

# Appendix 4: Regulation 18 Comment Summaries and Responses

## Development Policies

### July 2024

Table 1 Development Policy 1: New Dwellings in the Countryside ..... 2

Table 2 Development Policy 2: Replacement of a Dwelling in the Countryside ..... 5

Table 3 Development Policy 3: Agricultural / Rural Workers Dwellings in the Countryside ..... 6

Table 5 Development Policy 5: Change of Use Agricultural Land to Domestic Gardens ..... 7

Table 6 Development Policy 6: Hot Food Takeaways..... 8

Table 7 Development Policy 7: New Shops or Cafes in Smaller Settlements ..... 8

Table 8 Development Policy 8: Tourist Accommodation ..... 9

Table 9 Development Policy 9: Public Art ..... 9

**Table 1 Development Policy 1: New Dwellings in the Countryside**

Comment ID	Full Name	Company / Organisation	Agent's Full Name	Agent Company / Organisation	Comment Category	Comment Summary	Officer Response
NDLP1622	Chelsteen Developments Limited	Managing Director New Homes Project Managements Limited	Nigel Tedder		Additional criterion - Infilling / Multiple Dwellings	Suggests additional criterion which permits the development of small scale development (i.e. one to three dwellings) that complement or infill the existing developed footprint	Development Policy 1 provides guidance for new dwellings in the open countryside, outside developed footprints. The Open Countryside is classified as the lowest settlement tier in Core Policy 3 Settlement Hierarchy, supported by no or a low level of services and facilities. As detailed in Core Policy 3, development in the open countryside will not be appropriate unless specifically supported by other relevant policies as set out in the Development Plan or national policy. The Council considers that limited infill development may only be appropriate at 'Smaller Villages' or above settlements in the settlement hierarchy.
NDLP576	Mr John Burnham						
NDLP513	Nigel Tedder						
NDLP3147	Smith Bros						
NDLP3830	Hill rise Homes Limited						
NDLP3943	Michael and Sarah Tee						
NDLP4097	S Payne						
NDLP2357	Richard Haynes				Criterion i - Heritage Asset	This comment queries the meaning of 'the optimal use of a heritage asset' in Development Policy 1.	The definition of optimal use of a heritage asset in the draft Local Plan aligns with national policy. Paragraph 15 of the Planning Practice Guidance on Historic Environment provides a detailed explanation of how the optimal viable use for a heritage asset should be considered and taken into account in planning decisions. The optimum viable use is the one likely to cause the least harm to the significance of the asset, and may not necessarily be the most economically viable use nor need it be the original use.
NDLP858	Allison Ward	Parish Clerk High Easter Parish Council	Allison Ward		Criterion ii - Re-use of redundant or disused buildings	<p>"There are various suggested amendments on the policy wording of criterion ii regarding the re-use of redundant or disused buildings submitted, suggesting:</p> <ul style="list-style-type: none"> <li>•The requirement on 'without substantial reconstruction to the development' should be strengthened and expanded to prevent alterations or extensions. It should also be demonstrated that all structural elements and a substantial proportion of the existing fabric of the buildings will be retained through the conversions.</li> <li>•The requirement on 'without substantial reconstruction to the development' should be deleted to be consistent with national policy</li> <li>•An additional requirement which requires development proposals to enhance in its immediate setting should be added, consistent with national policy</li> <li>•The requirement on 'without substantial construction to redevelopment' should be deleted as it will prevent development opportunities where a reconstruction retaining the scale and footprint of the original building may be necessary"</li> </ul>	Noted. The current policy text provides sufficient direction regarding the re-use of redundant or disused buildings in accordance with national policy and legal framework, including permitted development rights.
NDLP344	Mr W R Bargman						
NDLP1984	Rebecca Foley						
NDLP2357	Richard Haynes						
NDLP905	Allison Ward	Parish Clerk Great Canfield			Criterion iv - Subdivision of an existing residential	Requests Development Policy 1 to support development proposals for annexed accommodation provided that the proposal is (i) physically attached to, and comprises an extension to, an existing dwelling or (ii) is for sympathetic conversion and restoration of an existing building and iii in	The Council considers that the draft Local Plan as a whole and the legal framework provide sufficient guidance on the types of annexed accommodation

Comment ID	Full Name	Company / Organisation	Agent's Full Name	Agent Company / Organisation	Comment Category	Comment Summary	Officer Response
		Parish Council			dwelling (Annexed Accommodation)	both cases, provides a scale of accommodation which is subordinate to the existing dwelling and clearly designed for the intended purposes.	stated, including housebuilder extension and subdivision of an existing residential dwelling.
NDLP925	Allison Ward	Parish Clerk Great Canfield Parish Council			Criterion iv - Subdivision of an existing residential dwelling (Residential Curtilage)	This comment seeks to clarify whether the residential dwelling referenced in criterion iv includes the curtilage.	The Council considers the choice of word 'residential building' appropriate which seeks to focus on the subdivision of residential dwellings rather than land.
NDLP1583 NDLP2737	David Perry Paula Griffiths				Criterion v - Individual dwelling of exceptional quality	Concerns are raised that criteria v would only serve those with sufficient fund and lead to individuals all seeking preferential treatment. One comment suggests that consideration should be given to local residents to realise the opportunity of building their own home within Uttlesford.	The policy approach taken with regards to the development of an individual dwelling where the design is of exceptional quality in the countryside is consistent with the National Planning Policy Framework. Core Policy 20 Affordable Housing on Rural Exception Sites provide guidance on the provision of affordable housing within rural areas to meet identified local needs.
NDLP1622 NDLP952 NDLP694 NDLP3147 NDLP3830 NDLP3943 NDLP4097	Chelsteen Developments Limited Great Easton and Tilty Parish Council Nigel Wood Smith Bros Hillrise Homes Limited Michael and Sarah Tee S Payne				Policy Definition - Developed Footprint	Concerns are raised that the policy text 'developed footprint' is unclear in the absence of any village envelopes or settlement boundaries clearly defined in the draft Plan	Noted. The Council will review the relevant policy wording in the next iteration with reference to Core Policy 3 to provide greater clarity. Development Policy 1 provides guidance for new dwellings in the open countryside, which is classified as the lowest settlement tier in the Settlement Hierarchy. The Council considers that defined settlement boundaries are not required for the Open Countryside as, by definition, it contains no or limited built-up areas.
NDLP3243	Weston Homes Plc				Policy Definition - Developed Footprint (Flexibility)	This comment suggests that a flexible policy approach which allows for flexibility and changes within the plan period in the nature of settlement boundaries should be included to support the release of land for housing requirement adjacent to settlement boundaries, including in response to any arising five year housing land supply shortfalls	The Council considers the current policy approach provides adequate flexibility in addressing changes to the developed footprint of settlements within the plan period.
NDLP1951	Mr Loftus Buhagiar				Policy Scope - Great Dunmow	This comment suggests that strategic allocations at Great Dunmow is contrary to Development Policy 1.	Development Policy 1 provides guidance for new dwellings in the open countryside, as defined in Core Policy 3 Settlement Hierarchy. Great Dunmow is identified as a Key Settlement in the Settlement Hierarchy. Core Policy 10 and the relevant Site Development Template provide further detail on how we have considered the key issues, including landscape sensitivity, at East of Church End, Great Dunmow.
NDLP977	Mary Power	Director Richstone Procurement Limited	Mary Power		Policy Scope - Larger Villages	This comment suggests that the policy requirements in Development Policy 1 to Development Policy 5 would prevent Stebbing village from meeting its housing requirement.	Development Policy 1 provides guidance for new dwellings in the open countryside, as defined in Core Policy 3 Settlement Hierarchy. The settlement of Stebbing is identified as Larger Villages in the Settlement Hierarchy. Core Policy 19 provide further

Comment ID	Full Name	Company / Organisation	Agent's Full Name	Agent Company / Organisation	Comment Category	Comment Summary	Officer Response
							detail on development at non-strategic allocations at Larger Villages.
NDLP2357  NDLP3921  NDLP3925	Richard Haynes  Pelham Structures Limited  Pelham Structures Limited				Policy Scope - Previously Developed Land	Suggests that 'previously developed land' should be considered in Development Policy 1	The change of use of existing employment space is considered through Core Policy 45 Protection of Existing Employment Space.
NDLP4017	Saffron Walden Town Council				Policy Wording	Suggests that the policy wording of Development Policy 1 should be strengthened by adding 'otherwise, the application will be refused'	Noted. The Council considers the existing policy text, 'will only be permitted when one or more of the following apply' provides sufficient clarity.
NDLP780	Mr Neil Reeve				Saved Local Plan 2005 - Policy S7	Concern is raised as to whether Development Policy 1 offers adequate protection of the Countryside when compared to Policy S7 of the saved Local Plan 2005	The Council considers the draft Local Plan as a whole provides appropriate guidance for development proposals in the open countryside. Core Policy 3 sets out the settlement classifications for Uttlesford and states that development in the open countryside will not be appropriate unless supported by other relevant policies as set out in the Development Plan or national policy.
NDLP1793  NDLP576  NDLP2737  NDLP2601  NDLP3071	Littlebury Parish Council  Mr John Burnham  Paula Griffiths  Stebbing Parish Council  Mrs Christina Cant				Support - General	Supports the inclusion of Development Policy 1: New Dwellings in the Countryside in the draft Local Plan	Support noted and welcomed.
NDLP2684	National Trust				Support - National Trust	Supports the inclusion of Development Policy 1: New Dwellings in the Countryside in the draft Local Plan	The Council welcomes the National Trust's support on Development Policy 1.

**Table 2 Development Policy 2: Replacement of a Dwelling in the Countryside**

Comment ID	Full Name	Company / Organisation	Agent's Full Name	Agent Company / Organisation	Comment Category	Comment Summary	Officer Response
NDLP1794	Littlebury Parish Council	Littlebury Parish Council			Support - General	Supports the inclusion of Development Policy 2: Replacement of a Dwelling in the Countryside the draft Local Plan	Support acknowledged and welcomed.
NDLP2602	Stebbing Parish Council	Stebbing Parish Council			Policy Effectiveness	This comment notes that while a similar policy is present in the saved Local Plan, it does not appear to be enforced fully based on observations of large properties replacing modest structures.	The Council is confident that Development Policy 2 provides sufficient detail to be implemented through development management and enforcement when adopted. Criterion iv, in particular, provides guidance on the size and scale of the replacement dwelling in relation to the original dwelling.
NDLP3072	Mrs Christina Cant						

**Table 3 Development Policy 3: Agricultural / Rural Workers Dwellings in the Countryside**

Comment ID	Full Name	Company / Organisation	Agent's Full Name	Agent Company / Organisation	Comment Category	Comment Summary	Officer Response
NDLP1952	Mr Loftus Buhagiar				Policy Context - New Agricultural Dwellings	It is predicted that there will be limited new agricultural dwellings within the District owing to changes in size /operation of current agricultural practices and new developments in the Uttlesford.	Noted. To support rural businesses across Uttlesford, the Council considers a Development Policy specifically on agricultural and rural workers dwellings in the Countryside necessary. This approach is consistent with national policy.
NDLP2603	Stebbing Parish Council					Some respondents suggests that the policy should be removed from the Local Plan as it is no longer required.	
NDLP3073	Mrs Christina Cant						
NDLP3892	Saffron Walden Town Council						

**Table 4 Development Policy 4: Extensions to Dwellings in the Countryside**

Comment ID	Full Name	Company / Organisation	Agent's Full Name	Agent Company / Organisation	Comment Category	Comment Summary	Officer Response
NDLP1225	Mr Richard Walford				Presumption in Development	This response suggests that the current policy text, 'Extensions to dwellings in the open countryside will be permitted unless', provides a pro-development assumption and should be re-worded.	The enlargement, improvement or other alteration of a dwellinghouse is permitted development under the Town and Country Planning (General Permitted Development) Order 2015, SI 2015/596 (The GPDO) subject to exceptions, limitations and conditions. Some areas in Uttlesford (as detailed in <a href="https://www.uttlesford.gov.uk/article/4901/Article-4-directions">https://www.uttlesford.gov.uk/article/4901/Article-4-directions</a> ), including areas in the open countryside, are subject to Article 4 Directions where the relevant permitted development rights are withdrawn and therefore the relevant Development Policy would apply.
NDLP1795	Littlebury Parish Council				Extensions in the Countryside - General Support	Support the inclusion of Development Policy 04 Extensions to Dwellings in the Countryside in the draft Local Plan.	Support noted.
NDLP2604	Stebbing Parish Council						
NDLP3074	Mrs Christina Cant						

--	--	--	--	--	--	--	--

**Table 5 Development Policy 5: Change of Use Agricultural Land to Domestic Gardens**

Comment ID	Full Name	Company / Organisation	Agent's Full Name	Agent Company / Organisation	Comment Category	Comment Summary	Officer Response
NDLP2605	Stebbing Parish Council				Scale of Domestic Gardens	This comment generally supports Development Policy 5: Change of Use of Agricultural Land to Domestic Gardens. It is suggested that the size of the garden should be in keeping with house size and not excused for use as a building plot.	Support noted. The Council is satisfied that Development Policy 5, in conjunction with other policies of the Local Plan and the Uttlesford Design Code, provides sufficient design guidance regarding the scale, means of enclosure and character for the change of use of agricultural land to domestic garden.
NDLP923	Allison Ward	Parish Clerk Great Canfield Parish Council	Allison Ward		Update to policy heading	This comment suggests the policy title to include domestic outbuildings. It considers the policy to relate to domestic outbuildings instead of existing gardens.	Development Policy 5 seeks to cover the change to use of agricultural land to domestic gardens, including associated structures.

**Table 6 Development Policy 6: Hot Food Takeaways**

Comment ID	Full Name	Company / Organisation	Agent's Full Name	Agent Company / Organisation	Comment Category	Comment Summary	Officer Response
NDLP1075	Lisa Fuller				Hot Food Takeaways	Policy supported on planning and public health grounds.	Support noted.

**Table 7 Development Policy 7: New Shops or Cafes in Smaller Settlements**

Comment ID	Full Name	Company / Organisation	Agent's Full Name	Agent Company / Organisation	Comment Category	Comment Summary	Officer Response
NDLP1077	Lisa Fuller				Village shops	Some comments received that provide support for the policy as it maintains character of small villages and the encouragement of community run schemes commended. One comment suggests strengthening Development Policy 7 by including criteria on provision of small retail units based on distance from other shops.	Noted. Consideration will be given to updating the policy to inform the Reg 19 plan.
NDLP2751	Paula Griffiths						
NDLP4187	Saffron Walden Town Council						



**Table 8 Development Policy 8: Tourist Accommodation**

Comment ID	Full Name	Company / Organisation	Agent's Full Name	Agent Company / Organisation	Comment Category	Comment Summary	Officer Response
NDLP521	Nigel Tedder	Managing Director New Homes Project Managements Limited	Nigel Tedder		DP8	Camping and Glamping sites close to or on edge of settlements offers opportunities to boost vitality and viability of towns and villages.	Potential contribution of camping and glamping site to tourist accommodation is appreciated. Council will look into revisions of either Core Policy 51- Tourism and the Visitor Economy or Development Policy 8: Tourist Accommodation to include camping and glamping.

**Table 9 Development Policy 9: Public Art**

Comment ID	Full Name	Company / Organisation	Agent's Full Name	Agent Company / Organisation	Comment Category	Comment Summary	Officer Response
NDLP3257	Weston Homes Plc				Coordination of public art	Coordination of public art	The Council agrees that it is best placed to oversee a districtwide public art strategy allocating funds where it deems most appropriate and of best community value.
NDLP4197	Saffron Walden Town Council				Funding of public art	Funding of public art	Contributions would be financial and agreed through the s.106 mechanism with guidance provided through the Developer Contribution SPD. The Council agrees that Parish Councils should be consulted about any Public Art proposals as they are essential to the creation of meaningful public art that represents its location.
NDLP1012 NDLP2010 NDLP2453 NDLP4085	Daniel Jones  Home Builders Federation  Anchor Salacia Ltd	Director Silverley Properties Ltd	Sophie Pain		Justification of public art contribution	Respondents cite a lack of evidence or justification for development to contribute to public art. Some also stated that this does not meet the three tests of NPPF Para 57.	The Council believes that public art in development is important as it encourages people to be attracted to and form an attachment with their home and community, contributing to a sense of community and identity, particularly important in new developments where there has been no prior development. The Council will provide further justification for its inclusion within the Reg 19 submission.