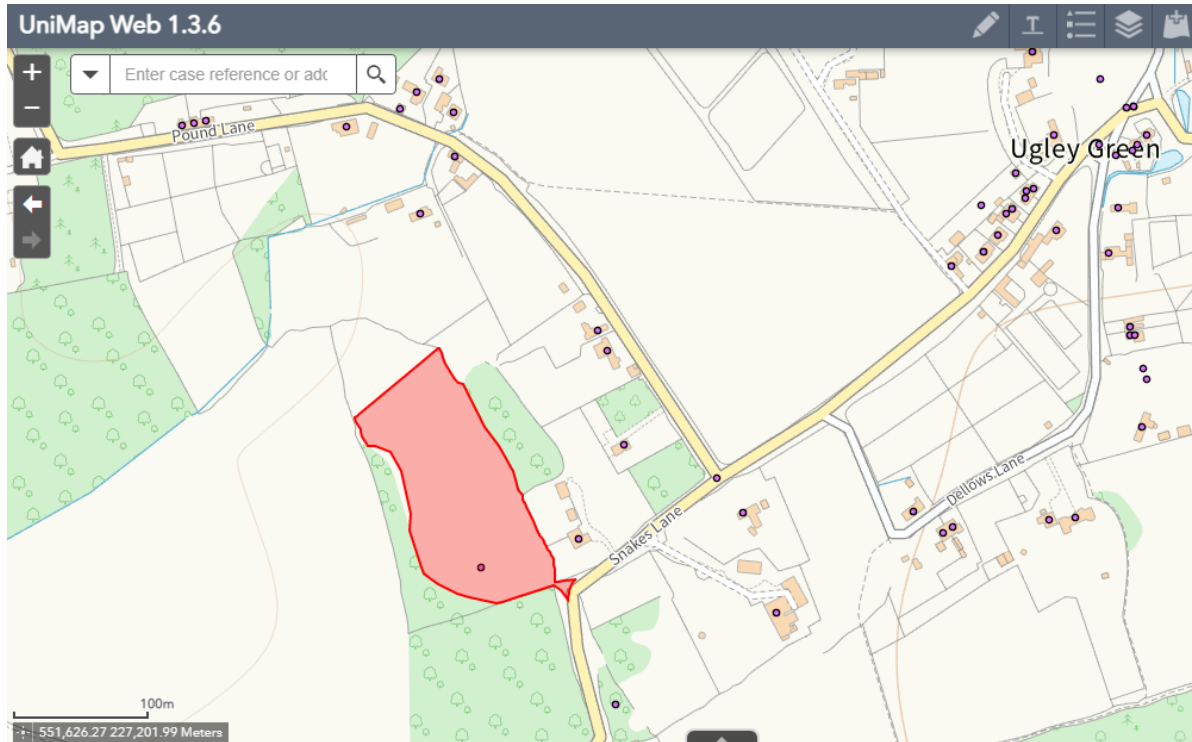


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|-------------------------------------|-----------------------------------------------------------|
| ITEM NUMBER: | 6 |
| PLANNING COMMITTEE DATE: | 11 February 2026 |
| REFERENCE NUMBER: | UTT/25/3066/OP |
| LOCATION: | Land West of The Cottage Snakes Lane Ugley |

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council

Date: January 2026

PROPOSAL: Outline planning permission with all matters reserved except access for up to five dwellings.

APPLICANT: Dr E Perkins

AGENT: Brighter Planning Ltd (Mrs C Hawkins)

EXPIRY DATE: 13 February 2026

EOT EXPIRY DATE: -

CASE OFFICER: Mr Avgerinos Vlachos

NOTATION: Outside Development Limits.
Road Classification (Snakes Lane – Class III).
Within 2km of SSSI.
Within 6km of Stansted Airport.
Public Right of Way (Footpath – North).

REASON THIS APPLICATION IS ON THE AGENDA: Major application.

1. EXECUTIVE SUMMARY

- 1.1** This is an outline planning application with all matters reserved except access for up to five dwellings. The application accepts that a financial contribution in lieu of affordable units is necessary. Permission was granted in September 2025 (UTT/25/2125/TDC) for 3 dwellings following a permission in principle (UTT/24/1003/PIP) in March 2025 granted at appeal; the fallback position is of significant weight.
- 1.2** The location provides moderate accessibility to services and public transport with heavy (but not entire) reliance on cars, as an appeal confirmed. Although the Emerging Local Plan would not support such a proposal in the open countryside (see moderate locational sustainability), it is not adopted at this point and the Council does not have a 5-Year Housing Land Supply. However, the development, by reason of its location, use and amount, would be a piecemeal addition of housing units that would harm the character of the village by significantly eroding its pattern of development that comprises small housing groups and spatially compete with Ugley Green. Notwithstanding this concern, the proposed

housing density of the scheme would represent an inefficient use of the land, which would hamper the continuous achievement of an appropriate supply of housing in the district and would fail to make efficient use of the land.

1.3 The application constitutes 'major development' whereby a financial contribution in lieu of affordable housing units would be required. In the absence of this financial contribution, the proposal would conflict with local and national policies and guidance, including the requirement for this planning obligation to make the development acceptable in planning terms. Also, insufficient information was submitted with the application to demonstrate that the development would not increase flood risk on the site or elsewhere nor that the operation of potential sustainable drainage systems would be effective. No mechanism, such as a signed section 106 agreement, has been secured for the above, which is an additional concern.

1.4 Consequently, pursuant to paragraph 11(d)(ii) of the Framework, when assessed against the policies in the NPPF taken as a whole, and as there are no other material considerations indicating otherwise, the adverse impacts of the proposals would *significantly and demonstrably outweigh* the benefits, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

2. RECOMMENDATION

| |
|---------------------------------------------------------------------------------------------------------------|
| That the Strategic Director of Planning be authorised to REFUSE for the reasons set out in section 17. |
|---------------------------------------------------------------------------------------------------------------|

3. SITE LOCATION AND DESCRIPTION:

3.1 The application site comprises open, undeveloped land located outside development limits, to the west of Ugley Green. The site is greenfield land with an open and rural character with open fields and paddocks in most directions and some limited and loose built form to the east along Pound Lane, including a Grade II listed building (The Harmitage). There is another Grade II listed building (Harewood Cottage) on the southern side of Snakes Lane at its junction with Pound Lane. The host dwelling (The Cottage) is a 2-storey, thatched building that is not listed. A public footpath is running immediately north of the site, and a wooded envelope encloses all other site boundaries. The overall character of the area is rural with a few dwellings of varying architectural styles, sizes, ages and materials.

4. PROPOSAL

4.1 This is an outline planning application with all matters reserved except access for up to five dwellings.

4.2 The application includes the following documents:

- Application form
- Biodiversity checklist
- Biodiversity net gain assessment (part 1)
- Biodiversity net gain metric
- Covering letter/Document list
- Preliminary ecological appraisal (October 2025)
- Preliminary ecological appraisal (March 2025)
- Transport statement
- Affordable housing letter.

5. ENVIRONMENTAL IMPACT ASSESSMENT

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

6. RELEVANT SITE HISTORY

| 6.1 | Reference | Proposal | Decision |
|------------|------------------|----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| | UTT/25/2125/TDC | Technical Details Consent following UTT/24/1003/PIP (allowed on appeal under ref: APP/C1570/W/24/3350263) for 3 residential dwellings. | Approved with conditions (25.09.2025). |
| | UTT/24/1003/PIP | Planning in principle for up to 3 no. dwellings. | Appeal allowed APP/C1570/W/24 /3350263 (31.03.2025). |
| | UTT/23/2913/PIP | Permission in principle for up to 2 no. dwellings. | Approved with conditions (21.12.2023). |
| | UTT/23/2463/PIP | Planning in principle for up to 4 no. dwellings. | Refused (06.11.2023). |
| | UTT/23/1474/PIP | Planning in principle for up to 2 no. dwellings. | Approved with conditions (17.07.2023). |
| | UTT/22/1694/PIP | Planning in principle for 1 no. dwelling. | Appeal allowed APP/C1570/W/22 /3308569 (20.02.2023). |

7. PRE-APPLICATION ADVICE AND COMMUNITY CONSULTATION

7.1 Paragraph 40 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion

enables better coordination between public and private resources and improved outcomes for the community.

7.2 Pre-application discussions have not been held with Council officers prior to submitting the application. A statement of community involvement was not submitted. Pre-application discussions would be encouraged by officers and should have taken place prior to this application as pre-application feedback would have resolved the issues and omissions raised by officers about this application.

7.3 The local planning authority has consulted interested parties in the area and their comments were considered when determining the application.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority

8.1.1 No objection subject to conditions (see full response in **Appendix 1**).

8.2 National Air Traffic Services (NATS)

8.2.1 No objection (see full response in **Appendix 2**).

8.3 Safeguarding Authority for Stansted Airport (Manchester Airport Group)

8.3.1 No objection subject to conditions (see full response in **Appendix 3**).

8.4 Lead Local Flood Authority

8.4.1 **Objection** (see full response in **Appendix 4**).

9. PARISH COUNCIL COMMENTS

9.1 Comments from Ugley Parish Council:

- **Object:**

- Multiple planning applications, incrementally increasing the development from 1 to 5 houses.
- During Parish Council meeting, it was inquired why the applicant did not initially apply for 5 houses; the response indicated that the applicant wanted to determine what would be permitted. This raise concerns regarding whether future applications may be submitted for 6, 7, or 8 houses.
- Constructing five houses would result in a housing density that is inconsistent with the established character of Snakes Lane.
- Overdevelopment in the countryside.
- The site is not sustainable, with no nearby shops, schools, medical facilities, or train station in Ugley. The closest bus stop can only be reached via 60mph roads without pavements.

10. CONSULTEE RESPONSES

10.1 UDC Environmental Health

10.1.1 No objections subject to conditions.

10.2 Place Services (Ecology)

10.2.1 No objections subject to conditions and mandatory biodiversity net gain.

10.3 Place Services (Archaeology)

10.3.1 No objections subject to conditions.

10.4 Thames Water

10.4.1 No comments.

11. REPRESENTATIONS

11.1 A site notice was displayed on site and notification letters were sent to nearby properties. The application has also been the subject of a press notice in a local newspaper.

11.2 Ward members' comments:

11.2.1 No comments were received.

11.3 Comments from members of the public:

11.3.1 No comments were received.

11.4 Comment

11.4.1 Land ownership issues and issues around the deliverability of a planning permission are not planning issues. These and other civil matters have not been taken into consideration for the purposes of this 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:
 - (aza) 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) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a general duty as respects listed buildings in exercise of planning functions and states that in considering whether to grant planning permission or permission in principle for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall 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.

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 2005)
Felsted Neighbourhood Plan (made February 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport, Quendon & Rickling Neighbourhood Plan (made June 2021)
Thaxted Neighbourhood Plan (made February 2019)
Stebbing Neighbourhood Plan (made July 2022)
Saffron Walden Neighbourhood Plan (made October 2022)
Ashdon Neighbourhood Plan (made December 2022)
Great & Little Chesterford Neighbourhood Plan (made February 2023).

13. POLICY

13.1 National Policies

- 13.1.1** National Planning Policy Framework (2024).

13.2 Uttlesford District Local Plan (2005)

- 13.2.1**
- | | |
|------|--------------------------|
| S7 | The Countryside |
| GEN1 | Access |
| GEN2 | Design |
| GEN3 | Flood Protection |
| GEN4 | Good Neighbourliness |
| GEN5 | Light Pollution |
| GEN6 | Infrastructure Provision |
| GEN7 | Nature Conservation |

| | |
|-------|----------------------------------------------------------------|
| GEN8 | Vehicle Parking Standards |
| H9 | Affordable Housing |
| H10 | Housing Mix |
| ENV2 | Development affecting Listed Building |
| ENV3 | Open Space and Trees |
| ENV4 | Ancient Monuments and Sites of Archaeological Importance |
| ENV5 | Protection of Agricultural Land |
| ENV8 | Other Landscape Elements of Importance for Nature Conservation |
| ENV10 | Noise Sensitive Development |
| ENV11 | Noise Generators |
| ENV12 | Protection of Water Resources |
| ENV13 | Exposure to Poor Air Quality |
| ENV14 | Contaminated Land. |

13.3 (Emerging) Uttlesford Local Plan 2021-2041

13.3.1

| | |
|----------------------|-----------------------------------------------------------------|
| Core Policy 1 | Addressing Climate Change |
| Core Policy 3 | Settlement Hierarchy |
| Core Policy 5 | Providing Supporting Infrastructure and Services |
| Core Policy 22 | Net Zero Operational Carbon Development |
| Core Policy 23 | Overheating |
| Core Policy 24 | Embodied Carbon |
| Core Policy 26 | Providing for Sustainable Transport and Connectivity |
| Core Policy 27 | Assessing the Impact of Development on Transport Infrastructure |
| Core Policy 28 | Active Travel - Walking and Cycling |
| Core Policy 29 | Electric and Low Emission Vehicles |
| Core Policy 30 | Public Rights of Way |
| Core Policy 31 | Parking Standards |
| Core Policy 33 | Managing Waste |
| Core Policy 34 | Water Supply and Protection of Water Resources |
| Core Policy 36 | Flood Risk |
| Core Policy 37 | Sustainable Drainage Systems |
| Core Policy 39 | Green and Blue Infrastructure |
| Core Policy 40 | Biodiversity and Nature Recovery |
| Core Policy 41 | Landscape Character |
| Core Policy 42 | Pollution and Contamination |
| Core Policy 43 | Air Quality |
| Core Policy 44 | Noise |
| Core Policy 52 | Good Design Outcomes and Process |
| Development Policy 9 | Public Art |
| Core Policy 53 | Standards for New Residential Development |
| Core Policy 55 | Residential Space Standards |
| Core Policy 56 | Affordable Dwellings |
| Core Policy 61 | The Historic Environment |
| Core Policy 62 | Listed Buildings |

| | |
|-----------------|------------------------------------|
| Core Policy 64 | Archaeological Assets |
| Core Policy 66 | Planning for Health and Well-being |
| Core Policy 67 | Open Space, Sport and Recreation |
| Core Policy 67a | Management of Public Open Space |
| Core Policy 70 | Communications Infrastructure |

13.4 Neighbourhood Plan

13.4.1 There is no 'made' Neighbourhood Plan for the area or one under preparation that should be afforded any weight.

13.5 Supplementary Planning Document or Guidance

13.5.1 Supplementary Planning Document – Uttlesford District-Wide Design Code (2024)
 Supplementary Planning Document – Developer's Contributions (2023)
 Essex Design Guide
 Uttlesford Interim Climate Change Planning Policy (2021)
 Essex County Council's Developers' Guide to Infrastructure Contributions (2025)
 Parking Guidance – Part 1: Parking Standards Design and Good Practice (2024)
 Uttlesford Local Residential Parking Standards (2013)
 Essex County Council Parking Standards (2009).

14. CONSIDERATIONS AND ASSESSMENT

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

- 14.2**
- A Principle / Character and appearance (S7, GEN1, GEN2, ENV3, ENV5, SPD Uttlesford District-Wide Design Code, Essex Design Guide, NPPF)**
 - B Heritage impacts / Housing mix / Climate change (GEN2, ENV2, H10, Essex Design Guide, Interim Climate Change Planning Policy, NPPF)**
 - C Residential amenity (GEN2, GEN4, GEN5, ENV10, ENV11, SPD Uttlesford District-Wide Design Code, Essex Design Guide, NPPF)**
 - D Access and parking (GEN1, GEN8, parking standards, NPPF)**
 - E Ecology (GEN7, ENV8, NPPF)**
 - F Contamination (ENV14, ENV12, ENV13, NPPF)**
 - G Archaeology (ENV4, NPPF)**
 - H Flood risk and drainage (GEN3, NPPF)**
 - I Affordable housing / Open space / Public art (H9, NPPF)**
 - J Planning obligations (GEN6, SPD Developer's Contributions, ECC's Developers' Guide to Infrastructure Contributions, NPPF)**
 - K Other matters**
 - L Paragraph 11(d) and planning balance**

14.3 A) Principle / Character and appearance (S7, GEN1, GEN2, ENV3, ENV5, SPD Uttlesford District-Wide Design Code, Essex Design Guide, NPPF)

14.3.1 Housing land supply:

As of 06 January 2025, the Council can demonstrate **3.46 years** of housing land supply (including a 20% buffer). With the Housing Delivery Test (HDT) being at 69%, the situations of Footnote 8 apply, which means that the Council must continue engaging with the presumption in favour of sustainable development in paragraph 11(d) of the National Planning Policy Framework (NPPF).

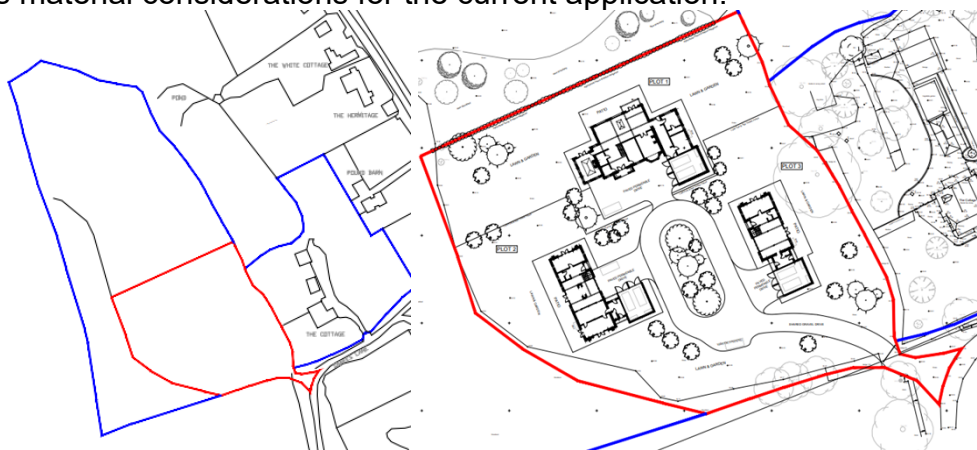
14.3.2 Emerging Local Plan:

The emerging Uttlesford Local Plan 2021-2041 (eLP), following Hearing sessions in June 2025, a Post Hearing Note in August 2025 and a public consultation for a Main Modifications schedule in September – October 2025, has been found **sound and legally compliant at examination** (16 January 2026) subject to the Main Modifications. Whilst the eLP does not form part of the statutory Development Plan (until adoption day), given its very advanced stage, the absence of any substantive objections and the high degree of consistency with the NPPF, **moderate to significant** weight would be afforded to its policies (see paragraph 49 of the NPPF). The eLP has now taken the route to adoption, which officers expect in March 2026.

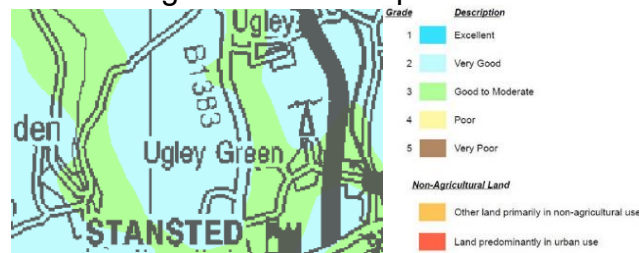
14.3.3 The assessment of the scheme in this report includes an assessment under the current Local Plan and the eLP.

14.3.4 Background:

Permission was granted in September 2025 (UTT/25/2125/TDC, see images) for 3 dwellings following the grant of permission in principle at appeal (UTT/24/1003/PIP) in March 2025. Considering the likelihood of implementing the **fallback** position is high due to the applicants' effort to amend that scheme, by virtue of case law, the fallback position and the appeal decision for UTT/24/1003/PIP shall be afforded **significant** weight as material considerations for the current application.



required, developers should seek to use areas of poorer quality. This is consistent with the findings of the first Inspector¹.



14.3.8 Local economy and social nexus:

The proposals would provide a **limited** contribution to the local economy during construction via potential employment for local builders and suppliers of materials, and post-construction via reasonable use of local services in the village or in nearby villages by the future occupants of the dwellings. The occupants would likely contribute to a modest degree to the social life of Ugley, Ugley Green, as well as the town of Stansted and the larger village of Elsenham and help support their services. This is a location where development in one village may support services in nearby villages in accordance with paragraph 83 of the NPPF. The previous appeal decisions also confirmed this².

14.3.9 Efficient use of land:

The site is **not** previously developed land being a greenfield paddock. Paragraph 124 of the NPPF requires decisions to promote an effective use of land in meeting the need for homes, while safeguarding and improving the environment, whilst paragraph 125(d) of the NPPF states that decisions should promote and support the development of under-utilised land and buildings, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively.

14.3.10 The use of agricultural land for housing is not by itself more effective use of the land and the land is not necessarily under-utilised just because it is not actively used. Indeed, the NPPF is clear in paragraph 125(b) that some undeveloped land can perform many functions.

14.3.11 The application asserts³ that the increased size of the site (from 0.65 hectares in UTT/25/2125/TDC to 1.25 hectares now) is commensurate to the increased number of dwellings proposed. However, increasing the site by 0.6 hectares (6,000 sqm) to add only 2 additional units would not be commensurate by any means nor promote a more effective and efficient use of the land; the housing density of 4.6 dwellings per hectare (dph) approved in UTT/25/2125/TDC (and UTT/24/1003/PIP) would reduce to 4 dph. The officer's report in UTT/24/1003/PIP found the then density (4.6

¹ APP/C1570/W/22/3308569 (UTT/22/1694/PIP) for 1 no. dwelling – Appeal allowed on 20 February 2023, (see paragraphs 8 – 9).

² APP/C1570/W/24/3350263 (UTT/24/1003/PIP) for 3 no. dwellings – Appeal allowed on 31 March 2025, (see paragraphs 8, 14); and APP/C1570/W/22/3308569 (UTT/22/1694/PIP), paragraph 7.

³ Planning Statement, paragraphs 4.3 – 4.4, 6.27.

dph) was not the most effective use of the land as a resource but did not object given that the density was improved in comparison to the refused scheme (UTT/23/2463/PIP) for 4 dwellings.

- 14.3.12** The scheme, if approved, would establish the principle of residential use on a significant piece of land for a limited number of dwellings. The addition of only 2 houses would not reasonably or proportionately justify this increase in the size of the site; the site could be divided to provide more than five dwellings with appropriate garden spaces (in excess of the standards) and a shared drive. The proposals would make *inefficient* use of the land as a resource that would obstruct the LPA to achieve housing targets in the district for future generations. The development would therefore conflict with paragraphs 124, 125(d), 129(a), 130(c) of the NPPF. Paragraph 130 of the NPPF states that where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site. In these circumstances: (c) LPAs should *refuse* applications which they consider fail to make efficient use of land, taking into account the policies in this Framework.
- 14.3.13** The ‘character and appearance’ section below concluded harm to the character of Ugley Green due to the significant erosion of its pattern of development. Therefore, the above policy conflicts are not an invitation for more houses but rather an indication that the fallback scheme has exhausted the possibilities of the site for development and that more piecemeal additions of housing units would be detrimental from both a character impact perspective and the perspective of making efficient use of the land.
- 14.3.14** Location and accessibility:
Policy GEN1(e) of the Local Plan encourages movement by means other than driving a car, which is consistent with the NPPF as the latter supports transport solutions that promote walking, cycling and public transport use (paragraph 109(e) of the NPPF) and seeks to ensure that sustainable transport modes are prioritised taking account of the vision of the site, the type of development and its location (paragraph 115(a) of the NPPF). Therefore, policy GEN1(e) of the Local Plan shall be afforded **significant** weight.
- 14.3.15** Case law⁴ defined ‘isolation’ as the spatial/physical separation from a housing settlement or hamlet, meaning that a site within or adjacent to a housing group is not isolated. The site is **not** isolated due to the houses in its vicinity. This was confirmed by the first appeal decision⁵. Paragraph 84 of the NPPF does not apply.
- 14.3.16** The Council objected UTT/22/1694/PIP and UTT/24/1003/PIP on the grounds of poor accessibility to services and public transport and the

⁴ *Braintree DC v SSCLG [2018] EWCA Civ. 610.*

⁵ APP/C1570/W/22/3308569 (UTT/22/1694/PIP), paragraph 7.

overreliance on private vehicles. Despite the LPA's evidence against it, both Inspectors accepted the location's suitability for housing even though they recognised it is not ideal and it is likely that a high proportion of journeys would indeed be made by car. The LPA should respect the Inspectors' findings.

- 14.3.17** Bus stops near the site involve the Ugley Village Hall stop (15' walk – 1.1 km), Alsa Street stop (14' walk – 1.1 km) and Ugley Green stop (7' walk – 500 metres); the first two stops provide an hourly service (301) six times a week that runs north to Saffron Walden and south to Stansted and Bishop's Stortford and the latter provides a school bus service (441) twice a day on schooldays only and calls at Newport, Audley End and Elsenham train stations, as well as at Joyce Frankland Academy secondary school and Saffron Walden County High School. Elsenham train station is a 20' walk (1.5 km) from the site. The nearest school (Elsenham Primary School – 32' walk) is 2.4 km away and the nearest supermarket (Tesco Express – 28' walk) is 2.1 km from the site. The Inspector noted that not many occupants would walk to the first two stops to use the 301 service but the 441 service *"meets some elements of the existing community's local travel needs"* which would apply to the new occupants too⁶.
- 14.3.18** The Inspector also found that cycling *"seems a realistic and viable option for some"*⁷. To the LPA's concerns about the limitations on pedestrian and wheelchair movements on Snakes Lane, the Inspector responded that *"The road is unlit and lacks footways, but from my observations, it does not appear to be heavily trafficked, or subject to high speeds; and these impressions are also supported to a degree by the appellant's survey measurements [...]. Whilst the route would not be suitable for all users, or all occasions, that would seem an unrealistic expectation in this type of location"*⁸. He then concluded that *"given the proximity to larger centres, such [car] journeys would be reasonably short and would thus not require excessive travel. Furthermore, other alternatives would also be available for some journeys, enabling more sustainable choices [...]. [...] the development would be well located to support the facilities available in other nearby villages, thus contributing to the vitality and viability of local rural communities"*.
- 14.3.19** Considering the above and in light of the latest appeal decision, locational sustainability cannot reasonably warrant a reason for refusal at this point. The occupants of the dwellings would be able to access some limited public transport options and everyday services. The location provides moderate accessibility to services and public transport. Although the development would not strictly comply with policy GEN1(e) of the Local Plan, it would comply with paragraphs 109(e), 115(a) of the NPPF.
- 14.3.20** Notwithstanding the above, for the purposes of the eLP, the site and the village are in the open countryside, in which development will not be

⁶ APP/C1570/W/24/3350263 (UTT/24/1003/PIP), paragraph 12.

⁷ APP/C1570/W/24/3350263 (UTT/24/1003/PIP), paragraph 11.

⁸ APP/C1570/W/24/3350263 (UTT/24/1003/PIP), paragraph 12.

permitted unless specifically supported by other relevant policies as in the Development Plan or national policy (no such exemptions apply here). In addition, Core Policy 26 of the eLP requires that sustainable modes of transport are (not just available) but prioritised in new developments to promote accessibility and integration with the wider community and existing networks. Priority should be given to cycle and pedestrian movements and providing access to public transport. Similarly, Core Policy 27 states that proposals should prioritise active travel over the use of the car, including providing walking and cycling connections to key services in the town. The eLP raises markedly the standards for location sustainability as it will not be enough for a location to offer access to a school bus service to sustain housing development.

14.3.21 Therefore, the scheme would be *contrary* to the spatial strategy in Core Policy 2 of the eLP and to the promotion of sustainable transport and connectivity in Core Policies 26 and 27 of the eLP; these policy conflicts shall be afforded **moderate** weight at this point considering that the housing land supply remains below 5 years. When, however, the eLP is adopted and the LPA can exhibit a 5-year supply, these policy conflicts would attract full, significant weight that can change the LPA's position on the matter.

14.3.22 In addition, the development is a lost opportunity to enhance the public footpath adjacent to its northern boundary, as required by Core Policy 30 – this policy conflict shall be afforded **limited** weight at this stage.

14.3.23 Character and appearance:

The latest appeal decision did not assess the impacts of that appeal scheme to the character and appearance of the area. The Inspector however described the area as follows⁹:

9. On my visit, I saw that Ugley Green is a smallish, straggling village, with development radiating from its centre in small groups, separated by open land. The appeal site lies adjacent to one of these building groups, some way outside the village centre.

14.3.24 The first appeal decision considered 'character and appearance' matters where the Inspector stated¹⁰:

5. The appeal site is next to The Cottage, which in turn is part of a small cluster of houses at the junction of Snakes Lane and Pound Lane. The appeal site is part of an open field, one side of which shares a boundary with The Cottage. The field is otherwise in and adjoins open countryside, and the appeal proposal would extend the neighbouring residential development further into the countryside. However, the wider field is surrounded by mature trees that would restrict the visibility of the proposed development in the wider area. While it is not possible to impose conditions at this first stage these trees are well established and contribute significantly to the character of the site and area, so it is reasonable to assume that

⁹ APP/C1570/W/24/3350263 (UTT/24/1003/PIP), paragraph 9 (own emphasis).

¹⁰ APP/C1570/W/22/3308569 (UTT/22/1694/PIP), paragraphs 5 – 6 (own emphasis).

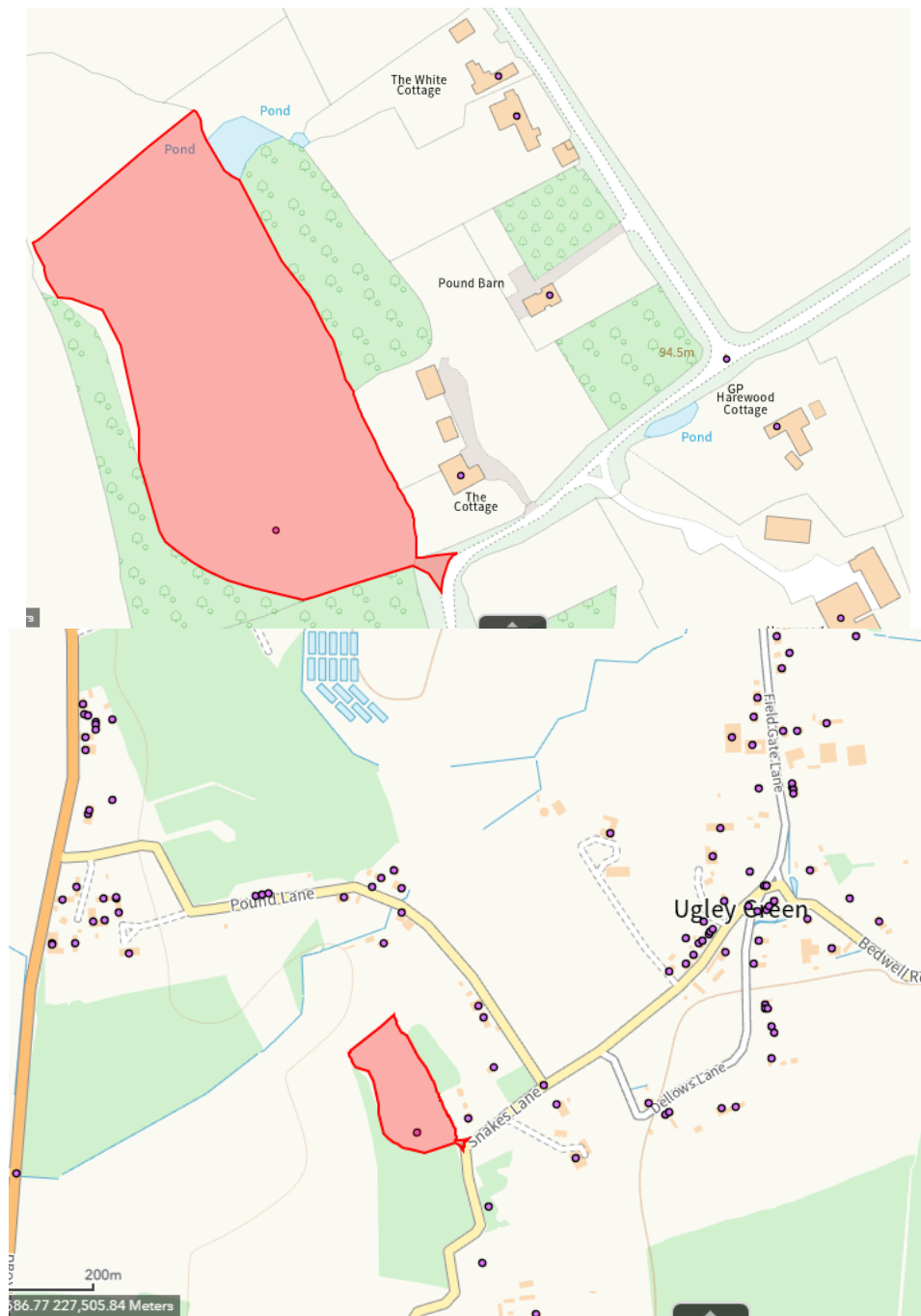
they would be retained in the future. Given the size of the appeal site, and as siting and layout fall to be determined at the second stage, the addition of one house to the existing cluster would not, subject to an appropriate design, appear unduly out of keeping in this location.

6. Given this context and the relatively concealed site, the appeal proposal would not be unduly prominent in the wider area, so would protect the particular character of the part of the countryside within which it is set. It would therefore accord with Policy S7 of the LP.

- 14.3.25** The local character contains a rural feel as part of the wider countryside and the site, despite its partially concealed nature and the fallback position, makes a **significant** positive contribution to the rural character and appearance of the area due to its open and verdant appearance and its size exceeding 1 hectare. The site appears as an intrinsic part of the open countryside rather than a spatial or visual continuation of the village.
- 14.3.26** The application states there is no strong pattern of development¹¹ and “*The village has a dispersed character of a series of hamlets*”¹², the latter being in line with the latest Inspector’s findings. The Urban Design officer verbally reported that the existing pattern of development is sporadic and generally linear, along existing roads and lanes, with clusters of houses around Ugley Green, concurring with the Inspector’s position.
- 14.3.27** The dispersed character of Ugley Green does not mean though that the pattern of development locally is not strong. The following images show the site and the wider area with purple dots depicting separate dwellings. This shows that adjacent to the site are 4 dwellings (The Cottage, Pound Barn, The Hermitage, White Cottage); 1 less than the number of houses proposed in the application. Unlike the fallback (UTT/25/2125/TDC) that was a small cluster of 3 houses, the application would create a cluster bigger than the existing number of houses facing Pound Lane. The proposal would therefore intensify housing away from the heart of Ugley Green contrary to this pattern of small groups of houses as it would make the existing group more than double in size and number of units. This *piecemeal* addition of units would harm the character of the village as it would **significantly** erode this pattern of small housing groups and spatially compete with Ugley Green, contrary to the third part of policy S7 of the Local Plan, and paragraphs 129(d), 135(a), 135(c), 187(b) of the NPPF.

¹¹ Planning Statement, paragraph 2.3.

¹² Planning Statement, paragraph 2.4.



- 14.3.28** The proposal would conflict with codes C1.1C, ID1.1C of the adopted SPD Uttlesford District-Wide Design Code (2024), which require that developments must demonstrate an understanding of the site's local and wider context; and a relationship with the area's local character. In addition, the proposal would conflict with Core Policy 52 (points i and ii) of the eLP, which requires proposals to clearly demonstrate how context and identity are addressed to understand and enhance the surroundings and to demonstrate how the context study and analysis have helped to develop locally informed proposals. These points of Core Policy 52 are similar to codes C1.1C and ID1.1C of the Design Code given they are all based on the National Design Guide, attracting **significant** weight.

- 14.3.29** Appearance, scale, layout and landscaping are reserved matters, but some preliminary comments are presented here. The application suggests that the design would be for *“a traditional agrarian farmstead layout with one farmhouse and four barns”*¹³.
- 14.3.30** Although previously the farmstead arrangement in the fallback scheme was found to respect local character while creating a distinctive identity for the new place, the increased backland element of the proposal would not lead to the same conclusion here. The Urban Design officer verbally reported that it would not be appropriate to position these large dwellings in a grid-like, suburban pattern within what is sparsely developed and open countryside. The fallback is more recognisably rural in its layout than the current scheme where the layout of 5 houses would be too suburban and rhythmic in form for this arcadian setting. Despite this, the details are indicative at this stage and (if outline permission were to be granted) the applicant would be advised to revise the plans accordingly to ensure compliance with policy GEN2 of the Local Plan, the SPD Uttlesford District-Wide Design Code (2024), Core Policy 52 of the eLP, and paragraphs 135, 139 of the NPPF.
- 14.3.31** The indicative appearance of the houses would be appropriate and similar to that of the extant permission. The indicative scale would involve sizeable footprints for all dwellings and a ridge height for the ‘farmhouse’ that would exceed the height of The Cottage. Turning to the indicative landscaping, the application states *“There is no requirement and no plan to fell any tree on site. There are trees to the perimeter of the site, including a large oak tree. The siting of the proposed houses will have regard to the location of the existing trees and hedges. The detailed scheme would also include a landscape scheme to show the extensive new planting proposed for the site”*¹⁴. If outline permission were to be granted, a landscaping condition would be crucial to ensure the existing wooded areas and hedges around the site would remain and enhanced to minimise countryside impacts.
- 14.3.32** Conclusion:
The planning balance under paragraph 11(d) of the NPPF is presented in the Section L of this report.
- 14.4** **B) Heritage impacts / Housing mix / Climate change (GEN2, ENV2, H10, Essex Design Guide, Interim Climate Change Planning Policy, NPPF)**
- 14.4.1** Heritage impacts:
The proposal, by reason of its distance and intervening built form with the assets, would preserve the setting of the listed buildings¹⁵, without causing ‘less than substantial harm’ to the significance of the assets, in

¹³ Planning Statement, paragraph 4.5.

¹⁴ Planning Statement, paragraph 6.35.

¹⁵ The Hermitage (Grade II listed).
Harewood Cottage (Grade II listed).

compliance with policy ENV2 of the Local Plan, core policies 61 and 62 of the eLP, and paragraphs 213 and 215 of the NPPF. In the absence of harm, the heritage balance of paragraph 215 would not be required here. The application of policies in the NPPF (i.e. paragraphs 213, 215) that protect areas or assets of particular importance (i.e. the listed buildings) would **not** provide a strong reason for refusing the development proposed, as per paragraph 11(d)(i) of the NPPF.

- 14.4.2** Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the decision-maker shall have special regard to the desirability of preserving the listed building or its setting or any features of special architectural or historic interest which it possesses. The Council has complied with this duty.

14.4.3 Housing mix:

Policy H10 does not reflect the flexibility of the NPPF for the housing mix to be based on up-to-date local evidence of need and to take account of local circumstances. But recent evidence for the eLP recommended the following housing mix in Uttlesford – as the evidence shows a stronger need for smaller properties, policy H10 of the Local Plan shall be afforded **significant** weight by virtue of paragraphs 61 and 63 of the NPPF. Core Policy 53 of the eLP also sets housing mix standards for new developments in accordance with the most up-to-date evidence, including major developments with a 10% requirement to be M4(3)(a) compliant and a 20% of affordable houses to be M4(3)(b) compliant.

| | Market |
|-------------|--------|
| 1-bedroom | 25% |
| 2-bedrooms | |
| 3-bedrooms | |
| 4+-bedrooms | |
| | 45% |
| | 30% |

- 14.4.4** Internal layouts and bedroom numbers are indicative or missing at this outline stage but the above information should inform a reserved matters application (if outline permission were to be granted), to provide an appropriate housing mix, in accordance with policies H10, GEN2(c) of the Local Plan, code U1.5C of the SPD Uttlesford District-Wide Design Code, Core Policy 53 of the eLP, and paragraphs 61 and 129(a) of the NPPF.

14.4.5 Climate change:

The proposed sustainability measures include grey water recycling, air or ground source heat pumps, increased insulation and water efficient appliances¹⁶. These energy and water efficiency measures would comply with the adopted Climate Crisis Strategy 2021-30, the Interim Climate Change Planning Policy and section 14 of the NPPF.

- 14.4.6** The eLP sets ambitious goals with Core Policy 1 requiring schemes to demonstrate in a Climate Change and Sustainability Statement how they

¹⁶ Planning Statement paragraph 6.49.

will mitigate, adapt and be resilient to the impacts of climate change and support the overall reduction in greenhouse gas emissions through various measures (depending on the size and type of development), such as (iv) promoting sustainable construction, (v) implementing the colling hierarchy into building design, (vi) accelerating the expansion of renewable and low carbon energy generation, (viii) promoting efficient use of natural resources (e.g. water), and (x) promoting a network of green spaces.

14.4.7 Core Policy 1 is supported by other policies, such as Core Policy 22 that requires an Energy Statement for all new dwellings to be built to be Net Zero Carbon; Core Policy 24 that requires developments to demonstrate measures to reduce embodied carbon content as far as possible; and Core Policy 34 that seeks to preserve water supply, boost water efficiency at a standard of 90 litres per person per day, and provide water recycling.

14.4.8 A Climate Change and Sustainability Statement or an Energy Statement were not submitted with the application nor any steps were identified to reduce the embodied carbon of the buildings, and therefore the proposal would typically be in conflict with Core Policies 1, 22 and 24. However, given that these statements are not yet validation requirements (as the eLP has not been adopted at this point), the weight of the above policy conflicts would be reduced to no more than **moderate**.

14.4.9 Despite this, the measures proposed by the application satisfy some of the requirements of Core Policy 1; for example, the increased insulation satisfies the promotion of sustainable construction (part iv), the use of heat pumps satisfies the expansion of renewable and low carbon energy generation (part vi) and the proposal to recycle grey water complies with parts (viii) and (ix) of the policy. Conditions would be necessary to ensure compliance with other parts of the above policies, such as a condition to limit water consumption to accord with Core Policy 34 of the eLP.

14.5 C) Residential amenity (GEN2, GEN4, GEN5, ENV10, ENV11, SPD Uttlesford District-Wide Design Code, Essex Design Guide, NPPF)

14.5.1 The proposed dwellings would be of unknown storeys and occupancies at this stage; the indicative drawings show sizeable dwellings (similar to the ones approved in UTT/25/2125/TDC) which would easily exceed the minimum gross internal areas (GIA) standards¹⁷ and comply with Core Policy 55 of the eLP.

14.5.2 The indicative layout shows the dwellings would have adequate gardens and would not materially reduce garden space for other properties.

14.5.3 In terms of noise, odours, dust, vibrations, light pollution and other disturbances, Environmental Health raised **no objections** subject to conditions to safeguard residential amenities. The conditions refer to

¹⁷ See Technical Housing Standards – Nationally Described Space Standard.

external lighting, a construction environmental management plan and electric vehicle charging points.

14.5.4 The design, position and layout of the dwellings in relation to each other and in relation to the neighbouring dwellings would be tested at the reserved matters stage (if outline permission were to be granted) when the relevant floor plans and elevations would be finalised. This includes the application of the design and remoteness tests (see Essex Design Guide) and the 45-degree tests, to assess whether any material overshadowing, overlooking (actual or perceived) and overbearing effects would be considered.

14.5.5 Overall, the reserved matters application would be necessary (if outline permission were to be granted) to ensure compliance with the Local Plan, Core Policies 42, 43, 44 of the eLP, and the NPPF.

14.6 D) Access and parking (GEN1, GEN8, parking standards, NPPF)

14.6.1 Access is **not** a reserved matter. From a highway and transportation perspective, following review of the submitted information, the Highway Authority raised **no objections** subject to conditions in the interests of highway safety and capacity. The conditions refer to the dimensions of the access, the provision of visibility splays, inward opening gates, the surface treatment of the access (which would conflict with paragraph 57 of the NPPF), parking and turning provision, and cycle parking provision. The development would accord with the Essex County Council Supplementary Guidance – Development Management Policies (2011), policy GEN1 of the Local Plan, and paragraphs 115(b), 116, 117 of the NPPF. The response from the Highway Authority confirms that the development would not compromise highway safety for all highway users or the capacity of the road network.

14.6.2 The Highway Authority confirmed that the access arrangement previously approved in UTT/25/2125/TDC (that is the same in the current application) was designed in accordance with the Essex Design Guide requirements for a shared drive and is therefore suitable to serve up to 5 dwellings without any changes.

14.6.3 The consultee also noted issues with the provision of visitors' parking and suggested a detailed site layout plan but this would be resolved in the reserved matters (if outline permission were to be granted). In any case, there is ample space on site to accommodate sufficient and appropriate parking provision to satisfy the Uttlesford Residential Parking Standards (2013), the Essex County Council Parking Standards (2009), the Parking Guidance – Part 1: Parking Standards Design and Good Practice (September 2024), Core Policy 31 of the eLP, and policy GEN8 of the Local Plan.

14.7 E) Ecology (GEN7, ENV8, NPPF)

14.7.1 Place Services Ecology, following review of the submitted information, raised **no objections** subject to conditions to secure biodiversity mitigation and enhancement measures and biodiversity net gain. The development would comply with paragraphs 44, 187(d) and 193 of the NPPF, policies GEN7, ENV8 of the Local Plan. The conditions refer to action in accordance with the appraisal recommendations, a biodiversity enhancement strategy, a wildlife-sensitive lighting scheme, and a habitat management and monitoring plan (HMMP). This provides certainty for the Council of the likely impacts on designated sites, protected, priority and threatened species and habitats with appropriate mitigation measures secured.

14.7.2 Biodiversity Net Gain (BNG):

BNG is a statutory requirement of Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990; paragraph 13 of Schedule 7A states that every planning permission granted for the development of land in England shall be deemed to have been granted subject to the condition that the development may not be begun unless (a) a biodiversity gain plan has been submitted to the planning authority, and (b) the LPA has approved the plan.

14.7.3 The Application form confirmed that BNG applies for this development. Place Services Ecology confirmed that sufficient information for BNG has been provided at application stage. The consultee highlighted that a Biodiversity Gain Plan should be submitted before commencing the development (if outline and reserved matters permissions were to be granted) and provided comments about post-intervention values, stating that the land within the blue line would be for off-site enhancements that would need to be registered with the biodiversity gain site register with an HMMP and legal agreement for monitoring purposes (or the applicant would need to approach an off-site provider). The consultee highlighted a discrepancy between the BNG metric and the Planning Statement around the potential loss of habitat and hedgerow and suggested the matter should be clarified.

14.7.4 The application proposes to achieve a minimum of 10% BNG as required by Article 2(3), Part 1 of Schedule 7A of the Town and Country Planning Act 1990. However, Core Policy 40 of the eLP requires a minimum of 20% BNG, however the matter can be addressed as part of the statutory BNG condition post-decision (if outline permission were to be granted) to ensure policy compliance. Depending on the timing of satisfying the statutory condition, this policy compliance or conflict could be afforded from moderate to full weight.

14.8 F) Contamination (ENV14, ENV12, ENV13, NPPF)

14.8.1 Environmental Health raised **no objections** subject to conditions to protect human health and the environment. The proposal would accord

with policies ENV14, ENV12, ENV13 of the Local Plan, Core Policy 42 of the eLP, and the NPPF. The condition refers to contamination (Phase 1, Phase 2, Phase 3 and validation report).

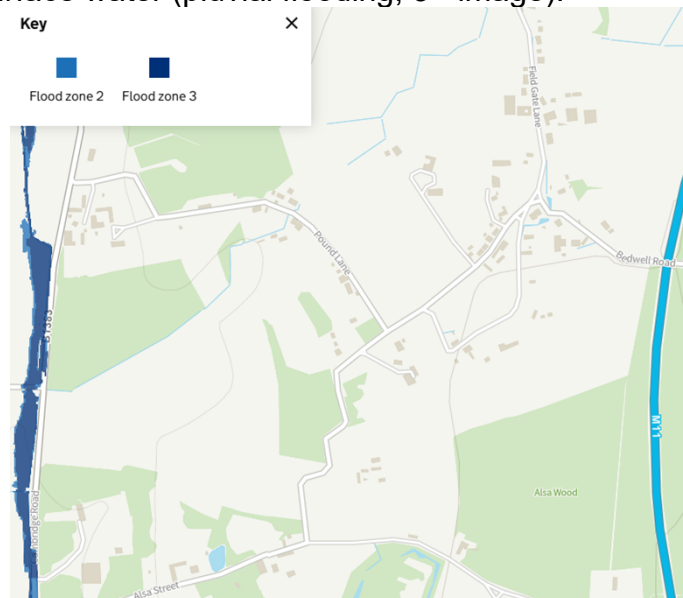
14.9 G) Archaeology (ENV4, NPPF)

14.9.1 Place Services Archaeology raised **no objections** subject to conditions in the interests of potential archaeological remains. The conditions refer to trial trenching and excavations, including a Written Scheme of Investigation, the completion of the programme of archaeological investigation, and a final archaeological report or (if appropriate) a Post Excavation Assessment report and/or an Updated Project Design. The development would comply with policy ENV4 of the Local Plan, Core Policy 64 of the eLP, and paragraph 218 of the NPPF.

14.9.2 The consultee reported that reviewing the Essex Historic Environment Record identified the proposed development as being located within an area of archaeological potential. Roman finds have been identified close to the site in two separate areas indicating occupation within the vicinity. There is also cropmark evidence in the adjacent field of two rectilinear enclosures. There is therefore the potential for archaeological features within the development area.

14.10 H) Flood risk and drainage (GEN3, NPPF)

14.10.1 The following images show flood zones 2 and 3 (1st image), as well as the extent of yearly chance of flooding from rivers (fluvial flooding, 2nd image) and from surface water (pluvial flooding, 3rd image):





- 14.10.2** Although the site falls within Flood Zone 1, footnote 63 in paragraph 181 of the NPPF states that a site-specific Flood Risk Assessment (FRA) should accompany all proposals in Flood Zone 1 involving sites of 1 hectare or more; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use. Given the site exceeds 1 hectare, an FRA would be required.
- 14.10.3** The Lead Local Flood Authority (LLFA) raised **objections** due to absence of an FRA and Drainage Strategy, including a preliminary drawing plan showing potential sustainable drainage systems (SUDS) and the location of discharge points and rates; preliminary storage calculations and greenfield runoff rate calculations; a preliminary ground investigation report (to show potential viability of infiltration); consideration of water quality measures; and incorporation of a climate change allowance (40% for the Upper Lee Management Catchment) and a 10% allowance for urban creep. The LFA also reported insufficient information to show the feasibility of sustainably draining the site, or effectively preventing flooding as a result of the development's construction.
- 14.10.4** In the absence of this information, the application failed to demonstrate that the development would not increase flood risk on the site or elsewhere nor that the operation of potential SUDS would be effective. The development would be contrary to policies GEN3, GEN6 of the Local Plan, Core Policies 36, 37 of the eLP, and paragraphs 181, 182 of the NPPF.
- 14.10.5** Core Policy 37 of the eLP states that all major developments will be required to use SUDS for the management of surface water runoff, unless it can be demonstrated to be inappropriate or there would be significant harm to water quality, flood risk or biodiversity. Where possible, SUDS should be designed to be multi-functional to deliver amenity, recreational and biodiversity benefit for the built, natural (including green infrastructure) and historic environment. The scheme has not satisfied the above.
- 14.10.6** The Environment Agency was **not** consulted given the location of the site in Flood Zone 1 and the relevant guidance. Thames Water refrained from commenting.

14.11 I) Affordable housing / Open space / Public art (H9, NPPF)

14.11.1 Affordable housing:

Paragraph 65 of the NPPF states that provision of affordable housing should not be sought for residential developments that are not major developments, other than in designated rural areas (where policies may set out a lower threshold of 5 units or fewer). Article 2(1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 defines ‘major development’ as, amongst other things, development carried out on a site having an area of 1 hectare or more, which contains the application site (1.25 hectares).

14.11.2 Policy H9 of the Local Plan requires an affordable housing contribution of 40% on sites of 0.5 hectares or of 15 dwellings or more and clarifies that appropriate sites should still be large enough to ensure a viable scheme and not lead to the provision of only 1 or 2 affordable units on a site which would lead to a fragmented approach to affordable housing in the rural areas. This policy is supplemented by the SPD Developer’s Contributions (2023). Core Policy 56 of the eLP states that major residential development should provide 35% of the total dwellings as affordable dwellings that should be delivered on-site apart from exceptional circumstances, where off-site provision or a financial contribution in lieu may be accepted where alternative sites are more appropriate to provide affordable dwellings than the site of the proposed development. This flexible approach is supported by paragraph 64 of the NPPF that requires planning policies to expect the need for affordable housing to be met on-site unless (a) off-site provision or an appropriate financial contribution in lieu can be robustly justified.

14.11.3 The application must demonstrate compliance with these policies with a signed planning obligation (section 106 agreement). Paragraph 58 of the NPPF states that a planning obligation must be necessary to make the development acceptable in planning terms – therefore, without the obligation secured before determination, the application would not be acceptable in planning terms and the outline permission (if granted) would conflict with these policies. The Housing officer recommended an off-site affordable housing contribution (commuted sum) is provided by the applicant in lieu of on-site affordable housing because “*The location of the site is not conducive to on-site affordable housing provision*”.

14.11.4 On 24 November 2025, the applicant stated¹⁸ that affordable housing requirements:
“depend directly on these detailed matters [i.e. scale, layout, housing mix], as well as on the viability of the final scheme. [...] It is therefore reasonable for affordable housing to be addressed at Reserved Matters stage, when the number, type and value of dwellings are fixed and an evidence-based assessment can be

¹⁸ Affordable Housing Letter, pages 1 – 2.

undertaken and not at this outline stage. Premature negotiation at outline would be prejudicial [...] speculative and inconsistent with the principles of the NPPF and PPG”.

- 14.11.5** On 08 January 2026, the applicant also stated¹⁹ that:
“Whilst [the applicants] are fully prepared to enter into a Legal Agreement for off-site AH provision they are requesting this is at the Reserved Matters stage when the housing mix will be determined and a fully justified sum can be reached with regards to the contribution”.
- 14.11.6** However, paragraph 59 of the NPPF is clear that *it is up to the applicant* to demonstrate whether particular circumstances justify the need for a viability assessment at the application stage; the guidance²⁰ concurs. The guidance²¹ confirms that where a viability assessment is submitted to accompany a planning application, the executive summary should set out the proposed developer contributions and how they compare with policy requirements. The guidance confirms that it is the responsibility of developers to ensure that proposals for development are policy compliant. Policy compliant means development which fully complies with up-to-date plan policies. A decision maker can give appropriate weight to emerging policies.
- 14.11.7** The SPD Developer’s Contributions (2023) states in paragraph 4.15 that *“The Council recommends using one of the Altair set of methodologies for calculating commuted payments. [...] Whatever methodology is used it should be agreed with the Council during pre-application discussions, but certainly before a planning application is submitted”*. This document is part of the LPA’s Development Plan. The applicant has not agreed with a Council a specific methodology for calculating the commuted sum and therefore there is no certainty that the commuted sum that may be offered by the applicant post-decision (if outline permission were to be granted) would be acceptable to the Council and policy compliant.
- 14.11.8** Therefore, in the absence of a commuted sum and the mechanism to secure it, the development would conflict with policy H9 of the Local Plan, Core Policy 56 of the eLP, paragraphs 58, 59, 65, 66 of the NPPF, the SPD Developer’s Contributions (2023), and the guidance.
- 14.11.9** Open space:
Core Policy 67 of the eLP states that all proposals for major residential developments will be required to maximise opportunities to incorporate new publicly accessible, high quality and multi-functional open space and/or, where appropriate, enhance existing provision commensurate to the need generated by proposals. The Council will require open space to meet the minimum standards set out in Appendix 17 of the eLP and

¹⁹ Email 08/01/2026.

²⁰ Planning Practice Guidance (PPG): Viability, Paragraph: 006 Reference ID: 10-006-20190509: <https://www.gov.uk/guidance/viability>.

²¹ Planning Practice Guidance (PPG): Viability, Paragraph: 022 Reference ID: 10-022-20251216: *Ibid*.

provided on-site wherever possible. Core Policy 67a of the eLP provides a preferred hierarchy of management bodies and requires a maintenance and management strategy along with a commuted sum equal to 30 years management from the development to the Town or District Council. Notwithstanding the conflict of the application with Core Policies 67 and 67a of the eLP, this should be afforded **limited** weight until the Council adopts the plan. It is however highlighted that the LPA's position on the matter would change when the eLP is adopted and the lack of open space provision (along with an appropriate mechanism to secure it and secure its maintenance and management costs) would then warrant a reason for refusal.

14.11.10 Public art:

The Essex County Council's Developers' Guide to Infrastructure Contributions (2025) states that to secure opportunities and funding for Public Art (see social objective of the NPPF) it is necessary for a LPA to produce a long-term policy and strategy which identifies where, when, how and why public art will be delivered as part of specific development sites and as part of the development of a place as a whole. The current Local Plan has no such policy but Development Policy 9 of the eLP expects all major development to contribute to a public art fund to be used to deliver public art projects located on or off site with clear benefit for the local community. Any public art proposals must make a significant contribution towards the appearance of the scheme, the character of the area, and provide benefits for the local community.

14.11.11 The ECC's Developers' Guide to Infrastructure Contributions (2025) also states that large developments may be asked to contribute through section 106 agreements or funding from CIL sought where levies are in place. Beyond the ambiguity of what may constitute 'large development' in planning terms and the more generic nature of the above eLP policy covering all majors, none of these include calculation formulas or methodologies for the level of the contribution.

14.11.12 Therefore, the conflict with Development Policy 9 of the eLP would be **very limited** as the applicant should not be penalised for failing to provide a mechanism to secure a financial contribution that cannot be calculated at this point.

14.12 **J) Planning obligations (GEN6, SPD Developer's Contributions, ECC's Developers' Guide to Infrastructure Contributions, NPPF)**

14.12.1 Paragraph 58 of the NPPF sets out that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. This is in accordance with Regulation 122 of the Community Infrastructure Levy (CIL) Regulations.

- 14.12.2** The following planning obligations would be necessary, in accordance with the SPD Developer's Contributions (2023), the Essex County Council's Developers' Guide to Infrastructure Contributions (2024), policies H9, GEN6 of the Local Plan, Core Policies 5, 36, 37, 39, 56 of the eLP, the guidance, and the NPPF:
- i. Provision of financial contribution in lieu of affordable housing units.
 - ii. Provision of SUDS (and maintenance / management costs).
 - iii. Payment of the Council's legal costs.
 - iv. Payment of monitoring fees.
- 14.12.3** If the scheme were acceptable, a legal agreement to secure the above Heads of Terms would be required to be signed, to ensure the proposal would accord with the above policies. In the absence of a signed section 106 agreement when determining the application, the proposal would conflict with these policies.
- 14.13 K) Other matters**
- 14.13.1** The Safeguarding Authority for Stansted Airport raised **no objections** subject to conditions in the interests of flight safety. The conditions refer to landscaping and SUDS, all exterior lighting to be capped at the horizontal, measures to prevent being attracted to the site, and measures against the creation of dust and smoke on the site. National Air Traffic Services (NATS) raised **no objections** without conditions.
- 14.13.2** Core Policy 70 of the eLP requires proposals to demonstrate how Gigabit broadband infrastructure, and other communications infrastructure, will be provided in time for first occupation of the development. Despite the insufficient information provided with the application for this matter, this policy conflict would be afforded **limited** weight.
- 14.14 M) Paragraph 11(d) and planning balance**
- 14.14.1** Areas or assets of particular importance:
The application of policies in the NPPF that protect areas or assets of particular importance²² would **not** provide a strong reason for refusing the development proposed as per paragraph 11(d)(i) of the NPPF. Therefore, the planning balance in paragraph 11(d)(ii) of the NPPF is applied below.
- 14.14.2** Planning balance:
The public benefits of the scheme would include:
- Provision of 5 dwellings (net increase of 2 units) – **significant** weight.
 - Economic and social benefits – **limited** weight.
 - Ecological enhancements and mandatory BNG – **limited** weight.
 - Renewable energy & water efficiency measures – **limited** weight.
- 14.14.3** The adverse impacts of the development would include:

²² See footnote 7 of the NPPF.

- Harm to the local character (pattern of development) – **significant** weight.
- Inefficient use of the land – **significant** weight.
- Failure to provide financial contribution in lieu of affordable housing and a mechanism to secure it – **significant** weight.
- Failure to provide SUDS and a mechanism to secure and maintain it – **significant** weight.

- 14.14.4** The net provision of 2 units and the equal contribution to the 5YHLS would be a meaningful but rather limited public benefit from the development, as it would make little difference to the overall housing supply in the district. The recent appeal decision afforded *substantial* weight²³ to the then single additional unit at a time when the 5YHLS was 4.12 years and the HDT 46%. The 5YHLS is lower since then and the HDT improved; with the eLP close but not yet adopted, a similar approach to the Inspector's would be reasonable here, and therefore the net provision of 2 units should be afforded **significant** weight. This position may change if the relevant facts change.
- 14.14.5** The proposal would provide a modest contribution to the local economy during and post construction, as well as to the social vibrancy of the village. This is a location where development in one village may support services in nearby villages in accordance with paragraph 83 of the NPPF. However, given the limited number of units proposed, these public benefits would be **limited** to their extent.
- 14.14.6** The proposal would offer ecological enhancements and 10% BNG; these matters would only attract **limited** weight given they comprise legal requirements and are not central to the scheme. The renewable energy and water consumption efficiency measures should be afforded **limited** weight given their incidental nature.
- 14.14.7** Turning to the adverse impacts, the inefficient use of the land as a resource would be harmful the LPA's objective to achieve housing targets in the district for future generations. Given the NPPF direct instruction to refuse application which fail to make efficient use of land (see paragraph 130c of the NPPF), this harm shall be afforded **significant** weight here. The failure to comply with paragraph 129 of the NPPF that is one of the few paragraphs cited in Footnote 9 of the Framework for the planning balance is also a strong justification of the significant weight to be afforded to this adverse impact.
- 14.14.8** Notwithstanding the inefficient use of land and the fallback position, the scheme would involve piecemeal addition of units that would harm the character of the village as it would significantly erode its pattern of small housing groups and spatially compete with Ugley Green. The conflict with paragraphs 129, 135 and 187 of the NPPF would justify why this adverse impact should attract **significant** weight.

²³ APP/C1570/W/24/3350263 (UTT/24/1003/PIP), paragraph 21.

- 14.14.9** The potential increase of flood risk on site or elsewhere and issues around the efficiency of the SUDS strategy could endanger human lives and damage properties; in the absence of appropriate information to prove otherwise, this impact should gain **significant** weight.
- 14.14.10** Finally, the application failed to provide the necessary mechanism (e.g. a signed section 106 agreement) to secure planning obligations, which should be given **significant** weight as policy compliance is not achieved without this mechanism.
- 14.14.11** Consequently, when assessed against the policies in the NPPF taken as a whole, and as there are no other material considerations indicating otherwise, the adverse impacts of the proposals would *significantly and demonstrably outweigh* the benefits, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

- 15.1.1** The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.
- 15.1.2** The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 15.1.3** Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised.

15.2 Human Rights

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

16. CONCLUSION

- 16.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of the application must be made in accordance with the Development Plan unless material considerations indicate otherwise. On this occasion, the conflict with policies H9, GEN3, GEN6, S7 of the Local Plan would **not** be outweighed by the benefits of the scheme, plus there would be further conflicts with national policy, the guidance and the Emerging Local Plan that was found sound and legally compliant (currently going through the governance route to adoption). In addition, the conflict with paragraphs 66, 129, 135 of the NPPF is of **significant** weight for the planning balance in paragraph 11(d)(ii) given that they are specifically cited in Footnote 9 of the NPPF, as well as the need to provide affordable homes and make effective use of land.
- 16.2 The planning balance would **not** favour the development. Consequently, when assessed against the policies in the NPPF taken as a whole, and as there are no other material considerations indicating otherwise, the adverse impacts of the proposals would *significantly and demonstrably outweigh* the benefits, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.
- 16.3 It is therefore recommended that the application be refused for the reasons cited below.

17. REASONS FOR REFUSAL

- 1 The application constitutes 'major development' whereby a financial contribution in lieu of affordable housing units would be required. In the absence of this financial contribution, the proposal would be contrary to policy H9 of the adopted Uttlesford Local Plan (2005), Core Policy 56 of the (Emerging) Uttlesford Local Plan 2021-2041, the Supplementary Planning Document Developer's Contributions (2023), and the National Planning Policy Framework (2024).
- 2 The proposed development, by reason of its location, use and amount, would be a piecemeal addition of housing units that would harm the character of the village by significantly eroding its pattern of development that comprises small housing groups. The adverse impacts of the development would significantly and demonstrably outweigh its benefits. Therefore, the proposal would fail to comply with the third part of policy S7 of the adopted Uttlesford Local Plan (2005), Core Policy 52 (points i and ii) of the (Emerging) Uttlesford Local Plan 2021-2041, codes C1.1C, ID1.1C of the adopted Supplementary Planning Document Uttlesford District-Wide Design Code (2024), and paragraphs 129(d), 135(a), 135(c), 187(b) of the National Planning Policy Framework (2024).

- 3** Notwithstanding reason for refusal 2, the proposed housing density of the scheme would represent an inefficient use of the land, which would hamper the continuous achievement of an appropriate supply of housing in the district and would fail to make efficient use of the land. Therefore, the proposal would be contrary to paragraphs 124, 125(d), 129(a), and 130(c) of the National Planning Policy Framework (2024).
- 4** Insufficient information was submitted with the application to demonstrate that the development would not increase flood risk on the site or elsewhere nor that the operation of potential sustainable drainage systems would be effective. In the absence of this information, the development would be contrary to paragraphs 181, 182 of the National Planning Policy Framework (2024), Core Policies 36, 37 of the (Emerging) Uttlesford Local Plan 2021-2041, and policy GEN3 of the adopted Uttlesford Local Plan (2005).
- 5** The application failed to include a mechanism, such as a section 106 legal agreement, to secure the following planning obligations as required by policy and guidance:
- i. Provision of a financial contribution in lieu of affordable housing units.
 - ii. Provision of SUDS (and the management and maintenance costs).
 - iii. Payment of the Council's legal costs.
 - iv. Payment of the monitoring fees.
- Therefore, the proposal would be contrary to policies H9, GEN6 of the adopted Uttlesford Local Plan (2005), Core Policies 5, 36, 37, 39, 56 of the (Emerging) Uttlesford Local Plan 2021-2041, the Supplementary Planning Document Developer's Contributions (2023), the Essex County Council's Developers' Guide to Infrastructure Contributions (2025), the Planning Practice Guidance, and the National Planning Policy Framework (2024).

APPENDIX 1 – ESSEX HIGHWAYS (HIGHWAY AUTHORITY)

Your Ref: UTT/25/3066/OP
Our Ref: 53755
Date: 16/12/2025



Director for Highways
and Transportation

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

County Hall
Chelmsford
Essex CM1 1QH

Recommendation

Application No. UTT/25/3066/OP
Applicant Dr Edward Perkins
Site Location Land West Of The Cottage Snakes Lane Ugley
Proposal Outline planning permission with all matters reserved except access, scale and layout for up to five dwellings

The Highway Authority has reviewed the supporting information and plans submitted with the application. It is understood that the application site has previously been subject to a prior approval application for three residential dwellings which the Highway Authority did not object to. The proposed access arrangement, previously approved by the Highway Authority, has been designed in accordance with the Essex Design Guide requirements for a shared private drive and thus, is suitable to serve up to five dwellings without the need for amendments.

The Highway Authority notes that only one dedicated visitor space is shown on the application drawings. This Authority considers that all visitor parking bays should be accommodated in dedicated spaces, clear of the internal access road, to ensure that all vehicles are able to manoeuvre within the internal access road(s) at all times. Therefore, the Highway Authority recommend the provision of a detailed site layout plan, showing the required number of visitor parking spaces provided in the form of dedicated bays, be submitted for approval by the Local Planning Authority prior to commencement.

Whilst this proposal would result in an uplift of two dwellings when compared to that previously consented, with reference to the National Planning Policy Framework 2024 and paragraphs 115 – 117 in particular, the impact of the proposal on the highway network is not considered to be severe.

From a highway and transportation perspective the Highway Authority has no objections to make on this proposal subject to the following conditions/obligations:

1. Prior to the occupation of any of the proposed dwellings, the proposed private drive shown on Drawing Number F23043/02 shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the private drive shall be 5.5 metres for at least the first 6 metres from the back of existing carriageway and provided with an appropriate dropped kerb crossing of the highway verge.

Reason: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety.

2. Prior to occupation of the development, the private drive access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 31 metres to the north-east and 2.4 metres by 32 metres to the south, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the private drive access is first used by vehicular traffic and retained free of any obstruction at all times.

Reason: To provide adequate inter-visibility between vehicles using the private drive access and those in the existing public highway in the interest of highway safety.

3. Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 6 metres from the back edge of the footway.

Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed and to allow parking off street and clear from obstructing the adjacent footway/carriageway in the interest of highway safety.

4. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety.

5. The proposed development shall not be occupied until such time as the vehicle parking areas indicated on the approved plans has been provided. The vehicle parking areas and associated turning areas shall be retained in this form at all times.

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

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

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

The above conditions are required 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.

Informatives:

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

- ii. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.
- iii. There shall be no discharge of surface water onto the Highway.
- iv. 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.
- v. The remote location of the site is such that access to key facilities, public transport, employment and leisure opportunities is limited and for the vast majority of journeys the only practical option would be the car. This should be taken into consideration by the Planning Authority when assessing the overall sustainability and acceptability of the site.

F. Masnie

.....
pp. Director for Highways and Transportation
Enquiries to Lorna Parsons

APPENDIX 2 – NATIONAL AIR TRAFFIC SERVICES (NATS)

From: NATS Safeguarding <NATSSafeguarding@nats.co.uk>

Sent: 14 November 2025 14:25

To: Planning <planning@uttlesford.gov.uk>

Subject: >> RE: Planning Application Consultation - N UTT/25/3066/OP [SG33520]

Our Ref: SG33520

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS

NATS Safeguarding

E: natssafeguarding@nats.co.uk

4000 Parkway, Whiteley,
Fareham, Hants PO15 7FL
www.nats.co.uk



APPENDIX 3 – SAFEGUARDING AUTHORITY FOR STANSTED AIRPORT (MANCHESTER AIRPORT GROUP)

From: DD - Aerodrome Safeguarding <aerodrome_safeguarding@stanstedairport.com>
Sent: 04 December 2025 13:54
To: Planning <planning@uttlesford.gov.uk>
Subject: >> CONSULTATION RESPONSE: UTT/25/3066/OP

Application Number: UTT/25/3066/OP

Our Ref.: STN 2025-278

Proposal: Outline planning permission with all matters reserved except access for up to five dwellings

Location: Land West Of The Cottage Snakes Lane Ugley

Dear UDC,

Thank you for consulting with the aerodrome safeguarding authority for Stansted Airport, we have no objection to this development subject to the below informatives and conditions:

Condition- No development shall take place until full details of soft and water landscaping works have been submitted to and approved in writing by the Local Planning Authority, these details shall include as a minimum:

- Details of earthworks
- The species, number and spacing of trees and vegetation
- Details of any water features
- Drainage details including SUDS

Reason: Flight safety - birdstrike avoidance - to avoid endangerment of aircraft and the operation of Stansted Airport through the attraction of birds and an increase in the bird hazard risk at and around the application site.

Condition- 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.

Informative- No lighting directly beneath any roof lights that will emit light upwards – only downward facing ambient lighting to spill from the 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.

Condition- During construction and in perpetuity, robust measures to be taken to prevent birds being attracted to the site. No pools or ponds of water should occur/be created without permission.

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.

Informative- 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/Crane-notification/>

Condition- 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.

Informative- The development lies within the flight restricted zone established for Stansted Airport. The applicant's attention is drawn to the procedures for drone notifications, please see: <https://nsf.nats.aero/drones-and-model-aircraft/#:~:text=You%20must%20ensure%20you%20always%20adhere%20to%20the%20Drone%20Code>

It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Stansted Airport, or not attach conditions which Stansted Airport has advised, it shall notify Stansted Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

Kind regards,

MAG Aerodrome Safeguarding Authority
Manchester Airport|East Midlands Airport|Stansted Airport
E: aerodrome_safeguarding@stanstedairport.com
W: [Aerodrome Safeguarding | Manchester Airport](http://AerodromeSafeguarding.IManchesterAirport)



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Our main operating entities are MAG Airport Limited, a private limited company, registered in England under Company Number 11748654, with the Registered Office at 6th Floor, Olympic House, Manchester Airport, Manchester, United Kingdom, M90 1QX; Manchester Airport PLC, a public limited company, registered in England under Company Number 01960988, with the Registered Office at Manchester, Professional Services Limited, PO BOX 532, Town Hall, Manchester, M60 2LA; Stansted Airport Limited, is a private limited company, registered in England under Company Number 01990920, with the Registered Office at Enterprise House, Stansted Airport, Bassingbourn Road, Essex CM24 1QW; East Midlands International Airport Limited, a private limited company, registered in England under Company Number 02078271, with the Registered Office at East Midlands Airport, Pathfinder House, Castle Donington, Derby, East Midlands, DE74 2SA; Manchester Airport Group US Holdings Inc, 101 N Wacker Dr STE 101A, Chicago, IL 60606.

APPENDIX 4 – LEAD LOCAL FLOOD AUTHORITY (ESSEX COUNTY COUNCIL)

Essex County Council
Development and Flood Risk
Environment and Climate Action,
C426 County Hall
Chelmsford
Essex CM1 1QH



Avgerinos Vlachos
Uttlesford District Council
Planning Services

Date: 15 January 2026
Our Ref: SUDS-008645
Your Ref: UTT/25/3066/OP

Dear Mr Vlachos,

Consultation Response – UTT/25/3066/OP– Land West Of The Cottage, Snakes Lane, Ugley

Thank you for your email which provides Essex County Council (ECC) with the opportunity to assess and advise on the proposed surface water drainage strategy for the aforementioned planning application.

As the Lead Local Flood Authority (LLFA) this ECC provides advice on SuDS schemes for major developments. ECC have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council, and their appointed consultants, looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the documents which accompanied the planning application, we would recommend the issuing of a holding objection on the basis of the following:

All major planning applications should be supported by a Flood Risk Assessment and Drainage Strategy.

No information is provided to demonstrate the feasibility of sustainably draining this site, or effectively preventing flooding as a result of its construction.

Please provide information as required within the ECC SuDS Design Guide: <https://www.essexdesignguide.co.uk/suds/what-we-expect/>.

A drainage strategy should be provided in order for the LLFA to assess the drainage implications of the scheme. The drainage strategy should include the following:

- **A preliminary drainage plan showing potential SuDS features, and location of discharge points (and rates).**

- Preliminary ground investigation report, to show potential viability of infiltration.
- Preliminary storage calculations and greenfield runoff rate calculations.
- Consideration of water quality measures.
- Incorporation of a climate change allowance (40% for the Upper Lee Management Catchment) and a 10% allowance for urban creep.

We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.

<https://www.essex.gov.uk/protecting-environment>

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, ECC advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Should further correspondence be required, please contact the SuDS team directly using the below details.

Yours sincerely,

Gemma Parson

Development and Flood Risk Officer

Team: Green Infrastructure and Sustainable Drainage

Service: Climate Action and Mitigation

Essex County Council

Internet: www.essex.gov.uk

Email: suds@essex.gov.uk