



Uttlesford District Council

Chief Executive: John Mitchell

Cabinet

Date: Thursday, 15 January 2015
Time: 19:00
Venue: Talberd Room, E T Foakes Memorial Hall
Address: Foakes House, 47 Stortford Road, Great Dunmow, CM6 1DG

Members: Councillors H Rolfe (Leader and Chairman), S Barker, R Chambers, J Cheetham, V Ranger J Redfern and A Walters

Other attendees: Councillors S Harris, E Oliver, J Rich, J Salmon, L Wells (designated deputies) Councillors A Dean, R Lemon, K Mackman (Opposition Group Leaders), Councillor E Godwin (Chairman of Scrutiny Committee) and Councillor S Howell (Chairman of Performance and Audit Committee).

Public Speaking

At the start of the meeting there will be an opportunity of up to 15 minutes for members of the public to ask questions and make statements subject to having given two working days' prior notice.

AGENDA PART 1

Open to Public and Press

- 1 **Apologies for absence and declarations of interest.**
- 2 **Minutes of previous meeting** 5 - 12
To consider the minutes of the meeting held on 4 December 2014
- 3 **Matters arising.**

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| 4 | Questions or statements from non executive members of the council
To receive questions or statements from non-executive members on matters included on the agenda | |
| 5 | Matters referred to the Executive (standing item)
To consider matters referred to the Executive in accordance with the provisions of the Overview and Scrutiny Procedure Rules or the Budget and Policy Framework Procedure Rules | |
| 6 | Reports from Performance and Audit and Scrutiny Committees (standing item) - Day Centres
To consider recommendations from the Scrutiny Committee regarding day centres | 13 - 36 |
| 7 | Saffron Walden Park and Ride scheme (Saffron Walden County High School)
To consider a park and ride scheme at Saffron Walden County High School | 37 - 40 |
| 8 | Extra Care Scheme, Radwinter Road, Saffron Walden
To consider funding for an extra care housing scheme at Radwinter Road, Saffron Walden | 41 - 48 |
| 9 | Local Plan update and next steps
To consider details of the outcome of the local plan examination | 49 - 74 |
| 10 | Audley End Conservation Area Appraisal
To consider the conservation area appraisal for Audely End | 75 - 162 |
| 11 | Developer Contributions Guidance
To consider updated legal advice on developer contributions | 163 - 188 |
| 12 | Any other items which the Chairman considers to be urgent
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MEETINGS AND THE PUBLIC

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For information about this meeting

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**CABINET MEETING held at COUNCIL OFFICES LONDON ROAD
SAFFRON WALDEN on 4 DECEMBER 2014 at 7.00pm**

Present: Councillor H Rolfe – Leader
Councillor S Barker – Deputy Leader and Executive Member for Environmental Services
Councillor J Cheetham – Executive Member for Aviation
Councillor R Chambers – Executive Member for Finance
Councillor V Ranger – Executive Member for Communities and Partnerships
Councillor J Redfern – Executive Member for Housing
Councillor A Walters – Executive Member for Community Safety

Also present: Councillors A Dean, E Godwin, S Howell, M Lemon, K Mackman, J Rose.

Officers in attendance: J Mitchell (Chief Executive), M Cox (Democratic Services Officer), F Gardiner (Anti-Social Behaviour Case Officer), R Harbrough (Director of Public Services), A Knight (Assistant Director – Finance), R Millership (Assistant Director Housing and Environmental Services), M Perry (Assistant Chief Executive -Legal), J Snares (Housing Needs & Landlord Services Manager), B Tice (Scripting Officer) and A Webb (Director of Finance and Corporate Services).

CA58

STATEMENT BY THE LEADER OF THE COUNCIL

Councillor Rolfe informed the meeting that on the previous day, the Inspector had closed examination into the Uttlesford Local Plan. The Inspector's statement had highlighted concern in two main areas.

The Inspector had considered that the overall numbers in the plan were too low and the council should have taken account of other market signals, including employment and the housing market. He had signalled that the council should be looking at an increase of at least 10%, giving a housing requirement of about 580 dwellings per year. He suggested that the council should also take account of the forthcoming review of the SHMA and the duty to cooperate with other neighbouring authorities.

The second issue was the lack of evidence to justify the proposal for the enlarged Elsenham development and in particular the Inspector had highlighted problems with the road network near to the site and junction 8 of the M11.

The Leader explained that this was the Inspector's initial report. The Inspector was expected to publish the full report before Christmas, to which the council would have the opportunity to respond. The Chief Executive would make a full report to the Council meeting on 18 December 2014.

The next stage would be to first re-establish the housing number for the district and then work towards a further call for sites later in 2015.

The Leader said that the objective for the next stage was to put in place a fully transparent process and he intended that future meeting of the Local Plan Working Group would be open to the public and sound recorded.

CA59 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Salmon and Wells.

CA60 MINUTES OF PREVIOUS MEETING

The minutes of the meeting held on 11 November 2014 were received and signed by the Chairman as a correct record subject to the correction of the spelling of the Clerk to Arkesden PC as 'Mr Coltman' and the correct spelling of Wicken Bonhunt.

CA61 QUESTIONS OR STATEMENTS FROM NON-EXECUTIVE MEMBERS OF THE COUNCIL

Councillor Dean referred to the Inspector's decision regarding the Local Plan and said he considered this to be both a triumph and disaster. The decision would cause problems in the short term as the council would be without a plan. However, the outcome should be better for the district in the longer term. The decision made common sense to those who had been campaigning against the plan, particularly in relation to the Elsenham development.

He considered that the plan had been found unsound. The Inspector had said the required changes were too significant for the plan to be suspended for a defined period to carry out additional work. It was clear that the council had a lot of extra work to do.

The council should now look at the key ways forward, and much of this would be for the new council to determine. However, he agreed it was essential for there to be a transparent approach and welcomed the proposal to hold the local plan meetings in public. The council should be frank and honest, admit its mistakes and not rush the next stage of the process.

Councillor Rose, representing Newport Ward, asked for reassurance that as a key settlement, Newport would not be asked to take more houses in addition to the number already allocated in the recent local plan. The Leader replied that the effect of the Inspector's decision was that further sites for more houses would be required. The council would need to agree on criteria for an objective assessment of the sites coming forward.

CA62 **MATTERS REFERRED TO THE EXECUTIVE**

There were no matters referred to the Executive

CA63 **REPORTS FROM PERFORMANCE AND AUDIT AND SCRUTINY COMMITTEES**

Councillor Godwin reported on the recent meeting of the Scrutiny Committee which had considered the financial outlook and the 2015/16 budget strategy.

The committee had been advised of the future uncertainty of the revenue budget, due in large part to the upcoming general election and the likely end of NHB funding. In that context although the council's reserves now seemed to be at a reasonable level, the committee had questioned whether this should be increased in future years.

It had been noted that Uttlesford was in a better position than many other authorities. However by the end of the next council term it would be under huge financial pressure.

The committee had asked the Cabinet to consider the following

- The appropriate level of reserves
- Assume the worst when planning for the future
- Look for efficiency savings and partnerships
- Produce a more user friendly budget format

CA64 **FINANCIAL OUTLOOK AND THE 2015-16 BUDGET STRATEGY**

Councillor Chambers presented the report on the financial outlook and the strategy for drawing up the 2015/16 budget.

He said it was clear that as the general election approached the uncertainty around local government finance and future Government funding had increased. The major uncertainty was in relation to the New Homes Bonus (NHB), as all political parties had indicated that the scheme would not continue in its current form. The NHB was forecast to be £3.4m in 2015/16 and the assumption had been made that funding from this source would continue in 2016/17 as revision to the scheme was not likely to take place until 2017/18. The report set out a number of impact scenarios on the possible levels of reduction of the NHB.

Further assumptions were that there would be no significant changes to the current Localisation of Council Tax scheme. It was also assumed that Universal Credit would be implemented on the current timescales. Based on these assumptions, there would still be an in-year surplus for 2016/17, 2017/18 was likely to be the first year to show a deficit.

The report set out the outcome of the budget modelling which showed that there would be almost no budget surplus by the end of the 5 year model period.

There was £2m of available reserves, to cover the shortfall and give the council time to look at the way it worked, and investigate ways to increase income and reduce spending. The council would also introduce and implement a reserves strategy that took account of areas of priority.

In relation to the 2015/16 budget, the report explained the key actions and assumptions that would inform the 2015/16 budget process. This included the indication from the Administration that Council Tax would be frozen in 2015/16.

Councillor Howell said there had been a significant debate on the budget at the Scrutiny Committee. It was clear that the council was in a more favourable position because of the significant work undertaken over the last years. There was uncertainty over future funding and each variable could potentially have a major effect. He considered that the reserves were at an appropriate level at this stage and he endorsed the paper.

Councillor Dean said he welcomed the proposal for a reserves strategy and looked forward to the outcome of the analysis. He asked about the use of reserves for further work on the Local Plan. The Leader said there had been much speculation about the cost of the Local Plan process but said he would obtain a detailed analysis of the figures.

Councillor Chambers said that council's external auditors considered the council's reserves to adequate. The reserves strategy was not something new but part of good financial management.

Councillor Mackman said he had met with the Director of Finance concerning the council's financial position and proposed budget strategy and had been impressed with the high calibre of the council's finance officers.

RESOLVED to approve the financial outlook and the 2015/16 budget strategy.

CA65

HOUSING ALLOCATIONS POLICY

Councillor Redfern presented an updated version of the Housing Allocations Policy, which set out how Uttlesford proposed to allocate council and RSL properties.

This latest version, adopted in January 2013 had been updated following further Government guidance, which stated that local authorities should ensure they prioritised applicants who could demonstrate a close association with their local area. As a result new eligibility criteria had been introduced for joining the housing register.

A further change to the eligibility rules was around those residents who did not have the financial resources to meet their housing need within the private sector.

The proposed changes had been subject to a wide consultation and had been agreed by the Tenant's Panel and the Housing Board.

Councillor Dean pointed out that the report did not reflect the decision of the Housing Board that the eligibility criteria should continue to apply to students from Uttlesford whilst they were attending university outside of the district. It was confirmed that an updated version of the policy, which included this clause would be circulated to members.

The Leader thanked officers for this substantial piece of work and commended the resulting policy that was fair and just for the people of Uttlesford.

RESOLVED to approve the adoption of the new Housing Allocations Policy.

CA66

ANTI- SOCIAL BEHAVIOUR POLICY AND PROCEDURE

Councillor Redfern reported that the Anti-Social Behaviour, Crime and Policing Act had introduced simpler, more effective powers to tackle ASB that provided better protection for victims and communities. In response, the council had fully reviewed its ASB policy and procedures. The policy had been subject to consultation and been approved by the Housing Board.

Members welcomed the report and thanked Fiona Garner, the ASBO officer for the work she had undertaken in this area.

RESOLVED to approve for adoption the Anti-Social Behaviour Policy and Procedures.

CA67

FAIRCROFT ROAD CAR PARK

The Cabinet was advised that the district council was the Trustee of the Saffron Walden Pig Market Charity which owned part of Faircroft Road car park. The other part of the car park was part owned by the council in its local authority capacity. In light of the proposed extension to the Waitrose store and the reconfiguration of the car park a report had been undertaken on behalf of the charity giving advice on the proposed land transactions. The council in its role as trustee considered the report and confirmed its final agreement to the proposed transactions.

RESOLVED that the trustees agree

1. To exchange the land in its ownership shown on the Plan at Appendix 8 the Surveyor's report for the land owned by the District Council being of equivalent area shown on the same

Plan on such terms and conditions as are reasonable including the granting of rights of way

2. To grant a lease (jointly with the Council) for 50 years to Waitrose Limited of the newly constructed car park on the terms set out in the Surveyor's report
3. To accept a lease back of the newly constructed car park from Waitrose Limited for 50 years less 3 days jointly with the Council on the terms set out in the Surveyor's
4. To the temporary relocation of the 6 spaces under the control of Self Build Limited to the Charity land during the period of the rebuild
5. To the redevelopment of the car park by Waitrose on the terms set out in the Surveyor's report
6. To enter into the Car Park Management Agreement with the Council and Waitrose on the terms set out in the Surveyor's report
7. To delegate to the Assistant Chief Executive –Legal the authority to conclude the legal documents following receipt of the Charity Commission approval and in accordance with their requirements That the Charity's share of car park income split is 22.38% (with UDC having 55.7%, and the remainder to Waitrose).

CA68

DESIGNATION OF FELSTED NEIGHBOURHOOD PLAN AREA

The Cabinet noted that Felsted Parish Council had submitted an application under Section 5 – 7 of the Neighbourhood Planning (General Regulations) for the designation neighbourhood plan area. It was proposed that the boundary would be contiguous with the parish boundary of Felsted. The next stage was for the parish council to develop the policies to be included in the plan.

The application had been advertised and no comments had been received.

Councillor Cheetham asked how the parish council would deal with it neighbouring parishes in the preparation of its plan. She was advised that there was no duty to cooperate but there was likely to be consultation with neighbouring areas given that they were so closely linked. All neighbourhood plans had to be in general conformity with the strategic policies of the local plan.

RESOLVED to designate the parish of Felsted as the Felsted Neighbourhood Plan Area.

ELMDON CONSERVATION AREA APPRAISAL

The Cabinet received the proposed conservation area appraisal for Elmdon. This included a proposal to formally amend the boundary to include a range of outbuildings next to Elmdon Lodge. The report set out the key issues within the CAA and the results of the consultation exercise and the changes proposed.

RESOLVED that

- 1 The Conservation Area Appraisal be approved and used to assist in the process of determining planning applications for implementing management proposals
- 2 The Elmdon Conservation Area boundary be formally amended.

DEVELOPER CONTRIBUTIONS GUIDANCE

The Cabinet noted that on 28 November 2014, the Government had amended the National Planning Practice Guidance which altered the circumstances in which affordable housing contributions could be requested. As the guidance would override the council's adopted Developer Contributions Guidance, it was necessary for the council to review and alters is current stance.

The relevant areas of the guidance were as follows

- Contributions should not be sought from developments of 10-units or less, and which had a maximum combined gross floorspace of no more than 1000sqm.
- In designated rural areas, local planning authorities could choose to apply a lower threshold of 5 units or less, but no affordable housing or tariff-style contributions should then be sought from these developments (designated rural areas were defined under the Housing Act 1985 and included all Uttlesford parishes except of Great Dunmow, Saffron Walden and Stansted)
- In a rural area where the lower threshold was applied, affordable financial contributions should be sought from developments of between 6 and 10 units in the form of cash payments which were commuted until after completion of units within the development.
- Affordable housing and tariff-style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home.

The new policy for affordable housing provision was therefore as follows

- 40% on sites of 15 or more dwellings or sites of 0.5ha or more;
- 20% on sites of 11 - 14 dwellings or sites between 0.30ha and 0.49ha or an equivalent financial contribution as advised by the District Council; and
- Financial contribution on sites of 6 - 10 dwellings in designated rural areas.

In answer to a question from Councillor Barker it was confirmed that contributions should be sought for developments which were less than 10 units but had a combined floorspace of more than 1000sqm. An appropriate amendment to the guidance would be made to cover this.

The Cabinet considered the guidance to be a retrograde step that would result in the reduction in the amount of money available for the provision of affordable housing in the district.

RESOLVED to adopt a revised Developer Contributions Guidance, in accordance with the updated National Planning Practice Guidance, as a material planning consideration.

The meeting ended at 8.00pm.

Committee: Cabinet

Agenda Item

Date: 15 January 2015

6

Title: Day Centres

**Author: Councillor Iris Evans
Councillor Elizabeth Godwin
Councillor David Morson**

Item for decision

Summary

1. The Scrutiny Committee established a task group and terms of reference to review all the Day Centres at its meeting on 24 June 2014 following on from the previous review completed in 2010. The terms of reference were:
 - To assess how each of the five day centres operated and what services were provided.
 - To assess the usage of each centre.
 - To review the locations of the centres.
 - To assess what building works would be required and any likely costs.
 - To evaluate the findings and formulate recommendations for each centre.
2. The Day Centres are non-statutory services and since their establishment the national picture has changed. The implications of National initiatives including spending reviews and localism, demographics and local initiatives were considered by the group.
3. The Task Group had the benefit of visiting and meeting with the management committees of each of the centres in question – Great Dunmow, Saffron Walden, Takeley, Thaxted and Stansted.
4. The report was presented to a meeting of the Scrutiny Committee on 25 November 2014. This report presents the recommendations that the Committee considered it appropriate to put to Cabinet for decision.

Recommendations

5. Cabinet is requested to approve the following recommendations from the Scrutiny Committee:
6. Officers should be requested to investigate the feasibility of providing a fixed term (1year), part-time resource (18.5 hours) to provide support and assistance to the day centres.
7. A review of the management agreements between the Council and the Management Committees that have responsibility for the day centres should be undertaken. This should reflect the changes in responsibilities of both the

council and management committees and include agreed service levels, monitoring and the relevant communication channels.

Financial Implications

8. The fixed term post is an unbudgeted expense. The post would need to be evaluated before a cost is known.

Background Papers

- None.

Impact

- 9.

Communication/Consultation	Meetings have been held with members of the Day Centre Management Committees, stakeholders, customers and relevant Officers. Further consultation will need to be undertaken to identify how service weaknesses can be addresses by any proposals coming out of this report.
Community Safety	Not applicable.
Equalities	All areas of equalities ad safeguarding were considered during the review. An Equalities Impact Assessment has been completed.
Health and Safety	At present there are no health and safety issues to address.
Human Rights/Legal Implications	None specifically.
Sustainability	None
Ward-specific impacts	None
Workforce/Workplace	None at present. Any workforce issues which may arise from proposals coming out of this report will be addressed.

Background

10. The Day Centres have been operational for over 30 years to promote the welfare of people over 55 years of age or registered disabled by maintaining a

building for the purposes of recreation and other leisure time occupations and providing meals and refreshments for eligible persons.

11. There are five centres located within the district (Saffron Walden, Great Dunmow, Thaxted, Takeley and Stansted). The day centre buildings (with the exception of Stansted) are owned by this Council.
12. The Council is responsible for the buildings including external and internal maintenance, decoration and repairs costs. In addition the Council also pays for the costs of cleaning, electricity, gas, non-domestic rates, water, sewage, fire safety equipment and maintenance. Building and contents insurance for council owned equipment and parking costs incurred by voluntary day centre staff whilst on day centre duties are also paid by the Council.
13. The provision of the Day Centre service and management of buildings are the responsibility of the respective individual Management Committee, made up of groups of volunteers. They are completely separate from this Council.
14. Management Committees are responsible for the day-to-day running costs, insurances including contents, public and employers liability, licensing fees (if any), repair and replacement of furniture and equipment and health and safety compliance.
15. UDC used to allow the use of the buildings to the Management Committees in return for 50 per cent of any surpluses generated (exception of Stansted). However the scrutiny review in 2010 recommended that Great Dunmow, Saffron Walden, Takeley and Thaxted retain 100 per cent of surpluses (donations and lettings income) to help fund a Management role. This was agreed and implemented in 2012.
16. Investigations have discovered that the relationship between this Council and the day centres has changed over time in response to spending reviews and new government initiatives such as localism, Big Society and changing national trends.
17. The first centre was established in the late 1980s. To meet the County Council requirements of the "Care in the Community" legislation, the Day Centres provided meals on wheels service. All food would be prepared on site and distributed from the day centres. It was a successful service and due to the demand on the volunteers at the day centres paid staff were employed by this Council and a full time Meals on Wheels Officer oversaw the service.
18. The role of the Meals on Wheels Officer evolved and became the Meals on Wheels and Day Centres Officer. The role included maintaining regular contact with all day centres, to attend meetings where appropriate, coordinate maintenance issues and repairs and to provide advice to Management Committees on various issues.
19. Following a review in 1995 of the management responsibilities of both this Council and the individual Day Centre Management Committees, it was agreed that management agreements should be put in place. The

management agreements were introduced to provide management committees with the right to use and manage the building as a day centre subject to the provisions stated within the agreement. Over time the Agreement was updated to ensure the management committees provided insurance for contents, public liability, employer's liability, theft and personal accident and other users liability ultimately handing the entire responsibility of the Day Centre to the Committees.

20. In 2002 the County Council became entirely responsible for the meals on wheels service leaving this Council with no duty. The WRVS then leased the kitchens at Saffron Walden and Great Dunmow to continue the Meals on Wheels service and this Council negotiated the transfer of staff. This saw the end of the Day Centre Officer role and any Council service provision at the Day Centres. More recently the WRVS have withdrawn from the lease and no longer provide this service.

21. Since 2002 the Tenant Participation Officer has provided support to the Management Committees when needed, support which has been extremely valued by each Management Committee.

Current Situation

Management and Staffing

22. Each day centre continues to be run by a management committee. The committees are made up of between six and 10 volunteers, including a UDC Member and a Parish or Town Councillor. Recruitment of volunteers, not only to sit on the committee but also to work within the day centre is becoming increasingly difficult and numbers in some cases have decreased since the last scrutiny review.

23. The Day Centre Management Committees work to the same Management Agreement, with the aim to promote the welfare of people over 55 years of age or registered disabled. The Agreement has sufficient flexibility to enable each Centre to suit the needs of their customers and communities.

24. Whilst there is an obvious benefit in having flexibility within the agreements, having discussed the Management Agreements with the Management Committees, there seemed to be confusion over various issues within it despite guidance being given. This includes their maintenance and repair responsibilities and how to report any issues or to seek advice or assistance.

25. Over recent years it appears that some Management Committees are finding it difficult to accommodate the increased requirements that come with running a charity, employing staff, carrying out statutory checks and other facility-related duties.

26. During our investigations we discovered that some Management Committees are struggling. Some do not have up to date accounts, no job descriptions in place, some are having difficulties with payroll, some are not aware of their legal duties and responsibilities as employers.

27. In addition despite offers of regular Safeguarding training, which has been taken up by some of the committees, it become apparent that all do not have a full understanding of current Safeguarding issues particularly relating to their role as an employer and the use of volunteers and the potential impact on the customers.
28. It is important to remember that the Management Committees are all volunteers; none are paid to carry out this role. All put in many extra hours to keep the centres running and to provide a very good service for customers. In some cases they are not aware of the procedures that need to be followed or even how to implement them. This pressure has left some of the smaller committees at breaking point.
29. The difficulties some committees are experiencing could be due to the diminishing pool of volunteers to manage the facilities and associated employees/volunteers.
30. It was hoped that with the addition of the 50 per cent in donations and letting income that the Committees gained in 2012, it would enable them to fund a management resource. Ideally the resource would manage the centres to alleviate Management Committees and Officers so they are able focus on other areas.
31. Three of five Centres have used the income to employ a Manager. The other two centres used the additional funds to support other paid roles such as the Cook, who in those cases also manages the day-to-day running of the centre.
32. The specific duties of the paid staff vary between centres and all work additional hours without payment. It has become apparent that this role is not working as effectively in some centres as had been envisaged in the previous review as they continue to need the help and support from Council officers.

Operations and Services

33. Visiting the centres, meeting the committees and speaking with the customers demonstrated that the Management Committees and volunteers all continue to work extremely hard and go far beyond what is expected of them to provide a service for their customers, many of whom are regulars and visit more than once a week.
34. Surveying the customers using the centres it identified that the majority were aged between 70 to 90 years of age. The number of visitors would range from 10 to 30 on the occasional busier day at some centres.
35. Overall the popularity of the Day Centre service in some areas seems to be diminishing, and customer numbers are declining. The appeal of other low priced meals and drinks from other service providers is drawing customers away. In addition many villages and towns have alternatives available through the Church or other community services.

36. Takeley and Thaxted are both located opposite the Council's sheltered housing schemes. Upon investigation many of the sheltered housing tenants seem to prefer cooking their own meals and using the common rooms to socialise rather than visiting the centres. Very few sheltered housing tenants actually use the day centres.
37. In addition there still appears to be a stigma attached to the Day Centres. Most of the Centres have now changed their names to exclude Day Centre within the title but it seems that people are still put off from visiting them.
38. Each Management Committee has tailored their service to the needs of their customers to escape the stigma and to encourage use. Please see appendix 1 for the Day Centre Service Comparison table. Where opening early to serve breakfasts, teas, coffee and cakes works in one place, it was evident that it did not work at another. Thaxted trialled a subsidised bus service to bring customers to the centre for a coffee morning but this failed to bring in additional customers and has since stopped.
39. Saffron Walden, The Garden Room, market their service as a café, which seems to be appealing to a different market and attracting some under 70's. It is open all week from 9am to 1.30pm. They offer breakfasts, snacks, cakes, tea, coffee and a two course lunch. It is a popular Centre and often has 20 to 30 people for lunch in addition to the morning trade. The Committee has employed a Manager and the role appears to be working well. The Centre receives generous food and flower donations from Waitrose.
40. Crafton Room in Stansted appears to be a popular centre, open three days a week with customers coming in for tea, coffee and cake in the morning and then lunch later. Numbers for lunch range between 20 and 25. Other fundraising events are also successful as is letting of the building. The Committee have employed a manager, who is also the cook and works well above the hours contracted. They have a large pool of volunteers and drivers to ferry people to and from the centre. There is demand to open this centre for five days.
41. Takeley Day Centre is open twice a week, operating as a lunch club from 12pm to 1.30pm. Lunch costs £3.50 for two courses. Customer numbers usually reach 25 and no booking is required. Coffee mornings have been trialled but there was no take up. The Committee arrange a raffle once a week and often arrange subsidised day outings. In addition they have regular lettings to the Sparklers and Crocus Day Care. The Committee has decided not to employ a Manager, instead operations are split between the committee who all attend the centre to help out.
42. Thaxted Community Centre operates as a lunch club and is open all week from 12pm to 1.30pm. Lunch costs £4.50 for two courses. Customer numbers range between 10 and 15 and booking is required. Customers come in purely for their lunch. The Committee has decided not to employ a Manager and day-to-day management is provided by the cook.

43. The Rowena Davey Centre in Great Dunmow is open four days a week from 10am to 1.30pm, where a two course lunch is £5. They also offer tea, coffee and cake. The Centre has seen a reduction in visitors over the years, with Tuesday being the most popular session due to the attraction of the market with roughly 30 customers. Other days see customer numbers reaching between 10 and 15. Volunteers are reducing along with the committee members. There is a worry that the current committee is becoming frustrated and over-worked.
44. Research and conversations with Age UK, the Alzheimer's Society and Dementia Support have uncovered that there is a demand for a 'secure' day centre that offers adequate supervision. Some vulnerable adults are unable to attend the day centres as carers feel there is not the required level of support or supervision. Instead people now are now opting for the day centres run by Essex Cares as they have the level of supervision needed.

Buildings and Renovations

45. Some of the buildings are in poor state, which could also distract people from attending.

Stansted

46. The building is attractive and is owned by the Parish Council. There is a Licence to Occupy the building and UDC pays £11,600 to the Parish Council, which was the approximate equivalent amount paid to operate the building.
47. It appears to be a popular centre with customers coming in for tea, coffee and cake in the morning and then visit for lunch later. Numbers for lunch never fall below 15 and there appears to be demand for opening five days a week. Other fundraising events are also successful as is the letting of the building.
48. The Management Committee has good links with the Parish Council for any maintenance/repairs concerns.

Takeley

49. The day centre building is a small building, built around 1971. It is brick built and has a flat felted roof with aluminium windows. The last Condition Survey identified that the roof, kitchen and windows would require replacement. The survey also identified that the toilets would be due for refurbishment and the centre is soon due complete internal decoration. The total costs for this work would be approximately £32,000, which all are life-limited and will need doing again. This sum does not include ad-hoc maintenance and repairs that are required with an older building.
50. The building would benefit from additional signage as at the moment is quite hard to find.
51. The building is rented successfully to ECC Crocus Day Care Unit twice a week and Sparklers, a parent and toddler group, once a week.

Great Dunmow

52. The building was purpose built in 1993 and is in fairly good order but is showing signs of usage and wear and tear. The committee are working hard to improve this replacing the carpets, curtains and chairs.
53. It is located at the top of a hill in front of Chequers Lane car park, which causes difficulties for those with mobility issues. There is no free parking outside for customers.
54. The centre is large and is rented well, generating additional income for the centre.

Thaxted

55. This is the newest building and is approximately 8 years old. It is a clean, light and bright purpose-built centre. However it is in need of redecoration.
56. The centre is hard to find, it is located up a steep hill opposite Vicarage Mead sheltered housing. There is a lack of signage to the centre the only sign was over grown and hard to see.

Saffron Walden

57. The building is formed from an old three storey property, with a much later added single storey extension at the back of the building with a flat roof. The roof has suffered from leaks over a long period.
58. The centre is centrally located on Hill Street, which is a busy road and is central to the town. The location of this centre is ideal and enables them to attract a lot of passing trade, which contributes to its use.

Costs

59. As explained in paragraph 15 the Management Committees are responsible for the financial provision of the day to day running costs.
60. This Council is financially responsible for the buildings (except Stansted) as well as the utilities. Each centre has differing financial requirements due to the size of the buildings, maintenance requirements, depreciation and the days they are open. In order to establish a comparable yearly running cost, to the Council, for each centre (excluding capital works) it was agreed to break the cost down per square meter based on 2013-14 actuals. Please see the table below:

Day Centre	Days Open	Yearly cost per Sq M
Great Dunmow	4	£62.95
Saffron Walden	5	£37.42

Thaxted	5	£89.51
Takeley	2	£145.02

Demographic Research

61. From visiting the Centres and speaking with the committees it was established that the over 70s are the main users of the centres.
62. District population data of the over 65s and over 75s seems to be divided over three central locations Saffron Walden, Stansted and Great Dunmow. Please see appendix 2 for maps displaying the distribution of the population of the over 65s and the over 75s.

Conclusions

63. The implementation of the recommendations from the last review, to allow the Committees to keep all income from lettings and to employ a manager to enable this council to reduced Officer support, has not proved as effective as had been hoped. The Management Committees still require support from Officers, which is impacting on those Officers' main duties.
64. The day centres all provide a valuable service to the community. It is felt that this Council should continue to support the provision of the centres. However this review has highlighted that some of the centres are at risk of failing. Aging committees and the lack of volunteers has shown that some centres are in a vulnerable state. If this service is to continue it appears that they will need support and assistance from the Council to ensure their future.
65. Currently the only financial support provided by this council is through the use of the buildings, utilities and officer support. The aging buildings will continue to be a financial pressure as demonstrated in paragraph 61.

Risk Analysis

1.

Risk	Likelihood	Impact	Mitigating actions
Difficulty in recruiting/retaining committee members adversely impact the running of day centres	3 – current levels of committee members at some day centres suggest this is	3 – day centres struggle to operate without effective committees	Fixed term district council post to support day centres

	the case		
The council incurs significant costs in maintaining day centre buildings	3 – costs are detailed in the report	2 – some repair costs are contained within the council's revenue building repairs budget	Repairs are being prioritised through a condition survey

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Appendix 1

Day Centre Service Comparison Table (all information correct as at November 2014)

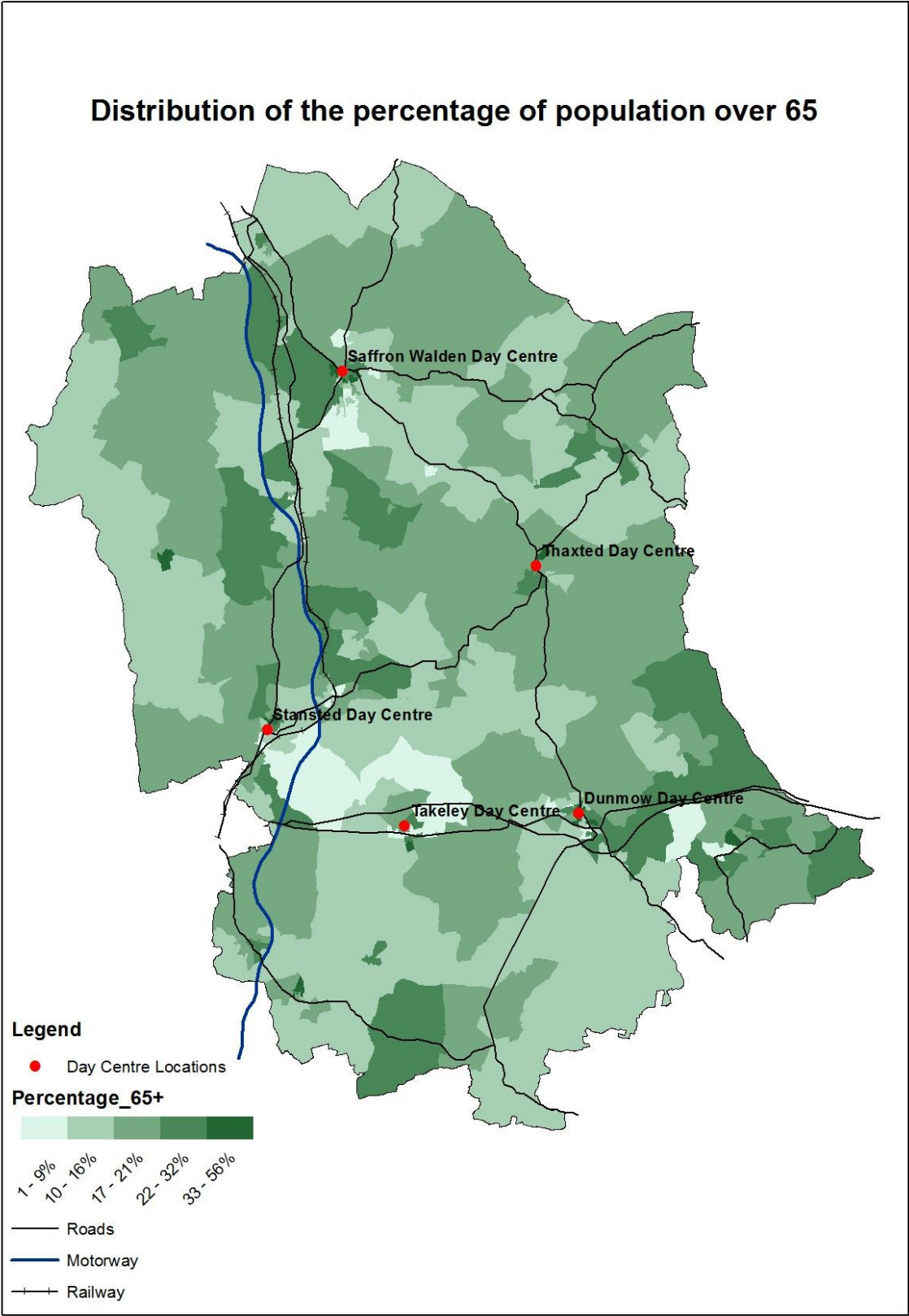
	SAFFRON WALDEN Garden Room	GT.DUNMOW Rowena Davey Centre	TAKELEY Takeley Community Centre	THAXTED	STANSTED Crafton Room
Re-branded?	<ul style="list-style-type: none"> ▪ Yes – Garden Room 	<ul style="list-style-type: none"> ▪ Yes – Rowena Davey Centre 	<ul style="list-style-type: none"> ▪ Yes – Takeley Community Centre 	<ul style="list-style-type: none"> ▪ No – Thaxted Day Centre (TDC) 	<ul style="list-style-type: none"> ▪ Yes – Crafton Room
Structure of management	<ul style="list-style-type: none"> ▪ 9 Trustees ▪ (volunteers' rep, town and district Council reps) 	<ul style="list-style-type: none"> ▪ Between 6 – 8 (Incl. President, Manager, UDC rep and Town Council rep). Number on Committee has reduced recently. 	<ul style="list-style-type: none"> ▪ 10 (Incl. President, Treasurer and Secretary). 	<ul style="list-style-type: none"> ▪ Between 6 – 8 (Incl. Chair, Treasurer, Booking sec, UDC rep). ▪ Waiting for new Chair to take over. 	<ul style="list-style-type: none"> ▪ 10 (incl. Manager, Chair, Secretary, Treasurer, Parish rep and UDC rep)
Manager employed?	<ul style="list-style-type: none"> ▪ Yes 	<ul style="list-style-type: none"> ▪ Yes 	<ul style="list-style-type: none"> ▪ No 	<ul style="list-style-type: none"> ▪ No 	<ul style="list-style-type: none"> ▪ Yes
Days open	<ul style="list-style-type: none"> ▪ Mon-Fri (5) ▪ 9am - 1:30pm 	<ul style="list-style-type: none"> ▪ Mon, Tues, Thurs and Fri (4) ▪ 10am – 1:30pm 	<ul style="list-style-type: none"> ▪ Tues and Fri ▪ 12 – 1:30pm 	<ul style="list-style-type: none"> ▪ Mon-Fri (5) ▪ 10am – 1:30pm 	<ul style="list-style-type: none"> ▪ Tues, Thurs and Fri (3) ▪ 10am – 2pm ▪
Location	<ul style="list-style-type: none"> ▪ In the centre of town, with good network links (parking, bus, walking). 	<ul style="list-style-type: none"> ▪ Adjacent to Chequers Lane Car Park, short walk to town centre 	<ul style="list-style-type: none"> ▪ Centre of village opposite the sheltered housing. 	<ul style="list-style-type: none"> ▪ In the centre of the village opposite Vicarage Mead sheltered housing. Good parking. No close bus stops. The centre is up a hill. 	<ul style="list-style-type: none"> ▪ Centre of the village. Good network links.

Average nos	<ul style="list-style-type: none"> ▪ 1-5 for breakfast. 20 – 30 for lunch. ▪ Various for morning tea, coffee and cake. 	<ul style="list-style-type: none"> ▪ Mon, Thurs and Fri 15 – 20 for lunch. ▪ Tues (market day) various for morning tea and cake. 30 – 50 for lunch. 	<ul style="list-style-type: none"> ▪ 25-30 	<ul style="list-style-type: none"> ▪ 10-20 for lunch. 	<ul style="list-style-type: none"> ▪ 20 for lunch. Various for morning tea, coffee and cake.
Food & Beverages Cost	<ul style="list-style-type: none"> ▪ Breakfast £4 ▪ Lunch £4.50 ▪ Desert £1 ▪ Cake £1.50 ▪ Snacks (bacon roll £1, toast 50p, sandwich £1.60) Tea 90p ▪ Coffee £1.10 ▪ 	<ul style="list-style-type: none"> ▪ 2 course lunch £5 ▪ Cakes 40p ▪ Range of snacks (Kitkat, Cheddars)60p ▪ Toast 60p ▪ Tea 50p ▪ Coffee 60p ▪ Christmas dinner is free for regulars. 	<ul style="list-style-type: none"> ▪ 2 course lunch £3.50 ▪ Christmas dinner is free for regulars. 	<ul style="list-style-type: none"> ▪ Tea/Coffee & biscuit £1 ▪ 2 course lunch £4.50 	<ul style="list-style-type: none"> ▪ Lunch £5 ▪ Tea 50p ▪ Coffee 50p ▪ Scones/Cake 40p
Lunch Booking Required	<ul style="list-style-type: none"> ▪ Yes 	<ul style="list-style-type: none"> ▪ Yes 	<ul style="list-style-type: none"> ▪ No 	<ul style="list-style-type: none"> ▪ Yes 	<ul style="list-style-type: none"> ▪ Yes
Services provided (additional events are run at venues but they are not arranged by the management committees)	<ul style="list-style-type: none"> ▪ Breakfast, tea, coffee, cakes, snacks and lunch. Has tried to run events but proved not to be popular. 	<ul style="list-style-type: none"> ▪ Tea, coffee, cakes and lunch. 	<ul style="list-style-type: none"> ▪ Tuesday raffle. ▪ Every 2 months a subsidised day trip will be organised with approx. 20 people each time. 	<ul style="list-style-type: none"> ▪ Coffee morning twice a week but they are not popular. Lunch. Coffee and tea for Thaxted walkers. Easter and Christmas signing events. 	<ul style="list-style-type: none"> ▪ Tea, Coffee, Cake, Lunch. Weekly bingo, occasional evening fund raising events.
Volunteers	<ul style="list-style-type: none"> ▪ 13 – Hard to get. Serving, kitchen and wash up. 	<ul style="list-style-type: none"> ▪ 10 – Hard to get. Serving, clearing and wash up. 	<ul style="list-style-type: none"> ▪ 10 	<ul style="list-style-type: none"> ▪ 10 – hard to get. Serving, clearing and wash up. 	<ul style="list-style-type: none"> Large pool (exact number not provided) ▪ Drivers ▪ Kitchen & serving

					<ul style="list-style-type: none"> Washing up.
Promote?	<ul style="list-style-type: none"> TIC Local press Community pages Other websites Outside DC Word of mouth 	<ul style="list-style-type: none"> Word of mouth Local magazines 	<ul style="list-style-type: none"> Adverts in local press 	<ul style="list-style-type: none"> Adverts in local shops. Parish magazine. Leaflets. 	<ul style="list-style-type: none"> Magazine.
Facility Bookings	<ul style="list-style-type: none"> Manager 	<ul style="list-style-type: none"> Manager 	<ul style="list-style-type: none"> Bookings sec. 	<ul style="list-style-type: none"> Bookings sec. 	<ul style="list-style-type: none"> Booking sec.
Fire Alarm	<ul style="list-style-type: none"> Manager – weekly 	<ul style="list-style-type: none"> Manager - weekly 	<ul style="list-style-type: none"> Health and Safety representative from the committee. 	<ul style="list-style-type: none"> Cooks 	<ul style="list-style-type: none"> Manager
Health & Safety	<ul style="list-style-type: none"> Monthly checks work with UDC 	<ul style="list-style-type: none"> Temperature checks. 	<ul style="list-style-type: none"> Risk assessments and checks by Health and Safety rep. 	<ul style="list-style-type: none"> Monthly UDC checks 	<ul style="list-style-type: none"> Manager
Safeguarding	<ul style="list-style-type: none"> None, DBS checks are in place. Training offered. 	<ul style="list-style-type: none"> Attended UDC training. Unsure of how to apply to centre. 	<ul style="list-style-type: none"> None. Training offered. 	<ul style="list-style-type: none"> None. Training Offered. 	<ul style="list-style-type: none"> Attended UDC training. Unsure of how to apply to centre.
Hygiene Certificate	<ul style="list-style-type: none"> Yes – June 2014 	<ul style="list-style-type: none"> Yes – June 2013 	<ul style="list-style-type: none"> Yes – November 2013 	<ul style="list-style-type: none"> Yes – July 2013 	<ul style="list-style-type: none"> Yes – August 2013
Registered charity	<ul style="list-style-type: none"> Yes 	<ul style="list-style-type: none"> Yes 	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> No 	<ul style="list-style-type: none"> Yes
Other income?	<ul style="list-style-type: none"> Bookings Raffles Grants Donations 	<ul style="list-style-type: none"> Bookings 	<ul style="list-style-type: none"> Bookings - regular Crocus Day Care & Sparklers. 	<ul style="list-style-type: none"> Bookings 	<ul style="list-style-type: none"> Grants Fund raising Events – special evenings
Support from local shops	<ul style="list-style-type: none"> Various food and flower donations from Waitrose. Locals provide seasonal fruits 	<ul style="list-style-type: none"> Butcher offers discounted Turkeys, Co-op provides free 	<ul style="list-style-type: none"> None 	<ul style="list-style-type: none"> Local butcher provides free turkey and local shop supplies 	<ul style="list-style-type: none"> Locals bring seasonal fruit.

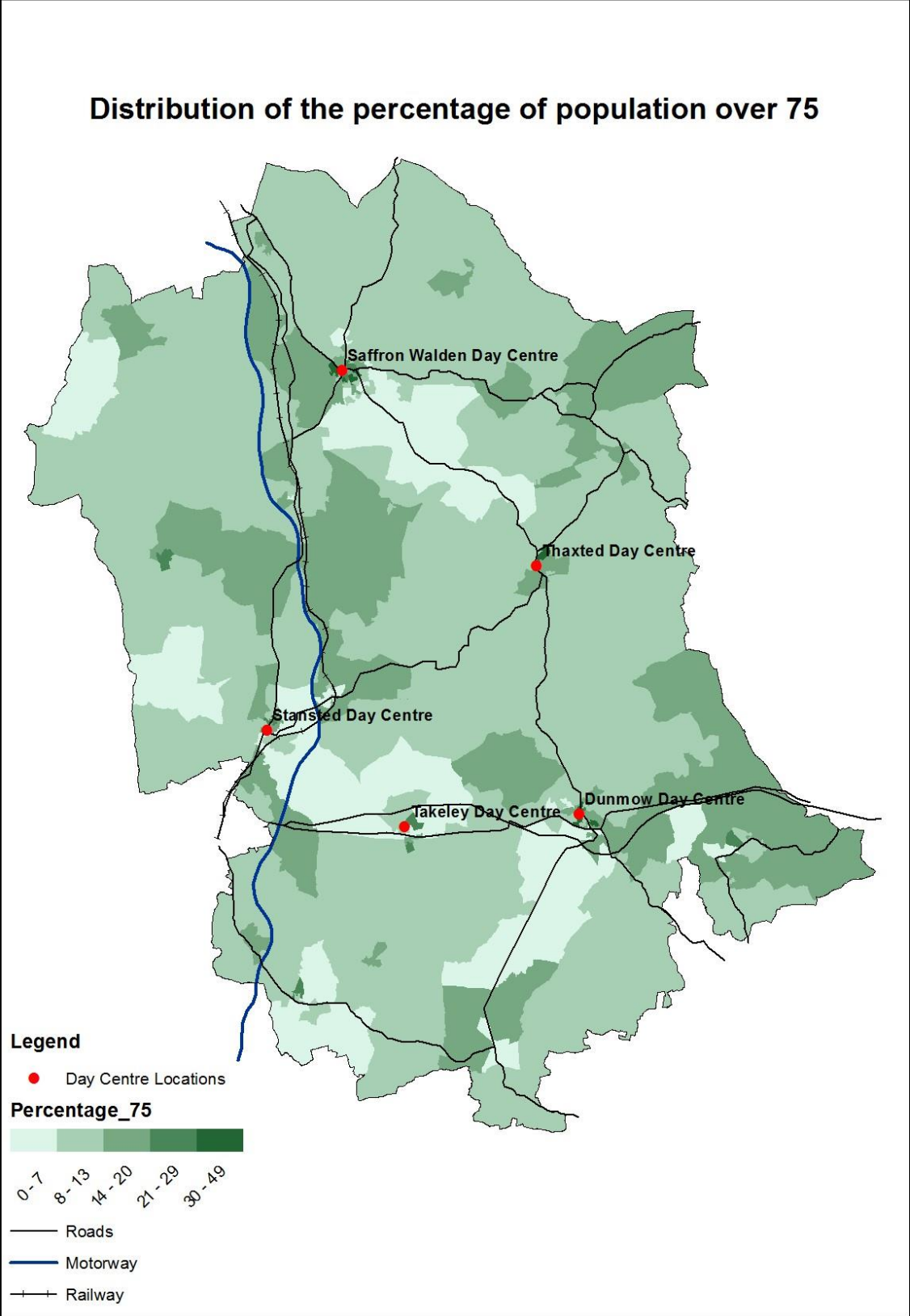
	and veg.	tea, coffee and milk. Along with everything for the Christmas dinner expect the turkey.		wine for Christmas. <ul style="list-style-type: none">▪ Locals provide seasonal fruits and veg.	
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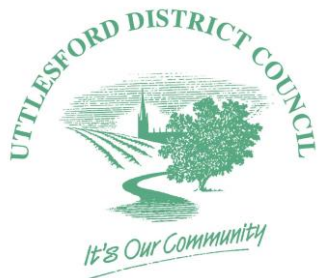
Appendix 2



Appendix 2

Distribution of the percentage of population over 75





Uttlesford District Council

Fast-track equality impact assessment (EqIA) tool

What is this tool for?


This tool will help you to assess the impact of existing or new strategies, policies, projects, contracts or decisions on residents and staff. It will help you to deliver excellent services, by making sure that they reflect the needs of all members of the community and workforce.

What should be equality impact assessed?

You only need to equality impact assess strategies, policies, projects, contracts or decisions that are **relevant** to equality. If you are not sure whether your activity is relevant to equality take the 'relevance test' on Page 9.


How do I use the tool?

This tool is easy to use and you do not need expert knowledge to complete it. It asks you to make judgments based on evidence.





The tool uses a system of red flags  to give you an indication of whether or not your responses are identifying potential issues. Getting a red flag does not necessarily indicate a problem, but it does mean that your assessment is highlighting issues or gaps in data that may require further investigation or action.

If there is insufficient space to answer a question, please use a separate sheet.

General information		
1	Name of strategy, policy, project, contract or decision.	Scrutiny Committee Day Centre Report
2	What is the overall purpose of the strategy, policy, project, contract or decision?	Scrutiny Review to assess how the five day centres operate and what services they provide.
3	Who may be affected by the strategy, policy, project, contract or decision?	<input type="checkbox"/> Residents <input type="checkbox"/> Staff <input checked="" type="checkbox"/> A specific client group/s e.g. linked by geographical location, social economic factors, age, disabilities, gender, transgender, race, religion or sexual orientation (please state)
4	Responsible department and Head of Division.	Department: Housing Head of Division: Roz Millership
5	Are other departments or partners involved in delivery of the strategy, policy, project, contract or decision?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes (please state):
Gathering performance data		
6	Do you (or do you intend to) collect this monitoring data in relation to any of the following <u>diverse groups</u> ?	<input checked="" type="checkbox"/> Age <input checked="" type="checkbox"/> Disability <input type="checkbox"/> Sex <input type="checkbox"/> Race <input type="checkbox"/> Gender Reassignment <input type="checkbox"/> Sexual Orientation <input type="checkbox"/> Religion & Belief <input type="checkbox"/> Pregnancy and Maternity <input type="checkbox"/> Marriage and Civil Partnerships <input type="checkbox"/> Rural Isolation

7	How do you (or how do you intend to) monitor the impact of the strategy, policy, project, contract or decision?	<input type="checkbox"/> Performance indicators or targets <input checked="" type="checkbox"/> User satisfaction <input checked="" type="checkbox"/> Uptake <input checked="" type="checkbox"/> Consultation or involvement <input type="checkbox"/> Workforce monitoring data <input type="checkbox"/> Complaints <input type="checkbox"/> External verification <input type="checkbox"/> Eligibility criteria <input type="checkbox"/> Other (please state): <input type="checkbox"/> None 
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Analysing performance data

<p>8</p>	<p>Consider the impact the strategy, policy, project, contract or decision has already achieved, measured by the monitoring data you collect. Is the same impact being achieved for diverse groups as is being achieved across the population or workforce as a whole?</p>	<p> <input type="checkbox"/> Yes * <input checked="" type="checkbox"/> No* <input type="checkbox"/> Insufficient  <input type="checkbox"/> Not applicable  </p> <p><i>*Please state your evidence for this, including full document titles and dates of publication for audit purposes. Where applicable please also state the nature of any issues identified: The Day Centres are for use by people aged 55 and over and people with disabilities. Therefore the impact of the recommendations will have benefit for these diverse groups but not necessarily the district population as a whole.</i></p>
<p>9</p>	<p>Is uptake of any services, benefits or opportunities associated with the strategy, policy, project, contract or decision generally representative of <u>diverse groups</u>?</p>	<p> <input type="checkbox"/> Y Yes * <input type="checkbox"/> No* <input type="checkbox"/> Insufficient  <input type="checkbox"/> Not applicable  </p> <p><i>*Please state your evidence for this, including full document titles and dates of publication for audit purposes. Where applicable please also state the nature of any issues identified: The recommendations contained in the report will improve the service offered by Day Centres and therefore help users of the service (older people and people with disabilities).</i></p>

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Checking delivery arrangements

10 You now need to check the accessibility of your delivery arrangements against the requirements below. Click on the hyperlinks for more detailed guidance about the minimum criteria you should meet.

If assessing a proposed strategy, policy, project, contract or decision, indicate 'Yes' if you anticipate compliance by launch of implementation.


	Yes	No	N/A
The premises for delivery are accessible to all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Consultation mechanisms are inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Participation mechanisms are inclusive of all.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If you answered 'No' to any of the questions above please explain why giving details of any legal justification.

Checking information and communication arrangements

11 You now need to check the accessibility of your information and communication arrangements against the requirements below. Click on the hyperlink for more detailed guidance about the minimum criteria you should meet.

If assessing a proposed strategy policy, project, contract or decision, indicate 'Yes' if you anticipate compliance by launch of implementation.



	Yes	No 	N/A
Customer contact mechanisms are accessible to all.	<input type="checkbox"/> Y	<input type="checkbox"/>	<input type="checkbox"/>
Electronic, web-based and paper information is accessible to all.	<input type="checkbox"/> Y	<input type="checkbox"/>	<input type="checkbox"/>
Publicity campaigns are inclusive of all.	<input type="checkbox"/> Y	<input type="checkbox"/>	<input type="checkbox"/>
Images and text in documentation are representative and inclusive of all.	<input type="checkbox"/> Y	<input type="checkbox"/>	<input type="checkbox"/>

If you answered 'No' to any of the questions above please explain why, giving details of any legal justification.

Future Impact


12 Think about what your strategy, policy, project, contract or decision is aiming to achieve over the long term and the ways in which it will seek to do this. This is your opportunity to take a step back and consider the practical implementation of your strategy, policy, project, contract or decision in the future. As well as checking that people from diverse groups will not be inadvertently excluded from or disadvantaged by any proposed activities, it is also an opportunity to think about how you can maximize your impact, reach as many people as possible and really make a difference to the lives of everyone in Uttlesford regardless of their background or circumstances.




Is it likely to inadvertently exclude or disadvantage any diverse groups?

- No
- Yes * 
- Insufficient evidence 

*Please state any potential issues Identified.

OVERVIEW
70,000 residents
Demographic make up according to diverse groups.

Improvement actions	
13	<p>If your assessment has highlighted any potential issues or red flags, can these be easily addressed?</p> <p> <input type="checkbox"/> Yes <input type="checkbox"/> No*  <input checked="" type="checkbox"/> Not applicable </p> <p><i>*If Yes, please describe your proposed action/s, intended impact, monitoring arrangements implementation date and lead officer:</i></p>

Making a judgement – conclusions and next steps	
14	<p>Following this fast-track assessment, please confirm the following:</p> <p> <input checked="" type="checkbox"/> There are no inequalities identified that cannot be easily addressed or legally justified  No further action required. Complete this form and implement any actions you identified in Q13 above </p> <p> <input type="checkbox"/> There is insufficient evidence to make a robust judgement.  Additional evidence gathering required (go to Q17 on Page 7 below). </p> <p> <input type="checkbox"/> Inequalities have been identified which cannot be easily addressed.  Action planning required (go to Q18 on Page 8 below). </p>
15	<p>If you have any additional comments to make, please include here.</p> <p> <input type="checkbox"/> None </p>

Completion	
16	<p>Name and job title (Assessment lead officer)</p> <p>Victoria Taylor, Business Improvement and Performance Officer</p>
	<p>Name/s of any assisting officers and people consulted during assessment:</p> <p>Date: 06/01/2015</p> <p>Date of next review: 06/01/2016</p> <p><i>For new strategies, policies, projects, contracts or decisions this should be one year from implementation.</i></p>

Committee: Cabinet

Agenda Item

Date: 15 January 2015

7

Title: **Saffron Walden Park and Ride scheme
(Saffron Walden County High School)**

Portfolio Holder: Cllr Susan Barker, Portfolio holder for Environmental Services

Key decision: Yes

Summary

1. From Monday 12 January the council's 305 space town centre car park at Faircroft Road will not be available whilst it is reconstructed as part of Waitrose's development to extend its retail store.
2. Swan Meadow car park has sufficient capacity to accommodate displaced parking demand on most days of the week, but on Saturdays it is proposed to provide additional capacity for shoppers, visitors and other people with business in the town centre. The County High School has agreed to make its Gold Zone car park adjoining Saffron Hall available for general public use. Transport is being organised to ferry people between the Gold Zone and Hill Street.

Recommendations

3. Cabinet approves the implementation of a park and ride scheme for a six month period as set out in this report.
4. The revenue costs of up to £20,000 are met by the Strategic Initiatives Fund.

Financial Implications

5. There is currently no revenue budget provision for this arrangement. The school is not charging the council for the use of its facilities, but there are stewarding costs to assist users with advice, and costs in providing transport between the car park and the town centre and return. Provision for revenue costs of up to £20,000 is expected to be sufficient. This can be found from the Strategic Initiatives Fund.

Background Papers

6. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

- 7.

Communication/Consultation	The service will need to be publicised and signed to make potential users aware of the facility.
Community Safety	
Equalities	The availability of (a) low access vehicle(s) is being explored
Health and Safety	
Human Rights/Legal Implications	Operator Licensing Requirements are being investigated. It is anticipated that if private hire vehicles licensed by the council are used, the arrangement will not need to be registered as a bus service. Vehicles constructed or adapted to carry more than 8 passengers plus the driver fall outside the definition of PHVs and cannot be so licensed. Public use of the car park is covered by the school's public liability insurance.
Sustainability	
Ward-specific impacts	Saffron Walden wards and surrounding catchment
Workforce/Workplace	Stewarding staff will need to be recruited

Situation

8. The Gold Zone car parking at the County High School is available. It is a good standard of facility with 101 marked spaces. These would be available for public use on Saturdays from Saturday 17 January for six months whilst the Faircroft road car park is reconstructed. The car parking would be available between 0900 and 1500.
9. It is proposed to provide a taxi minibus shuttle from the car park to Hill Street initially and potentially a low floor accessible midibus once the service has been registered with the Traffic Commissioners as a local bus service. A private hire vehicle cannot have a capacity of more than 8 passengers plus the driver.
10. The taxi shuttle/ bus will be free to users.
11. Stewards will be required at the Gold Zone car park and possibly at the Hill Street pick up point to help and advise users.

Risk Analysis

12.

Risk	Likelihood	Impact	Mitigating actions
Demand exceeds taxi/ bus shuttle capacity, or the facility is under used	2 Demand is unknown at present as, despite measures to continue to attract customers, they may modify their shopping patterns.	2 Waiting for transport may be necessary	Monitor demand

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Committee: Cabinet

Agenda Item

Date: 15 January 2015

8

**Title: Extra Care Scheme, Radwinter Road,
Saffron Walden**

Portfolio Holder: Cllr Redfern

Key decision: Yes

Summary

1. This report considers funding for an Extra Care Housing Scheme at Radwinter Road, Saffron Walden (the former Willis and Gambier site).
2. The report details the various funding streams required to deliver the project, including a request for Cabinet to allocate £500,000 of commuted sums to the project.

Recommendations

3. That Cabinet approves the allocation of £500,000 towards the delivery of this Extra Care Housing Scheme

Financial Implications

4. The council has received £148,000 in payments in lieu of on site provision of affordable housing on two developments and under a third agreement is due to receive a further £395,000 as a development under construction is occupied. These receipts will enable the council to fund a £500,000 contribution to the extra care scheme.

Background Papers

None.

5.

Communication/Consultation	Local residents, Town Council, Essex County Council and other external agencies
Community Safety	N/A
Equalities	N/A
Health and Safety	Detailed method statements will be required to ensure Health and Safety requirements are met.
Human Rights/Legal Implications	N/A

Sustainability	This development will provide a thermally efficient, purpose built building for the frail elderly.
Ward-specific impacts	Saffron Walden
Workforce/Workplace	Housing Development

Situation

6. This site is the affordable housing element of a larger development in the control of Countryside Homes PLC. Countryside Homes received detailed Planning Permission for 52 private sale houses on land immediately adjacent this part of the site (please see attached location plan). The S106 for this application stipulated that Countryside Homes PLC had to make land available, at nil cost, for a 60 bed Extra Care Scheme. This provision meets one of the key targets contained in UDC's Housing Strategy. The affordable housing land has Outline Planning Permission for a 60 bed Extra Care Scheme.
7. The terms of the S106 state that the land is to be transferred to UDC at nil cost, and that the site is to be cleared, fully serviced and remediated of any contamination.
8. In order to deliver the Extra Care Scheme, it has been necessary to work with one of our partner Registered Providers. Due to their long-standing involvement in this scheme, UDC is working in partnership with East Thames Housing Association. East Thames HA has engaged architects and other consultants to progress the scheme, and a Detailed Planning Application has been submitted (see attached drawings). This application will be considered at Planning Committee on the 14th January 2015.
9. The drawings show that the application is for a 73 bed Extra Care Scheme. This will consist of self-contained, fully accessible and energy efficient apartments for independent living. There will also be a communal hub that provides residents with support, services and activities. This includes a café/restaurant, hairdressing salon, treatment room and assisted bathing.
10. In order to assist with financial viability, the Detailed Planning Application is for 73 apartments. This will consist of 40 apartments for Affordable Rent, 20 for Shared Ownership and 13 for private sale. The different tenures will be spread across the scheme to ensure a sense of community is established. In terms of unit types, there will be 49 x 1 bedroom and 24 x 2 bedroom apartments. All apartments will have a balcony, and will also have access to a roof garden.
11. Considerable amounts of funding have been secured to ensure the delivery of this scheme, as follows:
 - i. Essex County Council capital funding - £983,000

- ii. HCA Funding NAHP 2015/18 - £1,217,000
 - iii. East Thames HA recycled grant - £500,000
 - iv. East Thames HA internal profit - £600,000
 - v. UDC Commuted Sum - £500,000 **(to be considered by Cabinet)**
12. The remainder of the cost of the scheme, which is estimated to be in the region of £10,500,000, is funded by East Thames HA development loan facility.
13. Uttlesford District Council will receive nomination rights to the affordable housing element, with an allocations protocol being set up in partnership with Essex County Council and East Thames HA.
14. Despite recent changes to National Planning Guidance, which will have a detrimental impact on the level of Commuted Sums that the Council can expect to receive, the following payments either have been paid or will still be due:
- i. Friends School Development - **£28,000** – paid
 - ii. Keers Green Nurseries - **£120,000** – paid
 - iii. Churchill Retirement Living, Radwinter Road, Saffron Walden - **£395,000** – due prior to the occupation of the 16th dwelling.
15. Therefore, the total amount of Commuted Sums that UDC is guaranteed, despite the recent change in National Planning Guidance, is **£543,000**.
16. The allocation of £500,000 of this Commuted Sum pot will enable this much needed development to be delivered.
17. Subject to planning and completion of the land transfer, it is anticipated that the development will start on site during the summer of 2015.

Risk Analysis

18.

Risk	Likelihood	Impact	Mitigating actions
Not achieving planning permission	1 Planners supportive	4 Development not possible or delayed	Pre-planning discussions with planners
Start on site initially required	3 Delay until summer 2015	3 Essex County	Essex County Council has confirmed that

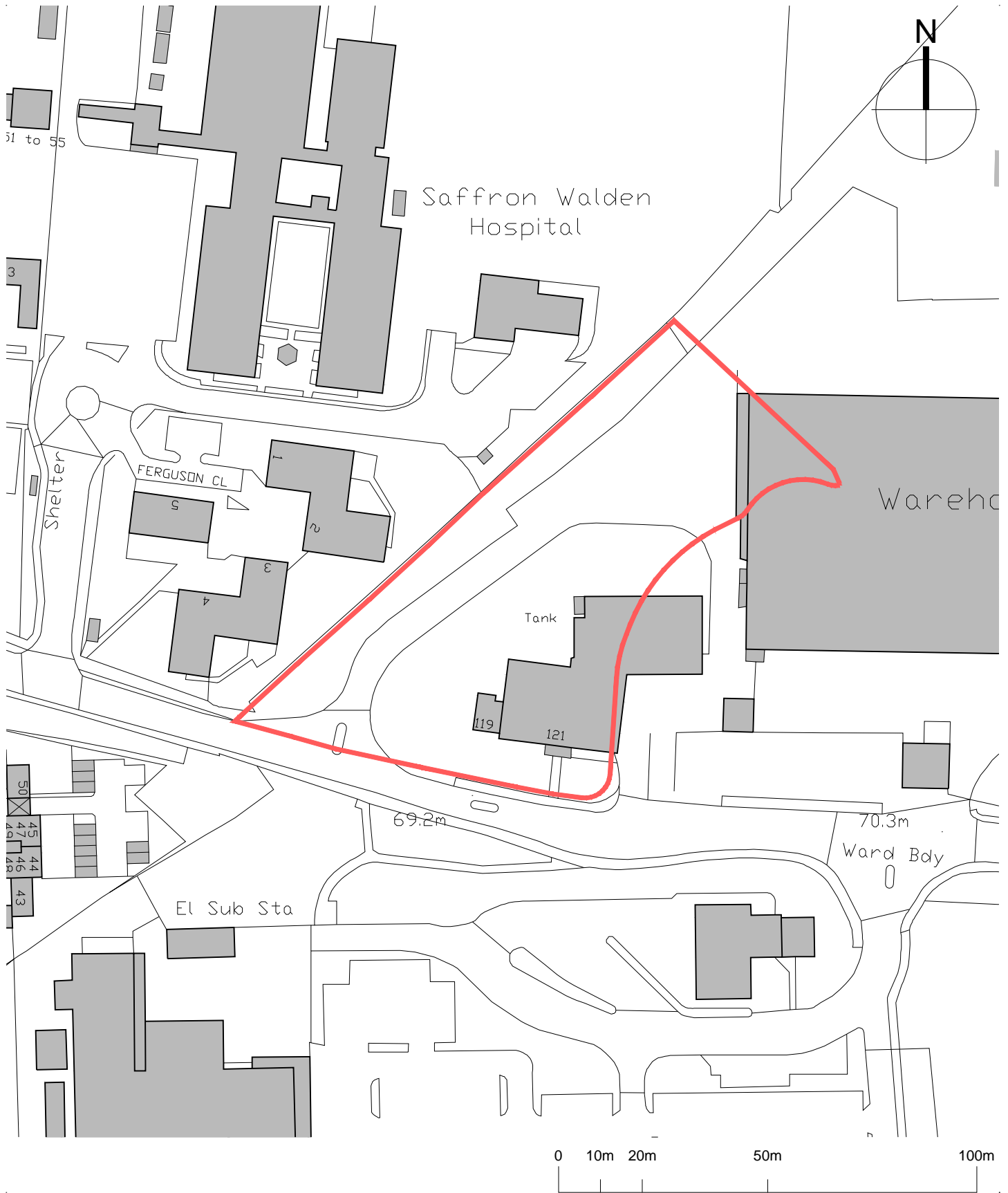
by end of March 2015 to secure ECC funding.	likely.	Council funding not available	their capital grant allocation can be rolled over into the following financial year.
Contribution from Churchill Retirement Living scheme is not received because trigger point for payment is not reached	1 Units are in demand and are being actively marketed	3 Will need other sources of funding becoming available to bridge the gap	Seek out other appropriate sites for commuted sums

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.



project name: **RADWINTER ROAD EXTRA CARE**

drawing reference: **SITE LOCATION PLAN**

date: **OCT 2014**

sheet: **drawn: EC**

scale: **1:1250@A4** checked: **SPM**

job number: **M8662** drawing number: **APL001** revision: **-**

status: **PLANNING**

cad ref: **M8662_APL001_SITE LOCATION PLAN_RADWINTER ROAD EXTRA CARE.dwg**

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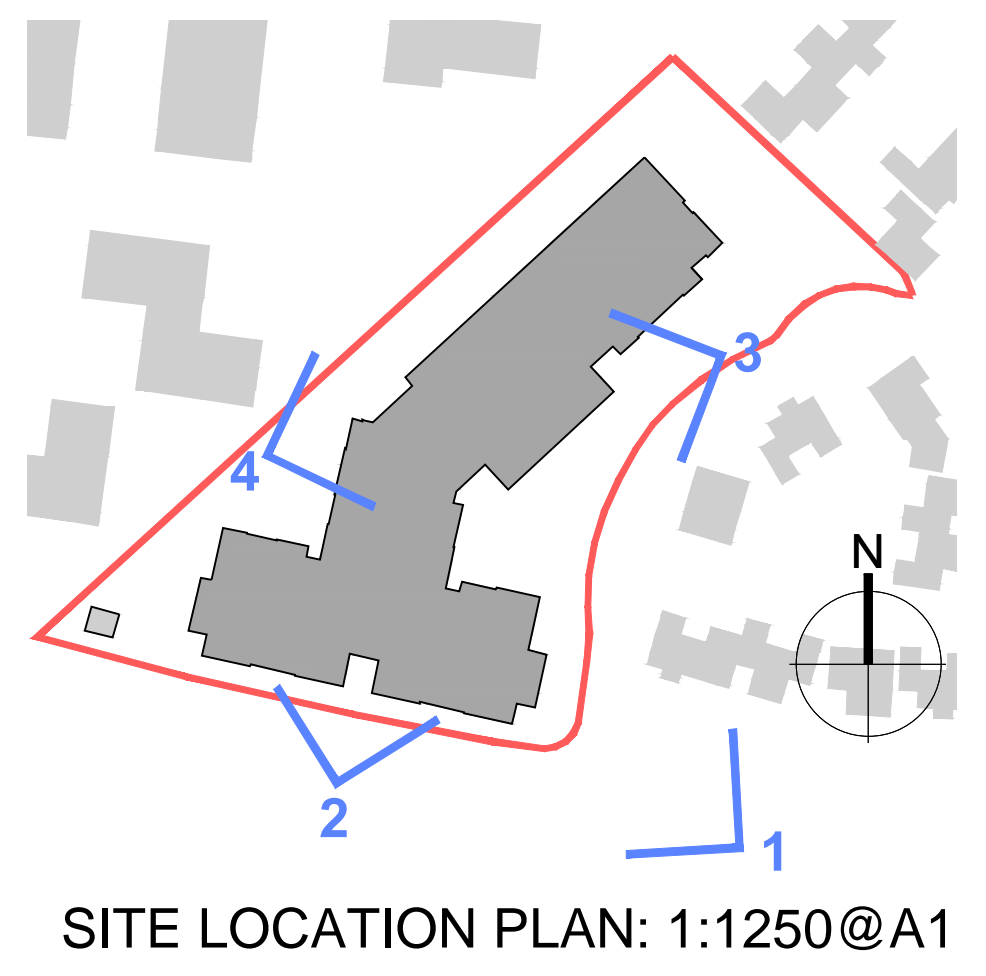
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1 Perspective 1



2 Perspective 2



3 Perspective 3



4 Perspective 4

Revision	Description

project name: RADWINTER ROAD EXTRA CARE
 drawing reference: PROPOSED PERSPECTIVES
 date: OCT 2014
 sheet: NTS@A1
 scale: NTS@A1
 job number: M8662
 drawing number: APL202
 revision: -
 status: PLANNING
 cad ref: M8662_APL202_PROPOSED PERSPECTIVE VIEWS_RADWINTER ROAD EXTRA CARE.dwg

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Committee: Cabinet

Agenda Item

Date: 15 January 2015

9

Title: Local Plan update and next steps

Portfolio holder: Cllr Rolfe and Cllr Barker

Key decision: No

Summary

1. This report updates Cabinet on the details of the outcome of the Local Plan Examination and outlines the next steps.

Recommendations

2. To note the report.
3. To agree the formation of an Uttlesford Planning Policy Working Group (paragraph 12).
4. To agree the membership of the Uttlesford Planning Policy Working Group (paragraph 13).
5. To agree the terms of reference of the Uttlesford Planning Policy Working Group (paragraph 14).
6. To disband the former Local Plan Working Group (paragraph 12).

Financial Implications

7. None

Background Papers

None

Impact

- 8.

Communication/Consultation	The new Working Group will be open to the public to attend and will be broadcast.
Community Safety	n/a
Equalities	n/a
Health and Safety	n/a

Human Rights/Legal Implications	n/a
Sustainability	n/a
Ward-specific impacts	Affects all wards
Workforce/Workplace	None

Situation

9. The Uttlesford Draft Local Plan was submitted for Examination in July 2014 and the Examination Hearings started in November 2014. In the second week of Hearings the Inspector delivered his Summarised Conclusions (Appendix 1) and halted the Hearings so the issues contained in the last two days were not heard.
10. Full Council received an update report at its meeting of 18 December 2014, following the closing of the Examination and resolved the following:
- Council authorises the Chief Executive in consultation with all the Group Leaders to advise the Planning Inspectorate that the council will take the appropriate steps to prepare revisions to the submitted Plan to address the soundness issues as confirmed by the formal report of the Examination, once it has been received;
 - Council instructs officers to prepare a revised Local Development Scheme for the preparation of a revised Plan for consideration by a new Working Group or similar body and thence for Cabinet which will include the steps outlined in paragraph 11 (a–e) of the (Full Council) report;
 - Council notes that a report will be prepared for the Working Group and thence for Cabinet identifying those aspects of the Plan which have not been challenged by the Inspector as a basis for preparing a revised plan; and
 - That a further report be brought to Council prior to submission of the revisions to the plan.
11. The Inspector delivered his Full Conclusions on 19 December 2014 and these are attached as Appendix 2.
12. The Council now needs to move forward to prepare an updated plan taking on board the comments made by the Inspector. A report will be prepared for the Uttlesford Planning Policy Working Group, which is due to meet on 26 January 2015, setting out the next steps.
13. The Uttlesford Planning Policy Working Group will replace the Local Plan Working Group which is now formally disbanded.

14. The membership of the new Uttlesford Planning Policy Working Group will be politically balanced, have a membership of 12 Councillors and consist of:

	12 Members
Conservative	8
Liberal Democrat	2
Independent	1
Residents4Uttlesford	1

S Barker	P Davies
K Eden	S Harris
S Howell	M Lemon
E Oliver	H Rolfe
J Salmon	

Lib Dem (to be notified)
 Lib Dem (to be notified)
 Residents4Uttlesford (to be notified)

15. The Terms of Reference for the Working Group will be:

To give advice and guidance to officers in progressing the Local Plan and other planning guidance and report recommendations to Cabinet. This Working Group will meet in public and include public speaking.

16. The next meeting of the Working Group will be on Monday 26 January 2015. The Group is likely to receive reports on:

- Local Plan Examination update
- 5 year land supply update
- Duty to Cooperate update
- Gypsy and Traveller consultation update
- Annual Monitoring Report

17. Update reports will be prepared for Cabinet as the process continues.

Risk Analysis

18.

Risk	Likelihood	Impact	Mitigating actions
None			

- 1 = Little or no risk or impact
 2 = Some risk or impact – action may be necessary.
 3 = Significant risk or impact – action required
 4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Examination of the Uttlesford Local Plan (ULP)

Summarised conclusions of the Inspector after the hearing session on 3 December 2014

This note briefly summarises the conclusions I have reached about the soundness of the plan. It also indicates what I consider likely to be the most positive way forward.

Objectively assessed need for housing (OAN)

Para 47 of the National Planning Policy Framework (NPPF) requires Local Plans to meet the full OAN for market and affordable housing in the Housing Market Area (HMA) as far as consistent with the policies in the NPPF.

The most recent (phase 6) demographic work by Edge Analytics (on the basis of the SNPP-2012 data) indicates an annual dwelling requirement of 508 using 2011-based household formation rates or 549 using 2008-based rates. The average of the two rates gives a requirement of 529pa. In my view this is an appropriate starting point, allowing for some return towards long-term pre-recession trends and avoiding embedding post-recessionary conditions judged to have been reflected in the 2011 Census. In itself this a small addition (6pa) to the plan's provision of 523pa would not be a major issue.

However, Planning Practice Guidance 2a-019 recognises that various factors may require some adjustment to be made to demographically-modelled household projections (e.g. affordable housing needs, employment issues and market signals). The brief for the forthcoming Strategic Housing Market Assessment (SHMA) currently being produced for Uttlesford and its 3 neighbouring authorities in the 'Harlow/M11 corridor' requires PPG compliance on these matters. It remains to be seen how these factors will be considered and weighed in the SHMA.

While evidence on some of these topics is patchy. Taking them in the round and without discussing them in detail here, I consider that an uplift of at least 10% would be a reasonable and proportionate increase in the circumstances of Uttlesford, say to about 580pa.

The submitted plan therefore does not provide for a full PPG-compliant OAN.

Elsenham policy 1 – land north east of Elsenham

The Elsenham strategic allocation emerged as part of the favoured option about 8 years ago at the outset of what has become an extended plan-making process. It is not clear that transparent consideration of other 'new settlement' options took place before the very high level, broad brush comparative Sustainability Assessment (SA) of January 2010, acknowledged by the Council as 'not a full SA'. No further SA of other possible 'new settlement' options took place until June 2014 after the plan had been submitted despite the promoters of other options developing their schemes to varying extents of detail in the intervening period. Whether or not this retrospective exercise meets the requirements of the SEA Regulations as interpreted by subsequent case law, it is questionable whether the Council considered the claims of other candidate locations for growth ('new settlement' or otherwise) to the transparent extent required to constitute 'proportionate evidence' justifying Elsenham as such a major element of what is declared to be the 'most appropriate strategy'.

From all the material produced on this issue by the Council, by the promoters of the site, and by opponents of the allocation, I have severe concerns about the justification for this proposal and thus the soundness of the plan as a whole.

On the basis of its size and level of services the plan regards Elsenham as one of 7 'key villages', the function of which is 'to act as a major focus for development in the rural area, suitable for a scale of development that would reinforce its role as a provider of services to a wide rural area'.

There is no reason in principle why the plan should not propose a step change in the size and status of a key village if this is justified as a sustainable way to meet the district's needs. However, Elsenham is embedded within a rural road network and the areas of the existing and proposed new parts of Elsenham are substantially divided by the railway line, a situation which could become worse if the crossing is closed.

NPPF para 34 says that "Plans should ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes will be maximised."

At Elsenham the opportunity to use trains is a definite benefit but this will only affect a small minority of journeys. The current infrequent bus services will be improved but will still only be modest. Designed opportunities for safe walking and cycling on site will be good, but beyond that effectively no better than they are at present. Most travel will be on rural roads heading

mainly west towards Stansted Mountfitchet through roads clearly unsuited for the purpose, or south through the Countryside Protection Zone via the longer route of Hall road to the airport and destinations along the A120.

It is unclear that any of these routes are fit for purpose to the extent that Elsenham would be able to overcome its overall connectivity disadvantages and be regarded as a sustainable location for growth on this scale.

Further concern about the allocation (in this case after the initial phase of 800 houses) arises from the uncertainty attached to the capacity of M11 (J8) as expressed in the representations about the submitted plan by the Highways Agency and the County Council. The Statement of Common Ground (SoCG) indicates that resources are likely to be available to fund improvements to the junction to cater for planned developments before the mid-2020s; however, further work is required to explore capacity after that date. Although more modelling is proposed to investigate this issue, the outcome of this work (and the availability of funding for any further improvements found necessary at the junction which, it is said, could be very substantial) are both currently unknown. In these circumstances it would be premature, and inconsistent with the PPG on transport evidence bases in plan-making, to recommend adoption of the plan.

The Way Forward

Taken together, my concerns about the OAN and the justification for Elsenham mean that I cannot recommend adoption of the plan as submitted. Nor would I be able to recommend Major Modifications under section 20 of the act which could overcome these soundness defects.

My normal strong inclination would be to 'keep the Development Plan process on the road' wherever possible in order to keep the planning process moving along with as little disruption as possible. However, the scale of work which the Council would need to undertake to propose and consult upon changes to deal with these matters would be greater than could be completed within the normal maximum 6-month period of a suspended examination.

The new SHMA, currently being prepared for Uttlesford and its neighbours in the 'Harlow/M11 corridor' should provide a vehicle for up-to-date, PPG-compliant OAN assessments for these authorities both individually and jointly.

There appears to be widespread recognition that some form of new settlement(s) in an appropriate location may form the most appropriate

means for catering for the future long-term growth of the District on a scale bold enough to achieve maximum possible sustainable critical mass and a long term solution, especially as there may well be limits to how far relatively small towns with the characters of Saffron Walden and Great Dunmow grow sustainably, attractively, and in an integrated way through successive phases of peripheral expansion.

I make no comment on the claims of any of the many alternative sites, larger or smaller, that have been promoted in the process over the years , and note that some of those dubbed 'new settlements' may or may not fit that description. Armed with the new SHMA, providing a clearer picture of future needs for Uttlesford and its neighbours, I consider that a revised plan needs to be prepared as soon as possible, in co-operation to any extent necessary with the still-emerging plans of neighbouring authorities.

Roy Foster

3rd December, 2014

Examination of the Uttlesford Local Plan (ULP)

Inspector's conclusions

At the hearing on 3 December 2014 I summarised the conclusions I had reached about the soundness of ULP and cancelled further hearings. I indicated that I would write more fully before Christmas. These are my fuller conclusions.

1 Objectively assessed need for housing (OAN)

1.1 Para 47 of the National Planning Policy Framework (NPPF) requires that, in order to achieve a significant boost in housing supply, Local Plans should meet the full OAN for market and affordable housing in the Housing Market Area (HMA) as far as consistent with the policies in the NPPF.

1.2 Looking at the most recent (phase 6) demographic work by Edge Analytics using the SNPP-2012 data, the assumed net migration flows are somewhat lower than the annual average for Uttlesford over the period 2003/4-12/13 and more so compared with the average over the past 5 years. It has been argued that the SNPP-2012 projections underestimate the migration component, particularly the very recently experienced levels of net international migration. However, flows of this type can be dynamic and unpredictable. Overall I am not convinced that there is evidence to demonstrate the necessity in Uttlesford of departing from the current ONS approach to a national control total. However, I return briefly to the question of future migration from London in the final paragraph under this heading (ie the OAN).

1.3 The phase 6 work indicates an annual dwelling requirement of 508 based upon 2011 household formation rates or 549 using 2008 rates. The average of the two rates gives a requirement of 529pa. My view is that 529 represents an appropriately modelled demographic projection, allowing for some return towards very long-term pre-recession trends in household formation rates and avoiding embedding the post-recessionary conditions judged to have been reflected in the 2011 Census.

1.4 In itself, increasing the plan's provision by 6pa to 529pa would not be a major issue. However, Planning Practice Guidance (PPG) 2a-019 recognises that various factors may require some adjustment to be made to demographically-modelled household projections. PPG 2a-20 gives guidance on how plan makers should respond to such signals, indicating that comparisons should be made with longer term trends and that (where these worsen) upward adjustment will be

required to planned numbers compared with those based solely on household projections.

1.5 PPG 2a-020 suggests a number of market signals which should be taken into account. In terms of the median price of housing, Uttlesford is within the top 15% of local authority areas in England. The percentage change in the median price in the period 1998-2013 has been slightly below those for Essex and England but from a very much higher base. Turning to rental levels, only limited time-series information is available, but median rents are higher than Essex and England and have risen by 7% in the period Q2 2011 to Q3 2013 compared with 3% in Essex and 4% in England. Uttlesford is marginally outside the top 25% authorities in England in terms of rental levels.

1.6 The above housing cost factors are reflected in affordability issues. Measured in terms of the ratio between lower quartile house prices/lower quartile earnings, Uttlesford is within the top 10% least affordable local authorities, significantly above the ratios for Essex and England. A CLG live table shows UDC's ratio rising to a much sharper peak than these comparators (at about 12) just prior to the recession in 2007, before it fell and then resumed rising in the past few years whereas Essex and England have remained largely flat.

1.7 Turning to homelessness, the number/1000 households accepted as homeless and in priority need is modest in Uttlesford compared with Essex and England but a CLG live table shows that Uttlesford experienced a rise in the incidence per 1000 households between 2004/5 and 2012/13 whereas in the comparators the incidence more than halved.

1.8 PPG 2a-020 advises that any necessary upward adjustment in relation to market signals should be set at a level that is 'reasonable' and in scale with the strength of the indicators. Precision is not to be attempted in estimating the impact upon housing supply. Any uplift is to be on a scale which, on reasonable assumptions and consistent with the principles of sustainable development, could be expected to improve affordability.

1.9 In addition, PPG 2a-029 indicates that an increase in the housing provision in the plan should be considered where it could help to deliver the required number of affordable homes. The OAN is defined in the NPPF as including the full needs for both market and affordable housing. However, the best current available estimate of need for affordable housing is that expressed in the updated SHMA (2012), which identifies it as 54% of total need. Plainly that total could not be achieved through the operation of ULP policies HO7 & HO8 even if no viability issues arose to prevent delivery at 40/20% according to site size. However, it is clear there will be such instances (eg see below in relation to the example of Great Dunmow where policies 2-4 will require a significant number of affordable homes to be foregone in favour of education contributions).

1.10 A number of participants at the examination separately advanced cases for an increase in provision of about one-third on the basis of the above factors. That would bring provision to about 700pa, or an additional 3,500 dwellings during the plan period. I find no convincing evidence to support an increase on that substantial scale. I also accept that the objective of improving affordability could be difficult to achieve within the confines of one local authority area and that affordability is affected by many more factors than land supply. However, taking all the above factors in the round, I conclude that it would be reasonable and proportionate, in Uttlesford's circumstances, to make an upward adjustment to the OAN, thereby increasing provision with a view to relieving some of the pressures. In my view it would be appropriate to examine an overall increase of around 10% to about 580pa (an additional total of 1,120 dwellings).

1.11 Concerning the type of economic factors referred to in PPG 2a-018, the phase 6 work does not suggest that household growth scenarios based upon Uttlesford's forecast population of working age would exceed the housing provision in the plan based upon the East of England Forecast Model which is the one used in the Local Plan. Another scenario (Oxford Economics) shows a different outcome, but it is clear that a significant part of Uttlesford's expected employment growth will be focused on the airport where over 80% of employees are drawn from across a wide area outside Uttlesford. Evidence on the overall commuting patterns into and out of the District also makes it hard to draw any firm conclusion that housing provision on the above scale would hinder economic aspirations.

1.12 Finally, returning to an aspect of migration, Uttlesford has consistently been a recipient of in-migration from London and this will already be reflected in the migration assumptions behind the SNPP 2012 projections. The future unmet needs of London discussed in the Further Alterations to the London Plan may give added impetus to this potential pressure over coming years. However, it is unclear whether or what mechanisms will emerge to address this complex issue following the Mayor's overtures to authorities in the Greater South East, still less what kind of solutions (eg concentration at certain locations or wider dispersal) may be adopted. Pending wider consideration of this matter I am not convinced that it can bear much weight in assessing the OAN for Uttlesford as a single local planning authority among many within London's orbit.

2 Elsenham policy 1 – land north east of Elsenham

2.1 This policy is by far the largest allocation in ULP, providing for 2,100 homes, a local centre (retail and employment uses and community and health buildings), primary education (and possibly secondary education, dependent upon future decisions concerning an existing school), and recreational uses. First included in the original options stages of the plan in 2006/7, the scheme has been described by the Council for much of the intervening period as a 'new settlement'. However, the submitted plan (para 22.1) describes it as 'a large strategic allocation' with 'the potential to expand in the future to continue to

meet housing requirements beyond the current plan period'. The longer term potential for scaling-up development within the land controlled by the promoters is said to extend to some 3,000-3,500 homes.

2.2 On the basis of its size and level of services the plan regards Elsenham as one of 7 'key villages', the function of which is 'to act as a major focus for development in the rural area, suitable for a scale of development that would reinforce its role as a provider of services to a wide rural area'. In principle there is no reason why ULP should not propose a step change in the size and status of a key village provided that this would be consistent with national policy (NPPF para 182) in securing the delivery of sustainable development in accordance with NPPF policies.

2.3 Bearing in mind the siting of the strategic allocation, ULP effectively proposes a major village expansion; the earlier tag 'new settlement' is not really an apt description. Looking at the present context of Elsenham, other ULP proposals (Elsenham 3-6) are already mostly commitments. These will add about 550 homes to a village which in 2001 (according to EX117) had 922 households. Adding a further 2,100 homes to a village of perhaps about 1,500 existing and committed homes (on the basis of the above figures) would bring Elsenham to a total of about 3,600 homes. Potential future extension of the allocation to 3,500 homes after 2031 would increase the overall size of the village to as much as 5,000 homes. Expansion on either of these scales would bring major change in Elsenham's place in the hierarchy of Uttlesford's settlements. Before embarking upon any part of the Elsenham policy 1 proposals it is therefore crucial to ensure that this is an appropriate location for such expansion.

2.4 NPPF para 34 says that 'Plans should ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes will be maximised.'

2.5 It is of course a considerable benefit that residents would have the opportunity to use London-Cambridge stopping trains calling at Elsenham. These services operate half-hourly at peak periods and hourly at other times and also serve other destinations such as Harlow and Bishops Stortford. However, as noted in the Highway Impact Assessment of the Draft Local Plan to 2031 (HIA) (March 2014), there has been some reduction in passenger use at Elsenham since 2011/12 when the introduction of Stansted Airport Express brought an extra train per hour to Stansted Mountfitchet and Bishops Stortford, giving these nearby places shorter journey times and increased passenger numbers. Moreover, on all the evidence, travel by train only accounts for a small minority of total trips.

2.6 Another aspect of the railway as a sustainability benefit is that the railway line itself forms a major barrier between the existing village which lies mainly on

the western side of the track and the expansion area situated on the eastern side. The only links between these two areas are at High St/Henham Rd at the southern end of the village and the level crossing and footbridge at the junction of Station Road/Bedwell Road at the northern end of the present village. The illustrative master plan for the new development places the proposed local centre and interchange immediately to the east of this crossing. However, the crossing is closed for 20 minutes or so every hour and has been the site of fatalities. This makes for an unfortunate interface between the western and eastern parts of the village especially as movements across the railway take place at precisely the point which would become the strong focal point of the expanded village. While the allocation could be expected to increase such movements considerably, the future policy of Network Rail towards the continued existence of the crossing appears to be full of uncertainty.

2.7 If the crossing is required to close, vehicles would have to detour via High Street and Henham Road through the southern end of the village and the spine route through the new development. Pedestrians and some cyclists would need to use the challenging existing footbridge linking the station platforms. Although it has been suggested that lifts could be installed it is highly questionable how far this would prove an attractive or acceptable solution or meet the safety concerns of many members of the public, especially after dark. It has also been suggested that other solutions for crossing the railway could be explored. However, the plans being advanced for an early phase of 800 houses would fix the layout of the village extension at this point, especially areas around the local centre/ interchange thus leaving it very uncertain whether or not satisfactory longer-term solutions to growing longer-term issues could be physically and/or viably provided as the expansion proceeded. Opportunity to build in satisfactory integration between the two parts of the village would have been lost.

2.8 There is scope to improve the current infrequent bus services by extending an existing local route to Elsenham, thus providing a 30-minute frequency service to destinations such as Stansted Airport, Bishops Stortford and Harlow with all dwellings within the Elsenham extension within a 400m walk of a stop.

2.9 As for the matters referred to in paras 35, 37 & 38 of the NPPF, appropriate master-planning could help to reduce the need to travel away from Elsenham to access as many services as can be provided viably within the scale of the development, albeit these could still meet only a limited range and quality of requirements. Facilities could also be designed to encourage safe on-site walking and cycling although the attractions of cycling to destinations off-site (already low) would be further reduced by increased traffic on the network.

2.10 However, the HIA records that Uttlesford (and especially Elsenham) residents have above-average car ownership levels and are more likely to use them to travel to work on journeys that are also of greater length than the

national average. It concludes that despite the advantage of potential train travel and improvements to bus services, traffic would increase significantly on the local network of rural roads within which Elsenham is embedded. The distance to the strategic road network is identified as (going west via Grove Hill and Stansted Mountfitchet) 3.5 miles to the A120 at Bishops Stortford and 5 miles to M11(J8) and (going south via Hall Road) 4.5 miles to the A120 and 6.3 miles to M11 (J8). It also notes a number of more minor, tortuous roads which could be used to avoid the Lower Street area of Stansted Mountfitchet particularly during peak periods. These latter options are not significant sustainability 'assets' for the allocation.

2.11 It is widely recognized that a range of physical features including the local topography, the presence of bends with restricted visibility and width, and on-street parking mean that travel via Grove Hill and Stansted Mountfitchet is not, and cannot be rendered, a suitable route for this level of additional traffic. However, the allocation would inevitably cause increased pressures along the route and within the village. The HIA raises the option of bypassing much of the village (although not that part fronting Lower Street) through the construction of a western link from a point west of Elsenham to the B1383. This is estimated at £7.5-10m excluding land. However, the wider implications of such a route, including its environmental impacts, have not been assessed and the HIA recognises that its provision could divert traffic passing along the B1383 towards destinations to the south east via Hall Road.

2.12 The HIA notes that promoters of the scheme have suggested measures to discourage traffic travelling through Stansted Mountfitchet and encourage movements southwards via Hall Road. It notes that journey times by that route may be similar although the distance is greater. The overall conclusion of the HIA is that a more detailed study using a detailed highway assessment route choice model would provide a more confident prediction of the site allocation's impact and enable testing of future routeing proposals.

2.13 Before the hearing sessions the HA, Essex and Herts County Councils and Uttlesford and East Herts District Councils agreed a statement of common ground (SoCG). This mainly covered issues to do with the wider impacts of the allocation on the strategic network which I deal with below. However, it also noted that 'satisfactory alternatives to reducing congestion between Elsenham and Stansted Mountfitchet and discourage use of more minor routes have yet to be identified' (para 12) and confirms (para 26) that 'the cost effectiveness and deliverability (of the mooted western link) needs to be compared with alternative proposals which remain a concern for the highway authority as no satisfactory alternatives have yet been put forward'.

2.14 Recognising the inadequacies of the more direct routes to the strategic network via Stansted Mountfitchet, the promoter's strategy is to encourage traffic to use the longer route via Hall Road. This is not an ideal route to serve a

settlement of the size that Elsenham would become. Traffic moves quite fast in places along this rural road which has variable widths and a number of tight bends one of which is said to be an accident cluster. I note that a condition suggested in the context of the application for a first phase of 800 houses (now subject to a decision by the Secretary of State) would require widening of the entire length of the road between Elsenham and the Coopers End Roundabout to 'a minimum of 6.5m where feasible and appropriate treatment of any accident clusters identified in the Transport Assessment.' However, it is unclear how far it would be 'feasible' to achieve such improvements within present highway limits along the considerable length of Hall Road as far as the roundabout or onwards to Takeley. Having travelled the length of this road on several occasions in both directions (at different times of day and in a range of weather conditions) I am not at all convinced that the approach of such heavy and uncertain reliance on Hall Road is a sound basis for embarking upon large-scale expansion of the village, turning it into one of the principal settlements in the District in terms of its size.

2.15 It is also to be noted that Hall Road runs almost entirely through the 'Countryside Protection Zone (CPZ)', a long-standing special policy in Uttlesford's successive local plans aimed at maintaining Stansted as an 'airport in the countryside'. The policy aim is to restrict development which could cause coalescence between the airport and surrounding development but large-scale improvement of Hall Road would be unlikely to assist the aims behind the CPZ.

2.16 It is therefore a major disadvantage of the plan's policy for Elsenham that the village lies at some distance from the strategic network in a location embedded within a network of rural roads acknowledged as currently unfit to serve expansion on the scale proposed. Public transport is available and can be improved to some degree and the planned growth of local facilities would help to reduce transport demands. Benefits of the latter point would increase with the scale of the planned development. Nonetheless, the development would place substantial increased pressures upon existing unsuitable rural routes. Various proposed mitigation measures and solutions have been proposed for overcoming this disadvantage but these have not been shown either to be clearly able to secure their objectives or to be deliverable. My overall conclusion on the evidence is that there are severe doubts that Elsenham could overcome the connectivity disadvantages of its location sufficiently to be regarded as consistent with national policy or effective in being able to secure sustainable development.

Wider transport implications of Elsenham policy 1

2.17 Further concern about the highway-related soundness of the allocation of 2,100 homes at Elsenham (and any possible future expansion of the allocation) arises from uncertainties raised in the representations by the Highways Agency

(HA) and Essex and Hertfordshire County Councils. The HA's concerns focused on the capacity of M11 (J8). In its view there had been insufficient investigation of the cumulative impact on the strategic network of development in Uttlesford, East Herts, Harlow and Epping Forest. It therefore expressed concern about the risk that sites had been identified before it was clear that deliverable measures to manage any unacceptable impacts were available.

2.18 Essex County Council expressed similar concerns. Two models, the Harlow Stansted Gateway Transportation Model and a local junction model of M11 (J8), do not yet fully determine the operation of the strategic network following the implementation of all the local plan development but indicate that a material impact could occur at a number of critical junctions on that network. The HA and Essex CC recommended further modelling work 'as the plan progresses' to identify the likely extent and location of any necessary mitigation measures. For its part, Herts CC highlighted that traffic increases would have an impact on Bishops Stortford as well as J8.

2.19 After I raised these matters in my initial soundness concerns and questions, UDC indicated that a predictive regional model had been signed off by HA and the County Councils. This was intended to assess traffic flows on strategic and local roads using housing and employment growth data up to 2036. So far this had indicated that material impact could occur at a number of critical locations on the strategic network.

2.20 Before the hearing session on this matter the HA, Essex and Herts County Councils and Uttlesford and East Herts District Councils agreed the SoCG referred to above. This states (para 8) that the representations on the plan represent 'a point in time' but recognises that all the parties in the Duty to Co-operate meetings on transport acknowledge that assessments need to be refined and that 'this is happening'.

2.21 Para 9 of the SoCG refers to interim outputs from a separate piece of work (the M11 J7&8 Headroom Study). This includes allowances for 'all the committed schemes and proposed local plan growth' from ULP, together with schemes included in the emerging versions of the East Herts, Epping Forest and Harlow plans, except for those indicated in para 14 of the SCoG. The study identifies that an interim solution for capacity issues at J8 can be achieved at a combined estimated cost of £5m 'but should not be seen as an overall solution'. It is expected that all developments impacting on the junction would contribute to these works and thereby provide for up to 10 years growth, ie until the mid-2020s. [I note in passing Essex CC's comment in its hearing statement that if the current model had been available earlier it is likely that further contributions would have been sought from the first phase of 800 dwellings at Elsenham and the Bishops Stortford North development. This may illustrate the risks inherent in decision-making on the basis of incomplete evidence.]

2.22 The SoCG records (para 15) that VISUM modelling of the strategic network is to be undertaken over a wide area but will not be fully signed off by HA until 2015. Paras 17 and 18 refer to work being undertaken to assess the impacts of major development proposals at Bishops Stortford just to the west of J8 and close to the East Herts/Uttlesford border. If further improvements were shown to be required beyond those identified above the cost could be 'of a very different magnitude, potentially exceeding £50m and possibly significantly more'. This would need to be part of the Government's co-investment programme between the South East Local Enterprise Partnership and Greater Cambridge/ Greater Peterborough Local Enterprise Partnership Growth Deals.

2.23 Para 24 states that since delivery of more than 800 houses at Elsenham 1 is profiled from 2024/25, this gives the opportunity for highway scheme development and the preparation of business cases underpinned by the required level of highway assignment modelling to enable appropriate mitigation to be identified and provided by the site promoters.

2.24 At para 25 the SoCG acknowledges the risk identified by the HA representations and states that further modelling work will be completed 'within the next 12 months'. This will 'determine the infrastructure requirements to manage the impacts of more than 800 homes north east of Elsenham including definition of the road hierarchy between Elsenham and the strategic route network sought by Essex CC. Cost and other deliverability constraints will then determine the long-term phasing of the development beyond 2024/25.' Reference is made to improvements which may become necessary at some stage if Stansted Airport expands beyond its present cap and which may bring in additional resources for J8 improvements. However, the timing of that is uncertain and could be subject to wide variation from the Airport's present aspirations.

2.25 Para 25 suggests that 'if phasing issues impact on delivery of development north east of Elsenham this can be addressed through monitoring and review of the Local Plan to ensure an adequate supply of deliverable housing land in the period 2024 to 2031. It is important though to have a clear agreed long term objective as a basis for co-operation between the Councils, the HA and the LEPS to find the solution'.

2.26 My initial soundness concerns (EX101) summarised the representations on this matter, together with relevant material in the Duty to Co-operate statement, and observed that these prompted the question: is the present state of evidence sufficient to demonstrate that (when the models under development have been run) the Uttlesford allocations, taken together with those in nearby Districts, will be sound in the sense of being compatible with the capacity of the road network? I am unable to conclude that this question has been answered sufficiently positively. ULP is not constructed on the kind of contingent basis which appears to be suggested in para 25 of the SoCG and in any case Local

Plans are intended to convey certainty that their proposals can be implemented within their timespans. This is an essential element of their effectiveness.

2.27 PPG on 'transport evidence in plan making' indicates (54-005) the importance of having a robust transport evidence base for local plans in place at submission in order to identify any potential measures that may be required to mitigate the negative impacts, particularly those affecting a wider area than a single authority. In the light of all the above I cannot conclude that the plan is effective in this respect.

3 Other matters

3.1 I set out below my views on the other principal topics considered during the examination in order to assist the Council in taking matters forward.

The Duty to Co-operate (DtC)

3.2 Some of the evidence of a clear audit trail in UDC's DtC statement is rather thin and patchy and some is focused rather more on arrangements which will govern future work than what occurred in the period between the dates when the DtC came into operation and the submission of the plan. The DtC statement could also have had greater focus on genuinely 'strategic matters having a significant impact on at least two planning areas' (S33A of the Act) as opposed to some more peripheral matters.

3.3 Past SHMAs covering much wider areas of Essex/North London/Hertfordshire/Cambridgeshire demonstrate that the history of trying to define and get to grips with Housing Market Areas hereabouts has been rather complicated. This gave scope for argument about the extent to which UDC did or did not show evidence of joint working with other authorities to meet development requirements which cannot wholly be met within their own areas (NPPF para 179). However, all UDC's neighbours expressed satisfaction that the duty had been met.

3.4 My overall judgement is that the Council did fulfil its obligation under S33A, albeit somewhat narrowly.

Sustainability Appraisal (SA)

3.5 The Elsenham strategic allocation was chosen as part of the favoured option very early in what has since become a very extended plan making process. This was contrary to the procedure then recommended by the officers for selecting a favoured growth option (ie concentration, dispersal, or a new settlement, and then for selecting a site for a new settlement if that were the option chosen). Transparent consideration of any other 'new settlement' options did not seem to take place before the very high level, broad brush comparative SA of January 2010, acknowledged by the Council as 'not a full SA'. More formal SA of other possible 'new settlements' (ie those discarded as not 'reasonable' in

2010) took place in June 2014 after ULP had been submitted. However, by then the scale of some of the proposals promoted in respect of the other rejected options (as well as those of the Great Chesterford option, the only other 'new settlement' site assessed as 'reasonable' in 2010) were in some cases very different (in terms of proposed housing numbers) with what was considered in the June 2014 SA. The outdated nature of the information considered therefore limits the relevance of the June 2014 SA as a comparative assessment tool, whether or not this retrospective appraisal of options long since rejected was needed or meets the requirements of the SEA Regulations as interpreted by subsequent case law.

3.6 All in all it may be questionable whether the various successive SAs together provide a really transparent audit trail of the endorsement/rejection of the claims of the very many other smaller 'reasonable' candidate locations for growth. It would certainly be an understandably difficult task to maintain a clear thread of narrative between the successive SAs given the length of time the plan took to evolve, the changing background circumstances, the very large number of sites identified in the plan and the fact that so many schemes have evolved from proposals to planning permissions and on to construction throughout the period. Mention at the hearing of the difficulty in following the reasoning behind the adoption/rejection of some specific candidate 'reasonable' option sites seemed to me to show the possible difficulty which could occur in tracing sites' histories by use of reference numbers taken from the SHLAA. However, since it does not appear possible for the examination to proceed to a successful outcome there is little point in my discussing the SA process in any more detail other than to note that future SAs need to ensure that the requirements of the Regulations and the principles established by case law are built-into the process transparently from the outset.

5-year land supply

3.7 My conclusion that the plan needs to address an increased OAN will clearly affect any future assessment of the 5-year supply of deliverable housing land required by para 47 of the NPPF. However, looking at other important aspects of UDC's evidence on 5-year supply I conclude that:

-the table at EX149 indicates that housing delivery performance over the past 13 years has not fallen significantly below appropriate targets for the years in question. The buffer discussed in the NPPF therefore does not need to be increased beyond the 'standard' 5%:

-there is no local or contemporary evidence which would justify the application of a standard 'lapse rate' for outstanding residential planning permissions:

-the Council's evidence on the windfall allowance (set out at H109) uses the stringent criteria of the Essex County Council definition and, at 50pa, is reliably based upon well-evidenced research and consistent with para 48 of the NPPF:

-there is no requirement, as some have urged, to add to the OAN to cater for any 'backlog' calculated against years preceding the 2011 base-year of the plan (see *Zurich Assurance Ltd v Winchester City Council & South Downs National Park Authority [2014] EWHC 758 Admin*):

-the Council's housing trajectory (H108) provides a generally sound view of the years during which deliverable/developable land can be brought forward over the plan period, while the high level of potential completions shown in years 3-5 reflects a generally healthy current land-supply situation, with deliverable sites of various sizes controlled by a wide range of house-builders across a good range of locations. Indeed, the controllers of some sites took a more optimistic view of potential delivery than H108. If the out-turn in delivery during years 3-5 were to prove slower than indicated in H108 the evidence does not suggest that this would be due to constraints in-built within the plan (eg unresolvable infrastructure issues or the over-dominance of allocated sites by a small number of house-building companies). It is also notable that the situation reflected in H108 does not rely upon completions on the land north-east of Elsenham during the 5-year period.

Saffron Walden policy 1

3.8 This large 59ha allocation is clearly of strategic importance in the context of Saffron Walden and includes a range of facilities including primary school provision, a local centre, and recreational facilities in association with the nearby leisure centre as well as 800 dwellings including a retirement village. The policy requires development to be implemented in accordance with 'the master plan'.

3.9 In strategic terms this is a sound allocation, although there appear to be some risks to its effectiveness in the way that the scheme is being brought forward. The northern section of the site is subject to a resolution to grant planning permission, while the southern part is the subject of an appeal which is not being contested by UDC although it will be by some third parties. As for the central section, the SoCG signed by UDC and the owners/controllers of the land states that this part of the site will be available for development within the plan period in a manner compatible with the other parts of the site.

3.10 The subsequent outcomes of Development Plan policy resulting from decisions on planning applications are not matters for me. However, from the evidence placed before the hearing there appear to be uncertainties about way that the master plan is evolving in terms of the precise function intended to be performed by the required 'link road' between Thaxted Road and Radwinter Road, two of the main radials leading into and out of the town. I am concerned that the policy is not founded upon a clear enough explanation/understanding by the County and District Councils about this issue. This raises questions about the policy's precise aims and effectiveness and whether or not it provides the authorities with the means necessary to secure their objectives in a situation where the policy is being implemented incrementally by developers with different focuses and timescales for their individual sites.

3.11 The new link's function and specification is unexplained in the explanatory material to the policy although it seems to be regarded as an extension of the present cross-town route between London Road/Audley End Road and Thaxted Road, thus providing increased opportunities for traffic to avoid the historic centre. The potential role of the link (and therefore the need for its route and design to complement that role) could be increased if, as was suggested at the hearing, options are taken forward for traffic management measures in more central areas, including partial road closures.

3.12 The policy's lack of clarity and content about this issue raises concern about the plan's effectiveness. However, if the necessary evidence and clarity about this matter could have been brought forward and a sound approach outlined, this could potentially have been resolvable by consultation upon an appropriate Major Modification.

3.13 Although questions were raised about whether the policy can secure appropriate integrated provision of on-site primary education facilities, in my view the terms of the policy are sufficiently clear about this matter. Again, the outworking of the policy is not a matter for me, but I note that the education authority is satisfied that a workable solution can emerge.

Great Dunmow policies 2-4

3.14 Taken together these policies provide for 400 dwellings and a health centre south of Stortford Road (policy 2), a site for secondary education use on adjoining land (policy 3) and 100 dwellings on the site of Helena Romanes School when it has moved to the replacement site (policy 4).

3.15 From the evidence before me, including that in the first SoCG, I had some concern about the effectiveness of these policies in terms of the financing of the new school which is heavily dependent on S106 contributions from these and other local schemes. However, the second SoCG sets out a more convincing plan of implementation. This appears to offer more reasonable prospects of delivery, albeit this would require foregoing the provision of affordable housing on an as-yet unknown, but definitely substantial, proportion of the total number of dwellings allocated through these policies. This is a material disadvantage of the policies but I consider them generally sound.

The employment strategy (part 9 of the plan)

3.16 The plan's employment target set out in policy SP3 is 9,200 additional jobs for the period 2011-31. This derives from table 27 'predicted Uttlesford job changes by type 2011-2031' in the Employment Land Review (ELR) of April 2011, which is itself based on the East of England Forecasting Model of Autumn 2009. It is unclear what part the expected growth of employment Stansted Airport plays in that total, but current estimates by new owners Manchester Airport Group (MAG) indicate that Stansted could itself provide growth in jobs of that order if its traffic were to increase to 35mmpa over the plan period.

3.17 The ELR indicates that there is little if any discernible linkage between the quantity of housing allocated in the plan and the number of jobs likely to be created over the plan period in recognised 'employment' uses (offices, industry and warehousing), especially given the nature and location of Uttlesford and its travel-to-work patterns.

3.18 More importantly, therefore, the ELR (which is a good example of its kind) provides a clear market-based picture of the types and locations of sites which should (a) be newly allocated, (b) continue to be allocated/safeguarded, or (c) be re-allocated for different uses. The main recommendations of the report are generally taken forward into the plan.

3.19 Stansted Mountfitchet policy 9 allocates 18ha of land to the north east of Bury Lodge Lane for non-aviation business, industry and non-strategic warehousing. This approach is supported in the ELR and consistent with MAG's emerging Sustainable Development Plan. The land in question has long remained vacant or underused and MAG considers it surplus to the operational requirements necessary to facilitate growth of the airport to its current permitted extent of 35mppa and beyond to the full capacity of the single runway, assumed to be 43mppa.

3.20 There is no evidence to suggest that the allocation would have an adverse effect on airport operations and the proposal would make positive use of land which is brownfield in nature and excluded from the Countryside Protection Zone around the airport. Studies for East Herts District Council have concluded that the allocation would not have a negative impact on deliverability of the designated employment areas at nearby Bishops Stortford while some other candidate sites for employment allocations close to the M11 would require the release of Green Belt. As for access, the SoCG referred to above in relation to Elsenham concludes that M11(J8) could cater for movements from development at Bury Lodge Lane subject to junction improvements which are considered deliverable. This is therefore a sound proposal.

3.21 ULP departs from the ELR recommendations in its approach to temporary non-airport uses of buildings in the South Side Ancillary Area. The plan states (Stansted Airport policy 4) that this area shall be 'principally reserved for activities directly related to or associated with the airport'. MAG's emerging plan (Land Use) shows at p38 that 3 buildings have a very high level of vacancy. Indeed a recent appeal decision records that one building (Endeavour House) has had a persistent vacancy level of about 33% since it was built in 1998. However, MAG's document takes a more bullish view of the future, recording increased enquiries for on-airport accommodation and foreseeing the possibility of the existing stock of accommodation being let within the next 5-7 years.

3.22 Development Plan policy must ensure no risk to airport expansion by preventing blocking of on-site accommodation where there is a realistic expectation of a demand from genuine airport-related users. However, it is also important not to hamper the local economy by wasteful and unnecessarily long-

term reservation of underused buildings with potential to serve a useful temporary purpose. Even if the evidence on vacancy levels may suggest a degree of past over-caution, policy 4 does provide the necessary flexibility to make appropriate judgements on this matter by inclusion of the phrase 'principally reserved for'. That stance is reasonable and the plan is sound on this issue. Future application of the policy is a matter for determination in the prevailing circumstances of the time.

3.23 Turning to the plan's proposals for employment sites in Saffron Walden, the general effect of ULP's policies 1, 2, 3, 5 and 6 for the town is to replace a stock of sites for heavier or outworn employment uses with more mixed schemes providing for a wider range of uses, including those catering for different types of employment and providing smaller, more flexible units which are more likely to be taken up by the market, given the limited attraction of premises on the eastern of the town for uses dependent on heavier traffic. This is a sound and practical approach.

Settlement classification (within part 7 of the plan)

3.24 The settlement classifications in table 2 of ULP are based broadly on the level of services available at each settlement. This is a more appropriate evidential base than the system underlying the classification of settlements in the present local plan. There will always be scope for debate about how much weight to apply to one factor or another and the appropriate categorisation for individual towns or villages where their services are at the margin between different classifications. However, the content of table 2 (and the resulting roles of the particular settlements) is generally soundly set out.

3.25 Having said this, where it can be justified by relevant economic, social and environmental factors a case can sometimes be made to direct a greater or lesser amount of development to a settlement than would reflect its strict place in the settlement hierarchy. Some of the factors discussed during the hearing (eg locally identified demographic and other needs, local constraints and opportunities, patterns of bus services, and inter-relationships between particular settlements) can be relevant to such decisions and can be considered in taking the plan forward.

3.26 Concerning Stansted Mountfitchet, this clearly supplies significantly fewer local services than Saffron Walden and Great Dunmow but more than most of the other key villages. However, in view of the fairly limited nature of its service role and its proximity to the much larger town of Bishops Stortford there is no particular case for amending its place within table 2.

Further matters

3.27 A limited range of other further matters were raised in my initial soundness concerns and at other points during the examination. These would all have been capable of resolution through appropriate Major Modifications along the general lines put forward by the Council, mainly in its response to my initial

soundness concerns but also in further discussions at the hearings. These include the present lack of clarity in the presentation of the information in policy SP7/table 5, issues concerning policies HO1 HO2, HO6 and the need to encourage site availability for self-builders, policy C2, policy SP10, policy HE1, policy HE3, policies SP11 and NE1 and NE2, and policies INF2 and INF3. As for those policies touching upon matters concerning the Government's review of housing standards, these will be clarified when the full outcome of the review is known in 2015.

4 Overall conclusions and the way forward

4.1 Taken together, my soundness concerns about the OAN and Elsenham policy 1 lead to my not being able to recommend adoption of the plan as submitted. Nor, given the extent of change that would be likely to be required to the overall strategy, can I recommend Major Modifications under S20 of the Act to overcome these soundness issues.

4.2 As I indicated on 3 December, my normal strong inclination would be to keep an examination of a Development Plan moving forward wherever possible in order to minimise any disruption to the planning process. However, the scale of work which the Council would need to undertake to propose and consult upon changes to deal with the above matters would (a) be considerably greater than could be completed within the normal maximum 6-month period of a suspended examination and (b) result in a plan fundamentally different in character from that submitted. Suspension would therefore not be appropriate.

4.3 The brief for the new SHMA, currently being prepared for Uttlesford and its 3 neighbour authorities in the 'Harlow/M11 corridor' requires that it should be PPG-compliant. If it is, it should provide up-to-date OAN assessments for these authorities both individually and jointly. This could provide a platform to take forward complementary Local Plans for these areas which are fully consistent with the NPPF and PPG and able to be prepared with full regard to any DtC and/or SA issues which may arise. In Uttlesford's case the plan would no longer need to include the large historical catalogue of allocations that are now commitments, thus simplifying and speeding up the process.

4.4 There appeared to me to be fairly widespread recognition that some form of 'new settlement(s)' may form an appropriate means for catering for the future long-term growth of the District and, if so, that this should be on a scale bold enough to achieve maximum possible sustainable critical mass and a long term solution, especially if there are judged to be limits as to how far relatively small towns with the characters of Saffron Walden and Great Dunmow can grow sustainably, attractively, and in an integrated way through successive phases of peripheral expansion. However, I do not consider it for me to comment further upon this matter.

4.5 Nor is it necessary or appropriate for me to comment on the comparative claims of any of the very many potential alternative development sites, large and small, promoted in representations to the submitted plan or indeed at the other stages during the 8 years which it took for the plan to evolve against changing background circumstances.

4.6 I recognise that my statement on 3 December and the contents of this letter represent unwelcome news to the Council. However, in view of all the above it seems to me that the options for the Council, after it has considered this letter, are either to ask me to continue the examination but with the inevitable conclusion that I will not be able to recommend changes which would make the plan sound, or to consider withdrawing the plan.

Roy Foster
Inspector

19 December 2014

Committee: Cabinet

Agenda Item

Date: 15 January 2015

10

Title: Conservation Area Appraisal, Audley End

Portfolio Holder: Cllr S Barker

Key decision: **No**

Summary

1. This report has been prepared and discussed with Saffron Walden Town Council who supports its general content. Littlebury Parish Council were also provided with information and were given a chance to comment.

The draft Conservation Area Appraisal for Audley End was made available on the Council's website and as printed copies. A public exhibition on 11 November 2014 was attended by the fieldworker who presented the findings and answered questions. This report summarises and comments on the representations made at the exhibition and subsequent to it in the consultation period which lasted from 31 October to 12 December 2014.

2. Saffron Walden Town Council welcomed the Conservation Area Appraisal in principle and considered it a worthwhile document which is likely to strengthen the control of development. This comment is valuable and is one shared by officers. The experience of the Conservation Area Appraisals so far undertaken indicates that the process is both important and popular with the local communities.

Recommendations

3. That the Conservation Area Appraisal be approved and used to assist in the process of determining planning applications and for implementing management proposals.
4. That the Audley End Conservation Area boundary be formally amended.

Financial Implications

5. The recommendation would require the advertising of the boundary changes which would cost in the region of £500 - 600. This can be met from existing budgets for Conservation.

Background Papers

6. The notes of the public exhibition held on 11 November 2014 and all representations received.

Impact

- 7.

Communication/Consultation	Full consultation undertaken.
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Community Safety	Not affected.
Equalities	Not affected.
Finance	Advertising costs can be met from existing budgets. The document will be disseminated through the website.
Health and Safety	Not affected.
Human Rights/Legal Implications	Not affected.
Sustainability	The report focuses on environmental issues seeking to preserve the environment of the respective communities, including their buildings and open spaces.
Ward-specific impacts	Saffron Walden Audley and Littlebury - various proposals as amended and as contained in report.
Workforce/Workplace	Existing staff resources.

Situation

8. The Audley End Conservation Area was first designated in in 1968 and revised in 1977. The Council has a duty within section 69 of the Listed Buildings and Conservation Area Act 1990 to consider the designation of Conservation Areas and to undertake periodic reviews. As part of this work the Council has undertaken a number of Conservation Area Appraisals of existing Conservation Areas.
9. This report sets out the key issues within the attached Conservation Area Appraisal and records the results of the consultation exercise and the changes proposed.
10. The principal issues and recommendations set out in the document are:

Two amendments to the boundary of the Conservation Area are suggested:

1. A small amendment to the boundary to the east of Audley End village former Post Office to exclude the area of open woodland and grass verge.
2. To extend the boundary to include the whole of the area currently designated as the Audley End Scheduled Monument.

Note: As a result of the consultation a number of points were raised by respondents relating to issues raised in the Appraisal report. These representations are included in the table below with appropriate officer comment.

General notes:

Planning Controls and Good Practice in Respect of Other Buildings that Make an Important Architectural or Historic Contribution.

Three such unlisted buildings that make a positive contribution to the character of the Conservation Area have been identified. The Council will seek to ensure that these are retained. These are as follows: The head gardener's cottage, the 'new coach house' and the range of agricultural buildings and stabling to the immediate north of the stable block.

Proposed Article 4 Directions.

In the case of Audley End no such Directions are proposed because all historic buildings or structures are either listed or lie within the curtilage of Listed Buildings and are thus already afforded adequate protection.

Planning Controls and Good Practice in Respect of Other Distinctive Features that Make an Important Architectural or Historic Contribution.

This Appraisal has identified several features including walls and the pump in Audley End Village that make a particular contribution to the character of the Conservation Area. Some walls are protected from demolition without prior consent by virtue of exceeding the specified heights relevant to Conservation Area or by Listed Building legislation. Any proposal involving their demolition is also unlikely to be approved. Additionally the various Second World War military installations comprising the pillbox on the west side of the River Cam, roadblocks on the Stable Bridge and another on the Fly Bridge and loopholes in the Bothy Garden wall should all be retained.

Planning Control and Good Practice, Important Open Spaces, Trees and Groups of Trees.

The open spaces as identified in the appraisal, these being principally the grounds of St Mark's College and the park to Audley End House. All represent landscape features that materially contribute to the character and appearance of the Conservation Area that must be protected.

Only the most significant trees are shown very diagrammatically. Subject to certain exceptions all trees in a Conservation Area are afforded protection and a person wanting to carry out works has to notify the Council. Trees that have not been identified may still be considered suitable for protection by Tree Preservation Orders. Owners are advised to make regular inspections to check the health of trees in the interests of amenity and Health and Safety. The quality trees in the grounds of St Mark's College, behind Abbey House and Lion House provide a green backdrop to these properties. Those throughout the Audley End park add scale and interest as well as forming part of the important historic landscape. Additionally, hedges on the periphery, particularly to the south of the village serve as a transition into the open fieldscape beyond.

Enhancement Proposals to Deal with Detracting Elements.

The Appraisal identifies a number of detracting elements together with a proposed course of action. It is recognised that such improvements will frequently only be achieved with the co-operation of owners and other bodies as appropriate.

10. Consultation results

The comments received at the public exhibition and during the consultation period are set out in the table arranged in the subject order above. Those responses which noted minor inaccuracies in the text of the Draft Conservation Area Appraisal, such as the misspelling of building names or attributed dates are not included here.

Issue	Representations made	Officer comment
General	<p>The English Heritage Estates Surveyor notes that traffic management at Audley End House is a prime consideration and remedial measures will form part of future plans for the site.</p> <p>The English Heritage Historic Places Advisor welcomes up-to-date appraisals and management plans for all conservation areas.</p>	<p>Noted</p> <p>Noted</p>
Character analysis of Audley End	<p>Natural England welcomes the references to open land and open spaces under paragraphs 2.10 and 2.11.</p> <p>Natural England further suggests that the Council should also look at the fragmentation of open spaces and the linking of them back to paths and other sites as a benefit to both sustainable transport and biodiversity.</p>	<p>Noted</p> <p>Noted</p>
Changes to the Conservation Area Boundary	<p>The English Heritage Estates Surveyor considers that the inclusion of the walled garden within the Conservation Area is anomalous given the overall character, design and archaeology of the entire site. It is suggested that the boundary should be amended to follow that of the Scheduled Monument or of the Designated Park.</p> <p>The English Heritage Historic Places Advisor suggests that it would be appropriate to include the whole of the scheduled area within the expanded Conservation Area. An alternative suggestion is made to include the registered park and garden within the Conservation Area.</p>	<p>Officers have re-surveyed the site and have considered the proposed options.</p> <p>Extend the boundary to include the extent of the Registered Park: The wider area of the Registered Park taking in the golf course, areas of agricultural land and miniature railway is considered now too widely placed to constitute a coherent area. Key elements within the registered Park, such as the Ring Hill fort and listed monuments are already afforded their own protection and would not benefit from being included within a Conservation Area.</p>

	<p>Audley End Estate recommends that a small revision be made to the boundary to exclude a number of trees close to the former Post Office at Audley End Village.</p> <p>A local resident fully supports the inclusion of the orchard within the Conservation Area and considers that the use of this area as a car park would be totally unacceptable.</p>	<p>Extend the boundary to include the extent of the Scheduled Monument: Officers agree that the relationship between the quality open space, built structures and archaeological features within the Scheduled Monument are of a significance to warrant inclusion within the Conservation Area. It is thus suggested that the Conservation Area be extended to include the full extent of the Scheduled Monument.</p> <p>Officers have examined the site and agree that the area proposed for exclusion does not represent a significant landscape feature. Furthermore, the revised boundary will more closely follow a demarked boundary on the ground.</p> <p>Noted</p>
Transport	<p>Audley End Estate raises concerns about the impact of the planned Wenden Road cycle path scheme on the bus route to Audley End Station.</p> <p>A local resident raises concerns about the impact of increased traffic in the vicinity of the Conservation Area and particularly over the listed Adam Bridge should the Wenden Road cycle path scheme be implemented.</p>	<p>The cycle path proposal has been subject of detailed public consultation and this has informed its development.</p>

11. Conclusion

The public consultation raised a number of useful points which have been incorporated into the Conservation Area Appraisal. The document should be amended to incorporate the above comments and use of the document should commence immediately to assist in the determination of planning applications and for implementing the management proposals as set out.

Formal changes to the Conservation Area Boundary will need to be advertised prior to them coming into force. It is necessary to inform the Secretary of State and English Heritage and

place an advert in the London Gazette and local newspapers. The owners of affected properties will also be notified of the changes.

12. Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Revisions to the Conservation Area	1 There is some risk that revisions will be approved which cannot be justified by the guidelines provided by English Heritage.	2 If revisions to the Conservation Area are approved which the Council cannot justify through good practice guidelines, the report and its recommendations will be unsound. Planning officers and applicants will then be without any up to date guidance and applications will be determined against out of date resources.	The report has been carefully produced and amended where any inaccuracies were noted. Consultation has been carried out with English Heritage, Audley End Estate, Saffron Walden Town Council and Littlebury Parish Council and Audley End residents and advice sought from specialist officers and experts to support the findings.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Audley End Conservation Area Appraisal and Draft
Management Proposals, 2015



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1 Part 1: Appraisal

Introduction

1.1 This appraisal has been produced by Officers of Uttlesford District Council to assess the current condition of the Audley End Conservation Area, to identify where improvements can be made and to advise of any boundary changes that are appropriate. The document is in draft form and will be subject to public consultation and agreement by District Council Members.

1.2 The historic environment cannot be replaced and is a resource that is both fragile and finite. Particularly in an age when society and its needs change with rapidity, the various historic and architectural elements of Conservation Areas can be perceived to interact in a complex manner and create a 'unique sense of place' that is appreciated by those lucky enough to reside in such special places and the many interested persons who appreciate and visit them.

1.3 Uttlesford has a particularly rich built heritage, with 36 Conservation Areas and approximately 3,700 listed buildings displaying a variety of styles representative of the best of architectural and historic designs from many centuries. Generally and very importantly the clear distinction between built form and open countryside has been maintained. This is the case at Audley End where the historic house still sits within its formal parkland and the associated village, discretely tucked away to the south, is strung out between the road and the ancient St Mark's College.

1.4 The District is situated in an economically buoyant region where an attractive environment, employment opportunities and excellent transport links by road, rail and air, make it a popular destination to live and work. Key drivers are the presence of Stansted Airport within the locality and the relatively easy commuting distance to both Cambridge and London. Additionally, there are other towns of substance such as Harlow, Bishops Stortford and Braintree that provide employment opportunities nearby. With such dynamics the historic environment of the District is a popular destination for in-migration. The associated pressures accompanying such in-migration make it more important to protect the high quality of both built and natural environments.

1.5 The Uttlesford Local Plan adopted in 2005 recognises these facts and commits the Council to prepare Conservation Area Statements and Supplementary Planning Documents and the production of this document is part of this process.

1.6 Conservation Areas are environments which are considered worthy of protection as a result of a combination of factors such as the quality of design and setting of the buildings or their historic significance. In addition to the individual qualities of the buildings themselves, there are other factors such as the relationship of the buildings with each other, the quality of the spaces between them and the vistas and views that unite or disrupt them. The interaction with adjoining areas and landscape, the quality of trees, boundary treatments, advertisements, road signage, street furniture and hard surfaces, are also important features which can add to or detract from the Conservation Area.

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1.7 This Appraisal will consider these factors carefully. Once it has been approved by the District Council it will be regarded as a 'material consideration' when determining planning applications. The document also puts forward simple practical management proposals to improve the character of the Conservation Area and that are capable of being implemented as and when resources permit.

1.8 The recommendations in this Appraisal concerning non listed buildings and structures are generally formed by the field worker's observations made from the public realm and rarely involve internal inspection of buildings or their structural condition. Therefore such recommendations as set out in this Appraisal might be subject to reconsideration through the planning application process, where that is necessary, and which would involve the submission of additional relevant information.

1.9 This Conservation Appraisal will:

- Identify the special character of Audley End
- Identify elements that should be retained or enhanced
- Identify detracting elements
- Review the existing boundary
- Put forward practical enhancement proposals

1.10 The document has been prepared in partnership with the local community and the Council would like to record its thanks to Saffron Walden Town Council and to the members of the local community who provided useful information to officers when the survey was being undertaken. Particular thanks are due to Saffron Walden Museum for detailed historical information and to the Saffron Walden Blue Badge Guides.

1.11 In 2012 the civil parish of Saffron Walden was designed as a Neighbourhood Plan Area under Section 5-7 of The Neighbourhood Planning (General) Regulations 2012. It is understood that a Neighbourhood Plan for Saffron Walden is currently being formulated by Saffron Walden Town Council with support from other local groups. The majority of the Audley End Conservation Area falls within the parish of Saffron Walden, whilst a small but significant portion, principally comprising the ancient stable block and walled kitchen garden for Audley End House, fall within the parish of Littlebury.

1.12 In undertaking an exercise such as this, one aspect that is too easily forgotten is the community itself and the people who live locally and contribute to its cohesion and social success. Audley End House is one of the region's premier tourist destinations attracting over 143,000 visitors in 2013⁽¹⁾. It plays host to numerous historical events throughout the year as well as the perennially popular series of summer open air concerts which take place on the back park. Many visitors also enjoy the Audley End Miniature Railway, a delightful 1.5 mile ride on Lord Braybrooke's private 10.25 gauge track

1 Actual figure: 143,046 supplied by the Association of Leading Visitor Attractions

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through the Estate woodland just to the west. The village of Audley End itself is a compact community which, until recently, still boasted its own post office. The major facility is the 17th century St Mark's College which, since 1993, has been run by the Diocese of Chelmsford as a well used youth and conference centre. It is also a popular venue for wedding parties and smaller corporate events.

1.13 This document is written in three parts: Legal and Policy Framework; Appraisal; Management Proposals.

Planning Legislative Framework

1.14 The legal background for designating a Conservation Area is set out in Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This states that the Council shall from time to time designate Conservation Areas, which are defined as being '*areas of special architectural or historic interest, the character or appearance of which it is desirable to conserve or enhance*'. The same section of the Act also requires that Councils undertake periodic reviews.

1.15 Section 71 of the Act requires Councils to '*formulate and publish proposals for the preservation and enhancement*' of Conservation Areas and hold a public meeting to consider them.

1.16 Within Conservation Areas there are additional planning controls and if these are to be supported it is important that the designated areas accord with the statutory definition and are not devalued by including land or buildings that lack special interest.

1.17 Planning permission is required for the demolition of a building in a Conservation Area but is subject to certain exceptions. For example, it does not apply to Listed Buildings which are protected by their own legislation but is relevant to other non listed buildings in the Conservation Area above a threshold size as set out in the legislation⁽²⁾. Looking for and identifying such buildings is therefore a priority of this Appraisal.

1.18 Another exception relates to certain ecclesiastical buildings which are not subject to local authority administration provided an equivalent approved system of control is operated by the church authority. This is known as the 'ecclesiastical exemption'. Importantly in such circumstances, church authorities still need to obtain any other necessary planning permissions under the Town and Country Planning Act 1990.

1.19 The Town and Country Planning (General Permitted Development Order) 1995 (as amended), defines the range of minor developments for which planning permission is not required and this range is more restricted in Conservation Areas. For example, the Order currently requires that the addition of dormer windows to as previously agreed delete word 'front' roof slopes, various types of cladding, satellite dishes fronting a

2 The demolition of a building not exceeding 50 cubic metres is not development and can be demolished without planning permission. Demolition of other buildings below 115 cubic metres are regarded as 'Permitted Development' granted by the General Permitted Development Order, subject to conditions that may require the Council's 'prior approval' regarding methods of proposed demolition and restoration

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highway and a reduced size of extensions, all require planning permission in a Conservation Area. delete 'whereas they would not require permission beyond' as previously agreed.

1.20 However, even within Conservation Areas there are other minor developments that do not require planning permission. So as to provide further protection the law allows Councils to introduce additional controls if appropriate. Examples of such controls can include some developments fronting a highway or open space, such as an external porch, the painting of a house or the demolition of some gates, fences or walls. The removal of important architectural features that are important to the character or appearance of a Conservation Area or individual buildings within it such as distinctive porches, windows or walls or railings to non-listed properties can be subject to a more detailed assessment and if appropriate made subject to protection by a legal process known as an 'Article 4 Direction'. The use of such Directions can be made in justified circumstances where a clear assessment of each Conservation Area has been made. In conducting this appraisal, consideration will be given as to whether or not such additional controls are necessary.

1.21 Trees. Another additional planning control relates to trees located within Conservation Areas. Setting aside various exceptions principally relating to size and condition, any proposal to fell or carry out works to trees has to be 'notified' to the Council. The Council may then decide to make the tree/s subject to a Tree Preservation Order. This Appraisal diagrammatically identifies only the most significant trees or groups of trees that make a particularly important contribution to the character of the Conservation Area. Other trees not specifically identified may still be suitable for statutory protection.

1.22 Hedgerows. Some hedges may be protected by the Hedgerow Regulations 1997. This legislation is extremely complicated and only applies in certain situations that are determined by the location of the hedge, its age and or its historical importance, the wildlife it supports and its number of woody species.

Planning Policy Framework

1.23 National Planning Policy Framework. Published in March 2012, this document replaces previous advice, including PPS 5, Planning for the Historic Environment. The principle emphasis of the new framework is to promote sustainable development.

1.24 Economic, social and environmental roles should not be considered in isolation because they are mutually dependent and positive improvements in the quality of the built, natural and historic environment should be sought, including replacing poor design with better design. Whilst architectural styles should not be imposed it is considered proper to reinforce local distinctiveness.

1.25 In relation to the historic environment the new National Planning Policy Framework advises as follows:

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- There should be a positive strategy in the Local Plan for the conservation of the historic environment and up-to-date evidence used to assess the significance of heritage assets and the contribution they make.
- Conservation Areas. Such areas must justify such a status virtue of being of '*special architectural or historic interest*'.
- Heritage assets. A Heritage asset is defined as '*a building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including local listings)*'.
- Considerable weight should be given to conserving such heritage assets and the more important they are the greater the weight. For example the effect of an application affecting a non- designated heritage asset should be taken into account and a balanced judgement reached. Substantial harm to or loss of a grade II Listed Building should be exceptional whilst harm to heritage assets of higher status, e.g. a Grade I or II* Listed Building should be wholly exceptional.
- Local Planning Authorities should look for opportunities for new development within Conservation Areas to enhance or better reveal their significance and proposals that preserve such elements should be approved.
- The use of Article 4 Directions to remove national permitted development rights should be limited to situations '*where this is necessary to protect local amenity or the well being of the area...*'.
- Green Areas. Such areas of particular importance can properly be identified for special protection as Local Green Spaces in selected situations.

1.26 Uttlesford Adopted Local Plan. Uttlesford District Council has a commitment to the environment and its Local Plan Policies. Uttlesford's policies protect Conservation Areas by only permitting development that preserves or enhances their quality and by preventing the demolition of structures that positively contribute to their character and appearance. The Council's Conservation Officer can provide appropriate advice.

1.27 The Uttlesford Local Plan was adopted in 2005 and can be viewed on the Council's website or a copy can be obtained from the Council. In accordance with the Planning and Compulsory Purchase Act 2004, the Council is currently preparing a replacement Local Plan that will, in due course, contain the relevant Council planning policies.

1.28 The Audley End Inset of the Uttlesford Local Plan shows the existing Conservation Area and the Development Limits. Also shown is the extent of the Historic Park of Audley End, the Ancient Monument and the numerous stands of trees comprising important

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woodland. There are also four County Wildlife Sites identified of which one abuts the Conservation Area to the south and another, being the wide verges along the northern side of Audley End Road, impinges on the Conservation Area at its western extent.

1.29 Essex County Council Buildings at Risk Register. The County Council has a 'Buildings at Risk Register'⁽³⁾. In relation to Audley End no such buildings have been identified and neither has this Appraisal identified any.

1.30 Assets of Community Value. There are no Assets of Community Value registered in relation to Audley End.

1.31 Audley End Conservation Area date of designation. Audley End Conservation Area was first designated in 1968 and revised in 1977.

General Influences

1.32 The Audley End park can be found straddling the River Cam just under a mile from Saffron Walden. Nearby, Audley End village, comprising a cluster of estate cottages, the Abbey House and historic complex of St Mark's College, all sits just to the south of the main Audley End House. The old A11, now the B1383, bisects the historic park and running alongside the Cam it provides links to Cambridge, the M11 and to Bishop's Stortford and Harlow. The main Cambridge to London railway line can be accessed from Audley End Station some 1.25 miles distant. Scheduled bus services bypass the village proper although it is possible to pick up those routes principally serving the station from a stop located at The Fulfen on Wenden Road. A cycle route along this road linking the town and station is planned for the near future. For those wishing to walk, a pleasant leafy path along Audley End Road provides access into Saffron Walden.

1.33 Local services are limited. The village post office closed in 2009 and there now remains only the public phone box and letter box. For visitors to Audley End House there is a tea room and well-stocked shop selling gifts and produce from the kitchen garden. St Mark's College, formerly an almshouse to the old Audley End Estate is now an education centre run by the Diocese of Chelmsford. It offers residential and day courses for a wide range of groups including students undertaking the Duke of Edinburgh award. It is also a popular venue for wedding and other social functions.

1.34 Because of the lack of local opportunities and the ease of access to good communication routes, out-commuting is high and has led in the past fifty years to a change in the residential make up of the village. There are few opportunities for immediate local employment other than in agriculture or as seasonal workers at the Audley End House and the adjacent miniature railway. The proximity of the major settlement of Saffron Walden provides some local opportunities, but its is to Cambridge and London that many residents travel.

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1.35 Historically, agriculture was the main source of employment and although still an important local activity, its prominence is not as marked as it once was. The Audley End Estate ⁽⁴⁾ manages a number of farms which remain as working enterprises in the surrounding parishes and there is a small area for commercial businesses at Abbey Farm providing facilities for, amongst others, a marquee hire company and a period architectural materials salvage workshop. Within the park and historic site, managed by English Heritage, many of the buildings, such as the stables, kitchens and laundry have been successfully restored and are now shown operating in their original roles.

1.36 Designation of the immediate vicinity of Audley End House and its associated parkland as both a Scheduled Monument and a Historic Park recognises the importance of the area and its sensitivity to change. The surrounding Audley End Estate lands to a certain extent provide a buffering effect from development elsewhere in Saffron Walden but this does not mean that the area will not in the future be subjected to development pressures and so now is an appropriate moment to be considering how to best protect its built and open space environment.

The General Character and Setting of Audley End

1.37 Setting. The outstanding Jacobean manor of Audley End House is set in its 18th century 'Capability' Brown landscape park through which the Cam gently meanders. This Landscape Character Type is classified as 'Cam River Valley' ⁽⁵⁾, and is predominantly park-like in character with wide expanses of mown sward. On its approaches the river corridor is fringed by trees which delineate its shape within the patchwork of pasture and plantation woodlands that line the valley floor. Buildings are principally associated with the main house either directly as service areas or indirectly as mellow red brick stables and barns. Others such as the former head gardener's residence, Abbey House and the varied lodges are much more formal, the latter marking the various entrances to the park. In the village white-washed houses with dormers are more intimate in scale where they closely line the narrow thoroughfare leading down to St Mark's College.

1.38 Very tall brick walls border the park all the way from the outskirts of Saffron Walden giving way to more formal iron railings at the Lion Lodge. The very few modern buildings are generally discrete and there are some old outstanding barns in black weatherboard or flintwork now often converted to storage space or used as small office units. Audley End House itself, sitting just back from the river as the land rises towards the town, is of great antiquity and makes a visible impression from many points in the settlement. Although busy roads do cut through the area there is still a sense of tranquility and timelessness particularly in the farthest reaches of the park, though remnants of modern conflict are still just occasionally visible in the remains of the Second World War pillbox and bridge defences.

4 The current Audley End Estate is a separate enterprise from the English Heritage owned Audley End House and park

5 *Landscape Character Assessment of Uttlesford* Chris Blandford Associates, September 2006, Fig. 7.1

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1.39 The wider topography is that of steep sided valley slopes covered in arable farmland descending almost to the water's edge where trees line the valley floor as the river meanders upstream to Shortgrove Bridge. Views from the higher ground are often framed by distant patches of woodland and scattered copses. Strong hedgerows and well-maintained verges dominate, though commercial arable farming has left a legacy of broken field boundaries and solitary trees on the horizon. To the north and further along the valley the area is primarily rural, characterised by a noted absence of major towns. Great Chesterford, built near the site of an important Roman town, is the only large village in the valley corridor and other settlements are for the most part small and self-contained. The nearby ancient market town of Saffron Walden with its distinctive church spire can be seen from many directions due to its position on the higher slopes. Ancient footpaths cross the area, which, together with winding lanes and tracks, form a complex network that links Saffron Walden and outlying settlements.

1.40 In 1874 Kelly described the "present mansion" of Audley End as being "a notable building in the Tudor and Gothic styles ... The grounds are well laid out, and the park large, in which the river Cam, by being widened, forms a fine sheet of water: through the park, which is pleasantly diversified by hill and dale, are two public walks, one northward, towards Littlebury, and the other leaning to the village of Audley End ..."⁽⁶⁾ The quality of this landscape has now lead to it being designated as a Grade I Registered Park and Garden⁽⁷⁾.

1.41 Surrounding the park the fieldscape consists of irregular fields of ancient origin, probably of medieval or earlier date, interspersed with areas of former common fields, some of the Cambridgeshire and Midland type, a field-type that is rare in the rest of Essex. Many of these were enclosed in a largely piecemeal fashion throughout the 17th to the 19th centuries, forming large fields with irregular outlines and grid-like internal subdivisions. Historically, the surrounding landscape formed the greater Audley End estate, extending at its height of prosperity to some 10,000 acres (4047 hectares). Audley End House itself occupies the site of the 12th century Benedictine Priory of Walden, although the present house dates mainly from the 17th century .

1.42 The modern park is under the care of English Heritage and extends to an area of approximately 36 hectares representing the immediate and most sensitive historic environ of Audley End House. Notably the landscape as seen today is the result of a transformation undertaken in the 18th century by Lancelot 'Capability' Brown in which the old formal gardens were reformed into one of the most successful pastoral landscapes of his career. The *Uttlesford District Historic Environment Characterisation Report*, 2009, notes that "later features include a restored Parterre garden, a rose garden and fountains, and the restored 19th century walled kitchen garden, originally constructed in the 18th century, now in use as a working kitchen garden". Buildings were placed strategically throughout the parkland including the 'Adam Bridge' over the

6 *Post Office Directory of Essex*, London: Printed and Published by Kelly and Co., 1874, p.189

7 *Register of Historic Parks and Gardens of special historic interest in England*, English Heritage, List entry Number: 1000312

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Cam, the Temple of Victory on the site of the old Ring Hill fort, the Temple of Concord and, now in the middle of the Saffron Walden Golf Course, Lady Portsmouth's Column. The grounds are divided by the River Cam, which is crossed by several ornate bridges.

1.43 The historic village of Audley End lies to the south of the park; it contains a former school (latterly the post office) and the Abbey Farm. A range of almshouses were built in the early 17th century, and are Grade I listed; these have been shown to stand on the site of a medieval building, potentially the hospital of Walden Abbey dating to 1258. "There is a large ancient woodland at Springwood in the northern part of the zone, and many of the hedgerows are of considerable antiquity"⁽⁸⁾. Ancient lanes leading to the area are sunken and winding, though none in the locality are of sufficient quality to warrant Protected Lane Status⁽⁹⁾.

1.44 General character and plan form. The developments that have occurred in Audley End over the past two centuries reflect the social and economic changes that the locality has undergone. Changes in agricultural methods are reflected in the morphing design of farm complexes with the development of the 'Victorian High Farming' tradition. This resulted in new ideas culminated in significant alterations in the design and layouts of farm buildings as identified in the buildings at Abbey Farm to the south of the park⁽¹⁰⁾. These have now been converted to units for business use. Declining returns on agricultural land and the impact of death duties led to Audley End House being sold to the nation in 1948. Subsequent development of the site, first under the Ministry of Works/Department of Environment and latterly by English Heritage has reflected changing attitudes to the presentation of historic properties and the needs of visitors with the installation of a new information centre and enhancement of cross site facilities.

1.45 The village of Audley End has changed little since the 19th century other than the development and conversion of former agricultural buildings on the periphery of the area and the closure of the school and post office. The existing Conservation Area is a mirror reflection of the community as it existed in the late 19th century and as shown on the 1877 Ordnance survey map (see Figure 1). Abbey Farm House and Lion House sit back from the road behind formal lawns and white-washed estate cottages line the narrow street running down to the cloistered precincts of St Mark's. Within the village the scale is intimate, with channelled views out through gaps in the buildings and over open spaces and trees to the descending countryside as it drops away to the River Cam in the west or the Wenden Road in the south. Throughout the area there is the sound of water - the lane down to St Mark's crosses the Fulfen Slade and drains and ponds abound. To the front of Audley End House the Cam flows gently whilst adjacent to the walled kitchen garden it is more contained flowing rapidly through a series of sluices and over a weir to the 18th century Water Garden.

1.46 The National Heritage List for England records some 35 individually listed buildings, groups of buildings and other structures in the vicinity of Audley End, of which 20 are to be found in the designated Conservation Area. These vary widely from the grand Jacobean Grade I listed Audley End House to the mainly 18th century run of

8 *Uttlesford District Historic Environment Characterisation Report*, 2009, p. 105

9 *Uttlesford Protected Lanes Assessment*, Essex County Council, March 2012

10 *Uttlesford District Historic Environment Characterisation Report*, 2009, p. 28

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houses along the village street and the varied 19th century red brick lodges guarding the entrances to the park. Numerous other features are included - walls, railings, steps and the 20th century K6 telephone kiosk at the entrance to the village. Materials are varied: Clunch, Burwell and Ketton stone used for the principal elevations of Audley End House, mellow red brick on better quality buildings and boundary walls, pargetted plaster over timber framing and peg tiled roofs on the estate cottages.

1.47 This is a highly historic landscape. Study of the development of the area demonstrates a gradual assimilation of the monastic site into domestic usage followed by periods of both landscape and architectural improvement and re-appraisal. When examined in conjunction with the spread of unlisted constructions and buildings of later date, the indications are of a grand Jacobean mansion in formal landscape evolving into an 18th century/19th century country house with associated service buildings set against picturesque parkland. The village itself mirrors the fortunes of the main house - the 17th century St Mark's, originally the former hospital to the Abbey, then almshouses to the estate, sit at the end of the road lined by village cottages dating from the 18th century but with earlier 16th and 17th century building elements remaining and 20th century amalgamation and renumbering. Audley End House, as the seat of the local nobility and located on one of the principal entrances to the market town, was always going to be in the limelight, whether as fashionable residence, administrative centre for a vast estate or latterly as a visitor destination.

1.48 There are several other buildings and features that whilst not being listed are nevertheless of architectural and historic interest and which add to Audley End's overall quality.

1.49 One very important feature of the Conservation Area is the variety of boundary treatments: high walls constructed of bricks made on the estate, formal railings and long flint and brick walls interspersed with occasional hedges or fences define boundaries and link buildings. The use of these materials reflects the local landscape where flints abound, clay colours the soil and hedged field boundaries form such a visually important part. This appraisal also identifies a number of important walls that are not individually listed but there may also be others not immediately visible from the public realm and or in otherwise inaccessible locations.

1.50 Throughout the Conservation Area there are trees in abundance, either as groups or as individual specimens located in the formal park where they offer a backdrop to the house, on the horizon as part of the 'Capability' Brown landscape and less formally around St Mark's. Others are to be found in the grounds of the Audley End miniature Railway. They add considerably to the attractive appearance and diversity of the Conservation Area and beyond.

1.51 Overhead telephone cables on poles detract from the quality of the environment.

1.52 There are many high quality buildings representative of various periods. Despite some very occasional modern development, the Conservation Area itself represents a nationally significant historic grouping of buildings in a rural setting that warrants its formal designation.

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Origins and Historic Development

1.53 Historical background data has been extracted principally from the *Uttlesford District Historic Environment Characterisation Report* ⁽¹¹⁾ and the *Essex Historic Environment Record* (HER)⁽¹²⁾.

1.54 Prehistoric, Roman and Saxon. Evidence of prehistoric occupation has been identified throughout the zone ranging in date from the Neolithic through to the Iron Age, the remains of probable prehistoric burial mounds (ring ditches) and settlement enclosures.

1.55 Immediately to the west of the zone and still within the historic confines of the Audley End park lies the Early-Middle Iron Age univallate hillfort of Ring Hill⁽¹³⁾. It is oval in plan, enclosing an area of 4.3 hectares, with its long axis aligned north-west to south-east. The rampart reaches a height of 4.7 metres on the south-west and north-east sides⁽¹⁴⁾. There are a number of entrances through the ditches which have been used since at least the late 18th century, when parts of the interior and the rampart were adapted as a carriage drive and the hillfort planted with a variety of specimen trees. A 17th century tree avenue and walk appears to have been aligned on the eastern entrance and a 17th century Belvedere to the north-east was replaced as part of the 'Capability' Brown landscape works in the 18th century by the Temple of Victory⁽¹⁵⁾ and at the same time a menagerie was constructed in the interiors⁽¹⁶⁾ replacing a rabbit warren.

1.56 The Roman road running south from Great Chesterford bisects the zone. Roman settlement has been identified to the north of the park on the valley slopes above the river. Finds include Roman coins, pottery and a possible pottery kiln that were identified at Audley End House in 1853⁽¹⁷⁾

1.57 Medieval. The priory at Brook Walden was founded by Geoffrey de Mandeville in 1139-1143 at about the same time as he was building the castle in Chipping Walden (Saffron Walden proper) and it became an Abbey in 1190. In 1538 the abbey and its possessions were surrendered to the king, who granted them to Sir Thomas Audley who converted the buildings for his house c1538-1544.

1.58 Using evidence from the Essex Placenames Project⁽¹⁸⁾ it is possible to build up a picture of Audley End at this period as a developing estate at the centres of which is the important house. Variations on the name are variously rendered as:

11 *Uttlesford District Historic Environment Characterisation Report*, Essex County Council, 2009, Parra. HECA 9 North Eastern Uttlesford

12 <http://www.heritagegateway.org.uk/>

13 NMR TL 53 NW 6

14 cf. Oswald, AWP *A hillfort on Ring Hill, Littlebury, Essex* in P Pattison et al. *Patterns of the Past*, 1999 pp. 23-8

15 NMR TL 53 NW 56

16 See TL 53 NW 146

17 SMR 373671. Cf. Royal Archaeological Institute, *The Archaeological Journal*, 1854 p. 214

18 Essex Placenames Project, Audley End portal

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Audeley; Audleyend; Awdlens; Audley Inn; Awdley end. The Abbey was also referred to as Brocwalden or Brookwalden to distinguish it from the town of Walden or 'Chipping Walden'.

1.59 Post Medieval. Audley End was built between c 1605 and 1614, on the site of the Abbey of Walden, for Thomas Howard, first Earl of Suffolk. His surveyor was Bernard Janssen and in 1614 the Earl began to lay out extensive formal gardens. Following conviction for embezzlement he suffered great financial trouble and his property declined. Howard died in 1626, leaving his son Theophilus to bear the twin burden of his debts and enormous maintenance costs. When James, the third Earl inherited in 1640 the situation had not improved and after the Restoration the house and some parkland were sold to Charles II in 1668. Extensive works to the house were undertaken by Christopher Wren (1632-1723) but successive monarchs showed little interest in the property which in 1701 was returned to the Howards and settled on Henry, Earl of Bindon who assumed the title of sixth Earl of Suffolk in 1708.

1.60 The sixth Earl commissioned Sir John Vanburgh (1664-1726) to make improvements which resulted in the demolition of part of the house, after which the property passed to Charles William Howard, seventh Earl who died in 1722 at the age of twenty-nine. The estate was left to his younger uncle, Charles Howard, while the title passed to his elder uncle, Edward. When Edward died, Charles became the ninth Earl and in 1725 he commissioned a plan for a great formal garden by the French architect Dubois. A less ambitious landscape scheme was eventually implemented however, possibly to a design by Charles Bridgeman (d 1738). Charles Howard died in 1733 and was succeeded by his son Henry, the tenth Earl who made further changes to the house. Henry died childless in 1745 and the property was divided between four co-heirs. One of these, Elizabeth, Countess of Portsmouth purchased the house and part of the park in 1751 to add to her share, commissioning John Phillips and George Shakespear to demolish the east, and parts of the north and south wings. Lady Portsmouth bequeathed her property to her nephew John Griffin Whitwell, who inherited in 1762 and assumed the name Griffin Griffin. Sir John, later Baron Braybrooke, carried out extensive reconstruction and repair work on the house from 1763 onwards, in the same year that he commissioned Lancelot 'Capability' Brown (1716-83) to landscape the grounds. Richard Woods also carried out work within the pleasure grounds for Sir John, in 1780. Braybrooke died in 1797 without heirs, so the estate and the title passed to Richard Aldworth Neville, son of the Countess of Portsmouth's heir. When his son Richard, the third Lord Braybrooke inherited in 1825, Henry Harrison was brought in to restore the house and William Sawrey Gilpin (1762-1843) to advise on the gardens, which in 1831 were laid out in a formal parterre. Richard died in 1858 and was succeeded by his eldest son Richard Cornwallis who survived his father by only three years. The fifth Lord, Richard's brother Charles, continued to maintain the property until his death in 1902 when he was succeeded by his younger brother, the Hon Rev Latimer Neville. When the seventh Lord Braybrooke died in 1941 the house was requisitioned for war use and in 1948 it passed to the State in lieu of death duties. It is now maintained by English Heritage.

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1.61 The large scale Plan of Audley End, Saffron Walden circa 1750⁽¹⁹⁾, Chapman and Andre survey of 1773-5, published in 1777, and 1865 Audley End Estate map⁽²⁰⁾ all give a good idea of the house and village at this period. The focus is very much on the house itself, demarked on the Chapman and Andre map as the seat of Sir John Griffin Griffin. There are relatively few houses on the village street, but in the park, Audley End House, the stables and several outbuildings are clearly visible as is a Corn Mill and the orchard garden.



Picture 1.1 Audley End as shown on the Chapman and Andre map of 1777 (Reproduced courtesy of a private collection).

1.62 The official Census return for 1841⁽²¹⁾, paints a picture of Audley End village and house as quite a diverse community. There are 33 adults recorded as being in the village proper, The majority are agricultural labourers, but Martha Fan, then 20 years of age, was the schoolmistress, William Brook, a groom and John Brown and Joseph Webb, both shepherds. Elizabeth Nockolds and Susannah Mapletoft are both listed separately as 'Independent'. In Audley End Lodge, there is James Carr, 30, a gamekeeper and in Walden Lodge, John C, an agricultural labourer. Down at the end of the village, the almshouses provided accommodation for '8 elderly ladies' - possibly

19 Plan of Audley End house and gardens in west of parish, showing avenues, ornamental gardens and waters, circular temple, menagerie, obelisk etc., with perspective drawing of the house. Includes drawing of Saffron Walden town; indicates millet fields, fowl-breeding yards, duck decoy, watermill, osiery held by Essex Record Office Reference Code: D/DBy P1

20 held by Essex Record Office Reference Code: D/DQy 69

21 1841 Census of Great Britain, Abstract prepared by Jacqueline Cooper in 2008

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former servants or widows of estate workers. The family were presumably not at home for in the main house there was only the Housekeeper, Jane Smith, and nine servants. Staying there, though, was Joseph Travis, the noted 'bird stuffer' who had a shop in the High Street of Saffron Walden and who was engaged in setting the many specimens in the natural history displays which are visible in the house to this day.

1.63 In Victorian times, John Marius Wilson's *Imperial Gazetteer of England and Wales, 1870-72*, described Audley End as being "a railway station and a noble park near Saffron-Walden, Essex. The station is on the Eastern Counties railway, 1½ mile W by S of Saffron Walden, and at the junction of the branch railway thither. The park lies between the station and the town, on the river Granta; and is the seat of Lord Braybrooke. A bridge is in it by Adams; and a camp, on Ermine-street. The mansion is part of a splendid Tudor pile, built in 1603-16. It occupies the site of a Benedictine priory of 1136; and was erected by Howard, Earl of Suffolk, afterwards Lord High Treasurer of England, and named after his uncle, Audley. It was offered by the Earl to James I., who declined to have it on account of its being too costly; was sold by a succeeding Earl to Charles II., who failed to pay the purchase-money, and renounced possession; and was found by its owners to be so intolerably expensive, in the maintaining of a due establishment for it, that a large portion of it had to be taken down. What remains of it is magnificent; and it contains some valuable paintings and a fine museum"⁽²²⁾.

1.64 The agricultural depression of the early 20th century only exacerbated the general decline in population as more and more villagers moved away from the land, produce prices crashed and life became increasingly difficult for the owners of large estates. The house and parkland were requisitioned by the army for most of the war and in 1948 Audley End was put up for sale. It was eventually purchased for the nation and passed into the care of the Ministry of Works. At the same time the almshouses at Abbey Farm were given to the Diocese of Chelmsford by Lord Braybrook to become a home for retired clergy. In 1993 this building underwent a major refurbishment to be set up as a youth and conference centre under the name of St Mark's College.

1.65 In common with many other rural settlements, Audley End village has seen a steady erosion of local facilities over the years, The National School was closed sometime in the early 20th century with children having to travel to either Saffron Walden or Littlebury. The building was then used for many years as a post office, but this too succumbed to pressures and ceased operation in 2009. Today, the only local services are to be had in Saffron Walden.

Character Analysis

1.66 The current Conservation Area has been surveyed as two character areas - Audley End village and Audley End House and grounds - with a map and key common to all. Historical photographs have been provided by Saffron Walden Museum and from the Saffron Walden Town Library. Other photographs have been taken by the fieldworker. All maps are reproduced from the Ordnance Survey under Uttlesford District Council Licence No: 100018688 (2004).

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1.67 Scheduled Monuments. Within the Audley End Conservation Area there is the designated Scheduled Ancient Monument of Audley End House and park⁽²³⁾.

1.68 Designated Parks and Gardens. Within the Conservation Area there is one such English Heritage designation, this being the Grade I Audley End Park⁽²⁴⁾ (also a Scheduled Ancient Monument).

1.69 Archaeological sites. Audley End is described by the *Uttlesford District Historic Environment Characterisation Project*⁽²⁵⁾ as exhibiting well attested evidence of prehistoric occupation as well as the notable Iron Age hill fort feature at Ring Hill. The Roman road running south from Great Chesterford bisects the zone and a Roman settlement has been identified to the north of the park on the valley slopes above the river. The principal site of archaeological interest which influences the Conservation Area is that of the Audley End House which is constructed roughly on the site of the 12th century Walden Abbey; excavations have found evidence of the Priory in and around the present house. A number of construction phases associated with the re-modelling of the post-medieval house and gardens have also been established through archaeological fieldwork. Not all archaeological sites are of equal importance and the Council will decide a course of action that may vary from archaeological investigation and recording to protecting such a site from development, when determining planning applications. There will generally be a presumption in favour of preservation in situ.

1.70 Listed buildings. Individually listed buildings have been identified, plotted and a representative selection is described, such abbreviated descriptions being based on the Dept. of Culture Media and Sport's list. Full descriptions can be obtained on line at English Heritage's website or Heritage Gateway website (www.heritagegateway.org.uk) Listed Buildings are protected from unauthorised demolition, alteration or extension. Structures, including railings and walls, within the curtilages of listed buildings, if they are pre-1948, are subject to the same controls as listed buildings.

1.71 Non-listed buildings of quality and worthy of protection from demolition. This Appraisal has identified several non-listed buildings that make an important architectural or historic contribution to the Conservation Area and these have been separately identified. The basic questions asked in identifying such buildings/structures are:

- Is the non-listed building/structure of sufficient architectural or historic interest whose general external form and appearance remains largely unaltered?
- Does the building contain a sufficient level of external original features and materials?

23 'Audley End Mansion' List entry Number: 1002163

24 List entry Number: 1000312

25 *Uttlesford District Historic Environment Characterisation Project*, Essex County Council, 2009, pp. 103-106

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- Has the building retained its original scale without large inappropriate modern extensions that destroy the visual appearance, particularly in respect of the front elevation?
- Is the building/structure visually important in the street scene?

1.72 Traditional materials and detailing. Traditional materials and detail make a significant contribution to the character of the local area. Within the Audley End Conservation Area there is perhaps a greater diversity of historic building materials than in any other such local environment.

1.73 Audley End House itself is principally constructed of brick faced with clunch, a chalky limestone rock used mainly in eastern England and probably quarried from low chalk ridges bordering the upper Cam valley and along the Fen edge towards the Suffolk border. It was extensively repaired in the 18th century with Burwell and Ketton stone⁽²⁶⁾. Until the 19th century, when improved transport links made the movement of large quantities of stone easier, clunch was widely used as a building material in Cambridgeshire and north Essex because of its ready availability and the absence of local sources of stronger building stone. It is primarily left unfinished and where this is the case its porosity and susceptibility to weathering are evident in spalled facings and loss of detail in carved work. Detail is added by using contrasting materials. Notable is the central doorway with surrounding semicircular architrave in Jacobean style with inset red marble cabochons. Windows are either stone mullioned finished with oak frames or on secondary elevations softwood sashes can be found. Occasionally iron mullions are also used. The principal roofing material is lead though the prominent pair of turrets at the corners have swept copper capping and weather-vanes.

1.74 Attached service buildings are of brick, often rendered and colour washed to replicate stone. Most are two storey. Joinery is typically more modest than on the main house. Doorways of the 19th century are segment with reeded flush panels, window are also segment headed and mainly comprise casements with glazing bars. On the larger buildings slated roofs are hipped, some being provided with paired display Roman cement chimney stacks.

1.75 Other principal buildings within the park are either wholly or principally of red brick now weathered to mellow tones notably on the 16th century stable block where detailing in bands and around the windows is used to good effect. Stone furnishings around the windows add contrast and effect as they also do on many of the 19th century lodges. On these latter buildings finishing is in the Elizabethan style with solid corniced parapets and period motifs such as relief rendered strap work and Tudor roses.

1.76 Lime render, either finished plain or with pargetted decoration is the predominant finish at the historic core of the village where buildings are most commonly constructed from oak timber frame. Timbers are often rendered over but if left exposed, are weathered to a silver grey. Infill should be with wattle panels, left plain for decorative

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effect. Notable are the considerable areas of early basket and combed pargetting applied to great effect on the run of village houses on the west side of the street. Bricks, used for principal construction from the eighteenth century, are handmade reds, often sourced from the estate kilns, occasionally with moulded detailing found on better quality buildings dating from the 19th and early 20th century. Brickwork is most commonly found in Flemish bond although English bond is also used, usually on perimeter walls and outbuildings where decorative effect is required. Barns and outbuildings are usually constructed in weather board which is prevalent, both feather edged and plain edged. It is historically preserved with pitch or creosote though now most often painted black.



Picture 1.2 Traditional Essex combed pargetting within panels on the wall of one of the estate cottages in Audley End Village.

1.77 Throughout the historic core there is a predominance of double cambered handmade red clay plain tiles laid steeply (47 to 50°) or for 19th century and later additions, natural blue-grey slate at a lower pitch Orange clay pantiles are usually confined to outbuildings only.

1.78 Windows are largely traditional, in painted or stained timber with either symmetrical flush or recessed casements, vertical or horizontally sliding sashes, the latter a particular feature of North West Essex. Visually arresting are those of the 'Gothick' 2-centred arched form with sashes and glazing bars on the principal elevation of Lion House. Where replacement windows are in evidence they are usually good copies of the original or are in period style.

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Picture 1.3 A variety of different window styles is found on the service wing at Audley End House.

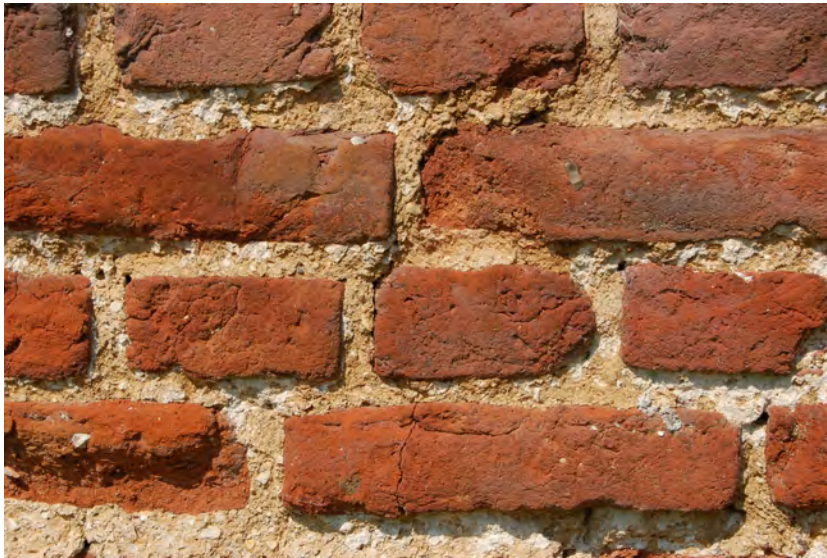


Picture 1.4 Elegant 'Gothick' 2-centred arched form windows are employed to dramatic effect on Lion House.

1.79 Roofscapes provide a rich variety of architectural detail, form and shape. Interest is drawn from the single or multiple red brick chimney stacks, some of very elaborate shape. On low 1 ½ storey cottages dormer windows penetrate the roofline where they typically provide contour and interest. On grander buildings smaller pitched roof dormers are typically narrow openings sometimes partly concealed behind a parapet. Further decoration is sometimes added in the form of elaborate barge boards such as those on the head gardener's cottage found adjoining the walled kitchen garden.

1.80 Boundary treatments are an important element in defining the street scene where they provide texture and interest to an area. Walls, either constructed entirely of narrow bricks or of flint panels supported by brick piers and capping, and occasional estate railing fences define boundaries on public through-fares. Audley End House is fronted by a long run of iron railings and at the entrances stand elaborate gateways and wrought iron gates whilst properties like Abbey House and Lion House sit just back from the roadway behind mown lawns, their boundaries marked by chain-linked white painted posts.

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Picture 1.5 Wall to St Mark's Collage of early narrow bricks laid in English Bond.



Picture 1.6 Fine early 19th century square section iron railings define the south boundary of Audley End Park.

1.81 Fields are defined by heavy agricultural timber fencing, always unfinished and usually of three horizontal bars either roughly squared or left in the round. Hedged boundaries are also frequent, particularly on the rural periphery of the Conservation Area where they sometimes conceal later developments.

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1.82 Trees and hedgerows. There are a considerable number of trees that particularly contribute to the quality of the Conservation Area. The basic criteria for identifying such important trees are:

- They are in good condition
- They are visible at least in part from public view points
- They make a significant contribution to the street scene or other publicly accessible areas

1.83 A large number of trees within the Conservation Area and around the Church are already subject to Tree Preservation Orders.



Picture 1.7 Mature trees within Audley End park line the Cam and frame the view to the south.

1.84 Open land, open spaces or gaps of quality that contribute to the visual importance of the Conservation Areas where development would be inappropriate have been identified. The basic question asked in identifying such areas is:

- Is the open space or gap an important landscape feature contributing to the general spatial quality and visual importance of the Conservation Area?

1.85 Private open spaces forming an important setting for an historic asset and unkempt spaces that have the potential to be enhanced are candidates for selection subject to complying with the principle question.

1.86 Any other distinctive features that make an important visual or historic contribution are noted.

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1.87 Article 4 Directions. Reference has previously been made to the potential of introducing Article 4 Directions in justified circumstances and the criteria for their selection in relation to retaining features associated with selected non listed properties is as follows:

- In relation to retention of chimneys, these need to be in good condition, contemporary with the age of the property, prominent in the street scene and generally complete with chimney pots. Exceptionally chimney stacks of particular architectural merit without pots may be selected.
- In relation to retention of selected windows, these need to be on front or side elevations, fronting and visible from the street/s, generally contemporary with the age of the property or of a sympathetic historic design and where the majority of windows of respective elevations retain their original characteristics and have not been replaced by disruptive modern glazing units.
- In relation to retention of walls or railings, those selected need to be below the prescribed heights (walls including a footpath or bridleway, water course or open space 1m fronting a highway or 2m elsewhere require prior consent for their demolition), be prominent in the street scene and make a positive architectural or historic contribution to its visual appearance.
- In relation to retention of other features, these may include good quality architectural detailing to non-listed buildings, constructed of wood, metal or other materials.
- It may also be appropriate to introduce Article 4 Directions to retain quality buildings below the prescribed Permitted Development threshold. or to prevent the erection of inappropriate additions such as porches to terraced properties of historic interest.

1.88 In the case of Audley End no such Directions are proposed because all historic buildings or structures are either listed or lie within the curtilage of Listed Buildings and are thus already afforded adequate protection.

1.89 Features that detract or are in poor repair have been identified and appear in the Table 'Enhancement Proposals to Deal with Detracting Elements' set out in Part 2.

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Audley End Village

1.90 General overview. Audley End is a village with both a sense of timelessness and of long association with the grand stately home within whose historic demesne the properties sit. At the one end of the sloping street and almost hidden amongst trees can be found the ancient assemblage of red brick buildings comprising St Mark's College. Here the atmosphere is determinedly rural where open fields abut the walls, ponds and ditches fill with water and wide natural verges are full of summer flowers. White washed estate cottages closely crowd the single narrow street as the village street ascends to the main road. Here, and in greater proximity to the 'big house', the scale and spacing of structures is different where large formal properties sit back from the road behind white painted chain-linked posts.

1.91 Scheduled Ancient Monuments. There are no Scheduled Ancient Monuments recorded.

1.92 Archaeological sites. There are no significant archaeological sites within this part of the Conservation Area although the remains of a Post Medieval water meadow have been noted as being visible as earthworks to the east of St Mark's Collage on aerial photographs taken in 1946. The site has subsequently been ploughed level on aerial photographs taken in 1988. The site comprises an irregular arrangement of straight and sinuous water channels which flank the Fulfen (meaning "foul marshland") Slade and occupy Fulfen Mead. They extend roughly north-west / south-east over an area that measures 350m long by 135m wide. The Slade flows westwards to join the River Cam.⁽²⁷⁾

1.93 The discovery of a Medieval wall-foundation at the early 17th century St Mark's College confirms that they are on the site of a hospital belonging to Walden Abbey⁽²⁸⁾.

1.94 Individually Listed Buildings and Structures. A selection of representative Listed Building descriptions (generally abbreviated) is provided below.

27 Monument Number: (TL 53 NW 293)

28 A lost Essex hospital: the College of St Mark at Audley End, *Essex Archaeology and History Volume 26*, 1995 pp. 276-77

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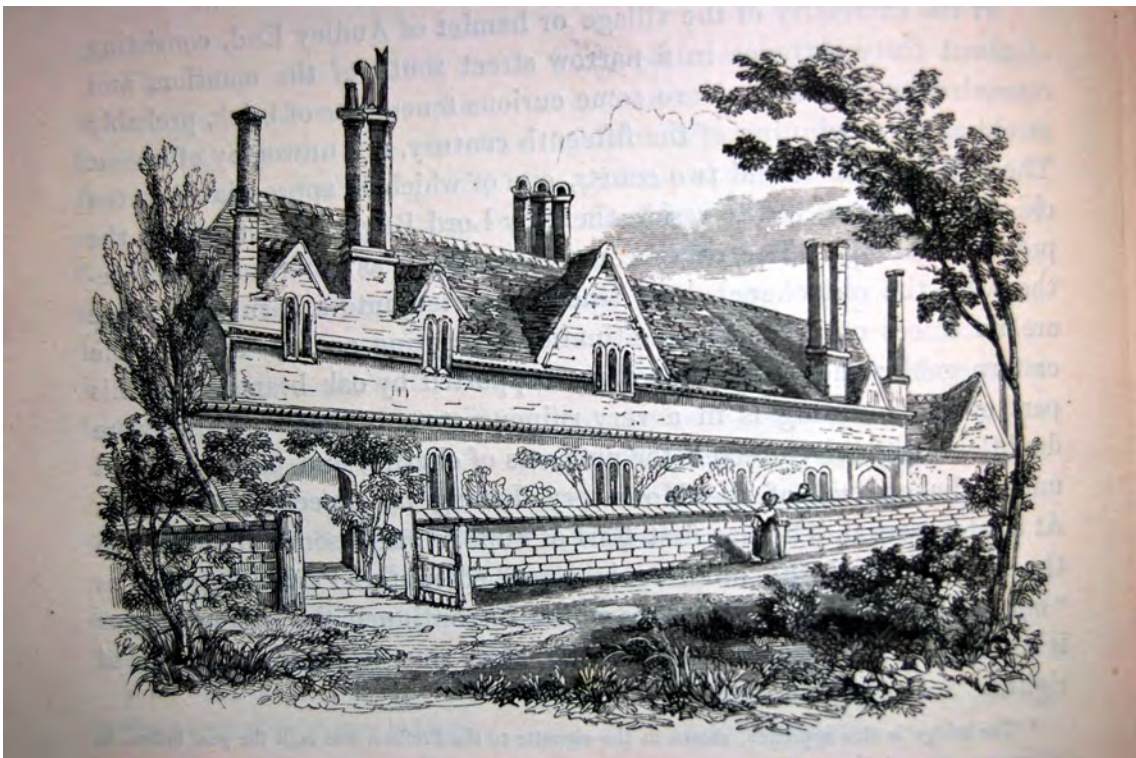


Picture 1.8 The inner court of St Mark's College in 1907 when it was used as a farmhouse. (Reproduced courtesy of Saffron Walden Museum).

1.95 St Mark's Collage. Grade I, formerly known as Abbey Farm. The foundations of the chapel, the oldest part of the buildings, were laid in 1258 as the infirmary for the Benedictine monks of Walden Abbey. Little remains of that building and the present structure was erected sometime between 1605 and 1614 by Thomas Howard, Earl of Suffolk as part of the grand plan for Audley End House. For many years thereafter it fulfilled the functions of an almshouse providing accommodation to estate workers in later life. The present structure of double rectangular courtyard with kitchen, stairs hall and principal hall in line in between the courts and chapel is on the same axis projecting to the east. The western front elevation forms an essentially symmetrical long range. Using local materials to their full potential, the walls are of small red bricks in wide jointed English bond with peg-tiled roofs over one and one and a half storeys. It is "of uncommon completeness of plan"⁽²⁹⁾. Windows of the building all comprise narrow, single, double or triple round-headed lights, chamfered and all are now found with 20th century diamond leaded panes in old iron casements, some with stay hooks or friction quadrant stays. The ground floor porches have inner boarded doors with moulded and studded battens. Used as farm buildings until the middle to the 20th century, the whole range was given to the Diocese of Chelmsford by Lord Braybrooke to become a home for retired clergy. An extensive restoration between 1949 and 1951 included the replacement of many windows and the construction of the Chapel on the old foundations using similar bricks to the rest of the building. The chapel now has corner pilaster buttresses at the east end, a peg-tiled, gabled roof, the north and south sides each with a large brick-built multi-light window in style of the rest of the building, each with 4x3 lights. The east window has rectangular wooden framing with hollow chamfered mullions and transoms,

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5x3 lights of diamond latticing with include scattered fragments of late medieval stained glass found during the excavation and restoration process. A fragment showing the Virgin and Child is a noteworthy survival from Walden Abbey⁽³⁰⁾. Other stained glass fragments remain in the windows of the hall, stair hall and kitchen. An old freestanding pump remains in the north courtyard. In 1993 the building underwent a further major refurbishment to be set up as a youth and conference centre and it continues to fulfil this function today providing residential and day courses as well as hosting wedding receptions and other festivities. The plan of the college, with 2 courts separated by the hall and chapel can be paralleled in the contemporary Wadham College, Oxford.



Picture 1.9 St Mark's College as it appeared in 1836, from Richard Neville's 'History of Audley End'.

1.96 The interior includes fireplaces set diagonally in room corners of the tenements, each being chamfered with arched heads and all now plastered and painted. Within the kitchen the fireplace (transverse to range) is of large four-centred arched construction with a 17th century wooden surround, cut down to fit, with bold carved heads, swags and cartouches and remains of paint. It was possibly removed from Audley End House during the late 18th century restoration and updating of the State Rooms under Robert Adam. The fireplace has an old quadrant chimney crane and an elaborate grate of circa 1800. Lamb's tongue chamfered stops are found on the stair hall and principal hall joists and a fragment of wind braced, clasped side purlin roof is notable at the west end of the central block of the west front, commensurate with its 17th century date of

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construction and subsequent division of hall. The re-built chapel has one original early 17th century hammer beam truss, restored and a second truss to the east was constructed in the 20th century in imitation.



Picture 1.10 Entrance to St Mark's College with the arched doorway and elaborate chimney stacks.

1.97 A significant boundary wall to St Mark's encloses the building to the the north and north west and is Grade II listed. It dates principally from the 17th century with some later additions of 18th century date and was presumably contiguous in its construction with the building of the main almshouse complex. Much of the original is constructed of small red bricks with wide gauged joints. The principal gateway at the corner has piers with low pyramidal caps and a two-leaf gate.

1.98 Beyond St Mark's and running northwards up a slight incline is the single street that comprises Audley End village proper. White washed cottages nestle closely against this thoroughfare, their stone steps protrude just slightly and the pleasing mix of building materials, roofs and jutting dormers present a most attractive aspect. Those on the west side comprise a single unbroken run of 11 one and a half storey cottages which are listed as a group at Grade II*. They mainly date from the 18th century, but some elements of 16th and 17th century constructions remain. All are timber-framed and plastered with considerable areas of early paper and combed pargetting which have been neatly restored in a number of places. The peg-tiled roofs are mostly pierced by

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small dormer windows. A number of later additions have been successfully incorporated, such as the 19th century rear gabled wing to No. 2 which includes decorated barge-boards stylistically linked with those on the former post office across the street.



Picture 1.11 This run of diminutive dormers on properties lining the west side of Audley End village makes an attractive prospect.

1.99 On the opposite side of the street are two further groups of buildings. The first run comprises numbers 9-15 and again mainly date to the 18th century. Most are of timber framed construction, one and a half storeys with peg-tiled roofs although No. 9, a distinctive 19th century building, is of flint cobble with red brick banding under a slate roof. The final group on the village street are a little more varied with buildings of both one and a half and two storeys in height dating from the 16th to the 19th centuries. As a group they are listed Grade II*. Most notable is the diminutive red brick former post office which was originally built as the village school.

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Picture 1.12 The village street as seen from the north sometime in the early 1900s. The scene is little changed today. (Reproduced courtesy of Saffron Walden Museum).

1.100 Adjacent to the former post office can be found the telephone kiosk (Grade II). It is of the K6 type, designed in 1935 by Sir Giles Gilbert Scott and made by various contractors in cast iron.

1.101 At the top of the village, strung out along the main Audley End Road and facing into the park are three properties of grand proportions - Home Farm House, Abbey House and Lion House. Amongst these Abbey House is the most prominent. Probably originally of early 17th century date it was substantially enlarged in 1969-70 to approx 3 times its former size, by additions to the east and west and by the construction of a large west wing by Philip Jebb. Of timber-framed construction it is now almost entirely clad in red brick with clay tiled roof. The front elevation is symmetrical with a seven window range, parapet with modillioned cornice, bays 3 and 5 have similar 3-cant bay windows through both storeys. All windows are sashes with narrow glazing bars and are of 3x4 panes. Home Farm House is of timber framed construction, originally dating from the 17th century it was refaced with brick in the 18th century. The principal elevation faces north onto the road and comprises 5 bays, a central doorway with fluted pilasters, simple cornice hood, pulvinated frieze, panelled reveals, and a door of 6 fielded panels. All the windows have very good voussoirs and all are sashes with glazing bars, 3x4 panes. Above, parapet with dentilled cornice masks the half hipped roof of 20th century tiles, central square chimney stack.

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Picture 1.13 Home Farm House, originally dating from the 17th century it was refaced with brick in the 18th century.

1.102 Though not as prominent as Abbey House, the nearby Lion House is most visually arresting. Built in the early 19th century of red brick with a hipped slate roof it is of rectangular plan but with the front centre brought forward in 3 cants. Its principal feature is the range of ten windows of 'Gothick' 2-centred arched form with sashes and glazing bars ascending to 'Y' tracery above. A central yellow brick chimney stack projects from the roof at its apex. Bettley and Pevsner note that "it appears to be based on a design by T. Lightoler published in *The Gentleman and Farmer's Architect* (1762)"⁽³¹⁾.

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Picture 1.14 Print of a watercolour circa 1900 showing the Adam Bridge and approach to Audley End. (Reproduced courtesy of Saffron Walden Town Library).



Picture 1.15 The visually arresting prospect of Lion House with its range of 'Gothick' windows, set back from the road and framed by mature horse chestnuts.

1.103 Important buildings or structures within the curtilages of Listed Buildings. None are noted.

1.104 Other buildings that make an important architectural or historic contribution. No such buildings have been noted in this part of the conservation Area.

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1.105 Other distinctive features that make an important architectural or historic contribution. Walls so identified are protected from demolition without prior consent unless otherwise stated.

1.106 A range of fine walls are found within this part of the Conservation Area - either in brick or flint with brick piers and capping detail. Those that are listed have been noted above, although there are a number of others forming the boundaries to or linking listed buildings. Most prominent is that forming the western boundary of St Mark's yard where it is particularly visible along the long drive to the main entrance. Other shorter lengths of wall can be seen extending up on both sides of the road from the bridge over the Fulfen Slade to the village and beyond No. 2 to Home Farm House. They are almost all in good repair and both the Diocese and Audley End Estate should be commended for their care.



Picture 1.16 A fine run of flint walling with semi-circular brick caps lines the long approach to St Mark's.

1.107 To the front of Abbey House and Lion House runs a range of white painted chain-linked posts. Whilst of no age, these serve to separate the properties from the thoroughfare and enhance their formal standing as grand dwellings looking into the formal park.

1.108 Important open spaces. Although not a public space, the grounds surrounding St Mark's represents an area of high quality open space. The varied trees, high hedges and mown lawns add to its quality and sense of an 'undiscovered gem' particularly when approached from the south along the track from Wenden Road.

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1.109 The small triangular green at the entrance to the village is important as it acts as a buffer between the sometimes busy road and the houses. Sometimes it can become congested with parked vehicles, but mostly it is an attractive, though small open space.

1.110 Particularly important trees and hedgerows. Mature trees of exceptional quality are one component of a quintessential English landscape. Those surrounding St Mark's effectively screen the property from the trackway whilst trees behind Abbey House and Lion House provide a green backdrop to these properties setting them in scale to the overall streetscene. Hedgerows delineating the boundaries of the settlement play an important function in making the transition from built environment to open countryside. Their retention is of the utmost importance.



Picture 1.17 The interaction of walls and quality hedges on the southern approach to St Mark's plays an important part in defining the quality of this part of the Conservation Area.

1.111 Important views. Two such views are identified - looking along the approach to St Mark's and the view along the village street. Additionally, glimpsed views into St Mark's from various points are important and serve to place the area in context with the surrounding landscape.

1.112 Elements that are out of character with the Conservation Area. A number of telephone utility poles and their overhead services detract from the quality of the streetscene, particularly along the village street. It is considered appropriate to draw attention to the level of visual damage, particularly where these services intrude in proximity to Listed Buildings. It is recognised that in the current economic climate it may be difficult to achieve any real improvements, though, it will still be worth while exploring the potential for the under grounding of services with the telephone utility companies should the opportunity arise.

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1.113 As mentioned above, the majority of the walling is in good repair. The exception is that portion where the road crosses the Fulfen Slade. Here some spalling has resulted in losses of bricks and flints and the rather utilitarian pipework and railings are not in keeping with the otherwise high quality of the area. Some remedial works would be beneficial, though it is noted that the area is a difficult one given the location and proximity to water.



Picture 1.18 Overhead services on utility poles are somewhat disruptive in the streetscene.



Picture 1.19 Any opportunity to repair the village pump would be beneficial.

1.114 Opportunities to secure improvements. The village pump located on a section of walling on the village street is looking somewhat neglected and has lost the original handle. A crack in the wall is also evident.

1.115 Suggested boundary changes. A small amendment to the boundary to the east of Audley End village former Post Office to exclude the area of open woodland and grass verge. This area does not represent a significant landscape feature and makes little, if any contribution to the setting of the adjacent buildings. Furthermore, the revised boundary will more closely follow a demarked boundary on the ground.

1.116 Other actions. None.

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Audley End House and Grounds

1.117 General overview. Audley End House and parkland is one of the most important archaeological, architectural and historic sites in the whole of the district. The grand house sits as the centrepiece of a carefully contrived landscape that, in many ways, is unchanged since Sir John Griffin Griffin commissioned Lancelot 'Capability' Brown to produce a picturesque setting for his newly remodelled home in the late 18th century. Service buildings tag onto the north side of the main house and to the west the long range of the 17th century stable block in mellow red brick is still visible. Beyond are workshops and the walled kitchen garden and to the front the great glassy sweep of the River Cam crossed by a number of bridges, most notably that designed by Robert Adam in classical style to carry the road to Saffron Walden. Everywhere there are trees, either single specimens standing in the parkland, acting as a backdrop to the house or fringing the skyline where, to the west they almost hide the Temple of Victory on Ring Hill. Modern roads do intrude, but only slightly and discrete signage serves as a reminder that this is a tourist attraction as well as a historic monument and "even in its reduced form [is] the most impressive country house in Essex"⁽³²⁾.

1.118 Scheduled Ancient Monuments. There is the designated Scheduled Ancient Monument of Audley End House and park⁽³³⁾. This encompasses the current English Heritage site and extends from the Orchard and nursery garden in the west to the back park where it meets Icehouse Lodge in the east.

1.119 Designated Parks and Gardens. The extent of the original historic parkland has been accorded Grade I status as a Designated Park and Garden. Effectively this includes the current golf course and woodland to the north up to Northend Lodge, the parkland and present agricultural land to the outskirts of Saffron Walden and Walden Lodge, the present Audley End Miniature Railway and land to Gamages Wood and, to the west open land and woodland up to an including the Scheduled Ancient Monument of Ring Hill⁽³⁴⁾.

1.120 Archaeological sites. The site is of great archaeological significance being the location of the original Benedictine Abbey of Walden, of which there are now no remains. Foundations, broken columns and mutilated mullions have been found under the eastern lawn and the flower gardens. Other foundations and bones have been excavated from the bowling green, near the great pond. Building remains discovered beneath the floor of Audley End House itself suggest that the inner court behind the hall marks the site of the Abbey cloister. Coller states that extensive foundations were buried beneath the eastern lawn and flower beds of Audley End House⁽³⁵⁾. The priory was founded by Geoffrey de Mandeville in 1139-1143 at about the same time as he was building the castle in Saffron Walden. By 1190 it had become important enough to be accorded the status of an abbey. In 1538 the abbey and its possessions were

32 James Bettley and Nikolaus Pevsner *The Buildings of Essex*, London, Yale University Press, 2007, p. 95

33 'Audley End Mansion' List entry Number: 1002163

34 List entry Number: 1000312

35 Duffield William Coller *The People's History of Essex*, 1861 p.593

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surrendered to the king, who granted them to Sir Thomas Audley who converted the buildings for his house c1538-1544. Parts of the cloister walls have been revealed by excavations in the 1950's and in 1979 when it was shown that the north, east and south sides of the inner court of Audley End House certainly incorporated, and the west side probably incorporates, the lower parts of the walls surrounding the monastic cloister, therefore confirming that the abbey cloister and inner court of the later Jacobean house were co-extensive. The Site Monument Record (SMR)⁽³⁶⁾ report notes significantly that:

"This, taken with other evidence, including a late 16th century estate map, indicates a "remarkable structural continuity" between the Abbey and both the later houses. A tile floor from the church was found though it may be a relaying as part of the 1st post medieval house. Other features located included parts of the south west corner of the cloister, including, probably, the bases of engaged columns for a vault over the undercroft (possibly a century earlier than the rest of the, 14th century cloister). Early finds made close by include: many burials, iron nails (evidence for wooden coffins), 2 lead coffins (all these probably from the monks' cemetery), 2 13th-14th century circular bronze brooches with bronze swivel pins, found with human remains, probably from a lay cemetery. There is stonework at the house from the early and recent excavations, including a finial in Barnack stone, found in 1832. A broken piece of flat gravestone was referred to in 1836 but has disappeared. The stonework includes items from all stages of the house's development. Other building materials found include: brick, roof tiles, floor tiles of varying types. Some tiles are by the 'Westminster tiler', others are of Flemish manufacture⁽³⁷⁾."

The 19th century parterre garden was excavated 1985-87 in advance of reconstruction. Pre-19th century features revealed in flowerbeds and later features were recorded but not excavated. The 1950 trenches at the eastern corners of the cloister were reopened and recorded in detail for the first time. It seemed that the 14th century rebuilding of the cloisters did not affect any structural aspects of the claustral buildings, being restricted to the pentice itself and some rearrangement of doorways and internal features. South of the south transept lies the presumed chapter house with a narrow slype beyond and other buildings stretching to the south east corner⁽³⁸⁾. The Site Monument Record concludes that the two short lived monastic sites are "of the utmost archaeological importance" and that "the remarkable structural continuity between Walden Abbey and Audley End I, and indeed between the abbey and the inner court of Audley End II" should be noted as integral to an understanding of the history of the site.

1.121 Individually Listed Buildings and other structures. A selection of representative Listed Building descriptions (generally abbreviated) is provided below.

36 SMR 410

37 Excavation report: *Saffron Walden: excavations and research 1972-1980* (Drury, P. J. in Bassett, S. R.) No 45, pp 94-105 Dated: 1982

38 Excavation report: *Audley End: Excavations in the Courtyard* 1987 (Cunningham, C) Interim Report Dated: 1987

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1.122 Audley End House. Grade I. What remains today is part of a palatial country house built for Thomas Howard, Lord Treasurer to James I between 1605 and 1614 by the Earl of Northampton, John Thorpe and Bernard Janssen, mason. It overlies the earlier Abbey building but had a second, larger outer court to the west. This was entirely demolished in a number of phases by the mid 18th century in a programme of works that also included the removal of the east range of the inner court that contained the long gallery, council chamber and original chapel and the infilling of a loggia on the south side (as now). Principal refurbishment occurred in 1721, by Sir John Vanburgh, in the 1770's for Sir John Griffin Griffin by Robert Adam, and in the 19th century when many of the rooms were reorganised for the second, third and fourth Lord Braybrookes.

1.123 The best sense of the scale and concept of the original house can be gained from the 24 detailed intaglio prints of Audley End House, published in 1686 by Henry Winstanley⁽³⁹⁾ when the House was briefly a "Royall Pallace" for Charles II. It is notable that in spite of the many alterations subsequent owners have retained the Jacobean style in much of the later refurbishment. In 1948 it was sold to the Ministry of Works⁽⁴⁰⁾.



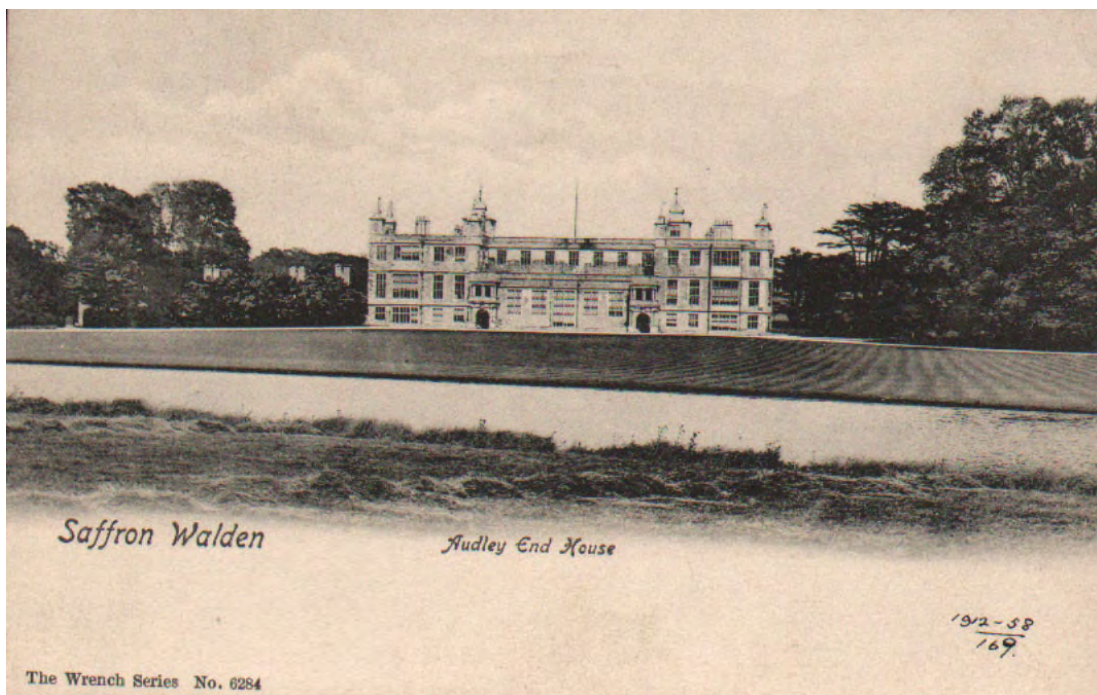
Picture 1.20 Henry Winstanley's view of the great court at Audley End, as originally constructed. The artist has not shown the outer wall and gates so as to get a better view of the front of the main house. Engraved as part of a series of images of the house, then a Royal Palace, and printed 1676-1688. (© The Trustees of the British Museum - Museum number 1883,1013.31).

39 Born in Saffron Walden in 1644, Winstanley's father (also named Henry Winstanley) was land steward to the Earl of Suffolk during the years 1652-1656. The young Henry Winstanley was also employed at Audley End House, initially as a porter and then as a secretary to the Earl. When the House was sold to Charles II in 1666 he continued to work there under Clerk of the Works, John Bennett, and following Bennett's death, Winstanley was appointed Clerk of the Works at Audley End in 1679 - a post he held until 1701. Cf *The Prints of Henry Winstanley* by Martyn Everett, 2006

40 The Buildings of England: Pevsner N & Ratcliffe E: Essex: London: 1965: 61; Architectural History: Drury PJ: No Other Palace in the Kingdom Will Compare With It: London: 1980: 1-39; Drury PJ & Gow IR: Audley End, Essex: HMSO, London: 1984

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1.124 The house, as it now stands, is of U shaped plan, clunch ashlar faced, three storeys high with the principal first floor the tallest. All the windows are of ovolo moulded, mullioned and transomed form, lights mainly now have plain glass. Parapets all round hide roofs and are pierced with strapwork decoration. To the front the two porches act as ground and first floor loggias with Ionic grouped corner shafts of black and white marble with profuse strapwork and grotesque decoration. The ground floor round headed arched doorways give onto early 17th century doors variously panelled with war and peace motifs. Loggia on the upper floors have a pair of openings to front. At the north and south ends of the range there are tower shaped blocks with turrets at the corners with blocked, keystone, round headed apertures, swept copper capping and weather-vanes. To the front the full height bay window is a prominent feature giving light to the Great Hall. Other windows on on the ground floor are 7x2-lights, first floor 7x3-lights and second floor 7x2-lights. Waterheads around the court on the south side can be various observed with dates of 1679, and on the north side marked I.R.1686 and 1786.



Picture 1.21 Audley End House as it appeared in the early 20th century from the far side of the River Cam. (Reproduced courtesy of Saffron Walden Museum).

1.125 Inside, the principal features include the Jacobean Great Hall and screen and contemporary north and south timber-framed newel staircases. The saloon, once the Jacobean Great chamber, is particularly impressive with its original ornamental plaster ceiling depicting serpents and an early interpretation of a native North American. Later work includes one room of a set of state apartments, an 18th century stone staircase by Sir John Vanburgh leading off the Great Hall high end and the refurbishment of rooms in the south range by Robert Adam. Contemporary with Adam, but designed by John Hobcroft is the 'Gothick' chapel in the north west angle.

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Picture 1.22 The imposing front elevation of Audley End from the sward.

1.126 Enclosed service courtyard abuts the north side of house constructed in single storey brick with slate roofs. Early 19th century segment headed doorways are noted with some doors retaining early 19th century reeded flush panels. Windows are mainly also segment headed casements with glazing bars. There is also a second group of larger buildings in arc facing west, some of which are two storeyed, all linked and contiguous with the service court, hipped slated roofs, some provided with paired display Roman cement chimney stack. The whole irregular group is now colour washed and restored internally to interpret the original functions of dairy and laundry.

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Picture 1.23 The range of 18th century colour washed service buildings extending to the north and west of the main house.

1.127 Audley End Stables (Grade I). To the north west of the main house stands the fine range of red brick stable buildings. Originally thought to pre-date the main construction of the house by some years, the current opinion is that in style and materials the stable block is most likely to have been constructed as part of the major rebuilding of the house undertaken by Thomas Howard, 1st Earl of Suffolk, between c.1605 and 1614. This is confirmed by documentary evidence in the form of a survey of the estate made before 1605, which shows that there was nothing on the site of the present building at this date. Being a stable block it was not originally conceived as a high status building, as Giles Worsley notes in *The British Stable* ⁽⁴¹⁾, ‘there is generally little sign of the advanced ideas of Elizabethan and Jacobean architecture in stable design’ going on to add that ‘this is also the case at the grandest surviving stables of this date, those at Audley End’. As with the main house, Henry Winstanley produced a number of engraved plates, one of the north front and one the south, which serve to show that the surviving structure has been relatively little altered since the late 17th century with only the loss of a number of relatively minor features such as the lean-to to the east of the central crosswing ⁽⁴²⁾.

41 Giles Worsley *The British Stable*, Yale University Press, 2005

42 Cf. the full study: Pete Smith *Stable Building Audley End House Saffron Walden, Essex. Research and Analysis*, English Heritage, 2008

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Picture 1.24 The stable block probably around the end of the 19th century from an image donated to Saffron Walden Museum in 1912. (Reproduced courtesy of Saffron Walden Museum).

1.128 At the north and south ends of the range and in the centre, gabled wings project on both the north and south sides. The south front has 1:3:1:3:1 window range of three-light windows with stone surrounds and mullions, there are four-centred arched heads to the lights and brick square label moulds. On each side of the central wing there are three brick gabled dormers. Moulded brick bands extend across both fronts between the storeys providing a decorative finish. On the north front the windows are similar to those on the south and between the wings there are large bays with splayed corners and tiled roofs. Each has has storeys of lights with the lower storey blocked. The central wing has an archway with pilasters and pediment. Roof tiled, with an octagonal lantern with a leaded fleche at the crossing of the central wing and main block. Internally, many of the 19th century stable fittings remain in place and the loose boxes and stalls are still used to house horses.



Picture 1.25 A view of the back of the stable block as it appeared in 1836, from Richard Neville's 'History of Audley End'.

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Picture 1.26 The fine early 17th century stables, set against mature tree cover and just back from the river make a most attractive and historic scene.

1.129 A number of lodges and gates guard the entrances to the historic park. Two are to be found in the Conservation Area. To the south of the main house and at the entry point from Audley End Road is the Grade II listed Lion Lodge. It sits adjacent to the prominent Lion Gate (see below). Built in the Elizabethan style sometime around 1846 of red brick with stone dressings it is a partly two storey building of rectangular plan but with projections on three sides. The roofs are all obscured by pierced stone parapets in period style. All windows are casements of cast-iron with lozenge and octagonal latticed glazing and the large windows have stone mullions and transoms. A garden wall attached to house on north side has a doorway decorated in Elizabethan style with parapet over shaped with triple arches and accompanying tall pyramidal finials.

1.130 The adjacent Grade II* Lion Gate is the principal gateway to Audley End House. Re-built in 1786 of oolitic stone and now colour washed, the central large carriageway and smaller side footways all with have semicircular arched heads set between inner and outer piers with recessed panelled pilasters. An attic storey over central arch bears an inscribed panel with date of '1786' and is surmounting by a prominent Coade stone gorged lion on a chapeau inscribed 'Coade, London'. Draped oval Coade stone urns surmount the flanking piers and the lower terminal piers also have smaller similar urns (that to the west being the original Coade stone whilst that on the eastern extension is supplied in imitation). The date, '1616' is set in the spandrels of the centre gate arch. The gates themselves, are of leaf decorated wrought-iron, two-leaved gates to each archway with subsidiary iron gate piers to central archway. All paired gates have a dropped swept centre and spear head railings.

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1.131 Cambridge Lodge (listed Grade II) stands almost due west of the house and gives exit onto the main London to Cambridge road (now the B1383). It was built of red brick in the Jacobean style in 1834 by Thomas Rickman, the noted Quaker architect principally remembered for classifying medieval architecture but also as the creative mind behind New Court of St John's College Cambridge⁽⁴³⁾. The present lodge is of two storeys with the entrance porch rising to a three storeyed tower with an ogee leaded roof with a modillion cornice. On the west end of the front there is a semi-circular two storeyed bay, stuccoed, with casement windows with stone mullions and transoms to the ground storey windows and mullions to the first storey windows. The doorway has a stone surround and an elaborate panelled and carved door. There are two chimney stacks with three octagonal shafts and moulded caps.

1.132 The associated Cambridge Gate (Grade II) dates from the mid 19th century and comprises a gateway with brick octagonal piers with precast stone tops with panels ornamented with roses and portcullis and surmounted by bulls heads. The precast stone tops are weathered. There are wrought iron gates and flanking spearhead railings on a brick base with a moulded stone cap.

1.133 Surrounding and within the park there are also a number of other listed structures. Most notable is the Grade I listed bridge over the River Cam designed and built in 1763-4 by Robert Adam. It is constructed of oolitic stone ashlar, hump-backed, curved with splayed ends and with three elegant segmental arches. The central section is balustraded with terminal piers. Each side has roundels in the spandrels, the south ones being plain but those to north have heraldic decoration in the two inner ones and 'ANNO 1764' in the outer examples⁽⁴⁴⁾.



Picture 1.27 A 20th century view of the Adam Bridge showing the roundels and, in particular, the building date of '1764'. (Reproduced courtesy of Saffron Walden Museum).

43 H. Colvin, *A Biographical Dictionary of British Architects 1600-1840* 3rd ed. p 813

44 Drury PJ & Gow IR *Audley End, Essex* HMSO, London, 1984

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1.134 Important buildings or structures within the curtilages of Listed Buildings. A number of such structures have been noted and are detailed below. The issue of deciding whether or not a building is 'curtilage listed' can sometimes be problematic and there is no exact legal definition of a building's curtilage.

1.135 The main tests relate to the physical layout of the land surrounding the main building/s at the date of listing, the physical layout and functional relationship of structures to each other; ownership, past and present and use or function, past and present. Structures need to be ancillary or subordinate to the main Listed Building and form part of the land and not be historically independent. Protection is granted to such objects or structures within the curtilage of a Listed Building if they were built prior to July 1, 1948. In determining the extent of a Listed Building and its curtilage, a key assessment will be to examine the situation at the time of listing.

1.136 Interpretation is difficult at the Audley End site and briefly explained in the individual building descriptions below. Whatever alternative legal interpretation others may take in the future, the key point is that all of the buildings identified by this Appraisal contribute to the visual and historic importance of the respective sites and should be retained.



Picture 1.28 The head gardener's house, built in 1875 and situated at the southern corner of the walled kitchen garden.

1.137 The former head gardener's house. An elegant and prominent building, set into the extreme south east corner of the walled kitchen garden. It is largely unaltered, two storeys, constructed of red brick with central gabled porch and projecting wing to

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the south. Four window range, all casements with a small half-width window over the porch. Set in the south projection under the eaves is a relief panel dated '1875' under the Neville bull and crown crest. Elaborate pierced 'thorn-work' barge boards to the gable ends with square section terminated finials. There are some similarities in the joinery with that employed on the former post office and No. 2 in Audley End Village. This property is considered to have had a functional relationship with and ancillary to the main Audley End House and thus 'curtilage listed'.



Picture 1.29 Range of agricultural buildings and stabling to immediate north of the stable block. They would appear to date from the latter part of the 17th century.

1.138 Range of agricultural buildings and stabling to immediate north of the stable block. A long range in a continuous run variously of brick barns of various heights with high square ventilation apertures on the larger barn. Roofs tiled and hipped. Probably date from 17th century. A large structure on this site is shown on the Winstanley plan of c. 1676 where it is marked as 'the Stores' and again on the 'Capability' Brown design for a stable yard in 1763⁽⁴⁵⁾. These are considered to have had a functional relationship with and ancillary to the listed stable block and thus 'curtilage listed'.

1.139 The 'new coach house' on the north side of the stable yard consists of a slightly projecting central gabled section with a broad segmental arched doorway and double plank doors. At each side are single similar though slightly smaller segmental arched doorways with double plank doors. In the gable above the central archway is a three-light brick mullion window with graduated and pointed lights and leaded diamond panes. Research by English Heritage has concluded that It was probably built for the 5th Lord

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Braybrooke and designed by his architect, Richard Hussey⁽⁴⁶⁾ sometime around 1875. The western section of the building included a forge workshop and there is an external chimney stack at the rear. Today, following a recent restoration, the building houses the estate fire engine and a small gift shop. English Heritage conclude that "this relatively plain and functional late 19th century building contributes successfully to the larger group of buildings which form this stable yard"⁽⁴⁷⁾. This building is considered to have had a functional relationship with and ancillary to the listed stable block and thus 'curtilage listed'.

1.140 Range of potting sheds, gardeners' accommodation and vinery heating house. Single storey, constructed of red brick with casement windows. Central chimney stack. Presumably contemporary with the construction of the vinery, they are shown on the 1877 Ordnance Survey.

1.141 **Other buildings that make an important architectural or historic contribution.** A number of such buildings have been noted and are detailed below.



Picture 1.30 Road block located immediately to the west of the Fly Bridge.

1.142 Situated in the Cam valley on route of the vital London to Cambridge road and near the river and railway line, Audley End occupied a strategically important site during the Second World War abutting the route of the GHQ Line (General Headquarters Line)

46 Pete Smith *Supplement to Audley End Stables Historic Buildings Report*, English Heritage, 2009, p.6

47 *ibid* p.8

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- a defensive line built to contain an expected German invasion⁽⁴⁸⁾. The house was also significantly tenanted by the military and used first as the training base by the Dutch Special Operations Executive (SOE) and subsequently by the Polish SOE⁽⁴⁹⁾. A rectangular concrete pillbox with short blast wall on its north west side is located on the west side of the River Cam, overlooking the lawns of Audley End House. Unusually, there is no loophole in its SW wall. A Second World War road block is also located on Stable Bridge. The site comprised a pair of concrete anti tank cubes at the bridge's western end plus a demolition chamber inserted into the eastern end of the bridge. The cubes remain but the chamber has been filled in. The bridge was also defended by a pillbox to its south-west (NMR TL 53 NW 215) which is no longer extant.

1.143 A further contemporary road block is also located immediately west of the Fly Bridge. The site again comprises two large concrete anti-tank cubes. Originally the two cubes would have supported a steel hawser which could be lowered for friendly traffic or fixed in the raised position as an anti tank obstacle. Additionally, a number of loop holes were cut in the wall of the Bothy Garden permitting covering fire out over Duck Street. The pillboxes and cubes are one of a number of similar defensive features constructed along the River Cam in 1940-1941. They formed part of the Audley End Defence Area (Number 70) and the GHQ Line (Essex). These sites are now included in a leaflet and walk around the Saffron Walden area produced by Essex County Council.



Picture 1.31 Soldiers training at Audley End. From the uniforms, this shot is likely to have been taken during the inter-war years. (Reproduced courtesy of Saffron Walden Museum).

48 The GHQ Line ran from the northern end of the Taunton Stop Line near Highbridge in Somerset, along the River Brue and the Kennet and Avon Canal to Reading, around the south of London south of Guildford and Aldershot, to Canvey Island and Great Chesterford in Essex, before heading north to end in Yorkshire. Full details are available via the Defence of Britain Project:

<http://www.archaeologyuk.org/cba/projects/dob/>

49 Ian Valentine, *Station 43, Audley End House and SOE's Polish Section*, The History Press, 1998

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1.144 Other distinctive features that make an important architectural or historic contribution. Walls so identified are protected from demolition without prior consent unless otherwise stated. A range of boundary treatments are found within this part of the Conservation Area - wooden agricultural fences, garden hedges, flint walls with brick piers and capping detail, brick walls, formal park railings and more modest estate railings. The most important are listed.

1.145 Most prominent on the approach from the town is the south boundary wall (Grade II*) to Audley End Park stretching along Audley End Road for 1120m from Lion Lodge to the edge of Saffron Walden. It is contemporary with the building of the original house in the early 17th century and is constructed of red brick with some yellow bricks, mainly in English bond with some patches of garden wall bond.

1.146 On the other side of Lion Lodge is the run of railings, listed Grade II. They divide the park from the road and are notable for their fine early 19th century square section bars with spear tops and slender lower alternating bars.

1.147 A fine probably 3m high section of brick and flint wall links the stable block with Cambridge Lodge. It is mostly obscured by trees from the park but is very visible from the lane that runs along the back.

1.148 The length of brick and flint walling extending from Lion Lodge along the side of the B1383 towards Duck Street is most prominent in the street scene and serves as a visual indication of the approach to the house and park. This long length of walling forms the outer boundary to the walled orchard garden which is itself linked to the kitchen garden.

1.149 The walled kitchen garden lies some 350m to the north-west of Audley End House. It contains four enclosures and has partly been restored in recent years to its 19th century form with flower, fruit and vegetable areas, each edged by box hedging and accessed by formal paths laid down with hoggin. An early 19th century vine house survives in one of the compartments and faces to the south. On the north of this same wall are a number of former workshops and potting sheds, now recreated and open to the public. The walls that comprise the boundary to the kitchen garden are of note particularly for the various warming fire apertures employed in former times to heat the bricks in order to prevent frost damage to delicate fruit on the trees espaliered against the them. The walled gardens were established in the 1750s by the Countess of Portsmouth and extended in 1768 by Sir John Griffin Griffin who added glasshouses and an orangery. These were demolished in 1802 when the vine house was built.



Picture 1.32 The kitchen and orchard gardens as shown on the 1877 Ordnance Survey. (Reproduced courtesy of Saffron Walden Town Library).

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Picture 1.33 Interaction between the fine high walls, restored vinery and maturing planting contribute to the quality of this historic kitchen garden which has served the main house for many years.

1.150 Important open spaces. The park of Audley End House represents an area of exceptionally high quality open space where the interaction of historic features, trees, water and landscape contribute to the local environment. Accordingly it has been accorded Grade I status as a designated historic park and garden.

1.151 Particularly important trees and hedgerows. Mature trees of exceptional quality are one component of a quintessential English landscape around the house and nearby properties. Those surrounding Audley End House effectively screen the property from the water meadows whilst trees around the stables and Cambridge Lodge provide a green backdrop to these properties setting them in scale to the overall landscape. Hedges delineating the northern boundaries of the parterre garden and hiding service wing buildings from the main house frontage play an important function in adding to the high quality and diversity of the environment. Other quality hedges and wide verges abutting the run down into the stable yard provide a transition from the surrounding open sward to the more functional areas of the estate. Their retention is of the utmost importance.

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Picture 1.34 A glimpsed view of the back of Audley End House through the specimen trees and hedges lining the formal gardens and adjacent to the ha-ha.

1.152 Important views. Views of this site could be taken from many angles. Those from the Adam Bridge looking over towards the main house, the stables and along the River Cam are most notable and have, in the past, been beloved of artists and engravers.

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Picture 1.35 The glassy sweep of the River Cam, re-engineered to its present course as part of 'Capability' Brown's landscape design and with Lady Portsmouth's Column visible in the distance.

1.153 Elements that are out of character with the Conservation Area. No elements are noted and English Heritage are to be congratulated on their management of the site.

1.154 Opportunities to secure improvements. None noted.



Picture 1.36 The importance of the landscaped parkland in providing a setting for Audley End is apparent in this view of the house from just below the Temple of Victory.

1.155 Suggested boundary changes. Currently the walled kitchen garden and orchard gardens, the Elysian Garden, Tea House Bridge and Temple of Concord are all excluded. These features all sit within the immediate park designed by Lancelot 'Capability' Brown. Together with the extensive archaeology they are integral to the history of the site and are importantly linked to and contribute to the unique character of the Audley End House estate. It is therefore proposed to extend the boundary of the Conservation Area to include the whole of the area currently designated as the Audley End Scheduled Monument.

1.156 Other actions. None.

Part 2 - Management Proposals 1

Revised Conservation Area Boundary

2.1 There is one proposed revision:

1. A small amendment to the boundary to the east of Audley End village former Post Office to exclude the area of open woodland and grass verge.
2. To extend the boundary to include the whole of the area currently designated as the Audley End Scheduled Monument.

Planning Controls and Good Practice: The Conservation Area

2.2 All current planning policies are contained in the Uttlesford Local Plan adopted in 2005. It is against this document that the District Council will process applications. As set out above, this will be superseded in due course by the Council's new Local Plan.

2.3 Applicants considering submitting any application should carefully consider the relevant policies and if necessary contact Council Officers to seek advice. For further details including advice on Planning Applications, Conservation Areas, Listed Buildings, Landscaping and other general administrative advice, please contact the Planning Department for assistance.

Website: www.uttlesford.gov.uk

Telephone no. 01799 510510

Or write to Council Offices, London Road, Saffron Walden, Essex CB11 4ER

Planning Controls and Good Practice: The Potential Need to Undertake an Archaeological Field Assessment

2.4 Potential need to undertake an Archaeological Evaluation. Good practice for applicants will be to carefully consider the content of the policies set out in the Local Plan.

Planning Control and Good Practice: Listed Buildings

2.5 Those buildings that are individually listed and other buildings, structures or walls within the curtilage of a Listed Building are similarly protected in law.

2.6 The Listed Buildings and associated structures within their curtilages, including those specifically identified by this Appraisal are important and are a significant contribution to the quality of the built environment of Audley End. Good practice for applicants proposing alterations or additions to such Listed Buildings will be to carefully consider the content of the policies set out in the Local Plan.

1 Part 2 - Management Proposals

Planning Controls and Good Practice: Other Buildings that Make an Important Architectural or Historic Contribution

2.7 Three such unlisted buildings that make a positive contribution to the character of the Conservation Area have been identified. The Council will seek to ensure that these are retained. These are as follows: The head gardener's cottage, the 'new coach house' and the range of agricultural buildings and stabling to the immediate north of the stable block.

2.8 Proposed Article 4 Directions. In the case of Audley End no such Directions are proposed because all historic buildings or structures are either listed or lie within the curtilage of Listed Buildings and are thus already afforded adequate protection.

Planning Controls and Good Practice: Other Distinctive Features that Make an Important Architectural or Historic Contribution

2.9 This Appraisal has identified several features including walls and the pump in Audley End Village that make a particular contribution to the character of the Conservation Area. Some walls are protected from demolition without prior consent by virtue of exceeding the specified heights relevant to Conservation Area or by Listed Building legislation. Any proposal involving their demolition is also unlikely to be approved. Additionally the various Second World War military installations comprising the pillbox on the west side of the River Cam, roadblocks on the Stable Bridge and another on the Fly Bridge and loopholes in the Bothy Garden wall should all be retained.

Planning Control and Good Practice: Important Open Spaces, Trees and Groups of Trees

2.10 Important open land, open spaces and gaps. The open spaces as identified being principally the grounds of St Mark's College and the park to Audley End House. All represent landscape features that materially contribute to the character and appearance of the Conservation Area that must be protected.

2.11 Particularly important trees and hedgerows. Only the most significant trees are shown very diagrammatically. Subject to certain exceptions all trees in a Conservation Area are afforded protection and a person wanting to carry out works has to notify the Council. Trees that have not been identified may still be considered suitable for protection by Tree Preservation Orders. Owners are advised to make regular inspections to check the health of trees in the interests of amenity and Health and Safety. The quality trees in the grounds of St Mark's College, behind Abbey House and Lion House provide a green backdrop to these properties. Those throughout the Audley End park add scale and interest as well as forming part of the important historic landscape. Additionally, hedges on the periphery, particularly to the south of the village serve as a transition into the open fieldscape beyond.

Part 2 - Management Proposals 1

Proposed Controls: Other Distinctive Features that make an Important Visual or Historic Contribution

2.12 The most important views within and out of the Conservation Area are diagrammatically shown. Particularly notable are those views across the parkland from various vantage points to Audley End House.

Enhancement Proposals to Deal with Detracting Elements

2.13 The Appraisal has identified a number of elements that detract which are summarised below together with a proposed course of action. Within the staff and financial resources available, Council Officers will be pro-active and provide assistance. It must be recognised that such improvements will frequently only be achieved with the owners' co-operation.

The features identified below are shown on the accompanying plans.

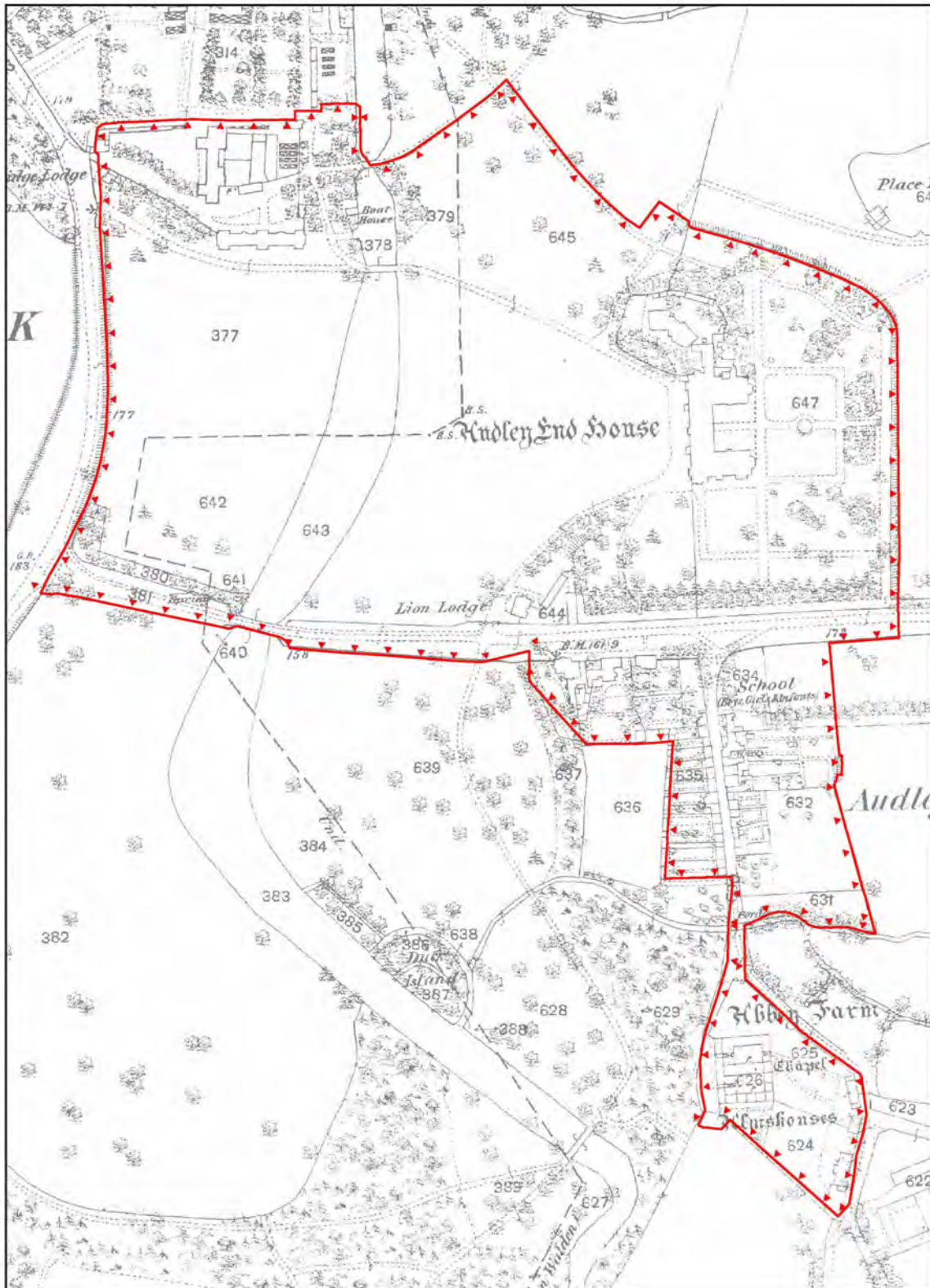
Detracting element	Location	Proposed Action
Overhead utility services on intrusive poles	At various locations in Audley End Village. These poles and associated overhead services are the most disruptive element in the Conservation Area	Contact utility company to explore potential of securing improvements of selected overhead services in selected locations
Spalled and unsightly brickwork/pipes	Walling extending across the Fulfen Slade	Liaise with Audley End Estate to seek remedial action

Other actions

The village pump located on a section of walling on the village street is looking somewhat neglected and has lost the original handle. A crack in the wall is also evident. It is noted that subsequent to the appraisal being undertaken work has now been completed on the pump and wall.

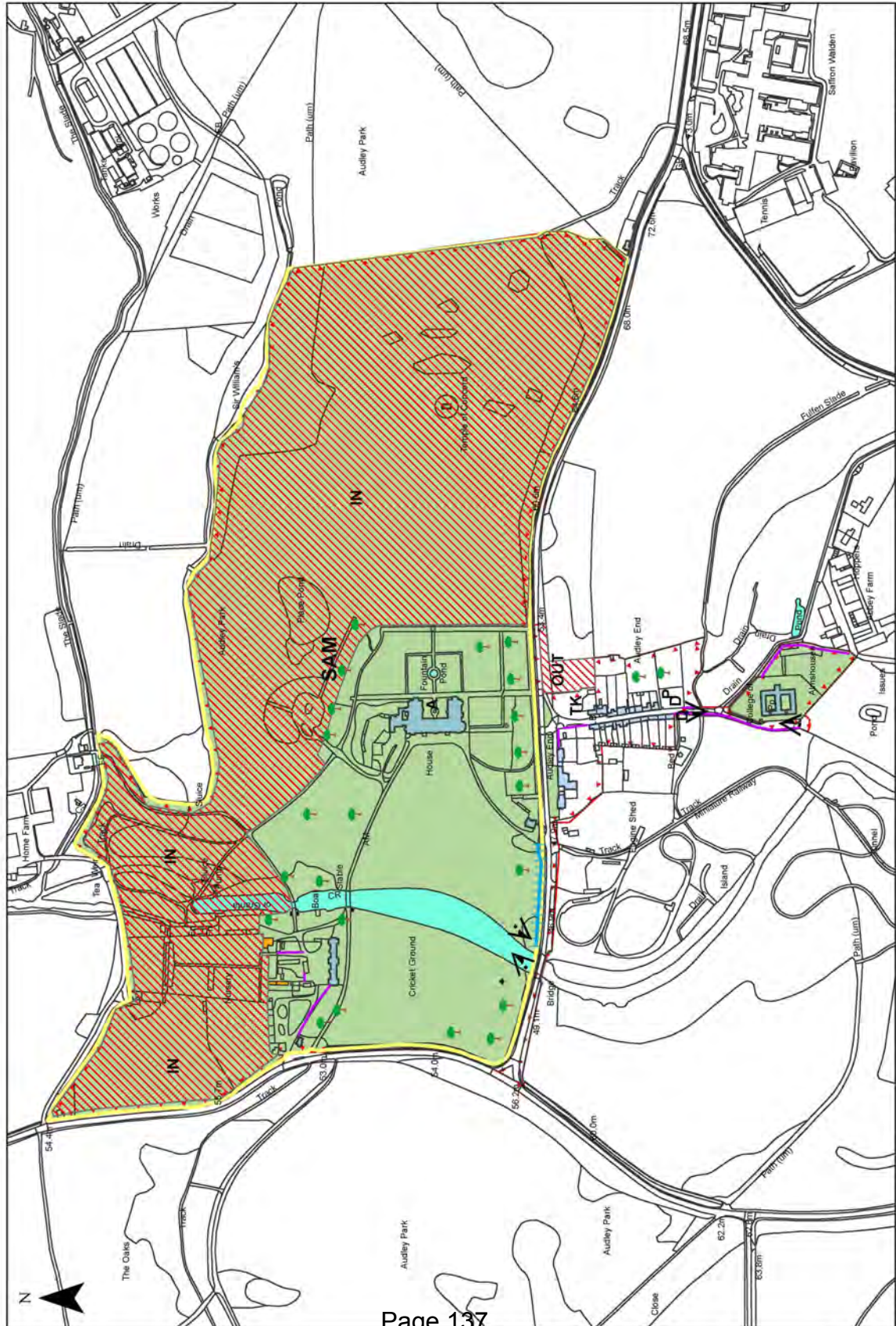
1 Maps

Figure 1 - 1877 Ordnance Survey Map





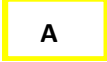













Maps 1

Fig 2 - Character Analysis




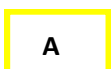









1 Maps

Character Analysis Key

	Existing Conservation Area boundary
	Proposed extension/reduction of the Conservation Area
	Archaeological Sites
	Scheduled Ancient Monument
 — 	TK Individually Listed Buildings, walls and Telephone Kiosk
	Other buildings that make an important architectural or historic contribution to the Conservation Area
	Important green spaces
	General location of important trees
	Water features
Other distinctive features to be protected from demolition (including walls and railings within the curtilage of Listed Buildings).	
	Walls
	Railings
	Pump
	Important views
	Detracting elements out of character
	World War II defensive features

1 Maps

Management Plan Key

	Revised Conservation Area boundary, adopted policy ENV1 applies
	Archaeological Sites
	Scheduled Ancient Monument
 — TK	Individually Listed Buildings, walls and Telephone Kiosk . Adopted policy ENV 2 applies
	Other buildings that make an important architectural or historic contribution to the Conservation Area. See policy ENV 1
	Important green spaces, adopted policies ENV 3 and ENV 8 apply
	General location of important trees
	Water features
Other distinctive features to be protected from demolition (including walls and railings within the curtilage of Listed Buildings).	
	Walls
	Railings
P	Pump
" <	Important views
E	Proposed enhancement
	World War II defensive features

Appendices 1

Appendix 1 - Sources

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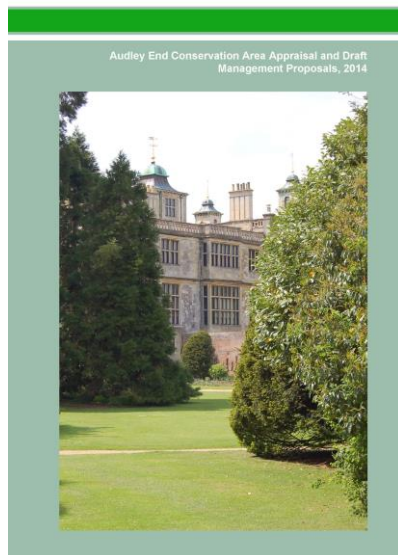
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Report of Public Participation on Audley End Conservation Area Appraisal and Draft Management Plan 31 October - 12 December

Report One Comments made at the Public Exhibition and during the consultation period



December 2014

Contents

Introduction

Summary of findings of the Audley End Conservation Area Appraisal

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Appendix 1 – Copy of letter to Audley End Residents

Appendix 2 – Audley End consultation form (the Council's standard equalities monitoring forms were also made available)

Introduction

This report outlines the responses received from the public exhibition held at St Mark's College, Audley End on Tuesday 11 November 5.30-8pm and all responses received during the consultation period 31 October to 12 December.

The Government encourages Councils to undertake appraisals of Conservation Areas and as part of an ongoing programme an appraisal of the Audley End Conservation Area was carried out in 2014. Anyone with an interest in Audley End was invited to respond to the consultation on the draft Appraisal which was available on line at <http://www.uttlesford.gov.uk/audleyendcaa> or, from 31 October paper copies could be inspected at the Council Offices in Saffron Walden, Saffron Walden Library and from the Saffron Walden Town Clerk and Littlebury Parish Clerk.

Consultees were invited to visit the Council's website, read the document and send in responses as to whether all the measures should be included or just a selection of them. For those who could not access the website, they could send any comments to the Project Officer at the Council Offices, London Road, Saffron Walden, CB11 4ER by email, letter or fax.

There was also a chance to see details of all the proposed changes and to discuss them with Council officers at a public exhibition which was held at St Mark's College, Audley End on Tuesday 11 November 5.30-8pm.

Following the consultation the District Council will take into account all comments and approve an amended document that will be an important material consideration when processing applications.

Summary of findings of the Audley End Conservation Area Appraisal

The historic core of Audley End is an exceptionally high quality environment where the 20 Listed Buildings in the Conservation Area make a significant contribution to its architectural and historical importance. These vary widely from the grand Jacobean Grade I listed Audley End House to the mainly 18th century run of houses along the village street and the various 19th century red brick lodges guarding the entrances to the park. Numerous other features are included - walls, railings, steps and the 20th century K6 telephone kiosk at the entrance to Audley End village.

A number of unlisted buildings that make a positive contribution to the character of the Conservation Area have been identified. These include the head gardener's cottage at the corner of the walled kitchen garden and the range of agricultural buildings and stabling to the immediate north of the stable block.

Trees, walls and hedgerows within the existing Conservation Area play an important function in adding to the high quality and diversity of the environment. Of particular note are the quality trees in the grounds of St Mark's College, behind Abbey House and Lion House where they provide a green backdrop to these properties. Those throughout the Audley End Park add scale and interest as well as forming part of the important historic landscape. Additionally, hedges on the periphery, particularly to the south of the village, serve as a transition into the open fieldscape beyond. The general distinctiveness of the village, though, is eroded by the presence of telephone poles carrying overhead services and the future undergrounding of these is suggested as being desirable should works be scheduled to by the utility company.

One amendment to the boundary of the Conservation Area is suggested: At its northern extent the current boundary takes in the service yard, head gardener's house and small greenhouses, but excludes the walled kitchen garden and orchard gardens. These areas are integral to the history of the site and are importantly linked as key service areas to the main Audley End House. The long wall bordering the B1383 signals the approach to the formal park. It is therefore proposed that the walled kitchen garden and orchard garden be enclosed within the boundary of the Audley End Conservation Area.

Publicity

Publicity was carried out to advise all possible respondents of the publication of the Appraisal, the duration of the consultation period, ways of making a response and the details of the public exhibition held in the village.

Parish Council – Saffron Walden Town Council and Littlebury Parish Council were notified of the Council's intention to appraise the Conservation Area. This area is unusual in that parts of it lie in two separate parishes. The fieldworker met with Saffron Walden Town Council Recreation and Playing Field Committee on 16 June to introduce the process and present the draft findings. Both councils were supplied with advance notification of the consultation and with a pre-publication copies of the Appraisal report to which they were invited to make a response.

Posters were distributed and copies were sent to the relevant councils.

Information letters were delivered to all properties within the Conservation Area and in any other areas affected by any amendments. A copy is included in Appendix 1.

Website – a dedicated page on a marketing url <http://www.uttlesford.gov.uk/audleyendcaa> was created on the Council's website from which links were supplied to enable access to pdf and online interactive versions (via the Council's Objective consultation portal) of the Appraisal. Summary information on the report was given on the page and links to pdf and Word versions of the comments form.

Direct Mailing - key consultees on the Council's database (Objective) were emailed advising them of the new consultation event.

Public exhibition – a public exhibition was held at St Mark's College, Audley End on Tuesday 11 November 5.30-8pm and was attended by 7 people. The exhibition was attended by the fieldworker who had undertaken the appraisal. He was on hand to answer enquiries. Maps, plans, a selection of images of important local buildings and copies of the Appraisal were available as were paper copies of the response forms.

Press release – a press release was issued on 3 November and was subsequently published in local newspapers. It was also available on the Council's website and via its Twitter and Facebook pages. A reminder about the public exhibition was issued via social media in the week leading up to the public exhibition.

Copies of the Appraisal - The Appraisal document was available online, as noted above, and paper copies could be inspected at the Council Offices in Saffron Walden, Saffron Walden Library and from the Saffron Walden Town Clerk and Littlebury Parish Clerk.

Results of the consultation on the Audley End Conservation Area Appraisal

The consultation period ran from 31 October to 12 December and all responses are reproduced below.

English Heritage

Dear Bruce

Thank you for meeting us on 1st December to hear our views on the draft proposals. As I explained, our perspective is slightly different from our colleagues in Planning and Conservation (soon to be Historic England). Our responsibility is for the direct management of English Heritage properties including Audley End.

Audley End House is an English Heritage flagship property and has an important part to play in our future as an independent charity. The traffic management problem at the Lion Lodge visitor entrance and the main vehicular route across the front of the Mansion has concerned us for years. Our aspiration has been, and remains, to move the car park and visitor facilities to the walled garden and Estate Yards. This will be a major step forward and improve the presentation and visitor facilities of the Mansion and gardens enormously.

Our concern is that by only including the walled garden in the new conservation area it will enjoy a higher level of protection than the present car park and gardens. This is not logical as the character, design and archaeology of adjoining gardens are just as important. We would not object to the conservation area following boundaries of the scheduled area or indeed the registered landscape.

I hope that you will take our concerns into account and look forward to hearing how this develops.

Kind regards
Adrian

Adrian Baker MRICS, Estates Surveyor - East, 44 Derngate, Northampton, NN1 1UH

- Tel 01604 735420
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ENGLISH HERITAGE
EAST OF ENGLAND REGION

Mr B Tice
Project Officer
Uttlesford District Council
Council Offices
London Road
SAFFRON WALDEN
CB11 4ER

Direct Dial: 01223 582717
Direct Fax: 01223 582701



24 November 2014

Dear Mr Tice

Ref: Audley End Conservation Area Appraisal and Draft Management Proposals 2014

Thank you for inviting English Heritage to comment on the draft of the above document. English Heritage welcomes the production of up-to-date appraisals and management plans for all conservation areas as an important tool in ensuring the significance of these heritage assets is properly understood and given appropriate weight when making decisions that affect them.

The Audley End conservation area is relatively unusual in that almost all the area is also covered by other heritage designations, including a scheduled monument, numerous listed structures of various grades together with their associated curtilage listed structures, and a Grade I registered park and garden.

We note that the document includes the recommendation to extend the conservation area boundaries to take in both the walled kitchen garden and orchard garden. While not wishing to oppose this expansion, we question the logic of the new boundary. The fact that the area of the proposed extension is bounded by walls – i.e. structures – does not make it of more interest or character than the adjacent gardens which are not included. We suggest that it would be more appropriate to include the whole of the scheduled area within the expanded conservation area. Indeed an argument could be forwarded for included the whole of the registered park and garden within an expanded conservation area.



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582 700 Facsimile 01223 582 701

www.english-heritage.org.uk

English Heritage is subject to the Freedom of Information Act. All information held by the organisation will be accessible in response to a Freedom of Information request, unless one of the exemptions in the Act applies.

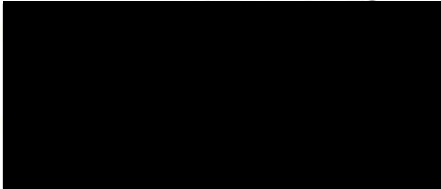


ENGLISH HERITAGE

EAST OF ENGLAND REGION

Please let me know if you require any further information in connection with this matter and I would be grateful if you would advise me of the outcome of any decisions in respect of changes to the boundary of the conservation area.

Yours sincerely



David Grech
Historic Places Adviser
E-mail: david.grech@english-heritage.org.uk



24 BROOKLANDS AVENUE, CAMBRIDGE, CB2 8BU

Telephone 01223 582 700 Facsimile 01223 582 701

www.english-heritage.org.uk

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AUDLEY END ESTATE

TEL NO: SAFFRON WALDEN (01799) 541354 & 541356

FAX NO: SAFFRON WALDEN (01799) 542134

E MAIL: estateoffice@audleyendestate.co.uk

AGENT: HT WHITE MRICS

AUDLEY END ESTATE OFFICE
BRUNCKETTS
WENDENS AMBO
SAFFRON WALDEN
ESSEX. CB11 4JL

Our Ref. HTW/AJJ/AE36

5th December, 2014.

Bruce Tice Esq.,
Principal Research Officer,
Uttlesford District Council,
London Road,
Saffron Walden,
Essex CB11 4ER.



Dear Mr. Tice,

Audley End Conservation Area Appraisal

Thank you for forwarding a copy of the above appraisal and for taking the time to discuss the matter with me.

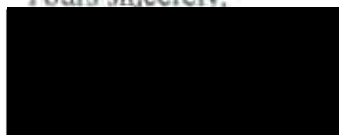
I said I would write to confirm our views regarding the extent of the Conservation Area close to the former Post Office at Audley End Village. I enclose a copy of the Conservation Area plan showing my suggestion.

I would be interested to learn English Heritage's response to your proposals if any.

Thank you for the added information regarding the Registered Parkland designation.

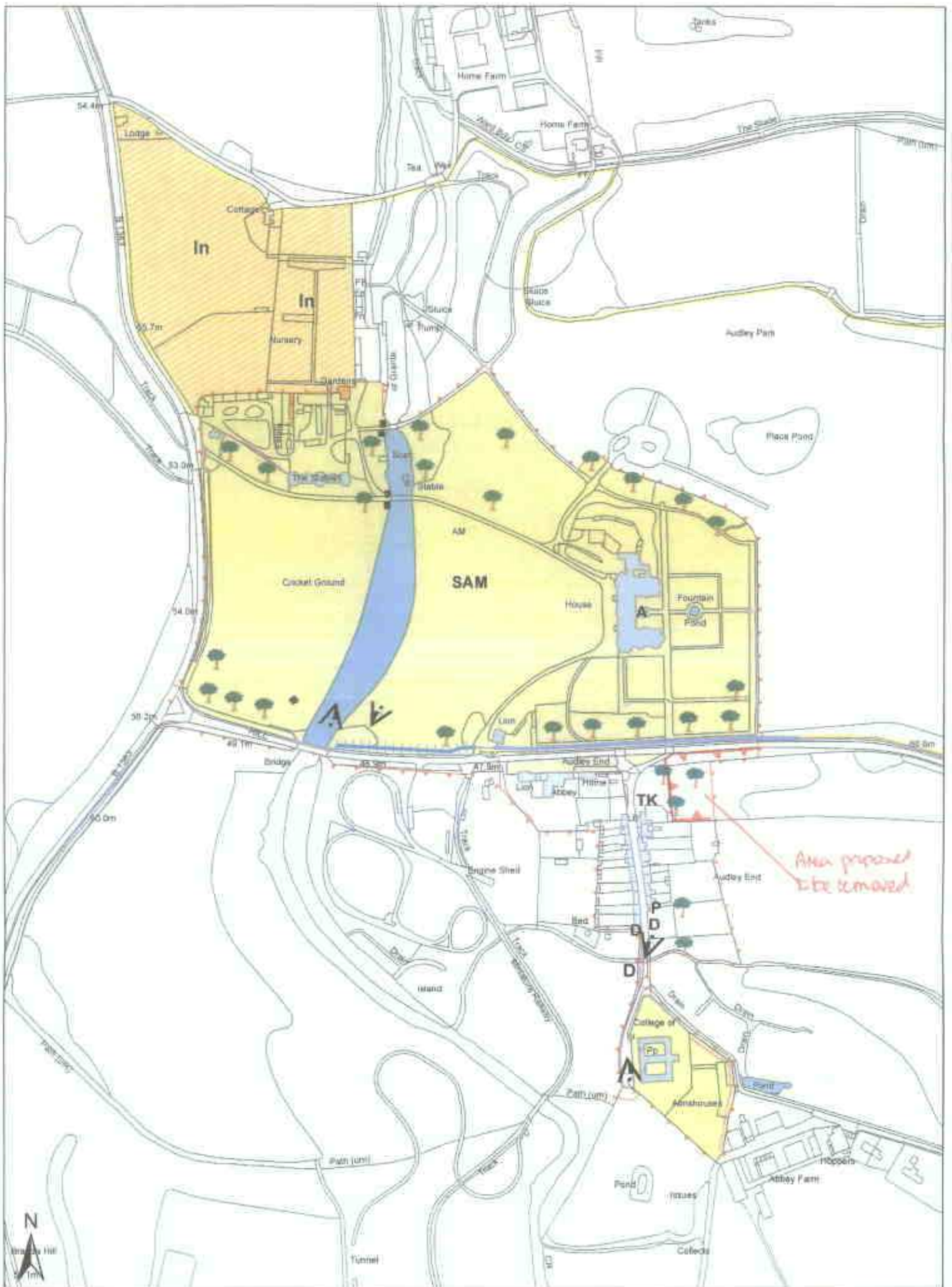
Whilst writing, I would confirm it is my intention to reiterate my concerns about the bus route that may be affected by the Wenden Road cycle path.

Yours sincerely,



Tom White.

Enc.



Date: 04 November 2014
Our ref: 136178
Your ref: [Click here to enter text.](#)



Mr Bruce Tice
Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

Customer Services
Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

BY EMAIL ONLY

Dear Mr Tice

Audley End Conservation Area Appraisal

Thank you for your consultation on the above dated 31 October 2014 which was received by Natural England on 31 October 2014.

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

Natural England does not wish to offer any substantive comments in respect of this consultation document, however, other bodies and individuals may make comments that will help the Local Planning Authority (LPA) to fully take account of the environmental value of this area in the decision making process.

Although Natural England does not wish to make any substantive comments, we welcome the reference to open land and open spaces under paragraphs 2.10 and 2.11.

Biodiversity and the natural environment can lead to various opportunities, not just for wildlife activity and connection, but also health, recreation, contributing to climate change adaptation and improving quality of life. Natural England encourages the Council through its Local Plans and policies to ensure the borough's green infrastructure is designed to deliver multiple functions.

The Council should also look at the fragmentation of open spaces and the linking of them back to paths and other sites. This would protect and enhance green spaces and corridors, as well as providing opportunities to link sites and areas, whilst also offering sustainable transport options through walking and cycling, together with increasing and enhancing the green infrastructure network of the area.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

David Hammond
Lead Advisor Sustainable
Development and Regulation
For and on behalf of Beds, Essex, Northants, Cambs and Herts Team

A resident

Comment here on the revised conservation area boundary:

I fully support the proposal to include the orchard within the conservation area boundary.

I believe it was once suggested that the orchard became a carpark so that the house could host weddings!

This is totally unacceptable, the whole point of the house & estate is that it should be preserved and/or returned where at all possible, to its original heyday state!

A resident

The proposal by Essex County Council to partly close the Wenden Road to traffic would inevitably have a large impact on the character of the Audley End Conservation Area, which should be taken into consideration in the appraisal. Traffic travelling between Saffron Walden and Wendens Ambo (particularly Audley End railway station) would be displaced instead onto two other roads: that passing from the town through Audley End (the shortest alternative route); and the B1052 Newport Road.

Such a radical increase in the volume of traffic would not only be visually detrimental to the Audley End Conservation Area but also bring more pollution and a greater likelihood of damage to the historic, hump-back Adam Bridge over which the vehicles would have to be funnelled. The stonework was repaired only last year after it was hit by a vehicle and the chances of further such accidents would place the bridge at higher risk. The partial closure of Wenden Road would come at a time when traffic levels in the area are expected to grow anyway due to the large-scale additional housing planned for the town and surrounding area.

If we are to take a truly holistic and sustainable approach to the management of our precious historic environment, it is imperative that the implications of the large rise in vehicle movements along the Audley End Road be taken into account in this conservation area appraisal.

Appendices

Appendix 1 – Copy of letter to Audley End Residents

Audley End conservation area appraisal and draft management proposals consultation



Dear Audley End resident

The Government encourages councils to undertake appraisals of Conservation Areas and one has just been completed for your area. We now need your comments on the Conservation Area appraisal for Audley End. A consultation on the draft document will be running between **31 October and 12 December**. The document will be available on line at <http://www.uttlesford.gov.uk/audleyendcaa> or, from 31 October, paper copies can be inspected at the Council Offices in Saffron Walden, Saffron Walden Library or from the Saffron Walden Town and Littlebury Parish Clerks. The main findings are set out below. There will also be a chance to see details of all the proposed changes and to discuss them with council officers at a public exhibition which will be held at St Mark's College in Audley End Village on **Tuesday 11 November 5.30 to 8pm**.

The historic core of Audley End is an exceptionally high quality environment where the 20 Listed Buildings in the Conservation Area make a significant contribution to its architectural and historical importance. These vary widely from the grand Jacobean Grade I listed Audley End House to the mainly 18th century run of houses along the village street and the various 19th century red brick lodges guarding the entrances to the park. Numerous other features are included - walls, railings, steps and the 20th century K6 telephone kiosk at the entrance to Audley End village.

Two unlisted buildings that make a positive contribution to the character of the Conservation Area have been identified. These are the head gardener's cottage at the corner of the walled kitchen garden and the range of agricultural buildings and stabling to the immediate north of the stable block.

Trees, walls and hedgerows within the existing Conservation Area play an important function in adding to the high quality and diversity of the environment. Of particular note are the quality trees in the grounds of St Mark's College, behind Abbey House and Lion House where they provide a green backdrop to these properties. Those throughout the Audley End Park add scale and interest as well as forming part of the important historic landscape. Additionally, hedges on the periphery, particularly to the south of the village, serve as a transition into the open fieldscape beyond. The general distinctiveness of the village, though, is eroded by the presence of telephone poles carrying overhead services and the future undergrounding of these is suggested as being desirable should works be scheduled to by the utility company.

One amendment to the boundary of the Conservation Area is suggested: At its northern extent the current boundary takes in the service yard, head gardener's house and small greenhouses, but excludes the walled kitchen garden and orchard gardens. These areas are integral to the history of the site and are importantly linked as key service areas to the main Audley End House. The long wall bordering the B1383 signals the approach to the formal park. It is therefore proposed that the walled kitchen garden and orchard garden be enclosed within the boundary of the Audley End Conservation Area.

Please visit our website, read the document and let us know what you think and whether we should include all the measures or just a selection of them. If you cannot access our website, please send any comments to the Council Offices, London Road, Saffron Walden, CB11 4ER. For further information you can call Bruce Tice, our Project Officer, on 01799 510670 or email btice@uttlesford.gov.uk who will be happy to assist and answer any of your queries.

Audley End conservation area appraisal
and draft management proposals consultation



Uttlesford District Council Official Notification

Important information on the Audley End
Conservation Area Appraisal

For the attention of the property owner

**Audley End
Conservation Area
Appraisal
Public Exhibition**



**Tuesday 11 November 5.30-8pm
St Mark' College
Audley End Village
CB11 4JD**

**Your chance to have your say on the draft Conservation
Area Appraisal for Audley End**

The consultation runs 31 October to 12 December 2014
For more information call 01799 510670 or take part online at
www.uttlesford.gov.uk/audleyendcaa

Appendix 2 – Audley End consultation form (the Council's standard equalities monitoring forms were also made available)

Audley End Conservation Area Appraisal Consultation

Consultation Feedback Form

Comment here on the character analysis of Audley End Village:

Comment here on the character analysis of Audley End House and Grounds:

Comment here on the revised conservation area boundary:

Comment here on the buildings that make an important architectural or historical contribution to the conservation area:

Comment here on the management proposals:

Any other comments:

Please send any comments to Bruce Tice, Conservation Area Appraisals Project, Council Offices, London Road, Saffron Walden, CB11 4ER. For further information please ring Bruce Tice, our Project Officer, on 01799 510670 or email btice@uttlesford.gov.uk who will be pleased to assist and answer any of your queries.

Committee: Cabinet

Agenda Item

Date: 15 January 2015

11

Title: Developer Contributions Guidance

Portfolio Holder: Cllr Barker

Key decision: **No**

Summary

1. At its meeting in December 2014 Cabinet adopted a revised Developer Contributions Guide.
2. Unfortunately the report was based on incorrect legal advice to the Planning Department. This report seeks to update Cabinet and correct this mistake.

Recommendations

3. To adopt a revised Developer Contributions Guidance, which is in accordance with the updated National Planning Practice Guidance, as a material planning consideration.

Financial Implications

4. The charges will give rise to a reduced income stream that will be used to fund new affordable housing within the district.

Background Papers

5. None

Impact

- 6.

Communication/Consultation	The adopted document will be placed on the website. The Government consulted on the change to National Planning Practice Guidance.
Community Safety	No impact.
Equalities	The requirement will affect all equally.
Health and Safety	No impact.
Human Rights/Legal Implications	No impact.

Sustainability	No impact.
Ward-specific impacts	Affects all wards
Workforce/Workplace	To consider as part of planning application process.

Situation

7. At its meeting in December 2014 Cabinet adopted a Developer Contributions Guide.
8. On Friday 28 November 2014 the Government amended the National Planning Practice Guidance. This alters the circumstances in which affordable housing contributions can be requested. Based on legal advice officers brought forward a revised Developer Contributions Guide incorporating a clause relating to 'rural areas'. Following queries from developers it has become clear that the legal advice to the Planning Department upon which the previous report was based was incorrect.
9. This new guidance overrides the Council's adopted Developer Contributions Guidance. In light of the new guidance it is imperative that the Council reviews and alters its current stance.
10. The National Planning Practice Guidance says:
 - contributions should not be sought from developments of 10-units or less, and which have a maximum combined gross floorspace of no more than 1000sqm
 - in designated rural areas, local planning authorities may choose to apply a lower threshold of 5-units or less. No affordable housing or tariff-style contributions should then be sought from these developments. In addition, in a rural area where the lower 5-unit or less threshold is applied, affordable housing and tariff style contributions should be sought from developments of between 6 and 10-units in the form of cash payments which are commuted until after completion of units within the development. This applies to rural areas described under section 157(1) of the Housing Act 1985, which includes National Parks and Areas of Outstanding Natural Beauty
 - affordable housing and tariff-style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home
11. The district has no parishes which are defined as 'rural' under section 157 of the Housing Act.
12. Therefore the Council cannot collect financial contributions on schemes of 10-units or less, unless the size threshold is relevant. This means the new policy is:

Affordable housing provision (rounded up to the nearest whole number)

- 40% on sites of 15 or more dwellings or sites of 0.5ha or more;
- 20% on sites of 11 - 14 dwellings or sites between 0.30ha and 0.49ha or an equivalent financial contribution as advised by the District Council; and
- A Financial contribution on sites of less than 10 dwellings but with a combined gross floorspace of more than 1000sqm.

Conclusion

13. It is recommended that the Developer Contributions Guidance be updated in accordance with the National Planning Practice Guidance.

14. The Council has considered the need for clear guidance for developers and has produced a document which will be made publically available.

Risk Analysis

15.

Risk	Likelihood	Impact	Mitigating actions
Not all required contributions listed.	1 – The document states that it is not exclusive. Those listed are the main requirements.	1 – Additional requirements from sites can be included.	Carefully considered what is included within document.
Developer does not comply with adopted Guidance.	2 – Developers may challenge the requirements. Clear planning justification lies behind the requirements which will be set out in these instances.	2 – Refusal to comply may result in refusing the application leading to appeal or resubmission.	Publish document so that requirement is clearly set out. Raise through pre-application meetings.
Contributions collected insufficient to cover associated costs.	2 – Historically the contributions collected have not covered the associated costs for the predicted period.	2 – funding therefore needs to be provided from other Council sources to make up difference.	Clearly set out requirements and calculate the contributions required in detail. Refuse to accept transfer of land where contributions proposed are

Advice from the Legal Team is incorrect.	2 – Previous advice given was incorrect. Further checks have now been undertaken.	2 – Extra work would be involved to update applicants and amend decisions.	deemed to be insufficient. A proper assessment being carried out by the Legal Team.
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1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Developer Contributions
Guidance Document

Adopted as a 'Material Consideration' January 2015

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	APPENDIX 1 – DRAFT OBLIGATION AND CLAUSES.....	ERROR! BOOKMARK NOT DEFINED.

1.0 Introduction

- 1.1 This document is a Guidance Document, which supplements infrastructure delivery policies. The Guidance Document is intended as a guide to developers of residential schemes. It will also ensure the consistent application of policies by the Council. The Guidance Document does not address issues relating to provision or use of other Developer Contributions. Such issues will be considered during the consideration of individual applications. By publishing this guidance the Council wishes to establish a set of procedures which will assist developers in making applications and thus help to minimise planning delays. A systematic approach and the introduction of regular monitoring will ensure efficient use of resources.
- 1.2 Affordable Housing, Recreation Open Space provision, Landscaping and Education contributions, amongst others, are required for new housing development in recognition that the incoming residents will need access to amenities, often generating a requirement for additional or improved facilities. Contributions towards highway improvements may also be required on a site by site basis. New houses place a burden on existing provision which is deficient in many areas. The provision of conveniently located, accessible, safe and attractive communal facilities integrated into, or in close proximity to, residential areas can substantially improve the quality of life of residents and has social and health benefits.
- 1.3 The Council has recently reviewed and updated its Statement of Community Involvement (SCI) to take into account the changes in legislation over recent years. The SCI sets out the consultation process the Council will adopt for all planning applications and pre-application processes. In addition it highlights the need to involve Parish and Town Councils early in the process of developing proposals and in the delivery of S106 obligations.

2.0 Affordable Housing

- 2.1 The Council has adopted a Housing Strategy (2012) which sets out the Council's approach to housing provision over the next 3 years. This document has been prepared alongside the new Local Plan to ensure that the needs highlighted can be delivered through new development.

The Key Objectives are:

- To meet the housing requirement for Uttlesford and to make sure that the housing being provided creates balanced communities by delivering sustainable, safe, attractive and healthy places to live while meeting local housing needs in terms of type and tenure including affordable and special needs housing.
- To provide and maintain accommodation that meets the needs of older people living in Uttlesford.
- To maintain our housing to a high standard ensuring our tenants have a good quality of life.

- 2.2 Affordable Housing is defined in the National Planning Policy Framework (2012) and this definition is adopted by the Council.

‘Affordable housing: Social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market. Eligibility is determined with regard to local incomes and local house prices. Affordable housing should include provisions to remain at an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision.’

- 2.3 The Council commissioned a Strategic Housing Market Area Assessment which identified the need for affordable housing market type and tenure across the District. As a result of this the Council will require a specific mix per development proposal which can be supplied as part of pre-application discussions.
- 2.4 The Planning Practice Guidance was updated on 28 November 2014 to amend the circumstances in which affordable housing contributions can be requested. This document has been amended in accordance with the guidance.
- 2.5 Within Uttlesford a number of parishes are ‘designated rural areas’ under the Housing Act 1985. Only the Parishes of Great Dunmow, Saffron Walden and Stansted are excluded. Within these designated parishes the Council will request financial contributions on developments of between 6 and 10 dwellings.
- 2.6 Affordable housing provision (rounded up to the nearest whole number)
- 40% on sites of 15 or more dwellings or sites of 0.5ha or more;
 - 20% on sites of 11 - 14 dwellings or sites between 0.30ha and 0.49ha or an equivalent financial contribution as advised by the District Council; and
 - Financial contribution on sites of less than 10 dwellings but with a combined gross floorspace of more than 1000sqm.
- The Council will expect this to be complied with on all planning proposals unless it can be evidenced to the satisfaction of the Council that these requirements would render the development unviable. In these circumstances the council will require an ‘open book approach’ and will appoint an independent expert to review the submission. The developer will be expected to pay the costs of this independent review.
- 2.7 Developments which are contrived to try and avoid the clear policy requirements will be resisted. The Council will expect the schemes to comply with policy requirements as if the schemes were submitted jointly as one proposal. For example:
- a development of 14 houses at a very low density, out of character with the surrounding area, will be resisted.
 - a scheme for 7 houses which has been broken down into applications for individual units in order to avoid affordable housing contributions will be resisted.
 - the sub-division of sites into two or more smaller developments in an attempt to avoid a higher provision of affordable housing will be resisted.
- 2.8 The Council encourages meeting affordable housing requirements through one of its preferred Registered Providers (RP), who have the management abilities and local knowledge to effectively manage new affordable housing.
- 2.9 The Council will calculate the financial contribution on sites of less than 10 dwellings but with a combined gross floorspace of more than 1000sqm in non-rural areas will be required to provide 200% of the build cost of an affordable unit.

The payment will be index linked.

2.10 For the financial year 2014/15 and 2015/16 the build cost of an affordable unit will be set at £125,000. This figure will be reviewed yearly and altered to take into account prevailing build costs.

2.11 The Council will expect the following tenure, mix, distribution etc to be followed:

Tenure split

- 70% Affordable Rented or Social Rented Tenure (Rents in line with Government guidance)
- 30% Shared Ownership Tenure (Affordability to be a maximum of 30% of total household income) (Maximum of 2.75% charge on remaining rent)

Housing mix

- Predominantly a mix of one, two and three bedroom houses (1 bedroom 2 person, 2 bedroom 4 person and 3 bedroom 5 person houses to be provided)
- 5% of total units one and two bedroom elderly person bungalows across tenure

Properties should be provided in clusters of no more than 10 units and the clusters should not be contiguous. The design and location of the development should be tenure blind.

Lifts will be required in blocks of flats over two-storey.

2.12 No affordable housing contributions will be requested on self-build developments in accordance with the Planning Practice Guidance. Planning applications seeking this exception will be required to enter into a S106 obligation controlling the use of the site for self-build only.

3.0 Recreation Open Space

3.1 Recreation open space is defined according to the 'Fields in Trust' definition of outdoor playing space. That is:

“space which is available for sport, active recreation or children's play, which is of suitable size and nature for its intended purpose and safely accessible and available to the general public.”

3.2 This definition includes:

- facilities such as pitches, greens, courts, athletics tracks and miscellaneous sites such as croquet lawns and training areas in the ownership of local government;
- facilities as described above within the educational sector which are, as a matter of practice or policy, available for public use;
- facilities as described above within the voluntary, private, industrial and commercial sectors which serve the leisure time needs for outdoor sport of their members or the public;

- outdoor equipped playgrounds for children of whatever age;
- play facilities for children which offer specific opportunities for outdoor play, such as adventure play grounds.

Definition and provision of Children's Playspace

- 3.3 The 'Fields in Trust' makes a distinction between equipped and informal playspace. Equipped playspace is an area of land specifically dedicated for children to use for play, which will usually include play equipment. Informal or casual playspace is open space of a useful size and safe location providing opportunities for informal play activities.
- 3.4 Two categories of equipped playspace are sought as part of new development. The first, the local equipped area for play or LEAP, is intended for children of early school age and should be located close to people's homes. It has a minimum area of 400 square metres and contains at least 5 pieces of play equipment with safety surfaces and preferably buffer zones or landscape screening around the activity area.
- 3.5 The second, the neighbourhood equipped area for play or NEAP, is larger and equipped for both young and older children. It has a minimum area of 1,000 square metres and contains at least 8 pieces of play equipment with safety surfaces, a kickabout area and wheeled play area, with buffer zones or landscape screening around the activity area.
- 3.7 Residential developments of 10 or more dwellings will be required to meet the need for children's play on site as part of the overall development proposals. This provision should be to a minimum rate of 0.2 ha per thousand population.
- 3.8 Residential development of 10 or more dwellings will be required to provide amenity greenspace on site as part of the overall development proposals. This provision should be at a minimum of 0.8 ha per thousand population.

Completion of Recreation Open Space Provision

- 3.9 On completion of the on-site provision, and prior to occupation of the first dwelling (or such other time as agreed), the developer will notify the Council in writing. Council Officers will convene a site inspection to ensure that all requirements of the planning permission have been met. Upon completion of works to the written satisfaction of the Council, the transfer of the open space will be arranged to the appropriate Town or Parish Council together with the maintenance contribution. Where the recreation open space is to remain in the ownership of the developer, or under the ownership of a Management Company, an agreement will be required to ensure that the site is adequately maintained and will be retained as recreation open space with public access. The maintenance contribution will be index linked.

Maintenance of Recreation Open Space

- 3.10 The Council considers that the best owners and maintainers of the land are the appropriate Town/Parish Council. Developers should open discussions with these bodies at the earliest opportunities, assisted by Council officers. The developer will pay the legal costs for both parties of the transfer. The developer will be responsible for maintenance until such time as the transfer takes place. At the time of the transfer, the developer will be required to pay a sum for future maintenance. The value of the payment will be calculated as being sufficient (with interest) to cover 20 years maintenance and will be ring-fenced for use in upgrading and maintaining

facilities. The calculation of the costs will normally be based on published price book estimating rates and prices. Beyond this, future maintenance and other recurrent expenditure will be borne by the authority in which the asset is vested. The payment will be index linked.

As an example the maintenance costs at March 2013 are as follows:

Maintenance cost for equipped play area to LEAP standard.

Annual maintenance cost per 400m ² play area (£)	£6,869.12 per annum
Cost per m ² (£)	£343.45 for 20 years maintenance

Maintenance cost for equipped play area to NEAP standard.

Annual maintenance cost per 1000m ² play area (£)	£13,685.80 per annum
Cost per m ² (£)	£273.71 for 20 years maintenance

4.0 Landscaping

4.1 The Council aims to lead the process of ensuring high quality landscaping of residential development throughout the District. The guidance focuses on the issues which should be addressed by developers in formulating proposals and which the Council will have regard to in considering applications for residential development. The intention is to aid all those involved in the development process: developers, architects, and landowners. To achieve the objective of high quality development the Council encourages early contact and discussion with potential applicants prior to formal submission.

Landscape structure

4.2 All larger developments should be designed around a landscape structure. A scoping study early in the design process will assist in identifying the opportunities and constraints on a site and inform the development of a landscape master plan.

Existing landscape features

4.3 Existing landscape features such as trees, hedgerows, watercourses should be identified and where appropriate retained and suitably integrated into developments, together with the provision of sufficient open space in their vicinity to ensure they and their visual setting is protected. Where existing trees, and hedgerows, are proposed to be removed the layout should include proposals for compensatory planting.

Edge of settlements

4.4 The integration of development at the edges of settlements is important and buffer planting will normally be required to help assimilate and soften its impact on the countryside. Native species and mixtures characteristic of the locality will be required. Broad agricultural type hedgerows, and hedgerows in combination with 'copse' planting (normally with a dominant species) shall be required to provide buffer planting. Such planting will contribute to the promotion of biodiversity.

Public open spaces

- 4.5 Open space areas should be suitably located and of appropriate proportions to their use and setting. Narrow or peripheral areas which are difficult to access or maintain will not be considered appropriate. Open space provisions should form an integral part of the design and layout and meet the need generated by the development.

Private Gardens

- 4.6 In low density developments front gardens should be designed to allow the planting of trees and shrubs to enhance the visual quality of the development. Hedges should be used to provide enclosure and to provide a unifying element within the development.

Land drainage and attenuation structures

- 4.7 The surface water run-off system should be formulated as an integral part of the landscape design. Attenuation structures should contain a permanent body of water to contribute to bio-diversity and provide a landscape feature. They should be designed to reduce risks to people or animals from drowning.

External lighting

- 4.8 External lighting provisions should be designed to ensure that light spillage into the countryside is reduced to a minimum.

Wildlife mitigation areas

- 4.9 Many developments contain wildlife mitigation areas which will be subject to specific management regimes over a number of years. Details will need to be provided and considered as part of the planning application.

Maintenance of landscaping areas

- 4.10 The Council considers that the best owners and maintainers of the land are the appropriate Town/Parish Council. Developers should open discussions with these bodies at the earliest opportunities, assisted by Council officers. The developer will pay the legal costs for both parties of the transfer. The developer will be responsible for maintenance until such time as the transfer takes place. At the time of the transfer, the developer will be required to pay a sum for future maintenance. The value of the payment will be calculated as being sufficient (with interest) to cover 20 years maintenance and will be ring-fenced for use in upgrading and maintaining facilities. The calculation of the costs will normally be based on published price book estimating rates and prices. The payment will be index linked. Beyond this, future maintenance and other recurrent expenditure will be borne by the authority in which the asset is vested.

5.0 Education contributions

- 5.1 Essex County Council (ECC) is the Education Authority for the District. ECC have published a 'Developers' Guide to Infrastructure Contributions' which sets out how contributions for Education are calculated. The current document was published in 2010 but this will be periodically updated and the most recent version will be used.

5.2 Essex County Council Council will request contributions towards pre-school, primary, secondary and sixth form/post 16 schooling where these are justified by evidence from ECC. The provision of land is often sought from larger developments.

6.0 Planning Obligations

6.1 The Council will require developer contributions to be secured through a planning obligation which will normally be prepared by the Assistant Chief Executive – Legal.

6.2 Obligations need to meet the tests set out in the National Planning Policy Framework:

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

6.3 The Council will take account of changes in the market over time and this is explicit in the relevant planning policies.

6.4 The Council has a standard obligation and clauses which are attached as an appendix to this Guidance Document and will be used by the Council to prepare each obligation.

6.5 The Council will use the Retail Price Index to Index link all the payments due. For Education payments the Index used is the Department for Business Innovation and Skills Tender Price Index of Public Sector Building Non-housing (PUBSEC Index).

6.6 The estimated interest rate will be determined with reference to LIBOR 20 year swap rates.

6.7 As part of pre-application discussions the Council will wish to agree Heads of Terms and commence drafting an obligation. This does not mean the Council pre-determines applications and the process will be carried out 'subject to planning assessment and resolution'.

6.8 The approval of all major planning applications is a matter for the Planning Committee and the Heads of Terms and justification will be clearly set out in the committee report. The report will set out a timescale for completion of the legal obligation. Failure to complete the agreement within the given timescale will result in the application being refused for the reasons as set out in the committee report. It is therefore important to ensure that all necessary legal issues and titles to land are up to date prior to submitting an application.

6.9 The Council will include within the legal obligation a developer contribution to monitor the contributions received. The contributions payable are set out below:

Details	Fee	Calculations/Methodology
Hourly rate for 2013/14	£54	
Minimum charge	£810	£54 x 15hrs

Occupational or future trigger	£1296	£54 x 24hrs
Clause with commencement trigger	£810	£54 x 15hrs
Clause with future trigger	£1296	£54 x 24hrs
Clause with over 5 yrs monitoring	£2376	£1296 + £1080 (4x1hrx5yrs)
Clause with over 10 yrs monitoring	£3456	£1296 + £2160 (4x1hrx10yrs)
Clause with over 15 yrs monitoring	£4536	£1296 + £3240 (4x1hrx15yrs)

- 6.10 The Council considers that phasing will occur in larger development schemes and will therefore require a bespoke arrangement to ensure that monitoring contributions are paid on the commencement/occupation of each phase.
- 6.11 The hourly rate will be reviewed yearly. Once the s106 agreements are agreed, the monitoring fees will be paid on completion of the deed, along with the council's legal fees.
- 6.12 The charges reflect officer time involved in draft discussions, compliance, recording of payment, proof of expenditure, meetings, all correspondence, site visits and data entry. The obligation will then be monitored for correct expenditure and audit trail. All obligations will require some degree of these elements even if they are paid on commencement. The minimum amount of officer time that will be attributed to managing one clause has been set as a minimum charge per clause. The occupational/future obligations result in increased site visits and therefore are higher.
- 6.13 Obligation triggers that require monitoring over 5 years will require quarterly checks and so reflect the extended nature of their compliance dates.

7.0 Further Information

- 7.1 For queries on planning matters you are encouraged to consult the Council's Planning Officers who will be pleased to assist.
- Telephone: (01799) 510510
 Fax: (01799) 510550
 E-mail: planning@uttlesford.gov.uk
 Or write to: Assistant Director Planning and Building Control, Council Offices,
 London Road, Saffron Walden, Essex, CB10 4ER.

8.0 Useful References

- 8.1 This Guidance Document can be viewed on the Council's website
 (www.uttlesford.gov.uk)

Draft Uttlesford Local Plan 2012.

Uttlesford Local Plan 2005

Essex Design Guide 2005.

The Department for Communities and Local Government (DCLG). Circular 05/2005. Planning Obligations.

The Department for Communities and Local Government (DCLG). How to Guide: Parks and Open Spaces, ODPM, 2005.

Fields in Trust. Six Acre Standard 2001

Royal Society for the Prevention of Accidents
Publish useful guides, recommendations and technical advice.

BS EN 1176 Playground Equipment Parts 1-7

BS EN 1177 Impact Absorbing Playground Surfacing, Safety Requirements and Test Methods (used in conjunction with BS 7188)

PAS 30 Multi-Games Facilities

PAS 35 Wheeled Facilities

Sport England: Design Guidelines.

For guidance on meeting the needs of disabled people, refer to:

Sport England Design Guidance Note: *Access for Disabled People, 2002*

NPFA: *Can Play, Will Play Playgrounds for Disabled Children*

Town and Country Planning Association (TCPA): *Biodiversity by Design, 2004*

Football Foundation Organisation

Appendix

S106 draft – Major projects

INDEX

Clause/Schedule No.	Provision	Pages
1	Definitions	
2	Recitals	
3	Enabling Powers	
4	Obligations undertaken by	
5	Notice of Implementation	
6	Provisos and Interpretation	
7	Agreements and Declarations	
8	Exclusion of the 1999 Act	
9	Notices	
10	Entire Agreement	
11	Costs	
Schedule 1	The Permission	
Schedule 2	The Plan	
Schedule 3	Obligations entered into with UDC	

AN AGREEMENT made the _____ day of _____ two thousand and _____ between **UTTLESFORD DISTRICT COUNCIL** of Council Offices London Road Saffron Walden Essex CB11 4ER (hereinafter referred to as UDC) of the first part [*Name, company registration number and registered office address*] (hereinafter called the “Developer”) of the second part [*Name, company registration number and registered office address*] (hereinafter called “the Owner”) of the third part and [*Name, company registration number and registered office address*] (hereinafter called “ the Mortgagee”) of the fourth part

1. Definitions

1.1. “the 1972 Act” shall mean the Local Government Act 1972

1.2. “the 1990 Act” shall mean the Town & Country Planning Act 1990

1.3. “the 1999 Act” shall mean the Contracts (Rights of Third Parties) Act 1999

1.4. “the 2000 Act” shall mean the Local Government Act 2000

1.5. “the Land” shall mean the land shown on the Plan edged in red

1.6. “Date of Grant” shall mean the date the Permission is issued by UDC

1.7. “the Development” shall mean the development authorised by the Permission

1.8. “Implementation” shall mean the implementation of the Permission by the carrying out of any material operation (as defined by s. 56 of the 1990 Act) pursuant to the permission PROVIDED ALWAYS for the purposes of this Agreement Implementation shall exclude:

- a. demolition
- b. site survey
- c. ecological survey
- d. archaeological survey
- e. remediation
- f. erection of fences or hoardings

and Implement and Implemented shall mutatis mutandis be construed accordingly

1.9. “Implementation Date” shall mean the date specified by the Developer to the Authorities in a written notice served upon the Authorities as the date upon which the development authorised by the Permission is to be commenced or if no such notice is served the date of Implementation

1.10. “Legal Charge(s)” shall mean (a) legal charged dated _____ and made between the Owner of the one part and the Mortgagee of the other part referred to in the Charges Register of Title of the Land

1.11. “the Permission” shall mean the planning permission (a draft of which is annexed at Schedule 1) granted by UDC in respect of the Planning Application

1.12. “the Plan” shall mean the plan at Schedule 2

1.13. "the Planning Application" shall mean the application made by the Developer under reference number UTT/ for

2. Recitals

2.1. UDC is the District Planning Authority within the meaning of the 1990 Act for the District in which the Land is situated

2.2. The Owner is registered at HM Land Registry as proprietor of the Land with freehold title under the Title Numbers set out in Schedule 3 subject to the Legal Charge(s)

2.3. The Developer has made the Planning Application to UDC

2.4. UDC the Owner and the Developer have agreed to enter into this agreement pursuant to the operative powers described in clause 3 for the purpose of regulating the Development and use of the Land

2.5. It is the intention of the parties that this agreement shall remain in full force and effect until such time as it is replaced by a further agreement pursuant to s.106 and s.106A of the 1990 Act

3. Enabling Powers and Obligations

3.1. This agreement is entered into pursuant to section 106 of the 1990 Act section 111 of the 1972 Act and section 2 of the 2000 Act.

3.2. Such of the covenants contained herein as are capable of being planning obligations within the meaning of section 106 of the 1990 Act are declared to be planning obligations and as such are enforceable by UDC

4. Obligations undertaken by the Owner the Developer and the Mortgagee

4.1. With the intent that the Land shall be subject to the obligations and restrictions contained in this agreement for the purpose of restricting or regulating the Development and use of the Land so that the provisions of this agreement shall be enforceable against the Owner the Developer and (but only for so long as the Mortgagee is in possession of the Land) the Mortgagee and their successors in title the Owner the Developer and the Mortgagee hereby jointly and severally covenant with UDC to observe and comply with the obligations contained in Schedule 3

4.2. The liability of the Owner and the Developer under this agreement shall cease once they have parted with their interest in the Land or any relevant part thereof (in which event the obligations of the Owner or the Developer under this agreement shall cease only in relation to that part or those parts of the Land which is or are transferred by them) but not so as to release either party from liability for any breaches hereof arising prior to the transfer

5. Notice of Implementation

- 5.1. The Developer will give UDC not less than 28 days notice of its intention to implement the permission specifying the intended Implementation Date
- 5.2. Forthwith upon Implementation the Developer will give UDC notice of Implementation

6. Provisos and Interpretation

- 6.1. No provision of this agreement shall be interpreted so as to affect contrary to law the rights powers duties and obligations of UDC in the exercise of any of its statutory functions or otherwise
- 6.2. If any provision of this agreement shall be held to be unlawful or unenforceable in whole or in part under any enactment or rule of law such provision shall to that extent be deemed not to form part of this agreement and the enforceability of the remainder of this agreement shall not be affected
- 6.3. No waiver (whether express or implied) by UDC of any breach or default in performing or observing any of the obligations covenants or terms and conditions of this agreement shall constitute a continuing waiver and no such waiver shall prevent UDC from enforcing any of the said obligations covenants or terms and conditions or from acting upon any subsequent breach or default
- 6.4. Insofar as any parts of this agreement may be subject to the rule against perpetuity those parts shall remain in force for as long as any of the provisions hereof remain to be performed or observed or 125 years whichever shall be the shorter
- 6.5. [References in this agreement to sums of money shall be deemed to mean that sum plus a percentage thereof calculated on 1st March in each year (hereinafter called the "Review Date") equivalent to the percentage increase in the Retail Price Index from the date hereof to each Review Date until the Developer shall have paid the full and final amount of such sums to the organisation entitled to receive the same under the terms of this agreement to be calculated pro rata in the case of any balance of such sums remaining unpaid at each Review Date]
- 6.6. Any provision contained in this agreement requiring the consent or approval of any party hereto shall be deemed to incorporate a proviso that such consent or approval shall not be unreasonably withheld or delayed
- 6.7. The headings in this agreement do not affect its interpretation
- 6.8. Unless the context otherwise requires references to sub-clauses clauses and schedules are to sub-clause clauses and schedules of this agreement
- 6.9. Unless the context otherwise so requires:

6.9.1. references to UDC the Owner and the Developer include their permitted successors and assigns

6.9.2. references to statutory provisions include those statutory provisions as amended or re-enacted; and

6.9.3. references to any gender include both genders

7. Agreements and Declarations

7.1. The obligations contained in Schedule 4 shall take effect only upon the Implementation Date (save where expressly stated to the contrary in Schedule 3) and in the event that the Planning Application is refused or the Permission not implemented and expires the obligations contained in Schedule 3 shall absolutely cease and determine without further obligation upon the Owner or the Developer or their successors in title

7.2. The obligations contained in Schedules 3 shall absolutely cease and determine without further obligation upon the Owner or the Developer or its successors in title if the Permission is revoked is modified without the consent of the Owner and the Developer expires or if a separate planning permission is subsequently granted and implemented which is incompatible with the Permission

7.3. Save as specifically provided in Schedule 3 nothing in this agreement shall prohibit or limit the right to develop any part of the Land in accordance with any planning permission (other than one relating to the Development)

7.4. This agreement constitutes a Local Land Charge and shall be registered as such provided that the Authorities will upon the happening of any of the eventualities referred to in paragraphs 7.1. and 7.2. of this Part or upon the determination of this agreement howsoever determined procure the removal of any entry made on the Local Land Charges Register in respect of or related to this agreement

8. Exclusion of the 1999 Act

For the purposes of the 1999 Act it is agreed that nothing in this agreement shall confer on any third party any right to enforce or any benefit of any term of this agreement

9. Notices

9.1. Any notices required to be served on or any document to be supplied or submitted to any of the parties hereto shall be sent or delivered to the address stated in this agreement as the address for the receiving party or such other address as shall from time to time be notified by a party to this agreement as an address at which service

of notices shall be accepted or (in the case of a limited company) at its registered office

9.2. Any notices to be served or documents to be supplied or submitted or applications for approval under the terms of this agreement to be made which are addressed to UDC shall be addressed to the Head of Planning Services of that Council

10. Entire Agreement

This agreement the schedules and the documents annexed hereto or otherwise referred to herein contain the whole agreement between the parties relating to the subject matter hereof and supersede all prior agreements arrangements and understandings between the parties relating to that subject matter

11. Costs

Upon the execution of this agreement the Developer will pay the reasonable costs of UDC in connection with the negotiation and preparation thereof

IN WITNESS WHEREOF the parties hereto have executed this agreement as a deed the day and year before written

**SCHEDULE 1
(The Permission)**

**SCHEDULE 2
(The Plan)**

**SCHEDULE 3
(Obligations entered into with UDC)**

Appendix

S106 draft – Minor projects

AN AGREEMENT made the day of two thousand and between **UTTLESFORD DISTRICT COUNCIL** of Council Offices London Road Saffron Walden Essex CB11 4ER (hereinafter referred to as UDC) of the one part and ***[Name and Address of Owner]*** (hereinafter referred to as the Owner) of the other part

12. Definitions

- 12.1. “the 1990 Act” shall mean the Town & Country Planning Act 1990
- 12.2. “the Development” shall mean the development authorised by the Permission
- 12.3. “the Land” shall mean the land and buildings situate at *[Insert address]* shown on the Plan edged in red
- 12.4. “Implementation” shall mean the implementation of the Permission by the carrying out of any material operation (as defined by s. 56 of the 1990 Act) pursuant to the permission PROVIDED ALWAYS for the purposes of this Agreement Implementation shall exclude:
 - g. demolition
 - h. site survey
 - i. ecological survey
 - j. archaeological survey
 - k. remediation
 - l. erection of fences or hoardingsand Implement and Implemented shall mutatis mutandis be construed accordingly
- 12.5. “the Permission” shall mean the planning permission (a draft of which is annexed) granted by UDC in respect of the Planning Application
- 12.6. “the Plan” shall mean the plan annexed
- 12.7. “the Planning Application” means the application made by the Owner under reference number UTT/

13. Recitals

- 13.1. UDC is the Local Planning Authority within the meaning of the 1990 Act for the District in which the Land is situated

- 13.2. The Owner is registered as proprietor of the Land at HM Land Registry with Title Absolute under title number
- 13.3. The Owner has made the Planning Application to UDC
- 13.4. UDC and the Owner have agreed to enter into this agreement pursuant to the operative powers described in clause 3 of this agreement for the purpose of regulating the Development and the use of the Land

14. Enabling Powers and Obligations

- 14.1. This agreement is entered into pursuant to section 106 of the 1990 Act
- 14.2. The covenants contained herein are planning obligations within the meaning of section 106 of the 1990 Act and are enforceable by UDC as such.

15. Covenants by the Owner

- 15.1. With the intent that the Land shall be subject to the obligations and restrictions contained in this agreement for the purpose of restricting or regulating the Development or the use of the Land so that the provisions of this agreement shall be enforceable against the Owner and her successors in title the Owner hereby covenants with UDC that *[insert details of obligations]*
- 15.2. The liability of the Owner under this agreement shall cease once she has parted with her interest in the Land but without prejudice to any antecedent liabilities

16. Notice of Implementation

- 16.1. The Developer will give UDC not less than 28 days notice of its intention to implement the permission specifying the intended Implementation Date
- 16.2. Forthwith upon Implementation the Developer will give UDC notice of Implementation

17. Agreements and Declarations

- 17.1. No waiver (whether express or implied) by UDC of any breach or default in performing or observing any of the obligations or covenants contained in this agreement shall constitute a continuing waiver and no such waiver shall prevent UDC from enforcing any of the said obligations or covenants or from acting upon any subsequent breach or default
- 17.2. This agreement constitutes a Local Land Charge and shall be registered as such

18. Costs

The Owner will pay the reasonable costs of UDC in connection with the negotiation and preparation of this agreement.

IN WITNESS WHEREOF the parties hereto have executed this agreement as a deed the day and year before written

9.0 THE COMMON SEAL OF

UDC was hereunto affixed
in the presence of:-

Authorised Signatory

Authorised Signatory

10.0 SIGNED AS A DEED BY

THE OWNER in the presence of:-

