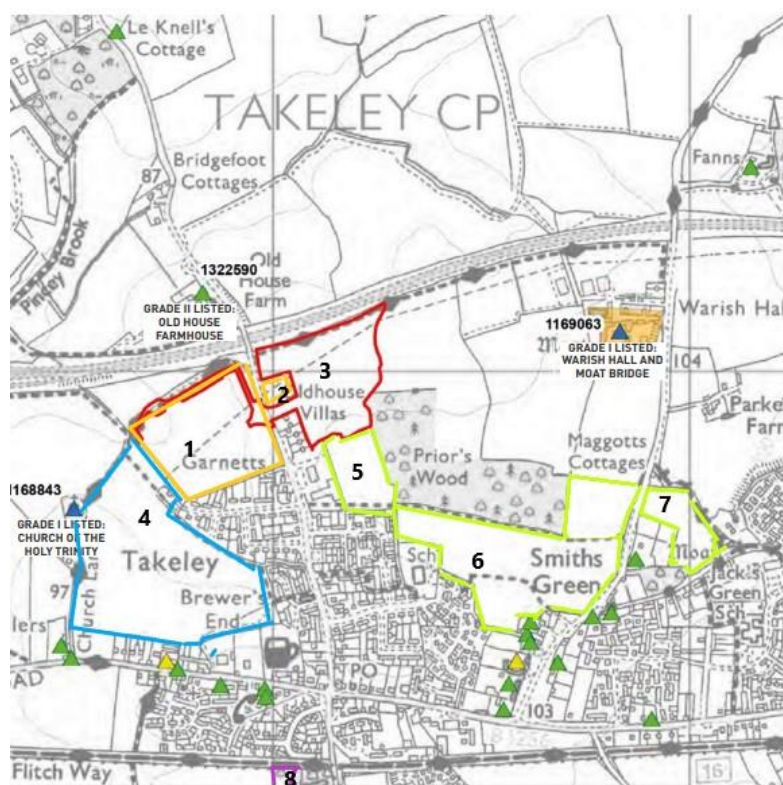


SUBJECT: Planning Appeal – Land at Warish Hall	CLERK’S REPORT	DATE: 24.8.2022
AUTHOR	JACKIE DEANE (LOCUM CLERK)	

## Background

The map below shows approved and proposed housing development sites in the Parsonage Road and Smiths Green areas of Takeley.

Areas 1, 2, 3 and 4 have approval for housing. Areas 5, 6 and 7 which were refused for housing development in an application known as ‘Land at Warish Hall Farm’. The Parish Council participated in a planning appeal in June and July 2022 at a Public Inquiry and the appeal by the landowner, Weston Homes, was dismissed on 9<sup>th</sup> August 2022.



## Parish Council Participation in the Appeal

The appeals process is costly and being ‘Rule 6’ is only effective if you can add value to the Planning Authority’s case and their reasons for refusal at Planning Committee. Takeley employed its own experts to assess landscape harm and the ‘planning balance’.

## Commentary on the Inspector’s Decision Notice

This is an important decision for the Takeley parish, which we hope will be helpful to neighbouring parishes on local planning applications and in consideration of new Local Plan allocations.

Key points to note:

- Some applications would cause enough harm to heritage or ancient woodland that UDC’s housing supply situation is irrelevant. The inspector took the view on this appeal that the cumulative heritage value in Smiths Green and Warish Hall was enough to dismiss the appeal.

- The development plan and all policies within it are considered and given weight before the NPPF is considered as a material consideration and the ‘tilted balance’ will always weigh up the individual harms against the benefits on a case-by-case basis.
- Because, in these circumstances, the inspector did not engage the ‘tilted balance’, there is less detail on wording for UDC’s individual policy assessment. There is, nonetheless, helpful wording on the weight of UDC’s individual policies, for example, S8 is given moderate weight.

### **Implications for Future Planning Applications**

The appeal decision notice explains why housing development on the site ‘Land at Warish Hall Farm’, which comprises of 3 parcels of land, would not be sustainable and the land does not have planning permission. Landowners and developers can make a new application on all or part of the land, varying their application to overcome the issues identified in the appeal.

### **Long-term Protection of Important Landscape and Heritage Areas in Takeley**

The Parish Council submitted evidence to the Public Inquiry which included a specialist heritage assessment that had been commissioned to support a new Neighbourhood Plan for Takeley. The assessment indicated potential conservation areas within the parish, where further work would be necessary to establish long-term protection for clusters of heritage buildings. The Parish Council intends to complete work on a Neighbourhood Plan, with the help and support from Takeley residents. Once a Neighbourhood Plan has been approved through examination and a local referendum, there would be locally supported policies and development boundaries to guide future housing growth at a local level.