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**Supporting Planning and Affordable Housing  
Statement**

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**LAND WEST OF THAXTED ROAD, SAFFRON  
WALDEN**

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**OUTLINE PLANNING APPLICATION**

**FOR**

**THE ERECTION OF UP TO 170 DWELLINGS,  
ASSOCIATED LANDSCAPING AND OPEN  
SPACE, WITH ACCESS FROM THAXTED  
ROAD**

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**Prepared by:**

**Woolf Bond Planning**

**On behalf of:**

**Kier Ventures Ltd**



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**November 2022**

**WBP Ref: 8365**



**Woolf Bond Planning**  
Chartered Town Planning Consultants

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### Appendix C

Illustrative Masterplan 3118-C-1005-SKG (Nov 2022)

### Appendix D

Infographic: The Economic Benefits of the Application Scheme

## **1. INTRODUCTION**

### **Context**

- 1.1. This Statement has been prepared by Woolf Bond Planning LLP on behalf of Kier Ventures Ltd in support of an **outline planning application** on land west of Thaxted Road, Saffron Walden for the erection of up to 170 dwellings, associated landscaping and open space, with access from Thaxted Road.
- 1.2. The purpose of this Planning Statement is to summarise the findings of the various supporting technical documents (section 2 refers) and to provide an overview of the proposed scheme, whilst setting out a justification for the development having regard to the relevant planning policy and material considerations.
- 1.3. The application is submitted under S62A of the Town and Country Planning Act 1990 which allows for applications to be made directly to the Secretary of State where a local authority has been designated. Uttlesford District Council was designated for major applications in February 2022.
- 1.4. This outline planning application follows pre-application discussions with Uttlesford District Council (the Council) and statutory consultees.
- 1.5. The formal pre-application advice received from the Council (LPA Ref: UTT/22/1539/PA) (Appendix A refers) related to a marginally larger scheme for up to 180 dwellings and concluded that development of the site for housing could be acceptable in principle given the tilted balance is engaged. The advice requested information to be submitted as part of the planning application to demonstrate that the benefits would outweigh the potential harm. This Planning Statement undertakes that exercise and confirms the benefits are manifest, and sufficient to justify the grant of planning permission.
- 1.6. The technical information submitted with this application demonstrates the acceptability of the scheme having regard to the requirements of the Development Plan. Importantly, it confirms the acceptability of the illustrative design and quantum of development which is given further support due to the

policy vacuum that together with the Council's inability to demonstrate a 5 year housing land supply further demonstrate that permission should be granted without delay.

### **Planning Policy Context**

- 1.7. In terms of the emerging Local Plan, an Issues and Options consultation was undertaken in 2020/21 and a Regulation 18 Consultation was originally timetabled for the end of this year (2022). However, the Council made a decision in September 2022 to pause work on the emerging Local Plan. This creates a policy vacuum, in which the extant Development Plan is considerably out of date, and no longer able to meet the housing needs of the District, with no clear direction on an emerging spatial strategy to guide development over the next 15-20 years.
- 1.8. The Uttlesford District Local Plan was adopted in 2005 and sets out the overarching spatial strategy in seeking to meet development needs in the period 2000 to 2011. As shown on the adopted Proposals Map, the Site is currently identified as being adjoining but outside the defined settlement boundary for Saffron Walden.
- 1.9. However, and in so far as the Local Plan pre-dates the National Planning Policy Framework ("NPPF"), the policies for the supply of housing including in relation to their spatial application are out of date and the weight to be attached to the policies should reflect the provisions at paragraph 219 of the NPPF.
- 1.10. The policies which are the most important for determining the merits of the proposed development of the Site for up to 170 dwellings are out of date given their inconsistency with the NPPF. In short, the settlement boundaries defined in the Local Plan do not provide for current development needs. Furthermore, there are ongoing delays with the emerging Local Plan process and an overarching context of the Council's inability to demonstrate a five-year supply of deliverable housing land.
- 1.11. In the circumstances, the presumption in favour of sustainable development is applied on account of the development plan being 'out of date' having regard to the lack of consistency between the policies contained therein and the

approach to development set out in the NPPF (paragraphs 11, 74 and 219 refer).

- 1.12. In locational terms, Saffron Walden is acknowledged in the adopted Local Plan as one of the most sustainable locations for further growth.
- 1.13. In addition, the policy context for the Site is also informed by the Council's inability to demonstrate a five year supply of deliverable housing land.
- 1.14. Either scenario triggers the tilted balance at paragraph 11(d) of the NPPF.
- 1.15. The proposals for the development of land to the west of Thaxted Road afford an opportunity to secure sustainable development that can be delivered expeditiously on the grant of planning permission.

#### **Pre-application Consultation**

- 1.16. The illustrative proposals for the Site have been subject to pre-application discussions with the LPA (LPA Ref: UTT/22/1539/PA), correspondence and meetings with statutory consultees (including Essex County Highways), a meeting with Saffron Walden Town Council and an online public consultation exercise. Full details are set out in the supporting Design and Access Statement and the accompanying Statement of Community Involvement.
- 1.17. The final scheme design as submitted is the product of a collaborative approach to the masterplan process, informed by the advice received from the LPA and statutory consultees.

#### **EIA Screening**

- 1.18. Pursuant to the Town and Country Planning (Environmental Impact Assessment) Regulations 2017, a request for a screening opinion was submitted to the Council; seeking confirmation that development of the Site for this general scale of housing development did not meet the threshold for an EIA.

- 1.19. In a response dated 16<sup>th</sup> November 2022 (LPA Ref: UTT/22/3002/SCO) the Council confirmed that the Scheme would not fall within Schedule 1 development. However, as the scheme proposed more than 150 dwellings on a site of more than 5.0 hectares, it would fall within Schedule 2 Urban Development Project.
- 1.20. The Screening Opinion went on to consider whether the proposal, having particular regard to the characteristics of the proposal and the site location, is likely to lead to significant environmental impacts. Informed by their assessment of the proposals, the Screening Opinion records the Council's conclusion that the proposals, including in relation to potential cumulative effects, would not constitute EIA development, such that an Environmental Statement was not required. The application is advanced on this basis.

### **The Application**

- 1.21. In so far as the planning application is in outline, only the principle of developing the site for up to 170 dwellings and the means of access are to be determined as part of the application. All other matters of detail, including appearance, landscaping, layout and scale are reserved for subsequent determination.
- 1.22. The application site is shown edged red on the accompanying Site Location Plan No. 3118-A-1000-PR-C and extends to approximately 8.35ha.
- 1.23. Details of how the Site could be developed for the proposed quantum of housing is shown on Illustrative Masterplan No. 3118-C-1005-PL-A.
- 1.24. The access arrangements are shown on the access plans included in Appendix 4 to the Transport Assessment ("TA") prepared by Milestone Transport Planning, which includes the Proposed Access Plan No. 22078/002.
- 1.25. The Site is located to the west of Thaxted Road, with residential development to the north, east and west. The Site is also within walking distance from local facilities at Knight Park. It is also within walking and cycling distance from the town centre. Existing bus services operate along Thaxted Road, with funding

to be made available through the Scheme to provide enhanced bus service provision.

- 1.26. No part of the application Site forms part of a Conservation Area and nor is it identified for any landscape 'value'.
- 1.27. As detailed in the Flood Risk Assessment that accompanies the application, the site is classified as falling within Flood Zones 1, the area at least risk of flooding. There are no further environmental constraints which would preclude the proposed development.
- 1.28. The Council is not able to demonstrate a five year supply of deliverable housing land, such that the granting of outline planning permission on the Site for housing is considered to be acceptable. Additionally, development of the Site will bring about economic and social benefits and the fact that there are no technical constraints to bringing the site forward for development, including in relation to the capacity of the local highway network, which position is agreed with County Highways means that there is no reason for the Council not to support this application.
- 1.29. As set out in the Transport Assessment ("TA") accompanying the application, the site is suitably located for future residents to make sustainable travel choices on foot, bicycle and public transport. The TA sets out the sustainable benefits of providing development at the site given its proximity to public transport including bus services.
- 1.30. As to schematics, the scale parameters, paragraphs 3 and 4 in Article 4 of the Town and County Planning (Development Management Procedure) (England) Order 2010 were deleted by Amendment Order No.3 dated 31 January 2013 such that outline planning applications, where layout is a reserved matter, are no longer required to state the approximate locations of buildings; and where scale is a reserved matter they are no longer required to state the upper and lower height, width and length parameters.
- 1.31. Information shown on the supporting plans and particulars includes sufficient detail to evaluate and assess the general planning and layout principles that are submitted in support of the proposal.

- 1.32. As set out in this Planning Statement, the benefits of the Scheme include the provision of both market and affordable housing, in a sustainable location, within walking distance from existing local services and facilities, to help meet an identified housing need within the District.
- 1.33. The Scheme also secures additional local expenditure through an increased local population, council tax revenues, and new homes bonus as well as additional construction jobs.
- 1.34. Although the application is in outline, with only (i) the principle of developing the site for up to 170 dwellings; and (ii) the means of access to be determined at this stage, the illustrative site plan also provides for onsite landscaping and biodiversity enhancements, which mitigate the impact of the proposed development in landscape visual and heritage terms.
- 1.35. As set out in this Statement, the Scheme accords with relevant planning policy considerations, including the presumption in favour of sustainable development set out in the NPPF.

### **Presumption in Favour of Sustainable Development**

- 1.36. In order to boost significantly the supply of housing, the NPPF requires LPAs to demonstrate a five year supply of deliverable housing land. However, the Council cannot demonstrate a five year supply of deliverable housing land and it has been necessary to grant planning permission for schemes beyond the settlement boundaries defined in the Local Plan. One such example is the recent planning permission granted at appeal for up to 233 dwellings at Radwinter Road, Swards End, Saffron Walden (PINS Ref: APP/C1570/W/22/3296426) (5 October 2022).
- 1.37. In accordance with paragraph 11 of the NPPF housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 11 also states that relevant policies for the supply of housing should not be considered up to date if the LPA cannot demonstrate a five year supply of deliverable housing sites.



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- 1.38. In setting out the presumption in favour of sustainable development, paragraph 11 of the NPPF adds, in relation to decision-making at 11(c), that this means approving development proposals that accord with the development plan.
- 1.39. It adds at paragraph 11(d) that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, permission should be granted unless (i) policies in the NPPF provide a clear reason for refusing the development; or (ii) any adverse impact of doing so would significantly and demonstrably outweigh the benefits.
- 1.40. Including for the reasons set out in this Planning Statement, noting in particular the content at sections 5 and 6, as well as for the reasons set out in the supporting plans and particulars, **the application scheme is submitted in accordance with the presumption in favour of sustainable development.**
- 1.41. This Planning Statement considers the relevant planning policy considerations and includes a planning balance which concludes that the benefits of the proposal weigh heavily in favour of the grant of planning permission.

### **Benefits of the Proposed Scheme**

- 1.42. In assessing the merits of the application, the benefits of the scheme include:
- Provision of much needed housing in a sustainable location, helping to meet identified housing needs.
  - Delivery of a significant proportion of affordable housing (40%).
  - A high quality design-led development scheme.
  - Provision of substantial areas of landscaped open space, accessible by the wider community.
  - Enabling a Green Orbital Route by providing a pedestrian and cycle route through the Site and provision of a new crossing.
  - Support for enhanced bus service facilities to the benefit of the wider population.

- A form of development, including by means of the proposed landscaping strategy, that can be assimilated into the character of the surrounding area and provide an improved landscape buffer to the existing urban edge.
- Increased local expenditure to sustain and support local services and facilities.
- Job opportunities and increased economic activity.

## **Content**

1.43. This Planning Statement is set out as follows:

<b>Section 1:</b>	Introduction
<b>Section 2:</b>	Summary of Supporting Material
<b>Section 3:</b>	Description of the Site and Surrounding Area
<b>Section 4:</b>	Description of the Proposed Scheme
<b>Section 5:</b>	Planning Policy Framework
<b>Section 6:</b>	Consideration of the Proposed Scheme
<b>Section 7:</b>	Summary

## **2. SUMMARY OF SUPPORTING MATERIAL**

### **General**

2.1. A number of technical studies and reports have been undertaken and prepared in support of the application and comprise as follows:

- Design and Access Statement (Omega)
- Design Code (Omega)
- Statement of Community Involvement (Forty Shillings)
- Energy and Sustainability Statement (Love Design Studio)
- Transport Assessment (Milestone Transport Planning)
- Travel Plan (Milestone Transport Planning)
- Flood Risk Assessment and Drainage Strategy (Rolton Group)
- Utilities Statement (Rolton Group)
- Ground Conditions (Rolton Group)
- Ecological Assessment (Tyler Grange)
- Essex Biodiversity Validation Checklist (Tyler Grange)
- Biodiversity Net Gain (Tyler Grange)
- Landscape and Visual Impact Assessment (FPCR)
- Noise Impact Assessment (Noise Solutions Ltd.)
- Archaeology and Heritage Statement (BSA Heritage)
- Tree Survey and Report (AIA, AMS, TPP, TCP) (Tyler Grange)
- Agricultural Land Quality (RPS)
- Air Quality Assessment (WSP)
- Socio Economic Statement (Lichfields)

2.2. The content of the technical reports submitted in support of the application is summarised below:

### **Design and Access Statement**

2.3. The Design and Access Statement demonstrates how the technical team has analysed the characteristics of the application site and surrounding area and evolved the scheme following consideration of the technical assessment of the site and surrounding area.

2.4. The design team are seeking to create a new neighbourhood and community to the south-east of Saffron Walden of the highest standard, with the following key aspirations;

- Landscape-led design
- Supporting local infrastructure by developing in a sustainable location
- Integrate with the existing community
- High-quality design and placemaking

### **Design Code**

2.5. The project architects have also developed a Design Code which provides information on the site constraints and opportunities, the design objectives and the engagement process undertaken which in turn has informed the preparation of a series of design principles and a masterplan which subsequent planning application(s) will be expected to accord with.

2.6. The Design Code has multiple aims, namely to:

- Inform the development management process;
- Enable the local community to fully engage with the planning and design of the site;
- Improve the efficiency of the planning and development process by providing greater certainty at the this initial outline planning application stage; and
- Ensure that the new development framework delivers the sustainability and place-making aspirations of the design code thereby creating a high quality environment.

### **Statement of Community Involvement**

2.7. The Statement of Community Involvement (“SCI”) details the public consultation undertaken to inform the proposed application scheme.

2.8. A website was set up which contained draft details of the plans for the site. 107 people provided feedback, with the key points being related to;

- Increased traffic generation
- Impact on local infrastructure
- Environmental concerns
- Support and opposition to the development in general
- Support for affordable housing provision

## Energy and Sustainability Statement

- 2.9. The Energy Statement has been produced to demonstrate how the Application Scheme accords with the local policy requirements.
- 2.10. The energy strategy follows the energy hierarchy; avoiding unnecessary energy use, use energy more efficiently, use renewable energy, and offset emissions, as per the Energy Efficiency and Renewable Energy Supplementary Planning Document (2007).
- 2.11. The proposed energy strategy capitalises on passive design measures to maximise the fabric energy efficiency and minimise energy demand.. The scheme will make use of Air Source Heat Pumps (ASHPs) for space heating and domestic hot water. Heat-pump solutions for space heating and hot water will remove the need for on-site combustion. The scheme should benefit from Mechanical Ventilation with Heat Recovery to minimise heat losses. The scheme could look to utilise window reveals, balconies and external shutters where feasible, to reduce the requirement for active cooling.
- 2.12. The proposed energy strategy for the submitted scheme is currently demonstrating a combined on-site regulated **CO<sub>2</sub> reduction of 59%** (Part L 2021 Baseline).

## Transport Assessment

- 2.13. The implications of development related travel on the operational and safety characteristics of the surrounding highway and transport networks have been comprehensively considered within the Transport Assessment (“TA”).
- 2.14. A key part of the vision for the emerging development proposals is to deliver a new neighbourhood that embraces the principles of healthy living, sustainability with high quality and well-designed public realm.
- 2.15. The Site is to be a place that connects with the rest of Saffron Walden with pleasant multi-user active travel routes as well as delivering convenient links to

the countryside on its doorstep coupled with good public transport links. The layout of the new neighbourhood is designed such that it is more convenient and navigable for people to choose to walk and cycle rather than using the private car.

- 2.16. The TA has demonstrated that in terms of Planning Policy at both National and Local level and through a deliverable package of interventions including a robust Movement & Access Strategy, Framework Travel Plan as well as a comprehensive package of on and off-site sustainable transport and highway improvement measures, travel demand generated by the Site can be accommodated on the surrounding highways and transport networks up to and beyond the full completion of the proposed development.

### **Travel Plan**

- 2.17. The Travel Plan (“TP”) sets out measures which will be adopted/incorporated into the development in order to support and enhance the sustainability of the site in terms of its accessibility by sustainable modes of travel.
- 2.18. The TP is to set out a long-term strategy for the management of trips generated by the Site, based on hierarchical principles where emphasis is placed upon the order of priority outlined below:
- Opportunities to reduce travel demand and the need to travel;
  - Meeting the needs of vulnerable road users, i.e., pedestrians and cyclists;
  - Facilitating access by passenger transport;
  - Accommodating the requirements of two-wheeler users, i.e., mopeds and motorbikes;
  - Facilitating the safe and efficient movement of emergency vehicles, essential deliveries and refuse collections;
  - Accommodating the requirement that, for some, access by motor vehicle, will still be required and in such instances seeking to minimise, where possible, car ownership and single occupancy car trips.

2.19. Effective measures will be identified through the preparation of the TP to achieve an overall goal of reducing the impact of traffic generated by the development and to improve accessibility. As a consequence, residents of the development will have:

- Better access to essential services and jobs;
- Improved travel options;
- Opportunities for a healthier lifestyle.

### **Flood Risk Assessment and Drainage Strategy**

2.20. Based on EA fluvial floodplain mapping, the application site is located within flood zone 1. However, the tributaries upstream of the main River are not mapped as part of the main River modelling and therefore do not contribute to the flood zones. The surface water flooding map identifies that there is a risk of surface water flooding along the routes of the tributaries, particularly to the eastern section of the site.

2.21. The Flood Risk Assessment (“FRA”) describes the site as being bounded by existing hedge lines and field boundaries to most sides. The ground conditions have been assessed from an initial desk study to contain various chalks, overlain by Head to the north-east and Lowestoft Formation toward the south-eastern end. Tributaries of the Slade system pass through the site although there are no other water bodies within the catchment and no historic ground water flooding has been identified.

2.22. The overall site has no formal drainage system and therefore surface water run-off flows off of the site at the Greenfield run-off rate via overland flow routes to the existing field boundary and ditches located to the north east of the site. A system of field ditches pass through the northern section of the site and ultimately connect into The Slade System main River which is located beyond the northern boundary to the north of the Lord Butler Fitness and Leisure Centre.

- 2.23. The tributary channels within the site are largely overgrown and poorly maintained and are therefore generating a larger surface water flood area. The entrance to the site off Thaxted Road will cross the surface water flow route, therefore this will need to be considered in order to ensure the flow route is maintained following the development of the site.
- 2.24. As part of this outline planning application, pre-application advice was sought from the Lead Local Flood Authority. Their response indicated that the proposed development is not located within a Critical Drainage Area. As such it is not proposed to model the tributary channels, however this could be carried out as part of a reserved matters application if required.
- 2.25. The surface water run-off from the site will be directed towards and drained by areas of permeable paving, under drained swales, attenuation ponds and an infiltration basin. It is also proposed that during the detailed design, raingardens and tree pits are considered, to increase the benefits to the site.
- 2.26. In line with the updated 2020 Essex County Council SuDS Design Guide, rainwater re-use should be considered as part of any development. Discussions have considered using the attenuated surface water held in the ponds/basin for irrigation of the landscaped areas, which will likely require the use of pumping, this can be explored further in the detailed design stages. It is proposed that water butts be utilised for all residential units as part of the detailed design stage.
- 2.27. Foul drainage should be disposed of by connecting to the extended sewer in agreement with the relevant asset owner.
- 2.28. In summary, the FRA concludes, inter alia, that the development is, in flood risk and drainage terms, safe; the ground conditions show infiltration will work on site; SuDS will be used throughout the proposed development to slow, clean and attenuate surface water, and surface water flood risk will be managed on site and not increase risk to the development or third parties.



### **Utilities and Foul Water Drainage**

- 2.29. Foul water will discharge via gravity to the existing Anglian Water public foul. The existing disposal system infrastructure information, incorporating surface/storm water and foul water drainage, has been acquired and analysed to determine any potential impacts on the proposed development site. The information in the report is based on the record documents produced by Anglian Water, whom maintain the surface water, foul and combined sewerage infrastructure in the area.
- 2.30. The report contains the details of the companies whom control the various utilities in the area, and with whom the applicant should make contact in the future to connect to those utilities in order to serve the proposed development.

### **Ground Conditions**

- 2.31. A Phase 1 Geo-Environmental Desk Study has been undertaken for the Site, which provides a Conceptual Site Model that identifies potential pollutant linkages arising from the proposed development.
- 2.32. The Study also assesses probable ground conditions, likely foundation solutions and appropriate means of future ground investigations.

### **Ecological Assessment and Biodiversity Net Gain**

- 2.33. The supporting Ecological Assessment (“EcA”) details the findings of the initial desk-based assessment of the entire site together with follow up Site Surveys relating to a range of species.
- 2.34. The EcA confirms that the Site is not covered by any designations that are the subject of statutory or non-statutory protection, nor are there any statutory or non-statutory designations within the appropriate zone of influence (Zoi) of the site.

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- 2.35. The EcA describes the majority of the Site as presently comprising arable fields, with the margins of this habitat including hedgerows, grassland, ruderal, scrub, ditches, and scattered trees. The development will comprise the loss of habitat which is of negligible ecological importance, as well as c.70m of hedgerow of local ecological importance to facilitate access to the site. However, the majority of hedgerow on site will be retained, as well as the associated margins of grass. Habitat loss is generally minimal, however where it is unavoidable, the proposed scheme will compensate for this loss through the creation of areas of habitat such as grassland and ponds. It is considered that the proposed habitat will deliver an overall biodiversity enhancement to the site.
- 2.36. The proposals for the development demonstrate that it is possible to achieve a Biodiversity Net Gain for habitats and hedgerows, in accordance with the Biodiversity Metric 3.1 Auditing and accounting for Biodiversity Calculator Tool, 2022. The metric demonstrated that a 20.74% gain in habitat units (3.89 units), and a 10.9% net gain in hedgerow units (1.26 units) would be delivered by the scheme.
- 2.37. Species recorded on site include foraging and commuting bats, a single reptile, an assemblage of nesting birds, with evidence of badger presence and suitable habitat available for great crested newt (GCN).
- 2.38. The following mitigation controls are proposed to manage the delivery of the development in line with the recommendations provided in this report:
- A pre-commencement badger check and monitoring period are to be undertaken to ensure the proposed works will not disturb a nearby badger sett.
  - A Construction Environmental Management Plan (CEMP) will be produced to ensure certain habitat and species are protected during construction works.
  - A suitably qualified ecologist will oversee any vegetation removal where this poses a risk to protected species.
  - A lighting plan will be produced to ensure important retained habitat will not be subject to excessive artificial lighting during the operational phase of development.

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- 2.39. With the implementation of the mitigation and enhancement measures, in combination with the proposed habitat creation, the proposed development would be in conformity with Policies GEN7, ENV7 and ENV8 of the Uttlesford Local Plan, as well as the Environment Act 2021.

### **Landscape and Visual Impact Assessment**

- 2.40. The Landscape and Visual Impact Assessment (“LVIA”) confirms that the neither the Site nor the immediate landscape is covered by any statutory or non-statutory designations for landscape character or quality.
- 2.41. The Site sits on north east facing, gently undulating land associated with the Cam Valley. The vast majority of existing properties within Saffron Walden will be screened from the proposed development by the combined screening effects of existing built form, localised topography and vegetation cover situated adjacent to the site. There would be no significant views of the proposed development from other settlements within the surrounding landscape.
- 2.42. The visual receptors that will be the most noticeably affected will be those experiencing direct, close-range views of the proposed built development. These will primarily be from roads, residents and users of the public open space and skate park situated adjacent to the site. Longer distance views from the wider public rights of way network would be restricted, with views of the proposed development largely be screened by a combination of existing vegetation, localised topography and urban fabric situated within the intervening landscape. Partial glimpsed long-distance views of the proposed development would be seen within the close context various existing residential and commercial developments situated at the edge of Saffron Walden.
- 2.43. The proposed development will also include landscaped buffers along the boundaries, belts of new trees, green links and focal green spaces within the site along with new pedestrian and bridleway multi-user routes and existing vegetation being retained where possible.
- 2.44. The LVIA confirms that the Site and the immediate landscape is one that could accommodate change as presented by the proposed development and the consequential effects would not result in any unacceptable harm to landscape

character or visual resources.

- 2.45. The site has been sensitively designed with consideration given to the baseline information including the Saffron Walden Neighbourhood Plan 2021-2036 and other guidance including Essex Design Guide. The sketch layout ensures that the development relates well to the adjacent settlement and minimises impacts upon the surrounding River Cam Valley.
- 2.46. An appropriate relationship with the existing settlement edge and wider rural character is achieved by respecting the framework of established streets, public open space and field hedgerows and by setting development back from site boundaries to minimise the visual impact. Proposed streets, lanes footpaths and bridleway 'Orbital Greenway' multi-user routes are designed to ensure connections to the existing settlement and wider countryside. Existing hedges and trees by the site perimeter and along field boundaries will be enhanced with additional tree planting, bolstering vegetation cover along the River Cam Valley which will soften and filter views.
- 2.47. A cohesive green infrastructure framework is proposed, providing an attractive setting to the proposed development. Vegetation cover would be increased along retained field hedgerow boundaries, ensuring that the proposed built development would be well integrated within the local landscape.

### **Noise Impact Assessment**

- 2.48. The Noise Impact Assessment ("NIA") reports that environmental noise surveys at the site have been undertaken in order to establish the typical and maximum incident road traffic noise levels incident upon the proposed development.
- 2.49. Surveys have also been undertaken of existing commercial sources and background noise. An assessment of noise from the existing recycling centre and skatepark indicates no adverse impacts according to the method described in BS 4142:2014.
- 2.50. The assessment has demonstrated that, taking into consideration the provision of reasonable practicable measures (i.e. the provision of good quality thermal

double glazing and, for some facades, high-performance trickle ventilators) adverse effects of noise can be minimised for the development proposals. Consideration should also be given to using specified facades close to the Thaxted Road preferentially for non-habitable rooms such as kitchens/bathrooms.

- 2.51. Acceptable external amenity noise levels are found for the entire site, with standard 1.8m garden fencing required only for the closest dwellings to the road.
- 2.52. Therefore, the assessment has demonstrated that incident ambient noise levels around the proposed residential development should not be viewed as a constraint for the planning application.

### **Archaeology and Heritage Statement**

- 2.53. A desk-based assessment and site walkover has been undertaken to understand the baseline conditions.
- 2.54. The Site was visited in March and September 2022. The walkovers confirmed that the site now consists of a total of three arable fields, with two smaller sub-rectangular fields east of a larger and longer field adjacent to the existing developed edge of Saffron Walden. Nothing of note was apparent within any of the fields.
- 2.55. Ditches and grassed baulks define the internal boundaries of the site, with sparse vegetation along the south west to north east boundary between the larger field and those to the south. External boundaries of the site include hedgerows and trees, but with some gaps in the south.
- 2.56. The Heritage Assessment confirms that no designated heritage assets lie within or close to the site and there are no scheduled monuments or registered landscapes within a kilometre radius study area. Indeed, there are only a small number of heritage assets which have the potential to be impacted by the proposal through change to their setting.

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- 2.57. The closest designated asset to the site is a Grade II listed barn at Herberts, circa 300 metres south of the site. The next closest designated heritage asset to the site is the southernmost detached part of the extensive Saffron Walden Conservation Area. The site visit also confirmed that the spire of the parish church, St Mary's, is just visible from northern parts of the site.
- 2.58. The proposals would include strengthening of the vegetation on the edges of the site. The site also lies at a distance from Herberts, beyond discrete fields and has a backdrop of modern housing. Given this, **no harm** to the significance of Herberts' Grade II listed barn or an appreciation of that significance is assessed to result from the proposals, and no other designated heritage assets are considered to be affected by the proposed development of the site.
- 2.59. The HER details a limited number of records for those parts of the kilometre radius study area beyond the earlier parts of Saffron Walden well to the north. The most useful of these suggest that the area has been settled from prehistory.
- 2.60. Pre-application discussions with the Council's archaeological advisor agreed that further geophysical survey work could be undertaken as a condition of planning permission.

### **Arboricultural Impact Assessment**

- 2.61. The Tree Survey was carried out on 17<sup>th</sup> September 2022. The Arboricultural Impact Assessment ("AIA") identifies a total of 22 individual trees, 3 groups and 3 hedgerows within the survey area.
- 2.62. The retention of the majority of the boundary trees and the replacement of those removed allows for the proposed development to be set within a well-treed environment. The collective visual amenity the trees provide to area will be preserved and therefore the proposals are consistent with local planning policy in relation to trees.

- 2.63. The protection of the retained trees during the construction stage will require a detailed Arboricultural Method Statement (AMS), to be secured by condition and required at the reserved matters stage.
- 2.64. The AIA identifies a limited number of trees for removal, due to their quality and/or condition. New trees are proposed to replace those removed, alongside additional structural and landscape planting. A comprehensive landscaping scheme will be put forward for consideration at the reserved matters stage.

### **Agricultural Land Quality**

- 2.65. The Agricultural Land Classification (“ALC”) system provides a framework for classifying land according to the extent to which its physical or chemical characteristics impose long term limitations on agricultural use. The ALC system divides agricultural land into five grades (Grade 1 ‘Excellent’ to Grade 5 ‘Very Poor’), with Grade 3 subdivided into Subgrade 3a ‘Good’ and Subgrade 3b ‘Moderate’.
- 2.66. Agricultural land classified as Grade 1, 2 and Subgrade 3a falls in the ‘best and most versatile’ category in Paragraph 179 and 180 of the National Planning Policy Framework (NPPF).
- 2.67. The Application Site comprises a mixture of Grade 2 and Subgrade 3a land,. The quality of land on the Site is typical of the quality of land within the vicinity of Saffron Walden and the wider area. The land within this site is therefore not considered to be of exceptional quality within this area, and overriding weight in the planning balance should not be attached to the loss of this quality of agricultural land within that context.

### **Air Quality Assessment**

- 2.68. The Air Quality Assessment (“AQA”) considers the potential of the Proposed Development to cause impacts at sensitive locations. These may include fugitive dust emissions associated with construction works and road traffic exhaust emissions from vehicles travelling to and from the Proposed Development during the operational phase. Further to this, the proposals may

introduce future occupants to any existing air quality issues at the Site. An Air Quality Assessment (AQA) was therefore undertaken to determine baseline conditions, consider location suitability for the proposed end-use and consider potential effects because of the proposals.

- 2.69. During the construction phase of the development there is the potential for air quality impacts because of fugitive dust emissions from the Site. These were assessed in accordance with the Institute of Air Quality Management (IAQM) methodology. Assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by demolition, earthworks, construction and trackout was predicted to be not significant.
- 2.70. During the operational phase of the development there is the potential for air quality impacts because of traffic exhaust emissions associated with vehicles travelling to and from the Proposed Development. Dispersion modelling was undertaken using ADMS-Roads to predict pollutant concentrations resulting from emissions from the local highway network. Results were then verified using local monitoring data. Impacts were assessed against the criteria provided within IAQM guidance. Due to the size and nature of the proposals, road vehicle exhaust emissions impacts were predicted to be not significant.
- 2.71. The Proposed Development has the potential to expose future users to elevated pollution levels in the vicinity of the Site during operation. Model results indicates that future users are unlikely to be exposed to pollutant concentrations that exceed Air Quality Objectives (AQOs).

### **Socio Economic**

- 2.72. As set out in the Socio Economic Statement, the proposed development represents an opportunity to deliver significant investment in the local area of Saffron Walden, and Uttlesford District more widely.



2.73. The provision of market and affordable housing will ease pressure on the local housing market and create employment and economic growth opportunities, benefitting the residents of the new development but also the wider community of Uttlesford.

2.74. Some of the quantifiable economic impacts of the proposed development can be summarised as follows:

- Supporting around 177 direct FTE jobs during each year of the construction phase; Supporting a further 217 indirect and induced FTE jobs during each year of the construction phase;
- Generating £17.3 million direct GVA and £21.8 million indirect and induced GVA per annum from the construction phase of the Proposed Development;
- Helping to deliver a significant boost to the vitality and viability of the local economy by generating 'first occupation' expenditure in the region of £935,000, which could support 5 FTE additional local jobs;
- Generating a total gross expenditure of around £5.1 million per annum once the Proposed Development is completed and fully occupied, of which £2.3 million per annum is expected to be retained in the local area. This additional expenditure is expected to support around 18 FTE jobs in retail, leisure, hospitality, catering and other service sectors.
- Delivering £377,000 in additional Council Tax receipts per annum, as well as over £1 million in planning contributions.

2.75. As well as these quantitative impacts, the Proposed Development will also generate a range of other, non-quantifiable benefits including provision of additional housing to support local population growth and ease affordability pressures within the local housing market. The Proposed Development will also make a significant contribution to a wide range of economic and planning objectives at the local and national spatial levels.

### **3. DESCRIPTION OF THE SITE AND SURROUNDING AREA**

#### **Context**

- 3.1. The Application Site is shown edged red on the accompanying Site Location Plan No. 3118-1000-PR-C and extends to approximately 8.35ha.
- 3.2. The Site's context is formed by built development on three sides, with wider countryside to the south.
- 3.3. Existing residential development is located to the north and west of the Site, whilst the eastern boundary is formed by Thaxted Road.
- 3.4. Further build development extends to the east of Thaxted Road, comprising recent residential development which includes the Bellway scheme currently under construction at Poppy View.
- 3.5. Knights Park is located further to the south, within walking distance from the Site. The Lord Butler Fitness & Leisure Centre is located to the north west of the Site. This is also within easy walking distance.
- 3.6. The Site is located within easy walking distance of the town centre and easy access can be gained to the local shopping facilities, health facilities, schools, nurseries and job opportunities. Accordingly, the site affords a highly sustainable location in seeking to meet identified housing needs

#### **The Site**

- 3.7. The site is currently in agricultural use and is occupied by arable fields. Vegetation cover within the site itself is restricted to hedgerows and trees, situated along site perimeters and internal field boundaries.
- 3.8. The accompanying Design and Access Statement ("DAS") includes an assessment of the Site's characteristics, noting as follows:

- The north-east boundary of the site is demarcated by a hedgerow with a field gate providing access to the site. There is a ground level difference to the eastern corner where the site sits above the footpath and Thaxted Road which is in a cutting at this edge.
  - The north-west boundary is also demarcated by a hedgerow with some trees within it, adjoin the public open space which runs along the entire northern edge of the site. Some gaps have been created in the hedgerow onto the site which people evidentially use for walking routes.
  - The western boundary is a denser line of hedgerow/trees, with rear gardens and parking courtyards of properties on The Glebe and Church Field backing onto it. The southern edge of the site again has hedgerow and sporadic trees, with fields extending further south away from the site.
- 3.9. In terms of topography, the low point of the site is located to the northern corner adjacent to the new access from Thaxted Road. The lower field rises from this point approximately 8 metres up to the south-eastern corner, where the site narrows and gradients steepen towards the upper parts of the site. This steeper part of the site rises approximately 15m from the narrowed section of the site up to the wider area to the south-west, where gradients flatten out and become almost level at the southern most area of the site.
- 3.10. A Tree Survey has been conducted with results accompanying this planning application. This shows that the majority of tree and hedgerow planting on the site is set around its edges, with a small amount forming a field boundary extending from the centre of the site towards Thaxted Road to the north-east. It is the intention that all existing trees and hedgerows are retained except where they are in poor health and landscape management may facilitate replacement or improvement to the areas.
- 3.11. No part of the site forms part of a Conservation Area and nor is it identified for any landscape 'value'.
- 3.12. The Multi Agency Geographic Information for the Countryside Map ('MAGIC') and the Proposals Map (adopted 2005) indicates that the site is not covered by any statutory or non-statutory designations for landscape character or quality.

3.13. As detailed in the FRA accompanying the application, the area where the development is proposed is classified as falling within Flood Zone 1. There are no further environmental constraints precluding the proposed development.

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## 4. DESCRIPTION OF THE PROPOSED SCHEME

### General

- 4.1. The outline application scheme has been developed and informed following a thorough review of the opportunities and constraints afforded by the site.
- 4.2. Only the principle of developing the site for up to 170 dwellings, together with the means of access are to be determined as part of this outline application.
- 4.3. Appearance, landscaping, layout and scale are reserved for subsequent determination.
- 4.4. The application proposes:  
  

***“Outline application for up to 170 dwellings, associated landscaping, informal open space and open space, with access from Thaxted Road.”***
- 4.5. The proposals are set out on the following plans:

### The Scheme

- i. Site Location Plan No. 3118-A-1000-PR-C
- ii. Proposed Access Drawing No. 22078/22 (Appendix 4 to the TA)

### Supporting Plans

- iii. Illustrative Masterplan No. 3118-C-1005-PL-A
  - iv. Land Use Parameter Plan No. 3118-A-1201-PL-A
  - v. Access Strategy Plan No. 3118-A-1202-PL-A
  - vi. Building Heights Parameter Plan No. 3118-A-1203-PL-A
  - vii. Density Parameter Plan No. 3118-A-1204-PL-A
  - viii. Green Infrastructure Plan No. 3118-A-1205-PL-A
- 4.6. Plans (i) and (ii) comprise the application plans for the purpose of determining the application.
  - 4.7. Plans (iii) to (viii) are submitted for illustrative purposes only.

## **Masterplan Approach**

- 4.8. Preparation of the Illustrative Masterplan has been informed by the technical studies summarised in Section 2, and the assessment of relevant planning policy considerations summarised in section 5.
- 4.9. Key to the evolution of the layout of the proposed development is the identification of existing trees and hedgerows for retention.
- 4.10. Analysis of the site's topography and drainage requirements has informed the siting of a large proposed balancing pond towards the northwestern corner of the site,
- 4.11. The Masterplan vision is to create a high-quality development that has a strong sense of character and identity whilst linking seamlessly and positively with existing development in this part of Saffron Walden.
- 4.12. The Masterplan approach, including in relation to design, is underpinned by a thorough contextual appraisal of the site and its surroundings. Full details are set out in the accompanying Design & Access Statement.
- 4.13. The vision is to be achieved through the following design principles included in the masterplan design:
- The creation of a sustainable living environment with a mix of residential accommodation.
  - A place with a varied character that responds to the local vernacular and built context to provide a sense of place.
  - A sustainable development which responds to best practice, with house type designs to be approved at the reserved matters stage that will seek to minimise energy use, sustainably manage water, responsibly source materials and manage waste and ecology.
  - Enhancing the landscape edge to the boundaries of the site, in particular the eastern boundary that will further enclose the development in conjunction with the ancient woodland to the south.

- A development which preserves and enhances biodiversity by retaining natural features on the site and reinforcing them by creating opportunities for new habitat areas, including tree planting.
- To encourage and enhance the opportunities for sustainable movement, through the provision of pedestrian and cycle linkages to neighbouring facilities and public transport routes within Saffron Walden.
- Creation of areas of accessible public open space, together with to creation of walking routes and footpaths for future residents and the wider community.

4.14. The principal elements of the scheme are summarised as follows:

- The scheme provides for up to 170 dwellings, to include an appropriate mix of house types, within a landscaped setting.
- The scheme will include a mix of housing tenures, together with up to 40% affordable housing provision.
- Buildings heights will be in conformity with existing dwellings in the vicinity of the proposal.
- Arrival space from Thaxted Road - strong building frontage proposed to provide a contained environment and well overlooked space;
- Three storey apartment buildings in key locations, to be designed as focal buildings to assist wayfinding;
- Housing development backing onto western boundary only where strong hedgerow is located and ground levels differ to the road;
- Small maisonette block providing overlooking towards arrival point of 'Orbital Greenway' into the site;
- Multi-functional landscaped corridor through scheme incorporating existing landscape features, proposed new planting, play facilities and drainage mitigation features;
- Green corridor providing a direct pedestrian/cycle link between arrival space and centre of the development; car-free and safe route well overlooked by new buildings either side of corridor; alignment allows for retention of existing landscape features such as hedgerow and drainage field ditch;
- New development orientated to overlook existing area of public open space to the north, which currently lacks many direct habitable windows overlooking the space;

- Central open space forming green link between existing public open space to the north and existing hedgerow boundary along the southern edge of the development; linking with the proposed route for the Orbital Greenway;
- Alignment of proposed multi-functional 'Orbital Greenway' route within landscape buffer along southern edge of the site;
- New development outwardly facing towards southern edge of the site to form positive frontage with countryside and allow for new public routes to be overlooked;
- Focal building located at head of central green corridor to assist wayfinding and as a key visual marker within street scene;
- Landscape buffer along northern edge of site including pedestrian/cycle route, with connections northwards off-site to Peal Road and other existing streets to the north;
- Road alignment proposed to 'meander' within western part of site to address rising ground levels to higher areas to the west; some buildings on this road proposed as split-level to help address the level differences across the site;
- Development set back from southern corner of site to allow for new landscape and planting to help screen buildings from wider views;
- Area of open space designed to link with western end of existing public open space to the north; New buildings proposed to form strong edge to the south and east to mitigate the lack of overlooking from the existing settlement edge;
- Potential new pedestrian and cycle access point in western end of the site with 'The Glebe'; overlooked by houses to south, which are screened from wider view by the adjacent existing woodland to the south of the site

4.15. The component parts of the scheme are summarised as below.

#### Access and Layout

4.16. Vehicular access to the proposed dwellings will be provided by a single means of access from Thaxted Road. Details of the proposed access are provided in the Access Plan at Appendix 4 to the TA (Plan No. 22078/22 (Appendix 4 to the TA)).



- 4.17. As shown on Plan and described in the TA, the proposed arrangements for vehicular access to the Site that is proposed to take the form of a giveway controlled priority junction off the B184 Thaxted Road sited opposite The Kilns and 60 metres (centre to centre) south-east of the recently constructed traffic signals junction serving the development to the east of Thaxted Road (LPA Ref. 19/2355).
- 4.18. The proposed vehicular access involves widening of the B184 Thaxted Road within publicly maintainable highway land, adjacent to the Site to enable a ghosted right turn lane into the Site to be accommodated as well as maintaining the existing ghosted right turn lane into The Kilns. These works will also require the removal and replacement of the existing traffic island to the north-west of The Kilns.
- 4.19. 'Keep Clear' road markings will be provided across the bell-mouth of the proposed vehicular access to ensure that there is no conflict between traffic turning into and out of the Site and traffic approaching the traffic signals from the south-easterly direction on the B184 Thaxted Road.
- 4.20. Visibility splays of 4.5m x 90m will be accommodated in both directions along the B184 Thaxted Road on both sides of the proposed vehicular access. These will be maintained clear of obstruction with planting maintained at a maximum height of 600mm within the new verge areas and shared footway / cycleway on the south-western side of the main carriageway.
- 4.21. A raised table crossing is also proposed on the B184 Thaxted Road, 115 metres (centre to centre) southeast of the proposed vehicular access that provides an informal crossing connecting the proposed Orbital Greenway route to the existing PROW18 (Byway) that extends along Tiptofts Lane. The existing refuge islands on the B184 Thaxted Road in proximity to the location of the proposed raised table crossing will be removed as part of these works.
- 4.22. The DAS sets out consideration of the illustrative layout, which is a matter for consideration at the reserved matters stage. However, the internal street network will be designed to incorporate natural speed attenuation that will also

include changes to surface treatment at features such as squares, gateways, junctions, crossings and interfaces with key public open spaces to create focal points and promote legibility.

- 4.23. A key objective of the development on the Site will be to deliver liveable streets that are not overly dominated by parked cars. Where on-street parking is provided, changes in surface material will be considered to provide definition and continuous lengths or no more than 5 spaces will be provided before being broken up by landscape / street furniture features. Again, these matters are for consideration at the reserved matters stage.

#### Dwelling Mix

- 4.24. As set out above, the scheme provides for a total of up to 170 dwellings, including the provision of 40% affordable dwellings (up to 68 affordable dwellings).
- 4.25. The tenure mix is to be agreed through the determination of the application in consultation with the Council's Housing Officer.
- 4.26. The overall housing mix, including in relation to the market housing, is a matter to be determined at the subsequent reserved matters application stage. It will however provide for a mix of housing types to cater for all members of the community.

#### Design

- 4.27. The house type designs, to be considered at the reserved matters stage do not need to replicate any existing patterns of development or utilise particular materials but should achieve a cohesive appearance sympathetic to the properties within this part of Saffron Walden.
- 4.28. As shown on the Illustrative Masterplan, the overall layout and form of the development has been designed to be sympathetic to the urban edge location of the site. This includes the creation of a new landscape buffer to the western and eastern boundaries of the site.

### Character Areas

- 4.29. The Design Code document submitted alongside the Outline Planning Application identifies a series of character areas across the proposed development area. These areas have different parameters and design coding principles with the intention of creating a cohesive development, with a strong design principle for the buildings to reflect the setting of the site and its surroundings whilst referencing local character.
- 4.30. The Illustrative Masterplan demonstrates how the implementation of the character area guidance along with other design coding principles can be achieved.
- 4.31. The six defined character areas are:
1. Thaxted Meadows
  2. Green Corridor
  3. Amenity Edge
  4. Rural Quarter
  5. Internal Streets
  6. Glebe Green
- 4.32. The character areas will embrace the design principles at section 12 of the NPPF, to include the creation of tree-lined streets.

### Density

- 4.33. The Illustrative Site Plan provides for up to 170 dwellings which equates to a gross density of 20dph and a net density of circa 39dph.
- 4.34. This density will ensure the new dwellings integrate with, and complement the local area in terms of scale, massing and layout, whilst sympathetically responding to the site's edge of settlement location.

### Dwelling Heights

- 4.35. The proposed dwellings are generally at two storeys. However, the Illustrative Masterplan does provide an opportunity for two and a half storey houses in the eastern part of the site (The accompanying plans refer).

4.36. All of the dwellings proposed in the western part of the site are proposed as a maximum of two storeys in height, with some bungalows proposed to the higher parts of the site to the south-west. Apartment buildings are to be designed as three storey focal buildings; and placed in key locations where they can act as visual markers to streets and spaces. The key focal building in the centre of the site at the head of the green corridor includes a rear wing which is limited to two storeys to reflect the reduced heights in this area, and to reference the outlook over the southern edge of the site.

#### Landscaping Strategy

4.37. Although landscaping is a reserved matter, the accompanying Illustrative Site Plan provides for a landscaped buffer to the eastern boundary of the site. This is in conjunction with the areas of established hedgerow which will be retained and enhanced to ensure a visually enclosed development.

#### Scheme Benefits

4.38. The key benefits of the proposed scheme can be summarised below:

- Provision of up to 170 new dwellings in a sustainable location.
- Contribution towards the provision of much needed market and affordable housing.
- Appropriate landscaping strategy throughout the site which will contribute to a sense of place.
- Provision of new public footpaths.

## 5. PLANNING POLICY FRAMEWORK

### General

- 5.1. This section summarises the planning policy position against which the acceptability of the scheme is determined.
- 5.2. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out a requirement that planning applications are to be determined in accordance with the Development Plan unless other material considerations indicate otherwise. This represents the s.38(6) 'balance'.
- 5.3. Material considerations include:
  - the policy vacuum following the delay in the preparation of the emerging Local Plan;
  - the Council's acceptance that they cannot demonstrate a five-year supply of deliverable housing land; and
  - the significant need for housing (market and affordable);
- 5.4. The Council accepts it is unable to demonstrate a five year supply of housing. The shortfall is substantial.
- 5.5. Section 39 of the Act identifies the requirement for decision makers to exercise their functions with the objective of contributing to the achievement of sustainable development. These requirements must be considered in light of the NPPF, including the 3 roles of sustainability set out at paragraph 8 (economic, social and environmental). However, and as set out at paragraph 9 of the NPPF, the three roles are not a checklist and their values are considered below in light of that context.

## **The Development Plan**

5.6. The Development Plan comprises the following:

- Uttlesford Local Plan Saved Policies (2005) (Saved 2007)
- Saffron Walden Neighbourhood Plan (made October 2022)

5.7. The development limits contained within the 2005 Local Plan show that the site is located outside of the settlement policy area.

## **Uttlesford Local Plan**

5.8. The Uttlesford Local Plan was adopted in January 2005 and as such the housing and requirement was based on the former Essex County Structure Plan which was replaced by the since rescinded Regional Spatial Strategy for the East of England<sup>1</sup>. The Local Plan set a housing requirement for the period 2000 to 2011 consistent with the then requirements of the former Essex County Structure Plan.

5.9. The housing requirement therefore significantly pre-dates the standard method by some time and as such the most important polices, namely those related to the supply of housing, are out of date.

5.10. Policy H1 (Housing Development) makes provision for some 5,052 dwellings within the District from 2000 to 2011 to address the residual need arising from the former Structure Plan which had required 5,600 dwellings from 1996 to 2011 after deducting completions of 980 homes. Whilst the requirement in policy H1 sought to ensure that the minimum outstanding need identified in the Structure Plan would be met, the end date of the Local Plan is now more than 11 years ago. It is therefore clearly out of date and cannot represent an appropriate assessment of housing need in the district.

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<sup>1</sup> East of England RSS was revoked on 3<sup>rd</sup> January 2013 - <https://www.legislation.gov.uk/ukxi/2012/3046/contents/made>

- 5.11. Consistent with their assessment of housing land supply at April 2021 (the most recently published). The Council acknowledges that the housing requirement is derived from the calculation of Local Housing Need<sup>2</sup>.
- 5.12. Whilst the Council's derivation of the housing requirement appropriately includes consideration of the average household growth in the District from 2021 to 2031 from the 2014 based sub-national household projections (500.3pa), it does not utilise the most recently published median workplace-based affordability ratio. This was published on 23<sup>rd</sup> March 2022 and indicates that the ratio was 13.40, compared to the 12.60 figure referenced by the authority for 2021.
- 5.13. However, as the resulting affordability adjustment would result in an increase in the district's housing requirements above the 40% cap within the standard method, the Local Housing Need is 701dpa. This is a significant increase in the 459dpa figure which was the district's requirement within policy H1 of the Local Plan saved policies.
- 5.14. It is evident therefore that saved policies of the Local Plan (including Policies H1 and S7 are out of date and that significant additional housing is required on greenfield sites. This has been further accepted in the decisions by the Council and through appeals on subsequent applications.
- 5.15. Policy H9 (Affordable Housing) ensures, inter alia, that new developments provide for a mix of dwelling size and tenure that meet the identified needs of a community and that on relevant sites affordable housing should be provide at a level of at least 40%.
- 5.16. Whilst the application is submitted in outline form with only the principle and means of access to be considered the scheme would provide for a mix of dwellings sizes to cater for both younger individuals, couples and families. In addition, the proposal would provide for up to 68 affordable houses.

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<sup>2</sup> The assessment of housing land within the Authority Monitoring Report 2020/21 indicates that the district's Local Housing Need at April 2021 is 701dpa (paragraph 6.15). This reflects their calculation in their Housing Land Supply Statement for April 2021 (published December 2021).

5.17. Whilst the provision of affordable housing attracts very substantial weight where the Council can demonstrate a 5 year housing land supply; in this case the Council acknowledge that it is **unable** to demonstrate a five year supply of housing land against the requirements of the standard methodology set out in the NPPF. This represents a material consideration of significant weight.

5.18. The following Local Plan policies apply to the consideration of the Application:

- S1 – Development Limits
- S7 – Countryside
- GEN1 – Access
- GEN2 – Design
- GEN3 – Flood Protection
- GEN5 - Light Pollution
- GEN6 – Infrastructure Provision to Support Development
- GEN7 – Nature Conservation
- ENV5 – Protection of Agricultural Land
- ENV7 – Protection of the Natural Environment
- ENV8 – Landscape and Nature Conservation
- H1 – Housing Development
- H9 – Affordable Housing
- H10 – Housing Mix

5.19. As this Planning Statement identifies, the Application Scheme conflicts with spatial Policy S1 (Development Limits), S7 (Countryside) and Policy ENV5 relating to the loss of the best and most versatile agricultural land. However, and for the reasons explained in section 6 below, the weight attached to these conflicts is reduced to the extent they only attracts limited weight.

5.20. The Application Scheme accords with the Local plan in all other respects.

5.21. When the spatial policies relating to housing (S1, S7 and H1) are assessed against the aims of paragraph 11(d) of the NPPF they are to be considered out of date as they are not based on up to date housing requirements in accordance with the standard methodology and further as the Council cannot demonstrate an up to date supply of deliverable housing sites. This is discussed later in this statement.



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5.22. In *Suffolk Coastal DC v Hopkins Developments Ltd* [2017] UKSC 37 Lord Carnwath's judgement confirms at paragraph 63 that the weight to be attached to restrictive policies, such as countryside and landscape policies, can be reduced where they are derived from settlement boundaries that in turn reflect out of date housing requirements. In the Suffolk Coastal case the Inspector's findings were consequential upon their being no five-year housing land supply and on the basis that the Council could not deliver the housing to meet current needs. There are obvious parallels with Uttlesford District.

5.23. In the case of Uttlesford District, that planning permission has been granted for housing on land beyond settlement areas that are in breach of countryside and landscape policies in order to meet market and affordable housing needs and maintain a rolling five-year land supply<sup>3</sup>.

5.24. The Council's position in relation to the need to allow residential development on sites which are technically outside of settlement boundaries is clearly and helpfully set out in the Council's pre-application response (Appendix B refers).

5.25. Importantly, the pre-application response confirms the following policy position:

**"It is acknowledged that the proposal cannot be tested against a fully up-to-date Development Plan, and the Council are currently unable to demonstrate a 5-year housing land supply. In either scenario or both, in this case, paragraph 11 is fully engaged along with the "tilted balance" in favour of the proposals."** (Our emphasis underlined)

5.26. This is a matter that determines the planning balance to be undertaken in section 6 below.

5.27. Evident from the above is the countryside and landscape policies are not meeting current housing needs based on the definition of built-up areas as defined in the development plan. Therefore, consistent with the approach now followed by the Council, reduced weight applies to any conflict with saved

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<sup>3</sup> Including the recent appeal for up to 233 dwellings at Radwinter Road, Swards End, Saffron Walden (PINS Ref: APP/C1570/W/22/3296426).

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policies H1 and S7 of the Uttlesford Local Plan; reflecting the position at paragraph 63 of the Suffolk Coastal judgment (Hopkins Homes).

5.28. As an overarching assessment, it is worth pausing to note the following considerations:

1. The spatial policies for the supply of housing do not meet current housing needs; and planning permissions have been granted for the development of sites for housing beyond the settlement boundaries as defined in the Local Plan.
2. Accordingly, the settlement boundaries defined under H1 and S1 are not sufficient to meet current housing need and the weight to be given to the conflict with this policy is reduced.
3. Although the application site is within the countryside, it is not a valued landscape nor are there any other constraints on site that would preclude such a development as proposed.
4. The scheme provides a safe means of access.
5. The site is in a sustainable location.
6. The loss of BMV agricultural land should be afforded no more than limited weight.
7. The requisite mitigation measures are secured by condition and/or through the planning obligation such that the impacts of the scheme can be adequately mitigated.

### **Saffron Walden Neighbourhood Plan**

5.29. The Saffron Walden Neighbourhood Plan (“NP”) was made in October 2022 and forms part of the development plan for the purpose of applying s38(6).

5.30. In accordance with the Neighbourhood Plan Regulations 2012 (as amended), the NP is required to satisfy “basic conditions” before it can come into force. This includes a need to contribute to the achievement of sustainable development; and to be in general conformity with the strategic policies contained in the development plan for the area. In so far as the spatial policies contained in the Local Plan are out of date, due to their inconsistency with the NPPF, and on the basis that the NP does not allocate sites for housing, the

presumption in favour of sustainable development at paragraph 11(d) is engaged and the tests at paragraph 14 of the NPPF are not triggered.

5.31. The following NP policies apply to the consideration of the Application:

- SW1 – Dwelling Mix
- SW2 – Affordable Housing
- SW3 – Design
- SW4 – Parking
- SW11 – Ecology
- SW12 – Promoting Walking and Cycling
- SW14 – Improving Provision of Public Transport
- SW17 – Open Space for Information Recreation

5.32. In so far as the Application is in outline, all these development management-style policy requirements can be satisfied at the reserved matters stage. However, the Illustrative Masterplan demonstrates how the requirements can be achieved.

#### **Development Plan Summary**

5.33. The conclusions drawn from committee reports, planning permission, appeal decisions and from a review of the current development plan policies are set out below:

- Countryside policy (S7) of the Local Plan is too restrictive when considered against the requirements of the NPPF and as such should be afforded significantly less weight;
- The Core Strategy Policies related to housing provision do not provide for an NPPF consistent objectively assessed housing need and as such the settlement limits set in the Saved Local Plan Policies are out of date.
- The corresponding weight to be attached to such policies is therefore reduced.
- The Council cannot currently demonstrate an up to date 5 year housing land supply; the shortfall is significant.

5.34. The Council has accepted that limited weight applies to the conflict proposals with Development Plan policies S1, S7 and H1. Furthermore, it has been established above that the basket of most important policies is to be considered out of date as they are inconsistent with the NPPF.

## **Material Considerations**

### **National Planning Policy Framework**

- 5.35. The National Planning Policy Framework (NPPF) was most recently updated in July 2021. It is a material consideration of particular standing in the determination of planning applications.
- 5.36. The content of the NPPF as it relates to the proposed development of the application site is addressed in the order set below:
- The presumption in favour of sustainable development
  - Decision making
  - Delivering a sufficient supply of homes
  - Promoting sustainable transport
  - Achieving well-designed places
  - Meeting the Challenge of Climate Change, Flooding and Coastal Change
  - Conserving and enhancing the natural environment
  - Conserving and enhancing the historic environment
- 5.37. Paragraph 8 of the NPPF identifies that there are three dimensions to sustainable development, comprising (i) economic, (ii) social; and (iii) environmental.

### Economic Role

- 5.38. The economic role requires the planning system to, inter alia, ensure that sufficient land of the right type is available in the right places and at the right time to support growth. This is achieved with the application scheme on the basis that it is located within a sustainable location, within walking and cycle distance to local services and facilities. The scheme also provides for housing development of the type and mix required to meet identified needs.
- 5.39. The scheme further addresses the economic role in terms of increased LPA Revenues, Construction impacts (increased GVA, jobs etc.) and increased expenditure in local area.

### Social Role

- 5.40. The social role requires the planning system to provide the supply of housing required, creating a high quality, well-designed built environment, accessible to local services and reflecting the community's needs. All of these requirements can be achieved with the application scheme.

### Environmental Role

- 5.41. The environmental role requires the planning system to protect and enhance the natural, built and historic environment. This can be achieved with the proposal in a location that will not result in any significant adverse effects upon the character of the surrounding area, including in landscape terms and lead to enhancements to both the natural and historic environment.

### Decision Taking

- 5.42. In setting out the presumption in favour of sustainable development, paragraph 11 of the NPPF adds, in relation to decision-making at 11(c), that this means approving development proposals that accord with the development plan. It adds at paragraph 11(d), and of particular relevance to Uttlesford, that where there are no relevant development plan policies or the policies which are most important for determining the application are out of date, permission should be granted unless (i) policies in the NPPF provide a clear reason for refusing the development; or (ii) any adverse impact of doing so would significantly and demonstrably outweigh the benefits.
- 5.43. It has been discussed earlier in this Statement, why it is considered that the policies for the supply of housing (both in terms of the housing requirement and the associated settlement boundaries), and further as the Council cannot demonstrate an up to date 5 year land supply, are materially out of date.
- 5.44. Section 4 of the NPPF sets out the approach to decision-taking. Paragraph 38 makes it clear that decision-makers at every level should seek to approve applications for sustainable development where possible

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- 5.45. The Site is located in a sustainable location and will improve the economic and social conditions of the area. It will also help to provide an enhanced landscaped edge to the settlement as well as new biodiversity habitats.

Delivering a Sufficient Supply of Homes

- 5.46. Paragraph 60 sets out the Government's objective of significantly boosting the supply of homes.
- 5.47. Paragraph 61 sets out the approach to determining the minimum number of homes needed, which should be informed by a local housing need assessment conducted using the standard method in national planning guidance – unless an alternative approach is justified. It is also added that any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.
- 5.48. Paragraph 68 sets out the need to provide a five year supply of deliverable sites for housing. It also requires sites for years 6-10 and beyond.
- 5.49. Paragraph 74 requires local planning authorities to identify a supply of sufficient deliverable sites to provide a minimum five years' worth of housing. In Uttlesford's case this is to be assessed against the local housing need (derived from the standard method) as the strategic policies set out in the Local Plan are more than five years old; and have not been reviewed (footnote 39 of the NPPF refers).
- 5.50. This application for up to 170 dwellings would make a material contribution towards the substantial shortfall in supply.

Promoting Sustainable Transport

- 5.51. Section 9 sets out the approach to providing for sustainable growth.
- 5.52. Paragraph 105 states as follows.

***‘The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions, and improve air quality and public health. However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making’.***

- 5.53. Paragraph 110 requires applications for development to take opportunities to promote sustainable transport modes, achieve safe and suitable access and to mitigate the impacts of trip generation on the highway network.
- 5.54. Paragraph 111 makes it clear that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe.
- 5.55. In highway and accessibility terms, the Site is located adjoining a principal settlement in the District, within walking distance to local services and facilities, and within reach of larger settlements via readily accessible public transport. The supporting TA also demonstrates the acceptability of the Scheme in sustainability and highway terms, concluding in relation to the acceptability of the trip rates from the proposal upon the highway network. Accordingly, the Scheme is consistent with section 9 of the NPPF.
- 5.56. Furthermore, the Transport Assessment also sets out highway improvements through the proposed linking of the two town centre junction which will bring about a betterment to the existing highways condition.

#### Achieving Well-Designed Places

- 5.57. Section 12 of the NPPF sets out the aspirations for well-designed places, requiring beautiful and sustainable buildings.

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- 5.58. The desire for well-designed places requires careful consideration of what makes ‘the place’ and how schemes can be designed to embrace the building beautiful agenda.
- 5.59. One element of well-designed places includes the requirement for landscaped masterplans and provision of tree-lined streets.
- 5.60. As set out at paragraph 134 of the NPPF, development reflecting local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides attracts significant weight.
- 5.61. The accompanying DAS explains the appropriateness of the overall design response in the content of the design approach advocated in the NPPF and the Council’s design guides and policies.

#### Meeting the Challenge of Climate Change, Flooding and Coastal Change

- 5.37. Section 14 sets out the approach to supporting the move towards a low carbon future as well as the approach to the management of development and flood risk.
- 5.38. These requirements are addressed in the accompanying Energy and Sustainability Statement and the Flood Risk Assessment and Drainage Strategy.

#### Natural Environment

- 5.62. Section 15 sets out the approach to conserving and enhancing the natural environment.
- 5.63. In the context of the approach set out at paragraph 174 of the NPPF, the Site is not located within any formal designations for the most valued landscapes. The accompanying LVIA confirms that the proposal would be similar in character to the existing residential development to the west, and the retention of the existing woodlands and trees will further mitigate the appearance of the scheme.



- 5.64. The LVIA concludes that the receiving landscape is one that can accommodate change (given the context provide by existing built form), with the consequential effects of the proposed development not resulting in any unacceptable harm to landscape character or visual resources.

#### Historic Environment

- 5.65. Section 16 of the NPPF sets out the approach to conserving and enhancing the historic environment.
- 5.66. As set out in the accompanying Archaeology and Heritage Statement, the Scheme will not result in any harm to the setting of any listed buildings. As such, heritage is not a footnote 7 consideration that could otherwise disengage the presumption in favour of sustainable development.

#### **Five Year Housing Land Supply**

- 5.67. The Council has been unable to demonstrate a five year supply of deliverable housing land.
- 5.68. The Council's December 2021 Housing Land Supply Statement indicates that as at 1<sup>st</sup> April 2021, the Council cannot demonstrate a five year supply of housing land.
- 5.69. The Council purports to be able to demonstrate a 3.52 year supply. This is significantly below the minimum 5 years obligated by the NPPF (paragraph 73). This was through inclusion of a 5% buffer pursuant to the Housing Delivery Test results available when the Housing Land Supply Statement was prepared which whilst have been updated still confirm a minimum 5% buffer.
- 5.70. Although the Council considers that its deliverable housing land supply from April 2021 to March 2026 totals 2,592 dwellings, the Applicant's view is that it is substantially less than this. This is primarily as a result of the Council's assessment of supply not being adequately supported by the evidence detailed

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in the PPG<sup>4</sup>, especially with respect of those sites with either outline planning permission. Consequently, and without the necessary evidence, a proportion of the Council's overall supply may not be delivered with the next five years.

- 5.71. However, given the clear shortfall with **the Council only able to demonstrate a maximum of 3.52 years supply (a deficit of at least 1,088 dwellings)**, very significant weight should be attributed to the clear benefits that the application scheme will have towards resolving this shortfall.
- 5.72. Since the Council has a very significant deficit in housing land supply over the period 2021-26, this results in the presumption in favour of sustainable development applying pursuant to paragraph 11 of the NPPF.
- 5.73. The Council's acknowledgement that it is unable to demonstrate a five year supply of housing has been acceptable in appeal decisions, including that with respect of a residential scheme for land south of (East of Griffin Place) Radwinter Road, Swards End, Saffron Walden (PINS ref APP/C1570/W/22/3296426) allowed on 5<sup>th</sup> October 2022 (paragraph 71).
- 5.74. Recognising the very significant deficit in housing land supply in Uttlesford District, as per decisions of the Secretary of State, very significant weight should be given to the substantial benefits that the provision of market and affordable housing would have for the determination of the application.
- 5.75. As explained below, the proposal accords with the thrust of the development plan for growth in and around Saffron Walden and therefore this provides further justification for approval of the scheme at the earliest opportunity.

### **Affordable Housing**

- 5.76. The application proposes the on-site provision of up to 68 affordable dwellings<sup>5</sup>, thus achieving a policy-compliant 40% affordable housing provision.

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<sup>4</sup> See ID ref 68-007-20190722 within the "Housing supply and delivery" section

<sup>5</sup> Assuming 170 dwellings are built

- 5.77. Paragraphs 20 and 62 of the NPPF sets a strong emphasis on the delivery of sustainable development including affordable homes, whilst paragraph 60 clearly sets out the Government’s aim to “boost significantly the supply of homes”.
- 5.78. The need for affordable housing and their importance in achieving sustainable development is emphasised in many government publications, including House of Commons Committee of Public Accounts – Planning and the Broken Housing Market (19<sup>th</sup> June 2019).
- 5.79. The West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) – Affordable Housing Update (July 2017) (figure 21) indicates an annual need for 127 affordable homes from 2016-33.
- 5.80. This annual need for affordable housing within the SHMA can be compared with the Council’s record of affordable housing delivery together with changes in housing waiting list since 2016. These are shown in the tables below.

**Comparison of affordable housing delivery in Uttlesford District against the SHMA appraisal of affordable need (2016-33)<sup>6</sup>**

Year	Affordable dwellings completed	SHMA affordable homes required (min)	Difference from SHMA affordable homes figure	Cumulative Provision
2015/16	193	127	66	66
2016/17	272	127	145	211
2017/18	104	127	-23	188
2018/19	376	127	249	437
2019/20	348	127	221	658
2020/21	9	127	-118	540
2021/22	106	127	-21	519
<b>Total</b>	<b>1,408</b>	<b>889</b>	519	

- 5.81. The above table indicates that from 2016 through to 2022, the Council has delivered 1,408 affordable homes which equates to 201 annually. Cumulatively, the authority has delivered 519 more affordable homes than was required in the SHMA for the district.

<sup>6</sup> Data sourced from Table 1011C at [Live tables on affordable housing supply - GOV.UK \(www.gov.uk\)](https://www.gov.uk/live-tables-on-affordable-housing-supply)

5.82. The extent that the District’s housing waiting list has changed in the intervening period is shown in the table below<sup>7</sup>.

**Details on changes in Uttlesford District’s housing need**

Category	1/4/16	1/4/17	1/4/18	1/4/19	1/4/20	1/4/21
No. on register	888	808	1,112	1,090	1,108	928
No. in reasonable preference category	352	284	379	361	538	761
Homeless	27	83	97	94	134	210

5.83. Whilst the Council has achieved its sufficient delivery of affordable homes to address the identified need in the SHMA, the above table indicates that the authority still has a very significant unresolved need as demonstrated through its housing waiting list. This is especially noticeable with respect to the growth in the numbers in both a reasonable preference category together with homeless, notwithstanding that the Council had over-delivered by 519 dwellings between 2016 and 2022 with regard to the assessed need for affordable housing.

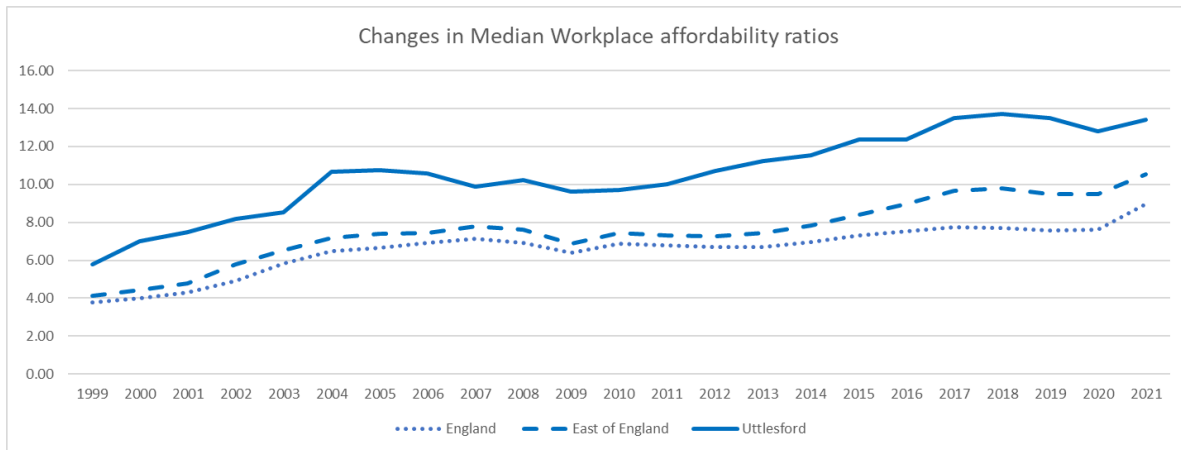
5.84. On the basis of the available evidence, it is clear that there remains a very significant need for additional affordable homes to address the burgeoning demand as illustrated in the growth of the housing waiting list, especially those in a reasonable preference category or homeless.

5.85. As the tables above indicates, whilst between April 2016 and March 2022, there has been a cumulative over-delivery of 519 affordable dwellings (when assessed against identified needs), there remains acute issues in how the district functions in an economic, social and environmentally sustainable way as emphasised by the growth in the housing register.

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<sup>7</sup> Data derived from [Local authority housing data - GOV.UK \(www.gov.uk\)](https://www.gov.uk/local-authority-housing-data)

- 5.86. The future delivery of affordable housing in Uttlesford District is highly uncertain, especially with respect to the very significant deficit within the five year supply. Consequently, there is the question of how and when the existing needs as indicated by the housing register will be met.
- 5.87. With its continued delays in delivery, this has the potential to make the situation even more severe for the significant number of households currently on the Council's Housing Register.
- 5.88. As at April 2022 there were 928 households on the Council housing register. Accordingly, it is evident that there is a significant need for additional affordable homes.
- 5.89. Paragraph 60 of the NPPF requires that needs of groups with specific housing requirements to be addressed. Paragraph 62 confirms that one of the specific groups relates to those requiring affordable housing.
- 5.90. Although the Council publishes details of its planning commitments for housing, there is no information on the extent that those sites forming parts of its supply will deliver affordable housing to either address the current deficit of 1,088 dwellings or ensure that this does not increase in the future.
- 5.91. Alongside the deficit in 5 year housing land supply together with the burgeoning housing waiting list, as referenced the workplace affordability ratio has also increased for the district. The changes since 1999 are illustrated in the chart below.



5.92. The above chart indicates how the affordability of homes in Uttlesford District has consistently been higher than that of England and the region. The chart also indicates the extent that affordability in Uttlesford has worsened, which is also reflective of the failure to plan for sufficient housing, notwithstanding its achievement of the affordable housing needs.

5.93. The failure to meet the identified needs of affordable housing is a dire situation indicating that the Authority is not fulfilling the objectives in paragraph 60 of the NPPF.

5.94. A step change in the delivery of affordable housing is therefore required if the Council is to get anywhere near the identified need in the SHMA and begin to address the dysfunctions of the local housing market. Such a step change would be consistent with the thrust of paragraph 60 of the NPPF, to boost significantly the supply of housing.

5.95. The acute affordable housing need reinforces the merits of this Scheme with the on-site provision of 68 affordable dwellings<sup>8</sup>.

5.96. The Applicant considers substantial weight is attributable to the benefits associated with the provision of affordable housing.

<sup>8</sup> Assuming 170 dwellings are built

## **6. CONSIDERATION OF THE PROPOSED SCHEME**

### **General**

- 6.1. This section of the Planning Statement deals with the detailed aspects of the application proposal.
- 6.2. In so far as the scheme is submitted in outline form, the following section of this Statement demonstrates, when considered against the main issues, that the scheme is entirely acceptable in planning terms. The main issues, noted below are summarised in corresponding order:
1. Principle
  2. Highways & Transport
  3. Drainage
  4. Housing Mix and Tenure
  5. Character and Landscape
  6. Heritage
  7. Ecology
  8. Agricultural Land Quality
  9. Air Quality
  10. Noise
  11. Energy and Sustainability
  12. Planning Obligations
- 6.3. These matters are addressed in turn below.

### **(1) Principle**

- 6.4. As set out at paragraph 5.2 above, Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that planning applications must be determined in accordance with the plan unless material considerations indicate otherwise.

- 6.5. The current development plan comprises the saved policies from the Uttlesford Local Plan 2005 and the Saffron Walden Neighbourhood Plan (2022).
- 6.6. As set out in numerous officer reports to committee upon schemes for housing across Uttlesford, the Council cannot demonstrate a five-year supply of deliverable housing land and there is a clear need for housing within the housing market area, including a need for affordable housing.
- 6.7. The lack of a five year supply of deliverable housing land and the fact that the most important policies for determining the planning application are out of date triggers the presumption in favour of sustainable development at paragraph 11 of the NPPF.
- 6.8. Although the Application Scheme is contrary to Saved Policies S1, S7 and H1 of the adopted Uttlesford Local Plan, by virtue of its location outside the development boundary as set out on the Proposals Map, the policies, which restrict development in the countryside, were based on an assessment of housing need that is inconsistent with that need that is now required to be met.
- 6.9. The effect of these policies, which seek to restrain new development to land within the settlement boundaries, serves to restrict the supply of housing and prevents local housing needs being met.
- 6.10. The identified house need and the lack of a five year supply of deliverable housing land outweighs the policy conflict with policies S1, S7 and H1.
- 6.11. In addition, the Application Scheme accords with the economic, social and environmental roles of sustainable development.
- 6.12. In addition, and having regard to paragraph 111 of the NPPF it is not considered that the development would have an unacceptable impact on highway safety nor that the likely residual cumulative impact of development would be 'severe', and therefore the scheme is acceptable in highway terms.



6.13. The LPA's pre-application advice (**Appendix A** refers) concludes in relation to the principle of development of the Site as follows:

- The Council does not have a five year supply of deliverable housing land
- Policy S7 is inconsistent with the NPPF
- The Site is situated in an accessible and sustainable location, close to local amenities and facilities including bus services
- The tilted balance at paragraph 11 is fully engaged

6.14. The recent appeal decision at Radwinter Road (APP/C1570/W/22/3296426) also clarifies a number of policy related matters, which informs the assessment of the in-principle acceptability of developing the Application Site for housing. As in that case, the Site is located adjacent to but beyond the settlement boundary for Saffron Walden. Paragraphs 71 to 75 of the appeal decision set out an assessment of that scheme against the policies of the Local Plan. The considerations are equally applicable to the assessment of the submitted Scheme. Extracts of the inspectorate's decision are reproduced below;

***"The parties agree that there is no five-year land supply in Uttlesford. Accepting that the agreed housing land supply position is 3.52 years, this shortfall is to my mind very significant. Paragraph 11 (d) of the Framework and the associated footnote 8 is engaged and the lack of a 5 year supply of housing sites means that the policies most important for determining this appeal are deemed to be out of date.***

***The proposal would result in some harm in terms of landscape and visual impact. The proposal would also result in the loss of agricultural land. As such, the proposal would conflict with policies S7 and ENV5 of the ULP.***

***In terms of policy ENV5, this policy is only partly consistent with the Framework and the requirement to undertake in effect a sequential approach is not consistent with the Framework. I am therefore attaching only limited weight to the policy conflict.***

***In relation to policy S7, I have set out above that the general objective of the policy accords with the Framework. However, I recognise that the detailed wording which requires the countryside to be protected for its own sake is***

***inconsistent with the Framework. It is my view that only limited weight should be attached to this policy conflict.***

***As a result, it is my view that on the basis of the conflict with the policies outlined above, the proposed development would conflict with the development plan when taken as a whole.”***

- 6.15. Paragraphs 76 to 79 set out the planning balance. Again, the considerations equally apply to the assessment of the Application Scheme. They are reproduced below.

***“It is common ground that the tilted balance identified within the Framework and as set out above has been engaged. In the case of this appeal, this means granting planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.***

***The proposal would conflict with policies S7 and ENV5 of the ULP. In relation to policy S7, it is my view that limited weight should be attached to this policy conflict. I also attach limited weight to the policy conflict with policy ENV5.***

***The benefits arising from the proposed development would be substantial. I have concluded that the benefits of housing delivery, affordable housing and custom build housing should all individually carry substantial weight. I have also attributed moderate weight to the wider off site highways benefits that the scheme would deliver beyond mitigation measures. I have also attributed moderate weight to the sustainable transport measures which would also deliver benefits to the wider population and not just future residents of the scheme. I have attributed moderate weight to the economic benefits in terms of employment generation, as well as moderate weight to the biodiversity net gain the proposal would secure. Finally, I have attributed moderate weight to the delivery of a significant amount of publicly accessible open space provision at the site.***

***I have identified no adverse impacts that would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole. In the case of this appeal, I conclude that the material considerations of the appeal are such that they outweigh the conflict with the development plan.”***

- 6.16. Although the Application is contrary to the development plan when taken as a whole, the presumption of sustainable development at paragraph 11d (ii) of the NPPF is engaged and there are no adverse impacts that could even be considered to significantly and demonstrably outweigh the many benefits arising from the proposal. As such, the principle of development is acceptable; and necessary if the identified housing need is to be met.

## **(2) Highways & Transport**

### **General Principles**

- 6.17. The assessment of the scheme's highway impact has been an integral aspect of the scheme from the outset, with pre-application meetings and discussions convened with the County Highway Authority.
- 6.18. Section 4 of the TA explains the proposed movement and access strategy, referencing conformity with the Essex Design Guide (EDG) (2018), with the integration of the scheme to the surrounding neighbourhood to ensure social cohesion and active travel modes with the aim of realising a reduction in the need to travel. A hierarchical approach will be a guiding feature of the planning and design stages to ensure that priority is given to more sustainable forms of transport and opportunities to reduce travel demand over motor vehicle access.
- 6.19. The Development is supported by a comprehensive Movement & Access Strategy that seeks to deliver a good quality environment for all modes of travel to / from the Site that is attractive, well-connected and permeable to encourage walking and cycling to local destinations; and able to encourage activity thereby improving personal security and safety.

### **Smart Travel Choices**

- 6.20. A commitment is made by the applicant to develop, implement and monitor a comprehensive Framework Travel Plan (FTP) for the Site, working in partnership with the UDC / ECC to incorporate Smarter Choices measures and include the application of personalised travel planning techniques, marketing and other behavioural change initiatives with the aim of sustaining these changes over the long term.

- 6.21. The FTP measures are planned to work alongside the delivery of physical improvements to the pedestrian, cycle & public transport environment to achieve modal shift, reduce the impact of traffic generated by the development, to improve accessibility, promote healthier lifestyle choices as well as wider social / community benefits and to assist in minimising the environmental impacts of the development.
- 6.22. The TP will outline a commitment to the appointment and funding of a Travel Plan Coordinator (TPC) alongside the funding of measures / incentives identified in the TP. Such measures / incentives to be delivered by the Site include a community website, travel packs, car sharing promotional strategies and personalised travel planning.

### **Permeability**

- 6.23. The Movement & Access Strategy will deliver a 'walkable neighbourhood' with interconnected street patterns incorporating formal shared footway / cycleway and / or footway provision and where the daily needs of people within the area, such as work, play, education and shopping are within walking distance to minimise any reliance on the use of the car.
- 6.24. All formal footways and cycleways within the Site will be constructed to full highway standards with sealed asphalt surfaces and concrete edging. On some secondary and tertiary routes where there is no identified pedestrian desire line on one side of the street over a section, then footways may be omitted.
- 6.25. Hedges and fences to adjoining properties will be set back at least 0.5m from footways or cycleways. Inter-visibility splays of 2m x 2m will be provided at crossovers, path junctions to maintain pedestrian safety. Where cycle traffic crosses a road, footway or PROW, visibility splays of 2.4m x 31m will be maintained.
- 6.26. Crime and the fear of crime can deter people from making trips by foot and cycle. In this regard, active travel corridors and user activity will be overlooked and generally concentrated on active frontages avoiding, where possible, routes to the rear of building plots and other blind spots.

- 6.27. The formal shared footway / cycleway and / or footway provision will be lit. All pathways will be accompanied by a legible signage strategy. Crossing points are intended to be uncontrolled and will tie in with desire lines of movement.
- 6.28. Priority will be given to users of the formal, surfaced path network where it intersects with the internal street network through measures such as carriageway narrowing and changes to surface material.
- 6.29. The multi-user Orbital Greenway will provide direct, convenient routes to the new green spaces (including Children's Play) and the semi-natural greenspaces in and around the Site. Strong landscape features, including the retention of existing hedgerows where possible, will define the multi-user Orbital Greenway.
- 6.30. The multi-user Orbital Greenway will, at its eastern end, connect into the existing Public Rights of Way network via PROW18 (Byway) that extends along Tiptofts Lane. The multi-user Orbital Greenway will connect into the existing public open space and residential estate to the north of the Site and will also be constructed to the south-western boundary to enable UDC to further extend the route towards Debden Road in the future as part of its Local Plan review.
- 6.31. In general, the maximum desirable longitudinal gradient on the footway / cycleway network, including the multi-user Orbital Greenway, within the Site will be 5.0% (1:20). Where natural steep changes in level are unavoidable, short sections may be constructed at 8.0% (1:12). Where these exist, flat platforms of at least 5.0m in length will be provided along its length.
- 6.32. Drainage will either be integrated into the wider highway solution or, where facilities are off-carriageway, such as multi-user Orbital Greenway and recreational paths, then drainage may be dealt with by a combination of French drains, rain gardens, natural ditches and swales.

### **Vehicular Access Strategy**

- 6.33. Plan 22078/002 included as Appendix 4 to the TA shows the proposed arrangements for vehicular access to the Site that is proposed to take the form

of a give-way controlled priority junction off the B184 Thaxted Road sited opposite The Kilns and 60 metres (centre to centre) south-east of the recently constructed traffic signals junction serving the development to the east of Thaxted Road (LPA Ref. 19/2355).

- 6.34. To accommodate the proposed vehicular access it is proposed to widen the existing carriageway on the south-western side of the B184 Thaxted Road within publicly maintainable highway land, adjacent to the Site, that will enable a ghosted right turn lane of 50 metres in length into the Site to be accommodated as well as maintaining the existing ghosted right turn lane into The Kilns. These works will also require the removal and replacement of the existing traffic island to the north-west of The Kilns.
- 6.35. The works on the B184 Thaxted Road to accommodate the proposed vehicular access will not reduce the length of the right turn lane on approach to the recently constructed traffic signals junction serving the development to the east of Thaxted Road.
- 6.36. 'Keep Clear' road markings will be provided across the bell-mouth of the proposed vehicular access to ensure that there is no conflict between traffic turning into and out of the Site and traffic approaching the traffic signals from the south-easterly direction on the B184 Thaxted Road.
- 6.37. The site access leading from the proposed vehicular access will be designed as a Street Type D 'Feeder' in accordance with the EDG (2018). This will be a single carriageway two-way road of 6.0m in width with a single lane approach to the give-way line on the B184 Thaxted Road. Minor widening to accommodate the swept path movement of a large refuse collection vehicle (RCV) will be providing on approach to the junction with the B184 Thaxted Road that will also incorporate 10.5m radii on both sides of the bellmouth.
- 6.38. A raised table crossing is proposed on the site access to enable the proposed shared footway / cycleway to cross the proposed vehicular access at-grade and also to provide a gateway feature / speed restraint on transition to the 20mph targeted maximum vehicle speed within the Site. The raised table crossing will be a minimum of 7.0m in length and set back at least 6.0m from the edge of

the main running carriageway on the B184 Thaxted Road, in accordance with the EDG (2018).

- 6.39. Visibility splays of 4.5m x 90m will be accommodated in both directions along the B184 Thaxted Road on both sides of the proposed vehicular access. These will be maintained clear of obstruction with planting maintained at a maximum height of 600mm within the new verge areas and shared footway / cycleway on the south-western side of the main carriageway.
- 6.40. From Plan 22078/002 included as Appendix 4 it is noted that a raised table crossing is also proposed on the B184 Thaxted Road, 115 metres (centre to centre) south-east of the proposed vehicular access that provides an informal crossing connecting the proposed Orbital Greenway route to the existing PROW18 (Byway) that extends along Tiptofts Lane.

#### **Development Trip Generation**

- 6.41. As set out in section 5 of the TA, the Scheme is anticipated to generate 154 vehicle movements in the AM peak hour and 122 vehicle movements in the PM peak hour. In total, the Scheme could be expected to generate 621 daily vehicle movements.
- 6.42. As set out in section 6 and 7 of the TA, the impact of traffic movements associated with the proposed development of the Site is considered to be acceptable on the local highway network, provided the package of mitigation measures at section 8 is implemented.
- 6.43. Overall, the capacity assessments have been undertaken which demonstrates that the local highway network can accommodate the level of traffic generated by the scheme without the need for substantial off-site highway works.
- 6.44. Providing new homes on the application site, within walking distance from the facilities available within Saffron Walden, gives a real opportunity for the majority of trips to be made on foot and by bicycle thereby contributing towards sustainable modes of transport and corresponding reduction in traffic emissions.

- 6.45. Access can be gained to local shopping facilities, health facilities, eating and drinking establishments, schools and nurseries.
- 6.46. A shared footway/cycleway link from the site will be provided along the site frontage to Thaxted Road. This enables access to the bus stops serving the site.
- 6.47. A package of transport measures is proposed to mitigate the impact of the development, which matters are summarised as follows:
- Off-site highway works, including the provision of a shared footway and cycleway improvements on the B184 Thaxted Road.
  - New bus stops on the B184 Thaxted Road, to include passenger facilities, step-free access, seating and real-time passenger information)
  - Car-club scheme
  - Framework Travel Plan
- 6.48. With the proposed mitigation measures in place, the scheme will not have a severe impact on highway safety and the flow of traffic along Thaxted Road Hill or within the town centre thereby complying with Policies GEN1, GEN2 and GEN6 of the Local Plan, NP Policies SW4, SW12 and SW14 as well as Section 9 of the NPPF.

### **(3) Drainage**

- 6.49. As set out in the FRA, the flood risk mitigation strategy for the development consists of the following elements:
- The proposed ground floor levels are set at a minimum of 300mm above the 1 in 100 annual probability plus allowance for climate change level; and
  - Continuous safe access from the site is provided at the 1 in 100 annual probability plus climate change flood level.
- 6.50. The Surface Water Drainage Strategy has been developed using best practice Sustainable Drainage System (SuDS) techniques.



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- 6.51. As set out in the FRA, the results of the soakaway testing undertaken on the Site confirm infiltration will be appropriate for the surface water drainage strategy.
- 6.52. As such, it is proposed that in the southern part of the site, surface water from residential plots, driveways and the access road will be conveyed to the attenuation basins, prior to outfalling into the infiltration basin located in the northern area of the site.
- 6.53. In the northern portion of the site the residential plots will have individual soakaways, where ground conditions allow. Shared surfaces as well as the apartment building roofs will drain into areas of permeable paving which will be able to drain via infiltration. Utilising permeable paving, surface water will be cleaned prior to discharge to the ground and will also allow for some attenuation within the subbase. It is also proposed that during the detailed design, raingardens and tree pits are considered, to increase the benefits to the site.
- 6.54. The drainage strategy will manage surface water runoff utilising sustainable drainage methods including source control (perVIOUS pavements, water butts and bioretention), conveyance (filter strips and swales), and site control (detention basin).
- 6.55. The surface water from the wider development drains to the north east area of the site where infiltration is at its best. In times of heavy rainfall events, surface water will back up within the drainage system and be attenuated in the areas of permeable paving, under drained swales and the attenuation and infiltration ponds. The overall drainage strategy provides a solution that incorporates both above and below ground drainage system for conveying storm water. The storage requirements for the worst-case duration storm event (1 in 100) identifies a solution for attenuation ponds with a combined storage volume of approximately 3000m<sup>3</sup>, maximum depth of 1m and 1 in 3 side slopes with a minimum freeboard of 300mm.
- 6.56. The final detailed design requirement for the scheme will need to provide storage through a mixture of attenuation ponds, under drained swales, permeable paving, and infiltration basins to ensure the drainage can be adopted for future maintenance purposes. Storage will need to accommodate

the worst case 1 in 100-year rainfall event including 40% climate change and a 10% allowance for urban creep. As per the ECC guidance, the roof areas have all had a 10% increase to account for this and drainage network modelling has included an additional flow of 10%.

- 6.57. Foul water, or effluent, flows from the site will be managed in a new sewer network, which will connect into the existing public foul sewer network.
- 6.58. The foul and surface water drainage strategy is included at Appendix B to the FRA.
- 6.59. Overall, the FRA demonstrates that the proposed development is safe and in accordance with the requirements of national and local planning policy.

#### **(4) Housing Mix and Tenure**

- 6.60. Whilst submitted in outline form with only the principle of the development and means of access to be considered it is important nevertheless to consider the underlying need to provide for a range of house size, mix and tenure.
- 6.61. This responds to the requirements at policies H9, H10, SW1 and SW10.
- 6.62. The proposal will also provide for a policy compliant quantum of affordable housing which is currently set at 40%. This would generate up to 68 affordable homes, a significant benefit in its own right.

#### **(5) Character and Landscape**

- 6.63. As set out in the supporting Landscape and Visual Appraisal (“LVA”), the Application Site sits on north east facing, gently undulating land associated with the Cam Valley. Within the Site, land rises to the west at approximately 101m AOD by the south western corner of the site. Land falls towards Thaxted Road with a point in the northern corner of the site at approximately 73m AOD. Other variations in topography within the site include ditches along field boundaries.
- 6.64. Topography within the wider landscape is varied, with gently undulating hills and narrow shallow valley slopes along the River Cam and associated

tributaries. Localised landform includes a series of low hills and ridgelines which surround Saffron Walden.

6.65. The baseline landscape conditions can be summarised as follows:

- The site has a restricted visual envelope, being generally well contained due to the combined screening effects of topography along the Cam Valley, as well as existing urban fabric along the south eastern edge of Saffron Walden.
- The site occupies gently undulating land situated along the Cam Valley and is visually contained to the north and west by existing settlement including open space and residential properties on Tukes Way, Peal Road and The Glebe. An undulating landscape of low ridgelines and shallow valleys associated with tributaries of the River Cam restricts potential views of the site from the wider landscape.
- The majority of views of the site are close range from residents and users of the public open space and skate park situated adjacent to the site. Existing properties with clear views of the site are limited to dwellings situated on the adjacent streets including Tukes Way, Peal Road, the Glebe and Peaslands Road.
- Filtered views of the site also occur from upper floors of residential properties, and from the Aldi supermarket situated on the opposite side of Thaxted Road.
- Views of the site from the public rights of way network are much restricted. Glimpsed views of the site occur from the public rights of way (a footpath and bridleway) by the Bellway residential development currently under construction. Such views will be further restricted upon completion of the development.
- Longer distance glimpsed views of the site also occur from a short stretch of Thaxted Road (to the south of the site) and from a public footpath to the east of Thaxted Road. Such distant views of the site are seen within the close context of existing developments at Saffron Walden.
- Other potential views of the site are limited to detached properties and farmsteads such as Brickkiln Leys Farm and the Herberts.

6.66. Section 7 of the LVA concludes in relation to the acceptability of the Scheme as follows:

- The proposed high-quality residential development will provide an extension to the existing settlement to the west of Thaxted Road, Saffron Walden. The proposals for the scheme are detailed in the Design and

Access Statement accompanying the planning application. The proposed development, comprising of up to 170 residential dwellings, will also include landscaped buffers along the boundaries, belts of new trees, green links and focal green spaces within the site along with new pedestrian and bridleway multi-user routes and existing vegetation being retained where possible.

- It is considered that the site and the immediate landscape is one that could accommodate change as presented by the proposed development and the consequential effects would not result in any unacceptable harm to landscape character or visual resources.
- The site has been sensitively designed with consideration given to the baseline information including the Saffron Walden Neighbourhood Plan 2021-2036 and other guidance including Essex Design Guide. The proposed layout ensures that the development relates well to the adjacent settlement and minimises impacts upon the surrounding River Cam Valley.
- An appropriate relationship with the existing settlement edge and wider rural character is achieved by respecting the framework of established streets, public open space and field hedgerows and by setting development back from site boundaries to minimise the visual impact. Proposed streets, lanes footpaths and bridleway multi-user routes are designed to ensure connections to the existing settlement and wider countryside. Existing hedges and trees by the site perimeter and along field boundaries will be enhanced with additional tree planting, bolstering vegetation cover along the River Cam Valley which will soften and filter views.
- The vast majority of existing properties within Saffron Walden will be screened from the proposed development by the combined screening effects of existing built form, localised topography and vegetation cover situated adjacent to the site. There would be no significant views of the proposed development from other settlements within the surrounding landscape.
- The visual receptors that will be the most noticeably affected will be those experiencing direct, close range views of the proposed built development. These will primarily be from roads, residents and users of the public open space and skate park situated adjacent to the site. Existing properties with potential close range views of the site are limited to dwellings situated on the adjacent streets including Tukes Way, Peal Road and the Glebe. Users of Thaxted Road to the east of the site would also experience close range views of the proposed residential development and a new vehicular access into the site.
- Other visual receptors, potentially affected by the proposed development include users of Brickkiln Leys Farm to the south of the site as well as residential properties and users of commercial developments situated to the east of Thaxted Road.
- The proposed development would also affect views from public rights of way situated to the east of Thaxted Road. However longer distance views

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from the wider public rights of way network would be restricted, with views of the proposed development largely be screened by a combination of existing vegetation, localised topography and urban fabric situated within the intervening landscape. Partial glimpsed long distance views of the proposed development would be seen within the close context various existing residential and commercial developments situated at the edge of Saffron Walden.

- As proposed a well designed residential development situated to the west of Thaxted Road can be accommodated within the local landscape with minimal adverse impact upon the wider landscape character and visual resources. Within the site proposed built development would create a high quality scheme that relates well to the adjacent settlement and does not harm Saffron Walden's character. A cohesive green infrastructure framework is proposed, providing an attractive setting to the proposed development. Vegetation cover would be increased along retained field hedgerow boundaries, ensuring that the proposed built development would be well integrated within the local landscape.

6.67. The it is evident from the above that the landscape has been an integral element of the design process with the findings of the accompanying LVA demonstrating the acceptability of the Scheme in landscape terms.

## **(6) Heritage**

6.68. There are no buildings or structures within or adjoining the Application Site that would be adversely affected by the proposed development. In addition, the Scheme is not located within or adjoining a Conservation Area. Accordingly, there are no heritage impacts that need to be weighed in the overall planning balance.

## **(7) Ecology**

6.69. The baseline ecology conditions comprise mostly arable land of negligible ecological importance, with vegetated boundaries, hedgerows with trees, and ditches. Species recorded on site include foraging and commuting bats, a single reptile, an assemblage of nesting birds, with evidence of badger presence and suitable habitat available for GCN.

- 6.70. The development proposes to retain the majority of the hedgerows/vegetated boundaries and all of the ditches, and replace the arable land, of negligible ecological importance, with a mix of housing and associated sealed surfaces. In addition, the development will include new areas of wildflower grassland, shrub planting, and SuDS ponds.
- 6.71. Impacts to habitat and protected species primarily comprise the minor loss of hedgerow, which is suitable habitat for reptile, GCN, and bats, and the loss of the arable land, which comprises suitable breeding habitat for skylark.
- 6.72. The loss of what is mostly habitat of negligible ecological importance and the introduction of new areas of more valuable habitat is considered to provide an overall long-term benefit to biodiversity and protected species on the site.
- 6.73. The proposals demonstrate that a 10% BNG is achievable on-site. This assessment is based on the loss of predominantly arable land and a minor removal of hedgerow, replaced by the proposed planting areas of grassland, mixed scrub, and SuDS features.
- 6.74. Overall, the development is in conformity with policies GEN7, ENV7, and ENV8 of the Uttlesford District Council Local Plan, as well as the requirements of the NPPF.

#### **(8) Agricultural Land Quality**

- 6.75. Paragraph 174 of the NPPF ensures, inter alia, that planning policies and decisions recognise the benefits that the best and most versatile agricultural land can bring.
- 6.76. The accompanying Agricultural Land Classification Report concludes that the Application Site is comprised of a mixture of Grade 2 and Subgrade 3a land. The loss of such land would conflict with Local Plan Policy ENV5. However, and for the reasons set out at paragraphs 61, 62, 72 and 73 of the Radwinter Road appeal decision (see above), this conflict only attracts limited weight (including on the basis that ENV5 is only partly consistent with the NPPF).

## (9) Air Quality

6.77. The Site is located approximately 0.44km from the nearest Air Quality Management Area (“AQMA”) (Figure 4.1 of the supporting Air Quality Assessment (“AQA”) refers). As such, there is the potential for vehicles travelling to and from the Proposed Development to increase pollution in this sensitive area. The exposure of future residents to poor air quality is also an important consideration. These issues have been considered in the assessment.

6.78. The AQA concludes in relation to the acceptability of the Scheme in relation to air quality matters as follows:

- During the construction phase of the development there is the potential for air quality impacts because of fugitive dust emissions from the Site. These were assessed in accordance with the IAQM methodology. Assuming good practice dust control measures are implemented, the residual significance of potential air quality impacts from dust generated by demolition, earthworks, construction and trackout was predicted to be **not significant**.
- During the operational phase of the development there is the potential for air quality impacts because of traffic exhaust emissions associated with vehicles travelling to and from the Site. These were assessed against the screening criteria provided within IAQM guidance. Due to the size and nature of the proposals, dispersion modelling was undertaken using ADMS-Roads to predict pollutant concentrations for in a DM and DS scenario (without and with the Proposed Development). The model results indicate that the change in pollutant concentrations as a result of additional road traffic from the Proposed Development is negligible and therefore, road vehicle exhaust emissions impacts were predicted to be **not significant**.
- The Proposed Development has the potential to expose future users to elevated pollution levels in the vicinity of the Site during operation. Dispersion modelling was therefore undertaken using ADMS-Roads to predict pollutant concentrations because of emissions from the local highway network. Results were then verified using local monitoring data. Model results indicates that future users are unlikely to be exposed to pollutant concentrations that exceed AQOs.

6.79. As the AQA concludes, based on the assessment results, air quality is not considered a constraint to planning consent for the Proposed Development.

## **(10) Noise**

- 6.80. The Noise Impact Assessment (“NIA”) reports that environmental noise surveys at the site have been undertaken to establish the typical and maximum incident road traffic noise levels incident upon the proposed development. An assessment of noise from the existing recycling centre and skatepark indicates no adverse impacts according to the method described in BS 4142:2014.
- 6.81. Acceptable external amenity noise levels are found for the entire site, with standard 1.8m garden fencing required only for the closest dwellings to Thaxted Road.
- 6.82. The NA concludes that the Scheme is acceptable in terms of the overall noise environment.

## **(11) Energy and Sustainability**

- 6.83. The Energy Statement outlines how the predicted energy demand and resultant carbon emissions of the development will be managed and reduced.
- 6.84. The energy strategy follows the energy hierarchy; avoiding unnecessary energy use, use energy more efficiently, use renewable energy, and offset emissions, as per the Energy Efficiency and Renewable Energy Supplementary Planning Document (2007).
- 6.85. The proposed energy strategy capitalises on passive design measures to maximise the fabric energy efficiency and energy demand. The scheme will benefit from Mechanical Ventilation with Heat Recovery to minimise heat losses. The scheme should then make use of Air Source Heat Pumps (ASHPs) for space heating and domestic hot water. Heat-pump solutions for space heating and hot water will remove the need for on-site combustion. The scheme could look to utilise window reveals, balconies and external shutters where feasible, to reduce the requirement for active cooling.



- 6.86. The proposed energy strategy for the submitted scheme is currently demonstrating a combined on-site regulated **CO<sub>2</sub> reduction of 59%** (Part L 2021 Baseline).
- 6.87. The Application Site is also in a sustainable location and will provide for a significant number of social public and environmental benefits. This includes providing development within walking distance from the town centre, accessible by bus whilst also creating recreational opportunities as well as enhancements to the sites biodiversity through habitat creation.

## **(12) Planning Obligations**

- 6.88. Matters of detail, including in relation to the likely financial contributions are to be agreed as part of the reserved matters application including, subject to meeting the necessary tests at paragraph 57 of the NPPF, it is considered that the following may be provided for/sought through preparation of a s106 agreement as follows:

### On-site provision

- (i) On-site provision of affordable housing (40%)
- (ii) On-site public open space, including ongoing maintenance
- (iii) Travel Plan
- (iv) Provision of a Green Orbital Route through the Site
- (v) Car club

### Off-site provision

- (vi) Off-site provision of open space, sport and recreation facilities
- (vii) Healthcare care
- (viii) Education (early years and primary)
- (ix) Library provision
- (x) Off-site highway works, including the provision of a shared footway and cycleway improvements on the B184 Thaxted Road

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- (xi) New bus stops on the B184 Thaxted Road, to include passenger facilities, step-free access, seating and real-time passenger information)
- 6.89. Additional details are set out in the supporting Draft Heads of terms Document, with the content to discuss be discussed with the Council during the determination of the Planning Application.
- 6.90. If a satisfactory legal agreement is completed securing the necessary contributions for on and off site provision of facilities and infrastructure, this would address the requirements of Local Plan Policy GEN6.

### **The Planning Balance: Assessing Sustainability**

- 6.91. This section assesses the significant merits of the scheme in relation to the three sustainability tests set out at paragraph 8 of the NPPF and clearly shows that whilst there are considered to be some slight adverse impacts, these considerations are plainly incapable of outweighing, let alone significantly and demonstrably outweighing, the many benefits of the scheme.
- 6.92. Paragraph 9 of the NPPF states (amongst other things) the assessment of the sustainability roles should not be undertaken in isolation, because they are mutually dependent.
- 6.93. A planning balance exercise has been carried out in accordance with the guidance at paragraph 9 of the NPPF and sets out a combined analysis in relation to the sustainability roles (economic, social and environmental).

#### Economic

- 6.94. The Scheme satisfies the economic role of sustainability including through the provision of housing to support growth and the associated provision of infrastructure, to be secured through the preparation of a S106 agreement, where justifies, and by on-site provision of affordable housing of up to 68 dwellings.

- 6.95. The Scheme generates a series of local and District-wide economic benefits including through (i) construction of the scheme and the range of employment generated as a result; and (ii) the on-going expenditure from the households purchasing and occupying the new homes.
- 6.96. The accompanying Socio Economic Statement sets out the economic benefits associated with the Scheme. An infographic is included at **Appendix D** which summarises the key economic benefits.
- 6.97. The principal economic benefits arising from the scheme are summarised below:
- Increased house building in an area where there is an acute need for new housing that in turn drives economic growth further and faster than any industry. In this regard the proposals will contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is being made available in the right place and at the right time to support growth.
  - The provision of up to 170 new homes in the district where there is an established need for housing given the demonstrable shortfall in the five year housing land supply position.
  - The application scheme will deliver much needed affordable homes that will meet identified needs that are otherwise not being met.
  - Meeting general housing needs is a significant benefit, consistent with the Government's objective of significantly boosting the supply of housing.
  - In order for the economy to function, sufficient housing is required in the right locations and at the right time. This site represents a location where there would be no significant impact upon the landscape, historic environment nor on the amenity of neighbouring properties.
  - The Application Scheme is estimated to create approximately 394 new jobs<sup>9</sup>.
  - Increased expenditure in the local area will support local FTE jobs.

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<sup>9</sup> See paragraph 3.7 of the Socio Economic Report prepared by Lichfields accompanying the application.

- Helping to deliver a significant boost to the local economy through ‘first occupation’ expenditure of £935,000<sup>10</sup>. This is expenditure on new furniture and other household goods that residents spend as ‘one-offs’ when moving into a new home.
- Generating a further significant economic boost of £302,000.00 from residents moving into the District’s existing housing stock which were vacated so that the owners could move into the new homes. This is a result of the spending on renovations, household goods, removals, surveys, estate and legal fees that are associated with the purchase of existing rather than new homes within the District’s housing stock<sup>11</sup>.
- In terms of household expenditure, data from ONS Family Expenditure Survey 2020-21<sup>12</sup> shows that the ‘average UK household spend’ is £553.80 per week (Table A33) (or £28,877 per year), whereas in the East of England it is 3.3% higher than the UK average (Table A33). This means average weekly spend per household is £572.20 (or £29,836 per annum). For the application proposal at providing up to 170 dwellings, the total gross expenditure is estimated to be £5.1m per year to the economy. A proportion of this household expenditure is anticipated to be spent in local shops and services and will help sustain the existing services in Uttlesford District including those in Saffron Walden. The expenditure will include that a proportion of that spent on areas including food & non-alcoholic drinks (£66.30 per week); alcoholic drinks (£13.70 per week); recreation and culture (£69.70 per week), household goods and services (£41.30) and miscellaneous goods and service i.e. hairdressing & beauty treatments (£43.90 per week).<sup>13</sup> Given the current economic challenges facing the UK these are significant economic benefits.

6.98. By providing land of the right type, in the right place, and at the right time to support economic growth, the development of up to 170 no. dwellings on the site satisfies the objectives at paragraph 8 of the NPPF and assists in the aims of the NPPF in helping to build a strong and competitive economy.

6.99. This is further emphasised in the Government’s November 2011 Paper ‘Laying the Foundations: A Housing Strategy for England’ where paragraph 11 states “*getting house building moving again is crucial for economic growth – housing*

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<sup>10</sup> Research carried out by OnePoll on behalf of Barratt Homes (August 2014;

[REDACTED] ) which shows an average of £5,462 per dwelling. See also paragraph 4.3 of the Lichfield’s Socio Economic Report

<sup>11</sup> Research by HBF and Knight Frank on “Economic Benefits of housing market activity” which shows a contribution per house sale/purchase transaction of £9,560 -

[REDACTED] The 2011 Census indicates that 31% of owner occupied or shared ownership households in Uttlesford District that had moved within previous year, had lived within the authority.

<sup>12</sup> [Family spending workbook 3: expenditure by region - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/methods/tables/family-spending-workbook-3-expenditure-by-region).

<sup>13</sup> Figures based upon East of England Regional data in Table A33

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*has a direct impact on economic output, averaging 3 per cent of GDP in the last decade. For every new home built up to two new jobs are created for a year.*

6.100. The economic benefits are to be accorded substantial weight in the planning balance.

### Social

6.101. The Application Scheme satisfies the social role, in helping to support strong, vibrant and healthy communities, including through providing the supply of housing required to meet identified needs in open market and affordable sectors. This is a significant benefit. In addition:

1. Future residents will be in an easy walking and cycling distance to a wide range of other uses including the shops and services in Saffron Walden town centre.
2. The Application Scheme will, to be agreed at the reserved matters stage, provide a range of housing types and size.
3. The scheme secures high quality residential environment together with extensive areas of open space, a children's play park and walking routes.
4. The scheme would deliver a policy compliant 40% affordable housing contribution (up to 68 dwellings).

6.102. The details of the layout and house type design are to be agreed through the determination of a subsequent reserved matters application, with the detailed scheme to reflect the particular need for housing at that time.

6.103. Any increased pressure upon local services will be mitigated through the planning obligation(s).

6.104. Overall, the social benefits of the scheme can be afforded significant weight in the overall planning balance.

Environmental

- 6.105. In terms of the environmental role, the Application Site is not located on land designated for its landscape value. The accompanying reports demonstrate that the scheme will not have any material impact on existing ecology and will significantly enhance the biodiversity characteristics of the site, resulting in a biodiversity net gain.
- 6.106. The retention of existing boundary trees and hedges around the site and the sensitive set back of the development will ensure the proposed built form is subsumed positively into the landscape character of the area.
- 6.107. The proposals would deliver sustainable homes allowing the fulfilment of this important objective whilst at the same time moving to a low carbon economy and securing an environmentally sustainable form of new residential development.
- 6.108. On the basis of the above, there are environmental benefits which would arise from the proposals, to which moderate weight should be attached to in the overall planning balance.

Planning Balance: Harms and Benefits

- 6.109. The planning balance in so far as it relates to harms and benefits is summarised below.

Harm/Adverse Impact	Weight
Outside settlement boundary	<b>Limited weight</b> because (i) the spatial application of the Development Plan is out of date, (ii) the failure of the Council to demonstrate a five year supply of deliverable housing land, (iii) there is an acute and unmet need for affordable housing;
Loss of greenfield site in the countryside	<b>Limited weight</b> for the reasons summarised above.
Loss of Grade 2 and 3a BMV agricultural land	<b>Limited weight</b> as the Council accepts such land is required if housing needs are to be met.

Benefit	Weight
Contribution to meeting the shortfall in housing supply	<b>Substantial weight</b> in the context of a supply of only 3.5 years and a shortfall of circa 1,000 dwellings.
Contribution to the supply of affordable homes	<b>Substantial weight</b> to the provision of up to 68 affordable dwellings (40%) in the context of a significant and chronic affordable shortfall.
Creation of jobs during the construction phase and increased spend during the operational phase	<b>Substantial weight</b>
Environmental benefits arising from the biodiversity enhancements	<b>Moderate weight</b>
Provision of recreational open space and Green Orbital Route	<b>Moderate weight</b>
Provision of public transport enhancements	<b>Moderate weight</b>

6.110. As the Table demonstrates, the adverse impacts that have been identified would not significantly and demonstrably outweigh the substantial benefits that have been identified.

6.111. The collective benefits of the development are extensive. As demonstrated, any possible adverse impacts of granting planning permission would not significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Accordingly, the Scheme benefits from the presumption in favour of sustainable development and which is a further material consideration in support of the grant of planning permission.

6.112. It follows that the application of paragraph 11(d)(ii) NPPF provides a powerful material consideration to justify the grant of planning permission.

## **7. SUMMARY AND CONCLUSION**

- 7.1. The application proposes a residential development scheme, in outline form, on land west of Thaxted Road, Saffron Walden, for up to 170 dwellings, associated landscaping and informal open space, with access from Thaxted Road.
- 7.2. The spatial policies for the supply of housing do not meet current housing needs; and the Council has been granting planning permissions for the development of sites for housing beyond the settlement boundaries as defined in the Local Plan.
- 7.3. Accordingly, the settlement boundaries defined under Policies H1, S2 and S7 are not sufficient to meet current housing need and the weight to be given to the conflict with this policy is reduced.
- 7.4. Although the application site is within the countryside, it is not a valued landscape nor are there any other constraints on site that would preclude such a development as proposed.
- 7.5. There are a number of material considerations which weigh significantly in favour of the application being permitted, including the Council's lack of a five year supply of land for housing and with other relevant policies not seeking to deliver an NPPF consistent objectively assessed need.
- 7.6. It has been demonstrated in this Statement that whilst the application site is outside the settlement policy boundary for Saffron Walden as defined in the Local Plan, it is inevitable that the Council will have to use greenfield sites to provide for increased housing provision. Consequently, it is considered that those policies are to be afforded limited weight and, pursuant to the presumption in favour of sustainable development, the application scheme represents a sustainable form of development in its own right.
- 7.7. The Application will secure an extensive areas of publicly accessible open space, as well as facilitating the first sections of a Green Orbital Route.



- 7.8. In the planning balance it is considered that the material considerations in favour of the scheme (provision of market and affordable housing, economic benefits, biodiversity benefits, landscape enhancement, heritage enhancement) outweigh the conflict with an out of date settlement boundary, and loss of Grade 2 and Subgrade 3a agricultural land.
- 7.9. The Application Site provides a sustainable location for housing, within walking distance to local services and facilities in Saffron Walden town centre.
- 7.10. It represents a sustainable location for housing development to meet identified needs and development of the site in the manner proposed would result in a well-designed scheme that would contribute positively to residents' social well-being.
- 7.11. The scheme, at the reserved matters stage, will provide for a mix housing types and tenures, including 40% affordable housing, helping to meet the identified need for new homes in Uttlesford District.
- 7.12. The scheme satisfies the economic, social and environmental roles of the NPPF and has been advanced following pre-application consultation with the Council and Essex Highways and has been amended to respond to the advice received.
- 7.13. There are no adverse impacts that could even be considered to significantly and demonstrably outweigh the many benefits arising from the proposal.
- 7.14. For the reasons set out above, the Application represents a sustainable form of development and should be supported, and planning permission granted.

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