



BY EMAIL

Our Ref: KS/26019/UDC16-9

Mr Avgerinos Vlachos

Planning Officer
Uttlesford District Council
London Road
SAFFRON WALDEN
CB11 4ER

16th September 2026

By Email: AVlachos@uttlesford.gov.uk

Dear Mr Vlachos

UTT/26/1475/FUL – Land at Willows Green, Main Road, Felsted

Section 73A Retrospective application for the change of use of the land for the provision of 12 Gypsy/Traveller pitches, including the siting of 12 mobile homes, 12 touring caravans and 12 day rooms, formation of internal access roads and hardstanding, installation of utility infrastructure, hard/soft landscaping, boundary treatments and associated works

Andrew Martin – Planning have been instructed by Felsted Parish Council to lodge an objection to the above retrospective planning application. We have reviewed the supporting planning application documents submitted by Perfect Pitch Planning Ltd on behalf of the Applicant, Mr Anthony Mongan and register our objections to the unauthorised development that commenced on the May Bank Holiday weekend.

Since the initial incursion, Uttlesford District Council has obtained a High Court injunction preventing any further development on the site, however several breaches of the injunction have occurred and the authority are monitoring the situation to assess whether the alleged breaches provide sufficient evidence to support action for contempt of court.

Notwithstanding the above, the Applicant has submitted a retrospective application for determination by UDC. Felsted Parish Council wish to register the strongest possible objection to this flagrant breach of planning control and we set out below our objections to the unauthorised development.

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The Development Plan

Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, then determination must be made in accordance with the plan, unless material considerations indicate otherwise.

In this case, the Uttlesford Local Plan Adopted March 2026 is the statutory starting point, with the revised National Planning Policy Framework including national decision-making policies published in August 2026, now being a material consideration of critical importance for plan-making and for making decisions on development proposals in England. Following publication of the 2026 NPPF, the national Planning Policy for Traveller Sites, December 2024 no longer represents up-to-date government policy and its content has been incorporated within the NPPF. Reference to this document within the Applicant's submission is therefore no longer applicable.

Site Character

Willows Green is a hamlet lying between Felsted (approximately 4.3km to the west) and Great Notley (approximately 2km to the east). It is a small hamlet of approximately 50 dwellings which primarily extend along Evelyn Road and Main Road. There are no services or facilities within the village, with the closest facilities available in Felsted, Great Notley and Braintree.

Lower Rays Farmhouse (Grade II listed) lies approximately 65m to the south west of the application site, whilst Willows Farmhouse and Willows Farmhouse Barn (Grade II listed), lie approximately 70m to the south east. The application site itself is flat, with established hedgerows to the north, east and west boundaries. Properties on Mole Hill Green Road to the south, directly overlook the site.

There are no public footpaths or street lighting along surrounding roads including Main Road, Evelyn Road and Mole Hill Green Road.

The proposed introduction of permanent Gypsy and Traveller pitches, incorporating a substantial area of hardstanding, 12 mobile homes, 12 touring caravans, 12 day rooms, internal roads and associated fencing, would be wholly out of keeping with the established character and appearance of the immediate locality. The development would result in an incongruous form of development that would be detrimental to the appearance and amenity of the surrounding established properties and result in unacceptable visual impact. The development would therefore be contrary to Core Policy 52 of the Uttlesford Local Plan 'Good Design Outcome and Processes', which states that proposals must clearly demonstrate how characteristics including context, identity, built form and nature are addressed in the design of the scheme in a mutually supportive way. The Applicant's assertion at paragraph 6.23 of the accompanying Planning Statement that '*the proposal*



would not result in a harmful or incongruous form of development that would significantly detract from the character and appearance of the surrounding area' is refuted, as is the claim that 'the siting of mobile homes, touring caravans and dayroom building across the site has been carefully considered to ensure an ordered and coherent layout consistent with the semi-rural character of the locality'. By contrast, the development represents an opportunistic land grab to install unauthorised development on the site as quickly as possible and in a completely unplanned way.

The site impacts on views from Evlyn Road and Main Road where areas of extensive fencing, hardstanding, caravans and vehicles detract from the rural character of the surrounding area. Previous open views across the site have been replaced with a hard edge of development which appears incongruous and has an adverse visual and landscape effect.

Principle of Development

NPPF Policy S5 states that only certain forms of development should be approved outside settlements, unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework. Sub-section g. is relevant in this case which states:

g. Development which would address an evidenced unmet need for gypsy, traveller or travelling showpeople accommodation, provided it meets the criteria in policy HO12.

Part 2 clarifies that in applying Policy S5, the circumstances in which the benefits of approving development proposals are likely to be substantially outweighed by adverse effects include, but are not restricted to, situations where the development proposal would fail to comply with one of the national decision-making policies which state that development proposals should be refused in specific circumstances.

Impact on Heritage Assets

Lower Rays Farmhouse, Willows Farmhouse and Willows Farmhouse Barn all lie within close proximity of the application site. An assessment of heritage impact is included within the Applicant's Planning Statement which recognises the presence of these three Grade II listed buildings and states that careful consideration has been given to the potential impact of the proposed development upon the significance and setting of these designated heritage assets and that the layout of the development, together with their relatively low-profile nature ensures that the proposal would not compete visually with the scale, form or historic prominence of the nearby listed buildings. The Applicant concludes that having regard to Section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the proposal would preserve the setting of the nearby Grade II listed buildings and would not result in harm to their significance.

A previous application for a single storey, 3 bedroom self-build residential log cabin on land to the immediate



south of the application site was refused on 24th February 2026 under LPA ref: UTT/25/3377/FUL. The consultation response from Place Services Built Heritage dated 12th January 2026 identified the application site as being in the setting of Lower Rays Farmhouse, Willows Farmhouse and Willows Farmhouse Barn. Place Services commented that *"The extensive open agricultural setting to the west and north of Lower Rays Farmhouse, together with the agricultural landscape to the north, east, and southeast of Willows Farmhouse and Barn, makes an important contribution to their setting. Historically. These two farmsteads were located within a secluded landscape on either side of Willows Green, and as such, they share a strong group value"*.

Place Services went on to state that:

"The proposed development would occupy land within the immediate surrounding of the listed buildings and dilute the current sense of openness between them. Although the proposed single-storey log cabin is expected to have a low built form and modest footprint, and therefore may not appear visually dominant, its presence would nonetheless negatively affect the way these heritage assets are currently experienced. The surrounding landscape character, as well as views from, towards, and between these assets, would be impacted. The introduction of a formal access, hardstanding for car parking, boundary treatments, and associated domestic paraphernalia would cumulatively exacerbate the overall impact on the setting."

It is considered that the above comments are entirely applicable to application UTT/26/1475/FUL and that given the expanse of the unauthorised development, harm to the setting of these nearby heritage assets is far greater.

The proposal fails to comply with Core Policy 62 of the Uttlesford Local Plan which states that proposals affecting the setting of a listed building should respect the building's historic curtilage or context or its value within a group and/or its setting, including its historic landscape or townscape context.

Part 1 of NPPF Policy HE6 'Proposals affecting designated heritage assets' states that when considering the potential effect of a development proposal on the significance of a designated heritage asset, substantial weight should be given to the asset's conservation. Part 3 confirms that any harm to a designated heritage asset will be a matter of considerable importance and weight. Part 4 states that where a development proposal would harm the significance of a designated heritage asset the effect on the asset and its significance should be weighed against any public benefits resulting from the proposal.

The proposed development results in harm to the group value of Grade II listed buildings of Lower Rays Farmhouse, Willows Farmhouse and Willows Farmhouse Barn and there are no public benefits arising. Harm to the setting of these designated heritage assets is a matter of considerable importance and should be given substantial weight, by virtue of NPPF policy HE6.



Identified Need

Uttlesford Local Plan Core Policy 60 'The Travelling Community' sets out the Council's approach to site allocations and planning applications, taking account of the Gypsy and Traveller Accommodation Assessment (GTAA) which sets out the accommodation requirement for Gypsies, Travellers and Travelling Show People in the District. Core Policy 60 allocates 18 pitches towards meeting the identified need through the expansion of existing Gypsy and Traveller Sites including 14 additional pitches at Pitts Cottages, Felsted.

The policy states that in addition to the allocation of 18 pitches, the Council is currently engaging in the preparation of a separate Gypsy and Traveller Development Plan Document that will allocate new sites sufficient to meet the residual identified need at new sites. Provision of additional Gypsy and Traveller sites is therefore being actively considered and planned for via specific new allocations that will be subject to formal consultation. In advance of the Gypsy and Traveller DPD, any additional provision must be genuinely suitable, rather than permitting piecemeal development in locations where site-specific constraints have not been satisfactorily addressed. The DPD approach supports the co-ordinated delivery of pitches in a strategic manner and should ensure that windfall proposals remain subject to proper site-specific scrutiny. It is wholly unacceptable for any identified need to be used to legitimise development that has proceeded without the necessary planning consent and in clear disregard of the planning system.

Notwithstanding our view that the DPD is the correct way for additional Gypsy and Traveller sites to come forward, Policy 60 sets out the circumstances under which planning applications on sites not allocated in the local plan will be supported. We comment on these criteria below:

- i. it addresses an identified need

The local plan sets out the residual requirement for Gypsy and Traveller pitches between 2023 and 2041 however as stated above, these should come forwards via properly planned sites, not as a result of unauthorised breeches of planning control. With regards to those sites allocated in Table 11.2, Felsted Parish Council advise that Pitts Cottage contains 14 unoccupied pitches and there are a further 5 pitches at Chelmsford Road, Causeway End (granted on 11th December 2024 under ref: UTT/23/2526/FUL) that remain unoccupied.

Felsted Parish Council disagree with the Applicant's claim at paragraph 6.9 of the Planning Statement that *'there are no other known Gypsy and Traveller sites within the immediate area'*. It is not clear from the Applicant's Planning Statement whether they have reviewed realistic alternatives to the unauthorised development at Willows Green and there appears to be no justification as to why existing unoccupied pitches within the local area are not suitable. It is therefore considered that it is not the correct approach to grant consent for further windfall sites where sites with extant consents remain vacant.

- ii. the proposal is well related to the size and location of the site and respects the scale of nearby communities



Willows Green is a small hamlet of approximately 50 dwellings. The addition of 12 pitches represents the equivalent of a 24% increase in the number of families within the local community. This does not respect the scale of the existing community of Willows Green and results in a form of development that dominates the existing settlement.

- iii. it provides satisfactory residential amenity both within the site and for neighbouring occupiers and there is no significant impact on the amenity of nearby communities

It is not disputed that each pitch would provide sufficient space to accommodate a mobile home, touring caravan, day room, parking space and amenity space and would provide a spacious residential environment for those living within. However, there are a number of existing residential properties on Mole Hill Green Road that would directly overlook the application site and whose outlook would be materially affected. Furthermore, the setting of three listed buildings would be harmed as a direct result of the proposed development.

- iv. adequate provision is made for on-site facilities for storage, play, residential amenity, parking, access as well as utility provision for the number of pitches/plots proposed; and

Paragraph 6.12 of the Applicant's Statement states that the proposed use would not generate levels of noise, disturbance or activity beyond that typically associated with a residential form of development. Felsted Parish Council dispute this as there are already ongoing complaints regarding generator noise which have been reported to Environmental Services.

- v. it is in a sustainable location in terms of accessibility to local services and facilities, being no further than 4.8km from the edge of a settlement with a secondary school or no further than 3.2km from the edge of a settlement with a primary school

Whilst the site falls within the accessibility threshold in terms of proximity to primary and secondary schools, the site is eminently unsustainable, with no bus route running through Willows Green and no safe walking or cycling routes to nearby higher order settlements of Felsted and Braintree. There are no realistic opportunities for journeys to be carried out by cycle or on foot, given the absence of footways, street lighting and rural roads with a 60mph speed limit. Occupiers of the site will have no option other than to use private cars/vans to undertake their travel needs, which highlights the unsustainable nature of the site.

Policy HO12 of the NPPF sets out the Government's approach to Traveller sites, recognising that locations not well-related to existing settlements may be appropriate, but that they should enable access to frequently used services such as education, welfare and health services. As stated above, whilst the site lies within the appropriate threshold in terms of proximity to schools, the site offers no genuine alternative to 100% of travel movements being made by private vehicle.



Biodiversity Net Gain

The submitted application form states that the general Biodiversity Net Gain Condition would not apply because the application is for retrospective planning permission. The application form confirms that the work started on 05/05/2026 and that it has not been completed. Felsted Parish Council have since confirmed that none of the day rooms as shown on the submitted plans have been constructed. The application should only therefore be considered as 'partly retrospective' and is therefore not exempt from the statutory biodiversity net gain condition. Given the proposal is not exempt from statutory BNG requirements, the proposal will be required to demonstrate a minimum of 20% BNG in accordance with Core Policy 40 of the Uttlesford Local Plan.

The site is located in an area indicated on DEFRA Open Data GCN Risk Zones as being in an Amber Zone for risk of Great Crested Newt on the site. The application is not supported by any ecological reports. The Council should therefore request a robust pre-development baseline / pre-degradation baseline, supported by dated aerial imagery, site photographs and ecological evidence. Metric calculations should be provided to calculate the necessary BNG. In its current form, the proposed development provides insufficient evidence to assess the presence of protected species and is contrary to the duties of the local planning authority under the Conservation of Wildlife and Habitats regulations 2017, NERC Act 2006 and Core Policy 40 of the Uttlesford Local Plan.

Unauthorised Development and Enforcement

As previously stated within this letter of objection, the new NPPF is a material consideration of critical importance to decision taking. Within this in mind, part 2 of decision making policy DM8 directs that:

*"In cases of unauthorised development where consideration is being given to an application for retrospective planning permission (or through an enforcement appeal, whether to grant planning permission in respect of a breach of planning control), if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given **substantial weight** in considering whether to grant planning permission."* (my emphasis)

There is no dispute that the unauthorised development was intentional and therefore substantial weight must be given to this in the planning balance.

Conclusion

The Uttlesford Local Plan, Adopted March 2026 is the statutory starting point for decision taking, with the revised National Planning Policy Framework including national decision-making policies now being a material consideration of critical importance for making decisions on development proposals in England.



Policy S5 relates to the principle of development outside settlements and states that only certain forms of development should be approved. This includes development which would address an evidenced unmet need for gypsy, traveller or travelling showpeople accommodation, provided it meets the criteria in policy HO12. Policy S5 directs that permission should be approved unless the benefits of doing so would be substantially outweighed by any adverse effects, when assessed against the national decision-making policies in the Framework.

The proposal would provide 12 additional gypsy and traveller pitches. Given the presence of unoccupied pitches within the area, the provision of additional pitches as a benefit should be given moderate weight. Unmet need for additional Gypsy and Traveller pitches within Uttlesford District should come forward through a properly planned and comprehensive strategy, principally through the Gypsy and Traveller Development Plan Document (DPD), rather than by way of partly retrospective planning applications following a flagrant disregard for planning regulations

The proposed development will result in harm to the character and appearance of the countryside, appearing incongruous in the context of the existing settlement and resulting in unacceptable visual and amenity impacts. This landscape harm should be given substantial weight. The proposed development will result in harm to the setting of Grade II listed Lower Rays Farmhouse, Willows Farmhouse and Willows Farmhouse and this harm should be given substantial weight, accordance with NPPF policy HE6. The proposed development is likely to result in harm to protected species and insufficient information has been submitted in connection with ecological surveys and biodiversity net gain. Harm to protected species should be given substantial weight.

The benefits of approving the development are substantially outweighed by the adverse effects, when assessed against the national decision-making policies in the Framework. Furthermore, NPPF policy DM8 directs that in cases where an application is for retrospective planning permission, if it is concluded based on evidence that the unauthorised development was intentional, that fact should be given substantial weight in considering whether to grant planning permission. For the reasons set out above, planning permission should therefore be refused without delay.

Yours sincerely

Andrew Martin - Planning

ANDREW MARTIN - PLANNING

cc: Felsted Parish Council