

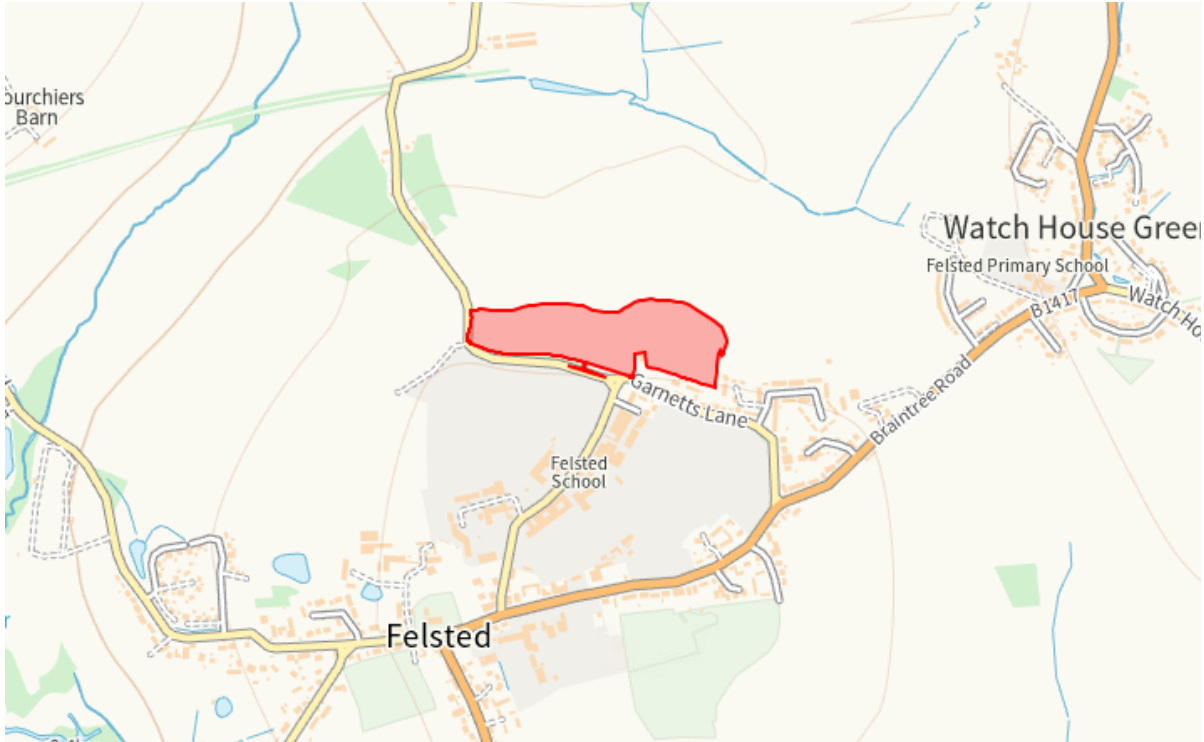
ITEM NUMBER: 6

PLANNING COMMITTEE DATE: 8 April 2026

REFERENCE NUMBER: UTT/25/1929/OP

LOCATION: Land North Of Garnetts Lane And Stebbing Road, Felsted

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: February 2025

PROPOSAL: Outline planning application for erection of up to 70 no. dwellings served by vehicular and pedestrian accesses, complete with parking provision, drainage attenuation, public open space, landscaping and related infrastructure and works; All matters reserved except for primary means of vehicular and pedestrian access (to exclude internal roads and footways not covered herein).

APPLICANT: Messrs Adrian, Roger and Norman Smith

AGENT: Mr Chris Loon

EXPIRY DATE: 27 October 2025

EOT EXPIRY DATE: 18 April 2026

CASE OFFICER: Rachel Beale

NOTATION: Adjacent Conservation Area. General Aerodrome Directions. PROWs. Mineral Safeguarding Area. Essex Coast RAMS. SSSI.

REASON THIS APPLICATION IS ON THE AGENDA: Major application

1. EXECUTIVE SUMMARY

- 1.1** This application seeks outline planning permission for the erection of up to 70 dwellings, together with associated access, public open space, landscaping, drainage and infrastructure, with all matters reserved except for the primary means of vehicular and pedestrian access.
- 1.2** The proposal has been assessed against the Uttlesford Local Plan 2021–2041 (adopted March 2026), which forms the statutory development plan. The site is located adjacent to the existing built form of Felsted, a larger village identified for growth under Core Policy 3 (Settlement Hierarchy) and is also identified for residential development within the emerging Felsted Neighbourhood Plan (Regulation 14 stage), which attracts limited weight.
- 1.3** Core Policy 19 (Meeting Housing Needs in Larger Villages) identifies a residual housing requirement for Felsted of approximately 95 dwellings. The delivery of up to 70 dwellings on this site would make a significant

contribution towards meeting this requirement and represents a plan-led form of development in a sustainable location.

- 1.4** The proposal would deliver a mix of market, affordable and community-led housing, including 6 dwellings to be provided through the Felsted Community Land Trust. When assessed on an equivalent basis, the overall provision of affordable and community housing meets policy requirements and represents a significant social benefit.
- 1.5** The development would also deliver public open space, green infrastructure, and biodiversity enhancements, contributing to the environmental and wellbeing objectives of the development plan.
- 1.6** The proposal would result in a low level of less than substantial harm to the significance of the Felsted Conservation Area and the Listed Building setting of Little Garnetts and Nunty. This harm is at the lower end of the spectrum and has been afforded moderate weight in the planning balance.
- 1.7** All other technical matters, including highways, residential amenity, drainage, ecology and environmental health, are considered acceptable, subject to conditions and planning obligations.
- 1.8** The Council cannot currently demonstrate a five-year supply of deliverable housing sites when applying the required buffer. As such, the presumption in favour of sustainable development set out in paragraph 11(d) of the NPPF is engaged. Having regard to this, and for the reasons set out in the planning balance below, it is considered that the adverse impacts of the development would not significantly and demonstrably outweigh the benefits. The tilted balance is therefore clearly satisfied.
- 1.9** Taking all matters into account, the proposal represents sustainable development, accords with the development plan when read as a whole, and planning permission is therefore recommended for approval.

2. RECOMMENDATION

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

- A) Completion of a s106 Obligation Agreement in accordance with the Heads of Terms as set out;
- B) Conditions

And

If the freehold owner shall fail to enter into such an agreement, the Strategic Director of Planning shall be authorised to **REFUSE**

permission following the expiration of a 6-month period from the date of Planning Committee.

3. SITE LOCATION AND DESCRIPTION:

- 3.1** The application site comprises approximately 6.2 hectares of agricultural land located on the northern edge of Felsted. The site lies to the north of Garnetts Lane, Chestnut Walk and Stebbing Road, and is positioned beyond the existing built-up extent of the village.
- 3.2** The site is currently in agricultural use and is characterised by open fields which gently slope from south to north. The site is divided into eastern and western parcels by an existing field boundary, with established vegetation and hedgerows present along parts of the site boundaries.
- 3.3** To the south, the site is bordered by existing residential development along Garnetts Lane and Chestnut Walk, together with associated curtilages and landscaping. Felsted School campus and its playing fields are located to the south-west of the site. To the west, the site adjoins Stebbing Road, beyond which are further school-related uses and open land. To the north and east, the site is bounded by open countryside.
- 3.4** A number of Public Rights of Way cross or run adjacent to the site, including a footpath along the eastern side and another route crossing the western part of the site. These routes provide connectivity between the village and the surrounding countryside.
- 3.5** There are no statutory landscape designations affecting the site. The site lies outside, but in proximity to, the Felsted Conservation Area. Grade II listed buildings (Little Garnetts and Nuntys), located to the south of the site on Garnetts Lane, lies in close proximity to the site boundary.
- 3.6** The site is not subject to any significant topographical or physical constraints that would prevent development.

4. PROPOSED DEVELOPMENT

- 4.1** This application seeks outline planning permission for the erection of up to 70 dwellings, with all matters reserved except for the primary means of vehicular and pedestrian access.
- 4.2** The application is supported by a series of parameter plans which establish the key development principles, including land use, access and movement, scale and green infrastructure. These plans indicate that built development would be concentrated within the southern and central parts of the site, with the northern areas largely retained for public open space, landscaping and drainage infrastructure.

- 4.3 The indicative proposals show a low-density form of development, reflecting the edge-of-settlement location and the surrounding character of the area.
- 4.4 Primary vehicular access to the site is proposed from Stebbing Road, with associated highway works including localised road widening and the provision of pedestrian crossing points and footway connections. Pedestrian access points are also proposed, including links to existing Public Rights of Way and the surrounding footpath network.
- 4.5 The parameter plans demonstrate a network of internal streets and routes (reserved for later approval) which would provide connectivity throughout the site and integrate with existing movement patterns. Pedestrian and cycle connections are proposed to link the development to the wider village, including Garnetts Lane and surrounding facilities.
- 4.6 The development would incorporate areas of public open space, including formal and informal green space, children's play areas (including LAP and LEAP provision), and a network of green infrastructure. Sustainable drainage features, including attenuation basins, are proposed to be integrated within these areas.
- 4.7 Landscaping proposals include the retention and reinforcement of existing boundary vegetation, together with new structural planting, including hedgerows and trees, particularly along the northern boundary to provide a transition to the open countryside. Details are again reserved for later approval.
- 4.8 Scale parameters indicate that development would comprise predominantly two-storey dwellings, with some single-storey elements proposed in sensitive locations, including along parts of the site edges adjoining existing development.
- 4.9 All other matters, including layout, appearance, landscaping and scale (within the approved parameters), would be subject to subsequent reserved matters applications should permission be granted.

5. ENVIRONMENTAL IMPACT ASSESSMENT

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

6. RELEVANT SITE HISTORY

- 6.1 Whilst not related to the site itself, it is relevant to point out that there is also a live application on the eastern side of Felsted that will also be presented to Members at the April planning committee (UTT/25/2498/OP) for "Outline application with all matters reserved

except access for the erection of up to 100 dwellings, associated landscaping and open space, with access from Rayne Road”.

- 6.2 Also, another current application UTT/25/3242/FUL "Erection of 17 no. dwellings with access, landscaping and associated infrastructure" is currently under consideration which forms part of a larger scheme for 24 dwellings under UTT/20/1882/FUL.

7. **PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

- 7.1 The applicant submitted the site as part of the emerging Local Plan process, and it was assessed as part of the call for sites. It was not included within the plan as a potential site because the existing access has limited potential to be improved to support backland residential development above the Housing and Economic Land Availability Assessment (HELAA) threshold. The site has low-moderate landscape sensitivity to development as a result of the semi-enclosed character of the site and lack of recorded heritage or semi-natural features. Other sensitive features include the rural setting it provides to Felsted Conservation Area (and associated listed buildings), the sense of tranquillity, and the open views into the site from surrounding public rights of way which would need to be considered. The site is Grade 2 Very Good Quality Agricultural Land. The site falls within the Essex Coast RAMS and a SSSI Impact Risk Zone.

- 7.2 No pre-app discussions have been undertaken with Planning Officers. Pre-app discussions were held with ECC and the Council's Housing Officer.

- 7.3 The applicant also undertook discussions with the Parish Council and held Public Consultation events.

8. **SUMMARY OF STATUTORY CONSULTEE RESPONSES**

8.1 **Highway Authority**

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

8.2 **Local Flood Authority**

- 8.2.1 No objection, subject to condition

9. **PARISH COUNCIL COMMENTS**

- 9.1 Concluding comments: In order only to meet our housing requirement, Felsted Parish Council gives qualified support to this application. The evolving Neighbourhood Plan Review is likely to put this site forward as the preferred location site for the majority of our housing allocation, however, the proposed access will directly impact the traffic through an

already critically congested village and we therefore urge UDC to explore with the applicant the inclusion of their previously implied “temporary haul route”.

9.2 The full Parish response is provided as an appendix.

10. CONSULTEE RESPONSES

10.1 UDC Housing Enabling Officer

10.1.1 Thank you for consulting me on this application for 70 new homes including 17 affordable homes in total consisting of 6 for Community Led Housing and a further 11 for Affordable Rent and Shared Ownership.

10.1.2 The proposed housing provision would provide a good mix of market and affordable properties to assist towards meeting the identified need in the LHNA 2024 and the Felted Neighbourhood Plan. Predominantly 1-to-3-bedroom properties are proposed in response to the identified need. The provision of sixteen 2- and 3-bedroom bungalows is welcomed.

10.1.3 The proposal to transfer six 2- and 3-bedroom homes to the Felsted Community Land Trust is also welcomed.

10.1.4 For transparency purposes I recommend that a **detailed costs appraisal is submitted by the applicants** in view of the provision of the 6 properties to the Felsted Community Land Trust resulting in a reduction of 11 affordable homes compared to the usual 40% affordable housing policy compliant position which would normally equate to 28 affordable homes being provided upon the site rather than the proposed 17 affordable homes.

10.2 UDC Environmental Health

10.2.1 No objection subject to condition.

10.3 Place Services (Ecology)

10.3.1 No objection subject to condition.

10.4 Landscape Officer

10.4.1 The proposed impacts to trees are acceptable. The inclusion of a community orchard, LEAP, LAP, and circulation footpaths would all be positive additions to the public realm. While noted this application is only for outline permission and further detail will come, the proposed footpath route would benefit from a continuous and intuitive route around the site – currently it looks to dog-leg as it crosses the central PROW.

10.5 Conservation Officer

10.5.1 In my opinion, the proposed development would result in a low level of less than substantial harm to the significance of the Felsted Conservation Area and to Little Garnetts and Nunty, primarily through a change to their rural setting, paragraph 215 of the NPPF (2024) being relevant. However, I do not consider that the proposal would have an impact on the significance of Virginia Cottage, as its setting and contribution to its heritage significance are likely to be unaffected by the proposed works.

10.6 Essex Police

10.6.1 No objection subject to condition.

10.7 UDC Urban Design Officer

10.7.1 The concept masterplan supplied illustrates a typical suburban development with a primary street and a series of cul-de-sacs served by this main street. There is indicated a good proportion of open space and on-site amenity provision, such as local play areas, trim trails and community open space.

10.8 Anglian Water

10.8.1 No objection subject to inclusion of informatives.

10.9 Place Services Archaeology

10.9.1 No objection subject to condition

10.10 MAG London Stansted Airport

10.10.1 No objection.

10.11 NHS and Ambulance Service

10.11.1 S106 obligations

10.12 Minerals and Waste

10.12.1 No comment as below threshold.

10.13 Essex Infrastructure

10.13.1 S106 obligations

10.14 Active Travel

10.14.1 Standing advice

11. REPRESENTATIONS

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

11.2 Support

11.2.1 None.

11.3 Object

- 11.3.1**
- Traffic impact
 - Highway safety concerns
 - Poor access to site
 - Flooding issues
 - Inadequate drainage
 - Construction traffic
 - Designated "Quiet Lane"
 - Privacy issues
 - Light & noise pollution
 - Low water pressure
 - Environmental impact
 - Harm to existing wildlife/habitat
 - Damage to listed properties
 - Encourage anti-social behaviour
 - Loss of arable fields
 - Loss of countryside enjoyment
 - Loss of village/rural character
 - Strain on infrastructure
 - Heritage impact
 - Light pollution
 - Loss of rural tranquillity
 - Impact on property prices
 - Lack of demand for properties
 - Conflict with Felsted neighbourhood plan
 - Non-compliance with planning policy
 - Comparable refusals; Newport
 - Archaeological impact
 - Poor public transport links
 - Harm to Felsted conservation area
 - Poor green infrastructure
 - Poorly designed site
 - Inadequate affordable housing % on site

11.4 Officer comments:

11.4.1 All comments where material considerations have been raised are addressed in the following report.

12. MATERIAL CONSIDERATIONS

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

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

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

12.3 Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Local Planning Authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.

12.4 The Development Plan

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

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2024)

13.2 Uttlesford Local Plan 2021-2041

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

13.3 Neighbourhood Plan – Felsted (February 2020)

13.3.1 FEL/HN5 Residential Development outside Development Limits
FEL/HN7 Housing Mix
FEL/ICH1 High Quality Design
FEL/CW1 Landscape and Countryside Character

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

13.5 Supplementary Planning Document or Guidance

13.5.1 Essex Design Guide
Uttlesford Design Code
Essex Tree Palette

14. CONSIDERATIONS AND ASSESSMENT

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

14.2 **A) Principle of Development**
B) Countryside Impact
C) Design
D) Heritage impacts and Archaeology
E) Affordable Housing and Mix
F) Residential Amenity
G) Highways, Access and Parking
H) Landscaping and Open Space
I) Nature Conservation and BNG
J) Climate Change
K) Environmental Health
L) Flooding
M) Planning Obligations

14.3 **A) Principle of Development**

14.3.1 Development plan and housing land supply:

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

14.3.3 The application site is also identified for residential development within the emerging Felsted Neighbourhood Plan (Regulation 14 stage). Whilst this document does not form part of the statutory development plan, it is a material consideration and is afforded limited weight, having regard to its stage of preparation and its general consistency with national and local policy. The existing Felsted Neighbourhood Plan also remains a material consideration where its policies are consistent with national and local policy.

14.3.4 The adopted Local Plan identifies a sufficient supply of housing land to meet the district's needs in full over the plan period. Through the Local Plan examination, the Planning Inspector confirmed that the Council

currently demonstrates 4.77 years of deliverable housing land supply when applying the 20% buffer required under the Housing Delivery Test (HDT) consequences. The 20% buffer is mandated where delivery falls below the relevant HDT thresholds, and such consequences apply from the day following the publication of HDT results and supersede previously published figures.

- 14.3.5** The Council is undertaking an updated assessment of its Five-Year Housing Land Supply, using the most recent monitoring information and delivery evidence. Given that the confirmed position of 4.77 years is narrowly below the five-year requirement even with the 20% buffer applied, the updated assessment may demonstrate that the Council is now able to evidence a full five-year supply. The Government has confirmed that the next Housing Delivery Test results—combining the 2024 and 2025 measurements—will be published during 2026, after which any revised HDT consequences, including a reduction of the buffer from 20% to 5% where performance meets the relevant threshold, will take effect on the following day.
- 14.3.6** In this context, the current lack of a five-year supply attracts some weight in the planning balance. This reflects the marginal nature of the shortfall, the identification of sufficient housing land within the adopted Local Plan to meet needs in full, and the reasonable prospect that the updated evidence will demonstrate a defensible five-year supply once recalculated.
- 14.3.7** Core Policy 19 (Meeting Housing Needs in Larger Villages) identifies Felsted as one of the District's larger villages where a defined level of housing growth is to be accommodated over the plan period. The policy establishes a housing requirement for Felsted, with a residual requirement of approximately 95 dwellings to be delivered through site allocations and windfall development.
- 14.3.8** The delivery of up to 70 dwellings on this site would make a significant contribution towards meeting this identified requirement. This contribution is a material consideration which weighs positively in favour of the proposal.
- 14.3.9** In this instance, the proposal is considered to accord with the spatial strategy and relevant policies of the adopted Local Plan, including Core Policy 3 (Settlement Hierarchy), when read as a whole. The identification of the site within the emerging Neighbourhood Plan further supports the suitability of the site for residential development.
- 14.3.10** Accordingly, the proposal is supported by the development plan. Furthermore, and in the alternative, even if the proposal were to be found to conflict with elements of the development plan, the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

- 14.3.11** The planning balance is set out in full later within this report.
- 14.3.12** Suitability and Location
- 14.3.13** Paragraph 7 of the NPPF confirms that the purpose of the planning system is to contribute to the achievement of sustainable development, incorporating social, economic and environmental objectives which are to be pursued in a mutually supportive way.
- 14.3.14** Felsted is identified within the settlement hierarchy of the Uttlesford Local Plan 2021–2041 as a larger village where growth is to be supported in accordance with Core Policy 3 (Settlement Hierarchy).
- 14.3.15** The application site is located on the northern edge of Felsted and is directly adjacent to existing residential development along Garnetts Lane and Chestnut Walk, as well as Felsted School and associated facilities. The site therefore relates well to the existing built form of the village and does not represent an isolated or detached form of development.
- 14.3.16** Whilst occupying an edge-of-settlement position, the parameter plans demonstrate that the development would form a logical extension to the village, with built development contained within the southern and central parts of the site and substantial areas of open space and landscaping forming a transition to the surrounding countryside. This approach is consistent with Core Policy 41 (Landscape Character), which seeks to ensure that development responds positively to its landscape context.
- 14.3.17** Having regard to the site's relationship with the existing settlement, and its identification within the emerging Neighbourhood Plan, the proposal is considered to represent an appropriate and sustainable location for residential development.
- 14.3.18** Local amenities and facilities:
- 14.3.19** Felsted provides a range of local services and facilities which serve the day-to-day needs of residents, including a primary school, doctor's surgery, village shop and post office, public houses and a range of community and recreational facilities.
- 14.3.20** The application site is located within reasonable walking and cycling distance of these facilities and is well connected by existing pedestrian routes, including Public Rights of Way which run through and adjacent to the site. The proposal therefore aligns with Core Policy 28 (Active Travel – Walking and Cycling), which seeks to promote sustainable modes of transport.
- 14.3.21** The proposal includes the provision of on-site public open space, including formal and informal recreational areas, children's play

provision and a network of green infrastructure, consistent with the requirements of Core Policy 67 (Open Space, Sport and Recreation).

- 14.3.22** In addition, the development would make appropriate contributions towards local infrastructure and services through a planning obligation, in accordance with Core Policy 5 (Providing Supporting Infrastructure and Services), ensuring that the impacts of the development are appropriately mitigated.
- 14.3.23** Overall, the site is considered to be sustainably located, with access to a range of services and facilities sufficient to meet the day-to-day needs of future residents.
- 14.3.24** Social and Economic Benefits:
- 14.3.25** Paragraph 82 and 83 of the NPPF state that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The purpose of the paragraphs is to support new development in rural areas, in recognition of the benefits it can bring to rural communities. New homes create additional population, and rural populations support rural services through spending (helping to sustain economic activity) and through participation (in clubs and societies for example). There is no reason to suppose that the additional occupants of the properties on the application site would not use local facilities and participate in village life in the same way that other residents do.
- 14.3.26** The proposal would deliver up to 70 dwellings, including policy-compliant affordable housing, contributing towards meeting identified housing needs within the District in accordance with the objectives of the adopted Local Plan.
- 14.3.27** The provision of new housing would support the vitality of Felsted by increasing the resident population, which in turn would help sustain local services, facilities and community infrastructure, in line with Core Policy 66 (Planning for Health and Well-being).
- 14.3.28** The construction phase of the development would generate economic activity and employment, whilst the occupation of the development would provide ongoing economic benefits through expenditure within the local area.
- 14.3.29** The proposal also includes the provision of public open space, recreational facilities and green infrastructure, which would contribute to the health and wellbeing of both future occupiers and the wider community.
- 14.3.30** Accordingly, the development would contribute positively to the social and economic objectives of sustainable development.

14.3.31 Environmental Benefits:

14.3.32 The application is supported by a range of technical assessments which demonstrate that the environmental effects of the development can be appropriately mitigated.

14.3.33 The proposal incorporates significant areas of green infrastructure, structural planting and public open space, including attenuation features integrated within the design. This approach is consistent with Core Policy 39 (Green and Blue Infrastructure) and Core Policy 41 (Landscape Character).

14.3.34 Ecological impacts can be appropriately addressed, with the development capable of delivering biodiversity net gain in accordance with Core Policy 40 (Biodiversity and Nature Recovery).

14.3.35 The development would also incorporate sustainable drainage measures in accordance with Core Policy 37 (Sustainable Drainage Systems) and would be designed in accordance with current standards relating to energy efficiency and environmental performance.

14.3.36 Whilst the development would result in the loss of agricultural land, the extent of land affected is limited and, having regard to the site's sustainable location and policy support, this does not weigh significantly against the proposal.

14.3.37 Overall, the proposal accords with the environmental objectives of sustainable development.

14.3.38 Countryside Location

14.3.39 The application site occupies an edge-of-settlement location on the northern side of Felsted and forms part of the transition between the built-up area and the surrounding countryside.

14.3.40 The adopted Uttlesford Local Plan 2021–2041 provides an updated spatial strategy for the distribution of development across the District, including supporting growth at larger villages such as Felsted under Core Policy 3 (Settlement Hierarchy).

14.3.41 In this context and having regard to the site's relationship with the existing settlement and its identification within the emerging Neighbourhood Plan, the principle of residential development in this location is supported.

14.3.42 The parameter plans demonstrate that the development would be appropriately contained and would provide a defined and landscaped edge to the settlement, ensuring that the character of the surrounding countryside is respected, consistent with Core Policy 41 (Landscape Character) and Core Policy 52 (Good Design Outcomes and Process).

14.3.43 Accordingly, the development is consistent with the spatial strategy of the development plan and would not result in unacceptable harm to the character of the countryside.

14.3.44 The proposal therefore represents a plan-led form of development in a sustainable location, which attracts significant weight in favour of approval.

14.4 B) Countryside Impact

14.4.1 Landscape character is that which makes an area distinct and recognisable. It is acknowledged that landscapes evolve over time and that change can be accommodated where it is appropriately managed. Core Policy 41 (Landscape Character) of the Uttlesford Local Plan 2021–2041 requires development to respond positively to its landscape context.

14.4.2 The site is not subject to any landscape designation and does not fall within the definition of a ‘valued landscape’ in the NPPF. It comprises an open agricultural field on the northern edge of Felsted, forming part of the transition between the built-up area and the surrounding countryside.

14.4.3 The site slopes gently from south to north and is defined in part by existing hedgerows and vegetation. Development lies immediately to the south, with Felsted School and associated uses to the south-west. The wider landscape is characterised by open agricultural land, hedgerows and scattered tree cover, typical of the rural character of the area.

14.4.4 Views of the site are generally limited to localised vantage points, including sections of Stebbing Road and nearby Public Rights of Way. These are typically filtered or glimpsed through existing vegetation. The site does not form a prominent feature in the wider landscape.

14.4.5 The Council’s Landscape Character Assessment identifies this area as part of a broader agricultural plateau landscape, with moderate sensitivity to change. More recent landscape evidence prepared to support the Local Plan indicates that land on the edge of settlements such as Felsted may be capable of accommodating residential development, subject to appropriate design and mitigation.

14.4.6 The development would result in the loss of an area of open agricultural land and would introduce built form into the landscape. This would alter the immediate character of the site and would have a degree of localised visual impact. This harm is acknowledged.

14.4.7 However, built development is focused within the southern and central parts of the site, with the northern areas retained as open space and landscaping. This provides a clear and defensible edge to the settlement.

- 14.4.8** Existing boundary vegetation would be retained and reinforced, with additional structural planting proposed, particularly along the northern boundary. This would contain the development, filter views and soften the visual impact of the built form.
- 14.4.9** In views from the surrounding area, the development would be read in the context of the existing settlement edge. Visual effects would therefore be localised. In wider views, the development would appear as part of the village, with limited influence on the broader landscape.
- 14.4.10** Over time, the proposed planting would mature and further integrate the development into its surroundings. This approach is consistent with Core Policy 39 (Green and Blue Infrastructure) and Core Policy 41 (Landscape Character).
- 14.4.11** Overall, the proposal would result in a change to the character of the site. However, the extent of harm would be limited and localised, and is appropriately mitigated through the proposed layout and landscaping. The development is therefore considered to accord with the relevant policies of the development plan, and the landscape impact does not weigh significantly against the proposal.

14.5 C) Design

14.5.1 The application is submitted in outline form, with all matters reserved except for access. Notwithstanding this, the submission is supported by parameter plans and an illustrative masterplan which establish the key design principles for the site, including the disposition of built form, green infrastructure and movement routes. The Council must therefore be satisfied that the site is capable of accommodating the quantum of development proposed in a manner consistent with policy requirements.

14.5.2 Layout

14.5.3 The illustrative masterplan indicates that built development would be focused within the southern and central parts of the site, with areas of open space, landscaping and drainage infrastructure forming a structured edge to the north. This is consistent with Core Policy 39 (Green and Blue Infrastructure).

14.5.4 The internal layout is indicative at this stage; however, it demonstrates a permeable network of streets and routes, including pedestrian and cycle connections, in accordance with Core Policy 28 (Active Travel – Walking and Cycling). The site is capable of accommodating a layout which provides connectivity both within the development and to the surrounding area, including links to existing Public Rights of Way.

14.5.5 The arrangement of development parcels, together with the distribution of open space, indicates that a legible and coherent layout can be

achieved. The site is of sufficient size to accommodate the proposed level of development alongside appropriate infrastructure, including open space and sustainable drainage features.

14.5.6 Scale

14.5.7 The submitted scale parameters indicate that development would be predominantly two storeys in height, with the potential for some variation where appropriate. This is consistent with the prevailing character of development in Felsted and would ensure that the scheme integrates with the surrounding built form.

14.5.8 The density of development at 22dph reflects the edge-of-settlement location and allows for a lower density form of development with appropriate spacing, landscaping and garden provision. This approach accords with Core Policy 52 and Core Policy 53 which require development to respond to local character and provide appropriate living environments.

14.5.9 The parameter plans demonstrate that there is sufficient flexibility within the site to deliver a scheme which reflects the character of the surrounding area, whilst also providing a cohesive and well-designed development. Detailed design matters would be secured through reserved matters submissions.

14.5.10 Design Code Compliance

14.5.11 The Uttlesford Design Code (2023) is a material consideration and sets out the Council's expectations for achieving high-quality design and placemaking across the District. The Code promotes development which is landscape-led, locally distinctive, well-connected and responsive to its context.

14.5.12 Whilst detailed design is reserved for later consideration, the parameter plans and supporting material demonstrate that the proposed development has been informed by these principles. In particular, the scheme incorporates a network of green infrastructure, and provides opportunities for connectivity through pedestrian and cycle links.

14.5.13 The site is of sufficient size and configuration to enable a development which can come forward in compliance with the Design Code at the reserved matters stage. This will need to be thoroughly demonstrated at that point.

14.5.14 Overall Approach

14.5.15 The site is considered capable of accommodating up to 70 dwellings, together with associated infrastructure, in a manner which would achieve a well-designed and sustainable development. There is no evidence to suggest that the quantum of development proposed would result in

overdevelopment or a form of development which would be out of keeping with the character of the area.

14.5.16 Accordingly, subject to the detailed design to be secured at the reserved matters stage, the proposal is considered to accord with Core Policy 52 (Good Design Outcomes and Process), Core Policy 53 (Standards for New Residential Development) and related policies of the development plan.

14.6 D) Heritage impacts and Archaeology

14.6.1 Section 16 of the NPPF requires that great weight is given to the conservation of designated heritage assets. Where development would result in harm to the significance of a heritage asset, this harm must be clearly identified and weighed against the public benefits of the proposal.

14.6.2 The application site does not contain any designated heritage assets and is not located within a Conservation Area. However, it lies to the north of the Felsted Conservation Area and shares a boundary with the Grade II listed building Little Garnetts and Nunty. The Grade II listed Virginia Cottage is also located within the wider vicinity.

14.6.3 The site currently comprises open agricultural land which contributes to the rural setting of the Conservation Area and the adjacent listed building. A Heritage Impact Assessment has been submitted in support of the application.

14.6.4 The Council's Conservation Officer advises that the proposed development would result in a low level of less than substantial harm to the significance of the Felsted Conservation Area and to Little Garnetts and Nunty. This harm arises primarily from the introduction of built development and associated access works, which would alter the rural setting of these assets.

14.6.5 No harm has been identified in respect of Virginia Cottage, whose setting would remain largely unaffected by the proposal.

14.6.6 The application is submitted in outline form, with only access to be determined at this stage. The precise layout, scale, appearance and landscaping of the development are reserved for later consideration. The Conservation Officer has advised that the extent of harm will be influenced by the quality of the detailed design, and that appropriate mitigation can be achieved through careful layout, landscaping and boundary treatment.

14.6.7 Having regard to paragraph 215 of the NPPF, the identified harm is considered to be at the lower end of the less than substantial harm spectrum. This harm must therefore be weighed against the public benefits of the proposal.

14.6.8 Archaeology

14.6.9 The application is supported by appropriate desk-based assessment and there is no evidence to suggest that the development would result in unacceptable harm to archaeological assets. Place Services Archaeology have been consulted and confirm they have no objection subject to condition.

14.6.10 Summary

14.6.11 The proposal would result in a low level of less than substantial harm to the significance of the Felsted Conservation Area and the setting of Little Garnetts and Nunty.

14.6.12 This harm attracts moderate weight and must be weighed against the public benefits of the proposal, including the delivery of housing, affordable and community-led housing, and associated infrastructure.

14.6.13 Subject to detailed design at the reserved matters stage, the proposal is considered to comply with the relevant provisions of the NPPF and Core Policy 61 (Historic Environment).

14.7 **E) Affordable Housing and Mix**

14.7.1 Core Policy 56 (Affordable Housing) of the Uttlesford Local Plan 2021–2041 requires the provision of 35% affordable housing on qualifying residential developments. Section 5 of the NPPF similarly seeks to secure a wide choice of high-quality homes, including affordable housing, to create inclusive and mixed communities.

14.7.2 The proposed development of up to 70 dwellings would ordinarily be expected to deliver 35% affordable housing (25 units). The applicant has, however, proposed an alternative delivery model which includes the provision of 6 no. bespoke community homes (2- and 3-bedroom dwellings) to be transferred to the Felsted Community Land Trust (CLT).

14.7.3 These homes would be delivered at nil cost to the CLT and secured in perpetuity for the benefit of the local community. This differs from traditional affordable housing provision, where units are typically transferred to a Registered Provider at a discounted rate (usually in the order of 40–45% below market value), enabling a developer to recover a proportion of development costs.

14.7.4 In this case, the provision of community housing represents a significantly greater financial cost to the developer. Viability evidence submitted by the applicant, and independently reviewed, demonstrates that gifted community units have an equivalency ratio of approximately 1:2.5 when compared to traditional affordable housing. In other words, each gifted community unit equates to approximately 2.5 affordable housing units in viability terms.

- 14.7.5** On this basis 6 no. Community Land Trust dwellings equate to approximately 15 no. traditional affordable dwellings; and when combined with 10 no. traditional affordable units (affordable rent/shared ownership), the total provision equates to 25 affordable homes. This represents a policy-compliant 35% provision when assessed on an equivalent basis.
- 14.7.6** The Council's Housing Officer has reviewed the submitted methodology, including viability advice, and raises no objection to this approach. It is accepted that the delivery of community housing at nil cost justifies a reduction in the number of traditional affordable units, with the overall provision remaining policy compliant when considered on an equivalent basis.
- 14.7.7** The proposed tenure would therefore comprise 54 no. market dwellings, 6 no. Community Land Trust dwellings and 10 no. affordable housing units (e.g. affordable rent and shared ownership). Details of tenure, eligibility criteria, transfer arrangements and long-term management of both the Community Land Trust housing and the affordable housing units would be secured through a Section 106 agreement.
- 14.7.8** At this outline stage, the precise distribution and integration of affordable and community housing is not fixed. However, the site is capable of delivering tenure-blind development, with consistent design and materials across all tenures, to be secured at the reserved matters stage.
- 14.7.9** Accordingly, subject to securing the necessary provisions through a Section 106 agreement, the proposal is considered acceptable in housing terms and accords with Core Policies 56 (Affordable Housing), and the relevant provisions of the NPPF.

14.8 F) Residential Amenity

- 14.8.1** The NPPF requires that development secures a high standard of amenity for existing and future occupants. This is reflected in Core Policy 52 (Good Design Outcomes and Process) and Core Policy 42 (Pollution and Contamination) of the Uttlesford Local Plan 2021–2041, which seek to ensure that development does not result in unacceptable impacts on residential amenity.
- 14.8.2** The application site is located to the north of existing residential development along Garnetts Lane and Chestnut Walk, with further separation from properties to the west by Stebbing Road. The relationship with existing dwellings is therefore primarily defined by the southern boundary of the site.
- 14.8.3** The parameter plans indicate that built development would be set back from the southern boundary, with intervening landscaping and open

space providing separation. This approach would ensure that appropriate distances can be achieved between proposed and existing dwellings, avoiding unacceptable impacts in terms of overlooking, overbearing or loss of outlook.

14.8.4 Given that all matters other than access are reserved, detailed relationships between proposed and existing dwellings cannot be fully assessed at this stage. However, the site is of sufficient size to accommodate the proposed development with appropriate separation distances and boundary treatments. These matters would be considered in detail at the reserved matters stage.

14.8.5 Overall, there is no evidence to suggest that the proposal would result in unacceptable harm to the amenity of neighbouring occupiers and is capable of delivering a high standard of accommodation for future occupiers. Accordingly, the development is considered to accord with Core Policy 52 (Good Design Outcomes and Process), Core Policy 53 (Standards for New Residential Development) and related policies of the development plan

14.9 G) Highways, Access and Parking

14.9.1 The NPPF requires that development provides safe and suitable access for all users and that development should only be refused on highway grounds where there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

14.9.2 These principles are reflected in Core Policy 26 (Sustainable Transport and Connectivity) and Core Policy 27 (Assessing the Impact of Development on Transport Infrastructure) of the Uttlesford Local Plan 2021–2041.

14.9.3 The application was submitted prior to the adoption of the Uttlesford Local Plan 2021–2041 and therefore does not fully address all of the requirements of the recently adopted policies, including those relating to sustainable transport.

14.9.4 Notwithstanding this, the application is submitted in outline form and establishes a framework within which the development can be brought forward in general accordance with these policy requirements. The parameter plans and supporting information demonstrate that there is no inherent constraint which would prevent the development from achieving compliance.

14.9.5 Access to the site is proposed from Stebbing Road, with the principal vehicular and pedestrian access to be established at this stage. The submitted details demonstrate that safe and suitable access can be achieved, with appropriate visibility and geometry.

- 14.9.6** In addition to the main access, the proposals include pedestrian connections to the surrounding area, including links to existing Public Rights of Way. This would improve connectivity and provide opportunities for sustainable travel, consistent with Core Policy 28 (Active Travel – Walking and Cycling).
- 14.9.7** The Essex Highway Authority has been consulted on the application and raises no objection, subject to conditions and the delivery of appropriate off-site highway works. These include localised improvements to pedestrian infrastructure and measures to support safe access and movement.
- 14.9.8** Having regard to the above, it is considered that the proposal would not result in unacceptable impacts on highway safety or capacity.
- 14.9.9** At this outline stage, detailed parking provision is not fixed. However, the parameter plans and illustrative layout demonstrate that the site is capable of accommodating policy-compliant parking provision, including on-plot and visitor parking, together with cycle storage. Full details of parking provision would be secured at the reserved matters stage, where compliance with the Council’s adopted parking standards would be assessed.
- 14.9.10** The proposal demonstrates that safe and suitable access can be achieved and that the development would not result in severe impacts on the highway network. The site is capable of accommodating appropriate levels of parking in accordance with policy requirements. Accordingly, subject to conditions and the delivery of off-site works, the proposal is considered to accord with Core Policy 26 (Sustainable Transport and Connectivity), Core Policy 27 (Assessing the Impact of Development on Transport Infrastructure), Core Policy 28 (Active Travel – Walking and Cycling) and Core Policy 31 (Parking Standards) of the development plan.
- 14.10 H) Landscaping and open space**
- 14.10.1** A landscape-led approach to development is a key requirement of the development plan. Core Policy 39 (Green and Blue Infrastructure) and Core Policy 41 (Landscape Character) of the Uttlesford Local Plan 2021–2041 require development to incorporate a strong landscape structure which integrates built form with its surroundings.
- 14.10.2** The submitted parameter plans demonstrate that the development has been designed around a clear landscape framework. Built development is concentrated within the southern and central parts of the site, with significant areas of landscaping, open space and drainage infrastructure forming a structured edge, particularly along the northern boundary.
- 14.10.3** Existing boundary vegetation would be retained and reinforced, with additional structural planting proposed throughout the site. This includes

native hedgerows and tree planting which would reflect the rural character of the area and assist in integrating the development into the wider landscape.

- 14.10.4** The proposed landscaping would provide both visual and environmental benefits, including the softening of built form, the creation of enclosure along site boundaries and the establishment of a coherent green infrastructure network. The use of native species would support biodiversity and reflect the surrounding landscape context, consistent with Core Policy 40 (Biodiversity and Nature Recovery).
- 14.10.5** Whilst detailed landscaping proposals are reserved for later consideration, the submitted information and parameter plans demonstrate that the site is capable of delivering a high-quality landscaping scheme which would integrate the development with its surroundings and provide long-term environmental benefits.
- 14.10.6** Core Policy 67 (Open Space, Sport and Recreation) requires development to provide appropriate levels of accessible open space to support healthy and sustainable communities.
- 14.10.7** The proposal includes the provision of on-site public open space, including areas of informal and formal green space, together with opportunities for recreation and walking routes. These areas are integrated within the wider landscape framework and would be accessible to both future residents and the wider community.
- 14.10.8** The incorporation of sustainable drainage features within these areas provides additional benefits, contributing to flood risk management and enhancing the environmental value of the site.
- 14.10.9** The scale of the site allows for the delivery of meaningful and usable open space, rather than incidental areas, and would contribute positively to the overall quality of the development.
- 14.10.10** The proposal demonstrates a clear and coherent green infrastructure framework and provision of on-site open space. Accordingly, the development is considered to accord with Core Policy 39 (Green and Blue Infrastructure), Core Policy 40 (Biodiversity and Nature Recovery), Core Policy 41 (Landscape Character) and Core Policy 67 (Open Space, Sport and Recreation) of the development plan.

14.11 I) Nature Conservation and BNG

14.11.1 Nature Conservation

- 14.11.2** The NPPF requires planning decisions to contribute to and enhance the natural environment, including by minimising impacts on biodiversity and providing net gains where possible. This is reflected in Core Policy 40

(Biodiversity and Nature Recovery) of the Uttlesford Local Plan 2021–2041.

- 14.11.3** The application is supported by ecological assessments which identify the site as comprising predominantly agricultural land, with ecological value primarily associated with boundary features such as hedgerows and vegetation.
- 14.11.4** The proposal has been designed to retain and enhance these features where possible. Existing hedgerows would be retained and reinforced, and additional planting would be introduced throughout the site as part of the wider landscape strategy. This would provide opportunities for habitat enhancement and connectivity.
- 14.11.5** Subject to appropriate mitigation and enhancement measures, secured by condition, it is considered that the development would not result in unacceptable harm to protected species or habitats.
- 14.11.6** BNG
- 14.11.7** The Environment Act 2021 requires development to deliver a minimum of 10% Biodiversity Net Gain (BNG), secured for a period of at least 30 years. The Uttlesford Local Plan goes further than this, with Core Policy 40 requiring a 20% net gain.
- 14.11.8** The submitted information indicates that the development is capable of delivering over 10% biodiversity net gain through a combination of on-site habitat creation, enhancement of existing features and integration of green infrastructure. The current metric demonstrates that the scheme does not yet achieve the Council's 20% requirement in respect of habitat units and therefore an uplift to 20% biodiversity net gain can be secured via a Section 106 obligation.
- 14.11.9** The development includes the provision of open space, structural planting and sustainable drainage features, provides a suitable framework for achieving measurable biodiversity improvements.
- 14.11.10** Full details of the BNG strategy, including baseline calculations, habitat creation and long-term management, would be secured through condition, in accordance with statutory requirements.
- 14.11.11** The proposal would retain and enhance existing ecological features and is capable of delivering biodiversity net gain in accordance with statutory requirements. Accordingly, subject to appropriate mitigation and management measures, the development is considered to accord with Core Policy 40 (Biodiversity and Nature Recovery) and the relevant provisions of the NPPF.

14.12 J) Climate Change

- 14.12.1** Addressing climate change is a central objective of the development plan. Core Policy 22 (Net Zero Operational Carbon Development) of the Uttlesford Local Plan 2021–2041 requires new development to minimise carbon emissions and incorporate measures to mitigate and adapt to climate change.
- 14.12.2** The application was submitted prior to the adoption of the Uttlesford Local Plan 2021–2041 and therefore does not fully address all of the requirements of the recently adopted policies, including those relating to climate change and energy (including Core Policies 22 (Net Zero Operational Carbon Development), 23 (Overheating), 24 (Embodied Carbon) and 34 (Water Supply)).
- 14.12.3** Notwithstanding this, the application is submitted in outline form and establishes a framework within which the development can be brought forward in accordance with these policy requirements. The parameter plans and supporting information demonstrate that there is no inherent constraint which would prevent the development from achieving compliance.
- 14.12.4** Full details relating to energy strategy and carbon reduction measures can be secured through planning conditions and addressed at the reserved matters stage. This includes the incorporation of low and zero carbon technologies, energy efficiency measures, and provision for active travel and sustainable modes of transport.
- 14.12.5** On this basis, it is considered that the proposal is capable of complying with the requirements of the adopted Local Plan, and the absence of detailed information at this stage does not weigh against the proposal.

14.13 K) Environmental Health

- 14.13.1** The Environmental Health Officer provided written advice of their findings and confirms matters regarding contamination, air quality, noise, lighting and construction impacts can be adequately dealt with by way of condition, ensuring that further assessment of the nature and extent of contamination and noise mitigation should be submitted to and approved in writing by the Local Planning Authority.
- 14.13.2** Therefore, the application is considered acceptable in terms of its land contamination risks and noise impacts and in accordance with Core Policies 42, 43 and 44.

14.14 L) Flooding

- 14.14.1** The NPPF seeks to direct development away from areas at highest risk of flooding and requires that development is safe for its lifetime without increasing flood risk elsewhere. This is reflected in Core Policy 36 (Flood

Risk) and Core Policy 37 (Sustainable Drainage Systems) of the Uttlesford Local Plan 2021–2041.

- 14.14.2** The application site is located within Flood Zone 1, which is defined as having a low probability of flooding. The site is therefore considered appropriate for residential development in flood risk terms.
- 14.14.3** The application is supported by a Flood Risk Assessment which confirms that the site is at low risk of flooding and that the proposed development would not increase flood risk on-site or elsewhere.
- 14.14.4** The development incorporates sustainable drainage measures, including the use of attenuation features integrated within the green infrastructure network. These measures are designed to manage surface water runoff and ensure that post-development runoff rates do not exceed existing greenfield rates, in accordance with policy requirements.
- 14.14.5** Essex County Council, as Lead Local Flood Authority, has been consulted and raises no objection to the development, subject to conditions securing the detailed design, implementation and maintenance of the drainage strategy.
- 14.14.6** The site is located within an area of low flood risk and the proposed development would not increase flood risk elsewhere. Appropriate sustainable drainage measures can be secured through condition. Accordingly, the proposal is considered to accord with Core Policy 36 (Flood Risk), Core Policy 37 (Sustainable Drainage Systems) and the relevant provisions of the NPPF.

14.16 M) Planning Obligations

- 14.16.1** Paragraph 57 of the NPPF sets out that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. This is in accordance with Regulation 122 of the Community Infrastructure Levy (CIL) Regulations. The following identifies those matter that the Council would seek to secure through a planning obligation, if it were proposing to grant planning permission.
- 14.16.2**
- Provision of % affordable housing and bespoke community homes
 - Public open space including LAP/LEAP/ETT/CO
 - Provision of 5% wheelchair accessible and adaptable dwellings (M4(3) – Building Regulations 2010.
 - Essex Coast RAMS
 - Early Years and Childcare
 - School Transport Contribution
 - Waste Infrastructure Contribution

- Public Library Contribution
- Bus Service Contribution
- Emergency Ambulance contribution
- NHS Contribution
- BNG Uplift
- Public Art Fund contribution
- Pay the Council's reasonable legal costs.
- Pay the monitoring fees (ECC and UDC)

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

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

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

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

15.2 Human Rights

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

16. PLANNING BALANCE

16.1 The application has been assessed against the development plan as a whole, alongside all other material considerations, including the NPPF.

16.2 The proposal accords with the spatial strategy of the Uttlesford Local Plan 2021–2041. The site is located adjacent to the existing built form of Felsted, a larger village identified for growth under Core Policy 3, and

would make a significant contribution towards the residual housing requirement identified under Core Policy 19.

- 16.3** The development would deliver up to 70 dwellings, including a policy-compliant level of affordable housing when assessed on an equivalent basis, alongside the provision of 6 community-led homes secured through the Felsted Community Land Trust. This represents a significant social benefit, contributing towards meeting identified housing needs and supporting the creation of a mixed and inclusive community.
- 16.4** Further benefits arise from the delivery of new public open space, green infrastructure and recreational provision, which would support the health and wellbeing of both future and existing residents. The development would also generate economic benefits through construction activity and ongoing local expenditure.
- 16.5** In environmental terms, the proposal incorporates structural planting, sustainable drainage infrastructure and biodiversity enhancements. The development is capable of delivering biodiversity net gain and would integrate appropriately with the surrounding landscape, with impacts limited and localised.
- 16.6** The harms arising from the proposal are limited. The development would result in the loss of a parcel of agricultural land and a change to the character of the site; however, this impact is localised and largely mitigated through the proposed layout and landscaping.
- 16.7** In heritage terms, the proposal would result in a low level of less than substantial harm to the significance of the Felsted Conservation Area and the setting of Little Garnetts and Nunty. This harm is at the lower end of the spectrum and attracts moderate weight. In accordance with paragraph 215 of the NPPF, this harm must be weighed against the public benefits of the proposal.
- 16.8** The Council's current position in respect of housing land supply is that it cannot demonstrate a full five-year supply when applying the required buffer. This attracts some weight in favour of the proposal. However, this is tempered by the marginal nature of the shortfall and the likelihood that an updated position may demonstrate a full supply.
- 16.9** Other technical matters, including highways, residential amenity, drainage, ecology and environmental health, have been assessed and found to be acceptable, subject to conditions and planning obligations. These matters do not weigh against the proposal.
- 16.10** Having regard to paragraph 11(d) of the NPPF, and for the reasons set out above, it is considered that the adverse impacts of granting permission would not significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies of the NPPF taken as a whole.

16.11 The proposal therefore represents sustainable development and accords with the development plan when read as a whole. Accordingly, the application is recommended for approval, subject to conditions and an agreed S106.

17. S106 / CONDITIONS

17.1 S106 HEADS OF TERMS

- Provision of % affordable housing and bespoke community homes
- Public open space including LAP/LEAP/ETT/CO
- Provision of 5% wheelchair accessible and adaptable dwellings (M4(3) – Building Regulations 2010.
- Essex Coast RAMS
- Early Years and Childcare
- School Transport Contribution
- Waste Infrastructure Contribution
- Public Library Contribution
- Bus Service Contribution
- Emergency Ambulance contribution
- NHS Contribution
- BNG uplift
- Public Art Fund contribution
- Pay the Council's reasonable legal costs.
- Pay the monitoring fees (ECC and UDC)

17.2 CONDITIONS

1 Approval of the details of layout, access, scale, landscaping and appearance (hereafter called "the Reserved Matters") must be obtained from the Local Planning Authority in writing before development commences and the development must be carried out as approved.

REASON: In accordance with Article 5 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2 Application for approval of the Reserved Matters must be made to the Local Planning Authority not later than the expiration of three years from the date of this permission.

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

- 3** The development hereby permitted must be begun no later than the expiration of two years from the date of approval of the last of the Reserved Matters to be approved.

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

- 4** The development hereby permitted shall be carried out in general accordance with the approved parameter plans:

SP008-OP3-PP-01 A – Land Uses
SP008-OP3-PP-03 A – Scale
SP008-OP3-PP-02 A – Access and Movement
SP008-OP3-PP-04 A – Green Infrastructure

unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that the development is carried out in accordance with the approved parameters and to secure an appropriate form of development having regard to the site context, in accordance with Core Policy 52 (Good Design Outcomes and Process), Core Policy 41 (Landscape Character) and the relevant provisions of the Uttlesford Local Plan 2021–2041 and the NPPF.

- 5** Construction Management Plan: no development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority, in consultation with the local highway authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:
- a. construction vehicle access,
 - b. the parking of vehicles of site operatives and visitors,
 - c. loading and unloading of plant and materials,
 - d. storage of plant and materials used in constructing the development,
 - e. wheel and underbody washing facilities,
 - f. routing strategy for construction vehicles,
 - g. protection of public rights of way within or adjacent to the site,
 - h. consideration of the proximity of the site to the school, its pick-up and drop-off times and term dates,
 - i. before and after condition survey to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer's expense where caused by developer.

REASON: in the interests of highway safety and efficiency in accordance with policies DM1 and DM20 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance. In accordance with Core policies 26, 27 and 28 of the Uttlesford Local Plan (2021-2041), and the NPPF.

- 6 Vehicular access: prior to occupation of the development, the provision of an access formed at right angles to Stebbing Road, as shown in principle on drawing no. JTP-993-DR1 Rev C (Proposed Access and Visibility) to include but not limited to: minimum 5.5 metre carriageway width with appropriate radii to accommodate the swept path of vehicles regularly using the site access; 2 x 2 metre wide footways; clear to ground visibility splays with dimensions of 2.4 metres by 70 metres to the east and 2.4 metres by 94 metres to the west, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: to ensure that vehicles can enter and leave the highway in a controlled manner in forward gear with 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 as adopted as County Council Supplementary Guidance. In accordance with Core policies 26, 27 and 28 of the Uttlesford Local Plan (2021-2041), and the NPPF.

- 7 Highway works: prior to occupation of the development, the following highway works, as shown indicatively on drawing nos. JTP-993-DR2 Rev C (Junction and Pedestrian Improvements), JTP-993-DR3 Rev C (Transport and Infrastructure Proposals), JTP-993-DR4 Rev C (Junction Detail) and JTP-993-DR3 (Proposed Passing Bay) and JTP-993-DR4 (Proposed Passing Bay) (note: duplicate drawing numbers – the latter two plans are contained within Appendix C of the Route Appraisal Report RA 993) to be provided entirely at the developer's expense:
- a) Widening of Stebbing Road to 5.5m from the junction to the proposed site access
 - b) Widening of the carriageway on the bend of Garnetts Lane/Stebbing Road
 - c) Footway (minimum width 2m) to be provided along the northern carriageway edge from the proposed site access eastwards to the water tower access
 - d) Footway (minimum width 2m) to be provided along the southern carriageway edge of Garnetts Lane from the junction with Stebbing Road to a point approximately opposite number 1 Garnetts Lane
 - e) Footway (minimum width 2m) to be provided along the eastern carriageway edge of Stebbing Road to tie-in to existing provision south of Stebbing Road
 - f) Dropped-kerb pedestrian crossing point where Stebbing Road becomes Garnetts Lane, close to the access of the water tower, with adequate visibility splays
 - g) Dropped-kerb pedestrian crossing point on Garnetts Lane approximately outside number 1 Garnetts Lane to tie into existing provision
 - h) Dropped-kerb pedestrian crossing points at Players Court and at each of the car park accesses along Stebbing Road

- i) 2no. proposed passing bays on Stebbing Road to provide 5.5m width for vehicles to pass.

REASON: to make adequate provision within the highway for vehicular and pedestrian access in the interests of highway safety, reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM1 and DM9 of the Highway Authority's Development Management Policies. In accordance with Core policies 26, 27 and 28 of the Uttlesford Local Plan (2021-2041), and the NPPF.

- 7 Public Rights of Way: the public's rights and ease of passage over public footpaths 10 and footpath 13 (Felsted 15) shall be maintained free and unobstructed at all times. All new planting to be set-back 3m from the definitive route of each of the public footpaths.

REASON: to ensure the continued safe passage of the public on the definitive right of way and accessibility in accordance with policies DM1 and DM11 of the Development Management Policies as adopted as County Council Supplementary Guidance.

- 8 Travel packs: prior to occupation of the 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 Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance. In accordance with Core policies 26, 27 and 28 of the Uttlesford Local Plan (2021-2041), and the NPPF.

- 9 No works except demolition shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:

- j) Limiting discharge rates to 1:1 Greenfield runoff rates for all storm events up to and including the 1 in 100 year rate plus 45% allowance for climate change.
- k) Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 45% climate change event.
- l) Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 45% climate change critical storm event.

- m) Demonstrate that features are able to accommodate a 1 in 10 year storm events within 24 hours of a 1 in 30 year event plus climate change(if half drain times are more than 24hrs)
- n) Final modelling and calculations for all areas of the drainage system.
- o) The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- p) Detailed engineering drawings of each component of the drainage scheme.
- q) A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- r) A written report summarising the final strategy and highlighting any minor changes to the approved strategy.
- s) The scheme shall subsequently be implemented prior to occupation. It should be noted that all outline applications are subject to the most up to date design criteria held by the LLFA.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site. To ensure the effective operation of SuDS features over the lifetime of the development. To provide mitigation of any environmental harm which may be caused to the local water environment. Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site. In accordance with Core policies 36 and 37 of the Uttlesford Local Plan (2021-2041), and the NPPF.

10

No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

REASON: The National Planning Policy Framework paragraph 163 and paragraph 170 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution. Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed. In accordance with

Core policies 36 and 37 of the Uttlesford Local Plan (2021-2041), and the NPPF.

- 11** Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site. In accordance with Core policies 36 and 37 of the Uttlesford Local Plan (2021-2041), and the NPPF.

- 12** The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk. In accordance with Core policies 36 and 37 of the Uttlesford Local Plan (2021-2041), and the NPPF.

- 13** 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: To ensure that any unexpected contamination encountered during development is appropriately identified and remediated, in the interests of human health and the environment, in accordance with Core Policy 42 (Pollution and Contamination) of the Uttlesford Local Plan 2021–2041 and the NPPF.

- 14** All plant, machinery and equipment installed or operated in connection with the implementation of this permission shall be so enclosed and/or attenuated that noise emanating therefrom does not at any time increase the ambient noise level as measured according to the current BS4142 at any adjoining or residential property.

REASON: To ensure that noise from plant, machinery and equipment does not result in unacceptable harm to the amenity of nearby residential occupiers, in accordance with Core Policy 52 (Good Design Outcomes and Process) and Core Policy 42 (Pollution and Contamination) of the Uttlesford Local Plan 2021–2041 and the NPPF.

- 15** 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 ensure that construction impacts, including noise and dust, are appropriately controlled so as to safeguard the amenity of nearby residents and the surrounding environment, in accordance with Core Policy 52 (Good Design Outcomes and Process) and Core Policy 42 (Pollution and Contamination) of the Uttlesford Local Plan 2021–2041 and the NPPF.

- 16** 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 ensure that external lighting is appropriately designed and controlled so as to protect the character of the area, the rural setting of the site and the amenity of nearby occupiers, and to minimise impacts on biodiversity, in accordance with Core Policy 52 (Good Design Outcomes and Process), Core Policy 41 (Landscape Character) and Core Policy 40 (Biodiversity and Nature Recovery) of the Uttlesford Local Plan 2021–2041 and the NPPF.

- 17** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Crossland Ecology, July 2025) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination. This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

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).

- 18** Concurrent with reserved matters prior to commencement 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 e.g. Great crested newt).
 - 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). In accordance with Core policies 38, 39 and 40 of the Uttlesford Local Plan (2021-2041), and the NPPF.

- 19** Concurrent with reserved matters 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 (Crossland Ecology, 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
 - b) measures;
 - c) detailed designs or product descriptions to achieve stated objectives;
 - d) locations of proposed enhancement measures by appropriate maps and plans (where relevant);
 - e) persons responsible for implementing the enhancement measures; and
 - f) 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). In accordance with Core policies 38, 39 and 40 of the Uttlesford Local Plan (2021-2041), and the NPPF.

- 20** Concurrent with reserved matters prior to occupation a “lighting design strategy for biodiversity” in accordance with Guidance Note 08/23 (Institute of Lighting Professionals) shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
 - b) show how and where external lighting will be installed (through provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To 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). In accordance with Core policies 38, 39 and 40 of the Uttlesford Local Plan (2021-2041), and the NPPF.

- 21** Prior to commencement 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, 2, 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. In accordance with Core policies 38, 39 and 40 of the Uttlesford Local Plan (2021-2041), and the NPPF.

22

Prior to development above slab level a Crime Prevention Statement shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Essex Police Designing Out Crime Officers. The Statement shall demonstrate how the principles and specifications of Secured by Design (SBD), as set out in the most recent Secured by Design Commercial guide, will be incorporated into the development to reduce the risk of crime and anti-social behaviour. Thereafter the development shall be carried out in accordance with the approved details, and all security measures shall be installed prior to first occupation and thereafter retained and maintained for the lifetime of the development.

REASON: To ensure that the development incorporates crime prevention measures to reduce opportunities for crime and anti-social behaviour, in accordance with the principles of CPTED (Crime Prevention Through Environmental Design), the guidance set out in Secured by Design, and in the interests of community safety, in

accordance with Core policy 52 of the Uttlesford Local Plan (2021-2041), and the NPPF.) and the NPPF.

23 The Reserved Matters application must be accompanied by an Energy Strategy demonstrating how the development will achieve net zero operational carbon in accordance with Core Policy 22 of the Uttlesford Local Plan 2021–2041. The Energy Strategy shall include (but not be limited to):

- A fabric-first approach to minimising energy demand;
- Details of energy efficiency measures;
- The incorporation of on-site renewable and/or low carbon energy generation;
- A calculation of regulated and unregulated energy use and associated carbon emissions;
- Measures to minimise carbon emissions over the lifetime of the development.

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

REASON: To ensure that the development achieves net zero operational carbon and complies with Core Policy 22 (Net Zero Operational Carbon Development) of the Uttlesford Local Plan 2021–2041 and the climate change objectives of the NPPF.

24 The Reserved Matters application must be accompanied by details of the proposed energy infrastructure to serve the development, including the location and specification of any on-site renewable or low carbon energy systems, and provision for future connection to district heating or communal energy networks where feasible.

The submitted details shall demonstrate how the development facilitates the efficient generation, distribution and use of energy and supports future decarbonisation.

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

REASON: To ensure that appropriate energy infrastructure is provided and that the development supports the transition to low carbon energy systems, in accordance with Core Policy 23 (Energy Infrastructure) of the Uttlesford Local Plan 2021–2041 and the NPPF.

25 The Reserved Matters application must be accompanied by details demonstrating how the design of the development incorporates climate change mitigation and adaptation measures, including (but not limited to):

- Passive design measures such as building orientation, shading and natural ventilation;
- Measures to reduce overheating risk;
- Integration of green infrastructure, including tree planting and shading;
- Water efficiency measures and climate-resilient materials.

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

REASON: To ensure that the development is resilient to the impacts of climate change and incorporates appropriate mitigation and adaptation measures, in accordance with Core Policy 24 (Climate Change Adaptation) of the Uttlesford Local Plan 2021–2041 and the NPPF.

26

The Reserved Matters application must be accompanied by details demonstrating how the design of the development incorporates measures to ensure the efficient use of water and the protection of water resources have been submitted to and approved in writing by the Local Planning Authority. The details shall include:

- a) measures to minimise potable water consumption, including the incorporation of water efficiency standards;
- b) details of water saving technologies and fittings to be installed within the development;
- c) measures to reduce water demand and promote water reuse, where feasible;
- d) details of how the development will protect groundwater and surface water quality during construction and operation; and
- e) confirmation that the development will achieve a water consumption rate of no more than 90 litres per person per day

The development shall be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure the efficient use of water resources and to protect the water environment in accordance with Policy CP34 of the Uttlesford Local Plan (2021–2041).

INFORMATIVES

Anglian Water: Anglian Water has assets close to or crossing this site or there are assets subject to an adoption agreement. Therefore the site

layout should take this into account and accommodate those assets within either prospectively adoptable highways or public open space. If this is not practicable then the sewers will need to be diverted at the developers cost under Section 185 of the Water Industry Act 1991. or, in the case of apparatus under an adoption agreement, liaise with the owners of the apparatus. It should be noted that the diversion works should normally be completed before development can commence.

1. INFORMATIVE - Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087 Option 2.

2. INFORMATIVE - Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.

3. INFORMATIVE - Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087 Option 2.

4. INFORMATIVE: The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 Option 2 at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

Highways:

i) All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

(ii) 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 applicant should be advised to contact the Development Management Team by email at development.management@essexhighways.org

(iii) 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. The Highway Authority cannot accept any liability for costs associated with a developer's improvement. This includes design checks, safety audits, site supervision, commuted sums for maintenance and any potential claims under 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.

(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 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

(vii) The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpaths 10 and 13 (Felsted 15) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

APPENDIX 1 – Parish Council Full Response

Water Tower Site

UTT/25/1929/OP - Land North of Garnetts Lane and Stebbing Road Felsted

Outline planning application for erection of up to 70 no. dwellings served by vehicular and pedestrian access

This application relates to a site which is the subject of active consideration by the Felsted Neighbourhood Plan Review Group (FNPRG) and referred to as the "Water Tower" site. Therefore, because the FNPRG has engaged extensively with Felsted Parish Council and the Felsted community over the past two years regarding this site, in the interests of both openness and completeness, the response to this planning application includes a contribution from the FNPRG.

At the outset, it is important to say that had Felsted not received an indicated allocation of 104 new homes from UDC in their Emerging Local Plan (ELP), currently submitted under Regulation 19, the Parish Council would not have considered supporting this or any similar planning application as our community considers that Felsted Parish has already been subject to a disproportionate degree of development and the unique and diverse character of our 14 greens and village centre is threatened.

Indeed, this disproportionate degree of development was evidenced when during preparation of the new UDC Local Plan, Felsted was classified as one of only eight "Larger villages" within the District and was initially allocated a housing requirement of a further 320 units. An allowance was then made for the 216 dwellings that had been built between the time of that initial determination and the 1st April 2024, when the final "emerging Local Plan" was established. This reduced Felsted's requirement from 320 to a residual allocation of 104 units.

As the above figures demonstrate, Felsted has seen significant growth in recent years and therefore without the ELP allocation, the parish would have opposed any further major developments.

However, following the indicated allocation and faced with the choice between allowing developers to choose their preferred sites for us or to allocate sites, the FNPRG concluded that it was in the best interests of the parish as, a whole, to allocate sites for the development of the circa 104 new homes.

The FNPRG conducted a detailed site assessment of the 22 sites submitted by landowners and included in the 2023 Housing and Economic Land Availability Assessment (HELAA) process and concluded that the sites submitted provided adequate choice for allocations. In March 2024, following an initial assessment by the FNPRG of suitability, 12 of the 22 sites were subject of a public consultation event in the Felsted Memorial Hall and whilst the consultation was poorly attended, the Water Tower site received some public support, in particular from residents who considered that the eastern side of the parish had received more than its share of development (of the 216 dwellings referred to above, around 50% were located in Watch House Green, virtually doubling the size of that settlement).

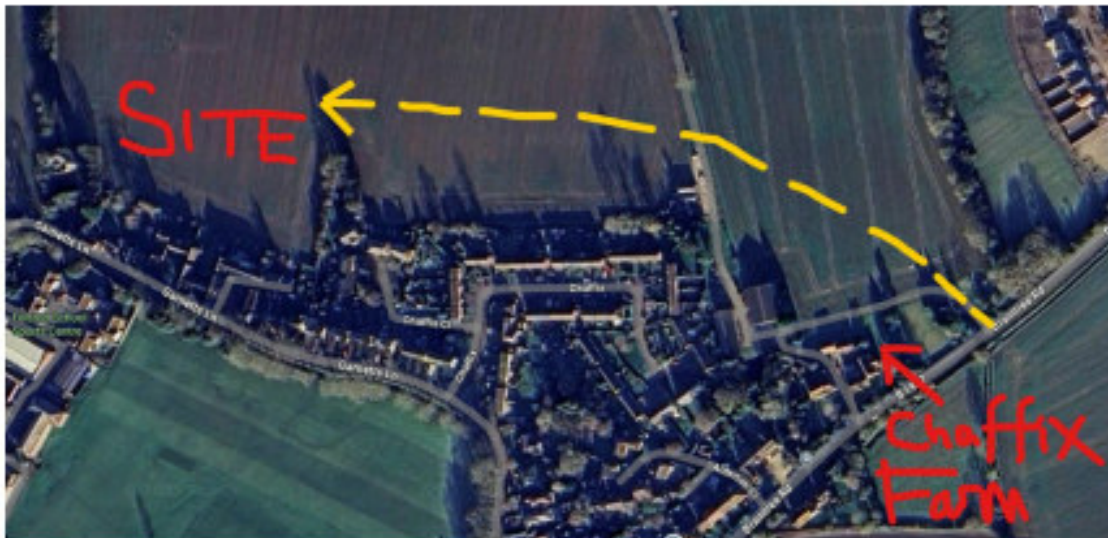
Following the initial consultation, the FNPRG entered discussions with landowners of three sites, including the Water Tower site, which together the FNPRG considered could meet the allocation requirements. After a dialogue with UDC, one of the three sites was ruled out as being unacceptable and on the recommendation of UDC the intended allocation for that site was transferred to the Water Tower site, increasing an initial proposed allocation to around 70 homes.

Subsequently, following further public consultation, further discussions have continued with two sets of landowners' agents with the aim of delivering circa 87 homes (since reduced from 104 by windfalls) and community gain through the Neighbourhood Plan process.

Public concerns in relation to the Water Tower site centred on over-development, access and the feared damage to heritage caused by significantly increased traffic, particularly during the construction phase (circa 2+ years) and with final occupation.

The FNPRG's discussions with the agent for the site subject to this application centred on the site access. While the completed site would unavoidably add unwelcome additional traffic congestion in the village centre, the FNPRG's focus was primarily on the harmful impact of heavy construction traffic, which has also raised serious concerns with local residents.

At their own consultation event, the agent for the Water Tower site had raised the possibility of a "Temporary Haul Route", providing access to the site from Braintree Road across farmland (also owned by the same landowner), as a mitigation of the impact of the development on the historic village centre and Garnett's Lane and Stebbing Road.



Indicative possible "Temporary Haul Route" – NOTE: Drawing recently supplied by the Applicant

It is disappointing that this "temporary haul route" has not materialised in the application. Felsted Parish Council considers this addition essential due to concerns about Garnetts Lane's suitability for heavy construction vehicles. We understand that a separate planning application is needed and would support it.

We understand that as the "Statutory Consultee" on highways matters that ECC Highways are the final arbiter on access and road suitability but from a "local knowledge" perspective we feel strongly that Garnetts Lane, with its unrestricted "on road" parking, lack of overtaking opportunities and high density of residential dwellings is an inappropriate access route for heavy commercial vehicles when an alternative could be provided.

Assessing the impact on the character and appearance of the rural area, the Felsted Conservation Area and nearby heritage assets is a careful balancing exercise; weighing any potential identified

harm against the public benefits, the positive reasons for development and the need for the Parish to meet the UDC indicated housing allocation for Felsted.

This approach is ingrained in planning policy that seeks to manage change within historic environments while acknowledging the need for some development, specifically taking account of NPPF paragraph 215 that states "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including where appropriate, securing its optimum viable use".

It is noted that in the "UDC - Built Heritage and Conservation Advice Note" response, the Principal Conservation Officer concludes that "the proposed development would result in a low level of less than substantial harm to the significance of the Felsted Conservation Area and to Little Garnetts /Nunty". The conclusion that "development proposal will lead to less than substantial harm to the significance of a designated heritage asset" acknowledges, in line with NPPF paragraph 215, that whilst there will be some negative impact on the immediate area that the effect is minor and therefore does not fundamentally erode the significant elements that contribute to the Conservation Area and the setting of nearby heritage assets.

It is noted that whilst the submitted "traffic management plan" includes a well-intentioned proposal restricting the use of Stebbing Road which runs through Felsted School, it incorrectly presumes that during "holiday periods" the school is unoccupied and suggests the use of Stebbing Road during school holiday periods. However, as stated by The Felsted School Director of Operational Services in his 26th August submission the assumption that the school is not occupied during "holiday periods" is very much misguided as Felsted School is a boarding school and during "holiday periods", operates an active Summer School which can have up to 400 people per week (320 pupils and 80 staff) for several weeks. In addition, during "holiday periods" the school runs numerous other activities such as hosting rugby clubs, hockey clubs, cricket matches and many other activities.

In order only to meet our housing requirement, Felsted Parish Council gives qualified support to this application. The evolving Neighbourhood Plan Review is likely to put this site forward as the preferred location site for the majority of our housing allocation, however, the proposed access will directly impact the traffic through an already critically congested village and we therefore urge UDC to explore with the applicant the inclusion of their previously implied "temporary haul route".

If the application is approved, it should include an enforceable condition prohibiting the use of Stebbing Road by construction related traffic at all times.