

# Land known as Bull Field Redetermination - Addendum Report

Appendix C - Decision Notice (Ref. UTT/23/3126/FUL) - Jacks Application Refusal

Weston  
Homes





## UTTLESFORD DISTRICT COUNCIL

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Mr Jarrod Spencer  
Weston Group Business Centre  
Parsonage Road  
Takeley  
CM22 6PU  
United Kingdom

**Dated:** 12 February 2024

### TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

**Application Number: UTT/22/3126/FUL**  
**Applicant: Mr Jarrod Spencer**

Uttlesford District Council **Refuses Permission** for:

**Erection of 40 no. dwellings, including open space landscaping and associated infrastructure at Land At Warish Hall Farm North Of Jacks Lane Smiths Green Lane Takeley**

**The refused plans/documents are listed below:**

Plan Reference/Version	Plan Type/Notes	Received
2007045-TK33 A	Other	02/03/2023
2007045-TK34 A	Other	02/03/2023
2951-LA-04 P02	Landscape Details	02/03/2023
WH202.WST.P1.ZZ.DR.PL.55.0 1	Combined	02/03/2023
WH202.WST.P1.ZZ.DR.PL.55.0 1 A	Combined	02/03/2023
WH202.WST.P1.ZZ.DR.PL.55.0 2	Combined	02/03/2023
WH202.WST.P1.ZZ.DR.PL.55.0 2 A	Combined	02/03/2023
WH202.WST.P1.ZZ.DR.PL.55.0 3	Combined	02/03/2023
WH202.WST.P1.ZZ.DR.PL.55.0 3 A	Combined	02/03/2023
WH202.WST.P1.ZZ.DR.PL.55.0	Combined	02/03/2023

4			
WH202.WST.P1.ZZ.DR.PL.55.0	Combined		02/03/2023
4 A			
WH202.WST.P1.ZZ.DR.PL.55.0	Combined		02/03/2023
5			
WH202.WST.P1.ZZ.DR.PL.55.0	Combined		02/03/2023
5 A			
WH202.WST.P1.ZZ.DR.PL.55.0	Combined		02/03/2023
6			
WH202.WST.P1.ZZ.DR.PL.55.0	Combined		02/03/2023
6 A			
WH202.WST.P1.ZZ.DR.PL.55.0	Combined		02/03/2023
7			
WH202.WST.P1.ZZ.DR.PL.55.0	Combined		02/03/2023
7 A			
WH202.WST.P1.ZZ.DR.PL.55.0	Combined		02/03/2023
8			
WH202.WST.P1.ZZ.DR.PL.55.0	Combined		02/03/2023
9			
WH202.WST.P1.ZZ.DR.PL.55.1	Combined		02/03/2023
0			
WH202.WST.P1.ZZ.DR.PL.55.1	Combined		02/03/2023
0 A			
WH202.WST.P1.ZZ.DR.PL.55.1	Combined		02/03/2023
1			
WH202.WST.P1.ZZ.DR.PL.55.1	Combined		02/03/2023
1 A			
WH202.WST.P1.ZZ.VS.PL.90.0	Other		02/03/2023
1			
BAT REPORT	Bat Emergence Survey		02/03/2023
BUILT ASSESSMENT	HERITAGE Other		02/03/2023
WH202.WST.P1.ZZ.DR.PL.10.0	Lighting plans		
8			
WH202.WST.P1.ZZ.DR.PL.30.0	Other		
1			
WH202.WST.P1.ZZ.DR.PL.30.0	Other		
2			
ACCOMMODATION	Other		

SCHEDULE

AIR QUALITY ASSESSMENT	Other	
ARBORICULTURAL IMPACT ASSESSMENT	Landscape Details	
ARCHAEOLOGICAL DESK BASED ASSESSMENT	Other	
BUILT HERITAGE ASSESSMENT	Other	
DESIGN AND ACCESS STATEMENT	Design and Access Statement	
ECOLOGY REPORT	Other	
ECOLOGY UPDATE AND WALKOVER SURVEY	Other	
FLOOD RISK ASSESSMENT AND SUDS REPORT	Other	
NOISE IMPACT ASSESSMENT	Other	
PHASE 1 DESK STUDY AND PRELIMINARY RISK ASSESSMENT	Other	
SUSTAINABILITY STATEMENT	Other	
TRANSPORT ASSESSMENT	Other	
WOODLAND MANAGEMENT PLAN	Landscape Details	
WH202.WST.P1.ZZ.DR.PL.55.0 4 REV B	Combined	25/05/2023
WH202.WST.P1.ZZ.DR.PL.10.0 5 REV B	Other	25/05/2023
WH202.WST.P1.ZZ.DR.PL.55.0 1 REV B	Combined	25/05/2023
WH202.WST.P1.ZZ.DR.PL.55.0 2 REV B	Combined	25/05/2023
WH202.WST.P1.ZZ.DR.PL.55.0 5 REV B	Combined	25/05/2023
WH202.WST.P1.ZZ.DR.PL.55.0 6 REV B	Combined	25/05/2023
WH202.WST.P1.ZZ.DR.PL.55.0 7 REV B	Combined	25/05/2023
PLANNING STATEMENT	Other	25/05/2023

ADDENDUM

PUBLIC RIGHT OF WAY - LIGHTING IMPACT ASSESSMENT	Lighting plans	16/10/2023
WH202.WST.P1.22.DR.PK.10.5 1	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.05.0 1 A	Location Plan	16/10/2023
WH202.WST.P1.ZZ.DR.PL.05.0 2 A	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.05.0 3	Location Plan	16/10/2023
WH202.WST.P1.ZZ.DR.PL.10.0 0 B	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.10.0 1 B	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.10.0 2 B	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.10.0 3 B	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.10.0 4 B	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.10.0 5 C	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.10.0 6 C	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.10.0 7 B	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.10.0 9 B	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.10.1 0 B	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.10.5 0	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.30.0 1 B	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.30.0 2 B	Other	16/10/2023
WH202.WST.P1.ZZ.DR.PL.50.5	Other	16/10/2023

1

WH202.WST.P1.ZZ.DR.PL.50.5	Other	16/10/2023
3		
WH202/22/15.11-103 A1	Other	16/10/2023
WH202/22/15.11-104 A1	Other	16/10/2023
WH202/22/15.21-104 A1	Other	16/10/2023
WH202/22/15.21-105 A1	Other	16/10/2023
WH202/22/15.5-102 A1	Other	16/10/2023
ADDENDUM TO LANDSCAPE AND VISUAL IMPACT ASSESSMENT	Other	16/10/2023
ARBORICULTURAL IMPACT ASSESSMENT	Other	16/10/2023
BYWAY IMPROVEMENTS - LIGHTING DESIGN	Other	16/10/2023
KIRIUM PRO MINI PRODUCT DATASHEET	Other	16/10/2023
LANDSCAPE MANAGEMENT PLAN	Other	16/10/2023
OUTDOOR LIGHTING REPORT	Other	16/10/2023
PLANNING STATEMENT ADDENDUM	Other	16/10/2023
PUBLIC RIGHT OF WAY - LIGHTING IMPACT ASSESSMENT	Other	16/10/2023
SMITHS GREEN LANE VISIBILITY SPLAYS	Other	16/10/2023
HERITAGE ADDENDUM	Other	02/11/2023

Permission is refused for the following reasons:

- 1 It has not been adequately demonstrated that lighting from the proposed development would not result in unacceptable harm to the established character and appearance of the surrounding area, to the significance of Smiths Green Lane (Warish Hall Road), a protected lane and non-designated heritage asset, and the significance of the setting of the Smiths Green Conservation Area. This is contrary to Policies S7, ENV1, ENV9 and GEN2 of the Uttlesford Local Plan and the National Planning Policy Framework.
- 2 It has not been adequately demonstrated that the provision of the new access and highways works would not result in harm, by way of loss of vegetation and urbanising features, to the protected lane (Smith's Green Lane), a non-designated heritage asset. This is contrary to Policies GEN2, and ENV9 of the Uttlesford Local Plan (adopted 2005) and Paragraph 203 of the NPPF

In determining this application, the Local Planning Authority had regard to the following Development Plan Policies:

<b>Policy</b>	<b>Local Plan</b>	<b>Local Plan Phase</b>
S7 - The Countryside	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV1 - Design of development within Conservation Areas	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV9 - Historic Landscape	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN2 - Design	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
S8 - The Countryside Protection Zone	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN1 - Access	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN3 - Flood Protection	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN4 - Good Neighbours	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN5 - Light Pollution	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN6 - Infrastructure Provision to Support Development	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN7 - Nature Conservation	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN8 - Vehicle Parking Standards	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV2 - Development affecting Listed Buildings	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV3 - Open spaces and trees	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV4 - Ancient Monuments and Site of Archaeological Importance	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV5 - Protection of agricultural land	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV10 - Noise sensitive development and disturbance from aircraft	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV11 - Noise generators	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV12 - Groundwater protection	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005

ENV14 - Contaminated land      Uttlesford Local Plan 2005      Uttlesford Local Plan Adopted 2005

H9 - Affordable Housing      Uttlesford Local Plan 2005

H10 - Housing Mix      Uttlesford Local Plan 2005

Uttlesford Local Parking  
Standards

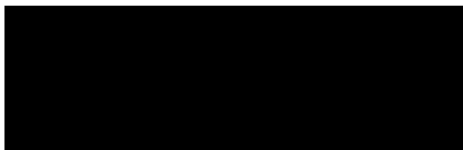
ECP - ECC Parking Standards  
(Design & Good Practice)  
September 2009

SPD2 - Accessible homes and  
playspace

SPD7 - Developer  
Contributions Guidance  
Document, June 2013

EDG - Essex Design Guide

National Planning Policy  
Framework December 2023



**Dean Hermitage**  
**Strategic Director of Planning**

**Notes:**

**1      Appeals to the Secretary of State**

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an ENFORCEMENT NOTICE, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an ENFORCEMENT NOTICE is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local



planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to REFUSE planning permission for a HOUSEHOLDER (HHF) application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a MINOR COMMERCIAL application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an ADVERTISEMENT, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

#### PRIOR APPROVAL APPEALS, INCLUDING THE NEIGHBOURS' CONSULTATION SCHEME

Applicants may appeal under section 78 of the Town and Country Planning Act 1990 against a local planning authority's refusal or non-determination of an application for prior approval for development permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015.

Prior approval appeals generally follow the same procedures and timetables as appeals relating to ordinary planning permissions. Appeals against refusal of prior approvals relating to dwellinghouses, including the neighbours' consultation scheme for larger home extensions under Class A of Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995, will be made under the householder appeals process (see Annex C of the Planning Inspectorate Procedural Guide). Such appeals must be submitted within 12 weeks.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice (or timeline as mentioned above).

Appeals can be made online at:

Householder (HHF) - <https://www.gov.uk/appeal-householder-planning-decision>  
FULL - <https://www.gov.uk/appeal-planning-decision>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the

appeal. Further details are on GOV.UK  
<https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>