



UTTLESFORD DISTRICT COUNCIL

Felsted & Stebbing Ward

District Councillors John Evans & Richard Silcock



DISTRICT COUNCILLORS' REPORT: SEPTEMBER 2026

We would have hoped that Members of the PC and Clerking Team might have had a good break during August, but regrettably we know that will not have been the case, given their involvement as known to us during this period in issues arising and in particular in the planning context.

For us, it was “business as usual” in that Richard attended the UDC August Planning Committee meeting and John’s responsibilities as Cabinet Member continued irrespective of the holiday season. His fortnightly meetings continue to take place together with Cabinet colleagues and Senior UDC Officers and the standing fortnightly meeting on a one to one basis continues also with the UDC Strategic Director for Planning. Meetings with Stansted Airport under the auspices of STACC also took place.

Once again, much of this short Report relates to planning matters and it seems that this has become the principal area of our activity and likely to continue to be so.

WILLOWS GREEN – UNAUTHORISED DEVELOPMENT

We reported at length in our last Report upon the circumstances of the unauthorised development that had occurred in the field at Main Road/Milch Hill Road, Willows Green, the risk of similar activity at another site at Milch Hill and as to the steps that had been taken by UDC to secure urgent (when issued, these are initially granted on a temporary and short term basis) injunctions from the High Court in both cases to restrain (in addition to other very important restraints also) development of the sites including prohibition of their continuing occupation.

The temporary Injunction obtained concerning the Main Road site was brought back to the Court for further consideration with the request made by UDC that it be continued permanently. This application was heard on **18 June** at a daylong hearing where UDC was represented by a barrister (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”, site clearance with heavy plant and equipment put in use and the erection of fenced pitches which all took place over a public holiday.

The Defendants were represented at the **18 June** hearing by a solicitor but were themselves also personally present in court. After lengthy argument, the Injunction was in the event continued for a period of two years which extended to “persons unknown”. John was able to attend the hearing as did other members of the Willows Green community.

The continuation of the Milch Hill Injunction was brought back by UDC to the High Court on **29 July** with a request for its extension, which was granted. The Defendant did not attend court. John was in attendance again together with a community representative.

Last week, an application was submitted for retrospective planning at the Willows Green site. We both propose to object to it in the strongest terms and will ask to speak at the UDC Planning Committee when the application comes before it. For this purpose, Richard intends to recuse himself from sitting on the Planning Committee in relation to that item, thereby enabling him to express his objection.

Residents have expressed frustration that refuse is being collected from site by UDC. This is indeed bound to be seen as flying in the face of what is correctly regarded as utterly non-permissioned development activity by the land owners. The reason for this is because of UDC’s statutory duty to collect refuse but also to avoid health hazards and the prospect of what would become an expensive fly-tipping clearance if it remained uncollected.

The new NPPF (see below) does now very helpfully provide for greater weight to be afforded against retrospective planning permission where development has been intentionally undertaken in its absence (as we would say has clearly been the case in this instance).

Further steps are being taken by UDC but they currently await from the High Court the sealed Order of 18 June and the accompanying Judge’s Written Judgement. They have been pressing the Court Service for their release which are really well overdue.

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 be from UDC to Felsted PC, as well as being carried on their webpages, and we shall of course be pleased to attend all meetings arranged between them.

These issues will remain challenging and of great concern for quite some time. Members of the public are rightly determined to see that public policy is observed ie that the planning system is complied with and if development by a land owner or promoter (whoever they may be) is sought, then it should be undertaken in accordance with the prevailing rules, being compliant with planning policy and if it is not, then appropriate enforcement measures should follow.

We will of course be fully supportive of the community in all these measures and are extremely anxious to bring matters to a conclusion as soon as practically and lawfully possible.

PLANNING MATTERS – NATIONAL POLICY

To the surprise of all, the revised National Planning Policy Framework (“NPPF”) was finally published in the middle of the Parliamentary Recess on 17 August. It contains radical policy provisions in favour of “sustainable development”, including within settlement boundaries of villages (but not hamlets).

Again, this will be a yet further new policy document that UDC’s Planning Committee will need to get to grips with as to its far reaching effects.

UTTLESFORD PLANNING COMMITTEE - DELEGATION SCHEMES

Again, the Government is making radical reforms to the planning system by restricting the ability of the elected members serving on Planning Committees to be involved in decision making. A national scheme of delegation is being implemented, which requires amendment to Uttlesford’s Constitution. The UDC Planning Committee will in consequence be far less active in future and details of the revisions are currently being prepared and we will bring them to the attention of your Planning Sub-Committee thereafter.

PLANNING MATTERS - COMMUNITY INFRASTRUCTURE LEVY (“CIL”)

The CIL tariffs proposed are now adopted by UDC and will come into effect this month. The tariffs for all new developments irrespective of the number of dwellings has been set at £ 150 per m2, basis greenfield sites. This sum will be of some considerable significance in Felsted where two sites are contemplated under the scope of the forthcoming reviewed Neighbourhood Plan.

Parish Councils such as Felsted with made Neighbourhood Plans will be entitled to receive 25% of CIL tariff monies in respect of development occurring within their Parish.

It might be that it would be beneficial for neighbouring Parishes to keep themselves apprised as to their respective infrastructure needs and consider pooling resources where appropriate for the mutual benefit of their respective residents.

LOCAL GOVERNMENT REORGANISATION (“LGR”)

As previously reported, the Government is still expecting LGR in Essex to mean the creation of 5 Unitary Councils, whereby so far as we are concerned, Uttlesford, Epping Forest and Harlow Councils will “merge”.

However, since the County Council Elections held in May, the new Administrations at both ECC and Harlow Council have each announced their intention to seek to challenge the LGR process agreed by Government for Essex.

Essex County Council and Harlow Council have secured initial permission by way of Judicial Review to challenge the Government's decision and we await further news on that score, perhaps to be received in the next month or so.

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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