

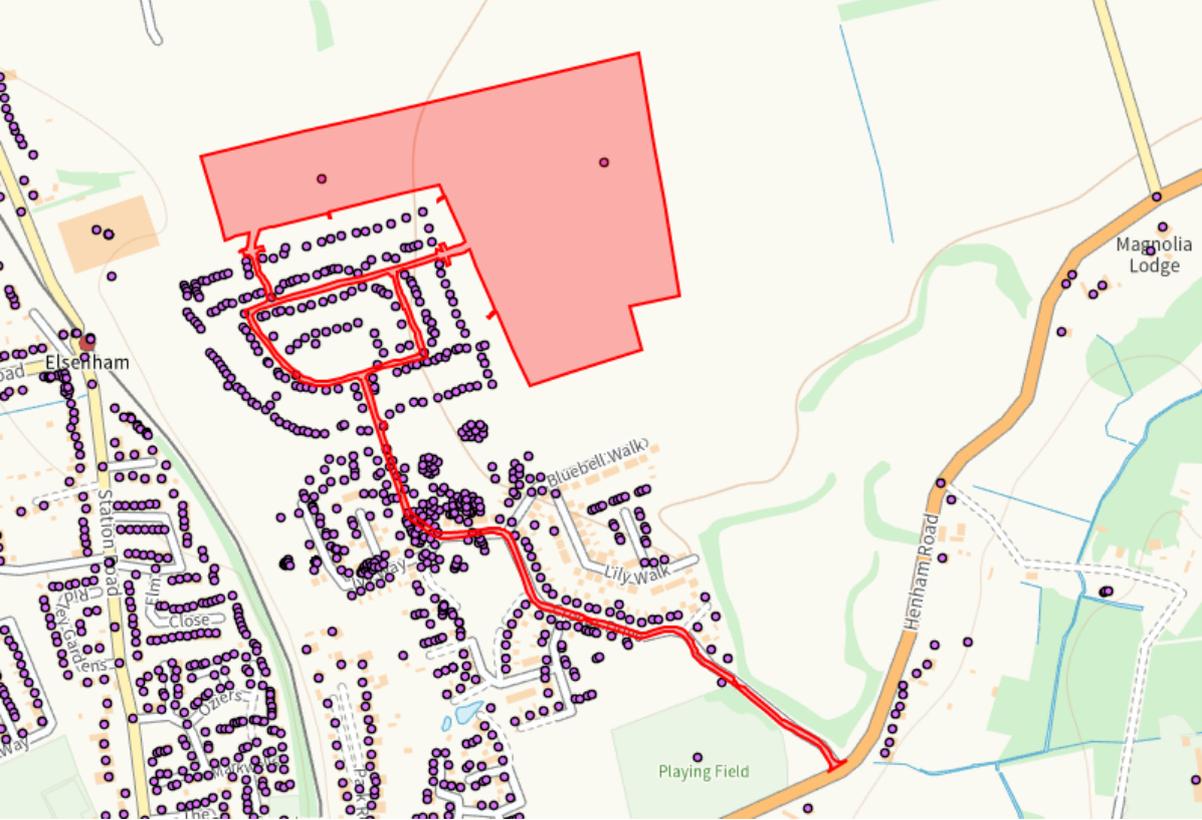
ITEM NUMBER: 5

**PLANNING COMMITTEE 11 March 2026
DATE:**

REFERENCE NUMBER: UTT/25/2490/FUL

LOCATION: Land East Of Old Mead Road, Henham

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 21 January 2026**

PROPOSAL: Application for 130 Residential Dwellings (use Class C3) including affordable housing, access, car parking, new areas of open space, landscaping, infrastructure, along with the safeguarding of future primary school expansion land (use class F1) and associated works.

APPLICANT: Bloor Homes Eastern

AGENT: Carter Jonas LLP

EXPIRY DATE: 25.12.2025

EOT EXPIRY DATE: 27.02.2026

CASE OFFICER: Genna Henry

NOTATION: Outside Development Limits
Public Rights of Way
Within 250m of Local Wildlife Site
Within 2km of SSSI
Within 6km of Stansted Airport

REASON THIS APPLICATION IS ON THE AGENDA: Major application

1. EXECUTIVE SUMMARY

1.1 Full planning permission is sought for the erection of 130no. dwellings with the provision two vehicle access roads into the site through the previously consented phase 2 development to the southern/west of the development site. Other associated works include open space provisions, attenuation basins and landscaping.

1.2 The site comprises of an L-shaped plot approximately 11.17ha of agricultural land and located outside the development limits of both Elsenham and Henham but adjacent to residential developments that are currently under construction and partly occupied.

1.3 By reason of the development proposing a residential scheme in a rural context there are adverse impacts of the development. However, Officers are of the view that the location of the site is suitable for development due to the surrounding residential developments to the

south and west. Given this context of the immediate locality a residential development in this location will extend built form in this area but will appear largely as an edge of settlement development.

- 1.4** Furthermore, the sustainability credentials of the site have been assessed and deemed appropriate. The application site is a reasonable distance to amenities/services from Elsenham and with reasonable connections to a bus network, highways connections and rail services.
- 1.5** The application site is a Regulation 19 Local Plan site allocated for residential development. Therefore, due to the advanced status of the emerging Local Plan moderate-significant weight has been afforded to this factor.
- 1.6** The original submission was for 129no. residential units but following the outcomes from consultee comments revisions were made and the scheme was increased to 130no. units.
- 1.7** The Council does not have a 5 Year Housing Land Supply and the adverse impacts of the scheme have been assessed in the context of the presumption in favour of sustainable development. Consequently, it has been concluded that the benefits outweigh the adverse impacts of the scheme.

2. RECOMMENDATION

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

- A) Completion of a s106 Obligation Agreement in accordance with the Heads of Terms as set out; and
- 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 application site is situated northeast of Elsenham on land east of Old Mead Road/Station Road and effectively extends the initial phases of residential development on the wider sites.

- 3.2** The site is an L-shaped plot with the northern length of the plot directly adjacent to public footpath FP 15_25 comprising of approximately 11.17ha agricultural land. The site is outside development limits, and therefore, within the countryside.
- 3.3** The western edge of the site is directly situated near to industrial units which are accessed to the west from Old Mead Road. Elsenham Station car park is also situated to the western edge of the site which is also accessed from Old Mead Road. The application site is within walking distance from Elsenham Station which provides two trains an hour¹ towards/from London Liverpool Street and Cambridge/Cambridge North.
- 3.4** The application site is the third phase (from now on referred to as Phase 3) of the adjacent residential developments to the south and west known as Phase(s) 1 and 2. Phase 1 was consented for 350 residential dwellings and primary school with associated developments (subject of references outline ref: UTT/17/3573/OP² and reserved matters UTT/21/3269/DFO). Phase 2 comprises of 200 residential units and associated developments which was approved as an outline application³ and subsequent reserved matters (ref: UTT/23/2063/DFO). The site access extends from Crocus Drive to the southwest of the site through Phases 1 and 2 residential schemes.
- 3.5** The site is within Flood Risk Zone 1 and within 3km of Stansted Airport.
- 3.6** The site is designated within the Council's emerging Local Plan (eLP) for residential development with 0.9ha reserved for the expansion of the primary school/education land consented under Phase 1.

4. PROPOSAL

- 4.1** The application site seeks permission for 130 residential units, and the site plan demonstrates vehicle access can be obtained through Crocus Drive to the south-west of the site from Henham Road. The primary vehicle access into the site will extend from the associated Phase 2 residential development from the southwestern boundary via the Primary Street: the central route into the development site. This Primary Street will lead directly towards the proposed Hilltop Park.
- 4.2** The overall site area amounts to 11.17ha and the development will provide approximately 4.35ha of open space and 0.9ha reserved education land. The public open space provisions include Hilltop Park for recreational purposes to the east of the site, a woodland trail comprising of large native trees and wildlife area.

¹ One train per platform travelling either towards London Liverpool Street or Cambridge

² This outline application was secured at Planning Appeal ref: APP/C1570/W/19/3243744

³ This outline application was secured through a s62a application (see ref(s) S62A/2022/00212 and UTT/22/2760/PINS)

4.3 The proposed development seeks to provide 40% Affordable Housing with a range of 1-5bed properties including 1bed flats. The tenure mix proposed seeks to provide 70% Affordable Rent and 30% Affordable Home Ownership (comprising of Intermediate Housing and Discounted Market Sales Housing) which is policy compliant with ULP (2005) Policy H9. The affordable housing units will be distributed mainly within the eastern parcel, but these affordable units are generally distributed reasonably throughout.

4.4 List of Plans

- 4.4**
- Application Site Boundary P25-1018_DE_001__0
 - Site Layout P25-1018_DE_001_S_3
 - Circular Dog Walking Route EA233-DOG WALKING-001
 - Parking Extract P25-1018_DE_001_A_18
 - Development Characteristics Plan P25-1018_DE_001_B_17
 - Back-to-Back Distances Plan P25-1018_DE_001_D_9
 - Storey Heights P25-1018_DE_001_D_11
 - Refuse Collection Strategy P25-1018_DE_001_D_14
 - Land Use Plan P25-1018_DE_001_D_15
 - Regulating Plan P25-1018_DE_001_D_16
 - Boundary Treatments P25-1018_DE_001_E_4
 - Hard Surfaces Plan P25-1018_DE_001_E_6
 - Garden Sizes Plan P25-1018_DE_001_E_8
 - Access & Connectivity Plan P25-1018_DE_001_E_10
 - Tenure Plan P25-1018_DE_001_E_12
 - Accessible & Adaptable Homes P25-1018_DE_001_E_13
 - Materials Plan P25-1018_DE_001_F_5
 - Parking Strategy P25-1018_DE_001_F_7
 - Street Scene (Sheet 1) P25-1018_DE_009_C_1
 - Street Scene (Sheet 2) P25-1018_DE_009_A_2
 - Enclosure Details P25-1018_DE_007_A_1
 - Site Landscaping EA233-LS-002b
 - Site Landscaping EA233-LS-003c
 - Site Landscaping EA233-LS-004b
 - Site Landscaping EA233-LS-005d
 - Site Landscaping Specification & Schedule EA233-LS-006c
 - Elsenham Park – Phase 3 Accommodation Schedule
 - Site Layout – Visibility Splays & Adoption Plan 2100701-ACE-XX-00-DR-C-0503 rev B
 - Site Layout – Swept Path Analysis Plan 2100701-ACE-XX-00-DR-C-0504 rev B

House Types

- Wakehurst Elevation – Brick & Render (Plot 1) P25-1018_DE_006_C WAK-REN (Plot 1)

- Wakehurst Floor Plan P25-1018_DE_006_C_WAK-FP (Plots 1, 9, 62, 67, 76, 79, 80, 85, 125 and 130)
- Wakehurst Elevation – Brick P25-1018-DE-006_C_WAK-BR (Plots 9, 62, 67, 76, 79, 80, 85, 125, 130)
- Tunstall Elevations Render P25-1018_DE_006_C_TUN-REN (Plots 121, 122)
- Tunstall Floor Plans P25-1018_DE_006_C_TUN-FP (Plots 36, 37, 121 and 122)
- Tunstall Elevations Brick P25-1018_DE_006_C_TUN-BR (Plots 36, 37)
- Tiverton Floor Plans P25-1018_DE_006_C_TIV-FP (Plots 60, 113)
- Tiverton Elevations Brick P25-1018_DE_006_C_TIV-BR (Plots 60, 113)
- Sutherland_Swenson Floor Plans P25-1018_DE_006_C_SUT-SWE-FP (Plots 117, 118)
- Sutherland_Swenson Elevations Brick P25-1018_DE_006_C_SUT-SWE-BR (Plots 117, 118)
- Sutherland Elevations Brick and Render P25-1018_DE_006_C_SUT-REN (Plots 34, 35, 115, 116)
- Sutherland Floor Plans P25-1018_DE_006_C_SUT-FP (Plots 34, 35, 43, 44, 109, 110, 111, 112, 115, 116, 119 and 120)
- Sutherland Elevations P25-1018_DE_006_C_SUT-BR (Plots 43, 44, 109, 110, 111, 112, 119 and 120)
- Sutherland and Terrace Floor Plans P25-1018_DE_006_C_SUT(T)-FP (Plots 89, 90, 91)
- Sutherland Terrace Elevations Brick/Render P25-1018_DE_006_C_SUT(T)-BR/REN (Plots 89, 90, 91)
- Sansom Floor Plans P25-1018_DE_006_C_SAN-FP (Plots 32, 33, 38, 39, 94, 95, 101, 102)
- Sansom Elevations Brick P25-1018_DE_006_C_SAN-BR (Plots 32, 33, 38, 39, 94, 95, 101, 102)
- Sansom Terrace Floor Plans P25-1018_DE_006_C_SAN(T)-FP (Plots 40, 41, 42, 68, 69, 70, 86, 87, 88)
- Sansom Terrace Elevations Brick P25-1018_DE_006_C_SAN(T)-BR (Plots 40, 41, 42, 68, 69, 70, 86, 87, 88)
- Rufford Floor Plans Brick P25-1018_DE_006_C_RUF-FP (Plots 10, 18, 72, 96, 97, 105, 106)
- Rufford Elevations Brick P25-1018_DE_006_C_RUF-BR (Plots 10, 18, 72, 96, 105 and 106)
- Penrose Elevations Render P25-1018_DE_006_C_PEN-REN (Plots 5, 20)
- Penrose Floor Plan P25-1018_DE_006_C_PEN-FP (Plots 5, 20)
- Peckover Floor Plan P25-1018_DE_006_C_PEC-FP (Plots 19, 22, 23, 27, 45, 49, 73)
- Peckover Elevations P25-1018_DE_006_C_PEC-BR (Plots 19, 22, 23, 27, 45, 49, 73)

- Oakhurst Floor Plan P25-1018_DE_006_C_OAK-FP (Plots 2, 6, 7, 21, 48)
- Oakhurst Elevations P25-1018_DE_006_C_OAK-BR (Plots 2, 6, 7, 21, 48)
- Kyanance Elevation Render P25-1018_DE_006_C_KYN-REN (Plots 11, 12, 52, 53, 107, 108)
- Kyanance Floor Plans P25-1018_DE_006_C_KYN-FP (Plots 11, 12, 13, 14, 52, 53, 58, 59, 82, 83, 107, 108, 123, 124, 127, 128)
- Kyanance Elevation Brick P25-1018_DE_006_C_KYN-BR (Plots 13, 14, 58, 59, 82, 83, 123, 124, 127, 128)
- Kingston Elevation Render P25-1018_DE_006_C_KIN-REN (Plots 3, 74)
- Kingston Floor Plans P25-1018_DE_006_C_KIN-FP (Plots 3, 26, 30, 74)
- Kingston Elevation Brick P25-1018_DE_006_C_KIN-BR (Plots 26, 30)
- Hidcote Elevations Render P25-1018_DE_006_C_HID-REN (Plots 8, 24, 25, 29, 46, 47, 75)
- Hidcote Floor Plans P25-1018_DE_006_C_HID-FP (Plots 8, 24, 25, 29, 46, 47, 75)
- Heddon Elevation Render P25-1018_DE_006_C_HED-REN (Plot 55)
- Heddon Floor Plans P25-1018_DE_006_C_HED-FP (Plot 55)
- Sigle Garage Floor Plans & Elevations P25-1018_DE_006_C_GAR-BSPFG01-BR
- Twin Garage Floor Plans & Elevations P25-1018_DE_006_C_GAR-BSPFG02-BR
- Double Garage Floor Plans & Elevations P25-1018_DE_006_C_GAR-BSPFG03-BR
- Cuthbert Floor Plans P25-1018_DE_006_C_CUT-FP (Plots 63, 66, 77, 78, 81 84)
- Cutherbert Elevations Brick P25-1018_DE_006_C_CUT-BR FP (Plots 63, 66, 77, 78, 81 84)
- Cragside Floor Plans P25-1018_DE_006_C_CRA-FP (Plots 56, 57, 64, 65, 126, 129)
- Cragside Elevations Brick P25-1018_DE_006_C_CRA-BR (Plots 56, 57, 64, 65, 126, 129)
- Borthwood Floor Plans P25-1018_DE_006_C_BOR-FP (Plots 16, 17, 103, 104)
- Borthwood Elevations Brick P25-1018_DE_006_C_BOR-BR (Plots 16, 17, 103, 104)
- Bibury Floor Plan P25-1018_DE_006_C_BIB-FP (Plots 4, 28)
- Bibury Elevations Brick P25-1018_DE_006_C_BIB-BR (Plots 4, 28)
- Arlington_Borthwood Floor Plans P25-1018_DE_006_C_ARL_BOR-FP (Plots 50, 51)

- Arlington_Borthwood Elevations Brick P25-1018_DE_006_C_ARL_BOR-BR (Plots 50, 51)
- Arlington Elevations Render P25-1018_DE_006_C_ARL-REN (Plots 54, 71, 98)
- Arlington Floor Plans P25-1018_DE_006_C_ARL-FP (Plots 15, 31, 54, 71, 98)
- Arlington Elevation Bricks P25-1018_DE_006_C_ARL-BR (Plots 15, 31)

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/25/1694/SCO	Request for screening opinion - for full application for up to 150 dwellings	Opinion Given
UTT/13/0808/OP	Outline application with all matters reserved, except access, for up to 800 dwellings; up to 0.5ha of class B1a and B1c employment uses; up to 1,400sqm of retail uses; a primary school; up to 640sqm of Health Centre use; up to 600sqm of community buildings; changing rooms; access roads including access points to B1051 Henham Road and Old Mead Road, a construction access and haul route from B1051 Henham Road, a Waste Water Treatment Works access from Bedwell Road, and provision of a link road at Elsenham Cross between the B1051 Henham Road and Hall Road; a Waste Water Treatment Works and other associated infrastructure, landscaping and boundary treatment works. Demolition of all existing buildings.	Refused

UTT/13/0192/SO	Scoping Opinion - Outline applications for 800 dwellings and supporting uses	Opinion Given
UTT/12/5497/SO	Scoping Opinion - Outline applications for 800 dwelling and 3000 dwellings	Opinion Given

6.2 Associated Planning History of Phases 1 and 2 Residential Developments

6.3

Reference	Proposal	Decision
Phase 1		
UTT/17/3573/OP	Outline application with all matters reserved except for access for: up to 350 dwellings, 1 no. primary school including early years and childcare setting for up to 56 places, open spaces and landscaping including junior football pitch and changing rooms, access from B1051 Henham Road with associated street lighting and street furniture, pedestrian, cycle and vehicle routes. pedestrian and cycles link to Elsenham Station and potential link to Hailes Wood, vehicular and cycles parking. provision and/or upgrade/diversion of services including water, sewerage, telecommunications. electricity, gas and services media and apparatus, on-plot renewable energy measures including photo-voltaics, solar heating and ground source heat pumps, drainage works, sustainable drainage systems and ground and surface water attenuation features, associated ground works, boundary treatments and construction hoardings	Refused, but allowed at appeal
UTT/21/3269/DF O	Approval of reserved matters (layout, scale, appearance	Approved

	and landscaping) relating to outline application UTT/17/3573/OP for the erection of 350 dwellings, internal roads, open space and sports pitch provision, other associated infrastructure including that required to serve future primary school and early years facility and siting of sports pavilion	
Phase 2		
S62A/2022/0012	Outline Planning Application with all matters Reserved except for the Primary means of access for the development of up to 200 residential dwellings along with landscaping, public open space and associated infrastructure works.	Approved
UTT/23/2063/DF O	Approval of reserved matters (comprising landscaping, layout, scale and appearance) pursuant to outline approval S62A/2022/0012 (UTT/22/2760/PINS) for the development of 200 residential dwellings along with landscaping, internal roads, public open space and associated infrastructure works	Approved

7. **PREAPPLICATION ADVICE AND COMMUNITY CONSULTATION**

- 7.1 Paragraph 40 of the NPPF (2024) states '*Early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre- application discussion enables better coordination between public and private resources and improved outcomes for the community.*'
- 7.2 The applicant has undertaken pre-application advice in May 2025 and has engaged with UDC Officers on the merits and scope of their proposals.
- 7.3 The applicant has also entered into a Planning Performance Agreement (PPA) with the Council and various meetings have been had with technical consultees.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Active Travel

8.1.1 No comment, standing advice offered.

8.2 ECC Highways

8.2.1 No objections, subject to conditions and highways financial contributions.

8.3 Local Flood Authority

8.3.1 No objection, subject to conditions

8.4 Environmental Agency (EA)

8.4.1 *No comments made.*

8.5 Natural England

8.5.1 No objections, subject to appropriate mitigation measures secured through either/or planning conditions or planning obligations.

- *Details of an agreement to pay the required financial contribution towards Strategic Access Management and Monitoring (SAMM) measures identified by the National Trust as landowners of £1,333.60 per new residential dwelling; AND*
- *Details of the provision of on-site Access natural Greenspace (ANG) of sufficient high quality and size; AND*
- *Derails of a signposted circular dog walking route of around 2.3-2.5km from the new development, which could potentially make use of pedestrian links (PRoW and highways) in the local area.*

8.6 Manchester Airport Group Services (MAGS)

8.6.1 Objections were raised in relation to the attenuation basis proposed, further recommendations to bird boxes and suggestions to amend the landscaping plans as they comprise of a high proportion of berry-bearing species (such as blackthorn and cherry) and that these plant species should be confirmed to 22% of the total planting scheme.

8.6.2 In response to this the applicant has provided revised plans and MAGS had been duly re-consulted for their comments. Following the submission of additional details, MAGS had outsourced matters to specialist birdstrike avoidance advisors for their comments and have now subsequently removed their objections.

8.7 National Air Traffic Services (NATS)

8.7.1 No objections raised.

9. PARISH COUNCIL COMMENTS

9.1 Henham Parish Council

9.2 The following objections have been raised;

- 9.3**
- Combined with phases 1 and 2, if approved, the development will constitute a 679 residential development and a serious overdevelopment of the area
 - The road network surrounding the development site is wholly inadequate (the exit road from Elsenham through Stanstead Mountfitchet is a major block with narrow single file road governed by traffic lights)
 - There are existing traffic delays
 - Existing facilities in of Henham are of a small scale with no reasonable bus, pedestrian or cycle access to meaningful local retail or employment resources for new residents with a total reliance on private vehicles for most daily activities
 - Vehicle and pedestrian access is poor to the site with poor visibility emerging from the estate
 - Overall the development is unnecessary with no infrastructure improvements

9.4 Elsenham Parish Council

9.5 The following objections have been raised;

- 9.6**
- Description is misleading and application is to be considered with regard to the extant Local Plan 2005.
 - The site is within Henham Parish not Elsenham
 - The development is not needed as it was agreed with Bloor Homes by way of the compensation for their releasing land for education purposes under the proposed new Local Plan
 - Provision of bungalows fall short of UDC policies
 - The pedestrian marked as potential on the plans should be ensured to pass-by the protected species site
 - Walking times are disputed
 - Greater improvements to the junction of Crocus Drive and Henham Road
 - Greater efforts for a quality store / employment opportunity on site
 - Provisions within the s106
 - Distribution of affordable homes through the development is not satisfactory
 - The scheme would bring significant volumes of traffic into the area and contrary to GEN1

- There would be a cumulative impact resulting from the development especially from phases 1 & 2, plus other nearby developments
- Elsenham is overdeveloped and cannot be justified
- Only 2no. 1bed affordable bungalows have been proposed and none provided on the open market but should provide at least two bungalows
- To the north of the site two potential pedestrian access points are shown connecting to PRow Henham 15, these should be made definite thereby effectively by-passing a stretch of the PRow where a protected species is well established
- Awkwardly situated beyond Bloor phases 1 and 2 with poor connectivity
- The railway crossing is closed for half the time during peak hours
- The alternative footbridge involves five flights of steps on each side and is impossible for cyclists or those with small children
- Dispute the walking times stated at Haileswoods and the High Street (opp. School) to the junction of Crocus Drive and Ivy Way (near the northern end LEAP) and other routes are not accurate
- The walking route times are excessive
- The junction is from B1051 via Crocus Drive with constrained access / this junction is within Elsenham parish and Elsenham Parish Council are concerned with its safety and further development should not be approved
- There is a need for a village shop / store and an area should be proposed for employment opportunities
- S106: The applicant confirms that they would be agreeable to a further Elsenham Community Centre as part of the s106 within the phase 3 application and contributions made prior to commencement of development
- S106: Contributions should also be made towards road maintenance from the deterioration from construction HGV's associated with the development
- The affordable dwellings are mostly clustered together excessively rather than dispersed
- Further assessment of the route into Stansted Mountfitchet via Grove Hill is needed

10. CONSULTEE RESPONSES

10.1 UDC Conservation

10.1.1 No objections.

10.2 UDC Environmental Health

10.2.1 No objections, subject to conditions relating to contaminated land, noise, lighting, air quality / net zero, lighting and construction.

10.3 UDC Housing

10.3.1 No objections, subject to policy compliant affordable housing provisions to be secured within the s106.

10.4 UDC Landscape Officer

10.4.1 No objections made, conditions may apply.

10.5 UDC Urban Design

10.5.1 The scheme is similar to the proceeding phases and broadly in compliance with the UDC Design Code, so there are no significant comments in relation to the overall strategy but some minor comments and suggestions below.

10.5.1.1 The initial comments made reference to;

- Overall a lack of three-dimensional drawings
- The plans within the DAS are plans and diagrams and further detail and drawing types are required

10.5.1.2 Layout

- The layout of the proposals essentially comprising of two clusters of housing separated by an attenuation basin that 'plug-in' to phase in two locations
- The layout across the site is a typical cul-de-sac development that benefits from pedestrian and cycle connectivity between cul-de-sacs.
- There are footpaths that link in a circuitous way around the edges of the site, but more direct routes would improve permeability
- There are areas of the layout that could be improved, such as, relationships of some gardens boundaries with public realm

10.5.1.3 Landscape & Placemaking

- The formal tree lined approach road into the site and pocket park in the north-eastern corner are positive features. The play area is well-equipped and passively overlooked by virtue of fencing preventing visually obtrusive car-parking.

10.5.1.4 Character Areas

- There are no discernible character areas and urban grain and housing typologies are generally similar across the site
- Nonetheless the development have characterful areas

10.5.1.5 Parking

- There are instances where the development does not comply with the Design Code as there are instances where triple tandem parking has been adopted and therefore unacceptable under code M3.11C

- Triple tandem parking ought to be designed out of the scheme irrespective of whether a garage is assigned as a car parking space.

10.5.1.6 Revised comments following amendments also stated.

- Improvements made to the recreational walking routes within the open space but no direct connections between streets
- Concerns with boundary treatments of plots 115-118 with timber fencing at the end of the street
- The fronts of plots 86-88 have timber fencing surrounding and the turf landscaping was not deemed appropriate (full height hedge should be used instead) and contrary to H2.3C, however, this has been remedied with inclusion of shrub and hedge planting
- Three-dimensional visualisations have been supplied and are helpful
- Changes to tripe tandem parking layout have been made by making the increasing the size of the garages so these are policy compliant. However, there remains 2 parking spaces in front of the garages and therefore it is maintained that *'space for tandem parking in line with a garage is considered to be triple tandem, irrespective of whether a garage is assigned as a car parking space'*

10.6 Place Services (Archaeology)

10.6.1 No objections subject to conditions

10.7 Place Services (Ecology)

10.7.1 No objections, subject to conditions and BNG requirements and SAMMS mitigation

10.8 Place Services (Archaeology)

10.8.1 No objection, subject to conditions.

10.9 ECC Education

10.9.1 *No objections, subject to contributions of:*

- Early Years and Childcare contribution of £220,860.00 (index linked to Q1- 2025)
- Primary Education contribution £878,976.00 (index linked to Q1-2025)
- Secondary Education contribution of £675,048.00 and the provision of a review clause within the s106 (index linked to Q1-2025)
- Library contributions of £10,114.00
- Provision of 'Employment and Skills Plan (ESP) to set out how developer will engage with and maximise local labour and skills opportunities

- School Transport contribution toward secondary school transport
£142,728.00 index linked to 2Q-2023

10.10 ECC Minerals

10.10.1 No objections, subject to conditions

10.11.1 Essex Police, Designing Out Crime

10.11.2 Lighting plays a pivotal role in deterring criminal activity and a feeling of safety. Details within the DAS are noted with regards to designing out crime. DOCO's would welcome the opportunity for engagement with the applicants design team to discuss the security aspects of the development in finer detail to ensure provision of a safe environment for the future.

10.12 National Trust

10.12.1 No objection, subject to the following reasons and relevant mitigation;

10.12.2 The site is within 9km of the SSSI/National Nature Reserve areas and ancient woodland of Hatfield Forest. The impacts of the development on Hatfield Forest should be addressed and new housing proposed within the Zone of Influence will contribute further (both individually and cumulatively) towards recreational pressure on the Forest.

10.12.3 On-site mitigation

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

10.12.5 Off-site mitigation

10.12.6 - A financial contribution of £171,487.44 (£1,329.36/dwelling) to the National Trust for use at Hatfield Forest towards visitor and botanical monitoring and mitigation works. This would be proportionate with contributions secured for other developments.

10.13 NHS

10.13.1 Contributions required.

10.14 Utilities

10.15 Affinity Water

10.15.1 Advisory water quality comments. In relation to water efficiency, it has been noted as the site is within a water stressed area it is expected

water efficient fixtures and fittings are advised and measures such as rainwater harvesting and grey water recycling are recommended to reduce pressure for abstractions.

10.15.2 The applicant is advised to contact Affinity Waters asset protection team as there is likely a water main running through/near the site. Also, as drinking water will be supplied to the site by this provider, the applicant is advised to contact Affinity Water in the event the application is granted permission. As the site is within a water stressed area, water efficient fittings and fixtures are advised.

10.16 Thames Water

10.16.1 No objections based on the application details and with regards to foul water network capacity and as surface water which will not discharge into the public network. Should be application require a connection to the public network in the future than this would be a material change to the application.

10.16.2 Ultimately no objections, subject to relevant permits and informatives where required.

10.17 Cadent Gas

10.17.1 No objection subject to informatives.

10.18 UK Power Network

10.18.1 Advisory comments received.

11. REPRESENTATIONS

11.1 A site notice was displayed; the application was advertised in the local press and notifications letters were sent to nearby properties. The overall consultation period expires 19.02.2026.

11.2 Support

11.2.1 No letters of support.

11.3 Object

11.3.1

- Another bolt on to the Elsenham Park developments and has no community purpose and has no shops nor facilities
- Additional traffic issues within the area
- concerns with the existing access/egress junctions through the phase 1 and 2 developments
- limited public transport provisions and limited shop forming part of the development

- the development could create up to 1300 additional vehicles through a small junction and would be unsafe
- Concerns with the high safety, emergency access, congestion and air quality
- If the Henham Road entrance were obstructed for fire, flood, accident, utility works etc then there would be no alternative route for emergency services
- heavy reliance on a single access already results in congestion in peak times by adding traffic from 129 further dwellings will likely lead to longer queues and engine idling and worsen air quality for residents and pedestrian
- Already considerable congestion at the B1051 and Station Road junction exacerbated by on-street parking
- A convenience shop is needed
- There have been near accidents resulting from the bends in the roads
- There will be further parking and visitor issues when the community football pitches open and if the school will be built out then there will be additional cars creating conflict with the site
- Sports Pavillion built already too close to a sharp bend meaning you cannot see around
- Leaving Crocus drive is scary, the bend to your left is close and traffic approaches it fast and to the right traffic leaving Elsenham is also speeds up
- Neighbours did not receive letters
- The development will create unsustainable growth resulting from the previous 2 phases and increase pressures on roads, drainage, and healthcare
- The LVIA states major adverse impacts on nearby views and public footpath 15
- Loss of grade 2 (BMV) agricultural land comprising of 80%
- The flood risk assessment relies on outdated Phase 2 modelling and assumes existing capacity, no updated cumulative surface water modelling has been provided risking flooding and non-compliance with GEN3
- Safeguarding of future school expansion is unnecessary as ECC has not identified such need, designations risks incremental loss to the countryside
- Priority Habitat and hedgerows have been identified within the Preliminary Ecological appraisal (PEA) and surveys are required prior to determination
- No Biodiversity Net Gain calculations submitted
- The application is premature and prior to the adoption of the new Local Plan
- Local road, education, health infrastructure are already at full capacity
- This development represents overdevelopment
- It continues the trend of transforming what was once a rural village into an overcrowded suburban sprawl, eroding both its character and residents' quality of life.

11.4

Comment

11.4.1 In terms of highways and traffic impacts, Officers will defer to the ECC Highways comments for their views. In terms of providing a shop/convenience store onsite, these discussions were had within the pre-application stage, but if a store were proposed, Officers would seek comfort that the land deliverable for such purposes were deliverable and necessary demand.

11.4.2 The PC comments note that the potential pedestrian connections outside of the application site boundary should be made permanent, however, Officers consider these are likely to be a potential connection (opposed to proposed pedestrian connection) as the applicant may not have control of the land outside their ownership.

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

13. **POLICY**

13.1 **National Policies**

13.1.1 National Planning Policy Framework (2024)

13.2 **Uttlesford District Local Plan 2005**

13.2.1	S3	Other Settlement Boundaries
	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
	ENV3	Open Space and Trees
	ENV5	Protection of Agricultural Land
	ENV7	The protection of natural environment designed sites
	ENV8	Other Landscape elements of importance for nature conservation
	ENV10	Noise Sensitive Development
	ENV13	Exposure to Poor Air Quality
	ENV14	Contaminated land
	ENV15	Renewable Energy
	H1	Housing Development
	H9	Affordable Housing
	H10	Housing Mix

13.2.2 **Emerging Local Plan Policies 2021-2041**

13.2.3		Strategic Objectives SO1, SO3, SO4, SO5
		<i>Spatial Strategy Policies</i>
	CP2	Meeting Our Housing Need
	CP3	Settlement Hierarchy
	CP5	Providing Supporting Infrastructure and Services

Stansted Mountfitchet and Elsenham Area Strategy	
CP16	Stansted Mountfitchet and Elsenham Area Strategy
CP17	Delivery of Transport Infrastructure within the Stansted Mountfitchet and Elsenham Area
Climate Change	
CP22	Net Zero Operational Carbon Development
CP23	Overheating
CP24	Embodied Carbon
Transport	
CP26	Providing for Sustainable Transport and Connectivity
CP27	Assessing the Impact of Development on Transport
CP28	Active Travel – Walking and Cycling
CP29	Electric and Low Emission Vehicles
CP30	Public Rights of Way
CP31	Parking Standards
Environment	
CP33	Managing Waste
CP34	Water Supply and Protection of Water Resources
CP36	Flood Risk
CP37	Sustainable Drainage Systems
CP38	Sites Designated for Biodiversity or Geology
CP39	Green and Blue Infrastructure
CP40	Biodiversity and Nature Recovery
CP42	Pollution and Contamination
CP43	Air Quality
CP44	Noise
Healthy and Sustainable Communities	
CP52	Good Design Outcomes and Process
CP52a	Good Design Outcomes and Process for Strategic Allocations
CP53	Standards for New Residential Development
CP55	Residential Space Standards
CP56	Affordable Dwellings
CP64	Archaeological Assets
CP66	Planning for Health and Well-being
CP67	Open Space, Sport and Recreation
CP67a	Management of Public Open Space
CP68	Community Uses
Monitoring and Implementation	
CP71	Monitoring and Implementation

13.3 Neighbourhood Plan

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

13.4 Supplementary Planning Document or Guidance

13.4.1 Uttlesford Local Residential Parking Standards (2013)
Essex County Council Parking Standards (2009)

Supplementary Planning Document – Accessible homes and playspace
Supplementary Planning Document – Developer’s contributions
Essex Design Guide
Uttlesford Interim Climate Change Policy (2021)
Uttlesford District Council District-Wide Design Code (2024)

14. CONSIDERATIONS AND ASSESSMENT

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

- 14.2**
- A) Principle of development**
 - B) Design, Appearance and Layout**
 - C) Residential Amenity**
 - D) Landscaping, Ecology and Biodiversity**
 - E) Highways, Access and Parking**
 - F) Flood Risk and Site Drainage**
 - G) Environmental Health and Contamination**
 - H) Archaeology**
 - I) Planning Obligations**
 - J) Other Matters**

14.3 **A) Principle of development**

14.3.1 *Isolated Homes*

14.3.2 The application site is situated to the east of Old Mead Road comprising of grade 2 agricultural land and, therefore, the site is clearly within the countryside. Despite the sites designation outside development limits of Elsenham⁴ the application site is situated on the periphery of existing residential developments known as phases 1⁵ and 2⁶ as these are larger developments which are currently being built out by the same developer/applicant.

14.3.3 Notwithstanding the site comprising of grade 2 (very good quality agricultural land) (Agricultural Land Classification 2010, Natural England), and the potential loss of the districts best and most versatile agricultural land (BMV), good quality agricultural land is plentiful within the locality. Thus, with regards to Policy ENV5 meaning this policy conflict holds limited weight.

14.3.4 Recent case law (Braintree DC v SSCLG [2018] EWCA Civ. 610) defines ‘isolation’ as the spatial/physical separation from a settlement or hamlet, meaning that a site within or adjacent to a housing group is not isolated. Moreover, the NPPF discourages new isolated new

⁴ The application site is spatially closest to Elsenham, but situated within the parish of Henham

⁵ See references UTT/17/3573/OP and reserved matters UTT/21/3269/DFO for residential development of 350 dwellings.

⁶ See references UTT/22/2760/PINS, S62A/2022/0012 and UTT/23/2063/DFO for residential development of 200 dwellings

homes in the countryside (unless exceptions applied), in accordance with para. 84 of the NPPF (2024). In this particular case, the application site is located east of Old Mead Road and outside the development limits of Elsenham⁷, but the application site is situated a short distance from Elsenham (towards the northeast) where there is a residential settlement surrounding Station Road which extends further south and within the development limits of Elsenham. Thus, a residential development at this site would not necessarily appear at odds within the immediate locality and, as such, officers consider the proposals would form an edge of settlement development being approximately 200m from Old Mead Road at the nearest boundary and especially given this development would appear as part of the prior Phases 1 & 2. For these reasons, the Council cannot conclude the site would comprise of isolated homes within the countryside.

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

14.3.6 *Sustainable Location*

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

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

14.3.9 *Location – Services and facilities and the emerging Local Plan Policies*

14.3.10 The emerging Local Plan (eLP) is yet to be adopted, but the Council's position is that the eLP has reached an advanced stage, with the Inspector's post-examination report received and the Plan is scheduled for adoption this spring. Whilst the Plan does not yet form part of the statutory development plan, paragraph 48 of the NPPF states that weight may be afforded to relevant policies in emerging plans according to their stage of preparation. Given the advanced stage of the Plan and the absence of any outstanding substantive objections,

(moderate to significant) weight is afforded to relevant Policies of the eLP.

- 14.3.11** The application site is allocated within the emerging Local Policy which is due for adoption in March 2026. Core Policy 16 (Stansted Mountfitchet and Elsenham Area Strategy) and 'Appendix 4B – Elsenham Indicative Framework' of the emerging Local Plan allocates this site for residential development for circa. 110 units, thus, the Council has previously assessed the sites sustainability credentials during the plan making stage.
- 14.3.12** Elsenham is the nearest settlement that provides access to services and facilities, such as, a GP surgery, primary school, Tesco Express, post office, Crown Inn public house, village hall and recreational grounds. There are also bus stops along Station Road and Henham Road for bus routes. no 7/7A and which would be approximately a 0.7km walk from the development site to the Henham Road bus stop. These nearby bus stops provide services to Bishop Stortford, Stansted Mountfitchet, Elsenham, Henham and Stansted Airport Coach Station. As of January 2026, the 7/7A bus route runs an hourly bus service Monday-Saturday. Elsenham Railway Station provides services to London Liverpool Street and Cambridge.
- 14.3.13** Notwithstanding the above, the associated Phases 1 and 2 residential schemes have been found to be sustainable locations for residential development in the respective decisions by the Planning Inspector⁸. In appeal decision for Phase 1, the walking journey times to local amenities and facilities within the area were noted and, all of which, were all under 20 mins. It is acknowledged however, given the current application's location situated to the rear of Phase 2 there would be increased walking distances to nearby amenities, however, the Inspector at the time of writing had used a 2km range to determine the sites sustainability credentials albeit this was with reference to the outdated Planning Policy Guidance 11 (PPG13) 'Transport', nonetheless, the Inspector considered this was a useful tool to assess the appeal sites sustainability credentials.
- 14.3.14** It should also be noted the site is allocated for circa. 110 residential units within the eLP although the current development proposes 130 residential which increases the quantum of residential development at the site by around 18%. Officers do not consider this a significant increase in terms of whether the site can accommodate further residential units sustainably. The emerging local plan provides an approximate amount of residential unit allocated at the site. For these reasons, regard to the current application site's location and the local and national policy context, officers are also of the view the sustainability of the site is reasonable for a site within the countryside

⁸ See for Phase 1 APP/C1570/W/19/3243744 and for Phase 2 see S62A/2022/0012

location having particular regard to para. 110 of the NPPF (2024), and the site's location adjacent to a railway station.

- 14.3.15** In addition, Core Policy 17 (CP17) of the eLP also requires the (ii) delivery of strategic cycling and walking infrastructure improvements between settlements. Also, para. 7.22 of the eLP preamble states that '*..the strategic allocations are required to contribute to strategic transport improvements including the delivery of active travel routes and infrastructure, improvements to bus services and the provision of car clubs and e-bikes. These measures will be supported by robust travel planning and travel plan monitoring. Development proposals should prioritise the provision and enhancement of active travel connections to key services, rail stations and schools*'.
- 14.3.16** Given that officers are now affording moderate to significant weight to eLP Policies consider that the application of CP17 are of relevance to the assessment of the application. Recent discussions have been had with ECC and UDC Highways Officers regarding the provision of physical infrastructure for car clubs, e-bikes and developer contributions. The applicant has agreed the terms of providing the infrastructure for alternative modes of transport and officers are satisfied that the matters agreed will further assist the aspirations of the eLP and in accordance with CP17.
- 14.3.17** In light of the above, and despite the edge of settlement location, the site is within a reasonable distance from amenities. On balance the application site will be a suitable location for housing forming a natural extension of the existing two phases. Therefore, the proposals accord with ULP Policies GEN1, eLP Policies CP3, CP16, C17 and paragraphs 110 and 115(a) of the Framework.
- 14.3.18** *Impact to the countryside and the emerging Local Plan*
- 14.3.19** The relevant aspects of the adopted (2005) Uttlesford Local Plan Policy S7 are generally consistent with the Framework which states 'Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form of the proposed needs to be there'.
- 14.3.20** The Framework states that planning decisions should contribute to and enhance the natural environment by recognising the intrinsic character and beauty of the character of the countryside (para. 187(b)).
- 14.3.21** Landscape Character is defined as '*A distinct recognisable and consistent pattern of elements in the landscape that makes one landscape different from another, rather than better or worse*'⁹. The landscape character is that which makes an area unique.

⁹ The Countryside Commission and Scottish Natural Heritage (2002) Landscape Character Assessment: Guidance for England and Scotland (CAX 84) , the Countryside Commission and Scottish Natural Heritage, April 2002.

14.3.22 Since officers are now affording moderate/significant weight to the emerging Local Plan policies, it would be useful to consider the strategic layout at Appendix 4B of eLP Core Policy 16. The extracts below compare the proposed site plan with the layout of the strategic site allocation for Elsenham.

14.3.23 *eLP Core Policy 16 Site – Appendix 4B Elsenham Indicative Framework (Strategic Site Allocation)*

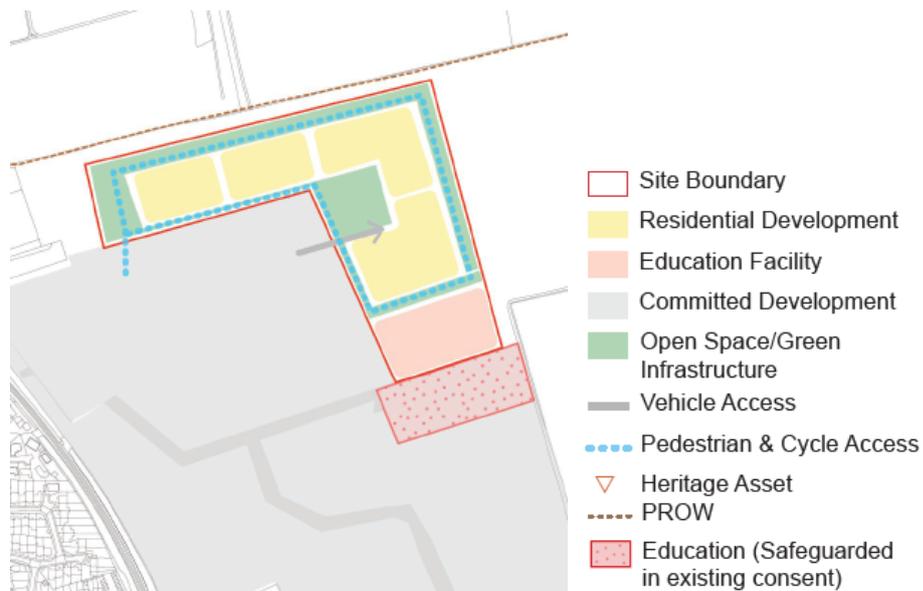


Figure 1: Emerging Local Plan Proposed Site Allocation at Elsenham

14.3.24 *Proposed Site Layout (current application)*



Figure 2: Proposed site layout

14.3.25 As noted above, the application site is allocated within the emerging Local Plan for c. 110 residential units whereas the current development proposes 130 units. Notwithstanding the increase in residential development, the proposed layout is broadly consistent with the

strategic layout plan at appendix 4b of the eLP. In accordance with the strategic site allocation, the proposed site plan also indicates 0.9ha of land has been reserved for the expansion of the primary school along the southern boundary in accordance with the consented Phase 1 residential development.

- 14.3.26** The applicant has supplied a Landscape Visual and Impact Assessment (LVIA) to accompany the application to identify and assess the significance of the effects of change resulting from the development both on the landscape as an environmental resource and implications to visual amenity.
- 14.3.27** Undoubtedly the proposals will cause a level of harm upon the character and openness of this part of countryside due to the changing nature of the site from arable fields to one consistent of substantial residential development with associated works. The LVIA supplied concludes that visual receptors within Elsenham would experience minimal effects in the long-term due to the consented residential schemes in phases 1 and 2 which would feature mostly in the foreground.
- 14.3.28** The Uttlesford Landscape Character Assessment (LCA)(October 2023)¹⁰ forms part of the evidence base for the eLP and the application site would fall within LCA B5: Broxted Farmland Plateau and the Landscape Guidelines for this area which states that 'the overall strategy for Broxted Farmland Plateau LCA is to enhance the rural character of this intensively farmed area with its small historic villages linked by winding lanes. Seek to integrate new development and strengthen landscape patterns through reinforcing hedgerows boundaries and connecting adjacent woodlands.
- 14.3.29** The LVIA states that the site is located immediately adjacent to Elsenham village and given the consented phases 1 & 2 residential schemes the proposed development would constitute an expansion of settlement in an already compromised landscape character. The public right of way network in the vicinity provides access to the surrounding countryside. Within the LVIA the applicant states that the development would create mostly localised effects on the landscape character. The Council's Landscape Sensitivity Assessment (October 2023)¹¹ classifies the application site within parcel E1 which states that this area would experience a low-moderate landscape sensitivity to residential development and a moderate sensitivity to mixed use development. In terms of the effects on the landscape character the

¹⁰ This document assesses the Landscape Character in Uttlesford and classifies them in 3 generic landscape character types (LTCs), each representing a distinct identity common geology, topography, land use and cultural patter. The LCTs are then subdivided into local landscape character areas (LCSs), which are discrete geographic areas that possess the characteristics described for the landscape type, but have a recognisable identity.

¹¹ This document assesses the spatial framework of the Landscape Character Types (LCTs) and components Landscape Character Areas (LCAs) identified within the updated Uttlesford Character Assessment which identifies 3 LCTs and 19 component LCSs. These LCTs and component 19 LCAs form the spatial framework for the Landscape Sensitivity Assessment (October 2023).

LVIA maintains that more severe effects would mostly be confined to the site itself and within 50m east and to a lesser degree 500m east and north-east of the site. In consultation with the Council's Landscape Officer no adverse comments have been received with regards impacts to the landscape.

14.3.30 In terms of the visual implications of the development, the site has been assessed in relation to a number of public footpaths including FP15 (directly north), the settlements of Elsenham and Henham. In terms of the closest footpath north of the site, it has been identified that there will be adverse visual effects from the development in the medium term but longer-term beneficial effects as planting matures. A similar conclusion was drawn for the impacts on the visual receptors of Henham and Elsenham. Therefore, officers appreciate that the visual impacts of the development will naturally reduce. In terms of the natural boundary along the public footpath 15 (Henham) there remains existing mature planting which screens views into the site. Also, to further enhance the existing landscaping the site the Design & Access Statement demonstrates how the site boundaries will be bolstered with more landscaping and how the landscaping has been configured so that there are key landscape areas within the development. For instance, along the northern and eastern boundary there would be a woodland trail with large native trees. Also, towards the east of the site there would be a formal park called 'Hilltop Park'. The western edges of the site which will be adjacent to the Phase 2 developments will be distinguished by areas of swales with wetland meadow planting. Although, it should be noted that the red line boundary is not fully in accordance with the layout of the site allocation; the key difference being that more land has been secured to the east to create a landscape buffer area which also includes the proposed park area. Also, the open space has been located to the eastern boundary and not along the western, but Officers do not consider this a major deviation from the layout of the site allocated.

14.3.31 In light of the above, Officers are of the view that the impacts to the countryside location along with the visual impacts have been duly assessed. Thus, despite the loss of BMV agricultural land and the sites inherent rural qualities, the harm to the landscape character and any subsequent visual implications are not deemed severe. Conversely, it is agreed that the application does form a logical extension of residential development from the previous phases 1 and 2 residential schemes. In addition, vehicle and pedestrian access into the site would be through the previous consented phases 1 & 2 to the south of the site so movements into and from the site will have limited visual implications.

14.3.32 In essence, the proposed development will sit comfortably alongside other consented residential sites and would not appear out of character within the immediate locality. Moreover, while not adopted, the

application site is allocated within the eLP and therefore moderate-significant weight has been afforded to this.

14.3.33 Housing Land Supply

14.3.34 Notwithstanding the imminent adoption of the emerging Local Plan, the proposals cannot be tested against a fully up-to-date Development Plan, and, in addition, the Council is currently unable to demonstrate a 5 Year Housing Land Supply. In either scenario or both, in this case, paragraph 11 of the NPPF (2024) is fully engaged along with the ‘titled balance’ in favour of the proposals as per para. 11(d)(ii).

14.3.35 Paragraph 11 requires the decision maker to grant planning permission unless there are (a) adverse impacts, or whether (b) such impacts would ‘significantly and demonstrably’ outweigh the benefits of the proposal.

14.3.36 At present, the Council’s Five-Year Housing Land Supply stands at 3.46 years and the Housing Delivery Test figures have been recalculated by the Ministry of Housing, Communities & Local Government and is currently stand at 69%.

14.3.37 Notwithstanding the countryside location, officers do not consider the development would constitute an isolated development with reasonable sustainability credentials. The applicant has assessed the landscape and visual impacts resulting from the development and the adverse impacts identified will reduce over time. Appropriate mitigation has been proposed for the development, but the adverse impacts of the development will be appropriately addressed within the planning balance.

14.3.38 Therefore, as the tilted balance is engaged and as the recent revised wording of para. 11(d)(ii) maintains the LPA ought to have due regard to, inter alia, sustainable locations and the provision of affordable homes¹². Officers are of the view that the principle of development could be acceptable given that policy compliant affordable housing has been proposed and the sustainability of the site has been judged as reasonable for a countryside location. Following the technical assessments of the proposals below, the planning balance will conclude whether any of the adverse effects will significantly and demonstrably outweigh the benefits of the proposals.

14.3.39 Educational Provision

14.3.40 As indicated on the site plans, the development also reserves land to the south of the site for the expansion of the primary school as consented with the Phase 1 residential development (refs UTT/17/3573/OP and UTT/21/3269/DFO) in accordance with the eLP

¹² These ought to be provided individually or in combination as per para 11(d)(ii)

strategic layout of the site. The Education Land Compliance Report states that the current Phase 3 development has identified 0.9ha to be provided for education purposes and that the reserved matters application for the Phase 1 development allocates 1.2ha of land for an educational facility. At appendix 4B of the eLP states that an 'expansion of safeguarded site to the south of the allocation to 2.1ha in total to facilitate construction of a new primary school with co-located early years and childcare provision, with detailed requirements subject to consultation with ECC'.

14.3.41 Thus, given that appropriate land has been reserved to ensure that educational needs and aspirations as identified within the eLP are met, Officers consider this favourably especially as moderate-significant weight are now afforded to the emerging Local Plan Policies.

14.3.42 In light of the above, and in principle, the proposal is deemed acceptable subject to any further adverse impacts being significantly and demonstrably outweighed by the benefits. Overall, the proposals are in accordance ULP Policies (2005) S7, GEN2(b) and the Framework. Moderate-significant weight has also been afforded to eLP Policies CP3, CP16 and CP17.

14.4 B) Design, Appearance and Layout

14.4.1 Design / Appearance

14.4.2 In terms of design policy, good design is central to the objectives of both National and Local Planning Policies. The NPPF (2024) requires policies to plan positively for the achievement of high quality and inclusive design for the wider area and development schemes.

14.4.3 Section 12 of the NPPF highlights that the Government attaches great importance to the design of the built environment, adding at para. 131 '*The creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve*'. These criteria are reflected in Policy GEN2 of the adopted Local Plan. In addition, at para. 135 it also states that planning decisions should ensure developments 'function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development'. These criteria are reflected in Policy GEN2 of the adopted Local Plan.

14.4.4 The Design & Access Statement (DAS) and plans submitted indicates a range of house types proposed mostly 2-storey in height with 4no. 1-storey units proposed that will be built in accordance to meet Building Regulation M4(3)(2)(a) – Wheelchair User Dwellings. Some of the Buildings regs M4(3)(2)(a) dwellings will also include ground floor maisonette dwellings. The proposed heights of the dwellings will be consistent with the surrounding built form from Phases 1 and 2. Overall, it has been stated within the DAS that the design solution for the site

reflects the variety in townscape forms that are reflected within Elsenham and areas nearby.

14.4.5 Marker buildings have been introduced to the development which will be positioned within key locations to contribute to place making, site legibility and wayfinding as well as contributing to visual amenity. Four marker buildings are proposed to plots 1, 52, 53 and 108. These buildings are positioned in prominent positions within the development, for instance, plot 1 will be fronting face once accessed from the vehicle access from phase 2 while plot 108 will be the front facing dwelling from the secondary street within the development. P.1 of the Design Code states that marker buildings will front onto important specs, at key street intersections or at the site's primary access points. Looking at the plans, it is not clear how the marker buildings will be different from the other plots although, officers consider this could be conditioned so that the key buildings can be appropriately distinguished within the plot, for example through the use of different materials.

14.4.6 The range of house types proposed, along with varied materials palettes, are considered appropriate in this location and would assimilate well into the immediate locality. In addition, the proposed scales and sizes of these would generally be consistent with the properties within phases 1 & 2. The materials plan demonstrates a varied materials palette and the range of house types proposed and the illustrated street scene images also provide a snapshot of house typologies proposed. An extract of the street scene images is below.

14.4.7 *Illustrative Street Scenes*



Figure 3: Street Scene Section B-BB (on the main approach to the south of Green Avenue)



Figure 4: Street Scene Section D-DD (Along the northern boundary looking south)

14.4.8 The Council's Urban Design Officer has been consulted on this application and has also been involved during the pre-application discussions. The Design Officer supports the proposals and maintains the development would broadly be in compliance with the Uttlesford Design Code (2024), although highlights there are some areas of non-compliance. In terms of design, it was originally stated that for a scheme of this size that there should have been supporting drawings, such as three-dimensional street views, sketch to accurately describe

the proposals, although three-dimensional plans have since been subsequently supplied to accompany the application. Overall, in terms of design, no objection or adverse comments were made.

14.4.9 Layout

14.4.10 The proposed development for 130no. residential units provides permeability into the site by creating primary vehicle/pedestrian access through the Phase 2 development from the western boundary and a secondary vehicle/pedestrian access towards the north where the site also adjoins the north/southern boundary into the Phase 2 development.

14.4.11 The overall layout will be distinguished as two separate parcels which will be physically separated by an attenuation basin to the north of the site. The northern parcel will be accessed through the secondary street which lead onto private drive areas. There are also three pedestrian paths leading into phase 2 developments which will increase permeability into and from the site. The secondary street serving the northern parcel will be characterised by larger detached and semi-detached properties and serves plots 1-27.

14.4.12 The eastern parcel will be characterised by the primary vehicle access which extends the length of the primary street and will have an avenue of trees on both sides to accompany the main route to the Hilltop Park to the rear along the eastern boundary. The Primary Street will branch off onto secondary streets. Both parcels show indicative connections to the public right of way network (FP 15) to the north of the site which will be welcomed as this will provide onwards modes of sustainable travel.

14.4.13 The hard surfacing of the primary / secondary streets will comprise of tarmac and the shared surfaces will comprise block paving.

14.4.14 A multi-functional public open space is proposed comprising of both formal and informal amenity spaces, landscape buffers, sustainable drainage systems and recreation pedestrian paths. As demonstrated above in figures 1 and 2, the proposed site layout is broadly consistent with the layout as indicated in Core Policy 16 (see appendix 4b of the eLP) in terms of layout of residential development and the pedestrian access routes within and into the site. Although it should be noted the proposed development provides more permeability by providing more pedestrian access in/out of the site. As noted above, the provision of open space is not entirely consistent with the layout of the eLP site allocation, however, the development does provide a larger portion of open space to the site which will be of benefit to the local residents.

14.4.15 Overall, the pedestrian footpaths and public open space would experience sufficient natural surveillance as plots 73 and 49 will directly face the proposed LEAP and the properties facing the eastern

boundary will overlook the open space provisions further enhancing natural surveillance along the landscaped areas to the east.

- 14.4.16** The public open space would be positioned towards the eastern boundary comprising of Hilltop Park and a wildlife area. A visual separation will be created with the Phase 2 development through creation of enhanced swales with wetland meadow planting.
- 14.4.17** A 1.2m brick wall with brick piers will form the gateway entrance into the site from the primary street. The means of closure proposed internally between dwellings will be a 1.8m panel fences. The Urban Design Officer had commented that boundary treatments of some plots showed a 1.8m timber fence at the end of the streets/drives serving plots 115-118 and a similar issue was raised in relation to plots 86-88. Although the applicant had attempted to remedy this by landscaping measures, however, the Urban Design Officer considered landscaping proposed as inappropriate and requested a full height hedge to mitigate this. As a result, the Urban Design Officer maintains this is contrary to H2.3C of the design code. Following the comments from the Urban Design Officer in December, the applicant has submitted further revised landscaping plans to address the comments from the Urban Design Officer and subsequently there are not further concerns raised.
- 14.4.18** The back-to-back distance demonstrates that houses will be of sufficient distances from the dwellings to the rear of each site. The DAS states that the garden sizes will be consistent with the Essex Design Guide, rather than the Council's Design Code. Nonetheless there are some instances where plots do not have a sufficient garden lengths due to the orientation of the plots, but overall of the private amenity spaces will be sufficient in terms of garden amenity sizes which broadly accords, with H2 of the Uttlesford Design Code (2024).
- 14.4.19** The materials for the roads vary according to the street hierarchy plans. The private drives will be finished in Burnt Oak block paving, shared surfaces finished in Brindle block paving, while the primary street/road, footpaths, parking bays will be finished in tarmac.
- 14.4.20** Overall, the levels of parking layouts are acceptable although there have been comments from the Urban Design Officer regarding the arrangement of triple tandem parking. However, the parking arrangement has been changed so that the tandem parking arrangement has been limited. At present, only the 5bed properties that will have some form of triple tandem parking but the Urban Design Officer was not content with this arrangement. As a result further revised layout plans have been submitted, and at the time of writing. The Urban Design Officer considers the triple tandem layout contrary to code M3.11C of the Design Code (2024). Notwithstanding this, officers consider that sufficient levels of triple tandem parking have been has effectively been designed out of the scheme as these will

comprise of 5% of the overall development and these dwellings are mostly situated towards the northern boundary.

14.4.21 It should be noted that Core Policies 52/52(a) are also of significance however the development has not met all the criteria of CP52a, however, officers take the view that while moderate-significant is afforded to eLP Policies the application itself was submitted last year September and, at the time, there was no requirement for the application to adhere to all the design criteria of CP52a, however, the application has now advanced to near determination and, therefore, officers cannot realistically request the applicant to undergo the Uttlesford Quality Review Design Panel (UQRP) as per CP52(a)((ii) for instance, especially as considering that during the pre-application process the Urban Design Officer has been involved

14.4.22 Thus, subject to relevant conditions, the proposal in accordance with ULP Policies GEN2 and paragraph 135 of the NPPF (2024).

14.5 C) Residential Amenity

14.5.1 ULP (2005) Policy GEN2(i) states that development will not be permitted unless it would have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impacts or overshadowing. Policy GEN4 of the Local Plan also states that the development shall not cause undue or unacceptable impacts on the amenities of nearby residential.

14.5.2 *Amenity of future occupiers of the development*

14.5.3 A range of 1-5bed properties are proposed throughout the development with most larger properties being situated within the northern parcel accessed from the secondary vehicle access road. The affordable housing units will be mainly located towards the eastern portion of the site but will be distributed among market dwellings to encourage a mix of housing tenures throughout the site.

14.5.4 The Housing Officer is now satisfied the accommodation schedule confirms that all residential units will comply with the Nationally Described Space Standards (2015) and the garden sizes will comply with the Uttlesford Design Code (2024). The back-to-back distances between properties are generally sufficient and reduce the levels of overlooking and loss of amenity.

14.5.5 While there is land reserved for the expansion of the primary school to the south of the site, this is not considered a significant impact to potential occupants of the development as this is directly adjacent to consent educational land and it is deemed education facilities are appropriate within residential areas.

14.5.6 It is also noted there are industrial units to the north/western boundary of the site but both the development site and the industrial site have a substantial landscape buffer which will limit any noise impacts to the site. Furthermore, the dwellings from the current application site are situated at greater distance from the industrial units than the dwellings consented within the Phase 2 development. Thus, officers do not consider the impacts to residential amenity will be significant.

14.5.7 *Amenity of neighbouring properties*

14.5.8 The plans indicated that the development will be setback a good distance from the adjacent Phase 2 development and, moreover, both the proposed development subject of this application and the adjacent Phase 2 development propose a substantial landscape buffer and so there are limited concerns in terms of residential amenity to the adjacent residential developments.

14.6 D) Landscaping, Ecology and Biodiversity

14.6.1 *Landscaping*

14.6.2 In good landscape design both soft landscaping and hard landscaping are essential elements and require due consideration. The principle aims of a good quality landscape plan should secure a coordinated and high standard of landscape management for landscaped areas within the site, to ensure the successful integration of the residential development with the surrounding landscape and to protect and enhance nature conservation interests in accordance with the design objectives. The DAS outlines how landscaping will feature throughout the site and that a high-quality landscape framework will be provided to support an appropriate amount of public open spaces including a range of planting to enhance both amenity and biodiversity.

14.6.3 The extract below demonstrates how the landscaping will feature across the site;



Figure 4: Key Open Space Areas extracted from the DAS

- 14.6.4** The above extract reflects the woodland trail in green around the perimeter of the site where large native trees will provide a woodland backdrop to the development, which provide play features and bird nesting boxes. The yellow section indicates the Hilltop Park area and, as the name suggests, will be a formal park on the top of the hill and will accommodate a range of activities such as informal sports, play, games, dog walking and community activities. The park will include a Locally Equipped Area of Play (LEAP) as well as seating areas near the LEAP for adults to accompany children and socialise. The small purple section to the south will provide a Wildlife Area and the grey areas on the extract will be known as Tussock Way which essentially combines attenuation basin features and habitat creation features which will also create visual amenity benefits.
- 14.6.5** As the site comprises of agricultural land outside the development limits of Elsenham officers maintain that there will be inevitable harm to the landscape as a result of the residential development. Although officers agree with the applicant's LVIA in that the development would constitute an edge of settlement of Elsenham and, therefore, would be perceived as a backdrop to the existing phase 1 and 2 developments.
- 14.6.6** Public footpath 15 extends from Old Mead Road to the west directly north of Tuplin Industrial depot but south of the bungalow at New Meads Keebles. The public footpath which runs along the northern boundary of the application site but is separated by relatively mature trees/hedging and ditch so that the views into the application site are limited. Combined with the proposed Woodland Trail around the perimeter of the site, officers consider that the development will reinforce the existing landscaping around the northern boundary which will further limited views of the residential scheme from the adjacent public right of way. To the east the site will also benefit from the Woodland Trail which will also limit views into the site and effectively surround the Hilltop Park area. The landscaping measures proposed

to the east are quite extensive and provides a multi-functional landscaped area which will act as a landscape buffer, play area, recreational space and also wildlife creation.

14.6.7 Overall, there have been no adverse comments from the Council's Landscape Officer, but some comments were made in relation to the Arboricultural Impact Assessment (AIA) and that minor impacts were considered to the nearby trees. In the event the application is approved, officers consider a condition to ensure the works are in accordance with the AIA. The Urban Design Officer had commented on the boundary treatments to the fronts of plots 86-88 which are surrounded by a timber fenced car park and that a full height hedge should be proposed to screen the fencing, otherwise this arrangement is contrary to code M3.17C of the UDC Design Code. However, revised plans/landscaping plans have been submitted since the last comments and the original concerns raised have now been resolved.

14.6.8 *Ecology*

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

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

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

14.6.12 The mitigation measures recommended by Natural England are below;

- 14.6.13**
- *Details of an agreement to pay the required financial contribution towards Strategic Access Management and Monitoring (SAMM) measures identified by the National Trust as landowners of £1,333.60 per new residential dwelling; AND*
 - *Details of the provision of on-site Access Natural Greenspace (ANG) of sufficient high quality and size; AND*

- *Derails of a signposted circular dog walking route of around 2.3-2.5km from the new development, which could potentially make use of pedestrian links (PRoW and highways) in the local area.*

14.6.14 Natural England has withdrawn its holding objection as further details have been provided. The applicant confirmed that SAMMS payments will be paid and secured through a s106, the provisions of the on-site ANG and additional plans have been supplied to demonstrate a dog walking circuit of 1.3km can be delivered onsite also with a 2.7km route can be provided which includes the development through Phases 1 and 2. Thus, officers consider that the mitigation measures can be addressed by suitably worded planning conditions and by planning obligations. These monetary mitigation measures will be added to the draft heads of terms below.

14.6.15 Place Services (Ecology) have also been consulted in relation to this application and reiterate the comments made by Natural England and the appropriate mitigation measures for the Hatfield Forest SSSI/NNR.

14.6.16 Concerning the measures in the submitted in the Preliminary Ecological Appraisal (SES August 2025) and the Ecological Impact Assessment (SES August 2025) it has been stated these should be secured through appropriately worded planning conditions to conserve and enhance protected and Priority species within the locality. Other conditions were recommended in relation to a Construction Environmental Management Plan (Biodiversity), Farmland Bird Compensation Strategy, Biodiversity Enhancement Strategy, a Wildlife Sensitive Lighting Scheme which will be secured by suitably worded planning conditions.

14.6.17 *Biodiversity Net Gain (BNG)*

14.6.18 In their response, Place Services maintain their support of the submitted Statutory Biodiversity Metric (August 2025) and the baseline habitat map and are satisfied the submitted information provides sufficient information to determine the application. As such, it has been requested that a Biodiversity Gain Plan should be submitted prior to commencement of development and secured by way of planning condition. Specific criteria has been requested as part of the biodiversity gain plan condition.

14.6.19 The biodiversity enhancements for protected, Priority and threatened species which have been recommended to secure as part of the biodiversity net gains are also supported, but requested these measures are secured by planning condition.

14.6.20 This advice goes on to states that a Habitat Management and Monitoring Plan (HMMP) should be secured for all significant on-site enhancements. It has also been advised that the maintenance and monitoring outlined in the HMMP should be secured via planning

obligations for a period of up to 30 years, which will be required to be submitted concurrent with the discharge of the biodiversity gain condition or alternatively the monitoring and maintenance outlined within the HMMP should be secured by planning condition. In both instances, i.e. whether the HMMP is secured through planning obligation or planning condition it will need to be secured for a period of up to 30 years.

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

14.7 E) Highways, Access and Parking

14.7.1 Paragraph 116 of the NPPF (2024) states that 'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe taking into account all reasonable future scenarios'.

14.7.2 Paragraph 117 of the NPPF (2024) goes on to stipulate that development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas, address the needs of all users, create places that are safe, secure, and attractive, allows efficient delivery of service and emergency vehicles and designed to cater for charging of plug-in and other low emission vehicles.

14.7.3 Policy GEN1 of the Uttlesford District Local Plan is broadly consistent with the aims and objectives of the NPPF as set out above. It requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must not compromise road safety and take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and encourage movement by means other than a vehicle.

14.7.4 Highways and Vehicle Access

14.7.5 The primary vehicle access into the site will be from the western boundary that extends from the Phase 2 development. ECC Highways in their initial comments raised a number of queries for the applicant to address.

14.7.6 Following these initial comments from Highways, a further Transport Technical (2100701-ACE-XX-00-RP-C-0105) note had been submitted and discussions have been had with the applicant and both ECC and UDC Highways Officers. Concerning the latter, as the site is allocated within the emerging Local Plan specific highways/transport

contributions are required. Following the highways meeting, officers agreed a stance forward, subject to various conditions and planning obligations.

- 14.7.7** In their final response, ECC Highways acknowledge that this development will represent the third phase of residential development within the wider vicinity and will bring the total quantum of residential development in this locality to 680 dwellings. It was further acknowledged by ECC Highways that there would be some impact on the existing highway network and Grove Hill, but it was deemed that the impact would not be severe. Notwithstanding this, it has been agreed among both ECC & UDC Highways that as the site is allocated within the eLP relevant sustainability obligations will be appropriate as well as highways conditions.
- 14.7.8** Overall, the highways conditions put forward include, inter alia, a Residential Travel Plan, a Residential Travel Information Pack and a Construction Management Plan. In terms of planning obligations, a financial contribution of £420,000 (index linked) towards the support and enhancement of a bus service that provides a half hourly day time service, Monday-Saturday to key facilities and/or any variation of the existing service that will directly benefit the existing site. The provision of car-club and e-cycle infrastructure was requested to be provided and that a Residential Travel Plan should secure the provisions of the car clubs/e-cycle clubs. However, the outcome of the recent Highways discussions it emerged that the applicant requested a degree of flexibility in terms of where the physical infrastructure will be located on site. In essence, the applicant would like some flexibility to provide the car-club/e-cycle infrastructure on the wider site of Phases 1 and 2, but officers consider that this could be secured through the s106.
- 14.7.9** Parking
- 14.7.10** Policy GEN8 of the Local Plan states that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location as set out in the Supplementary Planning guidance 'Vehicle Parking Standards'.
- 14.7.11** The adopted Uttlesford Parking standards recommended for at least 1-no. space for each 1-bedroom unit and at least 2-no. spaces for dwellings consisting of two-three-bedroom dwellings and 3-no. spaces for four+ bedroom dwellings. One visitor space is also required for every 4 residential units. In addition, each dwelling should be provided with at least 1 secure cycle covered space.
- 14.7.12** The parking plan submitted demonstrates that parking provisions on site are in accordance with the adopted parking standards. As noted above, there have been comments raised from the Council's Urban Design Officer regarding the triple tandem parking layouts. However, there have been revisions to the Parking Strategy Plan and as noted

above, it appears there is a degree of triple tandem parking which now only affects the 5bed properties. Thus, the proportion of properties affected by triple tandem parking will be approximately 5% of all properties and 1x secured cycle parking provisions will be provided in sheds in the gardens where garages are not proposed. As a result, officers do not consider triple tandem parking arrangement a significant proportion of parking and, in the majority of instances, this has been effectively designed out of the scheme.

14.7.13 Therefore, the proposal complies with ULP (2005) Policies GEN1, GEN8 and the NPPF (2024) subject to relevant conditions are complied with and appropriate s278 and s106 agreements. Moderate to significant weight has also been afforded to eLP Core Policies 26, 27 and 28.

14.8 F) Flood Risk and Site Drainage

14.8.1 The NPPF states that inappropriate development in areas of high-risk flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

14.8.2 The Environment Agency's (EA) indicative Fluvial and Tidal Flood Mapping demonstrates that the proposed development is sequentially located within Flood Zone 1 in accordance with the Flood Risk and Coastal Change PPG.

14.8.3 The Framework sets out where the need for Sequential Testing is required. The Sequential Test aims to direct new development to areas with the lowest probability of flooding. The development area of the site has been identified as located within Flood Zone 1 and is therefore considered to pass the Sequential Test. The need for Exception Testing is not necessary.

14.8.4 New major development for housing need to include a flood risk assessment as part of their planning application to ensure that the required form of agreed flood protection takes place. Additionally, all major developments are required to include sustainable drainage to ensure that the risk of flooding is not increased to those areas outside of the development and to ensure new development is future proofed allowing for increased instances of flooding expected to result from climate change.

14.8.5 The scale of the proposals has the potential to cause an increase in surface water runoff rates and volumes due to overloading of sewers, watercourses, culverts, and other drainage infrastructure. To demonstrate that sewer and surface water flooding is not exacerbated, surface water should be considered within the design of the site. This demonstrates that any additional surface water and overland flows are

managed correctly, to minimise flood risk to the site and the surrounding area.

14.8.6 The proposal will include Sustainable Drainage Systems (SuDS) Principles, and the DAS states it will aim to be to maximise the existing potential of the site to attenuate clean water, while providing valuable amenity and promoting a greater diversity of flora and fauna. The SuDS will manage surface water run-off rates by mimicking natural drainage characteristics to achieve a sustainable drainage solution that balances water quality, water quantity, amenity and biodiversity. In terms of surface water management, it has been stated that the proposed discharge rates will be limited to the annual greenfield rate of circa 2.5 l/s/ha for all storms up to and including the 1 in 100 years plus climate change. The DAS also maintains that the greenfield runoff rates have been calculated based on the development area of 4.136Ha and therefore the discharge rate from the site will be limited to 10.3l/s for all storms up to and including 1 in 100years plus climate change.

14.8.7 The Lead Local Flood Authority (LLFA) has been consulted on the application and has raised no objections subject to conditions.

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

14.9 G) Environmental Health and Contamination

14.9.1 The Environmental Health Officer (EHO) has commented on the application and with regards to noise, it has been acknowledged that the site is north of Stansted Airport and to the east of the M11 motorway and railway and so there were likely noise impacts to potential residents. EHO stated that the Noise Impact Assessment (NIA) concludes that 'noise would not prohibit the development as the recommendations to reduce internal sound levels in habitable rooms and amenity area included'. The NIA states that in order to achieve suitable internal amenity sound levels properties will be designed to enable residents to keep the windows closed and alternative ventilation will be provided. However, windows will not be sealed shut and can be opened but this will elevate the internal noise levels slightly. Given the above, no objections were raised subject to noise conditions in the event the application is recommended for approval.

14.9.2 In terms contamination, EHO had noted the site had been identified as potentially contaminated land due to its proximity to historical quarrying, and a railway line. It was also mentioned that these activities had not been regulated and, therefore, there is potential for contamination to have arisen from a range of sources. Given this, the EHO had recommended that works shall not commence until the nature of the contamination has been established and, therefore, suitably worded planning conditions will be applied in the event the application is approved.

14.9.3 Further conditions were recommended in relation to external lighting, a Construction Environmental Management Plan and electrical vehicle charging points which officers deem sufficient.

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

14.10 H) Archaeology

14.10.1 The applicant had submitted a Written Scheme of Investigation (WSI) for Archaeological Evaluation (August 2025). Place Services (Archaeology) maintains the WSI for the site suitably outlines a programme of trenching and should be undertaken prior to any ground works commencing to inform on the archaeological potential and to establish if any mitigation is required.

14.10.2 Thus, in order to understand the potential for, and significance of, archaeological impacts of the proposal a programme of trial trenching followed by mitigation is recommended. Essentially, no objections have been raised subject to relevant conditions being applied.

14.11 I) Planning Obligations

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

14.11.2 Housing

14.11.3 40% Affordable Housing with a tenure mix of 70% (Affordable Rent) / 30% (Affordable Home Ownership comprising of immediate housing of which will comprise of 5% discounted market sales), as suggested by UDC Housing.

14.11.4 Healthcare

14.11.5 The NHS Hertfordshire West Essex Integrated Care Board (HWE ICB) maintain this development will have an impact on primary health care provisions in the Elsenham area and, if left mitigated, would be unsustainable for the NHS.

14.11.6 Thus, it has been calculated that additional primary care services arising from this development will amount to £242,133.00 (indexed

linked to the date of the planning permission). HWE ICB have requested this is secured via a s106 planning obligation triggered on the occupancy of the 40th dwelling. The NHS HWE ICB have also mentioned that if the planning application is granted approval then it will focus s106 monies on the reconfiguration and expansion of Elsenham Surgery and/or provision of serving the development.

14.11.7 Please note the NHS figures provided for primary healthcare are likely to change as NHS comments have not been updated since the proposal has increased the residential units from 129no. to 130no dwellings.

14.11.8 Highways

14.11.9 As discussed in the Highways section (E) above, Highways have requested a number of conditions to mitigate the impacts of the development. Officers consider that following the comments from both ECC and UDC Highways Officers that Residential Travel Plan details (inc. provision of the car clubs/e-cycle clubs) and the financial contribution £420,000 (indexed linked) to the bus services ought to be secured in the s106 agreement

14.11.10 Biodiversity Net Gains and Hatfield Forest SSSI/NNR

14.11.11 As indicated above Natural England/National Trust has made specific mitigation requests. The applicant has agreed to pay the financial contributions towards the Strategic Access Management and Monitoring (SAMMs) measures as identified by the National Trust of £1,336.60 per residential unit as well as the other mitigation measures previously identified.

14.11.12 National Trust have also suggested further monies for a Mitigation Strategy, annual impact surveys and soil compaction analysis, however, officers will need to take a view as to whether these requests meets the relevant planning contributions test. At the time of writing, the applicants draft heads of terms do not contain items to address matters.

14.11.13 Education

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

14.11.14.1 A developer contribution of £220,860.00 index linked to Q1-2025 is sought to mitigate its impact on EY&C provisions. This equates to £20,405 per place for 10.80 new places.

14.11.14.2 *Primary Education*

- 14.11.14.3** A developer contribution of £878,976.00 index linked to Q1-2025 is sought to mitigate its impact on primary education provisions. This equates to £24,416.00 per place.
- 14.11.14.4** *Secondary Education*
- 14.11.14.5** A developer contribution of £675,048.00 index linked to Q1-2025 is sought to mitigate its impact on secondary education provisions. This equates to £28,127.00 per place.
- 14.11.14.6** *Post 16 Education*
- 14.11.14.7** No developers' contribution towards Post 16 education is required. However, it has been stated that in accordance with the Essex County Council Developers' Guide to Infrastructure Contributions (Revised 2023), an Employment and Skills Plan (ESP) should be prepared to set out how the developer will engage with and maximise local labour and skills opportunities.
- 14.11.14.8** *School Transport*
- 14.11.14.9** A developer contribution of 142,728.00 index linked to 2Q-2023 is sought to towards secondary school transport, applying a cost per pupil of £6.26 – secondary.
- 14.11.14.10** *Libraries*
- 14.11.14.11** The proposed development is expected to create additional usage of local libraries. A developer contribution of £10,114.00 therefore considered necessary to improve, enhance and extend the facilities and services provided and to expand the reach of the mobile library and outreach services. This equates to £77.80 per unit, index linked to April 2020.
- 14.11.14.12** *Monitoring Fees*
- 14.11.14.13** ECC requires an administration/monitoring fee towards funding the each obligation. The Monitoring Fee will be charged at a rate of £750 per obligation (financial and otherwise) and on large developments the Monitoring Fee will be calculated using a bespoke approach.

14.12 J) Other Matters

- 14.12.1** Initially there was a holding objection from Manchester Airport Group Services (MAGS) relating to the SuDS details, bird boxes and landscaping. The applicant sought to address the concerns relating to the above, by stating that the 2no. surface water attenuation features are dry basins, and that standing water is not acceptable within the attenuation basins due to the proximity with the airport. It has been stated that the bird boxes will be restricted so that they only

accommodate small bird boxes (not swifts). In terms of landscaping, it has been stated that the applicant will be happy to accept a reasonably worded planning condition to restrict the introduction of berry-bearing shrubs to no more than 22% of the total planting measures imposed.

14.12.2 Notwithstanding the above, MAGS have since withdrawn their objections subject to suitably worded planning conditions.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

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

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

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

15.2 Human Rights

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

16. CONCLUSION

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

16.2 The planning balance is an intrinsic aspect of the determination of planning applications and, as a consequence, NPPF paragraph 11(d) is triggered as the policies most important for determining the proposal are out of date. Specifically, NPPF paragraph 11(d)(ii) states that planning permission should be granted unless any adverse impacts of

doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

16.3 Evidently, elements of the development plan are out of date although it cannot be assumed that all relevant policies in the development plan attract less weight – weight being a matter for the decision maker and dependent on consistency with the NPPF (2024). Furthermore, since the application has been formally submitted the new Local Plan has advanced in status after the Council has received the Inspector’s post-examination report which indicates the eLP is sound and due for adoption this spring. The application site is allocated within the eLP for 110no. residential units with land reserved for further educational purposes. Therefore, given the local policy context this affords further weight to the principle of residential development in this location given that the proposal broadly accords with the residential provisions and land reserved for educational purposes. For these reasons, and in addition, moderate to significant weight has been afforded to the emerging Local Plan policies.

16.4 In light of the above assessment, the Planning Balance of paragraph 11(d)(ii) of the NPPF (2024) tilts in favour of development, as the benefits¹³ include:

16.5 ***Benefits of development***

- 16.6**
- Contribution to the Council’s 5 Year Housing Land Supply and Housing Delivery (significant weight)
 - Affordable Housing (significant weight)
 - Compliance with Nationally Described Space Standards (limited weight)
 - Biodiversity Net Gain (BNG) provisions will amount to 32.23% of habitat units and 34.75 of hedgerow units (significant weight)
 - Substantial open space and recreational provisions (substantial weight)
 - Cycle and pedestrian connectivity (moderate weight)
 - School expansions land in accordance with the emerging local plan (significant weight)

16.7 ***Adverse impacts of the of the development***

- 16.8**
- Limited visual impacts along the northern boundary from public footpath 15 due to existing mature planting and landscape enhancements (limited negative weight)
 - Limited visual impacts to the east where the land rises but will be further enhanced by woodland landscaping and open space provisions (limited negative weight)
 - Loss of Best and Most Versatile agricultural land (limited weight)
 - Loss of rural landscape qualities (limited weight)

¹³ Benefits as advanced by the applicant and others identified by officers.

16.9 Conclusion

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

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

17. **S106 AND CONDITIONS**

17.1 The application is hereby recommended for approval subject to the following conditions and draft Heads of Terms;

17.2 **S106 DRAFT HEADS OF TERMS**

- (i) Provision of 40% affordable housing (52 dwellings)
- (ii) Affordable housing tenure mix of 70% affordable rent and 30% affordable home ownership (Intermediate Housing of which includes 5% Discounted Market Sales)
- (iii) Education/Employment Contributions and land reserved for educational purposes:
 - Early Years and Childcare contribution of £220,860.00 (index linked to Q1- 2025)
 - Primary Education contribution £878,976.00 (index linked to Q1-2025)
 - Secondary Education contribution of £675,048.00 and the provision of a review clause within the s106 (index linked to Q1-2025)
 - Library contributions of £10,114.00
 - Provision of 'Employment and Skills Plan (ESP) to set out how developer will engage with and maximise local labour and skills opportunities
 - School Transport contribution toward secondary school transport £142,728.00 index linked to 2Q-2023
- (iv) NHS Contributions (£242,133.00)
- (v) Financial contributions to Strategic Access Management and Monitoring (SAMM) £173,368.00 (Natural England/National Trust)
- (vi) Non-financial provisions of Strategic Access Management and Monitoring (SAMM) to deliver of Accessible Natural Greenspace (ANG)
- (vii) Sustainable Transport Contribution (Residential Travel Pack inc. car clubs and e-cycle provisions on/wider the Phase 1 and 2 residential developments where necessary)
- (viii) Highways mitigations / contributions towards the bus service improvements (£420,000.00)

- (ix) Following the implementation of the Residential Travel Plan an annual monitoring fee of £1,817 payable to Essex County Council
- (x) Location of one car club parking bay at a suitable location onsite/or within the wider Elsenham Park development (if deemed necessary)
- (xi) Financial contribution of £330,000 to Henham Parish Council** for refurbishment of the existing village hall and converting into a modern community hub
- (xii) Financial contribution of £384,420* to Elsenham Parish Council** for further contributions to Elsenham Community Centre for the phase 3 development.
- (xiii) Open Space Management
- (xiv) SuDS Management
- (xv) Uttlesford District Council Monitoring Fees £18,980
- (xvi) Essex County Council Monitoring Fees (TBC)

**This figure relates to the 110 units allocated within the emerging Local Plan and subject to increase due to the 130 units proposed*

***The contributions requested by both Henham and Elsenham Parish Council are currently under review i.e. The applicant agrees a partial contribution towards Henham Parish Council but no contributions to Elsenham Parish Council*

17.3 CONDITIONS

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

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

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

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

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

REASON: In the interest of preserving the character and appearance of the surrounding area in accordance with Policy GEN2 of the Uttlesford

District Local Plan 2005 (as Adopted) and the National Planning Policy Framework.

LANDSCAPE AND ECOLOGY

- 4 No development shall commence until a landscape management plan has been submitted to and approved in writing by the local planning authority.

The landscape management plan shall include, but not limited to, the following;

- i) Management responsibilities;
- ii) Maintenance schedules for upkeeping of all landscaped areas including the recreational park, woodland trees and wildlife area (other than domestic gardens);
- iii) Planting heights within public open space areas fronting plots 48, 49, 73, 74 and 75;

The landscape management plan shall specifically detail how the public open space including any hedges and/or not in private ownership shall be managed. The landscape management plan shall be implemented in accordance with the details as approved and retained thereafter.

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

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

- Site Landscaping, drawing no. EA233-LS-002c
- Site Landscaping, drawing no. EA233-LS-003d
- Site Landscaping, drawing no. EA233-LS-004c
- Site Landscaping, drawing no. EA233-LS-005e
- Site Landscaping Specification & Schedule, drawing no. EA233-LS-006d

Unless otherwise agreed in writing by the Local Planning Authority.

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

- 6 The development hereby approved shall be implemented in accordance with the details contained within the 'Arboricultural Impact Assessment',

dated 13th August 2025, unless otherwise agreed in writing by the Local Planning Authority.

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

- 7 Prior to commencement of development hereby approved an arboricultural method statement shall be submitted and approved in writing by the Local Planning Authority. The statement shall identify trees to be retained as part of the development and shall include details of measures to protect and manage those trees during and after the construction stage of development. The development shall be undertaken in accordance with the approved statement.

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

- 8 All ecological mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (SES, August 2025) and the Ecological Impact Assessment (SES, November 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.

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

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

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

The CEMP (Biodiversity) shall include the following;

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

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

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

10

Prior to commencement of development hereby approved, a Farmland Bird Compensation Strategy shall be submitted to and approved by the local planning authority to compensate the loss or displacement of any Farmland Bird territories identified as lost or displaced. This shall include provision of offsite compensation in nearby agricultural land, prior to commencement.

The content of the Farmland Bird Compensation Strategy shall include the following:

- b) Purpose and conservation objectives for the proposed compensation measure e.g. Skylark plots;
- c) detailed methodology for the compensation measures e.g. Skylark plots must follow Agri-Environment Scheme option: 'AB4 Skylark Plots';
- d) locations of the compensation measures by appropriate maps and/or plans;
- e) persons responsible for implementing the compensation measure.

The Farmland Bird Compensation Strategy shall be implemented in accordance with the approved details and all features shall be retained for a minimum period of 10 years.

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

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

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

- a) identify those areas/features on site that are particularly sensitive for bats and badgers 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 conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under s40 of the Natural Environment and Rural Communities (NERC) Act 2006 (as amended) and in accordance with the adopted Uttlesford Local Plan Policies (2005) GEN7 and the Framework.

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

- a) 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.

14 A Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the Local Planning Authority prior to the occupation of any dwelling. The LEMP shall include provision for habitat creation and management during the life of the development hereby permitted, and shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a 5-year period).
- g) Details of the body or organisation responsible for implementation of the plan. Ongoing monitoring, remedial/contingency measures triggered by monitoring to ensure that conservation aims, and objectives are met.
- h) Details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured and the management body or bodies responsible for its delivery.

The approved plan will be implemented in accordance with the approved LEMP.

REASON: To protect the character and openness of the countryside location and for amenity purposes, in accordance with the adopted Uttlesford Local Plan Policies S7 and GEN2 Framework.

HIGHWAYS

15 No development shall take place, including any ground works or demolition, until a Construction Management Plan (CMP) has been submitted to, and approved in writing by, the local planning authority. The approved CMP shall be adhered to throughout the construction period and shall provide the following:

- i. the parking location of vehicles of site operatives and visitors
- ii. the locations of loading and unloading of plant and materials
- iii. the storage location of plant and materials used during the construction period

iv. details of wheel and underbody cleaning facilities and measures to be adopted

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and in accordance with Uttlesford Local Plan (2005) Policies GEN1 and GEN4 and the Framework.

- 16** The proposed development shall not be occupied until such time as the vehicle parking areas indicated on drawing no. P25-1018_DE_001_F_7 have been provided. The vehicle parking area and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: In the interest of highway safety and in accordance with Uttlesford Local Plan (2005) Policy GEN8, emerging Local Plan Core Policies 31 and the Framework.

- 17** Prior to commencement of the development hereby approved, the developer shall submit a Residential Travel Information Pack for all dwellings, in consultation with approved Essex County Council, to be approved in writing by the Local Planning Authority.

The developer shall be responsible for the provision and implementation of the Residential Travel Information Pack which shall include, but not limited to;

- (i) six one day travel vouchers for use with the relevant local public transport operators and information on the sustainable travel initiatives across the site (car club, e-cycle hire scheme etc)

REASON: In the interests of reducing the need to travel by car and promoting sustainable transport modes in accordance with Policy GEN1 of the Uttlesford Local Plan as adopted (2005), and emerging Local Plan Core Policies 26, 27, 28 and the Framework.

- 18** Prior to first occupation of the development hereby approved details regarding the on-site measures aimed at relieving the pressure on use of Hatfield Forest shall be submitted to and approved in writing by the Local Planning Authority to include:

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

REASON: To comply with the Hatfield Forest Mitigation Strategy and Policy GEN7 of the Uttlesford Local Plan as adopted (2005),

- 19** Prior to commencement of the development hereby approved, the Developer shall submit a Residential Travel Plan to the Local Planning Authority for approval in consultation with Essex County Council. Once approved the Residential Travel Plan shall then be implemented from first occupation of the development until 1 year after final occupation (as a minimum period).

The Residential Travel Plan shall include but not limited to,

(i) sustainable travel initiatives such as, one electric car club vehicle and one dedicated car club parking space, to be provided for a minimum period of 5 years and the provision of a cycle hire hub with minimum 6 electric cycles and Sheffield stands available for all users of the development

REASON: To protect highway efficiency of movement and safety and to encourage trips associated with the development to be made by more sustainable modes of transport such as public transport, cycling and walking and in accordance with Uttlesford Local Plan (2005) Policy GEN1, emerging Local Plan Core Policies 26, 27, 28 and the Framework.

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

REASON: To ensure appropriate cycle parking is provided in the interest of highway safety and amenity and in accordance with Uttlesford Local Plan (2005) Policy GEN1, emerging Local Plan Core Policies 26, 27, 28 and the Framework.

- 21** One year after final occupation of development, a parking survey shall be completed to identify any issues of inappropriate on street parking, including inappropriate parking at the car club parking bays. The results of the survey shall be submitted to the Local Planning Authority in writing and, if necessary, accompanied by a scheme of parking regulations/restrictions (Traffic Regulation Order). In the interests of clarity, the survey and Traffic Regulation Orders, if needed, shall be at the developer's expense.

REASON: To prevent indiscriminate parking in the interest of highway safety in accordance with Uttlesford Local Plan (2005) Policy GEN8, emerging Local Plan Core Policies 26, 27, 28, 31 and the Framework.

- 22** Prior to commencement of development hereby approved the developer shall submit a scheme in writing to the Local Planning Authority for approval, for the provision of six Sheffield stands for the e-cycle scheme within phase 3 boundaries and the provision of one car club parking bay

at a suitable location within the wider Elsenham Park development (Phase 1, 2 or 3).

The approved scheme shall be provided prior to first occupation.

REASON: In the interests of promoting sustainable transport, in accordance with Local Plan Policy GEN1 and the Framework.

- 23** Prior to the opening of the educational facility, an Education Travel Plan must be submitted to and approved by the Local Planning Authority in writing. The Education Travel Plan shall then be actively implemented from the opening of the educational facility for a minimum period of 5 consecutive years during which the facility is operational.

REASON: To protect highway efficiency of movement and safety and to encourage trips associated with the development to be made by more sustainable modes of transport such as public transport, cycling and walking and in accordance with Uttlesford Local Plan (2005) Policy GEN1, emerging Local Plan Core Policies 26, 27, 28 and the Framework.

SUSTAINABLE DRAINAGE

- 24** The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment and the following mitigation measures detailed within the FRA:
- Limiting the discharge from the site to 10.3l/s
 - Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change.

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

REASON:

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective treatment of surface water runoff to prevent pollution.

In accordance with Local Plan Policy GEN3 and the Framework.

- 25** 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 103 and paragraph 109 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 Local Plan Policy GEN3 and the Framework.

- 26** No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

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

REASON:

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information before commencement of works 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 Local Plan Policy GEN3 and the Framework.

- 27** 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 Local Plan Policy GEN3 and the Framework.

- 28** The development hereby permitted shall not be commenced until the pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

REASON:

To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site.

Failure to carry out the required maintenance 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 Local Plan Policy GEN3 and the Framework.

MANCHESTER AIRPORT GROUP

- 29** No development to take place until a construction phase Bird Hazard Management Plan (BHMP) is submitted for approval to the Local Planning Authority in consultation with the aerodrome safeguarding authority for Stansted Airport. The BHMP should detail that during construction, robust measures will be taken to prevent the site becoming an attractant for species of birds that are hazardous to aircraft. No puddling of water, no new temporary areas of open water should be established during the construction phase, and care should be taken to prevent detritus that could act as a food source for birds.

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.

- 30** 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.

- 31** 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.

ARCHAEOLOGY

- 32**
- (1) No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological evaluation identified in the WSI defined in Part 1 and confirmed by the archaeological advisors to the Local Planning Authority.
 - (2) No development or preliminary groundworks of any kind shall take place until the submission of a mitigation WSI detailing the excavation/ preservation strategy for approval by the Local Planning Authority.
 - (3) No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation WSI, and approved by the Archaeological Advisors to the Local Planning Authority.
 - (4) The applicant will submit a Post Excavation Assessment and/or Updated Project Design for approval by the Local Planning Authority. This shall be done within 6 months of the date of completion of the archaeological fieldwork unless otherwise agreed in advance in writing by the Local Planning Authority. This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

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

ENVIRONMENTAL HEALTH

- 33**
- Submission of a Preliminary Risk Assessment Report***
- A) Groundworks shall not commence until actual or potential land contamination at the site has been investigated and a Preliminary Risk Assessment (Phase I Desk Study Report) by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority.
- Submission of a Phase 2 Intrusive Site Investigation Report***
- B) Where further intrusive investigation is recommended in the Preliminary Risk Assessment, groundworks (other than those required for a site investigation report) shall not commence until a Phase II Intrusive Site Investigation Report by a suitably competent

person has been submitted to and approved in writing by the Local Planning Authority.

Submission of Remediation Strategy

- C) Where site remediation is recommended in the Phase II Intrusive Site Investigation Report approved pursuant to the aforementioned, further groundworks shall not commence until a Remediation Strategy by a suitably competent person has been submitted to and approved in writing by the Local Planning Authority. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures.

Implementation of the Remediation Strategy

- D) Remediation of the site shall be carried out and completed in accordance with the Remediation Strategy approved pursuant to the aforementioned condition. In the event that remediation is unable to proceed in accordance with the approved Remediation Strategy or contamination not previously considered [in either the Preliminary Risk Assessment or the Phase II Intrusive Site Investigation Report] is identified or encountered on site, all groundworks in the affected area (except for site investigation works) shall cease immediately and the Local Planning Authority shall be notified in writing within 2 working days. Works shall not recommence until proposed revisions to the Remediation Strategy have been submitted to and approved in writing by the Local Planning Authority. Remediation of the site shall thereafter be carried out in accordance with the approved revised Remediation Strategy.

Submission of Validation Report

- E) Following completion of any measures identified in the approved Remediation Strategy or any approved revised Remediation Strategy, a Validation Report by a suitably competent person shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the remediation measures have been completed for (that part of) the site in accordance with the approved Remediation Strategy or the approved revised Remediation Strategy and a Validation Report in respect of those remediation measures has been approved in writing by the Local Planning Authority.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, and to accord with the aims of Policy ENV14 of the Local Plan and the Framework.

- i) Prior to the commencement of development hereby approved, a report specifying the measures to be taken to protect the development from noise from all significant noise sources that are likely to affect the proposed development shall be submitted to and approved in writing by the Local Planning Authority.

The report shall present:

- a) The measures that have been considered to control noise, as detailed in BS8233, section 5:

- positioning of buildings on site;
- orientation of buildings on site;
- provision of barriers (such as extending roof structure to shade aircraft noise);
- increasing the sound insulation of the building envelope; and
- re-planning the interior layout of the building

- b) Detail the proposed attenuation/design necessary to protect the amenity of the occupants of the new residences (including ventilation if required).

The development shall not be occupied until all works specified in the approved report have been carried out in full and such works shall be thereafter retained.

Ventilation of Habitable Rooms

- ii) Prior to the commencement of development hereby approved, a ventilation scheme for rooms within the residential units where windows need to be kept closed to prevent excessive noise levels shall be submitted to and approved in writing by the Local Planning Authority.

The ventilation scheme shall provide the following information:

- a) Identify which rooms of which plots referenced back to the approved Noise Assessment require a ventilation system
- b) The acoustic specification of the proposed ventilation system demonstrating that when operated it will not cause indoor noise target levels to be exceeded
- c) The ventilation scheme must demonstrate:

- How rooms shall be provided with sufficient ventilation to help control thermal comfort and avoid over heating during hot weather without the need to open windows. This should include details of the air intake location and any summer bypass for any heat recovery system including a calculation for air changes/hour. A Standard Assessment Procedure (SAP) assessment would be acceptable to demonstrate that a risk of overheating is minimised.
- How indoor air quality will be assured.

All works which form part of the approved scheme shall be completed prior to occupation of the development and retained thereafter.

Validation Report Confirming Noise Levels Achieved

iii) Before first occupation, the developer shall provide written evidence to the Local Planning Authority to demonstrate that the following sound levels have been achieved in proposed development:

- a) The 16-hour LAeq shall not exceed 35dB between 0700 and 2300 hours when measured inside any noise sensitive rooms in the development.
- b) The 8-hour LAeq shall not exceed 30dB between 2300 and 0700 hours when measured inside any bedroom in the development.
- c) The 15-minute LAF1 shall not exceed 45 dB between 2300 and 0700hrs when measured inside any bedroom in the development

If it cannot be demonstrated that the aforementioned sound levels have been achieved, a further scheme incorporating further measures to achieve those sound levels shall be submitted to and approved in writing by the Local Planning Authority.

All works comprised within those further approved measures shall be completed and written evidence to demonstrate that the aforementioned sound levels have been achieved shall be submitted to and approved in writing by the Local Planning Authority before the development is first brought into use.

REASON: To ensure that the proposed use(s) does not give rise to the loss of amenity to nearby residential properties, by reason of noise or disturbance, and to accord with the aims of Policy ENV10 and the Framework.

- 35** Prior to the opening of the educational facility, a scheme of design and mitigation measures to achieve BB93 School Acoustics criteria for the specific rooms of the school, and for any external teaching areas so that noise levels should not exceed 50dB LAeq 30 mins shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall be implemented as approved.

REASON: To ensure that the proposed use does not give rise to the loss of amenity to occupants by reason of noise or disturbance in accordance with Policy ENV10 and the Framework.

- 36** Prior to installation of any externally mounted ancillary plant for non-residential buildings, equipment and servicing a scheme of design and details of any necessary mitigation to achieve a rating level at the closest

noise sensitive receptor from all plant combined of 5 dB LAeq below the typical background (LAeq 90) level at the nearest noise sensitive receptor shall be submitted to and approved in writing by the Local Planning Authority.

The scheme shall be implemented as approved.

REASON: To ensure that the proposed use does not give rise to the loss of amenity to occupants by reason of noise or disturbance in accordance with Policy ENV10 and the Framework.

37 Before the installation of external artificial lighting commences a lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme should include the following information:

- a) The proposed hours of operation of the lighting
- b) The location and specification of all of the luminaires
- c) The proposed design level of maintained average horizontal illuminance for the areas that needs to be illuminated.
- d) The predicted vertical illuminance that will be caused by the proposed lighting when measured at windows of any properties in the vicinity.
- e) The measures that will be taken to minimise or eliminate glare and stray light arising from the use of the lighting that is caused beyond the boundary of the site
- f) The methods of switching and controlling the lighting so that it is only operated at the permitted times and at times when it is required.

The external artificial lighting shall be installed and operated thereafter in accordance with the approved scheme.

REASON: To safeguard the amenities of the occupiers of nearby properties and to promote sustainable development in accordance with part 2 and 15 of the Framework and the adopted Uttlesford Local Plan (2005).

38 Before the electrical systems are installed to any residential unit, a scheme detailing the dedicated facilities that will be provided for charging electric vehicles and other ultra-low emission vehicles shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall meet at least the following minimum standard for numbers and power output:

- A Standard Electric Vehicle Charging point providing a continuous supply of at least 16A (3.5kW) for each residential unit that has a dedicated parking space
- One Standard Electric Vehicle Charging Point providing a continuous supply of at least 16A (3.5kW) for at least 20% of non-residential parking spaces

Buildings and parking spaces that are to be provided with charging points shall not be brought into use until the charging points are installed and operational.

Charging points installed shall be retained thereafter.

REASON: In the interest of supporting and encouraging low emission vehicles, in the interest of air quality enhancement, and to comply with the aims and objectives of Chapters 2, 9 and 15 of the Framework.

- 39** Prior to commencement of the development hereby approved, details of renewable energy/climate control and water efficiency measures associated with the development shall be submitted to and approved in writing by the local planning authority. Thereafter, the approved measures shall be implemented prior to the occupation of each unit and thereafter retained unless otherwise agreed in writing by the local planning authority.

REASON: To ensure the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance to comply with the adopted Uttlesford Local Plan Policies ENV13 and GEN2, and emerging Local Plan Policy Core Policies 22, 23, 24, 25 and 34.

- 40** 5% of the dwellings approved by this permission shall be built to Category 3 (Wheelchair user) housing M3 (3)(2)(a) wheelchair adaptable. The remaining dwellings must be built to Category 2: Accessible and adaptable dwellings M4 (2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: In accordance with Policy GEN2 of the Uttlesford Local Plan 2005 and the emerging Local Plan Core Policy 53.

- 41** No development or preliminary groundworks shall commence until an Unexploded Ordnance Risk (UXO) Assessment has been submitted to and approved in writing by the Local Planning Authority. The UXO Assessment shall include details of risk mitigation measures, how mitigation will be implemented, details of the procedures should high risk UXO not previously identified be encountered and the reporting regime.

The mitigation shall be undertaken in accordance with the approved scheme.

REASON: In the interests of public safety.

- 42** Prior to any development commencing a Construction Environmental Management Plan (CEMP) shall be submitted to and agreed in writing with the Local Planning Authority. The plan shall describe in detail the actions that will be taken to minimise adverse impacts on occupiers of nearby properties by effectively controlling:

- a) Noise & vibration arising from all construction related activities. This should also include suitable restrictions on the hours of working on the site including times of deliveries.
- b) Dust arising from all construction related activities.
- c) Artificial lighting used in connection with all construction related activities and security of the construction site.

The agreed plan shall be adhered to throughout the construction of the development.

REASON: To safeguard the amenities of the occupiers of nearby properties in accordance with part 15 of the of the National Planning Policy Framework and in accordance with Policies GEN1, GEN2, and GEN4 of the adopted Uttlesford Local Plan.

- 43** Prior to works above slab level, details of how the development will meet 'Secured by Design' accreditation (2025 residential standards) principles shall be submitted to and approved in writing by the Local Planning Authority in consultation with Essex Police Designing Out Crime Officers.

The development shall be carried out in accordance with the approved details.

REASON: To ensure safe development and contribute to reducing crime, in accordance with Uttlesford Local Plan Policy (2005) GEN2(d) and paragraph 135(f) of National Planning Policy Framework .

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

(a) Biodiversity Gain Plan has been submitted to the planning authority, and

(b) the planning authority has approved the plan.

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

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

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

Annex 1 – Statutory Consultees

i. Manchester Airport Group



Our ref: STN 2025-225

16 October 2025

Development Control
Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

Appn. No.: UTT/25/2490/FUL
Proposal: Application for 129 Residential Dwellings (use Class C3) including affordable housing, access, car parking, new areas of open space, landscaping, infrastructure, along with the safeguarding of future primary school expansion land (use class F1) and associated works
Location: Land East Of Old Mead Road Henham

Dear UDC,

Thank you for consulting with the aerodrome safeguarding authority for Stansted Airport on the above proposed development. We object to the following aspect of the development plans and require further details and clarification as follows:

- SuDS - This proposed SuDS as described would consist of 2 large attenuation basins (both approximately 7.5m x 25m) and swales. Open water features may attract hazardous birds such as swans, geese, ducks and gulls and, this close to the airport could prove problematic. This close to STN, attenuation basins and swales should be normally dry and drain down completely within 48 hours. If a low level of water remains in the basin, it should be densely vegetated with the vegetation growing above the level of the water. The planting regime within the basins and swales suggest that it will be vegetated with seasonal wetland meadow and pond edge mix. Half drain down times are given as 'within 10 hours'. The developer does seem to be aware of the potential birdstrike risk and one of the documents refers to proximity to STN and the need for rapid drain down times to deter waterbirds. However, there is an illustration of the new site showing a pond with open water and the maintenance schedule of the SuDS implies open water with phrases such as the 'water edge'. In addition, the Ecological appraisal refers to newly created 'aquatic habitats', which may also be indicative of plans for open water. Please can we have further information and clarification on this detail?
- Bird boxes - The plans include integral bird boxes, with a recommendation for swift boxes as the preferred option. Swifts are wide ranging birds which may feed over open grassland such as airfields. Swifts often collide with aircraft and bird boxes should be restricted to ones accommodating small woodland birds which are unlikely to create a birdstrike hazard at STN.
- Landscaping - The planting regime currently includes a high proportion of berry-bearing species such as blackthorn and cherry. As in previous phases, berry-bearing species should be restricted to 22% of the total planting.

Continued...

Enterprise House
Redditch Road

Once the issues outlined above are resolved, we will require the following conditions and informatives:

- Condition: No development to take place until a construction phase Bird Hazard Management Plan (BHMP) is submitted for approval to the LPA in consultation with the aerodrome safeguarding authority for Stansted Airport. The BHMP should detail that during construction, robust measures will be taken to prevent the site becoming an attractant for species of birds that are hazardous to aircraft. No puddling of water, no new temporary areas of open water should be established during the construction phase, and care should be taken to prevent detritus that could act as a food source for birds.
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.
- 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.
- 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 - 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. See Air Navigation Order and the Regulations Part 28, Article 221 (i) which states that: "A person shall not exhibit in the United Kingdom any light which:
(a) by reason of its glare is liable to endanger aircraft taking off or landing at an aerodrome;
(b) by reason of its liability to be mistaken for an aeronautical ground light is liable to endanger aircraft."
The Order grants the Civil Aviation Authority power to serve notice to extinguish or screen any such light which may endanger aircraft.
- 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://nats-uk.ead-it.com/cms-nats/opencms/en/uas-restriction-zones/>
- 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/>

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.

Sincerely,

MAG Group Aerodrome Safeguarding Team
[Stansted Airport](#) | [East Midlands Airport](#) | [Manchester Airport](#)
[Aerodrome Safeguarding | Manchester Airport](#)
www.magairports.com



From: DD - Aerodrome Safeguarding <aerodrome_safeguarding@stanstedairport.com>
Sent: 25 February 2026 16:37
To: Planning <planning@uttlesford.gov.uk>
Subject: >> CONSULTATION RESPONSE: UTT/25/2490/FUL

Ref: UTT/25/2490/FUL

Our ref: STN 2026-040

Proposal: Application for 130 Residential Dwellings (use Class C3) including affordable housing, access, car parking, new areas of open space, landscaping, infrastructure, along with the safeguarding of future primary school expansion land (use class F1) and associated works

Location: Land East Of Old Mead Road Henham

Dear UDC,

Thank you for consulting with the aerodrome safeguarding authority for Stansted Airport. We can confirm that the updated landscaping regime now enables us to remove our objection. Please note that the conditions outlined within our comments dated 02/02/2026 stand (re-attached for reference).

Kind regards,

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



ii. Active Travel

From: Active Travel England Planning <planning-consultations@activetravelengland.gov.uk>
Sent: 28 November 2025 15:59
To: Planning <planning@uttlesford.gov.uk>
Subject: >> LPA Reference: UTT/25/2490/FUL Standing Advice Response

LPA Reference: UTT/25/2490/FUL

ATE Reference: ATE/25/01437/FULL

Site Address: LAND EAST OF, OLD MEAD ROAD, HENHAM, CM22 6JL

Proposal: Application for 129 Residential Dwellings (use Class C3) including affordable housing, access, car parking, new areas of open space, landscaping, infrastructure, along with the safeguarding of future primary school expansion land (use class F1) and associated works

Standing Advice

Dear Sir/Madam,

Following a high-level review of the above planning consultation, Active Travel England has determined that standing advice should be issued and would encourage the local planning authority to consider this as part of its assessment of the application. Our standing advice can be found here:

<https://www.gov.uk/government/publications/active-travel-england-sustainable-development-advice-notes>

ATE would like to be notified of the outcome of the application through the receipt of a copy of the decision notice, in addition to being notified of committee dates for this application.

Kind regards

iii. Natural England

Date: 14 October 2025
Our ref: 528799
Your ref: UTT/25/2490/FUL

Uttlesford District Council
planning@uttlesford.gov.uk

BY EMAIL ONLY



Consultations
Hornbeam
House
Crewe Business
Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 900

Dear Sir / Madam

Planning consultation: Application for 129 Residential Dwellings (use Class C3) including affordable housing, access, car parking, new areas of open space, landscaping, infrastructure, along with the safeguarding of future primary school expansion land (use class F1) and associated works

Location: Land East Of Old Mead Road Henham .

Thank you for your consultation on the above dated 26 September 2025 which was received by Natural England on the same date.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

SUMMARY OF NATURAL ENGLAND'S ADVICE

OBJECTION – FURTHER INFORMATION REQUIRED

As submitted, the application could have potential significant effects on Hatfield Forest Site of Special Scientific Interest (SSSI) / National Nature Reserve (NNR). Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation.

The following information is required:

- Details of an agreement to pay the required financial contribution towards Strategic Access Management and Monitoring (SAMM) measures identified by the National Trust as landowners of £1,333.60 per new residential dwelling;
AND
- Details of the provision of on-site Accessible Natural Greenspace (ANG) of sufficient high quality and size (refer to [GI Standards \(naturalengland.org.uk\)](https://www.naturalengland.org.uk));
AND
- Details of a signposted circular dog walking route of around 2.3-2.5 km from the new development, which could potentially make use of pedestrian links (PRoW and highways) in the local area.

Please re-consult Natural England once this information has been obtained. Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

Hatfield Forest SSSI / NNR - further advice

Hatfield Forest is a National Nature Reserve (NNR). It is nationally designated as a Site of Special Scientific Interest (SSSI) and regarded to be of international importance for its ancient wood pasture-forest habitats. The interest features of these habitats are vulnerable to recreational impacts and within recent years there has been increasing concern regarding the number of visitors. It has been noted that there have been significant increases in visitor numbers, linked to nearby residential development. Both Natural England and the National Trust therefore have concerns regarding the impacts of increasing visitor pressure on the designated site and it is apparent that the current number of visitors is exceeding carrying capacity of some important SSSI habitats and features.

The National Trust has undertaken visitor surveys to establish a Zone of Influence (ZOI) for recreational impacts to Hatfield Forest SSSI / NNR, which has been determined to be 11.1km. Natural England regards this information as material and therefore would anticipate that the application be assessed in the context of these issues and the strategic mitigation solution to address recreational pressure impacts. Please note Natural England's Impact Risk Zones have since been updated to reflect this ZOI. New residential housing within this ZOI is likely to damage the interest features of Hatfield Forest SSSI/NNR.

The evidence in relation to recreational pressure has been shared with your authority and we wrote to all Local Planning Authorities identified as falling within the ZOI to confirm Natural England's position. The strategic mitigation solution comprises two elements:

- 1) Strategic Access Management and Monitoring (SAMM) package of measures undertaken within Hatfield Forest NNR/SSSI, to increase the resilience of the ancient woodland to recreational pressure; and,
- 2) For larger developments of 50+ dwellings, on and/or off site measures.

LPA Council Members are due to be consulted on a final draft Governance Agreement relating to the Mitigation Strategy in summer 2025. Please refer to the letter from Natural England to the partner LPAs and the National Trust dated 19 June 2025 (available from the LPAs) for the most recent update on the strategic mitigation solution.

We would take this opportunity to highlight the Local Planning Authority's duties under the Wildlife and Countryside Act 1981 (as amended), notably under section 28G with respect of the SSSI. Appropriate measures, such as the mitigation outlined above, should therefore be taken to ensure the conservation and enhancement of the SSSI. This is further reflected within paragraphs 174 and 180 of the NPPF, whereby authorities should seek to protect and enhance the natural environment, including sites of biodiversity value. Natural England advise that mitigation measures are sought to ensure compliance with the above referenced national policies.

We draw your attention to appeal reference s62A/2023/0019RD (Land to the north of Roseacres, between Parsonage Road and Smiths Green Lane, Takeley, Essex, CM22 6NZ (Land also known as Bull Field, Warish Hall Farm, Takeley, Essex)), with respect to the Hatfield Forest SSSI/NNR strategic mitigation solution.

Natural England advises that permission should not be granted until such time as the following mitigation measures have been secured through a planning condition / obligation:

- Financial contribution towards Strategic Access Management and Monitoring (SAMM) measures identified by the National Trust as landowners of £1,333.60 per new residential dwelling;
AND
- The provision of on-site Accessible Natural Greenspace (ANG) of sufficient high quality and size (refer to [GI Standards \(naturalengland.org.uk\)](https://www.naturalengland.org.uk));
AND
- a signposted circular dog walking route of around 2.3-2.5 km from the new development, which could potentially make use of pedestrian links (PRoW and highways) in the local area.

Please note that if your authority is minded to grant planning permission contrary to the advice in this letter, you are required under Section 28I (6) of the Wildlife and Countryside Act 1981 (as amended) to notify Natural England of the permission, the terms on which it is proposed to grant it and how, if at all, your authority has taken account of Natural England's advice. You must also allow a further period of 21 days before the operation can commence.

Further general advice on consideration of protected species and other natural environment issues is provided at Annex A.

Should the developer wish to discuss the detail of measures to mitigate the effects described above with Natural England, we recommend that they seek advice through our [Discretionary Advice Service](#).

If you have any queries relating to the advice in this letter, please contact Camilla Davidge as case officer, via consultations@naturalengland.org.uk.

Please consult us again once the information requested above has been provided.

Yours faithfully

Fiona Martin
Strategic Solutions Senior Officer
West Anglia Team

iv. NATS Safeguarding

From: NATS Safeguardin [REDACTED]
Sent: 01 December 2025 11:57
To: Planning <planning@uttlesford.gov.uk>
Subject: >> RE: Planning Application Consultation - UTT/25/2490/FUL GENNAH [SG34232]

Our Ref: SG34232

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

— — — — —

v. Lead Local Flood Authority

Essex County Council
**Development and Flood Risk
Waste & Environment**
C426 County Hall
Chelmsford
Essex CM1 1QH



Uttlesford District Council
Planning Services

Date: 28th November 2025
Our Ref: SUDS-008526
Your Ref: UTT/25/2490/FUL

Dear Sir/Madam,

Consultation Response – UTT/25/2490/FUL- Land East Of Old Mead Road Henham

Thank you for your email received on 26/09/2025 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

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

In providing advice this Council 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 Flood Risk Assessment and the associated documents which accompanied the planning application, we wish to issue a **do not object** to the granting of planning permission based on the following:

Condition 1

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

- Limiting the discharge from the site to 10.3l/s
- Provide attenuation storage (including locations on layout plan) for all storm events up to and including the 1:100 year storm event inclusive of climate change.

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or

within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective treatment of surface water runoff to prevent pollution.

Condition 2

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 103 and paragraph 109 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.

Condition 3

No works shall take place until a Maintenance Plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

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

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information before commencement of works may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 4

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.

Condition 5

The development hereby permitted shall not be commenced until the pipes within the extent of the site, which will be used to convey surface water, are cleared of any blockage and are restored to a fully working condition.

Reason

To ensure that drainage system implemented at the site will adequately function and dispose of surface water from the site.

Failure to carry out the required maintenance 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.

We also have the following advisory comments:

- 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>
- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. planning application with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures [Flood risk assessments: climate change allowances - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/flood-risk-assessments-climate-change-allowances)

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

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, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- 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.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- 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.
- 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.
- 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.
- 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.

Yours sincerely,

Mabel Golding 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

Appendix 1 - Flood Risk responsibilities for your Council

The following paragraphs provide guidance to assist you in determining matters which are your responsibility to consider.

- **Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements)**

You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood.

- **Flood recovery measures (including flood proofing and other building level resistance and resilience measures)**

We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing.

Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation.

Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Further information can be found in the Department for Communities and Local Government publications '[Preparing for Floods](#)' and '[Improving the flood performance of new buildings](#)'.

- **Sustainability of the development**

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.

vi. ECC Highways

Your Ref: UTT/25/2490/FUL
Our Ref: 81090
Date: 22ND January 2026



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/25/2490/FUL
Applicant Mr R Parker
Site Location Land East Of Old Mead Road Henham
Proposal Application for 130 Residential Dwellings (use Class C3) including affordable housing, access, car parking, new areas of open space, landscaping, infrastructure, along with the safeguarding of future primary school expansion land (use class F1) and associated works

The Highway Authority has reviewed the supporting information and plans submitted with the application and all subsequent revisions following our initial comments. This application is in relation to the phase 3 of the Henham Road development (Elsenham Park) bringing the total amount of dwellings up to 700. Although some impact is anticipated on the existing network and Grove Hill, the outcome would not be considered severe. It must be noted that the site is also allocated in the Emerging Local Plan for Uttlesford District Council and relevant sustainability obligations have been outlined below via the proposed conditions.

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

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.

1. **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. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:
 - i. the parking of vehicles of site operatives and visitors
 - ii. loading and unloading of plant and materials

- iii. storage of plant and materials used in constructing the development
- iv. wheel and underbody cleaning facilities

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

2. **Vehicle Parking and turning:** The proposed development shall not be occupied until such time as the vehicle parking areas indicated on drawing no. P25-1018_DE_001_F_7, have been provided. The vehicle parking area and associated turning areas shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority. **Reason:** To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety
3. **Cycle Parking:** Cycle parking shall be provided in accordance with the EPOA Parking Standards. The approved facility shall be secure, convenient, covered and provided prior to occupation and retained at all times. **Reason:** To ensure appropriate cycle parking is provided in the interest of highway safety and amenity.
4. **Residential Travel Plan:** Prior to first occupation of the proposed development, the Developer shall submit a residential travel plan to the Local Planning Authority for approval in consultation with Essex County Council. Such approved travel plan shall then be actively implemented for a minimum period from first occupation of the development until 1 year after final occupation. It shall be accompanied by an annual monitoring fee of £1,817 (index linked), to be paid to Essex County Council. The Residential Travel Plan shall include but not limited to, sustainable travel initiatives such as, one electric car club vehicle and one dedicated car club parking space, to be provided for a minimum period of 5 years and the provision of a cycle hire hub with minimum 6 electric cycles and Sheffield stands available for all users of the development. **Reason:** To protect highway efficiency of movement and safety and to encourage trips associated with the development to be made by more sustainable modes of transport such as public transport, cycling and walking.
5. **Residential Travel Information Packs:** Prior to occupation of the proposed development, the Developer shall be responsible for the provision and implementation of a Residential Travel Information Pack per dwelling, for sustainable transport, approved by Essex County Council, to include six one day travel vouchers for use with the relevant local public transport operator and information on the sustainable travel initiatives across the site (car club, e cycle hire scheme etc). **Reason:** In the interests of reducing the need to travel by car and promoting sustainable development and transport.
6. **Parking Restrictions:** One year after final occupation, a parking survey shall be completed to identify any issues of inappropriate on street parking, including inappropriate parking at the car club parking bays. The results of the survey shall be submitted to the Local Planning Authority in writing and if necessary, accompanied by a scheme of parking regulations/restrictions (Traffic Regulation Order). In the interests of clarity, the survey and Traffic Regulation Orders, if needed, shall be at the developer's expense. **Reason:** To prevent indiscriminate parking in the interest of Highway Safety.
7. **Bus Service Contribution:** Provision of a financial contribution of £420,000 (index linked) towards the support or enhancement of a bus service that provides a half hourly daytime service, Monday to Saturday to key facilities including Stansted Mountfitchet, Bishops Stortford, Stansted Airport, or any variation of the service that directly benefits the site and

is agreed by the planning authority in consultation with highway authority. The contribution to be paid prior to first occupation of the development. Reason: In the interests of reducing the need to travel by car and promoting sustainable transport.

8. **Car club and E-cycle infrastructure:** Prior to commencement of any works the developer shall submit a scheme in writing to the Local Planning Authority for approval, for the provision of six Sheffield stands for the e-cycle scheme within phase 3 boundaries and the provision of one car club parking bay at a suitable location within the wider Elsenham Park development (Phase 1, 2 or 3) . The approved scheme shall be provided prior to first occupation. Reason: In the interests of promoting sustainable transport.

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

Informative:

- i. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.
- ii. 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 public footpath no. 15 (Henham 25) 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.
- iii. 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.
- iv. There shall be no discharge of surface water onto the Highway.
- v. Prior to commencement of the development, the areas within the curtilage of the site for the purpose of loading / unloading / reception and storage of building materials and manoeuvring of all vehicles, including construction traffic shall be provided clear of the highway.
- vi. 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. This will include the submission of detailed engineering drawings for approval and safety audit.