

**TAKELEY STREET ACTION GROUP (TSAG)**  
**FORMAL PLANNING REPRESENTATION**

## **ECOLOGICAL OBJECTION**

Planning Application:  
Land North of Taylors Farm

Application Reference:  
UTT/25/2786/OP

Local Planning Authority:  
Uttlesford District Council

**Submitted by:**  
Takeley Street Action Group (TSAG)  
A local residents' action group representing +600 residents of Takeley and neighbouring towns and villages.

This document forms part of a coordinated set of technical objections submitted by TSAG in response to the above planning application.

Document Status:  
Formal Written Objection

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This representation is made in the public interest and is intended to assist the Local Planning Authority, statutory consultees and members of the Planning Committee in reaching a lawful, informed and sound planning decision.

**Comments:** Preliminary Ecological Appraisal; 2024 Update, prepared by BiOME Consulting Ltd, finalised on 25 April 2024.

## 1 Report Validity

This report is out of date and is no longer valid.

1.1 Para 5.11 of the report confirms that the findings are valid only until October 2025, and that an updated assessment is required if works are delayed beyond this date.

## 2. Application Timeline

To clarify, the planning application was received on 15 October 2025 and validated on 29 October 2025. We understand that EIA law says the Council must use environmental evidence it can still rely on when it makes its **DECISION**, likely to be February 2026 at the earliest. No decision will be made until the report is at least three months out of date.

## 3. Legal and Policy Implications

We understand that Planning decisions must be based on adequate and up-to-date environmental information **at the time of determination**. Under the Environmental Impact Assessment Regulations, the Authority is required to reach a reasoned conclusion on likely significant environmental effects. Reliance on an ecological baseline that has explicitly expired prevents the Authority from lawfully discharging this duty. In this instance, our advice is that Planning Conditions cannot be used as a remedy and that the entire application is effectively invalid.

## 4 Essex Biodiversity Validation Checklist

The Essex Biodiversity Validation Checklist submitted under the sites and habitats evaluation section is seriously flawed.

4.1 The Developer has ticked a box stating that there will be NO reasonable likelihood that the development will affect a SSSI either directly or indirectly. This is repeated for the “Priority Habitats, Ancient Woodland and Local Wildlife Sites” section. The developer has also stated *“Air pollution modelling has confirmed that there will be no significant adverse impact on the Hatfield Forest SSSI”*.

The Developer is fully aware of the proximity of this site to Priory Wood ( Ancient Woodland), the Flitch Way (LNR) and Hatfield Forest SSSI and NNR.

The National Trust and Natural England have raised serious concerns about the potential impact of this development on Hatfield Forest SSSI.

We suggest decision makers refer to the National Trust and Natural England responses to the application and their submissions at Regulation 19 regarding air quality. ie: NT response 25th November 2025 *“Traffic modelling data submitted with the planning application (ES Appendix 9.2) estimates Nitrogen deposition rates to reach 26.35 kgN/ha/yr - around double the critical load value”*.

## 5. Conclusion

In the absence of an updated Preliminary Ecological Appraisal and any necessary follow-on surveys, the Local Planning Authority cannot lawfully rely on the submitted ecological information to determine this application and it should therefore be refused.