

LAND SOUTH OF (EAST OF GRIFFIN PLACE)
RADWINTER ROAD, SAFFRON WALDEN

JOINT STATEMENT BETWEEN THE APPELLANTS,

UTTLESFORD DISTRICT COUNCIL AND THE RULE 6 PARTY

REGARDING THE DELIVERY OF THE 'LINK ROAD'

LPA REF: UTT/21/2509/OP

APPEAL REF: APP/C1570/W/22/3296426

APPELLANTS' REF: 10680

AUGUST 2022

Chartered Town Planning Consultants



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|------------|--|
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| APPENDIX 3 | Site 2 (UTT/17/2832/OP) Approved Site Location Plan & Layout |
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1.0 INTRODUCTION

1.1. This joint Statement on behalf of the Appellants, Uttlesford District Council and The Rule 6 Party has been prepared by Frampton Town Planning Ltd. (The Rule 6 Party has asked that this Statement records that neither Saffron Walden Town Council nor Sewards End Parish Council have been previously involved in the meetings where discussion regarding the 'Link Road' has taken place.)

- 1.2. The Statement sets out the latest position on the proposed 'Link Road' between Radwinter Road and Thaxted Road, as shown in **APPENDIX 1**. The 'Link Road' is an estate road which provides a link between Radwinter Road and Thaxted Road.
- 1.3. The 'Link Road' is, in the words of the Local Highway Authority, defined as being a 'residential road currently connecting Radwinter Road and Thaxted Road, being provided to the west of the appeal site through three new developments'. The Local Highway Authority describes the potential Relief Road (referred to in Section 4 of this Statement) as being a 'possible draft Local Plan option for relief road and sustainable transport corridor from Radwinter Road to Newport Road to the east and south of Saffron Walden'.
- 1.2 The 'Link Road' between Radwinter Road and Thaxted Road has been facilitated by the following planning permissions:
 - Site 1: UTT/13/3476/OP: Land south of Radwinter Road, Saffron Walden (approved Location Plan & Site Layout Plan included as APPENDIX 2)

framptons

'Outline planning application for either a residential development of up to 230

dwellings; Class B1 Business floorspace, extra care housing within Class C2, provision

of public open space or for development of up to 200 dwellings, Class B1 Business

floorspace, extra care housing within Class C2, provision of public open space, provision

of land for a one form entry primary school; together with associated infrastructure

including roads, drainage, access details from Radwinter Road and Shire Hill, with all

matters reserved except access at Land South Of Radwinter Road Radwinter Road

Saffron Walden Essex'

Developer: Linden Homes (now known as Vestry)

Site 2: UTT/17/2832/OP: Land north of Shire Hill Farm (approved Location Plan & Site

Layout Plan included as **APPENDIX 3**)

'Outline application (with all matters reserved except access) for up to 100 dwellings,

including affordable accommodation, in addition to the provision of land to facilitate

an extension to the approved primary school (Planning Application Ref:

UTT/13/3467/OP), and associated open space, drainage, landscaping, access and

parking. at Land North of Shire Hill Farm Shire Hill Saffron Walden Essex'

Developer: Dianthus Land Ltd for the outline application; Redrow for the Reserved

Matters

Site 3: UTT/18/0824/OP: Land east of Thaxted Road, Saffron Walden (approved

Location Plan & Site Layout Plan included as APPENDIX 4)



'Outline planning application for the development of up to 150 dwellings (Use Class C3)
with all matters reserved except access at Land East of Thaxted Road Thaxted Road
Saffron Walden'

Developer: Kier Homes for the outline application; current developer is Bellway Homes



2.0 PLANNING POLICY

- 2.1. The Uttlesford Local Plan (adopted 2005) makes no reference or provision for a 'Link Road' between Radwinter Road and Thaxted Road as there was no site allocation in that location at that time. There was an allocation in the 2013 draft and a 'Link Road' was included in that draft. The provision of a 'Link Road' was, however, agreed at the planning application stage of each of the Proposed Developments, originating from 2013 onwards.
- 2.2. At the time of preparing the draft Saffron Walden Neighbourhood Plan 2020-2035 (SWNP), Land at Shire Hill (Site 2) had not yet received planning approval. The SWNP included Site 2 as an allocation in the SWNP under Policy SW1¹. Bullet point (k) of Policy SW1 stated that:
 - '(k) The Master Plan needs to make provision for the delivery of a link road between Thaxted Road and Radwinter Road.'
- 2.3. The Examiner's Report for the SWNP was published on 28th April 2022. This recommended deletion of Policy SW1 in its entirety, including reference to the allocation of Land at Shire Hall. The Planning Inspector concluded that Policy SW1 did not meet the basic conditions and did not have regard to national planning policy. A modified version of the SWNP, omitting allocation of Land at Shire Hall, is to be the subject of a Referendum on 15th September 2022.

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¹ Site 1 (UTT/13/3476/OP) and Site 3 (UTT/18/0824/OP) had already received planning consent.



3.0 PRESENT POSITION ON DELIVERY OF THE 'LINK ROAD'

3.1. The provision of a 'Link Road' connecting Radwinter Road and Thaxted Road is secured through S106 agreement for each of the developments to mitigate the impact on the local highway network. Table 1 sets out the progress of each of the developments at July 2022.

Table 1: Planning Progress of Each Site

| Site | Delivery | Progress |
|--|--|--|
| Site 1: APPENDIX 2 UTT/13/3476/OP Approved 10 th June 2016 Developer: Linden Homes | Outline Approval Provision of link road Included in the S106: Schedule 6 Point 9.0 | Reserved Matters application was approved in 13th January 2017. |
| • | Condition 1: requires the master plan to include the link road. | Construction of the spine road has commenced. |
| UTT/16/1856/DFO Reserved Matters approved 13th January 2017. | Condition 9: required details of the link road and timings of its completion. | The site is largely built out. |
| Site 2: APPENDIX 3 UTT 17/2832/OP Approved 14 th July 2020 | Outline Application Committee Report: Conditional joint approval with UTT/18/0824/OP to facilitate the link to make both sites acceptable. | Reserved Matters application has been submitted – pending determination. |
| | S106 included Plan setting out access point for link road to | |



| | the south to connect to | |
|--|-------------------------------------|-------------------------------------|
| | UTT/18/0824/OP. | |
| | | |
| UTT/21/3565/DFO | Reserved Matters | |
| Reserved Matters submitted | Details of link road included in | |
| 30 th November 2021 - to be | the RM application Dwg 2544- | |
| determined | ING-Z1-00-DR-C-17-038 Rev | |
| | CO1 Site Layout. | |
| Developer: Redrow | Site has a current Deed of | |
| | Variation which seeks to | |
| | amend the S106 to ensure the | |
| | clarity of the wording in | |
| | securing the link road | |
| | connection between the | |
| | Redrow site and Bellway. | |
| Site 3: APPENDIX 4 | | |
| | Outline | Construction of |
| UTT/18/0824/OP | Link road route to connect to UTT | Construction of |
| Approved 12 th April 2019 | 17/2832/OP included in the S106 | the spine road has |
| | agreement. | commenced. |
| | | |
| | | |
| UTT/19/2355/DFO Reserved | Reserved Matters (whole site) | |
| Matters allowed 29 th January | Approved on appeal. | |
| 2021 | | |
| APP/C1570/W/20/3252121 | | |
| | | |
| | | |
| UTT/20/0865/FUL | Full Application – Spine Road | |
| Spine Road application | Subsequently approval was granted | |
| | for the spine road through the site | |
| Developer: Bellway Homes | that links to 17/2832/OP and | |
| | UTT/13/3467/OP. | |
| | | |
| | | |



| Construction of the spine road has | |
|------------------------------------|--|
| commenced. | |

(Note: The drawings referred to above comprise part of other development proposals unrelated to the appeal proposal.)

- 3.2. An application for a Certificate of Lawfulness (CLOPUD) (UTT/22/1612/CLP) has been submitted to Uttlesford District Council on behalf of Redrow Homes. The CLOPUD is to determine whether an identified 'gap' in the Link Road' between the boundary of Sites 2 and 3 can be constructed under Permitted Development Rights. The CLOPUD description is 'the provision of spine road link and associated equestrian crossing and engineering works'. The location of the 'gap' is identified on APPENDIX 1 (marked with a brown dot). A decision on the CLOPUD was expected by 3rd August 2022. The decision is still outstanding. APPENDIX 5 includes the layout proposals.
- 3.3. Significant progress has been achieved in the delivery of the Proposed Developments facilitating the 'Link Road' between Radwinter Road and Thaxted Road. Construction of the southern and northern sections of the 'Link Road' has commenced. The details of the remaining central section are with the Council for determination. The Local Highway Authority has advised that the application for the Reserved Matters scheme is to go to Committee in September 2022. The Rule 6 Party has advised that, at the 31st August 2022 Planning Committee, a Variation to the Section 106 Agreement is to be considered which would obligate the Applicant to build across the Public Right of Way to join their land to the road to the south, completing the 'Link Road'.
- 3.4. The 'Link Road' through the three sites will provide an alternative route for traffic and take pressure off the Thaxted Road/Radwinter Road, however it will not act as a relief road for the town.



4.0 THE APPEAL SITE: FUTURE RELIEF ROAD BETWEEN RADWINTER ROAD AND NEWPORT ROAD

- 4.1. In discussions with Rosconn Strategic Land at the pre-application stage (the Rule 6 Party has requested that this Statement record the fact that the Rule 6 Party were not in attendance at these pre-application meetings), both Uttlesford District Council and Essex County Council as the Local Highway Authority indicated that as part of a potential future urban extension to the south east of the town, it may be necessary to provide a new 'Link Road' (Relief Road) between Radwinter Road and Newport Road. The appeal site could therefore potentially form a possible first phase of such a link. Neither a future urban extension to the south east of the town nor a proposed relief road have any formal planning status, and there is no fixed route.
- 4.2. One of the options currently being modelled for the draft Local Plan includes a relief road to accommodate potential additional growth to the south east of Saffron Walden. The road would provide a connection from Radwinter Road to Newton Road in the south. Local Plan modelling and associated mitigation measures are due to be released in November 2022.
- 4.3. The Appellants have responded to the request from the District and County Councils to ensure that land can be safeguarded to allow:
 - the proposed site access on Radwinter Road to be upgraded to a roundabout junction;
 - the main spine road to be widened if required;
 - a strip of land has been reserved at the end of the spine road to extend to the southern
 boundary of the appeal site, to enable its future connection to adjoining land.
- 4.4. These measures will facilitate the delivery of Phase 1 of a relief road, should it be required at some point in the future, if an urban extension to the south east of the town is permitted.

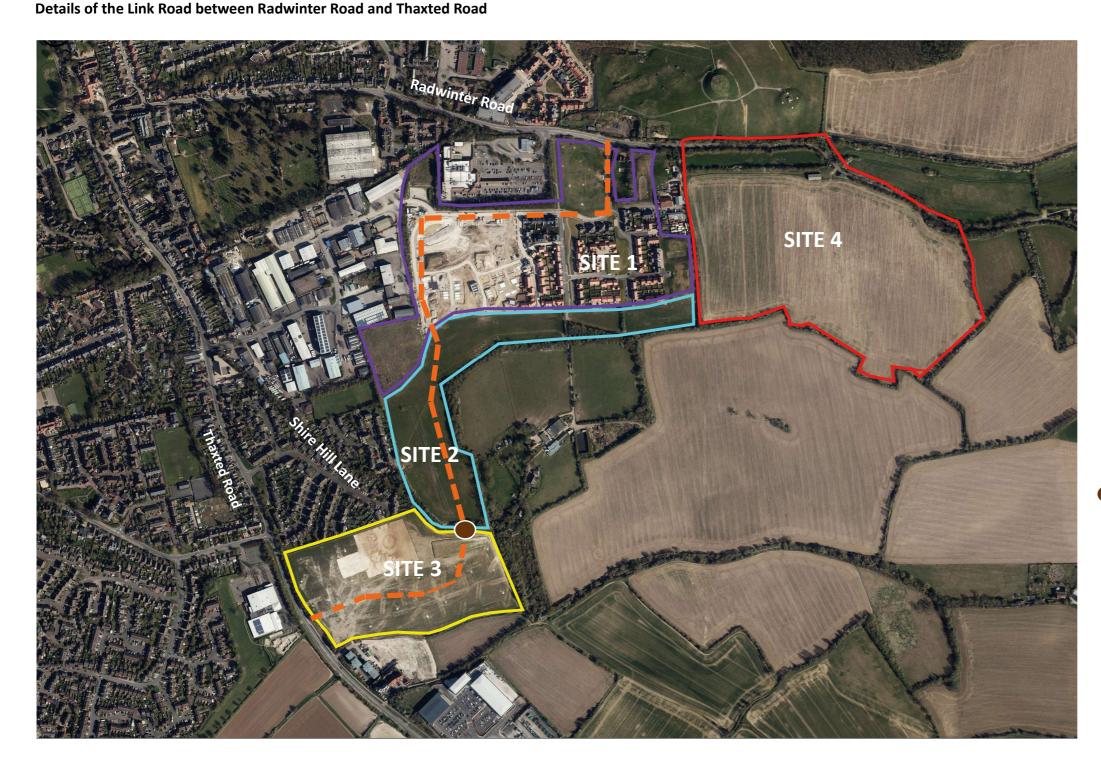


APPENDIX 6 (Dwg Nol. DE436 022 Access & Movement Plan) and **APPENDIX 7** (Dwg No. CTP-20-1142-SK17A Future Southern Relief Road) show the land to be safeguarded to help facilitate the delivery of a future relief road, and will be secured through a Section 106 Agreement. Provision has been made in the S106 agreement (Schedule 4 Part 4) which refers to the potential future highway link as being a 'relief road'.

- 4.5. The provision of a road to the south of the appeal site, and any development accompanying such a proposal, remains within full control of the Local Planning Authority. As such, public consultation will ordinarily be undertaken in response to any plan-making or the submission of a planning application.
- 4.6. There are no formal development proposals to develop land to the south of the appeal site which would require access to be taken from Radwinter Road. The Rule 6 Party point out that the 2021 Call for Sites received an interest being promoted in the land to the south of the appeal site (https://www.uttlesford.gov.uk/LP-Sites). Preparation of the Local Plan, including a consultation on the Call for Sites by UDC, is delayed. The Council's website does not announce a date for the consultation. The Rule 6 Party remains of the view that the future Southern Relief Road should be built to the required standard, rather than simply safeguarded. The Appellants' position is that the provision of a widened estate road to serve a greater amount of development is not necessary to make the proposed development acceptable. Neither would a road of enhanced width be a reasonable requirement in terms of the scale of the proposed development. Accordingly, the provision of a widened estate road as urged by the Rule 6 Party would fail to satisfy the test of validity for a planning condition and fail to satisfy the tests for a lawful Planning Obligation.



Details of Link Road between Radwinter Road and Thaxted Road



Site 1: Planning Applications

UTT/13/3467/OP: approved 10th June 2016 UTT/16/1856/DOC: approved 13th January 2017

Site 2 Planning Applications

UTT/17/2832/OP: approved 14th July 2020 UTT/21/3565/DFO Reserved Matters Application under consideration. Decision date 20th April 2022

Site 3: Planning Applications

UTT/18/0824/OP: approved 12th April 2019 APP/C1570/W/20/3252121 Reserved Matters appeal allowed 21st January 2021 UTT/20/0865/FUL: Spine road Application approved 21st July 2020

Certificate of Lawfullness

UTT/22/1612/CLP: Application to determine whether proposed new access and road layout associated with proposed uncontrolled equestrian crossing over existing bridleway, together with engineering works associated with crossing, can be delivered by permitted development rights: Expected decision 3rd August 2022.

Alignment of the Link Road

Site 1: Land south of Radwinter Road, Saffron Walden

Site 2: Land north of Shire Hill Farm

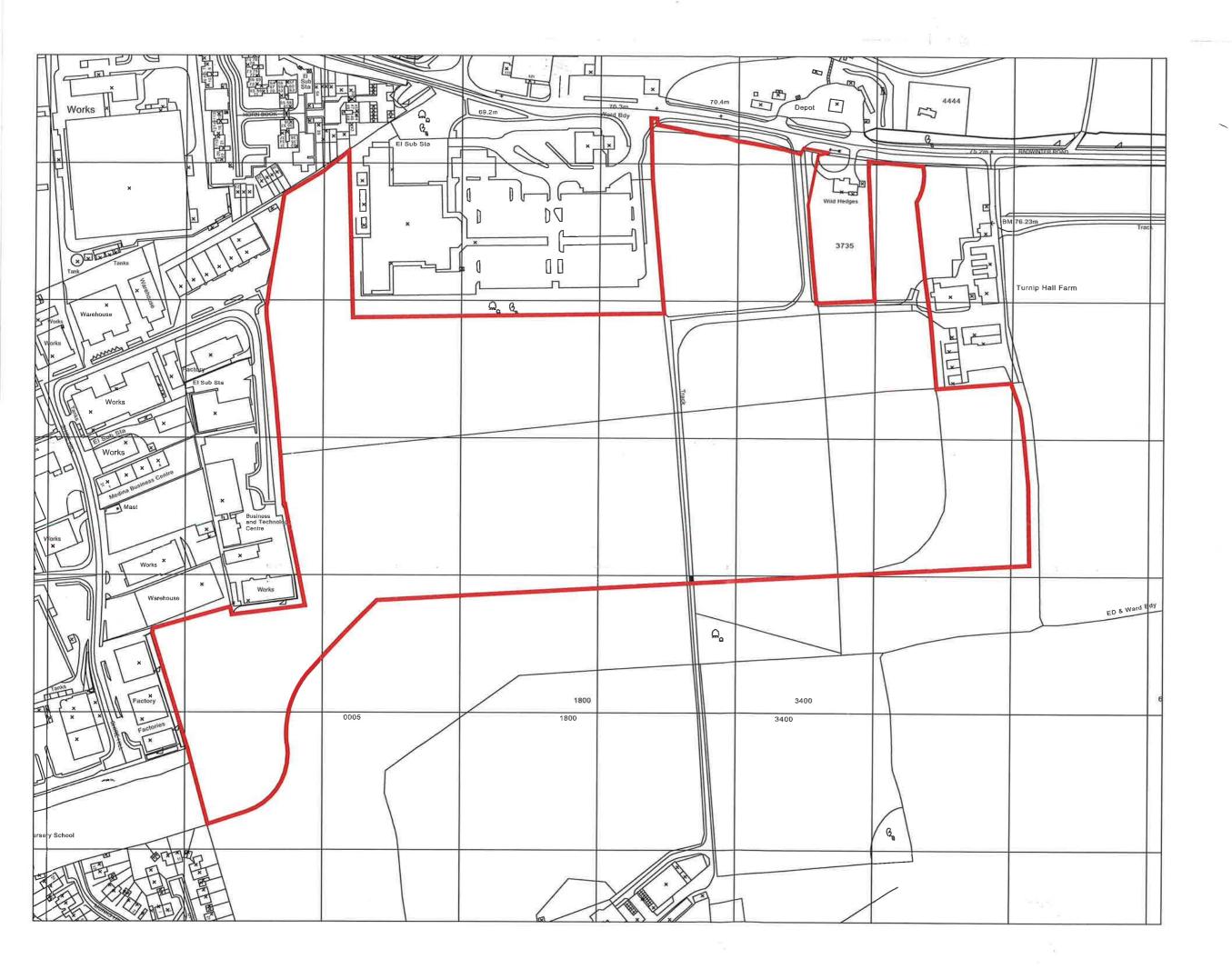
Site 3: Land east of Thaxted Road, Saffron Walden

Site 4: Land South of Radwinter Road (East of Griffin Place) Saffron Wladen The Appeal Site





Site 1 (UTT/13/3476/OP) Approved Site Location Plan & Layout

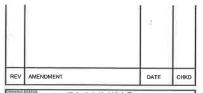


NOTES

CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK ON SHOP DRAWINGS

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TELEPHONE: 01628 854300 FACSIMILE: 01628 854321

CLIENT

MANOR OAK HOMES

PROJECT

LAND SOUTH OF RADWINTER ROAD, SAFFRON WALDEN

DRAWING TITLE

SITE LOCATION PLAN

ARCHITECTURE

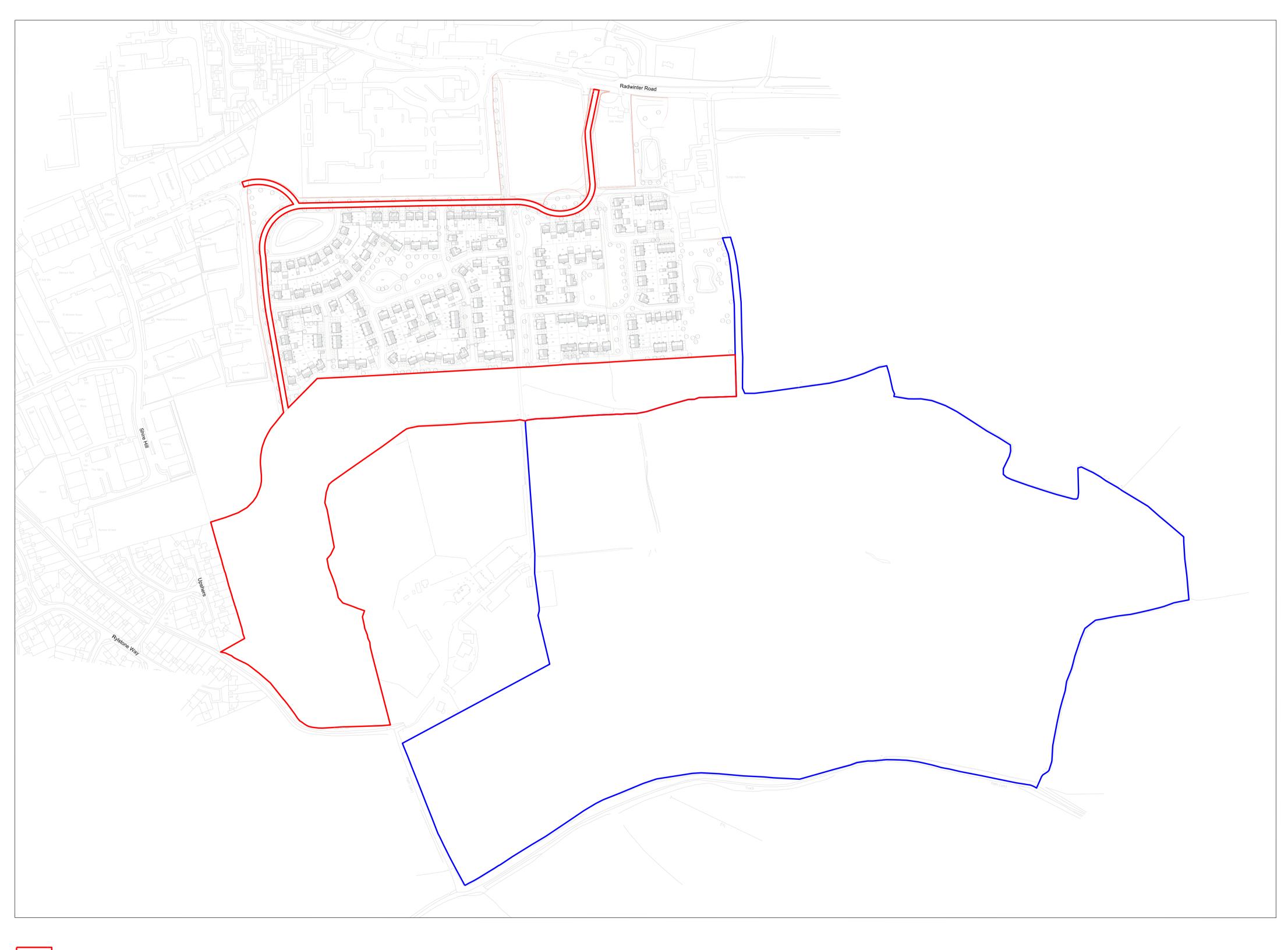
| SCALE | DRAWN BY | CHECKED | DATE |
|-------------|----------|---------|------------|
| 1:2500 @ A3 | TG | | 10 DEC 201 |
| | | | |

DRAWING NUMBER REVISION 57183-100





Site 2 (UTT/17/2832/OP) Approved Site Location Plan & Layout



Application Boundary

Land under the control of Dianthus land

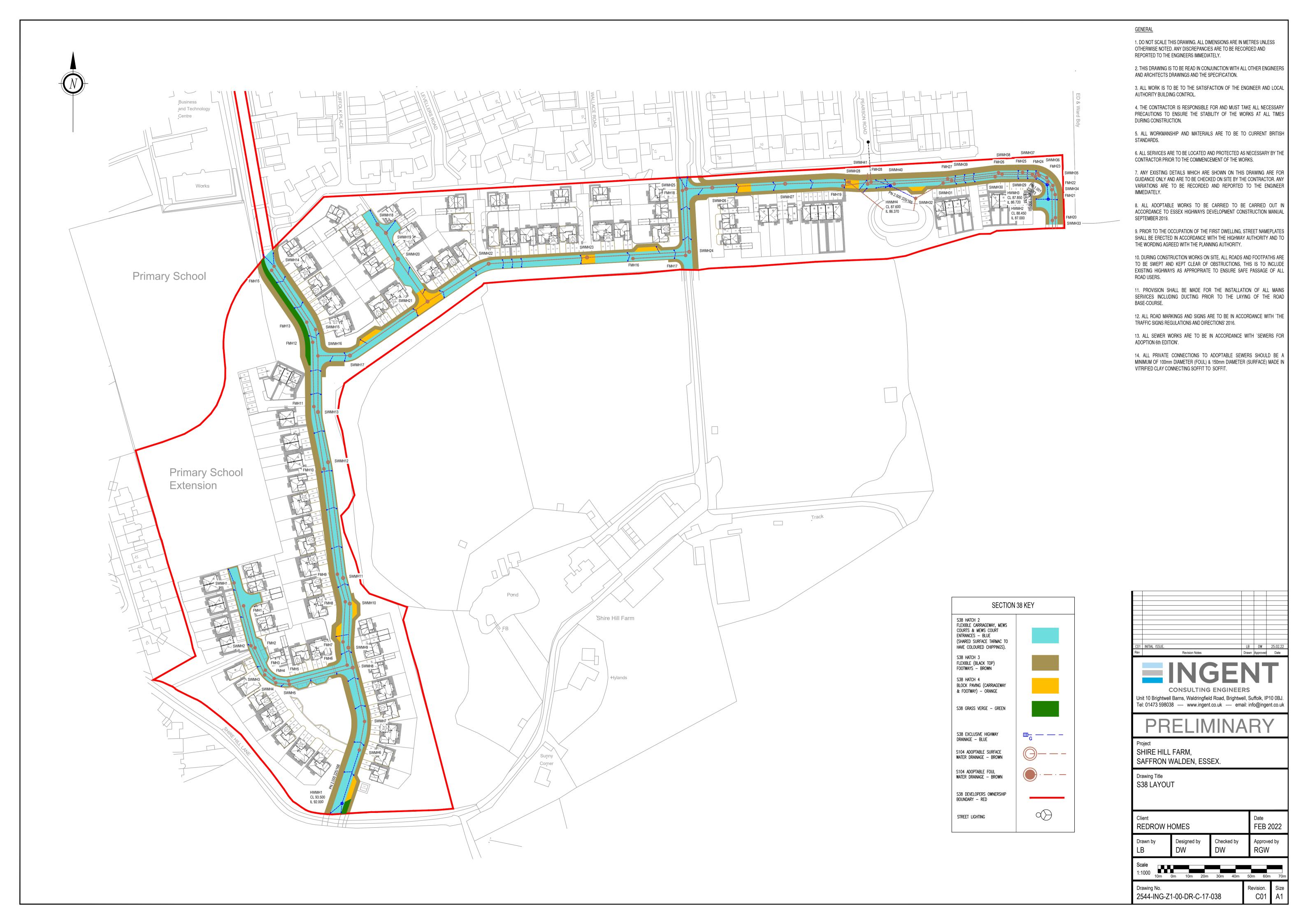
Client

FLITCROFT HOUSE 114-116 CHARING CROSS ROAD LONDON WC2H 0JR

T. +44(0)20 3640 8508

W. mail@iceniprojects.com

| Project | | | |
|---------------------------|-------------|-----------|-----------------|
| Land at Shire Hill Farm | Job Ref. | 17-M020 | Drawn NM |
| Drawing Title | Scale | 1:2500@A1 | Date 12.10.2017 |
| Site Location with Access | Drawing no. | 008 | Rev. |





Site 3 (UTT/18/0824/OP) Approved Site Location Plan & Layout



Note

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No. Revisions By Date



UNEX HOUSE 132-134 HILLS ROAD CAMBRIDGE CB2 8PA Telephone: (01223) 347000 Facsimile: (01223) 347111

www.savills.com

Client

Kier Living Limited

Land off Thaxted Road Saffron Walden Essex

Drawing Title

Site location plan

| N.T.S. | | March 2018 |
|-------------|------|-------------|
| Drawn By JR | | Approved By |
| Drawing No. | Rev. | Job No. |
| 406 222 001 | | CAUD 406222 |

JCN DESIGN & PLANNING Main access roads & footpaths to be concrete asphalt surfacing to engineer's specification 200 x 100mm permeable block paving in 'Autumn Gold' colour (single size) 80mm thick laid to 45 degree herringbone pattern with single block border edge Mown grass path Future **Amenity Grass** Wildflower grassland Ornamental groundcover planting Proposed SuDS Basin Wet grasslands / reeds 1.2 m high Hornbeam hedge Proposed native mix hedge up to 3m high adjacent to site entrance retaining wall Low ornamental hedge up to 600mm high Accommodation Schedule Private Development Jeweller SP2 Wchair Project:Land East of Thaxted Road, Development Layout

Date:Sept 2019 Cartographer 50 metre 60 Total **150**

Drawing number:-BW216 PL-02

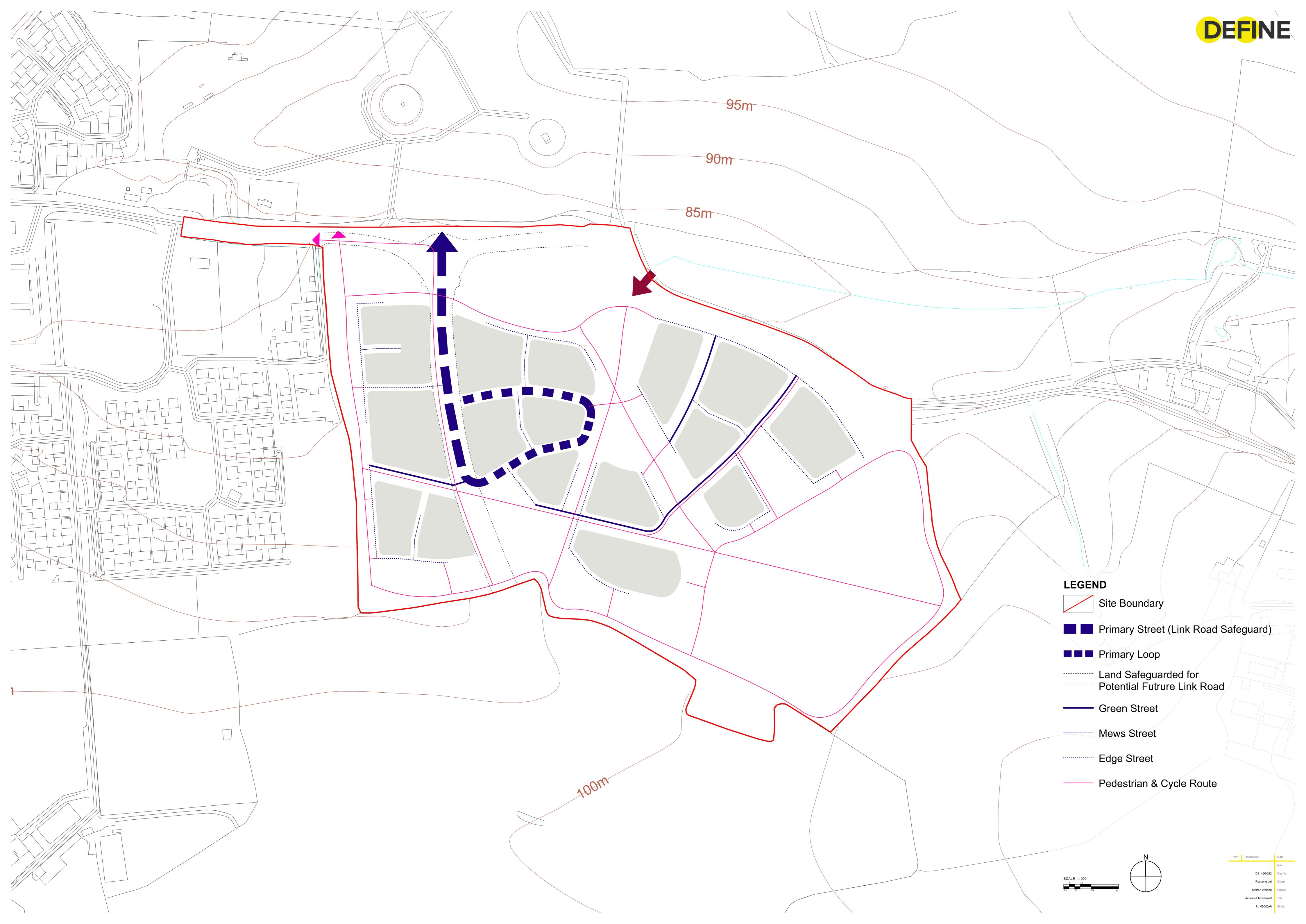


Dwg No. 2544-ING-Z1-00-DR-C-SK027 Rev B Crossing Proposals Bridleway 19





Dwg No. DE436 022 Access & Movement Plan





Dwg No. CTP-20-1142-SK17A Future Southern Relief Road

