

9 August 2024

The Planning Inspectorate  
3M Kite  
Temple Quay  
Bristol  
BS1 6PN

BY EMAIL ONLY

Dear Sir/Madam,

**Consultation on NPPF reforms / WMS – Section 62A Planning Application: S62A/2024/0049  
Land South of Bedwell Road, Elsenham**

1. Further to the e-mail of 6<sup>th</sup> August where the applicant was invited to consider whether the following have any relevance to the above application:
  - Consultation on “Proposed reforms to the NPPF and other changes to the planning system” and the “National Planning Policy Framework: draft text for consultation” (NPPF reforms); and
  - The Secretary of State’s written ministerial statement entitled “Building the homes we need” (WMS).

**NPPF reforms**

2. The Government is seeking views on a proposed approach to revising the NPPF in order to achieve sustainable growth in the planning system. This is considered vital to delivering the Government’s commitments to achieve economic growth and build 1.5 million new homes. The pretext to these reforms is set out in the WMS. The proposed reforms to the NPPF are relevant to the reserved matters application for Bedwell Road with regards to the following matters.

**Standard method for assessing housing needs**

3. The proposals to make the standard method for assessing housing needs mandatory and requiring local authorities to plan for the resulting housing needs figures are essential to support the Government’s commitment of delivering 1.5 million new homes in this Parliament. Alongside reversing the previous Government’s changes to the NPPF, the Government is also proposing a new standard method for assessing housing needs.

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4. One of the drivers for reinstating a mandatory requirement for local authorities to meet more ambitious housing needs is to boost the delivery of affordable housing. This would meet the Government's objective of delivering the biggest increase in social and affordable housebuilding in a generation.
5. Under the current methodology Uttlesford District Council (the Council) needs to deliver 675 homes per annum. However, it has only been able to achieve Average Annual Net additions of 279 homes per annum in the periods 2020/21 and 2022/23. Under the proposed methodology the annual need would increase to 749, an increase of 11%. Given the fact that the Council is failing to meet its current housing need, and has done so for years, it is unlikely to meet an increased housing need without maximising every opportunity to deliver existing and new sites. It is therefore critical that the development potential of sites such as Bedwell Road are maximised. Especially, where they would deliver 40% affordable housing.
6. The Council's inability to meet its housing needs was a material consideration that carried significant weight when the appeal was allowed for the Bedwell Road site. At the time of the appeal the Council was close to meeting its 5-year supply requirement. Since then, the Council's 5-year supply has worsened. The Council's chronic undersupply would be exacerbated if the changes to the NPPF are adopted, and the Council continues to recommend refusal of applications such as this one for Bedwell Road.

#### **Impact upon local character**

7. Paragraph 130 was previously added to the NPPF to explain that local character can be taken into account when local planning authorities consider their ability to meet their housing needs. The policy sets out that significant uplifts in density may be inappropriate if this would result in development wholly out of character with the existing area. The Government now proposes deleting paragraph 130 in its entirety so that local planning authorities can identify opportunities for maximising the efficient use of land, especially in areas well served by transport and other infrastructure.
8. Notwithstanding the above, the impact of the development, and in particular three-storey development, was considered acceptable by the Council and the Appeal Inspector. The proposed deletion of paragraph 130 would add greater weight to land south of Bedwell Road being developed as proposed. The site is in a sustainable location within walking distance of services, facilities and public transport infrastructure. Given the proximity of the site to the mainline railway station even greater weight must be attached to maximising densities on the site. There are very few other sites in the District that would benefit from the same levels of sustainability. Therefore, every opportunity must be taken to maximise the density of development on land south of Bedwell Road. Especially as the layout, scale and appearance of the proposed development is critical to the delivery of the site.



## Conclusion

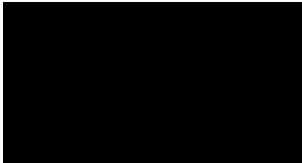
9. The proposed changes to the NPPF are identified as necessary to ensure that the Government urgently addresses the chronic undersupply of land that has underpinned the housing crisis. The changes will also support the Government's drive to deliver 1.5 million new homes over the next five years. Both these matters carry significant weight in the determination of this application, as very few local authorities can boast a chronic undersupply of housing greater than that of Uttlesford District Council.
10. The applicant's letter of 5<sup>th</sup> August 2024 sets out matters that were discussed and agreed with the Council through the Statement of Common Ground (SoCG). These matters were material to the appeal being allowed as evidenced by the Appeal Decision. The response of the Council, and the more recent response of Ugley and Elsenham Parish Councils, simply ignore the SoCG. These responses attempt to rewrite history by deliberately misinterpreting and ignoring material considerations that carried significant weight at the appeal. These same matters must carry even greater weight in the determination of this application in light of the proposed changes to the NPPF.
11. The facts are that the Appeal Inspector allowed the appeal based on an assessment of the illustrative layout plans, which are listed as approved plans. These plans show a three-storey apartment block to the west of the site, which the Appeal Inspector accepted was the only solution to create an acceptable environment for future residents. He also acknowledged that it would result in an improved environment for existing residents on Bedwell Road. With the conditions that were agreed by the Council, it was accepted that this design solution would ensure that all residents had acceptable living conditions. Regardless of their tenure or location within the site.
12. In assessing the reserved matters application significant weight must be attached to the fact that the Council confirmed that three-storey development was acceptable on the site. And the only controls the Council sought with regards to the affordable housing was to agree the type and mix and limit the maximum number of affordable housing units in a cluster. The type and mix of affordable housing units, which include both apartments and dwellinghouses, have been agreed. The maximum cluster has not been exceeded and is the only way to deliver smaller units in a form that would be acceptable to a Registered Provider.
13. The implications of weight being attached to the Council's position on the impact upon character of three-storey development would be that the site could not deliver 50 dwellings. Indeed, without the proposed barrier block in the form that is proposed the deliverability of the site would be in question. This would therefore be contrary to the existing paragraphs of the NPPF that seek to deliver homes in sustainable locations, and the Government's objectives of maximising density of sites in sustainable locations. This is not only essential to meet the Council's existing housing needs, which



it has failed to do for years, but also to meet the even greater housing needs for the District that are an inevitable consequences of the Government's objectives in amending the NPPF.

14. The failure to maximise the delivery of housing on this site, and in particular the delivery of affordable housing units, would go against the Government's stated aim to boost housing delivery and address the chronic undersupply of housing in one of the least affordable parts of the country. Accordingly, this application must be approved so that it can play its part in delivering the Government's commitments to achieve economic growth and build 1.5 million new homes.
15. Please do not hesitate to contact me if you have any queries regarding the contents of this letter.

Yours



**Ed Durrant**  
Associate Planner

