

FELSTED PARISH COUNCIL
Minutes of the Planning Committee Meeting
Tuesday 18th June 2024 at 6pm

Attending: Councillors, Richard Freeman (Chairman), Graham Harvey, Clive Perrins and Roy Ramm.
In attendance Clare Schorah - Assistant Clerk

1. Apologies for Absence

There were apologies for absence from Cllrs Hywel Jones and Andrew Parker.

2. Declarations of Interest

There were no declarations of interest.

3. Public Forum

There were no members of the public present.

4. Approval of Minutes of Previous Meeting

The minutes of the 21st May meeting were formally approved. They will be signed at the next Full Parish Council Meeting.

5. New Applications to be considered

[UTT/24/1314/HHF](#)

Post Office House Hartford End

New detached single garage.

No Comment

[UTT/24/1276/FUL](#)

Barn At Princes Halfyards Stebbing Road

Demolition of existing Dutch Barn and replacement with 2 no. new dwellings.

No Comment

[UTT/24/1398/HHF](#)

Gransmore Green Gransmore Green Lane

Installation of a domestic Air Source Heat Pump (12kW).

No Comment

[UTT/24/1361/FUL](#)

Sparlings Farm Braintree Road

Proposed change of use of agricultural building to farm shop with restaurant/cafe. Laying of hardstanding for use as car parking.

Comment: Felsted Parish Council supports this application and believes that this development would be very positive for the rural economy.

[UTT/24/1445/FUL](#)

Land East Of Oaklea Causeway End

Erection of 1 no. Dwelling complete with all related works including access.

Comment: This is virtually a resubmission of refused application UTT/22/2743/FUL which is currently under Appeal (ref: APP/C1570/W/24/3343058). There are some changes to the dwelling design but in the opinion of Felsted Parish Council, the principle of development

on this site remains unacceptable.

As with Felsted Parish Councils previously submitted robust objections, development of this land would conflict with Policies in the fully “made” Felsted Neighbourhood Plan which is less than 5 years old.

Heritage and Character of Felsted Parish

As cited in previous objections, development of this site which is outside the Felsted Village Development Limits (VDL's) in open countryside would conflict with both Uttlesford District Council (UDC) Policies and Policies in the fully “made” Felsted Neighbourhood Plan (FNP).

The policies within the FNP that we reference were introduced specifically to protect the heritage and character of our parish. The historic village of Felsted is the heart of the Parish and is surrounded by 15 individual settlements, Greens and Hamlets.

The open green spaces that separate these settlements form a vital and valued contribution to the historic layout; character and fabric of the parish and consequently these specific FNP Policies are there to protect these critical and sensitive open areas, separating the individual hamlets.

The vulnerability of this particular open space which separates Causeway End from Cobblers Green to speculative development, is specifically identified and stressed in the Felsted Heritage and Character Assessment commissioned from AECOM Technology where it is recognised as being particularly “sensitive to change” – see below.

Felsted Heritage and Character Assessment (FHCA)

LCA 4: Felsted Rural Hamlets - Sensitivity to Change (See page 38 - our emphasis in red):

The FHCA says:

“There are also some elements which are particularly sensitive to change. These relate to the layout and form of new development.

- **The areas of open countryside between Causeway End, Cobblers Green and Cock Green are sensitive to development due to the function of this land in preventing coalescence between the areas of existing settlement;***

NOTE: *This area of land identified as “sensitive to change” referenced in the FHCA includes the specific area of land that is subject to this application lying outside village development limits (VDL's) between the last dwelling (Oaklea) within the Causeway End VDL and the completely separate settlement of Cobblers Green.*

The FHCA can be found at: https://www.uttlesford.gov.uk/media/9591/Felsted-Heritage-and-Character-Assessment/pdf/Felsted_Heritage_and_Character_Assessment-lr.pdf?m=1690290572277

Whilst the applicant repeatedly dismisses the importance of the site in terms of its contribution to the character of the countryside, Felsted Parish Council strongly disagree and consider the site an attractive transition from development in Causeway End Road to

the open countryside. See following photograph:



The frontage of the site, which at 2.1 the applicant refers to as a “ditch, forming the sites road frontage” includes an historic pond contributing to the character of the area which is clearly identified on maps going back over centuries. See URL to map below, Surveyed: 1875, Published: 1881.

<https://maps.nls.uk/view/102341891>

This historic pond, at various times of the year, features an abundance of plants such as flag irises and other attractive pond flora and whilst the applicant might see no value in the sites contribution to our rural environment, it actually represents an important contribution to the historic character and layout of this part of the Parish, as identified in the FHCA.

The pond is also clearly identified on page 96 of the appellants appendix 35 “access appraisal”.

If this application is approved, the development will almost certainly necessitate the total annihilation of this naturalised and historic countryside local feature.

Felsted Neighbourhood Plan and compliance with paragraph 14 of the NPPF

The applicants, in their 55 page Statement of Case appear determined to devalue the fully “made” Felsted Neighbourhood Plan at one point suggesting that there was no evidence that the FNP met one of the fundamental requirements of the National Planning Policy (NPPF) paragraph 14 which is that the FNP met its then identified housing requirement. They claim at 6.57 that there is “no stated housing requirement being set out in the FNP”.

However, we wish to clarify that not only did Felsted meet its identified housing requirement but exceeded it by a significant margin!

The FNP met and continues to meet all requirements of NPPF paragraph 14 and therefore

this application, despite the applicant suggesting that the FNP should be disregarded as a material weight, should be refused due to clear conflict with the fully “made” FNP. The Felsted Neighbourhood Plan, being less than 5 years old and allocating 63 dwellings for Felsted, makes the FNP the most “up to date” component of the Statutory Local Development Plan.

With regard to the identified housing requirement for Felsted, at the time the Neighbourhood Plan was being developed, Felsted was identified by UDC as one of 19 “Type A” villages in Uttlesford in the then draft (subsequently stalled) UDC Local Plan which allocated 134 dwellings to be shared between the 19 “Type A” identified villages giving an average of 7 dwellings to each “Type A” village (in compliance with NPPF paragraph 68).

This is clearly described in the following documentation available on the UDC Website relating to UDC’s local Plan Regulation 19 pre-submission.

See page 25 (item 3.38), page 26 (Policy SP2), page 32 (Dwellings to be provided in New Allocations in the Draft Plan 2017-2033) and page 34 (Spatial Strategy - Policy SP3) of the then draft Uttlesford District Council Corporate Plan 2018-2022 – see URL below:

https://www.uttlesford.gov.uk/media/8248/Uttlesford-Regulation-19-Pre-submission-Local-Plan/pdf/Reg_19_local_plan_21.06.18_low_res_for_web.pdf

*The Felsted Neighbourhood Plan Steering Group (FNPSG), in recognition of the need to support UDC’s 5 Year Housing Land Supply went well beyond the “identified housing requirement” of 134 dwellings across the 19 Type A villages (averaging 7 each) by allocating 63 dwellings within the FNP (on two separate sites) **which is 9 times the draft Local Plan identified housing requirement of 7 for Felsted.***

It is therefore preposterous and a clear indication of the attempt to devalue the FNP, to suggest that Felsted did not deliver its “NPPF paragraph 14 - identified housing requirement”. It is also abundantly clear that the Felsted Neighbourhood Plan met every necessary aspect of analysis during the Examiners demanding Neighbourhood Plan scrutiny in order to pass the necessary tests to be recommended by the examiner to UDC for adoption via a democratic referendum.

At 5.19 of their Planning Statement the applicant references the previous refusal of development on this site, saying that on “28 May 2021 when it was refused, the FNP was less than 2 years old and that as such, Paragraph 14 applied at that time”. They then say that because the FNP is now more than 2 years old “the criterion at Paragraph 14 a) fails to be met” and continue, saying “This is a material change in circumstances to the previously refused application UTT/21/0179/FUL”. They recognise that at the time the FNP had “a fundamental impact upon the way in which the application should be considered”.

*However, following revisions to the National Planning Policy Framework (NPPF) introduced in December 2023 which gave elevated material weight to Neighbourhood Plans less than 5 years old, with the FNP having been fully “made” on 25th February 2020, **in the applicants own words**, this now requires the same “fundamental impact upon the way in which the application should be considered” to be applied. This now means that following the December 2023 NPPF revisions, this application must also be refused due to conflict with a number of Policies within the FNP, in addition to conflict with the Felsted Heritage*

and Character Assessment (FHCA).

They also, at 6.6, include the comments “This decision appears to have been made based on conflict with housing policies of the Felsted Neighbourhood Plan (FNP), although since the time of that decision the FNP is now more than 2 years old which significantly alters the application of NPPF policies”. But this comment relating to the FNP being over 2 years old is now out of date and therefore the same policies, following the December 2023 NPPF revisions, are again entirely relevant to our Plan which is less than 5 years old , justifying refusal of the application.

The applicants comments, recognising the justification for previous refusal due to the application of the NPPF Paragraph 14 are again fully relevant following the NPPF December 2023 changes.

Finally, the applicant’s frequent references and an attempt to draw a parallel with the permitted development of the nearby site of “Newhouse Farm” (e.g. 2.10) is irrelevant as this was a commercially developed farmyard with established buildings and a wide existing access road egressing onto a straight stretch of Causeway End Road with good visibility. There can be no serious contrast made between the two sites.

Visibility and site splays

It is noted that following previous refusals of both planning applications and an Appeal dismissal, ECC Highways appear to have performed a “volte-face” without any clear explanation of why their former repeated objections to inadequate site splays could somehow be withdrawn.

The applicants submitted Appendix 35 – Access Appraisal January 2024, shows a revised proposed access located at the extreme eastern end of the site frontage. The associated drawing on page 94 shows the hedge line of the adjacent field to be set back around 1.2 meters from the road edge.

This is highly misleading as the neighbouring field hedge which is not under the control of the applicant is a typical fast growing country field hedge which whilst being properly maintained on an annual basis by the field owner, which is generally cut annually in the autumn, inevitably grows out towards the road for the remainder of the year. This normal annual growth which generally reaches out to near the road edge is likely to create a serious barrier to the claimed eastern visibility site line for much of the year, including when being viewed 2.0m x distance setback from the carriageway rather than the normal 2.4 meters, as is stated to now be adequate in the applicants Access Appraisal item 2.11.

We would question whether ECC Highways have applied due diligence following the revised location of the access point and the inevitable impact of annual growth of the very close adjacent field hedge over which the applicant has no control.

To suggest that there would be clear visibility in an easterly direction throughout the year is seriously questionable as the applicant does not have control over this field hedge which is only a matter of meters from the proposed site access point.

It suggests that the ECC Highways assessment was likely to have been only a “desk top” assessment, reliant on the deceptive drawings supplied by the applicant.

If a site visit is undertaken in order to determine this application we would request that particular attention is given to this adjacent field hedge and an independent and proper assessment of its “normal” anticipated growth throughout the season and the consequential impact on site lines is undertaken by the case officer.

Please also take no heed of any evidence of any recent cutting back of this field hedge at the time of visiting as it has been noted that periodic unconsented cutting back has been undertaken on the first few meters of the hedge adjacent to the application site by person or persons unknown, without the knowledge of the adjacent land owner.

The claimed visibility to the southwest is also questionable. Examination of the south westerly visible splay on shown on page 94 of the appellants appendix 35 “access appraisal” indicates a reliance on a sight line over the area of the historical pond outside the front of the adjacent property of “Oaklea”.

The drawing on page 94 conflicts with the drawing on page 96, the latter clearly showing that the extreme south west end of the historical pond is located in front of Oaklea and the applicant therefore cannot claim to have control over this land.

In 5.40 the applicant says that ECC Highways have stated “where there is a roadside ditch or pond, that ditch or pond (even if it has been piped or infilled) would not in the majority of circumstances form part of the highway) is treated as being in the control of the applicant” but as stated above, as part of this land is outside Oaklea and not the application site, it cannot legitimately be treated as being “in the control of the applicant”.

Localised Flooding

It should also be noted that there is a long running localised flooding issue effecting the road, historic pond and watercourse immediately adjacent to and fronting the site. The cause (or causes) of this flooding is unknown and appears to be in dispute. It is on record that the land owner undertook unconsented drainage works on land that includes the application site which was subsequently given retrospective approval by “Floods Essex” which also included an unconsented temporary road access that had been installed. The permission was given in order to complete the work.

Investigations continue into the current cause/s of flooding and these ongoing investigations involve the ECC Cabinet Member responsible for roads / floods – Essex County Councillor Tom Cunningham.

Note: A recent (February 2024) minute from a Felsted Parish Council ([URL below](#)) meeting reads:

28.1 Flooding at Causeway End (Item 24/8) – A site meeting with County Councillor Tom Cunningham the ECC Cabinet Member responsible for roads / floods was held in Felsted. Some jetting of the culverts affecting Causeway End has been undertaken but the fundamental root cause of the egress of water upon the road surface remains to be identified. Further work as to this is on-going.

We are unaware of any further update from County Councillor Cunningham.



This photograph taken in April 2023 shows the site, the proposed access point and the immediate area (an historic pond) fronting the site (the site is the fenced area to the right). It should be noted that this photograph was taken long after Floods Essex gave their retrospective approval to the unconsented drainage works.

Felsted Parish Council minutes 24/28 can be found at: <https://www.felsted-pc.gov.uk/wp-content/uploads/Minutes-1119-February-2024.pdf>

In the event of allowing this application

In the event that the officer is minded to approve the application, Felsted Parish Council request that a robust and detailed condition is applied outlining the anticipated parking provision and management of both construction workers vehicles and in particular arrangements for all heavy goods delivery vehicles during development as the site location is on an extremely narrow road between two bends, with very poor visibility which will present a particular problem.

It is highly unlikely that a large delivery vehicle, particularly an articulated heavy vehicle would be able to achieve “off road” site access and any heavy goods vehicle parked on the road would create a dangerous obstruction with no overtaking opportunity.

Summary

- Development of this land would be contrary to the FNP Policies FEL/HN5 Residential Development outside Development Limits, FEL/ICH4 - Avoiding Coalescence, FEL/CW1 - Landscape and Countryside Character and FEL/ICH1 - High Quality Design.*
- Development of this land separating Causeway End from Cobblers Green would be contrary to the Felsted Heritage and Character Assessment which highlights the sensitivity to change of this specific land.*
- Visibility site lines are questionable when considering that the immediately adjacent eastern field hedge that is not under the control of the applicant.*
- There is an ongoing flooding issue which will preclude development of this site and access without resolution.*
- In the event of approving this application, a management plan for construction workers vehicles and heavy delivery vehicles would be essential.*

- *The Felsted Neighbourhood Plan meets all requirements of the NPPF Paragraph 14*
- *The Felsted Neighbourhood Plan is less than 5 years old*

Felsted Parish Council request that this application be refused for the many reasons stated.

6. Decisions received since 21st May

[UTT/24/0734/HHF](#)

18 Ravens Crescent

Two storey front/side/rear extension, single storey rear extension and front entrance canopy.

Permission Granted - 22nd May 2024

[UTT/24/0746/LB](#) / [UTT/24/0745/HHF](#)

Jollyboys Bakers Lane

Replace the late c20th concrete ground floor with breathable conservation floor. Replace the 1970s cement render & mesh on the external wall with lime-plaster. Replace 1970s front porch for a smaller open oak porch

Permission Granted - 29th May 2024

[UTT/24/0911/HHF](#)

3 Brook Meadow Gransmore Green

Construct an outbuilding at the rear of the garden for the purposes of a non-habitable, workshop outbuilding.

Permission Granted - 30th May 2024

[UTT/24/0943/HHF](#)

Yew Tree Cottage Stevens Lane

Proposed erection of wood framed greenhouse and installation of wooden internal driveway gate.

Permission Granted - 4th June 2024

[UTT/24/1020/LB](#) / [UTT/24/0562/HHF](#)

Milch Hill Willows Green Main Road

Constructing a new pitched roof over the existing 'flat roof extension' which is located to the east of the building.

Permission Granted - 5th June 2024

[UTT/24/0767/FUL](#)

Foxtons Mole Hill Green

S73 application to vary condition 2 (approved plans) of UTT/22/1587/HHF (single storey rear extension, existing roof to be raised to create an additional floor and ground floor fenestration changed) - external materials changed to fully render to match the original dwelling, the rear flat roof changed to a vaulted pitched roof with new oak frame entrance canopy, additional roof light in south elevation roof slope and increase in depth of previously approved single storey rear extension.

Permission Granted - 7th June 2024

7. Appeals to Consider

[UTT/22/2743/FUL](#)

APP/C1570/W/24/3343058

Land East Of Oaklea Causeway End Road

Erection of 1 no. Dwelling complete with all related works including access.

Comment: Felsted Parish Council has previously submitted robust objections to this application which we will not repeat here, however, we ask that the Inspector takes full account of the many objections included in our previous submission which remain entirely relevant. Development of this land would conflict with Policies in the fully “made” Felsted Neighbourhood Plan which is less than 5 years old.

Heritage and Character of Felsted Parish

As cited as one of several reasons for refusal, development of this site which is outside the Felsted Village Development Limits (VDL's) in open countryside would conflict with both Uttlesford District Council (UDC) Policies and Policies in the fully “made” Felsted Neighbourhood Plan (FNP).

The policies within the FNP that we reference were introduced specifically to protect the heritage and character of our parish. The historic village of Felsted is the heart of the Parish and is surrounded by 15 individual settlements, Greens and Hamlets.

The open green spaces that separate these settlements form a vital and valued component contributing strongly to the historic layout; character and fabric of the parish and consequently these specific FNP Policies are there to protect these critical and sensitive open areas that separate the individual hamlets.

The vulnerability of this particular open space which separates Causeway End from Cobblers Green to speculative development, is specifically identified and stressed in the Felsted Heritage and Character Assessment commissioned from AECOM Technology where it is recognised as being particularly “sensitive to change” – see below.

Felsted Heritage and Character Assessment (FHCA)

LCA 4: Felsted Rural Hamlets - Sensitivity to Change (See page 38 - our emphasis in red):

“There are also some elements which are particularly sensitive to change. These relate to the layout and form of new development.

- *The areas of open countryside between Causeway End, Cobblers Green and Cock Green are sensitive to development due to the function of this land in preventing coalescence between the areas of existing settlement;*

NOTE: *This area of land “sensitive to change” referenced in the FHCA includes the specific area of land that is subject to this Appeal lying outside village development limits (VDL's) between the last dwelling (Oaklea) within the Causeway End VDL and the completely separate settlement of Cobblers Green.*

The FHCA can be found at: https://www.uttlesford.gov.uk/media/9591/Felsted-Heritage-and-Character-Assessment/pdf/Felsted_Heritage_and_Character_Assessment-lr.pdf?m=1690290572277

We would also point out that whilst the appellant describes the site in their Planning Statement (at 6.11) saying that “The site has little to commend it to the countryside in terms of intrinsic character and beauty” describing it as (6.15) “unused land and has no functional use”, Felsted Parish Council disagree that the site has “has little to commend it to the countryside”, considering the site an attractive transition from the developments in Causeway End Road to open countryside. See following photograph:



The frontage of the site, which at 2.1 the applicant refers to as a “ditch, forming the sites road frontage” actually includes an historic pond contributing to the character of the area which is clearly identified on maps going back over centuries. See URL to map below, Surveyed: 1875, Published: 1881.

<https://maps.nls.uk/view/102341891>

This historic pond, at various times of the year, includes plants such as flag irises and other attractive pond flora and whilst the applicants agent might describe the site as having “little to commend it to the countryside”, it actually contributes as an important component of the historic character and layout of the Parish, as identified in the FHCA.

The pond is also clearly identified on page 96 of the appellants appendix 35 “access appraisal”.

If this appeal is allowed, the development will almost certainly necessitate the total elimination this naturalised and historic countryside local feature.

Finally, the applicant’s frequent references and an attempt to draw a parallel with the permitted development of the nearby site of “Newhouse Farm” is irrelevant as this was a commercially developed farmyard with established buildings and a wide existing access road egressing onto a straight stretch of Causeway End Road with good visibility. There can be no serious contrast made between the two sites.

Felsted Neighbourhood Plan and compliance with paragraph 14 of the NPPF.

The applicants, in their 55 page Statement of Case appear determined to devalue the fully “made” Felsted Neighbourhood Plan at one point suggesting that there was no evidence that the FNP met one of the fundamental requirements of the National Planning Policy (NPPF) paragraph 14 which is that the FNP met it’s then current housing obligation. They claim at 6.57 that there is “no stated housing requirement being set out in the FNP”.

However, we wish to clarify that not only did Felsted meet its s identified housing requirement but exceeded it by a significant margin!

The FNP met and continues to meet all requirements of NPPF paragraph 14 and therefore this appeal, despite the applicant suggesting that the FNP should be disregarded as a material weight, should be dismissed due to clear conflict with the fully “made” FNP. The Felsted Neighbourhood Plan, being less than 5 years old and allocating 63 dwellings for Felsted, makes the FNP the most “up to date” component of the Statutory Local Development Plan.

With regard to the s identified housing requirement for Felsted, at the time the Neighbourhood Plan was being developed, Felsted was identified by UDC as one of 19 “Type A” villages in Uttlesford in the then draft (subsequently stalled) UDC Local Plan which allocated 134 dwellings to be shared between the 19 “Type A” identified villages giving an average of 7 dwellings to each “Type A” village (in compliance with NPPF Paragraph 68).

This is clearly described in the following documentation available on the UDC Website relating to UDC’s local Plan Regulation 19 pre-submission.

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*The Felsted Neighbourhood Plan Steering Group (FNPSG), in recognition of the need to support UDC’s 5 Year Housing Land Supply went well beyond the draft “shared allocation” of 134 dwellings across the 19 Type A villages (averaging 7 each) by allocating 63 dwellings within the FNP (on two separate sites) **which is 9 times the draft Local Plan s identified housing requirement average number of 7 for Felsted.***

It is therefore preposterous and a clear indication of an attempt to devalue the FNP, to suggest that Felsted did not deliver its identified housing requirement number. It is also abundantly clear that the Felsted Neighbourhood Plan met every necessary aspect of analysis during the Examiners demanding Neighbourhood Plan scrutiny process in order to meet the necessary tests to be recommended by the examiner to UDC for adoption via a democratic referendum.

Furthermore, following revisions to the National Planning Policy Framework (NPPF) introduced in December 2023 which gave elevated material weight to Neighbourhood Plans less than 5 years old, with the FNP having been fully “made” on 25th February 2020, this

Appeal should be dismissed due to conflict with a number of Policies within the FNP and the additional conflict with the Felsted Heritage and Character Assessment (FHCA).

Visibility and site splays

It is noted that following previous refusals of both planning applications and an Appeal dismissal, ECC Highways appear to have performed a “volte-face” without any clear explanation of why their former repeated objections to inadequate site splays could somehow be withdrawn.

The applicants submitted Appendix 35 – Access Appraisal January 2024, shows a revised proposed access located at the extreme eastern end of the site frontage. The associated drawing on page 94 shows the hedge line of the adjacent field to be set back around 1.2 meters from the road edge.

This is highly misleading as the neighbouring field hedge which is not under the control of the applicant is a typical fast growing country field hedge which whilst being properly maintained on an annual basis by the field owner and generally cut annually in the autumn, inevitably grows out towards the road for the remainder of the year. This normal annual growth which generally reaches out to near the road edge is likely to create a serious barrier to the eastern visibility site line for much of the year, including when being viewed 2.0m x distance setback from the carriageway rather than the normal 2.4 meters, as is stated to now be adequate in the applicants Access Appraisal item 2.11.

We would question whether ECC Highways has applied due diligence following the revised location of the access point and the inevitable impact of annual growth of the very close adjacent field hedge over which the applicant has no control.

To suggest that there would be clear visibility in an easterly direction throughout the year is questionable as the applicant does not have control over the field hedge only a few meters from the proposed site access point.

It suggests that the ECC Highways assessment was likely to have been a “desk top” exercise, reliant on the deceptive drawings supplied by the applicant.

If as suggested in the PINS 15th May letter confirming the Appeal Case Officers name (Simon Dunn) a site visit could take place, we would request that particular attention is given to this adjacent field hedge and an independent and proper assessment of its “normal” anticipated growth throughout the season and consequential impact on site lines is undertaken by the case officer.

Please also take no heed of any evidence of recent cutting back of this field hedge as it has been noted that periodic unconsented cut back work has been undertaken on the first few meters of this hedge adjacent to the application site by person or persons unknown, without the knowledge of the adjacent land owner.

The claimed visibility to the southwest is also questionable. Examination of the south westerly visibility splay on shown on page 94 of the appellants appendix 35 “access appraisal” suggests a reliance on a sight-line over the area of the historical pond outside the front of the adjacent property of “Oaklea”.

The drawing on page 94 conflicts with the drawing on page 96, the latter clearly showing that the extreme south west end of the historical pond is located in front of Oaklea and the applicant therefore cannot claim to have control over this land.

Localised Flooding

It should also be noted that there is a long running localised flooding issue effecting the road, historic pond and watercourse immediately adjacent to and fronting the site. The cause (or causes) of this flooding is unknown and appears to be in dispute. It is on record that the land owner undertook unconsented drainage works on land that includes the application site which was subsequently given retrospective approval by “Floods Essex” which included a temporary road access in order to complete the work.

Investigations continue into the current cause/s of flooding and these ongoing investigations involve the ECC Cabinet Member responsible for roads / floods – Essex County Councillor Tom Cunningham.

Note: A recent (February 2024) minute from a Felsted Parish Council (URL below) meeting reads:

28.1 Flooding at Causeway End (Item 24/8) – A site meeting with County Councillor Tom Cunningham the ECC Cabinet Member responsible for roads / floods was held in Felsted. Some jetting of the culverts affecting Causeway End has been undertaken but the fundamental root cause of the egress of water upon the road surface remains to be identified. Further work as to this is on-going.

We are unaware of any further update from County Councillor Cunningham.



This photograph taken in April 2023 shows the site, the proposed access point and the immediate area (an historic pond) fronting the site (the site is the fenced area to the right). It should be noted that this photograph was taken long after the retrospective approval granted by Floods Essex for the unconsented drainage work.

Felsted Parish Council minutes 24/28 can be found at: <https://www.felsted-pc.gov.uk/wp-content/uploads/Minutes-1119-February-2024.pdf>

In the event of allowing the Appeal

In the event that the case officer is minded to allow the Appeal, Felsted Parish Council request that a robust and detailed condition is applied outlining the anticipated parking provision and management of both construction workers vehicles and in particular arrangements for all heavy goods delivery vehicles during development as the site location is on an extremely narrow road between two bends, with very poor visibility which will present a particular problem.

It is highly unlikely that a large delivery vehicle, particularly an articulated heavy vehicle would be able to achieve “off road” site access and any heavy goods vehicle parked on the road would create a dangerous obstruction with no overtaking opportunity.

Summary

- *Development of this land would be contrary to the FNP Policies FEL/HN5 Residential Development outside Development Limits, FEL/ICH4 - Avoiding Coalescence, FEL/CW1 - Landscape and Countryside Character and FEL/ICH1 - High Quality Design.*
- *Development of this land separating Causeway End from Cobblers Green would be contrary to the Felsted Heritage and Character Assessment which highlights the sensitivity to change of this specific land.*
- *Visibility site lines are questionable when considering that the immediately adjacent eastern field hedge that is not under the control of the applicant.*
- *There is an ongoing flooding issue which will preclude development of this site and access without resolution.*
- *A management plan for construction workers vehicles and heavy delivery vehicles would be essential should the Appeal be allowed*
- *The Felsted Neighbourhood Plan meets all requirements of the NPPF Paragraph 14*

Felsted Parish Council seeks dismissal of this Appeal for the many reasons stated in our original objection and these added comments.

8. Enforcement Update

The Assistant Clerk provided an Enforcement Update.

9. Draft Local Plans - Uttlesford DC, Braintree DC

No Comment

10. Other Urgent Planning Business and Future Dates

a. The following Appeal will be considered at the next Planning Committee Meeting:

[UTT/22/3513/FUL](#)

APP/C1570/W/24/3343021

Land East Of Chelmsford Road

A mixed-use development comprising a relocated and improved village convenience store, incorporating a Post Office, together with area for farmers market, cafe, three first floor offices with dedicated parking facilities and multi use overspill area. Together with nine dwellings comprising a 1 bedroom apartment, two 2 bedroom houses, two 3 bedroom

apartments, two 4 bedroom semi detached houses, one 4 bedroom detached house, and a 5 bedroom chalet style bungalow with dedicated 2m footpath routes

b. Great Bardfield Parish Council is undertaking a Pre-Submission Consultation on the Draft Neighbourhood Plan. Felsted Parish Council has been invited to view the plan and will consider this at the July Planning Meeting.

Next Meeting is 16th July

..... 16th July 2024 Chairman

Residents wishing to make comments on Planning Applications or view other comments submitted can go to the Uttlesford District Council Website: <https://publicaccess.uttlesford.gov.uk/online-applications> To find out more about Appeals please go to the Planning Inspectorate Website: <https://acp.planninginspectorate.gov.uk>