

9th June 2023

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Leanne Palmer
Section 62A Applications Team
The Planning Inspectorate
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Temple Quay House
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Bristol, BS1 6PN

Dear Ms Palmer,

Land east of Pines Hill, Stansted Mountfitchet, CM24 8EY (reference S62A/2023/018)

Outline planning application submitted under Section 62A of the Town and Country Planning Act 1990

The development of up to 31 No. residential dwellings with all matters reserved for subsequent approval, except for vehicular access from Pines Hill which is submitted in detail.

Uttlesford District Council

I am writing to you in advance of the extended expiry date to 9th June 2023, which we understand Uttlesford District Council have been allowed to make representations to the application at Pines Hill.

The extended time given to the District Council was to allow them to present this Section 62A planning application to the Council's Planning Committee, which was held yesterday, 7th June. On behalf of the applicant, I would respectfully request that following receipt of the District Council's representations to the planning application, that the applicant be given the opportunity and period of time to review their comments and consider making a response.

Whilst we await receipt of the District Council comments, please find attached a letter that was sent to the Council in advance of the Planning Committee meeting, responding to points made in the Council officer's Committee report. Please can the points raised in this attached letter be taken into account by the inspector.

Consultee and Third Party Representations

In relation to matters that have raised by other consultees and third parties, I would like to provide the following responses:

Stansted Mountfitchet Parish Council – The Parish Council have submitted representations and list a number of objections.

The Council has highlighted a recent planning permission that has been granted for a new vehicular access onto Pines Hill approved at the neighbouring property to the south of the application site, known as Ostra Brama (LPA reference UTT/23/0632/HHF). The resident of Ostra Brama has also written to yourselves commenting about their approved access.

The following weblink to the Council's website and application UTT/23/0632/HHF provides full details of this neighbour's planning permission:

<https://publicaccess.uttlesford.gov.uk/online-applications/simpleSearchResults.do?action=firstPage>

It should be noted that the Highway Authority raised no objection to this neighbour's vehicular access on 25th April 2023, and then raised no objection to this application's proposed vehicular access onto Pines Hill on 31st May 2023. The Highway Authority have therefore raised no objection to both vehicular accesses.

The Parish Council make comments about traffic generation and refer to Mr Ray Woodcocks submission. The applicant's highway engineer has already provided a written response to Mr Ray Woodcocks findings, which I have submitted to yourselves on 31st May 2023.

It is noted that the Parish Council highlight accessibility issues along footpaths in the area. As part of the Highway Authority's suggested conditions, they have requested that the footpath to the north of the application site's entrance along Pines Hill is increased in width. The applicant has no objection to this proposal, which would improve pedestrian accessibility into the village. The proposals also include a direct pedestrian access from the north of the site onto Stoney Common Road, which again would allow pedestrian access into the village to the north of the site.

The Parish Council have requested improvements to the footway along Stoney Common Road to West Road, and improved road surface along Stoney Common Road. However, the Stoney Common Road is a private road and the applicant would not have the legal ability to provide this improvements as part of a planning condition or S106 planning obligation.

It is noted that the Parish Council enclose a copy of a “Development chapter of SMPC NDP”. It is understood that this extract has been taken from the ongoing draft Neighbourhood Plan for the village. From viewing the Parish Council’s website, this document does not appear to be available to the public to view, and I am not aware there has been any consultation on this document. Unless the Parish Council are able to provide justification to the contrary, the inspector is respectfully requested not to give this document any weight in the decision making process of this planning application.

Environmental Health - This consultee has made representations to the application in relation to noise impact, in particular associated with the commercial use located to the south east of the applications site.

It should be noted that under the previous 2021 outline planning application reference UTT/21/2730/OP at the site for the same development, this consultee raised no objection to proposed scheme or noise report that was submitted. A number of planning conditions were recommended that required further details to be submitted through the reserved matters process and discharge of conditions. A copy of this consultees previous response dated 22nd September 2021 is included with this letter.

The current representation from Environmental Health does acknowledge that the application is in outline, but has requested additional information prior to determining the application and suggested changes to the indicative layout and orientation of the properties in the south east corner of the site nearest to the commercial operations.

In response to the Environmental Health’s consultation request to this application, please find attached letter from Steve Gosling, a Principal Consultant at 24Acoustics.

This letter from 24Acoustics provides further justification for the proposals in this application and an explanation of the noise impact from the neighbouring commercial use.

The letter also recommends conditions that could be imposed to ensure that the noise impact is mitigated.

It is requested that this letter from 24Acoustics be taken into account in determining this planning application.

Daniel and Claire Pearce – This third party have raised a number of objections to the planning application. In particular, that this site should be promoted and considered through Council’s Local Plan process and that the application has, *“failed to consider whether there are other, more suitable, non Green Belt sites available to address the District’s housing supply shortfall.”*

On the matter of promoting the site through the Local Plan process, this site has for many years been submitted through the Council's Call for Sites requests and representations have been made about the site through Local Plan consultations.

Most notably leading up to the adoption of the 2005 Local Plan, the Local Plan inspector reviewed the land east of Pines Hill and made the following comments in paragraph 18.11.1 page 308 of his letter to the Council dated 19th February 2004 :

"The site is in the Green Belt the boundary of which should only be altered in exceptional circumstances. However, such boundaries do need reviewing from time to time. From my visit I found this site on the edge of the village to read as part of the settlement and if there were a need for more housing I consider that subject to a satisfactory access the site would be suitable for the purpose. However, unless the Council identifies a local need I am otherwise satisfied with what I have recommended that sufficient land will come forward for development during the Plan period."

It was therefore clear through this Local Plan review in 2004, the inspector considered the parcel of land east of Pines Hill formed part of the settlement at Stansted Mountfitchet.

Whilst this site has been promoted through the Local Plan, the following factors need to be taken into account as to why the site should come forward through a planning application route without delay: the Council has a less than 5 year housing supply; the Marron's Housing Need Assessment submitted with this application clearly demonstrates a significant housing shortfall for the village; and, the Planning Statement and Design and Access Statement submitted (along with other supporting application documents) highlight that the site at Pines Hill is a sustainable location for development. It should also be taken into account that this application has been submitted not only to assist with meeting the housing need for the village, but due to the continued delays in progressing the new Local Plan.

S106 Planning Obligation

Work is progressing on the S106 planning obligation for the application and is nearly completed.

One matter that has arisen, during the course of finalising the legal agreements relating to the off-site BNG land, the boundaries have been subject to minor amendments. This has altered the baseline of the offsetting land (field margin habitat is no longer included, only arable land) and therefore whilst the area of offsetting land has not changed, the baseline value has decreased, allowing more units to be generated by the proposals.

I attach a note from the applicant's ecologist summarising the changes; a revised offsetting land plan showing the amended site boundary of the off-site BNG land; a revised copy of the management plan for this land that will be appended to the S106 planning obligation; and, a revised Ecological Assessment.

It should be noted this alters the final BNG score achieved by the proposals with the overall gain in habitat units increasing from +58.43% to +87.07%.

Please can these amended documents be accepted as part of the application submission and taken into account by the inspector in determining this planning application.

Please can you confirm receipt of this further representation and that the response to comments made about the planning application at Pines Hill will be taken into account in determining the application.

If you have any queries, please do not hesitate to contact me.

Yours sincerely,



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Director
PJB Planning

