

**TOWN AND COUNTRY PLANNING ACT 1990** 

**SECTION 78 APPEAL BY** 

AGAINST THE DECISION OF UTTLESFORD DISTRICT COUNCIL TO REFUSE PLANNING PERMISSION FOR

AN OUTLINE APPLICATION FOR THE ERECTION OF UP TO 233 RESIDENTIAL DWELLINGS INCLUDING AFFORDABLE HOUSING, WITH PUBLIC OPEN SPACE, LANDSCAPING AND SUSTAINABLE DRAINAGE SYSTEM (SUDS) AND ASSOCIATED WORKS, WITH VEHICULAR ACCESS POINT FROM RADWINTER ROAD, WITH ALL OTHER MATTERS RESERVED FOR FUTURE CONSIDERATION

> AT LAND SOUTH OF (EAST OF GRIFFIN PLACE) RADWINTER ROAD, SEWARDS END , SAFFRON WALDEN, ESSEX, CB10 2NP

> ON BEHALF OF ROSCONN STRATEGIC LAND AND THOMAS ERIC BAKER AND SALLY ROSE HALL, THE EXECUTORS OF MR E C BAKER AND MRS J BAKER

> > PINS REF: APP/C1570/W/22/3296426 LPA REF: UTT/21/2509/OP APPELLANTS' REF: PF/10680

SUMMARY PROOF OF EVIDENCE OF P J FRAMPTON BSC (HONS), TP, MRICS, MRTPI

**AUGUST 2022** 

Chartered Town Planning Consultants



## Peter J Frampton BSC (HONS), TP, MRICS, MRTPI will say:

- S1. I hold a Bachelor of Science Honours Degree in Town Planning. I am a member of the Royal Town Planning Institute and the Royal Institution of Chartered Surveyors. I am a Director in the firm of town planning consultants and chartered surveyors that bears my name, Frampton Town Planning Ltd, trading as 'Framptons'.
- S2. Framptons has offices at Oriel House, 42 North Bar, Banbury and Aylesford House, Royal Leamington Spa. I have practised in planning consultancy for over forty years. Prior to entering private practice in 1982 I held the position of a Senior Development Control Officer at Lichfield District Council.
- S3. Following the submission of the appeal against the refusal of planning permissions, the LocalPlanning Authority has:
  - i) withdrawn the reason for refusal relating to biodiversity interests; and
  - ii) in consultation with the Local Highway Authority, withdrawn the three transport reasons for refusal.
- S4. At the date of preparing my Proof of Evidence, it is expected that Planning Obligations will have been completed with the relevant authorities so addressing the remaining reason for refusal.
- S5. In consequence, there is no issue in dispute between the Appellants and the LPA. No Scott Schedule is required.



- S6. The Rule 6 Party has set out the issues of dispute with the proposal within the Scott Schedule. With the assistance of other specialist witnesses, and Written Statements on particular topic areas, I have considered each issue raised by the Rule 6 Party. I have not identified any substance to these matters.
- S7. I acknowledge that there is a tension with some of the policies in the Uttlesford Local Plan 2005. The Local Plan is 'long in the tooth'; predicated on strategic policies that are no longer relevant; and provided for development needs up to 2011. I have considered the extent of conflict with these policies.
- S8. It is an agreed position that the LPA cannot demonstrate a five year delivery of housing land supply. The shortfall against this minimum requirement is seriously deficient. The deficiency is not academic it has real consequences for people seeking to buy new homes, and especially for those who are unable to access the housing market and so seek Affordable Housing.
- S9. The Government remains committed to significantly boosting the supply of new homes. The provision of new homes in Uttlesford District necessarily requires the development of new greenfield land beyond existing settlements. There is no evidence that the required additional housing can be accommodated within the confines of existing urban areas.
- S10. This development lies adjacent to the defined boundary of Saffron Walden, one if the three Main Urban Areas in Uttlesford District (Policy S1) – providing the opportunity for good access to the wide range of urban services and facilities available in the town. Accessibility by public transport is advanced by the provisions of financial contributions towards public transport.



- S11. It is for these reasons that I attribute 'very limited weight' to the conflict with the policies in the development plan.
- S12. The decision-taking matric for this application is, by reason of the shortfall in housing land supply, provided by the Framework paragraph 11(d). I have set out in tabular form the weight I place on the benefits that would flow from a grant of planning permission.
- S13. I have concluded that the public benefits I have identified outweigh the less than substantial harm to the significance of 'the closest listed building and that part of the Conservation Area' where traffic control improvements are proposed with the installation of traffic light signals. The level of harm has been assessed by Mr Stephenson as being at the 'very lowest end of a notional spectrum'. I have placed 'great weight' (considerable importance) on this level of harm. I conclude the approach to the decision taking is hence provided by paragraph 11d(ii), the so called 'tilted balance' in favour of a grant of planning permission.
- S14. I have undertaken the planning balance with the adverse impacts I have identified and the weight I have ascribed. These adverse impacts include the acknowledged loss of hedgerow to enable visibility splays to be provided; the loss of greenfield land; the impact of built development on undeveloped land; a loss of BMV agricultural land and the 'less than substantial harm' to the significance of designated heritage assets as described above.
- S15. I am firmly of the opinion that these impacts do not 'significantly and demonstrably' (meaning provenly) outweigh the benefits I have identified. I consider the overall public interest lies in favour of a grant of planning permission.