

UTT/0653/06/OP & UTT/0691/06/CA - SAFFRON WALDEN

Outline application (including details of access, siting and landscaping) for 25 dwellings (Site A), 15 detached houses (Site C), 72 apartments in 3.5-4.5 storey buildings (Site B), 32 dwellings in 3-storey buildings (Sites D & E); 3-storey school boarding house; 2-storey replacement junior school; restoration of main building for school use; extension to school car park; relocation of vehicular access onto Debden Road and provision of internal roads, including school drop-off point. Construction of performing arts centre (details of siting, design and external appearance included for this element). Installation of traffic signal scheme at Borough Lane/Debden Road/Mount Pleasant Road, and other financial contributions to highway works; provision of footpath link between Site A and Mount Pleasant Road (adjacent playing fields/eastern boundary of site). Provision of communal gardens, play areas and replacement wildlife habitat. Demolition of school buildings.

Location: Friends School Mount Pleasant Road GR/TL 539-373

Applicant: Friends School

Agent: Savills (L & P) Ltd

Case Officer: Ms H Lock 01799 510486

Expiry Date: 21/07/2006

Classification: MAJOR

NOTATION: Within Development Limits; front part of school (facing Mount Pleasant Road) within Conservation Area; two areas designated as 'ENV' (Protected Open Space of Environmental Value - ULP Policy ENV3 – one in front of the main school and unaffected by the proposals, and area shown as Site A); Area of Site B included in land designated as PF (Protected Open Space for Playing Fields – ULP Policy LC1); Debden Road is a classified road; TPO 1/06/38 relates to a Preserved sycamore tree on the Debden Road frontage; Water Tower on Debden Road frontage is a Grade II Listed Building.

DESCRIPTION OF SITE: This application relates to parts of the grounds of the Friends School, an independent day and boarding school for children between the ages of 3 and 18 years. The main school building is set back from Mount Pleasant Road, and a range of separate assembly and teaching buildings are located to the west and to the rear (south). A modern sports hall is attached at the eastern end of the main building. There are currently three vehicle access points onto Mount Pleasant Road, and car parking is in front of the main building and sports hall. There is mature planting and a brick/flint wall in front of the school and this part of the site is within a Conservation Area. The school occupies a site which fronts Mount Pleasant Road and Debden Road, and the road junction with Borough Lane is to the north-west.

To the west of the main building, and fronting Debden Road, is a Grade II listed brick-built water tower, which stands some 28m high.

The School site extends southwards, to the rear of Friends Walk and properties fronting Debden Road, reaching down to St Johns Close and Greenways. At its eastern extent it reaches properties in Peaslands Road, Chichester Road, and Northfield Road. A large area containing a variety of playing pitches is to the east and south of the main school building. During the summer this area contains 5 rounders pitches, 2 cricket pitches, a running track, and athletics area. In the winter months the same area contains 5 football pitches of varying sizes, 2 hockey pitches, and 1 rugby pitch. Two cricket squares are retained unused over the winter. The school also has 3 hard and 1 grass tennis courts.

Towards the south of the site, there are large planted areas, and sporadic buildings, as this area of the site has been less used than the remainder of the school in recent years. In the

southeast corner of the site is an informal planted area designated as a Protected Open Space in the Uttlesford Local Plan.

There is a vehicular and pedestrian access onto St Johns Close at the southern end of the site.

The application relates to areas of the total school site which amount to 3.31 hectares, and excludes the main school and sports hall, the water tower, all the playing pitches, and buildings and land directly behind the main building (as shown on the plan attached at the end of this report).

DESCRIPTION OF PROPOSAL: This is an outline application with varying degrees of information. For the elements contained in the Conservation Area (the Performing Arts Centre & Site E dwellings), full details are supplied. For the remainder of the site, siting, means of access and landscaping are applied for, although detailed illustrative information is provided for the new school buildings [*NB it should be noted that this application was received prior to the changes in legislation in August 2006 relating to reserved matters, and which are now layout, scale, appearance, landscaping and access*].

The application has been revised a number of times since it was first submitted to the Council. The final scheme comprises the following, set out in five distinct areas:

Site A – Houses and apartments (25 units – reduced from original submission of 36 units)

This is located in the southeast of the school site, on the informal planted area currently designated under Policy ENV3 in the Uttlesford Local Plan. The proposal is to remove the planting, with the exception of trees along the outer boundaries and separating the site from the school playing fields. The original submission sought 36 general market houses on this site, but it is now proposed to construct a mix of 25 dwellings: 20 terraced houses (19 for sale and 1 affordable unit), and 5 affordable apartments. These buildings would form a 'C' following the boundaries with the properties in Chichester Road, Northfield Road and Greenways. Gardens would mostly back onto existing gardens or turning areas, and garden depths would range between 8m and 19m. Garden sizes would be a minimum 49sqm per dwelling, but most would be at least 100sqm. Building forms would be 2½ and 3½ storey, ranging in height from 9m – 13.3m.

The breakdown of units would be:

General market houses: 3 x 3-bed; 7 x 4-bed; 9 x 5-bed.

Affordable units: 1 x 3-bed house; 4 x 2-bed flats; 1 x 3-bed flat.

There would be additional planting along boundaries where gaps occur. Boundaries would also be fenced.

A mix of individual garages and parking spaces and courtyard parking would be provided. There would be forty-seven spaces provided, equating to an average of 1.88 spaces per unit.

Access to this part of the site would be via a new road to the north of the trees along the boundary with Greenways. A pedestrian path would pass through this avenue of trees, and a play area and public green space would be provided in this area. A further open space/playspace would be provided between the Site A houses and the trees which flank the playing fields. There would be no vehicular access into Site A from the surrounding streets, other than via the new roadway, but there would be two new pedestrian routes: from Greenways (at the point next to an existing open space) adjacent to the area of the proposed open space; and alongside the tree-lined boundary to the east of the playing fields and west of houses in Old Mill Road, linking site A to Mount Pleasant Road.

Site B – Apartments (72 units – originally submission of 71 units)

This is an area that is designated as part of the school playing fields, but is not in use for that purpose. It is proposed to build six blocks of apartments in 3½ and 4½ storey form, in two parallel lines, and each pair being centrally connected by a stairwell. Each stairwell would also include a lift to serve each pair of blocks. These blocks would be located between the playing fields and the spine road, and would have areas of greenspace around the blocks. The ground floor flats would each have a small private patio and the upper flats would each have a small balconied area. Revised plans have been received to increase the spacing between the blocks, and improve the inter-relationships. The height of the blocks would range between 12.4m – 16m.

The blocks would be served by underground parking, providing 90 spaces, with an extra 10 spaces above ground. Thirty bicycle and 11 motorcycle spaces would also be provided in the basement. Car parking would average at 1.38 per unit.

The blocks would contain a total of 72 units, in the following mix:

General market: 14 x 1-bed; 42 x 2-bed; 10 x 3-bed.

Affordable: 6 x 1-bed.

Site C – Houses (15 units – originally submitted with 16 units)

It is intended to construct a ribbon of larger family houses in detached and semi-detached form in this area fronting onto the spine road, to reflect the scale of the houses that exist in Friends Walk. Each would be served by a minimum of two parking spaces (there would be 33 in total, averaging at 2.2 per unit). Garden areas would be a minimum 100m² (most larger), and would mostly back onto the gardens of existing houses.

The originally submitted 16th dwelling has been omitted to enable the retention of a Sycamore tree subject to a Provisional Tree Preservation Order.

There are no details of the likely designs of the proposed houses, but they would all be 2½ storey, and the mix would be:

8 x 4-bed; 7 x 5-bed. All would be general market housing in Site C.

Site D – 23 Units (Originally 30)

Site D would be a staggered group of terraced and semi-detached houses and apartments in 3-storey form. They would all be set back slightly from Debden Road with either private or communal gardens backing onto the road. The proposed mix would be:

General market: 2 x 3-bed houses; 6 x 1-bed flats;

Affordable: 15 x 1-bed flats.

Twenty-five parking spaces would be provided, some of which would be located with the parking area near Site E. Taking sites D & E together, the average number of spaces would be 1.06 per unit.

Site D units are designed with solar panels on the roofs, but other than indicative elevations, no details are provided of the internal layouts or these units. The ground levels in Site D are indicated to be lowered.

Site E – 9 Affordable Flats (originally 11)

Site E would be a three-storey terrace of apartments, all affordable units.

Gardens would be located adjacent Debden Road, and there would be a communal green space around the water tower. Some of the units would be served by balconies.

Full details are provided for the flats on site E, due to their location in the Conservation Area:

Ground floor: 1 x 1-bed flat, 1 x 2-bed flat & 1 x 3-bed unit.

First floor: 1 x 1-bed flat, 1 x 2-bed flat & 1 x 3-bed unit.

Second floor: 1 x 1-bed & 1 x 2-bed flat & 1 x 3-bed unit.

Materials would be brick, tiled roofs with solar panels on top, and timber windows and balconies.

One lift would be provided. There would be a communal brick-built bin store.

Building heights would be in the region of 11.7m.

School Accommodation

The proposals for the school have been modified since the original submission, with various elements omitted or amended as the number of proposed dwellings has reduced.

1. The main building would be restored. The strategy is to remove modern partitions and restore spaces to their original form. New works include improving accessibility within the building, and the provision of lifts in two areas. The upper floor is currently divided for dormitory accommodation, but these spaces would be opened up for use as teaching accommodation and staff offices. Three existing staff flats would be retained in the main building.

2. The car park would be extended to provide a further 38 spaces, to increase to 110 in total for use by parents, staff and visitors to the performing arts centre (this is separate to the drop-off lay-by at the proposed junior school). A Travel Plan including Park & Ride, is to be introduced, to reduce the number of pupils arriving by private car.

3. A new entrance would be provided to the existing assembly hall. The assembly building and Flint House (the building in the extreme northwest corner of the site) would be refurbished. The assembly hall would include a box office and foyer, offices and an art gallery.

4. The assembly building would have a covered walkway link through to a new performing arts centre, which would provide a 300-seat theatre, dressing rooms, orchestra pit and flytower for easier manoeuvring of stage sets and equipment.

The design of the building includes an element of almost flat roof for the flytower. The walls would be decorated with a pattern of recessed bricks, and the pitched roofed part would be tiled. The maximum height of the building would be 13.6m.

5. A new three-storey boarding house would be provided to the rear of the main building. It would have at:

Ground floor – 3 x 2-person rooms, various communal facilities, 1 x staff flat and 1 x housemasters flat;

First floor – 1 x staff flat; 7 x 2-person rooms; 2 x 1-person rooms; 1 x 4-person room; bathrooms.

Second floor – 10 x 2-person rooms; 2 x 1-person rooms; common room & bathrooms.

The building would have a lift accessing the upper floors. The upper floor would be contained within the roofspace, using dormer windows and velux rooflights. It would have a ridge height of 10.6m.

It was originally intended to refurbish two buildings 'Crosfield' and 'Leicester' as a new Sixth Form Centre. This element has now been omitted. The sixth form would operate from the upper floor of the main building and Crosfield and Leicester would be refurbished as classrooms.

A new two-storey junior school would have a footprint of 1298 m² (originally proposed at 1,480m²), and would provide teaching for early years, infants & junior school. Gardens and play areas would surround the building. It would include its own assembly hall and specialist teaching areas (e.g. music, art, IT and science). It would be designed to minimise its bulk with a series of roof ridge heights. The maximum height would be 10m.

A dropping-off lay-by would be provided to serve the school (see 'Roads' below).

All existing summer and winter sports pitches will be retained in the new layout (a new layout is required as some existing space would be used to accommodate the car park extension, road to site A, and some of the new school buildings).

Roads & Access Alterations

The main school building would be served by the three existing access points onto Mount Pleasant Road, with the two directly in front of the main building being used as an in-out driveway. The third would be improved, and would provide access to the extended car park. No further access is proposed onto this road.

A new access point would be created onto Debden Road at the position opposite Nos. 92-94 Debden Road, approximately 10m north of the existing access. This new access would be constructed at a width of 6m and would lead onto the main spine road into the development site. Within the site, a new road would run to the rear of the new units fronting Debden Road (Sites D & E), to provide access to their parking spaces. Off the main spine road, a drop-off lay-by would be provided to serve the replacement junior school, and would incorporate 18 set-down parking spaces. Adjacent to Site B apartments, a loop would be provided to enable school traffic to turn to leave the site via the same new access point. At this point, the spine road would continue on to Site A.

Public footpath No.17 passes through Friends Walk and along the western boundary of the site, to the east of Friends Walk/St Johns Close. It is proposed that a separate application will be made to seek its diversion, to run parallel to the line of the new spine road, through an avenue of trees. This would be a combined footway and cycleway.

The existing access point onto St John's Close would be gated for pedestrian access, but would be locked for vehicular access except for emergency use.

The existing vehicular access onto Debden Road (opposite Nos. 76 & 78 Debden Road) would be retained, but gated and locked for emergency access only.

A new service access to the school would be provided onto Debden Road (opposite the entrance to Mount Pleasant Cottages), but this would be an entrance point only, with exit being via the existing driveway on Mount Pleasant Road.

The main road junction of Debden Road, Mount Pleasant Road and Borough Lane would be improved, and following extensive consultation with Essex County Council highways authority, now incorporates a traffic light system at this junction (the original submission included only traffic calming measures and a raised table). To facilitate this, an area of school land at the junction would be provided.

The applicant will also contribute £20,000 towards the Saffron Walden Town Centre improvement scheme.

Demolition

Throughout the site, a number of buildings are to be removed: in the Conservation Area, part of the 'Croydon' building, the Design and Technology Building, Octopus Gallery and two sheds. Further south, and outside of the Conservation Area, 'Laurels' (the headmaster's existing house), 'Orchard', the Early Years' building, 'Gibson House', a Scout Hut, Montessori School' and the Groundsman's House'. An existing sports pavilion is to be dismantled and relocated behind the sports hall.

Landscaping & Ecology

Ecology reports and landscaping proposals accompany the application.

None of the surveys have identified the presence of any protected species within the application site. The bat survey identified the possibility of a bat roost in the roof of the main school, and the Avenue of trees is a probable feeding ground for bats. The herpetological survey confirmed that there were no reptiles or Great Crested newts. A replacement pond is recommended for smooth newts (unprotected). The breeding birds species survey identified no Schedule 1 species, but recommends precautions/mitigation measures for the construction period.

The most important tree features on the site are the avenue of mature lime trees that run south from the main school building. The proposals have been designed to minimise the impact on those trees. A six-page landscape summary is attached which outlines the key works to the trees on the site.

General Point:

The total number of dwellings on this 3.31 hectare site would be 57 houses and 92 flats (144 units in total), 36 of which would be affordable housing (25%). This equates to a density of 43.5 per hectare.

APPLICANT'S CASE: There are detailed supporting statements, which are available to view at the Council offices or via the Council's website. An executive summary is attached to the end of this report.

An aerial photograph has been supplied showing that the areas marked for development are not used as playing fields, albeit that they have been included in a blanket designation in the Local Plan.

The lower level of affordable housing provision is offset by the increased level of community access to other facilities at the site: in particular, the performing arts centre, greater public use of the sports pitches, and the public open space adjacent to Greenways open space. The programming of the performing arts centre will ensure community use for at least one third of the time.

RELEVANT HISTORY: The school was built in 1879 and has continued to this day. There have been numerous applications for alterations within the grounds for school purposes (class rooms, etc). In more recent years, the sports hall was approved in 1982. There are

extant planning permissions for a new head teachers dwelling and for the construction of an altered access onto Debden Road (expire July 2008). Telecommunications equipment has been erected on the Water Tower.

The development of Friends Walk and the closest development in Greenways were constructed on land previously owned by the school.

CONSULTATIONS: UDC Policy: The site is within Town Development Limits, and in accordance with Policy S1 there is a presumption in favour of development which is compatible with the character of the settlement. Therefore, in principle, there is no objection to this location, and it is the form of the development which is at issue. Loss of playing fields is not an issue – there is no net loss in provision.

The density of 49.5 dph would be acceptable in terms of national advice and is in keeping with a town location, but only if it results in a form of development which complies with other policies in the Plan [*NB this density has now reduced to 43.5 dph*].

Policy issues: Policy H10 (housing mix) – although there is a large proportion of smaller homes all of these are provided in the apartment blocks. If some of the houses were 1 or 2 bed this would give a better mix.

Policy H9 (affordable housing) – the threshold of 40% is not met. Even though it is promoted as an enabling development and the Friends School is a registered charity, this is a sizeable development and should include an appropriate level of affordable housing.

Policy GEN2 (design) – the development includes 3 – 4.5 storey apartments. There is no precedent in this area for this form of residential development. The blocks are densely packed which will add to the visual impact. There is relatively little amenity space around Blocks B.

Site A would be built on a protected open space of environmental value. The site has been surveyed and found not to contain any protected species but this does not mean that it has no value. Any green space within a built up area will have some value for wildlife and people who live nearby. The loss of this space would be contrary to ENV3 and a judgment needs to be made as to whether the need for the development outweighs any amenity value of this site.

All dwellings should be built to lifetime homes standards. To minimise water and energy consumption, more space should be provided for e.g. outside clothes drying, recycling storage. The high density apartments suggest it would prove difficult to provide additional space for these functions.

Advice should be sought on the implications of housing close to the water tower, which houses telecommunications equipment.

Policy GEN8 (Parking standards) – if the underground parking for Site B apartments is to be controlled there would be no parking for visitors. If car parking is not convenient/attractive to use people will park on the roads/verges around the flats.

Policy H1 (Housing Development) – this site is not allocated in the current Local Plan for housing. The development would make a windfall contribution to housing supply but is not necessary to meet the housing requirement set out in the Plan.

It is recognised that the Friends School has an important role within Saffron Walden, and in principle there is no objection to some form of housing development within the site, but any

enabling development needed to pay for improvements to the School must be appropriate to the area and provide a good living environment for future residents. Although only in outline for the most part, the current proposal does not adequately demonstrate that a scheme of 164 dwellings can be satisfactorily accommodate on the site, but if officers are satisfied that the issues can be addressed through the submission of details then it could be approved. *[NB these comments relate to the original submission. The development has reduced to 144 dwellings, and as such many of the issues are improved].*

Policy Additional Comments: In theory UDC has enough identified land to meet the housing requirements in the current local plan. The Friends School is considered to be a windfall site since this applies to any site not currently allocated for housing. It would be an exception to the description of them as generally small but it is still considered to be a windfall site.

Any additional sites that come forward that are not within the current plan may be considered premature since there is no need in the current plan but if allowed they would contribute to our housing supply. There is a benefit in maximizing the amount of housing that can be provided within the built up areas since this will eventually reduce the number of houses to be provided on new Greenfield sites in the LDF but the decision needs to be made taking into account all the material considerations relating to this site.

UDC Design Advice: The proposal subject of this application includes demolitions of some structures in Saffron Walden conservation area and in the proximity of a listed water tower and the erection of a new Performing Art Centre and some residential development.

My comments relate to the proposals within the conservation area only. The Water Tower has been listed in 1994. All the other historic buildings within the site have been assessed also and found to be of insufficient special architectural or historical interest to warrant listing in its own right. It must be assumed that their demolition is likely to be acceptable.

The proposed art centre has to be a substantial structure by the nature of its use. The very monolithic form of the original proposal has been mitigated by the introduction of an area of more traditional pitched roof form. Consider it is still necessary to introduce some brick detailing to relieve the monotony of the blank walls.

With regards to the apartments within site E, consider them acceptable in terms of scale especially as they are located in a close proximity to the tower, but their principal façade is unimaginative and monotonous, and in my view should have a greater level of vertical articulation between the units and some corresponding variety to roofscape. Suggest that staggered floor plans or introduction of jetted elements would resolve these problems.

Should there be no planning objections to the whole scheme, I suggest the following conditions relating to the development within the conservation area:

- Drawing indicating acceptable brick detailing to the art centre to be negotiated and approved.
- Drawing indicated elevational improvements to the apartments on site E to be negotiated and approved.
- All new roofs to be hand made plain clay tiles and natural slate as appropriate and to LA approval.
- All external joinery to residential units to be painted timber.
- All brick work to be laid in Flemish bond and in good quality hand made soft clay bricks to LA approval.
- Details of window heads and window cills and balconies to be approved.

UDC Landscaping: Original Plans - The proposed development would result in a number of existing trees on the site being removed which would be considered detrimental. The indicative layout of the development is not considered to relate well to the site or its surrounds.

Site A: The proposed cul-de-sac housing at Site A would necessitate the clearance of an area of existing planting which presently forms a copse of mixed tree and shrub species consisting principally of Ash, Hornbeam, Whitebeam, Field Maple, Goat Willow, Hazel, Elder, Gelder Rose and Rosa species. This area, which is some 4,000m² in extent, was planted in the 1990's as a wildlife and learning resource, with plant stock provided by the District Council. Whilst the copse is relatively young it is considered to be of some wildlife value [Deer have been observed using the cover of this plantation].

The copse is not a prominent feature in the broad landscape; however, it does provide a backdrop to a number of residential properties in Chichester Road, Railey Road, and Winstanley Road. The potential prominence and visual amenity of the copse, if managed appropriately, is considered likely to increase with time.

The loss of the copse would be considered detrimental to the quality and wildlife diversity of this area [see Essex Wildlife Trust letter dated 11th May 06]

The Lime Tree Avenues and Boundary Limes: A feature of the School grounds are the mature Lime tree avenues and boundary Limes.

The principle lime avenue runs from St. John's Road up to, and centred on, the southern façade of main school buildings. This avenue forms a spinal feature of the site and is prominent in views taken down its length from St. John's Close. These trees are also visible in views taken off site from Debden Road, Friends' Walk, Chichester Road and Old Mill Road.

The proposed access road serving the new housing cuts across the spinal avenue and would necessitate the removal of a number of the lime trees. The loss of these trees would be detrimental to the continuity and integrity of this avenue.

The Lime avenue which runs along the southern boundary of the site is unaffected by the proposals. However, its return northward along the eastern boundary of the school playing fields is affected with the eastern most row of limes being proposed to be removed. This again would be detrimental to the continuity of this avenue.

The existing Lime trees which dominate the boundaries of the school site with Mount Pleasant Road and the eastern boundary with properties in Chichester Road and Old Mill Road are unaffected by the development proposals.

The Orchard: The proposals show the existing orchard at site D to be cleared to accommodate 3 storey apartments, access road and car parking. The orchard consist of some 13 fruit trees which, whilst not visible from public vantage points, are considered to contribute to the fabric and quality of the area. The loss of the orchard would be considered to be detrimental.

Other Trees on the site: There are a number of individual and groups of trees which are considered to be of amenity value worthy of retention, however, these trees are not considered to be affected by the proposals as shown in the indicative layout. There is however one exception and that is a mature Sycamore tree which is located at the entrance to the Gibson House access off Debden Road. This subject is a mature specimen which is prominent in views taken along the Debden Road. The proposals require its removal to provide access to the proposed residential development. The tree is subject to a provisional

tree preservation order [TPO no. 1/06] and its loss would be detrimental to the visual amenity of the street scene.

Other Landscape Issues: The proposed 3 storey housing at sites D & E is situated on elevated land rising above the levels of the Debden Road. Consequently, a prominence will be given to these apartment blocks which will affect the character of this section of the Debden Road. The loss of open space, in particular the orchard area, would increase the sense of urbanisation in views taken along the Debden Road.

The severance of the spinal avenue of Lime trees by the proposed residential access road, the subordination of the avenue as a feature of the site through the proposed arrangement of large family housing to one side and 3.5 & 4.5 storey apartments to the other, and an access road running parallel to part of the avenue, would be detrimental to the integrity of the Lime avenue as a whole.

Landscaping, including new planting, would reduce some of the impacts of the proposed development, however it is considered that such provision would only in parts be effective and would not sufficiently compensate for the loss of existing vegetation as show on the indicative plans.

The indicative housing layout is not considered to form an overall cohesive scheme which relates well to the site or its surrounds.

Revised Plans: For the most part, the revised plans satisfactorily address the issues previously raised in respect of impact on existing trees. However, there remains the issue of the loss of the 'copse' at Site A. Although this area has wildlife benefits, this is not of great significance. The emerging wood is not worthy of being made the subject of a tree preservation order.

Essex Wildlife Trust: First Revised Plans: Objection – the overall harm to biodiversity remains unsustainable. Some good mitigation measures are proposed, but these will not compensate for the loss of important habitats in Site A. Taken overall, there will be a net loss of biodiversity arising from these proposals in conflict with the Council's commitment to conserve and enhance biodiversity in development. As it stands the proposal is in conflict with environmental sustainable development targets.

The reduction of houses on Site A allows for more space for an additional 26 trees, young trees and bushes to be retained along the southern boundary of Site A. However, the large majority of the 15 year old woodland plantation will be lost. Estimate the area of site A lost to development as over 80%. This is along-established and important wildlife area that supports a wide range of nesting birds, small mammals and foraging animals, including muntjac and roe deer. While habitat creation schemes are proposed around the edges of the main playing field, it is a narrow linear shrub/grassland strip. While welcome, this type of habitat cannot be suitable like-for-like compensation for the lost semi-mature planted woodland.

Proposal is contrary to ULP policies. ENV3 protects Site A for its amenity value, but ENV8 offers protection through its value for wildlife (which in the local context is significant). This also applies to other habitats on site (linear tree belts, orchards and ponds). Taking the mitigation measures into account, EWT do not agree that the material harm to the habitats affected is outweighed by the need for the development. Site A is the most sensitive ecological area within the School, and EWT do not agree with decision to release it for housing.

Ecological appraisal – generally satisfied with the survey effort. Given the dense scale of the development there is little latitude for habitat enhancement and creation. While many of the mitigation measures are sound, it is unlikely they will be as effective as envisaged (for example, although it states the habitat lost is easy to recreate there is nowhere on site to do so). Do not share the optimism of the report regarding the peripheral wildlife corridors. The habitats remaining are more likely to result in a net loss through direct loss, fragmentation and disturbance (noise and light).

The need for further pre-development surveys with respect to badgers, reptiles and bats is welcomed. Brown long-eared and Serotine bats have been recorded in roof voids of the main building.

The proposals should be refused as contrary to key principles of PPS9 (“planning decisions should aim to maintain, enhance, restore or add to biodiversity conservation interests”).

UDC has a responsibility to “have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity”. This duty (from 1 October 2006) raises the profile and visibility of biodiversity and means all public bodies must consider their impact on the natural world, making biodiversity an integral part of decision making, etc.

Revised Comments: **withdraw earlier objections** - the detailed commentary of the consultant ecologist was not available at the time or initial response. This extra information has shed much-needed light on the detail of the extent of compensatory habitat.

Acknowledge and welcome the retention of a significant area (1000m²) of tree belt along the western side of Site A. The revised scheme reduces the extent of built development by 1125m², with the area allocated to open space/play area. While welcome from a social perspective, this is unlikely to benefit wildlife, and could be source of noise and disturbance to wildlife.

The retention of 26 significant trees will help to offset part of the loss of Site A with respect to breeding birds and invertebrates, but there is still a loss of over 80% of Site A which is the most ecologically important area of the whole site.

Agree that under planting of native trees and shrubs will provide important cover for nesting birds upon maturity.

It is clear that the intention is to provide like-for-like habitat in terms of aerial extent i.e. to create some 5000m² of new native thicket around the perimeter of the playing fields. These compensatory measures are at last starting to reach acceptable levels. While it will take 10-15 years to reach the same level of maturity as the habitat lost, there will still be 5-10 years when birds will lose out on suitable breeding habitat. However, on balance, the type and extent of new habitat offered is appropriate and welcomed.

Long-term ecological management of the retained and new habitats should be secured through S106 Agreement.

Support inclusion of wildlife-friendly measures in the built environment (bat bricks, ledges and boxes) in new buildings and trees.

Natural England: Original Plans: Objection, insufficient information.

Revised Plans: No objection in respect of legally protected species, provided the mitigation outlined in the report is incorporated into the permission. Strongly recommend that works to retille the roof of the main building should be undertaken with great caution. Consultant should consider whether a Defra licence will be required following further surveys.

With regard to biodiversity, support the concerns of Essex Wildlife Trust, and the Council should consider the application in the light of existing policies in the ULP and the provisions of PPS9. The applicant may wish to consider whether or not opportunities exist to maintain the integrity of existing habitats within the development by altering the development footprint to permit the existing habitats to remain without any loss of total area, and linkage with adjoining habitats through provision of a wildlife corridor.

Essex Bat Group: Important that further surveys are done prior to commencement of work on site. This should include all mature trees that will be removed as well as buildings to undergo alteration or demolition. The new survey should be undertaken when bats are actively flying during the period from May to August. Bat usage of the site may have changed since the first survey in May 2005. Concerned that the survey on one night could not have addressed the large number of buildings (lists various locations for roosts, etc). Recommends conditions regarding further surveys and lighting.

TOPS: Original Plans: Recommend refusal. The proposal would lead to the creation of a new junction on a stretch of classified highway where the principle function is to distribute traffic in the built up area. As far as can be determined from the submitted details, the applicant does not appear to control sufficient land to provide adequate visibility. Proposal would be detrimental to highway safety. The developer has not demonstrated that the highway access arrangements, traffic generated by the propose development, impact on highway network and proposed mitigation works are acceptable in terms of safety, capacity and accessibility. (NB *revised plans have overcome these concerns*)

Revised Plans: No objection subject to conditions and Section 106 financial contributions (see attached copy). In summary: Provision of access arrangements and parking during construction period; no occupation until the new access and visibility splays onto Debden Road are created, and the existing access closed; no occupation prior to construction of parking, two-wheeler and cycle spaces; construction of access roads up to base level prior to commencement of any dwelling; technical conditions relating to construction matters; traffic calming for the new estate road; provision of school travel plan.

Financial contributions: £20,000 towards Public Transport infrastructure improvements in the vicinity of the school site; £20,000 towards the Saffron Walden Town Centre Improvement Scheme; prior to occupation, a study examining the options for improvement to the safety and capacity of the junction at Debden Road/Mount Pleasant Road/Borough Lane, to include either signalisation and /or roundabout utilising land dedicated for the highway from the application site. The preferred option to the agreed in consultation with the LPA and highway authority, but if the preferred option is not feasible, a contribution of £250,000 and land dedication towards improvements; provision and implementation of a transport information and marketing scheme for sustainable transport, to include vouchers for 12 months free bus travel for new dwellings.

Inspire East (allied to CABE): The application was discussed with the Inspire East Design Panel in March 2007. In summary, the panel of experts concluded that (1) the design of the performing arts centre is well thought through, responds to context and works in this location. It is appropriate in terms of scale, design and massing; (2) Site A seems vulnerable and disconnected from the urban fabric. The development on this part of the site may be better accommodated on other parts of the site. The heights for site B are acceptable in terms of scale, but encourage further spacing between buildings. (3) The affordable housing should not be clustered in one part of the site. (4) Uncomfortable with the orientation of the units on Site D, which should face Debden Road. (5) The internal access arrangements do not sit well with the existing urban grain. Potential for congestion between parents and residents around the drop-off zone. (6) Understand it is the School's intention to sell the site

with permission. Whilst their commitment to good design has been evident through the early stages of this design, there is no certainty that this will be continued after the land is sold on. The Local Authority must be confident that what is approved in the outline permission will enable a quality design to be realised for these sites.

Environment Agency: Concerned about the impact on biodiversity (Site A in particular). The additional land made available does not mitigate for loss of the habitats within Site A. Consider proposals contrary to PPS9 because it does not maintain, enhance or add to the biodiversity interest of the area. There is no supporting text to justify the ecological value of this new area as being of a standard to offset the loss that would occur on this site. Consultation with Essex Wildlife Trust & Natural England should continue [*NB – the objections of EWT and NE are withdrawn*]
Objection to lack of flood risk assessment.

Water Authority: No adverse comments. Recommend condition regarding submission of foul and surface water drainage details.

UDC Engineer: Following further discussions with applicants' engineering consultants, satisfied that surface water disposal issues can be dealt with by condition.

ECC Archaeology: Initial comments: the proposals for housing on the eastern side lie immediately to the north of an excavated Early Iron Age site. On the western side records show large quantities of Late Iron Age or Roman pottery located to the south of the water tower. Both indicate the high potential of surviving archaeological deposits on this development site. On the edge of the site lies a listed water tower and adjacent is a reservoir structure, which pre-dates the tower. Also proposed for demolition is the sanatorium associated with the school, built in the early 20th century and potentially contains important architectural elements. Further recording and trial trenching required to inform decision. [*NB these were done, and inform the following comments*]

Comments follow on-site trial trenching and an impact assessment of the Octopus Gallery and Gibson House. Both structures are important in their own right and through assessment are shown to be rare examples of their type.

Gibson House has suffered from little conversion and is a good example of this type of hospital. Although not unusual nationally this type of building is now uncommon in Essex and is made more important because it ceased to be a hospital at an early date which meant it was not remodeled. If possible this building should be retained. If however UDC decides to allow the demolition or conversion of the building then a full archaeological condition requiring a detailed historic building record of the structure should be attached to the consent.

The impact assessment has indicated that the structure would not warrant listing, but has not considered that it may already be listed by being within the curtilage of the water tower. The reservoir is clearly related to the water tower as confirmed by the report. The Council's Conservation Officer should decide this point unless English Heritage will give a view.

The archaeological evaluation was restricted to 2 areas both of which proved negative. If the development is approved further archaeological work will be required in these areas comprising both archaeological trenching and open area excavation if archaeological deposits are identified.

Essex Police Architectural Liaison Officer: Original Plans: No objection, but request each phase be subject to Secured by Design. Recommend installation of sprinkler systems in all new school buildings as per Essex County Council's policy. Secured by Design will help

reduce the opportunities for crime and anti-social behaviour on educational premises as well as dwellings. A school is very often the hub of a local community and good design along with a secure and safe environment will mean this development should not impact on the community in a negative manner.

Revised Plans: Object on loss of green open space associated with the school. The Essex Playing Fields Association actively discourages loss of such a facility and government has raised issues in the same way. Reiterate concerns about arson and the need for sprinkler system [*NB – there is no net loss of playing fields from this proposal*].

ECC Schools Service: Request a financial contribution of £267,045 towards secondary school places. The forecast in the Essex School Organisation Plan indicates that there will be sufficient primary places at a local school serving the development.

Sport England: Original submission: Proposal affects playing field at site and consultation is therefore statutory. Sport England would also wish to make separate comments as a non-statutory consultee on the sports facility requirements of the proposed residential development.

Impact on Playing Fields: Have considered proposal with regard to Sport England's policy 'A Sporting Future for the Playing Fields of England' (1997). Aim of this policy is to ensure that there is no further reduction in the supply of conveniently located, quality playing fields to satisfy current and likely future demand.

Sport England will normally oppose development that would lead to the loss of, or prejudice the use of, all or part of a playing field, without meeting at least one of the specific exception criteria identified in the above policy.

Have visited site and had extensive pre-application discussions with applicant about impact of proposed development on the playing fields. In terms of impact on the playing field, the development would result in a small (0.2 ha) net loss in the size of the playing field in relation to the area that is considered to be useable for sport.

Although the development would clearly have an impact on the playing field and its overall size would be reduced, the following considerations are material to assessment:

- The applicant has offered to enter into a formal community use agreement to make its sports facilities and remaining playing fields available to the community.
- Despite the net loss in the size of the playing field, all existing summer and winter pitches would be retained through reorganising the playing pitch layouts without any reductions in their size. The existing cricket pavilion would also be relocated to another part of the playing field.
- The development would not prejudice the potential for additional pitches to be laid out on the playing field to meet future needs because the capacity of the playing field for both winter and summer sports is already fully utilised and insufficient space would exist for accommodating additional pitches if the development was not implemented.
- The conversion of a disused area to the east of the site to form a useable (for formal sport) part of the playing field would help compensate for the loss of other parts of the playing field.
- The two new tennis courts would provide new tennis facilities for the school and potentially the community. Whilst the courts would be sited in an area used for existing pitches, the pitches affected would be satisfactorily relocated by reorganising the playing pitch layouts. Consequently, the sports development benefits offered by the proposed tennis courts would outweigh the detriment caused by the loss of part of the playing field affected.

- The part of the playing field that would be encroached onto by the proposed junior school would not be capable of forming a playing pitch or part of one, due to the existence of mature trees, hedgerows and the siting of the existing cricket pavilion.
- The extended car park adjoining the sports hall would help facilitate community use of the school's sports facilities.

In view of the above considerations, the proposals, when considered as a package, would accord with Sport England's playing fields policy.

No objection is made by Sport England to this planning application as a statutory consultee, subject to the following planning conditions being imposed if planning permission is granted:

- A condition requiring a community use agreement to be completed before the commencement of any development on the playing field. This condition is required to ensure that the potential community benefits of the proposed development are actually secured in practice and is necessary to ensure that the proposed sports development benefits identified above (which would outweigh the detriment caused by the loss of some parts of the playing field) are secured.
- A condition requiring the disused area (formerly used for tennis courts) to the east of the site to be converted to playing field use (and operational) before any development commences on the playing field. This is required because the proposed reorganisation of the playing pitch layouts (which ensures that the size and number of existing playing pitches is maintained) is dependent on this area being available.

Sports Facility Requirements of the Residential Development: As a non-statutory consultee, wish to make comments on the sports facility requirements generated by the proposed residential development. The residential development will generate its own needs for sports facilities, which if not met by the development, will place additional pressures on existing facilities. Policy GEN6 of the adopted local plan requires developments to make provision for community facilities and other infrastructure where this is made necessary by the proposed development. As such, would expect the development to make adequate provision for meeting the sports facility needs that it will generate.

With respect to outdoor sports facilities, understand Saffron Walden has a deficiency in playing pitches. As the needs generated by the proposed residential development would exacerbate this deficiency, the principle of the development making an appropriate level of outdoor sports facility provision would be justified.

As it is considered unlikely to be viable or justifiable for a development of 164 dwellings to provide on-site outdoor sports facilities, SE would expect provision to be made offsite. This could be made in the form of an appropriate financial contribution in lieu of on-site provision being made to Uttlesford District Council, which would be used towards the provision of new or improved outdoor sports facilities in Saffron Walden. The level of such a contribution should be based on the financial cost of providing the outdoor sports facilities that the development would generate and would be informed by local standards for outdoor sports facilities. Sport England would be willing to provide advice on how to calculate an appropriate financial contribution if necessary.

Alternatively, as the overall development on the Friend's School site is expected to facilitate new or increased community use of the school's outdoor sports facilities (playing pitches and tennis courts), on this occasion SE would be prepared to support the principle of community use (outside of school hours) of these facilities being formally secured as another way of providing for the outdoor sports facility needs generated by the residential development. Whilst the majority of the outdoor sports facilities on the school site would not be new

facilities, if they were opened up for community use for the first time or if community use was substantially increased this would have a similar affect to providing new or improved community sports facilities elsewhere. The close proximity between the proposed residential development and the playing fields is also an attraction of this option, because the facilities would be easily accessible for new residents. The acceptability of this approach would depend upon an appropriate long-term community use agreement between Friends School and Uttlesford District Council being completed as a condition of any planning permission. This would be necessary to ensure that community use is secured in practice for a long-term period. The acceptability of this approach would also depend on the extent of outdoor sports facilities that would be made available for community use and the extent that community use would be increased above current levels, e.g. securing one football pitch for community use that is already in regular use by the community would not represent “new” provision.

In relation to built facilities, Sport England’s Sports Facility Calculator estimates that a development of 164 dwellings would generate additional needs equivalent to approximately 3% of a sports hall and 2% of a swimming pool. SE consider that justification would exist for provision to be made for the same reasons set out above in relation to outdoor sports facilities.

In terms of how such provision should be made, a financial contribution towards the provision or improvement of local facilities in lieu of direct provision would be acceptable. Alternatively, securing the community use of Friend’s School sports hall would, in principle, be an acceptable alternative on this occasion for the same reasons as set out above in relation to outdoor sports facilities. Again, the acceptability of this approach would be dependent on an appropriate community use agreement being completed and the extent that community use would be increased above current levels.

In conclusion, as there are no clear proposals at present for addressing the additional community sports facility needs generated by the residential development, Sport England would object to this aspect of the planning application as a non-statutory consultee. However, if it can be satisfactorily demonstrated that there is not a need to make such provision, or if provision is made as set out above, would be willing to consider withdrawing this objection.

Revised Plans: No objection as a statutory consultee, as the playing fields are unaffected. Whilst the number of dwellings has reduced to 144, the original comments still stand (about lack of clear proposals for meeting the additional community sports facility needs generated by the residential development).

UDC Lifetime Homes: Access to the present school buildings is being improved and in the new school buildings, and support this. Concerned that as this is an outline application, the requirements of the SPD could fundamentally change the design of the properties, and need to ensure that each footprint and design will encompass the standards at this stage. 5% of the dwellings must be built to wheelchair Housing Standards to accord with the SPD

UDC Leisure Services Council-commissioned research concluded that there is a need for an arts and community centre in Saffron Walden. However, the requirement is for a continuous access facility rather than a facility shared with a school on a reduced access basis. The Saffron Walden Town Council is pursuing the purchase of land at Catons Lane from Audley End Estates to provide an Arts & Community facility and this proposal is currently supported by the Saffron Walden Arts Trust. Whilst there is a need for such a facility, the provision being proposed at Friends School is unlikely to be able to meet all of the requirements. Existing facilities are not adequate for demand and if the Catons Lane development does not come to fruition then there will be a continued lack of facilities – a

development at Friends School may assist this situation, but there is concern at its accessibility for the community given the requirements of the school.

UDC Building Surveying: No adverse comments.

TOWN COUNCIL COMMENTS: Original submission: No objection to Conservation Area application but objections to outline application:

1) This is an outline application within a Conservation Area and as such **contrary to Policy ENV1** which states that within Conservation Areas "...Outline applications will not be considered". The application should be dismissed on these grounds alone. Notwithstanding this the following objections are raised:-

Zoning:

2) This site is not zoned for housing in the recently (Jan 2005) adopted local plan. No evidence has been produced to show that the adopted plan provision of housing is inadequate. Even in this eventuality, the plan has provision elsewhere in the town for reserve housing. It is therefore **contrary to Policy S1** since it is a major urban extension which is NOT in accordance with the plan

3) It is clearly not a windfall site and is therefore **contrary to Policy SW2**. SW2 identifies six sites (which do NOT include the Friends School) and states these will be supplemented by other sites, "...which will be generally small in scale" By any definition this application is not small.

4) The development of this site would prejudice bringing forward allocated brownfield sites in Saffron Walden and elsewhere, so the application is **contrary to Policies PPS1, PPS 12 and UDC Policy H3**.

5) Within the Local Plan, Site A is designated as a protected space of environmental value. As such, this development is therefore **contrary to Policies ENV3, ENV8, LC1 and ERSP Structure plan policy HC1**

Arts Centre

6) The height and appearance of the Arts Centre is out of scale with the adjoining listed buildings and is **contrary to Policies ENV1 and ENV2**. In particular the stark elevation, height and flat roof treatment of the north elevation from Debden Road as shown in drawing 31, is totally unacceptable in relation to both the listed school buildings and the Water Tower.

7) The height and character of the Arts Centre is also out of scale with the residential area within which it is set and will generate noise and disturbance in a residential area. The proposed parking is inappropriately placed, being as far as possible within the site from the Arts Centre, and also ensuring people have to walk across the main vehicular entrance to the school. In addition the amount of parking available for a 300 seat theatre is inadequate and will result in cars parking in surrounding streets.

Site A

8) Since Site A has no road frontage it represents backland development (as defined in para 6.15 of the Local Plan.) The proposals will cause overlooking and overshadowing and will have an overbearing effect on properties in Greenways. The proposed access will cause disturbance to residents in St Johns Close. The site is therefore **contrary to policy H4 (and specifically policy H4(b), H4(c) and H4(d))**.

9) As well as being contrary to policy this site acts as an important rural buffer for a high density estate. The proposed 3.5 storey houses will be out of scale and character with the

adjoining two storey houses and the closeness of the two large scale blocks will create a strong urban feel and it is therefore **contrary to Policy GEN2**.

10) The proposed gardens, some only 5 metres long, are totally inadequate for the scale of the development and therefore, specifically **contrary to Policy GEN2(c)**

11) The proposed new road joining site A to the rest of the proposed development will be unattractive, and liable to speeding traffic adjacent to a playing field. There will, inevitably be pressure at a later date, to develop the northern side of this road.

Site B

12) The inclusion of 4.5 storey buildings is out of scale with the adjoining houses in, particularly, St. Johns Close, but also Debden Road and Friends Walk; and out of character within Saffron Walden. As such they are **contrary to Policy GEN2**.

13) There is no private useable amenity space for such a large concentration of people, with 71 apartments having to share an area of less than 400 sq. metres.

Site C

14) Access onto Debden Road will involve removing an attractive and prominent sycamore tree which is the subject of a Tree Preservation Order.

15) There is no reason for “an emergency access” from St Johns Close. If the proposed new access is not suitable for emergencies, then it should not be approved. The so-called ‘emergency access’ should be stopped up to prevent its inevitable unauthorized use by traffic.

Site D

16) The 3 storey apartments proposed to the south of the Water Tower have very limited amenity space which fronts directly onto Debden Road. The height of the apartments is out of scale with the existing houses on Debden Road as a result of which the existing houses are overlooked.

Site E

17) The 3 storey apartments proposed to the north of the Water Tower are of an unimaginative and bland design out of character with the adjacent listed building. There is virtually no amenity space for the first and second floor apartments and that which is provided is shadowed by the water tower and practically unusable. As such the apartments are specifically **contrary to policy GEN2 (c)**

18) There is no reason for “an emergency access” from Debden Road. If the proposed new access is not suitable for emergencies, then it should not be approved. The so-called ‘emergency access’ should be stopped up to prevent its inevitable unauthorized use by traffic.

Highways

19) The traffic survey was undertaken on a Wednesday between 16.30 and 18.30. As a result it did not cover either the morning or afternoon peak periods. It is therefore totally unrepresentative.

20) The queue length survey undertaken at the Debden Road/Borough Lane/Mount Pleasant Road crossroads was undertaken on a Thursday (early closing day) in January again outside of morning and afternoon traffic peaks.

21) A survey should be undertaken at peak times. It is self-evident that at these times incoming traffic is backed up as far as Newport Road from the High Street traffic lights.

22) The traffic survey is current and does not allow for the traffic growth yet to be generated from the West Road development; the Bell College development and the old cement works development in Thaxted Road. The IHT recommend that predicted traffic growth should be taken to 10 years from the development date to confirm capacity and safety requirements.

23) No practical improvements are proposed for the Debden Road/Borough Lane/Mount Pleasant Road crossroads. Moving the Give Way line in Borough Lane will not improve visibility which will still be impaired by the parked cars in Debden Road. The additional traffic generated by this development will only exacerbate the risks at the town's most dangerous junction. There are inadequate detailed proposals for dealing with pedestrian movements or air pollution.

24) The traffic survey fails to show that traffic generated by this development can be accommodated on the adjoining transport network since its basic data is taken from unrepresentative periods of the day. It is therefore **contrary to policy GEN1 and policy H3**

General

25) The scheme fails to provide 40% of social housing and is therefore **contrary to policy H9**. The community benefit offered by the Arts Centre is limited and unlikely to meet the proven needs of local arts organizations.

26) The development fails to provide any adequate public open space other than a small and impractical area adjoining St. Johns Close. It fails to provide any additional school capacity (the proposed Junior School being a private facility); fails to make provision for adequate transport provision and has no details of any contributions for this to the relevant statutory authorities. It is therefore **contrary to Policy GEN6**.

27) The financial circumstances of the Friends School, a private institution, is irrelevant to the application. The analogy to the recent development at the County High School is not comparable since this is a state funded body to which the benefits accrued. A more apposite comparison would be the SIA site in Radwinter Road, where large scale development was refused, despite the financial circumstances involved

Summary

28) It is difficult to think of an application which has been in breach of so many of the District Councils planning policies. The District Plan was only adopted less than 18 months ago. If it is to be a credible document at all in the ensuing years this application must be refused.

29) It is strongly recommended that this application be refused as being contrary to the following Uttlesford Local Plan Policies:-

GEN1 (See para. 24); **GEN2** (See paras. 9, 12 and 17); **GEN6** (See para. 26); **ENV1** (See para.1 and 6); **ENV2** (See para. 6); **ENV3** (See para. 5); **ENV8** (See para. 5); **S1** (See para. 2); **SW2** (See para. 3); **H3** (See paras. 4 and 24); **H4** (See para.8); **H9** (See para. 25); **LC1** (See para.5); and as also being contrary to Essex & Southend Structure Plan Policy **HC1** (See para 5.)

TOWN COUNCIL: Comments on first revised plans – reiterate previous objections.
Comments on final revised plans: to be reported.

REPRESENTATIONS: These applications have been advertised, including the display of site notices in 8 locations, and extensive public consultation on the roads around the site.

This application has been amended a number of times since its first submission. As a result, every period of public consultation has resulted in a considerable number of public responses. The following sets out a general summary of the points raised rather than individual comments, but copies of the letters will be available for Councillors reference in the Members room upon the publication of this report.

First Consultation Period:

Friends of the Earth: Object – Proposal is partly on area categorised as open space of environmental value and it impinges on Conservation Area. Contravenes ULP Policies ENV1 & ENV3 and ERSP Policy H3. Proposed access will create traffic hazard onto Debden Road and at the junction contrary to ULP Policy GEN1 & ERSP Policy T3. The large numbers of flats are quite out of keeping with this part of the outer area of Saffron Walden and are somewhat regimental in design, contrary to ULP Policy GEN2. Only 25% affordable housing is proposed contrary to ULP Policy H9. The top floor of the flats could be exposed to higher than recommended radiation levels from phone masts and the developer should undertake a survey. Proposal constitutes overdevelopment and a failure to provide sufficient affordable homes. Provision of performing arts centre is hardly compensation for affordable housing. Traffic arrangements for the school would be hazardous for pupils. Proposals for dealing with increased traffic are inadequate. Urge rejection.

CPRE: Object – Site was not allocated for residential development in 2005 Local Plan. The Plan has made full provision elsewhere in the District for housing need over the Plan period on sites which have been assessed sequentially after an urban capacity study. There is even provision for Reserve Housing site in Saffron Walden, but not on this site. This site is too large and its environmental impact too great for it to be properly considered as a windfall site within the meaning of Policy H3 outside this Plan process. It would prejudice the bringing forward of allocated brownfield sites. Contrary to Policy ENV1. Outline applications will not be accepted in Conservation Areas. A large part of the site is so designated and application should be refused on this basis alone. Contrary to Policies S1, ENV3 & ENV8 – although within VDL, the site in general and Site A in particular with its special designation are unsuitable for development.

This is an important traditional open space of great environmental and visual value and contributes to character of loose-knit area. Population of Walden has doubled since 1970s, but open space has shrunk. Further loss would have serious adverse effect on character of market town and amenity of residents. There is no wider community gain to justify the permanent loss of this townspace. The scheme offers no community benefit other than potential limited use of performing arts centre. Does not even provide 40% affordable housing sought by Policy H9. The financial needs of a private educational establishment cannot be a planning consideration any more than those of any other commercial organisation.

Contrary to Policies H3 & GEN1 – the existing infrastructure of the town does not have capacity to absorb further development. Road network is already 'unable to cope with the number of trips being made' (para.15.2 of Local Plan) and this is especially true of Debden Road/Borough Lane/Mount Pleasant Road area (also heavily used by pedestrian school pupils). Problems with flooding from water run-off. NHS dentists, doctors and school places are not readily available to current residents. As a small market town there is a lack of general amenities and facilities accessible other than by car.

Contrary to Policies GEN2, GEN4, ENV1 & ENV2 – the density and indicated design and layout are completely inappropriate for location and will not even result in an attractive environment for its residents. The development will not enhance the Conservation Area but will detract from it. The Arts Centre will strike a dominant and discordant note from Debden Road and is completely out of scale with residential area within which it is set. An out-of-town location adjacent to residential property is in any case not sustainable for a 300-seat public venue of this nature. It will generate noise and disturbance well beyond the normal working day and week. Parking is inadequate in scale and location and will result in extra on-street parking. Setting of main school building and listed water tower will be undermined by the proximity and poor design (to the extent that this can be assessed or controlled in an outline application) of the new buildings. All surrounding dwellings are 2 or 2.5 storey, mainly traditional older styles. High proportion of flats is inappropriate in itself in this immediate setting and in the wider context of a small rural town lacking in many facilities. Flats have no usable private amenity space and the gardens of many of the houses are extremely small. No usable public open space within the site. Play areas are tiny and badly located away from housing hidden behind trees, and would involve crossing the estate road. Landscaping is of low quality, especially in light of loss of so much undeveloped land to this scheme. Too many mature trees will be lost and the Avenue is left as an isolated feature dominated by the ridiculously long access road. Urge refusal.

Objections: 175 plus petition with 123 signatures

- Inadequate infrastructure (highways, doctors, dentists, schools, drainage, water supplies, public car parks, leisure facilities, etc)
- Overdevelopment of site
- Scale, density and character not in keeping with surrounding development pattern
- Harm to residential amenity – overlooking, overbearing, overshadowing, noise & disturbance; harm to quality of life
- Poor design
- Socially isolated development
- Inappropriate, cramped high-rise development, with too many flats. Urban cramming
- Unacceptable increase in traffic, and danger to pedestrians and other users
- Increased congestion & hazards at Borough Lane/Debden Road/Mount Pleasant junction – should have traffic lights
- Traffic calming is inconvenient for residents
- Overbearing effect of houses on Debden Road due to height and higher ground levels
- Outline application should not be accepted in Conservation Area; adverse impact on Conservation Area
- Lack of need for additional housing
- Adverse impact on character of historic market town
- Impact on water supply
- Increased surface water flooding
- Additional population would be size of small village but without the facilities
- Listed water tower would be compromised by close proximity to poorly designed flats.
- Disturbance & parking congestion caused by use of Arts Centre
- Unacceptable increase in parking congestion on local streets
- Lack of pedestrian access to Site A
- Relocation of existing public footpath would be detrimental to residents.
- St Johns Close unsuitable to provide emergency access
- Development of Site B is contrary to Local Plan policy
- Inadequate on-site parking to serve the development
- Increased pollution from extra traffic. Impact on Air Quality

- Unacceptable loss of trees, & planting and adverse impact on environment
- Detriment to wildlife through loss of habitat. Inadequate replacement proposed.
- Site A is a protected green space – loss is contrary to Local Plan
- Financial figures supplied are inaccurate & flawed business plan
- Lack of community facilities and open space to serve development
- Loss of Montessori Nursery – insufficient alternative provision in area. 5 local people employed by nursery will lose jobs. Invaluable facility.
- Unacceptable loss of Octopus gallery
- Poor management by School governors
- Environment of local residents should not be compromised for private school
- School is a private business as any other
- Professionals at school are ill-served by this development
- Loss of views of open space, and trees (Site A)
- Extra development is damaging to historic market town
- Concerns at extra access onto Greenways, and potential to create through road.
- Overcrowding of schools
- Increased carbon footprint
- Lack of affordable housing – 25% insufficient
- Lack of need for Performing Arts centre – adequate facilities exist at High School, town hall and leisure centre; question its viability. If needed it should be provided by UDC/ECC
- Decrease in house values
- Disturbance during construction for many years
- Proposals do not include much-needed homes for the elderly
- Consultation with residents by the School has not affected plans submitted.
- Potential increase in juvenile crime
- Inadequate access for emergency vehicles

Support: 28

As a first time buyer this would assist acute lack of homes in this part of East Anglia. Support from employees and governors of school, and as parents with children at school. Support as potential user of facilities, and explain lack of alternative in area (from professional actor with touring company; Pure Rhythm School of Performing Arts; Saffron Walden Arts Trust; Saffron Walden & District Music Club; Saffron Walden Amateur Operatic Society; Thaxted Chronicle Players; Clavering Players). Support from former pupils.

Mixed response: 2

- Supportive as parent but concerned as Saffron Walden resident. Support school's desire for some development, but should be modified to suit environment.
- Grieved to see school criticised – Quaker principles have set high standards in past house building with developments like Bourneville, and would hope the school will make further concessions – fewer houses, more gardens and greenspace and no high rise flats
- Recommend conditions regarding soundproofing and limiting coach drop off if scheme permitted

Second Consultation

Objections: 163 received - reiterate concerns as set out above (including CPRE and Friends of the Earth). Additional points raised:

- A detailed analysis of the financial accounts of the School.

- Question validity of timing of traffic surveys, and the general traffic information submitted.
- Witnessed pupils almost being knocked down since original plans.

Support: 1

SW & District Music Club – have 250 members and promote 7 professional classical music concerts per year, but have great difficulty in finding suitable venues. There are no dedicated facilities in SW and must hire school assembly halls and church halls and compete with internal users. None meet expectations of artists and audiences in terms of ambience, comfort or acoustics. Welcome the facilities. Concerned Council would refuse facility being offered to the community free from capital expenditure, when it gave grant towards the cinema at the High School. School also needs the facilities to improve education of students and to attract teachers. Town needs the facilities, and they are most unlikely to come from another source.

Final Consultation:

Objectors: 87

In addition to reiterating previous objections, the following additional points are raised:

- Object to installation of traffic lights at junction, due to volumes of traffic and existing periods of 'standstill'
- If traffic lights installed, surrounding roads will be used as 'rat runs'
- Increased pollution at junction due to traffic lights
- Lack of detail submitted about traffic lights does not demonstrate feasibility, and cannot assess impact on close residents
- Problems will be compounded if Bell College site is developed.
- Changes to proposed plans minimal
- Object to footpath from Site A to Mount Pleasant Road. Adjacent property will be at risk of vandalism and burglary. Property will be vulnerable.
- Proposed footpath would require further loss of playing field contrary to Policy LC1.

Friends of the Earth: Recognise that the school has gone some way to meet objections to the original plan, but still have reservations: (1) 3.5 storey blocks on site B unacceptable in this 'away from town centre' location. Out of keeping with locality and could set precedent. (2) in favour of spreading the distribution of affordable units, but believe 2 houses in 36 is inadequate, and whole site is too orientated towards flats rather than houses. May be cheaper to build and offer more accommodation per hectare, but are not conducive to successful family life. (3) Still do not know if energy standards of draft SPD will be met. Said to meet lifetime homes standards, but no flat can do this. Will they meet water conservation efficiency standards specified in East of England Plan? (4) Continue to ask for assurances that lifts will be provided (5) no assurances that precautionary measurements will be made of radiation from 'phone masts on water tower (6) Comment on the funding mechanisms for affordable housing, which UDC should take up with the government directly and through EERA. The constant need to negotiate extra affordable dwellings with developers without assured funding is counter productive.

Support: 75

- Support as former scholar. Expansion would enable more local pupils to attend the junior school. The Arts Centre would be a great resource for the town.
- SW & District Music Club – reiterate previous support
- Parent with children at school – proposals will significantly improve education, safety & security at the school. Will ensure restoration of main building. School plays important role in local community.

- Former teacher and parent at school – excellent pastoral care. Will provide good facilities for both school and town.
- Former deputy head teacher – all schools need to adapt to keep standards high, including review of premises. Proposals are based on study of long term needs of school. School needs substantial restoration. Boarding accommodation does not meet pupil/parent expectations. Arts centre has been discussed with UDC over many years and would be fantastic contribution to cultural life of town. Understand objections but school has adapted plans accordingly. The school has been in the town since 1879 and is a vital part of the town's Quaker heritage. Seeking to provide greater opportunities for pupils, and will provide extra low cost housing for residents.
- Traffic lights will be beneficial to town.

COMMENTS ON REPRESENTATIONS: The representations cover a vast range of issues both in support and in objection to the proposals. Rather than address the points individually the relevant planning considerations that have been raised are covered in the body of the report.

PLANNING CONSIDERATIONS: The main issues are whether:

- 1) the use of this site for the purposes specified would be acceptable in principle (ULP Policies S1, H3 & H4);
- 2) (a) the local highway network could accommodate the increased traffic associated with the level of development proposed;
(b) the additional traffic would have any adverse impact on highway safety;
(c) the works to the junction with Debden Road/Mount Pleasant Road/Borough Lane & the Travel Plan would be sufficient to address the effects of the increased traffic;
(d) the design of the new access point onto Debden Road and the internal estate roads would cope with the level of additional traffic that will be generated;
(e) the level of parking provision proposed is acceptable, and sufficient to cope with the on-site demand (PPG13 and ULP Policies GEN1 & GEN8);
- 3) (a) the development would have an acceptable visual impact on the setting, including long-distance views around the site;
(b) development up to 4½ storeys in height is justified;
(c) the density is acceptable; and
(d) conditions could adequately control the form of development at the reserved matters stage (PPS1 & ULP Policies GEN2 & H10, and guidance in the Essex Design Guide);
- 4) the development of the site would have any adverse impact on the amenity of residents surrounding the school site (ULP Policies GEN2, GEN4 & ENV11)
- 5) the development would adversely affect any protected species (ULP Policies GEN7 & ENV8);
- 6) the loss of planting in the southeast corner of the site, and the loss of trees elsewhere within the development area would be unacceptable, or whether their loss could be sufficiently mitigated by replacement planting; whether there would be any impact on Preserved trees at the site (ULP Policies ENV3 & ENV8);
- 7) the proposal would adversely affect the setting of the listed water tower and the Conservation Area; whether the loss of any of the identified buildings for demolition would detract from the Conservation Area; and whether the development would have any adverse impact on archaeological features at the site (PPG15 & ULP Policies ENV1, ENV2 & ENV4);

- 8) there are particular opportunities to seek energy efficient construction and after-use (PPS22 & ULP Policy GEN2);
- 9) the provision of 25% affordable housing is justified given the proposed public access to school facilities (ULP Policy H9);
- 10) the proposals adequately address accessibility issues & adopted Supplementary Planning Documents (ULP SPD 'Accessible Homes and Playspace');
- 11) the proposals make adequate provision for refuse storage and recycling facilities (ULP Policy GEN2)
- 12) the reconfiguration of the site would diminish the land available for playing fields and sports pitches (National Playing Fields Association Standards, The Town and Country Planning (Playing Fields) (England) Direction 1998, and ULP Policy LC1)
- 13) the layout of Site C would be acceptable as proposed if the public footpath is not diverted (ULP Policies GEN1 and GEN2)
- 14) there are any public safety and security issues arising from the development (ULP Policy GEN2 and Secured by Design)
- 15) the proposal should include provision for additional financial contributions, such as for future school places and towards the Saffron Walden Town Centre Improvement scheme (ULP Policy GEN6 and SPD 'Developer Contribution Guidelines' (school Places);
- 16) these proposals would meet all the long-term needs of the school, and for what foreseeable period;
- 17) adequate measures can be built into a Section 106 agreement to ensure that all the development for the school will be forthcoming in the event this application being granted; and whether a phasing for the construction of the housing would be appropriate;
- 18) the proposals would be acceptable in terms of impact on drainage and surface water flood protection measures (PPS 25 Development and Flood Risk & ULP Policies GEN3 and GEN6)
- 19) there are other material considerations to outweigh any policy objection to the proposal, if any are identified. This to include whether there are benefits of retaining the school at the site, and the implications for the future of the site if the school should relocate (ULP Policy E2);

1) **Principle of Development:** The site is within the Development Limits of Saffron Walden. Although there are policy designations which affect the potential to develop the site (i.e. the location of part of the site within the Conservation Area, the protection afforded to the playing fields by Policy LC1 as a Protected Open Space, and the designation of Site A as a Protected Open Space of Environmental Value Policy ENV3), there is no objection in principle to residential and further school development at this site. Policy S1 states that in the main urban areas, including Saffron Walden, "development within the existing built up areas [will be permitted] if compatible with the character of the settlement".

Policy H3 expands on this policy. It states that the development of windfall sites (a site not specifically allocated for development in a development plan, but which unexpectedly becomes available for development during the lifetime of a plan) will be permitted if the site comprises previously developed land, has reasonable accessibility to jobs, shops and services by modes other than the car, existing infrastructure has the capacity to absorb further development, or there is potential for its capacity to be increased, it would support local services and facilities, the site is not a key employment site, and avoids development which makes inefficient use of land. It is considered that the site would comply with all of the above: it would fall within the definition of previously developed land provided in PPS3; it is walking distance to the facilities of the town centre; there are proposals to improve capacity at the closest road junction and to upgrade drainage facilities; the applicant has provided

details to demonstrate the positive impact the school has on local services and employment; and the density of development would fall within the range of 30 – 50 dwellings per hectare recommended in national policy.

The following sections of this report will analyse the detail of the proposal and provide a judgment as to whether or not the proposal is compatible with the character of the settlement.

2) **Highway and Parking Issues:** Looking first at just the proposed school improvements, the application proposes to increase student numbers at the school by just 40 (the junior school is currently limited to 200 pupils and would increase by 40; the sixth form would be unchanged. There are a total of 385 pupils at present – 157 nursery – juniors and 228 senior). Rather than seeking significant expansion, these works aim to improve the facilities that may be offered to the existing students. Parking at the School is relatively limited, and this proposal would include provision for off-site setting-down/collection of pupils, but also an additional 38 parking spaces for parents and pupil use. In addition, the School would formalise and develop its existing travel plan, and this could be controlled by condition, to be fully implemented prior to the first use of the new school facilities. This would therefore be an improvement over the existing situation.

However, the proposal also includes the provision of an extra 144 dwellings, all using a new access point onto Debden Road. There can be no question that this will generate additional traffic, all of which must be accommodated on the local highway network which already suffers from congestion at times due to the prevalence of on-street parking on Debden Road and Mount Pleasant Road. However, although locally it is considered that the local highway network is at capacity, the submitted traffic studies have indicated that the local roads would be capable of accommodating the additional traffic. The impact would not be so significant to justify refusal of the application. Essex County Council highways officers required modification to the internal estate layout roads and lay-by, but are now satisfied that the road design and access arrangements as shown are acceptable in highway safety terms, and would meet the needs of the occupiers and school users.

It is recognised that the junction of Debden Road/Mount Pleasant Road/Borough Lane is sub-standard and is a cause of delay and highway safety issues. Although this development alone would not justify the provision of highway improvements to this junction, it would exacerbate an existing sub-standard situation to a degree which would be unacceptable. As a result, the application has now been modified to include the dedication of land at this junction by the School, and a contribution of £250,000 towards traffic signals. With this contribution, the highway authority supports this proposal. However, officers are concerned that the traffic lights should be installed prior to the occupation of any of the dwellings, as such a contribution alone would not be sufficient to ameliorate the effects of the development: if the works required other developer or public contribution, they may not come forward for a number of years. This would not be acceptable, and officers consider that if Members were to approve this scheme it should be on the basis of the installation of the traffic lights prior to occupation. The highway authority has indicated further feasibility studies are required to ascertain whether traffic lights are the best option, but officers consider that adequate preliminary work has been undertaken, and if an alternative scheme were to be developed it should be materially different to the scheme on which residents have been consulted. The recommendation therefore incorporates a requirement for installation of traffic lights.

It has already been noted that there is a high level of on-street parking on Debden Road and Mount Pleasant Road, primarily due to the age and type of properties on these roads. It is recognised that the local roads would be unable to provide significant additional parking for residents, and as such the development site must be self-managing in terms of parking. The

Local Plan standards seek 2 parking spaces per dwelling for units up to 3-bedrooms, and 3 spaces for dwellings with 4 or more bedrooms.

At present, there are only indicative plans, but other than site C, the majority of units will be 1- and 2-bedroom (at this stage, the indicative schedule states a breakdown of 44 x 1-bed, 49 x 2-bed, 20 x 3-bed, 15 x 4-bed & 16 x 5-bed). Based on these figures, the 113 units would create a demand for 226 spaces (2 spaces per unit), and 31 units a demand for 93 spaces (3 spaces per unit). Overall, the residential part of the site would provide for 214 spaces, plus guest use of an extra 18 spaces in the junior school lay-by outside drop off times. This would be a shortfall of 105 spaces, excluding the school lay-by spaces.

However, the site is in a sustainable location in walking distance of Saffron Walden, and many of the units would be only one or two- bedroom. The Essex Design Guide advises that if communal parking is provided for flats, a standard of 1.5 spaces per unit would be acceptable. Using this standard, the shortfall would reduce to only 47 spaces.

Advice in PPG13 (Transport) is that local authorities should not require developers to provide more spaces than they themselves wish, and that parking standards should be a maximum. In light of the national approach and the lack of an objection from the highway authority, it is not considered that the Council could refuse the application based on the inadequacy of the parking. Although in more isolated parts of the District the Council has required parking to standard, and this has been supported at appeal, in areas close to the town centres a lesser standard has been required. For example, at Harris Yard on Thaxted Road, an average of 1.34 was accepted. A development of 4 units further north on Debden Road (a former commercial garage site currently being redeveloped) provided 6 spaces for a one-bedroom flat and 3 family homes (average 1.5).

On balance, it is therefore considered that the site can accommodate a lower provision of parking, and this shortfall would not adversely impact on the existing situation on the local highway network to a significant degree.

With regard to the school development, the existing car park would increase by 38 spaces to 110 (the standard for schools is only 1 space per 2 daytime teaching staff; for residential schools, the standard also includes 1 space per resident staff. The school employ 160 personnel (only 68 full-time), and 10 live on site, generating a requirement for 90 spaces, or only 44 based on full-time staff. Additional spaces will also be provided by the new junior school. The extended car park is considered sufficient to handle the demand for performances in the arts centre, and would meet the standard of 1 space per 22m² (the arts centre would have a floor area in the region of 775sqm (generating a requirement of only 35 spaces). There are also 20 existing cycle spaces.

The applicant has confirmed that a footpath linking site A to Mount Pleasant Road could be accommodated if required, although this is not shown on any plan. It is considered necessary to improve accessibility of this part of the site, as without it the route back to the highway is more circuitous. This does however raise potential issues for adjacent residents, although on balance it is not considered that it would be unduly detrimental to amenity given the likely level of usage.

The highway issues relating to this development are fundamental. Without the improvements to the crossroads, officers would not support the application. It is inevitable that these proposals will impact upon the existing situation, but with the amendments now proposed, and having taken the expert advice of the County Highway authority, it is considered that the highway aspects of this proposal are acceptable. Although this is a finely balanced judgment, Members should be reminded that the Council has fought a number of unsuccessful appeals against refusals on highway grounds, contrary to the expert advice of

the highway authority (for example, awards of costs were made against the Council for the schemes at Bell College and Kilncourt, Thaxted Road). Given the lack of objection from the highway authority, it is not considered that a refusal based on highway grounds could be successfully defended at appeal. Public concerns about the number of units accessing onto Debden Road, the shortfall in residential parking within the site, and the additional pressure on the existing constrained highway network are noted, but would not be justifiable grounds for refusal given the mitigating traffic measures proposed.

The highway authority recommends a number of financial contributions be sought towards upgrading local bus facilities and towards travel vouchers for new residents ([see a consultation response at the end of this report](#)). Although the requirement for a contribution towards the Saffron Walden Town Centre project is considered reasonable, it is not considered that adequate justification for the additional contributions is available, and as such cannot reasonably be imposed.

3) **Design & Visual Impact:** The proposals are divided into a number of separate areas of the site, and all have varying degrees of impact.

Working around the plan, there would be no adverse visual impact from the extension of the car park to the front of the school. Although this is within the Conservation Area, it would have a neutral impact, and would continue to be well screened from the road. The highway safety benefits of gaining more off-street parking would outweigh any visual harm.

The performing arts centre would be located within a prominent part of the site, in the Conservation Area, and in a highly visible position relative to the road. Due to the types of activity it would accommodate, it is by necessity a large and quite bulky building, but attempts have been made to minimise its visual impact through the roof form of the section closest to the road. The flytower is necessary to store and manoeuvre scenery and equipment, and cannot be made smaller (except by a significant reduction in available facilities). There is no question that the building would be prominently sited, and would have a visual impact. However, there is no objection to this aspect by your Conservation adviser, and the Inspire East Design Panel is satisfied that the site can accommodate the development without significant harm (the impact on the Conservation Area is addressed in section 7). Although a large building, it is set against the scale of other large school buildings, and in this context, and on balance, it is considered acceptable.

The buildings on Sites D & E would in part replace a range of unremarkable buildings, most of which are not visible from the street due to a high conifer hedge. Although there has been public objection to the designs and height of these buildings, there are many equally tall domestic buildings on Debden Road. There are a number of 2½ - 3-storey buildings on that road, and it is not considered that these would be out of keeping in the street scene. Viewed against the backdrop of the school buildings, and in place of the large conifer hedge, it is considered that these would be acceptable. Although plans for site D are indicative only, the scale is considered acceptable in this location.

Plans for Sites A, B & C are also indicative only, but set the parameters for the scale of the development. Site C would be 2 - 2½ storey buildings mostly screened from Debden Road by existing frontage development. The scale of this is considered acceptable.

Site B has been contentious from the outset of this application. It has been designed with 6 interlinked blocks in 3½ - 4½ storey form, ranging between 12.4m – 16m in height. They would however be set away from Debden Road by some 125m, and from St Johns Close by a minimum 30m. There is mature planting to most of the southern boundary, and between Sites B and C. It is also on slightly rising ground at this point. However, given the set back from the surrounding streets, it is not considered that they would have the same visual impact as if they were on the road frontage. There are a number of buildings on the site

which are already beyond normal domestic scale, these being the main school building and the water tower. In this context, and on balance, it is considered that the site can accommodate this scale of development at this point on the site (this was the conclusion of the Inspire East Design Panel). The fact that glimpses of the buildings are likely to be available from the surrounding streets (and particularly the emergency access point onto St Johns Close) is not in itself a reason to refuse the application: there must be some demonstrable harm arising from the visual impact of the buildings, and in this case, it is not considered that the harm would be so great to warrant refusal. Although the site may be surrounded by smaller-scale domestic housing, the school site is an unusual feature in the general pattern of development. It is incompatible with the surrounding buildings, but as a result can accommodate a different scale and type of development. On balance, this aspect is considered acceptable.

Site A will have a very different character and appearance from its existing 'woodland state', but from outside the site the visual impact of the housing would not be significant except to adjoining residents. Although there may be other policy objections to the development of this part of the site, the form and layout as proposed, and which has been designed to maximise the retention of the most important trees, would be acceptable in design terms. The Design Panel did not support this proposal, finding it disjointed from the remainder of the development and not successful in urban design terms. Officers do not disagree with this view, but on balance have accepted that there are no other options available given the constraints of the site, and the need to maintain the level of usable sports pitches. If the principle of this number of units across the site is accepted given the demonstrable need, there is no option but to accept the development of site A.

The density of the developable part of the site now equates to 43.5 dph. This is within the limits recommended in national policy, and is compatible with other new developments in the vicinity. In fact, because of the prevalence of terraced dwellings in the vicinity, it would not be out of keeping with the general pattern of development. It is however unusual in that so many of the units are contained in the 6 apartment blocks on site B, and Members may consider this high-density form inappropriate in the more suburban fringe of Saffron Walden, compared to the town centre. Although sites A & C may be provided with reasonable garden areas, the dwellings on sites D & E would have limited private amenity space as it would be adjacent to the road (and in visual terms close boarded fencing would not be appropriate). The apartments in Site B have limited space around and between the blocks, and through balconies, but below the 25sqm for a 2-bed flat recommended in the Essex Design Guide (it recommends this is also desirable for 1-bed units, but may be reduced if there is access to alternative open space). On balance, however, officers have taken the view that this shortfall would be met by the sense of space provided by the playing fields, and informal open space along the tree-lined avenue.

Although this is an outline application, officers are satisfied that adequate conditions may be imposed on the permission to ensure that the scale of the development does not significantly exceed that shown on the indicative plans, and to ensure detailed design matters including provision of open space, amenity areas, bin storage, fencing, housing mix, parking, energy efficient design and privacy can be controlled.

4) **Nuisance to Residents:** A development of this size will inevitably impact on local residents surrounding the school. It is considered there will be some benefits from the improved access and parking arrangements for pupils and parents. However, this will be offset by the increased activity and built form associated with the residential aspects of the scheme.

The highway matters have already been addressed in part 2. It is inevitable that residents will notice the traffic and activity generated by an extra 144 dwellings on this site, but it is not

considered that this activity would be so harmful to warrant refusal. Residents opposite the primary access onto Debden Road will perceive the noise and activity associated with that junction, but as those properties are already separated by Debden Road itself, it would not be possible to identify measurable harm from this increase. The closest house to the new access on the eastern side of Debden Road (in Friends Walk) would be some 40m away. The noise and activity of the spine road and school drop-off point would be separated from the houses in Friends Walk by the House C dwellings – with a back-to-back distance between houses of 25m (this is reduced on some plots where the orientation is oblique, in accordance with the Essex Design Guide). This distance from the spine road would not be so harmful to warrant refusal.

Equally, residents in St Johns Close and Greenways would be separated from the spine road by the tree-line and open space, and in any event that stretch of the road would serve only 25 dwellings – again, not significant.

For the most part, the new boarding house and school facilities would be contained within the site away from existing residents. The activity associated with use of these new buildings is not considered to be any greater than the existing use of the school.

The dwellings on sites D & E will obviously change the outlook of the properties on the opposite side of Debden Road, but with the road separating the buildings it is not considered any material harm would arise.

A potential cause of conflict and nuisance is however the performing arts centre. This is needed as an assembly and performance facility for the school, and normal school use is unlikely to generate significant nuisance. However, part of the proposals is to provide the centre for public use, and groups could perform to 300 visitors (the capacity of the theatre). These performances are most likely to take place in the evenings, and at the start and end of a show there could potentially be a number of visitors leaving and entering the site either on foot or by car. The building itself could be soundproofed to deal with escape of noise from performances, and this could be controlled by condition. However, there would be no means of controlling the activity of people attending performances, and this would be an inevitable consequence of providing this facility for community use.

The proposal is to allow up to 40% community use of the building. This equates to 2 regular weekday evening a week throughout the year, all weekday evenings during school holidays, and 31 Friday nights, 38 Saturday nights and 46 Sundays per year (a proposed condition however recommends no use on Sundays). This is however the maximum. At present, performing groups have limited access to facilities in Saffron Walden, and that which is available is reported to be inadequate and over-prescribed. There is obviously a demand for a performing arts centre in the town, and this would appear to be the most likely option of obtaining such a facility for the foreseeable future. A request to relocate the arts centre to an alternative position to the rear of the school, and further from local residents, has not been successful, and in any event would not affect the issue of the activity generated by the use.

On balance, it is considered that the nuisance that would be generated by the activity associated with public use of the arts centre is outweighed by its demand. However, Members may consider that local residents should not have to tolerate any nuisance from a centre of this kind in an otherwise residential area, and that such a facility is better placed closer to the town centre and public car parks; and that reduced public demand for such a facility could result in the need for a less visually intrusive building more appropriate to the setting.

5) **Impact on Protected Species:** The application is accompanied by various surveys assessing the likelihood of bats, newts, birds and other invertebrates on the site. Although

Site A would be cleared, the surveys demonstrate that no protected species would be harmed, and that adequate mitigating measures can be accommodated on the site to improve biodiversity and access for wildlife.

6) **The Impact of the loss of planting on Site A; Impact on Trees:** The parcel of land occupied by Site A is designated as a Protected Open Space of Environmental Value in the Local Plan. Policy ENV3 applies, which states:

The loss of traditional open spaces, other visually important spaces, groups of trees and fine individual tree specimens through development proposals will not be permitted unless the need for the development outweighs their amenity value.

The submitted surveys indicate that there is no individual specimen of merit in the informal planting area of Site A. Original objections from Natural England and Essex Wildlife Trust have been withdrawn in response to further submissions regarding the quality of the planting in that area and further mitigation measures. Details of these measures are appended to this report.

The policy designation states that development on sites such as Site A will not be permitted “unless the need for the development outweighs their amenity value”. This is a difficult area of judgment, and relies on the assumption that the retention of the school is desirable, and the recognition that in order to remain at the site a certain level of development is needed. This level of development cannot be achieved without the development of site A, as the land needed for the school and the playing fields leaves limited development land available.

The submitted reports have indicated that the planting on site A is not of significant value, and subject to adequate management controls there is no objection from the statutory experts in this area. There is no question that it provides amenity value to the residents that back onto the site, but the value beyond that realm is relatively limited given the restricted views of the site from outside the school boundaries.

On this basis, on balance, it is considered that the need for the development outweighs the amenity value of Site A, and is therefore in accordance with Policy ENV3.

There is a Preserved sycamore tree within the visibility splay of the proposed new entrance onto Debden Road. The revised plans omitting the 16th dwelling from Site C have secured its retention. There are many trees throughout the site which are worthy of retention, and this can be secured by condition. The trees within the Conservation Area are already protected.

7) **Impact on the listed water tower, Conservation Area & archaeology:** Revised plans have been received which increase the separation of the Sites D & E housing from the water tower. With this amendment, the Conservation Officer is satisfied that the setting of that building would be adequately preserved, given the existence of buildings close to the structure already.

The only developments within the Conservation Area are the car park extension, performing arts centre and Site E houses. The impact of the car park is considered neutral. PPG15 advises that:

4.19 The Courts have recently confirmed that planning decisions in respect of development proposed to be carried out in a conservation area must give a high priority to the objective of preserving or enhancing the character or appearance of the area. If any proposed development would conflict with that objective, there will be a strong presumption against the grant of planning permission, though in exceptional cases the presumption may be

overridden in favour of development which is desirable on the ground of some other public interest.

4.20 As to the precise interpretation of 'preserve or enhance', the Courts have held (South Lakeland DC v Secretary of State for the Environment, [1992] 2 WLR 204) that there is no requirement in the legislation that conservation areas should be protected from all development which does not enhance or positively preserve. Whilst the character and appearance of conservation areas should always be given full weight in planning decisions, the objective of preservation can be achieved either by development which makes a positive contribution to an area's character or appearance, or by development which leaves character and appearance unharmed.

The design and impact of both arts centre and housing are considered adequate in this location. Whether they enhance the character and appearance of the Conservation Area is a matter of judgment, but the Conservation Officer's advice is that they are not harmful (conditions are recommended to further improve the designs). The Inspire East Design Panel was enthusiastic about the design of the arts centre, but considered the houses should have been outward facing. This has not been achievable, as the highway authority was concerned that this would lead to greater likelihood of on-street parking if front doors fronted the road rather than the parking area to the rear. Even without this amendment, the design is considered acceptable.

Essex County Council archaeology has stated that this site is of importance because of Iron Age deposits, and favour the retention of the former sanatorium (Gibson House), demolition), and express interest in the Octopus gallery (both proposed for demolition). As a result, trial trenching was required prior to determination of the application, and further historical investigation of some of the buildings identified for demolition on the site. ECC archaeologists requested that the scheme be amended to enable the retention of Gibson House, but this has not proved feasible given the limitations of the site. The demolition of that building is fundamental to the redevelopment. Although it may be of interest locally, it is not a nationally important structure, and on balance, the need for the demolition is considered to outweigh the historical importance of the building, provided full recording is undertaken prior to demolition. This could be controlled by condition.

The advice of your Conservation Officer is that the Octopus gallery is not listed by proximity to the water tower, and its loss would not be damaging to the setting. Subject to recording of the building prior to demolition, its removal is considered acceptable.

8) **Energy Efficiency:** The application confirms that the designs of the dwellings and school buildings would incorporate use of natural materials, solar panels, water recycling systems and energy efficient heating systems. Although the plans are mostly indicative, these measures can be required by condition.

9) **Affordable Housing:** ULP Policy H9 states that:

The Council will seek to negotiate on a site to site basis an element of affordable housing of 40% of the total provision of housing on appropriate allocated and windfall sites, having regard to the up to date Housing Needs Survey, market and site considerations.

Affordable housing provision is proposed at 25%, below the Council's requirement of 40%. This is a balanced judgment, but officers consider that a lower figure of 25% in preference to 40% could be acceptable when balanced against the benefits of the public access to the performing arts centre, increased access to the playing field and the provision of the traffic lights and land to facilitate it. As a package of measures, this is considered a reasonable

alternative to an extra 15% affordable housing. The financial margins of this scheme are tight, and to require further affordable housing would place even greater pressure on the provision of the scheme. The applicant has however offered to include a requirement in the Section 106 agreement to offer funds for alternative affordable housing if grant monies are received from the Housing Corporation (such funding cannot be guaranteed at this stage and as such cannot be relied upon for delivering this scheme).

10) **Lifetime Homes SPD:** The applicant has confirmed that lifts will be provided for all flats in excess of two-storeys, in accordance with the adopted SPD. As this is an outline scheme, the details are not yet finalised, but a condition could be imposed to require all the dwellings to meet lifetime homes standards.

The comments of Sport England are noted regarding the lack of playspace to meet the needs of the new residents. Subject to the applicant entering into a community use agreement to facilitate public use of the schools sports facilities, this deficiency would on balance be mitigated.

The provision of playspace and equipment could be controlled by planning condition, and maintenance would be incorporated into the S.106 agreement.

11) **Refuse storage and recycling facilities:** The indicative plans indicate space to provide adequate facilities. Their provision can be controlled by condition.

12) **Impact on Playing Fields:** ULP Policy LC1 states:

Development will not be permitted if it would involve the loss of sports fields or other open space for recreation, including allotments. Exceptions may be permitted if either of the following applies:

- a) *Replacement facilities will be provided that better meet local recreational needs;*
- b) *The need for the facility no longer exists.*

Although the areas for site B and some of the School facilities are included in the designation of Protected Open Space for Playing Fields in the Local Plan, on the ground it is evident that they are not in use for that purpose. The submitted plans have indicated that the playing fields can be reconfigured to accommodate all of the existing pitches by re-utilising under-used parts of the site, and still enabling construction of the Site B and school facilities.

It is considered that the requirements of Policy LC1 are met.

Sport England raises no objection to the proposal subject to the applicant entering into a community agreement for use of the sports facilities (this would be covered by condition) and a condition requiring the replacement playing pitch to be made available.

It is recognised that there is a shortfall in public open space locally, but given that public access of the school facilities would be made available, it is not considered that the addition of the proposed dwellings would exacerbate the shortfall to such a degree that permission could be refused.

13) **Diversion of Footpath:** The highway authority has raised no objection to the proposals in respect of impact on footpaths. With or without the diversion the scheme would be workable.

14) **Public safety and security issues:** The application states that the scheme will obtain Secured by Design accreditation (a national scheme to encourage crime prevention

measures in the planning and design of the built environment). There are some reservations about the safety of the access path through the trees to Site A, but the Police Architectural Liaison officer has raised no objections to this aspect. On balance, it is considered that this would be no less safe than use of the existing public footpath.

The straight route of the Site A/Mount Pleasant footpath would ensure that users' safety is secured, and any fencing should be of an open design to ensure visibility across the site.

The safety issues relating to the introduction of new housing close to the school is a matter for the school to control. As a matter of principle, there is no objection to new housing close to schools.

The Police Liaison Officer has raised the issue of arson in school buildings. This risk would be no greater than exists at present, but the use of sprinkler systems in the new school buildings could be controlled by condition.

15) **Additional financial contributions:** The school has confirmed that a financial sum of £267,045 will be made towards school places in accordance with the requirements of Essex County Council. Contributions will also be made for the traffic lights (£250,000), and the Saffron Walden Town Centre Improvement Scheme (£20,000). A further undefined sum would also be made available towards additional off-site affordable housing provision if additional grant funding from the Housing Corporation is obtained.

16)&17) **Long-term needs of the school & legal agreement:** The school has presented a detailed case outlining the need for all the facilities that are sought, and the need for them is evident on the ground. Without these facilities the school would be unable to continue operating from the site. Without this permission, there is therefore a very real possibility that the school would relocate, and the site would be a windfall site for redevelopment.

The school maintains that the accommodation that is sought would meet its needs, and the scale of residential development proposed is required to fund both the facilities and to provide a fund for long-term maintenance.

As with any development however, there can be no guarantees, and changing circumstances could result in a need to relocate in the future. This is beyond the control of both the applicant and the local planning authority to judge the likelihood, and as such this proposal must be dealt with on its merits. Comments regarding the management or financial stability of the school are not material planning considerations.

It is essential that the legal agreement contains clauses to ensure that the school facilities are provided at various trigger points, so that all the necessary facilities are put in place to increase the likelihood of the school remaining on site. Trigger points would ensure a phasing of development to prevent the housing alone being built.

The legal agreement would also ensure the provision of the traffic lights prior to occupation of the dwellings.

The various financial contributions referred to above would also be secured through the legal agreement.

On balance, it is considered that adequate controls can be put in place to ensure a proper phasing of the development, and to increase the likelihood of the school facilities coming forward.

18) **Drainage and Flood Risk:** The applicant has provided sufficient information to demonstrate that there is adequate capacity in the existing drainage system to cope with the demand of additional development at the site, and to demonstrate that adequate measures can be put in place to prevent flash flooding from surface water drainage.

The submitted Flood Risk Assessment identified that there has been one flooding event in recent years, caused by the drainage ditch running between St John's Close and Friends Walk overflowing. The ditch drains into a culvert running under Friends Walk and investigation identified that the flooding was caused by a blockage at the entry to the culvert. Since this was removed no further flooding has occurred.

The proposed development would increase the area of hard surfaces on the site by approximately 16,700m², of which approximately 6,800 m² would be roof and 9,900 m² would be roads and external car parking. The proposal is to use a Sustainable Urban Drainage System to control surface-water run off so that it does not exceed pre-development levels. This would be through rainwater harvesting from roofs, which would be stored below ground and used for toilet flushing in the school buildings. On the dwellings it would be stored in water butts. Roads and paved areas would be constructed with porous surfaces and bases, and would be discharged to percolation structures via sealed drainage systems dotted throughout the site.

19) **Other material considerations:** The above report is clearly finely balanced, and there are many issues of compromise which require considerable judgement. However, underpinning this report is an assumption that it would be beneficial to Saffron Walden and the community as whole for the school to be able to continue to operate from the site. The Friends School and its historic patrons have a lengthy historical connection to the town, and have made a positive contribution to the community over many years.

PPS1 states that..... Planning authorities should seek to enhance the environment as part of development proposals. Significant adverse impacts on the environment should be avoided and alternative options which might reduce or eliminate those impacts pursued. Where adverse impacts are unavoidable, planning authorities and developers should consider possible mitigation measures. Where adequate mitigation measures are not possible, compensatory measures may be appropriate. In line with the UK sustainable development strategy, environmental costs should fall on those who impose them - the "polluter pays" principle.

Cultural issues and evidence of need have been held in some cases in the Courts to be material planning considerations, and in particular if a need for a development is established this may well have sufficient weight to set against other planning objections. There is no question that there is a need for the school facilities, and the housing as enabling development to allow those facilities to come forward. If however Members consider the historic relationship of the School with Saffron Walden to be irrelevant, this makes the weight to be given to the need less clear-cut. An argument may be put forward that the school is a business as any other, and the scale of residential development on the site should not be guided by the financial needs of the business. Officers have given both arguments weight in their deliberations, and have formed the view that the retention of the school is desirable, but this will be a matter of judgment for Members also.

The applicant has also provided information regarding the number of employees and supporting businesses that benefit from the existence of the school. It is correct that the school is a significant employer in the town, and its activities also contribute to the local economy through use of local businesses. Although not a key employment area for the purposes of Policy E2 (Safeguarding employment land), its retention should still be

encouraged given its economic impact. If it was a key employment site, Policy H3 would prohibit house building on the site.

CONCLUSIONS: This is a finely balanced case, and it is evident that there is considerable public concern regarding the scale of the development proposed. However, the number of objections submitted is not material, it is the validity of those objections in land use planning terms which is fundamental. Local residents have submitted valid reasons for concern about the proposals, but revised plans have resulted in the withdrawal of objections from statutory consultees. On balance, it is now considered that the objections raised are overcome by mitigation measures to a degree that the application could be approved. However, underpinning the recommendation is an assumption that the retention of the school would be a benefit to the local community, but if this is not accepted by Members of the Development Control Committee, the weight to be given to arguments alters.

RECOMMENDATIONS:

UTT/0691/06/CA – CONSERVATION AREA APPROVAL WITH CONDITIONS:

1. C.2.2. Time limit for commencement of development.
2. C.3.1. To be implemented in accordance with approved plans.

UTT/0653/06/OP - APPROVAL WITH CONDITIONS & SECTION 106 LEGAL AGREEMENT:

1. C.1.1 Submission of Reserved Matters: 1
2. C.1.2. Submission of Reserved Matters: 2
3. C.1.3. Time Limit for submission of Reserved Matters
4. C.1.4. Time Limit for commencement of Development
5. The details to be submitted as the Reserved Matters shall relate to no more than 144 dwelling units. Each dwelling phase A, B, C, D & E shall contain no more units than the number specified in each of those site areas on the submitted drawing no. FSW 111. Each unit shall contain the same number of bedrooms as stated in the Dwellings Schedule dated 02-10-07. The height, width and depth of buildings shall be no greater than shown on the indicative drawings which accompany this application. At least 5% of the dwellings across the whole of the site shall be designed to Wheelchair Housing Standards, details of which shall be provided as part of the reserved matters submission.
REASON: To clarify the terms of the planning permission, and to accord with the adopted SPD 'Accessible Homes'.
6. C.3.3. To be implemented in accordance with original and revised plans.
7. C.4.1. Scheme of landscaping to be submitted and agreed.
8. C.4.2. Implementation of landscaping.
9. C.4.4. Retention/replacement of trees.
10. C.4.6. Retention and protection of trees and shrubs for the duration of development.
11. C.4.8. Landscape management and maintenance plan - for the communal areas.
12. No development shall take place until a larger scale drawing indicating the brick detailing to the arts centre hereby permitted has been submitted to and approved in writing by the local planning authority. The development shall be implemented incorporating the approved detailing and shall not be changed without the prior written consent of the local planning authority.
13. No development shall take place until a larger scale drawing indicating the detailing to the dwellings on Site E have been submitted to and approved in writing by the local planning authority. The detailing shall include amendments to increase vertical

- articulation on the elevations, by staggering the building block in terms of footprint and ridge height. The development shall be implemented incorporating the approved detailing and shall not be changed without the prior written consent of the local planning authority.
14. All new roofs to the buildings within the Conservation Area shall be hand made plain clay tiles and natural slate as appropriate in accordance with samples that have been submitted to and approved in writing by the local planning authority prior to the commencement of the development. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.
 15. C.5.8. All external joinery to the residential units hereby permitted shall be of painted timber. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.
 16. All brick work to the buildings in the Conservation Area are to be laid in Flemish bond and in good quality hand made soft clay bricks in accordance with samples that have been submitted to and approved in writing by the local planning authority prior to the commencement of the development. Subsequently, the materials shall not be changed without the prior written consent of the local planning authority.
 17. No development shall take place until a larger scale drawing indicating the detailing to the window heads and window cills and balconies for the buildings in the Conservation Area has been submitted to and approved in writing by the local planning authority prior to the commencement of the development. Subsequently, the materials and details shall not be changed without the prior written consent of the local planning authority.
 18. With the exception of the dwellings hereby permitted, all other buildings subject of this permission shall be used as ancillary accommodation to the main educational use on the site, or as a children's day nursery, and for no other purpose (including any other purposes in Class D1 or D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). Such ancillary use may include public access to the facilities in accordance with the community management plan to be submitted to and approved in writing by the local planning authority prior to the commencement of the development.
REASON: To prevent alternative use of the buildings which may give rise to loss of residential amenity and highway safety issues.
 19. No development shall take place until a management plan to enable community use of the Performing Arts centre, sports pitches, swimming pool and other sports facilities, and public open spaces has been submitted to and approved in writing by the local planning authority. The Plan shall include details of the availability of the facilities to the public, including hours of use, and the arrangements for public bookings of the facilities. The Plan shall include details of the long-term maintenance of all of the facilities being offered to the public, which shall thereafter be made available in accordance with the Management Plan. The management and maintenance plan shall be carried out as approved.
 20. All school buildings hereby permitted shall incorporate a water sprinkler system to address fire risk within the buildings, in accordance with details first submitted to and approved in writing by the local planning authority prior to the commencement of the development of any of the school buildings.
REASON: In the interests of public safety.
 21. C.15.1. This permission shall not be exercised in addition to the extant planning permissions (ref nos. UTT/1662/02/REN & UTT/1663/02/REN granted by the local planning authority on 29 July 2003, but shall be an alternative to those permissions. Should one of the permissions be implemented the other permission shall not be implemented. REASON: In the interests of comprehensive redevelopment of the site and highway safety.

22. C.6.2. Excluding all rights of permitted development within the curtilage of a dwelling house without further permission
23. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order with or without modification), any garage hereby approved shall be retained for the parking of domestic vehicles in connection with the use of the property and shall not be converted to another use including conversion to habitable accommodation, without the prior approval in writing of the local planning authority.
REASON: In view of the shortfall in parking provision at the site, the retention of all available off-street car parking is considered necessary in the interest of highway safety and residential amenity.
24. The disused former tennis courts to the east of the site shall be converted to playing field use, and shall be in a condition to enable their operational use, before any development commences on the development of Site B. This area shall thereafter be maintained and available for playing field use.
REASON: The reorganisation of the playing pitch layouts (which ensures that the size and number of existing playing pitches is maintained) is dependent on this area being available. This is also essential to ensure that the requirements of exception E4 of Sport England's policy 'A Sporting Future for the Playing Fields of England' are met.
25. C.7.1. Details of external ground and internal floor levels to be submitted agreed and implemented – all buildings.
26. C.8.26. Internal sound insulation to flats.
27. C.8.27A. Surface water disposal arrangements – details to be agreed.
28. No development shall take place until details of the foul drainage for the site have been submitted to and approved in writing by the local planning authority. The drainage works shall be constructed in their entirety in accordance with the approved details prior to the occupation or use of any of the buildings hereby permitted.
REASON: To ensure satisfactory drainage of the site.
29. C.8.29. Details of measures providing energy and water efficiency and sustainable power and drainage for new residential or commercial development.
30. C.8.30. Provision of bin storage.
31. C.8.31. Demolition and recycling of on-site materials
32. C.12.1. Construction of the residential development hereby permitted shall not be commenced until a scheme of brick walls and close-boarded fences between gardens at least 1.8m high has been submitted to and approved by the local planning authority in writing. Such a scheme shall not however apply to the gardens located to the west of dwellings in Sites D & E, which shall be separated by 1m high metal railings and planting, details of which shall be submitted as part of the boundary scheme details. The heights of these walls, fences and railings shall be measured from whichever side the ground level is higher. Such walls, fences and railings shall be erected in accordance with the approved scheme before any dwelling is first occupied.
33. C.13.9. Hours of construction. No demolition or construction work relating to this permission shall be carried out nor machinery operated on, nor materials be delivered to the site at any time on any Sunday, Public or Bank Holiday nor at any other time, except between the hours of 08.00 and 18.00 on Mondays to Fridays and between the hours of 08:30 to 13.00 on Saturdays.
34. C.16.2. No demolition, development or preliminary groundworks of any kind shall take place until the applicant has secured the implementation of a programme of archaeological recording in accordance with a written scheme of investigation which has been submitted to and approved in writing by the local planning authority. The archaeological work shall include a detailed record of Gibson House and the Octopus Gallery with archaeological trenching in the area of the proposed housing followed by

- an open area archaeological excavation if deposits are identified. A recognised professional team of archaeologists shall undertake the work.
35. C.20.1. Acceptable survey mitigation/management plan – Implementation of scheme
 36. C.20.4. Condition Restricting Construction Works to Specified Season to Protect Breeding Birds etc.
 37. C.20.8. Update the survey before commencement of development – survey to include all mature trees that will be removed and all buildings that will undergo alteration, demolition or removal.
 38. C.8.22.No development shall take place until details of external lighting to buildings, amenity, circulation and parking areas have been submitted to and approved by the local planning authority in writing. No overhead lighting shall be incorporated unless in the form of white directional downlighting.
REASON: In the interests of residential amenity and to allow bats to continue foraging on the site.
 39. The performing arts centre shall not be used for public performances of shows and events after 10.30pm on any evening, nor before 1pm. Outside of these hours, the premises may be used for rehearsals and practice sessions that do not include non-participating visitors, and for school-related activities. The premises shall not be used for any non-educational activity on Sundays and bank and public holidays.
REASON: In the interests of the amenity of surrounding residential properties.
 40. Prior to the commencement of the construction of the performing arts centre, a scheme of noise insulation and soundproofing to the performing arts centre shall be submitted to and approved in writing by the local planning authority. The measures which are subsequently approved shall be incorporated into the construction of the building, and shall thereafter be retained in the approved form.
REASON: in view of the proximity to surrounding residential property, measures are required to protect from unreasonable noise those properties, in the interests of residential amenity.
 41. The car parking spaces to the north of the school only shall be made available for the parking of visitors in connection with performances and events at the performing arts centre at all times that it is in public use.
 42. No development shall take place until details of the provision of suitable access arrangements to the application site in connection with demolition / construction operations, including turning and loading facilities for delivery and construction vehicles within the limits of the site, together with adequate parking area for those employed in developing the site, have been submitted to and approved in writing by the local planning authority. No development shall take place until the approved measures have been provided in their entirety, and these measures shall be retained in their approved form for the duration of the construction of the development.
REASON: In the interest of highway safety and efficiency
 43. C.10.13. No development shall take place until details of the provision and use of wheel washing facilities to prevent mud and debris being displaced onto the public highway have been submitted to and approved in writing by the local planning authority. No development shall take place until the approved measures have been provided in their entirety, and these measures shall be used, retained, and maintained in their approved form for the duration of construction period of the development.
REASON: In the interest of highway safety and efficiency
 44. No occupation or use of any part of the development hereby permitted shall take place until such time as the following have been completed:
The creation of a new access as shown in principle on Savills drawing 114/096/002 to include the following:
 - a) The road junction shall be provided with a clear to ground visibility splay with dimensions of 2.4m x 75m superimposed with 4.5m x 45m as measured from and

along the nearside edge of carriageway. Such sight splays shall be provided before the road is first used by vehicular traffic and retained free of any obstruction at all times.

b) 10.5m radius kerbs

c) 5.5m entry width

No development shall take place until details of the above works have been submitted to and agreed in writing with the local planning authority.

REASON: To provide adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access.

45. Prior to the occupation or use of any part of the development hereby permitted, the existing crossover on Debden Road (marked 'x' on the approved layout plan) shall be removed and the footway and verge resurfaced and full height kerbs reinstated for use. No development shall take place until details of the measures of closure and reinstatement have been submitted to and approved in writing by the local planning authority.

REASON: In the interests of highway safety.

46. Upon the first use of the new access onto Debden Road hereby permitted (marked 'Y' on the approved layout plan), the existing access shall be permanently closed in accordance with details which shall have been previously submitted to and approved in writing by the Local Planning Authority:

REASON: In the interests of highway.

47. No part of the development hereby permitted shall be occupied or used until the vehicle parking areas indicated on the approved plans, including any parking spaces for the mobility impaired has been hard surfaced, sealed and marked out in parking bays. The vehicle parking areas shall be retained in this form at all times. The vehicle park shall not be used for any purpose other than the parking of vehicles that are related to the use of the development.

REASON: To ensure appropriate parking is provided.

48. Prior to the commencement of the development the details of the number, location and design of powered two wheelers and bicycle parking facilities shall be submitted to and approved in writing by the local planning authority. The approved facility shall be provided prior to occupation or first use of any of the buildings hereby permitted and shall thereafter be retained available for use at all times.

REASON: To ensure appropriate powered two wheeler and bicycle parking is provided.

49. C10.18 No unbound material shall be used in the surface finish of any driveway serving a dwelling hereby permitted within 6 metres of the highway boundary of the site.

REASON: To avoid displacement of loose material onto the highway in the interests of highway safety.

50. C.10.5. The carriageways of the proposed estate roads shall be constructed up to and including at least road base level, prior to the commencement of the erection of any dwelling or school building intended to take access. The carriageways and footways shall be constructed up to and including base course surfacing to ensure that each dwelling prior to occupation has a properly consolidated and surfaced carriageway and footway, between the dwelling and the existing highway. Until final surfacing is completed, the footway base course shall be provided in a manner to avoid any upstands to gullies, covers, kerbs or other such obstructions within or bordering the footway. The carriageways, footways and footpaths in front of each dwelling shall be completed with final surfacing within twelve months from the occupation of such dwelling or building.

REASON: In the interests of highway safety.

51. All independent footpaths shall be provided a minimum of 2 metres wide, be provided with appropriate drainage and must be lit, in accordance with details submitted to and

approved in writing by the local planning authority prior to the commencement of any part of the development.

REASON: To protect public safety and amenity.

52. A 500mm wide overhang strip shall be provided to the edge of the carriageway where no footway is provided.
53. A size 3 turning head shall be provided at the end of the section of estate road terminating at Site A.
54. The type 3 road carriageway with a minimum width of 5.5m shall continue to the other side of the bend (adjacent to St. Johns Close) where the transition to the Type 4 should take place over 10metres wholly on one side.
REASON: To protect services and highway safety.
55. C.10.7. Prior to occupation of each property, each vehicular access shall be provided on both sides with a 1.5 metre x 1.5 metre pedestrian visibility sight splay as measured from the highway boundary. There shall be no obstruction above a height of 600mm as measured from the finished surface of the access within the area of the visibility sight splays thereafter.
REASON: To provide adequate inter-visibility between the pedestrians and users of the access and the existing public highway for the safety and convenience of users of the highway and of the access.
56. Details of traffic calming for the new estate road, in accordance with the “Essex Design Guide”, shall be submitted to and approved in writing by the local planning authority prior to the commencement of any part of the development. The measures which are approved shall be implemented prior to the occupation of any of the dwellings hereby permitted.
REASON: In the interests of highway safety.
57. C.29.1. Flood risk management measures.
58. C.10.23. Travel plan.
59. C.28.2. Accessibility – further submission.
60. No balconies shall be constructed to the rear elevations of the dwellings located in Sites A & C, or the elevations facing Debden Road of the dwellings on Sites D & E, as shown on the approved layout drawing.
REASON: In the interest of the privacy of adjacent residents.
61. No development shall take place until details of a secure locking system to the access to St Johns Close has been submitted to and approved in writing by the local planning authority. The measures shall prevent vehicular access to the site except in emergency. The approved measures shall remain in place at all times.
REASON: In the interest of highway safety and residential amenity.
62. Prior to the occupation of any of the dwellings on Site A, a footpath shall be constructed between Site A and Mount Pleasant Road, in accordance with details first submitted to and approved in writing by the local planning authority. The footpath shall thereafter be kept free of obstruction for pedestrian access at all times.

THE SECTION 106 LEGAL AGREEMENT SHALL INCLUDE:

1. Provision of 25% affordable housing, with a commuted sum towards additional affordable housing off-site if grant money is made available by the Housing Corporation.
2. Provision and maintenance of play equipment.
3. Sum of £250,000 for the provision of traffic lights at the junction of Debden Road/Mount Pleasant Road/Borough Lane, to be installed prior to the first occupation of any of the approved residential units.
4. Dedication of land in the northwest corner of the site, without cost, to the highway authority to facilitate the installation of traffic lights.
5. Sum of £20,000 towards the Saffron Walden Town Centre Improvement Scheme.

6. Sum of £267,045 towards the cost of providing school places generated by the additional dwellings.
7. A phasing programme to be submitted with trigger points to ensure that all the school facilities outlined in the application are provided prior to the occupation of 144th dwelling unit. For example, sites D & E cannot be occupied until the junior school is built and available for use; Site C cannot be occupied until the sixth form centre and car park are built (converted) and available for use; site B cannot be occupied until the performing arts centre is available; and Site A cannot be occupied until the boarding house and restoration of the main school building have taken place. In any proposals, Site A and the access road to it shall be the final phase to be constructed, but an alternative phasing of school buildings may be agreed.

Background papers: see application file.
