

UTTLESFORD DISTRICT COUNCIL

Council Offices, London Road, Saffron Walden, Essex CB11 4ER
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The Planning Inspectorate
Room 3/J Kite Wing,
Temple Quay House,
2 The Square,
Temple Quay,
Bristol,
BS1 6PN

8th February 2024

Your ref: S62A/2023/0030

Our ref: UTT/23/3113/PINS

Please ask for Chris Tyler on [REDACTED]
email: [REDACTED]

Dear Major Case Work Team,

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

Consultation on S62A/2023/0030 - Outline application with all matters reserved except access for up to 28 dwellings (class C3) including public open space, sustainable drainage systems, landscaping and associated infrastructure

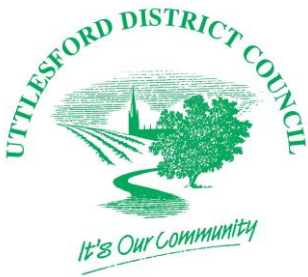
Land To West Of The Cricketers, Clatterbury Lane, Clavering

Thank you for your letter of 16th 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 7th 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.

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

- The proposal will introduce a sizable residential development to an area of open countryside. This would appear out of character with the open rural site and pattern of development within Clavering, this will be therefore harmful intrusion to the rural character of the immediate and surrounding area. The proposal would not be appropriate for this rural location and would be contrary to Uttlesford Local Plan Policies (adopted 2005) S7, GEN2 and the NPPF.
- It is noted the existing development of Eldridge Close, opposite this proposed development, was a previously developed land.



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- The proposals by reason of its inappropriate size and scale would amount to the significant loss to best and most versatile ('BMV') agricultural land contrary to Policy ENV5 of the Uttlesford District Council Adopted Local Plan and Paragraph 174(b) of the National Planning Policy Framework.
- There is very limited sustainable transport available for this site, as a result of the location of the application site it is considered that the proposal would not encourage the use of movement by means other than driving of a car to even local facilities. As such the proposal is considered contrary to Policy GEN 1(e) of the Uttlesford Adopted Local Plan 2005.
- The application does not provide sufficient information or evidence to demonstrate that the proposals would not have a harmful impact to the setting of the listed building, contrary to ULP Policy ENV2, Paragraph 200 of the NPPF.

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.

LPA Submission Documents

The planning history submitted with the LPA's documents includes an incorrect application that's is not linked to the application site.

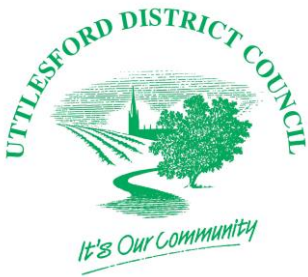
It quotes UTT/22/2917/OP – this relates to a completely different site near the boundary of Clavering with Arkesden.

This was an error when compiling the submitted documents.

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 7th February 2024 (to follow)



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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.

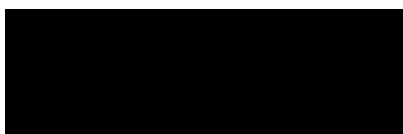
The below draft heads of terms give an indication as to the likely matters to be secured through the subsequent Legal Agreement:

1	Affordable Housing.	40% requirement, this amounts to 16 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	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