings, through loss of historic fabric, character or change to the external forms"* . This also fails to reflect the correct approach which as a matter of law and policy, as noted, is that any 'adverse change' or 'harm' must be given great or considerable weight. The test is clearly not whether only 'major' change or harm to significance will occur.
10. Vitruvius at [4.2.5] points out that this must mean that the applicant's assessment must in fact accept that at least some adverse change will occur but this then contrasts with the applicant's HA's conclusion *" that the adverse change will "not impact on the experience of the listed buildings, or on the ability to understand or appreciate their significance"*.
11. As such there is no proper basis or justification within the HA to support that conclusion. The Council should give the appellant's HA little weight in the Parish Council's submission and should prefer that of Vitruvius which is clearly an independent assessment carried out in accordance with the relevant guidance and law .
12. The Council is directed to Vitruvius's conclusions at [4.3.1] which confirms:  
*"4.3.1 It has been found that the Site makes a moderate contribution to the setting and significance of each of the 7 listed buildings, all of which are Grade II. These buildings are of national importance and the statutory duty contained at Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and national planning policy create a strong presumption against any proposal that will result in any harm to their significance.*  
*4.3.2 The proposal, by virtue of the loss of the contribution that the Site currently provides to the architectural and historic significance of Mott's Green and its listed buildings, and the additional harmful effect of increased urbanisation of their surroundings, will result in a minor-moderate level of harm to each of the identified listed buildings.*

*4.3.3 Due to the harm that will be caused by this proposal, there is a requirement for that this application must be refused unless the Council is satisfied that this significant harm is outweighed by sufficient public benefits".*

13. The Parish Council considers that the harm in heritage terms to the significant assets as identified by Vitruvius amounts to a strong reason to refuse the application and therefore NPPF11(d)(i) is met and any initial trigger in favour of the development as a result of the absence of a sufficient housing land supply is disapplied.
14. Alternatively, and in any event clearly great weight should be given to the heritage harm identified and which the Parish Council submits outweighs any claimed public benefits said to arise from the scheme.
15. In the further alternative, the harm to heritage together with the other harm identified by the Parish Council is sufficient to *"significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole"* .
16. The Council should refuse this application.

# **GREAT HALLINGBURY PARISH COUNCIL IN THE COUNTY OF ESSEX**

CLERK OF THE COUNCIL

22 September 2025

Uttlesford District Council  
Planning

For the attention of: To whom it may concern

## **SUBJECT: Planning Application UTT/25/2181/OP**

<b>Proposal:</b>	Outline planning application, with all matters reserved (except for principal access), for the demolition of existing structures and erection of up to 59 dwellings, including affordable housing, associated green and hard infrastructure, public open space, biodiversity enhancements, and principal access off Lower Road.
<b>Address:</b>	Land at Camps Field, Lower Road, Little Hallingbury

As a neighbouring Parish we would like to point out that this development will curate more access traffic through our village and as such we oppose it.