

PLANNING STATEMENT

LAND AT CHELMSFORD
ROAD, HARTFORD END

SPDSTUDIO
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1 SITE INFORMATION

1.1 INTRODUCTION

This Planning Statement accompanies an outline planning application prepared by Sustainable Planning Design Studio Ltd. on behalf of the applicant, Stockplace Investments Ltd. This application is, submitted to the Secretary of State under Section 62A of the Town and Country Planning Act 1990 for outline planning permission for the construction of up to 50 dwellings with all matters reserved apart from access at land at Chelmsford Road, Hartford End, Felsted, Essex, CM3 1JY. The application site is shown hatched in red in Figure 1 below, with a site area of 2.41 hectares.



Figure 1: Site Location

1.2 THE SITE

The application site is situated in Hartford End, comprising predominately agricultural land, with a notable slope from the northeast of the site to the south and southwest, which is consistent with the



surrounding land topography. The site can be accessed by vehicle through an existing access along the B1417, a classified road, between The Brewers House and Hillside.

The application site includes the parcel of land between The Brewers House, and Hillside, which are both residential dwellings that share a common boundary with the application site. Both dwellings are relatively large within varying curtilages though with notable spatial and verdant qualities, with traditional design features and materials utilised, that overall sit well within this countryside setting. The eastern boundary of the site runs alongside the B1417 with agricultural fields further east including a hill that raises to the east. To the north, roughly half of the site boundary is adjacent to the residential garden of Gransmore with the other half adjacent to agricultural fields.

A ditch runs along the entirety of the western boundary, which is generally adjacent to the estate associated with the Grade II Listed Mill House and the Mill which is Grade II*. Of the site associated with the Mill and Mill House, nearest to the application site, is a mixture of barns and converted barns, consisting of black timber board and clay tiles, which sit comfortably in this agrarian setting and that of the listed buildings. Finally, south of the site is the recently constructed Ridley Green redevelopment of the old brewery site. Within the south-eastern corner of the Ridley Green site sits the original brewery building, which has informed the design of the buildings in closest proximity with an industrial-like appearance. The other dwellings within Ridley Green include a mixture of detached and semi-detached dwelling, with external materials typical of the area and design features such as the roof pitches, chimneys and dormers relating to the Essex Design Guide. The layout of this site appears organic, with open space provided in the northern section and dwellings extending up to the northwestern corner of the respective site that sit in front of the agrarian buildings related to Mill House.

To the west of the site, in the area allocated as blue on the above plan, is an area of land owned by the applicant which would not form part of the application site, however, would be utilised to provide biodiversity gain related to the proposed development.

There are no protected trees within or directly surrounding the site and the site is located in flood zone 1, with areas of surface water flooding to the northwest corner of the site. Further, a bus stop (Hartford End, Brewery) is located approximately 215 metres north of the site linking north to Felsted and south Chelmsford, which runs four times a day.

1.3 PLANNING HISTORY

There have been three previous planning applications connected to the application site, which related to smaller parcels of the currently proposed site, abutting the B1417, which were refused planning permission:

UTT/20/3323/OP - Outline application with all matters reserved except access for the erection of 1 no. detached dwelling - Application refused.

UTT/20/3368/OP - Outline application with all matters reserved except access for the erection of 4 no. detached dwellings - Application refused.



UTT/21/3088/OP - Outline application with all matters reserved except access for the erection of 4 no. dwellings - Application refused.

The consistent reasons for refusal relate to the safety of vehicular access and egress and a lack of legal commitment to the management of the Blackwater Estuary SPA and Ramsar site in line with the Essex Coast RAMS, which have been noted in the preparation of the indicative proposal submitted with this outline planning application.

In addition to this, application UTT/20/3323/OP, for a single dwelling between The Brewers House and Hillside, was refused due to the site not being considered a sensitive infill plot within an otherwise built up frontage, requiring the proposed dwelling to be set deep within the plot, which was not considered a policy exception under Policy S7 of the ULP and also contrary to Policies FEL/HN5 and FEL/CW1 of the made Felsted Neighbourhood Plan 2020.

Further, both applications UTT/20/3323/OP and UTT/21/3088/OP for four dwellings, were refused for similar reasons relating to the developments filling:

"The natural gap which currently exists along the B1417 at this rural location between Hillside and Ridley Green, whereby the gap serves as an important visual break between the established linear frontage housing to the north and the new housing development on the former brewery complex to the south whereby the site cannot reasonably be described as representing a sensitive infill site. The level of rural amenity harm which would be caused through the coalescence of built form arising from the development would be both significant and demonstrable whereby the proposal would be contrary to Policy S7 of the Uttlesford Local Plan (adopted 2005) and Policies FEL/CW1, FEL/HN5 and FEL/ICH4 of the Made Felsted Neighbourhood Plan - February 2020, whereby the development would fail to protect the particular character of the part of the countryside within which it is set and is a form of development which does not need to take place within the countryside."

(Extract taken from reason for refusal one of application UTT/21/3088/OP).

The key considerations to be taken from the previous reasons for refusal in respect of the principle of development along the B1417 are:

- Ensuring an important visual break of built form is retained between Hillside and Ridley Green to prevent the coalescence of built form along the B1417 to protect the character of this part of the countryside.
- Resistance from the LPA to develop the plot between Hillview and The Brewers House for a single dwellinghouse within the limits of the site ownership.
- To provide safe vehicular access.
- Provide a housing mix compliant with Policy FEL/HN7 of the made Felsted Neighbourhood Plan 2020



- A legal undertaking commitment to the management of the Blackwater Estuary SPA and Ramsar site in line with the Essex Coast RAMS.

In addition to the above, the recently constructed site to the south, Ridley Green, received planning permission (reference - UTT/16/2149/FUL) for:

'Residential development comprising 22 no. dwellings and associated garages, roads, parking, open space and part demolition of existing buildings (revised scheme to that approved under planning permission UTT/15/0726/FUL)'

The open space contained within the north of this site has provided an opportunity to reinforce the important visual break of built form noted along the B1417, whilst the provision of 22 dwellings in such an isolated location represents opportunity to provide services in the form of sustainable transport options, services and education contributions that would otherwise be contrary to development management policies.

With these localised benefits for the residents at Ridley Green and the surrounding area, in addition to contributing to the Councils affordable housing provision, the principle of developing the application site to benefit local residents and the district can be conceived.

1.4 THE PROPOSED DEVELOPMENT

This application seeks Outline Planning Permission for the construction of up to 50 dwellings within a site of 2.41 ha. The proposed description of development is as follows:

'Construction of up to 50 dwellings (Use Class C3) and associated access and bus stops, with all matters reserved apart from access'.

It must be noted that as the proposed development has been submitted as an outline application, and as such the detailed design matters of the appearance, landscaping, layout and scale are a reserved matter. As such the following plans have been submitted, with differing levels of detail for the assessment of this application:

Illustrative plans, to show an indicative layout and street scene of the proposed development, have been included to support this proposal and indicate how the site could be developed as per the proposed development description, though these details are not for determination:

- SPD306_300_02_Prop Illustrative Site Layout Plan
- SPD306_305_01_Prop Illustrative Street-Scenes

Parameter plans have been submitted for approval, to indicate the land use, dwelling heights and detailed access arrangements for the proposed development:



- SPD306_301_01_Prop Land use Parameter Plan
- SPD306_302_01_Prop Dwelling Heights Parameter Plan
- SPD306_303_01_Prop Access Arrangement Parameter Plan

The parameter plans provided indicate how the site characteristics and surrounding context have informed development within the site. The Ridley Green developments provision of open space to the north of the site presents an opportunity to preserve open views through the application site, by including a green vein through the south of the application site. As well as preserving views through the site, this green vein also prevents a coalition of development in this countryside setting between the Ridley Green development and other dwellings fronting Chelmsford Road, as well as useable public open space and a local area of play (LAP) for future residents and the surrounding community.

Existing permanent built form, surrounding heritage assets and mature landscape screening have also been utilised to influence the developable area within the application site. In this respect, parameter building heights increase towards the west of the application site, to limit public views from Chelmsford Road and reduce the appearance of development to follow the site levels that reduce from northeast to southwest. Similarly, to provide relief from development for the residents at The Brewers House and Hillside, a combination of 1 storey dwellings and garden spaces have been included in the parameter plans, which would be supported by a strong landscape screen to further soften the impact of the proposed development, provided at reserved matters.

To provide an understanding of how the application site could be developed in line with the parameters provided drawing SPD306.300.02 presents an illustrative layout. This illustrative layout includes a mixture of dwelling typologies to reflect the variety in the surrounding area, whilst embracing Essex design principles and characteristics. To this effect, drawing SPD306.305.01 provides an illustrative street scene from the viewpoint of Chelmsford Road, comparing both the existing and proposed, including the Ridley Green development. Whilst additional built form within the street scene is evident, the use of the sites topography to inform dwelling heights and positions within the site, as well as existing built form, limit this impact.

The illustrative street scene also indicates the limited loss of landscape features as a result of the development, where only part of the existing hedgerow fronting Chelmsford Road would be removed to provide vehicular access into the site and additional planting can be utilised to enrich the verdant qualities of this space. Vehicular access into the site is to the southwest of the site, providing sufficient space from surrounding junctions, with a separate pedestrian and cycle access proposed between Hillside and The Brewers House. The existing vehicular access between Hillside and The Brewers House would be removed, as this was found to be sub-standard and raised concerns for the safety of highway users, due to the limited visibility splays. Additionally, the proposal would also be supported by a new north and south bound bus stop, which would provide safe access to public transport for the future occupants and surrounding community.

Finally, a parcel of land to the west of the site would be utilised to provide biodiversity gain related to the proposed development, agreed by legal agreement.



The main features of the proposed development are summarised below:

- Construction of a new vehicular, pedestrian and cycle access on to Chelmsford Road to the southeast of the site and a pedestrian and cycle access between The Brewers House and Hillside to the northeast of the site.
- Delivery of a new north and south bound bus stop, along Chelmsford Road, with associated pavement links.
- Pedestrian linkage to the Brewery Development to the south of the site, along Chelmsford Road.
- The construction of up to 50 dwellings, with an indicative dwelling split of 3x one-bedroom, 25x two-bedrooms, 13x 3-bedrooms, 6x 4-bedrooms and 3x 5-bedrooms to meet an identified need in both Felsted specifically and Uttlesford as a whole.
- Whilst the exact mix of development is not for determination, a provision of 40% of the dwelling allocated as affordable housing, with a dwelling split of 3x one-bedroom, 11x two-bedrooms and 6x three-bedrooms consisting of a mix of affordable rent, shared ownership and first homes relative to local need.
- Public open space in the northeast and south of the site, including LAP in the southern portion of the site.
- Biodiversity net gain achieved for the development in excess of the minimum requirement.

2 PLANNING POLICY

2.1 INTRODUCTION

This section within the planning statement identifies the key policies both internationally, nationally, and locally that are applicable to the proposals at Chelmsford Road, Hartford End.

2.2 NATIONAL PLANNING POLICY FRAMEWORK

The revised National Planning Policy Framework ('the Framework') was published in July 2021. The Framework is a significant material consideration in this instance, that must be considered in the determination of planning applications.

At the heart of the Framework is the "presumption in favour of sustainable development" (paragraph 11) which ensures development is pursued in a positive way. Sub-section c), requiring the approval of development proposals that accord with an up-to-date development plan are not relevant in this instance, where the local plan (2005) is out of date. As such, sub-section d) of paragraph 11 is applicable, stating:

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (footnote 8), granting permission unless:



i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Following this, Footnote 8 confirms developments involving the provision of housing, such as this, and a situation in which the LPA cannot demonstrate a five-year supply of deliverable housing sites with appropriate buffer, which is applicable to Uttlesford District Council, such policies can be considered out of date.

An overall approach to sustainable development must be taken, incorporating social, economic, and environmental objectives, which are interdependent and need to be pursued in mutually supportive ways.

The Framework contains advice on the delivery of sustainable development across seventeen key themes. In addition to the above extracts from Chapter 2, of particular relevance in respect of the current development proposal are the below chapters of the NPPF, with relevant extracts provided:

The Framework contains advice on the delivery of sustainable development across 17 key themes. Of particular relevance in respect of the current development proposal are the below chapters of the NPPF, with relevant extracts provided:

Chapter 5 “Delivering a sufficient supply of homes”. This chapter requires that a sufficient amount and variety of land be utilised to meet the national housing demand, with an emphasis on the provision of affordable housing, noting the importance of small to medium sized sites in meeting the housing requirement as well as the support for the development of windfall sites.

Chapter 8 “Promoting healthy and safe communities”. This chapter focuses on the importance of creating communities in order to deliver local strategies to improve health social and cultural well-being; promoting public safety through design and increasing access to high quality open space.

Chapter 9 “Promoting sustainable transport”. This chapter seeks to ensure the potential impacts of development on transport networks are addressed within proposals, providing parking that meets the local parking standards and ensuring safe and suitable access to the site for all users including within construction.

Chapter 11 “Making effective use of land”. Paragraph 120, particularly part (a), states that planning policies and decisions should encourage multiple benefits from both urban and rural land, including through mixed use schemes and taking opportunities to achieve net environmental gains – such as developments that would enable new habitat creation or improve public access to the countryside;

Paragraphs 124 and 125 go on to state that development should make efficient use of land taking into account:-

- Different types of housing
- Local market conditions



- The availability and capacity of infrastructures and services
- Maintaining an areas' prevailing character and setting
- Securing well-designed, attractive, and healthy places
- Make optimal use of the potential of each site.

Chapter 12 "Achieving well-design places". This chapter recognises that "the creation of high quality, beautiful and places is fundamental to what the planning and development process should achieve sustainable buildings and places" in paragraph 126. Sustainability and design therefore go hand in hand, with paragraph 134, subheading (b), further noting that significant weight shall be given to "outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings".

Chapter 14: "Meeting the challenge of climate change, flooding and coastal change". Within this chapter, paragraph 152 states "The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure".

Paragraph 157 states "In determining planning applications, local planning authorities should expect new development to:

- b) take account of landform, layout, building orientation, massing and landscaping to minimise energy consumption".

Further to this, paragraph 159 states "Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future)". The aim of this 'Planning and Flood Risk' section is to avoid developing on land at risk of flooding, through the sequential test outlined in paragraph 161, to ensure suitable and sustainable locations for development are chosen.

Chapter 15 "Conserving and enhancing the natural environment". Paragraph 180 of the NPPF presents four principles that should be applied to determining planning applications which can be summarised into 1) mitigation or , last resort, compensation, in the case significant harm to biodiversity would occur, 2) Potential exception to development within a Site of Specific Scientific Interest (SSSI) that will have an adverse impact, if the benefits outweigh the harm, 3) the loss or deterioration of irreplaceable habitats should be refused, unless a wholly exceptional reason and compensation strategy exist and 4) developments that have a primary objective to preserve and enhance biodiversity should be supported, and opportunities to improve biodiversity in and around developments. As part of this, paragraph 182 clarifies that " The presumption in favour of sustainable development does not apply where the plan or project is likely to have significant effect on a habitats site, unless appropriate assessment has concluded that the plan or project would not adversely affect the integrity of the habitats site".



Chapter 16 “Conserving and enhancing the historic environment”. Paragraph 189 of the NPPF identifies heritage assets as a “an irreplaceable resource and should be conserved in a manner appropriate to their significant, so that they can be enjoyed for their contribution to the quality of life of existing and future generations”.

Paragraph 197 states “In determining applications, local planning authorities should take account of: ... (b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality...”, which is an important aspect of supporting sustainable development and meeting the international and nationally vision for a greener future. This is also factored into the decision making noted in paragraph 202, stating “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use”.

2.3 NATIONAL GUIDANCE

In addition to the above policy in the NPPF, national guidance is also relevant to this proposal which assists in understanding policy within appropriate contexts, as well as providing further detail not included within policies. The following guidance is relevant to this proposal:

- National Planning Policy Guidance (NPPG)
- National Design Guide (NDG)

2.4 LOCAL POLICY, STRATEGY AND SPD’S

Under Section 38 of the Planning and Compulsory Purchase Act 2004, applications for planning permission should be determined concerning the development plan.

On the 30th of April 2020 councillors decided to withdraw the draft Uttlesford Local Plan 2019 and start a new plan. The published Local Development Scheme seeks to present the draft Local Plan for public consultation (Regulation 18) in the week of the 30th of October 2023, with an indication of its adoption approximately in Spring 2026. Therefore, the adopted local plan 2005 and the saved polices 2007, form part of the statutory development plan for the area, which includes polices for deciding applications in Uttlesford.

The key policies applicable from the adopted Local Plan to this proposed development are highlighted below:

- Policy S1- Development Limits
- Policy S7- The Countryside
- Policy H1- Housing Development
- Policy H9- Affordable Housing
- Policy H10- Housing Mix
- Policy GEN1- Access
- Policy GEN2- Design
- Policy GEN3- Flood Protection
- Policy GEN4- Good Neighbourliness



- Policy GEN5- Light Pollution
- Policy GEN6- Infrastructure Provision to Support Development
- Policy GEN7- Nature Conservation
- Policy GEN8- Vehicle Parking Standards
- Policy ENV2- Development Affecting Listed Buildings
- Policy ENV3- Open Spaces and Trees
- Policy ENV5- Protection of Agricultural Land
- Policy ENV8- Other Landscape Elements of Importance
- Policy ENV10- Noise Sensitive Developments
- Policy ENV11- Noise Generators
- Policy ENV12- Groundwater Protection
- Policy ENV14- Contaminated Land

In addition to the adopted Local Plan, more recently on the 25th of February 2020, the Felsted Neighbourhood Plan was formally made containing within it the following applicable policies:

- HN1- Meeting Housing Needs
- HN5- Residential Development Outside of Development Limits
- HN7- Housing Mix
- HN8- Habitats Regulations Assessment
- ICH1- High Quality Design
- ICH4- Avoiding Coalescence
- CW1- Landscape and Countryside Character
- CW4- Green Infrastructure
- INF1- Water Recycling and Flood Risk

Further, the following SPDs are considered relevant to this proposal, with a brief commentary provided:

- Developer Contributions (March 2023) - *This document sets out how Uttlesford District Council will seek planning obligations from developers, where applicable.*
- Essex Coast Recreational Disturbance, Avoidance and Mitigation Strategy (RAMS) (September 2020) - *This document details the requirement for developments for financial contributions to the Essex Coast Recreation Disturbance Avoidance and Mitigation Strategy.*
- Energy Efficiency and Renewable Energy (October 2007) - *In accordance with local policies GEN2 and ENV15 in the Uttlesford Local Plan, this SPD details how energy efficiency can be designed into developments.*
- Urban Place Supplement to Essex Design Guide (March 2007) - *In addition to the Essex Design Guide, this supplement focuses on sustainability in design and adapting to changes in lifestyle.*



- Accessible Homes and Play Space (November 2005) - *In housing developments of 20 units and over, at least 5% of the houses should be built to the wheelchair accessible standards. Also, all new dwellings should be designed to the lifetime homes standards.*
- Essex Design Guide (2005) - *Design guidance for development in Essex to assist in creating high quality places.*
- First Homes Planning Advice Notice (2022) - *Affordable housing tenure should result in a split of 70% affordable rent, 25% as First Homes and 5% Share Ownership Housing.*
- Parking Standards - Design and Good Practice (2009) - *All new residential developments will provide one parking space per each one-bedroom dwelling, increasing to two parking spaces for two+ bedroom dwellings. Also, 0.25 parking spaces will be required per dwelling for visitor and/or unallocated parking.*
- Uttlesford Local Residential Parking Standards (2013) - *In addition to the ECC parking standards, this document indicates the local requirement for dwellings with 4+ bedrooms to have a minimum of 3 parking spaces.*

3 PLANNING APPRAISAL

This section of the statement assesses the proposal against the relevant development plan and identifies other material consideration of weight, where appropriate. The key matters to consider are as follows:

- Five Year Housing Land Supply (5YHLS) and the Local Plan
- Principle of Development
- Affordable Housing, Accessible Homes and Housing Mix
- Access, Highways Transport and Parking Provision
- Design of the Development
- Residential Amenity
- Landscape and Visual Impact
- Trees and Hedges
- Ecology and Biodiversity
- Heritage Assets
- Flood Risk and Drainage
- Contamination
- Energy and Sustainability
- Draft Heads of Terms and Financial Contributions

3.1 FIVE YEAR HOUSING LAND SUPPLY (5YHLS) AND THE LOCAL PLAN



As Uttlesford District Council do not currently have an up-to-date Local Plan, the 'presumption in favour of sustainable development' in paragraph 11 d) of the NPPF is triggered and relevant. This is evident from the housing requirement stated at 'until 2011' within the adopted Local Plan.

In addition to this, in December 2022 Uttlesford published the 'Uttlesford District Council 5-Year Land Supply Statement and Housing Trajectory', which indicates a 4.89-year supply of land for housing within the district.

However, whilst it is agreed that the Local Plan is considered out of date and there is not sufficient land to meet the 5YHLS, the weight to be attached to this shortfall is dependent upon the scale of the shortfall. As such, Lichfield's have reviewed Uttlesford's 5YHLS, including housing need and deliverability of the supply in the supporting document 'Five-Year Housing Land Supply Review' dated 19.09.2023.

Lichfield's review indicates that the actual deliverable supply of housing, based on the NPPF definition of 'deliverable', represents a 4.59-year 5YHLS, which is a similar conclusion taken on the appeal of Helena Romanes School (reference: 3296064). A recent appeal decision in Uttlesford, (PINS reference - APP/C1570/W/22/3312794) for five dwellings in a rural area resulted in the Inspector taking a 'worst case scenario' assessment on Uttlesford 5YHLS of 2.68 years, with five dwellings contributing moderately to the undersupply. Viewing this in the context of the delivery of a new local plan, which would not be adopted until the Spring of 2026 at the earliest, the need to provide for this shortfall of housing is evident.

When concluding the weight afforded to the reduced 5YHLS, whilst the shortfall of 0.41 years is significant in itself, other factors including the out-of-date local plan, Uttlesford's low recent housing delivery as identified by Lichfield's and recent appeal decisions, with Uttlesford being placed in 'special measures' only adds to the severity which should be afforded to the lack of a 5YHLS and the benefits arising from this proposal.

It is also prudent to consider the draft NPPF changes, in the '*Levelling-up and Regeneration Bill: reforms to national planning policy*' which includes potential changes to how a 5YHLS is demonstrated, calculated and the removal of the 5% and 20% buffers. However, due to the lack of update on this document and unknown relating to its adoption, this is considered to hold very little weight in the assessment of this application, subject to its timely assessment.

Overall, it has been evidenced that the actual 5YHLS at Uttlesford District Council is 4.59 years based on an up-to-date review, which viewed in the context of the significantly out-of-date local plan and the Council's status in special measures, results in significant weight being afforded to the lack of a 5YHLS, indicating the need for both market and affordable housing in Uttlesford.

3.2 PRINCIPLE OF DEVELOPMENT

The purpose of the planning system is to achieve sustainable development, with the NPPF identifying three overarching objectives of the planning system in achieving sustainable development; an economic objective; a social objective; and an environmental objective.



At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11) which is fundamental in achieving the sustainable development. In this context, paragraph 11 of the NPPF requires Local Planning Authorities to approve without delay development proposals that accord with an up-to-date development plan. Where the development plan is absent, silent or out-of-date, the default position is for permission to be granted, unless any adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. The NPPF also promotes the effective and efficient use of under-utilised land and buildings to meet the need for new homes and other strategic uses, as per paragraph 120.

As the application site is located outside of the development limits, as identified on the Uttlesford District policy constraints map and the Felsted Neighbourhood Plan, Policy S7 of the Uttlesford Local Plan is relevant. Policy S7 seeks to restrict new development to within the defined settlement boundaries, unless development needs to take place outside of these limits or is appropriate to the rural area, which is key to understanding the principle of development for this proposal. In respect of the existing site, policy ENV5 seeks to retain the best and most versatile agricultural land, though where development is required, this should seek to use areas of poorer quality except where sustainability considerations suggest otherwise.

In respect of the Felsted Neighbourhood plan, policy FEL/HN5 is most relevant to the principle of development. This policy states that development outside of the settlement boundaries, supported with a Transport Statement and with safe and suitable access will be supported where one of the following points, similar to (what is assumed to relate to, due to the reference to an out-dated-NPPF within the policy) paragraph 80 of the NPPF:

- i) Rural Exception Housing*
- ii) Limited market housing required to enable the delivery of rural exception Affordable housing;*
- iii) Replacement dwellings*
- iv) Supplemental residential dwellings in line with Policy FEL/HN6;*
- v) Development allowed in exceptional circumstances on the edge of the VDLs by other policies in this plan (SC4 and SC6) where the community has been actively engaged, via the provision of a development brief and where exceptional benefits to the community (including delivery of infrastructure requirements identified in this Plan) can be clearly demonstrated; or*
- vi) Sites allocated in this plan (HN2, HN3).*

However, as per paragraph 11 d) of the NPPF, the weight afforded to local plan policies is also dependent on Uttlesford District Councils 5YHLS, housing delivery and whether the local plan can be considered out of date, all of which apply to Uttlesford District Council.



Focusing on the application site and the proposal, according to the Agricultural Land Classification Map Eastern Region (ALC008, published August 2010), extract right, the site is considered Grade 3 agricultural land. Further, it is acknowledged that the previous planning applications on this site, as detailed in section 1.3 of this statement, included the loss of this agricultural land which was not raised as a concern nor a reason for refusal. A similar conclusion was also reached in the appeal decision at Radwinter Road, Swards End, Saffron Walden (PINS reference: APP/C1570/W/22/3296426, dated 05/10/2022) which attracted only limited weight and considered policy ENV5 as only partly consistent with the NPPF. As such, it is considered a similar stance should be taken on this proposal.



Turning to the location of the site outside of the defined settlement boundary, it must first be acknowledged that the Ridley Green site to the south is a relatively new residential development which, whilst approved on its own merits, has resulted in additional permanent built form and residential expansion in this location, outside of a settlement boundary. As such, it is considered the residential development proposed in this application is also, by virtue of the Ridley Green development, is appropriate to this rural area considering its specific characteristics and context.

Furthermore, where Uttlesford have failed to demonstrate a 5YHLS, as well as utilising out-of-date policies to assess planning applications, with the presumption in favour of sustainable development engaged, there is a significant case in favour of the proposal and the principle for development. As such, the proposal is considered compliant with the applicable requirements of policy S7 and ENV5 of the Uttlesford District Local Plan, policy FEL/HN5 of the Felsted Neighbourhood Plan and the aims and objectives of the NPPF and the NPPG.

3.3 COMMUNITY ENGAGEMENT

Due to the previous planning history of this site and those surrounding, the applicant has not conducted any specific community engagement in connection with this Section 62A application.

This outline application follows the refusal of three smaller applications located within the application site:

UTT/20/3323/OP - Outline application with all matters reserved except access for the erection of 1 no. detached dwelling - Application refused.

UTT/20/3368/OP - Outline application with all matters reserved except access for the erection of 4 no. detached dwellings - Application refused.



UTT/21/3088/OP - Outline application with all matters reserved except access for the erection of 4 no. dwellings - Application refused.

The above previously refused applications have been discussed in detail within section 1.3 of this statement, with the comments received during the consultation on the previous applications reviewed to inform the design of this current proposal for assessment.

In summary, the previous applications brought forward the following concerns from the local community:

- The sites' location is outside of the settlement boundaries.
- Development of the site would interrupt the historic open landscape setting between the Brewers House and the Brewery Development (Ridley Green).
- Impact of developments on local services and relates strain.
- Lack of affordable housing proposed.
- Insufficient access width and visibility splays.
- Disagreement on the 5YHLS position of Uttlesford District Council.

It must be noted that this application is submitted in outline form, with all matters reserved but access. As such, the details relating to layout and scale are therefore not for determination. However, in support of this application both parameter and illustrative drawings have been submitted to provide an indication of the potential layout and scale of development within the application site. Further, matters relating to Uttlesford 5YHLS are provided in section 3.1 of this statement, the principle of developing this land for residential use in section 3.2, affordable housing in section 3.4, access and transport in section 3.5, landscape and visual impacts on section 3.8, impact on heritage assets in section 3.11 and financial obligations to negate the impact on local services in section 3.15 of this statement.

Following approval of this application, prior to the submission of reserved matters, the applicant would welcome discussions with the Parish Council and local residents to further inform the next steps for development within this site.

3.4 AFFORDABLE HOUSING, ACCESSIBLE HOMES AND HOUSING MIX

Policy H9 of the Uttlesford District Local Plan 2005 stipulates that the Council will seek to negotiate on a site-to-site basis an element of affordable housing of 40% of the total provision of housing. In the context of this proposal, where up to 50 dwellings are indicatively proposed this would result in a maximum affordable housing provision of 20 dwellings.

Though indicative at this stage, the affordable dwellings have been split in tenure to respond to the local need, as identified in the First Homes Planning Advice Notice (2020), which advises an Affordable housing tenure split consisting of 70% affordable rent, 25% as First Homes and 5% Share Ownership Housing. The proposal reflects this guidance, with a variety of dwelling sizes consisting of 3x one-bedroom, 11x two-bedrooms and 6x three-bedrooms split amongst the tenure types in line with the Uttlesford Housing Strategy 2021 - 2026. Additionally, the proposal can accommodate the 5% M4(2) accessible and adaptable standard, which in the illustrative layout consists of 4x



bungalows on plots No. 40 to 43. This evidences that an appropriate quantum of affordable houses and tenures can be provided within the site.

In respect of housing mix, local policy H10 requires all developments on sites of 0.1 hectares and above or of 3 or more dwellings, to include a significant proportion of market housing comprising small properties. Additionally, policy FEL/H7 of the Felsted Neighbourhood plan identifies the local need for two- and three-bedroom accommodation, with homes suitable for the elderly that are accessible and adaptable. Furthermore, section 5.2 of the Felsted Neighbourhood Plan ‘Meeting Housing Needs’ identifies the need for small high-quality dwellings for downsizers, which is acknowledged as a local concern impacting on the housing stock available in Felsted.

The Uttlesford Housing Strategy 2021 - 2026 (Published in October 2021) also identifies the overwhelming need for affordable one- and two-bedroom dwellings, as well as private two- and three- bedroom dwellings, though still with a need identified for smaller dwellings in Uttlesford and provision for those looking to downsize.

The indicative housing mix (right) has been formed based on the above local policy and research, which is considered to meet an identified housing need in both Felsted and Uttlesford, including first time byers and those seeking to downsize. This has been utilised as an up-to-date housing needs assessment as required in policy FEL/HN7.

As such, it is considered the proposal can meet the policy requirement for both affordable and accessible housing, providing for an identified local housing need and ensuring an accessible space for future residents and those seeking to downsize. As such, the indicative housing mix would be in compliance with policies H9 and H10 of the Uttlesford District Local Plan, policy FEL/H7 of the Felsted Neighbourhood Plan, Chapters 5 and 8 of the NPPF and the NPPG.

TOTAL MIX					
UNITS	1B	2B	3B	4B	5B+
50	3	25	13	6	3
PRIVATE SALE					
UNITS	1B	2B	3B	4B	5B+
30	0	14	7	6	3
AFFORDABLE RENT					
UNITS	1B	2B	3B	4B	5B+
14	3	7	4	0	0
SHARED OWNERSHIP					
UNITS	1B	2B	3B	4B	5B+
1	0	1	0	0	0
FIRST HOME					
UNITS	1B	2B	3B	4B	5B+
5	0	3	2	0	0

3.5 ACCESS, HIGHWAYS, TRANSPORT AND PARKING PROVISION

The NPPF requires development proposals to take appropriate opportunities to promote sustainable transport, provide safe and suitable access for all users; and ensure any significant impact on existing transport networks can be acceptably mitigated. Paragraph 111 of the NPPF states that development proposals should only be refused on highways grounds where they are assessed to have an unacceptable impact on highway safety or the cumulative impact on the road network would be severe.



Local policy GEN1 requires that development demonstrate that there is access to the main road network capable of carrying the traffic generated by the development safely and that there is capacity of the surrounding road network. It also requires the needs of cyclists, pedestrians, public transport users, and people whose mobility is impaired. Otherwise, local policy GEN8 indicates the requirements for parking in relation to the adopted parking standards, noting the Uttlesford Local Residential Parking Standards (2013).

In support of this application a Transport Statement (Dated 22.09.2023, Produced by Inter-modal) has been submitted, to advise on the access arrangements for the proposal, potential impacts on the surrounding highway network, initial consideration of parking provision and connections to the surrounding area. This follows a previous pre-application with the Highway Authority (Essex Country Council), in which subject to acceptable visibility splays being evidenced and a stage 1 safety audit undertaken and considered, the access proposed would be suitable to serve the proposed development. As such, a Stage 1 safety audit has also been submitted, with the response brought into the design of the proposal.

The Transport Statement highlights that there is access to a local public house and hotel within walking distance of the site, also linking with the surrounding PRow, with further accessible options within a 5km cycle distance from the site. Additionally, the No. 16 bus runs the route of Chelmsford-Broomfield-Hartford End-Felsted-Waltham, Monday through to Saturday, every two hours. The nearest bus stops are both approximately 215 metres north of the site, which is within walking distance, though due to a lack of footways this is reliant on the user travelling along the highway, which raises safety concerns for the existing and future community. The bus does provide car-free access to Chelmsford train station, however, in summary due to the lack of facilities available within walking distance and limited bus stops, the accessibility to services for the existing residents within Hartford End is modest.

As such, this proposal seeks to increase the accessibility and connectivity of the existing community and future residents at Hartford End, within the immediate vicinity to connect with the wider area. This is firstly accommodated through policy compliant off-street and visitor parking for the future occupants, with space for cycle parking for each dwelling. In addition to this, north and south bound bus stops would be secured through a legal agreement if consent is granted, along Chelmsford Road with pedestrian links, to ensure future occupants are provided with increased access to public transport within walking distance. By also providing a pedestrian link to the Brewery Development to the south, and a pedestrian and cycle link to Chelmsford Road between Hillside and The Brewers House, this enables the occupants of Ridley Green, Hillside, The Brewers House and surrounding dwellings safer access to public transport, resulting in a community benefit for surrounding residents.

Finally, the impact of the proposal on local transport infrastructure has been assessed and summarised as moderate during critical weekday AM and PM peak hours. In terms of the access proposed, it is considered that following a review of local vehicle and access relationships in the immediate vicinity, review of local crash and injury data, and means to achieve acceptable visibility splays the access should be regarded as acceptable. This would be safer than utilising the existing vehicular access into the site, between Hillside and The Brewers House, and closing this would be



an improvement to the safety of highway users. The detailed comments found from the Stage 1 safety audit, such as those relating to the access gradient, tactile pathing and existing telegraph pole, would be addressed at the detailed design stage following outline approval.

Overall, the proposed access would be safe for road users ranging from future residents to service vehicles, with sufficient off-street parking provided within the site. Additionally, the bus stops, deliverable through S106 agreement, would significantly improve the safety of access to and connectivity of the surrounding community and future residents to services throughout the surrounding area, considered a significant deliverable benefit as part of this project. As such, the proposal is considered to be compliant with policies GEN1 and GEN8 of the Uttlesford Local Plan, policy FEL/HN5 of the Felsted Neighbourhood Plan, the relevant SPD's, Chapter 9 of the NPPF and the NPPG.

3.6 DESIGN OF THE DEVELOPMENT

Section 12 of the NPPF stresses the fundamental importance of high-quality, beautiful design in the pursuit of delivering sustainable development. The NPPF sets out a clear rationale for high quality design, reinforcing that "good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities".

At a local level, policy GEN2 is the local design policy which seeks to ensure development is compatible with its context, safeguards visual landscapes and follows the relevant local SPD's and other guidance. Central to this is the Essex Design Guide, which provides guidance for high quality design in development. Additionally, key to this assessment is policy S7, which states that where *'the application site is within land designated as the countryside, for which planning permission will only be given for development that needs to take place there or is appropriate to a rural area. 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'*. Considering this policy was referenced in all of the previously refused applications on this site, it has been a key consideration in the evolution of the indicative proposal.

Further to the above, Felsted Neighbourhood Plan (2020) policy FEL/CW1 seeks proposals to protect and enhance the landscape of the character area in which they are situated. Policy FEL/ECH1 seeks high quality design in development, with particular reference to countryside locations requiring all new build proposals outside the development limits to not harm their landscape setting.

This submission is supported by a Design and Access Statement (Dated October 2023, produced by SPD Studio) which provides an analysis of the indicative design features of the proposal, as well as the evolution of the indicative design and layout. With the previous applications on this site considered to result in a coalescence of built form along the B1417, requiring a visual break of built form retained between Hillside and Ridley Green, this proposal has sought to overcome these concerns.

In addition to the Design and Access Statement, Section 1.4 of this statement details the design of the proposal and how it has responded to its context. The Design and Access Statement includes



the design evolution of this site, indicating the reduced built form along the B1417 to accommodate policy requirements, as well as assessing the constraints and opportunities of this site.

As such, the indicative and parameter plans have been provided to evidence how the proposal can successfully preserve and enhance the existing setting according with built form and responding to the constraints of the site including topography and landscape views. The proposal, at detailed design stage, could therefore be designed in compliance with policies S7 and GEN2 of the Uttlesford District Local Plan, policies FEL/CW1, FEL/HN5 and FEL/ICH4 of the Felsted Neighbourhood Plan (2020), Chapter 12 of the NPPF, the Essex Design Guide and the NPPG.

3.7 RESIDENTIAL AMENITY

Achieving well-designed places is a key objective of the NPPF, with development proposals expected to *'create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users'*.

Local Plan Policy GEN2 states that development proposals will be permitted where they minimise the environmental impact on neighbouring properties by appropriate mitigation measures, and do not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

The indicative layout of the site has been designed to respond to its surrounding residents, utilising both design and distance as per the Essex Design Guide, to prevent detrimental impacts to the living conditions of surrounding residents. This can be noted in the parameter building heights, which propose one storey dwellings at plots 40 to 43, in addition to a landscape screen intervening between views of Hillside, to prevent a sense of enclosure or overbearing, whilst also respecting the privacy of the occupiers. Additionally, plots 17 to 19 include 20-metre-long rear gardens, with a landscape screen, to the rear of The Brewers House. Otherwise, public open space has been allocated to provide a buffer between the proposed development and the occupants at The Brewers House, Hillside and the Ridley Green development to the south.

As such, it is not considered the proposal would lead to any detrimental impact on neighbouring occupants or the natural environment, in compliance with policy GEN2 of the Uttlesford Local Plan, the Essex Design Guide, Chapter 12 of the NPPF and the NPPG.

3.8 LANDSCAPE AND VISUAL IMPACT

Chapter 15 of the NPPF sets out national policy on conserving and enhancing the natural environment. Paragraph 174 sets out various criteria which afford protection to the natural and local environment including "protecting and enhancing valued landscapes..." and "recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services - including the economic and other benefits...of trees and woodland".

Local policy S7 seeks the protection and enhancement of the countryside, stating that 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. ENV8 notes that other landscape elements of importance should not be adversely affected by development.

Furthermore, Policy FEL/CW1 of the Felsted Neighbourhood plan, requires proposals to protect and enhance the landscape of the character area in which they are situated, and must not significantly harm the important long distance, short range and glimpsed views, identified in the Felsted Heritage and Character Assessment Report 2017.

In support of the proposal, a Landscape and Visual Assessment (Dated 24.09.2023, produced by Steve Plumb Associates) has been submitted. Overall, it is considered that the site has a high landscape quality and is in a relatively good condition. However, it is also noted that the site is missing hedgerow sections and generally lacks the key features identified in the local landscape character assessments for the area.

As such, it is concluded therefore that the proposal would have low effects on the local landscape character and these effects would be limited to the immediate area around the site. As part of this, the proposal would be most experienced by the residents of The Brewer's House, Hillside and part of Ridley Green. However, this would be mitigated at reserved matters stage through the layout of the proposal and landscape screening dispersed across the boundaries of this site.

The proposal would, therefore, preserves the rich landscape character of this area, with a minimal visual impact that can be mitigated through planting over time and agreed by condition, in compliance with saved policies S7, ENV3 and ENV8 of the Uttlesford District Local Plan, policy ICH1, INCH4, CW1 of the Felsted Neighbourhood Plan and chapters 12 and 15 of the NPPF, the National Design Guidance and the Essex Design Guide.

3.9 TREES AND HEDGES

Local policy ENV3 seeks to protect existing groups of trees and open spaces, with local policy GEN2 also seeking development to safeguard important environmental features in its setting.

An Arboricultural Impact Assessment (Dated 24.07.2023, produced by J. L. Denney Tree Consultant) has been submitted in support of this application, with assessment carried out in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction - Recommendations'. The site includes semi mature trees within, however many trees surrounding the site are mature, though it is noted no trees are subject to a Tree Preservation Order. It was concluded that one tree and a section of one hedge would need to be removed to permit development, with the remaining protected via root protection zones and suitable fencing.

Overall, the proposal would not detrimentally impact on the vitality and health of trees within and surrounding the site, in compliance with policies GEN7, ENV3 and ENV7 of the Uttlesford District Local Plan, Chapter 15 of the NPPF and the NPPG.



3.10 ECOLOGY AND BIODIVERSITY

In addition to the relevant policies in the Uttlesford District Local Plan, policy FEL/CW4 of the Felsted Neighbourhood Plan seeks '*Development proposals should protect, and where possible enhance the natural environment. All proposals should seek to deliver measurable net biodiversity gain, in addition to protecting existing habitats and species*'.

In support of this application a Preliminary Ecological Appraisal (Dated 24.09.2023, produced by Steve Plumb Associates) has been submitted. Considering the agricultural use of this site, the on-site assessment indicated only a limited potential for nesting birds and bats, utilising the tree and hedges on the boundary of the site. As such, the recommendations are limited to conducting tree works prior to February in relation to nesting birds and limiting exterior lighting to limit the impact on bats.

In respect of biodiversity enhancements related to the proposal, a summary of this has been produced by Steve Plumb Associates (Dated October 2023) with the inclusion of additional planting within the site, as well as the introduction of open space to the south, northeast and SUDS features, there is great opportunity to provide additional biodiversity value to the site. Further, the inclusion of the land parcel to the west would further improve the biodiversity of this site and its surroundings, with an overall habitat creation of 36.1%.

Overall, the agricultural status of the land has so far limited the ecological enrichment of the space, however as part of the proposal additional spaces to enrich the local biodiversity of the locality would result in a benefit in respect of ecology and biodiversity, in compliance with policies GEN7, ENV3 and ENV7 of the Uttlesford District Local Plan, policy CW4 of the Felsted Neighbourhood Plan, Chapter 15 of the NPPF and the NPPG.

3.11 HERITAGE ASSETS

Paragraph 189 of the NPPF identifies heritage assets as a "an irreplaceable resource and should be conserved in a manner appropriate to their significant, so that they can be enjoyed for their contribution to the quality of life of existing and future generations". In making this decision, the NPPF in paragraph 202, states "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use".

In terms of local policy, policy ENV2 seeks to protect the setting of heritage assets and prevent development that would negatively affect the setting of heritage assets. Further to this, policy FEL/ICH1 of the Felsted Neighbourhood Plan seeks to maintain and respect the visual integrity of the historical settlement patterns and identities within the Parish, as well as reinforce and enhance the positive heritage features within Felsted.

Both within the immediate and wider setting of the application site are multiple heritage assets which provide an insight into the historic nature of this location, and which the outline proposal seeks to protect and enhance the setting of.



The application site is located in close proximity to the Grade II Listed Building Keepers Cottage (List Entry: 1112854) and a listed pump (List Entry: 1112853), both of which are northeast of the application site and located on Chelmsford Road. Additionally, the Camsix Farm group of buildings, which are Grade II Listed Buildings to the northwest, as well as the Hartford End Mill group of buildings, which consists of the Grade II* Listed mill and the Grade II Listed mill house and bridge.

In recognition of the surrounding heritage assets and to inform the design evolution of this proposal a Heritage Impact Assessment has been submitted (Dated 24.09.2023, produced by HC UK). This summarises that there will be no harm to the significance of the nearby heritage assets, whereby paragraph 202 of the NPPF is not engaged. This is by virtue of the distance to the surrounding heritage assets and intervening landscape and built form.

Considering the above, it is considered that the proposal would be in compliance with policy ENV2 of the Uttlesford District Local Plan, policies ICH1 and CW1 of the Felsted Neighbourhood Plan, Chapter 16 of the NPPF and the NPPG.

3.12 FLOOD RISK AND DRAINAGE

The NPPF states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (paragraph 159). Additionally, developments which are required to pass the Exceptions Test (as set out in the NPPF and associated Technical Guidance) will need to address flood resilient design and emergency planning.

Local policy GEN3 states that outside flood risk areas development must not increase the risk of flooding through surface water run-off, requiring a flood risk assessment to demonstrate this. Additionally, policy INF1 of the Felsted Neighbourhood Plan requires that new development will only be supported where proposals demonstrate sufficient water reclamation capacity exists, and that fluvial flooding will not result.

The site is located in close proximity to the River Chelmer, however the site is not located within its flood plain. There is, however, an existing ditch which runs along the northwest and west boundary. The surrounding land uses consist of agricultural and private residential related. The supporting Flood Risk Assessment (Dated 04.08.2023, produced by SPD Studio) details that the site is located wholly within Flood Zone 1 and at a low risk of pluvial/ surface water flooding towards the northwest and west boundary of the site, due to the ditch to which existing surface water flows.

Firstly, applying the Flood Zone classification to the proposed development, Flood Zone 1, in correlation with paragraph 027 of the NPPF's Planning Practice Guidance (Flood risk and coastal change) the proposal meets the requirements of the Sequential Test, which requires potential developments to prioritise land located within areas of low flood risk in the first instance.

In respect of surface water drainage, the current land is greenfield with a discharge rate of 4.7 l/s for a 1:100-year storm plus 45% climate change consideration. Though the proposed layout is illustrative, technicians have concluded that with the inclusion of two attenuation basins, surface water discharge to the existing watercourse (ditch) and lined permeable paving system would result in a post-development run off rate also at 4.7 l/s, the same as greenfield.



In summary, the proposal is considered compliant with policies GEN3 and ENV12 of the Uttlesford District Local Plan, policy UNF1 of the Felsted Neighbourhood plan, Chapter 14 of the NPPF and the NPPG, resulting in a development that is suitably located, resilient and safe.

3.13 CONTAMINATION

Paragraph 183 of the NPPF seeks to ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination, seeking mitigation including land remediation if contamination is found.

Local policy ENV12 seeks to protect groundwater from contamination, whilst local policy ENV14 seeks to protect future development from contamination of the existing land.

As the application site consists of agricultural land, a Phase 1 Contamination report (Dated 07.09.2023, produced by GemCo.) has been submitted to support this application, which includes an assessment in relation to the contamination levels of the site.

Overall, this report concludes that there is a low to very low risk of contaminants from the agricultural use of and construction and demolition activities on site, as well as from the Brewery Development off-site. As such, the site is considered suitable for a residential development, subject to limited recommendations including a discovery strategy, in the case contaminants are discovered during the construction of the proposal.

As such, the proposal is considered compliant with policies ENV12 and ENV14 of the Uttlesford Local Plan, Chapter 15 of the NPPF and the NPPG.

3.14 ENERGY AND SUSTAINABILITY

Sustainable principles have been evaluated at each stage of the design process to ensure the proposal has been designed and will be constructed to make the fullest contribution to climate change mitigation and adaptation. Therefore, minimising overheating, reducing flood risk, improving water efficiency, and protecting and enhancing green infrastructure, have been key considerations in the design process of the development.

SPD Studio seek energy reductions to meet current building regulations. Our first priority is a fabric-first approach, with high performance thermal insulation to significantly reduce the heating energy demand with increased air tightness in the building envelope.

Passive solar design takes advantage of natural light and heat from the sun and uses air movement for ventilation. This reduces or negates the need for artificial lighting, heating, cooling or ventilation. It can be achieved with no additional cost to a development and can result in considerable living cost savings and significant impact on energy efficiency. The layout and orientation of dwellings and windows to habitable rooms would be considered at reserved matters, aimed to achieve adequate levels of natural daylight, maximising the controlled use of passive solar and thermal energy. All dwellings would be designed to be dual aspect, benefiting from highly effective natural ventilation



and cooling of the building fabric within summer seasons, while appreciating views over the rear paddocks.

Further, whilst parking is provided within the proposed development, the inclusion of deliverable bus stops is envisaged to increase the usage of public transport in an area that is currently highly dependent on private vehicles, for the existing and future community. In addition to this, electric vehicle charging and cycle parking which would be agreed at reserved matters. Also, a net biodiversity gain would be provided within the application site, to the hedged boundaries and landscape spaces, and off-site provision directly west of the site.

In summary, the proposal would be designed to ensure sustainability is at the heart of development, utilising both fabricated and natural resources to assist Uttlesford District Council in its sustainable development goals as indicated in the Uttlesford Climate Crisis Strategy 2021 - 2030 and the Energy Efficiency and Renewable Energy (2007) SPD, whilst also in compliance with policy GEN2 of the Uttlesford Local Plan and Chapter 14 of the NPPF and the NPPG, resulting in a development that has a high standard of amenity for existing and future users.

3.15 PLANNING OBLIGATIONS

As part of the proposal, due to the deliverables proposed, the applicant is open to discuss necessary and reasonable financial obligations with Uttlesford District Council required for the proposed development, that meet the statutory tests indicated in Regulation 122 of the Community Infrastructure Levy Regulations 2010 during the lifetime of this application. As such, it is envisaged the following may be sought through preparation of a S106 agreement:

On-site deliverables:

- Affordable housing provision (40% of total dwellings).
- Public open space, LAP and maintenance details.
- Travel plan for dwellings.

Off-site deliverables:

- New north and south bound bus stops on Chelmsford Road, with supporting facilities, access and passenger information.
- New pavement to the southwest of the site access, on Chelmsford Road.
- Delivery of BNG on adjacent parcel of land.
- Financial obligations relating to LPA to consultee requirements and discussions.



4 Planning Balance and Conclusions

4.1 Planning Balance

Section 3 of this statement has appraised the relevant planning matters, which has been summarised into a planning balance exercise to assess the harms and benefits of the proposal:

Harm or Adverse Impact	Weight Afforded (with reasons)
The site is outside of a settlement boundary	Limited Weight: 1) the Local Plan and its spatial application and designation is out-of-date, 2) Uttlesford cannot demonstrate a 5YHLS, 3) There is an unmet need for affordable housing.
Development on greenfield land in the countryside	Limited Weight: As per the reasons above.
Loss of Grade 3 agricultural land	Limited Weight: Considering the Council have approved the development of better-quality agricultural land recently to try to overcome the lack of a 5YHLS.
Beneficial Impact	Weight Afforded (with reasons)
Housing delivery to meet the shortfall of supply	Moderate Weight: Considering a 4.59 5YHLS Uttlesford.
Affordable housing delivery	Substantial Weight: Considering the provision of up to 20 affordable dwellings set in the context of a need for housing within Uttlesford.
Delivery of bus stops and pedestrian links to the benefit of the local community	Substantial Weight: Considering the local communities lack of safe access to public transport options.
Economic benefits resultant of construction phase employment and spending of future occupants	Moderate Weight
Environmental benefits resultant of the biodiversity enhancements proposed and sustainable construction.	Substantial Weight: Considering the significant uplift of habitat creation at 36.1%.
Provision of public open space	Moderate Weight

In summary of the tables above, the limited harmful/ adverse impacts do not significantly and demonstrably outweigh the significant benefits identified. Where the presumption in favour of



sustainable development is relevant to the assessment of this application, the proposal would accord with paragraph 11) d) ii) of the NPPF and permission should be granted.

4.2 Conclusions

This proposal, submitted as outline planning permission with all matters reserved but access, would result in the construction of up to 50 dwellings on land at Chelmsford Road, Hartford End, Felsted, Essex, CM3 1JY, with associated bus stops and access from Chelmsford Road, landscaping, public open space and LAP. As evidenced in section 2 and 3 of this planning statement, Uttlesford District Council are unable to demonstrate a 5YHLS, and as such in line with paragraph 11 d) of the NPPF the policies within the Uttlesford District Council Local Plan most important for the determination of this proposal are out-of-date.

Noting the lack of 5YHLS in the context of the out-of-date policies in the Uttlesford Local Plan, development outside of settlement boundaries has increasingly been utilised to provide sufficient housing supply for the increasing demand. As such the relevant policies, policy S7 in this instance, are insufficient to meet the housing need which limits the weight that can be afforded to these policies. Considering the lack of weight that can be afforded to said policies, in the context of the significant benefits deliverable through this proposal (provision of market housing, affordable housing, delivery of bus stops through legal agreement, economic benefits, environmental benefits and provision of public open space), the harmful/ adverse impacts do not significantly and demonstrably outweigh the significant benefits identified.

At reserved matters stage, the appropriate housing mix, tenure and quantum of affordable housing would be agreed, as well as specific deliverables through legal agreement, further strengthening the benefits of this proposal.

Therefore, for the reasons set out above, the proposal represents a sustainable form of development that would contribute positively towards Uttlesford and the local community, and as such should be granted outline permission.

I trust that the above, in addition to the supporting plans and documents, are sufficient to justify approval of the proposed development, however, if you require any clarification or wish to discuss amendments to the submitted details please do not hesitate to contact me at planning@spd-studio.co.uk.



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