



## PLANNING STATEMENT

**Site:** Former Friends School Field, Mount Pleasant Lane,  
Saffron Walden

**For:** Chase New Homes

**Project Ref:** 23061

**Date:** July 2024

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1.0 **Introduction**

1.1 This Planning Statement has been prepared on behalf of our client, Chase New Homes to support an application for full planning permission for new residential development at the Former Friends School Fields, Mount Pleasant Road, Saffron Walden.

1.2 The description of development for the proposed scheme is as follows:

*Erection of 91no. dwellings with associated infrastructure and landscaping.  
Provision of playing field and associated clubhouse.*

1.3 This statement will demonstrate the acceptability of the scheme and that it does not result in any significant or demonstrable harm to the site or surrounding area and therefore constitutes sustainable development.

1.4 Section 2 sets out the contextual matters for the application site.

1.5 The relevant planning policy applicable to the proposed development scheme is summarised at Section 3.

1.6 Full details of the scheme proposal are provided at Section 4 and an assessment of the scheme against the relevant planning considerations is presented at Section 5. Section 6 and 7 set out a summary of the proposal and our conclusions regarding why planning permission should be granted.

## 2.0 **Site Context**

### **Site and Surroundings**

- 2.1 The application site is a 6.567hectare plot of land to the south of Mount Pleasant Road, within the town of Saffron Walden.
- 2.2 The application site comprises of the school fields associated with the Former Friends School. The school formally closed in July 2017 since when the fields have been un-used and closed to any public access. Adjoining the site to the west are the former school buildings and sports facilities which are currently being converted and developed into residential use, with ancillary facilities.
- 2.3 To the south west of the site is a residential development known as 'The Avenue'. To the southern and south eastern boundaries are significant tree belts and open space. The eastern boundary is also well tree'd beyond which are residential properties. The northern boundary of the site consists of mature trees fronting onto Mount Pleasant Road. Access to the site is currently via the main part of the school site, which benefits from an access onto Mount Pleasant Road.
- 2.4 Saffron Walden is the market town location within Uttlesford District Council. It is located approximately 12 miles south of Cambridge, with Stansted Airport 10 miles south. There are a number of smaller villages and hamlets surrounding the town.
- 2.5 The town is located on the B184 which connects with Thaxted to the south east and the A11 to the north.
- 2.6 Saffron Walden is one of two major settlements in the District, and as a market town has a town centre and outlying areas which provide a wide range of services to an extensive rural catchment. The town has both Primary

and Secondary education, an extensive retail facility offering three supermarkets, public houses, two doctors surgeries, dentists, post office, pharmacies, places of worship and a range of employment facilities.

- 2.7 Saffron Walden is served by the Audley End railway station located approximately two miles from the centre of the town. It is strategically located on the West Anglian Main Line. Direct services operate out of Audley End Station to Cambridge, Bishops Stortford and London Liverpool Street, amongst other locations.

### **Planning Context and Designations**

- 2.8 The site lies within Saffron Walden, which is identified as a 'Main Urban Area' and also as a 'major service centre' in the Local Plan.
- 2.9 The application site is located within the Saffron Walden Conservation Area (Zone 6).
- 2.10 The application site is located within Flood Zone 1 and is also at a very low risk of surface water flooding
- 2.11 Part of the site is identified as 'Protected Open Space of Environmental Value', whilst the remainder is identified as 'Protected Open Space Playing Fields' within the Local Plan 2005.

### 3.0 **Planning History**

3.1 In 2019 an application was submitted for the development of this land (application ref: UTT/19/1744/OP):

*Hybrid application consisting for full details for development of 30 dwellings utilising existing access, re-provision of swimming pool with new changing rooms, artificial grass pitches, sports pavilion, multi-use games area (MUGA), local equipped area for play (LEAP), local area for play (LAP), associated parking and demolition of gym building. The remainder is in outline for up to 70 dwellings with associated infrastructure, public open space, forest school and perimeter path.*

3.2 The application was refused on the 19 March 2021 for the following reasons:

- 1. The scheme of development conflicts with ULP Policies S1, ENV1, ENV3, GEN1, GEN2, GEN8 Essex Design Guide and the NPPF, as the design, layout, scale and appearance of the development is considered inappropriate in terms of the character of the site and surrounding area. In addition, the development would erode a distinctive protected open space of significant importance to the character of this area of Saffron Walden, as well as the conservation area and the locally listed school buildings.*
- 2. The submitted layout plans indicating the proposed sports uses and activities are located such that the immediate environs of the new residential properties, will incur, at close quarters, significant disturbance from noise, floodlighting, parking as well as the general coming and going of visitors to the facilities which would be in conflict with ULP Policies GEN2 and GEN4, and the NPPF.*

3. *The proposal is not considered to represent sustainable development in the context of Paragraph 8 of the NPPF, as it cannot show that the economic, social and environmental aspects of the development are satisfied in a positive and beneficial way. The development scheme as submitted, will involve a detrimental impact on the conservation area, the loss of protected playing fields and sports facilities and the locally listed school buildings. Paragraph 11 NPPF, requires full assessment of the benefits that will accrue from the development to show that it will result in a positive contribution. The loss of the protected sports fields, the impact on nearby locally listed buildings and the conservation area would outweigh the benefits of the scheme, especially with limited level of mitigation being proposed. Notwithstanding the fact that the council does not have a 5 year housing supply at present, the type of housing being proposed is not compliant with the housing officers requirements in terms of mix, layout, scale and design. This is a further significant issue that weighs against the development of the site and helps tilt the balance in the consideration of para 11, NPPF. The proposed development is therefore contrary to the NPPF and Local Plan Policies S1, LC1, ENV1 and GEN2.*
4. *The proposal does not show that the development of this site would involve a positive contribution to biodiversity and protected species in the local area, which is in conflict with Local Plan Policy GEN7 and the NPPF.*
5. *The planning application does not include a health impact assessment (HIA) or propose any mitigation of the healthcare impacts arising from the proposed development, without this detail and assessment the application cannot be supported. This is contrary to Local Plan Policy GEN6.*
6. *The applicant has not established that this site is redundant in terms of its longstanding sports use, nor has it been shown that there is an excess of*

*sports facilities and playing fields similar to the application site, consequently the loss of this open space area is unacceptable and against UDP Policy LC1.*

*7. The 2005 Local Plan Policy ENV1 specifically provides that Outline Applications for development within Conservation Areas will not be considered, this application incorporates the largest part of the site as an outline proposal which is unacceptable without detailed information.*

*8. The 2005 Local Plan Policy ENV1 specifically provides that Outline Applications for development within Conservation Areas will not be considered, this application incorporates the largest part of the site as an outline proposal which is unacceptable without detailed information.*

3.3 Since the determination of the above application, planning permission has been granted for the development of the Friends School adjacent (application ref: S62A/22/0000002). This approval comprises the 'Conversion of buildings and demolition of buildings to allow re-development to provide 96 dwellings, swimming pool and changing facilities, associated recreation facilities and landscaping.' This development is under-construction.

3.4 The school site has been closed since August 2017 and the playing fields have not been used since that time, in excess of 7 years. The field is not open to the public and there is no interest in re-opening the facilities.



## 4.0 **Proposed Development**

### Description of the Development

4.1 This application seeks full planning permission for the erection of 91no. residential dwellings with associated infrastructure and landscaping. The delivery of a multi-sport pitch and associated clubhouse at the former Friends School Fields.

4.2 The proposed scheme comprises the following elements:

- 91 new dwellings comprising of a mixture of flats, semi-detached and detached dwellinghouses
- Creation of a multi-use sports pitch and the erection of an associated single storey club house building
- Creation of access roads and parking provision throughout the development
- Public realm improvements including landscaping and the planting of 101 new trees

## Number and Mix of Dwellings

4.3 The proposed housing mix is as follows:

<b>Unit type</b>	<b>Beds</b>	<b>Tenure</b>	<b>Quantity</b>
1b2p flat	1	Affordable	8
1b2p flat M4(3)	1	Affordable	6
2b4p flat	2	Affordable	6
Beech	3	Affordable	16
Bronte	4	Affordable	1
			<b>37</b>

Aspen	3	Private	24
Aspen (detached)	3	Private	6
Bronte	4	Private	3
Willow	4	Private	4
Crescent T1 (special)	3	Private	10
Rowan M4(3) (special)	4	Private	1
Rowan (special)	5	Private	1
Wilde M4(3) (special)	5	Private	5
			<b>54</b>

**91**

4.4 There is proposed to be 41% affordable housing and 13% of all dwellings will be M4(3) compliant.

### Access

- 4.5 Vehicular access to the proposed development would be provided via the existing access to Mount Pleasant Road. Pedestrian access would also be provided as per the existing arrangements with the addition of a 2-metre-wide footway along the western carriageway of the internal road through the proposed development.



## 5.0 **Policy Context**

5.1 The plan led approach at Section 38(6) of the Planning and Compulsory Purchase Act 2004 necessitates that development proposals are determined in accordance with the statutory Development Plan, unless material planning considerations indicate otherwise. An important material consideration in the determination of planning applications is the National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG). The site lies within the administrative boundary of Uttlesford District Council and therefore the Local Plan (2005) provides the starting point for the consideration of this proposal.

5.2 Following the withdrawal of the draft Local Plan 2019, the Council has begun working towards a new Local Plan. The Council have announced plans in June 2024 to undertake a Regulation 19 Consultation on a new Local Plan between 8 August and 3 October 2024 subject to full Council approval.

5.3 Saffron Walden does have a Neighbourhood Plan which was made in October 2022.

### **Local Plan (2005)**

5.4 The end date for the Local Plan was 2011 and therefore a number of policies are considered to be out-of-date, this is further exacerbated by there being an inability to demonstrate a five-year housing land supply and the presumption being applied following the Housing Delivery Test results.

5.5 On this basis the following policies are considered to be the most important in respect of this application and therefore out-of-date:

- **Policy S1 (Development Limited for the Main Urban Areas)** identified Saffron Walden as a 'main urban area'.

- **Policy LC1 (Loss of Sports Fields and Recreational Facilities)** states:

*“Development will not be permitted if it would involve the loss of sports fields or other open space for recreation, including allotments. Exceptions may be permitted if either of the following applies:*

*Replacement facilities will be provided that better meet local recreational needs;*

*The need for the facility no longer exists.”*

- **Policy ENV3 (Open Space and Trees)** is relevant in that it seeks to retain open space, or other visually important species, groups of trees and fine individual tree specimens, unless the need for the development outweighs the amenity value of the tree(s).
- **Policy H1 (Housing Development)** proposes the development of 5,052 dwellings for the period 2000 to 2011.
- **Policy H9 (Affordable Housing)** states that the Council will seek to negotiate on a site by site basis an element of affordable housing of 40% of the total provision of housing on appropriate allocated and windfall sites, having regard to the up to date Housing Needs Survey, market and site considerations.
- **Policy H10 (Housing Mix)** states that development on sites of 0.1ha and above or of 3 or more dwellings will be required to include a significant proportion of market housing comprising smaller units.

5.6 The following policies are considered to be relevant, but not the most important policies for the determination of the application:

- **Policy GEN1 (Access)** addresses the issues of access for development and makes it clear that satisfactory road access and road safety are important matters to address together with encouragement given to modes of transport other than the private car.
- **Policy GEN2 (Design)** requires developments to meet the criteria set out within the policy as well as adopted Supplementary Design Guidance and Supplementary Planning Documents.
- **Policy GEN3 (Flood Protection)** requires development outside of flood risk areas not to increase the risk of flooding through surface water run-off. A Flood Risk Assessment will be required to demonstrate this. The policy states that Sustainable Drainage Systems should also be considered as an appropriate flood mitigation measure.
- **Policy GEN6 (Infrastructure Provision to Support Development)** requires development to make provision at the appropriate time for community facilities, school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed development. In localities where the cumulative impact of developments necessitates such provision, developers may be required to contribute to the costs of such provision by the relevant statutory authorities.
- **Policy GEN7 (Nature Conservation)** states that development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature. Furthermore, where the site includes a protected species or habitats suitable for protected species, a nature conservation survey will be required. Measures to mitigate and/or

compensate for the potential impacts of the development, secured by planning obligation or condition, will be required. Additionally, the enhancement of biodiversity through the creation of appropriate new habitats will be sought.

- **Policy GEN8 (Vehicle Parking Standards)** requires development to provide parking numbers, design and layout which are appropriate to the location, as set out in the Supplementary Planning Guidance “Vehicle Parking Standards”. Appendix 1 of the Local Plan sets out the Parking Standards for the District. These have been superseded by the Essex Highways ‘Parking Standards Design and Good Practice’ 2009 document.
- **Policy ENV1 (Design of Development within the Conservation Area)** allow for development where it preserves or enhances the Conservation Area.
- **Policy ENV2 (Development affecting Listed Buildings)** states that development which adversely affects the setting of the listed building will not be permitted.
- **Policy ENV4 (Ancient Monuments and Sites of Archaeological Importance)** states that where archaeological remains are affected by proposed development there will be a presumption in favour of their preservation in situ. It further states that the preservation in situ of local important archaeological remains will be sought unless the need for the development outweighs the importance of the archaeology.
- **Policy ENV8 (Other Landscape Elements of Importance for Nature Conservation)** states that development which may adversely affect landscape elements, including hedgerows and linear tree belts, will only be permitted if certain criteria apply. These include if the need for development outweighs the need to retain these elements and

mitigation measures are provided that would compensate for the harm and reinstate the nature conservation value of the locality.

- **Policy ENV12 (Protection of Water Resources)** states development that would be liable to cause contamination of groundwater particularly in the protection zone shown on the proposals map, or contamination of surface water, will not be permitted unless effective safeguards are provided.
- **Policy ENV13 (Exposure to Poor Air Quality)** addresses the need to control exposure to poor air quality. This policy states that development which would involve users being exposed on an extended long-term basis to poor air quality outdoors near ground level will not be permitted.
- **Policy LC2 (Access to Leisure and Cultural Facilities)** requires developments to provide inclusive access to all sections of the community, regardless of age, disability or gender.

### **Saffron Walden Neighbourhood Plan**

5.7 Made in October 2022, the following policies of the Neighbourhood Plan are relevant to the consideration of these proposals:

- **Policy SW1 (Housing Mix on New Development)** seeks to ensure a mix of dwelling sizes are included that reflect local need but also deliver a balanced and vibrant neighbourhood.
- **Policy SW2 (Affordable Housing)** seeks 40% affordable housing on sites of more than 0.5ha and for the provision to be integral part of the development. Affordable housing should be appropriately distributed through the development.



- **Policy SW3 (Design)** seeks to ensure that all development contributes positively to the sense of place through a design led approach underpinned by good design principles and an understanding of the site. All planning proposals with the potential to impact on Heritage Assets must be accompanied by a Heritage Assessment. Schemes must:
  - a) Display a high level of architectural quality which responds positively to the best of Saffron Walden's context and distinctive character by maintaining and promoting the distinctive local vernacular, by using complementary materials and by ensuring that height and scale is in keeping with neighbouring properties;
  - b) Evidence a positive response to the landscape, local and longer views and the natural and historic environments;
  - c) Integrate well with existing neighbourhoods while seeking, where appropriate, to improve the aesthetic of the immediate area;
  - d) Refer to Secured by Design principles to reduce crime and encourage safer communities;
  - e) Create well connected and accessible new streets which provide for a rich choice of routes, prioritising and encouraging active and sustainable travel. In the case of doubt on this matter the Essex Design Guide or any other locally applicable design guide will be referred to for best practice;
  - f) Have active frontages, particularly at street level, and provide a clear distinction between areas of public and private realm;

g) Respond to and enhance the amenity value of an area through consideration of matters such as overlooking, natural light, micro-climate, outlook and amenity space, both for existing neighbours and future residents;

Major developments must be submitted by a Building for Life 12 assessment and gated communities will not be permitted.

Schemes must comply with the Essex Design Guide guidelines.

Development proposals must comply with flood risk assessments and management requirements set out in the NPPF.

Schemes must include a street hierarchy and tree-lined streets.

- **Policy SW4** (Parking on New Developments) requires proposals to comply with Essex Design Guide and Essex Highways 2009 parking standards.
- **Policy SW10** (High Quality Communications Infrastructure) seeks to ensure all new homes have superfast fibre connectivity.
- **Policy SW11** (Ecological Requirements for all New Domestic and Commercial Developments) seeks the inclusion of sustainable drainage systems, water reuse and recycling, and rainwater and surface water harvesting to provide multifunctional spaces and reduce the demand on mains water supplies. Hedgehog holes, roosting, nesting and bat boxes should be provided on all new development.
- **Policy SW12** (Promoting Walking and Cycling) states that "*Development proposals which retain, enhance or incorporate safe, attractive and direct walking and cycling routes on site as appropriate and which appropriately mitigate the impact of additional transport movements in the parish created through the development scheme will be supported.*"

- **Policy SW13** (Travel Planning) expects developments to include, where appropriate, provision for funding and delivery of necessary sustainable travel initiatives and that Travel Plans must contain measurable objectives.
- **Policy SW14** (Improving Provision of Public Transport) states: *“Where appropriate, developers will be expected to take every available opportunity to promote the use of public transport including identifying and protecting routes and delivering services and infrastructure to widen transport choice and accessibility to key destinations from the location of the site.”*
- **Policy SW15** (Vehicular Transport) requires developments to demonstrate they would not increase congestion or impact on air quality.
- **Policy SW16** (Playing Fields and Sports Halls) states: *“Plans for a multi-sport site with associated sports hall, clubhouse and indoor pool will be supported, subject to the location being accessible by active travel modes and acceptable in planning terms.”*
- **Policy SW17** (Open Space for Informal Recreation) requires play areas to be located central to any development, with provision of amenity green space to be in a single well-placed location and not divided into small pockets.
- **Policy SW19** (Land of Value to the Natural Environment) states that the creation of publicly accessible woodland adjacent or close to the town would be supported.

### **National Planning Policy Framework (2023)**

5.8 The National Planning Policy Framework (NPPF) sets out the Government’s planning policies. The purpose of the planning system is to contribute to the

achievement of sustainable development. Sustainable development means development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

5.9 The new Labour Government announced on 8 July 2024 the intention to consult on amendments to the NPPF ahead of Parliament's summer recess.

5.10 Within Annex 1, the Government sets out its policies on how the NPPF should be implemented. At paragraph 47, it confirms that the NPPF does not alter the statutory basis for decision-making but goes on to state that the policies within the NPPF are material planning considerations which local authorities should take into account. Moreover, it details the Government's policy on the weight to be afforded to local plan policies in the light of the provisions of the NPPF. At paragraph 219 it states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the NPPF, and the closer the plan to the policies in the NPPF, the greater the weight that may be given.

#### Achieving Sustainable Development

5.11 At the heart of the NPPF is a presumption in favour of sustainable development. Paragraph 8 describes sustainable development as having three objectives – economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

**an economic objective** – to help build a strong, responsive and competitive economy, by ensuring 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;

**a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

**an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

#### Decision Making

- 5.12 Paragraph 38 sets out that 'decision-makers at every level should seek to approve applications for sustainable development where possible'. It adds that 'local authorities should 'work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area'.

#### Housing Delivery

- 5.13 The NPPF continues to note the Government's objective of 'significantly boosting the supply of homes'. In this context it is important to note that Uttlesford is subject to the presumption in favour of sustainable development. Currently the Council can only demonstrate a 4.5 year housing land supply (**Appendix 1**).
- 5.14 Whilst the Council can demonstrate a four-year housing land supply as required by recent changes to the NPPF for Council's with an emerging local

plan, the emerging Plan does not include a policies map, therefore a 5 year requirement currently applies (paragraph 226).

5.15 Housing Delivery Test (HDT) figures that were released in December 2023, showed the Council had only delivered 58% of its housing target over the previous three years.

5.16 Therefore, in accordance with Paragraph 79c) of the NPPF, the presumption in favour of sustainable development, as set out in footnote 8, applies.

5.17 The Council anticipates the publication of its Regulation 19 Local Plan during the Summer of 2024. This will not affect the application of footnote 8, as the Housing Delivery Test will continue to apply.

5.18 Footnote 8 of the NPPF is clear that paragraph 11d) applies to applications involving the provision of housing, in situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (5yhls) or where the Housing Delivery Test (HDT) indicates that the delivery of housing was substantially below (less than 75%) the housing requirement over the previous three years.

5.19 Paragraph 11d) outlines that plans and decisions should apply a presumption in favour of sustainable development. For decision-taking this means:

*“c) approving development proposals that accord with an up-to-date development plan without delay; or*

*d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date<sup>8</sup>, 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<sup>7</sup>; 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.”*

5.20 Paragraph 69c provides specific support for the development of windfall sites, noting that ‘to support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes’.

#### Transport

5.21 Paragraph 115 states that ‘development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.

#### Design

5.22 Paragraph 131 advises that the creation of ‘high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve’.

5.23 Paragraph 135 advises:

*“Planning policies and decisions should ensure that developments:*

*(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*

*(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*

*(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

*(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

*(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*

*(f) 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; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

### Heritage

5.24 Paragraph 203 advises:

*“In determining applications, local planning authorities should take account of:*

*(a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*

*(b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*

*(c) the desirability of new development making a positive contribution to local character and distinctiveness.”*



## 6.0 **Planning Assessment**

6.1 The below section identifies the key planning issues and assesses the proposed development in the context of the relevant planning policy and other material considerations.

### **Principle of Development**

6.2 As set out in Paragraph 5.1, Section 38(6) of the Planning and Compulsory Purchase Act 2004, states that planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. The NPPF is a material consideration in determining applications.

6.3 The current development plan is comprised of the saved policies from the Uttlesford Local Plan 2005 and the Saffron Walden Neighbourhood Plan (2022). The Uttlesford Local Plan expired in 2011 and is therefore chronologically out of date and pre-dates the introduction of the NPPF.

6.4 The application site is located within the development limits of Saffron Walden, where Policy S1 applies. This specifies that development within the existing built-up areas, where compatible with the character of the settlement.

### **Housing Need and Five-Year Housing Land Supply**

6.5 Policy H1 of the Local Plan proposed a total of 5,052 new dwellings for the plan period until 2011. The plan period has now passed and given it is 13 years out of date; this figure is no longer considered to represent an appropriate housing requirement figure for the District. As published in the 5-Year Land Supply Statement and Housing Trajectory Status Report published by the Council in October 2023, the standard methodology

identifies a housing requirement of 684 dwellings per annum within the District. The latest 5-year Housing Land Supply position was published in January 2024 and demonstrates a delivery of only 4.5years supply.

- 6.6 The Housing Delivery Test has shown the Council has failed to deliver at least 75% of its housing requirement over the previous three years. Therefore, in accordance with Paragraph 79 of the NPPF the presumption in favour of sustainable development, accordingly Paragraph 11 of the NPPF applies. This position has been accepted in a number of recent appeal decisions (APP/C1570/W/23/3320060 and APP/C1570/W/22/3296064) and Section 62a decisions (S62A/2023/0031, s62A/2023/0026 and S62A/2023/0025).
- 6.7 Even if the Council publish their Regulation 19 Local Plan and claim that they meet the 4 year housing land supply test, the presumption will still apply due to the result from the Housing Delivery Test. There is also the potential for the 4 year housing supply test to have been revoked by the time a decision is made on this submission, as a result of the proposed changes by the new Government.
- 6.8 When applying Paragraph 11 of the NPPF, it is essential that the most important policies for the determination of an application are identified, as these are deemed to be out-of-date. As set out in paragraph 5.5 above, policies S1, LC1, ENV3, H1, H9 and H10 are considered to be the most important policies in respect of this application and are therefore deemed to be out-of-date.
- 6.9 Increased weight therefore should be given to housing delivery when considering the planning balance in the determination of this application. Whilst the site is located within the Saffron Walden Conservation Area, a designated heritage asset and protected green space; as demonstrated below these designations provide no clear reason to not grant permission.

6.10 Further it is worth noting that this housing site can be delivered promptly and within the next 5 years, as the Applicant owns the site and is already developing the School site adjacent.

#### Sports Provision

6.11 The core of the site is designated within the Local Plan as a Protected Open Space for Playing Fields. Local Plan Policy LC1 seeks to resist the loss of sports fields unless replacement facilities would be provided that better meet local recreational needs. This policy is considered to be out-of-date.

6.12 Paragraph 103 of the NPPF resists the loss of open space, sports and recreational buildings and land including playing fields unless certain exceptions are met:

*"a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*

*b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*

*c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."*

6.13 The pitches at the application site were historically used in association with the former Friends School and for some community use outside of school hours. The land has never been publicly accessible, as access was governed by the school itself. Given the school closed in July 2017; the pitches have not been in use for a period of 7 years. There are no playing fields marked on the land, and the site is not publicly accessible.

- 6.14 The changing facilities and other ancillary benefits, such as storage, used in association with the historic fields have been lost as part of the wider re-development of the school site itself.
- 6.15 The proposed development demonstrates that a full-sized cricket pitch for use during the summer months, 2no. youth, or 1no. adult football pitch(es) during the winter can be accommodated on the site and that it has the potential for flexible use, subject to the end user of the building. There is also an associated clubhouse and parking proposed. The provision of these facilities meets the shortfall identified of grass football pitches and cricket provision in Saffron Walden as specified in the published the Playing Pitch Strategy 2019.
- 6.16 The Playing Pitch Strategy advises that there are 19 community available football pitches across the District, with many being classed as being of a poor quality. Whilst the Site is designated as playing fields within the Local Plan, it is not included within the assessed provision in this Strategy.
- 6.17 The Strategy does identify the loss of the School Fields and notes that it last provided 3no football pitches, albeit the configuration is unknown.
- 6.18 The Strategy further identifies a shortfall in cricket pitch provision within Saffron Walden. Again, it is understood that the School Fields historically facilitated a cricket pitch.
- 6.19 The proposed provision would result in a marked improvement in comparison to what is currently offered (i.e. nothing) and equal to the 3no. football pitches and cricket pitch provision historically available. Whilst in terms of area; there would be a shortfall when compared to existing site extent, the re-development of the School as approved under (S62A/22/0000002), left the playing fields as isolated pitches with no

supporting facilities or parking; therefore making them un-usable by the local community.

- 6.20 In contrast, the proposed development would offer purpose-built high-quality facilities that meet an identified need within the local community, with flexible pitch provision. It is therefore considered the proposal complies with Paragraph 103 of the NPPF.

#### Open Space

- 6.21 The tree belt within the south-eastern corner of the site is designated as Open Space of Environmental Value, as shown on the Proposed Site Plan (drawing ref: 23110 (D) 004E). No development is proposed in this area and as part of the former school grounds it has never been publicly accessible. Instead, the proposal seeks to preserve this space and make it accessible to the public; thus ensuring that local residents can appreciate the space and have access to the area that has not been previously accessible, in accordance with the requirements of Neighbourhood Plan Policy SW19 that supports the creation of publicly accessible woodland.
- 6.22 In addition, further open space would be provided adjacent to the western boundary of the site, adjacent to the play area and open space being delivered as part of the school development (S62A/22/0000002). As a result, the available public space would be maximised across both developments; whilst ensuring that the comprehensive provision is made in a meaningful way.
- 6.23 It is therefore considered that the proposal complies with Local Plan Policy ENV3 and Neighbourhood Plan Policy SW19.

Conclusions

6.24 In conclusion, with regards to the principle of development; given that the Council cannot demonstrate a five-year housing land supply and failed the Housing Delivery Test, in accordance with Paragraph 11 of the NPPF, the tilted balance is engaged. The following assessment will demonstrate how there are no adverse impacts that could be considered to significantly and demonstrably outweigh the benefits that arise from the proposed development.

6.25 It is therefore considered that the principle of development is acceptable, and necessary if the identified housing need in the District is to be met.

**Housing Mix and Quality**

6.26 The proposed housing mix is as follows:

*Table 1 Housing mix*

Size	Private	Affordable	Total
1 bed	0	14	14
2 bed	0	6	6
3 bed	40	16	56
4 bed	8	1	9
5 bed	6	0	6
<b>Total</b>	<b>54</b>	<b>37</b>	<b>91</b>

6.27 As the table above demonstrates, the proposed development provides a total of 91 dwellings, including the provision of 41% affordable units (37 dwellings) in excess of the requirements set out in Local Plan Policy H9.

6.28 The Local Housing Needs Assessment published in October 2023 identifies a particular need for 1 and 2 bedroom affordable units and 3 and 4 bedroom market housing units. Therefore, the affordable housing offer focuses on smaller affordable units and larger market units, for both of which there is an identified need.

6.29 It is therefore considered that in terms of the overall mix, there is a sufficient range of dwelling and tenure types to accord with Local Plan Policies H9 and H10. It is worth noting that a local registered Social Landlord has also expressed an interest in the mix proposed.

### **Residential Amenity**

6.30 The layout, orientation and scale of the proposed development has been carefully considered to mitigate against any potential impacts on the amenity of existing and proposed residents.

6.31 The proposed dwellings would be set in at least 25 metres from the edges of the site. This is considered to mitigate from any potential harm caused by loss of privacy or increased sense of enclosure.

6.32 It is therefore considered that the proposed development has been designed as such to avoid an adverse impact on neighbouring amenity, in accordance with Local Plan Policy GEN2.

### **Design**

6.33 The application site is set within the built-up area of Saffron Walden and is surrounded by low rise residential development. The design approach is discussed in detail in the submitted Design & Access Statement. It has been guided by the site and its unique features including the principle objective to re-provide sports facilities for use by the wider community as part of the

scheme. The scale of the development seeks to reflect that of the surrounding area being limited to 2 or 2.5 storeys in height.

6.34 The elevational strategy draws upon the character of the surrounding area, notably The Avenue which immediately adjoins the site to the east. The proposed contemporary design aesthetic is seeking to contrast with the Victorian era school buildings whilst complementing the modern buildings approved as part of the redevelopment programme. The mix of elevational treatments including brickwork, weatherboarding, timber shingles and cladding ensures there is a distinctive variety across all of the streets.

6.35 It is considered the proposed design has been considered in the context of the surrounding area and setting within the Saffron Walden Conservation Area. It is considered the proposed development would comply with intentions of Policy GEN2 and D1 and the intentions of the NPPF to create well designed places.

### **Impact on Heritage Assets**

6.36 The NPPF states that when considering the impact of the proposal on the significance of a heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. The NPPF also states that in weighing applications that affect non-designated heritage assets, a balanced judgement is required having regard to the scale of any harm or loss and the significance of the heritage asset.

6.37 Local Plan Policy ENV1 states development will be permitted where it preserves or enhances the character and appearance of essential features within the Conservation Area.



- 6.38 The application site is located within Zone 6 of the Saffron Walden Conservation Area. The character and appearance of the site is distinguishable from the rest of the associated part of the Conservation Area; which is characterised by late 19<sup>th</sup> century and later properties with their grounds as well as the associated former Friends School; which is in the process of being converted to residential use with further dwellings built in the footprint.
- 6.39 The current contribution the site provides to the wider Conservation Area is minimal. Whilst the existing openness adjacent to the main school building is noted within the Conservation Area Appraisal as being important, given the extant permission to redevelop the school buildings and surrounding area a degree of this openness has already been lost. The proposed development has been designed to retain a degree of openness including the retention of open space at the southern end of the site. As such the loss of the playing field would only cause 'less than substantial' harm at the very lowest end of a notional spectrum.
- 6.40 In accordance with Paragraph 208 of the NPPF, where a development proposal would cause less than substantial harm, this should be weighed against the public benefits of a proposal. Accordingly, the very limited harm caused by this development should be weighed against the public benefits of the proposal including the provision of much needed new housing, including 41% affordable housing, within the urban area, new community sports facilities, along with public access to protected open space and a new public route through the site from Greenways to Mount Pleasant Road. These are considered to be public benefits of the scheme which would outweigh any very minor harm to the surrounding heritage assets.

## **Parking, Access and Highways**

- 6.41 The access from Mount Pleasant Road would be maintained as per the existing arrangement. Pedestrian access would also continue to be provided via the existing arrangements.
- 6.42 The Transport Assessment prepared in support of this application anticipates that the proposed development would generate 43 vehicular movements in the morning peak hour (08:00-09:00) and 47 vehicular movements in the afternoon peak hour (17:00-18:00). It has been demonstrated that the proposed development would not have a significant impact on the local highway network.
- 6.43 The development is therefore considered compatible with national and local transport policies. It would not result in any transport impact that could not be mitigated. The proposal is therefore considered to comply with Local Plan Policy GEN1 (Access) and Saffron Walden Neighbourhood Plan Policy SW15 (Vehicular Transport) and there are no highway reasons why planning permission should not be granted.

### Parking

- 6.44 The proposed development would provide 183 allocated car parking spaces; in accordance with the Essex County Council Parking Standards (2009). Due to the nature of the District, in addition to the Essex Parking Standard, Uttlesford District Council expects all 4+ bedroom properties to have access to 3 spaces per dwelling. All 4+ bedroom properties would be provided with parking in accordance with these requirements.
- 6.45 46 unallocated visitor spaces would be provided across the development: including 30 adjacent to the new clubhouse facility with a further 16 pepper-

potted around the development. Whilst the number pepper-potted throughout the development would fall slightly below the requirement for visitor spaces for the residential development; the scheme has been designed to enable the spaces adjacent to the clubhouse to also be utilised by visitors to the development.

- 6.46 A communal cycle store would be provided within the car park for the 20 proposed flats and individual provision would be within the curtilage of the houses.
- 6.47 The development would therefore provide parking provision in accordance with the standards as set out in the Essex County Council Parking Standards (2009) and accord with Local Plan Policy GEN8 (Vehicle Parking Standards).

### **Air Quality**

- 6.48 The application site is not within any Air Quality Management Areas (AQMAs) following the Saffron Walden AQMA being revoked in March 2024. This indicates that local air quality has improved and is generally good with a low risk of health impacts.
- 6.49 The Air Quality Assessment submitted in support of this application concludes that the development would not expose future users to poor air quality. It demonstrates that during the construction phase, best practice mitigation measures would ensure there are no significant residual air quality impacts. Similarly, during the operational phases, pollutant concentrations would fall below the relevant Air Quality Objectives and no significant impacts on local air quality as result of development generated traffic are anticipated.

6.50 The development therefore complies with the relevant local and national policies and would not result in a significant adverse impact on air quality. Air quality is therefore not considered a constraint on the proposed development.

### **Noise**

6.51 The submitted Noise Assessment identified the road traffic noise and noise from the proposed Air Source Heat Pumps. It was concluded that the site was suitable for development in terms of noise levels and that noise should not be a constraint to granting planning permission.

### **Landscaping and Open Space**

6.52 The baseline landscaping conditions comprises perimeter trees and trees within the woodland which would be retained and incorporated into the proposed development. The scheme proposes a large area of public open space at the southern end of the site incorporating the new sports facilities.

6.53 The landscaping strategy focuses on the public realm elements to ensure this can be maintained throughout the lifetime of the development. The strategy includes a number of different types of soft landscaping such as planting of native wildflowers and grasses, ornamental planting and low growing hedges. The submitted maintenance strategy outlines how the site would be maintained on an ongoing basis.

6.54 The proposals are considered to comply with Local Plan policies GEN7, ENV7 and ENV8 as well as the requirements of the NPPF.

## **Biodiversity and Ecology**

- 6.55 The submitted Ecological Impact Assessment identifies that the application site is predominantly modified grassland with trees present on the northern and eastern boundaries, and woodland present in the south-eastern corner of the site. These habitats on site are suitable for nesting birds, foraging and commuting bats and commuting badgers.
- 6.56 Measures put in place during the construction phase would include the installation of protection fencing around all retained trees; undertaking clearance works outside of nesting seasons, as general protection measures for mammals including badgers and hedgehogs. Impact on bats would also be kept to a minimum by only installing lighting where there is significant need, turning off unnecessary lighting overnight and any lighting that is required must be dimmed and face away from boundary habitats.
- 6.57 The Statutory Biodiversity Metric has been completed for the application site. The proposed development would result in a loss of 27% of the habitat units and a gain of 32.49% of the hedgerow units. Some mitigation can be provided on site, however 15.54 units will need to be secured off-site. The need to secure off-site credits has been proposed to be secured via the s106 Agreement and it has been confirmed with the Environment Bank that credits are available.
- 6.58 Notwithstanding the above, a number of habitat and hedgerow enhancement and creation measures have been incorporated into the proposed development including the planting of 101 new trees, the enhancement and diversification of the existing woodland; the installation of integrated swift boxes, sparrow terrace boxes, bat boxes and hedgehog holes.

6.59 The proposals are considered to comply with Local Plan policies GEN7, ENV7 and ENV8 as well as the requirements of the NPPF.

### **Flooding and Drainage**

6.60 As demonstrated in the submitted Flood Risk Assessment, the site is located in Flood Zone 1. It is therefore not at risk from fluvial or tidal flooding. The site is also not at risk from surface water flooding.

6.61 Surface water will be discharged into the ground via infiltration techniques including permeable paving and cellular soakaways. These features will be designed to ensure the runoff from all storm events, including the peak 1 in 100 years plus climate change storm events, can all be accommodated.

6.62 Foul water drainage will be collected via the existing manholes located on Mount Pleasant Road for the north and central parts of the development and The Avenue for the southern part of the site. Foul water drainage from the clubhouse building will discharge via a private package pump station and join the western outfall.

6.63 It is considered the proposed drainage strategy complies with the intention of Local Plan policies GEN3 and GEN6.

### **Health Impacts**

6.64 The submitted Health Impact Assessment identifies how the development could have a potential positive health impact for the local community and future occupiers of the development. The report makes a number of recommendations to further enhance the positive features already incorporated.

6.65 It is considered the proposed development complies with relevant local and national planning policies including the aim of the NPPF to achieve healthy, inclusive and safe places.

### **Section 106 Obligations**

6.66 As set out in Paragraph 57 of the NPPF, any such Obligations imposed as part of the application must be:

- a. necessary to make the development acceptable in planning terms;
- b. directly related to the development; and
- c. fairly and reasonably related in scale and kind to the development.

6.67 If justified in relation to these tests, the planning obligations in Draft Heads of Terms document submitted alongside this application would be sought and agreed between the Applicant and Uttlesford District Council.

7.0 **Planning Balance**

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework is one such material consideration.

7.2 Framework Paragraph 11d sets out what the presumption in favour of sustainable development means for decision-taking. Paragraph 11d explains how to apply this presumption in instances where the policies which are most important for determining the application are out-of-date.

7.3 The most important policies for determining this application are out-of-date for a number of reasons. The Council cannot demonstrate a 5YHLS and for this reason alone Paragraph 11(d) applies. Further, the Housing Delivery Test has shown the Council has failed to deliver at least 75% of its housing requirement over the previous three years. The titled balance under paragraph 11(d)(ii) of the Framework must therefore be applied.

7.4 The following benefits of the proposal are outlined below:

<b>Economic</b>
Short-term benefits associated with construction phase of the development
Long-term benefits as future occupiers contribute to the local economy
<b>Social</b>
Provision of 91 new homes including 37 affordable homes
Provision of new sports facilities and clubhouse
Public access to protected open space



Site is in a sustainable location within easy reach of local facilities
Creation of new public route from Greenways to Mount Pleasant Road
<b>Environmental</b>
Biodiversity enhancements including the planting of 101 new trees
Incorporation of native planting including wildflowers; hedges and fruit trees
Provision of bird and bat boxes, alongside hedgehog holes

7.5 The planning balance in so far as it relates to harms and benefits is summarised below:

Harm / Adverse Impact	Weight
Loss of existing playing fields	The existing playing fields were associated with the school which has since closed and been redeveloped for housing. They have not been in use as such for over 7 years prior to submission and there is no intention to reinstate the site as playing fields in isolation, therefore their loss should be given <b>limited weight</b>
Very minor level of less than substantial harm to heritage assets	The site is currently not making a significant contribution to the setting of the Conservation Area and the level of harm caused by the proposal is considered to be at the lowest end of the spectrum and

	should therefore be given <b>very limited weight</b>
<b>Benefit</b>	<b>Weight</b>
Provision of 91 new homes	Given the Council cannot demonstrate a 5YHLS and has failed the HDL for the previous year the delivery of both market and affordable housing should be given <b>very significant weight</b>
Provision of 37 affordable homes	Addition of 37 affordable homes would make a valuable contribution to the district's housing supply and should be given <b>very significant weight</b>
Provision of new homes in a highly sustainable location within the boundary of an existing settlement	The site is within the settlement boundary of Saffron Walden and is within easy walking distance of local facilities. The provision of additional homes in this highly sustainable location should be given <b>significant weight</b>
Provision of new sports facilities and clubhouse	The provision of high-quality purpose-built facilities would meet an identified need in the community and should be given <b>significant weight</b>
Economic benefits in both the long and short term	Given the size of the development, creating 91 additional homes the

	economic benefits would be greater than negligible and should be given <b>moderate weight</b>
Accessibility to public open space	Currently there is no access to the site including the Open Space of Environmental Value and Playing Fields. The proposed development would open up these areas to members of the public and therefore should be given <b>moderate weight</b>
Creation of new public route from Greenways to Mount Pleasant Road	Currently there is no access from the south of the site to Mount Pleasant Road and the creation of a footpath which increases sustainable transport options in the area should be given <b>moderate weight.</b>
Increase in biodiversity across the site a net gain of 32.49% hedgerow units	Measures including the planting of 101 new trees, the provision of bird and bat would increase biodiversity and result in creation of new habitats through the development which should be given <b>moderate weight</b>

7.6 In conclusion, it has therefore been demonstrated that there are a number of material considerations which weigh significantly in favour of the application including the provision of both market and affordable housing, the delivery

of public open space including a purpose-built clubhouse facility and flexible sports pitch area and the economic benefits which would arise both during construction and occupation phases. It is accepted the proposed development would cause some level of harm as a result of the loss of the existing playing fields; however as demonstrated above; these are providing no amenity value to the local community and therefore limited weight should be given when considering the impact of their loss.

7.7 It is considered that the benefits associated with the development are much wider ranging and can be afforded significant weight collectively. Whilst there would be a small conflict with Local Plan Policies LC1 and ENV3 it is considered it has been demonstrated that the replacement facilities will be better positioned to meet the identified local needs than the existing provision, and these policies are deemed to be out of date in any event. It is therefore considered that when considered as a whole; the proposal would comply with the development plan.

8.0 **Summary and Conclusions**

8.1 Chase New Homes is a privately owned, independent housebuilder that is focused on creating exceptional homes that are tailored to the bespoke needs and characteristics of each of our site locations. Unlike many housebuilders, they do not chase volume and by contrast, are extremely selective when buying new development opportunities.

8.2 This application seeks permission for 91 dwellings and a multi-use sports area and associated clubhouse on the former Friends School field in Saffron Walden.

8.3 This Statement has demonstrated that the proposed development broadly complies with the Development Plan. It has been demonstrated that the provision of 91 new dwellings including 41% affordable housing should be given very significant weight and any minor harm associated with the loss of the existing playing fields is clearly outweighed by the benefits associated with the proposal. Uttlesford District Council is currently not delivering sufficient housing to meet the District's need, and as such the presumption in favour of sustainable development as set out in Paragraph 11(d) of the NPPF is engaged.

8.4 This Statement has sought to comprehensively address the proposals against national and local planning policies. It has been demonstrated that the development would be able to contribute to the three dimensions of sustainable development; economic, social and environmental. There are no technical reasons to prevent the development of this highly sustainable site within the settlement boundary of Saffron Walden. The proposed development would make a significant positive contribution towards meeting the area's housing need.

8.5 In the context of these significant planning benefits and that the titled balance must be applied to residential development in the District, the applicant requests that planning permission is granted without delay.

