

OBJECTION – Regulation 25 Summary Response

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 +650 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.

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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.

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1. Executive Summary

1.1 There are significant material planning reasons for refusing this site. Despite being a Local Plan, Uttlesford has identified this site allocation in the local plan as a “*technical oversupply*”. (See UDC’s own Local Plan Employment Site Selection Topic Paper page 17, July 2024). For this reason, it should not carry significant weight. It does not need to be there. See Appeal [s62A/2023/0017 para 15](#).

“Whilst appreciating that there are factors which makes this location convenient or desirable above others, that is not the same as the need for the development to be in this location. Clearly, there are other locations in the district where the development and use proposed can and do take place in planning terms”.

1.2 The Planning Application is for all matters reserved except access. The Developer has declined to provide full access details “*indicative access routes – Exact locations to be determined at reserved matters stage*”. Whether this means internal access routes or access to the B1256 is not clear. Without those details, the Developer can put any access wherever they choose.

For this reason alone, permission should be refused.

1.3 The proposed site is very close to Hatfield Forest, a SSSI and adjacent to Ancient Woodland with no sufficient evidence that harm would not be done to these areas.

Granting permission would be in direct conflict with NPPF para 193 which states that “*if significant harm to biodiversity resulting from a development cannot be avoided then planning permission **should be refused***”.

1.4 The Developer fails to address loss of amenity to adjacent or nearby houses. Those near access points will be severely and permanently affected. It is unlikely that mitigation will be possible where houses are opposite or near to access points. No form of mitigation would ‘ever’ be possible ‘outside’ the site along the B1256.

1.5 The development will have an overbearing effect on local residences because of scale and mass. It will feel oppressive to residents and this means that it will not meet sufficiently high standards of design.

1.6 The Developer has failed to offer a remedy for surface water flooding, simply saying that it will be dealt with as a “*reserved matter*” and will need to be reassessed. This means that they do not have a solution or it would be presented as part of the application. This is critical because surface water flows directly to Hatfield Forest SSSI via Shermore Brook and is the only feed for the SSSI lake as well as the Old Woman’s Weaver, a Wetland Restoration Project less than 350m

from the site. The Old Woman's Weaver is a breeding site for Great Crested Newts – a fact that the Developer failed to note.

The best the Developer can offer is to claim that there will be no significant adverse affects during the construction period with no evidence provided to back up their claim. They are ignoring the lifetime operational phase.

1.7 The Developer has still not addressed the requirement by Hatfield Forest concerning air quality in their comment:

“As the Natural England letter is dated after the submission of the further information relating to nitrogen impacts on bryophytes and lichens, we conclude that Natural England is advising a broader assessment of air quality impacts by the LPA”.

The Developer Air Quality submission, obtained by accessing a SSSI without consent, is inadmissible.

1.8 The comments by Essex Minerals and Waste have not been fully addressed. They have stated that a *“fully qualitative assessment is not sufficient”*. They insist that a *“WIA report is required and must include quantified evidence and monitoring”*.

1.9 The submitted Socio-Economic report suggests that the Developer does not properly understand what is meant by quantified and qualitative evidence. The whole report is poorly evidenced and inadequate, lacking integrity. The TSAG rebuttal of this report clarifies why it should not be taken into account at all while looking at Planning Weight.

1.10 We have highlighted critical discrepancies in the submitted documentation. We assume that the PO and Statutory Consultees would have been unaware of the discrepancies in the Planning Application. Section 2 provides more detail.

1.11 At this point in time, how many chances is the Developer to be given to “get it right”. They have had plenty of opportunity but still seem incapable of presenting properly researched and justified evidence to support their submission.

1.12 The letter submitted from Buxtons Solicitors notes: *“harms are significant, incapable of effective mitigation, and contrary to many policies in the NPPF”*.

The Developer has been ‘economical’ with the truth throughout the submission. How many chances is the Planning Officer going to give them? Under these circumstances, how can this seriously flawed proposal be given Planning Consent?

2 Introduction

2.1 The Planning Application lacks integrity. For this reason, it is unclear whether any of the documents presented by the Developer can be accepted. Some examples are:

2.2 Noise survey

2.2.1 Allegedly carried out adjacent to Stane (sic Stable) Cottages. (Receptor 2-R2). For clarification the definition of ‘adjacent’ is next to, neighbouring or bordering with nothing between. Noise could not have been monitored there. It is private land owned by 3 Stane Cottages. The findings and assumptions based on that alleged “adjacent” monitoring must therefore be ignored. No map to indicate siting of any sound monitoring equipment adjacent to Stane Cottages has been provided, probably because it was never there. See Section 7.

2.3 Air Quality Bryophyte and Lichen Surveys

2.3.1 Air Quality Survey – Priory Wood – Ancient Woodland.

This woodland is host to a Scout Camp. A representative of the Scouts has written to the PO to make them aware that no permission was given to enter the land – land that is surrounded by 8 feet tall deer fencing and secure locked gates. It seems unlikely that a survey took place there at all. The unthinkable alternative is that the safeguarding of vulnerable children was compromised because of illegal access.

This document and data should be withdrawn.

2.3.2 Air Quality Survey Hatfield Forest SSSI

We understand that **NO** permission was gained from either The National Trust or Natural England to undertake this survey on Hatfield Forest– assuming it actually happened where and when the Developer stated.

This document and data should be withdrawn.

2.4 CCTV Culvert Survey

2.4.1 This was conducted without the owner’s permission underneath the property “Deacons”, opposite the site. In addition, there is no evidence of Highways permission for surveying the Highways adopted section of the culvert.

This document and data should be withdrawn.

2.4.2 Land to the West of Deacons

This is private land accessed without the owner's permission. Photos of the ditch have been submitted as part of the Site Specific Flood Risk Assessment evidencing trespass.

2.5 The Developer tries to further justify this application by attributing comments to the Planning Inspectorate concerning Air Quality – comments that they did not make.

Page 3 Section 1.8. of the revised Planning Statement (referring to the Planning Inspectors Report) claims:

*“the Inspector concluded that the appropriate method of assessing any ecological impact on the SSSI is one based in a review of the proportionate acceptability of any impact, and not following the Habitats Regulations approach (**which in the context of the SSSI was considered overly restrictive by the Inspectorate**). As set out both in the Council's evidence base to inform the Local Plan, and the application submission, the anticipated impact is acceptable, and cannot to be a ground for justifying refusal of permission.*

2.6 The Inspectorate did **NOT** state that the Habitat Regulations approach was considered “**overly restrictive**”, nor did they comment on permission. They said:

“The correct approach to assessing the ecological impact of the allocation on Hatfield Forest is not the precautionary approach taken in the Habitats Regulations but rather an environmental impact approach where the magnitude of the effect is of relevance in reaching a conclusion on significance”

The phrase “**overly restrictive**” was used by the Agent - Savills in their comments on the main modifications on behalf of Pigeon, the Developer.

Savills commented:

*“As worded, the policy sets an unclear standard, saying that proposals will be refused if 'it might lead to significant adverse effects.' The use of the word 'might' here **is overly restrictive**, and for clarity should be removed”.*

2.7 The application should be refused. If accepted as it stands, it makes a mockery of the Planning system and undermines the integrity of decision makers.

It is up to the Developer to return at some point with an application prepared with honesty and integrity for proper evaluation by UDC and the Planning Committee.

3 Reasons for Refusal

3.1 Access

3.1.1 The Planning Application is outline “**except access**”, ie full permission is requested for access but the Developer has not provided detail about where exactly the access will be.

3.1.2 The document Environmental Statement Non-Technical Summary (incorporating ES Addendum April 2026) page 14 shows a map with a legend that states “*indicative access routes – Exact locations to be determined at reserved matters stage*”.

Critically, this directly affects:

- Houses located next to the B1256
- Amenity such a noise and lighting

3.1.3 The Liz Lake documentation (Type 4 visualisations - wireframe and rendered) indicates a completely different access arrangement to the Developer submission. See TSAG Landscape and Visual Impact Objection.

- The document fails to include the filter lane on the B1256 access approach which is ‘directly’ outside Stane Cottages.
- The site access is in a different place to the access indicated on the Masterplan
- The signal-controlled junction is not indicated.

Idling traffic queueing to access the site and traffic pulling out onto the B1256 CANNOT be screened or mitigated against in any way, shape or form by landscaping. See TSAG Landscape and Visual submission for detailed comments.

How can full permission be granted for an access when the Developer and their Consultants do not even appear to know where it is?

3.2 NPPF

3.2.1 The policies in the NPPF provide a clear reason for refusal. The site is adjacent to Ancient Woodland and only a few metres from a SSSI, Hatfield Forest.

3.2.2 The Developer has failed to adequately demonstrate that there will be no harm to Hatfield Forest SSSI either through Air Quality, Surface or contaminated water flowing through Shermore Brook to Hatfield Forest Lake.

NPPF para 193 referring to a SSSI:

“When determining planning applications, local planning authorities should apply the following principles:

- a) *if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission **should be refused***”.

There are alternative sites. Uttlesford themselves recognised that the site is a “*technical oversupply*”. It is not needed.

3.2.3 The Developer has failed to demonstrate that there will not be significant harm to biodiversity, simply saying they will “*mitigate*”. They cannot even provide sufficient BNG on site, intending to purchase units outside Uttlesford.

3.2.4 The Developer has **NOT** demonstrated that the benefits of the scheme clearly outweigh the drawbacks. Uttlesford have recognised that this site is a “***technical oversupply***” and is not needed.

- b) *development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), **should not normally be permitted**. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;*

The Developer has **NOT** provided adequate detail that there would be no loss or damage to ancient woodland from this site. There are no “*exceptional reasons*” as this is identified by UDC as a “*technical oversupply*”.

The economic benefits to Uttlesford are exaggerated. See TSAG Socio Economic submission and Buxton Solicitor submission.

3.2.5 NPPF para 193 referring to Ancient Woodland:

- c) *development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) **should be refused**, unless there are wholly exceptional reasons and a suitable compensation strategy exists.*

There are no exceptional reasons.

There is no suitable compensation strategy.

It appears that the Developer would not be required to pay any CIL as this site would be zero rated. It is not clear who would then pay for any mitigation and what that amount would be, hence no suitable compensation strategy exists.

3.2.6 NPPF para 187 “Conserving and enhancing the natural environment” makes it clear that:

“Planning policies and decisions should contribute to and enhance the natural and local environment by:

*recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the **best and most versatile agricultural land**, and of trees and woodland;*

The site is recognised as “Best and Most Versatile” agricultural land (BVA). The application does not conserve and enhance the Natural Environment. How can it with a 27 Ha site covered in warehouse floorspace and a lorry park?

3.2.7 The NPPF para 187 further states:

“Development should, wherever possible, help to improve local environmental conditions such as air and water quality.....

recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland”.

The development would permanently destroy “Best and Most Versatile” agricultural land (BVA) at the gateway to the village.

There is no evidence that the site would enhance local environmental conditions such as air and water quality. On the contrary, air quality data was allegedly gathered from Hatfield Forest and Priory Wood without consent – if indeed it was gathered from Priory Wood at all.

The Developer has been unable to properly demonstrate water quality. They want to deal with it as a “reserved matter”.

3.2.8 Living Conditions

3.2.8.1 The NPPF Section 15 “Conserving and enhancing the natural environment “

Para 187 makes it clear that Planning policies and decisions should contribute to and enhance the natural and local environment by:

“preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions”.

3.2.8.2 The Developer has not produced any convincing evidence that homes in the proximity of the site will not be affected by unacceptable levels of noise and light. RF Environmental found that noise would be above WHO levels, the Developer has no idea who will occupy the site and the number or type of HGV's.

3.2.8.3 The Developer has not produced any convincing evidence that Hatfield Forest, SSSI will not be adversely affected by surface water quality or light pollution.

3.2.8.4 The Scout Camp within Priory Wood has been completely ignored by the Developer who has produced no evidence at all concerning the impact on the Camp or the young people and children who use it. These children will NEVER see a sunrise again from Priory Wood because it will be completely obscured by the proposed mega sheds.

3.3 Residential Amenity

3.3.1 The Developer has failed to address residential amenity. This development **WILL** have a significant adverse impact on residential amenity that cannot be mitigated, in part because proposed access points and slip roads are directly opposite residential properties and their entrances with no possibility of screening or mitigation.

3.3.2 Mitigation would never be possible outside the site. The developer has no means to prevent noise, air or light pollution from an estimated 4000 to 12000 vehicle movements a day on the B1256 because they can **only** access the site via Takeley Street. This will severely impact residential amenity from HGV movements, air brakes, idling engines, refrigeration compressors and simply the volume of traffic passing residential dwellings 24/7. The loss of amenity to residents is material, permanent and irreversible.

3.4 Loss of Privacy

3.4.1 The site will operate 24/7 and lights will shine into bedroom windows.

3.4.2 It is not acceptable for rooms in people's homes to be unusable, or only usable if windows are permanently closed because of noise and light.

3.4.3 Blinds will need to be purchased, fitted and closed in bedrooms and downstairs windows facing or near the site to make rooms habitable. Shutting oneself away is NOT good for anyone's mental health.

3.4.4 It is unacceptable for residents to be unable to use their gardens because of the effects of traffic, light and noise. If Covid taught us anything it is how people need the outdoors for mental health and wellbeing.

3.5 Oppressive and overbearing Environment

3.5.1 The size and scale of development and its proximity to residences will result in an oppressive and overbearing environment.

3.5.2 The height of the warehousing will overshadow nearby and adjacent housing. As yet we only know the approximate height of the buildings above finished floor level and not the actual height of the warehouses in relation to the nearby homes. The Developer has omitted this from the proposal.

3.5.3 The Developer intends to ‘plateau’ the land, partly to allow foul drainage to ‘gravity’ feed to a pumping station in order to pump sewage to connect to the main sewer some distance away. (There is no mains drainage in this part of The Street). Buildings overall finished height (not finished floor level) will be significantly higher once the land is raised. The developer has NOT disclosed any detail concerning how much they intend to plateau the land.

The largest proposed mega shed has a footprint 400% larger than the Diamond Hanger which sits at around 24m on the ‘level’ airfield. It has taken more than 20 years for landscaping to screen the Diamond Hangar from Takeley Street in the summer months only. The roof is visible in winter. The trees are on a large earth bund on the North of the site, already elevated.

To put things in perspective, the Diamond Hanger is more than 750m from Takeley Street (Fig.1). The tallest mega shed - over and above the 21m finished floor height - will be significantly closer to people’s homes (Fig. 2 and 3).

3.5.4 Natural light is likely to be restricted to residential properties.

3.5.5 Internal and external access points will have permanent lighting in addition to security lighting potentially affecting homes especially those in proximity to access points.

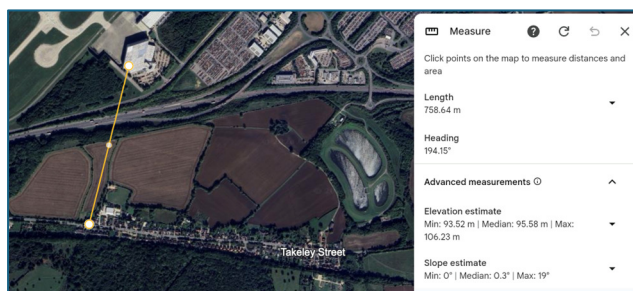


Fig.1
Diamond Hanger over 750m from
Takeley Street

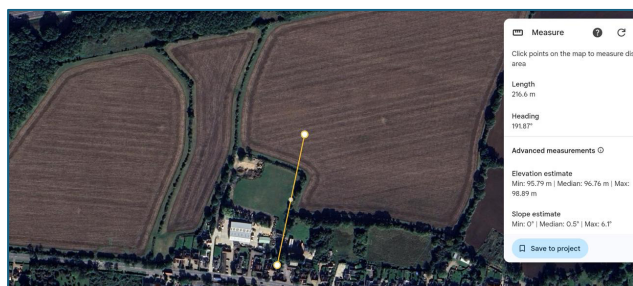


Fig.2
Proposed location of tallest mega sheds
in relation to homes and their gardens.

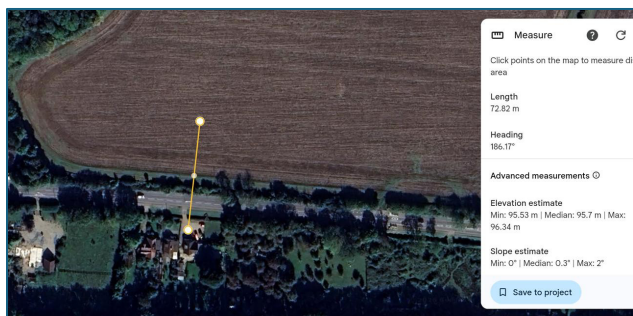


Fig.3
Proposed location of buildings in relation to Stane Cottages.

3.5.6 To put this in perspective, there is current pressure for the Government to include in its revised National Planning Policy Framework (NPPF) that “the building of B8 warehouses and the 24/7 operation of such mega sheds will not be permitted within 500 metres of residential properties”.

4 Inclusion in the Local Plan

4.1 Although inclusion of a site in a Local plan carries weight, planning consent is not automatic. The application must fully comply with National and Local Policy. In this instance the planning application does not accurately reflect the allocation presented in the Local Plan to the Inspectorate or to Officers.

Local Plan	Planning Application	Comment
Site size: 18 Ha	27Ha	50% more than LP allocation
States multiple entrances	Does not use the one existing access point.	Emergency access opposite residential property. Access to be shared with local traffic
Sewage to Jenkins Lane Bishops Stortford	Sewage to Takeley treatment plant	No mains in locale. Takeley over capacity Sewage frequently discharges into Pincey Brook.
Surface Water Flooding identified as constraint in parts of the site.	States development will not be in flood prone area	Emergency access in area designated by UDC as “Danger to All”

4.2 The Developer previously promoted the site to be included in the Local Plan but presented a Planning Application that differs significantly from the Local Plan allocation. It does not deal with the highlighted constraints.

5 Request for new information – Section 25

5.1 We welcome the Regulation 25 request which highlights some of the inadequacies of the Planning Submission for Land North of Taylors Farm.

5.2 We note that no request has been made by the Planning Officer concerning the Socio Economic Assessment submitted by the Developer. This flawed document attempts to make the economic argument for the site. Dr Jean Johnson, (whose relevant experience includes high level reviews of project proposals for the European Commission Horizon 2020 programme) has reviewed the Developer submission on behalf of Takeley Street Action Group and concluded that their document lacked credibility. It included numerous inaccuracies and based its findings on research of which there was no evidence that it ever took place. See Takeley Street Action Group Socio Economic Comments & Objection. We are not convinced that it was written by an appropriately qualified person with a sound qualification in Economics or related subject.

5.3 We note that the Developer appraisal of submitted comments Appendix A.2.5 Summary of Consultation Responses UTT/25/2786/OP fails to offer any defence or their Socio-Economic Assessment and fails to mention this Takeley Street Action Group submission at all.

The Socio Economic Assessment submitted by the Developer should be afforded little weight.

6 Principle of Development

6.1 The Revised Planning Statement refers to the Principle of Development with much of this section attempting to make an Economic Argument whilst failing to address any of the many concerns and discrepancies raised by TSAG in their Socio Economic submission, available on the Planning Portal.

6.2 The Developer argues that the proposals should be considered “sustainable development”, but the proposal does not appear to meet the definition of the three pillars of sustainability, ie Economic, Social and Environmental.

Paragraph 7 of the NPPF states:

“The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development and supporting infrastructure in a sustainable manner”.

6.3 Section 4.2 of the Planning Statement attempts to use an economic argument to present its case, arguing that this should carry a greater weight than the many other negative aspects and constraints.

6.4 Whilst “*significant weight*” can be placed on the need to support economic growth and productivity, recent legal opinion makes it clear that economic benefits do not carry significant weight in **every case**, ie it does not override all other constraints as the Developer would have you believe.

We refer you the letter from Buxtons on behalf of TSAG that found:

“ what the social and environmental benefits would be are unconvincing and nebulous”

6.5 UDC have identified that this site is a “**technical oversupply**” in its new Local Plan.

UDC Employment Site Selection Topic Paper July 2024 states:

“Another 18ha allocation at Takeley Street (Takeley 005 EMP) is proposed which leads to a technical oversupply against the requirement..... allowing for some flexible employment floorspace on the site to respond to market conditions and potentially deliver office floorspace to meet the residual office need in the District”.

6.5.1 Recent evidence submitted with the Elsenham Watercircle (UTT/25/2027/OP) planning application demonstrated why the previous Tri Sail Towers never progressed after Covid. “Lockdown” changed how businesses operate so that the need for office space has also dramatically reduced.

6.5.2 The application site is for a 27Ha NOT 18Ha. It is not needed. It is excessive. In simple terms, an oversupply does not mean more economic growth because the need for employment land is finite. It simply means that any potential growth will be spread more thinly or that other sites will become less viable.

There is no justification for a site of this size – 27Ha overall – in this location.

6.6 The fact that Developers, distribution companies or others with a financial interest may want it here is not a material planning reason. See Appeal decision s62A/2023/0017, (FYK – known as Wrens Kitchens) para 15:

“Notwithstanding the Economic Report cited above, it does not necessarily detail why the development is ‘required’ to be in this particular location. Whilst appreciating that there are factors which makes this location convenient or desirable above others, that is not the same as the need for the development to be in this location”.

The inclusion of a site in the Local Plan is NOT sufficient reason overall to grant Planning Permission, but merely a starting point. In this case, the Application does not accurately reflect the Local Plan allocation.

6.7 Principle of Development- Environmental

6.7.1 The Developer has failed to prove that the site will not have a significant adverse effect on Hatfield Forest SSSI and Priory Wood and Ancient Woodland. Instead, they have chosen to argue about terminology and the meaning of “*significant*”, whilst

ignoring the potentially catastrophic, irreversible environmental harm to Hatfield Forest and Priory Wood.

We have to ask decision makers what sort of legacy they wish to leave future generations?

6.7.2 The Developer has submitted reports concerning the effect of the Development on Air Quality, lichen, Hatfield Forest and Priory Wood, but their integrity is in doubt as no permission was requested or given for access to these sites.

6.7.3 Para 8.2.8 of the Environment Statement – Non Technical Summary very generously states:

“Priory Wood LWS will be retained and protected from adverse construction related effects. To this end, a stand-off no development construction zone will be retained and protected along the western boundary of the Site adjacent to Priory Wood. The Wood will also be inaccessible to operational users of the Proposed Development and will therefore not be subject to trampling pressure or littering.”

This is yet another bizarre and misleading claim.

- The Developer does not own or have rights to Priory Wood.
- Priory Wood is privately owned and securely fenced.
- Priory Wood is home to a Scout Camp.

How can they retain something they do not own and to which they have no access?

6.7.4 Accessing or conducting activities on a Site of Special Scientific Interest (SSSI) in the UK without legal authority can result in a criminal offence under the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way.

We question why they did not ask for consent?

Any data used by the Developer to support their application that was gathered on private land without consent should be disregarded by the UDC and withdrawn by the applicant.

6.7.5 Biodiversity Net Gain (BNG)

6.7.5.1 UDC requires 20% BNG for Developments. The Development is proposed at 18Ha and the site overall 27Ha – ie 50% more than it claims to develop.

6.7.5.2 UDC report “Evidence for Biodiversity Net Gain July 24 Regulation 19 Local Plan” recommends “*The Local Plan should seek to provide 20% BNG **within** site allocations*”. The Developer does not intend to do this, intending to purchase units elsewhere.

Why does the Developer need to buy BNG units from a “Bank” especially in such close proximity to a SSSI when the site is much larger than required?

6.7.5.3 One of the more bizarre claims made by the Developer in its Environmental Statement – Non-Technical Summary para 7.4 is that:

“Furthermore, it is not likely that the biodiversity enhancements proposed as part of the scheme would be realised in the ‘No Development’ alternative”.

Are we really expected to believe that concreting over a large portion of Best and Most Versatile Agricultural Land with red list species such as skylarks present; that putting a SSSI at risk; that putting Ancient Woodland at risk; that buying BNG units off site from a bank somewhere else in the country represents a biodiversity enhancement?

6.8 Principle of Development – Social

6.8.1 Residential Amenity

6.8.1.1 The Developer has failed to adequately address the significant loss of residential amenity to homes in close proximity or adjacent to the site, eg noise, air quality, odour, and light.

Buxton’s Solicitors noted:

“this development will severely impact the amenity of nearby residents”

6.8.1.2 The Developer has indicated the height of buildings above floor level, but not the height of floor level above ground, ie the Developer intends to plateau the land but has not indicated the proposed finished height. This is significant in relation to residential property.

6.9 Community Benefits and Engagement

6.9.1 The Developer claims Community Benefits to Takeley Street Residents despite acknowledging very limited community engagement. Their assumptions are based on guesswork, not fact.

The best it can do is offer a Community Hub in the middle of an Industrial Estate that hosts a lorry park, 2.8km from 4 Ashes lights.

6.9.2 Community hub offering space for community activities.

Takeley has the Old School House, a community hub with café owned by the village and within the heart of the village. It has space for community activities and is regularly used. There is no shortage of space. There is no evidence that the local community have requested this community hub – or would choose to use it. There is no evidence that it is needed 2.6km from LNTF Hub to Village Community Centre.

This site is currently BMV agricultural land. It has an open aspect – it is Countryside with Skylarks nesting; badgers and deer as regular visitors. Red Kites and owls are regularly seen.

The Applicant has failed to demonstrate how the soft landscaping and green infrastructure is an improvement – particularly with large mega sheds up to and - potentially over - 21m tall?

6.9.3 Enhanced walking and cycling links across the site

It is unrealistic that the community or anyone else for that matter would choose to walk or cycle through an industrial site complete with manoeuvring HGV's and Fork Lift trucks. Many individuals, especially women, would not feel secure.

6.9.4 Improvements to the public rights of way through the site, as well as considerable soft landscaping and green infrastructure

The existing PROW's provide a peaceful route across open farmland, home to numerous species including skylarks. How can a walk or leisure cycling across an industrial estate conceivably be a benefit or pleasurable?

7 Noise and Vibration - Technical note – submitted by Developer

7.1 Although not in the Regulation 25 request, the Developer has taken the opportunity to submit a further noise and vibration response and chosen to **CHALLENGE** the comments from UDC Environmental Health.

This document fails to address the concerns and **key flaws** raised by UDC Environmental Health and is in conflict with Core Policy 44.

We do not accept that the issues raised can be addressed through condition – if indeed they can be addressed at all.

7.2 The Developer has also submitted a rebuttal of the findings by consultants RF Environmental and Buxtons Solicitors concerning noise with complete disregard to them being suitably qualified, challenging their professional judgement. The Developer has failed to fully and properly address the concerns they have raised.

7.3 Critically, the Developer's rebuttal does not address the potential impact from night-time HGV movements around the entrance/exit including the slip road/filter lane, other than to suggest it can be assessed again when further details are to hand. This is not good enough and conflicts with para 187 of the NPPF.

7.4 The suggestion that conditions requiring additional noise assessment and mitigation schemes can be done at a later stage is inadequate. Once Planning Consent has been given for access, it is too late. It is unlikely that mitigation will ever be possible for homes opposite or close to access points – access points that are currently “*indicative*”

within the developer's submission (Environmental Study Non-Technical Study – Maps pages 13, 14 and 15).

7.5 Their Technical Note Document states:

“If it is determined at the detailed design stage that higher noise and vibration levels will prevail at residential receptors during operation of the Application Site, then there will be opportunity to build- in appropriate noise mitigation measures where required, to ensure prevailing noise and vibration impacts will not be significant at receptors”.

This is unacceptable.

- The proposal is a 24/7 employment site that has the scope to further expand.
- It is in the countryside in a residential street.
- There are a significant number of older and listed properties.
- The access filter lane and signalled junction proposed on the B1256 are directly outside 1930's chalet bungalows where mitigation is not possible.

It is unlikely that any form of mitigation can protect residential amenity and quality of life - particularly within these older dwellings.

Potentially this could result in claims for Statutory Nuisance, hence it needs to be resolved **before** Planning Permission is granted.

7.6 The Developer has admitted that they do not know who will occupy the site. The proposal is '**speculative**'.

How then can they address and mitigate noise and vibration at the design stage – or even know whether it is possible? The developer should have demonstrated noise mitigation from the outset – if indeed this can ever be adequately achieved. We suspect it cannot which is why the developer is avoiding the issue.

7.7 The Developer wants conditions after PP is granted but there is no indication of what the mitigation could be. It is improbable that adequate mitigation could be delivered for homes nearly 100 years old when sited opposite access points, especially as existing trees and bushes highlighted to remain in the Liz Lake submission will be removed to accommodate the access filter lane on the B1256 and new footway. See Takeley Street Action Group Landscape and Visual Impact Objection.

7.8 There is NO evidence to demonstrate that the Developer could ever mitigate the filter lane and traffic light junction outside the site and directly opposite dwellings. They have no control over HGV's waiting on or pulling out onto the public highway. No control over idling engines nor air brakes directly outside properties and significantly no idea who will occupy the warehouses. If occupied by cold chain logistics the noise from

refrigeration lorries will be **significant**. Traditional diesel units typically operate at around 80-95 decibels.¹

7.9 The request from the UDC EH was largely ignored. The sound monitoring was **NOT** completed over one week as requested and some of that data was ignored because of weather conditions. The excuse offered by the Developer was:

“Had the backgrounds sound survey have been extended over a full 7-day period, this would have captured ‘more of the same’ weekday periods with higher noise levels over and above the measured weekend period and thus will afford no material benefit to the accuracy of the assessment outcomes.”

This is unacceptable guesswork with no supporting evidence – pure speculation.

The Developer has no idea at all that monitoring would capture “*more of the same*”. They are making a mockery of the entire process of noise monitoring and of UDC EH response by deflecting away from serious concerns.

The implication is that the Developer is unwilling or more likely unable to address the inevitable problems with noise.

7.10 Weather and air pressure affect how noise travels and the locations of NMP1 was not fit for purpose. Monitors **should** have been in the open near receptors and not in sheltered locations giving unrelated data to obfuscate the reality of the situation.

7.11 The original submission stated:

“The calculated noise impacts at the surrounding residential dwellings are based on library noise level data acquired at other similar sites with similar operations. Accordingly, the calculations performed are accurate to a reasonable level based on knowledge of other urban re-development schemes completed in the past”

- This is not an urban redevelopment scheme
- The Developer has not provided any evidence concerning “similar sites” to back up their statement. What similar sites? Where are they located? If they cannot produce evidence of similar sites in a residential street, adjacent to ancient woodland and opposite a SSSI then they should retract that statement.
- Readings were taken selectively over 4 days. Residents will have to live with this for a lifetime knowing that the sound monitoring equipment was not located in areas likely to be most effective.
- NWP1 and NWP2 were strategically placed to allowing the developer to obtain distorted data – not based on accurate facts.
- Some data could not be used because of weather conditions.
- Construction traffic will use the residential street.

¹ <https://sunswap.co.uk/blog/why-transport-refrigeration-needs-to-get-quieter>

- Site elevations were taken as existing, but we know this will not be the case as the Developer has stated that the land will be plateaued. They have chosen not to disclose where and by how much or how this could affect noise. Sound could presumably travel over the 1 metre proposed bund.
- Residential dwellings are NOT all equal - Stane Cottages are opposite the “indicative” site access. Numerous dwellings in Takeley Street are not modern noise insulated properties - calculations based on ‘library noise level data’ cannot be considered as similar.

7.12 Stane Cottages are directly opposite the proposed filter lane and adjacent to the signal controlled access. They are 1930’s chalet style dwellings although partially extended. The original bedrooms are of tiled roof outer and lathe and plaster inner construction with NO roofing felt or insulation and NO loft above to mitigate noise and vibration. This is evident during snow when it melts significantly more quickly on the original parts of the cottages due to heat loss from the lack of insulation in the roof. The cottages sit in a depression lower than the highway, residents sleep in the roof space at HGV level. The site is proposed to be plateaued although the developer has NOT disclosed by how much, but we assume the site will be significantly higher than Stane Cottages.

The acoustic implication from this proposal must be properly considered. Sound travels through the path of least resistance and hollow ceiling voids and sloping roof spaces within chalet bungalows act as massive acoustic amplifiers i.e. the drum effect. No mitigation is possible to prevent the permanent and significant impact of this proposed development on residential amenity, mental health and well being. This type of harm can result in people becoming suicidal. It will render bedrooms directly overlooking the site – especially the filter lane and access - unusable.

7.13 The original report claims:

“A number of noise surveys have been undertaken, as follows:

Background Noise Survey 1: A background sound survey has been completed in the western part of the Site adjacent to Receptor R2 in order to measure the representative background sound level in the absence of any commercial sound”.

This refers to NMP1 which is **NOT** adjacent to Receptor 2 (Stane Cottages), the definition of ‘adjacent’ being next to or bordering.

7.14 Receptor 2 is identified as 3 Stane (*sic Stable*) Cottages. This house is **OPPOSITE** the site, across the road immediately South of the B1256 and not at the Western part of the site where NMP1 was located. Stane Cottages are opposite the Southern part of the site.

The land adjacent to the EAST of 3 Stane Cottages (Receptor 2) is private and owned by 3 Stane Cottages.

- It is occupied by livestock and numerous beehives.
- It is monitored by cameras.
- It is securely fenced.

No monitoring took place adjacent to the cottages on this land as the submission states.

We can only assume that the Developer once again used “**professional judgement**” to interpret the meaning of adjacent.

NMP1 was strategically placed by the Developer, shielded by the rear of Kearsley Airways building and not near Receptor 2. This would **NOT** have given an accurate account of the representative sound in relation to Stane Cottages and should have been placed in the open, ideally along the Southern boundary of the site directly opposite the cottages.

The Developer did not have access to the land adjacent to Stane Cottages. Occupiers would have been aware had there been noise monitoring equipment on their land adjacent to their cottages.

The data gathered by NMP1 is inadequate and misleading. It should therefore be disregarded.

7.15 A desk study was used to estimate the effect on residential properties – whilst not knowing how the site would be occupied.

“10.2.4. A desk study has been undertaken in order to identify a selection of the closest residential dwellings to the Application Site and these are identified as follows (shown on Figure 10.3):

Receptor 2: Residential dwelling known as ‘No. 3 Stable Cottages’

It is disappointing that the Developer cannot even get Stane Cottages correct (referring to them as Stable) but with numerous anomalies throughout the application it is no surprise.

7.16 Operating hours and impacts of night-time HGV movements are ignored. The document admits that:

“It is not possible to assess HGV noise impacts due to access and egress from the Site at this stage as the end-users of the Units are unknown and precise HGV vehicle flows are unknown”.

7.17 In other words, the Developer is clueless about the effect on nearby residences, has no idea whether they could mitigate effectively and did not conduct a noise monitoring survey as described.

7.18 The final sentence of the document speaks volumes, stating:

“once further detail is known regarding the precise operations, an updated Noise Impact”

The sentence ends there.

They did not/could not finish the document. Residents deserve better. Councillors who will carry the responsibility for deciding this application should have accurate facts

8. Developer submission Environmental Statement – non technical summary Socio Economics and Health Section 8

8.1 This section is disappointing since it fails to address the serious issues and discrepancies raised in the Takeley Street Action Group submission – “Socio Economic Comments & Objection”.

The section says nothing new, simply re-iterating parts of the misleading document originally submitted by the Developer citing benefits not backed by evidence. We refer you to our original document.

8.2 It should also be noted that whilst attempting to demonstrate and over inflated Gross Value Added (GVA) attributable to the site, the Developer has failed to evidence how they have reached these conclusions as they claim to have no idea about the occupiers, what businesses will be at the site, how many staff they will employ, what sectors they will operate in, or what productivity levels they will achieve. Job numbers will vary significantly depending on the type of business.

It is also likely that some potential occupiers will relocate to the site, so that could not be considered new jobs. This casts doubt on the potential allocation of planning weight to the employment factors concerning this site.

8. 3 There is more than one way of calculating GVA and since the Developer wants significant weight attached to potential employment in this Development, they should share how they reached these conclusions – excluding “*professional judgement*”.

9 Potable Water, Foul Water and Surface Water

9.1 Potable Water

9.1.1 This is acknowledged as a water stressed area. In May 2026. Affinity Water texted a request to local users requesting less water used because of shortages.

9.1.2 Uttlesford have taken a “decide and provide” approach to the Local Plan with large developments in the Takeley area. Whilst Affinity might be legally obliged to provide water, they cannot invent or manufacture water. Continued shortages in dry spells are

likely and will be exacerbated by a development of this size and nature. The timescale of any upgrade is critical.

9.1.3 On a historical note, following large developments in Takeley Village in 2017, water pressure at Stane Cottages – opposite the site – had inadequate water pressure resulting in no hot water for several months until Affinity paid for a larger feed and a pump at their expense. At that time, Affinity were only legally responsible for delivering 0.7 bars water pressure – insufficient for some boilers to work. Whilst heat pumps may work more efficiently, they are not installed in the many older buildings along the Street.

In short, there are issues with potable water and no indication as to how this could be resolved pending upgrades – currently not planned.

9.2 Foul Water

9.2.1 The site agreed for inclusion in the Local Plan specified that foul water would go to Bishops Stortford Wastewater (BSWWTW) Treatment Works at Jenkins Lane, still reflected – misleadingly – on the Developer website (Fig 4). During the LP process TSAG said this could not possibly be achieved and that the only option would be Takeley Wastewater Treatment Works (TWWTW) or alternatively use package treatment plants – not suitable for a large site such as this and conflicting with Core Policy 34.

- Wastewater should be discharged to the Bishops Stortford Waste Water Treatment Works to avoid the need for additional mitigation to ensure the Good Ecological Status of watercourses linked to the Takeley Wastewater Treatment Works.

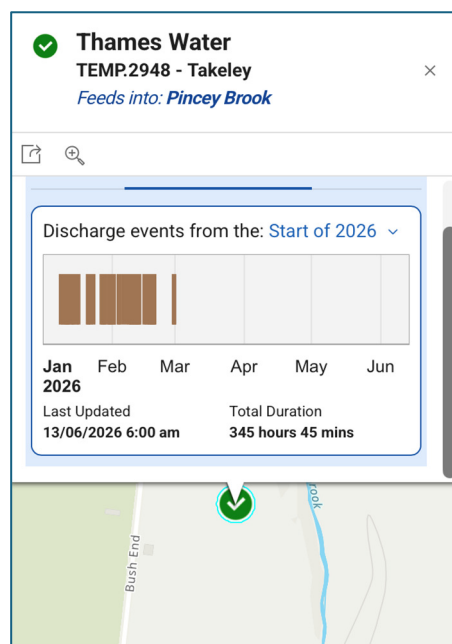
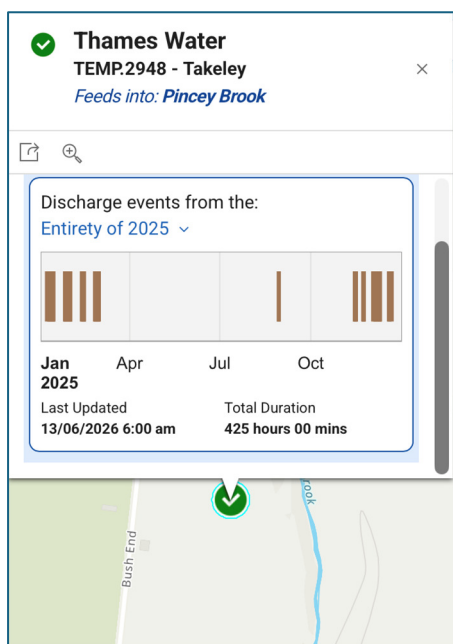
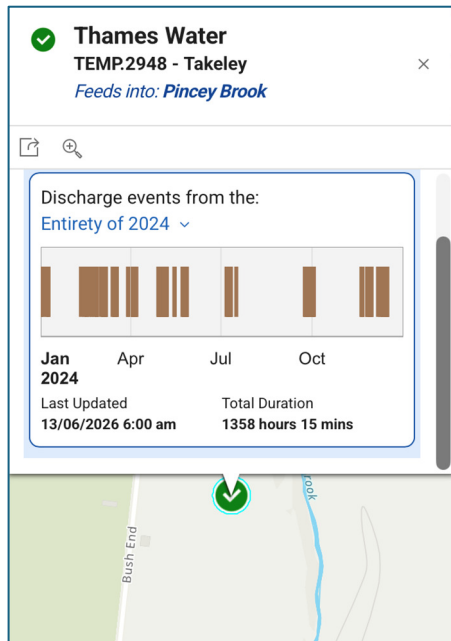
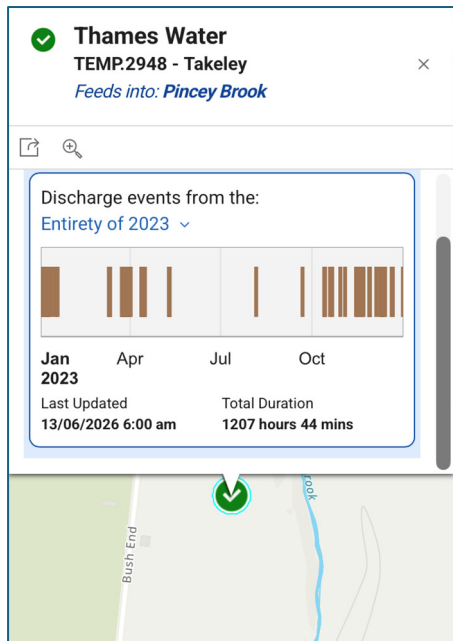
Columba Park, Takeley Street



Fig.4 Screenshot from Developer Web Page June 15th 2026 – they call “Land North of Taylors Farm” Columba Park.

9.2.2 As predicted - when the Developer submitted this application the foul drainage proposal was Takeley (TWWTW). Councillors voting on the Local Plan and the Planning Inspectors were misled. The application should be refused on this alone. It does not reflect a true and accurate account of what is in the LP. The site should **never** have got past the Site Selection process.

9.2.3 TWWTW is operated by Thames Water. It is well documented that it frequently spills sewage into Pincey Brook, classified as main river. Historic and current data highlights 1207hours in 2023, 1358hours in 2024, 425hours in 2025 and 345hours to date for 2026. (Figs.5, 6, 7, 8)



Figs 5, 6, 7, 8. TWWTW Sewage Discharges to Pincey Brook

9.2.4 Thames water have reiterated “an inability of the existing Sewage Treatment Works Infrastructure to accommodate the needs of this proposal”.

TWWTW will not have the capacity to take a 67 acre warehouse site as well as the other strategics site allocations - 1500 houses Priors Green, an employment site at Little Canfield and an all through school in Little Canfield.

9.2.5 Uttlesford will need to decide what takes priority. Their housing allocation and new school or an employment site that is currently speculative and a ‘*technical oversupply*’. There are sufficient employment sites in South Uttlesford and neighbouring East Herts at Bishops Stortford to supplement the housing allocation. Uttlesford’s largest employment site at Stansted Airport and the recently approved Stansted Northside are good examples.

9.2.6 Whilst upgrades to sewage works may be possible in the medium to long term, the Developer claims that just over 900 construction workers will be on site during a construction phase likely to last circa two years. There is unlikely to be mains drainage at the site during this phase and possibly the operational phase.

Approval of this application risks being an ecological disaster for Pincey Brook, Shermore Brook (Fig.9) and Hatfield Forest. Shermore Brook is the only feed for the SSSI lake and the Old Woman’s Weaver. The latter is a Wetland Restoration Project less than 350m from the site. The Old Woman’s Weaver is a breeding site for Great Crested Newts (Fig.10) – a fact that the Developer failed to note.



Fig.9
Shermore Brook exiting the culvert from the site adjacent to Deacons.
Note: it is NOT dry

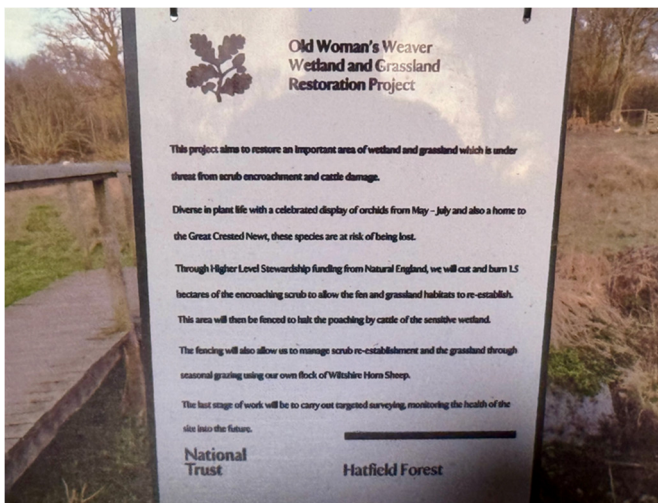


Fig.10
Hatfield Forest Wetland Restoration Project at Old Woman’s Weaver, fed from Shermore Brook and a breeding site for Great Crested Newts.

9.2.7 Uttlesford site selection documentation was clear there should be “No ecological or hydrological harm to Hatfield Forest and Shermore Brook (which drains into it)”.

The Applicant is unable to demonstrate that Hatfield Forest will not suffer ecological harm.

9.3 Surface Water and Drainage

9.3.1 The Developer submission indicates an emergency access in an area identified as prone to surface water flooding by UDC. The Developer now appears to imply that the UDC Flood Risk Assessment submitted for the Local Plan and accepted by the Inspectorate is wrong.

This seems to be a common thread with this Developer. They appear to take an approach that where they disagree with a UDC study or a Consultant then they will appoint a Consultant with a differing viewpoint. Failing that they state that the problem is a “reserved matter” and can be dealt with by “mitigation” without saying what that would be.

9.3.2 Para 170 of the NPPF states”

“Inappropriate development in areas at risk of flooding should be avoided”

Uttlesford’s own Flood Risk Assessment (UDC Level 2 Strategic FRA) identifies “**Danger to All**” (Fig .11) on this site adjacent to the B1256 where the Developer intends to put an emergency and local access. There is a known risk. If there is an emergency, employees, visitors or those using the PROW’s may not be able to safely leave the site. Emergency vehicles may not be able to access the site.

<p>Access and egress</p>	<p>Currently, vehicular access and egress to and from the site is from the B1256 Dunmow Road, halfway along the southern boundary by Taylor’s Farm (it may be that other access points are proposed in future Master planning).</p> <p>In the 0.1% surface water AEP event, there is a risk of surface water flooding in this area to a maximum depth of 0.15m. The maximum velocity is 0.50-1.00m/s which could impede access and egress.</p> <p>In the 3.3% and 1% AEP events, there are isolated pockets or stretches of flooding along the B1256 east and west of the site, with the main risk between the Shermore Brook and Taylor’s Farm. This has a maximum depth and velocity of 1.20m and 1.00m/s respectively. This has a hazard score of ‘Danger to All’.</p> <p>The 3.3% and 1% SW+CC model shows the same isolated pockets along the B1256 with a maximum depth and velocity of 1.24m and 1.38m/s. This has a hazard score of ‘Danger to All’ and not conducive to safe access and egress.</p> <p>Consideration will be needed for where the site is bisected by the Ordinary Watercourses, in terms of how people may access different parts of the site should flood waters create isolated ‘parcels’, but it is recommended that all access is directed south the B1256.</p>
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Fig 11. UDC Level 2 Strategic FRA.

Taking a known risk to people’s lives is unacceptable, particularly when this site is a “*technical oversupply*” and is not needed. This approach resonates with cases where exits have been locked or blocked with predictable fatalities.

9.3.3 The Developer is **STILL** unable to demonstrate adequate surface water drainage from the proposed site, once again claiming that it will deal with the problem under “*reserved matters*” and will “*mitigate*” without any detailed strategy in conflict with Core Policies 36 and 37.

9.3.4 Section 10.2.1 of the revised Planning Statement admits surface water flooding on site to a depth of “*sic 900m*”, claiming – with no supporting evidence - that it is “*associated with the Flitchway.... some distance to the South*”.

It is unclear how the developer could conceivably believe water ‘associated’ with the Flitch Way can run ‘uphill’ either over or under the B1256 to create the surface water flooding within the site. Presumably this is their “*professional opinion*”.

9.3.5 The developer has completely deflected away from their own findings in their own Flood Risk Assessment. Cargate Engineering carried out an extensive CCTV survey. That disclosed a culverted section of ditch with a profile of only 300mm and confirmed that Shermore Brook running from the site is culverted with a profile of only 450mm under the B1256 and the property known as Deacons (Fig.12). Cargate also noted that this pipe is disjointed in places.


		Cargate Engineering Ltd Lower Gorse, Rougham Tel. 01284386538 Info@cargateweb.co.uk									
Project Summary											
Project Name CG-02106 The Street Bishops Stortford						Project Number			Project Date 13/03/2025		
Pipe Summary											
No.	Type	PLR	Upstream Node	Downstream Node	Road	Town	Use	Mat.	Profile	Length	
1	SEC	Ditch1X	DITCH1	SW1	The Street	Bishop'S Stortford	W	VC	Circular 300mm	2.45 m	
2	SEC	SW1X	SW1	SW2	The Street	Bishop'S Stortford	W	CO	Circular 450mm	20.00 m	
3	SEC	SW2X	SW2	SW3	The Street	Bishop'S Stortford	W	PP	Circular 450mm	23.53 m	
4	SEC	SW3X	SW3	DITCH2	The Street	Bishop'S Stortford	W	CO	Circular 450mm	4.37 m	
Total:										50.35 m	

Fig.12 Cargate Engineering CCTV Culvert Profiles clearly identified as 300mm and 450mm

From Deacons the short open section of Shermore (Fig.13) leads to a twin culvert under the Flitchway, each pipe having a profile of 600mm (Fig.14). It is categorically clear that surface water flooding within the site is a result of the 450mm culvert under the B1256 which does NOT have the capacity to take the volume of water away from the site fast enough. The twin 600mm culverts under the Flitch Way take a significantly larger flow (almost triple the volume) and as such the Flitch Way does NOT contribute towards flooding of the site – as incorrectly stated by the Developer.

9.3.6 For clarification - the land between the B1256 and the Flich Way sits in an enclave lower than the highway, there is a well-maintained drainage ditch within the northern boundary (Fig.15 and 16). The short open section of Shermore Brook is on the eastern boundary taking surface water from this land. This flows directly downstream through the **twin 600mm culverts** into Hatfield Forest.



Fig.13 - Shermore Brook from the site exiting under Deacons and flowing under the Flichway. The Brook is kept maintained here, it does not cause surface water flooding of the site

Note: The colour of the water from the site following heavy rain - from a Brook the developer believes serves NO purpose and is virtually always dry



Fig.14 Shermore running through **Twin 600mm** culverts taking water under the Flichway.



Fig.15 and 16 - Well maintained ditch North of land on South of site between B1256 and Flichway (2017 & 2026). Highway is elevated preventing ANY surface water flowing 'uphill' towards site.



9.3.7 Whilst admitting surface water flooding is medium to high risk, the Developer simply says in the Revised Planning Statement, para 4.10.5:

“effects classified as moderate or above on the local water environment are classed as significant.....Following mitigation measures...”

In other words, they have no concrete ideas on how to solve the problem on what or how to mitigate. If permission for Access is given, then the emergency access will be through that area prone to flooding.

9.3.8 We understand that the Developer will need to culvert the deep ditch to the south of the site directly opposite Stane Cottages in order to provide a filter lane and access. The Planning Application is for access but has been completely ignored within the submission.

9.4 Updated Flood risk Assessment

9.4.1 The Engineering consultants have recommended monthly and/or annual maintenance inspections on the SUDS features to include pipes, manholes, headwalls and outlets.

They further claim that the flood risk associated with the B1256 will be mitigated to reduce overall flooding by using measures such as *“clearing the channel and the culvert”*.

- The Developer CANNOT clear the channel and the culvert as this runs under private land.
- They CANNOT implement the maintenance required as indicated by SUDS because they do not own or have access to the culverted land – it is private.
- The CCTV survey under private land including directly adjacent to and behind a residential property was undertaken without permission

Note p 47 states “unable to lift cover. Located in private land”.

We further note that Table 1 of the Updated Flood Risk Assessment indicates that water could be discharged to a *“Surface Water Sewer...Existing Private Network”*.

What existing Private Network? If making this statement it needs to be evidenced and clearly indicated on a map – accompanied by evidence of the owners permission.

10 Planning Conditions

10.1 The Developer appears to take the view that anything to which they do not agree or cannot readily solve can be secured by Planning Conditions regardless of whether they are feasible or achievable.

The Developer has admitted para 6.3 Environmental Statement - Non Technical Summary:

“It would not be feasible to make a detailed application at this stage “.

10.2 There is a serious risk that permission could be given but Planning Conditions cannot be met.

Once permission is given, then Development in Principle is accepted.

In this instance, there are too many variables. If the Developer knew how to address issues raised by Statutory Consultees and by Takeley Street Action Group, they would have done so.

10.3 In particular, the effects on a SSSI, Ancient Woodland and Residential Amenity including noise need to be addressed BEFORE permission is granted.

10.4 The Developer needs to submit clear consistent evidence to demonstrate how they intend to achieve a development consistent with both National and Local policies which to date they have been unable to do.

11 Revised Planning Statement Addendum

11.1 This statement claims at Section 1.1 that the revised document has been prepared to **replace** the original Planning Statement. An Addendum is an addition, not a replacement. It also states:

*“This Addendum therefore **updates** the assessment in the original Planning Statement”.*

Since it is an **update** we feel compelled to submit the Takeley Street Action Group (TSAG) review of the original planning statement in addition to these comments. See Appendix A (Section 14).

12 Weight

The Developer claims that the proposal should carry significant weight because of the Economic Gains, but the site is surplus to requirements, a “*technical oversupply*”. It is not needed.

Section 8 above challenges the misleading information provided by the Developer concerning GVA and potential benefits, demonstrating how allocating significant planning weight to this site is questionable, particularly as it is not evidenced.

Other alternative sites with less constraints and not limited by the proximity of a SSSI are available but will not all be needed should this site progress.

We note that in the recent case of UTT/25/2027/FUL the Officer's Report regarded the land put forward for employment as "speculative".

"Thus, given the application is outline in nature with all matters reserved the Council deems the proposal as speculative since potential occupants of the units are not yet known".

The same applies to Land North of Taylors Farm. The Developer has admitted that they have no idea who will occupy the site which is why they are unable to evidence significant data. This affects traffic, impact on local infrastructure, residential amenity including noise, air quality and importantly, potential economic contribution.

13 Summary and Conclusions

13.1 The Developer has failed to adequately address all the issues raised by the Planning Officer under Regulation 25.

13.2 Instead of providing answers, the Developer appears to take the view that Planning Conditions will suffice and be raised under "*reserved matters*". If they knew how to address issues, surely they would have been already addressed through appropriate, accurate and convincing documentation at this stage.

13.3 The Developer has failed to properly address issues of potentially environmental damage to Hatfield Forest SSSI and Priory Wood, Ancient Woodland. They have produced reports that should not be accepted because the authors had no right of access to either Hatfield Forest or Priory Wood – if indeed they accessed Priory Wood at all.

13.4 No effective drainage strategy has been demonstrated concerning surface water flooding – cited by the Developer as "*medium to high risk*" and cited by Uttlesford as "*Danger to All*". If it is high risk, during the operation, how can there be no risk during construction? This needs to be addressed before Planning Consent is given. It CANNOT be resolved by Planning Conditions or Reserved Matters.

13.5 Any surface water flooding will impact on Hatfield Forest, SSSI whether at the construction or operational stage. At present, the application does not comply with Core Policies 34,35, 36, 37, and 42

13.6 Loss of Residential Amenity has not been addressed conflicting with Core Policy 41 and 44.

13.7 The site does not represent Sustainable Development. It does not properly address the Economic, Social and Environmental issues concerning this site. These cannot be fully addressed by Planning Conditions.

13.8 The Developer has had more than enough time to 'get this right'. They have been planning this for a long time and preparing their application whilst the emerging Local

Plan was progressing. They have input into every stage of the Local Plan. They STILL withhold accurate data, are economical with the truth or try to delay significant detail until the 'Reserved Matters' stage.

It is evident they are fully aware there are significant constraints regarding this site and are unable to supply evidence to support the application. Instead they continue to use "get out" clauses. The continued stress on the local community is unfair.

The Planning Officer cannot keep throwing them lifelines when they have had more than enough time to get this right. If they cannot supply all the evidence required to support this application, then it should be REFUSED.

13.9 It is a sad indictment of Uttlesford District Council that many of our local community think that their voices will not be heard and that this is a "*done deal*".

14 Appendix A - Takeley Street Action Group (TSAG) review of the original planning statement

Planning Statement Comments

1. Executive Summary

- 1.1 The Planning Statement is a poor attempt to justify this Development with arguments that are seriously flawed. It makes a ridiculous claim that the main benefit is economic with the provision of “*thousands*” (para 6.1.1) of jobs for the district when there are only 1500 benefit claimants between the ages of 16 and 64² in Uttlesford.

See TSAG Socio Economic Comments and Objection on the Planning Portal.

- 1.2 The Planning Statement ignores the very high planning weight given to Sites of Special Scientific Interest (SSSIs). They are legally protected under the Wildlife and Countryside Act 1981, and planning policy strictly restricts development that would harm them³.

It is staggering that the Developer tries to argue (Section 6.2.8) that there are “*no relevant policies protecting areas or assets of particular importance that would provide a strong reason for refusing the development proposed*”.

The site is only a few metres from a SSSI and Natural England have objected.

Not only is the Developer’s statement completely untrue, it highlights their approach - in our opinion flagrant disrespect for decision makers and the local community.

- 1.3 The Planning Statement ignores the fact that the site is a “*technical oversupply*”⁴. It is not needed. The fact that Developers, distribution companies or others with a financial interest may want it here is not a material planning reason. See Appeal decision s62A/2023/0017, para 15:

“Notwithstanding the Economic Report cited above, it does not necessarily detail why the development is ‘required’ to be in this particular location. Whilst appreciating that there are factors which makes this location convenient or desirable above others, that is not the same as the need for the development to be in this location”.

² ONS. <https://www.ons.gov.uk/visualisations/labourmarketlocal/E07000077/>

³https://magic.defra.gov.uk/metadata_for_magic/sssi%20irz%20user%20guidance%20magic.pdf#:~:text=LPA%20have%20a%20duty%20to,of%20The%20Town%20and%20Country

⁴ P.17 Employment Site Selection Topic Paper

- 1.4 The Planning Statement ignores homes opposite the site accesses where mitigation is not possible. It fails to address loss of amenity including light and noise.
- 1.5 A number of employment uses are proposed at the site Land North of Taylors Farm. According to the Officer's report for UTT_25_2027_OP, also a designated employment site in the Local Plan:

"...given the application is outline in nature with all matters reserved the Council deems the proposal as speculative since potential occupants of the units are not yet known".

The Land North of Taylors Farm site requests full permission for a B1256 access, but with no idea who might occupy the site, the transport modelling could potentially be a significant underestimate, casting doubt on traffic flows, noise, vibration, the effect on neighbouring residences etc.

- 1.6 In line with the Officer's comments for Water Circle (UTT_25_2027_OP) this development should be considered "*speculative*" with insufficient information provided for full permission for access to the B1256.
- 1.7 Para 124 of the NPPF (Use of Land) states:

Planning Policies and decisions should promote an effective use of land.....while safeguarding and improving the environment and ensuring safe and healthy living conditions.

Development of this 24/7 industrial site in close proximity to residences with access directly opposite homes will do the opposite. Evidence from a consultant suggests noise and sleep deprivation 24/7 for those unfortunate enough to live in the vicinity where mitigation is not possible.

2 Introduction

- 2.1 The Planning Statement devotes the whole of Section 4 to referencing pre-application advice and discussions but fails to provide evidence of those discussions, eg Quality Review meeting, pre-planning meetings.

The Head of Development Management & Enforcement has confirmed that these documents should have been made available on the Planning Portal.

We understand that Statutory Consultees can only comment on evidence available on the Portal. For this reason, Section 4 and all references to pre-planning meetings or the quality review panel should be disregarded.

All references to the 2005 Local Plan and policies should be ignored as there is now a new Adopted Local Plan.

This includes claims that the tilted balance should be engaged because the Local Plan is out of date as this is no longer the case.

- 2.2 The Planning Statement, section 6.4.5 claims:

- “*considerable*” economic benefits to meeting employment needs in the district because it will create 1805 FTE jobs – a grossly exaggerated claim.

There are only circa 1500 people unemployed aged 16-64⁵ in Uttlesford.

- 2.3 The Planning Statement, section 7.1.5 claims:

- “*the Site will make a significant contribution to much needed employment land supply*”.

Section 8 of the NPPF cites an economic objective as ensuring that:

- *sufficient land of the right types is available in the right places and at the right time to support growth*

The Local Plan⁶ recognises that this site is surplus to requirements, a “*technical oversupply*” ie it is not needed.

There are sufficient allocations in the Local Plan without this site. Other sites have less constraints.

⁵ Office of National Statistics <http://www.ons.gov.uk/visualisations/labourmarketlocal/E07000077/>

⁶ P.17 Employment Site Selection Topic Paper

2.4 Section 7.1.5 claims :

“None of the harms of the development, principally the loss of BMV agricultural land, outweigh the benefits”.

In making this bizarre and unjustified claim, the Developer:

- presents significantly underestimated vehicle movements
- completely ignores the devastating loss of amenity to local residences including noise above WHO levels, likely sleep deprivation⁷ and intrusive lighting related to access points and existing houses
- ignores the likely destruction of some species in Hatfield Forest⁸ (SSSI) including air quality and para 193 of the NPPF

2.5 The Developer intends to put an emergency access through a potential flood zone – according to Uttlesford’s OWN flood risk assessments⁹. (A risk of “**Danger to All**” is highlighted in the flood risk assessment.

2.6 Section 5.4.5 attempts to mislead decision makers by citing the National Industrial Strategy (published in June 2025) and implying that the document states that equal weight should be given to employment land as is given to housing – a complete fabrication. It does **NOT** make any such statement. This document is a Government policy paper that identifies eight sectors with the greatest growth potential, ie Advanced Manufacturing, Clean Energy Industries, Creative Industries, Defence, Digital and Technologies, Financial Services, Life Sciences and Professional and Business Services. None of these specifically relate to the Warehousing and Distribution proposed for Land North of Taylors Farm.

Essex County Council published a 10 year development strategy¹⁰ in 2022 (not referenced by the Developer) identifying 5 opportunities for growth in the area. Warehousing and Logistics were not included.

The only document pertaining to giving equal weight to employment and housing is a blog written by Savills – the agent – themselves.

⁷ See RF Environmental Document – Planning Portal

⁸ See Natural England objection on Planning Portal

⁹ See UDC Level 2 Strategic Flood Risk Assessment

¹⁰ <https://uttlesford.moderngov.co.uk/documents/s38241/Appenidx%201%20-%20Economic%20development%20plan%202025-29.pdf>

3 Site Context - Section 3 of the submission

- 3.1 The context section contains numerous inaccuracies that have the potential to mislead decision makers, particularly those unfamiliar with the area. It indicates a disregard for the integrity of decision makers such as Officers and Councillors as well as the local community.

Some examples follow.

Section 3.1.4:

Example 1:

- *“Land beyond the site’s western boundary features Priory Wood which is an Ancient Woodland and Local Wildlife Site”*

Priory Wood is home to a Scout Camp and this has been the case for circa 50 years. The Applicant fails to mention it at all, nor does it mention that the site would most likely have to close should this site go ahead.

The Applicant has failed to make any mention of the Scouts or to engage with them.

Example 2:

- *The Flitch Way runs through the Hatfield Forest as a recreational route.*

The Flitch Way does **NOT** run through Hatfield Forest, SSSI.

The Flitch Way is a Local Nature Reserve, running parallel to Hatfield Forest for a short distance and home to numerous species of flora and fauna.

Example 3:

Section 3.1.5

- *“Takeley Street is located 0.75 miles to the south of Stansted Airport which is a transport hub providing multiple options for onward journeys. In addition to the airport itself, the site features a railway station which has regular services to and from cities including London, Birmingham and Norwich”.*

The site **DOES NOT** feature a railway station

To clarify, site is 3.5 miles to Stansted airport coach and railways station by road. We assume the 0.75 miles is “as the crow flies” and would involve crossing the runway.

Example 4:

Section 3.1.7

- “...small portions of the site located identified as being at risk of surface water flooding however the development avoids those risk areas”.

Whilst the development itself might avoid those risk areas, the proposed emergency and local traffic access is **within** a flood risk area with an identified significant risk of “**Danger to Life**”¹¹. It is inconceivable that an emergency access could even be considered in this vicinity.

The fact that the Applicant chooses to ignore “**Danger to life**” speaks volumes.

3.2 Figure 1 in this section fails to indicate:

- The proposed access points
- The residences directly affected
- The area subject to surface water flooding
- The proximity of Hatfield Forest

4 “Pre-Application Advice and Discussions” Section 4 of the submission.

4.1 This section is of particular concern. It is hearsay. It cites documents, meetings and minutes of meetings generally in support of the application but there is no supporting evidence on the Planning Portal.

4.2 Without a solid evidence base, section 4 of the Planning Statement must be ignored. The Head of Development Management & Enforcement has agreed in writing that this documentation should have been made available.

5 Planning Context - Section 5 of the submission

5.1 Sections 5.1.1 to 5.3.2 and sections 5.4.1 and 5.4.2 should be ignored as they no longer apply. UDC now has an adopted plan.

5.2 NPPF

5.2.1 Section 5.4.4 NPPF cites several extracts from the NPPF. Most of section 5.4.4 are selective, taken out of context and should be ignored as irrelevant. One example is para 124 that talks about homes. This is an industrial site.

¹¹ Uttlesford District Council Level 2 Strategic Flood Risk Assessment Detailed Site Summary Table p 96

5.2.2 Section 5.4.5 claims that the Governments National Industrial Strategy gives equal weight to industrial and logistics as housing. It does **NOT**. This spurious claim is **NOT** reflected in the NPPF.

5.2.3 Para 193 (b) of the NPPF is relevant as it refers to the potential adverse effect of development on a SSSI. **This site would constitute an adverse development.**

The Developer has failed to put forward a convincing argument that this site would not have an adverse impact.

The Developer has admitted an adverse impact on air quality that will likely destroy some species in the SSSI. Natural England, a National Statutory Consultee has objected.

The Developer has then paid a consultant to report that the arguments from Natural England are too strict. **This sets a dangerous precedent for any development where Natural England are a consultee.**

The Consultant admits that Air Quality is problematic, arguing that it will be resolved in 5 years. Irreversible damage will be done by then.

5.2.4 The Applicant cites several sections of the NPPF, but fails to mention para 193b:

*“Development on land within or outside a **Site of Special Scientific Interest** and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted.”*

The site is only a few meters from a SSSI.

- Natural England have objected and raised issues predominantly concerning Air Quality and Water.
- Irreparable damage will occur and this cannot be outweighed by other factors.
- There are no exceptional circumstances. The site is a “*technical oversupply*”.

On these grounds alone, this development should not proceed.

5.2.5 Section 11 of the NPPF, the presumption in favour of **sustainable development** states that permission would be granted unless

“the application of policies in this framework that protect assets of particular importance provides a strong reason for refusing”. Sites of Specific Scientific Interest are cited.

The likely damage to Hatfield Forest, identified by Natural England and the National Trust provide a “*strong reason*” for refusal.

5.3 Section 5.6 Local Plan and Policies

5.3.1 Whilst recognising that the site is included in the Plan, this does not mean that planning consent is automatic. Details concerning the site that were presented to the Inspectorate differ significantly from the Planning Application:

EG:

- A site size of 18Ha was included in the submission. This application is for 27Ha, over 30% more with no explanation why.
- The submission stated that foul drainage SHOULD go to Bishops Stortford Waste Water plant. The Planning Application sends it to Takeley Waste Water plant. This does not have capacity. There are 1500 houses planned for Takeley are intended to pump waste water here. Any upgrade is a medium to long term proposal.
- It was claimed that the site had multiple entrances – it has two and one runs between 2 listed buildings. The proposed accesses to the B1256 use neither and were not in the documentation presented to PINS.
- Uttlesford site selection documentation was clear there should be *“No ecological or hydrological harm to Hatfield Forest and Shermore Brook (which drains into it)”*.

The Applicant is unable to demonstrate this. Hatfield Forest have raised concerns.

- *“Ensure the built form and landscape sensitively integrates with the edge of Takeley Street”*. The Applicant intends warehouses to be three times the height of a typical Takeley Street property. Enormous warehouses cannot sensitively integrate.
- The applicant intends to buy BNG units off site. Given that the size of the site is over 30% above the employment land allocation, there should be no demonstrable need to do this.

5.4 National Industrial Strategy

Section 5.4.5 of the Planning Statement seeks to justify this application by citing National Industrial Strategy (published in June 2025). The section is written in a way that it implies that Government Policy is to give the same weight to industrial and logistics land as to houses, ie *“.....the importance of the industrial and logistics sector as the backbone of the economy should be acknowledged so there is equal weight on this sector as well as support for housing delivery”*.

The National Industrial Strategy says nothing of the sort.

The National Industry Strategy document states on page 89 that “76% of logistics employees are based outside London and the South East”.

This is further evidence that the suggested local employment opportunity is grossly exaggerated by the Developer, supporting the argument that the development is speculative.

5.5 Speculative Development and Technical Oversupply

- 5.5.1 The proposed site is recognised by UDC as “a technical oversupply¹²”. The site is identified as 18Ha. This proposal is 27Ha – over 30% above the identified “technical oversupply”.

Given the identified oversupply of this site and the fact that there is no indication of future users or tenants, it must be regarded as speculative. There is no identified reason why a large industrial site needs to be in this location adjacent to residential property¹³.

- 5.5.2 This development would blight the living conditions of nearby residents, particularly noise, vibration, and light. Note PINS comments on s62A/2023/0017, less than a mile away and a smaller site with known occupants. This was refused on several grounds including:

“The effect of the proposed development on the living conditions of nearby occupiers, with specific regard to noise, disturbance and light”.

- 5.5.3 Given the intention to operate 24/7 and no possible mitigation for homes opposite the access points or in close proximity to internal roads, there is strong potential for statutory nuisance should this development proceed with access to the B1256.

5.6 Planning and Flood Risk

- 5.6.1 Para 170 of the NPPF states”

”Inappropriate development in areas at risk of flooding should be avoided”

Uttlesford’s own Flood Risk assessment identifies “**Danger to Life**” on this site adjacent to the B1256 where the Developer intends to put an emergency and local access. There is a known risk. If there is an emergency, employees, visitors or those using the PROW’s may not be able to safely leave the site. Emergency vehicles may not be able to access the site.

¹² Uttlesford Local Plan 2021-2041 (Regulation 19) Employment Site Selection Topic Paper page 17

¹³ See s62A/2023/0017

Taking a known risk to people's lives is unacceptable, particularly when this site is a "*technical oversupply*" and is not needed. This approach resonates with cases where exits have been locked or blocked with predictable fatalities.

5.6.2 Conserving and Enhancing the Natural Environment

Para 187 of the NPPF states:

"planning policies and decisions should recognise the intrinsic character and beauty of the countryside.....including the economic and other benefits of the best and most versatile agricultural land".

This site will destroy 27Ha of "*best and most versatile agricultural land*". This development is in direct contradiction of the NPPF.

Para 187 also talks about "*providing net gains for biodiversity*", but the Developer has admitted that they cannot do this on-site. Given that the site itself is 27Ha, but the employment allocation is 18Ha, there is no reason why the Developer cannot provide adequate BNV on-site. This is particularly important because the site is only a few meters from a SSSI.

Para 187 of the NPPF goes on to say that developments "*should not contribute to unacceptable levels of soil, air, water or noise pollution*".

- R F Environmental Ltd identified that local residences would be subjected to noise levels above World Health Organisation levels and likely to cause sleep deprivation.

Access points are located directly opposite houses built almost 100 years ago, so that mitigation is not possible.

- Hatfield Forest and Natural England have identified unacceptable air quality.

Para 199 of the NPPF states that developments should "*limit the impact of light pollution*". This is not possible where access points are opposite or adjacent to residences. This site is intended to operate 24/7 with access points higher than nearby housing. There are expected to be 12000 traffic movements per day and HGV lights in particular will cause an unacceptable nuisance – possibly even a Statutory Nuisance to households.

6 Planning Assessment - Section 6 of the submission

6.1 Section 6.1.1 claims the alleged benefits as follows:

- "*helping to deliver thousands of jobs within the local area*".

There are only 1500 registered unemployed between 16 and 64 in Uttlesford, so it cannot deliver thousands of jobs to locals or the local area

The Northside Development is more than double the size and estimates circa 2000 onsite jobs, reinforcing the fact that the jobs available at this site are likely to be far lower than claimed, and as Northside infrastructure is already under construction or in place (on site railway, bus terminal, cycle routes), more difficult to fill.

Whilst the proximity of Northside to Stansted airport with its extensive range of retail and food outlets indicates the possibility of substantial employee local spending, this is not the case for Land North of Taylors Farm. Opportunities for local spending are linked to car use.

- *“...provide for enhanced walking and cycling links across the site”.*

It is unrealistic that the community or anyone else for that matter would choose to walk or cycle through an industrial site. Many individuals, especially women, would not feel secure.

The existing PROW's provide a peaceful route across open farmland, home to numerous species including skylarks. How can an industrial estate conceivably be a benefit?

- *The inclusion of a community hub offering space for community activities.*

Takeley has a community hub owned by the village and within the heart of the village. It has space for community activities and is regularly used. There is no shortage of space. There is no evidence that the local community have requested this community hub– or would choose to use it. There is no evidence that it is needed. See Section 7 below.

- *Improvements to the public rights of way through the site, as well as considerable soft landscaping and green infrastructure*

This site is BNV agricultural land. It has an open aspect – it is Countryside with Skylarks nesting; badgers and deer as regular visitors. Red Kites and owls are regularly seen.

The Applicant has failed to demonstrate how is the soft landscaping and green infrastructure an improvement – particularly with large sheds up to 21m tall?

6.2 Section 6.1.2 identifies the key benefit as

“the provision of employment development”.

Uttlesford has identified this site as a *“technical oversupply”*. It is not needed.

We can assume that the development would be to the detriment of other more suitable allocated sites since demand is finite. In other words, allocated land in the Local Plan is sufficient without this site and in most cases has fewer constraints.

- 6.3 Section 6.3.5 of the submission claims that there will be “*no unacceptable impact*” to air quality from the scheme. Natural England are a Statutory Consultee. They are a well-respected, major national organisation. The Property Operations Manager of Hatfield Forest made it clear at the LP Hearings that certain species were already “*on the cusp*” because of poor air quality.

Whilst Uttlesford may have found a consultant to say that air quality will be acceptable in 5 years time, accepting the word of a paid consultant above the opinion of a highly regarded National Consultee sets a dangerous precedent both in Uttlesford and for any other Planning Application where Natural England give their opinion.

7 Community Engagement

- 7.1 In their statement of community involvement¹⁴, the applicant admitted low engagement with the community. Their consultation with Great Hallingbury consisted of arriving unannounced at a Parish Council meeting and using a three-minute public slot at the beginning of the meeting. This demonstrates that the Developer was completing a “tick box” exercise and had no intention of consulting with the local community in any meaningful way.
- 7.2 We note that the Developer claims (Section 6.1.4) that the proposed development “*represents a strongly positive scheme for Takeley Street with the central amenity area and mobility hub at its heart*”. Takeley Street Action Group speaks for Residents who have made it abundantly clear that the scheme will lead to unacceptable levels of noise, increased traffic, destruction of wildlife and irreparable damage to significant parts of Hatfield Forest.

Takeley Street Action Group have not received any positive comments to recommend this site.

8 Pre-Application Advice and Discussions

The Applicant devotes five pages to a description of pre-application meetings, a Quality Review Panel and a Members Briefing. The Applicant also states (Section 4.1.1) Pigeon has entered into a Planning Performance Agreement (PPA) with Uttlesford District Council to utilise as a project management tool for meaningful pre-application discussions and the management of the planning application.

¹⁴ Statement of Community Involvement p. 9 of 37

There are no minutes of meetings nor is there any documentation on the Planning Portal to support any of the comments made in this section. No evidence has been provided on the Planning Portal and to Statutory Consultees, so that this section should be disregarded.

9 Section 6.19.1

9.1 This site is Best and Most Versatile Farmland. Section 15 of the NPPF recognises the importances of this grade of Farmland.

Para 187 of the NPPF also notes that:

“Planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution”.

Development of this site would be in direct conflict with the NPPF.

9.2 It is of note that the Developer intends to buy BNG units off-site. Regardless of policy, this is unacceptable within close proximity to a SSSI – Hatfield Forest. It may be legal but it is neither ethical nor moral. It is a recognition of the failure to offer adequate BNG at this proposed development and reflects the permanent damage to Hatfield Forest that this Development would cause.

There is no justification for buying BNG units off-site because the site itself is over 27 Ha when the Local Plan allocation is 18Ha. It is inconceivable that the Developer is incapable of delivering an adequate BNG allocation on site. Rather, it appears that they would rather maximise profit by over developing.

There is nowhere in Uttlesford where BNG units can be purchased, so no demonstrable value to this district.

10 Section 7 Planning Statement Conclusions

10.1 It is only to be expected that the Developer concludes that the site meets the necessary criteria for the development, BUT:

7.1.2. states *“The submission of the planning application has followed considerable engagement with UDC Planning Officers through a Planning Performance Agreement and wider stakeholders”.*

The Developer admits that:

- They did not engage with Takeley Street Action Group
- Turnout at the public engagement session was very low

- They engaged with Great Hallingbury Parish Council for 3 minutes
- They did not engage at all with the Scouts who occupy Priory Wood

Who were the “wider stakeholders”? There appear to be so few that the Developer could probably name each individual.

10.2 7.1.4 states:

“There are significant material considerations to justify the approval of the development. This includes the considerable benefits of the development including the creation of 967 FTE temporary construction jobs and 1,805 FTE jobs when the site is operational. making a considerable contribution to meeting employment needs in the District”.

We refer you to the Takeley Street Action Group submission: “*Environmental Statement - Socio Economic – Comments on behalf of Takeley Street Action Group*”. This document clearly demonstrates the inadequacy and inaccuracy of the Developer’s own submission “*Environment Statement – Socio Economics*”.

According to the ONS, the district has a HIGH employment rate with only 1500 people aged 16-64 seeking work. How can this site conceivably make a “*considerable contribution to meeting employment needs*”?

Uttlesford’s own documentation recognises this site as a “technical oversupply.

We can conclude that the site would NOT make a considerable contribution to meeting Uttlesford’s employment needs.

11 Summary and Conclusions

11.1 The Developer argues that significant weight should be given to the proposal because the site is allocated in the Local Plan. The site is over 30% larger than the LP allocation. The recent application at Water Circle (UTT/25/2027) was similarly much larger than the LP allocation and consent was **NOT** given.

Section 12 NPPF. Local Planning Authorities may take decisions that depart from an up-to- date Development Plan, but only if material considerations in a particular case indicate that the plan should not be followed. In this case, the Planning Application is not consistent with the Local Plan allocation,

11.2 The Developer’s key argument is that the employment benefits outweigh all the harms, whilst significantly exaggerating the economic benefits to Uttlesford.

11.3 The Developer has significantly underestimated the harms by failing to:

- clearly identify on their map the proximity of residences to access points

- failing to detail a lighting strategy at access points that will shine into and disrupt houses opposite and next to access points
- falsely claiming the site is already subject to disruptive lighting all night
- falsely claiming the site is already subject to disruptive noise all night
- underestimating traffic flows

11.4 Selectively choosing parts of the NPPF to build a case whilst ignoring important sections such as:

11.4.1 Para 124 of the NPPF (Use of Land):

“Planning Policies and decisions should promote an effective use of land.....while safeguarding and improving the environment and ensuring safe and healthy living conditions”.

For those living opposite or near the site, living conditions will be neither healthy nor safe.

11.4.2 Section 8 of the NPPF cites an economic objective as ensuring that:

- *sufficient land of the right types is available in the right places and at the right time to support growth*

The Local Plan¹⁵ recognises that this site is surplus to requirements, a “*technical oversupply*” ie it is not needed.

11.4.3 Para 193b of the NPPF states:

*“Development on land within or outside a **Site of Special Scientific Interest** and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted.”*

This site would constitute an adverse development.

11.4.4 Para 187 of the NPPF states:

“planning policies and decisions should recognise the intrinsic character and beauty of the countryside.....including the economic and other benefits of the best and most versatile agricultural land”.

This site will destroy 27Ha of “*best and most versatile agricultural land*”. This development is in direct contradiction of the NPPF.

11.4.5 Para 187 of the NPPF also talks about “*providing net gains for biodiversity*”.

¹⁵ P.17 Employment Site Selection Topic Paper

Given that the site itself is 27Ha, but the employment allocation is 18Ha, there is no reason why the Developer cannot provide adequate BNV on-site. This is particularly important because the site is only a few meters from a SSSI.

11.4.6 Para 187 of the NPPF states that developments “*should not contribute to unacceptable levels of soil, air, water or noise pollution*”.

This proposed development will generate unacceptable levels of noise and vibration. Air Quality has been challenged by Natural England. The potential for surface water pollution has not been established.

11.4.7 Section 11 of the NPPF, the presumption in favour of **sustainable development** states that permission would be granted unless

“the application of policies in this framework that protect assets of particular importance provides a strong reason for refusing”. Sites of Specific Scientific Interest are cited.

The likely damage to Hatfield Forest, identified by Natural England and the National Trust provide a “*strong reason*” for refusal.

11.4.8 Para 170 of the NPPF states”

“Inappropriate development in areas at risk of flooding should be avoided”

Uttlesford’s own Flood Risk assessment identifies “**Danger to Life**” on this site.

11.5 We conclude that this site is unsustainable and should be refused.