



UTTLESFORD DISTRICT COUNCIL

Felsted & Stebbing Ward

District Councillors John Evans & Richard Silcock



DISTRICT COUNCILLORS' REPORT: OCTOBER 2026

Again, we begin our Report with planning matters. The first involves a theme expressed to us on several occasions and which has very understandably upset and exercised so many residents. It is along these lines:

"This country has a planning system which involves applying to the Council for planning permission when you want to build an extension or make some other major changes to your home. But why is it fair that some people do not follow the rules, do not apply for planning permission when they should and then hope to get away with it?"

There is no satisfactory answer to the question, except to say that the process of applying for retrospective planning application has existed in England since 1990 and in most cases works fairly, is logical and well understood, being intended in the main part to deal with inadvertent or minor breaches of the planning rules/procedures. The process allows, if approved, for these types of breaches to be regularised. However, in our view, the position where there is flagrant, large scale and deliberate breach of planning control should not be dealt with in the same way at all, irrespective of the status of the applicant.

In recent years, there has been a recognition by Government that Intentional Unauthorised Development ("IUD") should be regarded differently from the instance of where an application for retrospective planning application arising out of an inadvertent breach is made. In the past, on a retrospective planning application, weight as to the relevance of IUD was given by local planning authorities and the Planning Inspectorate (on an appeal) when coming to their decision but the weight given was not universally the same – it depended on the circumstances.

However, Policy DM8 in the new National Planning Policy Framework of August 2026 now mandates that "**substantial weight**" is to be given to IUD where intention can be shown on the part of the applicant. This is an important and much to be welcomed policy change.

WILLOWS GREEN – UNAUTHORISED DEVELOPMENT

This very important topic warrants a further update. Residents in Willows Green will be familiar with developments since our last Report but residents of other parts of the Parish maybe less so and so more detailed information is provided.

In brief, there are two current issues:

- a retrospective Planning Application (reference UTT/26/1475/FUL) has been made for planning permission/change of use for the establishment and occupation of 12 traveller pitches (made up of 12 mobile homes, 12 day rooms and 12 touring caravans plus infrastructure) on the central part of the paddock land lying west of Main Road, Willows Green and Mole Hill Green Road. Public representations were required by 24 September and a great number of excellent submissions have been made by residents. Other input from “official consultees” is awaited.
- High Court proceedings are also pending, having been commenced by UDC seeking to restrain the unauthorised development by named parties (said to be the land owners) and other persons “unknown” and also relating to its occupation (among several other issues). We described this in our last Report.

Many residents from Willows Green attended the regular UDC Scrutiny Meeting in Saffron Walden on 3 September and voiced their concerns about UDC’s actions while they waited outside the building prior to the Meeting. Andrew Madders spoke very fluently on behalf of the community, prior to its scheduled planned business, in order to express understandable frustration and dismay as to what has been perceived to be delays by UDC in securing injunctive relief and thereafter taking steps in its enforcement.

It is perhaps helpful to be reminded that UDC maintain an advisory webpage/Council Statement, with FAQs, concerning the Court Proceedings and Injunctions obtained by them as they relate to the fields at Willows Green and Milch Hill:

[Council Statement - Willows Green and Milch Hill - Uttlesford District Council](#)

An extraordinary UDC Council Meeting (“ECM”) was requisitioned on 17 September to enable members to hear what had come about at Willows Green and understand the steps taken by UDC in response. A detailed paper was prepared in advance of the ECM which set out the history and relevant details of the unauthorised development at Willows Green and steps taken in response to the extent that UDC was able to provide details, given applicable legal constraints.

These constraints are referred to in **bold** in the Paper brought to the ECM and spoken to by John as the Planning Portfolio Holder. There is a great deal of background and explanation provided in it and we recommend its consideration in full. The excellent speeches and addresses given by Cllr Roy Ramm on behalf of the Parish Council and by a number of concerned residents prior to the beginning of the ECM are very important and valuable also and may be found here:

<https://uttlesford.moderngov.co.uk/documents/s45141/Report%20Willows%20Green.pdf>

and

<http://www.civico.net/uttlesford/24754>

Questions were also raised ahead of the ECM by various residents and responses were provided by John, reproduced here (with thanks to the Clerk for adding them to the PC www):

<https://felsted-pc.gov.uk/wp-content/uploads/Public-Questions-and-Answers-Cllr-Evans-17.09.26.pdf>

Residents have considered that there has not been sufficient information provided by UDC as to the “next steps to be taken nor when” as they relate to the High Court proceedings. UDC has been waiting for the written Judgment of the Court after the hearing of 18 June in order to determine those steps. The decisions as to future action are taken by the UDC legal and enforcement officers, taking into account the advice received from UDC’s instructed Counsel, namely Miss Caroline Bolton, who is very experienced in this area of law. She has a number of similar matters where she is instructed by other Local Planning Authorities in similar circumstances to that at Willows Green ie “highly organised invasions”, involving site clearance with heavy plant and equipment in use and the erection of fenced pitches which all took place over a public holiday.

It might not be fully appreciated by all residents that decisions as to the manner in which legal proceedings are conducted and pursued by UDC (and of course this is the case of all other Local Planning Authorities) are taken entirely by UDC Officers and not by Council, individual councillors or committees of UDC elected Councillors. Indeed, one resident thought that Councillors might be employees of UDC – that is not the case.

This background is provided not by way of excuse or in an attempt to hide behind Officers’ decision making. It is how Local Government operates throughout the country – the gathering and presentation of evidence in litigation, the tactics and arguments to be deployed as well as the timing of applications to be made are all matters in the hands of the officers and their appointed external legal advisers. It needs to be added also that the planning enforcement process for all local planning authorities is a discretionary matter to be managed in accordance with each Council’s own Enforcement Policies – they are not mandated by nationally applicable regulation.

The channel of advice and updates as to further steps being taken by UDC concerning enforcement of the Court Orders and other planning breaches will continue to be provided from UDC and ourselves to Felsted PC, as well as their via their webpages. We will always be available to attend meetings arranged between UDC and Felsted PC and ourselves. These issues will however remain challenging and of great concern for quite some time – there is no “quick fix”. We will of course be fully supportive of the community in all these concerns and are extremely anxious to bring matters to a conclusion as soon as practically and lawfully possible.

In this connection, extensive representations in objection were submitted by John to the retrospective planning application, and which of course are to be found on UDC Planning Portal, but for convenience and ready reference in future, they may be found in the below link. Residents are encouraged to read the representation:

https://publicaccess.uttlesford.gov.uk/online-applications/files/C35EE45BC16B2000C3C2AE51C1C69E0C/pdf/UTT_26_1475_FUL-WARD_MEMBER_CLLR_EVANS_-_COMMENTS-4820131.pdf

The professionally prepared representations submitted by Andrew Martin Planning on behalf of Felsted PC and Carter Jonas on behalf of Willows Green Action and Planning Group, which are available also on the planning portal, make for essential reading also.

Finally, of course, we do not express any view as to the need nationally for sufficient pitches to be provided for the housing needs of members of the Gypsy and Traveller community. The requirement in Uttlesford however, has been taken into account in the Local Plan which was adopted, after Examination by the Planning Inspectorate, on 26 March 2026 and so the position locally is known. However, in purely statistical terms, readers might be interested to be made aware of the latest data (to January 2026) which was released in July by MHCLG concerning the traveller caravan population in England as a whole. It has increased overall since the last count in January 2025 and demonstrates a continuing long-term trend.

The total number of traveller caravans in England on the count date in January 2026 was 29,402, an increase of 2,109 (8 %) over the January 2025 count, broken down into an increase of 1,175 (5%) in the number of caravans on authorised sites and an increase of 934 (23%) in the number of caravans on unauthorised sites. Overall, the January 2026 count indicated that 83 % of traveller caravans in England were on authorised land and that 17 % were on unauthorised land.

Data as to the position in individual Local Planning Authorities is illuminating and sample statistics released by MHCLG as to caravan numbers on unauthorised land are as follows;

Local Planning Authority	On Unauthorised Land/No of Caravans 1/1/26
Braintree	8
Chelmsford	29
Colchester	0
East Herts	87
LB Havering	153
Reigate/Banstead	69
South Cambs	83
Tandridge	214
Thurrock	64
Uttlesford	0
Waverley	149

HEDGEHOG SOLAR FARM PROPOSAL

We have not heard anything directly by way of update from TOTAL ENERGIES (the scheme developer and prospective owner) but advice was given very recently to the Chair of the Community Liaison Group (District and Parish Councillor Ann Hooks of Rayne) which she has relayed. This development will find itself way onto the UDC and Braintree Council planning portals in the near future.

Unexpectedly and contrary to their previous position, ECC are now refusing to permit construction access over the Flitch Way at the Northwest of the proposed site. This would have permitted construction traffic to avoid Watch House Green and Bannister Green and so if permission were to be granted without such access over Flitch Way, it will have potentially significant adverse impacts on residents in affected areas of our Parish, including Frenches Green.

This means that TOTAL are likely to have to reconsult on using alternative construction accesses which do not include crossing Flitch Way. This of course will not be welcome news for many residents at the affected locations and the roads that lead to them. This means we are some way off having the planning application coming forward for consideration by the UDC and Braintree planning committees.

LOCAL GOVERNMENT REORGANISATION ("LGR")

Since our last Report, there has been a major update to provide. On Monday 7 September, the Government unexpectedly stated that it was to be "All Change" again and that LGR as previously announced would not continue as had been intended for Essex. They have pressed the "Pause Button" on the plans.

It was precisely two years ago at your September 2024 Meeting that we brought you information as the Government's (unmanifested) plans to undertake a massive reform of Local Government in Essex and several other rural "Shire" counties. Since that time, an enormous amount of work has been undertaken and very large costs incurred preparatory to the creation of new Unitary Councils intended to replace the existing unitary, city and district councils in Essex.

The following letter is the way in which the Government has made the announcement to the Councils concerned, namely those in Essex, Suffolk, Norfolk and Hampshire. So, the five Unitary Council plan for Essex which had been approved by Government which would lead to Uttlesford joining up with Harlow and Epping Forest Councils is not presently going forward.

[Local government reorganisation: programme review and decisions withdrawal letter to council leaders](#)

What will occur once the Government has reviewed matters is any one's guess but it does represent an extraordinary volte face by it. Minister McMahon who was described by us in September 2024 as a devolution zealot was the author of the letter contained in the link and gave as one reason for the policy change as follows:

“It will also afford the opportunity for the Devolution White Paper, which will set out our plans to rewire the state, to address the question of the role of local government in a devolved country.”

The reversal will have enormous impact upon the anticipated reorganisation plans for the Council areas affected not only for residents but also in particular for the council employees. This does now mean that regular District Council elections in Uttlesford will take place “as usual” in May 2027.

UTTLESFORD PLANNING COMMITTEE - DELEGATION SCHEME

Again, the Government has made radical reforms to the planning system by restricting the ability of the elected members serving on Planning Committees in England to be involved in planning decision making. A national scheme of delegation is being implemented compulsorily for all Local Planning Authorities with effect from 31 October 2026. Consequently, it requires amendment to Uttlesford’s Constitution to provide for the scheme’s workings. The UDC Planning Committee will be far less involved and active in future since the majority of decision making will be undertaken by UDC planning officers under delegated powers.

Details of the revisions have been prepared and will come to Full Council on 20 October for approval and explains the changes and how the delegated system will operate. In future, there will be no opportunity for District Councillors to “call in” applications to UDC Planning Committee.

A paper detailing the amendments and their effect was brought to UDC Audit and Standards Committee last week as in this link:

<https://uttlesford.moderngov.co.uk/documents/s45208/20260924%20National%20Scheme%20of%20Dele1.pdf>

In consequence, your Planning Sub-Committee will no doubt be considering how they will approach the level of detail to be included in their representations to planning applications in the future, taking into account also the procedural changes governing Planning Appeals.

THE MAGISTRACY

We thought that some of your Members and other residents might be interested in reading of a recently launched campaign [Magistrates recruitment campaign launched](#) designed to promote the recruitment of lay Magistrates. It aims to introduce and encourage individuals of all backgrounds to consider applying and this is the relevant introduction

“Applications are open to anyone aged 18 to 74 who meets the eligibility requirements. Magistrates volunteer for a minimum of 13 days a year, and many successfully balance the role alongside their careers, caring responsibilities and other commitments. Anyone interested in

finding out more about becoming a magistrate, and applying for the role, can visit the [magistrate recruitment website](#).”

SOME OF OUR OTHER WORK

It is always rewarding for us to achieve something of direct benefit for our residents so may we be permitted to celebrate one! The road surface and footways at Chaffix have been very unsatisfactory for a considerable period of time. The surface of the roadway has had several potholes in it although some have been patch repaired from time to time. It was potentially unsafe for pedestrians and residents using wheelchairs and prams etc.

As will be recalled Chaffix is made up of houses and bungalows which were built by Dunmow Rural District Council several decades ago and the roadway layout and concrete surfaces were designed to standards suitable at the time for use in the 1960's/70's. These days, neither the road, footway layout nor surface are up to current/modern standards and are not acceptable to the standard required by ECC as the Highway Authority for the purposes of adoption by them. This means that the road and footways are “estate roads” and their maintenance is the responsibility of the owner.

In this case (as with several other similar estates across the District) the owner remains UDC which is liable for the cost of maintenance attributable to its own social housing stock while the remainder is attributable to and is payable by the owners of their own homes. Richard has been following up this subject with UDC Housing Team over several months, the needed re-surfacing of the road has recently been arranged and is now well underway with completion expected any day. For the work to be completed well before the dark nights of the winter period will we are sure be very much appreciated by all residents.

DISTRICT COUNCILLORS' AND CONSTITUENTS' SURGERY

We will be holding our usual Surgery at 1730 at URC Hall immediately prior to your monthly PC Meeting. We are always, of course, pleased to meet up by appointment, as required, with any resident who wishes to discuss a matter of concern or indeed anything we have commented upon in our Monthly Reports.

If any resident would like to receive a personal copy of our Monthly Reports, we shall be pleased to send one directly to them by e mail but do remind all concerned that they are published and included by way of a link in each Month's Parish Council Minutes. Back Editions commencing as far ago as June 2019 are available additionally on request!

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