



ITEM NUMBER: 9

PLANNING COMMITTEE DATE: 8 April 2026

REFERENCE NUMBER: UTT/26/0385/FUL

LOCATION: Rosemary Cottage
Causeway End Road
Felsted
Essex
CM6 3LU

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 22 December 2025

PROPOSAL: Construction of new dwelling and new access

APPLICANT: Mr And Mrs M Dempsey

AGENT: Mr Jon Bell

EXPIRY DATE: 16/04/2026

EOT EXPIRY DATE:

CASE OFFICER: Ashley Neale

NOTATION: Aerodrome Direction
Essex Coast RAMS

REASON THIS APPLICATION IS ON THE AGENDA: Councillor Call-in: Cllr Silcock
This application is for a new dwelling, which will be backland development on a Green Field site, outside Village Development Limits.

It will not comply with Policy H4 of the adopted 2005 Local Plan (Backland Development) which states that such backland development “will only be permitted where there would be no material overlooking or overshadowing of nearby properties, development would not have an overbearing effect on neighbouring properties and access would not cause disturbance to nearby properties”.

The Felsted Neighbourhood Plan, (which was adopted in February 2020) Policy FEL/HN5 – Residential Development Outside Development Limits, does not support developments like this, outside the Village Development Limit.

The proposal is contrary to Development Policy 1 (New Dwellings in the Open Countryside) in the emerging Local Plan.

A previous application for a dwelling on this site (UTT/25/1900/FUL) was refused by the Planning Committee on 16th January 2026

1. **EXECUTIVE SUMMARY**

- 1.1 The applicant seeks planning permission to construct of 1no. new dwelling and new access onto Causeway End Road, to the rear of Rosemary Cottage within the existing rear garden.
- 1.2 The proposed development involves the erection of one detached 1.5-storey dwelling at the site which takes a traditional approach to design. By way of its scale, massing and bulk, it would not appear out of character with the pattern of development adjacent the site or the wider surroundings. The application site utilises a large area of private garden land in the built area of a Larger Village as defined by Core Policy 3, is in a relatively sustainable area as supported by previous LPA and Planning Inspectorate decisions in the immediate environs and represents a more efficient use of underutilised land in accordance with paragraphs 124 and 125(d) of the NPPF.
- 1.3 The proposals have been assessed against the relevant policies contained within the Development Plan and the NPPF. It has been concluded that they comply and in accordance with these policies and guidance. In conclusion, it has been found that the proposals are acceptable and thus are recommended for approval subject to conditions.

2. **RECOMMENDATION**

That the Strategic Director of Planning be authorised to GRANT permission for the development subject to those items set out in section 17 of this report – Conditions
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3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The application site comprises part of the rear garden of Rosemary Cottage, located on the southern side of Causeway End Road, Felsted. The site largely comprises amenity grassland and is enclosed by tall ornamental hedgerow and other established vegetation. The main dwellinghouse of Rosemary Cottage lies to the north of the site, the residential garden of Kew Cottage abuts the site to the east and the site to the west is currently under construction for 4no. dwellings following the approvals of UTT/19/0027/OP and UTT/20/3102/DFO. An arable field abuts the site to the south.
- 3.2 The northern area of the site lies within the defined settlement limits of Causeway End as per Map 14 of the Neighbourhood Plan (2020) in effect splitting the domestic curtilage of Rosemary Cottage in being part within/part outside the settlement limits. Core Policy 3 of the Uttlesford Local Plan (2026) takes a broader approach and does not apply defined settlement limits to the Larger Village of Felsted (including Causeway End). Spatially and characteristically, the site is domestic in nature and distinctly separate from the wider arable landscapes to the south of Causeway End and is considered to be within the built area of Felsted as per Core Policy 3. There are no designated heritage assets in the vicinity of the site, and the entirety of the plot is located within Flood Zone 1.

4. **PROPOSAL**

4.1 The proposal seeks the construction of 1no. new dwelling and new access onto Causeway End Road.

4.2 The application includes the following supporting documents:

- Application Form
- Planning, Design, Access and Transport Statement
- Preliminary Ecological Appraisal
- Ecology Survey
- Biodiversity Survey and Report
- BNG Metric Calculation Tool
- BNG Metric Calculation Condition Sheets
- BNG Report
- Biodiversity Checklist

5. **ENVIRONMENTAL IMPACT ASSESSMENT**

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

6. **RELEVANT SITE HISTORY**

6.1

Reference No.	Status	Decision Date	Proposal
UTT/25/1900/FUL	R	16/01/2026	Construction of 1no. new dwelling and new access onto Causeway End Road
UTT/19/1119/HHF	UA	12/07/2019	Section 73 Retrospective application for Single story rear extension
DUN/0183/52	UA	06/10/1952	Alterations and additions
UTT/1098/98/FUL	AC	10/11/1998	Variance of condition C.4.9. of UTT/0506/98/FUL for erection of close-boarded fence along western boundaries
UTT/0506/98/FUL	AC	17/06/1998	Change of use of agricultural land to residential garden land

6.2

Particularly relevant to the proposals is application UTT/25/1900/FUL which was refused in January 2026 for a similar proposal of 1no. new dwelling and a new access onto Causeway End Road. The application was refused at Planning Committee for one sole reason. This is as follows: *"The proposed scale, form and bulk of the proposed dwelling fails to respond to the context of the site and would appear unduly large in comparison to dwellings fronting Causeway End Road. The proposed*

development represents an overdevelopment of the plot and fails to accord with Policy GEN2 of the Uttlesford Local Plan (2005) and Core Policy 52 of the emerging Uttlesford Local Plan.”

6.3 The current proposal seeks to address this refusal reason with a scaled down design. The principle of development at the site was considered appropriate when applying the tilted balance in favour of sustainable development and broad accordance with the policies with the (at the time) emerging development. A key consideration is the increase in weight given to the policies of the Uttlesford Local Plan (2026) which has since been adopted. An assessment of compliance with these policies is undertaken in 14.3 of this report.

6.4 Also of relevance to the proposed development, there are other items of planning history in close proximity to the site which are material considerations in the decision-making of this application. These are given consideration throughout the following sections of this report and are set out below for reference:

- **UTT/19/0027/OP** - Outline application with all matters reserved except for access for the demolition of existing farm buildings, construction of 4 no. residential dwellings. Approved 22.07.2019 (*Farm Yard South Of Causeway End Road, Felsted*)
- **UTT/20/3102/DFO** - Details following outline application UTT/19/0027/OP for 4 no. dwellings - details of appearance, landscaping, layout and scale. Approved 26.08.2021 (*Farm Yard South Of Causeway End Road, Felsted*)
- **UTT/22/2743/FUL** - Erection of 1 no. Dwelling complete with all related works including access. Refused 07.11.2023 (*Land East Of Oaklea Causeway End Road, Felsted*)
- **APP/C1570/W/24/3343058** - Erection of 1 no. Dwelling complete with all related works including access. Appeal Allowed 07.01.2025 (*Land East Of Oaklea Causeway End Road, Felsted*)

7. PRE-APPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 Paragraph 40 of the NPPF states that early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre-application discussion enables better coordination between public and private resources and improved outcomes for the community.

7.2 Pre-application advice was sought for the construction of a single dwelling at the site. Officer advice was given in February 2025 (UTT/25/0275/PA) which was supportive of the principle of 1no. dwelling at the site, subject to

be a sympathetic, high-quality design reflective of the local vernacular being achieved.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority – No Objection

8.1.1 From a highway and transportation perspective the Highway Authority stated that the impact of the proposal is acceptable to the Highway Authority subject to compliance conditions. The Highway Authorities consultee response can be found in Appendix 1 of this report.

9. FELSTED PARISH COUNCIL

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

- Application UTT/25/1900/FUL was refused in January 2026 for design-based reasons. The proposed dwelling in this application has reduces the roof ridgeline height by 20cm, with the footprint remaining unchanged and the overall scale of the building is almost identical to the refused dwelling.
- Backland development, outside the village development limits (Conflict with Policy H4)
- Would be out of keeping with the linear vernacular of Causeway End Road.
- the Felsted Neighbourhood Plan is currently at an advanced Regulation 14 Review stage, completing public consultation on March 23rd
- The emerging Local Plan has been found sound and is due to be adopted in March 2026.
- Core Policy 41 of the emerging Local Plan restricts inappropriate development outside existing residential boundaries. The site is open countryside and the development is inconsistent with local character.
- Conflicts with Felsted Neighbourhood Plan Policy FEL/HN5
- Recent applications UTT/24/1445/FUL, UTT/22/2743/FUL and UTT/21/0193/FUL do not provide precedent for development of this plot
- Traffic and parking conditions on the road are unacceptable and will be worsened by the construction of a new dwelling.
- Requirements for visibility sight lines cannot be met without creating a further significant impact on the existing “rural characteristic” of the site.
- An existing telegraph / electrical supply pole at the access point which will restrict visibility

10. CONSULTEE RESPONSES

10.1 Place Services (Ecology) – No Objection

10.1.1 No objection subject to securing biodiversity mitigation and enhancement measures. Place Services (Ecology) consultee response can be found in Appendix 2 of this report.

10.2 UDC Environmental Health – No Objection

10.2.1 No objection subject to conditions. UDC Environmental Health consultee response can be found in Appendix 3 of this report.

11. REPRESENTATIONS

11.1 A site notice was displayed near the site and adjoining occupiers notified by post.

11.2 Support

11.2.1 There are no letters of support for this application.

11.4 Object

11.4.1 There are twelve letters of objection for this application, split across multiple representations. The following comments were received:

- Fails to overcome reasons for refusal under UTT/25/1900/FUL – the dwelling is not scaled down enough in height, size and footprint
- Contrary to emerging Local Plan policies specifically Core Policy 3 (Settlement Hierarchy) as it is outside the built area of Felsted
- The residual requirement for new housing (Core Policy 19) is to be brought forward through an updated Felsted Neighbourhood currently at Reg 14 consultation – this has significant weight
- Fails to accord with Development Policy 1
- The Council will have a 5YHLS
- Outside development limits
- Backland development which conflicts with Policy H4
- Greenfield plot
- Unsustainable location, reliance on private vehicles
- Overly urbanising/overbearing appearance
- Dwelling's size is out of proportion with neighbouring dwellings (incl. Rosemary Cottage)
- Out of keeping with linear character of surrounding area and would erode the long linear gardens common in the area
- The dwelling is too suburban and not traditional
- Felsted already has sufficient housing in the area and the Local Plan prevents additional housing here. There is no quota for more housing
- Visibility splays provided are inaccurate and insufficient
- Substandard access
- No footpaths along Causeway End Road
- Localised flooding on the road - no information on disposal of surface and foul water, will lead to increased flooding

- Causeway End Road is a busy road, will be exacerbated by construction vehicles and new traffic generation, increase in accidents
- Causeway End Road is a 'quiet lane' and there will be increased conflict with construction vehicles and other users on the lane.
- Increased noise and dust
- Increased light pollution
- Overlooking onto neighbouring properties – worsened by the demolition of an outbuilding to make way for the access
- Insufficient boundary treatments proposed (6 ft high fencing and hedging is insufficient)
- Uncertainty over whether internal areas meet the required space standards
- No direct loss of privacy as a result of the separation distance but the physical presence of a property will result in a perceived loss of privacy and overlooking.
- Loss of light for neighbouring properties
- Rosemary Cottage will become an island surrounded on both sides by driveways
- Loss of hedgerow for access and no tree survey has been provided with the application
- Sets precedent for further development
- Detrimental impact on wildlife including to protected and priority species
- BNG cannot be achieved.

12. MATERIAL CONSIDERATIONS

12.1 In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the "Considerations and Assessments" section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to The provisions of the development plan, so far as material to the application:
 (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
 any local finance considerations, so far as material to the application, and
 any other material considerations.

12.3 The Development Plan

12.3.1 Essex Minerals Local Plan (adopted July 2014)
 Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)

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

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (December 2024).

13.2 Uttlesford Local Plan (2026)

13.2.1 Core Policy 1 (Climate Change)
Core Policy 3 (Settlement Hierarchy)
Core Policy 19 (Rural Area Housing Requirement Figures)
Core Policy 22 (Net Zero Operational Carbon Development)
Core Policy 23 (Overheating)
Core Policy 24 (Embodied Carbon)
Core Policy 27 (Assessing the Impact of Development on Transport Infrastructure)
Core Policy 28 (Active Travel - Walking and Cycling)
Core Policy 29 (Electric and Low Emission Vehicles)
Core Policy 31 (Parking Standards)
Core Policy 33 (Managing Waste)
Core Policy 34 (Water Supply and Protection of Water Resources)
Core Policy 36 (Flood Risk)
Core Policy 37 (Sustainable Drainage Systems)
Core Policy 38 (Sites Designated for Biodiversity or Geology)
Core Policy 40 (Biodiversity and Nature Recovery)
Core Policy 41 (Landscape Character)
Core Policy 42 (Pollution and Contamination)
Core Policy 44 (Noise)
Core Policy 52 (Good Design Outcomes and Process)
Core Policy 53 (Standards for New Residential Development)
Core Policy 55 (Residential Space Standards)

13.3 Neighbourhood Plan

13.3.1 Felsted Neighbourhood Plan (2020) policies relevant to this application:

FEL/HN5 - Residential Development outside Development Limits
FEL/ICH1 - High Quality Design
FEL/INF1 - Water recycling and flood risk

13.4 Supplementary Planning Document or Guidance

- 13.4.1** Essex Design Guide
Supplementary Planning Document – Home Extensions
Supplementary Planning Document – Uttlesford 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 (CP3, CP19, FEL/HN5, NPPF)**
 - B) Design, Character and Appearance (CP52, CP53, FEL/ICH1, UDC District-Wide Design Code, NPPF)**
 - C) Flood Protection and drainage (CP36, CP37, FEL/INF1, NPPF)**
 - D) Neighbour and occupant’s amenity (CP42, CP44, CP52, NPPF)**
 - E) Highways and Access (CP27, CP28, NPPF)**
 - F) Parking provision (CP31, NPPF)**
 - G) Ecology and BNG (CP38, CP40, NPPF)**
 - H) Lighting (CP42)**
 - I) Land Contamination (CP42, NPPF)**
 - J) Accessible Homes (CP53)**
 - K) Planning Balance**

14.3 A) Principle of Development (CP3, CP19, FEL/HN5, NPPF)

- 14.3.1** The application site is located within Causeway End, Felsted. Core Policy 3 recognises Felsted as a Larger Village which is defined as a settlement with a more limited range of employment, services and facilities. There is a presumption in favour of sustainable development within the existing built area of Larger Villages and development outside the existing built areas of these settlements are only to be permitted where it is allocated by the Local Plan or has been allocated within a Made Neighbourhood Development Plan, or future parts of the Local Plan. Core Policy 3 does not provide a defined development limit to Causeway End or Felsted and instead relies on both the settlement boundary drawn in the Felsted Neighbourhood Plan and the subjective nature of whether a site is in the ‘built’ area.

- 14.3.2** The Felsted Neighbourhood Plan (2020) allocates the site as being partly within and partly outside of the defined settlement limits of Causeway End, as per Map 14 of the plan, where new development is restricted unless it meets one of the six criteria of appropriate development forms, set out under Policy FEL/HN5. As the proposal seeks to build 1no. 3-bedroom market dwelling, the proposed development does not meet one of the exceptions under Policy FEL/HN5. The proposed development conflicts with Policy FEL/HN5.

- 14.3.3** Notwithstanding this, paragraph 14 of the NPPF states that in situations where the presumption (at paragraph 11d) applies to applications involving

the provision of housing, the adverse impact of allowing development that conflicts with the neighbourhood plan is likely to significantly and demonstrably outweigh the benefits, provided the following apply: a) the neighbourhood plan became part of the development plan five years or less before the date on which the decision is made; and b) the neighbourhood plan contains policies and allocations to meet its identified housing requirement (see paragraphs 69-70).

14.3.4 The Felsted Neighbourhood Plan was made in February 2020 and as such, is now greater than 5 years old. The provisions of Policy FEL/HN5 and the defined settlement limits therefore cannot hold full weight in the decision-making process when applying the ‘tilted balance’ under paragraph 11(d).

14.3.5 In considering the site’s location, its relation to the spatial pattern of the settlement and its overall character, the application site is deemed to be within the built area of Felsted/Causeway End. The site is already in residential use and is domestic in character, distinctly separate from the open, arable landscapes located to the south of the site. Combined with the sense of enclosure within the site through established boundary treatments and the character of the site with domestic paraphernalia and its functional connection with Rosemary Cottage, there is a distinct relationship with site and the built-up residential form along Causeway End Road. Despite its current openness as amenity garden land, the site is characteristically and spatially disconnected from the open countryside to the south with a clearly defined barrier. The tall grass sward and mature cluster of trees to the south of the plot provides a clear definable transition between the domestic, residential curtilage of Rosemary Cottage and the vast agrarian landscapes that marks the open countryside surrounding the built area of the settlement. Additionally, the site is bound by existing built form to the west and north, with domestic gardens and ancillary outbuildings to the east. The introduction of residential built form would evidently relate to existent built form on the southern side of Causeway End Road and integrate with the wider settlement pattern, thus being considered part of the built area of Felsted/Causeway End as per Core Policy 3. There is a presumption in favour of sustainable development within this area.

14.3.6 Additionally, Core Policy 19 of the Local Plan sets out housing requirement figures for rural areas and provides a residual requirement of 95 new dwellings in the Felsted Neighbourhood Plan area over the emerging Local Plan period. Although these allocations are to be brought forward outside the built area of Felsted which does not apply to the context of the site, this residual requirement is to be delivered through additional Neighbourhood Plan allocations and represents an evidenced housing need within Felsted more generally. At present, there is no up-to-date Felsted Neighbourhood Plan to provide these allocations to meet this residual requirement. At present, the Regulation 14 consultation on the updated Felsted Neighbourhood Plan has taken place, concluding on 23rd March 2026. Due to the early stages of the plan and the fact that it has not been passed any form of independent examination, very limited weight can be afforded to it.

- 14.3.7** Whilst mostly located outside the development limits identified in the out-of-date Felsted Neighbourhood Plan, bar a small strip of the site to the north within development limits, the site is located within the established residential curtilage of Rosemary Cottage and built form runs adjacent the site to the north and west. The proposed development is considered within the 'built' area of the settlement where a presumption in favour of sustainable development applies as per Core Policy 3. Whilst Core Policy 19 relates to delivering development allocations outside the built area, it more broadly identifies a clear, evidenced need for additional dwellings within Felsted. The development of 1no. dwelling, subject to compliance with other relevant development plan policies, would accord with the Local Plans overarching spatial strategy as per Core Policy 3 and would contribute to an evidenced need for additional housing in Felsted as per Core Policy 19.
- 14.3.8** Paragraph 232 of the NPPF sets out that where a local planning authority can demonstrate a five year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78) and where the Housing Delivery Test indicates that the delivery of housing is more than 75% of the housing requirement over the previous three years, policies should not be regarded as out-of-date on the basis that the most up to date local housing need figure (calculated using the standard method set out in planning practice guidance) is greater than the housing requirement set out in adopted strategic policies, for a period of five years from the date of the plan's adoption. Following adoption of the Local Plan, the Council can demonstrate 4.77 years of housing land supply (which includes a 20% buffer).
- 14.3.9** In addition to the this, the latest HDT for Uttlesford was 69% and therefore situation (b) of Footnote 8 applies. This means that adopted development plan policies are considered out-of-date and this means that the Council must continue engaging with the presumption in favour of sustainable development under paragraph 11(d) of the NPPF. Due this position the local development plan policies cannot be afforded full weight at this time.
- 14.3.10** NPPF (2024) at paragraph 11 encourages planning authorities to approve developments, unless there are strong reasons for refusing development or due to any adverse impacts that would demonstrably outweigh the benefits. Paragraph 50 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development.
- 14.3.11** Sustainable Development:
- 14.3.12** There is a presumption in favour of sustainable development in the National Planning Policy Framework (NPPF) which mirrors the requirements of Core Policy 3. Sustainable development is defined as being based on three dimensions – economic, social and environmental. The NPPF specifically states that these roles should not be undertaken in isolation, because they are mutually dependent.

14.3.13 Economic dimension of sustainable development:

14.3.13.1 The addition of one new dwelling would have a limited economic benefit regarding employment opportunities during the construction phase of the development. Once built the occupiers of the dwelling would contribute in a modest way to the local economy predominantly supporting Felsted and other neighbouring settlements. Therefore, there is a minor economic benefit of the development, according with the economic dimension of the NPPF on sustainable development in a limited way.

14.3.14 Location – isolation, infill, services and facilities:

14.3.14.1 Case law defined ‘isolation’ as the spatial/physical separation from a housing settlement or hamlet, meaning that a site within or adjacent to a housing group is not isolated. The site is not isolated, as it is adjacent the development limits of Causeway End, Felsted and abuts residential properties/curtilages to the north, east and west. Paragraph 84 of the NPPF is not applicable.

14.3.15 Paragraph 6.14 of the Local Plan allows “sensitive infilling of small gaps in small groups of houses outside development limits but close to settlements”

14.3.15.1 if the development is in character with the surroundings and have limited impacts on the countryside. By reason of the development’s position in relation to the neighbouring dwellings, the site is not a typical infill opportunity, as it is not a gap between existing properties, rather a plot of domestic land bound by built form on two sides.

14.3.16 With regards to accessibility and new development in the countryside, there are a lack of local services, amenities, and public transport links in the surrounding locality and thereby future residents would most likely conduct most journeys by private motor vehicle to Felsted and other surrounding settlements. In terms of its location, the application site is not the most sustainable location in respect to accessibility to employment, cultural, health and commercial activities to meet the daily needs of future occupiers.

14.3.17 However, it is noted that the site is approximately 1km south (15-minute walk) from the village core of Felsted. Felsted is reasonably sized village with a number of facilities and services, including a schools, convenience store, public houses, sports facilities and bus stops. Although narrow in some parts, there is public footpath to the village from the end of Causeway End Road along the Chelmsford Road. It is realistic to surmise that there would be some reliance on the private car. Although cycling or walking would not be impossible, car journeys are more likely but would be short given the proximity to Felsted and this limits the harm arising from the need to travel.

14.3.18 In the assessment of the site’s environs and access to services and facilities, permission UTT/19/0027/OP for 4no. dwellings on land

immediately west of the application site was “considered to be within a reasonably sustainable location at Causeway End whereupon small scale new developments have been approved by the Council in the recent past, including along Chelmsford Road”. The Officer concluded that the location was a sustainable location for new housing and is a material consideration in the decision-making.

14.3.19 A recent appeal decision, dated January 2025, proposed 1no. dwelling at the Land East of Oaklea, Causeway End Road (ref. APP/C1570/W/24/3343058). This site is located on the opposite side of the road to the application site, approximately 75-metres from the siting of the proposed dwelling. The appeal was allowed and in the Inspector’s review of the site’s access to services and facilities, it was noted that “the site is reasonably well located in terms of access to services, facilities and amenities and this would ensure sufficient choice of travel by modes other than the private car”. It was also concluded that “the appeal site is a suitable location for housing having regard to access to services and facilities”. This is a material consideration in the decision-making.

14.3.20 The NPPF does acknowledge that ‘opportunities to maximise sustainable transport solutions will vary between urban and rural areas’ with rural areas naturally much more likely to have to make use of a car. Therefore, the location of the site does offer some genuine modes of sustainable transport, alternative to the private car. The site is therefore considered to be in a fairly sustainable location when applying the provisions of paragraphs 110 and 115 of the NPPF (2024). The addition of one more house to the Council’s current lack of housing delivery is a positive.

14.3.21 Previously developed land – Effective use of land:

The NPPF defines Previously Developed Land (PDL) as land which has been lawfully developed and is or was occupied by a permanent structure and any fixed surface infrastructure associated with it, including the curtilage of the developed land in rural areas (although it should not be assumed that the whole of the curtilage should be developed).

14.3.22 Following the NPPF definition of Previously Developed Land and the High Court judgment in Dartford Borough Council -v- SSCLG [2017] EWCA Civ 141, and the change in policy circumstance which demonstrates the site as being with the built area of Felsted. Causeway End, the site cannot be determined to be Previously Developed Land (PDL). This is a key material difference between the assessment of the previous application (UTT/25/1900/FUL) due to the removal of Policies S3 and S7 from the previous adopted development plan.

14.3.23 Notwithstanding this, the site currently comprises residential land within a built-up area redevelopment of underutilised land for housing purposes as

14.3.23.1 is considered acceptable and the site lies within a fairly sustainable location where the re-use of the site for housing purposes would make more effective use of the land in line with the advice contained within paragraphs

124 and 125(d) of the NPPF. Furthermore, the immediate surrounding area along Causeway End Road is characterised by linear housing with some limited backland development and the proposed residential use of the site would not necessarily conflict with the character of the area. In these circumstances, the proposal would comply with the NPPF.

14.3.24 Environmental dimension of sustainable development / The Countryside:

14.3.24.1 The site is located within the curtilage of Rosemary Cottage, a residential dwelling and the proposed development relates to the to the erection of 1no. 1.5-storey dwelling. The site is physically separate from the surrounding arable landscapes to the south of the site and although undeveloped, is visually connected with the built form to the north along Causeway End Road. The functional use of the site is also tied to the occupation and enjoyment of Rosemary Cottage. Core Policy 41 of the Local Plan seeks to protect landscape character and establishes that development will be expected to reflect and enhance local landscape character in accordance with the applicable guidelines to protect and conserve, manage and plan landscapes outlined for each landscape character area within the Uttlesford Landscape Character Assessment (2023), particularly in settlement edge locations and Rural Areas. The site forms an edge of settlement location and its openness holds some contribution to the character and appearance of the village edge, acting as a transition between urbanised, domestic land in Causeway End and the agrarian setting to the south.

14.3.25 The site benefits from dense hedgerow and vegetation screening along its southern, eastern and western boundaries. Whilst the site does somewhat contribute to the openness and the setting of Causeway End, the development of 1no. dwelling would not necessarily overly urbanise the site, nor the surrounding environs. Visually, the new dwelling would appear as a backland development behind the linear building line on Causeway End Road. Whilst the proposed development would deviate from the general linear pattern, the erection of 4no. dwellings to the immediate west of the site would allow the proposed dwelling to appear related to this cluster of residential dwellings in this part of the countryside. The site would remain enclosed and physically and visually separate from the open, arable land which surrounds the built form of Causeway End.

14.3.26 The principle of residential use at the site in the form of one new dwelling will not necessarily have overly harmful impacts with regards to encroachment or changing the wider landscape character of the area as a result of established vegetation boundaries to the site and its association with the curtilage of Rosemary Cottage. The plans demonstrate that a modest 1.5-storey dwelling could be integrated into the land subtly and sympathetically, with a ridge height lower than that of the adjacent dwellings approved under UTT/19/0027/OP, and further reduced from the previous proposals under UTT/25/1900/FUL, which would be partially screened by existing vegetation around the site boundaries to the east, west and south. The overall footprint of the dwelling being proposed is still considered fairly large, however, the bulk and form would relate subserviently to the adjacent

dwelling under construction to the west at the site, which limits perceived overbearing impacts. The proposal would result in an increased domestic appearance of the overall site but would not be out of place within this location, nor would overly alter or urbanise the character of the site to an adverse level. The introduction of the proposed built form at this location would cause a minimal change to the verdant character of the site by creating somewhat of an increased domesticated appearance, but it would not be excessive nor detrimental to the countryside given the already domesticated context of the site and the existing built form within this area. The proposed development is considered to protect the landscape setting to the south of Causeway End and accord with Core Policy 41.

14.3.27 Conclusion:

Regarding the principle of residential development in the form of 1no. dwelling at the site, the planning balance under paragraph 11(d) of the NPPF would support the principle of the development (see Conclusions), and as such, the proposed development would accord with paragraph 11 of the NPPF.

14.4 **B) Design, Character and Appearance (CP52, CP53, FEL/ICH1, UDC District-Wide Design Code, NPPF)**

14.4.1 Section 12 (Achieving well-designed places) of the National Planning Policy Framework attaches great importance to the design of the built environment. The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

14.4.2 Core Policy 52 states that development will be supported where proposals can clearly demonstrate compliance with appropriate national policy and guidance in respect of Design, especially the most up-to-date versions of the Uttlesford Design Code, and the Essex Design Guide. Policy FEL/ICH1 of the Neighbourhood Plan sets out that all development proposals must respect the character and heritage of the Neighbourhood Area and bring about enhancements to that character. Of relevance to this application, FEL/ICH1 advocates that for areas in countryside locations, all new build proposals outside the development limits must not harm their landscape setting.

14.4.3 The Applicant has provided a Planning, Design, Access & Transport Statement detailing the design approach to the proposed dwelling and how its design, layout and appearance respond to the site's character and setting, particularly to Rosemary Cottage, dwellings along Causeway End Road and the 4no. dwellings under construction immediately west of the site. Meaningful reference is also made throughout to the Uttlesford Design Code and Essex Design Guide.

- 14.4.4** The proposed development involves the erection of one detached 1.5-storey dwelling at the site which would take a fairly traditional approach to design. The main bulk of the dwelling would have a gable roof with three gable roof dormers on its principal elevation, providing a 1.5-storey appearance of the dwelling. All two-storey volumes to the dwelling have been removed from the previous proposals under UTT/25/1900/FUL. Two 1.5-storey cross gabled sections protrude from the rear elevation on its eastern and western sides providing both symmetry in the building's rear elevation, and the previously proposed 2-storey rear volume under UTT/25/1900/FUL has been removed and replaced with a part single storey/part 1.5-storey volume with a lean-to roof. This produces a stepped-down approach to scale as the building moves towards the open countryside to the south. A single storey connecting wing and double garage also juts out from the principal elevation. Overall, the built footprint of the proposed dwelling would be large and remain unchanged from the previous proposals, with the width of the dwelling extending approximately 11.4 metres at its widest point and its length extending 20.5 metres at its longest point. At its tallest point, the ridge height would be 7-metres and eaves height 3.3-metres. This represents a small reduction in ridge height (approximately 0.2-metres) and a 1.6-metre reduction in eaves height, as well as an overall reduction in volume from the previous refused proposals.
- 14.4.5** With reference to the layout and the existing development pattern in the site's environs, it is noted that Causeway End Road is characterised largely by a linear ribbon development of detached houses. Notwithstanding this, the development of 4no. homes at Newhouse Farm, immediately west of the site provides a clear deviation from this linear pattern of development, extending 4no. units to the rear of the main building line along the road. The development of 1no. dwelling at this site would therefore not appear at odds with the immediate pattern of development adjacent the site and would not appear as obtrusive incursion into the open countryside.
- 14.4.6** In terms of scale, the dwelling would be larger than Rosemary Cottage and other dwellings along Causeway End Road, however, the overall height of the building would be significantly lower than the adjacent dwellings at Newhouse Farm, approved under UTT/19/0027/OP. These dwellings have a ridge height of 8.9-metres with an overall height (when including the flues) of 9.9-metres. As such, the proposed dwelling would sit subservient and below the established roof line of properties on the southern side of Causeway End Road. The existing established boundary treatments that enclose the site and its existing domestic character enable the proposals to integrate with the existing built form along Causeway End Road, rather than appearing as a urbanising intrusion into the countryside and landscape setting to the south of the site.
- 14.4.7** It should be noted that no specific details or specifications have been provided with regards to materials and these details would need to be secured through the implemented of a pre-commencement condition attached to any grant of planning permission. The plans appear to indicatively show a combination of brickwork, render and weatherboarding

finish which would be considered sympathetic to the semi-rural character of the area and enables different elements of bulk and volume to be broken up. The character and appearance of dwellings in the area is varied and there is no clear, established architectural style dominant in the surroundings. As such, the indicative materials would appear appropriate within the site's setting and enable the proposed dwelling to integrate within the site's context.

14.4.8 With regards to the proposed appearance, it is acknowledged that dwellings to the north, east and west would have a view of the building and will be impacted by proposed development. The implications of the buildings impact on neighbouring amenities are assessed in the following section of this report, however, in principle, the building by way of its scale, massing and bulk would not be out of character with the pattern of development in the area. As such, subject to an assessment of proposed fenestration openings and potential for overlooking, there is not considered to be an adverse overbearing or overshadowing impact of the development on neighbouring dwellings by way of its overall height and scale. The domestic intensification of the site would not necessarily be out of character within the site and would integrate with existing residential built form to the north and west. Aforementioned, details of materials and external finishes could be implemented as a pre-commencement condition to any grant of planning permission.

14.4.9 It is considered that the proposals would be compatible with the character of the surrounding area and would provide a high-quality living space for future occupants of the proposed dwelling in accordance with the nationally described space standards. The reductions in height, massing and volume are also considered appropriate and overcome the sole reason for refusal under UTT/25/1900/FUL. As such, the proposals accord with Core Policies 52 and 53 of the Uttlesford Local Plan (2026) and FEL/ICH1 of the Felsted Neighbourhood Plan (2020).

14.5 C) Flood Protection (CP36, CP37, FEL/INF1, NPPF)

14.5.1 Core Policy 36 advocates that all development proposals should demonstrate that they will be safe for their lifetime and that they reduce and, where possible, avoid the risk of all forms of flooding to future occupiers, and do not increase the risk of flooding elsewhere. All proposals for new development will be required to manage and reduce surface water run-off and not increase the risk of flooding to third parties, which is also enforced by way of Core Policy 37 which supports the use of Sustainable Drainage Systems in new developments. Paragraph 170 of the NPPF (2024) also sets out that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future) and that where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.

14.5.2 The site is located entirely within Flood Zone 1 which is area at lowest risk of fluvial flooding. No built development is proposed within areas of flood risk, and all hardstanding is also located within Flood Zone 1. This accords with paragraph 170 of the NPPF (2024) which directs new development away from areas at highest risk.

14.5.3 The Environment Agency's mapping also demonstrates that the entirety of the site is located within an area with the lowest chance of surface water flooding. It is acknowledged that a small area of land to the north of the site, where the access is proposed, is located within an area of medium-high chance of surface water flooding. This appears to accord with comments raised in third party representations and is duly noted. It is unclear from the submitted documents what impact the built development will have on surface water flooding on the medium-high risk areas adjacent the site and what mitigation measures would be implemented to ensure surface water flooding is not increased elsewhere as a result of the development. As such, it is deemed necessary and reasonable to request a Surface Water Drainage Strategy to be submitted to the LPA prior to the commencement of development. This should demonstrate the proposed means of sustainable methods of urban drainage systems to manage the disposal of surface water without increasing surface water flooding outside of the site.

14.5.4 As such, and with conditions attached, the proposed development is capable of according with Core Policies 36 and 37 of the Uttlesford Local Plan (2026) and the NPPF (2024).

14.6 D) Neighbour and occupant's amenity (CP42, CP44, CP52, NPPF)

14.6.1 The Local Plan does not provide specific policies with regards to protecting neighbouring amenities from privacy issues, overlooking or overbearing impacts, however Core Policy 52 mandates that development should demonstrate compliance with appropriate guidance in the most up-to-date versions of the Uttlesford Design Code and the Essex Design Guide. Core Policies 42 and 44 also seek to protect the amenities of neighbouring occupants from undue noise, light, odour and dust pollution by way of new development.

14.6.2 The proposed garden would far exceed the 100m² standard for 3+ bedroom properties, as set out in the Essex Design Guide. The 1000sqm private amenity space proposed would provide a high quality of private amenity space for future occupiers of the new dwelling. The shape and form of the proposed gardens would be spacious and expansive.

14.6.3 With regards to overshadowing or overbearing effects, it is noted that buildings overall height and massing is significantly lower than the adjacent dwellings at Newhouse Farm. At its tallest point, the ridge height would be 7.0-metres and eaves height 3.3-metres, which would appear subservient in the building line when considering 8.9-metre ridge height of the adjacent dwellings. This is also a marker reduction in the previous proposals refused

under UTT/25/1900/FUL. Whilst the dwelling would be clearly visible from the properties on the southern side of Causeway End Road, it would not appear overbearing or of an excessive height or scale than already exists.

14.6.4 The principal elevation of the proposed dwelling would be site approximately 40-metres from Rosemary Cottage, 46-metres from Kew Cottage, 53-metres from The Bungalow and 51-metres from Little Pelham. It is acknowledged that the proposed dwelling would be visible from these dwellings and other dwellings along Causeway End Road, however, the large separation distances well exceed the minimum 25-metre back-to-back separation distances required by the Essex Design Guide quite significantly. The combination of both the separation distances proposed and the angled nature of views from the proposed dwelling over the aforementioned properties (>30°), limits any adverse privacy or overlooking issues.

14.6.5 In terms of additional impacts on neighbouring dwellings through perceived noise and light pollution as raised in third party representations, it is accepted that 1no. new dwelling would bring additional built form and residential based noise/light impacts with it. First and foremost, there is no external lighting proposed to be brought forward with the application. The impact of light pollution is assessed in Section 14.10 of this report and suitable and robust conditions to control external installation could be implemented if external lighting were to be added at a later date. With regards to noise, the usual environmental noise emissions from a single residential unit are not perceived to be adverse, and would create a material difference considering the residential nature of Causeway End which is characterised by detached dwellings. There is no change of use proposed whereby activities would create undue noise pollution into the surrounding area. The introduction of one new dwellings within an existing built-up residential area is not considered abnormal, nor adverse in terms of noise pollution. There will undoubtedly be temporary noise disturbances during the construction phase and as such, it is recommended that a Construction Management Plan is submitted prior to the commencement of development to ensure mitigation measures and controls on building operations are taken as to limit undue noise, odour and dust during the construction phase.

14.6.6 Therefore, due to the siting of the new dwelling, its overall scale and form and separation distances there are not considered to be adverse impacts with regards to overlooking, privacy or having an overbearing impact that would make the proposal unacceptable. Therefore, it is considered that the proposed development would not cause any detrimental impacts to the amenities of neighbouring properties and would provide suitable private amenity space to which meets the needs of all potential users. As such, the proposals accord with Core Policies 42, 44 and 52 of the Uttlesford Local Plan (2026).

14.7 E) Highways and Access (CP27, CP28, NPPF)

14.7.1 Core Policy 27 of the Local Plan establishes that developers will be required to submit a Transport Assessment and/ or a Transport Statement to assess

the potential transport impacts of the developments, in line with the thresholds set out in the Essex County Council latest guidance. The Applicant has submitted a Planning, Design and Transport Statement (J Bell, February 2026) with the application in accordance with Core Policy 27. The policy, along with Core Policy 28, also advocates for developments to support active travel and sustainable modes of transport, prioritising these over the use of the car.

14.7.2 The proposed development includes the creation of a new access point onto Causeway End Road, located to the east of Rosemary Cottage and along the boundary with Kew Cottage. The Applicant submits that this would be 4.5-metres in width at the access point, narrowing down into a 3.5-metre driveway to serve the new dwelling. As demonstrated on the submitted plans, 43 x 2.4-metre visibility splays are capable of being provided to the west and the northeast down Causeway End Road. Essex County Council's Highway team were consulted on the proposals and from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to conditions being implemented to any planning permission. With compliance conditions attached, the Local Authority conclude that the development accords with the National Planning Policy Framework 2024 (NPPF) and their Development Management policies.

14.7.3 Third party representations with regards to perceived negative impacts on the traffic network and the access arrangements are duly noted. However, the Highways Authority confirm that the proposals, and their impact on the local traffic network accord with the NPPF and Essex County Council's latest guidance. Additionally, and assessed in Section 14.3 of this report, the application site is not the most sustainable location in respect to accessibility to employment, cultural, health and commercial activities to meet the daily needs of future occupiers. However, the site is approximately 1km south (15-minute walk) from the village core of Felsted where a number of facilities and services, including a schools, convenience store, public houses, sports facilities and bus stops. Although narrow in some parts, there is public footpath to the village from the end of Causeway End Road along the Chelmsford Road. Future occupants would not necessarily be confined to private vehicles and would have genuine alternative options for sustainable travel, thus promoting active travel.

14.7.4 Therefore, the proposal accords with Policies 27 and 28 of the Local Plan, the latest Essex County Council guidance and the NPPF.

14.8 F) Parking provision (CP31, NPPF)

14.8.1 Core Policy 31 of the Local Plan sets out that development proposals should take into account the latest Essex Parking Standards and the parking standards and design principles set out the Uttlesford Design Code. The proposed development would trigger the requirement for two vehicle parking spaces to be provided for the new dwelling as per the Uttlesford Design Code.

14.8.2 The Applicant has demonstrated that 3no. allocated spaces will be provided for the proposed new dwelling at the site, one external space and two within the integral garage. This would meet the required parking spaces for the new dwelling and the existing dwelling, as set out in the Uttlesford Design Code. As such, the proposed development accords with Core Policy 31 of the Uttlesford Local Plan (2026).

14.9 G) Ecology and BNG (CP38, CP40, NPPF)

14.9.1 Core Policy 38 sets out that development proposals will be supported where they protect and enhance sites internationally, nationally and/ or locally designated for their importance to nature conservation, ecological or geological value as well as non-designated sites of ecological or geological value. It also mandates the need for an ecological survey to be submitted with an application if the proposed development affects or has the potential to affect any site of biodiversity or geodiversity interest. The application was submitted with a supporting Biodiversity Validation Checklist, Preliminary Ecological Appraisal (Writtle Forest Consultancy, July 2025) and Ecology Survey report (Hybrid Ecology Ltd, October 2025).

14.9.2 These documents address the distinct legal requirements, ensuring a comprehensive analysis of the ecology and biodiversity impacts of the proposal in line with regulatory standards.

14.9.3 General duty on all authorities:

14.9.3.1 The Natural Environment and Rural Communities Act 2006 amended by the Environment Act 2021 provides under Section 40 the general duty to conserve and enhance biodiversity: "For the purposes of this section "the general biodiversity objective" is the conservation and enhancement of biodiversity in England through the exercise of functions in relation to England." Section 40 states authorities must consider what actions they can take to further the general biodiversity objective and determine policies and specific objectives to achieve this goal. The actions mentioned include conserving, restoring, or enhancing populations of particular species and habitats. In conclusion for decision making, it is considered that the Local Planning Authority must be satisfied that the development would conserve and enhance. This development is subject to the general duty outlined above.

14.9.4 Protected Species:

14.9.4.1 In accordance with Natural England's standing advice the application site and surrounding habitat have been assessed for potential impacts on protected species.

14.9.5 Place Services have reviewed the Biodiversity Validation Checklist, Preliminary Ecological Appraisal (Writtle Forest Consultancy, July 2025)

and Ecology Survey report (Hybrid Ecology Ltd, October 2025) and are satisfied that there is sufficient ecological information available for determination of this application and raise no adverse comments with regards the likely impacts of development on designated sites, protected & Priority species and habitats subject to securing biodiversity mitigation and enhancement measures.

14.9.6 On previous application UTT/25/1900/FUL Place Services recommended a Ground Level Tree Assessment (GLTA) be undertaken on a Horse Chestnut tree, to ascertain if there would be any impacts upon bats and their roosts. The Ecology Survey report (Hybrid Ecology Ltd, October 2025) includes the results of the GLTA and states the tree has no potential roost features. Subsequently, Place Services are satisfied the tree has been appropriately assessed and are satisfied with their recommendation that no further surveys are required.

14.9.7 Additionally, Place Services are satisfied that the Ecology Survey report (Hybrid Ecology Ltd, October 2025) has further assessed reptiles and Badger impacts, indicating that the identified habitat can be retained and protected during construction. As such Place Services are satisfied that there is sufficient evidence to indicate the work can proceed without a licence to interfere with a Badger sett. It is recommended that a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) is secured by a condition of any consent. This will identify the on-site suitable reptile habitat and active Badger sett as a Biodiversity Protection Zone and a 30m buffer zone around the sett will need to be maintained with protective fencing. Additionally, as detailed within the Ecology Survey report (Hybrid Ecology Ltd, October 2025), it is recommended that a pre-commencement badger survey is required as a condition of consent to ensure badgers have not moved any closer to the build area and ensure the proposed mitigation strategy is still appropriate. A method statement is also recommended to define mitigation and ensure the project proceeds in line with badger legislation; it is recommended this detail is included within the CEMP: Biodiversity.

14.9.8 It is considered that the proposal is unlikely to adversely impact upon protected species or habitats with suitable mitigation measures attached. The mitigation measures identified in the Preliminary Ecological Appraisal (Writtle Forest Consultancy, July 2025) and the Ecology Survey report (Hybrid Ecology Ltd, October 2025) should be secured by a condition of any consent and implemented in full.

14.9.9 *Biodiversity Net Gain:*

14.9.9.1 Biodiversity net gain (BNG) is an approach that aims to leave the natural environment in a measurably better state than it was beforehand. The minimum requirement is for a 10% net gain in biodiversity value achieved on a range of development proposals (excluding Listed Building Consent, Advert Consent, Reserved Matters, Prior Approvals, Lawful Certificates, householders, self builds, and other types of application which are below

the threshold. Core Policy 40 mandates that all residential development delivers a 20% biodiversity net gain.

14.9.10 Place Services have reviewed the submitted the submitted Statutory Biodiversity Metric (Completed by Phoebe Waller, Ecological Consultant, July 2025) and baseline habitat map relating to mandatory biodiversity net gains. Place Services are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement.

14.9.11 Place Services note that no post-intervention values have been provided. If on-site post-intervention values do not produce a Biodiversity Net Gain of 10%, it is indicated that the applicant should approach an off-site habitat bank provider, registered on the biodiversity gain site register, to meet statutory requirements. Alternatively, the Government's Statutory Biodiversity Credits could be used as a last resort. A copy of the finalised Statutory Biodiversity Metric - Calculation Tool with off-site units or Statutory Biodiversity Credits will be required as part of the Biodiversity Gain Plan. It is imperative to also note that as per Core Policy 40, a 20% biodiversity net gain will be required to be delivered as part of pre-commencement BNG condition.

14.9.12 As such, it is considered this development is considered to accord to best practice, policy, and legislation requirements in consideration of the impacts on ecology interests and that the proposals, with conditions attached, accords with Core Policies 38 and 40 of the Uttlesford Local Plan (2026).

14.10 H) Lighting (CP42)

14.10.1 Core Policy 42 sets out where development would cause unacceptable risk to public health or safety, general amenity, existing uses, occupiers of surrounding land uses or the historic and natural environment due to potential from light pollution, planning permission will not be granted unless the need for development is judged to outweigh the effects caused and the proposed development includes mitigation measures to minimise the adverse effects.

14.10.2 The Applicant's plans do not demonstrate any external lighting to be installed at the proposed dwelling and therefore no lighting scheme can be assessed against Core Policy 42. However, in the interests of preserving neighbouring amenity, aerodrome safety and any protected species, a condition will be implemented to ensure that any potential future external lighting at the site is subject to approval by the LPA.

14.11 I) Land Contamination (CP42, NPPF)

14.11.1 Core Policy 42 sets out where development would cause unacceptable risk to public health or safety, general amenity, existing uses, occupiers of surrounding land uses or the historic and natural environment due to

potential from ground contamination, planning permission will not be granted unless the need for development is judged to outweigh the effects caused and the proposed development includes mitigation measures to minimise the adverse effects.

14.11.2 UDC Environmental Health were consulted on the proposed conversion and provided no adverse comments with regards to possible land contamination at the site. The Council has no reason to believe this site is contaminated and is not aware of any potentially contaminative past use, however, it is the developer's responsibility to ensure that final ground conditions are fit for the end use of the site therefore Environmental Health recommend a condition be attached to any planning permission.

14.11.3 As such, the proposals comply with Core Policy 42 of the Uttlesford Local Plan (2026) and the NPPF.

14.12 J) Accessible Homes (CP53)

14.12.1 Core Policy 53 requires all residential schemes to be 100% M4(2) compliant. Compliance with this requirement could be secured using a condition

14.13 K) Planning Balance

14.13.1 The NPPF describes the importance of maintaining a five-year supply of deliverable housing sites. As the council is currently unable to demonstrate a five-year housing land supply, increased weight should be given to housing delivery when considering the planning balance in the determination of planning applications, in line with the presumption in favour of sustainable development set out in the NPPF (paragraph 11).

14.13.2 Paragraph 11 (d) of the NPPF advises:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (8) granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed (7) or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

14.13.3 Therefore, a tilted balance approach should be applied in the assessment of the proposed development and whether the potential harm the development 'significantly and demonstrably' outweighs the potential positive outcomes of the development as a whole. The development will result in a small level of economic and social benefit. Together these elements are considered to carry limited weight in support of the scheme.

14.13.4 Positives:

- The proposal could provide a small contribution towards the wider local economy during construction, via employment for local builders and suppliers of materials, and post-construction via reasonable use of local services. – limited weight.
- 1-no. new dwelling would contribute towards the Council's undersupply of housing, particularly an evidenced need for additional dwellings in Felsted as per Core Policy 19 – limited weight.
- The proposed development would accord with the Council's spatial strategy for growth, focussing new development towards the built area of Larger Villages as per Core Policy 3 – limited weight.

14.13.5

- Effective re-use of underutilised land in a moderately sustainable area in accordance with paragraphs 124 and 125(d) of the NPPF – limited weight.
- Biodiversity enhancements and delivery of biodiversity net gain – limited weight.

Negatives:

- Increased domestication of a site forming an edge of settlement location – limited weight.

14.13.6 The application of policies in this Framework that protect areas or assets of particular importance as per footnote 7 of the NPPF, do not provide a strong reason for refusing the development proposed. Taking both the positives and negatives of the proposal into account it is concluded that the benefits brought by the development set out in this application will outweigh the negatives of the development as a whole and as such the Tilted Balance is engaged in this respect.

14.13.7 The principle of development is considered to be acceptable and would be in accordance with paragraph 11(d)(ii) of the National Planning Policy Framework (2024).

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

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

regard to the advancement of equality in the exercise of its powers including planning powers.

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

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

15.2 Human Rights

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

16. CONCLUSION

16.1 In conclusion, the proposal accords with the development plan and the NPPF. No material considerations indicate that planning permission should be refused otherwise. It is therefore recommended that planning permission be approved with conditions.

17. CONDITIONS

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

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2026) as shown in the Schedule of Policies

- 3** No development shall take place until samples of the materials to be used in the construction of the external finishes of the development, including but not limited to walls, tiles, windows, doors, fences and hard surfacing have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Core Policy 52 of the Uttlesford Local Plan

- 4** Prior to the erection of the development hereby approved (not including footings and foundations) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [for example]:-

- i. proposed finished levels or contours;
- ii. means of enclosure;
- iii. car parking layouts;
- iv. other vehicle and pedestrian access and circulation areas;
- v. hard surfacing materials;
- vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
- vii. proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports.); retained historic landscape features and proposals for restoration, where relevant.
- viii. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

The details shall be implemented in accordance with the approved details.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Core Policies 38, 41 and 52 of the Uttlesford Local Plan.

- 5** Prior to first occupation of the development, the road access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres to the north east and 2.4 metres by 43 metres to the north west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway

safety in accordance with Policy DM1 of the Development Management policies and Core Policies 26, 27 and 28 of the Uttlesford Local Plan.

- 6** Prior to first occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall be 4.5 metres as shown in the Proposed Site Plan drawing no.2025-962-002 and shall be provided with an appropriate vehicular crossing of the highway verge.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with Policy DM1 of the Development Management policies and Core Policies 26, 27 and 28 of the Uttlesford Local Plan.

- 7** Prior to first occupation of the development, the vehicle parking spaces shown in the Proposed Site Plan drawing no.2025-962-002 has been constructed appropriately hard surfaced ready for use. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking and turning area shall not be used for any purpose other than the parking and turning of vehicles that are related to the use of the development.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management policies and Core Policies 27 and 31 of the Uttlesford Local Plan.

- 8** 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 in accordance with Policy DM8 of the Development Management policies Core Policies 27, 28 and 31 of the Uttlesford Local Plan.

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

REASON: To protect the neighbouring amenities during the construction phase of development and in the interests of highway safety, in accordance with Core Policies 27, 42 and 44 of the Uttlesford Local Plan.

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

REASON: In the interests of Core Policy 42 of the Uttlesford Local Plan and to protect human health and the environment

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

REASON: To protect the character and appearance of the countryside and neighbouring occupants from inappropriate light spill and glare, in accordance with Core Policy 42 of the Uttlesford Local Plan.

- 12** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Writtle Forest Consultancy, July 2025) and the Ecology Survey report (Hybrid Ecology Ltd, October 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and Core Policy 38 of the Uttlesford Local Plan.

- 13** 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”, particularly with regard to Badger and reptile.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction, this should include method statements.
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.

- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

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

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended) and Core Policy 38 of the Uttlesford Local Plan.

- 14** 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 (Writtle Forest Consultancy, July 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
- a) measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
- d) persons responsible for implementing the enhancement measures; and
- e) details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.

REASON: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended) and Core Policy 38 of the Uttlesford Local Plan.

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

REASON: In order to accord with Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021) and amended by The Biodiversity Gain (Town and Country Planning) Modifications and Amendments (England) Regulations 2024 and Core Policy 40 of the Uttlesford Local Plan.

- 16** No works on site shall commence until a detailed Surface Water Drainage Strategy (demonstrating the disposal of surface water by means of sustainable methods of urban drainage systems) has been submitted to and approved in writing by the Local Planning Authority. The development shall only be implemented in accordance with such approved details.

REASON: To avoid and/or mitigate and prevent any additional surface water run-off in accordance with Core Policies 36 and 37 of the Uttlesford Local Plan and FEL/INF1 of the Felsted Neighbourhood Plan (2020).

- 17** The 1-no. dwelling approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4 (2) of the Building Regulations 200 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with and Core Policy 53 of the Uttlesford Local Plan.

- 18** Prior to the erection of the development hereby approved the applicant/agent/developer shall notify the Local Planning Authority of the date the works are due to commence.

REASON: To ensure that payment of the Essex Coast Recreational Disturbance Avoidance and Mitigation Strategy (RAMS) contribution has been made.

APPENDIX 1 – ECC HIGHWAYS

Your Ref: UTT/26/0385/FUL
Our Ref: 61799
Date: 12/03/2026
cc. Cllr.Martin.Foley@essex.gov.uk



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/26/0385/FUL

Applicant. Mr And Mrs M Dempsey

Site Location. Rosemary Cottage Causeway End Road Felsted Essex CM6
3LU

Proposal. Construction of new dwelling and new access.

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

1. Prior to first occupation of the development, the road access at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4 metres by 43 metres to the north east and 2.4 metres by 43 metres to the north west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided and retained free of any obstruction at all times.
Reason: To provide adequate inter-visibility between vehicles using the access and those in the existing public highway in the interest of highway safety in accordance with Policy DM1 of the Development Management policies.
2. Prior to first occupation of the development the vehicular access shall be constructed at right angles to the highway boundary and to the existing carriageway. The width of the access at its junction with the highway shall be 4.5 metres as shown in the Proposed Site Plan drawing no.2025-962-002 and shall be provided with an appropriate vehicular crossing of the highway verge.
Reason: To ensure that vehicles can enter and leave the highway in a controlled manner in the interest of highway safety in accordance with Policy DM1 of the Development Management policies.
3. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.
Reason: To avoid displacement of loose material onto the highway in the interests of highway safety in accordance with policy DM1 of the Development Management policies.
4. Prior to first occupation of the development, the vehicle parking spaces shown in the Proposed Site Plan drawing no.2025-962-002 has been constructed appropriately hard

surfaced ready for use. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking and turning area shall not be used for any purpose other than the parking and turning of vehicles that are related to the use of the development.

Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking is provided in accordance with Policy DM8 of the Development Management policies.

5. 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 in accordance with Policy DM8 of the Development Management policies.

6. 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).

Reason: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Development Management policies.

The above conditions are required to ensure that the development accords with the National Planning Policy Framework 2024 (NPPF) and the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance 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
- ii. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.
- iii. There shall be no discharge of surface water onto the Highway.
- iv. The applicant should be made aware of the potential relocation of the utility apparatus on the highway; any relocation shall be fully at the applicant's expense.
- 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.

APPENDIX 2 – PLACE SERVICES (ECOLOGY)

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



Our ref: 14589
Date: 10 March 2026

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

By email only: Planning Department, planning@uttlesford.gov.uk

CONTAINS SENSITIVE INFORMATION

Thank you for requesting advice on this application from Place Services' ecological advice service. This service provides advice to planning officers to inform Uttlesford District Council planning decisions with regard to potential ecological impacts from development.

Application: UTT/26/0385/FUL
Location: Rosemary Cottage Causeway End Road Felsted
Proposal: Construction of new dwelling and new access

Thank you for consulting Place Services on the above application.

No ecological objection	<input type="checkbox"/>
No ecological objection subject to attached conditions	<input checked="" type="checkbox"/>
Further information required/Temporary holding objection	<input type="checkbox"/>
Recommend Refusal	<input type="checkbox"/>
Subject to Natural England's formal comments on the conclusion of the LPA's Appropriate Assessment	<input type="checkbox"/>

Summary

We have reviewed the Preliminary Ecological Appraisal (Writtle Forest Consultancy, July 2025) and the Ecology Survey report (Hybrid Ecology Ltd, October 2025) relating to the likely impacts of development on designated sites, protected and Priority species & habitats and identification of appropriate mitigation measures.



We have also reviewed the information submitted relating to mandatory biodiversity net gains this includes the Statutory Biodiversity Metric (Completed by Phoebe Waller, Ecological Consultant, July 2025).

We are now satisfied that there is sufficient ecological information available to support determination of this application.

On previous application UTT/25/1900/FUL we recommended a Ground Level Tree Assessment (GLTA) be undertaken on a Horse Chestnut tree, to ascertain if there would be any impacts upon bats and their roosts. The Ecology Survey report (Hybrid Ecology Ltd, October 2025) includes the results of the GLTA and states the tree has no potential roost features. We are satisfied the tree has been appropriately assessed and we are satisfied with their recommendation that no further surveys are required.

This provides certainty for the LPA of the likely impacts on designated sites, protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

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

We are satisfied that the Ecology Survey report (Hybrid Ecology Ltd, October 2025) has further assessed reptiles and Badger impacts, indicating that the identified habitat can be retained and protected during construction. As such we are satisfied that there is sufficient evidence to indicate the work can proceed without a licence to interfere with a Badger sett. We recommend that a Construction Environmental Management Plan for Biodiversity (CEMP: Biodiversity) is secured by a condition of any consent. This will identify the on-site suitable reptile habitat and active Badger sett as a Biodiversity Protection Zone and a 30m buffer zone around the sett will need to be maintained with protective fencing. Additionally, as detailed within the Ecology Survey report (Hybrid Ecology Ltd, October 2025), it is recommended that a pre-commencement badger survey is required as a condition of consent to ensure badgers have not moved any closer to the build area and ensure the proposed mitigation strategy is still appropriate. A method statement is also recommended to define mitigation and ensure the project proceeds in line with badger legislation; it is recommended this detail is included within the CEMP: Biodiversity.

With regard to mandatory biodiversity net gains, it is highlighted that we support the submitted Statutory Biodiversity Metric (Completed by Phoebe Waller, Ecological Consultant, July 2025) and baseline habitat map. Biodiversity net gains is a statutory

requirement set out under [Schedule 7A \(Biodiversity Gain in England\) of the Town and Country Planning Act 1990](#) and we are satisfied that submitted information provides sufficient information at application stage. As a result, a Biodiversity Gain Plan should be submitted prior to commencement, which also includes the following:

- a) A Biodiversity Gain Plan form (Ideally using the Government's template: <https://www.gov.uk/government/publications/biodiversity-gain-plan>)
- b) The completed metric calculation tool showing the calculations of the pre-development and post-intervention biodiversity values.
- c) Pre and post development habitat plans.
- d) Legal agreement(s)
- e) Biodiversity Gain Site Register reference numbers (if using off-site units).
- f) Proof of purchase (if buying statutory biodiversity credits at a last resort).

In addition, a [Habitat Management and Monitoring Plan](#) (HMMP) should be secured for all [significant on-site enhancements](#). As no post-intervention values have been submitted, we cannot advise on what habitats should be included in the HMMP.

The decision on whether significant on-site enhancements are present is ultimately up to the Council. Where present, the maintenance and monitoring of significant on-site enhancements should be secured via planning obligation for a period of up to 30 years from the completion of development. This will be required to be submitted concurrent with the discharge of the biodiversity gain condition. Therefore, the LPA is encouraged to secure draft heads of terms for this planning obligation at application stage, to be finalised as part of the biodiversity gain condition. Alternatively, the management and monitoring of significant on-site enhancements could be secured as a condition of any consent. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 1, 3, 5, 10, 15, 20, 25, 30, unless otherwise specified by the LPA. Any remedial action or adaptive management will then be agreed with the LPA during the monitoring period to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

It is recommended that the following matters will need to be considered by the applicant as part of the biodiversity gain condition:

- We note that post-intervention values have not been provided. If on-site post-intervention values do not produce a Biodiversity Net Gain of 10%, it is indicated that the applicant should approach an off-site habitat bank provider, registered on the biodiversity gain site register, to meet statutory requirements. Alternatively, the Government's Statutory Biodiversity Credits could be used as a last resort. A copy of the finalised Statutory Biodiversity Metric - Calculation Tool with off-site units or Statutory Biodiversity Credits will be required as part of the Biodiversity Gain Plan.

We also support the proposed reasonable biodiversity enhancements for protected, Priority and threatened species, which have been recommended to secure net gains for biodiversity, as outlined under Paragraph 187d and 193d of the National Planning Policy Framework (December 2024). Reasonable biodiversity enhancement measures are a separate matter to mandatory biodiversity net gains and the finalised details should be outlined within a separate Biodiversity Enhancement Strategy to be secured as a condition of any consent.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended) and delivery of mandatory Biodiversity Net Gain.

Impacts will be minimised such that the proposal is acceptable, subject to the conditions below based on BS42020:2013. We recommend that submission for approval and implementation of the details below should be a condition of any planning consent.

Recommended conditions

1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS

"All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Writtle Forest Consultancy, July 2025) and the Ecology Survey report (Hybrid Ecology Ltd, October 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This will include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

2. PRIOR TO COMMENCEMENT: CONSTRUCTION ENVIRONMENTAL MANAGEMENT PLAN FOR BIODIVERSITY

"A construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following.

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

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

Reason: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (as amended).

3. **PRIOR TO ANY WORKS ABOVE SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY**

"Prior to any works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species, prepared by a suitably qualified ecologist in line with the recommendations of the Preliminary Ecological Appraisal (Writtle Forest Consultancy, July 2025), shall be submitted to and approved in writing by the local planning authority.

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) *Purpose and conservation objectives for the proposed enhancement measures;*
- b) *detailed designs or product descriptions to achieve stated objectives;*
- c) *locations of proposed enhancement measures by appropriate maps and plans (where relevant);*
- d) *persons responsible for implementing the enhancement measures; and*
- e) *details of initial aftercare and long-term maintenance (where relevant).*

The works shall be implemented in accordance with the approved details shall be retained in that manner thereafter.”

Reason: To enhance protected, Priority and threatened species and allow the LPA to discharge its duties under paragraph 187d of NPPF 2024 and s40 of the NERC Act 2006 (as amended).

Optional condition:

Management and monitoring for significant on-site enhancements should be secured by planning obligation (either at application stage or the Biodiversity Gain Condition), to allow aftercare and monitoring to be secured for the 30-year period and the LPA to cover its monitoring costs. However, if the LPA would prefer that this is secured via a separate condition, the following pre-commencement condition could be used:

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

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

- a) *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.

Biodiversity Gain condition

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

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

“Biodiversity Net Gain

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

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

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

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

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

Please contact us if you have any queries in relation to this advice.

Yours sincerely,

Melissa Wilson ACIEEM BSc (Hons)
Assistant Ecological Consultant
Place Services at Essex County Council
placeservicesecology@essex.gov.uk



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

Please note:

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

We are unable to respond directly to applicants/agents or other interested parties. Any additional information, queries or comments on this advice that the applicant/agent or other interested parties may have, must be directed to the Planning Officer at the relevant LPA, who will seek further advice from us where appropriate.



APPENDIX 3 – UDC ENVIRONMENTAL HEALTH

Environmental Health Consultee Comments for Planning

Application Number: UTT/26/0385/FUL

Rosemary Cottage
Causeway End Road
Felsted
Essex
CM6 3LU

Consultee

Name: H. Ziervogel
Title: EHO
Tel: x584
Email: hziervogel@uttlesford.gov.uk

Date: 19 March 2026

Construction of new dwelling and new access

Comments

The previous comments made by Ms Page from this service on previous application UTT/25/1900/FUL in the consultation memo dated 24 July 2025 still remain relevant to this application.

For reference, UDC's Environmental Health Team's comments for UTT/25/1900/FUL are replicated below:

Environmental Health Consultee Comments for Planning

Application Number: UTT/25/1900/FUL

Rosemary Cottage Causeway End Road Felsted

Consultee

Name: Rebecca Page

Title: EHO

Tel: x

Email: rpage@uttlesford.gov.uk

Date: 24 July 2025

Construction of 1no. new dwelling and new access onto Causeway End Road

Comments

Contaminated Land:

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

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

Construction Impacts:

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

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

External Lighting:

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

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

Informatives

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

Construction Advice: Developers are referred to the Uttlesford District Council Environmental Code of Development Practice. To avoid/minimise the impact upon the amenity of adjoining residents; developers are advised to follow the General Principle, and advice contained therein.