

Representation made on behalf of households next to or close to the former Friends' School, Mount Pleasant Road, Saffron Walden CB11 3EB

Section 62A Planning Application: S62A/2025/0107 Former Friends School Field, Mount Pleasant Lane, Saffron Walden, CB11 3EB

Sent via e-mail: section62a@planninginspectorate.gov.uk

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Please accept this submission as a formal response to the above application.

EXECUTIVE SUMMARY

This submission sets out our formal objection to the Section 62A planning application by Chase New Homes, ref. S62A/2025/0107, concerning development of the former Friends' School Playing Field in Saffron Walden.

We argue that this application is not materially different from the previously refused application (S62A/2024/0057), and that it fails to overcome the core policy conflicts which led to that refusal. In particular, the proposal continues to result in the permanent loss of a protected playing field, without suitable replacement, consultation with affected users, or meaningful mitigation.

We rely on and resubmit the following documents as evidence:

- The Planning Inspector's Decision Notice (2024) and Statement of Reasons;
- Objections made in 2024 by Uttlesford District Council, Saffron Walden Town Council, Sport England, and Saffron Walden Community Football Club;
- The applicant's prior submissions, including layout plans and sports provision justifications.

We highlight the continuing conflict with:

- NPPF Paragraph 103 and its requirement to demonstrate surplus or adequate replacement;
- Local Plan Policy LC1;
- Sport England's policy tests and statutory duties.

The applicant's minor reduction in housing numbers does not change the outcome. As established in *DLA Delivery v Cumberlege* and *Tate v Northumberland*, previous refusals must be given full weight when re-submissions do not materially differ.

We further express concern about a "salami-slicing" approach, whereby developers first gain consent on part of a site before returning for intensification. We urge the Inspector to treat this application accordingly and to refuse it without further inquiry.

Introduction and Summary Position

This document sets out a formal objection to the above application, submitted under Section 62A of the Town and Country Planning Act 1990 by Chase New Homes. The application seeks consent for residential development on the former Friends' School playing field in Saffron Walden.

We submit that the application is not materially different from the previously refused scheme (ref. S62A/2024/0057, refused November 2024) and that the applicant has failed to overcome any of the primary grounds for refusal identified by the appointed Planning Inspector.

The proposal continues to result in the permanent loss of a valuable playing field—a resource that was clearly established as needed by the community and not surplus to requirements. Furthermore, the applicant has provided no credible or consulted-upon replacement, and no evidence that Sport England's tests have been met.

We also express concern that the applicant's strategy appears to reflect a salami-slicing approach, seeking to first secure partial approval to create a precedent for future intensification, further eroding strategic oversight and community infrastructure.

In summary, this application:

- Is not materially different from the previously refused application;
- Fails to address the central reason for refusal—playing field loss;
- Breaches national and local planning policy, particularly NPPF para 103 and Policy LC1;
- Should be refused without the need for further inquiry.

All previous evidence, submissions, and consultation responses are hereby resubmitted and relied upon in full.

Planning and Procedural Context

The site has a long and contested planning history. The relevant timeline is as follows:

- 2019: Application UTT/19/1744/OP submitted for development across the Friends School site and playing field. Refused for multiple reasons, including character harm and loss of protected open space.
- 2022: Separate application (S62A/22/0000002) approved for redevelopment of the school buildings only, explicitly relying on the playing field remaining undeveloped to mitigate playing field loss.
- 2024: Application S62A/2024/0057 submitted under Section 62A. This was refused by the Planning Inspector on 1 November 2024, citing the following reasons:
 - Harm to the Conservation Area;
 - Loss of playing field without adequate replacement;
 - Poor housing mix;
 - Failure to demonstrate 10% biodiversity net gain.

- 2025: Current application (S62A/2025/0107) submitted. Housing units reduced by 25%, but no other meaningful changes made. Sports provision remains limited and with no demonstrable consultation resulting in satisfactory design of suitable sporting facilities. Planning rationale and policy compliance remain unaltered.

The Planning Inspectorate has already issued a thorough and recent assessment. The current proposal does not warrant revisiting that decision. The Inspector's 2024 conclusions must carry full weight.

Grounds for Objection

a) Primary Issue – Continued Loss of Playing Field

The proposed development would result in the irreversible loss of a protected playing field, which has been previously used by multiple local sports organisations and has not been replaced.

The Inspector in 2024 was clear:

"The proposal would not be in an acceptable location having regard to playing fields and open space."

"The proposal would result in the significant part of the playing fields being lost and not replaced on a like-for-like basis."

Sport England's policy requires that:

- The land is surplus to requirements, or
- Equivalent or better provision is secured in terms of quantity, quality, and location.

This application meets none of those criteria. Moreover, the new proposal still:

- Provides no new off-site contribution;
- Provides inadequate replacement pitches;
- Offers no demonstrable consultation evidence with key users, including Saffron Walden Community Football Club and Saffron Walden Cricket Club, and no suggestion on how these sporting facilities will be operated and managed.

b) Lack of Material Change

The applicant proposes a reduction in housing numbers—approximately 25% fewer units than the 2024 application. This change, in isolation, does not materially alter the planning impacts, and has no bearing on the playing field loss that formed the central refusal ground.

- The site footprint remains the same;
- The sports layout remains deficient;
- The loss of open space remains substantial;
- All policy conflicts remain.

As such, the application cannot be considered materially different, and the Inspector has full discretion to refuse the application under established precedent.

c) Salami-Slicing Concerns

We are concerned the applicant is employing a salami-slicing development approach, whereby:

1. A smaller, “compromise” scheme is submitted to gain first consent;
2. Once the principle of residential use on playing field land is established, a future application is brought to increase housing numbers.

Such an approach:

- Undermines comprehensive site planning;
- Obscures full impact assessment;
- Reduces transparency and public trust;
- Should be firmly rejected as an abuse of the planning process.

d) Policy Conflict – Local and National

This application is in direct conflict with the following:

- NPPF Paragraph 103 – playing fields must not be lost unless stringent conditions are met;
- Local Plan Policy LC1 – prohibits loss of playing fields unless surplus or replaced;
- Saffron Walden Neighbourhood Plan SW3 – protects Conservation Area character and open space;
- Sport England policy – no mitigation strategy or community engagement provided.

None of these conflicts are addressed in the new application.

e) No Community Consultation or Engagement

The applicant has demonstrated if they have re-engaged with any of the affected sports bodies.

In 2024, Saffron Walden Community Football Club wrote:

“It became apparent the developer would pursue residential development without taking into account at all our specific wishes... The application disregards all advice we had freely given.”

This absence of local engagement seems to remain uncorrected.

Legal and Policy Framework

a) DLA Delivery Ltd v Baroness Cumberlege [2018] EWCA Civ 1305

This case establishes that where two proposals are materially similar and relate to the same policy framework and planning considerations, a decision-maker must:

- Consider the earlier decision;

- Provide a rational explanation for any change in outcome.

Where no such explanation is provided, the decision is *Wednesbury unreasonable* and liable to be quashed.

The current application fails this test. There is no justification for departing from the 2024 refusal.

b) Tate v Northumberland CC [2018] EWCA Civ 519

Tate reinforces that:

- Inconsistencies in planning decisions must be explained;
- Decision-makers cannot lawfully ignore a previous refusal on the same site without clear, material changes.

This submission does not meet that threshold. The same site, the same harm, and the same policy conflict remain.

Evidence and Reuse of Previous Submissions

We hereby resubmit and rely upon the following documents, all of which remain valid and directly relevant:

- Planning Inspector Decision – S62A/2024/0057
 - Full reasoning for refusal;
 - Quotes regarding field value, lack of surplus, inadequate mitigation.
- Sport England objection (2024)
 - Confirms no policy criteria met.
- Saffron Walden Community Football Club submission
 - Clear articulation of lost capacity, unmet demand, and abandoned dialogue with the applicant.
- Saffron Walden Town Council objection
 - Policy breach citations across NPPF, SWNP and Local Plan.

These documents are submitted again as they were not superseded or addressed by any material change.

Summary of Continued Policy Conflict

The application continues to breach:

- NPPF Paragraph 103
- Uttlesford Local Plan Policy LC1
- SWNP Policies SW1, SW3, SW17

- Sport England's playing field policy

The application offers no meaningful change. The housing number reduction is immaterial to the planning outcome. The playing field loss remains unjustified and unmitigated. The Inspector's 2024 conclusions still stand.

Conclusion and Recommendation

We submit that the Inspector should:

- Refuse the application without inquiry;
- Give full weight to the 2024 refusal and consultees' objections;
- Apply the legal tests in DLA Delivery and Tate;
- Recognise the salami-slicing risk and safeguard community infrastructure.

There is no material change. The proposal is still contrary to planning policy. And the harm identified in 2024 remains unresolved.

Appendices and References

1. Planning Inspector Decision (S62A/2024/0057) - https://assets.publishing.service.gov.uk/media/6724dcf163c6d439520a8232/S62A_2024_0057_Decision_Notice_and_Statement_of_reasons.pdf
2. Uttlesford District Council objection - https://assets.publishing.service.gov.uk/media/66f145df08a2c7f27217e255/Uttlesford_District_Council_2_Redacted.pdf & https://assets.publishing.service.gov.uk/media/6707e15330536cb927482fc5/Uttlesford_District_Council_-_9_October_2024_Redacted.pdf
3. Saffron Walden Town Council objection - https://assets.publishing.service.gov.uk/media/66daef86e87ad2f121826572/Saffron_Walden_Town_Council_checked.pdf & https://assets.publishing.service.gov.uk/media/67069bd0e84ae1fd8592f0ad/Sport_England_Response_to_Additional_Information_Redacted.pdf
4. Sport England consultation response - https://assets.publishing.service.gov.uk/media/66f145e034de29965b489bbb/Uttlesford_District_Council_7_redacted.pdf
5. Saffron Walden Community Football Club submission - https://assets.publishing.service.gov.uk/media/66daef86608fb761b68111bb/Saffron_Walden_Community_FC_Redacted.pdf
6. UTT/19/1744/OP refusal - https://publicaccess.uttlesford.gov.uk/online-applications/files/986112D8F2AECF22EE33C0619C772547/pdf/UTT_19_1744_OP-ROPZ_-_REFUSAL_OP-3585611.pdf
7. NPPF 2023 – Paragraph 103 - <https://www.gov.uk/guidance/national-planning-policy-framework/8-promoting-healthy-and-safe-communities>
8. SWNP Policies SW1, SW3, SW17 - https://www.uttlesford.gov.uk/media/10685/Saffron-Walden-Neighbourhood-Plan-Regulation-16-Submission/pdf/Saffron_Walden_Neighbourhood_Plan_January_2021-A1.pdf?m=637484994093530000
9. DLA Delivery v Cumberlege [2018] - https://www.lewes-eastbourne.gov.uk/media/2797/CD074-DLA-Delivery-Ltd-v-Baroness-Cumberlege-of-Newick/pdf/CD074_DLA_Delivery_Ltd_v_Baroness_Cumberlege_of_Newick.pdf?m=1686079944223
10. Tate v Northumberland CC [2018] - <https://www.bailii.org/ew/cases/EWCA/Civ/2018/1519.html>