

Little Canfield Parish Council



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28 August 2025

Dear Essex Planning

Copy: Uttlesford Planning, Cllr Geoff Bagnall (UDC), Cllr Maggie Sutton (UDC), Cllr Susan Barker (ECC)

Application Refs: ESS/16/24/UTT, ESS/16/24/UTT/OUT, UTT/25/2045/CC

Summary: Hybrid planning application seeking full permission for the importation and deposit of material/waste and the subsequent raising of land levels (retrospective), installation of landfill infrastructure and engineering works to facilitate a satisfactory restoration profile and outline permission for 121 commercial/industrial units and a solar farm on part of the site

Little Canfield Parish Council **OBJECTS** to these planning applications (OUTLINE and FULL), that sit within the Parish of Little Canfield.

Context

It is the understanding of Little Canfield Parish Council that; when permission was granted for Crumps Farm to be used for Landfill under application ESS/46/08/UTT, it was on the basis the site would be returned afterwards as park and recreational land for the benefit of residents. The failure to restore the area to parkland along with failure to implement measures to handle and control waste from the site as required is a breach of planning control and associated S106.

Instead, we currently have a poorly maintained approved landfill site which is causing nuisance and discomfort (by way of smells and polluted water running into ditches and river network) to residents. In addition, it is generally acknowledged that 500,000 tonnes of unauthorised waste has been disposed of at the site whilst it was under the control of Essex County Council, as the Waste Disposal Authority.

Little Canfield Parish has a situation where, it appears, there is a breach of planning control; a breach of S106 provisions associated with planning consent; failure to adequately maintain a landfill site and illegal disposal of 500,000 tonnes of unauthorised waste in our parish. To date, the authorities (ECC, EA) who's duty it is to control these activities have had several meetings of working parties but have published no timetable for pursuing legal or criminal proceedings against those responsible for any breach.

Little Canfield Parish Council believe that Essex County Council should take the following steps prior to consideration of any decisions for development of the site. It is vital that remediation works to prevent further environmental damage and potential harm to health of local residents who are adversely affected by the condition of the site.

- i. Pursue enforcement action against individuals and businesses responsible for the current situation prior to any decisions on permission for development of the site.

- ii. It should undertake a review of its internal processes and procedures that allowed such a gross breach of control of waste disposal to take place under its watch. The findings of this report should be made public along with actions and timings for implementation of findings from the report.
- iii. If it believes the Environment Agency should take precedence in any legal or criminal proceedings it should actively support and pursue the Environment Agency to ensure action is taken

We note Great Canfield Parish Council, a neighbouring parish, have submitted a letter of OBJECTION, dated 21 August 2025. The reasons they state for objecting to the applications are equally relevant to the view of Little Canfield Parish Council and residents of the Parish. As such, we mirror their comments and fully support their views and include their letter as an attachment to our objection. Additional points to support our objection are listed below.

Economic and financial justification

There is no viable economic or financial justification to support the development.

It is clear that, to remediate the site to prevent further discharge of toxic fumes and leachate requires spending money – probably a lot of money! The developer makes claim that the purpose for proposing the building of the industrial units is to help cover the cost of this remediation works, yet they provide no business case to support such claims.

The Site Investigation Report provided to support the application is woefully inadequate and provides no interpretation of the data, therefore no assessment can be undertaken of the site and therefore planning permission should not be granted; the requisite consideration of impacts to the environment cannot be safely considered by the Planning Authority at this time. The Environmental Statement is in many ways thin on detail and only discusses the actions required on the landfills and does not consider the impacts of the post remediation development and so is not fit for purpose.

With such scant investigation and knowledge of what is contained within the unauthorised waste dumped on the site, it is not possible to make a reasonable estimate of the cost of remediation. Therefore, any claim by the developers that development will provide finances for remediation to be completed is invalid.

The application claims there is a need for the proposed type of industrial development in Uttlesford. This is not the case. The Local Plan, currently under review, proposes significant industrial development opportunity to the west of Takeley, close to the M11 and A120 roads for transport and suitably close to Stansted airport to believe that it would appeal to businesses who would benefit from being close to a major airport. With proposals being contained within the local plan for industrial development in Uttlesford that are adequate to meet requirements, the economic case for the scale of development is invalid.

Transport links and traffic nuisance

The proposal appears to indicate little to no impact on the volume of traffic in the area. This feels to be at odds with the applicant claiming justification of the industrial development is to provide employment and economic development.

As such, Little Canfield Parish Council has joined with Takeley Parish council to commission a report on the impact to transport created by the proposed development. When this report is received, we will submit separate comments. We have been granted additional time for this report to be compiled and submitted.

Impact on the Flitch Way and River Roding

There has always been a presumption against development 'south of the Flitch Way' as it passes through Takeley and Little Canfield. As highlighted by Gt Canfield PC in their letter, the Flitch Way has been cited as a 'natural boundary, which should be respected.'

The scale of the industrial development proposed in know way respects the Flitch Way or the natural environment it lies within. Large buildings or a solar array on raised land would dramatically and adversely impact views.

Remediation work would be welcomed to control effluent discharge from the landfill impacting the River Roding. The applicant has made reference to agreement with Thames Water for treatment of 2million litres of effluent discharge. It provides no details of how this will be handled, or what timescale over which the expected discharge is measured. As industrial discharge consent limits are often based on daily quantities, it is assumed this is the case here. It is believed that 2m litres of effluent per day would require a significant size treatment plant. No such treatment plant is identified on the plans.

Full, independent environmental and biodiversity impact assessment reports should be completed before any competent decision on these applications can be made.

Conclusion

Uttlesford District Council have sufficient industrial development areas earmarked within their Local Plan

There are no grounds to any development to take place in Little Canfield South of the Flitch Way.

Without proper enforcement action being taken by the relevant authorities and covenants being placed on the land, committing landowners to proper maintenance of the landfill, no consideration of any development should be made. History tells us that planning conditions are held in little regard by developers and authorities have either little resource or appetite to pursue enforcement.

END

Yours faithfully,

Ian Brown

Clerk & Responsible Finance Officer
Little Canfield Parish Council

Enc: Great Canfield Parish Council Letter of objection as referenced

Dear Planning

ESS/16/24/UTT, ESS/16/24/UTT/OUT, UTT/25/2045/CC

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Great Canfield Parish Council's response

Great Canfield Parish Council **OBJECTS** to these applications which is in the adjoining parish of Little Canfield.

The Parish Council will comment in separate sections as it is believed that the remediation question should be dealt with separately from the planning application due to the complicated history of the site:

1. REMEDIATION

It is important to understand the make-up of the site before consideration can be given to what action needs to be taken.

There are two different landfill sites within Crumps Farm, - one which contains legitimate waste but which is leaking gas and needs to be re-capped and sealed. The second site contains up to 700,000 tonnes of illegal waste.

The Development & Regulation Report (25 August 2023) Ref: ENF/1163 written by the Chief Planning Officer clearly states that despite planning permission being granted in 2009 to Edwards Waste Management Ltd for remediation, works were not commenced as required and that land levels of the former landfill site were not reprofiled and the area not restored to parkland as required. A Section 106 agreement had been signed to this effect.

In addition, the Environment Agency found that between 2009 and 2018 significant quantities of unknown hazardous waste (approximately 500,000 tonnes) were imported without permission but with no sign of illegal entry.

In 2023 at the time of the enforcement report, levels of dangerous gases, hydrogen sulphide and methane were detected which were considered a considerable health concern.

The Waste Planning Authority [ECC] and the Environment Agency [EA] adopted a joint enforcement protocol and agreed to investigate.

Since that report, there has been little or no action. The matter has been let slide with no investigation and no monitoring or checking of the danger of the situation on site. Hazardous smells continue to be detected more and more frequently and further afield such as at Church End in Great Canfield.

Immediate Actions

No company or individual has admitted to the facilitation of criminal activity and the Environment Agency, as the regulator of waste sites and Essex County Council, as the Waste Disposal Authority have both been slack in enforcement and now seek to brush this whole situation under the carpet.

First and foremost, appropriate authorities [The Environment Agency, HMRC and Essex County Council] should bring criminal prosecutions against those they determine through proper investigation to be responsible for the waste crime undertaken at this site.

Secondly, the Environment Agency and Natural England should carry out proper assessment and analysis of the soil contamination and wildlife on-site to better inform decision making around the hybrid planning applications made to Essex County Council. If EA employees cannot enter the site due to health and safety concerns, **then the public must be told about the risks.**

Thirdly Essex County Council should be more transparent in their process and stop bypassing Uttlesford District Council in the planning permission process for the following applications: ESS/16/24/UTT & ESS/16/24/UTT/OUT.

2. PLANNING

Great Canfield Parish Council Objects to all applications on the following grounds:

a. National Planning Policy Framework (NPPF) Policy 2

The National Planning Policy Framework (NPPF) Policy 2 requires any proposed development to satisfy three sustainable development tests: Economic, social and environmental. These planning applications fail all three tests.

- **Economic – the case for building more commercial units in the area is FALSE,** o The Uttlesford Local Plan projects a need for 21,000 sq.m of additional office space between 2016 and 2033 across the district.¹
 - o Planning application [UTT/24/2682/SCO] at Takeley will result in an oversupply to Uttlesford district [proposed to provide 84,541 sq.m of commercial units]. o The planning application at Crumps Farm is projected to add a further 38,065 sq.m of commercial units. o The O2 Dome is over 100,000 sq.m and Stansted Airport's retail terminal is 10,600 sq.m.
 - o The two planning proposals at Takeley and Crumps Farm would provide similar commercial space within the local area as the O2 Dome or 4 Stansted Airport Terminal buildings and will add associated traffic to the local road network.
 - o A large part of Uttlesford's projections also already incorporate significant quantities of floorspace at Great Chesterfield Research Park with some 25,000 sq.m already granted planning permission. This new proposal at

Crumps Farm in unneeded and unwanted

- **Social – This WILL lead to a flurry of planning applications for development south of the Flitch Way on rural landscapes.**

- o The granting of planning permission for the commercial units at Crumps Farm landfill would indicate a general weakening of support for established policies for the control of development in this part of Essex.
- o The boundary of the Flitch Way has been recognised by the national Planning

Inspectorate and the Secretary of State responsible for planning matters as

an important natural feature not to be degraded further by development on its southern side.

- o It has subsequently been designated a Local Nature Reserve by Natural England in October 2019 further strengthen the argument this is important for wildlife and nature in our area.
- o There are no accessible services for the proposed commercial units necessitating increased road traffic as employees exit the site for lunch breaks and travel to and from their place of work.

¹ <https://www.uttlesford.gov.uk/media/8300/Reg-19->

[Employment/pdf/Reg_19_Employment.pdf?m=636663824602270000_p106](#)

This would be anything but a well-designed future proofed development for the next generation. It will be urban sprawl allowing developers to build even more urban sprawl

- **Environmental – These planning applications will DESTROY the visual character, wildlife and nature of the surrounding river, woodlands and the Flitch Way.**

- All road transport traffic (Likely 1400 movements per day) would cross The Flitch Way Local Nature Reserve at a single point, totally destroying the character of this valuable public green linear park.
- The planning applications propose to build a car park of 700 spaces next to a treasured local walk urbanising this part of the countryside to the south of the Flitch Way.
- The Flitch Way was designated by Natural England a Local Nature Reserve in

October 2019 changing its status from a Non Designated Heritage Asset

("NDHA") and giving a statutory designation made under Section 21 of the National Parks and Access to the Countryside Act 1949 supported by Essex County Council and the Friends of the Flitch Way.

- Yes, the landfill requires remediation works to prevent pollution escaping into the rivers and wider environment, but why should that come at the expense of wildlife and nature around the site.

- The 2 million litres of leachate from the site already poses a threat to human and wildlife health and will undermine attempts by the Mayor of London to provide a £3million regeneration for the River Roding further downstream. We believe that the River Roding is a strategic water source for London and as such a PSI application should be made to the Mayor of London to ensure the Mayor has the opportunity to comment on this planning application.
- Wildlife uses the surrounding countryside and the Flitch Way. Important habitats will be lost but most importantly the building works and then the usage of the industrial units which will be right beside the River Roding has the potential to destroy hundreds of habitats for local wildlife and a full ecosystem which we are trying so hard to preserve.
- No one is legally allowed to enter onto the site to carry out relevant ecological surveys so there is a significant lack of evidence to support assumptions made in the planning statement. For example, the planning statement cannot tell without further study if badgers are present on-site. Residents have reported badger setts and the species as present on-site and it is a criminal offence to disturb badger setts under the Badger Act 1992.
- Research work by the developer has found bats on-site with the possible presence of Great Crested Newts. By the developer's own admission more research work needs to be undertaken to confirm species numbers and this is a key material planning consideration for Local Planning Authorities (LPAs). A permitting system will need to be installed and supervised by Natural England in relation to Great Crested Newts.
- The River Roding is an important waterway and there are protected species such as brown trout found within it which should be investigated further prior to any works commencing.
- The industrial units will cause light pollution. The new Uttlesford District Council offices at High Cross Lane already cause constant light pollution of the Flitch Way and surrounding countryside and an industrial site further along will no doubt have 24-hour security lighting, which will have further detrimental effects on wildlife.

- **Sustainability**

The impact on local villages has been ignored. Already hamlets such as Bacon End are used as cut throughs from the A120 to the B184 and beyond. This will only serve to increase traffic on rural roads and when added to the traffic which will increase with the building of the new supermarket and the new school on the edge of Great Dunmow it will have a great impact on the rural road. Stansted Airport is also planning to increase passenger numbers over this period likely resulting in a far greater number of vehicles on the road network in the local area

b. Uttlesford Local Plan 2005 Policy 7

- The proposal would introduce a sizeable new development and would result in an unnatural extension of built form in the locality. The proposals by reason of its sitting, size and scale would have a harmful impact upon the rural character and appearance of the area. The proposals would significantly harm the intrinsic character and beauty of the surrounding countryside including the Flitch Way resulting in landscape and visual effects from a number of publicly accessible viewpoints and failing to perform the environmental role of sustainability, contrary to policy S7 of the Adopted Uttlesford Local Plan 2005, and the National Planning Policy Framework 2005.
- Any building on the land which is currently green would destroy the natural visual impact and the open aspect of the countryside.
- The proposed development fails to adequately assess the impact of the proposal on the site and its habitat and fails to establish the ecological significance of the site, causing potential harm to the natural environment, in conflict with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the National Planning Policy Framework 2021

3. RELEVANT APPEAL DECISIONS

a. Appeal Decision APP/C1570/W/18/3213251

Inspector Mike Robins made many references to the Flitch Way and how this Local Nature Reserve is an important part of the decision-making process. Below are some quotes from his statement:

“The Flitch Way is clearly an important public right of way and I address the visual effects for users below, but in landscape terms it is a strong linear feature, which is not breached, other than in one specific instance, by settlement lining the B1256 between Bishops Stortford and Dunmow. While its historical association is with the railway, it is now a managed country park and local wildlife site [Designated a Local Nature Reserve in 2019] and its informal surfacing, welltreed edge and, in many cases, countryside views, provide for an experience for those using it in marked contrast to the urban areas set along its northern edge. I accept it is not an open countryside feature along its entire length, and in places there is development close to the northern edge, but it is an important refuge from the growing urban centres and provides easily accessible countryside experiences and access to important features such as Hatfield Forest.”

He goes on to say: *“In extending development beyond the Flitch Way, it would not only compromise the naturalised boundary that has been respected by all recent development in the area, but would introduce a potential precedent and significantly, an urbanising influence on an important, and highly regarded country park and local wildlife site [Local Nature Reserve], the Flitch Way.”*

- If the application was granted the resulting traffic (In excess of 700 movements per day) across The Flitch Way would cause danger for the linear park at that point as it would become dangerous for foot traffic, bicycles and dog walkers.

b. Appeal Decision APP/C1570/W/23/331/7874

Inspector John Dowsett dismissed an appeal to the northern boundary of this site for 90 homes. He quoted the Uttlesford Landscape Character Assessment, September 2016. The key characteristics of this area are gently undulating farmland with large open landscape with tree cover, dispersed settlements and few large villages, sunken lanes and moats and historic farmsteads. He found this site *“still to be an open area that contributes to the large open landscape character.”*

The current application site is part of that large open landscape character.

In addition he found *“The appeal scheme would result in a narrow finger of development extending out from the settlement to the south of Stortford Road....Development of the appeal site would appear dislocated from the main built up area of the settlement”*

“The new development would be both readily perceptible and prominent from Stortford Road which is a principal route through the area and would undermine the open character of the area”

As the current application is further dislocated from the settlement and to the south of the Flitch Way which he accepted as a Non Designated Heritage Asset (“NDHA”) [Changed to designated Local Nature Reserve in October 2019] and stretches further into the countryside then this application should fail for the same reasons as the above appeal.

ALTERNATIVE PROPOSALS

Great Canfield Parish Council OBJECTS to the planning application for the above reasons but if the application is approved in full, the developer has stated it will remediate the current contaminated land issues.

With the above point in mind the following points should be considered:

1. Prosecution of the companies and individuals involved in illegal activity at Crumps Farm should happen first before any approval is given to these planning applications
2. Residents MUST be sure that the land is decontaminated fully and effectively before construction works can be carried out on both parts of the site
3. A Section 106 agreement where a list of pre-commencement conditions are met before work is allowed to begin.
4. If development permitted, there should be a commitment to delivering greenfield runoff rates via properly maintained sustainable drainage
5. A condition whereby remedial targets must be met before construction is continued
6. A financial bond to ensure restoration is completed
7. A covenant over the land which would remain with the land regardless of ownership

Uttlesford District Local Plan (adopted 2005) [5.26 Policy ENV14] requires the developer to set out a timetable for remediation works to be carried out. There are no documents containing such requirements contained within the planning documents submitted to ECC and UDC.

We think a complete re-design is needed on these planning applications and serious consideration needs to be given to local people’s thoughts and suggestions and how the local community can take ownership of the site without the necessary liabilities for the remedial works.

Great Canfield Parish Council would like to consider a Conservation Covenant which could be utilised as an alternative to Section 106 agreements to secure green space and Biodiversity Net Gain on-site. These would have the effect of establishing the local communities with a legal framework for a direct relationship with the developer rather than solely the Local Planning Authority or Waste Disposal Authority. Additionally, a suitable responsible body should be found that local residents and parish councils can support that is not Essex County Council, Uttlesford District Council, the Environment Agency or Natural England. The responsible body should be independent of the state authorities and agencies and agreed by both Little and Great Canfield Parish Councils.

CONCLUSION

Great Canfield Parish Council Objects to all the planning applications on the following grounds:

1. Proper remediation of the site should have been carried out as per the agreements within previous applications.
2. The lack of sustainability for this site on all three tests (economic, social and environmental)
3. Failure to comply with Policy 7 of the 2005 Local Plan
4. Development of land to the south of the Flitch way (LNR) which could start a dangerous precedent for development where none has been acceptable previously.

A sad factor in this response to these planning applications is the lack of trust the local community is able to place in Essex County Council, the Environment Agency and to some degree in Uttlesford District Council. Previous promises over the past decade agreed in planning permissions stated that the landfill should be returned to parkland. These Section 106 agreements have not been carried out to date.

These current important local planning applications were validated at a time when it is difficult to get groups of people together and when local representatives are away from the local area. This has meant that local groups have not had time to take necessary advice on this complex site. The timing has been designed to aid the end result: namely, that these unfit planning applications are passed through the planning process with minimal discussion and debate by local people.

The residents already know that ECC's, the EA's and to some extent UDC's pre-conditions in planning will be worthless (past applications on this site have proven this) and the real concern is that a large unnecessary sprawl of commercial units will be built and very little work, if anything, will be done to improve and make safe the landfill site.

The Environment Protection Act 1990 places a legal duty of care on anyone who produces, carries, keeps, disposes of, treats, imports, or has control of waste. This includes the EA as a regulator of the landfill site and Essex County Council as the disposal authority.

Local people want the site cleaned-up and the pollution leaking into the local environment stopped. However, local people cannot have confidence that the site will actually be cleaned up and they're being forced to accept unsustainable economic development in a rural countryside location to the southern boundary of the Flitch Way.

This is a botched scheme and needs re-thinking urgently.

[END]

Last updated: 21/08/2025