

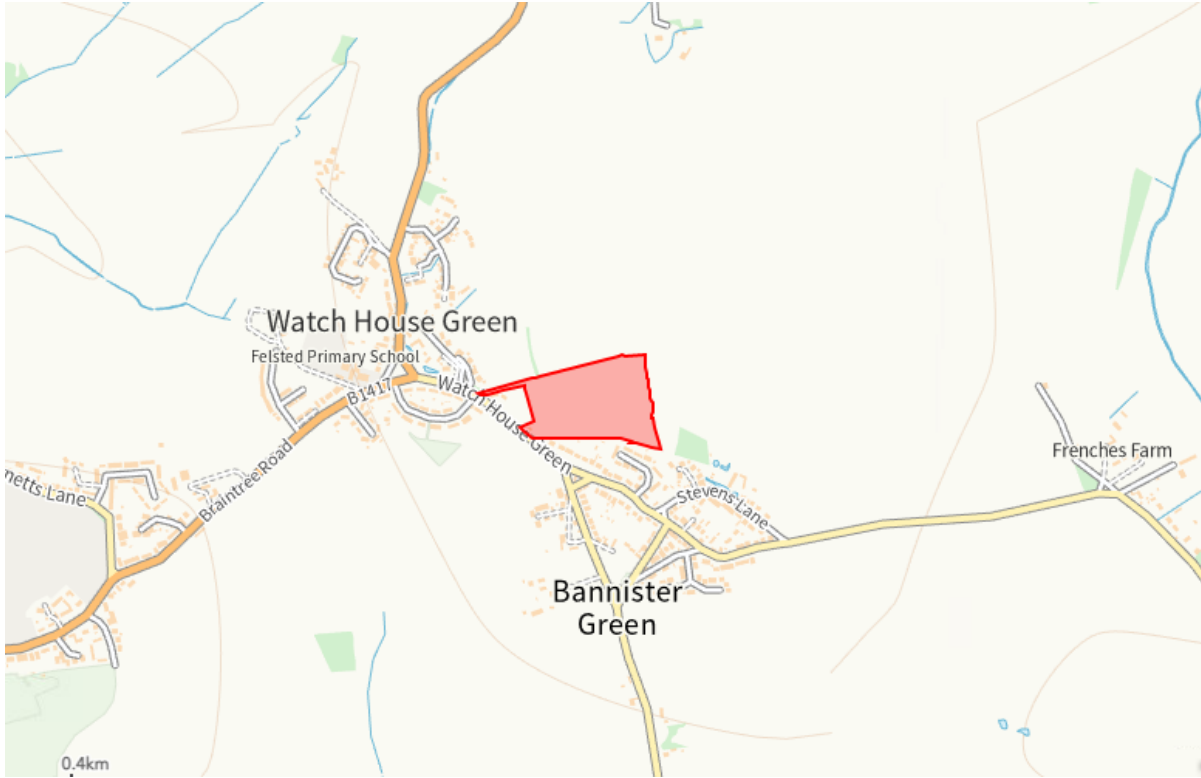
ITEM NUMBER: 7

**PLANNING COMMITTEE
DATE:** 8 April 2026

REFERENCE NUMBER: UTT/25/2498/OP

LOCATION: Land North Of Rayne Road, Bannister Green
Felsted

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: February 2025

PROPOSAL: Outline application with all matters reserved except access for the erection of up to 100 dwellings, associated landscaping and open space, with access from Rayne Road

APPLICANT: Bloor Homes Eastern

AGENT: Trevor Dodkins

EXPIRY DATE: 25 December 2025

EOT EXPIRY DATE: 18 April 2026

CASE OFFICER: Rachel Beale

NOTATION: Outside Development Limits. SSSI. General Aerodrome directions. RAMS. PROW.

REASON THIS APPLICATION IS ON THE AGENDA: Major application

1. EXECUTIVE SUMMARY

- 1.1** This application seeks outline planning permission, with all matters reserved except access, for the development of up to 100 dwellings, including affordable housing, together with associated infrastructure and open space, on land between Bannister Green and Watch House Green.
- 1.2** The proposal would deliver housing, including policy-compliant affordable housing, and would contribute towards the District's housing supply in the context of a current shortfall in five-year housing land supply. The site is located in proximity to existing settlements within the wider rural area and has reasonable access to some local services and facilities. These benefits attract weight in favour of the proposal.
- 1.3** However, the site occupies an important area of open countryside which forms part of the gap between the distinct hamlets of Bannister Green and Watch House Green. The development would result in significant physical and visual coalescence between these settlements, eroding their separate identity and materially diminishing the openness of the intervening landscape. This harm is fundamental in nature, cannot be mitigated, and is contrary to Core Policy 3 (Settlement Hierarchy) and

Core Policy 41 (Landscape Character) of the Uttlesford Local Plan 2021–2041, Policy FEL/ICH4 of the Felsted Neighbourhood Plan, and the National Planning Policy Framework.

- 1.4 In addition, the application fails to demonstrate that the proposed quantum of development can be accommodated in a manner that would deliver a high-quality and policy-compliant design, giving rise to further conflict with Core Policy 52 and the design objectives of the National Planning Policy Framework. Furthermore, insufficient ecological information has been provided to enable the Local Planning Authority to conclude that impacts on protected species can be adequately assessed or mitigated.
- 1.5 When applying the tilted balance, it is considered that the adverse impacts of the proposal would significantly and demonstrably outweigh its benefits.
- 1.6 Accordingly, it is recommended that planning permission be refused.

2. **RECOMMENDATION**

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

3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The application site comprises a parcel of land measuring approximately 4.8 hectares located to the north of Rayne Road at Bannister Green, within the parish of Felsted. The site lies to the northern edge of the existing settlement cluster and is positioned between Bannister Green and Watch House Green.
- 3.2 The site currently consists of a single agricultural field, with an existing dwelling and associated domestic curtilage located in the south-western corner. The land is generally flat with a gentle fall across the site and is enclosed by established hedgerows and intermittent tree belts along its boundaries.
- 3.3 To the south and west, the site is bordered by existing residential development fronting Rayne Road and forming part of the Bannister Green settlement. To the north and east, the site adjoins open agricultural land, reinforcing its transitional role between the built form of the settlement and the wider rural countryside.
- 3.4 A public right of way runs along the eastern boundary of the site, with additional routes within the surrounding area providing pedestrian connectivity to Bannister Green, Watch House Green and the wider countryside. The site is not subject to any landscape or heritage designations, and there are no listed buildings within the site itself.

4. PROPOSED DEVELOPMENT

- 4.1 This application seeks outline planning permission (with all matters reserved except for access) for the residential development of the site to provide up to 100 dwellings, including affordable housing, together with associated public open space, landscaping, sustainable drainage infrastructure and all other necessary supporting infrastructure.
- 4.2 Access to the site is proposed via a new priority junction onto Rayne Road. All other matters, including appearance, landscaping, layout and scale, are reserved for future consideration.

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 Whilst not related to the site itself, it is relevant to point out that there is also a live application on the northern side of Felsted, Land North of Garnetts Lane and Stebbing Road (UTT/25/1929/OP) that will also being presented to Members at the April planning committee. This is for "Outline planning application for erection of up to 70 no. dwellings served by vehicular and pedestrian accesses, complete with parking provision, drainage attenuation, public open space, landscaping and related infrastructure and works; All matters reserved except for primary means of vehicular and pedestrian access (to exclude internal roads and footways not covered herein)"
- 6.2 Also, another current application UTT/25/3242/FUL "Erection of 17 no. dwellings with access, landscaping and associated infrastructure" is currently under consideration which forms part of a larger scheme for 24 dwellings under UTT/20/1882/FUL.

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

- 7.1 The applicant submitted the site as part of the emerging Local Plan process and it was assessed as part of the call for sites. It was not included within the plan as a potential site because there is no identified suitable access within the proposed site boundary to support backland residential development above the Housing and Economic Land Availability Assessment (HELAA) threshold. The existing agricultural lane is narrow, immediately adjoining another dwelling and subject to high risk of surface water flooding. Development of the site may increase the risk of coalescence between Watch House Green and Bannister Green. The site is Grade 3 Good to Moderate Quality Agricultural Land. The site falls within the Essex Coast RAMS and a SSSI Impact Risk Zone.

7.2 No pre-app discussions have been undertaken with the LPA.

7.3 The applicant undertook discussions with the Parish Council and held Public Consultation events. The Parish dispute this.

8. **SUMMARY OF STATUTORY CONSULTEE RESPONSES**

8.1 **Highway Authority**

8.1.1 From a highway and transportation perspective, the impact of the proposal is acceptable to the Highway Authority subject to conditions.

8.2 **Local Flood Authority**

8.2.1 No objection, subject to condition

9. **PARISH COUNCIL COMMENTS**

9.1 On planning terms alone Felsted PC strongly object for the following reasons:

- Felsted has accepted the responsibility of identifying sites through the Neighbourhood Plan process. It follows that it would be unfair of UDC to now consider approving a proposed site unrelated to our Neighbourhood Plan, that would result in almost twice as many homes as the parish is required to accept through UDC's ELP allocation.
- It is impossible to conclude other than Bloor Homes proposal is a cynical and opportunistic application that seeks to exploit what they perceive as an "open goal" caused by the timing of both the UDC Local Plan and Review of the FNP.
- Bloor's claims of "engagement" with the Felsted Community, are baseless, fanciful and nothing more than a misleading claim that they present as ticking the "community engagement box".
- The quality and density of the homes proposed damages the countryside.
- The creation of a "Public Right of Way", replacing what is currently a closed track with no public access to the west of the site would seriously, negatively impact the residential amenity of the adjacent dwelling of "Chimes"
- Bloor's proposals would cause unacceptable coalescence and cause harm to the uniqueness of the constitution of the Parish's Greens.
- The proposals "for up to 100 new homes" far exceeds the need and the allocation for Felsted.

9.2 For the multiple reasons stated, Felsted Parish Council urges the Planning Committee to refuse this application

9.3 The full response is provided as an appendix.

10. CONSULTEE RESPONSES

10.1 UDC Housing Enabling Officer

10.1.1 Although this is an outline application the applicant has included a proposed housing mix within their DAS.

10.1.2 A further comment to make is that the 4-bedroom rented wheelchair accessible home requested for inclusion within the affordable housing mix for an identified household on the council's Housing Register would need to be delivered at a Social Rent rather than at an Affordable Rent in order to meet the requirements of the household.

10.2 UDC Environmental Health

10.2.1 No objection, subject to condition.

10.3 Place Services (Ecology)

10.3.1 Holding objection

10.4 Natural England

10.4.1 No objection subject to securing appropriate mitigation

10.5 Landscape Officer

10.5.1 Local Plan Core Policy 41 Landscape Character states:

"Proposals will not be permitted if they would:
iii. cause coalescence between settlements"

10.5.2 I believe this scheme would cause significant physical coalescence and partial visual coalescence between Watch House Green and Bannister Green.

10.5.3 Felsted Neighbourhood Plan (2020) policy FEL/ICH4 Avoiding Coalescence states:

"Development proposals that, as viewed from publicly accessible locations, will visually significantly diminish the openness of the gap... between the hamlets of the Neighbourhood Area... will not be supported."

10.5.4 I note existing vegetation to the boundaries of the site provides some visual screening of the site and therefore a reduction in perceived visual coalescence. This planting is proposed to be bolstered, and I anticipate that over time the site will become more visually contained as this new vegetation establishes.

10.5.5 However, the scheme would visually diminish the openness of the gap between the hamlets of Watch House Green and Bannister Green. There would be partial visual coalescence from nearby public right of ways (PROWs) 15 and 45, as well as glimpses of coalescence from Watch House Green Road.

10.5.6 Lastly, I concur with the Landscape & Visual Appraisal's (p. 30, FINC Architects, June 2025) statement that:
"... where moderate effects do occur, they will be restricted to receptors within or immediately adjacent to the Site's boundaries."

10.6 Essex Police

10.6.1 Some concerns to be addressed by way of condition.

10.7 UDC Urban Design Officer

10.7.1 Summary of Comments

- Revisions have been made in response to previous design-related comments.
- Appropriate design and placemaking aims are identified within the DAS for subsequent detailed design stages.
- Revisions to illustrative layout do not currently support or demonstrate these aims.

10.7.2 I have commented previously on this scheme and am doing so again now in response to revised material and following a meeting to discuss my previous comments. I suggested that a Design Code be prepared to accompany this application to provide a level of certainty on the design quality of proposals, given that the outline application would hold all matters in reserve except for access. The applicants have agreed, as a compromise to my request, to submit a Design Code prior to the submission of any subsequent reserved matters application and for this to be secured by condition attached to this outline. This is acceptable in principle.

10.7.3 The Design & Access Statement has been revised to include further detail on the proposed compliance with the Uttlesford Design Code. Within this, there are good commitments to design quality and the statements of intent for the subsequent reserved matters designs are supported in principle. However, the revised layout does not reflect the newly referred to design ambitions. For example, p.10 states that "A connected street hierarchy will be developed, avoiding excessive reliance on cul-de-sacs and providing clear pedestrian and cycle permeability across the site." Yet the layout is still a series of cul-de-sacs.

10.7.4 The revisions made to the illustrative layout are minor and I do not agree with some of the response statements made (DAS p. 34). For example, the inclusion of a LAP within the centre of the plan (point 5) is welcome

and responds to my previous comments, but this new play space is unconvincing and does not provide the focal point required. It will be flanked by garden boundary treatments and parked cars. This does not provide the required focal communal amenity destination that will create a characterful place.

10.7.5 I do not agree that pedestrian and cycle permeability has been enhanced in the revised layout (point 1). The layout is still a series of cul-de-sacs that do not connect with each other. This layout does not materially improve pedestrian and cycle permeability. The streets should link to provide this permeability. Making connections to adjacent recreational footpath routes is not sufficient to promote active travel and walkable neighbourhoods.

10.7.6 The layout has not removed triple tandem parking (point 4). For the avoidance of doubt, if the layout provides sufficient space for tandem parking spaces in line with a garage, this is considered to be triple tandem, irrespective of whether this space is assigned as an allocated space within the parking strategy. If additional provision of allocated parking is provided this will create an over-provision, which is unacceptable under code M3.1C.

10.7.7 The purpose of including an illustrative site layout is to demonstrate that a scheme is capable of being delivered within the parameters defined that can achieve the Council's design and placemaking priorities and create a well-designed place. The current illustrative layout does not yet achieve this.

10.8 Conservation Officer

10.8.1 In my view, the proposed development would not cause harm to any designated heritage assets. However, the application lacks sufficient architectural detail, and it would be advisable for the applicant team to engage in pre-application discussions with UDC to address design quality and contextual integration.

10.9 Place Services Archaeology

10.9.1 No objection subject to condition

10.10 NHS and Ambulance

10.10.1 Section 106 contributions

10.11 Affinity Water

10.11.1 No objection.

10.12 Anglian Water

10.12.1 No objection subject to informatives.

10.13 Essex Infrastructure

10.13.1 Section 106 contributions

11. REPRESENTATIONS

11.1 A site notice was displayed on site, the application was advertised in the local press and notifications letters were sent to nearby properties.

11.2 Support

11.2.1 None.

11.3 Object

- 11.3.1
- Impact to local infrastructure
 - Loss of farmland
 - Lack of demand for houses
 - Conflict with Felsted neighbourhood plan
 - Coalescence of local area
 - Poor access
 - Impact to village character
 - Low water pressure
 - Biodiversity/habitat impact
 - Drainage/flooding issues
 - Increased traffic demands
 - Impact to listed buildings
 - Impact to heritage
 - Loss of local character
 - Highway safety
 - Conflict with UDC Local Plan
 - Overdevelopment of local area
 - Noise & environmental impact
 - Increased anti-social behaviour
 - Loss of open countryside
 - Proximity to proposed solar farm
 - Parking issues in area
 - Loss of amenity land
 - Impact of new footpath on some houses
 - Light pollution
 - Loss of rural identity
 - Sustainability issues

11.4 Comment

11.4.1 The above representations are addressed in the report where material planning considerations are raised.

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)
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 Local Plan 2021-2041

13.2.1 Core Policy 3 – Settlement Hierarchy
Core Policy 5 – Providing Supporting Infrastructure and Services
Core Policy 23 – Overheating
Core Policy 24 – Embodied Carbon
Core Policy 26 – Providing for Sustainable Transport and Connectivity
Core Policy 27 – Assessing the Impact of Development on Transport Infrastructure
Core Policy 28 – Active Travel (Walking & Cycling)
Core Policy 29 – Electric & Low Emission Vehicles
Core Policy 30 – Public Rights of Way
Core Policy 31 – Parking Standards
Core Policy 33 – Managing Waste
Core Policy 34 – Water Supply and Protection of Water Resources
Core Policy 35 – Watercourse Protection and Enhancement
Core Policy 36 – Flood Risk
Core Policy 37 – Sustainable Drainage
Core Policy 38 – Sites Designated for Biodiversity or Geology
Core Policy 39 – Green & Blue Infrastructure
Core Policy 40 – Biodiversity and Nature Recovery
Core Policy 41 – Landscape Character
Core Policy 42 – Pollution and Contamination
Core Policy 43 – Air Quality
Core Policy 44 – Noise
Core Policy 45 – Protection of Existing Employment Space
Core Policy 52 – Good Design Outcomes and Process
Core Policy 53 – Standards for New Residential Development
Core Policy 55 – Residential Space Standards
Core Policy 56 – Affordable Dwellings
Core Policy 61 – The Historic Environment
Core Policy 62 – Listed Buildings
Core Policy 64 – Archaeological Assets
Core Policy 66 – Planning for Health and Well-being
Core Policy 67 – Open Space, Sport and Recreation
Core Policy 67a – Management of Public Open Space

13.3 Neighbourhood Plan - Felsted

13.3.1 FEL/HN5 Residential Development outside Development Limits
FEL/HN7 Housing Mix
FEL/ICH1 High Quality Design

FEL/CW1 Landscape and Countryside Character
FEL/CW3 Footpaths, Bridleways and Cycleways
FEL/CW4 Green Infrastructure
FEL/INF1 Water recycling and flood risk

13.4 Supplementary Planning Document or Guidance

13.4.1 Essex Design Guide
Uttlesford Design Code

14. CONSIDERATIONS AND ASSESSMENT

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

- 14.2**
- A) Principle of Development**
 - B) Landscape Character and Countryside Impact**
 - C) Design, Layout and Character**
 - D) Heritage impacts and Archaeology**
 - E) Affordable Housing**
 - F) Highways, Access and Parking**
 - G) Nature Conservation**
 - H) Environmental Health**
 - I) Flooding**
 - J) Climate Change**

14.3 A) Principle of Development

14.3.1 Adopted local plan and housing land supply:

14.3.2 The development plan for the purposes of this application comprises the Uttlesford Local Plan 2021–2041 (adopted March 2026). The recently adopted Local Plan replaces the previously saved policies of the Uttlesford Local Plan (2005) and now provides the primary basis for decision-making.

14.3.3 The application site is not allocated for development within the adopted Local Plan or Made Neighbourhood Plan and lies within an open gap between the settlements of Watch House Green and Bannister Green. As such, the site is located within the open countryside for planning policy purposes.

14.3.4 The adopted Local Plan identifies a sufficient supply of housing land to meet the district's needs in full over the plan period. Through the Local Plan examination, the Planning Inspector confirmed that the Council currently demonstrates 4.77 years of deliverable housing land supply when applying the 20% buffer required under the Housing Delivery Test (HDT) consequences. The 20% buffer is mandated where delivery falls below the relevant HDT thresholds, and such consequences apply from

the day following the publication of HDT results and supersede previously published figures.

14.3.5 The Council is undertaking an updated assessment of its Five-Year Housing Land Supply, using the most recent monitoring information and delivery evidence. Given that the confirmed position of 4.77 years is narrowly below the five-year requirement even with the 20% buffer applied, the updated assessment may demonstrate that the Council is now able to evidence a full five-year supply. The Government has confirmed that the next Housing Delivery Test results—combining the 2024 and 2025 measurements—will be published during 2026, after which any revised HDT consequences, including a reduction of the buffer from 20% to 5% where performance meets the relevant threshold, will take effect on the following day.

14.3.6 In this context, the current lack of a five-year supply attracts some weight in the planning balance. This reflects the marginal nature of the shortfall, the identification of sufficient housing land within the adopted Local Plan to meet needs in full, and the reasonable prospect that the updated evidence will demonstrate a defensible five-year supply once recalculated. However, this does not override the requirement to assess the proposal against the development plan as a whole.

14.3.7 The planning balance is set out in full later within this report.

14.3.8 Spatial Strategy and Countryside Location

14.3.9 Core Policy 3 (Settlement Hierarchy) identifies Felsted as a Larger Village where growth will be supported. However, this support is directed towards development which accords with the spatial strategy and which does not result in harm to the character of the countryside or the setting and identity of settlements.

14.3.10 Whilst the settlement of Felsted is identified as a Larger Village, the hamlets of Bannister Green and Watch House Green form part of the wider open countryside of the Parish. These Settlements are experienced and function as separate places with their own individual character and identity, rather than forming a single continuous built-up area. They should not be treated as interchangeable components of a single settlement, nor as locations where development can freely extend between them.

14.3.11 In this context, land between these hamlets plays an important role in maintaining their physical and visual separation. The application site forms part of this intervening countryside and contributes to the perception of openness between Bannister Green and Watch House Green.

- 14.3.12** Core Policy 41 (Landscape Character) states that development will not be permitted where it would, amongst other things, cause coalescence between settlements. Similarly, Policy FEL/ICH4 of the Felsted Neighbourhood Plan seeks to resist development which would visually significantly diminish the openness of the gaps between the hamlets within the parish.
- 14.3.13** In this case, the development of the site for up to 100 dwellings would result in the erosion of the existing gap between Bannister Green and Watch House Green, leading to both physical and visual coalescence. This harm has been identified by the Council's Landscape Officer, who considers that the scheme would result in significant physical coalescence and partial visual coalescence when experienced from nearby public vantage points, including public rights of way.
- 14.3.14** Whilst the submitted material indicates that additional planting and landscape buffers would be provided, and that the site would become more visually contained over time, this does not overcome the fundamental change in the spatial relationship between the settlements. The perception of separation would be diminished and the individual identity of the hamlets would be materially weakened.
- 14.3.15** Accordingly, the proposal conflicts with Core Policy 41 of the Uttlesford Local Plan 2021–2041 and Policy FEL/ICH4 of the Felsted Neighbourhood Plan, and also conflicts with Core Policy 3, which directs development to defined settlements and requires the protection of the character and identity of the open countryside.
- 14.3.16** Location:
- 14.3.17** Paragraph 7 of the NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, incorporating social, economic and environmental objectives which are to be pursued in a mutually supportive way.
- 14.3.18** Core Policy 3 (Settlement Hierarchy) of the Uttlesford Local Plan 2021–2041 identifies a hierarchy of settlements where development will be directed. Whilst Felsted is identified as a Larger Village, the surrounding hamlets, including Bannister Green and Watch House Green, are experienced as distinct settlements with their own individual character and identity. These hamlets are not considered to form part of a continuous built-up area of Felsted and are instead treated as separate settlements within the countryside for the purposes of the spatial strategy.
- 14.3.19** The application site is located within the open countryside between Bannister Green and Watch House Green and does not lie within a defined settlement where growth is directed under Core Policy 3. As

such, the site does not benefit from the policy support afforded to Larger Villages and must be assessed as a countryside location.

14.3.20 It is acknowledged that the site is located within reasonable proximity to local services and facilities within the wider Felsted area, and that opportunities for walking and cycling exist via the surrounding road network and Public Rights of Way. In this respect, the site may offer some limited locational sustainability benefits.

14.3.21 However, the sustainability of the location must be considered alongside the site's position within the countryside and its role in maintaining settlement separation. In this case, the environmental harm arising from the erosion of the gap between settlements weighs significantly against any locational benefits. In this context, sustainability in locational terms does not in itself make the site suitable for development where it would conflict with the spatial strategy and result in harm to settlement character and separation.

14.3.22 Social and Economic:

14.3.23 Paragraphs 82 and 83 of the NPPF recognise that new housing in rural areas can support the vitality of rural communities by increasing population, supporting local services and contributing to the rural economy. In this case, it is reasonable to expect that future occupiers would make use of local facilities and participate in community life.

14.3.24 The proposal would deliver up to 100 dwellings, including a proportion of affordable housing, contributing towards the District's housing supply. This carries significant weight in favour of the development, particularly in the context of the current shortfall in five-year housing land supply.

14.3.25 The development would also generate economic benefits during the construction phase and through increased local expenditure from future residents. In addition, the proposal includes the provision of public open space, green infrastructure and potential biodiversity enhancements.

14.3.26 These benefits are acknowledged and weigh in favour of the proposal.

14.3.27 It is also acknowledged that the proposal would contribute towards meeting the residual housing requirement for the district in accordance with Core Policy 2 of the Local Plan. However, this does not in itself indicate that the site is appropriate for development. The spatial strategy of the development plan requires that growth is delivered in a manner which respects settlement character and avoids coalescence. In this instance, the site performs an important role in maintaining the separation between Bannister Green and Watch House Green, and the harm identified in this regard weighs significantly against the contribution the proposal would make towards meeting local housing requirements.

14.4 **B) Landscape Character and Countryside Impact**

- 14.4.1** The application site lies outside of any defined settlement boundary and is therefore located within the open countryside. The site currently comprises an undeveloped agricultural field which forms part of the rural landscape separating the hamlets of Bannister Green and Watch House Green.
- 14.4.2** Core Policy 41 (Landscape Character) of the Uttlesford Local Plan 2021–2041 seeks to ensure that development reflects and enhances local landscape character and, amongst other criteria, states that development will not be permitted where it would cause coalescence between settlements, result in unacceptable visual intrusion into the countryside, or be inconsistent with local character.
- 14.4.3** Policy FEL/ICH4 (Avoiding Coalescence) of the Felsted Neighbourhood Plan provides further support, seeking to resist development which, as viewed from publicly accessible locations, would visually significantly diminish the openness of the gaps between hamlets. Supporting text to the Neighbourhood Plan emphasises the importance of maintaining the individual identity of the constituent greens and hamlets, noting that development which threatens their integrity through coalescence should be restricted in order to preserve the established settlement pattern.
- 14.4.4** The site makes a positive contribution to the character and openness of the countryside in this location. It forms part of the undeveloped gap between Bannister Green and Watch House Green and plays an important role in maintaining the physical and visual separation between these distinct hamlets, which are experienced as separate places within the rural landscape. This separation is a key characteristic of the local settlement pattern and is readily perceived from publicly accessible locations, including nearby Public Rights of Way and local roads, where the openness of the intervening land contributes to the understanding of their individual identity. The development of the site would materially diminish this separation, eroding the gap and undermining the established settlement pattern.
- 14.4.5** The proposed development of up to 100 dwellings would introduce a substantial area of built form into this currently open landscape. Whilst the submitted parameter plans indicate that areas of landscaping and green infrastructure would be incorporated, the development would nevertheless extend the built form of Bannister Green northwards into the countryside and significantly reduce the extent of the open gap between the settlements.
- 14.4.6** The Council’s Landscape Officer has advised that the proposal would result in significant physical coalescence and partial visual coalescence between Bannister Green and Watch House Green. In particular, the development would be experienced from nearby public rights of way and local roads, where views of the site currently contribute to the perception of separation between the settlements. The introduction of built

development in this location would erode this perception and diminish the openness of the intervening landscape.

14.4.7 It is acknowledged that the site benefits from existing boundary vegetation and that additional planting is proposed, which over time may provide a degree of visual containment. However, such measures would not overcome the fundamental change in the character of the site from open countryside to built development, nor would they prevent the physical reduction in the gap between the settlements. The resulting coalescence would be inherent to the development and cannot be mitigated through landscaping.

14.4.8 Furthermore, whilst the submitted Landscape and Visual Appraisal indicates that landscape and visual effects would be largely localised, this does not diminish the significance of the impact on the immediate landscape context, where the site plays a clear role in maintaining settlement separation.

14.4.9 As set out above, Policy FEL/ICH4 of the Felsted Neighbourhood Plan seeks to resist development which would visually significantly diminish the openness of the gaps between hamlets. The proposal would conflict with this policy, as it would materially reduce the openness of the gap between Bannister Green and Watch House Green when viewed from publicly accessible locations.

14.4.10 For these reasons, the proposal would result in unacceptable harm to the character and appearance of the countryside and would lead to both physical and visual coalescence between settlements. The development is therefore contrary to Core Policy 41 of the Uttlesford Local Plan 2021–2041, Policy FEL/ICH4 of the Felsted Neighbourhood Plan, and the National Planning Policy Framework, which seeks to recognise the intrinsic character and beauty of the countryside.

14.5 C) Design, Layout and Character

14.5.1 Paragraph 135 of the National Planning Policy Framework (NPPF) requires that development is visually attractive, sympathetic to local character, and establishes a strong sense of place. Core Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041 similarly requires development to demonstrate a clear understanding of context and to deliver well-designed, locally distinctive places.

14.5.2 This application is submitted in outline form with all matters reserved except for access. Notwithstanding this, it remains necessary for the application to demonstrate that the quantum of development proposed can be accommodated on the site in a manner that accords with the Council's design policies and would result in a high-quality development.

- 14.5.3** The application is supported by a Design and Access Statement and illustrative material, including an indicative site layout, which seek to establish a series of design principles for future reserved matters submissions. These include commitments to creating a connected street hierarchy, enhancing pedestrian and cycle permeability, and delivering a landscape-led scheme which reflects the rural character of the area.
- 14.5.4** These overarching design principles are supported in principle. However, the submitted material does not demonstrate that these principles can be successfully realised on the site at the proposed scale of up to 100 dwellings.
- 14.5.5** In particular, the illustrative layout indicates a form of development which appears constrained by the quantum proposed, resulting in a dense layout that is overly reliant on cul-de-sacs, lacks a coherent and legible street hierarchy, and fails to provide meaningful connectivity or permeability. Furthermore, the layout does not convincingly demonstrate the provision of high-quality public spaces or focal points. The Council's Urban Design Officer advises that the layout does not reflect the stated design ambitions and does not demonstrate a pattern of development consistent with the informal and well-connected character of the surrounding rural settlements.
- 14.5.6** The proposed arrangement of development also raises concerns in relation to density and spatial quality. The indicative layout suggests that, in order to accommodate the proposed number of dwellings, the scheme would result in a cramped and poorly structured form of development that would be out of keeping with the prevailing character of the area.
- 14.5.7** Whilst it is acknowledged that detailed matters are reserved for future consideration, the purpose of the illustrative material at this stage is to demonstrate that a policy-compliant and high-quality scheme can be delivered within the site. In this instance, the submitted information fails to demonstrate that the proposed quantum of up to 100 dwellings can be accommodated in a manner that would respect the character and appearance of the surrounding area or achieve the design quality required by policy.
- 14.5.8** Accordingly, the proposal is considered to conflict with the requirements of Core Policy 52 of the Uttlesford Local Plan 2021–2041 and Section 12 of the NPPF.
- 14.5.9** Notwithstanding the above, these design concerns are secondary to, and do not overcome, the fundamental harm identified in respect of landscape character and the coalescence of settlements, which arises from the principle and quantum of development proposed.

14.6 D) Heritage impacts and Archaeology

- 14.6.1** Section 16 of the National Planning Policy Framework (NPPF) requires that great weight is given to the conservation of designated heritage assets, and that any harm to their significance should be clearly justified.
- 14.6.2** The application site does not contain any listed buildings and is not located within, nor adjacent to, a designated Conservation Area. There are no designated heritage assets within the site itself.
- 14.6.3** A Heritage Report has been submitted in support of the application which assesses the potential impacts of the development on nearby heritage assets.
- 14.6.4** The Conservation Officer has reviewed the submitted information and notes that the submitted design information is limited, with the application being in outline form and supported primarily by 2D illustrative material and generic imagery. The Conservation Officer advises that further detail in relation to architectural approach, materials, and the definition of character areas would have been beneficial to allow a more comprehensive assessment of the development's response to local character.
- 14.6.5** Notwithstanding this, the Council's Conservation Officer concludes that the proposed development would not result in harm to the significance of any designated heritage assets. This conclusion does not, however, override the concerns identified elsewhere in this report regarding whether the site can accommodate the proposed quantum of development in a manner which would achieve an acceptable design outcome.
- 14.6.6** Having regard to the advice of the Conservation Officer, the proposal would not result in harm to the significance of designated heritage assets and is therefore considered to accord with Section 16 of the NPPF and Core Policy 61 of the Uttlesford Local Plan 2021–2041.

14.7 E) Affordable Housing

- 14.7.1** Core Policy 56 (Affordable Housing) of the Uttlesford Local Plan 2021–2041 requires the provision of policy-compliant affordable housing as part of residential development.
- 14.7.2** This application is submitted in outline form and does not include a detailed housing mix. However, the applicant has confirmed that the scheme would deliver affordable housing in accordance with policy requirements, which could be secured through a planning obligation.
- 14.7.3** The provision of affordable housing is a significant benefit of the proposal and attracts substantial weight in favour of the development.

14.8 F) Highways, Access and Parking

- 14.8.1** The NPPF requires that development provides safe and suitable access for all users and that development should only be refused on highway grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 14.8.2** These principles are reflected in Core Policy 26 (Sustainable Transport and Connectivity) and Core Policy 27 (Assessing the Impact of Development on Transport Infrastructure) of the Uttlesford Local Plan 2021–2041.
- 14.8.3** This application is submitted in outline form with all matters reserved except for access. Vehicular access to the site is proposed via a new priority junction onto Rayne Road. The submitted plans indicate that the access would incorporate appropriate visibility splays and pedestrian footways within the site.
- 14.8.4** The application is supported by a Transport Assessment and Travel Plan which consider the potential impacts of the development on the local highway network. The submitted information indicates that the traffic generated by the development could be accommodated on the surrounding road network without resulting in severe residual cumulative impacts.
- 14.8.5** The internal layout of the site, including the detailed arrangement of streets, pedestrian and cycle routes, and parking provision, is reserved for future consideration. These matters would be assessed at the reserved matters stage to ensure compliance with the relevant policies of the development plan and the Uttlesford Design Code.
- 14.8.6** Subject to appropriate conditions and obligations, it is considered that safe and suitable access to the site can be achieved, and that the proposal would not result in an unacceptable impact on highway safety or the operation of the local highway network. In this respect, no objections have been raised by ECC Highways subject to conditions.

14.9 G) Nature Conservation

- 14.9.1** Paragraphs 187–191 of the National Planning Policy Framework (NPPF) require that planning decisions contribute to and enhance the natural environment, including by minimising impacts on biodiversity and securing net gains where possible. Core Policy 38 (Sites Designated for Biodiversity or Geology), Core Policy 39 (Green and Blue Infrastructure) and Core Policy 40 (Biodiversity and Nature Recovery) of the Uttlesford Local Plan 2021–2041 similarly seek to ensure that development protects and enhances biodiversity and delivers measurable net gains.
- 14.9.2** The application is supported by ecological information which identifies existing habitats within the site, including hedgerows and boundary vegetation, and indicates that these features would be retained and

enhanced alongside new planting and green infrastructure. The submitted material also indicates that the proposal is capable of delivering biodiversity net gain.

14.9.3 However, Essex County Council Place Services Ecology raise a holding objection to the application on the basis that insufficient ecological information has been provided to enable a full assessment of impacts on protected species, in particular Great Crested Newts (a European Protected Species).

14.9.4 The submitted ecological information identifies two potential mitigation routes (District Level Licensing or a site-specific mitigation strategy), however the necessary survey data and supporting information to demonstrate that impacts can be appropriately mitigated and that a licence could be secured have not been provided. In the absence of this information, the Local Planning Authority cannot be satisfied that the proposal would comply with relevant legislation, including the Conservation of Habitats and Species Regulations 2017 (as amended), nor that appropriate mitigation can be secured.

14.9.5 Government guidance and Circular 06/2005 make clear that the presence of protected species and the extent of potential impacts must be established prior to determination, to ensure that all material considerations are properly taken into account. The Local Planning Authority must also have regard to its statutory duties under the NERC Act 2006 and its responsibilities as a competent authority under the Habitats Regulations.

14.9.6 Whilst it is acknowledged that ecological mitigation and biodiversity net gain may be capable of being secured through conditions and obligations in principle, the current lack of sufficient survey information in relation to European Protected Species means that the Local Planning Authority cannot conclude that the proposal would not result in unacceptable harm to biodiversity.

14.9.7 Accordingly, the proposal fails to demonstrate, with the necessary degree of certainty, that the proposal would not result in harm to European Protected Species or that the three derogation tests could be met, failing to comply with Core Policies 38, 39 and 40 of the Uttlesford Local Plan 2021–2041 and the relevant provisions of the NPPF.

14.10 H) Environmental Health

14.10.1 The Environmental Health Officer provided written advice of their findings and confirms matters regarding contamination, air quality, noise, lighting and construction impacts can be adequately dealt with by way of condition, ensuring that further assessment of the nature and extent of contamination and noise mitigation should be submitted to and approved in writing by the Local Planning Authority.

14.10.2 Therefore, the application is considered acceptable in terms of its Environmental Health impacts and in accordance Core Policies 42, 43 and 44 of the Uttlesford Local Plan 2021-2041.

14.11 I) Flooding

14.11.1 The NPPF seeks to direct development away from areas at highest risk of flooding and requires that development is safe for its lifetime without increasing flood risk elsewhere. This is reflected in Core Policy 36 (Flood Risk) and Core Policy 37 (Sustainable Drainage Systems) of the Uttlesford Local Plan 2021–2041.

14.11.2 The application site is located within Flood Zone 1, which is defined as having a low probability of flooding. The site is therefore considered appropriate for residential development in flood risk terms.

14.11.3 The application is supported by a Flood Risk Assessment which confirms that the site is at low risk of flooding. The proposed development includes the provision of sustainable drainage features, including attenuation basins and associated infrastructure integrated within the site's green infrastructure network.

14.11.4 Essex County Council, as Lead Local Flood Authority, has been consulted and raises no objection to the development, subject to conditions securing the detailed design, implementation and maintenance of the drainage strategy.

14.11.5 On this basis, it is considered that the development would be safe for its lifetime, would not increase flood risk elsewhere, and would incorporate appropriate sustainable drainage measures. The proposal therefore accords with Core Policy 36 (Flood Risk), Core Policy 37 (Sustainable Drainage Systems) and the relevant provisions of the NPPF.

14.12 J) Climate Change

14.12.1 Addressing climate change is a central objective of the development plan. Core Policy 22 (Net Zero Operational Carbon Development) of the Uttlesford Local Plan 2021–2041 requires new development to minimise carbon emissions and incorporate measures to mitigate and adapt to climate change.

14.12.2 The application was submitted prior to the adoption of the Uttlesford Local Plan 2021–2041 and therefore does not fully address all of the requirements of the recently adopted policies, including those relating to climate change and energy (including Core Policies 22 (Net Zero Operational Carbon Development), 23 (Energy Infrastructure)).

14.12.3 Notwithstanding this, the application is submitted in outline form and establishes a framework within which the development can be brought forward in accordance with these policy requirements. The parameter

plans and supporting information demonstrate that there is no inherent constraint which would prevent the development from achieving compliance.

14.12.4 Full details relating to energy strategy and carbon reduction measures can be secured through planning conditions and addressed at the reserved matters stage. This includes the incorporation of low and zero carbon technologies, energy efficiency measures, and provision for active travel and sustainable modes of transport.

14.12.5 On this basis, it is considered that the proposal is capable of complying with the requirements of the adopted Local Plan, and the absence of detailed information at this stage does not weigh against the proposal.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

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

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

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

15.2 Human Rights

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

16. PLANNING BALANCE

16.1 Paragraph 11 of the National Planning Policy Framework (NPPF) sets out the presumption in favour of sustainable development. For decision-

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

- 16.2** The adopted Local Plan identifies a sufficient supply of housing land to meet the district's needs in full over the plan period. Through the Local Plan examination, the Planning Inspector confirmed that the Council currently demonstrates 4.77 years of deliverable housing land supply when applying the 20% buffer required under the Housing Delivery Test (HDT) consequences. The Council is undertaking an updated assessment of its Five-Year Housing Land Supply and there is a reasonable prospect that a full supply may be demonstrated in the near future. Nevertheless, at the present time, the Council cannot demonstrate a five-year supply and, as such, the policies most important for determining the application are considered to be out-of-date. In this context, the tilted balance is engaged.
- 16.3** The proposal would deliver up to 100 dwellings, including policy-compliant affordable housing, which would make a meaningful contribution towards the District's housing needs. This is a significant benefit and attracts substantial weight. The development would also provide economic benefits through construction activity and increased local expenditure would contribute to the vitality of the local community. In addition, the proposal includes the provision of public open space, green infrastructure and biodiversity enhancements, which weigh in favour of the scheme.
- 16.4** The site is located in the open countryside between the distinct hamlets of Bannister Green and Watch House Green. Whilst it is acknowledged that the site has some proximity to local services and facilities within the wider rural area, and may offer limited opportunities for walking and cycling, these factors attract only limited weight in favour of the proposal.
- 16.5** However, these benefits must be weighed against the identified harms.
- 16.6** The site occupies an important area of open countryside which contributes to the physical and visual separation between the distinct hamlets of Bannister Green and Watch House Green. The proposed development would result in significant physical and visual coalescence between these settlements, eroding their separate identity and materially diminishing the openness of the intervening landscape. This harm conflicts with Core Policy 3 (Settlement Hierarchy) and Core Policy 41 of the Uttlesford Local Plan 2021–2041, Policy FEL/ICH4 of the Felsted Neighbourhood Plan, and the National Planning Policy Framework which seeks to recognise the intrinsic character and beauty of the countryside.

- 16.7** This harm is afforded significant weight and is fundamental in nature, arising from the principle and quantum of development proposed, and cannot be mitigated through landscaping or addressed through the reserved matters process.
- 16.8** In addition, the application fails to demonstrate that the proposed quantum of up to 100 dwellings can be accommodated in a manner that would deliver a high-quality, well-designed development consistent with the character of the area, in conflict with Core Policy 52 and the design objectives of the NPPF. Whilst this is a secondary matter, it adds further weight against the proposal.
- 16.9** Furthermore, insufficient ecological information has been provided to enable the Local Planning Authority to conclude that the proposal would not result in unacceptable harm to European Protected Species, or that appropriate mitigation could be secured. This adds further weight against the proposal.
- 16.10** Having regard to the above, and applying the tilted balance, it is considered that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF taken as a whole.
- 16.11** Accordingly, planning permission should be refused.

17. REASONS FOR REFUSAL

- 1** The proposed development, by reason of its location, scale and quantum, would result in the erosion of the open countryside gap between the distinct settlements of Bannister Green and Watch House Green. The development would give rise to significant physical and visual coalescence between these settlements, materially diminishing their separate identity and the openness of the intervening landscape. This harm would be inherent to the development and could not be mitigated through landscaping or addressed through the reserved matters process. The proposal is therefore contrary to Core Policy 3 (Settlement Hierarchy) and Core Policy 41 (Landscape Character) of the Uttlesford Local Plan 2021–2041, Policy FEL/ICH4 of the Felsted Neighbourhood Plan, and the National Planning Policy Framework, which seeks to recognise the intrinsic character and beauty of the countryside.
- 2** The application fails to demonstrate that the proposed quantum of up to 100 dwellings can be accommodated on the site in a manner that would deliver a high-quality, well-designed development which is sympathetic to and compatible with local character. The illustrative layout indicates a form of development constrained by the quantum proposed, resulting in an over-reliance on cul-de-sacs, poor connectivity and permeability, and a lack of coherent layout and meaningful public spaces. The submitted

material therefore fails to demonstrate that a policy-compliant form of development could be achieved on the site. As such, the proposal is contrary to Core Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041 and Section 12 of the National Planning Policy Framework.

- 3** In the absence of sufficient ecological survey information, the Local Planning Authority cannot be satisfied that the proposed development would not result in unacceptable harm to European Protected Species, in particular Great Crested Newts, or that appropriate mitigation measures could be secured. The application fails to provide the necessary survey data and supporting information to demonstrate that impacts on protected species can be adequately assessed and addressed, or that any required licence under the Conservation of Habitats and Species Regulations 2017 (as amended) would likely be granted. As such, the proposal fails to demonstrate compliance with Core Policies 38 (Sites Designated for Biodiversity or Geology) of the Uttlesford Local Plan 2021–2041, and the relevant provisions of the National Planning Policy Framework.

APPENDIX 1 – PARISH COUNCIL FULL RESPONSE

Felsted Parish Council response to UTT/25/2498/OP

Outline application with all matters reserved except access for the erection of up to 100 dwellings - Land North of Rayne Road, Bannister Green Felsted

PREFACE

Felsted Parish Councillors (FPC) take pride in the Parish's responses to Planning Applications and seek to avoid emotional and unsupported opinion, concentrating only on evidence and policies. However, councillors feel strongly that we also need to challenge the justification of this application, which we consider to be crudely opportunistic and in direct conflict with and an affront to the principles of Neighbourhood Planning.

We consider that it is important that the UDC Planning Committee considers this application in the widest possible planning context and therefore wish to explain where Felsted is in the Neighbourhood Planning process.

The Felsted Neighbourhood Plan (FNP) Review and UDC Local Plan

The Felsted's Neighbourhood Plan was "made" in February 2020.

Following UDC's classification of Felsted in their Emerging Local Plan (ELP) as one of only 8 "larger villages" within Uttlesford District, Felsted received a housing allocation of 104 homes, recently reduced (following the Schedule of Proposed Main Modifications of the UDC ELP) to 95.

In December 2023 Felsted announced a formal Review of their FNP to continue giving maximum material weight to the made plan and to allow the community to allocate sites for those 104 homes.

A "Plan" under Review clearly demonstrates the active and ongoing engagement of the community and "the Plan" **remains a live document** with the communities' aspirations and policies within it, being vigorously evaluated for update.

Allowing for a further permitted reduction due to 24 "windfall" developments approved (since April 1st 2023, when the allocation was made), leaves a residual and outstanding housing requirement for Felsted (following the recent reduction to 95) in the UDC ELP of **71 new homes to be delivered by 2041**.

In line with the emerging FNP Review, the Parish Council has recently given qualified support to a development of up to 70 dwellings (planning application UTT/25/1929/OP). These proposals include a community benefit of 6 Social Houses to be transferred to the Felsted Community Trust.

The FNP Review Group also proposes to support a proposal which will deliver 17 dwellings and the community benefit of a site for the potential future relocation of the village shop and Post Office. This aligns with Policy FEL/HVC2 in the existing Felsted Neighbourhood Plan (and is included in the Neighbourhood Plan Review).

The DRAFT Review, currently awaiting a Strategic Environmental Assessment (SEA) and submission for Reg14, already proposes to deliver more than the homes required by the ELP.

The submission of the FNP Review under Regulation 14 has been delayed by the requirement for an SEA. The need for an SEA was originally "screened out" in the made 2020 plan and therefore the requirement for an SEA in the Review had not been anticipated.

In June 2025, central Government (Ministry of Housing, Communities and Local Government - MHCLG) unexpectedly withdrew all Neighbourhood Plan funding, this immediately impacted the Review Groups (RG's) ability to undertake the necessary SEA. Without that unforeseen delay the Felsted RG would have been far more advanced with our Review and this applicant would not be able to exploit the unfortunate delay.

The Plan has now been submitted to UDC and AECOM and we await the SEA.

However, Felsted has continued to use Neighbourhood planning under the Localism Act 2011 to involve residents in local decision-making, fostering trust, community ownership, and participation in developing the Neighbourhood Plan which is intended to ensure that all development is truly "plan led" and aligns with the needs and aspirations of our community.

The applicant suggests (in section 7 of their 25th September submitted "Planning Statement") that the "tilted balance" should apply because of UDC's 5-year housing land supply and the status in of the UDC Emerging Local Plan (ENP) and FNP. In doing so, they are either ignoring or simply choosing to discount the advanced status of both plans, with the UDC Local Plan being advanced in its Regulation 19 Examination and the FNP having been submitted to UDC in readiness for the AECOM SEA and submission under Regulation 14.

With regard to the "tilted balance" in relation to the UDC ELP, we would refer to the July 31st Examining Planning Inspectorates "Post Hearing Notes" where the Inspectors comments include (item 12) ***"We are satisfied that the Plan identifies sufficient land to meet its housing requirement over the plan period" and goes on to say "the rate of housing delivery in Uttlesford in recent years has been significant and is forecast to continue"***.

Further and most importantly they said, (13) ***"In our view, the advantages of expediting the adoption of the Plan outweigh the disadvantages of it not being able to demonstrate a five-year housing supply at this time"***.

For the reasons stated by the Planning Inspectors, there is no justification for applying the "tilted balance" when the UDC ELP and the emerging FNP Review are so **well advanced, and both will deliver the housing numbers required.**

A further speculative and opportunistic circa 100 dwellings which will be contrary to both the intended housing delivery via both UDC FMP and the FNP Review are not required for Felsted.

Bloor Homes Claimed Participation in the Neighbourhood Plan

The claim that the Review Group had any substantive dialogue with Bloor Homes is at best extremely misleading and at worst cynically disingenuous.

It is important for the Committee and the community to understand the RG's interactions with the company, as Bloor seems to claim that great weight should be attached to their claim of engagement. In our view those claims go to the integrity of this application.

RG group members met briefly with Bloor Homes on just two occasions and has had no written communications with the organisation whatsoever.

In March 2024 the RG held its first public consultation on twelve sites, including the Bloor site, the subject of this application. Following the consultation and further assessment, the site was not considered suitable.

In April 2025, over a year after the RG's first public consultation on the NP Review, at the request of Phase 2 Consulting, representatives of the RG attended a meeting at which, without any fore-notice, a representative of Bloor Homes was introduced who wished to discuss the site. The RG explained that the site proposed by Bloor at the meeting had been assessed as unacceptable because of "coalescence" and poor site access. At that meeting no details of Bloor's plans were revealed to the RG. The state of progress of the NP was also explained, including the delay in funding for the SEA.

On 8th May 2025 Bloor Homes held a public consultation on their site, which included a much-improved access. "Up to 100 homes" were proposed by Bloor, significantly more than Felsted's need or allocation. The problems with coalescence remained but had been mitigated. The Review Group took no part in and was not consulted about the consultation.

On 23rd April 2025 a public consultation was held by another developer (Springfield) for a different site (The Water Tower site) which was being considered by the Review. The Review Group took no part in but was informed of the consultation.

On 11th and 12th July 2025, the RG held an independent public consultation to allow the community the opportunity to consider the relative merits of the proposals by Bloor and Springfield. The outcome of a ballot very marginally favoured the Bloor site, but comments about both sites were equally negative and the outcome was considered inconclusive.

On 11th August 2025 representatives of the RG met with Bloor and Phase 2. We shared the outcome of the RG's public consultation (as we had with Springfield). Bloor showed the proposed site plans they had used in the public consultation and claimed they were keen, albeit very belatedly, to engage with the RG in the NP process. We again explained that the NP was in draft and subject to the SEA, would soon be ready for Reg 14.

Even though we had assessed the site early on as being unacceptable, from RG's perspective, we were keen to be seen as fair-minded and objective.

We stressed that the proposed housing number was totally unacceptable, vastly exceeding Felsted's indicated allocation and would not be supported in any circumstances. Additionally, the proposal also failed to offer any community benefit whatsoever. Bloor's representatives promised to provide further information to the FNPRG "within a day or so" supporting their positive attitude to community benefit. Two months have passed: we have heard nothing more from Bloor.

The Bloor Homes application is in direct conflict with the made Felsted Neighbourhood Plan and the current formal Review process.

We know (because we told them!) that Bloor are aware that, if this application is approved, together with the further 17 homes anticipated by the RG (see above) are included, its plan would result in the housing allocation for Felsted increasing from 71 to 188. This would be viewed by the Felsted community, who have unquestioningly engaged with the FNP process and accepted the UDC ELP allocation as an irrational and abhorrent decision.

Assessment of the The Bloor Homes Site

The site (Ref: FEL 005 RES) was one of 29 in Felsted originally brought forward under the UDC "Call for Sites" programme and was included in UDC's 2024 Housing and Economic Land Availability Assessment (HELAA).

Because Felsted is classified as a "large village", under the agreed terms in the UDC Local Plan the responsibility for identifying suitable sites to accommodate Felsted's housing allocation was adopted by the Parish. Consequently, the site was not taken forward in the UDC Regulation 19 as a "Strategic Residential Allocation".

2024 HELAA Assessment.

- In the 2024 UDC - Housing and Economic Land Availability Assessment, the site (FEL 005 RES - Land off Rayne Road Bannister Green, Felsted, CM6 3NL) was included in the appendix 9 list, on page 52 of:

APPENDIX 9: SCHEDULE OF SITES WITHOUT ACCESS

- The following table shows sites which cannot be accessed from the highway network and where it would not be possible to achieve access
- The site was also given an ECC Highways Assessment – RED

Whilst the currently submitted application incorporates an additional plot of land (and house) which changes and improves the access, the fact remains that this "late in the day" amendment does not obviate the legitimate decision of both UDC and the FNPRG to dismiss the site as submitted by the landowner as "unsuitable" when it was considered objectively in an assessment matrix and alongside the other 28 sites in Felsted submitted in the SHLAA.

It should not be acceptable to dismiss, discredit and discount a properly established and meticulously prepared Neighbourhood Plan, developed over many months in full compliance with all applicable regulations and delivering the strategic objectives for Felsted by allowing a "recently modified" properly assessed and previously dismissed site submitted as an opportunistic attempt to take advantage of the Felsted Neighbourhood Plan and the UDC Local Plans being classified as "out of date".

Coalescence and Felsted Heritage and Character Assessment

In addition to having been assessed as unsuitable by UDC and the FNPRG due to the (then) poor access, the site is also considered unacceptable due to its impact on coalescence. The site is located immediately between two of the Parishes largest settlements, Bannister Green and Watch House Green.

It is therefore in conflict with the Felsted Neighbourhood Plan Policies FEL/ICH4 - Avoiding Coalescence and FEL/CW1 - Landscape and Countryside Character, the latter referencing the negative conflicts with the Felsted Heritage and Character Assessment (undertaken by AECOM in October 2017).

AECOM specifically highlights Landscape Character Area LCA 3: Felsted Rural Greens (which includes Watch House Green and Bannister Green) and identifies (on page 34) "Sensitivity to change", where it states, "There are also some elements which are particularly sensitive to change", including: "**Areas of open countryside, which prevent the coalescence of historic settlements**".

Bloor Homes appear to disregard the impact or even the concept of "coalescence" or have any real understanding of the nature or empathy with the geography and history of the parish.

Felsted is defined by its character which comprises of 15 separate hamlets/settlements. In Bloor's "Statement of Community Involvement" - "Introduction" on page 5, item 2.1.2, and also under "site Location" 3.1.1 they state "*The site is located centrally to Bannister Green, and to the south of Rayne Road, within the Parish of Felsted*".

This is quite simply wrong!

The site is located at the extreme west of the settlement of Bannister Green. The recently added dwelling, now included to improve access to the site being the last dwelling in Bannister Green before entering the open green space that separates Bannister Green from Watch House Green. It is this sensitivity of the site location that creates the coalescence issue.

Further, in the section on "Publicity" under 4.2.3, Bloor show a map of the area where the site is located, but fail to even mention or identify "Watch House Green".

Bloor's claim that the site is located "centrally to Bannister Green" without any reference whatsoever to Watch House Green, clearly demonstrates either Bloor's lack of awareness or deliberate disregard for the character of Felsted and the impact of its proposals on coalescence.

In addition, the proposed creation of a "Public Right of Way" (PRoW) to the west of the site, would require the change of use of what is currently a closed farm track which is gated, locked and barred preventing public access. As the rear wall of the adjacent private dwelling (Chimes) forms a boundary with this track, conversion of the track to a PRoW would seriously and negatively impact the residential amenity of "Chimes".

Finally, in terms of the character of the proposed development. It is typically suburban and characterless! It offers no contribution in terms of architectural merit and instead proposes the perpetuation of the kind of featureless development that is a blight on the countryside.

We would concur with the UDC Urban Design Consultation Officers Response which describes the proposal as a having "*no demonstration of compliance with the Uttlesford Design Code other than a generic statement*" describing it as a "*generic suburban housing development*" with the Officer expecting "*a greater degree of commitment to high levels of design and placemaking*".

The proposal is in clear conflict with the FNP Policy FEL/CW1 Landscape and Countryside Character which states that *"proposals must protect and enhance the landscape of the character area in which they are situated"* and which, under Landscape and Countryside Character, (5.7.4.), states that *"The countryside character of Felsted is integral to the unique identity of the Parish and should be protected for its own sake"* including (in 5.7.5.) that the *"Open and green spaces in the Parish make an important contribution to the overall character of Felsted"*.

Conclusion and Summary of Objections

The applicant makes frequent reference to the NPPF Paragraph 11, suggesting that because the FNP is "out of date" the application should be approved.

However, paragraph 11 b clearly directs "decision makers" to only allow an application, **unless** *"the application of policies in this Framework that protect areas or assets of particular importance"*, provides *"a strong reason for refusing the development proposed"* or where *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits"*.

The recently published (31st August 2025) UDC Neighbourhood Plan Support document (item 11) states "The emerging Uttlesford Local Plan 2021-2041 has provided an opportunity for six selected Larger Villages to take responsibility for planning for "non-strategic" scale growth (sites of less than 100 homes) themselves, **rather than this being imposed on them**".

Felsted is one of the six "Larger villages" referred to and if this application with its unplanned and unwanted, additional "up to 100 dwellings" is allowed **and imposed on Felsted**, it will threaten the integrity and public trust in the NP process.

FPC argues strongly that the active Review of the FNP should be viewed as a significant local "asset" and allowing this application, in "direct conflict" with the FNP Review would "significantly and demonstrably outweigh the benefits", making this application "unsustainable".

It is an exasperating anomaly that the FNPRG is required by regulation to undertake an SEA to support a plan which includes a development of 70 homes, but a developer, like Bloor Homes, can propose a development of up to 100 homes in precisely the same Plan area without any obligation to undertake an SEA.

On planning terms alone Felsted PC strongly object for the following reasons:

- Felsted has accepted the responsibility of identifying sites through the Neighbourhood Plan process. It follows that it would be unfair of UDC to now consider approving a proposed site unrelated to our Neighbourhood Plan, that would result in almost twice as many homes as the parish is required to accept through UDC's ELP allocation.
- It is impossible to conclude other than Bloor Homes proposal is a cynical and opportunistic application that seeks to exploit what they perceive as an "open goal" caused by the timing of both the UDC Local Plan and Review of the FNP.

- Bloor's claims of "engagement" with the Felsted Community, are baseless, fanciful and nothing more than a misleading claim that they present as ticking the "community engagement box".
- The quality and density of the homes proposed damages the countryside.
- The creation of a "Public Right of Way", replacing what is currently a closed track with no public access to the west of the site would seriously, negatively impact the residential amenity of the adjacent dwelling of "Chimes"
- Bloor's proposals would cause unacceptable coalescence and cause harm to the uniqueness of the constitution of the Parish's Greens.
- The proposals "for up to 100 new homes" far exceeds the need and the allocation for Felsted.

For the multiple reasons stated, Felsted Parish Council urges the Planning Committee to refuse this application.