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Plans Accompanying the Application:

Plan/Doc Ref.	Plan/Doc Title
PL01	Site Location Plan
PL02	Existing Site Plan
PL03	Proposed Site Plan
PL10	Plot 1 Plans & Elevations
PL11	Plot 2 Plans & Elevations
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PL19	Proposed Single & Double Garages Plans & Elevations
PL20	Existing Site Section
PL21	Proposed Site Section

Documents Accompanying the Application:

Document Title	Author
Design & Access Statement	BBR Design
Report on a Phase I Desk Study	Ground Engineering Limited
Preliminary Ecological Appraisal Including a Protected Species Assessment	Skilled Ecology
Flood Risk Assessment & Drainage Strategy	Sweco UK Limited



SECTION 1: INTRODUCTION

1.1 This planning statement has been prepared in support of an application for planning permission for the redevelopment of the existing garden centre/nursery site to provide seven detached dwellings together with associated garaging, access, private gardens, soft and hard landscaping following the demolition of the existing structures.

1.2 There is extensive planning history associated with this site and this is summarised in Section 3 of this statement. However, one previous case is of particular relevance to this case and provides some useful context at the outset.

1.3 Application reference 13/03095/OP was submitted to the Council 15/11/2013 and the description of development was as follows:

“Outline application for removal of structures and the erection of 6 No. dwellings with all matters reserved except access and scale.”

1.4 The application was refused by the Council on 31/03/2014 for one reason (decision notice attached as **Appendix 1**).



Figure 1 - Proposed Site Plan Application Ref.13/03095/OP

1.5 The applicant subsequently made an appeal to the Secretary of State (ref. APP/C1570/A/14/2226566) and the appeal was ultimately dismissed by the Inspector on the 20/01/2015 (appeal decision notice attached as **Appendix 2.**). The Inspector considered two key issues, a) the effect of the proposal on the character and appearance of the area, and b) whether the site is in a sustainable location, with particular regard to community facilities and transport opportunities.

1.6 With respect to issue ‘a’ the Inspector concluded that *“the proposal would harm the character and appearance of the area”* citing concerns relating to the domestication of the site, the scale of the residential development versus the existing nursery buildings, and the sense that the site would



have a suburban character rather than a rural character. In addition, the site was not considered to be suitable as an infill close to settlement limits.

- 1.7 With respect to issue ‘b’ the Inspector concluded that *“the site is not in a sustainable location, with particular regard to (access to) community facilities and transport opportunities.”*

Response to the Refusal and Dismissed Appeal

- 1.8 Having taken account of the reasons for the Council’s refusal and the dismissed appeal as set out briefly above, the applicant has instructed BBR Design to design a scheme which is more appropriate in the rural context. This has included incorporating ‘farmhouse’ and ‘barn’ style house types reflective of those on and near to the site, as well as addressing the scale and overall housing number.
- 1.9 The intention of this statement is to demonstrate that the proposed development sufficiently overcomes the previous reasons for refusal and dismissed appeal and is otherwise compliant with local and national planning policy and guidance.



SECTION 2: ANALYSIS OF SITE & SURROUNDINGS

The Application Site

- 2.1 The application site is located approximately 400m to the south of Little Chesterford in an area known as ‘Springwell’. The site is largely rectangular in shape, with an area of approximately 0.8ha and has been used as a garden centre and nursery for approximately 30 years. There are a large number of single storey commercial buildings, polytunnels and other related structures on the site owing to its current authorised use. Several agricultural barns can be found dotted around the site and some of these have been the subject of a number of applications for prior approval ahead of their conversion to residential.



Figure 2 - Aerial Overview of Springwell Nursery & Surroundings



2.2 The site is located to the east of Walden Road and there are a number of residential properties in the immediate vicinity of the site. These include the grade II listed building Joseph's Farmhouse (listing ref: 1277396) immediately at the front of the site, the grade II listed building Springwell Cottage (listing ref:1231800) to the north, and several other unlisted buildings to the north and south of the site. Further residential properties can be found on the west side of Walden Road opposite the entrance to the site.



Figure 3 - The Application Site and Immediate Surroundings

2.3 A two-storey rural workers dwelling was approved (refs: UTT/15/3254/FUL & UTT/17/1793/FUL) for use in 2017 in connection with the existing garden centre and nursery. This has been built out on site and can be found to the



far east of the application site along with a recently approved triple garage (beyond the red edge denoting the application site).



Figure 4 - Approved Farm Workers Dwelling

- 2.4 The main vehicular access to the existing nursery is located on Walden Road just to the north of Josephs Farm. A further vehicular access is located to the south and it is this access that is proposed to be used for the proposed development.

Wider Surroundings

- 2.5 The site is located on the B184, which is the main road linking the M11 and Saffron Walden which is approximately 1.8 miles to the south. The site is also approximately 12 miles to the south-east of the city of Cambridge. There is a bus stop located approximately 400 metres north of the site which provides transport into Great Chesterford, Saffron Walden and Cambridge.



- 2.6 Little Chesterford is a small village located approximately 400m to the north of the site. It has a parish church but little else in the way of community or public services.
- 2.7 Great Chesterford is 1.3 miles north of the site, is much larger than and contains a greater array of services than Little Chesterford. It is regarded as a ‘key rural settlement’ in the Uttlesford Local Plan 2005 owing to its proximity to the M11 and relatively easy access to Stansted Airport and to Cambridge to the north/north-west. It has a number of facilities and services including a primary school, hotel and public houses, a church, railway station, a number of cafes, restaurants and shops, community centre, and a doctor’s surgery.
- 2.8 Littlebury is located to the south-west of the application site and lies west of the B184. It is considered a settlement for the purposes of the application of policies in the Uttlesford Local Plan 2005 and contains a number of services and facilities.



SECTION 3: PLANNING HISTORY

Ref.	Site Address	Proposal	Decision (Decision Date)
UTT/20/2782/FUL	Barn at Josephs Farm, Walden Road, Little Chesterford	Proposed demolition of agricultural building and erection of no.1 dwelling	Approved (18/01/2021)
UTT/20/1827/PAQ3	Barn at Springwell Nursery	Prior notification of change of use of agricultural building to no.1 dwelling	Prior Approval Not Required (15/09/2020)
UTT/19/1960/PAQ3	Springwell Nursery	Prior notification of change of use of agricultural building to no.1 dwelling	Prior Approval Not Required (01/10/2019)
UTT/19/1383/PAP3	Springwell Nursery	Prior notification of change of use of agricultural building to no.1 dwelling	Refused (07/08/2019)
UTT/18/3260/PAP3Q	Barn at Springwell Nursery	Prior notification of change of use of agricultural building to no.1 dwelling	Refused (21/01/2019)
UTT/18/2275/FUL	Springwell Nursery	Construction of a new domestic garage (revision to previously approved application UTT/18/0890/FUL)	Approved (15/10/2018)
UTT/18/0890/FUL	Springwell Nursery	Construction of a new domestic garage	Approved (11/06/2018)
UTT/17/3749/FUL	Springwell Nursery	Construction of a new garage	Refused (05/03/2018)



UTT/17/1793/FUL	Springwell Nursery	Erection of a farm workers dwelling in connection with the horticultural business of Springwell Nursery (alternative scheme to that approved under planning permission UTT/15/3254/FUL)	Approved (09/08/2017)
UTT/15/3254/FUL	Springwell Nursery	Erection of a farm workers dwelling in connection with the horticultural business of Springwell Nursery	Approved (15/08/2016)
UTT/13/3095/OP	Springwell Nursery	Outline application for removal of structures and the erection of 6 no. dwellings with all matters reserved except access and scale	Refused (31/03/2014) Appeal dismissed (20/01/2015)
UTT/1003/10/FUL	Springwell Nursery	Erection of a mobile home for nursery worker	Approved (30/07/2010)
UTT/0934/09/FUL	Springwell Nursery	Erection of a storage building	Approved (24/09/2010)
UTT/1297/08/FUL	Springwell Nursery	Erection of a mobile home for nursery worker	Refused (24/09/2008)
UTT/0843/04/FUL	Springwell Nursery	Erection of polytunnel for plant propagation	Approved (13/07/2004)
UTT/1232/00/FUL	Springwell Nursery	Erection of polytunnel	Approved (19/01/2001)
UTT/0881/96/FUL	Springwell Nursery	Removal of condition C.90B	Refused (16/10/1996)



		(requiring widening of access) from planning permission UTT/0411/95/FUL)	
UTT/0882/96/FUL	Springwell Nursery	Change of use of agricultural land as an extension of the garden centre and erection of polytunnel	Approved (11/11/1996)
UTT/0441/95/FUL	Springwell Nursery	Retention of use as a garden centre from nursery	Approved (22/06/1995)
UTT/0106/95/FUL	Springwell Nursery	Change of use from nursery to garden centre	Withdrawn
UTT/0020/94/FUL	Springwell Nursery	Erection of polythene tunnel and retention of one polythene tunnel	Approved (16/03/1994)
UTT/0467/89	Springwell Nursery	Proposed change of use from part nursery to sale of 'bought in' nursery products	Withdrawn
UTT/0067/89/AV	Springwell Nursery	Non-illuminated timber painted direction sign on posts 900mm x 1200mm	Temporary approval (19/04/1989)



4.3 Plots 3 & 5 have a traditional ‘farmhouse’ design, whilst the remainder of the proposed dwellings have been designed with more of an agrarian/barn feel. These house types are considered to be reflective of the character and scale of other buildings within close proximity of the application site, as well as being reflective of the rural context.



Figure 6 – Left: Example of ‘Farmhouse’ style. R: Example of ‘Barn’ style

4.4 Single or double detached garages are proposed for Plots 2, 3, 5, 6 & 7 with Plots 1 & 4 being designed with integral garages. The detached garages would have a simple form and would be weatherboarded with pitched roofs above.

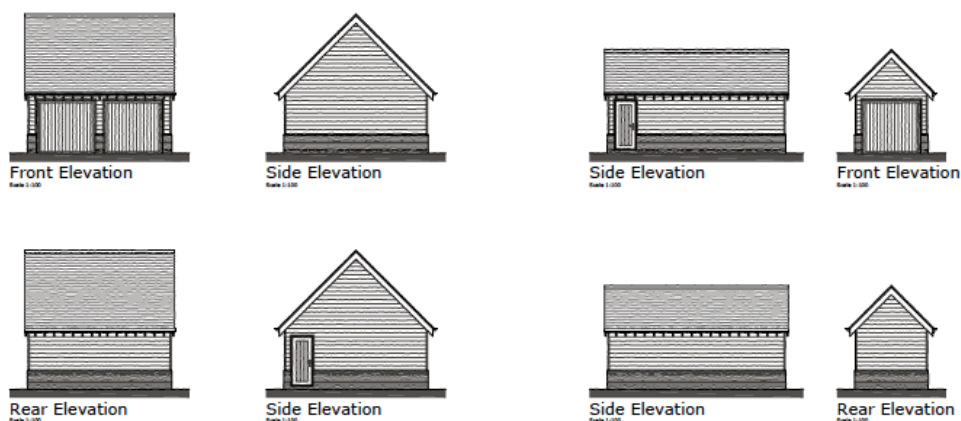


Figure 7 - Proposed Garages



Public and Private Amenity

4.5 All of the houses would have generous private gardens reflective of the size of gardens of other properties in the vicinity of the site. A central area of open space is proposed with further smaller areas of open space proposed to the front of Plots 2 and 3. A further area of informal communal open space is proposed to be created to the north-east boundary of the rear gardens of Plots 2-4 and this would create a buffer between the development and the existing dwelling to the rear of the site.

4.6 A full landscaping scheme would be produced and is proposed to include a range of ecological/biodiversity enhancements as set out within the accompanying PEA. It is anticipated that this would be secured through planning condition.

Materials

4.7 The materials palette is informed by the surrounding buildings and includes plain clay roof tiles, natural slate roof tiles, handmade bricks and facing brickwork, dark feather-edged boarding, sand cement render, traditional painted joinery to windows and doors, vertical timber doors, and dark grey rainwater goods. The ‘barn-style’ houses are proposed to be feature dark



feather-edged boarding with the ‘farmhouse’ style being clad in sand cement render and brickwork.

Housing Mix

4.8 The proposed housing mix is as follows:

Plot Number	House Type	Bedrooms
1	Barn	4
2	Barn	3
3	Farmhouse	4
4	Barn	4
5	Farmhouse	4
6	Barn	4
7	Barn	3

Vehicular Access and Car Parking

4.9 An existing vehicular access from Walden Road is proposed to be upgraded and used to serve the proposed development. Internally, the access road would have a 6m shared-surface suitable for refuse and other such large vehicles which may require access to the site. Plots 1 & 7 would be accessed via the main access road, with Plots 2-6 accessed via a further internal road.

4.10 A minimum of 3 car parking spaces (including garages) are proposed to serve each of the 7 dwellings that are proposed. Cycle parking provision is included within the proposed garaging.



Energy/ Sustainability

4.11 It is intended that the proposed dwellings would exceed the minimum requirements for home energy usage, in both the short and long term. The following measures are proposed in order to achieve this:

- **Sustainable design by construction**, utilising off-site timber frame methods factory built and erected on site using FSC certified materials.
- Lowering the level of **water usage** per person per day, from the Building Regulations minimum of 125 L/p/d to 110 L/p/d.
- **Solar panels**, using natural resources to power each property tied into the feed-in tariff to enable all power generated to go un-wasted and benefit the local community as well as the proposed housing.
- **Ground or Air source heat pumps**, omitting the need for the burning of gas for heating.
- **Whole house mechanical ventilation with heat recovery**, omitting the need for cold draughty trickle ventilation, recycling heat as the air changes in the house. This system can also be fitted with a filter to vastly improve the air quality for residents in the house.
- **Greywater & rainwater recycling**, recycling water in and around the house for a variety of uses including flushing toilets, washing clothes, and watering the garden.
- **Smart lighting & heating**, ensuring energy is only used when it is required with systems not switching on if nobody is home.
- **Electric vehicle charging** points, 2no to each property as a minimum.

Figure 8 - Energy Efficiency (Taken from DAS)

4.12 It is predicted that the renewable/low carbon sources highlighted above would meet at least 10% of the energy demand of the development, whilst at least 10% of said demand would be reduced through fabric measures.



4.13 The proposed dwellings have been designed in order to meet Lifetime Homes Standard with the 16 key criteria being met (see below). The dwellings are also proposed to be built in order to be in full compliance with Part M4(2) of the Building Regulations.

Criteria:	Achieved:
On plot parking	Parking spaces are 2.4m wide with capability to widen to 3.3m.
Approach to dwelling from parking	Level or gently sloping transfer surface between parking and dwelling entrance.
Approach to all entrances	All entrances to have level or gently graded approach.
Entrance standards	Entry lights will be provided to doors with level thresholds only. Doors will be of a sufficient width to allow access.
Stairs	Staircases will be ambulant disabled style with low risers and deep treads.
Internal doors and halls	All hallways will be a minimum of 1m wide and doors to main rooms will generally be minimum 750mm wide.
Circulation space	Achieved through careful space planning of furniture in key rooms.
Entrance level living space	Living room on ground level of all dwellings.
Potential for entrance level bed.	Space allocated within living rooms of all dwellings.
Entrance level WC and shower drainage	Entrance level WC of sufficient size provided with drainage installed for future shower addition.
WC and bathroom walls	Studwork bathroom walls will be lined with plywood to provide structural rigidity.
Stairs and potential lifts	Area highlighted within dwellings for future lift installation.
Potential for disability hoists	Floors will be installed structurally capable for future installation of hoists. Some bedrooms will have en-suite facilities.
Bathrooms	All bathrooms to have accessible bathrooms, all with shower facilities.
Glazing & window handles	Shallow window sills throughout with accessible controls.
Location of service controls	All switches and sockets will be positioned at a height band between 450mm and 1200mm over finished floor level.

Figure 9 - Lifetime Homes Standard



SECTION 5: RELEVANT PLANNING POLICY

National Planning Policy Framework

- 5.1 The Government policies on different aspects of planning are set out in the National Planning Policy Framework 2019 (the Framework).
- 5.2 The relevant sections are as follows:
- Section 2: Achieving sustainable development
 - Section 5: Delivering a sufficient supply of homes
 - Section 9: Promoting sustainable transport
 - Section 11: Making effective use of land
 - Section 12: Achieving well designed places
 - Section 15: Conserving and enhancing the natural environment
 - Section 16: Conserving and enhancing the historic environment

Development Plan

- 5.3 Section 38(6) of the Planning Compulsory Purchase Act 2004 states that:

“If regard is to be had to the development plan for the purpose of any determination under the Planning Acts, the determination must be made in accordance with the plan unless material considerations dictate otherwise.”

- 5.4 The development plan context for the planning application is provided by:



- Uttlesford Local Plan Adopted 2005 (saved December 2007)

5.5 Policies within the Uttlesford Local Plan are considered to be out-of-date and therefore the amount of weight attributed to them should be dictated by their degree of consistency with the Framework. The following policies are considered relevant to the consideration of this application:

- S7: The Countryside
- H3: New Houses within Development Limits
- H10: Housing Mix
- GEN1: Access
- GEN2: Design
- GEN3: Flood Protection
- GEN4: Good Neighbours
- GEN7: Nature Conservation
- GEN8: Vehicle Parking Standards
- ENV14: Contaminated Land

Supplementary Planning Guidance/Other Documents

- Essex Design Guide
- Uttlesford Local Parking Standards
- ECP-ECC Parking Standards (Design & Good Practice) September 2009



Emerging Local Plan

- 5.6 At an Extraordinary Council Meeting held on the Thursday 30th April 2020 Councillors resolved to withdraw the Uttlesford Draft Local Plan 2019. This followed the government-appointed Inspectors raising fundamental concerns relating to the soundness of the plan.



SECTION 6: PLANNING ANALYSIS

Effect on the Character and Appearance of the Countryside

Policy Background

- 6.1 The application site is situated beyond any of the settlement boundaries as defined by the Uttlesford Local Plan 2005 (ULP) and is not located within the Green Belt. Accordingly, Saved Policy S7 is of relevance in the determination of this application.
- 6.2 This Policy aims to protect the countryside for its own sake and supports development that needs to take place there or which is appropriate to the rural area. It is also supportive of development that protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why it (the development) needs to be there.
- 6.3 Policy S7 is also supportive of infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. Paragraph 6.13 deals with infilling within settlements although paragraph 6.14 indicates support for sensitive infilling of small gaps in small groups of houses outside of development limits but close to settlements if development would be in character with the



surroundings and have limited impact on the countryside in the context of existing development.

6.4 Policy S7 adopts a more protectionist approach to the countryside than is advocated in the Framework which (at paragraph 174a) only seeks to protect valued landscapes and does not seek to project the countryside for its own sake. However, the requirement to protect or enhance the particular character of the countryside is partly consistent with paragraph 174b of the Framework which seeks to recognise the intrinsic character and beauty of the countryside.

6.5 As per the above, and as acknowledged by the Council in their 2012 Compatibility Assessment, Policy S7 is only partially consistent with the Framework. Indeed, this is a view shared by a number of inspectors who, in allowing appeals for new housing development in Elsenham (appeal ref. APP/C1570/W/19/3242550 attached as **Appendix 3**) and Felsted (appeal ref. APP/C1570/W/18/3210034 attached as **Appendix 4**) found that the Policy is only partially compatible with the Framework owing to its more protectionist than positive approach to the countryside. As such, and as concluded in these appeals (among others), limited weight should be attributed to this Policy and any conflict that is identified.



6.6 Policy GEN2 is an overarching design policy which contains a series of guidelines within which it is expected that new development should conform. This includes, but is not limited to, matters relating to design and layout, suitability of the development to meet the needs of the intended occupants and minimises any potential impacts on the living conditions of neighbouring properties. Policy GEN2 is considered to be broadly consistent with Section 12 of the Framework which seeks to ensure that new development is sited and designed appropriately in light of its surroundings and context.

Analysis

6.7 Although located beyond a defined settlement boundary, the application site is not within open countryside and is currently occupied by a commercial garden centre and nursery which contains a number of buildings, polytunnels, large car park and other structures which together form the garden centre and nursery. The site thus meets the definition of previously developed land and is thus a brownfield site, the re-use of which the Framework is broadly supportive of where appropriate. Moreover, the immediate surroundings contain a number of residential buildings and other domestic and agricultural buildings.



6.8 It is further important to note that the surrounding context has changed since the earlier refusal and dismissed appeal with permission subsequently being granted for a large dwelling and double garage to the rear of the site adjacent to an existing agricultural building. This is in addition to several prior approvals which have been granted for residential barn conversions in the immediate vicinity of the site. The new dwelling at the rear of the site has altered the character of the site quite substantially with the nursery and garden centre buildings now contained between substantial built-from fronting Walden Road and now by substantial form to the eastern edge of the site. Such development creates a significant buffer between the development site and the open countryside beyond further emphasising the change in the character of the site from being overtly agricultural to having a more mixed domestic and agricultural nature.

6.9 The scheme has been designed in order to relate appropriately in terms of the scale and footprint of the existing garden centre and nursery, and to accord with existing development near to the site. Although the proposed dwellings would have a height slightly in excess of the existing buildings/structures at the site, the development would clearly result in a reduction in the amount of the site that is developed. In addition, the proposed layout incorporates new open landscaped areas both within and



beyond the main part of the development site which would further reduce the extent of the developed areas on the site.

6.10 The scheme has been designed in order to respond positively to the rural context with the best and most appropriate characteristics being taken from existing development near to the site. This has resulted in a scheme with a combination of farmhouse and barn type design ensuring that the development would neatly accord with its surroundings and be appropriate in the rural area. Particular attention has been given to the design and layout in order to ensure that the development would not be overly suburban which was one of the main criticisms of the 2013 refusal and dismissed appeal. In all, it is considered that the scheme would be compatible with the rural context and not cause any clear and demonstrable harm to the character or appearance of the countryside or surrounding landscape.

Summary

6.11 The proposed development would involve the development of a site beyond a defined settlement boundary and would technically lie within the countryside for the purposes of the application of planning policy.

However, the site is a brownfield site located within the midst of a small



hamlet which contains a number of other buildings in residential and other uses and, as such, its development in the manner proposed would not result in the loss of open countryside or negatively affect the wider landscape. Furthermore, the scheme has been designed in a manner so as to be reflective of the rural context and character of the immediate locality and would result in the significant improvement of the character and appearance of the site.

- 6.12 Accordingly, the proposed development is considered to be broadly compliant with Saved Policies S7 & GEN2, as well as Sections 12 and 15 of the Framework.

Locational Sustainability

- 6.13 The application site is located in ‘Springwell’ which is a small hamlet comprised of the existing garden centre and nursery and a handful of other residential properties. It is approximately 400 metres from Little Chesterford and approximately 1.3 miles from the more significant settlement of Great Chesterford. It is also approximately 800m to the north of the village of Littlebury. However, it is located on the B184 which provides an excellent link to the afore-mentioned villages and also Saffron Walden, the M11, Stansted Airport, Cambridge and beyond.



- 6.14 Paragraph 79 of the Framework states that, *‘To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities’* and that *‘where there are groups of smaller settlements, development in one village may support services in a village nearby’*.
- 6.15 It is accepted that Springwell itself has limited services and existing and future residents are and would be somewhat reliant on the use of the private vehicle to access key services. However, the development of the site would likely provide a small boost to the nearby settlements of Little Chesterford, Great Chesterford, and Littlebury. Moreover, whilst there is not currently a footpath along the B184, the site is ideally located for bicycle users and it is not a given that the private car will be relied on solely.
- 6.16 It is also important to note that the site is not located in a physically isolated location as, although it is outside of a defined settlement boundary, it is closely surrounded by a number of other residential properties and buildings in other uses.



- 6.17 The matter of isolated dwellings has been considered in the High Court in *Braintree District Council vs Secretary of State for Communities and Local Government & Ors*. In the judgement, Mrs Justice Lang noted that paragraph 55 of the Framework (now paras.79-80) “seeks to promote the economic, social and environmental dimensions of sustainable development, and to strike a balance between the core planning principles of “recognising the intrinsic character and beauty of the countryside” and “supporting thriving rural communities within it””.
- 6.18 In addition, the view of the judge was that paragraph 55 of the Framework (now paras. 79-80) “cannot be read as a policy against developments in settlements without facilities and services since it expressly recognises that development in a small village may enhance and maintain services in a neighbouring village” and that adopting the position that “an isolated home is one that is isolated from services and facilities would deny policy support to a rural home that could contribute to social sustainability because of its proximity to other homes.”
- 6.19 In essence, this judgement indicates that a site should not be considered to be socially unsustainable simply because there is an absence of services and facilities in the immediate vicinity of the site but that an overall judgement



should be made regarding the contribution that could be made to social sustainability as a consequence of its contribution to the enhancement or maintenance of services in another village/settlement.

6.20 It should also be a key consideration that the proposed development would replace the garden centre/nursery and it is unlikely that it would carry with it anything approaching the number of vehicle movements associated with the current use. The proposed development would therefore most likely result in significantly fewer journeys to and from the site and would therefore likely prove to be environmentally beneficial in this respect.

6.21 In addition, and as set out in paragraphs 4.11-4.13 of this Statement, the proposed development has been designed in order to exceed minimum standards of energy efficiency. This includes the inclusion of renewable/low carbon sources such as solar panels and air/ground source heat pumps, whilst the intrinsic design of the proposed dwellings aims to significantly reduce energy demand.

Summary

6.22 Whilst it is acknowledged that the site is not located in close proximity to services and facilities and that the proposed dwellings would be somewhat



reliant on the private car, the development would support the nearby rural villages of Great Chesterford and Littlebury in particular helping to ensure that services in these villages are able to be maintained. Further, and as set out in the Framework and explored in the *Braintree* judgement, new rural housing in the countryside should not be considered based solely on proximity or otherwise to services and facilities. Instead, a wider judgement should be made with consideration given to the positive effects of such development on the wider rural community and other nearby settlements.

Effect on the Historic Environment

6.23 The grade II listed Joseph's Farmhouse is located at the front of the site and is situated approximately 45m from the application site at its nearest point. Nearer to the application site is an agricultural building which is deemed to be curtilage-listed.

6.24 In this case, the distances involved are such that the proposed development would not have any effect on the significance of the grade II listed building or the nearby curtilage-listed barn.



Effect on the Living Conditions of Neighbouring Properties

6.25 The proposed development would be located sufficiently away from nearby existing residential properties to ensure that the new dwellings would not have a significant effect on the living conditions of neighbouring properties.

Access and Car Parking

6.26 Vehicular access is proposed to be provided via an existing vehicle access track to the southern edge of the site. The access arrangements will be designed in accordance with the Essex Design Guide and the Parking Standards Design and Good Practice SPD and are therefore considered to provide a suitable and safe arrangement.

6.27 Each property would be provided with sufficient car parking spaces ensuring compliance with the requirements found in Essex County Council's *SPD Parking Standards Design and Good Practice September 2009*.

6.28 The proposed development would be acceptable in terms of access and car parking and would therefore be compliant with Saved Policies GEN1, GEN8 & the afore-mentioned Parking Standards Design and Good Practice SPD 2009 and the Essex Design Guide.



Environmental Matters

Land Contamination

- 6.29 A phase I environmental risk assessment is contained with this submission. This outlines the contamination risk associated with the development outlining mitigation measures as necessary including a ground investigation.

Flooding & Drainage

- 6.30 The site lies primarily within Flood Zone 1 albeit part of the south-western part of the site is located within Flood Zones 2 & 3. However, the flood risk assessment that accompanies the submission explores this matter in detail ultimately concluding that the proposals do not cause increased flood risk.

Biodiversity/Ecology/ Landscaping

- 6.31 A preliminary ecological appraisal (PEA) has been undertaken and this has concluded that the risk to any protected species potentially contained within the site would be low. However, a number of improvements and mitigation measures have been made and are set out in Section 5.2 of the PEA which accompanies the application submission. These would secure overall benefits in terms of biodiversity in broad accordance with the aims of the Framework.



6.32 Mitigation measures proposed in the PEA would be incorporated into the scheme design and the wider landscaping proposals which, although outlined as part of this application, are expected to be finalised through use of a suitable planning condition.

Climate Change/Energy

6.33 As set out within paragraphs 4.11-4.13 of this Statement, the proposed development would be built to a high standard with respect to energy performance and efficiency. All of the dwellings would meet the Lifetimes Homes criteria and would meet M4(2) of the Building Regulations.



SECTION 7: SUMMARY & CONCLUSIONS

- 7.1 This statement supports an application for planning permission for the erection of seven detached dwellings together with associated garaging, access, private gardens, soft and hard landscaping following the demolition of all existing structures.
- 7.2 The Council is unable to demonstrate that they have a 5-year supply of land for housing; it is understood that they are only able to demonstrate roughly a 3.1-year supply of housing (*Uttlesford District Council Housing Trajectory and 5-Year Land Supply Statement at Status at April 2020* attached at **Appendix 5**). As a result, paragraph 11(d) of the Framework is activated and the presumption in favour of sustainable development should apply and planning permission granted unless the adverse effects of doing so would significantly and demonstrably outweigh the benefits.
- 7.3 The applicant considers that the proposed development would cause very limited, if any, clear harm to the character or appearance of the countryside and would thus accord with Policy S7 to the extent to which it is compliant with the Framework. However, in the event that officers were to disagree, and as discussed in earlier sections of this statement, Policy S7 should be



given reduced weight due to its lack of consistency with the Framework given its more protectionist approach to development within the countryside as opposed the more positive approach advocated in the Framework

7.4 Furthermore, due to the location of the site beyond settlement limits, it is acknowledged that future occupants may be somewhat reliant on the private car for access to services and facilities to serve their day-to-day needs. However, sustainable development should be considered ‘in-the-round’ based on a combination of factors and should not just be narrowly focused on the use of the private car. In this case, other more sustainable transport modes are available, whilst the nature of the operations of the existing commercial garden centre & nursery should also be taken into account in terms of trip generation and the related environmental effects. Furthermore, the development of the site would aid in sustaining nearby local communities in accordance with the broad aims of the Framework in terms of the delivery of housing within rural areas.

7.5 The benefits of approving planning permission include the addition of seven market houses to the housing stock and, whilst it is acknowledged that this would make a fairly limited contribution to the shortfall, the



Framework acknowledges that small and medium sites can make an important contribution to meeting the housing requirement of an area.

Moreover, the development of the site would attract other economic and social benefits during the construction phase whilst the additional residents would also lend additional support to local services and facilities.

- 7.6 In light of the presumption in favour of sustainable development that is engaged, it is not considered that any identified harm would significantly and demonstrably outweigh the benefits when assessed against the policies contained within the Framework on the whole. Accordingly, it is respectfully requested that planning permission is granted.



APPENDIX 1: Decision Notice Application ref. UTT/13/03095/OP



UTTLESFORD DISTRICT COUNCIL

Council Offices, London Road, Saffron Walden, Essex CB11 4ER
Telephone (01799) 510510, Fax (01799) 510550
Textphone Users 18001
Email uconnect@uttlesford.gov.uk Website www.uttlesford.gov.uk

Chief Executive: John Mitchell

Mr B Christian
Building Surveyor
Station Road
Great Chesterford
Saffron Walden
Essex
CB10 1NY

Dated: 31 March 2014

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Application Number: UTT/13/3095/OP
Applicant: Springwell Nursery Limited

Uttlesford District Council **Refuses Permission** for:

Outline application for removal of structures and the erection of 6 No. dwellings with all matters reserved except access and scale at Springwell Nursery Josephs Farm Walden Road Little Chesterford Saffron Walden Essex CB10 1UE

The refused plans/documents are listed below:

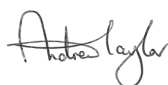
Plan Reference/Version	Plan Type/Notes	Received
LOCATION	Location Plan	15/11/2013
2	Location Plan	15/11/2013
1	Floor Plan (existing)	15/11/2013
P1	Block Plan	15/11/2013
BIO CHECKLIST	Other	15/11/2013
SUPPORTING STATEMENT	Other	15/11/2013
LANDSCAPING SPECIFICATION	Landscape Details	15/11/2013

Permission is refused for the following reasons:

- 1 The application site lies within open countryside where policies H3 and S7 of the Uttlesford Local Plan (2005) and paragraph 17 - "Core planning principles" (fifth and eleventh bullet points) seek to prevent new development that would produce an adverse and unacceptable visual and physical impact upon the open character of the countryside. The proposed development is fundamentally not a sustainable development as favoured by paragraphs 6 to 14 of the NPPF, by virtue of its relatively inaccessible location to good public transport, retail, education and other local services and, having had regard to paragraph 32 of the NPPF, its inaccessibility for pedestrians and, an apparent absence of adequate potable water supply in this rural location, contrary to policies H3 and S7 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

In determining this application, the Local Planning Authority had regard to the following Development Plan Policies:

Policy	Local Plan	Local Plan Phase
NPPF - National Planning Policy Framework		
H3 - Infilling with new houses	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
S7 - The Countryside	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005
GEN3 - Flood Protection	Uttlesford Local Plan	Uttlesford Local Plan Adopted 2005



Andrew Taylor
Assistant Director Planning and Building Control

Notes:

- 1 " The proposal has been considered against Development Plan policies shown in the schedule of policies. Material planning considerations do not justify a decision contrary to the Development Plan.
" The Development Plan comprises the saved policies of the Uttlesford Local Plan (2005).
" Your attention is drawn to the Equality Act 2010. The Act makes it unlawful for service providers (those providing goods, facilities or services to the public), landlords and other persons to discriminate against certain groups of people.
" If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990, section 20 and 21 of The Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 15 of The Town and Country Planning (Control of Advertisement) Regulations 1992.
* If you want to appeal against the Council's decision then you must do so within 12 weeks if it is a Householder application, 6 months for Conservation Area Consent applications, Listed Building applications and all other planning applications or within 8 weeks in relation to Advertisement applications.
* If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder application) of the date of this notice, whichever period expires earlier.
* The Inspectorate will publish details of your appeal on the internet. Please only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so.
* Appeals must be made using a form available from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.planningportal.gov.uk.
* If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a

reasonably beneficial use by the carrying out of any development which has been or would be permitted. In these circumstances, the owner may serve a purchase notice on the Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

- 2 The local planning authority has taken into account all the relevant material planning considerations, has considered the possibility of negotiating revised plans or imposing conditions, however the reason for refusal can not be overcome.



APPENDIX 2: Appeal Decision Notice ref. APP/C1570/A/14/2226566

Appeal Decision

Site visit made on 16 December 2014

by D J Board BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 20 January 2015

Appeal Ref: APP/C1570/A/14/2226566

Springwell Nursery, Walden Road, Little Chesterford, Essex, CB10 1UE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Springwell Nursery Limited against the decision of Uttlesford District Council.
 - The application Ref UTT/13/3095/OP, dated 14 November 2013, was refused by notice dated 31 March 2014.
 - The development proposed is erection of six dwellings and change of use from garden centre to residential use.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. The application was submitted in outline. The matters of access and scale were submitted for consideration as part of the application. I have dealt with the appeal on this basis.
3. I have been referred to the 'Draft Local Plan'. However I have not been provided with copies of any policies. Nevertheless the plan has not yet been found sound. Therefore I could only afford very limited weight to the policies in any event.

Main Issues

4. The main issues are (a) the effect of the proposal on the character and appearance of the area and (b) whether the site is in a sustainable location, with particular regard to community facilities and transport opportunities.

Reasons

Character and appearance

5. The site is located to the rear of a small line of existing dwellings that front onto Walden Road within a rural landscape. It lies outside of any defined settlement boundary. The closest settlement is Little Chesterford some way to the north. The appellant refers to the site as 'brownfield'. Previously developed land is defined within the National Planning Policy Framework (the Framework) as "*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any*

associated fixed surface infrastructure". There is no dispute that the site is used as a garden centre and nursery. I note that the retail use on the site has expanded over time and that there is a mobile home in one part of the site that was given planning permission for a 'nursery worker'¹.

6. The site contains a number of buildings and areas of hard surfacing that have been used for parking. However, it would be on the east side of Walden Road within a predominantly rural landscape surrounded by countryside to the south, east and west. Residential development on this side of the road is predominantly along the frontage with large plots and strong planting to the boundaries. The existing buildings have a functional appearance typical of rural store and horticulture buildings, are consolidated and sit comfortably within the wider rural landscape.
7. I appreciate that the dwellings would be limited to the area currently utilised by buildings and parking areas. However, the siting of the dwellings would differ from the position of the existing buildings. They would be spread across the site area in a sporadic development pattern. In particular plot 5 and plot 3 would be intruding and extending built form further into the countryside in this location. Furthermore, each dwelling would have a garden area and associated parking and turning from the access with an associated domestic appearance and paraphernalia. Whilst I appreciate that the density of the development would be low and that the overall amount of built development on site would not change the character of the development would. I therefore consider that the provision of the dwellings and the associated domestic form and associated requirements would be more imposing than the existing buildings.
8. The appellant submits that development of the site would be an opportunity to improve its appearance. Whilst I accept that built form already exists on the site the buildings are constructed of simple materials that would be expected for buildings associated with a garden centre in a rural setting. The buildings and the area around them did not appear domesticated. The buildings and overall site are part of the rural street scene on the south side of Steeple Road. I note that the existing dwellings that front Walden Road would be close to the site to the west. However, I did not note any other examples of significant residential development in depth along Walden Road. As such the proposal could not be considered to be filling a gap or to be a logical addition to the existing frontage development.
9. I note that it is indicated that the design and appearance of the dwellings would be similar to the existing dwellings in the wider locality and that of the adjacent approved development. Further I appreciate that the existing landscaping could mainly be retained and reinforced as part of the development. However, in spite of the presence of the existing dwellings and any additional landscaping there would be glimpsed views of the new dwellings from the Walden Road, in particular when travelling south. Ultimately their appearance and domestic character would reinforce a suburban appearance rather than a rural character.
10. I therefore conclude that the proposal would harm the character and appearance of the area. It would be in conflict with policies H3 and S7 of the Uttlesford Local Plan (LP) which amongst other things seek to protect or

¹ LPA reference UTT/1003/10/FUL

enhance the particular character of the countryside and allow for sensitive infilling of small gaps close to settlement limits. It would also conflict with one core principle of the Framework which is the recognition of the intrinsic character and beauty of the countryside and supporting thriving rural communities within it.

Whether Sustainable

11. There are three limbs to sustainable development identified in paragraph 7 of the Framework. These are mutually dependent and comprise economic, social and environmental strands. In this case given my findings on character and appearance it follows that the development would not fulfil the environmental role of sustainability. Concerning the economic role the provision of new dwellings would provide employment during construction, albeit temporarily.
12. With regards to the social role the development would contribute dwellings to the locality. However, the closest settlement would be Little Chesterford which could be accessed on foot or by bicycle from the proposed dwellings. However, it is a small settlement with limited community facilities. The majority of day to day facilities are located in Great Chesterford which is further away. I note that the public footpath extends to this village and could be used and that there are some bus services, including a school bus service from the lay by in front of the site. However, in the dark or inclement weather the use of the footpath over this distance would not be attractive. Furthermore in practical terms I do not consider that it would be a realistic proposition for those wanting to access the station for onward travel for work.
13. It may be possible to cycle to Great Chesterford. However, Walden Road is a Class B road and a busy route for traffic and these factors would not make this conducive. I also noted the location of the Chesterford Research Park. There is no certainty that future residents would be employed here. Furthermore, given the distance from the site and the lack of a direct complete footpath link it is likely that to use its facilities future residents would rely on the car. Therefore, in practical terms, in order to access a substantial range of facilities to undertake day to day activities and meet day to day needs, such as shopping and employment, the occupants of the new dwelling are likely to be reliant upon the private car for a large proportion of trips.
14. Considered together therefore the development would have some limited positive economic roles, a negative role in respect of the social aspects and a negative impact in respect of the environmental dimensions. I appreciate that the appellant intends to provide the option of the use of electric cars within the development. However, whilst a condition could secure the point for charging there is no guarantee of take up. Further this alone would not alter the sustainability issues identified. Further I note that the new dwellings would be as accessible to the villages as the existing dwellings on Walden Road. However, overall, the sites location does not weigh in its favour. Accordingly, this is not the sustainable development for which there is a presumption in favour in the Framework.
15. I therefore conclude that the site is not in a sustainable location, with particular regard to community facilities and transport opportunities. It would therefore be in conflict with LP policies H3 and S7 which seek to protect the character of the countryside and allows for sensitive infilling of small gaps close to settlement limits. It would also be in conflict with the Framework. In

particular the need to support a pattern of development that facilitates the use of sustainable modes of transport and paragraph 35 which sets out that *'...developments should be located and designed where practical to... give priority to pedestrian and cycle movements, and have access to high quality public transport facilities...'*.

Other matters

16. The appellant has drawn my attention to a number of other planning applications where developments have been allowed. I have considered these carefully based on the information I have been provided with. I note that some of the examples were recommended for approval by the Council when it stated that it could not demonstrate a 5 year supply of housing. In particular I note that the approval at Hamperden End² relates to an amendment to a previous scheme. The proposal in Strethall³ related to a single dwelling that was not considered to harm the character and appearance of the area. Reference is also made to a single dwelling in Felsted⁴. I have not been provided with the detail of this case.
17. The scheme in Elsenham was considered to by the Council to be a sustainable form of development. I note from the documents provided that the site is directly adjacent to a substantial residential area. The report for Cole End Lane⁵ suggests that this site is close to the development boundary. The appellants have also drawn my attention to a site in Wimbish known as 'Taylor Brothers' where planning permission for the demolition of a garden centre and builders yard to four dwellings was given. Whilst I note this, from the photographs provided, it appears to be a group of dwellings fronting the road. The 'Coach House' building⁶ referred to near the site was a proposal for conversion and the Council has policies that, subject to criteria, specifically permit this.
18. Overall, whilst I considered the schemes that have been drawn to my attention none are directly comparable to the appeal site in every way. Further I do not have all the detailed information regarding each case. I have in any event come to my own conclusions on the proposal before me on its individual merits.
19. There is some disagreement between parties on the issue of Housing Land Supply. The Council's Officer's report noted that the Council could not demonstrate a 5 year supply of housing. However, subsequently the Council's statement provides an updated position regarding Housing Land Supply. This identifies that it can now demonstrate a 6.2 year supply. The appellant has drawn my attention to the 'Summary Conclusions' of the Inspector examining the Draft Local Plan, in particular that the plan would not provide an Objectively Assessed Need that would be compliant with the Planning Practice Guidance (PPG). The appellant also refers to the need to make an allowance for windfall sites, such as the appeal site, within the five year supply. I have taken full account of the contents of paragraphs 14, 48 and 49 of the Framework and the PPG. Nevertheless in this instance I have found that the proposal would be harmful for other reasons. Therefore even if there were not

² LPA Ref UTT/14/1936/FUL

³ LPA Ref UTT/13/3123/FUL

⁴ LPA Ref UTT/13/1547/FUL

⁵ LPA Ref UTT/13/2937/FUL

⁶ LPA Ref UTT/0196/12/FUL

such a supply the contribution the development would make would not outweigh the harm the scheme would cause to character and appearance and sustainable patterns of development.

20. The Council raise a concern regarding the ability to provide an adequate potable water supply. I have not been provided with any substantive evidence that this would be the case. I note the appellant's point that there are existing dwellings nearby, a recent conversion of a building to a dwelling and that the existing business already draws a supply. Therefore I do not consider that this alone would be a reason to resist the proposal. Nevertheless it does not alter my conclusions on the main issues.
21. The appellant has drawn my attention to the traffic generated by the existing established retail use. In particular that the opportunities for expansion of the retail on site would be significant. I have considered the drawing provided which details this and noted the extent of such on my site inspection. However, I have no substantive evidence that the retail use would expand should the appeal be dismissed. Therefore I attached limited weight to this consideration.
22. I note that the appellants are concerned that the advice and recommendations of the Council have been inconsistent. However, this is not a matter which affects my considerations of the planning merits of this case.

Conclusion

23. For the above reasons and having regard to all other matters raised I conclude that the appeal should be dismissed.

D J Board
INSPECTOR



APPENDIX 3: Appeal Decision Notice ref. APP/C1570/W/19/3242550



Appeal Decision

Hearing Held on 6 August 2020

Site visit made on 18 July 2020

by D M Young JP BSc (Hons) MA MRTPI MIHE

an Inspector appointed by the Secretary of State

Decision date: 4 September 2020

Appeal Ref: APP/C1570/W/19/3242550

Land south of Rush Lane, Elsenham CM22 6TF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Rosconn Strategic Land Limited, Nigel John Burfield Holmes, Rosemary Holmes, Mark Burfield Holmes, Robert Murton Holmes, Sasha Renwick Holmes and Tanya Renwick Cran (the Appellants) against the decision of Uttlesford District Council.
 - The application Ref UTT/19/0437/OP, dated 18 January 2019, was refused by notice dated 14 November 2019.
 - The development proposed is an outline application for the erection of up to 40 dwellings with all matters reserved except for access.
-

Decision

1. The appeal is allowed and outline planning permission is granted for the erection of up to 40 dwellings with all matters reserved except for access at land south of Rush Lane, Elsenham CM22 6TF in accordance with the terms of the application, Ref UTT/19/0437/OP, dated 18 January 2019, subject to the conditions set out in the schedule to this decision.

Procedural Matters

2. Although the application was submitted in outline with only access to be determined at this stage, it was accompanied by an proposed Masterplan, a Landscape and Visual Assessment and a raft of supporting technical documentation in relation to highways, ecology, noise, air quality and surface water drainage. This material is broadly accepted by technical consultees and demonstrates that a number of matters are capable of being satisfactorily dealt with either by condition or planning obligation.
3. With the agreement of both parties, the description of development was amended during the application process from 44 dwellings to 40. I have therefore taken the description provided on the Appeal Form rather than the version provided on the Application Form.
4. There is no dispute between the parties that the Council cannot demonstrate a five-year housing land supply (5YHLS). In such situations paragraphs 11 and 73 of the "*National Planning Policy Framework*" (the Framework) state that those policies which are most important for determining the application are to be considered out-of-date. Accordingly, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh

the benefits, when assessed against the policies in the Framework taken as a whole. I have approached my decision on that basis.

5. The Council withdrew the emerging Uttlesford Local Plan (eLP) on the 30 April 2020, it therefore carries no weight my determination of the appeal. Both main parties agree that the evidence base, in particular the 2016 "*Uttlesford Countryside Protection Zone Study*", (the LUC study) which formed part of the evidence base for the eLP, is a material consideration in this appeal.

Main Issue

6. This is the effect of the development on the character and appearance of the countryside.

The appeal site

7. The appeal site is a plot of pastureland located on the southern edge of Elsenham some 2.25 hectares in size. The field is subdivided into two paddocks by a post and rail fence and is visually contained behind hedgerows interspersed with a number of mature trees. Save for a small field shelter located near the access point in the south west corner, there are no large permanent structures or buildings on the site.
8. The site is bounded to the north by Rush Lane, a residential cul-de-sac and to the north-west by a Public Footpath (PROW28). The former contains a mix of terraced and semi-detached properties that front towards the appeal site. Public Footpath (PROW29) bisects the southern section of the site from the south west corner to the south east corner connecting Rush lane (via PROW 13-29) and Robin Hood Road.
9. Robin Hood Road is located to the east of the appeal site which again is a residential cul-de-sac that terminates at the level crossing. The road is narrow and there are no pedestrian footways. The houses on the eastern side of Robin Hood Road face towards the appeal site. The majority of the southern site boundary is flanked by the West Anglian Mainline Railway. To the south-west of the site is a large detached residence known as Mill House.
10. The site lies just outside the settlement boundary for Elsenham. A parade of local shops lies along the high street to the north of the site. The primary school and the village surgery lie a little further afield. The nearest bus stop is located approximately 800m north of the site on Stansted Road.
11. There are a number of other new developments in the immediate area. To the north-west is a development under construction of 165 houses to the south of Stansted Road. On the southern side of the railway line is a development of five houses at the old Sawmill, Fuller's End. To the east is the Hall Road site which has the benefit of an as yet unimplemented planning permission for 130 dwellings.

Background and policy context

12. The appeal site is located outside the settlement boundary and within the Countryside Protection Zone (CPZ) around Stanstead Airport. It is therefore in the countryside for planning purposes. Within such areas, Policy S7 of the LP states that planning permission will only be granted for development that "*needs to be there or is appropriate to a rural area*". It goes on: "*Development*

will only be permitted if it protects or enhances the particular character of the part of the countryside within which it is set, or there are special reasons why the development in the form proposed needs to be there."

13. Policy S8 takes a similarly restrictive approach towards development in the CPZ. Only development that is required to be there, or is appropriate to a rural area, will be permitted. Development will not be permitted if a) new buildings or uses would promote coalescence between the airport and existing development in the surrounding countryside, or b) it would adversely affect the open characteristics of the zone.
14. The Development Plan for the District comprises the "*Uttlesford Local Plan*" 2005 (the LP). This was adopted seven years before the original Framework at a time when there was no requirement to boost significantly the supply of housing, no requirement to identify an Objectively Assessed Need and no presumption in favour of sustainable development. The LP only covered the period to 2011 and consequently expired nearly ten years ago. As the Appellants point out, the LP has now been out of date for longer than it was in date.
15. As is made clear at the beginning of Section 6 of the LP, one of its key components was to deliver the housing requirements which were based upon those in the "*Essex and Southend-on-Sea Structure Plan to 2011*" and the "*Regional Spatial Strategy for the South East of England*". The LP housing requirements were derived from household projections which are now about three decades out of date. The policies in the LP, including settlement boundaries, allocations, were formulated and predicated upon the constrained supply set out in the Structure Plan. From the evidence I heard, it seems that most, if not all, the allocations in the LP have long since been built out.
16. Based on the foregoing, there can be little doubt that the LP is now painfully out of date in terms of its purpose, its strategy, its content and its housing delivery policies. It does not meet the requirement for the Council to have an up-to-date plan and it is clearly not a strong foundation upon which to refuse planning permission.
17. The appeal site was allocated for housing in the eLP (Policy ELS1) with the Council finding "*Elsenham is a key village with a range of services and facilities. Development of the site is considered suitable because it would contribute to a sustainable pattern of development*". The eLP was withdrawn in response to the Examining Inspectors' letter dated 10 January 2020. In that letter "*significant concerns*" were raised in relation to the soundness of the plan. In particular, the Inspectors were not satisfied that the proposed Garden Communities had been adequately justified and reliance on them would likely result in a worsening affordability problem in the District. The Inspectors were also critical of the strategy to deliver sufficient housing over the short and medium term and recommended that the Council would need to allocate more small and medium sites to bolster its 5YHLS. As previously mentioned, the appeal site was one of those medium sized sites that was to be allocated for housing in the eLP.
18. Although the Framework stresses the desirability of local planning authorities having up to date development plans, paragraph 213 states that policies should not be considered out of date simply because they were adopted prior to the publication of the Framework. It is therefore incumbent on me to apply

paragraph 213 which states that due weight should be given to relevant policies in existing plans according to their degree of consistency with the Framework. The closer the policies in the plan to those in the Framework, the greater the weight that may be given.

19. The first point to make in assessing what weight should be given to Policy S7 is that in seeking to protect all countryside, the policy patently goes some way beyond the advice in paragraph 170(b) of the Framework, which, inter alia, seeks recognition of the intrinsic character and beauty of the countryside. Other than '*valued landscapes*' the Framework does not seek to protect the countryside outside defined settlements. Instead it advocates a more cost/benefit approach where the merits of the proposal are weighed in the balance. The balancing of harm against benefit is a defining characteristic of the Framework's overall approach embodied in the presumption in favour of sustainable development. This more positive approach was acknowledged in the Council's 2012 Compatibility Assessment which found S7 to be partially consistent with the Framework. In light of the above, where Policy S7 is used to restrict housing, it cannot be seen to be consistent with the language of the Framework.
20. The Framework does not contain specific policies relating to CPZs. However, many of the points made above are relevant to Policy S8. Whilst the overall landscape aims of the policy could be seen as being partially consistent with advice in paragraph 170(b), the policy is couched in the same protectionist language as Policy S7 which is at odds with the more positive approach adopted in the Framework.
21. From the evidence before me, most notably the Council's Committee Reports pertaining to the appeal scheme and land west of Hall Road¹, it is evident that the Council has, in some cases, adopted the positive approach advocated by the Framework rather than the strict application of Policies S7 and S8. As numerous large developments have been consented or built within the CPZ in recent years, it is also the case that existing settlement and CPZ boundaries bear little resemblance to the situation on the ground. This is particularly apparent in Elsenham.
22. At the Hearing, the Council accepted that its housing land supply situation would be significantly worse if the Council had applied Policies S7 and S8 in the same manner as it has done in this case. In other words, applying the restraints of Policies S7 and S8 will continue to compromise the Council's ability to meet its future housing requirements. Overall, these matters lead me to conclude that settlement/CPZ boundaries in Uttlesford are not inviolable.
23. There is little before me to explain why the Council's approach to Policies S7 and S8 in this case is so contrasted with other schemes in and around Elsenham. I appreciate that some of those sites were approved because they were allocations in the previous 2014 emerging Local Plan. However, that is little different to the situation here. At the time the Council made its decision, the site was an allocation in the eLP. I do not find the Council's explanation that the application may have been refused due to concerns about the fragility of the eLP to be particularly persuasive.

¹ LPA Ref: UTT/19/0462/FUL

24. Irrespective of how the Council arrived at its decision, its witness accepted that development of greenfield sites in the Countryside and CPZ will be necessary if the Council are to meet its housing targets over the next few years before a new local plan can be prepared and adopted. Whilst I appreciate the Council has met its housing targets in each of the last 3 years, there is little before me to demonstrate whether this represents a fundamental shift or an ephemeral eddy of appeal-based delivery. Given that the Council's witness accepted it does not have a credible short or medium-term strategy for addressing its 5YHLS deficit, I suspect the latter.
25. I have carefully considered the appeal decisions brought to my attention by the main parties. These confirm that between 2015 and 2019 Inspectors have come to differing views on the issue of consistency and the subsequent weight to be applied to Policy S7. Most of those decisions preferred by the Council², including the Secretary of State's decision³, were made in the context of the Council being able to demonstrate a 5YHLS, albeit marginally. There also appears to me to be a general pattern of less weight being ascribed to Policy S7 as the Council's 5YHLS has deteriorated⁴. Notwithstanding the above, there was no suggestion at the Hearing that the facts of any one of the previous cases were so aligned with the facts here that the previous decision indicated that this appeal should be either allowed or dismissed. I have therefore had regard to the various decisions insofar as they are relevant to my consideration of this appeal.

Character and appearance

26. The appeal site was independently assessed as part of the LUC study in 2016. The overall aim of which was to assess the extent to which land within the CPZ is meeting its purposes as set out in Policy S8 which would enable the Council to make informed decisions about its continuing validity through the eLP.
27. The study found that development of the appeal site for housing would result in a moderate level of harm due to its low rating against purpose 4 (restricting coalescence). This was partly because of the dispersed nature of the nearest settlement and the site's relative distance from the airport. The study concluded that the CPZ/settlement boundary should be moved to the railway line which itself could prevent coalescence between the airport and Elsenham. The appeal site was subsequently recommended for removal from the countryside and CPZ in the eLP. In my view the LUC study is a significant material consideration in favour of the appeal scheme.
28. From my own observations I saw that the appeal site contributes to a pleasant, open, albeit visually contained, rural setting to the south-west of Elsenham. The site however has few redeeming features and is not designated or part of a 'valued landscape' in the terms set out in the Framework. As I saw on my site visit, the site has a number of urbanising influences such as the railway line with overhead cables, new development at the former sawmill, new development to the north-west, and the constant hum of traffic from the M11. On that basis I would be hard pushed to describe the site as some have as 'open countryside'.

² APP/C1570/A/14/2222958, APP/C1570/W/16/3156864 and APP/C1570/W/18/3209655

³ APP/C1570/A/14/2219018

⁴ APP/C1570/W/19/3226302

29. Those opposing the development did so primarily on the basis that the open nature of the site contributes positively to the local area and particularly for users of the footpath. The extent to which the proposed dwellings would be visible beyond the site and the public footpath would depend on details which have been reserved for future determination. Nonetheless, I accept that whatever its final form the development would result in an irreversible loss of openness and would have a significant visual effect from within the site boundaries. However, as that would be the case with any greenfield site, it is not a reason to dismiss the scheme out of hand.
30. The site is currently enclosed behind mature landscaping on its boundaries. Except for the removal needed to create the site access, the hedges and trees would be retained and supplemented with new planting. Significantly, the Council accept that the development would not be readily visible over the wider area. Where the dwellings might be visible, they are likely to be seen against the general townscape of Elsenham and would not be unduly intrusive in the wider landscape.
31. There would of course be a more pronounced visual effect from those properties on Rush Lane located opposite the site access. Whilst I have some sympathy with those residents who might experience a change to their outlook, there is no right to a view. Given the likely distance between the houses on Rush Lane and those proposed, I do not consider the resulting outlook for these residents would be unacceptable in normal planning terms. In any event, the scale and layout of the houses are issues which the Council would have control over at the reserved matters stage.
32. Bearing in mind the likely layout with houses set back from the south site boundary as well as the alignment of the railway and existing development along Robin Hood Road, I do not consider that the development would result in a significant degree of coalescence between Elsenham and Fuller's End. The houses would also relate well to the existing built form and bearing in mind those consented developments in the immediate area, would read as a logical extension to the village.
33. I accept that the houses would be visible from PROW29. However, the Masterplan shows how it might be possible to develop the site and to divert the footpath through areas of open space rather than along estate roads. Whilst it would inevitably be a different experience, this has to be offset against the benefits arising from new public access to areas of open space around the footpath. These maintained areas would provide a pleasant stopping point where users could sit and enjoy the view over to Fuller's End, have a picnic or simply watch the trains go by. Whilst I understand that some would prefer to retain the footpath's open aspect, it has to be recognised that some, particularly the less mobile and perhaps those with pushchairs and young children, would benefit significantly from the proposed footpath and connectivity improvements.
34. Overall, there would be some localised visual effects arising from the loss of the appeal site's open and undeveloped character. There would also be some erosion of the amenity value derived from views across the appeal site from the public footpath. However, in my view the overall level of harm would be limited. Nonetheless there would still be conflict with Policies S7 and S8 and this weighs against the development in the overall planning balance.

Other Matters

35. Local residents have expressed a wide range of concerns including but not limited to the following: loss of wildlife habitats, drainage, air quality, the effect on highway safety, congestion and local infrastructure. However, it is evident from the Committee Report that these matters were carefully considered by the Council at the application stage. Whilst I understand the concerns of local residents, there is no compelling evidence before me which would lead me to conclude differently to the Council on these matters.

Conclusion and Planning Balance

36. I am required to determine this proposal in accordance with the development plan, unless material considerations indicate otherwise. The starting point is therefore the development plan.
37. I have found that the development would result in limited harm to the open characteristics of the CPZ and countryside. There would be no significant coalescence either between Elsenham and the airport or surrounding settlements. Overall, there would be limited conflict with the countryside protection aims of LP Policies S7 and S8.
38. As to whether material considerations indicate that the permission should be allowed, the Framework is one such consideration. In light of the Council's 5YHLS position, those policies that are most important for determining the application are to be considered out-of-date. Along with my findings in relation to consistency, this strictly limits the weight I attach to the conflict with LP Policies S7 and S8. It also engages the default position identified in paragraph 11(d) of the Framework.
39. The effect of this is that the planning balance shifts in favour of the grant of consent. Only if the Council is able to demonstrate harm which "significantly and demonstrably" outweighs the benefits of the development should consent be refused. The key issue is therefore whether the development would satisfy the other relevant requirements of the Framework and thus benefit from the presumption in favour of sustainable development.
40. The provision of up to 40 dwellings comprising of market and affordable housing carries substantial weight in a district with an acknowledged acute shortage of market and affordable housing. This is the weightiest factor in the overall balance. Beyond the public footpath, there is currently no public access to the appeal site and therefore the opportunity for the local community to use the areas of open space created by the development, is also a benefit, albeit one that is primarily intended to address the needs of the occupants of the appeal scheme itself. Collectively, the social benefits attract substantial weight.
41. The purchase of materials and services in connection with the construction of the dwellings, employment during the construction period, an increase in local household expenditure are economic benefits that weigh in favour of the scheme.
42. In environmental terms, there would inevitably be some dis-benefits. In the sense that the development of open countryside is such a disbenefit, this cannot carry significant weight because of the Council's 5YHLS position which can only realistically be remedied by the release of greenfield sites in the

countryside and/or the CPZ. There would inevitably be landscape harm arising from a loss of openness across the appeal site. However, given the site's high level of visual containment and close relationship to the existing built form of Elsenham, these are not factors that weigh heavily against the scheme.

43. The environmental benefits include small biodiversity gains. The appeal site is also located in an accessible and sustainable location on the edge of Elsenham, a town with a reasonable range of shops and services. The public transport contribution which aims to increase the frequency of bus services through the village has the potential to benefit the local community. Taking these benefits into account, I find the development would result in minor environmental harm.
44. Based on the foregoing, it is clear that the adverse impacts of the proposal would not significantly and demonstrably outweigh the substantial benefits which would arise from this development. I am thus satisfied that the appeal scheme would constitute sustainable development. This is a significant material consideration sufficient to outweigh the limited development plan conflict.
45. Accordingly, I conclude that the proposal should be allowed, subject to the imposition of a number of conditions, as discussed at the Hearing and set out in the schedule below.

Planning Obligations

46. The Framework sets out policy tests for planning obligations; obligations must be necessary to make the development acceptable in planning terms; directly related to the development and fairly and reasonably related in scale and kind to the development. The same tests are enshrined in the statutory tests set out in regulation 122 of the CIL regulations.
47. The education contribution comprises an Early Years and Childcare contribution of £17,422.00, a local primary school contribution of £15,281.00 and a local secondary school education contribution of £23,214.00. These contributions are supported by a response from the Education Authority which identifies a potential future deficit at local education providers which would serve the development. I consider the education obligation, which is calculated via a standard formula, would be fairly and reasonably related to the development proposed and it would as a result meet the statutory tests.
48. The clauses under Schedule 2/Part 1 reflect these requirements of LP Policy H9 contains to provide 40% affordable housing. I have received further information from the Council regarding the bus service contribution of £118,000. Schedule 2/Parts 4 and 5 contain drainage and open space obligations. In all cases I am satisfied that the obligations meet the statutory tests.

Conditions

49. The parties have suggested a number of planning conditions which I have considered against the advice in the "*Planning Practice Guidance*" (PPG). In some instances I have amended the conditions in the interests of brevity or to ensure compliance with the PPG.
50. Conditions 1, 2 and 3 are standard conditions for outline planning permissions. To ensure a suitable and safe access, I have imposed a condition relating to the

highway works^[4]. However, I have simplified the condition given that the relevant details are already shown on the approved plan. To ensure a satisfactory level of permeability I have imposed a condition regarding a pedestrian link to PROW28^[5]. Conditions regarding the provision of a satisfactory drainage system are necessary to ensure drainage of the site in the interests of flood prevention^[6&7]. In the interests of local ecology and to ensure a net-gain for biodiversity, I have attached various ecology conditions^[8-10]. In some cases, I have simplified the conditions suggested by the Council as some of the detailed requirements were patently excessive for a development of this size. Given that the Council would retain overall control for the approval of these schemes, I am satisfied they would not be prejudiced by these changes.

51. To protect the living conditions of local residents, I have imposed conditions relating to noise mitigation and restrictions upon construction hours^[11&12]. A land contamination condition is necessary to ensure the land is suitable for its intended use^[13]. Beyond the provision of electric charging points to each dwelling, the Council was unable to explain what other measures might be required under the suggested air quality scheme. I have therefore imposed a more specific condition relating to electric charging points to mitigate the impact on air quality^[14]. To ensure compliance with the Council's SPD⁵, I have imposed a condition relating to accessible homes^[15]. Finally, to protect any archaeological assets that may be present I have imposed an archaeology condition^[16].
52. The suggested condition regarding the diversion of Footpath 29 is unnecessary as footpath diversions are covered by other legislation namely s257 of the Town and Country Planning Act. I have amended the requirements of the suggested drainage condition so as to include details of maintenance and management arrangements. A separate condition covering these matters is therefore unnecessary. I am not persuaded that a condition requiring the applicant to keep a maintenance log work is relevant to planning, necessary or enforceable, I have omitted it accordingly.
53. The ecological information submitted with the application does not support the presence of bats. That conclusion has not been challenged by cogent evidence. Accordingly, I am not persuaded that the suggested lighting condition is necessary. Finally, I am satisfied that the requirements of the two birdstrike avoidance conditions, are capable of being dealt with as part of 'landscaping' at the reserved stage and/or through the drainage scheme (condition 6). I have omitted the suggested conditions accordingly as they are unnecessary.
54. Conditions 6, 7, 9, 10 and 16 are 'pre-commencement' form conditions and require certain actions before the commencement of development. In all cases the conditions were agreed between the main parties and address matters that are of an importance or effect and need to be resolved before construction begins.

D. M. Young

Inspector

⁵ Full title: Supplementary Planning Document - Accessible Homes and Playspace 2005

SCHEDULE OF CONDITIONS

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the Local Planning Authority not later than three years from the date of this permission.
- 3) The development hereby permitted shall begin not later than two years from the date of approval of the last of the reserved matters to be approved.
- 4) The access works shown on drawing number DWG-04 Rev B shall be provided prior to first occupation of any dwelling.
- 5) Prior to first occupation of any dwelling, a pedestrian connection between the development and Public Footpath 28 (Elsenham), details of which shall first have been submitted to and agreed in writing with the local planning authority, shall be provided and retained thereafter.
- 6) No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme should include but not be limited to:
 - Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753;
 - Limiting discharge rates to 6.5 l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change;
 - Provide sufficient storage to ensure no off-site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event;
 - Demonstrate that all storage features can half empty within 24 hours for the 1:100 plus 40% climate change critical storm event;
 - Final modelling and calculations for all areas of the drainage system;
 - The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753;
 - Detailed engineering drawings of each component of the drainage scheme;
 - A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features;
 - A written report summarising the final strategy and highlighting any minor changes to the approved strategy, and

- Details of maintenance and management arrangements

The development shall be carried out in complete accordance with the approved details.

- 7) No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.
- 8) All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Cotswold Wildlife Surveys, September 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
- 9) No development shall take place until a Reptile Mitigation Strategy has been submitted to and approved in writing by the local planning authority. The Reptile Mitigation Strategy shall be implemented in accordance with the approved details and all features shall be retained in that manner thereafter.
- 10) No development shall take place until a Biodiversity Enhancement Strategy has been submitted to and approved in writing by the local planning authority. The works shall be implemented in accordance with the approved details and shall be retained in that manner thereafter.
- 11) Prior to first occupation of the development a scheme for protecting the proposed dwellings from rail noise shall be submitted in writing to the local planning authority for approval. The scheme shall follow the recommendations identified in the Resound Acoustics Noise & Vibration Assessment report (Ref: RA00562-Rep 1) dated January 2019. None of the dwellings shall be occupied until such a scheme has been implemented in accordance with the approved measures which shall be retained thereafter.
- 12) Construction work shall only be carried out on site between 8:00am and 6:00pm Monday to Friday, 9:00am to 5:00pm on a Saturday and no work on a Sunday or Public Holiday. The term "work" will also apply to the operation of plant, machinery and equipment.
- 13) The dwellings hereby permitted shall not begin until a scheme to deal with contamination of land/ground gas/controlled waters has been submitted to and approved in writing by the local planning authority. The scheme shall include all of the following measures, unless the local planning authority dispenses with any such requirement in writing:
 - A Phase I site investigation report carried out by a competent person to include a desk study, site walkover, the production of a site conceptual model and a human health and environmental risk assessment, undertaken in accordance with BS 10175: 2011 Investigation of Potentially Contaminated Sites – Code of Practice.
 - A Phase II intrusive investigation report detailing all investigative works and sampling on site, together with the results of the analysis, undertaken in accordance with BS 10175:2011 Investigation of Potentially Contaminated Sites – Code of Practice. The report shall

include a detailed quantitative human health and environmental risk assessment.

- A remediation scheme detailing how the remediation will be undertaken, what methods will be used and what is to be achieved. A clear end point of the remediation shall be stated, and how this will be validated. Any ongoing monitoring shall also be determined.
 - If during the works contamination is encountered which has not previously been identified, then the additional contamination shall be fully assessed in an appropriate remediation scheme which shall be submitted to and approved in writing by the local planning authority.
 - A validation report detailing the proposed remediation works and quality assurance certificates to show that the works have been carried out in full accordance with the approved methodology shall be submitted prior to first occupation of the development. Details of any post-remedial sampling and analysis to demonstrate that the site has achieved the required clean-up criteria shall be included, together with the necessary documentation detailing what waste materials have been removed from the site.
- 14) Prior to first occupation, each dwelling hereby approved shall be provided with an electric vehicle charging point. Once provided the charging points shall be retained thereafter.
- 15) 5% of the dwellings approved by this permission shall be built to Category 3 (wheelchair user) housing M4 (3)(2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4 (2) of the Building Regulations 2010 Approved Document M, Volume 2015 edition.
- 16) No development or preliminary groundworks can commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the planning authority prior to reserved matters applications being submitted.
- A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.
 - No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.
 - The applicant will submit to the local planning authority a post-excavation assessment (to be submitted within three months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

APPEARANCES

FOR THE APPELLANTS

Thea Osmund-Smith LLB

Frazer Hickling BA (Hons) DipUD MRTPI

Gary Holliday CMLI BA(Hons) M.Phi

Appellants' Barrister

Appellants' Planning Consultant

Appellants' Landscape Witness

FOR THE LOCAL PLANNING AUTHORITY

Alison Hutchinson MRTPI

Planning Consultant

INTERESTED PERSONS

Dr A Mott

Elsenham Parish Council



APPENDIX 4: Appeal Decision Notice ref. APP/C1570/W/18/3210034



Appeal Decision

Site visit made on 27 March 2019

by R Sabu BA(Hons) MA BArch PgDip ARB RIBA

an Inspector appointed by the Secretary of State

Decision date: 20 June 2019

Appeal Ref: APP/C1570/W/18/3210034

Land East and North of Clifford Smith Drive, Watch House Green, Felsted CM6 3UG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr D Payne against the decision of Uttlesford District Council.
 - The application Ref UTT/18/0784/OP, dated 21 March 2018, was refused by notice dated 8 August 2018.
 - The development proposed is erection of up to 30 no. dwellings served via new access from Clifford Smith Drive, complete with related infrastructure, open space and landscaping.
-

Decision

1. The appeal is allowed and planning permission is granted for erection of up to 30 no. dwellings served via new access from Clifford Smith Drive, complete with related infrastructure, open space and landscaping at Land East and North of Clifford Smith Drive, Watch House Green, Felsted CM6 3UG in accordance with the terms of the application, Ref UTT/18/0784/OP, dated 21 March 2018, subject to the attached Schedule of Conditions.

Application for costs

2. An application for costs was made by Mr D Payne against Uttlesford District Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The application was submitted in outline. The application form indicates that approval was sought only for access with all other matters reserved. I have determined the appeal on this basis.
4. I note the Uttlesford Regulation 19 Pre-Submission Local Plan (emerging Local Plan) and that the appeal site is allocated for housing under this emerging Local Plan. I also note that the preparation of the emerging Local Plan has progressed since the application was determined. However, it is at a relatively early stage and there is no certainty that the policies within it will be adopted in their current form. I have therefore attached it limited weight.

Main Issues

5. Since the decision notice was issued, the Council has confirmed that they no longer contest the second and third reasons for refusal which state that the application does not include a mechanism to secure suitable affordable housing

provision and the application does not include a mechanism to secure suitable contributions towards education respectively. During the process of the appeal, the Council stated that the Zone of Influence of Blackwater Estuary Special Protection Area includes the appeal site. Therefore, the main issues are the effect of the proposed development on:

- the character and appearance of the area; and
- the Blackwater Estuary Special Protection Area (BESPA) and Ramsar site.

Reasons

Character and appearance

6. The site lies outside settlement development boundaries and falls within the countryside for the purposes of Uttlesford Local Plan Adopted 20 January 2005 (LP). It is therefore assessed against LP Policy S7 which relates to development in the Countryside.
7. The proposal would introduce built form on undeveloped land and would therefore alter the intrinsic character of the site. The appeal site is an area of unmanaged scrubland and is contained by built development to the south, Weavers Farm to the north and a distinct area of arable farmland to the east. The site therefore has a close relationship with the existing built development as well as with the arable farmland to the east. Given that it is largely bounded by hedgerow, the site is self-contained in this respect.
8. The site would be accessed from Clifford Smith Drive and from the indicative plans before me, the proposed scheme would appear as an extension of the existing development. The indicative layout shows that the proposed dwellings would be of a range, size and layout that would be in keeping with the existing dwellings of Clifford Smith Drive. Therefore, subject to careful consideration of reserved matters, the dwellings would not be out of keeping with the pattern of development of the existing development on Clifford Smith Drive.
9. Similarly, the view from the approach to the site via Braintree Road from the north consists of hedgerow along the boundary and open fields on the opposite side of the road with the existing houses of Felsted forming the setting to this view. From the indicative layout plan the hedgerow along Braintree Road and to the north and east of the site is proposed to be retained and while I am mindful that landscaping is a matter for future consideration, the retention of this hedge would go some way to limiting the impact of the proposed dwellings on the character and appearance of this approach.
10. While parts of the proposal may be visible from the public rights of way to the north of Weavers Farm and from the east of the appeal site, the visibility of the upper storeys and rooftops of the properties would be limited by retention of the existing hedge. Furthermore, given close relationship with the existing development to the south, any rooftops that may be visible would not be out of keeping with the character and appearance of the area. Likewise, given the adjacent existing development and slight change in ground levels across the arable fields, the proposed dwelling would have limited impact on wider views of the site from the countryside subject to careful consideration of reserved matters.

11. Nevertheless, since the proposal would introduce significant areas of built development, hardstanding and domestic gardens to an undeveloped greenfield site, the proposed scheme would adversely impact the landscape character of the site.
12. I note the Chris Blandford Associates Landscape Character Assessment (2006) which describes the site as having a low to moderate sensitivity and that the report recommends measures to protect and enhance positive features that are essential to contributing to local distinctiveness and sense of place. Although landscaping and the layout of the site including the distance of the proposed dwellings from the highway would be considered as part of a reserved matters application, since the proposal would extend the built form of the existing development, it would have the effect of urbanising the site thus diminishing the rural character and appearance of the area.
13. I note that Weavers, also referred to as Weavers Farm, is located near the site and comprises a number of buildings including a Grade II listed building. Although the Council has not referred to the effect of proposal on the setting of the nearby listed buildings in their reasons for refusal, I am required, as a statutory consideration, to have regard to these matters when determining the appeal. The significance of the listed building lies in the evidence of historic architecture and given its traditional vernacular appearance, it contributes to the rural character of the area.
14. The appeal site lies to the south of the property and given the boundary treatment and vegetation along the boundary of Weavers and Braintree Road and along the southern boundary with the appeal site, views of Weavers from the appeal site are largely screened. Furthermore, since layout is a matter for future consideration and as suggested by the indicative site plan, the proposed dwellings could be set out on the site such that the effect of the proposed development on the setting of the listed building would preserve its significance.
15. Overall, I consider the proposed development would harm the character and appearance of the area and would conflict with LP Policy S7 which states that development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set. However, the harm identified would be limited given the localised and self-contained nature of the site and the limited impact on views to the development described above.

Effect on BESPAs and Ramsar site

16. The appeal scheme proposes up to 30 dwellings on a site that lies within the Zone of Influence (ZoI) of BESPAs and Ramsar site. New housing development within the ZoI would be likely to increase the number of recreational visitors to BESPAs, potentially resulting in disturbance to the integrity of the habitats of qualifying features.
17. Since the appeal site lies near the outskirts of the ZoI, some 20km from BESPAs, and the number of additional recreational visitors from 30 dwellings would be limited, the likely effects on BESPAs from the proposed development alone may not be significant. However, in combination with other developments it is likely that the proposal would have significant effects on BESPAs and

Ramsar site. Consequently, an Appropriate Assessment (AA) is necessary to ascertain the implications for the site.

18. I note the comments of the Inspector for the case at Bures Hamlet which concluded that an AA was not necessary. The Council for this appeal has stated that the distance by road to the habitats site is approximately 40km, substantially greater than the 22km set out in the RAMS Strategy. While the site at Bures Hamlet may be closer by road to the habitats site than this proposal would be, since no other evidence has been submitted to demonstrate that an AA would not be necessary, and given that in combination with other developments the proposal is likely to have significant effects on the BESPAR and Ramsar site, in this case I nevertheless consider an AA is necessary.

Appropriate Assessment

19. The qualifying features for the BESPA designation are the overall water bird assemblage and the Conservation Objectives include maintaining the structure and function of the habitats of the qualifying features and the supporting processes on which the habitats of the qualifying features rely. Since the site is near the perimeter of the ZoI, while the residential development may lead to disturbance of birds in coastal habitats (European) site, the adverse effects would be likely to be smaller in scale than other sites closer to the BESPA.
20. I note the draft Essex Coast Recreational disturbance Avoidance and Mitigation Strategy Supplementary Planning Document 2019 (draft RAMS SPD), which sets out a strategic approach to mitigation by several councils across Essex. Since the original ZoI did not include land within Uttlesford District, the Council is not a partner identified in the SPD. However, given that the draft RAMS SPD is endorsed by Natural England and there is no evidence before me to indicate that the Council would not adopt the strategy, I attach significant weight to it.
21. The draft SPD sets out detailed mitigation measures that would be funded by S106 contributions at a specified tariff per dwelling. Since these include a range of habitat-based measures such as education and communication, and have been endorsed by Natural England, I am satisfied that the measures would adequately overcome any adverse effects of the proposal on BESPA and Ramsar site.
22. The Council has accepted a signed Unilateral Undertaking (UU) under Section 106 of the Town and Country Planning Act 1990 that would ensure that the financial contribution would be paid before the commencement of development. The UU states that, in the event that the RAMS is adopted at the date of commencement of development, the owners would pay the RAMS contribution rather than the Natura 2000 Contribution figure which is the figure stated in the draft RAMS SPD.
23. This would mitigate any uncertainty regarding the timing of the adoption of the draft RAMS SPD. Furthermore, the UU defines the meaning of the Natura 2000 Contribution as being funding towards additional visitor management measures relating to Blackwater Estuary SPA/Ramsar and Essex Estuaries SAC. It also defines RAMS Contribution as a sum of money payable towards works identified by RAMS to mitigate the increased use of the development at the designated sites. Furthermore, Natural England confirmed that a Unilateral Undertaking to collect mitigation measures in accordance with the Essex Coast RAMS would be appropriate. On this basis, I am persuaded that the contribution via a UU would

be effective in mitigating the adverse effects of the proposal on the BESPAs and Ramsar sites.

24. The contributions would be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development, in accordance with Regulation 122 of the CIL Regulations. As such, the contributions toward the mitigation schemes would count as mitigation toward maintaining the integrity of the sites.
25. I have had regard to an appeal decision for a site near this appeal site¹. While parallels may be drawn given the location of that site and its position within the ZoI of the BESPAs, further details are not before me and in any event, each case must be determined on its individual merits.
26. Consequently, the proposed development would not adversely affect the Blackwater Estuary Special Protection Area (BESPAs) and Ramsar site and would not conflict with the National Planning Policy Framework (Framework) in this regard.

Other Matters

27. From the evidence before me regarding the Felsted Neighbourhood Plan (FNP), it is beyond Regulation 14 stage. I note the inconsistency between the FNP and the emerging Local Plan with regard to the site being allocated within Policy FEL2 of the emerging Local Plan, and not being allocated in the FNP. I recognise the effort and time that has been invested in the preparation of the FNP, the response by statutory consultees, that vocal support may have been given for the FNP by Council members as well as other concerns including that the progress of the FNP would be undermined by approval of the scheme. I also note that submission of the draft FNP for Final Examination has been delayed by issues relating to Natural England. However, since the FNP has not been approved at referendum and that there is no certainty that it would be brought into force in its current form, I attribute it only limited weight.
28. I note concerns including the pressure on local education. While the additional residents may put some pressure on local schools in particular Felsted Primary School, the Council has accepted a Section 106 agreement that it considers would mitigate the impact on local provision of education and consequently withdrew this reason for refusal. I have considered this contribution in the section on Planning Obligations below.
29. I also acknowledge local highways safety concerns including traffic congestion at school opening and closing times. During my site visit on a weekday at school pick up time I noted some traffic congestion near Felstead Primary School. However, since the proposed development would be roughly within a kilometre of the school and therefore within walking distance, a significant increase in traffic congestion as result of the proposed scheme is unlikely. I also acknowledge concerns regarding the walking route from Clifford Smith Drive to the school, however, the Highway Authority has not objected to the proposal and from the evidence before me, I see no reason to disagree.
30. With regard to the capacity of the existing doctor's surgery, while discussions may be ongoing with regard to a longer term expansion of the practice, the

¹ Appeal ref: APP/C1570/W/18/3210501

Local GP confirmed that Felsted Surgery has the capacity to accommodate any new patients generated by the proposal.

31. I acknowledge local concerns including the implementation of the existing development on Clifford Smith Drive with regard to wildlife and habitat mitigation issues. The evidence acknowledges that the site was intended to be a mitigation area for the existing development. I note the Addendum to Great Crested Newt and Reptile Survey Report (Hybrid Ecology, May 2018) dated 26th June 2018 which considers that an updated mitigation area would address the concerns raised. The Council are satisfied the proposed measures adequately mitigate any risk and from the evidence before me I see no reason to disagree.
32. I also note other local concerns including the level of engagement with the local community, communication with the Council regarding housing numbers, drainage issues relating to the existing development and the effect on views from the existing properties of Clifford Smith Drive. However, such matters are not an influential factor on the outcome of this appeal and I have necessarily considered the proposal on its merits.
33. None of the other matters raised outweigh or alter my conclusions on the main issues.

Planning Obligations

34. The appellant has completed a Section 106 Agreement in conjunction with Uttlesford District Council and Essex County Council which includes a number of obligations to come into effect if planning permission is granted. I have considered these in light of the statutory tests contained in Regulation 122 of The Community Infrastructure Levy (CIL) Regulations 2010. They relate to the following matters:
35. Affordable Housing: LP Policy H6 requires developments on sites which provide for 11 dwellings or more, or residential floorspace of more than 1,000sqm (combined gross internal area), to provide 40% of the total number of dwellings as affordable dwellings on the application site and as an integral part of the development. The agreement makes such provision and I consider is fairly and reasonably related to the development proposed and as such passes the statutory tests.
36. Education Contribution: The sum in respect of education is undisputed and the terms related directly to the development and Felsted Primary School and fairly related in scale and kind. As such they would accord with the provisions of Regulation 122 of the Community Infrastructure Levy Regulations 2010 and the tests for planning obligations set out in the Framework.

Planning Balance

37. The Council acknowledge that LP Policy S7 is partially compatible with the Framework since it has a more protective rather than positive approach towards development in rural areas and therefore carries limited weight. I note the comments of the Inspectors for the cases at Saffron Walden and Newport in relation to the consistency of LP Policy S7 with the Framework. From the evidence before me I have no reason to disagree and take a similar approach to the Inspectors of these cases and attribute limited weight to the conflict with this policy.

38. Furthermore, the main parties acknowledge that the Council cannot demonstrate a 5-year housing land supply, consequently the provisions of paragraph 11(d) of the Framework are triggered. Following the publication of the updated Framework in 2019 and the updated Planning Practice Guidance, the Council contends that it can demonstrate roughly a 3-year supply of housing land. This represents a significant shortfall.
39. The proposed development would provide a moderate benefit of contribution of up to 30 dwellings to the shortfall of housing, of which 40% would be affordable housing. There would be temporary economic benefits during the construction phase and moderate benefits in terms of the additional residents supporting local services and community. I therefore attribute moderate weight to the benefits of the proposal.
40. Since the Council has accepted Section 106 agreements relating to affordable housing and education provision, and have found that the location is otherwise suitable, given that the harm to character and appearance of the area would be limited, I do not consider the adverse impacts of the proposal would significantly and demonstrably outweigh the benefits.

Conditions

41. I have considered the conditions suggested by the Council. I have made some minor changes to these having regard to the tests set out in the Framework and the guidance contained in the Planning Practice Guidance. I have amended some of the wording of the conditions in the interests of precision and clarity.
42. I have attached conditions relating to the submission of reserved matters and the time limits associated with this. I have also included a condition specifying the relevant plans and details of the proposed vehicular and pedestrian access as this provides certainty as well as safeguarding highways safety. A condition relating to unbound materials is also necessary in the interests of highways safety.
43. Archaeological excavation in the adjacent housing development found the remains of Saxon and medieval occupation. Therefore, given that the proposed development lies within a potentially highly sensitive area of heritage assets, a condition relating to archaeology is necessary. I have attached one condition rather than the four archaeology related conditions suggested by the Council as it is more concise.
44. A condition relating to surface water drainage is required to prevent flooding. The four surface water related suggested conditions have been replaced by a single condition which deals with the relevant matters in a more concise manner.
45. The condition relating to accessible and adaptable dwellings is necessary to comply with LP Policy GEN2(c).
46. Conditions relating to Great Crested Newts and Reptiles and ecology are necessary to conserve protected species. The former condition needs to be pre-commencement as it affects development to be carried out early in the construction phase.
47. Since it is possible that bats may be present in the wider landscape, a condition relating to lighting for biodiversity is required.

48. A condition relating to landscape and ecological management plan is necessary to safeguard the long-term ecology of the site. The clause relating to legal and funding mechanisms has not been attached as it would fall outside of the scope of the condition. A condition relating to a licence issued by Natural England is necessary in accordance with the development plan.
49. In accordance with Section 100ZA(5) of the Town and Country Planning Act 1990, the appellant confirmed that they approve of the pre-commencement conditions.

Conclusion

50. For the reasons given above, the appeal is allowed subject to conditions.

R Sabu

INSPECTOR

Schedule of Conditions

- 1) Details of the appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development takes place and the development shall be carried out as approved.
- 2) Application for approval of the reserved matters shall be made to the local planning authority no later than 3 years from the date of this permission.
- 3) The development hereby permitted shall take place no later than 2 years from the date of approval of the last of the reserved matters to be approved.
- 4) Prior to occupation of any dwelling, an access shall be formed at right angles to Clifford Smith Drive, as shown on drawing no. DR1 (dated 06/03/2018), to include but not limited to: minimum 5.5 metre carriageway width with two 2 metre wide footways (around each radii) extending along Clifford Smith Drive to suitable dropped kerb pedestrian crossing points across Clifford Smith Drive, and a clear to ground visibility splay with dimensions of 2.4 metres by 25 metres, in both directions, as measured from and along the nearside edge of the carriageway. Such vehicular visibility splays shall be retained free of any obstruction at all times.
- 5) Prior to occupation of any of the proposed dwellings, a pedestrian link to connect the proposed development to public footpath no. 15 (Felsted) as indicated on drawing SP005-PL-05 shall be provided. Details of the pedestrian link, including a suitable surface, shall be submitted to the Local Planning Authority, in consultation with the Highway Authority, and approved prior to occupation of any dwelling.
- 6) No demolition/development shall take place until a Written Scheme of Investigation shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an assessment of significance and research questions:
 - the programme and methodology of site investigation and recording;
 - the programme for post investigation assessment;
 - the provision to be made for analysis of the site investigation and recording;
 - the provision to be made for publication and dissemination of the analysis and records of the site investigation;
 - the provision to be made for archive deposition of the analysis and records of the site investigation;
 - the nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.

No demolition/development shall take place other than in accordance with the approved Written Scheme of Investigation.

- 7) No building hereby permitted shall be occupied until surface water drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:
- provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - include a timetable for its implementation; and,
 - provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.
- 8) 5% of the dwellings approved by this permission shall be built to Category 3 (wheelchair user) housing M4(3)(2)(a) wheelchair adaptable standard. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.
- 9) No unbound material shall be used in the surface treatment of any vehicular access within 6 metres of the highway boundary.
- 10) Prior to commencement, all ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Addendum to Great Crested Newt and Reptile Survey Report (Hybrid Ecology) dated 26th June 2018.
- 11) Prior to occupation, all ecological mitigation & enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (T4 Ecology Ltd, March 2018).
- 12) Prior to occupation a landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the occupation of the development. The content of the LEMP shall include the following.
- a) Description and evaluation of features to be managed (common lizard and great crested newt habitat).
 - b) Ecological trends and constraints on site that might influence management.
 - c) Aims and objectives of management.
 - d) Appropriate management options for achieving aims and objectives.

- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan shall be implemented in accordance with the approved details.

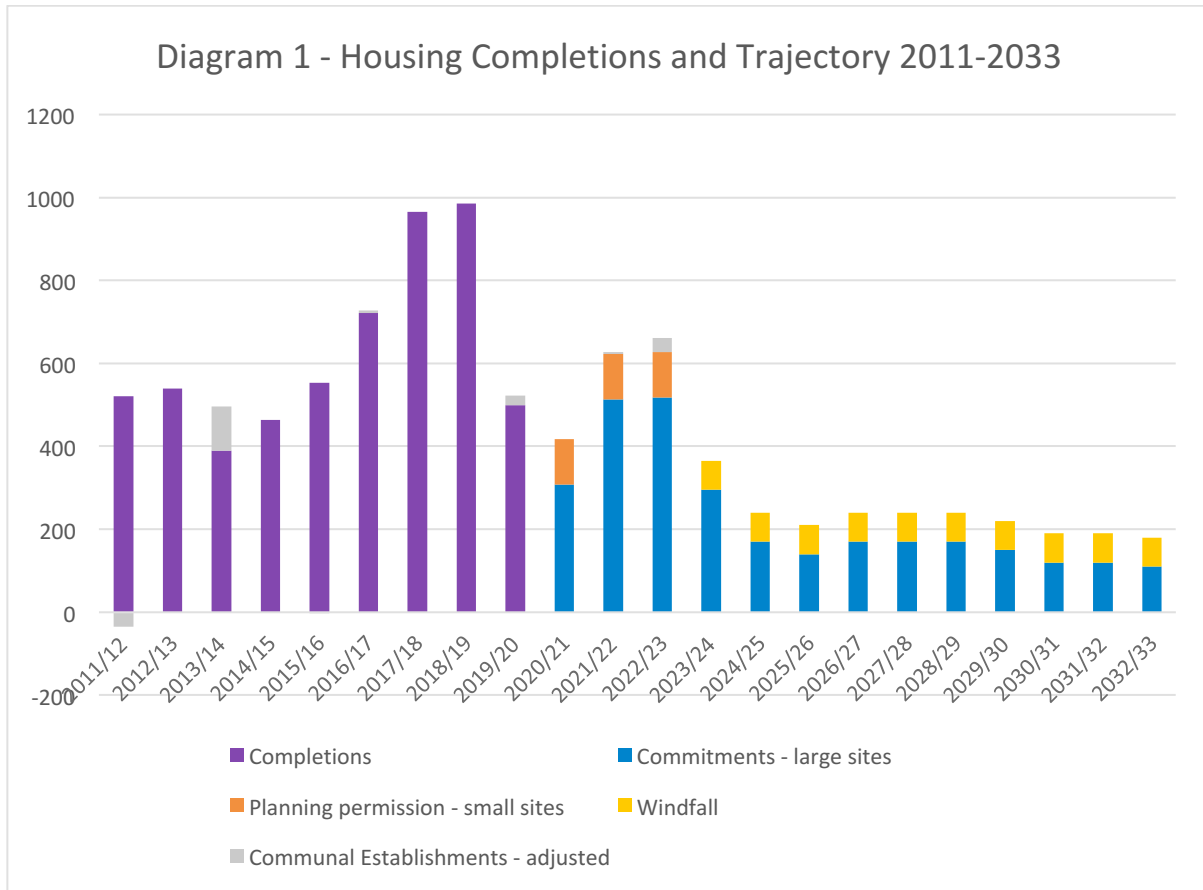
- 13) The development shall not commence unless the local planning authority has been provided with either:
- a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations 2017 authorizing the specified activity/development to go ahead; or
 - a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.
- 14) Prior to occupation, a lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme.

END OF SCHEDULE



**APPENDIX 5: Uttlesford District Council Housing Trajectory and 5-Year Land
Supply Statement at Status at April 2020**

**UTTLESFORD DISTRICT COUNCIL
HOUSING TRAJECTORY AND 5-YEAR LAND SUPPLY STATEMENT
STATUS AT APRIL 2020**



Introduction

1. The purpose of this Statement is to set out the Council's 5 year housing supply and an indicative trajectory of housing delivery during the plan period for the purposes of decision-making. The 5 year period covers the period 2020/21 to 2024/25
2. The 5-year land supply data uses a base date of 31 March 2020 and only uses known data i.e. actual completions.
3. Paragraph 73 of the National Planning Policy Framework 2019 (NPPF 2019) requires local authorities to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) where there has been significant under delivery of housing of the previous 3 years, to provide a realistic prospect of achieving the planned supply.

- Paragraph 74 of the NPPF 2019 sets out the circumstances a 5-year land supply can be demonstrated, with the appropriate buffer, these are either through a recently adopted plan, or in a subsequent annual position statement.

Housing Need

- The Council's adopted Local Plan 2005 pre-dates the NPPF 2019. The Regulation 19 Local Plan was withdrawn in April 2020. A new draft Local Plan is being prepared.
- Paragraph 212 Annex 1: Implementation of the NPPF 2019 states that policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of publication. This includes the use of the standard methodology for calculating housing supply as set out in Planning Practice Guidance on Housing and economic development needs assessments. The methodology is based on the government's official household formation projections, adjusted to reflect local housing affordability and then subject to a 40% cap on any increase above projected household growth or current local plan annual requirements. Appendix 1 to this report sets out the calculation of minimum annual local housing need for Uttlesford using the standard methodology.
- The standard methodology identifies a housing requirement of 706 dwellings per annum (dpa) for Uttlesford.
- NPPF 2019 Paragraph 73(a) states that an additional buffer of 5% is required and paragraph (c) states that a buffer of 20% is required where there has been significant under delivery of housing over the previous three years. Whether there has been significant under delivery is measured using the Housing Delivery Test (HDT). The latest [HDT](#) for Uttlesford, measured in 2020, indicates that there has been 124% of the required delivery in the last three years. Furthermore, completions data for the current monitoring year (2019/20) indicates substantially reduced numbers of completions, due to the coronavirus pandemic.

Table 1: Delivery over last 3 years

Year	Delivery	Target based emerging Local Plan	Target based on standard methodology
2017/2018	966	568	706
2018/2019	985	568	706
2019/2020	522	568	706
TOTAL	2473	1,704	2,118
Over Supply		+ 769	+355

Housing Supply

- Appendix 2 lists, all the sites which are considered to provide housing during the period up to 2033. There are 9 categories of site and Appendix 2 lists the sites with planning permission.
- It also includes an allowance for windfall sites of 70 dwellings per year based on historic rates of completions on windfall sites and the policy context in which they are likely to continue to be provided at this rate. The evidence for this allowance is set out in the Housing Supply Windfall Allowance (UDC, 2017) paper available on the [website](#).

11. To avoid double counting, no allowance for windfall is made in the three years 2020/21-2022/23, and all deliverable sites are assumed to have planning permission. Small sites with planning permission have been included and are assumed to be completed in the next three years, this is in line with the evidence presented in the windfall allowance paper. This source of supply has been discounted to 63% to reflect the evidence around delivery of windfall sites, again this is in line with the evidence presented in the windfall allowance paper. There are 526 dwellings with planning permission on sites delivering 5 or less homes (net), discounting this source to 63% results in 330 homes assumed to be deliverable.

12. The 9 categories are

1. under construction
2. with planning permission (full or reserved matters covering whole site)
3. with outline permission with part(s) covered by reserved matters
4. with outline only
5. where full, outline or reserved matters at post committee resolution subject to S106 negotiations
6. with application submitted
7. with pre-application discussions occurring
8. allocation only
9. draft allocation – zero currently from this source

13. Tables 2 to 4 below sets out the actual and estimated completions for each year during the plan period. The tables show estimated completions with and without the draft allocations.

Table 2 Actual completion rate since 2011										
Year	11/1	12/1	13/1	14/1	15/1	16/1	17/1	18/1	19/2	Total
Completions	486	540	496	463	551	727	966	985	522	5,736

Table 3 Forecast completions for next 5-year period						
Year	20/21	21/22	22/23	23/24	24/25	Total
	Year 1	Year 2	Year 3	Year 4	Year 5	
estimated completions years 1-5	417	627	661	365	240	2,310

Table 4 Forecast completions for years 6 to 13								
Year	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33
	6	7	8	9	10	11	12	13
Estimated completions (sites with planning permission + windfall allowance)	210	240	240	240	220	190	190	180

Calculation of 5 year housing land supply

14. Table 5 shows the calculation of the 5 year housing land supply. It is based on the target of 706 dwellings per annum calculated by the standard methodology as set out in Appendix 1. It applies a 5% buffer, as justified in paragraph 8 above, of 177 dwellings.

15. Note the below calculation does not include an element of 'shortfall'. The PPG states that:

The level of deficit or shortfall will need to be calculated from the base date of the adopted plan and should be added to the plan requirements for the next 5 year period (the Sedgefield approach). If a strategic policy-making authority wishes to deal with past under delivery over a longer period, then a case may be made as part of the plan-making and examination process rather than on a case by case basis on appeal.

16. The draft Uttlesford Local Plan (2020) is at a very early stage and does not include any proposed housing allocations at this stage, future stages will include draft housing allocations The Uttlesford Local Plan 2005 is adopted, but the end date for this plan is 2011 and the target is no longer relevant.

17. The HDT allows for any under delivery in the last three years to feed into the 5YHLS calculation.

Table 5 Calculation of 5 year housing supply		Supply from sites with planning permission+ windfall allowance only
Annual Target		706
Target years 1 – 5	706 x 5	3,530
5% of target	3,530 x 0.05	176.5
Overall target	3,530 + 176.5	3,711.5
Supply	417 + 627 + 661 + 365 + 240	2310
% of target available on deliverable sites	2,310/ 3,712 x 100	62.2%
Supply in years	(2,310 / 3712) x 5	3.11 years
Deficit/Surplus	2,310 – 3,712	-1,402

Appendix 1: Calculation of minimum local housing need using the standard method.

The methodology is set in the Planning Practice Guidance on [Housing and economic development needs assessments](#).

Step 1 – Setting the baseline

Set the baseline using national [household growth projections](#) (2014-based household projections in England, table 406 unitary authorities and districts in England) for the area of the local authority. Using these projections, calculate the projected average annual household growth over a 10 year period (this should be 10 consecutive years, with the current year being used as the starting point from which to calculate growth over that period). Note that the figures displayed are rounded and individual cells need to be viewed in order to see the full number.

Number of households 2020	36,550
Number of households 2030	41,593
Household growth 2020 - 2030	5,043
Average annual household growth	504.3 per year
Source: 2014-based Live Tables on household projections: Table 406: Household projections by District, England, 1991 - 2039	

Step 2 – An adjustment to take account of affordability

Then adjust the average annual projected household growth figure (as calculated in step 1) based on the affordability of the area.

The most recent [median workplace-based affordability ratios](#), published by the Office for National Statistics at a local authority level, should be used.

For each 1% increase in the ratio of house prices to earnings, where the ratio is above 4, the average household growth should be increased by a quarter of a percent. No adjustment is applied where the ratio is 4 or below. Where an adjustment is to be made, the precise formula is as follows:

$$\text{Adjustment factor} = \left(\frac{\text{Local affordability ratio} - 4}{4} \right) \times 0.25$$

Uttlesford's most recent median workplace based affordability ratio		13.54
Adjustment factor	$((13.54 - 4) / 4) \times 0.25 =$	0.59625
Minimum annual local housing need figure	$(1 + 0.59625) \times 504.3 =$	804.98
Source: Housing affordability in England and Wales: 2019, Table 5c Ratio of median house price to median gross annual (where available) workplace-based earnings by local authority district, England and Wales, 1997 to 2018		

Step 3 – Capping the level of any increase

A cap is then applied which limits the increases an individual local authority can face. How this is calculated depends on the current status of relevant strategic policies for housing.

Where these policies were adopted within the last 5 years (at the point of making the calculation), the local housing need figure is capped at 40% above the average annual housing requirement figure set out in the existing policies.

This also applies where the relevant strategic policies have been reviewed by the authority within the 5 year period and found to not require updating.

For areas covered by spatial development strategies, the relevant strategic policies are those contained within the spatial development strategy. For example, where a requirement figure for an authority in a spatial development strategy differs from that in a local plan, the figure in the spatial development strategy should be used.

Where the relevant strategic policies for housing were adopted more than 5 years ago (at the point of making the calculation), the local housing need figure is capped at 40% above whichever is the higher of:

- a. the projected household growth for the area over the 10 year period identified in step 1; or
- b. the average annual housing requirement figure set out in the most recently adopted strategic policies (if a figure exists).

Average annual housing requirement in existing relevant policies		N/a
Average annual household growth over ten years	As per step 1	504.3
The minimum annual local housing need figure	As per step 2	804.98
The cap is set at 40% above the projected household growth for the area over the 10 year period identified in step 1	$504.3 + (40\% \times 504.3) = 504.3 + 201.72$	706.02
Average annual household requirement		706



Site	PLANNING APPLICATION REFERENCE	POLICY REFERENCE	SLAA REFERENCE	Date of Permission	Capacity (Gross)	units lost	Site Address	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Status	Capacity at April 2020	PDL/G	Notes	check 1 - completions	check 2 capacity																		
																	Yr1	Yr2	Yr3	Yr4	Yr5	6	7	8	9	10	11	12	13																								
COMPLETIONS AND EXISTING COMMITMENTS (AT APRIL 2020)																																																					
Small sites (< 6 Units) with PP								99	62	68	70	114	127	127	141	162																																					
Aythorpe Roding: Windmill Works	UTT/14/0779/FUL			Nov-14	11		Windmill Works Aythorpe Roding, CM6 1PU					11																	Built	0	PDL																						
Birchanger 300 Birchanger Lane	UTT/1527/09/DFO			built	9		300 Birchanger Lane	9																					Built	0	PDL		0	0																			
Broxted: Whitehall Hotel, Church End	UTT/16/0349/FUL UTT/19/1932/FUL		windfall	24-Apr-17	10		Whitehall Hotel, Church End, Broxted, CM6 2BZ								8	2													Built	0	PDL		0	0																			
Clavering: Jubilee works	UTT/13/3357/DFO			26-Sep-14	23		Jubilee Works Sticking Green Clavering Essex CB11 4WA				2	21																	Built	0	PDL		0	0																			
Clavering: Land to the rear of the shop and Oxleys Close	UTT/2251/11/FUL			07-Aug-12	14		Land Rear Of Oxley Close Clavering CB11 4PB					14																	Built	0	G		0	0																			
Clavering: Land West Of Stortford Road	UTT/18/3326/PIP UTT/19/2852/FUL			11/07/2019 July 2020	24 8		Land West Of Stortford Road Clavering Essex											8											2	8	G		8	0		Amend category 4 to include PIP? Not sure which category PIP falls in. 4 = with outline only.																	
Elsenham: Elsenham Nurseries, Stansted Road	UTT/14/2991/OP UTT/17/0335/DFO UTT/18/0024/FUL	ELSE4		02-Dec-15 06-Jul-17 12-Mar-18	42	2	Elsenham Nurseries Stansted Road, Elsenham CM22 6LJ								33	9													Built	0	G		0	0																			
Elsenham: Former Goods Yard, Old Mead Lane	UTT/12/8116/FUL	ELSE4		07-Feb-14	10		The Old Goods Yard Old Mead Lane, Elsenham, CM22 6JL								10														Built	0	PDL		0	0																			
Elsenham: Hailes Wood	UTT/13/2917/FUL UTT/15/1121/FUL			01-Jul-14 8 Dec 2015	34		Land Adj Hailes Wood Elsenham CM22 6DQ					9	25																Built	0	G		0	0																			
Elsenham: Land at Alsa Leys	UTT/13/2836/FUL			12-Mar-14	6		Land At Alsa Leys Alsa Leys Elsenham CM22 6JS						6																Built	0	G		0	0																			
Elsenham: Land north Stansted Road	UTT/14/3279/DFO	ELSE4		01-May-15	155		Land north of Stansted Road Elsenham					-1	34	121															Built	0	G		0	0																			
Elsenham: Land north of Leigh Drive	UTT/15/3090/OP UTT/17/2542/DFO	ELSE3	02Els15	14-Nov-16 22-Dec-17	20		Land North Of Leigh Drive Elsenham								20														Built	0	G		0	0																			
Elsenham: Land south Stansted Road	UTT/13/1790/OP UTT/15/2632/DFO	ELSE4		23-Dec-13 05-Feb-16	165		Land South Of Stansted Road Elsenham						49	81	35														Built	0	G		0	0																			
Elsenham: The Orchard	UTT/15/0009/OP UTT/12/1666/11/DFO			25/11/2010 10 August 2012	51		The Orchard Station Road Elsenham CM22 6LG				44	7																	Built	0	G		0	0																			
Felsted: Former Ridelys Brewery, Hartford End	UTT/16/2149/FUL	FEL3		13-Jan-17	22		Former Ridelys Brewery Mill Lane Hartford End Essex CM3 1JZ								1	21													Built	0	PDL		0	0																			
Felsted: Land East Of Braintree Road	UTT/14/2591/DFO			01-Dec-14	25		Land East Of Braintree Road Braintree Road Felsted (CM6 2EF77)						25																Built	0	G		0	0																			
Felsted: Gramsmore Meadow, Chelmsford Road	UTT/17/0034/FUL		12Fel15	10-Oct-17	9		Gramsmore Meadow Chelmsford Road Felsted								6	3													Built	0	G		3	0																			
Felsted: Lyndfields Bannister Green	UTT/0799/08/FUL			Built	7	1	Lyndfields Bannister Green Felsted CM6 3NH			6																			Built	0	PDL		1	1		One loss, so ok.																	
Felsted: Land off Stevens Lane	UTT/17/0649/OP		windfall	16-Mar-18	8		Land Off Stevens Lane Felsted CM6 3NJ													8									Built	0	G		8	5																			
Felsted: Land East And North Of Clifford Smith Drive Watch House Green Felsted	UTT/18/0784/OP UTT/19/2118/OP		17Fel15	20-Jun-19	41		Land East And North Of Clifford Smith Drive Watch House Green Felsted												21	20									3	41	G		41	0		The site might be marketed this Autumn, in which case I would anticipate that the eventual developer would then seek the necessary reserved matters/conditions approval and be looking to start construction on site Autumn 2021 with the first houses delivered either Q1 or Q2 in 2022, maybe at a rate thereafter of say 4 dwellings per month.																	
Felsted: Land To The South Of Braintree Road Felsted	UTT/18/3529/OP			15-Jan-20	30		Land To The South Of Braintree Road Felsted																						3	30	G		30	0		Agent not replied, estimated completions in 22/23																	
Felsted: Land West Of Maranello Watch House Green Felsted	UTT/18/1011/OP UTT/20/0757/DFO			30/05/2019 July 2020	23 28		Land West Of Maranello Watch House Green Felsted												28										3	28	G		28	0		Agent 23.10.20 due to commence sometime next month with completion the following year.																	
Fitch Green: Land at Webb Road, Hallett Road	UTT/13/1123/FUL			Jul-13	9		Land At Webb Road And Hallett Road, Webb Road Little Dunmow Essex					9																	Built	0	PDL		0	0																			
Fitch Green: Land off Tanton Road	UTT/15/2089/DFO	FL11		Dec-15	98		Land Off Tanton Road Fitch Green Dunmow Essex						51	47															Built	0	G		0	0																			
Fitch Green: Village Centre, Land at Webb Road and Hallett Road	UTT/14/3357/FUL	FL11		15-Oct-15	25		Land At Webb Road And Hallett Road Fitch Green Essex							25															Built	0	PDL		0	0																			
Great Canfield: Canfield Nursery, Bullocks Lane	UTT/15/1732/FUL			20-Oct-15	7		Canfield Nursery Bullocks Lane Takeley CM22 6TA								7														Built	0	G		0	0																			
Great Chesterford: Land south of Stanley Road	UTT/12/5513/OP UTT/13/3444/DFO			12 July 2013, 13 February 2014	50		Land South Of Stanley Road And Four Acres Great Chesterford					41	9																Built	0	G		0	0																			
Great Chesterford: Land at Thorpe Lea, Walden Road	UTT/15/2310/OP UTT/17/0112/DFO	GICHE2	05GIChe15	13-Jun-16 17-Jul-17	31	2	Land At Thorpe Lea Walden Road, Great Chesterford CB10 1PS							-2	31														Built	0	G		0	0																			
Great Chesterford: Land north of Bartholomew Close	UTT/14/0425/OP UTT/17/2745/DFO	GICHE1		01-Oct-14 12-Dec-17	11		Land North Of Bartholomew Close, Great Chesterford CB10 1QA												11										2	11	G		11	0		UDC purchased site. Planning to develop 13 affordable homes within 1-5 years. Potential capacity increase in future.																	
Great Chesterford: New World Timber and Great Chesterford Nursery, London Road	UTT/14/0174/FUL	GICH2		Dec-14	42		New World Timber Frame/Graveldene Nurseries London Road						7	35															Built	0	G/PDL		0	0																			
Great Dunmow: Canada Cottages	UTT/14/0787/OP UTT/17/2255/OP UTT/19/2018/FUL			21.2.2020	4		Ld Rio Canada Cottages, Stortford Rd, Gt Dunmow, CM6 1DA																							4	0	PDL		4	4																		
Great Dunmow: Kings Head, North Street	UTT/15/1544/FUL			Jul-15	6		Kings Head North Street Dunmow CM6 1BA																						Built	0	PDL		0	0																			
Great Dunmow: Land adjacent Tower House, St Edmunds Lane	UTT/15/2425/FUL			Oct-15	7		Land Adj To Tower House St Edmunds Lane Great Dunmow CM6 3BA						6	1															Built	0	G		0	0																			
Great Dunmow: Land East of St Edmunds Lane	UTT/14/0472/OP (UTT/17/3623/DFO)	GIDUN7		15-May-15 (11-May-18)	22		Land east of St Edmunds Lane, Great Dunmow												10	12									2	22	G		22	0		Agent confirmed details correct (26-Feb 19). Confirmed 27.10.20 delivery is anticipated as 2021 – 10 houses and 2022 – 12 houses																	
Great Dunmow: Land west of Chelmsford Road	UTT/13/1684/OP	GIDUN8		04-Nov-14	370		Land At Smiths Farm Chelmsford Road Great Dunmow Essex (West of Chelmsford Road) (CM6 1JA??)																						30	50	50	50	50	50	50	50	40	1	370	G		370	0		Agent 23.10.20 We are not involved with the site anymore. Suggest you pick it up direct with Andrew Owers at Crest who may be able to assist.								
Great Dunmow: Melville House, High Street	UTT/15/0293/P3/JPA			Mar-15	7		Melville House, High Street, Dunmow CM6 1AF																							Built	0	PDL		0	0																		
Great Dunmow: West of Woodside Way	UTT/13/2107/OP UTT/18/1826/DFO	GIDUN9		22-Oct-15	790		Land West Of Woodside Way Woodside Way Great Dunmow												60	60	60	60	60	70	70	70	70	70	70	2	790	G		790	0		Agent agreed with trajectory last year. However this included completions in 2019/20. Site visit in August 2020 showed the development had not commenced. Pushed back two years.																
Gt Dunmow 37-75 High St	UTT/1185/02/FUL			Built	51		The Dunmow Inn & Land To Rear Of 37-75 High Street Great Dunmow			7																				Built	0	PDL		44	44		Site complete, capacity includes completions before 2011, so ok.																
Gt Dunmow 39 Causeway and land r/o 37& 41-49 The Causeway	UTT/0601/08/FUL			built	7		39 The Causeway & Land Rear Of 37 & 41-49 The Causeway Great Dunmow CM6 2AA			7																				Built	0	G		0	0																		
Gt Dunmow Chequers Inn	UTT/1200/02/FUL			Built	8		Land At Rear																																														



Site	PLANNING APPLICATION REFERENCE	POLICY REFERENCE	SLAA REFERENCE	Date of Permission	Capacity (Gross)	units lost	Site Address	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Status	Capacity at April 2020	PDL/G	Notes	check 1 - completions	check 2 capacity								
Newport: Carnation Nurseries	UTT/14/3506/DFO			01-Feb-15	21	1	Carnation Nurseries, Cambridge Rd, Newport Saffron Walden CB11 3TR					20																Built	0	G/PDL		1	1	Not clear why column F & W are different. 1 bungalow demolished. 21 new dwellings. Loss added to previous year and number increased to 21 instead of 20									
Newport: Land South Of Bury Grove, Whiteditch Lane	UTT/14/1794/OP UTT/16/2024/FUL	NEWP5	10New15	23/07/2015 2 August 2017	20		Land South Of Bury Grove Whiteditch Lane Newport, CB11 3UD						20																Built	0	G		0	0									
Newport: Land south of Wyndhams Croft, Whiteditch Lane	UTT/14/3266/OP UTT/15/3824/DFO UTT/17/1493/FUL	NEWP5		18-Dec-15 29-Jun-16 22-Dec-17	16		Land South Of Wyndhams Croft Whiteditch Lane Newport, CB11 3UD								16															Built	0	G		0	0								
Newport: Land west of Cambridge Road	UTT/15/2364/FUL	NEWP5		15-Mar-16	34		Land West Of Cambridge Road, Newport						34																	Built	0	G		0	0								
Newport: Land at Holmwood, Whiteditch Lane	UTT/15/0879/OP UTT/19/1064/DFO	NEWP3		23-Jan-20	12		Land At Holmwood Whiteditch Lane Newport CB11 3UD												12											2	12	G	Agent confirmed details correct (4-Apr-19)	12	0								
Newport: Bricketts, London Road	UTT/16/1290/OP UTT/19/2900/DFO	NEWP2	02New15	25-Nov-16	11	1	Bricketts London Road Newport CB11 3PP												11											2	11	G	Applicant 17.11.20: existing building not yet been demolished, plan to do so in near future, once pre-commencement planning conditions discharged. Hope to be on site Feb 2021 and off by Jan 2022 with sales completing soon after that.	11	0	Loss, so check ok. Added in DFO and emailed agent 10.11.20							
Newport: Reynolds Court, Gaces Acre	UTT/14/3655/FUL	NEWP5		01-Mar-15	41	31	Reynolds Court Gaces Acre Newport CB11 3RJ					-12	15	-19	26																Built	0	PDL		0	0							
Newport: The Mallings Station Rd	UTT/14/0509/FUL			Built	11		(Built)			11																					Built	0	PDL		0	0							
Newport: Land west of London Road	UTT/15/1869/FUL	NEWP1	06New15	27-Oct-17	94		Land West Of London Road, Newport, Essex										47	47													2	94	G	Conditions being discharged	94	0							
Newport: Site of Redbank	UTT/18/0742/FUL		windfall	14-May-18	6		Site Of Redbank, Bury Water Lane, Newport, CB11 3TZ								6																	Built	0	PDL		0	0						
Newport: The Joyce Frankland Academy	UTT/18/0739/FUL		12New15	29-Mar-20	24		The Joyce Frankland Academy Cambridge Road Newport CB11 3TR												24													2	24	PDL	Agent 31.10.20: should all be completed by 2022	24	0						
Quendon: Ventnor Lodge, Cambridge Road	UTT/16/0873/FUL	QUE2	03Que15	01-Nov-16	12		Ventnor Lodge Cambridge Road Quendon Saffron Walden CB11 3XQ						-1	12																			Built	0	G		0	0					
Quendon: land r/o Foxley House	UTT/14/3662/FUL			16-Jun-15	19		Land At Foxley House Green Road Rickling Green CB11 3YD						19																				Built	0	G		0	0					
Quendon: Land East Of Foxley House	UTT/19/1301/FUL		02Que15	18-Nov-19	9		Land East Of Foxley House Cambridge Road, Quendon									9																1	9	G	Agent 23.10.20 Foxley House development has started and should be finished this year.	9	0						
Radwinter: Land north of Walden Road	UTT/13/3118/OP UTT/15/1467/DFO	RAD1		28-Feb-14 03-Aug-15	35		Land Off East View Close And Walden Road East View Close Radwinter CB10 2TZ						13	10	12																	Built	0	G		0	0						
S Walden Bell College Peaslands Road	UTT/0503/10/FUL			Built	86		Land To The East Of The Former Bell Language School Peaslands Road Saffron Walden CB11 3ED	86																									Built	0	PDL		0	0					
S Walden: Bell College South road (retirement flats)	UTT/1981/10/FUL			Built	27		Former Bell Language School South Road, Saffron Walden, CB11 3DG		27																								Built	0	PDL		0	0					
Saffron Walden: 8-10 King Street	UTT/0280/12/REN of UTT/1733/08/FUL			21-Jun-12	8		8 King Street Saffron Walden Essex CB10 1ES						8																				Built	0	PDL		0	0					
Saffron Walden: Ashdon Road	UTT/15/212/DFO			21-Nov-12	130		Land At Ashdon Road Saffron Walden			22	72	36																					Built	0	G		0	0					
Saffron Walden: Bell College South Road	UTT/0828/09/FUL			Built	62		Former Bell Language School, South Road, CB11 3DG	25	37																									Built	0	PDL		0	0				
Saffron Walden: Former Gas Works Thaxted Rd	UTT/0123/09/FUL			24-Mar-09	9		Former Gas Works, Radwinter Road, CB11 3JB		4	5																								Built	0	PDL		0	0				
Saffron Walden: Former Willis and Gambier Site, 119 Radwinter Road	UTT/14/3182/FUL	SAF10		30-Jun-16	73		Site At 119 Radwinter Road (CB11 3HY7)								73																			Built	0	PDL		0	0				
Saffron Walden: Former Willis and Gambier Site, 121 Radwinter Road	UTT/13/3406/FUL	SAF10		25-Jul-14	52		Site At 121 Radwinter Road Saffron Walden Essex (CB11 3HY??)					3	38	11																				Built	0	PDL		0	0				
Saffron Walden: Friends School	UTT/0188/10/FUL			31-Mar-11	76		Friends School Mount Pleasant Road Saffron Walden Essex CB11 4AL		30	37	7																								Built	0	PDL		2	2	Loss of 2, so check ok		
Saffron Walden: Garage Site, Catons Lane	UTT/14/2514/FUL			01-Oct-14	6		Garage Site at Catons Lane, Saffron Walden (CB10 2DU7)								6																				Built	0	PDL		0	0			
Saffron Walden: Goddards Yard	UTT/13/0669/FUL UTT/13/2395/FUL			21-Jun-13 23-Jul-14	14		Goddards Yard Thaxted Road Saffron Walden Essex CB11 3AA					12	2																						Built	0	PDL		0	0			
Saffron Walden: Land at Ashdon Road Commercial Centre	UTT/13/2423/OP UTT/16/2701/DFO	SAF10		26-Nov-14 13-Feb-17	167		Ashdon Road Commercial Centre (Ridgeons) CB10 2NQ								33	88	39																		Built	0	PDL	39 dwellings completed in 2019/2020 now complete	7	7	Not clear why F = 134 and estimated completions = 167. UTT/13/2423/OP was for up to 167 dwellings. DFO is for 160 dwellings. Emailed agent 16.11.20		
Saffron Walden: Commercial Centre Ashdon Road	UTT/17/3413/OP			10/10/19	55		Commercial Centre Ashdon Road Saffron Walden CB10 2NQ											15	20	20														3	55	PDL		55	0	Capacity 55, with 20 completed			
Saffron Walden: Land to the West of Debben Road (Tudor Works)	UTT/1252/12/OP UTT/14/0356/DFO			21-Nov-12 24 July 2014	24		Tudor Works Debben Road Saffron Walden CB11 4AN						24																						Built	0	PDL		0	0			
Saffron Walden: Land west of 9 and 10 Everitt Road	UTT/15/1218/FUL			14-Oct-15	7		Land West Of 9 And 10 Everitt Road Saffron Walden Essex CB10 2YY								7																				Built	0	G		0	0			
Saffron Walden: Lodge Farm, Radwinter Rd (Pt of Jossaumes)	UTT/12/5226/FUL			04-Jan-13	31		Land At Lodge Farm Radwinter Road Saffron Walden Essex (CB11 3JB??)					31																								Built	0	PDL		0	0		
Saffron Walden: Moores Garage, Thaxted Road	UTT/14/2003/FUL	SAF10		03-Sep-15	10		Moores Garage Thaxted Road Saffron Walden Essex CB11 3BJ								10																					Built	0	PDL		0	0		
Saffron Walden: Land Behind The Old Cement Works, Thaxted Rd	UTT/16/1444/OP UTT/17/3038/DFO	SAF9		15-Nov-016 15 Feb 2018	35		Land Behind The Old Cement Works Thaxted Road Saffron Walden Essex CB10 2UR												17	18																2	35	PDL		35	0		
Saffron Walden: The Sun Inn Gold Street	UTT/0681/12/FUL			07-Jul-12	6		The Sun Public House 57/59 Gold Street Saffron Walden CB10 1EJ			6																										Built	0	PDL		0	0		
Saffron Walden: Land south of Radwinter Road	UTT/13/3467/OP UTT/16/1856/DFO	SAF8		26-May-15 13 Jan 2017	200		Land south of Radwinter Road (CB10 2JP)						25	56	37	44	38																			1	82	G	60 bed care home not included - UTT/17/3426/OP refused - appeal lodged	82	0		
Saffron Walden: Land south of Radwinter Road for retirement village (C2: 12 extra care bungalows, 30 extra care apartments. Trajectory excludes 60 bed care home)	UTT/13/3467/OP	SAF8		26-May-15	42		Land south of Radwinter Road (CB10 2JP)												12	30																3	42	PDL	60 bed care home not included - UTT/17/3426/OP refused (failure to complete S106 obligation) - appeal lodged. Agent confirmed details correct (5-Feb-19)	42	0	Amend column F = 42	
Saffron Walden: Lt Walden Road	UTT/1576/12/DFO			15-Nov-12	15		Land At Little Walden Road Saffron Walden Essex			15																										Built	0	G		0	0		
Saffron Walden: Land off Little Walden Road	UTT/16/2210/OP UTT/18/2959/DFO	SAF2	10SAF15	21-Aug-17	85		Land Off Little Walden Road Saffron Walden												5	40	40																3	85	G	DFO awaiting decision Agent confirmed details correct (5-Feb-19)	85	0	
Saffron Walden: Land to the West of Lime Avenue	UTT/17/0255/FUL	SAF7	12SAF15	04-Dec-17	31		Land to the west of Lime Avenue Saffron Walden								31																					Built	0	G		0	0		
Saffron Walden: Hill House, 75 High Street	UTT/17/0728/FUL		windfall	14-Jul-17	11	17	Hill House 75 High Street Saffron Walden								-17	11																					Built	0	PDL		0	0	
Saffron Walden: Police Station, East Street																																											



Site	PLANNING APPLICATION REFERENCE	POLICY REFERENCE	SLAA REFERENCE	Date of Permission	Capacity (Gross)	units lost	Site Address	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33	Status	Capacity at April 2020	PDL/G	Notes	check 1 - completions	check 2 capacity		
Saffron Walden: Land East of Thaxted Road	UTT/18/0824/OP	SAF1	07Saf15	12-Apr-19	150		Land East Of Thaxted Road Saffron Walden										50	50	50										3	150	G	Approved subject to S106 19 Dec 2018 Agent confirmed details correct (31-Jan-19). UTT/19/2355/DFO Appeal in progress 27.10.20	150	0			
Stansted Mountfitchet: 68-70 Bentfield Road	UTT/2479/11/FUL			07-Feb-12	9		68-70 Bentfield Road Stansted, CM24 8HS		3	6																			Built	0	PDL		0	0			
Stansted Mountfitchet: 2 Lower Street	UTT/1522/12/FUL			07-Jan-13	14		2 Lower Street Stansted CM24 BLP						14																	Built	0	PDL		0	0		
Stansted Mountfitchet: Land at Walpole Farm	UTT/13/1618/OP UTT/15/2746/DFO	STA3		1 April 2014 15 Feb 2016	147		Land At Walpole Farm Cambridge Road Stansted CM24 8TA								25	106	16													Built	0	G		0	0		
Stansted Mountfitchet: Mead Court Redevelopment of 27 units with 29 units therefore net gain of 2	UTT/13/0749/FUL			06-Jun-13	29		Mead Court Cannons Mead Stansted Essex CM24 8EL				-23	25																	Built	0	PDL	UDC Housing: 16 Nov 2020: All 29 were built. 4 were transferred to the General Fund as temporary homeless accommodation.	4	4	Not clear why only 25 built of 29. 4 are used as temporary homeless accomodation		
Stansted Mountfitchet: Rochford Nurseries	UTT/2265/07/DFO			28-Feb-08	663		Foresthall Park, Stansted Mountfitchet	84	148	64	35																			Built	0	G		332	332	Not clear why built does not equal 663	
Stansted Mountfitchet: 14 Cambridge Road	UTT/16/2632/FUL UTT/17/1382/FUL	STA5	26Sta16 (part)	13-Feb-17 12-Jul-17	10		14 Cambridge Road Stansted CM24 8BZ							10																Built	0	PDL		0	0		
Stansted Mountfitchet: Land north of Water Lane	UTT/16/2865/OP UTT/19/2386/DFO	STA2		09/02/2017 Jun 2020	19	9	Land North Of Water Lane Stansted Essex													9										3	9	G	Agent confirmed details correct (3-Apr-19)	9	0		
Stansted Mountfitchet: Land at Elms Farm	UTT/13/1959/OP UTT/14/2133/DFO	STA3		17-Jan-14 18-Dec-14	53		Elms Farm Church Road Stansted Essex CM24 8PX							36	17															Built	0	G		0	0		
Stansted Mountfitchet: The Three Colts, Cambridge Road	UTT/17/1304/FUL		windfall	03-Jul-17	6		The Three Colts 86 Cambridge Road Stansted, CM24 8DB																							Built	0	PDL	Agent confirmed details correct (3-Apr-19)	0	0		
Stansted Mountfitchet: Land To The West Of High Lane	UTT/18/1993/FUL UTT/20/2520/NMA	STA1	09Sta15	30-May-19	35		Land To The West Of High Lane Stansted										15	20												1	35	G	Approved subject to S106 5 Dec 2018 Agent proposes that capacity of the site is 35 to accord with the 2018 application. (17-Apr-19). Agent 27.10.20 site passed onto someone else	35	0		
Stebbing: land to east of Parksaid and rear of Garden Fields	UTT/14/1069/OP UTT/17/9538/DFO	STE1		01-Feb-15 (16-Apr-18)	30		Ld Nth of Stebbing primary school Rio Gdn Fields & Parksaid, Stebbing (CM6 3RA?)																							Built	0	G	DFO approved 16 April 2018 Building Regulation Initial Notice accepted 14-May-18 Agent confirmed details correct (1-Feb-19)	0	0		
Stebbing: Sabre House, Dunmow Road	UTT/17/2480/OP		windfall	28-Nov-17	9		Sabre House Dunmow Road Stebbing CM6 3LF																							3	9	PDL	agent 27.10.20 Actually I spoke to him and I think nothing has happened unless there is a new application ...	9	0		
Takeley: Brewers End Takeley	UTT/13/1393/OP UTT/14/3295/DFO			23/08/2013 Feb 2015	100		Land South Of Dunmow Road Brewers End Takeley					40	60																	Built	0	G		0	0		
Takeley: Chadhurst Takeley	UTT/13/1518/FUL			12-Sep-13	13		Chadhurst Dunmow Road Takeley Bishop's Stortford CM22 6SL							-1	13															Built	0	G		0	0		
Takeley: Land adj Olivias, Dunmow Rd	UTT/12/5142/FUL			14-Dec-12	6		Land Adjacent To The Olivias Dunmow Road Takeley CM22 6SP					1	2	0	3															Built	0	G		0	0		
Takeley: Land South of Dunmow Road and east of The Pastures/Orchard Fields	UTT/13/3512/FUL			24-Sep-13	41		Land At Brewers End Dunmow Road Takeley CM22 6QH							15	26															Built	0	G		0	0		
Takeley: Land west of The Chalet, Dunmow Road	UTT/14/2387/FUL			01-Mar-15	10		Land west of The Chalet, Dunmow Road, Takeley																							Built	0	G		0	0		
Takeley: Land north of Dunmow Road, East of Church Lane	UTT/15/2424/FUL			19-Jun-16	7		Land North Of Dunmow Road East Of Church Lane Takeley																							built	0	G		0	0		
Takeley: Priors Green				Built	799			98	162	76	32	16																		Built	0	G		415	415		
Takeley: Priors Green, Takeley Nurseries	UTT/0515/10/DFO			Built	35		PG23 Priors Green, Land North Of Dunmow Road Takeley, CM22 6SP	35																						Built	0	G		0	0		
Takeley: Land between 1 Coppice Close and Hillcroft, south of B1256, Takeley Street	UTT/17/1852/FUL	TAK1	01Tak15	18-May-18	20		Land Adj To Coppice Close Dunmow Road, Takeley																								Built	0	G		20	0	
Takeley: Land North Of Dunmow Road	UTT/18/2917/FUL		windfall	22-Jan-19	8		Land North Of Dunmow Road East Of Church Lane Dunmow Road, Takeley																								1	5	G		5	0	
Takeley: Land To The South Of School Lane	UTT/19/1583/FUL		windfall	24-Oct-19	8		Land To The South Of School Lane, Takeley																								1	8	G		8	0	
Takeley:	UTT/19/0393/OP		12Tak15 (part)	31-Jan-20	119		Land West Of Parsonage Road Takeley																							4	119	G		119	0	Current rights apply when completions start	
Thaxted: 25 Barnards Fields	UTT/15/1959/FUL			17-Sep-15	9		25 Barnards Field Thaxted Essex CM6 2LY																							Built	0	PDL		0	0		
Thaxted: Former Molecular Products Ltd site, Mill End	UTT/16/0171/FUL UTT/17/1444/FUL	THA2	10Tha15	29-Sep-16	29		Molecular Products Ltd. Mill End Thaxted Essex CM6 2LT								7	8	7	7													1	7	PDL	27.10.20 architect confirmed completion rates for 33 plots	7	0	
Thaxted: Former Molecular Products Ltd site	UTT/19/0671/FUL			29-Oct-19	8	1	Molecular Products Ltd. Mill End, Thaxted, CM6 2LT																								2	8	PDL	Amendment to UTT/17/1444/FUL change from 4 dwellings (1x2bed, 1x3bed and 2x4bed) into 8 apartments (1x1 bed and 7 x 2 bed)	8	0	
Thaxted: Arlington, Orange Street	UTT/15/1541/FUL			21-Sep-15	6		Arlington Orange Street Thaxted, CM6 2LH								-1	6														Built	0	PDL/G		0	0		
Thaxted: Land East of Barnards Fields Thaxted	UTT/13/0108/OP UTT/14/2426/DFO			07-Jun-13 15-Oct-14	8		Land East Of Barnard's Field Barnards Field Thaxted (CM6 2LY)							8																	Built	0	G		0	0	
Thaxted: East of Weaverhead Close	UTT/13/1170/OP UTT/16/1572/DFO	THA2		01-May-14 27-Sep-16	47		Land Off Wedow Rd, Thaxted							7	32	8															Built	0	G		0	0	
Thaxted: Sampford Road	UTT/12/5754/FUL			08-Feb-13	60		Land To South Walden Road Thaxted (CM6 2FE)							23	37																Built	0	G		0	0	
Thaxted: Wedow Road	UTT/15/2211/OP UTT/12/5970/DFO			9-Dec-11 18-Feb-13	55		Land Off Wedow Road Thaxted (CM6 2JZ / CM6 2JY)							30	25																Built	0	G		0	0	
Thaxted: Land at Little Maypole	UTT/16/3255/FUL		windfall	05-Apr-18	9		Land At Little Maypole Thaxted																								built	0	G	Agent confirmed details correct (3-Apr-19) Building Regulation Initial Notice Accepted Aug-18	0	0	
Thaxted: Warners Field, Cophall Lane	UTT/17/1896/FUL			11Tha15	19-Apr-18	7	J F Knight Roadworks Ltd (Warners Field), Cophall Lane, Thaxted, CM6 2LG																								2	7	PDL		7	0	
Thaxted: Land East of Claypit Villas	UTT/17/3571/FUL			05Tha15	10-Dec-18	9	Land East Of Claypit Villas Bardfield Road Thaxted																								2	9	G		9	0	
Thaxted: Cutlers Green Farm	UTT/18/2055/FUL		windfall	14-Mar-19	7		Cutters Green Farm Cutlers Green, Cutlers Green Lane, Thaxted																								2	7	PDL	Looking for a developer to advance the project. Unlikely that much action will happen before 2022	7	0	
Thaxted: Claypits Farm, Bardfield Road	UTT/18/0750/OP	THA1	14Tha15	14-Mar-19	15		Land At Claypits Farm Bardfield Road Thaxted, CM6 3PU																								3	15	PDL	Agent 26.10.20 Claypits farm site has some footpath issues, a revised application is currently lodged with UDC. Doubt will start before 2022	15	0	
Ugley: Pound Lane	UTT/17/3751/OP			04Ug15	12-Feb-19	11	Htt Bradley Resource Centre Pound Lane Ugley, CM22 6HP																								4	11	G	The project at the Orchard has been put on hold for now. It is unlikely that it will be delivered between April 2022 and March 2023	11	0	
Wendens Ambo: The Mill, Royston Road	UTT/14/3091/P3/PA UTT/14/3788/FUL		windfall	01-Dec-14 17-Mar-15	17		The Mill, Royston Road, Wendens Ambo CB11 4JX					2	14	1																	built	0	PDL		0	0	
Wendens Ambo: Mill House, Royston Road	UTT/17/2270/PAP30 UTT/18/3455/PAP30 UTT/19/1631/PAO3		windfall	17-Sep-17	15		Mill House Royston Road Wendens Ambo, CB11 4JX																									2	15	PDL	Agent: intention is to deliver 15 no. Units before 2022/23 (17-Apr-19)	15	0
White Roding: Westons Yard, Chelmsford Road	UTT/17/0952/OP UTT/18/2523/FUL			16-Jun-17	7		Westons Yard, Chelmsford Road, White Roding, CM6 1RF																								3	4	PDL	Agent confirmed details correct (4-Apr-19)	4	0	
Wimbish: Land at Mill Road	UTT/14/1688/FUL			01-Mar-15	11		Land At Mill Road, Wimbish																								Built	0	G		0	0	
TOTAL COMPLETIONS								521	540	390	463	554	722	966	985	500																		5641	5641	Not a site	

