



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

- 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 of 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 matrix 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.