

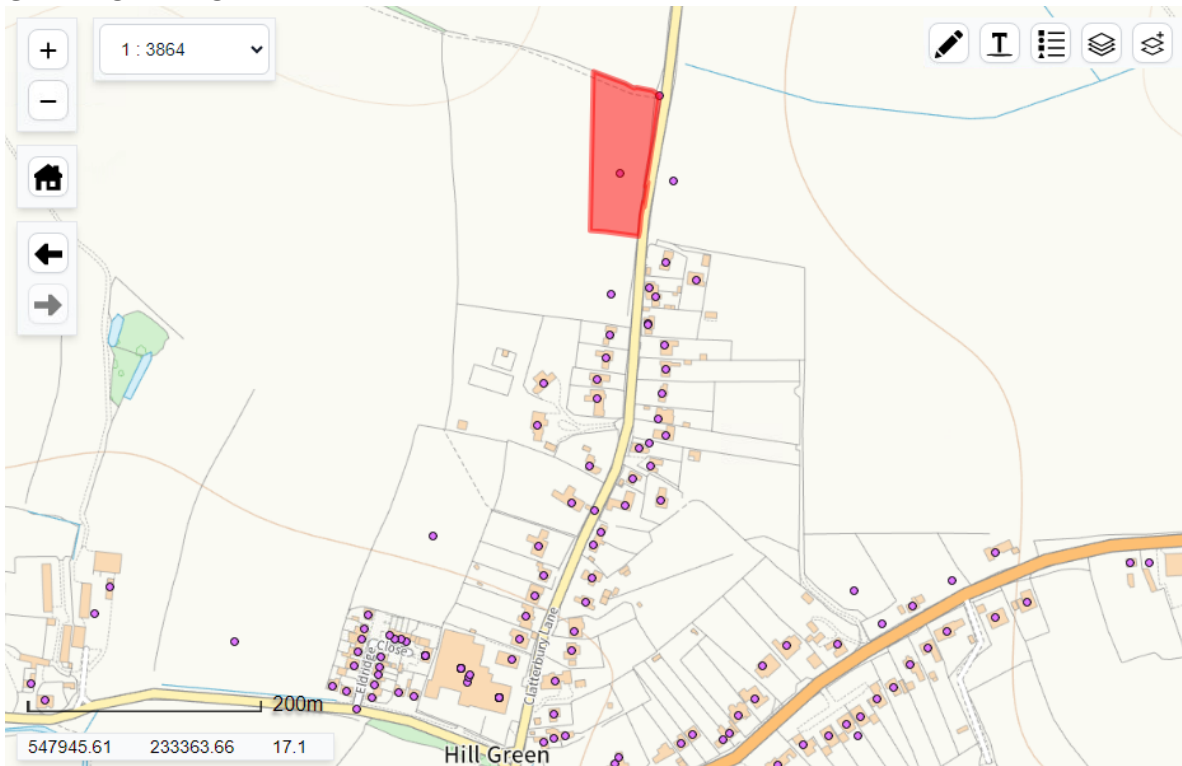
ITEM NUMBER: 5

PLANNING COMMITTEE DATE: 13 May 2026

REFERENCE NUMBER: UTT/25/2897/OP

LOCATION: Land To The West Of Clatterbury Lane
Clavering
Essex

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: April 2026

PROPOSAL: Outline planning application with all matters reserved except access for the construction of up to 9 no. residential dwellings.

APPLICANT: G W Balaam & Son

AGENT: CODE Development Planners Ltd (M Thomas)

EXPIRY DATE: 26 February 2026

EOT EXPIRY DATE: 18 May 2026

CASE OFFICER: Mr Avgerinos Vlachos (Principal Planning Officer)

NOTATION: Road Classification (Clatterbury Lane/Arkesden Road – Class III).
Road Classification (Clatterbury Lane/Clavering Road – Class III).
Within 500m of Pollution Control Site.
Public Right of Way (Footpath – West).
Public Right of Way (Footpath – North-East).

REASON THIS APPLICATION IS ON THE AGENDA: Call In (Cllr Oliver).

1. EXECUTIVE SUMMARY

1.1 This is an outline planning application with all matters reserved except access for the construction of up to 9 residential dwellings. The proposal does not include affordable housing.

1.2 The application was assessed against the recently adopted Local Plan (LP) and was found to be on the edge of a moderately accessible Larger Village that offers a suitable location for non-strategic housing in accordance with the spatial strategy of the plan. The development would create limited combined harm to the character and appearance of the area. Despite the higher topography to the road, the scheme would not spread housing into the more open exposed landscape or the rolling plateau that are key characteristics of the C3 landscape character area but rather have localised effects, reading as a 'natural' extension of the village envelope. Subject to appropriate reserved matters, visual effects would also be limited and localised as the scheme would be perceived in the context of the approved developments.

1.3 The Highway Authority confirmed that the development is acceptable in terms of highway safety for all highway users and not detrimental to the capacity of the highway network. Flood risk, residential amenity, ecology and other planning issues are acceptable and policy compliant.

1.4 Consequently, when assessed against the policies in the NPPF taken as a whole, and as there are no other material considerations indicating otherwise, the adverse impacts of the proposals would not significantly and demonstrably outweigh the benefits, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination, in accordance with paragraph 11(d)(ii) of the NPPF.

2. **RECOMMENDATION**

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

A) Conditions

3. **SITE LOCATION AND DESCRIPTION:**

3.1 The application site comprises part of an open agricultural field on the northern part of Clavering (Hill Green) located at the western side of Clatterbury Lane. On the ground, the site appears somewhat detached from the existing built area of Hill Green. However, there are extant permissions for housing to its immediate south and on the opposite side of Clatterbury Lane. The front (east) and northern site boundaries are defined by hedgerows and some limited trees. The pattern of development in the area is predominantly linear. Ground levels fall north-west to south-east with the land being higher than the road. An ancient/veteran TPO tree is opposite the site (Clatterbury Oak). Public footpaths run at a distance to the west and north-west of the site.

4. **PROPOSAL**

4.1 This is an outline planning application with all matters reserved except access for the construction of up to 9 residential dwellings. The proposal does not include affordable housing.

4.2 The application includes the following documents:

- Application form
- Biodiversity checklist
- Flood risk assessment
- Heritage, design and access statement
- Landscape visual impact assessment
- Planning statement
- Superseded biodiversity net gain plan (including Habitat map)

- Superseded preliminary ecological appraisal
- Superseded transport statement
- Tree survey and Arboricultural impact assessment
- Superseded biodiversity net gain metric calculation (x2)
- Revised transport note
- Response to Ecology
- Revised biodiversity net gain plan
- Revised preliminary ecological appraisal
- Revised biodiversity net gain metric
- Response to Ecology 2.

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 None.

7. PRE-APPLICATION ADVICE AND COMMUNITY CONSULTATION

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

- 7.2 Pre-application discussions have not been held with officers of Uttlesford District Council prior to the submission of the application. No statement of community involvement has been submitted prior to the submission of this application but interested parties were consulted as necessary and their comments considered as part of the planning assessment below.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority

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

9. PARISH COUNCIL COMMENTS

9.1 Comments from Clavering Parish Council:

- Clavering Parish Council makes no comment but wishes to draw UDCs attention to the following two concerns:
 - There is no swept path analysis for agricultural vehicles on the internal access
 - The ability to access the larger public right of way network.

10. CONSULTEE RESPONSES

10.1 UDC Environmental Health

10.1.1 No objections subject to conditions.

10.2 Place Services (Ecology)

10.2.1 Objection on the grounds of insufficient information for Great Crested Newts (European Protected Species).

11. REPRESENTATIONS

11.1 A site notice was displayed on site and notification letters were sent to nearby properties.

11.2 Ward members' comments:

11.2.1 The call-in request by Cllr Oliver mentioned:

- Outside the village development limits.
- Lack of access to village facilities, school, post office, etc.

11.3 Comments from members of the public:

11.3.1 Object:

- 5YHLS achieved.
- Access road terminates at the rear boundary / phase 2.
- Approved only UTT/23/3135/FUL.
- Away from village facilities.
- Bus services not to be improved.
- Bus services only for schools.
- Coalescence with Arkesden.
- Contrary to existing pattern of development.
- Developments nearby should not have been approved.
- Ecological and biodiversity concerns.
- Expensive DaRT bus service.
- Exposed high ground.
- Farm machinery using the lane.
- Fear of precedent.
- Flood risk and drainage concerns.
- Harm to ancient Oak (TPO).
- Harm to character and appearance of the area.
- Harm to the open countryside.
- Highway safety concerns.
- Historic lane.
- Inability to sell properties locally.
- Lack of services and facilities.
- Landscape Visual Assessment acknowledged the site is visible from footpaths.

- Limited employment and social opportunities.
- Loss of arable land.
- Loss of hedge/habitat.
- Loss of views/rural aspect.
- Narrow and unlit footpath / Narrow road.
- Neighbourhood Plan in progress / local democracy compromised.
- Neighbourhood Plan must bring dwellings forward.
- Neighbourhood Plan pre-empted.
- No community engagement.
- No housing need in Clavering.
- No need for symmetrical village.
- No need to 'round off' built form.
- No pavement or streetlighting.
- No public transport.
- Not infill.
- Out of character / housing estate.
- Outside development limits.
- Permissions for 10 houses.
- Piecemeal development.
- Pollution and other disturbances.
- Potential for backland development.
- Pressure to infrastructure.
- Pressure to schools.
- Pressure to water supply.
- Relevant decisions nearby UTT/24/0438/FUL, UTT/22/1578/OP, S62A/2023/0025).
- Reliance of private cars.
- Residual housing required of 116 dwellings in the Local Plan.
- Speed limit not 30mph.
- Traffic increase.
- Unsustainable location.
- Village becoming a town.

11.4 Comments from community group ('Keep Clavering Rural'):

11.4.1 Object:

- 116 dwellings allocated to Clavering in the Local Plan.
- 3 accesses within 30 metres from each other.
- Access road terminates at the rear boundary / phase 2.
- Away from village facilities.
- Bus services not to be improved.
- Bus services only for schools.
- Coalescence with Arkesden.
- Confusion over non-agricultural vehicles.
- Distance of nearby accesses comply with requirements.
- Ecological and biodiversity concerns.
- Eldridge Close was brownfield.
- Expensive DaRT bus service.

- Exposed high ground.
- Farm machinery using the lane and site.
- Fear of precedent.
- Harm to ancient Oak (TPO).
- Harm to character and appearance of the area.
- Harm to open countryside.
- Highway safety concerns.
- Inability to sell properties locally.
- Inaccurate submissions and drawings.
- Increased density.
- Lack of individual sustainability outweighs housing land supply.
- Lack of services and facilities.
- Landscape harm.
- Landscape Visual Assessment acknowledged the site is visible from footpaths.
- Landscaping measures take time to mature.
- Limited access to services and facilities, especially for daily needs.
- Limited economic boost.
- Limited employment and social opportunities.
- Locational versus individual sustainability.
- Loss of arable land.
- Loss of rural feel / urban creep.
- Loss of views/rural aspect.
- Narrow road.
- Neighbourhood Plan in progress.
- Neighbourhood Plan must bring dwellings forward.
- Neighbourhood Plan pre-empted.
- No Biodiversity Net Gain.
- No housing need in Clavering.
- No need to 'round off' built form.
- No pavement or streetlighting.
- No public transport.
- Non-linear arrangement.
- Outside development limits.
- Pedestrians and cyclists on the highway.
- Permissions for 10 houses.
- Potential for backland development.
- Pressure to infrastructure.
- Relevant decisions approved only UTT/23/3135/FUL, UTT/25/1308/FUL.
- Relevant decisions refused S62A/2023/0030, UTT/24/0438/FUL, UTT/22/1578/OP, S62A/2023/0025).
- Reliance of private cars.
- Speed limit not 30mph.
- Thames Water indicated insufficient sewerage disposal capacity.
- Thames Water should be consulted in light of UTT/25/2404/FUL.
- Traffic increase.
- Unsustainable location.

- Urbanisation of rural village.
- UTT/25/2404/FUL: Highways cited lack of safe pedestrian routes.
- Village becoming a town.
- Visible from public footpaths.
- Visually intrusive development.

11.5 Comment

11.5.1 Land ownership, property values and issues around the deliverability of a planning permission are not planning issues. These and other civil matters have not been taken into consideration for the purposes of this report.

12. MATERIAL CONSIDERATIONS

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

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

- a) The provisions of the development plan, so far as material to the application:
 - (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- b) any local finance considerations, so far as material to the application, and
- c) any other material considerations.

12.3 The Development Plan

12.3.1 Uttlesford Local Plan 2021-2041 (adopted March 2026)
 Essex Minerals Local Plan (adopted July 2014)
 Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
 Felsted Neighbourhood Plan (made February 2020)
 Great Dunmow Neighbourhood Plan (made December 2016)
 Newport, Quendon & Rickling Neighbourhood Plan (made June 2021)
 Thaxted Neighbourhood Plan (made February 2019)
 Stebbing Neighbourhood Plan (made July 2022)
 Saffron Walden Neighbourhood Plan (made October 2022)
 Ashdon Neighbourhood Plan (made December 2022)
 Great & Little Chesterford Neighbourhood Plan (made February 2023).

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2024).

13.2 Uttlesford Local Plan 2021-2041 (2026)

13.2.1

Core Policy 1	Addressing Climate Change
Core Policy 2	Meeting Our Housing Needs
Core Policy 3	Settlement Hierarchy
Core Policy 5	Providing Supporting Infrastructure and Services
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 25	Renewable Energy Infrastructure
Core Policy 26	Providing for Sustainable Transport and Connectivity
Core Policy 27	Assessing the Impact of Development on Transport Infrastructure
Core Policy 28	Active Travel - Walking and Cycling
Core Policy 29	Electric and Low Emission Vehicles
Core Policy 31	Parking Standards
Core Policy 33	Managing Waste
Core Policy 34	Water Supply and Protection of Water Resources
Core Policy 35	Watercourse Protection and Enhancement
Core Policy 36	Flood Risk
Core Policy 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 43	Air Quality
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
Core Policy 61	The Historic Environment
Core Policy 62	Listed Buildings
Core Policy 64	Archaeological Assets
Core Policy 66	Planning for Health and Well-being
Core Policy 70	Communications Infrastructure

13.3 Neighbourhood Plan

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

13.4 Supplementary Planning Document (SPD) or Guidance

13.4.1 SPD Uttlesford District-Wide Design Code (2024)
SPD Developer's Contributions (2023)

Essex Design Guide
Essex County Council's Developers' Guide to Infrastructure Contributions
(2025)
Parking Guidance – Part 1: Parking Standards Design and Good Practice
(2024).

14. CONSIDERATIONS AND ASSESSMENT

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

- 14.2
- A) Principle / Character & appearance (Core Policies 2, 3, 19, 26, 27, 28, 41, 52, SPD Uttlesford District-Wide Design Code, Essex Design Guide, NPPF)
 - B) Heritage impacts (Core Policies 52, 61, 62, SPD Uttlesford District-Wide Design Code, NPPF)
 - C) Climate change & resources (Core Policies 1, 22, 23, 24, 25, 29, 33, 34, 52, SPD Uttlesford District-Wide Design Code, Interim Climate Change Planning Policy, NPPF)
 - D) Residential amenity & standards / Housing mix (Core Policies 43, 44, 52, 53, 55, 66, SPD Uttlesford District-Wide Design Code, Essex Design Guide, NPPF)
 - E) Access and parking (Core Policies 26, 27, 28, 31, parking standards, NPPF)
 - F) Ecology (Core Policies 38, 40, NPPF)
 - G) Contamination (Core Policies 34, 42, NPPF)
 - H) Archaeology (Core Policy 64, NPPF)
 - I) Flood risk and drainage (Core Policies 5, 36, NPPF)
 - J) Paragraph 11(d) and planning balance

14.3 A) Principle / Character & appearance (Core Policies 2, 3, 19, 26, 27, 28, 41, 52, SPD Uttlesford District-Wide Design Code, Essex Design Guide, NPPF)

14.3.1 Housing land supply:

The adopted Local Plan (LP) identifies a sufficient supply of housing land to meet the district's needs in full over the plan period. The local planning authority (LPA) currently demonstrates **4.77 years** of deliverable housing land supply with a 20% buffer as required under the Housing Delivery Test (HDT) consequences. The Examiners confirmed the 4.77 years position is substantial. Given it is marginally below the 5-year requirement even with the 20% buffer applied, the updated assessment that the Council is currently undertaking may demonstrate that it will soon be able to evidence a full 5-year supply. The Government confirmed that the next HDT results will be published during 2026, after which any revised HDT consequences, including a reduction of the buffer from 20% to 5% where performance meets the relevant threshold, will take effect on the following day. In this context, this small 5YHLS shortfall attracts **limited** weight in the planning balance in favour of the application.

14.3.2 Spatial strategy, location and accessibility:

Bus stops nearby include the Hill Green North stop (1' walk – 40 metres); this provides only a school bus service (route 446) twice a day on schooldays. The nearest supermarket (SPAR – 30' walk) is 2.3 km from the site and the nearest school (Clavering Primary School – 28' walk) is 2.1 km from the site in south Clavering. The nearest train station and doctor's surgery are in Newport. Despite practical limitations, a demand responsive transport (DaRT) service is also available, which is a flexible, bookable public transport service¹. Interested parties objected that the location is unsustainable, citing past decisions².

14.3.3 Clavering is a Larger Village in the settlement hierarchy of Core Policy 3 of the LP, applies a presumption in favour of sustainable development *within the existing built area* of Larger Villages. The application site arguably meets this test as it is enclosed by committed development (not yet built out) on two sides: to the south by a linear scheme of 5 dwellings (UTT/22/2917/OP, UTT/25/0916/DFO) and to the east by another 5 dwellings (UTT/25/1308/FUL, UTT/23/3135/FUL); to the north by a ditch and hedgerow field boundary. This is a material difference with the backland schemes in Wicken Road and Eldridge Close. The site is not isolated³ from the village. The site certainly adjoins the main body of the village (as previously consented) and is inside a field boundary already benefitting from permission on part thereof, with established hedgerows forming a visual 'book-end' to the village. While a finely balanced one, it is the view the site is within the built area of Clavering and Hill Green.

14.3.4 Notwithstanding the similar level of services, facilities and public transport in the locality over the last years and the conflicting views of Inspectors, the LP is a *material change in circumstances* of **substantial** weight. This is because the evidence base of the LP was tested at Examination, including the evidence of the sustainability levels of settlements, and succeeded – this means that Clavering as a whole can no longer be considered to offer anything less than **moderate** accessibility to services, facilities and sustainable transport. Therefore, the LP shall attract *greater* weight here than other material considerations. The LP streams housing for Larger Villages to Neighbourhood Plans, but it would be unreasonable to resist the principle of development until these are made (subject to other policies) given the 5YHLS shortfall and the clear evidence of local need as Core Policy 19 identifies a residual housing requirement of 117 dwellings for Clavering.

14.3.5 Considering the above, the development would be in a suitable location for housing having regard to services, facilities and sustainable transport, and would comply with the spatial strategy of the LP and its Core Policies 3, 19, 26 (parts ii – v), 27 (parts i – iii, v), 28 (parts i – iv), as well as paragraphs 109(e), 110, 115(a) of the NPPF, and code M1.2C & guidance

¹ See <https://www.travelessex.co.uk/dart-landing>.

² UTT/23/3135/FUL (appeal allowed); UTT/24/0438/FUL (appeal dismissed); UTT/24/1499/FUL (appeal dismissed); UTT/23/3113/PINS / S62A/2023/0030 (refused); UTT/23/2616/PINS / S62A/2023/0025 (refused); and UTT/22/1578/OP (appeal withdrawn).

³ *Braintree DC v SSCLG [2018] EWCA Civ. 610*.

M1.14G of the SPD Uttlesford District-Wide Design Code. These policy compliances weigh **significantly** to the scheme's favour.

14.3.6 Character and appearance:

The site falls within Landscape Character Area C3: Langley Chalk Upland whose key characteristics⁴ include a valley of rolling plateau landscape with broad ridges, eroded by narrow stream valleys; uses dominated by intensive arable agriculture with a medium-to-large scale regular field pattern; hedgerows, ditches and grassy tracks as field boundaries; an open exposed landscape with few woodlands; small linear settlements set around village greens. Key landscape sensitivities⁵ of the C3 area include ditches and grassy tracks on field edges create an open character; the open skyline and spectacular views from high ground across rolling farmland; and a high sense of tranquillity and remoteness. These are the most sensitive elements to change.

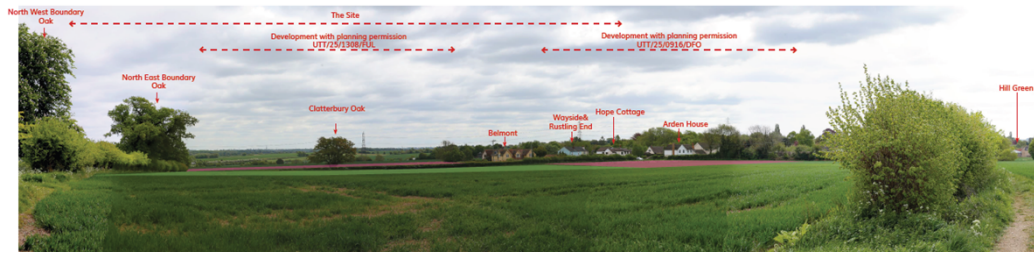
14.3.7 The Landscape and Visual Appraisal (LVA) submitted with the application assesses the landscape and visual effects of the development, which refer to the changes in the fabric and character of the landscape and in the visual amenity of receptors via available views (i.e. the value attached to these views by society). The application asserts that the site has *low* landscape value and the scheme would lead to *minor adverse* landscape effects and *low-to-moderate adverse* visual effects, depending on the sensitivity of receptors (from *high* for public footpath users near the site to *medium* for nearby residents and *low* for others)⁶. The site is not a 'valued landscape' that should be afforded special protection as per paragraph 187(a) of the NPPF. The proposal is only partly in conflict with Core Policy 41 of the LP.

14.3.8 Despite the higher topography of the site to the road, landscape effects would be **limited** as the scheme would not spread housing into the more open exposed landscape or the rolling plateau that are key characteristics of the C3 character area but rather have localised effects, reading as a 'natural' extension of the village envelope. In reserved matters, retaining the linear development pattern, would further localise landscape effects. Turning to visual effects, these would also be **limited** and localised subject to appropriate scale and landscaping at the reserved matters that would ensure the scheme is visually perceived in the context of the approved developments; visual receptors from public footpath 19 would not view the new houses outside the context of the extant ones (see photo), whilst users of Clatterbury Lane, nearby residents or users of footpath 18 would have ephemeral or indirect views into the site. In reserved matters, retaining views to the ancient Clatterbury Oak, the front hedge and the open skyline towards the rolling plateau would be crucial to achieve this.

⁴ Uttlesford Landscape Character Assessment (ULCA, 2023), pp.251 – 253.

⁵ Ibid., pp.255 – 256.

⁶ Landscape and Visual Appraisal (LVA, October 2025), pp.18, 21, 24, 22.



14.3.9 Considering the above, the site visit and subject to appropriate reserved matters, the combined harm to the character and appearance of the area would be **limited**, contrary to paragraphs 187(b), 135(c) (insofar as it refers to the landscape setting) of the NPPF and partly contrary to Core Policy 41 of the LP. However, the proposal would accord with other parts of Core Policy 41 and Core Policy 52 (part i) of the LP, paragraph 135(a) of the NPPF, and code C1.1C of the SPD Uttlesford District-Wide Design Code. Appropriate reserved matters must comply with Core Policies 52, 66 of the LP, paragraphs 139(a), 135(b)-(c), 129(d) of the NPPF, and the SPD Uttlesford District-Wide Design Code as per the recommendations above and below.

14.3.10 Other matters:
Turning to reserved matters, the indicative details show that the above recommendations to limit and localise landscape and visual effects would be achievable. However, the gap for the field access should be located where it would maximise views of the ancient Oak and the rolling plateau from footpath 19. The layout should position homes radially around the ancient Clatterbury Oak but retain the linear pattern locally and the miniature ‘village green’ to the front. All plots should be no higher than nearby properties (existing or extant) – the indicative drawings show properties of max. 7.5 metres at the ridge⁷, which is the right direction for reserved matters. Traditional shapes and appearances with materials influenced by the local vernacular, as well as symmetrical fenestration and architectural variety between the buildings, would also be recommended at reserved matters. 3D visuals and sections at eye level would be necessary for the reserved matters application.

14.3.11 The site is Grade 2 (‘Very Good’ quality) agricultural land – the conflict with paragraph 187(b) of the NPPF would be **limited** given the abundance of best and most versatile land in the district. The site is **not** previously developed land being an arable field. The use of agricultural land for housing is not by itself more effective use of the land – paragraphs 124, 125 of the NPPF do not apply here. Also, the proposal would be a **limited** contribution to the local economy both ephemerally during and post-construction. The occupants would likely contribute to a **limited** degree to the social life of Clavering and help support its services, in accordance with paragraph 83 of the NPPF.

14.4 B) Heritage impacts (Core Policies 52, 61, 62, SPD Uttlesford District-Wide Design Code, NPPF)

⁷ Heritage, Design and Access Statement, p.15.

14.4.1 The nearest heritage asset is a Grade II listed building (Old Home) several metres south of the site that does not contribute to its significance. The proposal, by reason of its distance and intervening built form with the asset, would in principle preserve the setting of the listed building, without causing 'less than substantial harm' to the significance of the asset, in compliance with Core Policies 61, 62 of the LP, and paragraphs 213, 215 of the NPPF. In the absence of harm, the heritage balance of paragraph 215 would not be required here. The application of policies in the NPPF (i.e. paragraphs 213, 215) that protect areas or assets of particular importance (i.e. the listed buildings) would **not** provide a strong reason for refusing the development proposed, as per paragraph 11(d)(i) of the NPPF. The Council complied with its legal duty in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14.5 C) Climate change & resources (Core Policies 1, 22, 23, 24, 25, 29, 33, 34, 52, SPD Uttlesford District-Wide Design Code, Interim Climate Change Planning Policy, NPPF)

14.5.1 The LP sets ambitious goals to tackle climate change, with Core Policy 1 requiring schemes to demonstrate in a Climate Change & Sustainability Statement how they will mitigate, adapt and be resilient to the impacts of climate change and support the overall reduction in greenhouse gas emissions through various measures (depending on the size and type of development). Core Policy 1 is supported by Core Policies 22, 23, 24, 34 of the LP. Core Policy 22 requires an Energy Statement for all new dwellings to be built to be Net Zero Carbon in operation. They must be ultra-low energy buildings, fossil fuel free, and generate renewable energy on-site to at least equal annual energy use. Core Policy 23 requires that all developments must demonstrate how the cooling hierarchy has been integrated into design decisions via the Climate Change & Sustainability Statement. Core Policy 24 requires schemes to demonstrate measures to reduce embodied carbon content as far as possible.

14.5.2 A Climate Change & Sustainability Statement or an Energy Statement were not submitted as required by the above policies, but these were not validation requirements when the application was submitted. However, to ensure full compliance with Core Policies 1, 22, 23, 24 and 25, conditions would be necessary to meet the requirements of these policies. Therefore, the proposal, subject to conditions, would comply with Core Policies 1, 22, 23, 24 and 25 of the Local Plan, which would be afforded **significant** weight in its favour given that the Local Plan is a climate-led plan with sustainability at its core.

14.5.3 Core Policy 34 seeks to preserve water supply, boost water efficiency at a standard of 90 litres per person per day and provide water recycling. A condition would be necessary to achieve this water efficiency level for each dwelling. As a minor development, the Water Authority was not consulted. However, a condition for rainwater harvesting and grey water recycling would be necessary for water efficiency purposes, as per Core

Policy 34. Conditions would also be necessary to secure electric vehicle charging points (as per Core Policy 29 and the latest parking standards) and for bin areas to be provided (as per Core Policy 33).

14.6 D) Residential amenity & standards / Housing mix (Core Policies 43, 44, 52, 53, 55, 66, SPD Uttlesford District-Wide Design Code, Essex Design Guide, NPPF)

14.6.1 Residential amenity and standards:

The proposed dwellings would be of unknown storeys and occupancies at this stage. The indicative drawings show 2-storey dwellings⁸ that would need to exceed the minimum gross internal areas (GIA) standards⁹ and comply with Core Policy 55 of the LP at the reserved matters stage. The indicative layout shows the dwellings would provide appropriate levels of amenity space for their occupants and would not reduce garden space to other properties. These should be confirmed at the reserved matters. Turning to the accessibility and inclusivity of the proposed dwellings, Core Policy 53 of the LP and code H1.5C of the SPD Uttlesford District-Wide Design Code expect all residential schemes to be 100% M4(2) compliant; this would be conditioned.

14.6.2 In terms of noise, odours, dust, vibrations, light pollution and other disturbances, notwithstanding the concerns raised by interested parties, Environmental Health raised **no objections** subject to conditions to safeguard residential amenities. The conditions refer to a Construction Environmental Management Plan (to be reworded to a 'construction method statement' to comply with paragraph 57 of the NPPF), external lighting and electric vehicle charging points.

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

14.6.4 Housing mix:

The housing mix part of Core Policy 53 does not apply other than for major developments. Internal layouts and bedroom numbers are unknown or indicative at outline stage, but the Table below should inform reserved matters to provide an appropriate housing mix, in accordance with code U1.5C of the SPD Uttlesford District-Wide Design Code, and paragraphs 61, 129(a) of the NPPF. The applicant's approach for 55% 4-beds and 45% 3-beds would **not** be acceptable at the reserved matters.

⁸ Heritage, Design and Access Statement, p.15.

⁹ See Technical Housing Standards – Nationally Described Space Standard.

	Number of bedrooms			
	1	2	3	4+
Market Housing	25%		45%	30%
Affordable Home Ownership	20%	45%	35%	
Affordable Housing (Rented)				
- General Needs	25%	30%	35%	10%
- Older Persons	40%	60%		

14.7 E) Access and parking (Core Policies 26, 27, 28, 31, parking standards, NPPF)

14.7.1 Access is **not** a reserved matter. From a highway and transportation perspective, the Highway Authority raised **no objections** subject to conditions. The development would accord with the Essex County Council Supplementary Guidance – Development Management Policies (2011), Core Policies 26 (parts ii, iv – viii), 27 (parts ii, iii), 28 (parts i – vi), 30 of the LP, and paragraphs 115(b), 116, 117 of the NPPF. The conditions refer to the private drive, visibility splays, inwards opening gates, the surface treatment of the access (contrary to paragraph 57 of the NPPF), highways improvements schemes, a Traffic Regulation Order (TRO), and a construction management plan (CMP). The response from the Highway Authority confirms that the development is acceptable in terms of highway safety for all highway users and not detrimental to the capacity of the highway network. The improvement schemes and TRO shall be merged following verbal feedback from Highways.

14.7.2 There is ample space on site to accommodate sufficient and appropriate parking provision to satisfy at the reserved matters the Parking Guidance – Part 1: Parking Standards Design and Good Practice (2024) and Core Policy 31 of the LP. All parking spaces should be of the appropriate bay sizes (5.5 by 2.9 metres for open bays and carports / 7 by 3.4 metres for single garages). The development would also need to provide sufficient visitors' parking spaces (2 visitors' spaces = 0.25 x 9 dwellings) and turning areas for cars, refuse and emergency vehicles and delivery vans.

14.8 F) Ecology (Core Policies 38, 40, NPPF)

14.8.1 Place Services Ecology raised **no objections** subject to conditions to secure biodiversity mitigation and enhancement measures and biodiversity net gain. The development would comply with paragraphs 44, 187(d), 193 of the NPPF, and Core Policies 38, 40 of the LP. The conditions refer to action in accordance with the appraisal recommendations, the Natural England mitigation licence, further surveys for protected species, a construction environmental management plan (CEMP) for biodiversity, a biodiversity enhancement strategy, a wildlife-sensitive lighting scheme, a landscape and ecological management plan and a habitat management and monitoring plan (HMMP). This provides certainty for the Council of the likely impacts on designated sites, protected, priority and threatened species and habitats.

14.8.2 Biodiversity Net Gain (BNG):

BNG is a statutory requirement of Schedule 7A of the Town and Country Planning Act 1990; paragraph 13 of Schedule 7A states that every permission granted for the development of land in England shall be deemed to have been granted subject to the condition that the development may not be begun unless (a) a biodiversity gain plan (BGP) has been submitted to the planning authority, and (b) the LPA has approved the plan. An application to discharge the statutory condition would be required – this is a separate type of application under the suffix ‘DISBGP’.

14.8.3 The Application form confirmed that BNG applies for this development. Place Services Ecology confirmed that sufficient information for BNG has been provided at application stage. The consultee highlighted that a BGP is expected to be submitted before commencing the development as part of the DISBGP application and listed the information required at the post-decision stage. On post-intervention values, for the applicant’s attention, Place Services Ecology suggested a list of habitats that the significant on-site enhancements should include. Although a minimum of 10% BNG is required by Article 2(3), Part 1 of Schedule 7A, Core Policy 40 of the LP requires a minimum of 20% BNG; the DISBGP application should deliver the higher BNG target to ensure policy compliance. A condition is recommended to ensure compliance.

14.9 **G) Contamination (Core Policies 34, 42, NPPF)**

14.9.1 Environmental Health raised **no objections** subject to a condition to protect human health and the environment. The proposal would accord with Core Policies 34, 42 of the LP, and the NPPF. The condition refers to a watching brief for contamination (including remediation works and validation report).

14.10 **H) Archaeology (Core Policy 64, NPPF)**

14.10.1 Place Services Archaeology was not consulted given the site is not an archaeological site or near one, and conditions would not be necessary to preserve potential archaeological remains. The scheme would comply with Core Policy 64 of the LP, and paragraph 218 of the NPPF.

14.11 **I) Flood risk and drainage (Core Policies 5, 36, NPPF)**

14.11.1 The site falls within Flood Zone 1; footnote 63 in paragraph 181 of the NPPF that requires a site-specific Flood Risk Assessment (FRA) does not apply as the development does not involve a site of 1 hectare or more; or land that may be subject to other sources of flooding, where its development would introduce a more vulnerable use. The Local Flood Authority and the Environment Agency have not been consulted. The proposal would comply with paragraphs 181, 182 of the NPPF, and Core Policies 5, 36 of the LP. A FRA was however submitted and the proposed

sustainable drainage systems (SUDS) measures would be conditioned as part of the reserved matters when the layout will be finalised.

14.12 J) Paragraph 11(d) and planning balance

14.12.1 Areas or assets of particular importance:

The application of policies in the NPPF that protect areas or assets of particular importance¹⁰ would **not** provide a strong reason for refusing the development proposed as per paragraph 11(d)(i) of the NPPF. Therefore, the planning balance in paragraph 11(d)(ii) of the NPPF is applied below.

14.12.2 Planning balance:

The public benefits of the scheme would include:

- Compliance with spatial strategy and suitable location for housing (access to services, facilities and transport) – **significant** weight.
- Climate change mitigation measures for energy & water efficiency – **significant** weight.
- Provision of up to 9 dwellings – **limited** weight.
- Economic and social benefits – **limited** weight.
- Ecological enhancements and mandatory BNG – **limited** weight.
- Accessible and/or adaptable dwellings – **limited** weight.
- Highway improvements scheme – **limited** weight.

14.12.3 The adverse impacts of the scheme would include:

- Harm to the local character and appearance (limited landscape effects, limited visual effects) – **limited** weight.
- Loss of best and most versatile agricultural land – **limited** weight.

14.12.4 From the summary of benefits and harms above and given the absence of a 5-year housing land supply and the presence of local housing need, the development would be sustainable for which there is a presumption in favour as per paragraph 11(d) and Core Policy 3 of the LP.

14.12.5 Consequently, when assessed against the policies in the NPPF taken as a whole, and as there are no other material considerations indicating otherwise, the adverse impacts of the proposals would **not significantly and demonstrably outweigh** the benefits, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

15.1.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex

¹⁰ See footnote 7 of the NPPF.

and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

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

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

15.2 Human Rights

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

16. CONCLUSION

16.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that the determination of the application must be made in accordance with the Development Plan unless material considerations indicate otherwise. On this occasion, the partial conflict with Core Policy 41 of the LP would be outweighed by the significant benefits of the scheme, including the compliance with its spatial strategy, as well as by other material considerations, such as the short 5-year housing land supply shortfall.

16.2 The planning balance would favour the development. Consequently, when assessed against the policies in the NPPF taken as a whole, and as there are no other material considerations indicating otherwise, the adverse impacts of the proposals would **not significantly and demonstrably outweigh** the benefits, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.

16.3 It is therefore recommended that the application be approved subject to the conditions below.

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 adopted Uttlesford Local Plan 2021-2041 (2026) as shown in the Schedule of Policies.

- 3** 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: 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, as well as with Core Policy 40 of the adopted Uttlesford Local Plan 2021-2041 (2026).

- 4** Prior to commencement of the development hereby approved, a Construction Method Statement (CMS) shall be submitted to and approved in writing by the local planning authority. The CMS 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. The approved CMS shall be adhered to throughout the construction period.

REASON: To safeguard residential amenities in the area, in accordance with Core Policies 42, 44, 52 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 5** Prior to commencement of the development hereby approved, a Construction Management Plan (CMP) shall be submitted to and approved in writing by the local planning authority. The approved CMP shall be adhered to throughout the construction period and shall provide for the following all clear of the highway:

- I. Vehicle routing;
- II. The parking of vehicles of site operatives and visitors;
- III. Loading and unloading of plant and materials;

IV. Storage of plant and materials used in constructing the development;
V. Wheel and underbody washing facilities.

REASON: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety, in accordance with Core Policies 26, 27, 28, 52 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 6** Prior to commencement of the development hereby approved, one of the following shall be submitted to and approved in writing by the local planning authority:
- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
 - b) a Great Crested Newt District Level Licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 (as amended) authorizing the specified activity/development to go ahead; or
 - c) a statement in writing from Natural England to the effect that it does not consider that the specified activity/development will require a licence.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017, the Wildlife and Countryside Act 1981, section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 (priority habitats & species) as updated by the Environment Act 2021, section 17 of the Crime and Disorder Act 1998, in accordance with Core Policy 38 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 7** Prior to commencement of the development hereby approved, a Habitat Management and Monitoring Plan (HMMP) for significant on-site enhancements, prepared in accordance with the approved Biodiversity Net Gain plan, shall be submitted to and approved in writing by the local planning authority.

The HMMP should include:

- 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 local planning authority 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.

Monitoring reports shall be submitted in years 1, 2, 5, 10, 15, 20, 25, and 30 to the local planning authority, in accordance with the methodology specified in the approved HMMP.

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

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

REASON: To allow the development to demonstrate mandatory biodiversity net gain and allow the local planning authority to discharge its duties under Schedule 7A of the Town and Country Planning Act 1990 and in accordance with the National Planning Policy Framework (2024) and to comply with Core Policy 40 of the adopted Uttlesford Local Plan 2021-2041 (2026).

- 8** Prior to commencement of the development hereby approved, a construction environmental management plan (CEMP: Biodiversity) shall be submitted to and approved in writing by the local planning authority.

The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of “biodiversity protection zones”.
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- 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.

Thereafter, the approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 (priority habitats & species) as updated by the Environment Act 2021, section 17 of the Crime and Disorder Act 1998, in accordance with Core Policies 38, 39 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 9** Prior to commencement of the development hereby approved, supplementary ecological surveys for protected species as recommended in the Revised Preliminary Ecological Appraisal (SES, September 2025) shall be submitted to and approved in writing by the local planning authority to inform the preparation and implementation of ecological measures required for the scheme. Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original ecological measures will be revised and new or amended measures, and a timetable for their implementation, shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. Thereafter, the development will then be carried out in accordance with the new approved ecological measures and timetable.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 (priority habitats & species) as updated by the Environment Act 2021, section 17 of the Crime and Disorder Act 1998, in accordance with Core Policies 38, 39 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 10** Prior to any works above slab level, the water efficiency measures associated with the development shall be submitted to and approved in writing by the local planning authority to ensure that the dwellings hereby approved achieve a water efficiency standard of 90 litres per person per day on each dwelling. Thereafter, the development hereby approved

shall not be occupied until all the approved water efficiency measures have been implemented as such.

REASON: To ensure water efficiency and to protect water resources, to comply with Core Policy 34 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 11** Prior to occupation of the development hereby approved, a lighting design scheme for biodiversity in accordance with General Note: 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority.

The scheme shall:

- (a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- (b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

Thereafter, all external lighting shall be installed in accordance with the specifications and locations set out in the approved scheme and shall be maintained in accordance with the scheme at all times. Under no circumstances should any other external lighting be installed without prior consent in writing from the local planning authority.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 (priority habitats & species) as updated by the Environment Act 2021, section 17 of the Crime and Disorder Act 1998, in accordance with Core Policies 38, 39 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 12** Prior to occupation of the development hereby approved, a Landscape and Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the local planning authority.

The LEMP shall include the following:

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.

- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall include details of the legal and funding mechanism(s) by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

Thereafter, the approved LEMP shall be adhered to and implemented in accordance with the approved details.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 (priority habitats & species) as updated by the Environment Act 2021, section 17 of the Crime and Disorder Act 1998, in accordance with Core Policies 38, 39 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

13 No development above ground floor slab level shall commence until all the following has been submitted to and approved in writing by the Local Planning Authority:

a) An Energy Assessment to demonstrate that the 9no. dwellings hereby approved will be net zero carbon in operation through their compliance with requirements 1 to 5 as set out in Core Policy 22 of the Uttlesford Local Plan 2021-2041 (adopted 2026, hereafter LP).

b) A Climate Change & Sustainability Statement to demonstrate how the cooling hierarchy has been integrated into the design of the dwelling hereby approved to minimise the overheating risk, using passive and, if necessary, mechanical measures to ensure comfortable internal temperatures, in accordance with Core Policy 23 of the LP.

c) A Climate Change & Sustainability Statement to demonstrate reduced embodied carbon for the building hereby approved through material selection, construction methods, and waste minimization, in accordance with Core Policy 24 of the LP.

The approved Energy Assessment and Climate Change & Sustainability Statement shall thereafter be implemented in full, and a verification

report confirming compliance shall be submitted within six months of first occupation or phase of the development.

REASON: To ensure that the development complies with Core Policies 1, 22, 23, 24 of the adopted Uttlesford Local Plan 2021-2041 (2026) and contributes to the reduction of greenhouse gas emissions, delivering sustainable, low-carbon, and climate-resilient homes in accordance with the Council's strategy to address climate change, and the National Planning Policy Framework (2024).

- 14** Prior to occupation of the dwellings hereby approved, any private drive to be agreed at reserved matters shall be constructed to a width of 6.0 metres for at least the first 6 metres from the back of carriageway and provided with an appropriate vehicular crossing of the highway verge. Thereafter, the drive shall be retained as such at all times.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety, and for improved pedestrian connectivity in the interests of promoting sustainable transport, in accordance with Core Policies 5, 26, 27, 28 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 15** Prior to occupation of the development hereby approved, the access at its centre line shall be provided with clear to ground visibility splays as shown on Drawing Number ZC661-PL-SK-208 Rev. P02 (dated 08/12/25). Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times. Any new or replaced boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

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 Core Policies 5, 26, 27, 28 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 16** Prior to occupation of the development hereby approved, a highways improvement scheme, including (but not limited to) the installation of signage to provide advance warning to motorists of pedestrians in the highway along Clatterbury Lane, as well as enhancements of the existing gateway features and encouragement of lower speeds to the north of the development (including the extension of the speed limit on Clatterbury Lane to the north), shall be submitted to and approved in writing by the local planning authority. Thereafter, the approved highways improvement scheme shall be implemented in full prior to occupation of the development hereby approved.

REASON: To provide enhanced advanced warning in the interests of highway safety, to make adequate provision within the highway for enhanced features as a result of the development hereby approved and to enhance road safety by reducing vehicular speeds when approaching the development in the interests of highway safety, in accordance with Core Policies 5, 26, 27, 28 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 17** Prior to occupation of the development hereby approved, a fully wired and connected electric vehicle charging point shall be provided on site for each dwelling, plus one more electric vehicle charging point for visitors. Thereafter, the charging points shall be maintained as such at all times.

REASON: To encourage the use of electric vehicles for better air quality and to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations, in accordance with Core Policies 1, 26, 27, 29, 31 of the adopted Uttlesford Local Plan 2021-2041 (2026), the Parking Guidance – Part 1: Parking Standards Design and Good Practice (2024), and paragraphs 117(e), 187(e), 199 of the National Planning Policy Framework (2024).

- 18** Prior to occupation of the development hereby approved, a scheme of water collection and recycling measures (such as rainwater butts) shall be submitted to and approved in writing by the local planning authority. Thereafter, the scheme shall be implemented prior to the occupation of the dwellings hereby approved and shall remain as such at all times.

REASON: To ensure water efficiency and to protect water resources, to comply with Core Policy 34 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 19** Prior to first use, details of any external lighting to be installed on the site, including the design of the lighting units, any supporting structure and the extent of the area to be illuminated (lighting contours), shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, only the details thereby approved shall be implemented.

REASON: To safeguard residential amenities in the area, in accordance with Core Policies 42, 44, 52 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 20** Protective measures for existing trees, as shown in the approved Tree Survey and Arboricultural Impact Assessment (Hayden's Ltd, June 2025) and drawing reference 11682-D-AIA, shall be implemented on the site in accordance with British Standard 5837:2012 before any equipment, machinery or materials are brought onto the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site or until the substantial completion of the development (whichever

is later). Nothing shall be stored or placed in any area fenced and the ground levels within those areas shall not be altered nor shall any excavation be made.

REASON: To preserve the character and appearance of the area and to protect existing trees, in accordance with Core Policies 39, 41, 52 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 21** The development hereby permitted shall be provided in accordance with the guidance in Approved Document S 2021 and shall be built in accordance with Optional Requirement M4(2) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To provide accessible and adaptable dwellings for all potential occupants, in compliance with Core Policy 52, 53 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 22** Any gates provided at the vehicular access shall be inward opening only and shall be set back a minimum of 15 metres from the centre of the existing residential cul-de-sac access junction. Thereafter, the gates shall be retained as such at all times.

REASON: To give vehicles using the access free and unhindered access to and from the highway in the interest of highway safety, in accordance with Core Policies 26, 27, 28 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 23** If during any site investigation, excavation, engineering or construction works evidence of land contamination is identified, the applicant/developer shall notify immediately and in writing the Local Planning Authority. Any land contamination identified shall be remediated to the satisfaction of the local planning authority (including a remediation strategy and validation report) prior to occupation of the development hereby approved to ensure that the site is made suitable for its end use.

REASON: To protect human health and the environment, in accordance with Core Policies 34, 42 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

- 24** All ecological mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Revised Preliminary Ecological Appraisal (SES, September 2025) and Ecology comments (SES, January 2026). Thereafter, the enhancement measures and/or works shall be carried out in full accordance with the approved details and shall be maintained as such at all times.

REASON: To conserve and enhance protected and priority species and habitats and allow the local planning authority to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife and Countryside Act 1981 (as amended), section 40 of the Natural Environment and Rural Communities (NERC) Act 2006 (priority habitats & species) as updated by the Environment Act 2021, section 17 of the Crime and Disorder Act 1998, in accordance with Core Policies 38, 39 of the adopted Uttlesford Local Plan 2021-2041 (2026), and the National Planning Policy Framework (2024).

APPENDIX 1 – ESSEX HIGHWAYS (HIGHWAY AUTHORITY)

Your Ref: UTT/25/2897/OP
Our Ref: 54886
Date: 28th January 2026



Director for Highways
and Transportation

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

County Hall
Chelmsford
Essex CM1 1QH

Recommendation

Application No. UTT/25/2897/OP
Applicant G W Balaam & Son
Site Location Land West Of Clatterbury Lane Clavering Essex
Proposal Outline planning application with all matters reserved except access for the construction of up to 9 no. residential dwellings.

The Highway Authority has reviewed all of the information provided as part of this planning application. In the assessment of the application the following was considered: access and safety with regards to the requirements set out within the Essex Design Guide and the Highway Authority's Development Management Policies; capacity; the opportunities for sustainable transport; and mitigation measures.

It is understood from the information provided by the applicant that the proposed vehicular access will serve the proposed dwellings and will not be used by agricultural vehicles to access the neighbouring fields, and the application has been assessed on that basis.

The level of additional traffic generated by the proposed development would be minor, as demonstrated by the evidence provided within the planning application. As a result, with reference to the National Planning Policy Framework 2024 and paragraphs 115 – 117 in particular, the impact of the proposed is not considered severe.

Therefore, from a highway and transportation perspective the Highway Authority has no objections, in principle, to make on this proposal, subject to the following conditions/obligations:

1. Prior to the occupation of any of the proposed dwellings, the proposed private drive as shown in principle on Drawing Number ZC661-PL-SK-207 Rev. P02 (dated 16.12.25) shall be constructed to a width of 6.0 metres for at least the first 6 metres from the back of carriageway and 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 and to ensure that opposing vehicles can pass clear of the limits of the highway, in the interests of highway safety.

2. Prior to occupation of the development, the access at its centre line shall be provided with the clear to ground visibility splays as shown in principle on Drawing Number ZC661-PL-SK-208 Rev. P02 (dated 08/12/25). Such vehicular visibility splays shall be provided before the access is first used by vehicular traffic and retained free of any obstruction at all times. Any new boundary planting shall be planted a minimum of 1 metre back from the highway boundary and any visibility splay.

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

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.

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

Reason: To enable vehicles using the access to stand clear of the carriageway whilst gates are being opened and closed in the interest of highway safety.

5. Prior to occupation of the development a highways improvement scheme, including but not limited to the installation of signage to provide advance warning to motorists of pedestrians in the highway along Clatterbury Lane, shall be submitted in writing to the Local Planning Authority. The approved scheme shall be implemented in full prior to occupation of the development.

Reason: To provide enhanced advanced warning in the interests of highway safety.

6. Prior to occupation of the development a highways improvement scheme to enhance the existing gateway features and encourage lower speeds to the north of the development shall be submitted to the Local Planning Authority and then the agreed scheme shall be implemented in full.

Reason: To make adequate provision within the highway for enhanced gateway features as a result of the proposed development.

7. To undertake best endeavours to secure a Traffic Regulation Order to extend the 30mph speed limit adjacent to the site on Clatterbury Lane approximately 40 metres in length to the North with appropriate signing and lining as necessary.

Reason: To enhance road safety by reducing vehicular speeds when approaching the development in the interests of highway safety.

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

- I. vehicle routing,

- II. the parking of vehicles of site operatives and visitors,
- III. loading and unloading of plant and materials,
- IV. storage of plant and materials used in constructing the development,
- V. wheel and underbody washing facilities.

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

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

Informatives:

- i. The Traffic Regulation Order process is separate to the planning process, and the outcome is not guaranteed. Notwithstanding, the visibility splays conditioned above, relating to the proposed access, have been established based on observed vehicles speeds on Clatterbury Lane.
- ii. All boundary vegetation / hedging must be maintained clear of the public highway in perpetuity.
- iii. 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.
- iv. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway.
- v. There shall be no discharge of surface water onto the Highway.
- vi. Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit.
- vii. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes technical checks, safety audits, site inspection, commuted sums for maintenance and any potential claims under the Part 1 and Part 2 of the Land Compensation Act 1973. To protect the Highway Authority against such compensation claims a cash deposit or bond may be required as security in case of default.

- viii. The applicant should be made aware of the potential relocation of the utility apparatus in the highway. Any relocation shall be fully at the applicant's expense.

A handwritten signature in cursive script, appearing to read "F. Masnie".

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pp. Director for Highways and Transportation
Enquiries to Lorna Parsons