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Your ref

Our ref MJH/AB/FLITCH GREEN PARISH COUNCIL 258980.0007

Date 14 September 2023

Dear Sirs,

**Planning Representations re Application for the approval of reserved matters for appearance, landscaping, layout and scale for 160 dwellings and a countryside park pursuant to conditions 1 and 2 of outline planning permission UTT/21/3596/OP
Reference: UTT/23/1848/PINS**

We have been instructed by Flitch Green Parish Council to OBJECT to the above-mentioned application. The reasons for our client's objection are set out below.

Background/Planning Policy

This Application has to be determined having regard to the Development Plan and any other material considerations. Moreover, it has to be determined in accordance with the Development Plan unless material considerations indicate otherwise. On behalf of our client, we say that when that exercise is undertaken it becomes abundantly clear that the Application should be refused.

Flitch Green was envisaged as a planned community and this was a key element to the Development Plan, Master Plan and decision taking. When the village was planned, it was envisaged that in the village centre there would be a public house/restaurant, a convenience store, two other shops and a doctor's surgery. That was an integrated approach to the location of housing, economic uses and community facilities and services as now promoted in the National Planning Policy Framework ('NPPF')(see also below).

There is no doctor's surgery, no dentist, no public house or restaurant, no employment apart from the school and co-operative shop which is not on the Site but is in fact in the adjacent neighbourhood. There are limited bus services with a bus stop on Station Road. The net result of this is that, people commute for employment and, further, travel for a wider range of goods and services in nearby towns and conurbations (i.e., Great Dunmow and Felsted). The reliance on private motor car is evidenced by not only observation but the fact that the bus service is not well-used.

Furthermore, the number of dwellings at Flitch Green alone (i.e, not considering other nearby sites) is now 987 dwellings which are home to ~2,500 people. This is far more housing than was envisaged in LPOP1 and the Master Plan for the village. The net result of the above is that the settlement is larger than planned, with less services than envisaged and, as such, it is not as sustainable as intended by relevant Local Plan policies.

Local Plan policy S7 serves to protect or enhance the character of the countryside. Policy S7 specifies that there will be strict control on new building development in the countryside, which applies outside settlement limits. Permission will only be granted for development that needs to take place there and if its appearance protects or enhances the character of the part of the countryside within which it is set.

Local Plan policy GEN1 concerns securing suitable access for new development. It prescribed five criteria all of which must be met. Summarising, the criteria to be met are that traffic from the development can be accommodated safely, the road network must have enough capacity, design must not compromise road safety (of all users), access must meet the needs of all people (including those with disabilities) and the development encourages movement by means other than private motor car.

Local Plan policy GEN4 strives to ensure "good neighbourliness" in all forms of development, to include the construction phase, and GEN2 secures good design by prescribing various criterion to be met, to include that the should not have a materially adverse effect on the reasonable occupation and enjoyment of a residential property/residential occupiers. Local Plan GEN3 concerns flood protection including the requirement that development should not increase the risk of flooding within the Site but also elsewhere (i.e., not cause problems "downstream" or "downhill" which has not been considered.

Local Plan policy ENV8 strives to protect landscape elements of importance for nature conservation, including hedgerows and tree belts.

There are three dimensions to sustainable development identified in the NPPF: economic, social and environmental:

The social role is supporting strong, vibrant and healthy communities by providing a supply of housing required to meet the needs of present and future generations; and creating a high-quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural wellbeing.

The economic objective, amongst other things, strives to ensure that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

The environmental role seeks to protect and enhance our natural, built and historic environment, using natural resources prudently. The NPPF recognises the intrinsic character and beauty of the countryside as a core planning principle. To promote sustainable development in rural areas, housing should be located where it will maintain or enhance the vitality of rural settlements.

Our clients Representations

Our client wishes to make the following representations/outline its concerns as to the Application and set out why, our client says, the Application should (or must) be refused.

Highways/Safety

The existing local road network is already strained and cannot accommodate a further 160 houses. The previous planning application of **UTT/14/2756/OP**, although larger in scale, was refused with one reason being cited as the highways safety and highway network had not been adequately addressed. It has not changed within this application.

The single access joins Station Road, already a narrow road on a bend, has limited visibility with a speed limit of 40 mph. The limited access to the site for the potentially 300+ cars (i.e., 2 cars per household) will undoubtedly cause 'clogging' on this section of the road. This is coupled with the fact that any prospects of cycling or other more eco friendly travel methods will be unattractive to residents due to the speed limit on the surrounding roads and the fear over safety on such a congested area.

Despite the suggestion of the National Highways' assessment, it is unreasonable to believe that, once at full occupation, the dwellings on this new site would only generate 102 two-way movements in the morning and 122 two way movements in the evening. Due to the isolated location of the site, many of the occupied dwellings will have, at minimum two cars per household. Where there are children of resident families growing up and moving towards independence by learning to drive this is sure to increase. This will, again put further pressure on the roads in the surrounding area.

Highways/Access

UDC has recently permitted ~270 houses in the neighbouring settlement of Felsted and Little Dunmow. Owing to the lacking sustainability of those settlements there will likely be reliance upon private motor car by occupiers of the new developments using Station Road which is the main connector between Great and Little Dunmow, Flitch Green and Felsted. This will be exacerbated by the lack of facilities for this new site which will force residents of not only this site but those in Felsted and Little Dunmow to find services in neighbouring towns and villages.

A further neighbouring application with reference number **UTT/22/3470/OP**, the decision of which has been deferred, will have a significant impact also. If both applications are granted then the addition of more than 500 new dwellings will increase the pressure on the roads exponentially.

For the reasons above, it is not considered that this Application complied with Policy GEN1, nor paragraph 110 of the NPPF. Rather, paragraph 111 of the NPPF should be given great weight.

Facilities/Sustainability

Flitch Green Academy, the local school, is already full and over-subscribed. No thought has been given to where (or how) resident occupiers of school age will be taught nor how they will (safely) get to their place of education.

As supported by NHS West Essex within the planning statement which accompanies the application, the two GP Practices within the vicinity do not have the capacity for the additional growth in the area which will 'subsequently increase demand upon existing constrained services.' Residents would struggle to register with nearby GP surgeries.

Additional housing at the Site is not only unsustainable development of itself but likely to further undermine the sustainability of Flitch Green itself by additional stress on the highways network and the limited services that are available.

Loss of Openness/Countryside

If permitted development of the Site would render Flitch Green/Little Dunmow as comprising predominantly housing with very little in terms of structured open areas within it. This would be contrary to the original concept for the local area and have great impact upon the character of the same..

Planning Policy ENV3 states that the loss of traditional open spaces or other visually important spaces will not be permitted unless the need for the development outweighs their amenity value. In this case, the need to preserve the character of the local area and the quality of life for those already residing within it far outweighs the need for additional development, especially given the many other applications in the area comprising of smaller pockets of dwellings which, although again unnecessary, will have a smaller impact upon the pressure of the roads and local services.

Further, as above, the Site is located within the Countryside to which Policy S7 states “... *Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.*” In light of other nearby development already granted permission or in the process of being granted permission, and in light of the highways and facilities concerns mentioned above, it is not considered that the Site is an appropriate location. Our client does not consider Policy S7 nor paragraph 174 of the NPPF to be met. Further, it is considered that rather than “enhance or maintain the vitality of rural communities” as per paragraph 79 of the NPPF, this Application will worsen the already lacking facilities as noted above, oversubscribed school and GP surgeries and very little employment opportunities.

Loss of Arable Land

Despite the facts that the Site is 14 hectares in size, and the threshold for Natural England to comment on an application is 20 hectares, recent global events have impressed the need to ensure food security and prime farming land should be retained wherever possible, with development in the first instance taking place on less fertile soil. In this case, the benefits of the agricultural land on both the character of the village and the surrounding ecosystems cannot be underestimated. The inclusion of allotment patches within the design for the Site unfortunately does not outweigh the harm caused to the ecosystems from development by removing established wildlife to allow for works to take place. Our client therefore does not consider Policy ENV5 to be complied with.

Planning Balance

Whilst our client acknowledges that a planning balance must be undertaken any benefits are limited and short-term. For example, whilst there would likely be a valuable contribution to affordable housing and some (short term) economic benefit during the construction phase and perhaps additional spend within the village this is the same with any development. However, as Local Plan and NPPF policy makes clear, the land to be development must be in the right location and developed in the right way. The Application promotes neither and the benefits are grossly outweighed by the harm which would result (in breach of planning policy) by reason of highway harm, landscape harm and additional strain on limited resources and further erosion of an already-short sustainability of Flitch Green against that envisaged. Simply put, to put more housing in this area will further erode existing residents’ amenity and enjoyment of the same - so rather than supporting a strong, healthy and vibrant community the development proposed in the Application would have the opposite effect, contrary to Policy GEN2 or paragraph 9 of the NPPF.

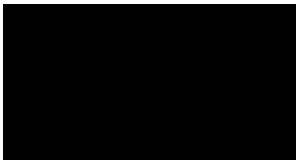
Conclusion

We conclude by saying that, for all the above reasons, the development proposed in the Application would not represent sustainable development, be harmful to the character and appearance of the area and, as such, be contrary to Planning Policy. These adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF taken as a whole.

The Application should therefore be REFUSED.

On behalf of our client, we thank you for your attention in this matter.

Yours faithfully



HOLMES & HILLS LLP