

FELSTED PARISH COUNCIL
Minutes of the Planning Advisory Working Group Meeting
Monday 28th September 2026

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

1. Apologies for Absence

There were apologies for absence from Cllr Dan Sinclair.

2. Declarations of Interest

There were no declarations of interest.

3. Public Forum

There were no members of the public present.

4. New Applications to be considered

[UTT/26/1821/HHF](#)

Stevens Farm Stevens Lane

Proposed single storey extension and garage conversion to annexe.

PAWG Assessment: The proposed extension to the rear of the property is considered modest and proportionate. The conversion of the garage to an annex retains the same footprint and appears to be a well-designed and attractive conversion.

PAWG recommended response 'No Comment' (meaning no objection)

[UTT/26/1838/FUL](#)

Montana Bannister Green

Demolition of existing single storey dwelling and erection of 1 no. two storey dwelling on same footprint.

PAWG Assessment: The replacement of a one for one dwelling on this site is not considered unacceptable. However, we consider the Parish Council should identify and suggest that UDC should apply appropriate conditions to accommodate both the parking of any contractor vehicles and ensure safe arrangements are in place for heavy vehicle deliveries, as this site is located on a significant bend in the road.

PAWG recommended response 'No Comment' (meaning no objection) but requests consideration for traffic management.

[UTT/26/2296/LB](#)

Watch House Cottage Bannister Green

Proposed repair of water-damaged external wall involving removal of cement render and replacement with a lime render specification.

PAWG Assessment: With this work being described as “essential repair works”, Felsted Parish Council has no reason to object, and indeed are fully supportive of any actions in order to ensure the longevity of a listed building. It is clear that the proposed works will require the approval of the heritage Officer.

PAWG recommended response 'No Comment' (meaning no objection)

[UTT/26/2362/FUL](#)

The Orchards Gransmore Green Lane

S73 application to vary condition 14 (permitted development rights) attached to UTT/26/1497/FUL - proposed removal of Class A from restrictions.

PAWG Assessment: Felsted Parish Council objected to the scale and design of the existing dwelling which was itself the replacement of a modest structure that was originally a small farm building which qualified for a Certificate of Lawfulness on 19th June 2024 permitting continued use of the existing building as a single dwelling house.

Whilst UDC approved the larger building, it was reasonable for UDC to apply the condition of the Town and Country Planning (General Permitted Development) Order 2015, including Class A, in order to prevent the site becoming overdeveloped, to preserve the character and appearance of the area, in accordance with the adopted Uttlesford Local Plan 2021-2041.

For the reasons stated above, Felsted Parish Council believe the provisions of Class A should be retained.

PAWG recommended response Felsted Parish Council believe the provisions of Class A should be retained.

5. Appeals to consider

[UTT/26/1420/FUL](#) **Appeal Ref: 6014753**

Land To The West Of Chelmsford Road

S73 application to vary condition 2 (approved plans) attached to UTT/23/2526/FUL allowed on appeal ref APP/C1570/W/24/3348002 (Change of use of land to use as a residential caravan site for 5 Gypsy families, each with two caravans, including laying of hardstanding, erection of 5 no. utility buildings and construction of new access).

PAWG recommended response: Felsted Parish Council writes in objection to the above appeal and in support of Uttlesford District Council's decision to refuse planning permission under reference UTT/26/1420/FUL.

This appeal should be read by the Inspector alongside the separate, concurrent appeal against Uttlesford District Council's refusal of application UTT/26/0138/FUL (an application on the same site to increase the number of pitches from the extant 5 to 10), on which the Parish Council has made separate representations. The two appeals concern different applications and different refusal reasons and the Parish Council does not ask the Inspector to conflate them; however, both concern the same site and the same access arrangement onto Chelmsford Road and the Parish Council would ask the Inspector to have regard to that shared context, and in particular to ensure that any permission granted in one appeal is not treated as pre-determining, or diminishing scrutiny of the other.

The Application and Its Planning History

This application is not, in substance, an application to increase the number of pitches. It is a Section 73 application to vary condition 2 (of the approved plans) attached to the extant permission UTT/23/2526/FUL — the 5-pitch scheme allowed on appeal (ref APP/C1570/W/24/3348002) on 11 December 2024 — so as to substitute a revised block plan and revised landscape details in place of the plans that Inspector's decision allowed.

The Council refused the application for a single reason, concerned entirely with the design and layout of the revised scheme, and not with the principle of 5 pitches on this site, which is already established by the extant permission. The Inspector determining this appeal is not, therefore, being asked to revisit the principle of a 5-pitch Traveller site at this location; the question is narrower and more specific — whether this particular revised layout is an acceptable departure from the layout already found acceptable on appeal in December 2024.

Poor Layout and Design, Conflict with the Design Code, Core Policy 52 and Policy FEL/ICH1

The Council's reason for refusal is that the revised layout fails to respond to the local context of the site and that the revised street layout fails to respond to the linear pattern of development along Chelmsford Road, appearing at odds with the existing street scene. The Council identifies a lack of compliance with the Uttlesford Design Code (2024), on the basis that the revised road layout provides an overbearing, illogical and unnecessary quantum of road surface across the site, with poor legibility and no clear purpose in relation to the caravan pitches. In particular, the Council identifies the additional spur of roadway spanning further westward across the site as providing an uninviting and unsympathetic area with poor passive surveillance, resulting in a dead end with no terminating vista.

The Parish Council endorses this reason for refusal in full and would draw the Inspector's attention to the following points in support of it:

- The December 2024 appeal decision approved a specific layout for the 5-pitch scheme, following the Inspector's own assessment of that layout's relationship to the site and to Chelmsford Road. The current application does not propose additional pitches or additional built form beyond what was already approved — it proposes a different, and in the Council's planning judgement, a materially worse, arrangement of the access road serving those same 5 pitches. There is no need case, no unmet-need argument and no fallback-position argument capable of justifying a self-evidently poorer layout when an acceptable layout for the same 5 pitches is already established.
- An access road that terminates in a dead end with no terminating vista, and which provides poor passive surveillance, is a recognised and long-standing design failure under “secured by design” and place-making principles, quite apart from its conflict with the Design Code. Poor passive surveillance increases the risk of anti-social behaviour and reduces the sense of safety for residents and visitors along that part of the road, a normal design consideration this Design Code was drafted to guard against.
- An unnecessary and overbearing quantum of hard road surface directly undermines the character and appearance objectives that also underpin the Council's separate reasons for refusing the 10-pitch scheme under application UTT/26/0138/FUL (harm to the character and appearance of the countryside). Even considered on its own, in isolation from that other appeal, an oversized and illogical road layout of this kind adds unnecessary built form and hardstanding to a countryside site, contrary to the countryside-protection objectives of the UDC adopted Local Plan Core Policy 52 and the Design Code.

The Council's decision notice confirms that it had regard to Core Policy 52 (Good Design Outcomes and Process) of the Uttlesford Local Plan 2021–2041 (adopted March 2026), and to Policy FEL/ICH1 of the Felsted Neighbourhood Plan. The Parish Council would draw the Inspector's attention to the fact that the Felsted Neighbourhood Plan referred to in this decision notice is the made (adopted) Neighbourhood Plan of 2020, which forms part of the statutory development plan for the parish under section 38(6) of the Planning and Compulsory Purchase Act 2004 — and is therefore to be distinguished from the separate, emerging 2026 Felsted Neighbourhood Plan Review, currently at Regulation 15, which is a material consideration of growing weight and which is addressed in the Parish Council's representations on the linked UTT/26/0138/FUL appeal. Policy FEL/ICH1's design requirements carry full statutory development-plan weight in this appeal.

The National Planning Policy Framework (December 2024), correctly applied by the Council at the time of its decision, required good design that is sympathetic to local character, that responds to the identity of a place. That requirement is carried through into the restructured National Planning Policy Framework published on 17 August 2026, whose design policies continue to require development to be sympathetic to local character and to respond to the pattern of the surrounding built and natural environment. The substance of the Council's objection is unaffected by that restructuring.

The Balance to be Struck

This is a narrow appeal, but not a trivial one. The Council does not question the principle of 5 pitches on this site, which is already settled by the extant permission, but has identified specific, well-evidenced design failure in the revised access road layout proposed under this application: an overbearing and illogical quantum of hard surfacing, a dead-end spur with no terminating vista with poor passive surveillance, and a layout that fails to respond to the linear pattern of development along Chelmsford Road. That failure conflicts with the Design Code, with Core Policy 52, and with Policy FEL/ICH1 of the adopted Felsted Neighbourhood Plan (currently under formal Review, and submitted at Regulation 15), a policy carrying full statutory development-plan weight. There is no competing benefit particular to this revised layout, as against the layout already approved in December 2024, capable of outweighing that harm.

Conclusion

For the reasons set out above, Felsted Parish Council respectfully asks the Inspector to dismiss this appeal and uphold Uttlesford District Council's justified refusal of planning permission under reference UTT/26/1420/FUL, leaving the layout already approved under the extant permission UTT/23/2526/FUL as the operative scheme for the site.

The Parish Council would be grateful if these representations could be taken into account in the determination of the appeal.

[UTT/26/0138/FUL](#) **Appeal Ref: 6015144**

Land To The West Of Chelmsford Road

Change of use of land to use as a residential caravan site for 10 Gypsy families, each with two caravans, including laying of hardstanding, erection of 10 no. utility buildings and construction of new access (alternative scheme to planning permission UTT/23/2526/FUL approved on appeal).

PAWG recommended response: Felsted Parish Council writes in objection to the above appeal and in support of Uttlesford District Council's decision to refuse planning permission under reference UTT/26/0138/FUL. The Parish Council makes these representations, with direct knowledge of the site, its planning history and the character of this part of Felsted.

We trust the Inspector will take into account, Felsted Parish Council's comments in our objection to the original application submitted on 21st May 2026, and wish to offer further comment in response to this appeal.

These representations should be read alongside, and are not intended to duplicate, the District Council's own appeal statement and the four reasons for refusal set out in its decision notice of 6 August 2026, all of which the Parish Council would ask the Inspector to apply full weight. This letter is accompanied by Appendix A, which responds directly to the Statement of Case submitted on behalf of the appellant.

The Council's decision notice correctly applied the National Planning Policy Framework (December 2024), which was the version in force on the date of their decision. The Framework was comprehensively republished on 17 August 2026, after the Council's decision but, on the ordinary course of appeal timescales, before this appeal will be determined. The former paragraph-numbered structure has been replaced by named and numbered policies, and the separate Planning Policy for Traveller Sites (PPTS) has been withdrawn as a stand alone document, its substantive tests now incorporated directly into the NPPF (principally policies HO1–HO12, S3–S6, GB6–GB8, DM8 and Annex D). As the August 2026 Framework is a material consideration of critical importance for any decision made after that date, these representations address the Council's four reasons for refusal on their own terms and identify, where the underlying policy has been renumbered or restated.

Site and Planning History

This site has a planning history that is directly material to the appeal and should inform the Inspector's assessment of scale, precedent and the site's fallback position:

- UTT/18/2960/FUL - Erection of 23 no. dwellings together with internal roads and open play space – Refused 31 Jul 2019
- Change of use of land to use as a residential caravan site for 5 gypsy families, each with two caravans including laying of hardstanding, erection of 3 utility buildings and construction of access.
- UTT/19/3091/FUL — an earlier change of use application for a residential caravan site for 5 Gypsy families. - **refused by Uttlesford District Council**
- Refusal of UTT/19/3091/FUL **Appealed** Ref: APP/C1570/W/20/3263184 – **Appeal Dismissed**
- UTT/23/2526/FUL — change of use of the land to a residential caravan site for 5 Gypsy families, each with two caravans, **refused by Uttlesford District Council** on 29 April 2024, but subsequently allowed at appeal. This is the extant planning permission for the site, referred to in the Council's current decision notice as 'the extant permission for 5no. pitches'.

- UTT/26/0138/FUL — the application now under appeal. The Council's own decision notice describes it as “an alternative scheme to planning permission UTT/23/2526/FUL approved on appeal”, seeking 10 pitches — double the number permitted under the extant consent — refused by Uttlesford District Council on 6 August 2026 for four separate reasons, addressed in turn below.

The appellant seeks to rely on the extant 5-pitch permission as a fallback position and argues that the identified harm of the appeal scheme should be measured only against that baseline. That argument warrants caution. First, the Inspector who allowed the 5-pitch scheme did so having weighed the impacts of that specific scale of development and the current appeal must be assessed on its own evidence, not assumed acceptable by extension. Second, each of the Council's four reasons for refusal — poor location (encroachment into and over-urbanisation of the countryside), causing harm to countryside character, poor accessibility and harm to a designated heritage asset, identifies a harm that scales with the number of pitches, the volume of built form and the level of activity on the site. Doubling the pitch count compounds the increase in harm, including through the cumulative and concentration effects addressed below.

Poor Location — Spatial Strategy and Settlement Hierarchy

The Council's first reason for refusal is that the proposal is poorly located, contrary to the spatial strategy and settlement hierarchy of the development plan, failing to direct development to sustainable locations, in conflict with Core Policies 3 and 60 of the Uttlesford Local Plan 2021–2041 (adopted March 2026) and paragraphs 9 and 11(d)(ii) of the National Planning Policy Framework (December 2024).

Under the August 2026 Framework, the former paragraph 11(d) 'tilted balance' has been replaced by the decision-making structure at Policies S3–S5. The appeal site lies outside any settlement boundary, so it falls to be assessed under Policy S5, which supports only defined categories of development outside settlements, including development addressing an evidenced unmet need for Gypsy, Traveller or travelling showpeople accommodation, but only “provided the proposal meets Policy HO12” (the current national decision-making policy on the location and suitability of Traveller sites, discussed further below). The Council's spatial strategy objection is not resolved by an unmet-need argument alone: HO12 itself requires the decision-maker to have regard to the existing level of local provision and the need for additional sites.

On that point, the Inspector should give material regard to the established, authorised Gypsy and Traveller site at Pitts Cottages, (located on the former Felsted Station site) which lies just 2 miles from the appeal site. We understand that the existing Pitts Cottages site provides 17 pitches, of which 8 are currently unoccupied, and the Council has separately allocated a further 14 pitches there. That is significant, directly relevant evidence: it demonstrates that Uttlesford has already considered and identified this part of the district as its preferred, **plan-led** location for meeting local Traveller accommodation needs and that 8 pitches just 2 miles away could be immediately available, with a further already 14 allocated.

The identified need of Felsted is being met, and can continue to be met, through the allocated site, not through further intensification of a site that the Council has twice found unsuitable at scale.

Doubling the Chelmsford Road site to 10 pitches, on top of the existing and allocated provision at Pitts Cottages and the extant 5-pitch consent on this same site, would create a significant and disproportionate concentration of Traveller accommodation within a small part of the parish that the Council's own settlement hierarchy does not identify as sustainable for this scale of use, contrary to Core Policies 3 and 60 and to Policy S5/HO12, which direct such needs to sustainable, **plan-led** locations, of which Pitts Cottages, not this site, is the Council's chosen example.

In addition, Felsted Parish Council note that in the applicants Planning statement, they make reference to Uttlesford District Councils (UDC's) Core Policy 3: Settlement Hierarchy, referring to "*a presumption in favour of sustainable development*" outside of existing built areas of Larger Villages (which Felsted is classified as) when "*supported by other relevant policies as set out in the Development Plan or national policy*". They then quote Policy 60, which addresses Gypsy and Traveller accommodation needs, acknowledging the Councils "*Gypsy and Traveller Accommodation Assessment (GTAA)*", which applies to "*individuals who meet the definition outlined in the Government's Planning Policy for Traveller Sites (PPTS)*".

However, no evidence is provided to demonstrate that either the Applicant or any of those whom it is proposed might occupy the site, qualify as "Gypsies and Travellers" for the purposes of planning policy, with such persons defined in the Glossary to the National Planning Policy Framework 2026 ("NPPF") – page 106 (Annex B: Glossary) as:

Gypsies and travellers: *Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, and all other persons with a cultural tradition of nomadism or of living in a caravan, ...*"

We reiterate, that this Appeal application appears to be speculative and opportunistic as in the applicants Appeal Statement, they refer to the Adopted Uttlesford Local Plan policy HO12 quoting paragraph 2, which states:

*"When considering proposals for traveller sites, including for the purposes of considering need under policies S5 and GB7, local planning authorities should take into account the existing level of local provision and need for additional sites **and other personal circumstances which may be relevant**".*

But as we have said, no evidence is provided to demonstrate that either the Applicant or any of those whom it is proposed to occupy the site, qualify as "Gypsies and Travellers".

Harm to the Character and Appearance of the Countryside

The Council's second reason for refusal is that the increased size of the site and intensification of residential use over and above the extant 5-pitch permission would harm the character and appearance of the countryside, through unacceptable visual intrusion and additional encroachment onto the open countryside, and would fail to be sympathetic to local character, the surrounding landscape setting and the settlement pattern, in conflict with Core Policies 41(i, ii) and 52(i) of the Local Plan, code ID1.1C of the Uttlesford Design Code (adopted June 2026), and paragraphs 187(b) and 135(c) of the NPPF (December 2024).

This is not a marginal change. An increase from 5 to 10 pitches represents a 100% intensification of the extant consented use, doubling the hardstanding, utility buildings, domestic paraphernalia, vehicles, fencing and lighting on the site. The cumulative visual and functional effect would be substantially more urbanising and harder to assimilate into the landscape than the scheme already found acceptable at appeal, and that harm is compounded, not offset, by the existing site at Pitts Cottages nearby, as identified above.

Under the August 2026 Framework, paragraph 187(b)'s reference to “*the intrinsic character and beauty of the countryside*” and paragraph 135(c)'s requirement that development be “sympathetic to local character” now sit within the Framework's restructured natural environment and design policies, which expressly identify landscape character as an environmental quality of land to be protected and enhanced and continue to require development to be sympathetic to local character. The substance of the Council's objection is unaffected by the renumbering.

This also conflicts with the Felsted Neighbourhood Plan's “Landscape and Countryside Character” and “Residential Development outside Development Limits” policies, and its “High Quality Design” policy, all three of which the Council's decision notice confirms it had regard to in reaching this reason for refusal, and which are addressed further below.

Poor Accessibility and Over-Reliance on the Private Car

The Council's third reason for refusal is that the site is not in a suitable location having regard to its poor accessibility to services and sustainable modes of travel, such that future occupants would rely heavily on private cars, in conflict with Core Policies 26, 27 and 28 of the Local Plan, code M1.2C of the Uttlesford Design Code, and paragraphs 109 and 115(a) of the NPPF (December 2024).

The underlying principles of these 2024 paragraphs are carried through into the 2026 NPPF.

Paragraph 109 (Dec 2024) said transport should be considered “*from the earliest stages of plan-making and development proposals, using a vision-led approach to identify transport solutions that deliver well-designed, sustainable and popular places,*” with sub-points on early community engagement, integrating transport into scheme design, and prioritising walking/cycling/public transport. That principle is now carried by Policy TR1 in the August 2026 NPPF, which similarly requires sustainable transport to be considered at the earliest stage of plan-making using a vision-led approach, with Policy TR1 asking for “*sustainable transport to be considered at the earliest stage of plan-making*”.

Paragraph 115(a) (Dec 2024) required that when assessing sites or applications, “*sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location.*”

This principle now sits in Policy TR3, which establishes five transport principles that development proposals should reflect, consistent with the vision-led approach set out in TR1.

The Parish Council can offer direct, site-specific evidence in support of this reason. Chelmsford Road at this point is an unlit, derestricted road (subject to the 60 MOH national speed limit) with no footways or street lighting and no bus stops in the vicinity of the site.

Pedestrians and cyclists, including any children travelling to and from school, have no separated or lit route available and would be required to share the carriageway with fast-moving, unlit traffic after dark or in conditions of poor visibility.

This is precisely the kind of poor accessibility Core Policies 26–28 and the Design Code are designed to guard against, and it directly evidences the Council's conclusion that future occupants would have no realistic alternative to private car use.

This also bears on Policy HO12 of the August 2026 NPPF, the successor to the relevant Traveller-site location tests, which requires that a Traveller site enable access to frequently used services such as education, welfare and health services and allow children to attend school on a regular basis. A site reliant on an unlit, derestricted road with no footway or bus service is a poor fit for that test, and this weighs heavily against treating the site as a sustainable location for further intensification, especially when there are other sustainable and unoccupied sites available in close proximity (as with the Pitts Cottages site).

Harm to the Setting of a Grade II Listed Building

The Council's fourth reason for refusal is that the proposal would fail to preserve the setting of the Grade II listed Millbanks Farmhouse, causing “less than substantial harm” to its significance which is not outweighed by the public benefits of the scheme, in conflict with Core Policies 61 and 62 of the Local Plan, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, and paragraphs 213 and 215 of the NPPF (December 2024).

These 2024 NPPF Policies are effectively replicated in the 2026 NPPF, in which Policy HE5 requires an assessment of whether a development would have a positive effect or no effect on the significance of an asset or result in harm to the significance of a heritage asset and the degree of harm identified.

Decision makers should give it weight according to the asset's importance. The Council's notice records that this reason, engaging policies that protect assets of particular importance, provided a strong reason for refusal in its own right, taking the proposal outside the scope of the general presumption in former paragraph 11(d)(i).

This is, in important respects, independent of any traveller-need arguments the appellant may claim under Policy S5, as Section 66(1) of the Listed Buildings Act is primary legislation, which is unaffected by any revision to the NPPF: it requires the decision-maker to have special regard to the desirability of preserving the setting of a listed building, and that statutory duty carries considerable importance and weight in its own right, independent of the ordinary planning balance.

Doubling the number of pitches, and the associated built form, activity, vehicle movements and lighting, from 5 to 10 can only increase, not reduce, the harm to the setting of Millbanks Farmhouse already identified by the Council at this scale. The Parish Council would ask the Inspector to treat this as a free-standing and contributory factor for dismissing the appeal

The Felsted Neighbourhood Plan

The Felsted Neighbourhood Plan Review has reached Regulation 15. It has been formally submitted to Uttlesford District Council following pre-submission (Regulation 14)

consultation, ahead of independent examination. It has not yet been made (adopted). The Council's own decision notice confirms that, notwithstanding this, it had regard to three of the emerging Plan's policies in refusing this application: "Residential Development outside Development Limits", "Landscape and Countryside Character" and "High Quality Design".

The Framework's long-standing approach to emerging plan policy, carried through into the August 2026 Framework's plan-making provisions, is that weight increases with the stage of preparation reached, the extent to which there are unresolved objections, and the degree of consistency with the Framework itself. A Plan at Regulation 15, submitted for examination, sits close to the end of that process, and the Council's own decision notice already treats these three policies as live, relevant considerations. As the neighbourhood plan-making body, the Parish Council would ask the Inspector to give them significant weight accordingly, consistent with the approach the Council itself has taken.

The Balance to be Struck

Weighing the matters above: the poor and unsustainable location of the site within the settlement hierarchy, compounded by the spare and allocated capacity already available at Pitts Cottages (8 vacant pitches, plus a further 14 allocated); the harm to landscape character and the urbanising effect of doubling the extant 5-pitch consent; the site's poor accessibility, now evidenced by the unlit, derestricted character of Chelmsford Road and the absence of footways or bus stops; the free-standing statutory harm to the setting of the Grade II listed Millbanks Farmhouse; and the significant weight due to the Felsted Neighbourhood Plan and Regulation 15 Neighbourhood Plan Review policies the Council itself has already applied, the Parish Council would ask the Inspector to conclude, as the Council did, that the adverse impacts of this proposal significantly and demonstrably outweigh its benefits, and that the extant 5-pitch permission provides no proper basis for treating a doubling of scale as acceptable.

Conclusion

For the reasons set out above, and for the fuller reasons set out in the Council's four reasons for refusal and its appeal statement, Felsted Parish Council respectfully asks the Inspector to dismiss this appeal and uphold Uttlesford District Council's refusal of planning permission under reference UTT/26/0138/FUL.

The Parish Council would be grateful if these representations, together with Appendix A, could be taken into account in the determination of the appeal

Appendix A: Response to the Appellant's Statement of Case

This appendix responds to the Statement of Case prepared on behalf of the appellant by Mr Philip Brown of Philip Brown Associates Limited, submitted in support of the appeal. It should be read alongside the representations set out above, and addresses the specific points raised in the appellant's Statement by reference to its own paragraph numbers.

Preliminary Point: Identity of the Appellant

The Parish Council notes that the Council's decision notice of 6 August 2026 names the applicant as Mr Christopher Ryan, whereas the appellant's Statement of Case is headed

“Appeal by Mr Christopher Allen”. This is raised only so that the Inspectorate can confirm the appellant's correct identity is properly recorded against the application; the Parish Council does not suggest it affects the planning merits and takes it no further unless the Inspector considers it relevant.

Principle of Development, Unmet Need and Policy HO12

The appellant's Statement does not mention, still less address, the existing and further allocated traveller site capacity at Pitts Cottages, only 2 miles away from the appeal site, located on the former “Felsted Railway Station site”.

We understand that Pitts Cottages provides 17 pitches, of which 8 are currently unoccupied, and the Council has separately allocated a further 14 pitches there. Policy HO12(2)(a) expressly requires the decision-maker, when considering need under Policy S5, to take into account “the existing level of local provision and need for additional sites”.

Even if there was a shortfall in available pitches, this would not establish an acceptance that that every parcel of land, however harmful its site-specific impacts, should be granted permission; it is entirely consistent with Policy HO12(2)(a) for the Inspector to conclude that the need in this specific area of Felsted is capable of being met, and is being met, through the Council's own preferred, allocated location at Pitts Cottages on the former Felsted Station site and not through a doubling of a site already found only narrowly acceptable at half this scale, and now the subject of four separate reasons for refusal.

Effect on the Countryside (Statement paras 5.27–5.33)

The appellant's Statement relies heavily on lengthy extracts from the Inspector's December 2024 decision on the 5-pitch scheme (UTT/23/2526/FUL), characterising the doubling the capacity of the site to 10 pitches as merely a “marginal” addition that would be “well screened behind the previously approved pitches” (para 5.31).

Felsted Parish Council disputes that declaration. The 2024 Inspector assessed a specific 5-pitch layout, on the front of the site, with its own landscaping and access proposals, and reached a scheme-specific judgement that the resulting “moderate” harm was outweighed by need at that time. That decision did not assess, and cannot be read as pre-approving, a doubling of that development to 10 pitches with additional built form, hardstanding and utility buildings behind it. The Council, in refusing the current application, had before it the actual block plan and landscape details for this specific 10-pitch scheme and reached its own fresh, evidence-based judgement, by reference to the current Design Code as well as the Local Plan and Framework, that this particular scheme is unacceptable.

The Parish Council would also add that the Council's second reason for refusal is not framed only in terms of visibility from the highway. It refers in terms to “unacceptable visual intrusion into, and additional encroachment onto, the Open Countryside” that is, a harm of principle and scale, concerned with the loss of open countryside and the intensification of the site as a whole, not solely with what can or cannot be seen from Chelmsford Road. Effective screening of a doubled development from one vantage point does not answer that broader objection.

Finally, the appellant's Statement asserts, at para 5.33, that the wording of Policy S5 has

“raised the bar” for refusal compared with the former paragraph 11(d)(ii) tilted balance, by requiring only that benefits be “substantially” outweighed by adverse effects, rather than “significantly and demonstrably” outweighed.

That is a contestable reading of a Framework that is barely a matter of weeks old, with no appeal decisions or case law yet available to test it, and the Parish Council would caution the Inspector against accepting it uncritically. In any event, the point need not be resolved in order to dismiss this appeal: the concentration/local provision point in section A1 above and the heritage point in section A4 below both stand independently of exactly how the S5 balance is calibrated.

Accessibility and Sustainable Transport (Statement paras 5.12–5.17)

The appellant's Statement makes two distinct points on accessibility, both of which merit a direct response.

(a) Policy HO12 and footnote 42

The Statement is correct that Policy HO12, as the Framework's bespoke test for Traveller sites, does not itself require conventional walking, cycling or public transport accessibility of the kind ordinary housing policy would expect, and that footnote 42 directs particular regard to HO12 rather than the Framework's general transport policy. The Parish Council does not dispute that as a matter of national policy.

But the Council's third reason for refusal is not framed by reference to Policy HO12 or to the Framework's general transport policy at all. It is framed by reference to Core Policies 26, 27 and 28 of the Uttlesford Local Plan and code M1.2C of the Uttlesford Design Code — the Council's own adopted development plan policies on sustainable transport connectivity, the impact of development on transport infrastructure, and active travel, which apply to development generally and are not disapplied or rendered inconsistent with the Framework simply because Policy HO12 happens not to impose an equivalent requirement for Traveller sites specifically. Under section 38(6) of the Planning and Compulsory Purchase Act 2004, the application must be determined in accordance with the development plan unless material considerations indicate otherwise; HO12's silence on walking and cycling accessibility for Traveller sites is not a material consideration capable of displacing the Council's own, freestanding Core Policies 26–28, and nothing in Annex A of the August 2026 NPPF suggests those policies are materially inconsistent with the Framework.

(b) The Policy 60(v) distance test

The Statement also relies on Local Plan Policy 60, criterion (v), which treats a site as sustainably located if it lies within 4.8km of a settlement with a secondary school or 3.2km of one with a primary school, and notes the appeal site is 1.6km from Felsted, but Felsted Village has neither a Secondary nor Primary School.

This site is well beyond the necessary criteria of UDC Core Policy 60 for secondary education with the nearest state secondary schools being in either Great Dunmow or Braintree (both several miles distant) and whilst Felsted Primary School at Watch House Green is technically within the criteria distance, the Parish Council can confirm, as a matter of direct observation, that Chelmsford Road at this point is an unlit, derestricted road

(subject to the national 60 MPH speed limit) with no footways and no bus stops in the immediate vicinity of the site (with the closest bus stops being northwards in Felsted Village centre, adjacent to Riche Close, or southwards in the hamlet of Hertford End. With no pavements or street lights on the 60MPH Nationally derestricted road leading from the site, or any bus stops anywhere near to the site, the idea of walking to either the Primary School or to reach a bus stop would be ill-advised and cannot qualify the site as being a “sustainable” location.

(c) Highway safety, as distinct from sustainability of travel mode

Doubling the number of pitches will materially increase the frequency of vehicle movements, including by larger vehicles towing trailers or caravans, at a single access point onto an unlit, derestricted road with no footway. That is a highway safety concern in its own right, separate from the broader sustainable-travel point addressed above, and separate again from whatever finding a previous Inspector made about car-dependency for day-to-day trips on the smaller, 5-pitch scheme. A finding that car-dependent short trips were acceptable for 5 households does not automatically extend, unexamined, to the doubled traffic generation of 10.

Effect on the Setting of Millbanks Farmhouse (Statement paras 5.18–5.26)

The appellant's Statement argues that the appeal site does not form part of the setting of Millbanks Farmhouse at all, relying on (i) the 2024 Inspector's finding, in respect of the 5-pitch scheme, that it “would not harm the significance of Millbanks Farmhouse or its setting” (para 5.21), and (ii) the Council's subsequent approval, on 17 April 2026, of 3 dwellings on the garden land between the farmhouse and the appeal site (UTT/26/0475/OP), which the Statement says has now severed any remaining visual or spatial relationship (para 5.25).

Neither point withstands scrutiny on the appellant's own evidence.

First, the 2024 finding of no harm was made in respect of a different, smaller scheme of 5 pitches on the front of the site. It is entirely coherent, not contradictory, for the Council now to find that the additional 5 pitches proposed under this application, doubling the depth and extent of built form on the site, give rise to a fresh, if very low, degree of harm that the original, smaller scheme did not. The Council had the benefit of the current, larger scheme's own block and landscape plans when it reached that judgement, and the 2024 finding on a different scheme does not automatically transfer to it.

In addition, it is highly relevant that the rear boundary of the approved development (UTT/26/0475/OP), specifically aligns with the rear boundary of the original approved 5 pitch site, confirming the view of the UDC Officer, when refusing the application that it would result in an unacceptable visual intrusion into, and additional encroachment onto, the Open Countryside.

Second, the appellant's own account of the 3-dwellings scheme works against, not for, its case. The Statement quotes the officer's report for UTT/26/0475/OP as recording that the garden land between the farmhouse and the appeal site was “a valuable verdant gap which provides both the setting for the heritage asset and open setting within the development pattern along Chelmsford Road”, and that building on it “would erode this important gap

and overly-urbanise this area of the countryside” (para 5.22). If that buffering land, which the appellant's own evidence confirms protected the farmhouse's setting from the appeal site, has since been partly built upon, the logical consequence is that whilst the protective separation between Millbanks Farmhouse and the appeal site may have been weakened, it is not removed. Far from severing the relationship, the reduction of that buffer means the appeal site now stands in a more direct, less-screened relationship to the farmhouse's remaining setting than it did in 2024. The appellant cannot rely on the erosion of a heritage buffer to argue that the asset it protected is now immune from further harm.

Irrespective of how the above points are resolved, section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is primary legislation, not a Framework policy, and it operates independently of how Policy S5 or its heritage-policy successor is drafted or construed. It requires the decision-maker to have special regard to the desirability of preserving the setting of a listed building, and that statutory duty carries considerable importance and weight in the overall balance regardless of the appellant's characterisation of the Framework's internal mechanics at para 5.20.

The Public Sector Equality Duty (Statement para 5.35)

The appellant's Statement quotes the 2024 Inspector's finding that granting the 5-pitch scheme would advance equality of opportunity under section 149 of the Equality Act 2010, and that this weighed moderately in favour of that appeal. The Parish Council does not dispute that the Public Sector Equality Duty is engaged and must be given due regard; nor would it invite the Inspector to discount it. It is noted, however, that the same Inspector was careful to record that “it does not automatically follow that the appeal should be permitted because the PSED is relevant” (quoted at para 5.35) — due regard is a process obligation, not an outcome. Equally, the equality objective identified, a settled base from which to pursue a nomadic lifestyle, and the amelioration of unequal housing opportunity arising from the pitch shortfall, would be no less well served by directing the identified need towards the Council's own allocated capacity at Pitts Cottages, where 8 pitches already stand vacant, than by granting a scheme this Inspector's colleague and the Council have both identified as causing harm across four separate policy grounds on this site. The PSED does not point uniquely towards allowing this specific appeal, on this specific harmful site, when a sustainable, already-provided alternative exists nearby.

Conclusion to this Appendix

None of the points raised in the appellant's Statement of Case displaces the Council's four reasons for refusal, and in a number of respects i.e., the omission of the Pitts Cottages capacity, the negative impact on the open countryside, the questionable safe use of Chelmsford Road as a pedestrian route and the appellant's own evidence regarding the erosion of the garden buffer at Millbanks Farmhouse, Felsted Parish Council would ask the Inspector to prefer the Council's assessment and to dismiss this appeal for the reasons given in the main body of these representations and in this appendix.

6. Applications responded to since the last meeting

[UTT/26/1475/FUL](#)

Land At Willows Green Main Road

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.

The deadline for comments was the 23rd September and UDC was not able to grant an extension to this. The response submitted can be read here: <https://felsted-pc.gov.uk/wp-content/uploads/PC-Response-to-Retrospective-Application-UTT261475FUL.pdf>

7. Decisions received since the last meeting

[UTT/26/1656/HHF](#) / [UTT/26/1657/LB](#)

Witneys Bannister Green Felsted

Proposed single storey replacement extension to southern end and one and a half storey new extension to northern end of the existing cottage.

Permission Refused - 26th August 2026 *'The proposed extensions by virtue of its location, design, scale, massing, placement, and proximity to the listed building, would significantly detract from the setting of the listed building.'*

[UTT/26/1637/HHF](#) / [UTT/26/1638/LB](#)

Bury Gate Braintree Road

Proposed demolition of existing single storey rear extension and construction of a new single storey rear extension.

Permission Granted - 26th August 2026

[UTT/25/1929/OP](#)

Land North Of Garnetts Lane And Stebbing Road

Outline planning application for erection of up to 70 no. dwellings served by vehicular and pedestrian accesses, complete with parking provision, drainage attenuation, public open space, landscaping and related infrastructure and works; All matters reserved except for primary means of vehicular and pedestrian access (to exclude internal roads and footways not covered herein).

Permission Granted - 27th August 2026

[UTT/26/1768/FUL](#)

Limeen 25A Station Road

S73 application to vary condition 2 (approved plans) attached to UTT/25/0222/HHF - change from hip end to gable end roof with solar panel array on each slope.

Permission Granted - 4th September 2026

[UTT/26/1907/HHF](#)

14 Ravens Crescent

Proposed single storey link attached annexe.

Permission Granted - 7th September 2026

[UTT/26/1668/HHF](#)

Witneys Bannister Green

Replacement of previous outbuilding with installation of new outbuilding.

Permission Granted - 23rd September 2026

8. Appeal decisions since the last meeting

[UTT/25/3150/LB](#)

Three Horse Shoes Bannister Green

Replacement of 2 no. doors and 13 no. windows.

Appeal Dismissed - 10th September 2026

9. Draft Local Plan for Braintree DC

Braintree District Council is updating its local plan. Detailed information is available on this webpage: <https://www.braintree.gov.uk/planning-building-control/local-plan-review-2>.

There are no new developments to report.

10. Other Urgent Planning Business and Future Dates

Next Meeting is 2nd November 2026 online using Zoom.

Planning Information for Residents

Residents wishing to make comments on Planning Applications or view other comments can go to the Uttlesford District Council Website: <https://publicaccess.submitted.uttlesford.gov.uk/online-applications>.

To find out more about Appeals please go to the Planning Inspectorate Website: <https://acp.planninginspectorate.gov.uk>

More information about the Planning Process is available here: <https://felsted-pc.gov.uk/planning/>

To find out more about Felsted's Neighbourhood Plan please visit our webpage here: <https://felsted-pc.gov.uk/felsted-neighbourhood-plan>