

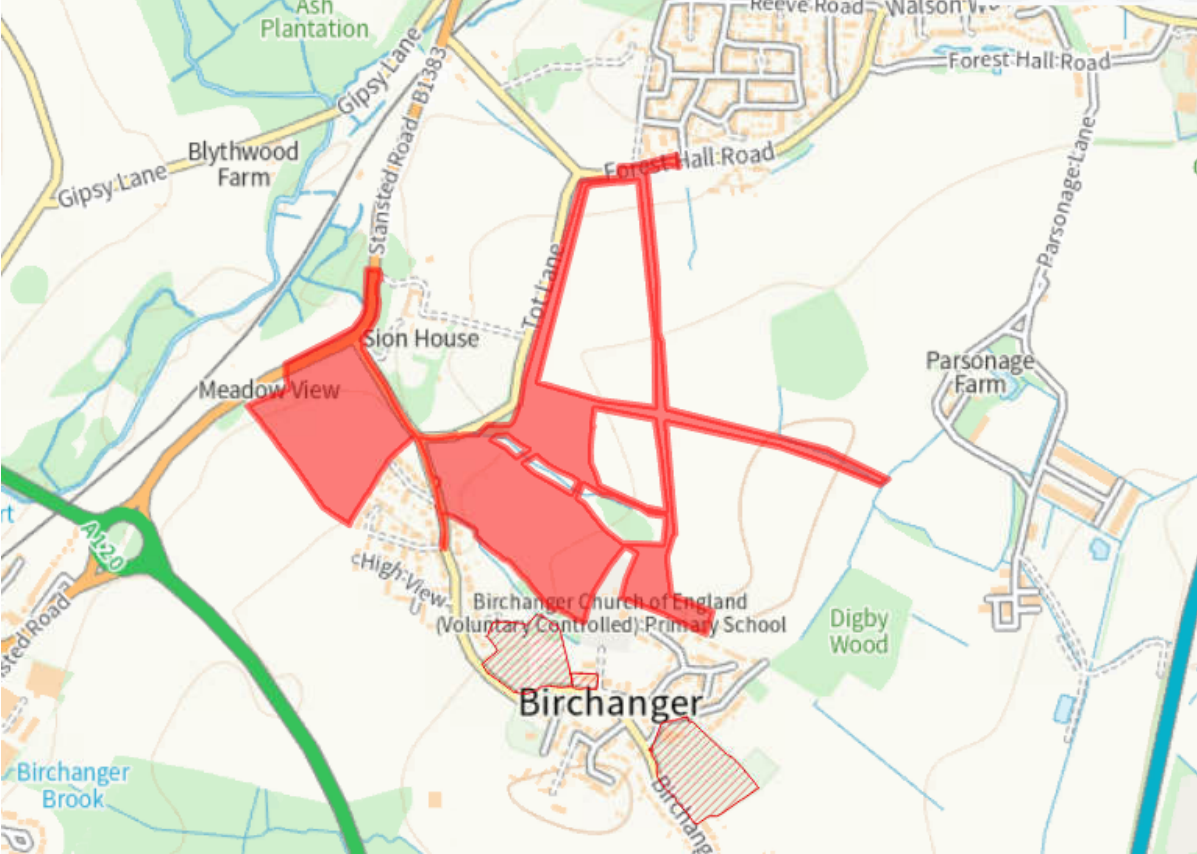
ITEM NUMBER: 5

PLANNING COMMITTEE DATE: 10 June 2026

REFERENCE NUMBER: UTT/25/3011/OP

LOCATION: Land West of Birchanger Lane, Birchanger

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: June 2026

PROPOSAL: Outline application for up to 180 dwellings and access, landscaping and associated infrastructure. All matters reserved except access

APPLICANT: City & Country Stansted Ltd

AGENT: Lucid Planning Ltd

EXPIRY DATE: 4 September 2025

EOT Expiry Date: 15 June 2026

CASE OFFICER: Chris Tyler

NOTATION: Metropolitan Green Belt

REASON THIS APPLICATION IS ON THE AGENDA: Major Planning Application.

1. EXECUTIVE SUMMARY

- 1.1** This report considers an outline application for up to 180 dwellings on land at Birchanger, with all matters reserved except access. The site lies within the Metropolitan Green Belt; however, the submitted evidence demonstrates that it can be regarded as Grey Belt land. The proposal is therefore assessed against paragraph 155 of the National Planning Policy Framework and the associated “Golden Rules” for major housing development.
- 1.2** The development would result in harm to openness and landscape character, together with a limited degree of less than substantial harm to the setting of nearby heritage assets. These impacts are acknowledged and weigh against the proposal. However, the harm is localised and has been reduced through a landscape-led design approach and embedded mitigation secured through conditions and the parameter plans.
- 1.3** Set against this, the scheme delivers a substantial package of public benefits. These include the delivery of up to 180 new homes in a sustainable and accessible location, 50% affordable housing which significantly exceeds local policy requirements, and a meaningful

contribution to housing supply at a time when the Council cannot demonstrate a full five-year supply. The proposal also provides extensive green infrastructure and accessible open space, significant biodiversity net gain, and a range of infrastructure contributions secured through a Section 106 Agreement.

1.4 The proposal complies with the NPPF's 'Golden Rules' for Grey Belt development, which national policy indicates should be given significant weight in decision-making. The application is also supported by a sustainable transport and active travel strategy, with the Transport Assessment demonstrating that safe and suitable access can be achieved and that, subject to mitigation, the proposal would not result in severe highway impacts. Environmental effects have been assessed through the Environmental Statement, which concludes that no unacceptable impacts arise that would justify refusal.

1.5 The proposal is supported by a comprehensive sustainable transport strategy, prioritising walking, cycling and public transport. The development incorporates a network of pedestrian and cycle routes connecting to the wider Public Rights of Way network, nearby services and bus stops, alongside measures to encourage active travel, including a Travel Plan and supporting initiatives such as e-bike promotion. The Transport Assessment demonstrates that safe and suitable access can be achieved and that, subject to mitigation, the development would not result in severe residual impacts on the highway network.

1.6 Having regard to the Development Plan as a whole, the National Planning Policy Framework, and all other material considerations, it is concluded that the benefits of the proposal clearly outweigh the identified harm. Planning permission is therefore recommended, subject to conditions and the completion of a Section 106 Agreement.

2. RECOMMENDATION

2.1

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 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 two parcels of agricultural land (referred to by the applicant as 'Sites A and B') located on either side of Birchanger Lane. Both parcels are currently in arable use and are characterised by gently undulating topography typical of the Stort River Valley landscape.
- 3.2** **Site A**, located to the south of Birchanger Lane, is an open field that adjoins the rear boundaries of existing residential properties on High Close, Bradley Common and High View. The land falls away gently towards Stansted Road and affords broader views across the Stort Valley. Existing mature hedgerows and tree belts provide a degree of containment along the site boundaries. A public right of way (Birchanger Footpath 10) runs along the southern edge of this parcel, linking Birchanger Lane to the wider countryside and nearby rights of way network.
- 3.3** **Site B**, located to the north of Birchanger Lane, is a longer and narrower field that rises gently away from the road towards the north-east. This parcel is more visually contained by mature boundary vegetation, including tree belts and areas of woodland linked to Totgrove Spring. The site adjoins the playing fields of Birchanger Church of England Primary School at its eastern edge and is connected to nearby allotments and recreational areas. Public rights of way (including Birchanger Footpaths 8 and 13) cross or run adjacent to this parcel, providing pedestrian connections to Tot Lane, the surrounding countryside and the wider village.
- 3.4** Across both parcels, the site is not subject to any statutory landscape designations. The internal areas of the fields are of limited ecological value due to their intensive agricultural use; however, the existing hedgerows, mature trees and watercourses along the site boundaries form important landscape and ecological features. These boundaries contribute to the rural character of the village edge and provide visual screening in longer views.
- 3.5** Overall, the site presents an edge-of-settlement relationship, with strong physical connections to Birchanger and a backdrop of open countryside to the north, while being influenced by nearby major transport infrastructure and the presence of Stansted Airport.

4. PROPOSAL

- 4.1** The application seeks outline planning permission for up to 180 dwellings on land north of Birchanger, with all matters reserved except access. The development would be delivered across two parcels of land, referred to as Site A (south of Birchanger Lane) and Site B (north of Birchanger Lane).



Plan 1- The plan shows the application site and its surroundings, including Sites A and B on either side of Birchanger Lane, the red line boundary, and the wider landholding.

- 4.2** The proposal includes the provision of associated infrastructure, including internal roads, pedestrian and cycle routes, public open space, landscaping, sustainable drainage features and ecological enhancements. The development would provide 50% affordable housing, with the detailed dwelling mix, tenure split, layout, scale, appearance and landscaping to be determined at the reserved matters stage.
- 4.3** The application does not seek to control a fixed number of dwellings within each parcel. However, the submitted illustrative masterplan indicates an indicative distribution of development across the site, comprising approximately 100 dwellings within Site A and 80 dwellings within Site B. This split is illustrative only and is intended to demonstrate how the overall quantum of development could be accommodated. The final number of dwellings within each parcel would be established through subsequent reserved matters applications.
- 4.4** Vehicular access to the development would be taken from Birchanger Lane, with separate access points serving Site A and Site B. The access arrangements are supported by a package of highway,

pedestrian and cycle improvements intended to enhance connectivity within Birchanger and between Birchanger, Stansted Mountfitchet and the wider area.

- 4.5** The submitted parameter plans define the maximum development quantum, broad land use distribution, access and movement principles and building height ranges. Illustrative material accompanying the application demonstrates a landscape-led approach, with development contained within the site, substantial retention and enhancement of existing hedgerows, tree belts and public rights of way, and the integration of green infrastructure throughout the scheme.

5. ENVIRONMENTAL IMPACT ASSESSMENT

- 5.1** The application is accompanied by an Environmental Statement (ES), prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The proposed development falls within Schedule 2, Part 10(b) of the Regulations, as an urban development project exceeding 150 dwellings, and has therefore been subject to Environmental Impact Assessment.

- 5.2** The ES assesses the likely significant environmental effects of the proposed development, applying a 'worst-case' approach based on the maximum parameters sought at outline stage. The assessment covers both the construction and operational phases of the development and has been informed by topic-specific surveys, technical assessments and consultation with the Local Planning Authority and statutory consultees.

- 5.3** The following topic areas were scoped into the EIA:

- Landscape and Visual Impact
- Transport
- Socio-Economics
- Ecology
- Noise
- Air Quality
- Climate Change
- Water and Drainage
- Public Health

Where necessary, mitigation has either been embedded within the design or is capable of being secured through planning conditions and legal obligations.

6. RELEVANT SITE HISTORY

No relevant planning history for this site.

7. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION

7.1 Community Consultation

The applicant undertook an extensive programme of pre-application engagement in accordance with the National Planning Policy Framework and Uttlesford District Council's Statement of Community Involvement. Consultation was carried out in two stages between November–December 2024 and September–October 2025 and was coordinated alongside discussions with Council officers and elected Members.

7.2 Engagement included meetings with ward Members and Parish Councils, stakeholder briefings, two public consultation events, distribution of community newsletters to over 3,600 addresses, a dedicated project website (with over 5,000 visits), social media advertising, local media engagement, a Freephone number, email address, and an interactive online map. In total, more than 1,200 responses were received across both consultation periods.

7.3 Feedback raised a number of recurring concerns, including:

- traffic and highway capacity, particularly along Birchanger Lane and the B1383;
- pressure on existing infrastructure and services, including schools and healthcare;
- effects on landscape character, Green Belt designation and biodiversity; and
- the risk of coalescence and loss of village identity

7.4 The applicant states that the proposals were revised in response to consultation feedback, including a significant reduction in the scale of development, removal of several land parcels, changes to access arrangements (including the proposed closure of Tot Lane to motor vehicles), and a stronger emphasis on a landscape-led approach, biodiversity enhancement and retention of separation between settlements. These changes were presented and consulted upon during the second round of engagement.

7.5 A Statement of Community Involvement has been submitted with the application, setting out the consultation undertaken, the feedback received and how this has informed the evolution of the scheme. Notwithstanding the extensive consultation programme, it is noted that a significant proportion of responses objected to the principle of development, with ongoing concerns remaining in relation to infrastructure capacity, traffic impacts and Green Belt considerations

7.6 Pre-Application Engagement and Design Review

- 7.7 The proposals have been informed by an extensive programme of pre-application engagement, including engagement undertaken through a Planning Performance Agreement (PPA) with Uttlesford District Council. This provided a structured framework for early and ongoing dialogue with officers, enabling strategic matters relating to Green Belt policy, access, design, landscape, heritage and infrastructure to be explored and to shape the evolution of the scheme prior to submission.
- 7.8 Given the Council was designated for major applications under Section 62A of the Town and Country Planning Act 1990 at the time, formal pre-application advice was also sought from the Planning Inspectorate. The Inspector concluded that the relevant sites fall to be considered as Grey Belt under the December 2024 NPPF, confirmed that the Council is unable to demonstrate a five-year housing land supply, and advised that Sites A and B (along with others not subject to this application) have the potential to meet the requirements of paragraphs 155 and 156 of the Framework and therefore constitute 'not inappropriate' development in the Green Belt, subject to matters of detailed design, mitigation and accessibility.
- 7.9 The proposals were also reviewed by the Uttlesford Quality Review Panel (UQRP) at a session held on 11 September 2025. The Panel welcomed the overall ambition of the scheme, its landscape-led approach and the intention to secure quality through Design Codes. The Panel's recommendations focused on strengthening the sustainability narrative, improving connectivity and permeability (particularly between Sites A and B and to the wider PRoW network), refining the movement and parking strategy, and ensuring that heritage and landscape considerations are positively reflected in the evolving design. The Panel confirmed that these matters could be addressed through further design development and ongoing engagement.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority – No Objection.

- 8.1.1 The Highway Authority raises no objection in principle, subject to conditions and obligations. It confirms that safe and suitable access can be achieved, junctions would operate within capacity, and the residual impacts on the highway network would not be severe. The scheme is supported by a package of mitigation, including highway improvements, enhanced pedestrian and cycle connectivity, public transport contributions, and a Travel Plan, ensuring compliance with national and local transport policy.

8.2 Local Flood Authority – No Objection.

8.2.1 Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission (Subject to conditions).

8.3 London Stansted Airport- No Objection

8.3.1 The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict with aerodrome Safeguarding criteria.

8.4 National Highways- No Objection.

8.4.1 National Highways has reviewed the proposal and raises no objection, subject to conditions. It is satisfied that, based on the submitted Transport Assessment and subsequent technical note, the development would not result in a severe impact on the Strategic Road Network, including the M11 Junction 8 and the A120, even when assessed cumulatively with related proposals. National Highways recommends a pre-commencement condition requiring an updated Construction Traffic Management Plan to ensure the safe and efficient operation of the SRN during construction.

8.5 Active Travel England- No Objection.

8.5.1 Active Travel England (ATE) has reviewed the proposal and issued standing advice, raising no objection to the development. ATE advises that the Local Planning Authority should have regard to its published guidance on delivering safe, attractive and inclusive walking and cycling routes as part of the assessment of the application

8.6 Natural England- No Objection

8.6.1 Natural England raises no objection subject to mitigation, advising that the proposal lies within the 11.1km Zone of Influence of Hatfield Forest SSSI/NNR and would otherwise risk harm from increased recreational pressure; to make the development acceptable, they require mitigation to be secured by condition or legal obligation, comprising a financial contribution of £1,333.60 per dwelling towards Strategic Access Management and Monitoring (SAMM), the provision of high-quality on-site Accessible Natural Greenspace (ANG), and a signposted circular dog-walking route of approximately 2.3–2.5km, and advise that permission should not be granted until these measures are secured, in line with the LPA's duties under the Wildlife and Countryside Act 1981 and the NPPF (2024).

8.7 Historic England- No objections

8.7.1 Historic England has reviewed the further information submitted in respect of the application and confirms that it does not wish to offer any comments. Historic England advises that there is no need for further

consultation, unless there are material changes to the proposals, and suggests that the Local Planning Authority may rely on its own conservation and archaeological specialists as appropriate.

8.8 Hertfordshire Highways

8.8.1 Hertfordshire County Council, as the adjoining highway authority, notes that although Essex County Council is the statutory Highway Authority, the site's proximity to Bishop's Stortford means a significant proportion of traffic is likely to use the Hertfordshire highway network. HCC considers the submitted Transport Assessment does not sufficiently assess these cross-boundary impacts and advises that additional junction modelling within Bishop's Stortford should be undertaken. HCC notes that National Highways has raised similar concerns and encourages the submission of further transport evidence to allow the impacts on the Hertfordshire network to be fully assessed.

9. Parish Council

9.1 Birchanger Parish Council

9.1.1 Birchanger Parish Council objects in full to the Birchanger outline application, concluding that the proposal is unacceptable in principle, contrary to national and local planning policy, and would cause significant and irreversible harm. The Parish Council considers there are no material considerations of sufficient weight to justify approval.

9.1.2 Main Planning Objections 1. Green Belt Harm

9.1.2.1 The site lies wholly within the Metropolitan Green Belt and performs a strong role in:

- preventing settlement coalescence;
- preserving openness;
- safeguarding countryside from encroachment.

9.1.2.2 The Parish Council rejects the applicant's assertion that the site constitutes "Grey Belt", noting this is not an adopted designation. No very special circumstances have been demonstrated and the proposal fails the NPPF "Golden Rules" relating to affordable housing, infrastructure provision and accessible green space.

9.1.2 Green Belt Harm

9.1.2.1 The site lies wholly within the Metropolitan Green Belt and performs a strong role in:

- preventing settlement coalescence.

- preserving openness.
- safeguarding countryside from encroachment.

9.1.2.2 The Parish Council rejects the applicant's assertion that the site constitutes "Grey Belt", noting this is not an adopted designation and is contradicted by the Council's Green Belt Review (2024). No very special circumstances have been demonstrated, and the proposal fails the NPPF "Golden Rules" relating to affordable housing, infrastructure provision and accessible green space.

9.1.3 Conflict with the Emerging Local Plan and Prematurity

- The Birchanger site is not allocated in either the adopted Local Plan or the emerging Uttlesford Local Plan.
- The emerging Local Plan is at an advanced stage (post-examination) and attracts significant weight.
- Inspectors have confirmed the plan identifies sufficient land to meet housing needs, including realistic prospects of a five-year supply.
- Granting permission would undermine the plan-making process and is considered premature under the NPPF.

9.1.4 Landscape, Character and Settlement Identity

- The development would result in significant adverse landscape and visual effects, including erosion of the rural gap between Birchanger and Stansted Mountfitchet.
- Birchanger is a historic settlement (Domesday Book), and the proposal would increase its housing stock by approximately 47%, fundamentally altering its scale and character.
- The scheme would contribute to coalescence with surrounding settlements, harming local distinctiveness and sense of place.
Loss of Best and Most Versatile Agricultural Land
- The site includes Best and Most Versatile agricultural land (ALC Grade 3a).
- The Parish Council considers the loss unjustified and contrary to NPPF policy which seeks to protect higher-quality agricultural soils and food-producing land.

9.1.5 Highways, Access and Traffic Impacts

9.1.5.1 Proposed access arrangements off Birchanger Lane are described as unsafe due to:

- narrow carriageway widths;
- blind bends;
- existing congestion and regular yielding;
- flooding at key junctions.

9.1.5.2 The Transport Assessment is said to underestimate existing traffic levels, fail to account for cumulative impacts, and inadequately consider traffic associated with Stansted Airport expansion and growth at Bishop's Stortford.

9.1.5.3 Mitigation measures are vague, lack enforceability, and do not demonstrate highway safety would be acceptable.

9.1.6 Flood Risk and Drainage

- The area already experiences regular surface water flooding, particularly affecting Birchanger Lane.

- Existing highway drainage infrastructure is inadequate, and the Parish Council is not satisfied that additional runoff arising from the development has been properly addressed.

9.1.7 Infrastructure Capacity (Health, Education and Utilities)

- GP surgeries, ambulance services and hospitals are already under pressure and lack capacity to absorb additional demand.

- Primary and secondary education provision is constrained, with no credible mitigation strategy identified.

- Water and wastewater infrastructure has no spare capacity, with no secured upgrade works.

9.1.8 The Parish Council concludes that the Birchanger proposal:

- constitutes inappropriate development in the Green Belt;
- conflicts with both the adopted and emerging Development Plan;
- would cause significant harm to landscape, heritage, agricultural land and settlement identity;
- relies on unsafe access arrangements and under-assessed transport impacts; and
- fails to address infrastructure, flooding and service capacity issues.

9.2 Stansted Mountfitchet Parish Council

9.2.1 Stansted Mountfitchet Parish Council objects to the Birchanger proposal, considering it unacceptable in principle and contrary to national policy, the adopted Local Plan and the emerging Uttlesford

Local Plan, which is at an advanced stage. The Parish Council concludes that no material considerations outweigh the harm identified.

9.2.2 Green Belt Harm

9.2.2.1 The Birchanger site lies wholly within the Metropolitan Green Belt and is identified in the Council's Green Belt evidence as performing a strong role in preventing:

- settlement coalescence between Birchanger, Stansted Mountfitchet and Bishop's Stortford; encroachment into open countryside.

- The Parish Council rejects the applicant's assertion that the site should be treated as "Grey Belt", noting that:

- the land contributes strongly to Green Belt purposes; and
- no very special circumstances have been demonstrated.

- The proposal is therefore considered inappropriate development in the Green Belt and fails to meet the NPPF "Golden Rules" even if Grey Belt were to be considered.

9.2.3 Conflict with the Emerging Local Plan and Prematurity

- The Birchanger site is not allocated for development in either the adopted Local Plan or the emerging Local Plan and was rejected through the Call for Sites process.

- The emerging Local Plan is post-examination, with Inspectors confirming:

- sufficient land has been identified to meet housing needs; and
- adoption should not be delayed permitting speculative development.

- Granting permission would undermine the plan-making process and is considered premature under the NPPF.

9.2.4 Landscape Impact and Settlement Separation

9.2.4.1 The Birchanger site forms part of an important rural gap and landscape buffer between Birchanger and Stansted Mountfitchet. Development would result in:

- loss of high-quality rolling countryside.
- erosion of local distinctiveness; and
- increased perception of coalescence between settlements.
- The Parish Council considers the landscape harm to be significant and unacceptable, contrary to both adopted and emerging policy.

9.2.5 Loss of Best and Most Versatile Agricultural Land

- The Birchanger proposal would involve development on agricultural land classified as ALC Grade 3, including areas of Best and Most Versatile (3a) land.

- The Parish Council considers the loss unjustified, given the availability of non-Green Belt alternatives identified in the emerging Local Plan, and contrary to NPPF guidance on protecting higher-quality soils.

9.2.6 Highways, Access and Traffic Impacts

9.2.6.1 The Parish Council raises particular concern regarding access arrangements off Birchanger Lane, describing them as:

- inadequate in width.
- reliant on yielding movements.
- located on a constrained and minor road network.

9.2.6.2 The Transport Assessment is considered to underestimate existing and future traffic levels, including cumulative impacts from:

- Stansted Airport expansion.
- significant housing growth in Bishop's Stortford.

9.2.6.3 Proposed mitigation is considered vague and unenforceable, and it has not been demonstrated that the impact on highway safety would be acceptable.

9.2.7 Flooding and Drainage

9.2.7.1 Stansted Parish Council highlights existing surface water flooding at the Birchanger Lane / B1383 junction.
The Parish Council is not satisfied that:

9.2.7.2 existing drainage deficiencies have been resolved; or
increased runoff from development can be safely managed without exacerbating off-site flooding.

9.2.8 Infrastructure Capacity (Health and Education)

- The applicant is said to have underestimated pressures on local GP surgeries and hospitals, with NHS evidence indicating services are already oversubscribed.

- Primary and secondary education provision is also under strain, with heavy reliance on out-of-area schools.

- The Parish Council considers that the impacts of the Birchanger development on health and education infrastructure have not been adequately assessed or mitigated.

9.2.9 Stansted Mountfitchet Parish Council concludes that the Birchanger proposal:

- constitutes inappropriate development within the Green Belt;
- is premature and undermines the emerging Local Plan;
- would cause significant landscape, agricultural and settlement separation harm;
- relies on unsafe access arrangements and under-assessed transport impacts; and
- fails to demonstrate that infrastructure capacity constraints can be addressed.

9.3 Bishops Stortford Town Council

9.3.1 Bishop's Stortford Town Council Planning & Development Committee considered the application and noted that the site lies almost adjacent to Bishop's Stortford. The Committee considered that the scale of development would have significant cross-boundary impacts on the town.

9.3.2 While the submitted Transport Assessment was acknowledged as detailed, the Committee considered that it largely focuses on impacts within Essex and fails to adequately assess effects on Bishop's Stortford. In particular, concerns were raised regarding unassessed traffic impacts on the A120 Stansted Road roundabout and local roads including Michaels Road, Rye Street and Newlands Avenue.

9.3.3 The Committee also noted the absence of meaningful active travel measures to encourage movement between the site and Bishop's Stortford. In addition, it was stated that the application inaccurately describes National Cycle Network Route 16, which does not provide connectivity to Bishop's Stortford and is only seasonally passable in parts.

9.3.4 Concerns were further raised that reliance on Stansted Mountfitchet railway station understates the likelihood of future residents travelling to Bishop's Stortford station, which offers superior services and parking provision, thereby increasing traffic and parking pressures.

9.3.5 The Committee requested joint working between Uttlesford District Council and East Hertfordshire District Council, with cross-boundary impacts addressed through appropriate Section 106 and/or Section 278 mitigation, having regard to the Duty to Cooperate

10 CONSULTEE RESPONSES

10.1 UDC Housing Enabling Officer – No Objection.

- 10.2** The Council's Housing Enabling and Development Officer raises no objection in principle to the proposal subject to the affordable dwellings having an acceptable tenure split of 70% affordable/social rent and 30% affordable home ownership, with any additional provision as low-cost home ownership; all market and affordable dwellings must meet Nationally Described Space Standards. The final affordable housing mix can be agreed at reserved matters stage if permission is granted; and in accordance with the Council's Housing Strategy 2021–2026, 5% of the affordable homes should be provided as bungalows.
- 10.3 UDC Environmental Health – No Objection.**
- 10.4** Environmental Health raises no objection to the Birchanger proposal, advising that the Environmental Statement demonstrates the site is suitable for residential development subject to conditions. A low overall risk of contamination is identified from historic agricultural use, with potential localised contamination near a former pump house requiring further investigation. The site is exposed to road, rail and aircraft noise, but acceptable living conditions can be achieved through appropriate design, noise mitigation and ventilation. Conditions are recommended covering noise mitigation and ventilation, contaminated land investigation and remediation, a Construction Environmental Management Plan, controls over external lighting, and the provision of electric vehicle charging points
- 10.5 Cadent Gas- No Objection**
- 10.6** We have received a notification regarding a planning application that has been submitted which is near our medium and low-pressure assets. We have no objection to this proposal from a planning perspective.
- 10.7 UK Power Networks- No Objection**
- 10.8** No objection, subject informative
- 10.9 National Trust – No Objection**
- 10.10** The National Trust does not object in principle but raises significant concerns due to the site's Green Belt location and its position within the Zone of Influence of Hatfield Forest, a nationally designated SSSI, NNR and ancient woodland; they stress that development should be delivered through a plan-led approach, note that the site is not allocated in the Local Plan, and highlight evidence of existing and increasing recreational pressure on Hatfield Forest. On this basis, the Trust advises that the development would generate additional recreational impacts which must be adequately mitigated through a combination of on-site measures (including high-quality informal open space and dog-walking provision) and off-site mitigation, and seeks a financial contribution of £239,290.20 (£1,329.36 per dwelling) towards the

agreed Hatfield Forest Mitigation Strategy; they state that if appropriate mitigation is not secured, the National Trust would object to the application.

10.11 Essex Fire and Rescue

10.12 Essex County Fire and Rescue Service raise no objection to the outline proposal, subject to detailed matters being addressed at later stages, and advise that adequate fire appliance access must be provided in accordance with Approved Document B and the Essex Act 1987, including minimum carriageway widths, turning facilities for dead-end routes, appliance proximity to dwellings, suitable hardstanding, and appropriate turning circles and gate widths; they note that detailed access arrangements will be reviewed at the Building Regulations stage, recommend early consideration of firefighting water supplies, and strongly encourage a risk-based approach to the installation of Automatic Water Suppression Systems (sprinklers), even where not expressly required by Building Regulations, to reduce risk to life and property.

10.13 Place Services (Archaeology) – No objection.

10.14 The Historic Environment advisor raises no objection to the outline proposal, noting that geophysical survey results indicate a low archaeological potential, but advises that archaeological matters should be secured by condition. A programme of trial trenching, followed by any necessary mitigation, is recommended prior to reserved matters in accordance with paragraph 218 of the NPPF (2024), to properly understand and address any archaeological remains, with all works to be undertaken by suitably qualified professionals in accordance with an approved Written Scheme of Investigation.

10.15 Hertfordshire County Council Education - No objections

10.16 Hertfordshire County Council, as a neighbouring authority, welcomes the safeguarding of land for primary school provision, recognising cross-boundary pupil movements, but raises concern about secondary education capacity within Bishop's Stortford, which is currently operating at capacity; it considers that education demand arising from the development should be met within Essex to avoid adverse impacts on Hertfordshire residents and encourages ongoing engagement with Essex County Council as the application progresses to ensure appropriate provision is secured.

10.17 Essex Police- No objection

10.18 Essex Police raise no objection to the proposal but advise that the development should incorporate Secured by Design principles, include a Crime Impact Statement, and be designed to promote community

safety and minimise future enforcement demands, particularly through well-planned parking and self-enforcing road layouts; they also encourage engagement on road safety in line with the Safe System / Vision Zero approach and recommend consideration of electric-vehicle charging infrastructure, including potential provision for emergency services, to support sustainable and visible policing.

10.19 Essex Police Designing Out Crime- No Objection

10.20 The Essex Police Designing Out Crime Office raises no objection to the outline proposal but strongly emphasises that the development should be designed from the outset to incorporate Crime Prevention Through Environmental Design (CPTED) principles, with the aim of achieving Secured by Design (SBD) accreditation in line with current residential and non-residential guidance; they encourage early engagement with the design team to address matters such as layout, lighting, perimeter treatments, access control, management and maintenance, and the design of walking, cycling routes and public rights of way to ensure users feel safe, while also highlighting the importance of maintaining effective emergency service access, both during construction and once the development is operational, and promoting a Safe System approach to the design of access and local roads.

10.21 Affinity Water- No Objection

10.22 Affinity Water raise no objection to the proposal, confirming the site lies outside groundwater Source Protection Zones, but advise that construction should follow relevant British Standards and best practice to avoid pollution, with investigation and remediation where contamination is encountered; as the site is within a water-stressed area, they expect the development to incorporate water-efficient measures achieving no more than 110 litres per person per day, and recommend early engagement with Affinity Water's Developer Services to address water supply, potential main diversions, and connection requirements should planning permission be granted.

10.23 Thames Water- No Objection

10.24 Thames Water raises concerns regarding foul drainage capacity, advising that the existing foul water network does not have sufficient capacity to accommodate the proposed development and requesting a pre-occupation condition requiring either completion of all necessary network upgrades or an agreed phasing plan between the developer, Thames Water and the LPA, to avoid sewer flooding and pollution incidents; they also note the presence of public sewers within or close to the site, requiring build-over agreements, request measures to minimise groundwater discharges to the public sewer (which would otherwise require a permit), and confirm no objection to surface-water drainage as none is proposed to discharge to the public network,

subject to approval by the Lead Local Flood Authority, while confirming that water supply falls within the responsibility of Affinity Water.

10.25 ECC Ecology- No Objections

10.26 Place Services raise no ecological objection, subject to conditions, confirming that sufficient ecological information has now been provided and that impacts on designated sites, protected and priority species can be made acceptable through mitigation; the site lies within the Hatfield Forest SSSI/NNR Zone of Influence, and Natural England's mitigation approach should therefore be followed, with the potential future application of a per-dwelling SAMM tariff should the strategy be adopted. Conditions are recommended to secure the submitted mitigation measures, a CEMP for Biodiversity, wildlife-sensitive lighting (due to nationally important bat assemblages including barbastelle), confirmation of Great Crested Newt District Level Licensing, delivery of mandatory Biodiversity Net Gain through a Biodiversity Gain Plan, and long-term habitat management and monitoring where significant on-site enhancements are proposed, ensuring compliance with the NPPF (2024) and statutory biodiversity duties.

10.27 UDC Urban Design Officer

10.28 The Council's Urban Design Officer fully supports the outline proposal, concluding that it represents an exceptional and exemplar quality, landscape-led scheme that is bespoke and place-specific, with design evolution positively informed through the PPA process and engagement with the Uttlesford Quality Review Panel; the submitted site-specific Design Code is clear, concise and establishes robust parameters to secure design quality at reserved matters stage, with recent revisions strengthening the coding hierarchy through clearer use of mandatory and advisory wording, and the proposal is considered to be in broad compliance with the Uttlesford Design Code, successfully delivering a strong character and identity, sensitive landscape integration, pedestrian-prioritised streets, well-concealed parking, and an overall high-quality public realm worthy of full support.

10.29 UDC Landscape Officer- No Objection

10.30 The Council's Landscape Officer raises no objection and is supportive of the proposal, concluding that it represents a well-considered, high-quality landscape-led scheme with strong integration of shared multifunctional spaces, character areas and new pedestrian connections; the design is considered thoughtful and detailed, with acceptable tree impacts limited to lower-value category B and C specimens, appropriate protection for retained trees, and no loss of trees of high significance, while proposed visual mitigation measures—including reinstated hedgerows, woodland replanting and generous new planting—are judged to have been carefully designed to address the inevitable effects of development at this scale.

10.31 UDC Heritage Officer- No Objection

10.32 The Council's Principal Conservation Officer raises no objection to the outline proposal, advising that while the development would result in a low level of less than substantial harm to the setting of nearby designated heritage assets—including the Grade II* Church of St Mary the Virgin and several Grade II listed buildings—this harm is considered acceptable in principle and must be weighed in accordance with paragraph 215 of the NPPF (2024); the submitted Heritage Impact Assessment is supported as providing a balanced and proportionate assessment, but should be kept under review and updated at Reserved Matters stage to reflect detailed layout, appearance, landscaping and massing proposals. The Officer supports the scheme's landscape-led approach, farmstead-inspired typologies, contemporary interpretation of local vernacular, and parking strategy that avoids car-dominated streets, and recommends that key design principles and mitigation measures be secured by condition to ensure that heritage-led design evolution is maintained and that any residual harm to heritage significance is minimised.

11 REPRESENTATIONS

11.1 Site notice/s were displayed on site, and 233 notification letters were sent to nearby properties. The application was also advertised in the local press.

11.2 Summary of Objections

11.2.1 Overall Position

11.2.2 Very high level of public objection, with several hundred representation letters received from residents and community groups, particularly those living along Birchanger Lane and surrounding residential areas 1.

A small number of comments are neutral or seek clarification; supportive comments are minimal.

11.2.3 Principle of Development

- Strong objection to the scale of development (up to 180 dwellings), considered excessive for Birchanger.
- Concern that the proposal represents overdevelopment and would result in coalescence with nearby settlements, particularly Bishop's Stortford.
- Repeated references to the site's open countryside / Green Belt role, and the perceived erosion of settlement identity.

11.2.4

Highway Safety & Transport

11.2.5

Birchanger Lane described as narrow, heavily used and unsuitable for additional traffic.

11.2.6

Concerns about:

- Increased congestion at peak times.
- Road safety for pedestrians, cyclists and equestrians.
- Delivery and construction traffic impacts.

11.2.7

Doubts raised over the adequacy of the proposed access arrangements.

11.2.8

Impact on Local Infrastructure

11.2.9

Views that local infrastructure is already under strain, including:

- Primary schools and early years provision.
- GP and healthcare services.
- Drainage, utilities and emergency services.

11.2.10

Landscape & Visual Impact

- Objections to the loss of open views and rural character.
- Site described as forming part of an important landscape buffer on the edge of Birchanger.

11.2.11

Concerns about visibility of development from:

- Birchanger village.
- Public rights of way.
- Approaches from the countryside.

11.2.12

Ecology & Environment

- Potential impacts on wildlife and biodiversity, including hedgerows and habitat corridors.
- Concerns over loss of green space and insufficient mitigation.
- Flood risk and surface water drainage raised by some residents, particularly during periods of heavy rainfall.

11.2.13

Design, Scale & Density

11.2.14

Fears that the development would be:

- Out of keeping with local character.
- Too dense for an edge-of-village location.
- Requests for stronger design controls at outline stage.

11.2.15

Precedent Concerns

11.2.16

Concern that approval would set an unwelcome precedent for further development west of Birchanger Lane.

11.2.17

Community & Group Objections

11.2.18

Representations received from:

- Birchanger Residents Association
- Birchanger & Stansted Green Belt Preservation Group
- Other local community organisations

11.2.19

These reinforce individual resident concerns and place significant emphasis on countryside protection and cumulative growth.

11.3

In summary, representations raise consistent concerns regarding the principle, scale and cumulative impacts of the proposed development, particularly in relation to highway capacity, landscape harm, pressure on local infrastructure and the loss of rural character. The level of public objection is substantial and reflects strong local opposition to development of this site.

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 any other material considerations.

12.3

Section 66(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.

12.4 The Development Plan

Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Felsted Neighbourhood Plan (made 21 February 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made 28 June 2021)
Thaxted Neighbourhood Plan (made 21 February 2019)
Stebbing Neighbourhood Plan (made 19 July 2022)
Saffron Walden Neighbourhood Plan (made 11 October 2022)
Ashdon Neighbourhood Plan (made 6 December 2022)
Great and Little Chesterford Neighbourhood Plan (made 2 February 2023)

13 POLICY

13.1 National Policies

National Planning Policy Framework (2024)

13.2 Uttlesford Local Plan 2021- 2041

Core Policy 1 – Addressing Climate Change
Core Policy 2 – Meeting Our Housing Needs
Core Policy 3 – Settlement Hierarchy
Core Policy 22 – Net Zero Operational Carbon Development
Core Policy 23 – Overheating
Core Policy 24 – Embodied Carbon
Core Policy 25 – Renewable Energy Infrastructure
Core Policy 26 – Sustainable Transport & Connectivity
Core Policy 27 – Assessing Transport Impact
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 & Protection of Resources
Core Policy 36 – Flood Risk
Core Policy 37 – Sustainable Drainage Systems (SuDS)
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 & Contamination
Core Policy 43 – Air Quality
Core Policy 44 – Noise

Core Policy 52 – Good Design Outcomes & Process
Core Policy 53 – Standards for New Residential Development
Core Policy 54 – Supported and Specialist Housing
Core Policy 55 – Residential Space Standards
Core Policy 56 – Affordable Dwellings
Core Policy 59 – The Metropolitan Green Belt
Core Policy 62 – Listed Buildings
Core Policy 64 – Archaeological Assets
Core Policy 66 – Planning for Health and Well-being

Development Policy 9 – Public Art

13.3 Neighbourhood Plan

13.3.1 No made neighbourhood plan

13.4 Supplementary Planning Document or Guidance

13.4.1 Essex Design Guide
Uttlesford Design Code

14. CONSIDERATIONS AND ASSESSMENT

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

14.2 A) Principle of Development
B) Suitability and Location
C) Design, Landscaping and Heritage
D) Housing Mix, Tenure and Specialist Housing
E) Access and Parking
F) Neighbouring Amenity
G) Nature Conservation & Trees
H) Climate Change
I) Environmental Health
J) Flooding
K) Planning Obligations
L) Environmental Impact Assessment
M) Planning Balance

14.3 A) Principle of Development

14.3.1 Green Belt Designation

14.3.2 The site lies within the designated Metropolitan Green Belt. The NPPF (2024) confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. New buildings in the Green Belt are inappropriate unless they meet one of the exceptions in Paragraph 153 or satisfy the criteria in Paragraph 155 (Grey Belt). Otherwise, development is inappropriate and may only be granted where Very Special Circumstances (VSC) exist.

14.3.3 Adopted Uttlesford Local Plan 2021–2041

14.3.3.1 The adopted Local Plan sets out a firm spatial strategy directing growth to sustainable, allocated settlements while maintaining strict protection of the Metropolitan Green Belt. The following policies are directly relevant:

14.3.3.2 Core Policy 59 – The Metropolitan Green Belt
CP59 confirms that the Green Belt will be retained, protected and kept permanently open, and that no Green Belt land is allocated for development. Proposals must be assessed against national policy, requiring protection of openness, avoidance of sprawl, and resistance to encroachment. As the site is unallocated Green Belt land outside any settlement boundary, the proposal is in direct conflict with CP59.

14.3.3.3 Core Policy 3 – Settlement Hierarchy
CP3 directs development to Key Settlements, Local Rural Centres and other defined settlements. Birchanger is defined as a larger village where development outside settlement limits is not supported unless allocated or brought forward through an appropriate policy mechanism. The application sites are located outside the built form of the settlement and is therefore the proposals contrary to CP3.

14.3.3.4 Core Policy 2 – Meeting Our Housing Needs
CP2 identifies the district's housing requirement and delivers it through strategic allocations and sustainable locations supported by necessary infrastructure. The application site is not allocated and does not form part of the planned distribution of growth. The scheme therefore conflicts with CP2.

14.3.3.5 Core Policy 41 – Landscape Character
CP41 requires development to conserve, restore and enhance landscape character, maintain settlement form, and avoid unacceptable visually intrusive or urbanising development. Although the site contains equestrian structures, it remains an open, rural paddock that forms a key part of the village edge and the transition to open countryside.

14.3.4 Grey Belt Assessment

14.3.5 The application site is located within the Metropolitan Green Belt. Paragraph 155 of the National Planning Policy Framework (NPPF, December 2024) confirms that the construction of new buildings within the Green Belt constitutes inappropriate development unless one of the stated exceptions applies. However, the Framework also provides that the development of homes should not be regarded as inappropriate development where the proposal utilises Grey Belt land and meets the criteria set out in paragraph 155.

- 14.3.6** Grey Belt land is defined in the NPPF glossary as land within the Green Belt that does not strongly contribute to purposes (a), (b), or (d) of paragraph 143, and which is not otherwise constrained by the policies listed in Footnote 7. In assessing whether the site meets this definition, regard has been had to the submitted evidence, the Council's own Green Belt evidence base, and relevant national guidance.
- 14.3.7** The Council recently commissioned an updated Green Belt Study prepared by Hankinson Duckett Associates (January 2026) to assess the contribution of specific parcels of land to the purposes of the Green Belt using an updated methodology aligned with the revised Green Belt Planning Practice Guidance. That study found that the site (or relevant parcel) does not make a strong contribution to Green Belt purposes (a) or (b), and that purpose (d) is not applicable, owing to the absence of historic towns within or adjoining the Uttlesford Green Belt. The Study further identifies the site as meeting the definition of Grey Belt land, noting its relationship to the existing settlement edge, containment by vegetation and infrastructure, and limited functional role within the wider Green Belt.
- 14.3.8** Consistent conclusions were also reached through the Section 62A pre-application advice issued by the Planning Inspectorate (May 2025). In that advice, the Inspector reviewed the site in the context of paragraph 155 of the NPPF and concluded that the land does not strongly contribute to Green Belt purposes (a), (b), or (d), and is therefore capable of being regarded as Grey Belt. The Inspector further advised that, subject to the satisfaction of the remaining paragraph 155 criteria, development on the site would not be inappropriate development in the Green Belt.
- 14.3.9** In relation to purpose (a)—to check the unrestricted sprawl of large built-up areas—both the Green Belt Study and the Inspector concluded that the site does not function as an open extension of a large built-up area and does not play a strong sprawl-prevention role, being influenced by existing development and infrastructure and relating closely to the settlement edge.
- 14.3.10** With regard to purpose (b)—to prevent neighbouring towns merging into one another—the site was found not to form a critical strategic gap between towns and not to make a strong contribution to maintaining visual or physical separation between distinct settlements.
- 14.3.11** In respect of purpose (d)—to preserve the setting and special character of historic towns—both assessments confirm that this purpose is not engaged, as there are no historic towns within or abutting the Uttlesford Green Belt to which the site contributes.
- 14.3.12** Turning to the constraints set out in Footnote 7 of the NPPF, the site is not designated as, nor affected by, any assets or areas of particular importance that would provide a strong reason for refusal under

national policy, including Sites of Special Scientific Interest, Local Green Space, National Landscapes, designated heritage assets, irreplaceable habitats, or areas at risk of flooding or coastal change.

14.3.13 Taking this evidence together, and having regard to the Council's own Green Belt Study and the Planning Inspectorate's pre-application advice, it is considered that the site does not strongly contribute to Green Belt purposes (a), (b), or (d) and may therefore be regarded as Grey Belt land for the purposes of decision-taking.

14.3.14 Whether the development would also satisfy the remaining requirements of paragraph 155 of the NPPF, namely that it would not fundamentally undermine the purposes of the remaining Green Belt when taken together, would meet a demonstrable unmet need, would occupy a sustainable location, and would comply with the "Golden Rules" is assessed in detail in later sections of this report. On this basis, and subject to compliance with the criteria in paragraph 155, the development is capable of being considered as not inappropriate development within the Green Belt.

14.3.15 Notwithstanding the above conclusions, it is recognised that the degree to which the site contributes to Green Belt purposes is ultimately a matter of planning judgement on which reasonable disagreement may arise. However, even if the site were considered to make a greater contribution to Green Belt purposes than identified, the harm would remain localised and limited when assessed spatially and functionally. In such circumstances, the proposal would still need to be assessed against the wider planning balance, including the extent of public benefits, and would not be determinative in itself.

14.3.16 **Housing Land Supply**

14.3.17 The Council is currently undertaking an updated assessment of its Five-Year Housing Land Supply, using the most recent monitoring information and delivery evidence. The latest confirmed position of 4.77 years falls marginally below the five-year requirement, with the necessary application of a 20% buffer.

14.3.18 Given the limited extent of this shortfall, there is a reasonable prospect that the updated assessment will demonstrate that the Council is able to evidence a full five-year supply once recalculated. In addition, 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 Housing Delivery Test consequences, including a potential reduction of the buffer from 20% to 5%, would take effect on the following day.

14.3.19 In these circumstances, the current shortfall in housing land supply attracts weight in the planning balance. Notwithstanding the marginal nature of the shortfall, at the time of determination the Council cannot

demonstrate a full five-year housing land supply. Accordingly, the delivery of additional housing carries material weight in favour of the proposal.

14.3.20 Grey Belt Golden Rules

14.3.21 Paragraphs 156 and 157 of the NPPF set out the Golden Rules which apply to major housing development on Grey Belt land. These require the provision of:

- At least 50% affordable housing, unless viability evidence demonstrates this is not achievable;
- Necessary improvements to local or national infrastructure to support the development; and
- New or improved publicly accessible green spaces, with good quality green space available within walking distance of residents.

14.3.22 In this case:

- The proposal includes provision for 50% affordable housing, in accordance with paragraph 156(a) of the NPPF;
- The development is accompanied by proposed financial contributions and on-site works intended to mitigate impacts on local infrastructure, which would be secured through planning conditions and/or a legal agreement; and
- The scheme includes the delivery of new public open space, enhanced access to the surrounding countryside, and improvements to green infrastructure, meeting the requirements of paragraphs 156(c) and 157 of the Framework.
- Paragraph 157 of the NPPF also confirms that where development involving housing on Grey Belt land complies with the Golden Rules, this should be given substantial weight in the decision-making process.

14.3.23 Landscape and Visual Assessment

14.3.24 The application is supported by a comprehensive Landscape and Visual Impact Assessment (LVIA) prepared in accordance with the Guidelines for Landscape and Visual Impact Assessment (GLVIA), Third Edition, Natural England guidance and relevant Landscape Institute Technical Guidance Notes. The LVIA as a requirement of Core Policy 41 assesses the likely landscape and visual effects of the proposal during construction and operation (Years 1 and 15).

14.3.25 The application site lies within the Stort Valley Landscape Character Area (LCA C2). This landscape is characterised by a shallow valley

form, predominantly agricultural land use, a pattern of hedgerows, woodland belts and dispersed settlement, and a generally enclosed visual character. The site is not subject to any national or local landscape designation.

- 14.3.26** The LVIA identifies the landscape value of the Birchanger land as Medium, and the Stansted Mountfitchet parcels as Medium-Low, reflecting their relationship with existing settlement edges, nearby infrastructure and the absence of formal designations. Landscape susceptibility is assessed as Medium-High and Medium respectively, resulting in overall landscape sensitivity ratings of Medium-High and Medium.
- 14.3.27** The proposals have been reviewed by the Council's Principal Landscape Officer, whose comments form a material consideration in the assessment of landscape impact. The Landscape Officer advises that the scheme demonstrates a strong landscape-led approach, noting positively the structure of the layout, the creation of varied character areas, the provision of shared and multifunctional public spaces, and the quality and depth of detail within the submitted landscape material. The Officer considers the scheme to be thoughtfully designed and well considered overall.
- 14.3.28** In arboricultural terms, the Landscape Officer confirms that no trees of high landscape or amenity value are proposed for removal, with limited losses restricted to category B and C specimens. Appropriate protection measures are proposed for retained trees, and impacts are considered acceptable.
- 14.3.29** In visual terms, the Landscape Officer recognises that development of this scale will inevitably result in significant visual change but confirms that the proposed mitigation strategy — including reinstated field boundaries, structural planting and substantial new tree planting — has been well considered and appropriately targeted at sensitive and exposed views.
- 14.3.30** The LVIA identifies that the development would result in a fundamental and permanent change to the character of the site itself, arising from the transition from agricultural land to built development. At the site level, the magnitude of change is assessed as High, giving rise to Major/Moderate adverse landscape effects. Officers agree with this assessment and consider this harm to be an inevitable consequence of development at this scale, and one which attracts weight in decision-making.
- 14.3.31** However, beyond the site, the LVIA concludes that landscape effects would be more limited in extent. At the wider landscape scale, effects are assessed as Moderate/Minor adverse, reflecting the containment of development by landform, existing vegetation and adjoining settlement edges. The development would generally be perceived as

an extension to existing settlements rather than an isolated or intrusive incursion into open countryside.

14.3.32 In visual terms, the most notable effects would be experienced by receptors located within or immediately adjacent to the site, including users of certain Public Rights of Way. Longer-distance views are generally filtered or screened by vegetation and topography or experienced in the context of existing built form and infrastructure. No unacceptable combined effects or visual coalescence between settlements are identified.

14.3.33 The proposed landscape strategy includes a comprehensive package of embedded mitigation, comprising:

- retention and reinforcement of existing hedgerows and woodland belts;
- reinstatement of historic field boundary planting;
- new structural woodland and boundary planting along exposed edges;
- areas of public open space designed to provide visual relief and soft transitions; and early implementation of planting to promote timely establishment.

- Both the LVIA and the Council's Landscape Officer advise that this mitigation would progressively reduce visual effects over time, with Year 15 scenarios demonstrating improved assimilation of the development into its surroundings. While the mitigation does not remove the identified site-level harm, it is considered effective in reducing the severity and wider perception of the impacts.

14.3.34 In weighing landscape considerations in the planning balance, officers attach significant weight to the fact that the development would result in acknowledged and permanent landscape harm at the site level, assessed as Major/Moderate adverse. This harm is a material consideration and weighs against the proposal.

14.3.35 However, it is also relevant that:

- the site does not form part of a designated or particularly sensitive landscape.
- landscape effects beyond the site are localised and limited in extent;
- settlement identity would be maintained, with no coalescence identified;
- the scheme has been positively reviewed by the Council's Principal Landscape Officer; and the design and mitigation strategy demonstrates a strong and deliberate landscape-led approach.

- When assessed against Core Policy 41, the proposal does not result in unacceptable visual intrusion into the wider countryside, harm to landscapes particularly sensitive to change, or loss of important views or landscape features. The policy anticipates that development in accessible and sustainable locations adjoining existing settlements will result in landscape change, provided that such change is appropriately designed and mitigated.

14.3.36 Officers acknowledge that the Parish Councils and representation received maintain a fundamental objection to the principle of development on this site and do not accept the application of Grey Belt policy or the weight attributed to housing need. These are matters of planning judgment on which reasonable disagreement may arise. Officers have nevertheless considered these objections in detail and have reached a different conclusion for the reasons set out in this section and in the planning balance that follows

14.3.37 Accordingly, it is concluded that while the scheme gives rise to significant and unavoidable landscape harm at the site level, that harm is moderated by design, constrained in its wider impact, and not of a nature or extent that would, in itself, justify refusal. The identified landscape harm therefore falls to be weighed against the benefits of the development and the Development Plan as a whole.

14.4 B) Suitability and Location

14.4.1 In assessing the suitability and location of the application site, the Local Planning Authority has had regard to national planning policy, the Uttlesford Local Plan, and the information submitted in support of the application, including the Transport Assessment, Travel Plan, Environmental Statement, and the Council's Sustainable Transport and Active Travel considerations.

14.4.2 Policy context

14.4.3 The National Planning Policy Framework identifies the importance of locating development in sustainable locations and managing patterns of growth to reduce the need to travel. Paragraph 110 of the NPPF states that significant development should be focused on locations which are, or can be made, sustainable through limiting the need to travel and offering a genuine choice of transport modes, recognising that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Paragraphs 115 and 117 further require development to prioritise pedestrian and cycle movement, facilitate access to high-quality public transport, and ensure that any impacts on the transport network can be mitigated to an acceptable degree.

14.4.4 These objectives are reflected in the adopted Uttlesford Local Plan, which establishes a clear “sustainable transport first” approach. In particular:

- Core Policy 1 (Addressing Climate Change) requires development to be located and designed to reduce the need to travel and to promote walking, cycling and public transport.
- Core Policy 26 (Providing for Sustainable Transport and Connectivity) requires development to prioritise sustainable modes of transport and improve accessibility and connectivity.
- Core Policy 27 (Assessing the Impact of Development on Transport Infrastructure) requires development to demonstrate that safe and suitable access can be achieved for all users and that transport impacts can be satisfactorily mitigated.
- Core Policy 28 (Active Travel – Walking and Cycling) seeks to secure high-quality walking and cycling routes as an integral part of development proposals.
- Core Policy 30 ensures that development protects existing public rights of way and enhances opportunities for active travel and access to the countryside.

14.4.4.1 The suitability of the site therefore falls to be assessed against these adopted policies, alongside the relevant provisions of the NPPF.

14.4.5 Site context and accessibility

14.4.6 The application site is located on the edge of Birchanger and Stansted Mountfitchet and lies in proximity to existing residential areas, employment opportunities (including Stansted Airport), local services, bus routes and Stansted Mountfitchet railway station. When considered in the context of Uttlesford district, the site lies within a moderately connected corridor rather than an isolated rural location.

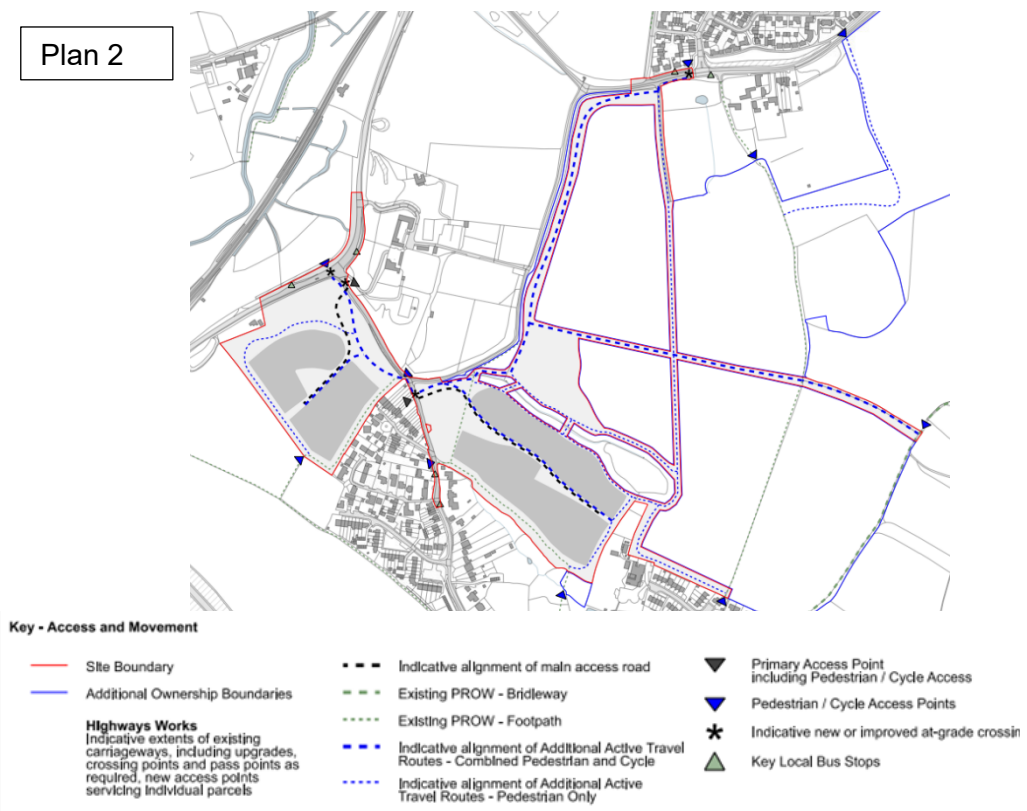
14.4.7 The submitted transport evidence demonstrates that the site benefits from a reasonable baseline level of accessibility and that there are realistic opportunities to support sustainable travel choices. In principle, the site is therefore capable of meeting the requirements of Core Policies 1, 26 and 27 and NPPF paragraph 110, subject to appropriate mitigation. This demonstrates that the site is capable of meeting the requirements of Core Policy 26 in terms of accessibility and connectivity.

14.4.8 At outline stage, the appropriate consideration is whether a deliverable and policy-compliant strategy has been demonstrated in principle, rather than whether all detailed design and engineering matters have been finalised. In this respect, the submitted documents identify the key

corridors, connections and interventions necessary to support sustainable travel and reduce reliance on the private car.

14.4.9 Pedestrian, cycling and e-bike provision

14.4.10 The proposal includes a network of pedestrian and cycling routes within the site and connecting to surrounding areas, as shown on the submitted access and movement plans. These routes are intended to provide convenient and legible connections between the site, existing Public Rights of Way, nearby residential areas, bus stops and local destinations, thereby supporting active travel in accordance with Core Policies 28 and 30.



Plan 2
The plan shows the proposed pedestrian and cycle routes, including links within the site and connections to surrounding streets and Public Rights of Way.

14.4.11 There is clear support within the application documents for cycling and e-bike use, particularly through the submitted Travel Plan. Measures include:

- new and enhanced pedestrian and cycle routes within the site and links to the wider Public Rights of Way network;
- reasonable walking and cycling access to bus stops and onward connections to Stansted Mountfitchet railway station;

- provision of on-site cycle parking and supporting infrastructure, to be delivered at reserved matters stage in accordance with prevailing standards;
- promotion of cycling and e-bike use, including the provision of e-bike vouchers and resident travel information; and
- ongoing monitoring of travel behaviour, with the ability to introduce additional measures if required.
- Provision of a Shared Mobility Scheme

14.4.12 Securing quality, safety and usability

14.4.13 At this outline stage, pedestrian and cycle routes are shown indicatively to demonstrate connectivity and deliverability. To ensure that these routes provide safe, inclusive and suitable all-year-round access, this approach ensures compliance with Core Policies 26–28 while allowing detailed design to be addressed at reserved matters stage.

14.4.14 Such conditions can require approval of route alignment, surface materials, widths, gradients, drainage, lighting (where appropriate), and safety measures such as passive surveillance and appropriate separation from vehicular traffic. This approach ensures policy compliance while allowing detailed design to respond to site-specific considerations at reserved matters stage.

14.4.15 Taking the above into account, the Local Planning Authority is satisfied that the site is suitably located for the proposed development. The submitted transport evidence demonstrates that the site can support walking, cycling and e-bike use, that sustainable transport has been prioritised in accordance with the adopted Local Plan, and that any impacts arising from the site's location can be appropriately mitigated. The Highway Authority raises no objection subject to mitigation, confirming that safe and suitable access can be achieved and that the impact of the development would not be severe.

14.4.16 The Transport Assessment demonstrates that the site is in a sustainable and accessible location, adjoining the existing settlement, with good opportunities for travel by a range of modes. The site benefits from:

- close proximity to existing bus stops on Birchanger Lane and Stansted Road, serving Stansted Airport, Bishop's Stortford and surrounding centres;
- reasonable access to Stansted Mountfitchet railway station, providing regular services to London Liverpool Street, Cambridge and Stansted Airport;
- a network of nearby Public Rights of Way and local routes supporting walking and cycling; and a wide range of everyday

services and facilities within accepted walking and cycling distances

- improved pedestrian and cycle connectivity between Birchanger and Stansted Mountfitchet;
- enhancement of existing Public Rights of Way;
- improved crossing facilities and traffic calming measures;
- a potential modal filter on Tot Lane to prioritise active travel; and delivery of a 20mph environment on sections of the local road network.

14.4.17 Travel Plan and Modal Shift

14.4.17.1 The Travel Plan sets out a structured approach to reducing reliance on single-occupancy car trips, including:

- appointment of a Travel Plan Coordinator.
- welcome packs, travel information and personalised travel planning.
- incentives and initiatives to support walking, cycling and public transport use.
- monitoring and review mechanisms over a defined period.

14.4.18 The Transport Assessment includes a sensitivity test which assumes up to approximately 10% modal shift away from peak-hour vehicle trips, reflecting the potential influence of the proposed sustainable transport measures and Travel Plan. While the precise level of modal shift is inherently uncertain and cannot be guaranteed, this scenario demonstrates that there is a reasonable opportunity for further demand reduction beyond the baseline forecasts. On this basis, the assessment indicates that the residual transport impacts can be mitigated to an acceptable degree.

14.4.19 The concerns raised by Parish Councils and local residents regarding the site's suitability and location have been taken into account, including issues of accessibility, reliance on the private car and infrastructure capacity. These matters are addressed in detail in this section through consideration of the site's relationship to nearby settlements, public transport provision, active travel opportunities and secured mitigation.

14.4.20 Taking the Transport Assessment and Travel Plan together, it is considered that the site is suitably located, that impacts can be appropriately mitigated, and that a deliverable strategy for sustainable transport has been established. The proposal includes a comprehensive package of mitigation measures, including active travel improvements, enhanced pedestrian and cycle infrastructure, public

transport contributions and Travel Plan measures, which collectively ensure that sustainable transport is prioritised in accordance with the Local Plan.

14.4.21 Taking the above into account, and subject to the imposition of planning conditions and legal obligations to secure the delivery and quality of sustainable transport measures, the proposal is considered to establish a deliverable and policy-compliant framework for transport and movement. Detailed design matters, including active travel infrastructure, can be appropriately secured through reserved matters submissions. Accordingly, the development is considered to accord with Core Policies 26, 27, 28 and 30 of the Uttlesford Local Plan and the relevant provisions of the National Planning Policy Framework

14.5 C) Design, Landscaping and Heritage

14.5.1 The application is supported by a comprehensive Design and Access Statement and an accompanying site-specific Design Code, prepared through an extensive, iterative design process involving early engagement with the Local Planning Authority, the Uttlesford Quality Review Panel, statutory consultees and the local community. The proposal is founded on a landscape-led master planning approach, with the structure, disposition and form of development dictated by landscape character, historic field patterns, topography and existing vegetation rather than imposed standard layouts.

14.5.2 The Council's Principal Urban Design Officer has confirmed that the proposals are of "exceptional and exemplar quality", describing the scheme as a "truly bespoke and place-specific design" where landscape is not used as a decorative afterthought but as the primary organising principle. The submitted Design Code is considered clear, robust and suitably precise, providing unambiguous parameters for future Reserved Matters submissions and ensuring design quality is secured at outline stage.

14.5.3 Key design characteristics include:

- compact clusters of development reflecting traditional Essex farmstead patterns;
- pedestrian-focused streets and spaces, with parking contained within landscaped yards;
- a coherent hierarchy of landscape typologies, including commons, greens, paddocks and margins;
- building heights generally limited to 2–2.5 storeys, with up to 3 storeys only at defined focal points; and
- use of a locally informed material palette, expressed through a contemporary interpretation of the Essex vernacular.

- 14.5.4** Subject to compliance with the approved Design Code, the proposal is considered to achieve high-quality, locally distinctive and policy-compliant design outcomes in accordance with Core Policy 52.
- 14.5.5** The site lies within the Stort River Valley Landscape Character Area, characterised by rolling landform, historic field patterns, hedgerows, woodland belts and dispersed settlement. The Design and Access Statement and accompanying LVIA demonstrate a detailed understanding of this context, informing a masterplan that responds directly to landscape sensitivities rather than seeking to suburbanise the site.
- 14.5.6** The proposed development is tightly contained within the landscape, retaining and enhancing existing boundary vegetation and reinstating lost hedgerows and woodland features. Built form is arranged to work with natural topography, while generous landscape buffers, commons and wider green infrastructure create a soft transition between the village edge and open countryside. The associated LVIA confirms that visual effects would be limited, localised and reduced over time as planting matures, with no significant adverse effects on the wider landscape character area.
- 14.5.7** Off-site, the wider landscape strategy — including the creation of a substantial habitat bank and green corridor between Birchanger and Stansted Mountfitchet — further reinforces settlement separation and enhances long-term landscape character. The proposal therefore accords with Core Policy 41 by conserving and positively reinforcing the distinctive qualities of the Stort Valley landscape.
- 14.5.8** In addition, the proposal incorporates the safeguarding of land between Birchanger and Stansted Mountfitchet as “Retained Land”, to be secured and managed for long-term biodiversity enhancement. This approach not only reinforces the retention of a meaningful and permanent landscape buffer between the settlements, but plays a clear role in preventing their coalescence, thereby maintaining their distinct identities and the openness of the intervening countryside. The Retained Land therefore performs an important spatial and visual separation function consistent with the purposes of the Green Belt.
- 14.5.9** Furthermore, this land forms part of a wider nature recovery strategy, contributing to the delivery of significant Biodiversity Net Gain and the establishment of a broader Biodiversity Bank, including habitat creation, woodland and hedgerow planting, and long-term ecological management secured through legal agreement. Together, these measures support the recovery of nature at a landscape scale, enhance green infrastructure connectivity, and align with the objectives of national policy, including the NPPF “Golden Rules” for Green Belt development.
- 14.5.10** **Designated and Non-Designated Heritage Assets**

- 14.5.11** The application site comprises two parcels of agricultural land to the west of Birchanger Lane and does not contain any designated or non-designated heritage assets. However, several designated heritage assets lie in proximity, and the development has the potential to affect their settings. These include:
- Church of St Mary the Virgin, Birchanger (Grade II*)
 - Sion House Farmhouse (Grade II) and associated listed outbuildings and structures
 - The Cottage, Birchanger (Grade II) A listed barn approximately 210 yards east of Birchanger Hall (Grade II)
- 14.5.12** The application is supported by a Heritage Impact Assessment (HIA), which builds upon heritage advice received at pre-application stage and assesses the significance of the identified heritage assets and the contribution of their settings, in accordance with Section 16 of the NPPF (2024).
- 14.5.13** The Council's Principal Conservation Officer has confirmed that the design evolution demonstrates a thoughtful and considered response to the historic environment, informed by early heritage engagement. The proposal adopts a landscape-led master planning approach, utilising retained vegetation, reinstated field patterns, generous green infrastructure and controlled building heights to reduce visual intrusion and to assimilate the development into its rural context.
- 14.5.14** It is acknowledged that the development will result in a low level of less than substantial harm to the significance of the identified heritage assets, arising primarily from change to their wider rural setting. Paragraph 215 of the NPPF (2024) is therefore engaged. The Conservation Officer confirms that this harm has been minimised through the design strategy and is considered to fall at the lower end of the "less than substantial harm" spectrum.
- 14.5.15** Given the scale of public benefits associated with the proposal, including housing delivery, affordable housing provision, landscape enhancement and long-term settlement separation, the identified heritage harm is capable of being outweighed in the overall planning balance, subject to appropriate controls.
- 14.5.16** As the application is in outline form, it is advised that the Heritage Impact Assessment is updated at Reserved Matters stage, and detailed proposals demonstrate continued collaboration between the design and heritage teams, including site-specific illustrations, sections and verified views, to ensure that the principles assessed at outline stage are carried through into delivery.
- 14.5.17** Subject to these safeguards, the proposal is considered to comply with the statutory duties under Sections 66 and 72 of the Planning (Listed

Buildings and Conservation Areas) Act 1990 and with national and local heritage policy.

14.5.18 **Archaeology**

14.5.19 The application site has been subject to geophysical survey, the results of which have been reviewed by Essex County Council's Historic Environment team. This work indicates that the site has a low potential for archaeological remains overall, albeit within an area of known historic settlement and landscape activity where some residual risk remains.

14.5.20 In accordance with paragraph 218 of the NPPF (2024), the County Archaeologist advises that further archaeological evaluation is required to better understand the nature, extent and significance of any buried remains that may be affected by development. It is confirmed that this can be satisfactorily addressed by planning condition, rather than requiring mitigation prior to determination.

14.5.21 Essex County Council has recommended a phased programme of archaeological investigation, including:

- submission and approval of a Written Scheme of Investigation (WSI).
- completion of trial trenching prior to Reserved Matters submission.
- targeted excavation or preservation in situ where necessary; and
- post-excavation assessment, reporting and archive deposition.

14.5.22 This approach will ensure that archaeological interest is appropriately identified, recorded and, where necessary, preserved, without imposing unnecessary constraints on sustainable development. Subject to the recommended conditions, the proposal accords with national and local planning policy relating to the historic environment.

14.5.23 **Public Art**

14.5.24 The importance of public art as part of high-quality placemaking is recognised within national policy, Development Policy 9 of the Uttlesford Local Plan advises public art can play a valuable role in reinforcing local identity, enhancing the quality of the public realm and contributing to a strong sense of place.

14.5.26 Given the outline nature of the application, no detailed public art proposals are provided at this stage. However, it is considered appropriate for public art to be addressed at Reserved Matters stage, once the detailed layout, landscaping and public spaces are finalised.

14.5.27 The provision of public art will be secured through the Section 106 agreement, requiring either on-site delivery or an agreed contribution, alongside the submission of details at Reserved Matters stage to ensure the art is appropriately integrated with the development and its landscape-led design. Subject to this approach, the proposal can comply with local and national design policy objectives.

14.5.28 **Health and Wellbeing**

14.5.29 Core Policy 66 seeks to ensure that development promotes healthy and sustainable communities through good design, active travel, access to services and provision of open space. The application is supported by a Health Impact Assessment (HIA) which concludes that the development would have a neutral impact during construction and an overall positive effect once operational. The scheme incorporates a number of features consistent with the aims of Core Policy 66, including:

- A landscape-led masterplan with extensive public open space (circa 9.24ha), play areas and green infrastructure.
- A layout that prioritises walking and cycling, with strong connections to surrounding settlements and services
- High-quality, accessible housing, including a significant proportion of affordable homes

14.5.30 The HIA identifies that local GP provision is currently under pressure, and the development would increase demand. However, this impact can be mitigated through planning obligations, and the site benefits from good access to healthcare and services in nearby higher-order settlements.

14.5.31 Overall, the proposal is considered to broadly comply with Core Policy 66, with the delivery of health and wellbeing benefits that are afforded moderate weight in favour of the development

14.5.32 In considering design, landscaping and heritage matters, the Local Planning Authority has had regard to the concerns raised by the Parish Councils and local residents regarding landscape character, settlement identity and impacts on the setting of nearby heritage assets. These matters are recognised as material considerations and have informed the assessment of the proposal. Having regard to the submitted design, landscape and heritage evidence, and the advice of the Council's specialist officers, it is concluded that, while the development will result in landscape change and a degree of heritage impact, these effects have been appropriately mitigated and do not, in themselves, justify refusal.

14.6 D) Housing Mix, Tenure and Specialist Housing

- 14.6.1** Core Policy 53 requires major residential development to deliver a balanced mix of housing types, sizes and tenures to meet identified housing needs and support the creation of inclusive and mixed communities.
- 14.6.2** The outline application proposes up to 180 dwellings, with an intention to deliver a broad range of 1, 2, 3 and 4+ bedroom homes across both market and affordable tenures. Although the precise dwelling mix is indicative at this stage, the submitted Planning Statement and Design and Access Statement confirm that the eventual mix will be informed by the Council's most up-to-date housing evidence base and refined at Reserved Matters stage.
- 14.6.3** The Housing Officer has advised that the final mix of affordable units can appropriately be agreed through the Section 106 agreement and detailed at the Discharge of First Occupation (DFO) stage, which is consistent with the outline nature of the application. In addition, the Council's Housing Strategy 2021–2026 requirement for 5% of the affordable housing mix to be provided as bungalows has been identified and can be secured through legal agreement.
- 14.6.4** Overall, subject to detailed agreement at Reserved Matters stage, the principle of the proposed housing mix is considered capable of complying with Core Policy 53.
- 14.6.5** Core Policy 55 requires all new dwellings to meet the Nationally Described Space Standards (NDSS) as a minimum.
- 14.6.6** The applicant has committed that both market and affordable dwellings will meet NDSS. However, the Housing Officer has noted that some of the lower ends of the indicative unit size ranges shown in the Design and Access Statement do not currently meet NDSS, particularly for some smaller units.
- 14.6.7** This matter is capable of being addressed through condition and requiring compliance with NDSS at Reserved Matters stage. Given the outline status of the application, and the applicant's stated intention to meet policy requirements, it is considered reasonable to secure compliance with Core Policy 55 through the next stage of the process.
- 14.6.8** Core Policy 56 requires major residential development to deliver 35% affordable housing, with a tenure split of 70% Affordable/Social Rent and 30% Affordable Home Ownership, unless otherwise justified.
- 14.6.9** The application proposes a higher level of affordable housing provision, with up to 50% affordable housing, equating to a maximum of 90 affordable dwellings. This level of provision accords with the "Golden Rules" set out in national policy for Grey Belt development and is

strongly supported in principle, particularly given the Council's current housing supply position.

14.6.10 The Council's Housing Officer has clarified that a tenure split of 70% Affordable/Social Rent and 30% Affordable Home Ownership would be acceptable.

14.6.11 The applicant's proposed affordability approach is therefore broadly aligned with Council expectations. The precise tenure mix, size mix and distribution of affordable units can be finalised through the Section 106 agreement to ensure policy compliance and responsiveness to up-to-date evidence at the point of delivery. In accordance with Core Policy 56, the affordable dwellings are to be tenure blind, distributed throughout the development, and delivered to equivalent design and space standards as market housing.

14.6.12 In respect of specialist housing, Core Policy 54 requires that at least 5% of dwellings are provided as extra care, sheltered or retirement accommodation (Use Class C3). This requirement will be secured through the Section 106 agreement. Given the outline nature of the proposal, a mechanism will require the submission of a Specialist Housing Statement and Viability Assessment prior to the first Reserved Matters application, to confirm deliverability. Where viable, the full 5% provision will be delivered; where robustly justified and independently verified otherwise, an alternative provision may be agreed.

14.6.13 Housing Mix and Tenure – Overall Conclusion

In summary, the proposed development:

- Delivers a policy-compliant and uplifted level of affordable housing,
- Can provide an appropriate and policy-led housing mix, and
- Can meet Nationally Described Space Standards, subject to detailed control.

14.6.14 Provision is also made for specialist housing in accordance with Core Policy 54, with the required 5% to be secured through the Section 106 Agreement (subject to viability review) and detailed at Reserved Matters stage. Having regard to the outline nature of the application, the housing mix and tenure arrangements are considered acceptable in principle and capable of being secured through planning conditions and a Section 106 agreement, such that the proposal would comply with Core Policies 53, 54, 55 and 56 of the Uttlesford Local Plan.

14.7 E) Access and Parking

14.7.1 The National Planning Policy Framework (NPPF) makes clear that transport issues should be considered at the earliest stages of development to ensure that safe and suitable access can be achieved

for all users and that development supports sustainable travel patterns. Paragraphs 109–117 of the NPPF (December 2024) place emphasis on a vision-led approach, prioritising walking, cycling and public transport, while confirming that development should only be prevented or refused on highways grounds where the residual cumulative impacts would be severe, or where there would be an unacceptable impact on highway safety following mitigation.

14.7.2 Uttlesford Local Plan 2021–2041 (March 2026) is consistent with this approach. Core Policies 26, 27, 28 and 31 require development to prioritise sustainable transport modes, provide safe and suitable access for all users, limit reliance on the private car, and ensure that parking provision responds appropriately to the site context and the Council’s adopted parking standards.

14.7.3 Access Arrangements

14.7.4 The application seeks outline planning permission for a residential-led development with access included for determination, with all other matters reserved. Vehicular access to the site is proposed to be taken from Birchanger Lane, serving the two development parcels located to the east and west of the lane. The principle of access has therefore been assessed in detail at this stage to ensure that safe, suitable and appropriate access can be achieved in accordance with national and local transport policy.

14.7.5 The submitted Transport Assessment assesses the existing highway network, including Birchanger Lane, Stansted Road and the wider local road network, alongside recorded collision data and forecast development traffic. Birchanger Lane is a single carriageway residential route subject to a 30mph speed limit, with footway provision along parts of its length and a reduced speed environment associated with its role serving the village and local schools. The assessment confirms that Birchanger Lane is suitable in principle to serve the proposed residential development, subject to appropriate access design and mitigation.

14.7.6 Vehicular access is proposed via two priority-controlled junctions onto Birchanger Lane, one serving each development parcel. The indicative access arrangements demonstrate that appropriate visibility splays can be achieved based on observed vehicle speeds, that access geometry is suitable to accommodate service and refuse vehicles, and that access gradients respond appropriately to local topography. Junction modelling included within the Transport Assessment indicates that the proposed access junctions would operate well within capacity in both opening-year and future-year scenarios, with no material impact on the operation of the local highway network.

14.7.7 In addition to vehicular access, the scheme incorporates a strong focus on active travel. Separate and direct pedestrian and cycle access

points are proposed, linking the site to existing footways on Birchanger Lane, nearby bus stops on Stansted Road, the public rights of way network, and routes towards Birchanger village, Stansted Mountfitchet and local education facilities. These measures form part of a wider access and movement strategy intended to prioritise walking and cycling and reduce reliance on the private car, consistent with the National Planning Policy Framework's vision-led approach to transport.

- 14.7.8** The application has been formally considered by Essex County Council, in its role as Local Highway Authority. The Highway Authority has raised no objection to the proposed access arrangements, a Section 106 Agreement to secure identified highway mitigation, sustainable transport contributions and travel planning measures is required. The proposal provides a safe and suitable access that the development can be accommodated on the local highway network, and that the proposed mitigation would adequately address the transport impacts of the scheme.
- 14.7.9** National Highways, as the statutory consultee for the Strategic Road Network, has also issued a formal no objection to the proposal. National Highways' assessment focuses on the potential effects of the development on the M11 Junction 8 and the A120 and confirms that all vehicular access is taken from the local highway network, with no direct access to the Strategic Road Network. Having reviewed the Transport Assessment and subsequent technical information, National Highways is satisfied that forecast development traffic would not result in a severe impact on the operation or safety of the Strategic Road Network, either alone or cumulatively. A condition requiring a Construction Traffic Management Plan is recommended to manage construction-phase impacts.
- 14.7.10** Hertfordshire County Council (HCC), as the adjoining highway authority, raised concern that the submitted Transport Assessment did not fully assess potential cross-boundary traffic impacts arising from movements towards Bishop's Stortford. In response, the applicant submitted a detailed technical note which expands the development traffic assignment to quantify peak-hour turning movements at the specific Hertfordshire junctions identified by HCC. This demonstrates that forecast development-related flows are minimal, with the highest impact equating to approximately 30 vehicles in the AM peak at Stansted Road/Parsonage Lane, or around one additional vehicle every two minutes, with materially lower flows at other junctions.
- 14.7.11** These forecast changes are well below normal daily traffic variation and would not be perceptible to highway users. Having regard to the scale of flows identified, the National Planning Policy Framework "severe impact" test, the vision-led transport strategy, and the package of secured mitigation and sustainable transport measures, it is not considered necessary or proportionate to require further junction modelling at outline stage. This position is supported by Essex County

Council and National Highways, neither of whom raise an objection. Hertfordshire County Council has also been re-consulted on the additional technical information submitted, and no further comments have been received. In the absence of any further response, and having provided a reasonable opportunity for comment, it is appropriate for the Local Planning Authority to proceed based on the information available. Having regard to paragraph 115 of the National Planning Policy Framework (2024), which states that development should only be refused on transport grounds where the residual cumulative impacts are severe, it is concluded that this threshold is not met. Given the very limited scale of the forecast impacts, the identified cross-boundary effects are modest and do not give rise to any material capacity or safety concerns and do not justify refusal. Officers are therefore satisfied that the proposal would not result in severe residual cumulative impacts on either the local or cross-boundary highway network.

- 14.7.12** Taken together, the evidence submitted and the responses from the highway consultees confirm that the proposed access arrangements are safe, appropriate and policy-compliant. Subject to the recommended conditions and planning obligations, the access arrangements are considered acceptable and capable of supporting the proposed development without giving rise to unacceptable highway impacts.
- 14.7.13** Parking provision is required to comply with Core Policy 31 of the Uttlesford Local Plan and the Essex Parking Standards, alongside the design principles set out in the Uttlesford Design Code. At outline stage, it is appropriate to assess parking in terms of broad compliance rather than detailed quantum or layout. The application demonstrates the capacity to accommodate parking in a manner that avoids car-dominated streets and supports high quality placemaking, consistent with both national policy objectives and the Council's design-led ambitions.
- 14.7.14** Detailed parking numbers, layout, electric vehicle charging provision and cycle parking will be capable of being secured at the reserved matters stage, informed by the Highway Authority's detailed input.
- 14.7.15** Parking provision is required to comply with Core Policy 31 of the Uttlesford Local Plan and the Essex Parking Standards, alongside the design principles set out in the Uttlesford Design Code. At outline stage, it is appropriate to assess parking in terms of broad compliance rather than detailed quantum or layout. The application demonstrates the capacity to accommodate parking in a manner that avoids car-dominated streets and supports high quality placemaking, consistent with both national policy objectives and the Council's design-led ambitions.

14.7.16 Detailed parking numbers, layout, electric vehicle charging provision and cycle parking will be capable of being secured at the reserved matters stage, informed by the Highway Authority's detailed input.

14.7.17 In relation to access and parking, the Local Planning Authority has had regard to the concerns raised by the Parish Councils and local residents regarding the suitability of Birchanger Lane to accommodate additional traffic, highway safety, potential congestion, and parking impacts. These matters are recognised as material considerations and have informed the assessment of the proposal. Having regard to the submitted Transport Assessment, the subsequent technical evidence, and the consultation responses of National Highways, it is concluded that safe and suitable access can be achieved and that, subject to appropriate conditions and planning obligations, the access and parking arrangements are acceptable and do not give rise to severe residual highway impacts.

14.8 F) Neighbouring Amenity

14.8.1 The application site lies to the north of Birchanger and is adjacent to existing residential development and the Birchanger C of E Primary School. The principal neighbouring amenity considerations arising from the proposal include the potential for impacts on privacy, outlook, overbearing form, and noise and disturbance.

14.8.2 The proposal seeks outline planning permission for up to 180 dwellings with all matters reserved except access. Accordingly, the detailed layout, scale, appearance and landscaping of the development are not fixed at this stage. The assessment therefore focuses on whether the principle and quantum of development can be accommodated without unacceptable harm to neighbouring amenity, with detailed impacts capable of being appropriately controlled at the reserved matters stage.

14.8.3 The proposal has been assessed against the relevant provisions of the Uttlesford Local Plan, in particular:

- Core Policy 52 – Good Design Outcomes and Process, which requires development to achieve high standards of design that protect the amenity of existing and future occupiers, including avoiding unacceptable impacts from overlooking, overbearing development and loss of privacy
- Core Policy 53 – Standards for New Residential Development, which seeks to ensure that development provides acceptable living conditions and safeguards residential amenity.

14.8.4 At a national level, the proposal has also been considered against the National Planning Policy Framework (NPPF), specifically:

- Paragraph 135, which seeks to ensure development is sympathetic to local character while establishing a strong sense of place; and
- Paragraph 135(f) (and related design principles), which requires that development creates places with a high standard of amenity for existing and future users.

14.8.5 The indicative parameter plans submitted with the application, alongside the Environmental Statement, demonstrate that the site is of sufficient size and configuration to accommodate up to 180 dwellings in principle while maintaining appropriate relationships with neighbouring properties. The submitted parameters restrict building heights generally to up to 2.5 storeys, with up to 3 storeys only at limited locations, providing a clear upper envelope within which future design must sit.

14.8.6 Given the outline nature of the application, detailed impacts relating to overlooking, separation distances and boundary treatments cannot be precisely assessed at this stage. However, these matters are capable of being satisfactorily addressed through the reserved matters process. Any future reserved matters submission would be required to demonstrate full compliance with Core Policies 52 and 53, ensuring that dwelling siting, orientation and scale protect the privacy, outlook and daylight of neighbouring occupiers, including those properties and facilities located to the south of the site.

14.8.7 Access is the only matter for determination at this stage. The proposed access arrangement from Birchanger Lane has been assessed separately and is considered acceptable. The detailed internal layout, including the positioning of dwellings relative to site boundaries and neighbouring uses, will be considered comprehensively at reserved matters stage.

14.8.8 In terms of noise and disturbance, the Environmental Statement concludes that, subject to embedded mitigation measures, the operational phase of the development would not result in significant adverse effects on existing residential receptors. Any temporary disturbance during the construction phase can be adequately mitigated through conditions requiring a Construction Environmental Management Plan, consistent with the expectations of Core Policy 52 and the NPPF.

14.8.9 Considering the outline nature of the proposal, the submitted parameter plans, and the conclusions of the Environmental Statement, it is considered that the site is capable of accommodating the proposed development without unacceptable harm to neighbouring amenity. The proposal accords with Core Policies 52 and 53 of the Uttlesford Local Plan and the amenity objectives of the NPPF, subject to detailed

matters being appropriately addressed and controlled through the reserved matters stage and planning conditions.

14.9 G) Nature Conservation & Trees

14.9.1 Ecological Baseline and Designated Sites

14.9.2 The application site is predominantly intensively managed arable land with limited intrinsic ecological value. Boundary features, including trees, tree lines, scrub and hedgerows, provide local habitat and connectivity within the wider landscape.

14.9.3 No statutory or non-statutory designated nature conservation sites fall within the application site itself. However, the site lies within the 11.1km Zone of Influence for recreational impacts on Hatfield Forest Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR), approximately 2.8–3km from the site.

14.9.4 Several Local Wildlife Sites, including Digby Wood and Parsonage Spring, are present in the wider area and have been considered within the Environmental Statement.

14.9.5 Ecology Assessment and Consultation Responses

14.9.6 The proposal is supported by a detailed Environmental Statement (Ecology Chapter), informed by extensive field surveys spanning habitats, protected species and priority species.

Key ecological features identified include:

- a nationally important bat assemblage, including barbastelle bats;
- breeding birds of local conservation interest; and boundary habitats contributing to ecological connectivity.

14.9.7 Natural England raises no objection, subject to the securing of mitigation to address potential recreational impacts on Hatfield Forest SSSI/NNR. Natural England confirms that appropriate mitigation must comprise:

- a per-dwelling contribution towards Strategic Access Management and Monitoring (SAMM) measures;
- provision of high-quality on-site Accessible Natural Greenspace (ANG); and
- a signposted circular dog-walking route of approximately 2.3–2.5km.

14.9.8 The Council's ecological advisers (Place Services, Essex County Council) also raise no objection, subject to conditions. They confirm that sufficient ecological information has been submitted to allow the application to be determined and that impacts can be made acceptable through mitigation, habitat management and monitoring secured by condition and legal agreement where necessary.

14.9.9 Hatfield Forest Mitigation

14.9.10 The National Trust has highlighted the sensitivity of Hatfield Forest to recreational pressure and the importance of securing mitigation for new residential development within the Zone of Influence.

The submitted scheme acknowledges these impacts and proposes:

- extensive on-site green infrastructure to provide attractive alternative recreational space for future residents; and
- a financial contribution towards off-site SAMM measures at Hatfield Forest, in line with Natural England advice and the emerging strategic mitigation approach.

14.9.11 Subject to the completion of an appropriate planning obligation securing these measures, the development would not result in unacceptable harm to the integrity of Hatfield Forest SSSI/NNR

14.9.12 Biodiversity Net Gain (BNG)

14.9.13 The development is subject to the mandatory Biodiversity Net Gain (BNG) requirements of the Environment Act 2021, which require a minimum 10% net gain in biodiversity value. In addition, Uttlesford Local Plan Core Policy 40 seeks a minimum 20% Biodiversity Net Gain.

14.9.14 A detailed Biodiversity Net Gain Strategy, supported by Statutory Metric calculations, has been submitted. The Council's ecological advisers confirm that the information provided is sufficient at outline stage and demonstrates that the proposal can deliver in excess of 20% BNG, thereby exceeding both national and emerging local policy requirements.

The submitted calculations indicate that the development would deliver:

- approximately 33% net gain in habitat units;
- approximately 27% net gain in hedgerow units; and
- a substantial net gain in watercourse units.

14.9.15 Biodiversity gains would be delivered through a combination of on-site habitat creation and enhancement, supported by a limited and clearly defined off-site component within the applicant's control where necessary. No irreplaceable habitats would be affected and the Statutory Metric trading rules are met.

14.9.16 In accordance with legislation, a Biodiversity Gain Plan and a Habitat Management and Monitoring Plan would be required and approved prior to commencement, securing the long-term management of habitats for a minimum period of 30 years. On this basis, the proposal is considered to accord with the Environment Act 2021 and Emerging Core Policy 40 and is acceptable in Biodiversity Net Gain terms.

14.9.17 Trees and Landscape Features

14.9.18 The submitted parameter plans demonstrate that the development has been designed to:

- avoid irreplaceable habitats such as ancient woodland.
- retain important boundary trees, tree lines and hedgerows.
- provide appropriate buffers and stand-off distances; and
- supplement existing tree covers through new native planting.

Tree protection, replacement planting and long-term management will be secured through appropriately worded conditions and a Landscape and Ecological Management Plan (LEMP), consistent with Core Policy 39 and national policy.

14.9.19 Having regard to the Environmental Statement, consultation responses and the proposed mitigation framework, it is considered that:

- the development would not result in unacceptable harm to designated sites or protected species.
- recreational impacts on Hatfield Forest SSSI/NNR can be satisfactorily mitigated.
- mandatory Biodiversity Net Gain can be delivered and secured; and
- important trees and habitats can be protected and enhanced.

14.9.20 In relation to nature conservation and trees, the Local Planning Authority has had regard to the concerns raised by the Parish Councils and local residents regarding potential impacts on habitats, biodiversity, protected species and existing trees and hedgerows. These matters are recognised as material considerations and have informed the assessment of the proposal. Having regard to the submitted ecological and arboricultural evidence, and the advice of Natural England and the Council's specialist consultees, it is concluded that, subject to appropriate mitigation, conditions and long-term management, the proposal would not result in unacceptable harm to ecological interests or retained trees and accords with relevant policy.

14.9.21 Subject to the recommended conditions and planning obligations, the proposal accords with local and national policy on nature conservation

and trees, and no objection is raised on ecological or arboricultural grounds

14.10 H) Climate Change

14.10.1 The application has been assessed against the National Planning Policy Framework (2024), the emerging Uttlesford Local Plan (2021–2041), and relevant guidance relating to climate change mitigation and adaptation. Of particular relevance are Emerging Core Policies 1 (Addressing Climate Change), 22 (Net Zero Operational Carbon Development), 23 (Overheating) and 24 (Embodied Carbon).

14.10.2 The proposal is supported by an Outline Climate Change, Sustainability and Energy Strategy and a detailed Climate Change chapter within the Environmental Statement. Together, these documents demonstrate that the scheme has been designed from the outset to minimise greenhouse gas emissions and to be resilient to current and future climate change impacts.

14.10.3 In mitigation terms, the development would:

- adopt a fabric-first approach exceeding minimum Building Regulations standards.
- provide fossil-fuel-free heating via air source heat pumps.
- achieve a space heating demand of no more than 15 kWh/m²/year and an Energy Use Intensity of no more than 35 kWh/m²/year, as demonstrated through representative energy modelling.
- incorporate on-site renewable energy generation, primarily solar PV, to meet or exceed annual operational energy demand.
- limit water consumption to no more than 110 litres/person/day; and reduce transport-related emissions through site layout, active travel connections and travel planning measures.

14.10.4 In adaptation terms, the scheme incorporates:

- sustainable drainage systems designed to accommodate climate change rainfall allowances.
- green infrastructure and tree planting to reduce urban heat island effects.
- passive design measures to mitigate overheating, in accordance with the cooling hierarchy; and climate-resilient landscape design.

14.10.5 The Environmental Statement concludes that, with the embedded mitigation measures proposed, the development would result in no significant adverse effects in climate change terms, during either construction or operation. It is considered that the proposal accords with the objectives of the emerging Local Plan in relation to climate change and demonstrates that a net-zero operational carbon

development is achievable. Given the outline nature of the application, detailed compliance can appropriately be secured through planning conditions attached to any consent.

14.11 I) Environmental Health

14.11.1 The proposal has been assessed in respect of Environmental Health matters, including land contamination, air quality, noise and general pollution impacts. In doing so, regard has been had to Core Policies 42 (Pollution and Contamination), 43 (Air Quality) and 44 (Noise) of the Uttlesford Local Plan 2021–2041, together with the National Planning Policy Framework, which seeks to ensure that development does not give rise to unacceptable risks to human health or the environment.

14.11.2 Contamination

The application is supported by a Preliminary Geo-Environmental Risk Assessment which identifies the site as being of generally low contamination risk, reflecting its historic agricultural use, albeit with some potential for localised contamination requiring further investigation.

14.11.3 The Council's Environmental Health Officer raises no objection subject to conditions requiring site investigation, remediation (where necessary) and verification. Subject to these controls, the development would ensure that the site is suitable for its proposed use and would not give rise to unacceptable risks to human health or controlled waters, in accordance with Core Policy 42 and the NPPF.

14.11.4 Air Quality

The Environmental Statement includes an assessment of air quality impacts during both the construction and operational phases, including traffic-related emissions and construction dust.

14.11.5 The assessment concludes that effects on nearby receptors, including existing residential properties and the school, would be negligible to minor adverse and would not lead to any exceedance of national air quality objectives.

14.11.6 Appropriate mitigation, including a Construction Environmental Management Plan, sustainable transport measures, and electric vehicle charging infrastructure, can be secured by condition. The proposal therefore accords with Core Policy 43 of the Local Plan and national policy requirements to prevent unacceptable pollution impacts.

14.11.7 Noise and Disturbance

The Environmental Statement also considers noise impacts arising from transport and surrounding uses. It concludes that acceptable

internal and external living conditions can be achieved through design and mitigation measures, including acoustic glazing and ventilation where required.

14.11.8 Construction-related impacts can be adequately controlled through a Construction Environmental Management Plan secured by condition. The development is therefore consistent with Core Policy 44 and the NPPF in ensuring that noise impacts do not result in unacceptable harm to amenity.

14.11.9 The Council's Environmental Health Officer raises no objection subject to conditions. Having regard to the submitted Environmental Statement, consultation responses and proposed mitigation, the development would not give rise to unacceptable impacts on human health, living conditions or environmental quality. The proposal is therefore considered to comply with Core Policies 42, 43 and 44 of the Uttlesford Local Plan and the relevant provisions of the National Planning Policy Framework.

14.12 J) Flooding

14.12.1 Flood Risk

The Environment Agency Flood Map for Planning confirms that the entire site lies within Flood Zone 1 and is therefore at low risk of fluvial flooding. The submitted Flood Risk Assessment confirms that the site is not at risk from river flooding except in events exceeding the 1 in 1000-year return period.

14.12.2 Surface water flood mapping identifies most of the site as being at Very Low risk, with limited localised areas of low to medium surface water risk. Groundwater flood risk is assessed as Low to Medium, with all other sources of flooding (including sewer and reservoir flooding) identified as Low.

14.12.3 Given the site area exceeds 1 hectare, the submission of a Flood Risk Assessment accords with Core Policy 36 and demonstrates that the proposed development will be safe for its lifetime and will not increase flood risk elsewhere.

14.12.4 Sustainable Drainage and Surface Water Management

14.12.5 In accordance with Core Policy 37, the development incorporates a comprehensive Sustainable Drainage System (SuDS) strategy. Surface water management has been designed in line with the CIRIA SuDS Manual, Essex County Council guidance, and national best practice.

14.12.6 The drainage strategy prioritises controlling runoff at source and replicating the pre-development greenfield runoff regime. Surface

water discharge rates for the site will be restricted to greenfield run-off rates, with on-site attenuation provided to manage exceedance events. Key components of the proposed SuDS approach include:

- attenuation basins sized to accommodate the 1 in 100-year rainfall event plus an appropriate climate change allowance;
- swales, bio-retention features and permeable paving to intercept and treat surface water.
- controlled discharge to adjacent watercourses where infiltration is not feasible; and
- safe exceedance routing to ensure no on-site or off-site flooding occurs during extreme events.

14.12.7 The attenuation basins are also designed to satisfy the 24-hour half-drain down requirement, with additional long-term storage provided to manage consecutive storm events. This approach ensures full compliance with Core Policy 37 and with the Council's Strategic Flood Risk Assessment.

14.12.8 Watercourse Protection

14.12.9 Where surface water outfalls connect to existing watercourses, development will maintain the required buffer distances in accordance with Core Policy 35, with no built development within the buffer other than soft landscaping, drainage or informal amenity uses. This ensures protection of ecological function, water quality and channel maintenance.

14.12.10 Foul Water Drainage

14.12.11 Foul drainage will be provided via a conventional piped system connecting to the public network. Where pumping is required due to site topography, this will be addressed as part of the detailed design, ensuring appropriate capacity, resilience and compliance with Core Policy 34. No occupation will occur until adequate foul water infrastructure capacity is confirmed.

14.12.12 Climate Change and Lifetime Resilience

14.12.13 The drainage design has explicitly accounted for climate change impacts, including increased rainfall intensity and frequency, in line with Core Policy 1. The layout and capacity of the drainage infrastructure ensures the development will remain resilient for its lifetime and will not lead to increased downstream flood risk.

14.12.14 The proposed development has been fully assessed in respect of flood risk and surface water drainage and is considered to be acceptable in principle. The site lies within Flood Zone 1 and is therefore at low risk of fluvial flooding. A Flood Risk Assessment and outline drainage strategy have been submitted, demonstrating that surface water can be effectively managed through a Sustainable Drainage System

(SuDS) designed to control runoff to greenfield rates and accommodate climate change allowances.

14.12.15 Essex County Council, in its role as Lead Local Flood Authority, has reviewed the submitted information and raises no objection to the grant of planning permission, subject to conditions securing detailed design, construction-phase drainage management, and long-term maintenance of SuDS. This confirms that the development would be safe for its lifetime and would not increase flood risk on- or off-site

14.12.16 Subject to the recommended conditions, the proposal is considered to comply with Core Policy 36 (Flood Risk) and Core Policy 37 (Sustainable Drainage Systems) of the adopted Uttlesford Local Plan 2021–2041, as well as Core Policy 1 in respect of climate change adaptation and resilience.

14.12.17 The development is also consistent with national planning policy, including Section 14 of the National Planning Policy Framework, which seeks to steer development away from areas at highest risk of flooding, requires the use of sustainable drainage systems, and expects development to ensure that flood risk is not increased elsewhere. Flood risk and drainage considerations therefore raise no objection to the proposal and do not weigh against the development in the overall planning balance.

14.12.18 In relation to flooding, the Local Planning Authority has had regard to the concerns raised by the Parish Councils and local residents regarding surface water flooding, drainage capacity and the potential for the development to exacerbate existing flood risk. These matters are recognised as material considerations and have informed the assessment of the proposal. Having regard to the submitted Flood Risk Assessment and drainage strategy, and the consultation response of the Lead Local Flood Authority, it is concluded that the site can be developed safely without increasing flood risk on- or off-site, subject to appropriate conditions securing detailed drainage design and long-term management.

14.13 K) Planning Obligations

14.13.1 A Section 106 Agreement will be secured pursuant to Section 106 of the Town and Country Planning Act 1990. The proposed planning obligations are necessary to make the development acceptable in planning terms and meet the tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010 (as amended). The obligations give effect to the relevant policies of the Uttlesford Local Plan 2021–2041, as set out below.

14.13.2 Affordable Housing

- Provision of 50% affordable housing (up to 90 dwellings), comprising 70% Affordable Rent and 30% Intermediate housing, delivered on a phased basis.
- Provision of 10% Discounted Market Sale housing, secured in perpetuity.
- Nomination rights for Uttlesford District Council. A right of first refusal for the Council on up to 10 Affordable Rented dwellings for potential Council ownership, with a fallback to Registered Provider delivery where the option is not exercised.

14.13.3 Public Open Space and Recreation

- Provision of on-site public open space, including informal open space and play provision.
- Long-term management and maintenance secured through a management company.

14.13.4 Health and Emergency Services

- A financial contribution towards improvements to NHS Services at £1,865.07 per dwelling
- An Ambulance Services Contribution of £386 per dwelling, towards the relocation and expansion of the Harlow Ambulance Hub.
- A £5,000 defibrillator contribution to support the provision of a publicly accessible defibrillator serving the development.

14.13.5 Hatfield Forest SSSI / NNR Mitigation

- A Strategic Access Management and Monitoring (SAMM) contribution of £1,333.60 per dwelling towards mitigation measures at Hatfield Forest.

14.13.5.1 These measures address Natural England's advice and support the Council's statutory duties in respect of designated sites.

14.13.6 Biodiversity Net Gain

(In accordance with Policies CP36 and CP44)

- Delivery of a minimum of 20% Biodiversity Net Gain, exceeding the statutory minimum.
- Submission of a Biodiversity Gain Plan, long-term management arrangements and a monitoring fee secured through the Section 106 Agreement.

14.13.6.1 Provision for a Retained Land Agreement or conservation covenant, where applicable.

14.13.7 Retained Land

14.13.7.1 The Section 106 Agreement will secure the safeguarding of land between Birchanger and Stansted Mountfitchet as “Retained Land” for the purposes of biodiversity enhancement and long-term management. This will be secured through a Retained Land Agreement or conservation covenant requiring the delivery, management and monitoring of biodiversity enhancements for a minimum period of 30 years.

14.13.8 Highways and Transport

- Sustainable Transport Contribution - £520,000 (index linked) towards improvements to bus services.
- Bus Infrastructure – Real Time Passenger Information
- Provision of 2 no. real-time passenger information displays at Birchanger Corner (north-eastbound and south-westbound); and
- Payment of commuted maintenance sums of £10,845.09 per display (index linked), payable to Essex County Council.
- £180,000 (index linked) towards capacity improvement works at the A120 / B1383 Stansted Road roundabout, to be pooled with other developer contributions.

14.13.9 Education financial contributions

14.13.9.1 In the absence of a formal consultation response from Essex County Council, an indicative education contribution has been calculated using Essex County Council’s standard pupil yield and cost multipliers, as evidenced in recent consultation responses for comparable schemes. Based on 180 dwellings, the development is estimated to generate approximately:

- 16 early years places
- 54 primary school places
- 36 secondary school places

14.13.9.2 Applying Essex County Council’s current cost per place results in a total education contribution in the order of £2.38 million.

14.13.9.3 In the absence of a confirmed education contribution from Essex County Council, an indicative financial obligation has been calculated based on the County Council’s published methodology and recent consultation responses.

14.13.9.4 It is recommended that authority be delegated to the Strategic Director of Planning to agree the final education contribution, including any

necessary revisions to the scale, form or payment of the obligation (including any land requirements), in consultation with Essex County Council, during the drafting of the Section 106 Agreement.

14.13.10 Supported and Specialist Housing

14.13.10.1 Provision of no less than 5% of the total dwellings as extra care, sheltered or retirement accommodation (Use Class C3), in accordance with Core Policy 54, with delivery, phasing and any viability review mechanism to be secured through the Section 106 Agreement.

14.13.11 Residential Travel Plan and Sustainable Travel Measures

- Submission, approval and implementation of a Residential Travel Plan to promote sustainable travel, including monitoring for a minimum of one year following final occupation.
- Payment of a Travel Plan monitoring fee of £1,817 (index linked) to Essex County Council.
- Provision of a Residential Travel Information Pack per dwelling, including sustainable travel information and public transport vouchers, to be approved by the LPA in consultation with ECC and provided prior to occupation.

14.14 **L) Environmental Impact Assessment**

14.14.1 The application is accompanied by an Environmental Statement (ES), including a Non-Technical Summary (October 2025), which has been prepared in accordance with the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The Environmental Statement considers the likely significant environmental effects of the proposed development both individually and cumulatively, using a worst-case assessment based on the outline application parameters.

14.14.2 The Environmental Statement assesses the likely effects of the development across the following topic areas, as agreed through the EIA process: landscape and visual impact, transport, socio-economics, ecology, noise, air quality, climate change, water and public health, and includes consideration of construction and operational phases, embedded mitigation measures and cumulative impacts with other committed and emerging development.

14.14.3 In assessing this application, the Local Planning Authority has had full regard to the contents of the Environmental Statement, including the detailed assessments, identified mitigation measures and the conclusions reached for each topic area. The findings of the ES have been considered and relied upon in the assessment of the development against the policies of the adopted Uttlesford Local Plan and national

planning policy. Where relevant, matters identified within the Environmental Statement are addressed through planning conditions and planning obligations, including landscape mitigation, surface water drainage, biodiversity enhancement, mitigation to protect Hatfield Forest SSSI, transport measures, and health infrastructure contributions.

14.14.4 The assessment concludes that, subject to the implementation of the embedded mitigation measures and controls secured through planning conditions and the Section 106 Agreement, the proposed development would not give rise to any unacceptable environmental effects that would justify refusal of planning permission under the EIA Regulations.

14.15 M) Planning Balance

14.15.1 In determining this application, the Council is required to consider the proposal against the Development Plan as a whole and all other material considerations, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. Where conflict with elements of the Development Plan is identified, it is necessary to carry out a planning balance to determine whether material considerations indicate that planning permission should nevertheless be granted.

14.15.2 While paragraph 11(d) of the NPPF is engaged due to the absence of a five-year housing land supply, the application falls to be determined principally in accordance with the specific policies of the Framework relating to Green Belt and Grey Belt development. These policies provide a tailored decision-making framework, within which the acceptability of the development is assessed. In this case, no clear reason for refusal has been identified under the policies of the Framework that would provide a strong basis for withholding permission, beyond the harms identified and assessed within this report.

14.15.3 Paragraph 158 of the Framework is explicit that development on Grey Belt land which complies with the Golden Rules should be given significant weight in favour of the grant of planning permission. This represents a clear direction in national policy that such schemes carry enhanced positive weight in the planning balance. The planning balance has accordingly been undertaken on that basis.

14.15.4 In applying this planning balance, weight has been attributed to each identified harm and benefit having regard to the scale and nature of the effect, its spatial extent, and the degree of policy protection or support provided by the Development Plan and the National Planning Policy Framework. Where national policy provides clear direction as to the weight to be given—such as in respect of Green Belt harm, heritage impact and development complying with the Grey Belt “Golden Rules”—this has been reflected accordingly. The assessment of weight

is a matter of planning judgment, informed by the evidence set out in this report.

14.15.5 Identified Harms

14.15.6 Green Belt Harm

14.15.6.1 Weight: Substantial

14.15.6.2 Whilst the proposal is not inappropriate development having regard to paragraph 155 of the NPPF, it nevertheless results in harm to the openness of the Green Belt, which is a fundamental characteristic of Green Belt policy. This harm attracts substantial weight in the planning balance.

14.15.7 Landscape and Visual Effects

14.15.8 Weight: Moderate

14.15.9 The Environmental Statement and Landscape and Visual Impact Assessment identify that the proposal would result in a fundamental and permanent change to the character of the site itself, with significant adverse effects at the immediate site level and for certain nearby receptors, including users of public rights of way.

14.15.10 However, it is also recognised that:

- the site is not subject to any national or local landscape designation.
- landscape effects beyond the site are localised and limited in extent.
- settlement separation would be maintained and no coalescence identified; and
- substantial mitigation is embedded through layout, structural planting and long-term management.

14.15.11 On this basis, the landscape and visual harm is a material consideration weighing against the proposal but is localised in extent and moderated by mitigation, and is therefore afforded moderate weight. In weighing this matter, the harm is significant at the site level but is localised in extent, affects a non-designated landscape, and would be reduced over time through mitigation and planting. It is therefore afforded moderate weight.

14.15.12 Heritage Impact

14.15.13 Weight: Limited (Less than Substantial Harm)

14.15.14 The proposal would result in less than substantial harm to the setting of nearby designated heritage assets, including the Grade II* Church

of St Mary the Virgin and associated Grade II listed buildings. The harm arises primarily from change within the wider rural setting rather than from physical intervention or loss of historic fabric.

14.15.15 In accordance with Sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, great weight has been given to the conservation of heritage assets. The harm is acknowledged as a material consideration and attracts weight against the proposal.

14.15.16 However, the Heritage Impact Assessment and consultee advice confirm that:

- the architectural and historic significance of the assets would be preserved.
- their immediate settings would remain legible.
- mitigation through landscape-led design is effective; and
- further refinement can be achieved at reserved matters stage.

14.15.17 In accordance with the NPPF, less than substantial harm should be weighed against the public benefits of the proposal, and in this case the harm lies at the lower end of that spectrum, such that it attracts limited weight. As such, the harm is appropriately categorised as less than substantial and attracts limited but meaningful weight in the planning balance.

14.15.18 Loss of Agricultural Land

14.15.19 Weight: Limited

14.15.20 The development would result in the loss of agricultural land. However, the land does not constitute an extensive or high-quality strategic resource, and the scale of loss is not determinative when weighed against the housing, infrastructure and environmental benefits of the scheme. The loss of agricultural land is acknowledged; however, the scale and quality of the land affected are not such that this harm is determinative, and it is therefore afforded limited weight in the planning balance.

14.15.21 **Identified Benefits**

14.15.22 Grey Belt Development in Compliance with the Golden Rules

14.15.23 Weight: Significant

14.15.24 Having regard to the site's contribution to Green Belt purposes, its relationship to the existing settlement edge, and the absence of overriding policy constraints, the land is capable of being regarded as Grey Belt for decision-taking purposes.

14.15.25 The proposal complies with the Golden Rules, by delivering:

- 50% affordable housing;
- new and improved publicly accessible green space; and
- necessary infrastructure improvements, secured through conditions and legal obligations.

14.15.26 In accordance with paragraph 158 of the NPPF, compliance with the Golden Rules attracts significant weight in favour of the proposal, and this is applied in the planning balance.

14.15.27 Contribution to Housing Land Supply

14.15.28 Weight: Moderate to Substantial

14.15.29 The proposed development would make a meaningful contribution to the delivery of new housing within the district at a time when the Council is unable to demonstrate a full five-year housing land supply. The delivery of up to 180 dwellings, including a significant proportion of affordable homes, would assist in addressing this identified shortfall and provide additional flexibility within the housing trajectory.

14.15.30 While the shortfall is acknowledged to be marginal, national policy confirms that the provision of additional housing remains a significant material consideration where a five-year supply cannot be demonstrated. The contribution of this scheme would therefore help to bolster housing delivery in the short to medium term, reduce reliance on less sustainable alternatives, and support the effective delivery of the spatial strategy.

14.15.31 In this context, the delivery of market and affordable housing attracts moderate to substantial weight in favour of the proposal and reinforces the overall public benefits of the scheme. The weight attributed reflects both the current shortfall and the scale of delivery proposed.

14.15.32 Affordable Housing Provision

14.15.33 Weight: Substantial

14.15.34 The scheme delivers 50% affordable housing, substantially exceeding typical policy requirements and directly addressing an acute and well-documented local need. The mix of tenures and the potential for Council acquisition of homes enhance the importance of this benefit. In the context of district-wide affordability pressures, this benefit attracts substantial weight in favour of the proposal. This reflects both the scale of delivery and the acute identified need within the district

14.15.35 Green Infrastructure and Public Open Space

14.15.36 Weight: Moderate to Substantial

- 14.15.37** The proposal provides extensive new and enhanced green infrastructure, including accessible natural greenspace, recreational areas, and new walking and cycling connections. These benefits extend beyond the site and improve opportunities for recreation, health and wellbeing for both new and existing residents.
This benefit attracts moderate to substantial weight. The scale of provision, its accessibility, and its wider benefits to both new and existing residents justify the moderate to substantial weight attributed.
- 14.15.38** Biodiversity Net Gain and Environmental Enhancement
- 14.15.39** Weight: Substantial
- 14.15.40** The scheme secures a minimum of 20% Biodiversity Net Gain, exceeding statutory requirements, alongside long-term management and monitoring. Wider environmental enhancements and mitigation for Hatfield Forest further strengthen this benefit.
- 14.15.41** These outcomes constitute a significant environmental benefit and attract substantial weight. The extent to which the proposal exceeds statutory requirements and secures long-term environmental enhancement justifies the substantial weight applied.
- 14.15.42** Infrastructure Investment
- 14.15.43** Weight: Moderate
- 14.15.44** Through planning obligations, the proposal secures necessary investment in health provision, emergency services, sustainable transport, drainage, and strategic mitigation measures. These ensure the development would function sustainably and without unacceptable pressure on existing infrastructure.
- 14.15.45** This attracts moderate positive weight.
- 14.15.46** Economic and Social Benefits
- 14.15.47** Weight: Moderate
- 14.15.48** The development would generate employment during construction, support the local economy, and deliver wider social benefits arising from new homes, improved connectivity and enhanced environments. These benefits attract moderate weight.
- 14.15.49** Retained Land
- 14.15.50** Weight: Substantial
- 14.15.51** The proposal also secures the safeguarding of land between Birchanger and Stansted Mountfitchet as “Retained Land”, to be

managed for biodiversity enhancement for a minimum of 30 years. This delivers a dual benefit of biodiversity net gain and the long-term maintenance of a strategic green gap, helping to prevent coalescence between settlements. Having regard to the NPPF's strong support for biodiversity enhancement and the protection of countryside character, this combined benefit is considered to attract substantial weight in the planning balance.

14.15.52 Climate Change Mitigation and Energy Efficiency

14.15.53 Weight: Moderate

14.15.54 The development incorporates a comprehensive low-carbon strategy, including:

- energy-efficient building design;
- fossil fuel-free heating;
- on-site renewable energy generation; and
- water efficiency and climate-resilient design measures.

14.15.55 The delivery of a development capable of achieving net-zero operational carbon represents a significant environmental benefit and attracts moderate weight.

14.15.56 Other Placemaking Benefits

14.15.57 Weight: Limited

14.15.58 Additional benefits include the provision of public art and high-quality place-making elements secured through the design code and planning obligations. While more limited in scale, these contribute to the overall quality and identity of the development and attract limited weight.

14.15.59 Overall Planning Balance and Conclusion

14.15.60 The proposal gives rise to substantial Green Belt harm, together with moderate landscape and visual harm, and limited heritage and agricultural land impacts, all of which weigh against the development. However, these harms must be weighed against a strong and policy-compliant package of benefits, including:

- Development on Grey Belt land in accordance with the Golden Rules;
- Contribution to housing land supply,
- 50% affordable housing;
- Significant public open space and green infrastructure.
- Biodiversity net gain well above the statutory minimum.
- Retained Land
- Economic and social benefits.

14.15.61 Having regard to the explicit direction in paragraph 158 of the NPPF, and applying the identified weights to each consideration, it is concluded that the benefits of the scheme attract greater weight than the harms. The harms do not significantly and demonstrably outweigh the benefits; rather, the benefits particularly those to which national policy affords significant weight clearly outweigh the identified harm. Accordingly, the proposal is considered acceptable in planning balance terms, and planning permission should be granted subject to conditions and completion of the Section 106 Agreement.

14.15.62 Alternative Balance (Non-Grey Belt / VSC Scenarios – aligned with Addendum)

14.15.63 In the event that the site is not considered to constitute Grey Belt land, or if the Council's housing delivery position is updated prior to determination, the proposal would fall to be assessed as inappropriate development within the Green Belt, requiring Very Special Circumstances.

14.15.63 In circumstances where an updated housing position demonstrates a five-year housing land supply and/or a Housing Delivery Test above 75%, the weight afforded to housing delivery would be materially reduced. In this scenario, the proposal would continue to generate the benefits identified above; however, it is considered unlikely that these benefits would clearly outweigh the substantial harm to the Green Belt, and therefore Very Special Circumstances would be unlikely to exist.

14.15.64 In circumstances where the site is not considered to constitute Grey Belt land but the current shortfall in housing land supply remains, housing delivery—particularly affordable housing—would continue to attract weight in the planning balance. When combined with the environmental, design, green infrastructure and locational benefits identified, these considerations are considered to carry substantial cumulative weight and are likely to outweigh the identified harm, such that Very Special Circumstances may exist.

15 ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

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

15.1.2 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment,

victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

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

15.2 Human Rights

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

16 CONCLUSION AND RECOMMENDATION

16.1 The proposed development has been assessed against the Development Plan and all other material considerations, including the National Planning Policy Framework. While the scheme would result in identifiable Green Belt and landscape harm, these impacts have been carefully considered and are moderated by the site's Grey Belt status, its sustainable edge-of-settlement location, and the embedded landscape-led design approach. The proposal delivers a substantial package of public benefits, including a significant contribution to housing delivery, 50% affordable housing, enhanced green infrastructure, biodiversity net gain, and necessary infrastructure improvements. Having regard to the specific policy direction for Grey Belt development and the overall planning balance, it is concluded that the benefits of the proposal clearly outweigh the identified harms. The application is therefore considered acceptable in principle, subject to appropriate planning conditions and the completion of a Section 106 agreement.

16.2 RECOMMENDATION – CONDITIONAL APPROVAL SUBJECT TO CONDITIONS AND S106

17. S106/ CONDITIONS

17.1 S106 HEADS OF TERMS

17.1.1 Housing

- Provision of 50% affordable housing, including agreed tenure split and delivery phasing;
- Provision of no less than 5% specialist and supported housing.

- Provision of no less than 5% bungalows.
- Cascade mechanism allowing UDC first refusal on up to 10 affordable rented dwellings for delivery as council housing (subject to reasonable and commercially prudent endeavours)

17.1.2 Education and Health Contributions

- Financial contributions towards education provision, subject to confirmation by Essex County Council;
- Financial contributions towards health services;
- Ambulance service contribution;
- Provision of a publicly accessible defibrillator.

17.1.3 Sustainable Transport and Highways

- Financial contribution towards sustainable transport measures;
- Provision of bus infrastructure, including real-time passenger information displays and associated maintenance contributions;
- Financial contribution towards capacity improvements at the A120 / B1383 Stansted Road roundabout;
- Implementation and monitoring of a Residential Travel Plan.
- Provision of a Shared Mobility Scheme

17.1.4 Public Open Space and Placemaking

- Provision of on-site public open space, including equipped play areas;
- Long-term management and maintenance of public open space;
- Provision or contribution towards public art.

17.1.5 Ecology, Green Infrastructure and Mitigation

- Financial contribution towards mitigation measures for Hatfield Forest SSSI / NNR (SAMB contribution);
- Delivery of a minimum of 20% Biodiversity Net Gain, including long-term management arrangements;
- Safeguarding and management of "Retained Land" for biodiversity enhancement.

17.1.6 Monitoring and Administration

- Payment of monitoring fees and legal costs associated with the Section 106 Agreement

17.3. CONDITIONS

- 1 Approval of the details of layout, 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 accordance with the following approved plans/ drawings:

- 08551-CI-E-SK10 P05 – Revised Sites A & B Access Arrangement
- 08551-CI-E-SK14 P01 – Vertical Visibility
- 08551-CI-E-SK15 P02 – Revised Site A Vehicle Tracking
- 08551-CI-E-SK16 P02 – Revised Site B Vehicle Tracking
- 08551-PJA-SVS-CI-DR-004 P02 – Signalised Junction
- 1092-STS-DLA-00-AB-D-L-10001 P02 – Revised Birchanger Masterplan
- 1092-STS-DLA-ZZ-ZZ-D-L-10001 P02 – Revised Site Wide Masterplan
- 2153 STS-FCB-01-XX-D-A-10001 C – Revised Application Site Plan
- 2153 STS-FCB-01-XX-D-A-10031 J – Revised Parameter Plan – Land Uses
- 2153 STS-FCB-01-XX-D-A-10032 G – Revised Parameter Plan – Building Heights

- 2153 STS-FCB-01-XX-D-A-10033 H – Revised Parameter Plan – Access & Movement

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan 2021-2041 (adopted 2026) as shown in the Schedule of Policies.

- 5 No development shall commence until a Phasing Plan for the whole development has been submitted to and approved in writing by the Local Planning Authority.

The Phasing Plan shall be informed by the approved access arrangements and shall set out a comprehensive and coordinated strategy for the delivery of the development in phases, and shall include:

- a) the timing and provision of on-site infrastructure, including internal roads, pedestrian and cycle routes, drainage infrastructure, public open space, landscaping and any ecological mitigation or enhancement measures;
- b) the timing of any off-site infrastructure required to mitigate the impacts of the development, including transport and highways-related works where relevant;
- c) the relationship between the occupation of dwellings and the delivery of supporting infrastructure, demonstrating that infrastructure will be provided in advance of, or alongside, each phase of residential development; and

The development shall thereafter be carried out strictly in accordance with the approved Phasing Plan, unless otherwise agreed in writing by the Local Planning Authority.

REASON

To ensure the coordinated and timely delivery of development and supporting infrastructure, to prevent piecemeal implementation, and to ensure that adequate infrastructure is provided at appropriate stages of the development in the interests of highway safety, sustainable travel, residential amenity and placemaking.

The condition is imposed in accordance with Core Policy 5 (Providing Supporting Infrastructure and Services), Core Policy 27 (Assessing the Impact of Development on Transport Infrastructure) and Core Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041, and paragraphs 7, 8, 72–74 and 110 of the National Planning Policy Framework

- 6 Prior to the approval of the Reserved Matters application, a Public Rights of Way (PROW) Scheme shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The scheme shall demonstrate how the development will protect, enhance and maintain the Public Rights of Way network, including suitable mitigation where proposed active travel routes interact with Public Footpaths 8, 10 and 13 (Birchanger 6), and where the vehicular access to Site B crosses Public Footpath 8. The approved scheme shall thereafter be implemented in full in accordance with the approved details.

REASON

To ensure the continued safe use, protection and enhancement of Public Rights of Way in accordance with Core Policy 30 (Public Rights of Way) and Core Policies 26–28 of the Uttlesford Local Plan, and paragraphs 115–117 of the National Planning Policy Framework (2024).

- 7 Prior to the approval of the Reserved Matters application, a detailed scheme of highway works shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The scheme shall be generally in accordance with the submitted access and highway drawings and shall include, but not be limited to:

Signalisation of the Birchanger Lane / B1383 Stansted Road junction, Controlled pedestrian crossing facilities, Footway and active travel improvements along Birchanger Lane and the B1383, Bus stop alterations, traffic calming, and speed management measures, and Associated carriageway and junction improvements.

The approved works shall be fully implemented at the developer's expense prior to first occupation of the development.

REASON

In the interests of highway safety, capacity, and promoting sustainable travel modes, in accordance with Core Policies 26 and 27 of the Uttlesford Local Plan and the National Planning Policy Framework (2024).

- 8 Prior to the approval of the Reserved Matters application, details of proposals for Tot Lane and/or the adjacent active travel route shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. The approved details shall be implemented in accordance with the agreed timing and phasing.

REASON:

To encourage walking and cycling and reduce reliance on the private car, in accordance with Core Policy 28 (Active Travel) and Core Policy 26 of the Uttlesford Local Plan and the National Planning Policy Framework (2024).

REASON:

To reduce opportunities for crime and disorder, create safe and secure environments, and promote community cohesion, in accordance with Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041 and paragraphs 92 and 135 of the National Planning Policy Framework, which require development to promote healthy, safe and inclusive places.

- 9 Prior to the approval of the Reserved Matters application for each phase, a Crime Prevention and Community Safety Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall:

a) Demonstrate how the layout, public realm, movement framework, parking, and landscaping have been designed to reduce opportunities for crime and anti-social behaviour;

b) Explain how the development accords with Secured by Design principles and relevant guidance from Essex Police Designing Out Crime Office; and

c) Identify reasonable and proportionate crime-prevention measures to be incorporated within the development.

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

REASON:

To reduce opportunities for crime and disorder, create safe and secure environments, and promote community cohesion, in accordance with Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041 and paragraphs 92 and 135 of the National Planning Policy Framework, which require development to promote healthy, safe and inclusive places.

10 Prior to the approval of the Reserved Matters application for each phase, details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that access for fire appliances has been incorporated into the design of the development.

The details shall show that:

a) Access routes have a minimum width of 3.7 metres;

b) Dead-end access routes in excess of 20 metres are provided with suitable turning facilities;

c) Fire appliances can be accommodated within adequate turning and sweep circles; and

d) All access routes and hardstandings are capable of supporting the weight and operational requirements of fire appliances.

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

REASON

To ensure that safe and adequate access is provided for emergency service vehicles, in the interests of life safety and effective emergency response, in accordance with Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041 and paragraphs 92, 130 and 135 of the National Planning Policy Framework, which require development to create safe, inclusive and well-designed place.

11 Prior to the commencement of development, a Construction and Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority.

The approved CEMP shall include, as a minimum, details of the following matters:

- a) measures for the mitigation and management of dust;
- b) the location and operation of plant, equipment and wheel-washing facilities;
- c) measures to minimise demolition and construction noise;
- d) hours of demolition and construction operations;
- e) details of a complaints procedure, including the identification of a designated on-site person responsible for responding to complaints;
- f) any other site-specific environmental protection measures as reasonably required by the Local Planning Authority;
- g) arrangements for:
 - i. parking of vehicles for site operatives and visitors;
 - ii. loading and unloading of plant and materials;
 - iii. storage of plant and materials used in construction;
 - iv. wheel and underbody cleaning facilities; and
 - v. construction vehicle routing and safe site access.

The development shall be carried out in full accordance with the approved CEMP for the duration of construction.

REASON:

To minimise the impact of construction works on the amenity of nearby residents, to protect the environment, and to ensure the safe and efficient operation of the highway network during construction, in accordance with Core Policy 42 (Pollution and Contamination), Core Policy 26 (Providing for Sustainable Transport and Connectivity) and Core Policy 44 (Noise, Light and Vibration) of the Uttlesford Local Plan 2021–2041, and paragraphs 108 and 180 of the National Planning Policy Framework.

- 12 No development shall commence until a Construction Management Plan (Aviation Safeguarding) has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Stansted Airport Aerodrome Safeguarding Authority.

The Plan shall include measures relating to:

- Control of dust, smoke and debris;
 - Management of temporary construction lighting;
 - Notification of tall plant, cranes and equipment;
 - Control of drones and radio-frequency emitting devices;
 - Prevention of standing water and food waste that may attract birds;
- and
- Foreign Object Debris (FOD) prevention.

The approved Plan shall be implemented for the duration of the construction period.

REASON

To ensure construction activities do not pose a hazard to aviation operations, in accordance with Policy 32a of the Uttlesford Local Plan 2021–2041 and paragraph 183 of the National Planning Policy Framework.

- 13 No development shall commence until a biodiversity gain plan has been submitted to the local planning authority and the planning authority has approved the plan.

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

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

- a) a non-technical summary;
- b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- c) the planned habitat creation and enhancement works to create or improve habitat to achieve the on-site significant enhancements in accordance with the approved Biodiversity Gain Plan;
- d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development;
- e) the monitoring methodology in respect of the created or enhanced habitat to be submitted to the local planning authority; and
- f) details of the content of monitoring reports to be submitted to the LPA including details of adaptive management which will be undertaken to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.

Notice in writing shall be given to the Council when the:

- initial enhancements, as set in the HMMP, have been implemented; and
- habitat creation and enhancement works, as set out in the HMMP, have been completed after 30 years.

The created and/or enhanced habitat specified in the approved HMMP shall be managed and maintained in accordance with the approved HMMP.

Unless otherwise agreed in writing, monitoring reports shall be submitted in years 1, 3, 5, 10, 15, 20, 25, and 30 to the Council, in accordance with the methodology specified in the approved HMMP.

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

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

REASON: To secure the delivery, long-term management and monitoring of biodiversity net gain in accordance with Schedule 7A of the Town and Country Planning Act 1990, and to comply with Core Policies 39 (Green and Blue Infrastructure) and 40 (Biodiversity and Nature Recovery) of the Uttlesford Local Plan (2021–2041), and the National Planning Policy Framework (2024).

JUSTIFICATION

Biodiversity Net Gain is a statutory requirement which must be secured prior to the commencement of development. Core Policies 39 and 40 require the enhancement of biodiversity networks and the delivery of measurable biodiversity gains, supported by long-term management and monitoring.

The HMMP ensures that habitat creation, enhancement, management and monitoring are embedded from the outset and maintained over a minimum 30-year period, thereby securing the ecological outcomes envisaged by both national policy and the adopted Uttlesford Local Plan.

- 15 No development or preliminary groundworks of any kind shall take place until a Written Scheme of Investigation (WSI) for a phased programme of archaeological investigation has been submitted to and approved in writing by the Local Planning Authority.

The WSI shall be prepared by a suitably qualified archaeological organisation and shall include, as appropriate, a programme of archaeological evaluation (trial trenching), mitigation, recording, reporting, and archiving.

REASON:

To ensure that any archaeological remains of interest are appropriately identified and assessed prior to development, in accordance with Policy 64 (Archaeological Assets) of the Uttlesford Local Plan 2021–2041 and paragraph 218 of the National Planning Policy Framework, which require applicants to assess and record the significance of heritage assets affected by development.

- 16 No development or preliminary groundworks of any kind shall take place until the archaeological evaluation identified within the approved Written Scheme of Investigation (WSI) has been carried out and completed, and the findings have been confirmed in writing by the archaeological advisors to the Local Planning Authority.

REASON:

To allow the Local Planning Authority to understand the nature, extent and significance of any archaeological remains present, and to inform appropriate mitigation measures, in accordance with Policy 64 of the Uttlesford Local Plan and paragraphs 218 and 222 of the National Planning Policy Framework.

- 17 Where archaeological remains are identified, no development or preliminary groundworks of any kind shall take place on the affected area of the site until a mitigation Written Scheme of Investigation detailing the agreed strategy for archaeological excavation and/or preservation in situ has been submitted to and approved in writing by the Local Planning Authority.

REASON:

To ensure that archaeological remains of interest are either preserved in situ or appropriately excavated and recorded, in accordance with Policy 64 (Archaeological Assets) of the Uttlesford Local Plan 2021–2041 and paragraphs 218 and 222 of the National Planning Policy Framework.

- 18 No development or preliminary groundworks shall commence on any area identified as containing archaeological deposits until the archaeological fieldwork required by the approved mitigation Written Scheme of Investigation has been completed to the satisfaction of the Local Planning Authority.

REASON:

To safeguard archaeological heritage prior to development taking place, in accordance with Policy 64 of the Uttlesford Local Plan and paragraph 218 of the National Planning Policy Framework.

- 19 Within six months of the completion of archaeological fieldwork (or within such other timescale as may be agreed in writing by the Local Planning Authority), the applicant shall submit a Post-Excavation Assessment and/or Updated Project Design for approval.

Following approval, the applicant shall ensure:

- Completion of post-excavation analysis;
- Preparation of a final report and site archive; and
- Deposition of the archive with the appropriate local museum and submission of a publication report.

REASON:

To secure proper recording, analysis and dissemination of archaeological findings, in accordance with Policy 64 of the Uttlesford Local Plan 2021–2041 and paragraph 218 of the National Planning Policy Framework, which seek to advance understanding of heritage assets affected by development.

20 Prior to the commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority demonstrating:

a) The measures that will be undertaken to minimise groundwater discharges into the public sewer, including from dewatering, excavations, or other construction activities; and

b) How existing public sewers and lateral drains within or adjacent to the site will be protected, including confirmation that any required build-over or diversion agreements have been secured with Thames Water.

The approved measures shall be implemented in full for the duration of construction and thereafter where relevant.

REASON:

To protect the integrity and capacity of the public sewerage network and prevent pollution arising from uncontrolled groundwater discharges, in accordance with Policy 34 (Water Supply and Protection of Water Resources) of the Uttlesford Local Plan 2021–2041 and paragraphs 170 and 180 of the National Planning Policy Framework.

21 Prior to works above slab level, a Biodiversity Enhancement Strategy for protected, Priority and threatened species shall be submitted to and approved in writing by the Local Planning Authority.

The Strategy shall include:

a) Conservation objectives for the enhancement measures;

b) Detailed designs and specifications;

c) Locations shown on plans;

d) Implementation responsibilities; and

e) Details of maintenance and aftercare where relevant.

The enhancement measures shall be implemented in accordance with the approved Strategy and retained thereafter.

REASON:

To secure biodiversity enhancements in line with Policy 40 (Biodiversity and Nature Recovery) of the Uttlesford Local Plan 2021–2041 and paragraphs 187(d) and 193(d) of the National Planning Policy Framework, which seek to deliver measurable net gains for biodiversity beyond mitigation.

22 No development shall commence within a phase until a detailed surface water drainage scheme for that phase, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the site, has been submitted to and approved in writing by the Local Planning Authority.

The scheme shall include, but not be limited to:

- a) Verification of the suitability of infiltration, informed by infiltration testing carried out in accordance with BRE 365 and the CIRIA SuDS Manual (C753);
 - b) Limiting discharge rates to 1:1 greenfield runoff rates for all storm events up to and including the 1 in 100 year event plus 40% allowance for climate change;
 - c) Sufficient storage to ensure no increase in flood risk off-site during all storm events up to and including the 1 in 100 year plus 40% climate change event;
 - d) Demonstration that storage features can half-empty within 24 hours for the critical storm event or otherwise accommodate consecutive storm events;
 - e) Final hydraulic modelling and calculations;
 - f) Details of water quality treatment in accordance with the Simple Index Approach set out in the CIRIA SuDS Manual;
 - g) Detailed engineering drawings of all drainage components; and
 - h) A final drainage plan showing finished floor levels, exceedance and conveyance routes, and the location and sizing of all drainage features.
- The approved scheme shall be implemented prior to first occupation of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To prevent flooding, ensure the effective operation of sustainable drainage systems over the lifetime of the development, and safeguard the water environment, in accordance with Policy 36 (Flood Risk) and Policy 37 (Sustainable Drainage Systems) of the Uttlesford Local Plan 2021–2041 and paragraphs 163 and 170 of the National Planning Policy Framework, which require development to avoid increasing flood risk and to incorporate sustainable drainage solutions.

- 23 No development shall commence until a scheme to minimise the risk of off-site flooding and pollution from surface water run-off and groundwater during construction has been submitted to and approved in writing by the Local Planning Authority.

The approved scheme shall be implemented for the duration of the construction period.

REASON:

To ensure that construction activities do not increase flood risk or contribute to water pollution, in accordance with Policy 36 (Flood Risk) of the Uttlesford Local Plan 2021–2041 and paragraphs 163 and 170 of the National Planning Policy Framework, which require development to manage flood risk and protect water quality throughout all phases of development.

- 24 No development shall commence within a phase until details of any groundworks for that phase involving excavations below the chalk groundwater table (including piling or geothermal systems, where

applicable) have been submitted to and approved in writing by the Local Planning Authority.

The details shall include a ground investigation and method statement demonstrating how potential pollution pathways will be avoided and how any contamination risks will be managed so as to protect the chalk aquifer. Approved measures shall be implemented in full.

REASON

To protect groundwater quality and the chalk aquifer from pollution, in accordance with Policy 34 (Water Supply and Protection of Water Resources) of the Uttlesford Local Plan 2021–2041 and paragraphs 174 and 180 of the National Planning Policy Framework, which seek to prevent unacceptable risks to the water environment.

- 25 Prior to commencement of development, details shall be submitted to and approved in writing by the Local Planning Authority demonstrating how existing water supply infrastructure within or adjacent to the site will be protected or diverted, as necessary.

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

REASON:

To ensure the safe operation and protection of existing water supply infrastructure, in accordance with Policy 34 (Water Supply and Protection of Water Resources) of the Uttlesford Local Plan 2021–2041 and paragraph 167 of the National Planning Policy Framework, which requires development to be supported by appropriate infrastructure.

- 26 Prior to the commencement of development, details of on-site Accessible Natural Greenspace (ANG) shall be submitted to and approved in writing by the Local Planning Authority.

The details shall:

a) Demonstrate that the ANG is of sufficient quality, size, and functionality to meet relevant Natural England Green Infrastructure Standards;

b) Be designed to provide an attractive alternative to recreational visits to Hatfield Forest; and

c) Include details of layout, access, landscaping, and long-term management.

The ANG shall be provided in accordance with the approved details prior to occupation of the development and retained thereafter.

REASON:

To mitigate recreational pressure on Hatfield Forest SSSI / NNR by providing high-quality alternative greenspace, in accordance with Policies 39 (Green and Blue Infrastructure) and 40 (Biodiversity and Nature

Recovery) of the Uttlesford Local Plan 2021–2041 and paragraphs 174 and 180 of the National Planning Policy Framework.

- 27 No development shall commence until details of the surface water drainage design have been submitted to and approved in writing by the Local Planning Authority, in consultation with the Stansted Airport Aerodrome Safeguarding Authority.

The approved scheme shall demonstrate that:

- a) Attenuation basins are avoided in favour of geocellular tanks, or
- b) Any attenuation features are normally dry and drain down within 48 hours following a 1-in-1-year rainfall event, with no permanent standing water exceeding 15cm in depth and vegetation maintained above water level.

The approved drainage scheme shall be implemented and thereafter retained as approved.

REASON:

In the interests of flight safety and to minimise the risk of bird strike by avoiding the creation of habitats attractive to hazardous bird species, in accordance with Core Policy 32a (Aerodrome Safeguarding) of the Uttlesford Local Plan 2021–2041 and paragraph 183 of the National Planning Policy Framework, which requires development to safeguard aviation operations.

- 28 No development shall commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Stansted Airport Aerodrome Safeguarding Authority.
The Plan shall cover:

- a) Both the construction phase and operational phase of the development; and
- b) Measures to prevent the attraction, foraging, nesting, or roosting of bird species hazardous to aviation.

The approved Plan shall be implemented in full and retained for the lifetime of the development.

REASON

To ensure the development does not increase the risk of bird strike to aircraft using Stansted Airport, in accordance with Policy 32a of the Uttlesford Local Plan and paragraph 183 of the NPPF.

- 29 No development above ground floor slab level shall commence until a Climate, Energy & Carbon Strategy for the development has been submitted to and approved in writing by the Local Planning Authority. The Strategy shall demonstrate how the dwellings will achieve:

1. Net zero operational carbon (Core Policy 22) through energy-efficient design, low-carbon systems, and on-site renewable energy.

2.Minimised overheating risk (Core Policy 23) using passive and, if necessary, mechanical measures to ensure comfortable internal temperatures.

3.Reduced embodied carbon (Core Policy 24) through material selection, construction methods, and waste minimisation.

The approved Strategy shall thereafter be implemented in full, and a verification report confirming compliance shall be submitted within six months of first occupation or phase of the development.

REASON:

To ensure that the development complies with Core Policy 1, 22, 23, 24 of the Uttlesford Local Plan 2021 2041 and contributes to the reduction of greenhouse gas emissions, delivering sustainable, low-carbon, and climate-resilient homes in accordance with the Council’s strategy for climate mitigation and national policy objectives”.

- 30 No development above ground level shall take place until details of the landscaping for that phase have been submitted to and approved in writing by the Local Planning Authority.

The landscaping details shall include:

- a) a scheme of soft landscaping including species, planting density and distribution;
- b) details demonstrating that fruit and berry bearing species comprise no more than 30% of the overall planting mix;
- c) details demonstrating that tree species with dense or robust crowns (including, but not limited to, Oak, Beech and Scots Pine) are avoided where they would have the potential to attract birds hazardous to aviation;
- d) details demonstrating that planting does not create habitats likely to attract bird species hazardous to aviation; and
- e) a programme for implementation and maintenance.

The approved landscaping shall be carried out in the first planting season following occupation of the relevant phase (or completion, whichever is sooner) and shall thereafter be retained and maintained in accordance with the approved details.

REASON:

In the interests of aviation safety, to minimise the risk of bird strike and ensure that landscaping does not increase the number of hazardous bird species in the vicinity of Stansted Airport, in accordance with Policy 32a (Aerodrome Safeguarding) of the Uttlesford Local Plan 2021–2041 and paragraph 183 of the National Planning Policy Framework.

- 31 Prior to first occupation, the vehicular access to Site B shall be constructed in accordance with the approved drawings, including

appropriate carriageway width and visibility splays. The access shall thereafter be retained and maintained free of obstruction.

REASON:

To ensure safe and suitable access to the highway network, in accordance with Core Policy 27 of the Uttlesford Local Plan and the National Planning Policy Framework (2024).

- 32 Prior to first occupation, a Residential Travel Information Pack shall be provided for each dwelling, to be approved by the Local Planning Authority in consultation with the Highway Authority. The packs shall include information and incentives to promote sustainable travel, including public transport use, walking and cycling.

REASON:

To promote sustainable transport choices and reduce dependence on the private car, in accordance with Core Policies 26 and 28 of the Uttlesford Local Plan and the National Planning Policy Framework (2024).

- 33 Prior to occupation of the development, details of a signposted circular dog-walking route of approximately 2.3–2.5 kilometres shall be submitted to and approved in writing by the Local Planning Authority.

The route shall:

- a) Be clearly signposted from within the development;
- b) Make use of on-site routes and, where appropriate, existing public rights of way and highways; and
- c) Be designed to encourage regular use as an alternative to walking at Hatfield Forest.

The approved route shall be constructed prior to the occupation of the development and shall be retained and maintained for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To further mitigate recreational impacts on Hatfield Forest SSSI / NNR by encouraging alternative walking opportunities close to the development, in accordance with Policies 39 and 40 of the Uttlesford Local Plan 2021–2041 and paragraphs 174 and 180 of the National Planning Policy Framework

- 34 Prior to first occupation, a Surface Water Drainage Maintenance Plan shall be submitted to and approved in writing by the Local Planning Authority.

The Plan shall include:

- a) Details of the maintenance activities and frequencies for all drainage features;
- b) Identification of the party or parties responsible for maintenance; and
- c) Where relevant, details of long-term funding and management arrangements.

The approved Maintenance Plan shall be adhered to for the lifetime of the development.

REASON

To ensure appropriate long-term management and maintenance of the surface water drainage system so that it continues to function effectively in mitigating flood risk, in accordance with Policy 37 (Sustainable Drainage Systems) of the Uttlesford Local Plan 2021–2041 and paragraph 170 of the National Planning Policy Framework.

- 35 No part of the development shall be occupied until written confirmation has been provided to the Local Planning Authority that either:

a) All necessary upgrades to the foul water network required to accommodate the additional flows from the development have been completed; or

b) A phasing plan for development and foul water infrastructure, agreed with Thames Water and the Local Planning Authority, is in place.

Where a phasing plan is approved, no occupation shall take place other than in strict accordance with the approved phasing schedule.

REASON

To ensure that sufficient foul water infrastructure is in place to serve the development and to prevent sewer flooding and pollution incidents, in accordance with Policy 34 (Water Supply and Protection of Water Resources) of the Uttlesford Local Plan 2021–2041 and paragraphs 167 and 173 of the National Planning Policy Framework, which require development to be supported by appropriate infrastructure and to prevent unacceptable risks to the water environment.

- 36 Prior to first occupation, details of firefighting water provision shall be submitted to and approved in writing by the Local Planning Authority. The details shall demonstrate that:

a) Adequate water supplies for firefighting purposes are available to serve the development; and

b) Provision has been designed having regard to guidance from Essex County Fire & Rescue Service.

Any required infrastructure shall be installed in accordance with the approved details prior to occupation.

REASON:

To ensure sufficient water supplies are available for emergency firefighting operations, in accordance with Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041 and paragraph 92 of the National Planning Policy Framework, which seeks to ensure development supports safe communities and emergency response.

- 37 No external lighting shall be installed on site unless in accordance with a scheme first submitted to and approved in writing by the Local Planning Authority.

The lighting scheme shall be submitted prior to the installation of any lighting and, in the case of phased development, prior to the first occupation of each phase to which it relates.

The scheme shall include:

- a) details of all external lighting, including layout plans, specifications, and lighting calculations;
- b) confirmation that all lighting is designed to be capped at the horizontal with no upward light spill;
- c) identification of ecological features on and adjacent to the site that are sensitive to artificial lighting, including features important for bat foraging and commuting;
- d) lighting contour plans, isolux drawings, and technical specifications demonstrating that external lighting has been designed and positioned to avoid disturbing bats or preventing use of established routes and habitats; and
- e) measures to ensure that unacceptable light spill, glare, or obtrusive light impacts on neighbouring residential properties are avoided.

All external lighting shall be installed in accordance with the approved scheme prior to first occupation of the relevant phase and shall thereafter be retained and maintained as approved. No additional external lighting shall be installed unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To prevent distraction or confusion to pilots and air traffic controllers in the interests of aviation safety; to conserve and enhance biodiversity including protected species; and to safeguard the amenities of neighbouring occupiers, in accordance with Policy 32a, Core Policies 40 and 44 of the Uttlesford Local Plan 2021–2041 and paragraphs 180, 183 and 186 of the National Planning Policy Framework.

- 38 The development shall be carried out strictly in accordance with the mitigation and enhancement measures set out in the Ecology Chapter (Baker Consultants, October 2025). All such measures shall be implemented in full and retained thereafter.

REASON

To ensure the conservation and enhancement of protected and Priority species and habitats, in accordance with Policy 39 (Green and Blue Infrastructure) and Policy 40 (Biodiversity and Nature Recovery) of the Uttlesford Local Plan 2021–2041 and Section 15 of the National Planning Policy Framework.

- 39 The applicant, or any successor in title, shall maintain annual records of inspection and maintenance of the surface water drainage system in accordance with the approved Maintenance Plan. Such records shall be made available to the Local Planning Authority upon request.

REASON:

To ensure the sustainable drainage system is properly maintained for the lifetime of the development and continues to protect against flood risk, in accordance with Policy 37 (Sustainable Drainage Systems) of the Uttlesford Local Plan 2021–2041 and the National Planning Policy Framework.

- 40 All construction works shall be carried out in accordance with best practice guidance for the control of water pollution, including measures set out in CIRIA Publication C532 – Control of Water Pollution from Construction. In the event that previously unidentified contamination is encountered during construction, works shall cease in the affected area and appropriate investigation, monitoring, and remediation measures shall be implemented in accordance with details submitted to and approved by the Local Planning Authority.

REASON:

To prevent pollution of groundwater and surface waters during construction, in accordance with Policy 34 (Water Supply and Protection of Water Resources) of the Uttlesford Local Plan 2021–2041 and paragraph 180 of the National Planning Policy Framework.

- 41 Surface water from the development shall be managed in accordance with the approved drainage strategy and shall not be discharged to the public foul sewer network. Should any future proposal seek to discharge surface water to the public sewer, a separate planning permission shall be obtained.

REASON:

To ensure the effective separation of surface water and foul drainage and to avoid pressure on the public sewerage network, in accordance with Policy 37 (Sustainable Drainage Systems) of the Uttlesford Local Plan 2021–2041 and paragraph 173 of the National Planning Policy Framework, which promotes sustainable drainage and protection of sewer infrastructure.

- 42 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting it), no reflective materials, including photovoltaic panels, shall be installed unless details (including a Glint and Glare Assessment, where applicable) have been submitted to and approved in writing by the Local Planning Authority.

Only clear or obscure glazing shall be permitted without further approval.

REASON

To avoid glint, glare, and potential ocular distraction affecting aviation operations at Stansted Airport, in accordance with Policy 32a (Aerodrome Safeguarding) of the Uttlesford Local Plan and paragraph 183 of the National Planning Policy Framework.

- 43 All dwellings hereby approved shall be constructed in accordance with Requirement M4(2) (Accessible and Adaptable Dwellings) of the Building Regulations 2010 (Approved Document M, Volume 1).

In addition, not less than 5% of the dwellings hereby approved shall be constructed as wheelchair-accessible and adaptable dwellings in accordance with Requirement M4(3) of the Building Regulations 2010. The approved dwellings shall be retained as such for the lifetime of the development.

REASON:

To ensure a high standard of accessibility and inclusive design, meeting the needs of older people, disabled people and households with reduced mobility, in accordance with Policy 48 (Housing Mix and Type) and Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041, and Section 12 of the National Planning Policy Framework, which seek to create safe, accessible and inclusive places that meet the changing needs of society.

- 44 A minimum of one electric vehicle charging point shall be installed for each dwelling hereby approved.

All charging points shall be fully wired, installed, and operational, ready for use prior to first occupation of the associated dwelling. The charging infrastructure shall thereafter be retained for the lifetime of the development.

REASON:

To encourage the uptake of low-emission vehicles and reduce carbon emissions in accordance with Policy 29 (Electric and Low Emission Vehicles) and Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041, Section 14 of the National Planning Policy Framework, and the requirements of Approved Document S (Infrastructure for the Charging of Electric Vehicles) 2021.

- 45 The development hereby approved shall be constructed to meet the optional requirement under Part G of the Building Regulations 2010 for the maximum potential consumption of wholesome water of 110 litres per person per day.
The approved dwellings shall be retained as such for the lifetime of the development.

REASON

To minimise the consumption of water resources and promote sustainable development in an area of water stress, in accordance with Policy 34 (Water Supply and Protection of Water Resources) and Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041, and Section 14 of the National Planning Policy Framework, which seek to address climate change and support the efficient use of natural resources.

- 46 Any air source heat pumps installed as part of the development shall be specified, sited, designed, enclosed, or otherwise acoustically attenuated to ensure that noise resulting from their operation does not exceed the existing background noise level when measured at the nearest noise-sensitive receptor, inclusive of any penalty for tonal, impulsive or other distinctive acoustic characteristics, when assessed in accordance with BS 4142:2014 (or any subsequent updates or replacements).

REASON:

To safeguard the residential amenity of nearby occupiers from unacceptable noise and disturbance, in accordance with Policy 51 (Pollution and Contamination) and Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041, and Section 15 of the National Planning Policy Framework, which seek to prevent development from resulting in harmful noise impacts.

- 47 No pedestrian or cycle route hereby approved shall be brought into use until details of its design have been submitted to and approved in writing by the Local Planning Authority.

The details shall include:

- a) the alignment, width and gradients of each route;
- b) the proposed surface materials and construction specifications;
- c) details of drainage arrangements and long-term maintenance;
- d) lighting proposals (where appropriate), including luminance levels and measures to minimise impacts on residential amenity and biodiversity;
- e) boundary treatments, overlooking, and other measures to ensure user safety and security; and
- f) measures to ensure accessibility and inclusive use for all users, including those with mobility impairments.

The approved routes shall be implemented prior to first use and retained and maintained thereafter in accordance with the approved details.

REASON:

To ensure that pedestrian and cycle routes are safe, inclusive, accessible and of an appropriate quality to encourage walking and cycling as part of everyday travel, in accordance with Policy 26 (Providing for Sustainable Transport and Connectivity) and Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041, and Sections 9 and 12 of the National Planning Policy Framework, which seek to promote healthy, active and inclusive communities and high-quality movement networks.

- 48 The Public Rights of Way crossing and adjoining the site shall be kept free and unobstructed at all times, and all new planting shall be set back a minimum of 3 metres from the definitive routes, unless otherwise agreed in writing by the Local Planning Authority.

REASON:

To safeguard the usability and safety of Public Rights of Way in accordance with Core Policy 30 of the Uttlesford Local Plan and the National Planning Policy Framework (2024).

- 49 The development hereby permitted shall be carried out in full accordance with the approved Sites North of Birchanger – Design Code (Revision B, January 2026) prepared by Feilden Clegg Bradley Studios, including the site-wide design principles, character area requirements, and the landscape-led master planning approach.

All subsequent reserved matters applications shall demonstrate, through drawings and a Design Compliance Statement, how the proposals accord with the approved Design Code. No development shall commence for any phase unless and until the relevant reserved matters have been approved in writing by the Local Planning Authority and are in accordance with the Design Code.

REASON:

To secure a high quality, landscape-led and locally distinctive form of development, to ensure consistency with the approved master planning and character principles, and to achieve well-designed places, in accordance with Core Policy 52 (Good Design Outcomes and Process), Core Policy 41 (Landscape Character), and Core Policy 39 (Green and Blue Infrastructure) of the Uttlesford Local Plan (Submission Version, 2021–2041), the Uttlesford District-Wide Design Code, and paragraphs 130–139 of the National Planning Policy Framework

- 50 The development hereby permitted shall be carried out strictly in accordance with the approved Arboricultural Impact Assessment and Tree Protection details prepared by SJ Stephens Associates (October 2025), including all measures relating to:

- a) the identification, retention and protection of existing trees and hedgerows;
- b) the extent and specification of Root Protection Areas (RPAs);
- c) the location, design and installation of protective fencing and ground protection; and
- d) any arboricultural supervision or working methods identified as necessary within or adjacent to RPAs.

No development, site clearance, groundworks or construction activity shall take place until the approved tree protection measures have been fully installed in accordance with the Arboricultural Impact Assessment, and such measures shall be retained and maintained for the duration of construction.

Any variation to the approved arboricultural protection measures shall be submitted to and approved in writing by the Local Planning Authority prior to its implementation.

REASON:

To ensure the protection and long-term retention of existing trees and landscape features of amenity value, to safeguard Root Protection Areas during construction, and to secure a high-quality landscape-led development, in accordance with Core Policies 41 and 52 of the Uttlesford Local Plan 2021–2041 and the National Planning Policy Framework.

Addendum – Housing Delivery, Grey Belt and Very Special Circumstances

The planning balance within this report has been undertaken on the basis that the site is capable of being regarded as Grey Belt land and that the presumption in favour of sustainable development is engaged, having regard to the Council's current position of not being able to demonstrate a full five-year housing land supply.

However, the Council's housing land supply position and Housing Delivery Test results remain subject to update. It is also recognised that an alternative conclusion could be reached as to whether the site meets the definition of Grey Belt land set out in the National Planning Policy Framework.

In circumstances where either:

- a five-year housing land supply can be demonstrated and/or the Housing Delivery Test exceeds 75%; or
- the site is not considered to constitute Grey Belt land;

the proposal would fall to be assessed as inappropriate development within the Green Belt, requiring justification through the demonstration of Very Special Circumstances, whereby the harm to the Green Belt and any other identified harm is clearly outweighed by other considerations.

Assessment of Very Special Circumstances

The applicant's Planning Statement Addendum sets out a case that the proposal gives rise to a combination of site-specific and scheme-specific benefits which, when taken cumulatively, amount to Very Special Circumstances.

Having regard to the evidence submitted and the wider assessment within this report, the identified benefits are attributed the following weight:

Substantial weight

- Delivery of 50% affordable housing, significantly exceeding policy requirements and addressing an acute and persistent need within the District
- Environmental benefits, including substantial biodiversity net gain and wider ecological enhancement
- Design quality, with the scheme demonstrating a landscape-led and exemplary approach to placemaking

Significant weight

- Sustainable location, with good access to services, facilities, public transport and active travel networks
- Proximity to Stansted Airport and associated employment opportunities, supporting economic growth and reducing commuting distances

Moderate to substantial weight

Provision of public open space and green infrastructure, including accessible green space, recreational routes and wider landscape enhancements, which also assist in mitigating recreational impacts on designated sites

Moderate weight

Economic benefits, including construction employment and increased local expenditure

Overall Conclusion on Very Special Circumstances

Scenario 1 – Updated housing delivery position (5YHLS / HDT >75%)

Where the Council's housing delivery position is updated prior to determination such that a five-year housing land supply can be demonstrated and/or the Housing Delivery Test exceeds 75%, the weight afforded to housing delivery within the overall planning balance would be materially reduced. In these circumstances, the proposal would represent inappropriate development in the Green Belt and, having regard to the reduced policy weight in favour of housing, it is considered unlikely that the identified benefits would clearly outweigh the substantial harm to the Green Belt, and therefore Very Special Circumstances would be unlikely to exist.

Scenario 2 – Non-Grey Belt conclusion with ongoing housing shortfall

In the event that the site is not considered to constitute Grey Belt land, the proposal would represent inappropriate development within the Green Belt. While the provision of housing, including affordable housing, attracts weight, housing delivery is a general policy objective and not in itself, exceptional. Similarly, the benefits of the scheme, including its design quality, sustainability measures, biodiversity enhancement and infrastructure provision, are largely policy-compliant features, (although in some cases exceed policy minima) expected of major development proposals and should therefore attract only moderate weight in the planning balance.

The identified harms attract substantial weight under the NPPF and the adopted Local Plan. Taken cumulatively, the benefits identified by the applicant do not amount to VSC sufficient to clearly outweigh the substantial harm arising from inappropriate development in the Green Belt. To conclude otherwise would risk establishing a

precedent whereby similar arguments could justify development across numerous Green Belt sites, thereby undermining the fundamental purpose and openness of the Green Belt.

APPENDIX 1- NATIONAL HIGHWAYS



National Highways Planning Response (NHPR 25-01) Formal Recommendation to an Application for Planning Permission

From: Steven Thulborn (Head of Planning & Development)
Operations Directorate
East Region
National Highways
PlanningEE@nationalhighways.co.uk

To: Uttlesford District Council (FAO Chris Tyler)
planning@uttlesford.gov.uk

CC: transportplanning@dft.gov.uk
spatialplanning@nationalhighways.co.uk

Council's Reference: UTT/25/3011/OP

Location: Land West of Birchanger Lane Birchanger

Proposal: Outline application for up to 180 dwellings and safeguarded land for primary school use with access, landscaping and associated infrastructure. All matters reserved except access.

National Highways Ref: NH/25/13712

Referring to the consultation on a planning application dated 12 November 2025, referenced above, in the vicinity of the M11 or A120 that forms part of the Strategic Road Network, notice is hereby given that National Highways' formal recommendation is that we:

- ~~a) offer no objection (see reasons at Annex A);~~
- b) recommend that conditions should be attached to any planning permission that may be granted (see Annex A – National Highways recommended Planning Conditions & reasons);
- ~~e) recommend that planning permission not be granted for a specified period (see reasons at Annex A);~~
- ~~d) recommend that the application be refused (see reasons at Annex A).~~

Highways Act 1980 Section 175B ~~is~~/is not relevant to this application.¹

¹ Where relevant, further information will be provided within Annex A.

This represents National Highways' formal recommendation and is copied to the Department for Transport as per the terms of our Licence.

Should the Local Planning Authority not propose to determine the application in accordance with this recommendation they are required to consult the Secretary of State for Transport, as set out in the [Town and Country Planning \(Development Affecting Trunk Roads\) Direction 2018](#), via transportplanning@dft.gov.uk and may not determine the application until the consultation process is complete.

The Local Planning Authority must also copy any consultation under the 2018 Direction to PlanningEE@nationalhighways.co.uk.

This response and all comments outlined herein are made in respect of planning matters only in National Highways' position as a statutory planning consultee, and does not confer any proprietary rights nor amount to the giving or refusal of consent, assent, approval, or awareness of or by National Highways in or of any other aspects or matters (including, but not limited to, the use of property belonging to National Highways). If anyone wishes for National Highways to consider any aspects which do not relate to planning submissions, they should call our contact centre on 0300 123 5000.

Signature: S. H.

Date: 09 February 2026

Name: Dr Shamsul Hoque

Position: Assistant Spatial Planner

National Highways

Woodlands | Manton Lane | Bedford | MK41 7LW

Annex A National Highway's assessment of the proposed development

National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Recommended Conditions

Reason:

Thank you for re-consulting National Highways on 19 January 2026.

This application relates to land parcels north of Birchanger (Sites A and B). A separate application (UTT/25/3012/OP) by the same applicant covers land parcels south of Stansted Mountfitchet (Sites F and G). Both applications propose residential-led development with associated facilities.

National Highways' interest relates to M11 Junction 8, its connection with the A120 at Birchanger Green Roundabout, and the section of the A120 to the east of the junction, including Priory Wood Roundabout. For this application, the nearest access point to the SRN is via the B1383, which connects to the non-trunk section of the A120 and then to M11 Junction 8 and the A120 trunk road.

We have reviewed the technical note "*Response to National Highways Comments*" dated 15 January 2026. National Highways offers the following comments:

Vehicular Access:

All proposed vehicular access points are from the local road network. In our previous response (dated 12 December 2025), we noted that National Highways has no comments on the proposed vehicular access.

Transport Assessment (TA):

National Highways previously noted that the initial Transport Assessment (dated December 2025) followed much of the methodology agreed at the pre-application stage. The technical note submitted on 16 January 2026 provides further clarification in relation to the Strategic Road Network, particularly M11 Junction 8 and its interaction with the A120.

The key points set out in the recent technical note are summarised below:

- The technical note presents the cumulative traffic impacts on M11 Junction 8 (including both Birchanger Green Roundabout and Priory Wood Roundabout) for all probable development scenarios, including the worst-case scenario combining all four site parcels (A, B, F and G). It also clarifies that different scales of development (number of dwellings) were tested during the forecasting process.
- The Travel Demand Model structure aligns with that was agreed at pre- application including core and vision-led scenarios, donor site comparisons, TRICS checks, and the proposed use of mobile network data for distribution and mode shift.
- A reasonable level of information is provided on active travel, public transport, and local mitigation measures at Birchanger Lane and Stansted Road, along with reference to a contribution towards the A120 and B1383 roundabout.
- The development traffic impact assessment forecasts trip distribution using
 - i. Mobile Network Data; and
 - ii. 2011 Census Journey to Work data across all development scenarios. The results presented in the technical note indicate a minimal traffic impact on M11 Junction 8, part of the SRN.
- When combining all four site parcels (A, B, F and G) across both applications, the anticipated maximum impact under the worst-case scenario is not expected to result in a severe impact at M11 Junction 8 (Birchanger Green Roundabout and Priory Wood Roundabout). Therefore, no specific mitigation strategy for the Strategic Road Network is proposed.

Traffic Flow Diagrams:

Traffic flow diagrams for M11 Junction 8, including Birchanger Green Roundabout and Priory Wood Roundabout, are presented in the technical note. This matter is now resolved.

We also note that the A120 junction between Dunmow Road and Birchanger Lane has recently been signalised by Essex County Council. In our previous response we requested commentary on how this new junction arrangement has been treated in the assessment, which is now noted.

In addition, there are several mitigation measures proposed by ECC Highways, as well as measures associated with the Stansted Airport development application, which relate to the operation and safety of M11 Junction 8.

National Highways considers that the submitted technical note (dated 15 January 2026) has adequately addressed the transport information required at this stage in relation to the SRN. No further transport information is necessary at this time.

Construction Traffic Management Plan (CTMP):

We acknowledge the comment relating to the CTMP within the technical note submitted on 15 January 2026 in relation to the Construction Traffic Management Plan. National Highways recommends a pre-commencement planning condition.

Condition 1: Construction Traffic Management Plan (CTMP)

No development shall commence until an updated Construction Traffic Management Plan has been submitted to and approved in writing by the local planning authority, in consultation with National Highways. The approved plan shall be implemented in full throughout the construction period.

The updated Construction Traffic Management Plan should include:

- measures to avoid the use of the M11 and A120 by construction traffic during weekday peak hours (07:00 to 09:30 and 16:00 to 18:30) where reasonably possible*
- agreed travel routes between the site and M11 Junction 8, including Birchanger Green Roundabout and Priory Wood Roundabout.*
- measures to prevent mud and debris from reaching the M11 and A120 (part of the SRN)*
- arrangements for how the construction workforce will travel to and from the site, with the aim of reducing any impact on the M11 and A120 (part of the SRN)*

Reason: *To ensure that the M11 and A120 (part of the SRN) continue to operate safely and efficiently as part of the Strategic Road Network.*

Standing advice to the local planning authority

The Climate Change Committee's [2022 Report to Parliament](#) notes that for the UK to achieve net zero carbon status by 2050, action is needed to support a modal shift away from car travel. The NPPF supports this position, with paragraphs 77 and 110 prescribing that significant development should offer a genuine choice of transport modes, while paragraphs 109 and 115 advise that appropriate opportunities to promote walking, cycling and public transport should be taken up as part of a vision-led approach.

Moreover, the carbon reduction hierarchy (avoid-switch-improve) as set out in clause 4.3 of PAS2080:2023 promotes approaches and measures to minimise resource consumption and thereby reduce carbon emissions.

These considerations should be weighed alongside any relevant Local Plan policies to ensure that planning decisions are in line with the necessary transition to net zero carbon.

APPENDIX 2- LEAD LOCAL FLOOD AUTHORITY

Uttlesford District Council
Planning Services

Date: 23 April 2026
Our Ref: SUDS-008626
Your Ref: UTT/25/3011/OP

Dear Sir/Madam,

Consultation Response- UTT/25/3011/OP: Land North of Birchanger

Thank you for your email with updated information received on 10/02/2026 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

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

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we **do not object** to the granting of planning permission based on the following:

Condition 1

No works except demolition shall takes 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:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods

accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753.

- Limiting discharge rates to 1:1 Greenfield runoff rates for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change
- 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 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event, *or, if impracticable*
- 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
- Final modelling and calculations for all areas of the drainage system.
- 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.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

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.

Condition 2

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

Reason

The National Planning Policy Framework paragraph 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.

Condition 3

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.

Condition 4

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

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

We also have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below.
<https://www.essex.gov.uk/protecting-environment>
- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. Planning applications with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures [Flood risk assessments: climate change allowances](https://www.gov.uk/government/publications/flood-risk-assessments-climate-change-allowances) - GOV.UK (www.gov.uk)
- Please note that where discharge is to a public sewer, consent from the relevant authority will be required. The links can be found below.
<https://www.anglianwater.co.uk/developing/drainage-services/sustainable-drainage-systems/>
<https://www.thameswater.co.uk/developers>
- Any works to a ditch may require a S23 Ordinary Watercourse Consent, Please see the below link for more information and how to apply.
<https://flood.essex.gov.uk/maintaining-or-changing-a-watercourse/>

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

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team,

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions.

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

APPENDIX 3- NATURAL ENGLAND

Date: 13 April 2026
Our ref: 545246
Your ref: UTT-25-3011-OP



Uttlesford District Council
planning@uttlesford.gov.uk

BY EMAIL ONLY

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

T 0300 060 900

Dear Sir / Madam

Planning consultation: Outline application for up to 180 dwellings and safeguarded land for primary school use with access, landscaping and associated infrastructure. All matters reserved except access.
Location: Land West Of Birchanger Lane Birchanger.

Thank you for your consultation on the above dated 27 March 2026 which was received by Natural England on the same date.

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

SUMMARY OF NATURAL ENGLAND'S ADVICE

NO OBJECTION - SUBJECT TO APPROPRIATE MITIGATION BEING SECURED

We consider that without appropriate mitigation, the application has potential to damage or destroy the interest features for which Hatfield Forest Site of Special Scientific Interest (SSSI) and National Nature Reserve (NNR) has been notified.

To mitigate these adverse effects and make the development acceptable, the following mitigation measures are required:

- Financial contribution towards Strategic Access Management and Monitoring (SAMM) measures identified by the National Trust as landowners of £1333.60 per new residential dwelling;
AND
- The provision of on-site Accessible Natural Greenspace (ANG) of sufficient high quality and size (refer to [GI Standards \(naturalengland.org.uk\)](https://www.naturalengland.org.uk));
AND
- a signposted circular dog walking route of around 2.3-2.5 km from the new development, which could potentially make use of pedestrian links (PRoW and highways) in the local area.

We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures.

A lack of objection does not mean that there are no significant environmental impacts. Natural England advises that all environmental impacts and opportunities are fully considered and relevant local bodies are consulted. Natural England's further advice on designated sites/landscapes and advice on other natural environment issues is set out below.

Hatfield Forest SSSI / NNR - further advice

Hatfield Forest is a National Nature Reserve (NNR). It is nationally designated as a Site of Special Scientific Interest (SSSI) and regarded to be of international importance for its ancient wood pasture-forest habitats. The interest features of these habitats are vulnerable to recreational impacts and within recent years there has been increasing concern regarding the number of visitors. It has been noted that there have been significant

increases in visitor numbers, linked to nearby residential development. Both Natural England and the National Trust therefore have concerns regarding the impacts of increasing visitor pressure on the designated site and it is apparent that the current number of visitors is exceeding carrying capacity of some important SSSI habitats and features.

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

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

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

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

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

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

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

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

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

Should the proposal change, please consult us again.

If you have any queries relating to the advice in this letter, please contact consultations@naturalengland.org.uk.

Yours faithfully

Victoria Sweeney
Consultations Team

APPENDIX 4- HISTORIC ENGLAND



Historic England

Mr Chris Tyler
Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

Direct Dial: 01223 582784

Our refs: P01600802
P01600818

2 December 2025

Dear Mr Tyler

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**LAND WEST OF BIRCHANGER LANE, BIRCHANGER, ESSEX
Application Nos. UTT/25/3011/OP & UTT/3012/OP**

Thank you for your letters of 12 November 2025 regarding the above applications for planning permission.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on these applications again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Yours sincerely

Rosa Teira Paz
Inspector of Historic Buildings and Areas

APPENDIX 5- ACTIVE TRAVEL ENGLAND

LPA Reference: UTT/25/3011/OP

ATE Reference: ATE/25/01699/OUT

Site Address: LAND WEST OF, BIRCHANGER LANE, BIRCHANGER,
CM23 5QA

Proposal: Outline application for up to 180 dwellings and safeguarded land for primary school use with access, landscaping and associated infrastructure. All matters reserved except access

Standing Advice

Dear Sir/Madam,

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

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

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

APPENDIX 6- STANSTED AIRPORT

Our Ref: SG40486

Dear Sir/Madam

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

However, please be aware that this response applies specifically to the above consultation and only reflects the position of NATS (that is responsible for the management of en route air traffic) based on the information supplied at the time of this application. This letter does not provide any indication of the position of any other party, whether they be an airport, airspace user or otherwise. It remains your responsibility to ensure that all the appropriate consultees are properly consulted.

If any changes are proposed to the information supplied to NATS in regard to this application which become the basis of a revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Yours faithfully

NATS

NATS Safeguarding

E: natssafeguarding@nats.co.uk

Application Number: UTT/25/3011/OP

Our Ref.: STN 2025-273

Proposal: Outline application for up to 180 dwellings and safeguarded land for primary school use with access, landscaping and associated infrastructure. All matters reserved except access

Location: Land West Of Birchanger Lane Birchanger

Dear UDC,

Thank you for consulting with the aerodrome safeguarding authority for Stansted Airport. The Safeguarding Authority for Stansted Airport has assessed this proposal and its potential to conflict with aerodrome safeguarding criteria. We need further information/changes and therefore we must issue a holding objection to this development until we are satisfied that it will not cause an aviation hazard.

We require:

-That the attenuation basins are replaced with geocellular tanks, or that any attenuation basin should be typically dry and drain down in less than 48 hours following a 1 in 1 year rainfall event. Should SUDS hold permanent water, it should be less than 15cm deep, with permanent vegetation above water level all year. SUDS also need to drain down to 15 cm depth below the vegetation within 48 hours.

Following the satisfactory resolution of the above outlined objections, conditions will be necessary for aspects of the development as per the below:

Condition- No development to take place until a detailed landscape plan is submitted for approval to the LPA in consultation with the aerodrome safeguarding authority for Stansted Airport. Fruit and berry bearing planting species are to be maintained at less than 30% of the overall planting mix. Additionally, groups of trees with robust crowns e.g. Oak, Scots Pine and Beech, are to be avoided.

Reason: Flight safety – Birdstrike avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN. Obstacle avoidance – to ensure that fast-growing, tall tree species do not infringe the aerodrome safeguarding surfaces.

Condition-The development will require a Bird Hazard Management Plan to cover both the construction phase and ongoing operation of the site.

Reason: Flight safety – Birdstrike avoidance; to prevent any increase in the number of hazardous birds in the vicinity of Stansted Airport (STN) that would increase the risk of a Birdstrike to aircraft using STN.

Informative-The applicant's attention is drawn to the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

Informative-The development lies within the flight restricted zone established for Stansted Airport. The applicant's

attention is drawn to the procedures for drone notifications, please see: <https://nsf.nats.aero/drones-and-model-aircraft/#:-:text=You%20must%20ensure%20you%20always%20adhere%20to%20the%20Drone%20Code>

Informative -The use of radio frequency (RF) emitting devices in this location has the potential to interfere with Stansted Airport's Communication, navigation, and surveillance (CNS) equipment. RF emitting devices are to be approved by Stansted Airport prior to energisation.

Reason: Flight safety – In the interests of maintaining the integrity of CNS equipment critical to aviation operations.

Condition-Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order), all exterior lighting shall be capped at the horizontal with no upward light spill. We will need to see evidence of lighting plans and calculations.

Reason: In the interests of flight safety and to prevent distraction and confusion to pilots and air traffic controllers at Stansted Airport.

Informative -No lighting directly beneath any roof lights that will emit light upwards – only downward facing ambient lighting to spill from any roof lights upwards – ideally, automatic blinds to be fitted that close at dusk.

Reason: Flight safety - to prevent distraction or confusion to pilots and air traffic controllers at Stansted Airport.

Condition-Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order) no reflective materials (including solar PV) other than clear or obscure glass shall be added to the building without the express consent of the local planning authority. We will need to see evidence of no detriment via the submission of a Glint and Glare Assessment should reflective surfaces i.e. solar PV, form part of the scheme.

Reason: In the interests of flight safety and to prevent distraction and ocular damage to pilots and air traffic controllers at Stansted Airport.

Condition-No development shall take place until a comprehensive Construction Management Plan has been submitted to and approved in writing by the local planning authority, in consultation with Stansted Airport. The Construction Management Plan is to include at least the following topics:

- Control of dust and smoke
- The process for notifying the airport prior to the use of frequency emitting devices
- Measures to prevent foreign object debris (including airborne tarpaulins)
- Principles for utilising temporary construction lighting (capped at horizontal with no light spill above the horizontal)
- Procedures for drone usage in consultation with Stansted Airport
- Commitment relating to the notification of tall equipment as per CAA CAP 1096
- Procedures for gas venting, if required, in consultation with Stansted Airport
- Food waste to be contained within covered bins to prevent birds scavenging detritus and food waste, to ensure the risk of bird strike at STN is not increased.
- Measures to prevent puddling or ponding of water which can act as an attractant to birds hazardous to aviation.

Reason: Flight safety – Construction activities can pose a risk to aviation operations unless managed safely.

It is important that any conditions or advice in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Stansted Airport, or not attach conditions which Stansted Airport has advised, it shall notify Stansted Airport, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

Kind regards.

APPENDIX 7- ECC HIGHWAYS

Date: 26/05/2026



CC (by email): Essex Highways Development Management

To: Uttlesford District Council
Assistant Director Planning & Building Control
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

Highways and Transportation
County Hall
Chelmsford
Essex
CM1 1QH

Recommendation

Application No.	UTT/25/3011/OP
Applicant	City & Country Stansted Ltd
Site Location	Land West Of Birchanger Lane Birchanger
Proposal	Outline application for up to 180 dwellings and safeguarded land for primary school use with access, landscaping and associated infrastructure. All matters reserved except access

The Highway Authority has assessed the information which has been submitted with the planning application. The assessment of the application and Transport Assessment was undertaken with reference to the National Planning Policy Framework 2024 and in particular paragraphs 115-117, the following was considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

The applicant, with their transport consultant, has engaged positively in pre-application discussions with the highway authority, and further discussions have taken place during the determination period. This has resulted in a suite of updated documents forming part of the submission.

The application details a potential closure of Tot Lane to vehicular through-traffic which would allow its re-purposing as an active travel route. This would negate the requirement for the parallel active travel route shown on the Revised Parameter Plan. We do not consider the closure of Tot Lane is necessary to mitigate the impact of the development, but would welcome further consideration and investigation, and a condition has been drafted accordingly.

Taking each item from our response dated 17th March 2026, in turn, please see details below of our updated position on each:

Pedestrian/cycle access

With regards the Revised Parameter Plan – Access and Movement (drawing no. 2153 STS-FCB-01-XX-D-A-10033 Rev H), we remain concerned that 'pedestrian / cycle access points' remain as one category. Some of the access points indicated are not suitable for cycling (namely, those at footpaths) and we expect that as the development may come forward with reserved matters that these concerns are addressed through appropriate design.

For information, the access proposals presented on the Revised Sites A & B Access Arrangement Plan (drawing no. 08551-CI-E-SK10) would not likely not be adopted as public highway. However, the active travel route and footway through Site A proposed as an alternative to the sub-standard footway along Birchanger Lane should be offered for adoption to ensure the public's rights over the route in perpetuity, the planning authority's view is sought on how this could be secured.

We consider that best endeavours should be made to liaise with Birchanger Primary School to discuss provision of a direct pedestrian route from Site B to the school, the planning authority's view is sought on how best this could be secured.

Vehicular access

The designer has reconsidered their response to the issues raised in the Stage 1 RSA and updated the designs accordingly – widening the access road at its junction with Birchanger Lane to improve tracking for larger vehicles and widening the carriageway along Birchanger Lane.

Appropriate visibility splays are now proposed for both site accesses and can be secured by condition (drafted below).

Highway Works – Birchanger Lane

An alternative arrangement is proposed for Birchanger Lane. The existing sub-standard footway provision will be removed and a pedestrian route re-provided through Site A to B1383 Stansted Road. This allows a more consistent carriageway width to be provided along Birchanger Lane whilst maintaining its 'sunken lane' characteristics. We acknowledge widening the carriageway to modern standards and providing a 2 metre wide footway alongside would be very difficult to achieve in engineering terms due to the level challenges along the lane.

Highway Works – Birchanger Lane/B1383 Stansted Road

The designer has reconsidered their response to the issues raised in the Stage 1 RSA and updated the designs accordingly. The pedestrian crossing across Birchanger Lane (north-south) has been reinstated to the junction design which is welcomed.

Public Rights of Way

The Revised Parameter Plan – Access and Movement shows the interaction between the development proposals and the Public Right of Way (PROW) network. Since submission, the Uttlesford Local Plan has been adopted and its Core Policy 30 sets out that development proposals for sites that include a PROW are required to submit a Rights of Way Scheme that demonstrates how the development will protect, enhance and protect the PROW network. As this did not form part of the submission, a draft condition/obligation has been included below. For the avoidance of doubt, as it stands, the highway authority would not seek to adopt any of the additional active travel routes indicated on the Revised Parameter Plan – Access and Movement.

Bus Stops

Vehicle tracking has been provided demonstrating the southbound bus stop on B1383 Stansted Road will be useable.

Trip Generation/Distribution

We are content with the trip generation and distribution presented.

Modelling – Birchanger Lane/B1383 Stansted Road

We have considered the additional information provided to demonstrate the suitability of the base model. The signalisation of this junction does have an impact on the traffic flow on B1383 Stansted Road however, the modelling shows that the junction will operate within capacity and delays will not be severe.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions/obligations:

Concurrent with the first reserved matters application

1. **Public Rights of Way scheme:** concurrent with the first reserved matters application, the Developer shall submit to the Local Planning Authority for approval, in consultation with the highway authority, a Public Rights of Way scheme demonstrating how the development will protect, enhance and protect the Public Rights of Way network. The Scheme shall include appropriate mitigation where the proposed active travel routes interact with public rights of way, and where the vehicular access to Site B crosses footpath 8

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 Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance

2. **Highway works:** concurrent with the first reserved matters application, the Developer shall submit to the Local Planning Authority for approval, in consultation with the highway authority, a scheme of highway works, as shown indicatively on drawing nos. 08551-CI-E-SK10 and 08551-PJA-SVS-CI-DR-004 Rev P02 to include, but not be limited to:
 - a. Signalisation of the junction of Birchanger Lane with B1383 Stansted Road including carriageway repair/resurfacing as required by the highway authority, and consideration of an intelligent traffic control system (e.g. MOVA) as required by the highway authority
 - b. Signalisation to include one controlled pedestrian crossing point on Birchanger Lane and two controlled pedestrian crossing points on B1383 Stansted Road
 - c. All controlled pedestrian crossing points to be served by a footway of minimum width 2 metres
 - d. Amendments to existing southbound bus stop layby
 - e. 2 metre footway along Birchanger Lane from Site Access A north to the signalised junction and from the junction with Tot Lane past Site Access B
 - f. Gateway feature – signs, roundel, surfacing – at northern extent of Birchanger Lane
 - g. 20mph speed limit along Birchanger Lane
 - h. Widened carriageway along Birchanger Lane between Site Access A and Site Access B
 - i. Priority working arrangement on Birchanger Lane in the vicinity of its junction with Tot Lane
 - j. Uncontrolled pedestrian crossing point with dropped kerbs and tactile paving close to Site Access B
 - k. Pedestrian crossing point on Forest Hall Road in the vicinity of its junction with Bentley Drive
 - l. Widening of the footway along B1383 Stansted Road between the junctions with Birchanger Lane and the A120 roundabout to provide an improved active travel facility of 3m or as wide as physical constraints allow

Prior to occupation of the development, the approved highway works to be implemented entirely at the developer's expense.

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

3. **Tot Lane:** concurrent with the first reserved matters application, details of the proposals for Tot Lane and/or its adjacent active travel route to be submitted to the Local Planning Authority for approval, in consultation with the highway authority including a timetable for implementation

Reason: in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance

Prior to commencement

4. **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:
- construction vehicle access,
 - the parking of vehicles of site operatives and visitors,
 - loading and unloading of plant and materials,
 - storage of plant and materials used in constructing the development,
 - wheel and underbody washing facilities,
 - routing strategy for construction vehicles,
 - protection of public rights of way within and adjacent to the site,
 - 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 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

Prior to occupation

5. **Vehicular access – Site A:** prior to occupation of the development, the provision of an access formed at right angles to Birchanger Lane, as shown in principle on drawing no. 08551-CI-E-SK10 Rev P06 to include but not limited to: minimum 6 metre carriageway width with appropriate radii to accommodate the swept path of vehicles regularly using the site access; 1 x 2 metre wide footways; clear to ground visibility splays with dimensions of 2.4 metres by 43 metres to both the north and south, 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

6. **Vehicular access – Site B:** prior to occupation of the development, the provision of an access formed at right angles to Birchanger Lane, as shown in principle on drawing no. 08551-CI-E-SK10 Rev P06 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; clear to ground visibility splays with dimensions of 2.4 metres by 25 metres to both the north and south, 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

Compliance

7. **Public Rights of Way:** the public's rights and ease of passage over public footpaths 8, 10 and 13 (Birchanger 6) 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 Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance

S106 obligations

8. **Bus infrastructure:** prior to occupation of the development, the provision of 2no. 28" in-shelter real-time passenger information displays – one at Birchanger Comer (NE-bound) and one at Birchanger Comer (SW-bound). Furthermore, prior to occupation of the development, payment of commuted sums to cover maintenance of each of the real-time passenger information displays at £10,845.09 each (index linked from the date of this recommendation)

Reason: in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policy DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance

9. **Sustainable Transport contribution:** prior to occupation of the development, payment of a financial contribution of £520,000 (index linked from the date of this recommendation) shall be paid to fund improvements to enhance bus services between the development, Saffron Walden and Bishops Stortford improving the frequency, quality and/or geographical cover of bus routes that serve the site.

Reason: to improve the accessibility of the development by bus and in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the Development Management Policies as adopted as County Council Supplementary Guidance

10. **A120/B1383 Stansted Road roundabout improvements:** prior to occupation of the development, payment of a financial contribution of £180,000 (index linked to the date of this recommendation) towards roundabout capacity improvements works at the junction of the B1383 with the A120, to be pooled with other developer contributions

Reason: in the interests of mitigating the impact of the development on the highway network in accordance with policy DM17 of the Development Management Policies as adopted as County Council Supplementary Guidance

11. **Residential Travel Plan:** prior to first occupation of the proposed development, the Developer shall submit a residential travel plan (incorporating the principles set out in submitted Travel Plan) to the Local Planning Authority for approval in consultation with the highway authority. Such approved travel plan shall then be actively implemented for a minimum period from first occupation of the development until 1 year after final occupation. It shall be accompanied by an annual monitoring fee of £1,817 to be paid to Essex County Council.

Reason: to encourage trips associated with the development to be made by more sustainable modes of transport such as public transport, cycling and walking, in accordance with policy DM10 of the Highway Authority's Development Management Policies as adopted as County Council Supplementary Guidance

12. **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

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

Informatives:

- (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 shall be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority (Essex County Council), with all details being agreed before the commencement of any highway works. Failure to secure the necessary approvals and relevant permits for works within the highway may result in enforcement action by the Highway Authority against, but not limited to, the owner of the land or the person causing, or responsible for, the damage to the Highway. To start the process to obtain the relevant permissions the applicant should contact the Essex Highways 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 8, 10 and 13 (Birchanger 6) 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.