

The Planning Inspectorate  
Room 3/J Kite Wing,  
Temple Quay House,  
2 The Square,  
Temple Quay,  
Bristol,  
BS1 6PN

09 February 2024

Your ref: S62A/2023/0031

Our ref: UTT/23/3112/PINS

Please ask for  
email:

Dear Major Case Work Team,

**Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) Order 2013 (as amended).**

**Consultation on S62A/2023/0031 - Outline application with all matters reserved except for access for the erection of up to 55 dwellings, associated landscaping and open space, with access from Knight Park**

**Land North Of Knight Park, Thaxted Road, Saffron Walden, Essex**

Thank you for your letter of 02nd January 2024 advising of your receipt of a valid planning application for the development outlined above. The Council, as Local Planning Authority considered a report in relation to this submission at their Planning Committee on 7<sup>th</sup> February 2024. The report is attached for information.

Given the unique nature of this application process, the Planning Committee requested that the report provided an overview analysis of the proposed scheme; with the limited information that was available to the Planning Service at the time. In this regard, the Planning Service was asked to provide their views on the indicative benefits, adverse and neutral impacts of the scheme in order to assist the Planning Committee with their consideration of this application.

There is an objection in principle to residential development on this site due to the conflict with the employment policies in the 2005 Local Plan, the emerging Regulation 18 Local Plan and the proposed employment allocation on the site, and material considerations in the form of up-to-date evidence on employment need and suitable, available and achievable HELAA sites for employment land at Saffron Walden.

In addition to the comments highlighted above and within the committee report, the Planning Committee wish to add the following:

- The Council requires that the public right of way through the site is protected should permission be granted. This will be added as a proposed Head Of term for the S106.
- That this was not within the CPZ as has been stated within the officer report.
- Concerns were raised about the possible noise nuisance for future residents from the proposed electricity substation.

### **Housing Delivery Test (HDT)**

The 5-Year Housing Land Supply (5YHLS) figure has been updated twice recently. In October 2023, the Local Planning Authority (LPA) published a 5YHLS figure of 5.14 years with the necessary 5% buffer. However following paragraph 79(c) of the National Planning Policy Framework (NPPF), a 20% buffer must be added to the LPA's housing requirement because of the updated HDT. This means that the current 5YHLS is 4.50 years (instead of 5.14 years). In line with the presumption in favour of sustainable development set out in the NPPF - paragraph 11 (d) (ii). In this case the tilted balance is engaged.

### **Consultation Documentation**

The following documentation is provided as part of the Uttlesford District Council's consultation response in which should form part of the Inspectors assessment of the proposals.

- Officers Committee Report
- Committee Late List
- Recommended Conditions
- Minutes of the Planning committee Meeting 7<sup>th</sup> February 2024 (to follow)

### **Heads of Terms**

The following has been prepared by the LPA without prejudice basis and sets out the draft Heads of Terms within the required S106 Agreement to be subsequently prepared in support of this outline planning application.

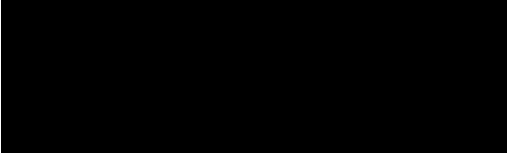
The below draft heads of terms give an indication as to the likely matters to be secured through the subsequent Legal Agreement:

1	Affordable Housing.	40% requirement, this amounts to 22 affordable housing units. This should include 25% of Affordable housing being First Homes. The First Homes provision will need to be delivered at or below a price cap of £250,000 after a 30% developer contribution has been applied.
2	Essex County Council Education Contributions.	To be confirmed
3	Essex County Council Libraries Contribution	To be confirmed
4	Financial contrition for NHS	To be confirmed
5	Provision and management of Public Open Space	A written strategy to demonstrate the provision, delivery and future management of the public open space.
6	Delivery of Biodiversity Net Gain	To be confirmed
7	Highway works.	To be agreed
8	Payment of Council's S106 Monitoring Fee.	To be agreed
9	Protection of Tip Toffs Lane	Protection of the Public Right of Way
10	Payment of Council's legal costs.	To be agreed

**Summary**

Taking into the above comments the Council as Local Planning Authority **objects** to the above mentioned development.

Yours Sincerely



Dean Hermitage, MA Mgeog, MRTPI  
Director of Planning