

UTT/13/2060/OP (SAFFRON WALDEN)

(MAJOR)

PROPOSAL: Outline application with all matters reserved except access for a residential development of up to 300 dwellings, pavilion building, extension to skate park and provision of land for open space/recreational uses

LOCATION: Land south and North of Thaxted Road Saffron Walden

APPLICANT: Kier Homes Limited

AGENT: Savills (UK) Limited

EXPIRY DATE: 4 November 2013

CASE OFFICER: Maria Shoemith

1. NOTATION

1.1 Outside Development Limits (small section within Developments Limits Policy SW5), Airport Safeguard Zone, Public Rights of Way

2. DESCRIPTION OF SITE

2.1 The application site is formed from 2 parcels of land on either side of Thaxted Road located to the southern edge of Saffron Walden.

2.2 The site is of arable fields that are located on the south-eastern edge of the town. It is adjacent to residential dwellings to the north and northwest, Lord Butler Leisure Centre and the skate park is located to the northwest, Shire Hill Farm northeast and the Kilns and Granite site, also Brick Kiln Lee Farm is located to the southeast of the site.

2.3 The character of the area surrounding the application site changes from one which is of an urban nature, to countryside, to one that is commercial/industrial.

2.4 The site as a whole covers an area of 20.20 hectares this includes land which is required for access and highway improvements, and 19.67 hectares without.

2.5 The northern parcel of land's highest ground level runs along the northern and eastern boundary (93.7m AOD) with the land sloping towards Thaxted Road to the south (reducing to 74.2m AOD). There is a water course that runs east to west across the site. The element of the site located behind the Granite employment area slopes downwards in a northeastern direction towards the existing watercourse.

2.6 The southern parcel of land the ground levels rise from Thaxted Road in the northern corner of the site (72.5m AOD) towards the south-western corner of the site reaching 102m AOD.

2.7 There are footpaths, bridleway and byway that either run along the perimeter of the site or through the site.

3. PROPOSAL

3.1 The application is for outline planning permission for the erection of up to 300 residential dwellings with all matters reserved except for access. The application also involves the provision of land and financial contribution towards the construction of a pavilion building, extension of Skate Park which would also include a new access and car parking facilities and provision of land for open space/recreational uses for football/rugby pitches. Landscaping, Sustainable Urban Drainage features, play areas and a network of public footpaths, cycle routes and green corridors would be integral to the development.

3.2 The scheme would provide 40% affordable housing with a mixture of tenure, both rent and shared equity. 5% bungalows will be provided across all tenures.

3.3 The application would involve the necessary highway improvements and contribution towards highway improvements in order to accommodate the proposed development. The access is the only detailed part of the application by which this would be traffic controlled. As part of the scheme it is proposed to implement a link road through the site to connect with the adjacent site to the north, to allow for the ability of linking up with Radwinter Road in the future.

3.4 Within the master plan some of the key design principle would be to maintain public rights of way, green corridors both in terms of level of open space, preserving and enhancing wildlife, residential landscape buffer zone between the proposed and the existing commercial sites. The average density across the site would be 35 dwellings per hectare.

4. APPLICANT'S CASE

4.1 Kier Homes is committed to delivering a high quality environment and this statement sets out these principles and is intended to guide future reserved matters applications for the site. Kier Homes as a national house builder understands and recognises its responsibility to delivering attractive, sustainable and environmentally aware places, which respond to and integrate with the existing setting and community. In order to achieve this the following documents have been put together by a highly experienced and professional team submitted in support of the application;

- Design and Access Statement
- Planning Statement
- Flood Risk Assessment and Surface Water Drainage Strategy
- Air Quality
- Ecological Impact Assessment
- Tree Survey, Arboricultural Implications Assessment and Arboricultural Method Statement Landscape and Visual Appraisal
- Waste Management Report
- Sustainability Report
- Statement of Community Involvement
- Affordable Housing Statement
- Preliminary Geo-Environmental Summary

- Site Investigation
- Foul Sewerage
- Transport Assessment
- Travel Plan
- Archaeological Executive Summary Report

4.2 The proposed scheme will include the following elements;

- Mix housing including affordable;
- Up to 300 new homes;
- Proposed new pavilion building, associated car parking and extension to skate park;
- Substantial new areas of public recreation and open space providing both formal and informal areas for all ages and areas for nature conservation;
- New network of public footpaths, cycle routes and green corridors linking to the existing network and the surrounding countryside;
- New signalised junction along Thaxted Road and the creation of a new bus route through the scheme within walking distance of the entire site.

4.3 The Design and Access Statement notes the character of Saffron Walden and how the architecture alters moving away from the historic centre to that of a more suburban pattern and a loose and lower density design, with on plot car parking. There have been newer recent developments which have taken a different design approach in terms of a contemporary and a different interpretation of the Essex vernacular. The master plan will aim to incorporate the best elements of the context and character of Saffron Walden.

4.4 The scheme will play an important social role as it will provide both open market and much needed affordable housing for the area. The scheme will provide a mix of house types and tenure of dwellings which will offer benefits across the board and to a cross section of social groups. The level of affordable housing provision will be in line with current policy.

4.5 The proposed development is more than about just providing new homes and built development. The scheme will also provide a range of formal and informal open spaces that is accessible to all in the town and surrounding area. This will include a series of play spaces designed for small children, large recreation spaces to outdoor sports pitches, and a new pavilion building and car park. This holistic approach will encourage a healthy, more active and sustainable lifestyle.

4.6 The proposed new pedestrian and cycle routes together with other proposed highway improvements will provide safe and direct links to the existing network and to the town centre and key facilities. The site also benefits from being within an easy walk to the nearest public transport route along Thaxted Road.

4.7 There would be enhancements to existing landscaping and the creation of 'greenway' corridors to maintain biodiversity within the development and surrounding area.

4.8 The housing development would present significant opportunities to support and contribute to the local economy. The applicant is an established house builder based in the eastern region and employs local people. The proposed new dwellings would support existing facilities, services and businesses in the area and potentially provide the opportunity to

create new ones. This will assist in supporting the town's vitality and viability as a thriving local centre and in turn the surrounding area.

- 4.9 The site is allocated within the Draft Local Plan as Saffron Walden Policy 1. The site is part of a much larger site of which is allocated for residential dwellings and 6 hectares of employment land. The policy seeks for a number of elements to be provided by any future development schemes of this site such as link road, provision of cycle/ footpath, playing fields etc. The proposed scheme assist the Council's delivery of new housing in the context where it cannot demonstrate a 5 year land supply and importantly can demonstrate that the development is in a sustainable location and does not jeopardise the Council's long term strategy for the delivery of development in Saffron Walden.
- 4.10 The proposed development would be seen as an extension of the existing urban fabric (existing housing, Kilns and the small industrial estate) on the edge of Saffron Walden. The development would serve to connect the isolated commercial development, which currently heavily characterise this part of Thaxted Road, and to integrate it within the settlement.
- 4.11 The proposed development would retain and strengthen existing vegetation with new planting, and would significantly enhance buffer planting between any residential area and the existing commercial area. This would also provide the opportunity to improve biodiversity and enhanced the wildlife corridor.
- 4.12 With regards to the land south of Thaxted Road due to the sites topography the road falls within a defined valley, therefore the most suitable place for an extension to the skate park would be between the existing skate park and the road.
- 4.13 In addressing some of the comments and concerns raised by statutory consultees the applicant has prepared the following response;

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| Archaeology | The County Council confirms that the submitted reports in the context of our application are very thorough and provide a detailed assessment as to the significance of the historic environmental asset. They recommend a targeted archaeological programme of trial trenching followed by open area excavation. |
| Air Safety | NATS have no safeguarding objection. |
| Sports England | The consultee requests further information on the nature of the financial contributions and the need for a masterplan. They object to the lack of indoor sports provision within this application. It is our view that a substantial recreational package is coming forward within our proposal. We not only provide for financial contributions to leisure uses but also transfer a significant amount of land at minimal cost. It is also considered that the level of provision through contributions for the recreational perspective is appropriate having regard to the scale of the development proposed. |

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| Natural England Ecology (ECC) | <p>Natural England has no objections.</p> <p>The issues raised by the County Council are considered by our ecologist to be detailed matters which are more appropriately addressed through mitigation conditions and then addressed at the detailed stage of design and layout. ECC raise the request for further information but do not raise a final objection, subject to conditions.</p> <p>It is noted that Natural England raises no objections.</p> |
| Affordable Housing (UDC) | <p>The Council is seeking 40% affordable housing with 5% of units meeting Lifetime Standards and 5% being bungalow or 1 and 2 beds. This is agreed and these issues will be addressed within a legal agreement on the basis of an agreed formula given the nature of this outline application.</p> |
| Minerals (ECC) | <p>Minerals and Waste Planning have withdrawn their objection, following further examination of the proposal.</p> |
| Air Quality | <p>The Environmental Health Officer of Uttlesford District Council has no objections.</p> <p>Kier's Air Quality Consultants have responded on the issues raised within the Jacobs 'Assessment of Uttlesford District's Local Plan on Air Quality in Saffron Walden' Report (October 2013). These found that;</p> <ul style="list-style-type: none"> • Some of Jacobs modelled values for 2011, the base year, are higher on the wind side than on the lee side. Theoretically the pollution levels should be higher on the lee side. Therefore Jacobs modelling is not recreating the current situation at Saffron Walden. • Historic values from the continuous analyser located at the fire station indicates that the nitrogen dioxide levels are decreasing at Saffron Walden. Therefore it is unrealistic to use the LTT method used by Jacobs to model future values in year 2018 at Saffron Walden. • Jacobs modelled values using the LTT method for 2018 were found to be higher than the values modelled for 2011. Hence the LTT method is not suitable for projecting the future pollution levels. |

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| Health NHS Property Services | The NHS are seeking contributions of £67,440 required to mitigate the 'capital costs' of the development. It is agreed that a formula based approach within any legal agreement will address this matter. |
| Drainage and Flooding (Environment Agency) | The Environment Agency have no objections and seek a number of conditions relating to service water management and waste water capacity to be included within any permission. This is agreed. |
| Education (ECC) | <p>Essex County Council request a free Primary School site, contributions to its construction and payment toward school places.</p> <p>In response, we are content to accept the formula to provide financial contribution toward school places. However, a requirement to provide a free school site and pro-rata for its construction is unreasonable having regard to the scale of development put forward in this application. We consider the request is not compliant with Regulation 122 since it is not 'fairly and reasonably related in scale and kind to the development'. We are of the view that the approach taken whereby we pay contributions for further child places generated by the proposed development is entirely appropriate in the circumstances.</p> |
| Highways (ECC) | <p>The County Council want revised trip rates based on 'houses privately owned' which would mean the remodelling of assessed junctions. In addition, the County advised that a different cycle time be used for the light sequence at Radwinter Road/Thaxted Road. Concerning the site access junction, a sensitivity test was requested to consider the impact once the link road is complete as well as ensuring appropriate provision for the skate park side of Thaxted Road.</p> <p>Kier's appointed Highways Consultants have responded on all of these issues. Work undertaken by the consultants demonstrate that overall the additional traffic generated by the result of the trip rates as well as the redistribution of traffic requested by the highways authority has a minor impact on the junction capacity. The junctions for which mitigation measures have been assessed continue to show significant improvement with</p> |

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| | <p>the proposed junction modifications at Thaxted Road/Radwinter Road/ East Street returning capacity to levels in line with that of the existing junction for the proposed development. The proposed signalisation of the Thaxted Road/Peaslands Road junction also results in significant additional capacity, with all approaches predicted to operate within capacity.</p> <p>The proposed site access junction continues to operate within capacity using the revised traffic flows and in circumstances where it is considered necessary to separately signal the right turn movement from Thaxted Road into the development, this is also operating within capacity.</p> |
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Statement of Community Engagement:

4.14 Consultations have been undertaken through a series of pre-application meetings, presentations and exhibitions prior to the submission of the application with stakeholders, Town Council, We Are Residents, the Local Planning Authority and public exhibition was also held. Great effort was made to ensure that the local public was notified of the exhibition, held 16th May 2013, by way of advertisement in three local papers and the distribution of approximately 500 leaflets. 222 comments have been received following the exhibition. The feedback received from the community involvement process have been listed within the Statement of Community Involvement and has also been used to inform the design of the development and changes were made to reflect this. These comments are also reflected within Section 9, through representation received following the consultation of this application.

5. RELEVANT SITE HISTORY

- 5.1 UTT/13/268/OP - Granite Site - Demolition of the existing buildings and redevelopment to comprise retail warehouse units and associated garden centre (Class A1), a discount foodstore (Class A1), and a cafe (Class A3), including associated landscaping, car park, access, internal roads and cycle/footway, including the provision of access to adjoining land. Granted subject to S106 Agreement 10th May 2013;
- 5.2 UTT/13/1937/OP - Land Behind The Old Cement Works, Thaxted Road - Outline application for up to 52 dwellings with all matters reserved except access – Granted subject to conditions and S106 September 2013;
- 5.3 UTT/0788/11/FUL – Site at Thaxted Road (part Granite site) - Erection of new petrol filling station and customer kiosk, new landscaping, access and associated works – Granted subject to conditions 7th November 2011.
- 5.4 UTT/0787/11/FUL – Granite site - Erection of new foodstore (use class A1) including cafe, automatic teller machines, surface level car parking, new access roundabout and highways

works, landscaping servicing and associate works – Refused and dismissed at appeal 17th May 2012

- 5.5 UTT/2208/10/REN – Granite Site - Renewal of approved planning application
- 5.6 UTT/1788/07/OP for outline application (including layout, scale and access) for mixed use redevelopment to comprise: Class B1 offices, Class B1/B2/B8 Industrial, Storage and Distribution and Trade Park, Retail Warehouse Park and associated landscaping, access and internal roads and cycle/footways, including the provision of access to existing and proposed adjoining uses. Demolition of all existing buildings – Approved subject to S106 7th February 2012.
- 5.7 UTT/0015/06/FUL - Removal of condition C90D (the skateboard park shall not be used outside the opening hours of the Lord Butler Centre) - Approved March 2006;
- 5.8 UTT/0744/04/FUL – Construction of Skate Board Park - Approved July 2004;
- 5.9 UTT/1504/98/FUL - Construction of BMX cycle track - Allowed on Appeal November 1998;
- 5.10 Screening Opinions have been undertaken regarding the proposed development in the form of the following;
- 5.11 UTT/12/6004/SCO - Request for screen opinion in respect of proposed residential development (225 dwellings) including extension to Stake Park;
- 5.12 UTT/13/0608/SCO - Request for screening opinion in respect of proposed residential development (300 dwellings) including extension to Skate Park;
- 5.13 Under both Screening Opinions it has been concluded that an EIA would not be required for either schemes.
- 5.14 The application site has been promoted through the draft local plan process.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- S1 Development Limits for the Main Urban Areas
- SW5 Thaxted Road Employment Site (only applies to small part of the site)
- S7 Countryside
- GEN1 Access
- GEN2 Design
- GEN3 Flood Risk
- GEN4 Good Neighbourliness
- GEN5 Light Pollution

- GEN6 Infrastructure Provision to Support Development
- GEN7 Nature Conservation
- GEN8 Vehicle Parking Standards
- ENV4 Ancient Monuments and Sites of Archaeological Importance
- ENV5 Protection of Agricultural Land
- ENV12 Protection of Water Resources
- ENV13 Exposure to Poor Air Quality
- ENV14 Contaminated Land
- ENV15 Renewable Energy
- H9 Affordable Housing
- H10 Housing Mix
- LC2 Access to Leisure and Cultural Facilities
- LC3 Community Facility
- LC4 Provision of Outdoor Sports and Recreation Facilities Beyond Development Limits

6.3 Uttlesford District DRAFT Local Plan

- SP1 Development within Development Limits
- SP5 Meeting Housing Need
- SP6 Housing Strategy
- SP7 Phasing and Delivery of Housing
- SP8 Environment Protection
- SP9 Minimising Flood Risk
- SP10 Natural Resources
- SP11 Renewable Energy and Energy Efficiency
- SP12 Protection of the Countryside
- SP13 Protecting the Historic Environment
- SP14 Protection the Natural Environment
- SP15 Accessible Development
- SP17 Infrastructure
- SP18 Open Space
- EN1 Sustainable Energy
- EN2 Environmental and Resource Management
- EN3 Protection of Water Resources
- EN4 Surface Water Flooding
- EN5 Pollutants
- EN6 Air Quality
- EN7 Contaminated Land
- DES1 Design
- HE3 Scheduled Monuments and Sites of Archaeological Importance
- HE4 Protecting the Natural Environment
- TA1 Vehicle Parking Standards
- HO5 Affordable Housing
- HO6 Housing Mix
- INF1 Protection and Provision of Open Space, Sports Facilities and Playing Pitches
- INF2 Provision of Community Facilities beyond Development Limits
- INF3 Provision of Outdoor Sports and Recreation Facilities beyond Development Limits

- Saffron Walden Policy 1 – Land between Radwinter Road and Thaxted Road and Land to the South of the Lord Butler Leisure Centre and West of Thaxted Road.

7. SAFFRON WALDEN TOWN COUNCIL COMMENTS

- 7.1 A statement has been submitted by Walden Town Planning on behalf of Saffron Walden Town Council. This raised the following points;
- 7.2 That weight should be placed on adopted local plan as it is highly consistent with the NPPF.
- 7.3 The scheme does not accord with Local Plan Policy S1 as it is development outside development limits, Policy S7 as the development falls within countryside and does not need to take place there, Policy ENV5 loss of best and most versatile agricultural land no evidence provided that the development cannot be provided elsewhere, impact upon traffic generation, if would not encourage movement other than through a private vehicle, therefore contrary to Policy GEN1.
- 7.4 The scheme does not provide for school places that would be required, exacerbate existing problems of water stress.
- 7.5 The proposed development is contrary to Policy ENV3 as the site is visually important within the landscape and on the edge of the town. No evidence has been provided to demonstrate that the proposed development outweighs the site's amenity value.
- 7.6 There is no demonstrated need for the skate park, additional playing pitches unless it is for junior football and /or one rugby pitch, no funding for the implementation for the works and earth movements. No evidence that the community hub cannot be provided within the development.
- 7.7 The NPPF refers to sustainable and the proposal does not accord with development plan. According to the NPPF the plan is out of date as the UDC cannot demonstrate a 5 year land supply.
- 7.8 The development would cause adverse impacts by way of;
- Congestion/Pollution (para.30 of NPPF);
 - Para 34 of NPPF development would be wrong side of town increasing the need to travel;
 - Para 35 of NPPF unsustainable location;
 - Para 47 of NPPF if it proves that there is no realistic prospect of the housing being delivered within 5 years and that the development of the site is viable;
 - Para 58 of the NPPF the development would overall detract from the quality of the area, fail to support local transport as the service is infrequent, and the town center and railway are too distant to offer attractive cycle routes especially for commuters;
 - The scheme is contrary to Para 69 of the NPPF as the community have expressed opposition to the development on the principle of sustainability;
 - It is contrary to Para 70 of the NPPF as the application would not ensure integrated approach by way of location of houses, economic uses and community facilities and services;
 - Para 72 of NPPF development fails to provide necessary education facilities;

- Para 109 the development would be on valued landscape and best most versatile agricultural land;
- The proposal would contribute unacceptable levels of pollution risk;

7.9 Benefits of the development;

- Additional housing and meet housing deficit;
- Contribution towards affordable housing;
- Extension to skate park no demonstrated need;
- Additional playing pitches no demonstrated quantitative need and little prospect of implementation given earthworks and drainage provision;
- Contribution towards pavilion community hub no longer part of the application.

7.10 “When the proposed development is assessed in the manner set out in the framework it is clear that the development plan is neither absent nor silent and it is clear that the proposed development is contrary to it. But, according to the Framework, the local plan policies for the supply of housing should not be considered up-to-date because Uttlesford District Council cannot demonstrate a 5 year supply of deliverable housing sites.

7.11 From a considered assessment of the adverse impacts of granting planning permission for the proposed development, it is clear that they would both significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework.

7.12 It is therefore recommended that Uttlesford District Council be informed that, having assessed the proposed development in the manner set out in the Framework, this Council objects to the proposed development for the reasons set out in this document.”

Wimbish Parish Council

7.13 Raise concern about traffic implications. There are no formal proposals for the link road which is needed to alleviate traffic problems therefore the application should be refused until that time.

8. CONSULTATIONS

ES Pipelines Ltd

8.1 Pipelines maybe affected. Required to keep ES informed if development progresses to ensure no diversions are required to protect pipes

ECC Archaeology

8.2 No objection subject to conditions

Fisher German

8.3 No apparatus in area, no comments.

Uttlesford Ramblers

- 8.4 No detail on open space and right of way. There should be no loss of rights of way and additional open space.

UDC Housing

- 8.5 40% Affordable housing required, 5% wheelchair accessible.

NATS

- 8.6 No Safeguarding objection, should be re-consulted if details change.

Equalities Officer

- 8.7 Should meet SPD accessible homes & Play space, level access and parking. 5% Accessible wheelchair dwellings. Open space needs to be inclusive and skate park would need to meet Part M of Building Regulations.

Anglia Water

- 8.8 No objection subject to condition on foul water drainage and that surface water strategy and flood risk assessment is conditioned.

ECC SUDs

- 8.9 Informative required.

ECC Ecology

- 8.10 Comments and further information suggested. Concern was raised with regards to the Bat mitigation and the dissection of hedgerows. Wintering birds and accumulative impact would need to be looked at. However, no objection was raised subject to conditions.

ECC Minerals & Waste

- 8.11 Initial letter dated raised an objection due to the sterilisation of minerals/chalk.
- 8.12 Further to discussions and correspondence has been received removing objection as there are exceptional circumstances relating to this application. Both Draft Local Plan and Replacement Essex Minerals Local Plan are not adopted therefore weighted in accordance with NPPF should be applied accordingly. No objection was raised by ECC regarding this sites allocation in the Draft Local Plan. Whilst safeguarding mineral reserves is an important material consideration when considering this application, it is not the ambition of the MPA to prevent any emerging housing development on land designated for such by Uttlesford District Council.

UDC Environmental Health

- 8.13 The site investigation is satisfactory and indicates that the site and the adjacent landfill site

do not pose any significant risks to human health.

- 8.14 The Transport Assessment submitted with this application predicts that the development would cause 145 and 165 additional traffic movements in the morning and evening peak hours respectively. Much of this traffic will pass through the Thaxted Road/Radwinter Road junction or Peaslands Road/Mount Pleasant Road/ Debden Road. These streets are within an Air Quality Management Area declared due to levels of nitrogen dioxide (NO²) above the limit of 40 µg/m³. This pollutant is produced by vehicle exhaust emissions. The Air Quality Assessment models the effect of the additional traffic on NO² levels at 23 dwellings in and around the AQMA. Queues of slow moving traffic emit more NO². The development is predicted to contribute an additional 6 vehicles to the morning peak queue length at the Radwinter Road/Thaxted Road junction, and 3 vehicles at the Debden Road/London Road junction. The traffic speeds modelled were 5 km/hr at junctions and 20 km/hr elsewhere. The assessment uses figures from the DEFRA Emission Factor Toolkit. The assessment acknowledges that DEFRA's forecast reductions in NO² concentrations are optimistic, and a sensitivity analysis assuming no decline in emissions and background concentrations between 2011 and 2018 has been included. This is the preferred methodology. Table 6.2 predicts that receptors in East Street, Borough Lane and Debden Road would be exposed to levels of NO² above the 40 µg/m³ limit by 2018 in the absence of the proposed development. The development is predicted to increase these levels marginally. The largest increase was 0.48 µg/m³ (1.74%) at a receptor in Borough Lane. I note that a preliminary air quality assessment submitted as a representation on the Draft Local Plan in July 2012 concluded that the development would increase NO² levels by up to 7.76 µg/m³ at receptors within the AQMA by 2022. The NPPF states that planning policy should contribute towards EU limit values and the Draft Local Plan states that development affecting Air Quality Management Areas will be expected to contribute to a reduction in levels of air pollution.
- 8.15 Further correspondence from Environmental Health stated;
"The impact will be small, so on this basis Environmental Health cannot object." The same comment has been received from Environmental Health following additional traffic information.

Airside OPS Ltd

- 8.16 No aerodrome safeguarding objection.

ECC Education

- 8.17 Pro rata contribution towards building a pre & primary school on the land, a standard formula based contribution towards additional secondary places in Uttlesford as outline in the contributions book £15,839 per place index linked April 2013. A free 2.1ha site for Early Years and Childcare and Primary School Provision that meets the criteria set out in ECC Education Contributions Guidelines Supplement.

NHS

- 8.18 Holding objection - £67,440, required to mitigate the 'capital cost' to the NHS for the provision of additional healthcare services arising directly as a result of the development proposal, is sought prior to occupation.

N.B: *It should be noted that the applicant has agreed to pay the above required contribution divided against the appropriate number of units that would be implemented, i.e. £67,440 ÷ 300 = £ 224.80 per unit implemented. Therefore, the objection is addressed.*

ECC Waste & Recycling

8.19 To be consulted at detailed stage.

Sport England

8.20 The strategy recommends different standards for different sports facility. The minimum standards cover adult, junior and mini football pitches, cricket pitches, rugby pitches, athletics tracks, synthetic pitches, tennis courts, bowling greens and golf courses. Based on applying the standards in the strategy to an estimated additional population of up to 738 people, the development would generate an estimated additional need for the following facilities:

- 18% of an adult football pitch (equivalent to 0.22 ha)
- 16% of a junior football pitch (equivalent to 0.21 ha)
- 15% of a mini football pitch (equivalent to 0.03 ha)
- 37% of a cricket pitch (equivalent to 0.44 ha);
- 3% of a rugby pitch (equivalent to 0.03 ha);
- 0.3% of an athletics track;
- 5% of a synthetic turf pitch
- 11% of a bowling green;
- 34% of a tennis court;
- 3% of an 18 hole golf course.

8.21 Potential exists to address the additional needs generated by the development in the proposed strategic open space. The District Council's emerging Local Plan has provided a policy steer on the type of outdoor sports provision that should be made within this open space in the proposed Saffron Walden Policy 1 site allocation policy which seeks the provision of 3 adult football/rugby pitches and junior pitches. The offering of this land to the local authorities together with an appropriate contribution towards the delivery of part of the outdoor sports facility provision would offer potential to meet the development's outdoor sports needs. While such a contribution has been suggested as part of the section 106 agreement draft heads of terms, an appropriate contribution has not been agreed at this stage. An objection is therefore made to the planning application in its current form as there is no certainty at this stage that an acceptable off-site financial contribution will actually be made. However, I would be willing to withdraw this objection if it is confirmed that an appropriate financial contribution towards the provision of outdoor sports facilities on the land proposed for strategic open space will be secured. Conditions have also been recommended.

NB: *It should be noted that a contribution together with a large amount of land is proposed to provide a mix of outdoor sports provisions in accordance with Draft Local Plan Saffron Walden Policy 1. Please refer to the main body of the report.*

Natural England

- 8.22 No objection. The closest Site of Special Scientific Interest (SSSI) to the application site is Debden Water which is 3.5km to the south. Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified.
- 8.23 With regards to European Protected Species Natural England does not object to the proposed development. On the basis of the information available to us, our advice is that the proposed development is likely to affect bats, in particular barbastelle bats, through disturbance. We are satisfied however that the proposed mitigation would maintain the population identified in the survey report. Natural England are satisfied that on the basis that the application is outline with only the access to consider the mitigation measure set out within the ecological report can successfully be used without harming bats. However, further consultation would be required with reserved matters application and greater landscape buffer zones would be required. We advise that conditions should be attached to the planning permission so that details of habitat corridors for bats including landscaping and lighting are provided for approval and that a Biodiversity Management Plan or similar is submitted to include description of the range of habitat creation measures that would be included within the development and arrangements for their long term management and maintenance. Biodiversity improvements should be sought
- 8.24 Having considered the proposals as a consultation under the Development Management Procedure Order (as amended), and in the context of Government's policy for the protection of the 'best and most versatile' (BMV) agricultural land as set out in paragraph 112 of the National Planning Policy Framework, Natural England draws your Authority's attention to the following land quality and soil considerations: The provisional Agricultural Land Classification for England shows the site and agricultural land in the surrounding area as Grade 2 agricultural land. A soil survey would be needed if this is required to be clarified.

Environment Agency

- 8.25 No objection subject to condition.

Highways

- 8.26 No objection subject to conditions - The Highway Authority has considered the above planning application and thoroughly assessed the submitted Traffic Assessment together with the additional information submitted in relation to the highways aspects. The Highway Authority is fully aware of the sensitive nature of the highway network throughout Saffron Walden, in particular the issues at the AQMA site at the Thaxted Road/Radwinter Road signalised junction, and the Thaxted Road/Peaslands Road mini roundabout junction. Full assessments including modelling work have been undertaken by the developer and are considered to have been carried out appropriately and in accordance with the relevant standards and guidance. The expected impact of the proposed development has been considered and whilst it is acknowledged that there will be alterations to the current flows of traffic on the existing network as a result, this proposal also offers the opportunity to mitigate the impact by providing improvements at significant junctions on the network which is unlikely to come forward without development. Such

improvements are necessary in order to assist in delivering a longer term area wide scheme for a reduction in congestion in Saffron Walden. In considering the above, the Highway Authority takes the view that the impact of this proposed development can be mitigated and as such is acceptable in highway terms subject to the conditions outlined in this recommendation.

- 8.27 All housing developments in Essex which would result in the creation of a new street (more than five dwelling units communally served by a single all-purpose access) will be subject to The Advance Payments Code, Highways Act, 1980. The Developer will be served with an appropriate Notice within 6 weeks of building regulations approval being granted and prior to the commencement of any development must provide guaranteed deposits which will ensure that the new street is constructed in accordance with acceptable specification sufficient to ensure future maintenance as a public highway.

UDC Landscaping Officer

- 8.28 The Landscape and Visual Appraisal has been carried out in accordance with the Guidelines for Landscape and Visual Impact Assessment 2013 (GLVIA).
- 8.29 Views of the proposed development would be for the greater part contained with relatively limited visual impact beyond the immediate setting of the river valley. The greatest visual impact would be in views taken from the public footpaths and bridleways where they pass through the site or are in close proximity (PF36, PF37, PB18, PB19), and the Winstanley Road and open space. However, such impacts could be reduced through good design and structural landscaping.
- 8.30 The development would result in a significant local change in the landscape and form a prominent feature on the higher valley slopes particularly where it breaks the skyline. However, on balance and subject to a comprehensive scheme of landscaping the development would not result in an unacceptable adverse visual impact in the medium to long term. Any landscape master plan should provide a comprehensive scheme of structural planting using species and mixtures common to the local rural landscape. Provision should be made to strengthen the existing planting along the Thaxted Road edge of the site. A substantial belt of trees should be sought to be planted at the valley bottom adjacent to the boundary with The Kilns to provide a backdrop to this development. The boundaries of the site abutting the open countryside should be treated so as to provide broad agricultural type hedgerows inter-planted with trees.
- 8.31 A scheme of external lighting should be required to be designed to limit light spillage into the open countryside.
- 8.32 The Arboricultural Implications Assessment and Arboricultural Method Statement is considered to be satisfactory and carried out in accordance with the relevant British Standard (BS 5837: 2012).
- 8.33 Based on the indicative master plan the effect of the proposed development on existing trees is relatively limited.
- 8.34 To accommodate the proposed access from the Thaxted Road a small number of field maples and hawthorn would need to be removed (T1, G2 (in part), and G3 (in part)).

Whilst the condition of these trees ranges from good to fair, none these trees are considered to be of an amenity value either individually or as a group to be worthy of protection under a tree preservation order. Some hawthorn, blackthorn, elder, and elm (G9) would be required to be removed to allow access through to the southern part of the development. Again, these trees are not considered to be of sufficient amenity value to be made the subject of a tree preservation order. A section of mixed native broadleaf species hedge would be needed to be removed to allow access to the proposed Community Hub. Whilst this is relatively minor it would affect the integrity of the total run of this hedge fronting the Thaxted Road. However, this could be ameliorated to some extent by new hedge planting on the returns either side of the new access.

9. REPRESENTATIONS

9.1 The application has been advertised on site and within the local press. Neighbouring residential occupiers have also been consulted of the application. As a result 47 objections and 249 standard petition letters have been received raising the following points:

- Traffic;
- Impact upon community facilities i.e. schools, dentists;
- Loss of greenfield;
- Ecology;
- Congestion;
- Air pollution;
- No need for use hub, skate park;
- Ecology/loss of wildlife;
- Lack of water and sewage capacity;
- More traffic generated by the proposed improvements to the skate park;
- Lack of infrastructure;
- Other applications referred to that have been refused in the area such as the Kilns, Sainsbury's and Swards End application;
- Not sustainable site;
- TA assumes slow growth rate, New TA required to take account of 5 year land supply;
- Scheme would cause overshadowing, overlooking and disruption;
- Light pollution, waste and energy;
- Rugby pitches required;
- Loss of agricultural/open land;
- Change in skyline;
- Flood risk issues;
- PRow should still be maintained;
- Money proposed towards the skate park would not address development;
- Scheme is contrary to policy;
- Scheme would spoil the rural character of the area;
- Not enough jobs to cater for the new development;
- Steepness in getting to the site would discourage walking;
- Would the houses be affordable?
- Combined traffic impact from other developments/impact upon town;
- Over development;
- Anti-social behavior would increase;
- Skate Park is already good facility; money should be spent on other areas;

- A purpose built settlement should be built to address the housing need;
- 9.2 Another 64 standard petition letters have been received raising the following points;
- There is no adequate fencing to ensure that the skate park is close between 10pm-8am;
 - Noise nuisance from Skate Park;
 - Air pollution;
 - Congestion;
 - Loss of farmland
- 9.3 3 letters have been received raising the following comments;
- No objection to principle, concern regarding lack of realistic information on future safety and traffic congestion. Therefore seek further information on these grounds.
 - Don't believe that the TA is accurate, under estimated traffic capacity as it is taking into account underutilised sites they should be treated as if they are at full capacity, therefore further information is required.
- 9.4 1 letter of support has been received from the Saffron Walden Skate Group raising the following points;
- Skate group was set up by young people and volunteers 10 years ago, park lacks facilities, there are not many free facilities for young people, scheme accord with draft local plan policy, it would also accord with access to all members of the community, provide other facilities, designed to be energy efficient, hub would provide employment opportunities and encourage small business start-up, training course would be envisaged to be run from the facility. The scheme would contribute socially.
- 9.5 A 38 page letter of objection has been received from We Are Residents Organisation. The application is in breach of the local plan and the scheme is unsustainable for the purposes of the NPPF therefore it should be refused for the following reasons;
- The development at this scale is unsustainable;
 - Scheme is in breach of adopted local plan provisions and should therefore only be approved if it accords with the NPPF principles of sustainable development, the application does not;
 - Applicant's case rests on June 2012 draft local plan but this is obsolete following the finalisation of the Edge Analytics demographic forecasts. No weight can be given to the June 2012 Draft Local Plan;
 - February 2010 draft local plan was the last properly evidence based plan and the accompanying January 2010 comparative sustainability analysis shows clearly that this level of development in Saffron Walden is unsustainable;
 - Worst location for development due to all major transport routes are located to the west therefore the development site is remote from facilities encouraging the need for travel;
 - Whilst the developer is making a contribution towards education no provision of education is being made.
 - The transport assessment show catastrophic forecasts from Saffron Walden's Roads. The TA is not fit for purpose therefore should be refused until a more realistic TA is submitted. Even if it was fit for purpose the scheme is not sustainable;

- The proposed relief road through the proposed development to Radwinter Rd is essential for further development but there is no evidence of this being built or that it will continue through to the next site to the north. The application should be refused unless and until there is a firm obligation for the whole of this relief road to be built;
- ECC air quality assessment predicts that this will continue to worsen and the additional traffic from the proposed development will worsen it further, contrary to NPPF.
- Applicant's air quality assessment does not comply with Defra requirements and it is not fit for purpose and therefore the application should be refused until a more realistic air quality assessment is submitted.
- The application will generate material additional car movements through junctions which already exceed legal pollution levels;
- There is no consideration for employment. UDC Employment Land Review shows clearly SW is an unattractive location for employers because of high costs and poor transport links. Projections for future employment growth in the district would either be at Great Chesterford or in the Stansted area, but not in SW. Three large employment sites within SW are being lost to employment, contrary to NPPF.
- No regard is had upon the impact on SW.
- UDC is holding back in releasing ECC's Highway Assessment of the Draft Local Plan in bad faith preventing comparing Air Quality Assessments.

NB: *The final ECC's Highway Assessment was not received by UDC until October 2013 when the Council were able to publicly release the document.*

10. APPRAISAL

The issues to consider in the determination of the application are:

- A Principle of development
- B Design
- C Highways
- D Landscape Impact
- E Amenity & Air Pollution
- F Infrastructure provision to support the development
- G Mix of Housing and Affordable Housing
- H Biodiversity
- I Flood Risk and Drainage
- J Other material considerations

A Principle of development

- 10.1 The Draft Local Plan is still at an early stage and has limited weight. At the present time the adopted Local Plan policies are still in force. However, the National Planning Policy Framework (NPPF) is a material planning consideration and this has a strong presumption in favour of sustainable development.
- 10.2 The application site is predominately located outside the development limits of Saffron Walden and is therefore located within the Countryside where ULP Policy S7 applies. This specifies that the countryside will be protected for its own sake and planning permission will only be given for development that needs to take place there or is appropriate to a rural area. Development will only be permitted if its appearance protects or enhances the

particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there. It is not considered that the development would meet the requirements of Policy S7 of the Local Plan and that, as a consequence, the proposal is contrary to Policy S7 of the 2005 Local Plan.

- 10.3 A review of the Council's adopted policies and their compatibility with the NPPF has been carried out on behalf of the Council by Ann Skippers Planning. Policy S7 is found to be partly consistent with the NPPF. The protection and enhancement of the natural environment is an important part of the environmental dimension of sustainable development, but the NPPF takes a positive approach, rather than a protective one, to appropriate development in rural areas. The policy strictly controls new building whereas the NPPF supports well designed new buildings to support sustainable growth and expansion of all types of business and enterprise in rural areas. As such this reduces the weight given to the restraint implied by Policy S7 and this must be weighed against the other sustainability principles.
- 10.4 The applicants have argued that Uttlesford cannot demonstrate an adequate 5 year supply of housing land. The Council recognises that it has a shortfall, and that it should consider favourably applications for sustainable residential development which will make a positive contribution towards meeting housing need.
- 10.5 The 5-year land supply update statement (published Wednesday 9 October 2013) considers the supply of housing against the Council's objectively assessed need which is based on the SNPP-2010 projections of 523 dwellings a year. The information below has been updated since to take into account any recent approvals.
- 10.6 The estimated number of completions each year is shown in the table below.

| Year | 13/14 | 14/15 | 15/16 | 16/17 | 17/18 | 18/19 |
|------------------------------|--------------|--------|--------|--------|--------|--------|
| | Current Year | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 |
| Dwellings on committed Sites | 391 | 228 | 397 | 577 | 748 | 551 |

- 10.7 It is estimated that 2501 dwellings on committed sites will be built during the 5 year period, whilst the requirement is for 2746 dwellings to be built. This relates to 91% of the requirement which is equivalent to 4.7 years. There is therefore a shortfall of 246 dwellings as set out in the table below.

| | Housing Requirement |
|---|---------------------|
| Annual requirement | 523 |
| Total supply on deliverable committed sites | 2500 |
| Requirement years 1-5 plus 5% frontloading | 2746 |
| % of requirement available on deliverable sites years 1-5 | 91% |
| Supply in Years | 4.6 |
| Shortfall (dwellings) | 246 |

- 10.8 As a consequence the Council still remains without a deliverable 5 year supply of housing land and therefore applications have to be considered against the guidance set out in Paragraphs 6 - 15 of the NPPF. The Council has accepted this previously and has considered and determined planning applications in this light. As a consequence, planning permission has been granted for residential development outside development limits where appropriate, on sites that are identified for potential future development in the emerging Local Plan and on sites which are not identified but which are considered to be sustainable.
- 10.9 Councillors are reminded that even when the Council has a 5 year land supply it will be important for the Council to continue to consider, and where appropriate, approve development which is sustainable. This is especially true for proposals on draft allocation sites, as is the subject of this application, but others as well, to ensure delivery in the future and to ensure that the level of housing supply is robust.
- 10.10 Paragraphs 7 and 14 of the NPPF set out that there is a presumption in favour of sustainable development. The core principles of the NPPF set out the three strands of sustainable development. These are the economic role, social role and environmental role. The NPPF specifically states that these roles should not be undertaken in isolation, because they are mutually dependent. To achieve sustainable development economic, social and environmental gains should be sought jointly and simultaneously. It is therefore necessary to consider these three principles.
- 10.11 Economic role: The NPPF identifies this as contributing to building a strong, responsive and competitive economy, supporting growth and innovation and by identifying and coordinating development requirements, including the provision of infrastructure. Whilst the proposed development does not directly provide employment it has been stated within the Design and Access Statement that the proposed development of residential dwelling would provide short term employment for locals during the construction of the site, however it would also support existing local services and provide the possibility of small start-up businesses. The improved infrastructure as a result of the proposed development would facilitate ease of movement and links to other employment areas within Saffron Walden. The improved infrastructure would include more bus stop links and new footpath and cycle routes. This would increase the potential for the use of alternative means of travel to areas of employment. This proposal would help deliver an economic role.
- 10.12 Social role: The NPPF identifies this as supplying required housing and creating high quality built environment with accessible local services that reflect the community's needs and support its health, social and cultural well-being. The proposal would make a contribution towards the delivery of the housing needed for the district, including a provision of affordable housing, and housing designed to Lifetime Homes Standards.

Whilst design is a reserved matter, the illustrative Master Plan indicates a development that reflects the rural character of the location. Landscaping would be used to reduce the visual impacts and some landscaping elements would introduce additional facilities required for health, social and cultural well-being. These include proposed open spaces; children play spaces, recreation/sports pitches, an extension of existing skate park facilities, new footpaths and cycle routes. This proposal would help to deliver a social role.

- 10.13 Environmental role: The NPPF identifies this as contributing to protecting and enhancing our natural, built and historic environment, including, inter alia, improvements to biodiversity and minimising waste. Whilst layout, scale, design and landscaping are to be reserved matters, there is significant detail within the illustrative Master Plan and the Design and Access Statement to demonstrate how landscaping and biodiversity would be enhanced and preserved. This proposal would help to deliver an environmental role.
- 10.14 The proposals would help to fulfil the three principles of sustainable development. As such the proposals would comply with the positive stance towards sustainable development as set out in the NPPF and the presumption in favour of approval, unless material considerations indicate otherwise. I attach significant weight to this and consider that the more recent national policy set out in the NPPF should take precedence over Policy S7 of the Local Plan. The development is considered to be sustainable development and therefore the principle of the proposal is acceptable.
- 10.15 The proposal will involve the loss of best and most versatile agricultural land. This is defined both by the Local Plan and the NPPF so as to include land in Agricultural Land Classification (ALC) Grade 2. The application will result in the permanent loss of some 20.20 hectares. Local Plan Policy ENV5 does not seek to prevent the loss of Best and Most Versatile land (BMV) agricultural land if there is no lower value land available. The fact that there is a shortage in the 5 year land supply and the fact that the Council is looking at releasing greenfield sites in the countryside to meet its housing needs shows that there is insufficient land available within settlement boundaries or brownfield sites. Some 80% of the agricultural land within the district is Grade 2 and the rest is Grade 3. Within that context it is not considered that there is sufficient lower grade agricultural land that is sustainably related to existing settlement to meet needs and therefore it is not considered that there is conflict with Policy ENV5.

B Design

- 10.16 With regards to the proposed design of the scheme the NPPF and Local Plan Policy GEN2 seeks for quality design, ensuring that development is compatible in scale, form, layout, appearance and materials. The policies aim to protect and enhance the quality, character and amenity value of the countryside and urban areas as a whole seeking high quality design. This is also reflected in Draft Local Plan Policies SP1 and DES1.
- 10.17 As to whether the scheme would be compatible with the character of the settlement area and countryside, the scheme would see development on the urban fringe of the Saffron Walden, predominately outside Development Limits.
- 10.18 Whilst the design of the proposed development is a reserved matter illustrative plans have been submitted as part of the application to demonstrate how the scheme can be

implemented.

- 10.19 It is stated within the Design and Access Statement that focal points through the site created by landscape or architectural detail can complement the active frontage and spaces. Key focal points and visual end stops through the site would create interest to the streetscene and clear structure of hierarchy. This can be achieved through architectural detail and variation in heights and a combination of the two principles.
- 10.20 Within the application submission it is stated that the proposed dwellings would be predominately 2 storeys and up to a maximum of 2.5 storeys. This would be introduced where appropriate with a mix of terrace and semi-detached dwellings. Within the application three different types of spaces areas have been identified within the housing element of the application site, north of Thaxted Road. These are the formal character the main avenue into the site, secondary frontage (the side roads) and the informal character which would be the green areas on the fringes. It is envisaged that the new link road would have a 6.75m wide carriageway with 3m wide planted verges on both sides and 2m footpaths behind. It is also stated that parking would be a mix of on-plot and court yard parking with some properties having direct access onto the avenue. It is proposed that the dwellings would be further set back from the main road by having front gardens.
- 10.21 The secondary frontages would be dwellings located off the side roads. This would have a semi-formal character created through a narrower carriageway, which will be reduced down to 5.8m with footpaths either side. There would be variety of spacing between buildings. It is stated that the majority of parking would be on-plot with a mix of private drives and garages being provided.
- 10.22 The informal areas would be where the dwellings would fundamentally frame the green corridors. The dwellings are envisaged to be two-storeys and a mixture of semi and detached nature. These would be more spaced out and have a lower density. The roads serving these areas would have more of a shared surface feel and a reduced level of lighting.
- 10.23 Four children's play spaces are indicated within the illustrative master plan. It is stated that the provision of these together with a green corridor, the extension of the Skate Park and additional recreation land provision facilitates the ethos of sustainable and healthy lifestyle for local residents.
- 10.24 Through the incorporation of design techniques and principles the proposal will be able to discourage and minimise the risk of crime and anti-social behavior through natural and informal surveillance. The proposed dwellings would also meet Lifetime Homes Standards. This is in accordance with Local Plan Policy GEN2 and the NPPF.
- 10.25 In terms of principles of sustainable design, even though the application is outline with all matters reserved apart from access, it is stated within the submission that the proposed dwellings would meet Level 3 of the Code for Sustainable Homes. They would be of a high quality design incorporating some of the following features air tight insulation, high efficiency boilers, low energy lighting, photovoltaics and low water demand appliances. This is in accordance with Policy GEN2 and Supplementary Planning Document for Energy Efficiency and Renewable Energy (October 2007).

C Highways

- 10.26 Local plan policy GEN1 states “*development will only be permitted if it meets all of the following criteria;*
- a) Access to the main road network must be capable of carrying the traffic generated by the development safely.*
 - b) The traffic generated by the development must be capable of being accommodated on the surrounding transport network.*
 - c) The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.*
 - d) It must be designed to meet the needs of people with disabilities if it is development to which the general public expects to have access.*
 - e) The development encourages movement by means other than driving a car.”*
- 10.27 Local Plan Policy GEN1 seeks sustainable modes of transport which is reflected within National Planning Policy Framework and Draft Local Plan Policy SP15.
- 10.28 Saffron Walden is the largest town in the District and it is considered to be sustainable as there are bus routes which are located and going through Saffron Walden. Further bus shelters are proposed to be constructed following the granting of previous planning applications such as the warehouse retailing units at the Granite site that backs onto the subject application site. Audley End train station is 3 mile southwest from the site and the M11 is located west of the town.
- 10.29 The site is located within 5 minute walk to the local leisure centre, 5/10 minute walk to key employment sites, a large food store and a 10/15 minute walk the community hospital, schools and the edge of the historic town centre.
- 10.30 A Transport Assessment and a Travel Plan has been submitted as part of the application.
- 10.31 There is a bus stop to the north of the application site either side of Thaxted Road. It is also proposed that the development would also provide a bus stop within the site along the main avenue/link road.
- 10.32 The Public Rights of Way including bridle and by-way which run through and around the site are proposed to be retained and unaffected by the proposed development. Incorporated within the scheme would be prioritised safe walking and cycling environment. In order to comply with the Draft Local Plan and its long term visual strategy for Saffron Walden, a contribution towards the implementation and construction of the Wenden Road cycle path link scheme is proposed.
- 10.33 It has been confirmed within the submission that the proposed scheme would accord with current local parking standards. A mixture of parking methods would be proposed through the scheme, however it should be noted that this is a reserved matter for further consideration at a later date. The scheme is therefore capable of according with Local Plan Policy GEN8 and Local Residential Parking Standards adopted (February 2013), also Draft Local Plan Policy TA1.

- 10.34 The proposed primary road that would run through the site would abut to the northeastern boundary to allow for any future development of land to the north. This is considered to facilitate in dispersing vehicle movement from the proposed scheme and mitigate the impact upon more sensitive junctions within Saffron Walden such as Radwinter Road/Thaxted Road junction.
- 10.35 This has been highlighted within the Assessment of Highway Impact of Local Sites which has been undertaken by Essex Highways. The assessment identified the main junctions and the current capacity issue. This states that only one junction (B184 High St / Church St) whereby one or more arms are at or exceeding capacity in either of the peak hours and there are two junctions (B184 Audley Rd / B184 High St and B1052 Newport Rd / Audley End Rd) whereby one or more arms approaching capacity in either of the peak hours. The assessment demonstrates that the main junctions immediately surrounding the application site have currently no capacity issues in either peak hour.
- 10.36 It has been projected that nearing 2018 taking into account committed developments and also allocated sites within the Draft Local Plan (such as this site) the main junctions surrounding the application site one or more arms will be approaching capacity in either of the peak hours. Approaching 2026 it is predicted that junctions such as B185 Thaxted Rd / B1053 Radwinter Rd and B184 Thaxted Rd / Peaslands Rd will be at or exceeding capacity. This highlights that mitigation measures with development would be required to facilitate the identified allocation site. The assessment states *“The eastern link road, which would connect Thaxted Road with Radwinter Road, would be expected to relieve the Thaxted Road/Radwinter Road junction, which is a recognised bottleneck on the network. The link road would be enabled through ULP development on the Saffron Walden Policy 1 site and be built in conjunction with that development. Such a route would help to not only relieve the traffic flows at the junction of Thaxted Road and Radwinter Road, but also help to channel traffic away from the centre of the town. It would, however, lead to additional traffic on the alternative route of Peaslands Road/Mount Pleasant Road and Borough Lane and Debden Road, to the south of the town centre.”*
- 10.37 Below is a list of the key impacts on the affected junctions that the proposed link road would have;
- *“Thaxted Road / Radwinter Road junction - reduction in flow on the East Street, Thaxted Road and Radwinter Road routes would help to relieve congestion from a position of being over capacity on all approaches in both peak hours to that of one where just Radwinter Road would reach capacity.*
 - *Thaxted Road / Peaslands Road - increase in traffic heading southwest through the junction would not lead to a notable worsening in operation, although the junction would be over capacity in the 2026 with ULP scenario.*
 - *Mount Pleasant Road / Borough Lane / Debden Road - increase in traffic along Mount Pleasant Road and Borough Lane would result in these two approaches approaching or reaching capacity.*
 - *Debden Road / London Road - reduction in traffic would relieve congestion on the Debden Road north approach, with the approach falling below capacity in the PM peak.*
 - *High Street / George Street - reduction in traffic would reduce some congestion on both the High Street north and High Street south approaches, although not by significant amounts.*
 - *High Street / Audley Road - reduction in traffic at the junction would reduce some congestion on Audley Road, with the approach likely to fall below capacity.*

- *Borough Lane / London Road - transfer of traffic to Borough Lane from the London Road north approach would not be expected to have a marked impact on the operation of the approaches.*

- 10.38 It is stated that *“While the link road helps to reduce pressure at the Thaxted Road/Radwinter Road junction it is still over capacity, and many other junctions would be likely to continue to experience capacity issues in 2026 with committed and ULP developments. Additional mitigation measures were therefore required to enable delivery of the ULP developments.”*
- 10.39 It is proposed as part of the application that a new signalised junction will be constructed providing easy and safe access to both sides of the application site on Thaxted Road. The Essex Highways Assessment has outlined a number of other mitigation measures across key Saffron Walden junctions to enable and mitigate junction capacity as a result from committed and draft local plan allocation sites.
- 10.40 The Highway Authority has assessed the application and has made the following comments *“The Highway Authority has considered the above planning application and thoroughly assessed the submitted Traffic Assessment together with the additional information submitted in relation to the highways aspects. The Highway Authority is fully aware of the sensitive nature of the highway network throughout Saffron Walden, in particular the issues at the AQMA site at the Thaxted Road/Radwinter Road signalised junction, and the Thaxted Road/Peaslands Road mini roundabout junction. Full assessments including modelling work have been undertaken by the developer and are considered to have been carried out appropriately and in accordance with the relevant standards and guidance. The expected impact of the proposed development has been considered and whilst it is acknowledged that there will be alterations to the current flows of traffic on the existing network as a result, this proposal also offers the opportunity to mitigate the impact by providing improvements at significant junctions on the network which would unlikely come forward without development. Such improvements are necessary in order to assist in delivering a longer term area wide scheme for a reduction in congestion for Saffron Walden. In considering the above, the Highway Authority takes the view that the impact of this proposed development can be mitigated and as such is acceptable in highway terms subject to the conditions.”*
- 10.41 In considering the above the proposed development is acceptable in terms of highways subject to recommended conditions by the Highways Authority and it is also therefore in accordance with Policies GEN1, GEN2, GEN8 of the adopted Local Plan (2005) and Policies SP15 and TA1 of the Draft Local Plan (June 2012).

D Landscape Impact

- 10.42 A Landscape and Visual Impact Assessment has been submitted as part of the application.
- 10.43 It has been stated that there would be significant effects from the view points along the Public Footpaths that run through and around the application site Public Footpaths 36 and 37, Public Bridleway 19, Public Byway 18. It is stated that *“the effects on Public Byway 18 when looking west towards the site and from the Winstanley Estate would be neutral effects. By Year 15, the significant effects would be limited to specific locations on Public*

Footpath 37, Public Bridleway 19 and Public Byway 18, none of which would be adverse.”

- 10.44 Within the assessment it has been concluded that there would not be any mid to long term significant adverse effects on the landscape or views. It also states that the proposed development would be well contained with limited visual influence beyond the localised setting of the river valley. Most of the effects would be restricted to within the site and within immediate setting of the site. Whilst the development would provide for local housing needs it is considered that the location of the development would appear as an extension to the existing urban fabric of which could also be softened through the use of landscaping, open areas of space and SUDs features to mitigate the visual impact of the development, as illustrated within the submitted Master Plan.
- 10.45 The application site forms part of a larger undulating landscape which extends into the existing built form, and the proposed development would be an extension of this. The ground levels are likely to change as a result of the proposed development, of which this is a reserved matter. The extension of the skate park, provision of a pavillion and the proposed provision of a car park are unlikely to have an adverse impact particularly due to its low level siting, however the details of this would be subject to the reserved matters should planning permission be granted. The provision of open recreation uses in the form of pitches is likely to have a relatively neutral effect upon the landscape due to its nature.
- 10.46 The UDC Landscape Officer has stated that *“the development would result in a significant local change in the landscape and form a prominent feature on the higher valley slopes particularly where it breaks the skyline. However, on balance and subject to a comprehensive scheme of landscaping the development would not result in an unacceptable adverse visual impact in the medium to long term.”* There would be limited impact upon the existing trees, and the loss of part of the hedge to the southern of Thaxted proposed access could be addressed through additional planting. Therefore no objection has been raised subject to conditions. The scheme is therefore considered to accord with Local Plan Policy GEN2 and ENV3, also Policy C2 and HE5 of the Draft Local Plan.

E Amenity & Air Pollution

- 10.47 The design layout shows an indicative illustration of how the scheme could be laid out with the dwellings located to the north of Thaxted Road and proposed recreational uses would be located to the south of Thaxted Road. It is considered that there is sufficient land to ensure back to back distances are adhered to preventing overlooking both between existing and proposed dwellings, and that there would be sufficient amenity space in accordance with the Essex Design Guide. Various types of open space have been designed as can be seen from the illustrative plan. These will be in the form of landscaped areas, Sustainable Drainage (SUDs) features and play space areas. The design of the open spaces would be further detailed at reserved matter stage should planning permission be granted.
- 10.48 The existing residents would be far enough removed from the new housing so that there would be no issues of overlooking or overshadowing.
- 10.49 The Air Quality Assessment has been submitted as part of the application. The results of the assessment indicated that *“the annual mean pollution concentration limit of 40µg/m³ for NO², as set out in the Air Quality Limit Value Regulation, was not exceeded in any of the*

existing receptors, either without or with the proposed development in year 2018 when the proposed extension will be fully operational. Based upon this it can be concluded that the proposed scheme does not introduce new exposure in breach of the regulations. The annual mean pollution concentration limit of 40µg/m³ for PM10 (coarse/big particular matter) as set out in the Air Quality Limit Value Regulations, was not exceeded in any of the existing receptors either without or with the proposed development. The maximum percentage changes in the level of NO² and PM10 at the existing sensitive receptors located within the AQMA are as result of the proposed development in year 2018 are 1.58% and 1.22% respectively. The magnitudes of change as a result of the proposed development are therefore considered small. Therefore it is considered that the changes to air quality do not present a constraint to the granting of planning permission for our development.”

- 10.50 UDC Environmental Health has raised concerns regarding emission levels at key junctions, some of which currently fall within Air Quality Management Area (AQMA). No objection was raised at the methodology that was used within the Air Quality Assessment submitted. However, based on the information that has been submitted and additional transport information no objection has been raised by Environmental Health as the impact which would result from the proposed development is small. In considering the above the scheme is in accordance with Local Plan Policies GEN4 and GEN2, also Draft Local Plan Policies EN5 and EN6.

F Infrastructure provision to support the development

- 10.51 The Draft Local Plan Policy SW1 amongst other things identifies the application site and the land to the north of the application site for the provision of 800 dwellings and 6 hectares of employment. Amongst this allocation the following is sought to be provided as part of any such development; the provision of land for pre/primary school and construction of school facility, specified housing mix, a link road between the application site from Thaxted Road lead through to Radwinter via the northern allocated site, junction improvements, provision of cycle/footway from Saffron Walden to Audley End station, other necessary highway works and transport provision. The draft policy also seeks the provision of recreation open space, rugby pitches, running track, pavilion and car park to serve all facilities.
- 10.52 As the subject application site only forms part of a much large allocated site, commensurate to the scale of the scheme the following is proposed to support the development in terms of infrastructure and mitigation.

- Open space
- 10.53 The transfer of 7.8ha of land to the south of Thaxted Road (edged red on the attached plan), to the Council. As part of the application a contribution of £500,000 is to be made to the District Council to provide and enhance sport and recreation facilities on the land south of Thaxted Road to include improved facilities for the existing skate park, rugby pitches, running track, a pavilion/associated building or buildings and car parking. The use of the land to the south of Thaxted Road is recommended to be restricted to sport and public recreation purposes. This will enable securing the provision and use of that part of the land so that it accords with the Draft Local Plan Policy.

- 10.54 The public open space land situated within the residential part of the development to be transferred to the Town Council or management company.
- 10.55 The above provision towards open space and recreation will not only accord with the Draft Local Plan Policy but will also enable the provision of a facility; also enable existing sports and youth clubs the ability to provide better, and improved local facilities.

Highways

- 10.56 Whilst the highway implication have been discussed above in Section C in terms of mitigating the proposed development and providing in some areas betterment, the following proposed works and contributions are proposed;
- Improvements to the Peasland Road/Thaxted Road junction in accordance with the details contained within Appendix N of the Transport Assessment submitted with the application.
 - The installation of a signalised junction at the entrance to the application site in accordance with the details contained within Appendix M of the Transport Assessment submitted with the application.
 - The construction of the first phase of the Radwinter Road/Thaxted Road Link Road up to the boundary of the site (or edge of applicants ownership) without the imposition of any ransom.
 - Improvements to the Radwinter Road/Thaxted Road junction in accordance with the details contained within Appendix N of the Transport Assessment submitted with the application.
 - A financial contribution towards an extension to the existing bus service so that it serves the residential part of the development site and the installation of bus stops.
 - A financial contribution of £145,000 towards the implementation/construction of the Wenden Road cycle path link scheme or 29% of the total cost, whichever is the lower.

Education

- 10.57 Draft Local Plan Policy SW1 seeks the provision towards education due to the size of the site and as it is one section of a much larger site allocation with further land to the north (which does not form part of this application) a payment of an education contribution relating to the number of school places generated by the application will be paid. This will address the education capacity issues that have been raised. The provision of such as contribution would be provided in phases, for example;

25% prior to the occupation of the 1st open market dwelling
25% prior to the occupation of the 45th open market dwelling
25% prior to the occupation of the 90th open market dwelling
25% prior to the occupation of the 135th open market dwelling

Health

- 10.58 As part of the contribution package which the scheme offers is a financial contribution of towards healthcare facilities. Based upon the sought after amount for 300 dwellings an agreed formula based approach on the basis of £224.80 per dwelling will be provided. This accords with the request from NHS.
- 10.59 In view of the above, it is evident that the necessary infrastructure can be provided to meet the needs of the development, in accordance with Policy GEN6 of the Local Plan and Draft Local Plan Policy SW1.

G Mix of Housing and Affordable Housing

- 10.60 Policy H9 requires that 40% affordable housing is provided on sites having regard to market and site conditions. The applicants have confirmed that the development would provide 40% affordable housing, which would equate to 120 units should 300 units in total be approved at reserved matters.
- 10.61 The applicants have also confirmed that the mix and location of the units would be agreed at the reserved matters stage. The applicants have also confirmed that the development would provide 5% bungalows (equating to 15 units) to meet wheelchair accessible housing need. It is highlighted that there would be 70% (affordable rent) and 30% (shared ownership) division on the proposed properties to be created. No objection has been raised by the UDC Housing Enabling Officer subject to meeting the above.
- 10.62 The final design, number and size of units would be determined at the reserved matters stage but it is considered that the application proposes an acceptable level of affordable housing on the site and is capable of providing an acceptable mix of dwellings. As such the application complies with Policies H9 and H10 of the Local Plan, Draft Local Plan Policies SP5, SP6, SP7, HO5 and HO6, also the requirements of the NPPF.

H Biodiversity

- 10.63 A Phase 1 Ecological Assessment of the site has been undertaken and submitted with the application. In terms of biodiversity the main agricultural land has little ecological merit in itself due to the worked nature of the land. However, the areas that carry a higher level of ecological value would be landscape margin areas. The ecological habitats of the site are fundamentally the trees, hedgerows, field margins and the drainage ditches.
- 10.64 The surveys that have been submitted as part of the application have concluded that there would be minimal significant residual direct, indirect or cumulative impacts on key receptors or ecological resource generally. The only possible impacts identified relate to bats due to possible light spill. ECC Ecology had raised concern to the Bat mitigation and the dissection of hedgerows. This impact would be lessened where there would be landscape enhancement through increased buffer zones.
- 10.65 No badger setts were found within the study area, although two setts were found in the surrounding area.
- 10.66 The proposed SUD scheme would not only facilitate in handling surface water drainage from the site it would also provide new ecological habitats and enhance local biodiversity. The incorporation of compensation/enhancement features, such as bird and bat boxes, log pile, and native tree and scrub planting is also proposed to enhance biodiversity. This would be integrated through an enhanced landscaping scheme which would come forward as part of the development.
- 10.67 No objection was raised by ECC Ecology, Environment Agency, and Natural England subject to conditions and carrying the mitigation measures identified within the submitted ecological report.

10.68 The scheme is therefore in accordance with Policy GEN7 of the adopted Local Plan, also Draft Local Plan Policies SP14 and HE4.

I Flood Risk and Drainage

10.69 Due to the scale of the proposed development a Flood Risk Assessment has been undertaken and submitted as part of the application. The application site falls within Flood Risk Zone 1 where there is low probability of flooding from tidal or fluvial sources.

10.70 There is an unnamed minor watercourse that crosses the 'valley' element of the site where is fundamentally falls within lower ground levels. It is stated that there is a low risk of flooding from this watercourse.

10.71 The SUD scheme is indicated to help facilitate in reducing the site level of run off to the equivalent of greenfield run off rates. This would be combined with soakaways and underground attenuation and conveyance (overland flow) features which would be developed at the reserved matters stage should planning permission be granted. The master plan provides an illustrative example of SUDs features through the spine of the site which would form part of the large landscape strategy. No objection has been raised by the Environment Agency subject to conditions. The development is therefore considered to be in accordance with Policy GEN3 of the adopted Local Plan and Policies SP9 and EN4 of the Draft Local Plan.

J Other material considerations

10.72 Archaeological Assessment has been submitted as part of the application this highlighted that there is likely scattered artifact remains such as flint flakes, element of prehistoric pottery, and Bronze Age pit anomalies. However, due to the fact that a large proportion of the site has been actively farmed it is likely that a majority of any artifacts have been plough damaged. The assessments submitted as part of the application states that there is no evidence of any further heritage assets within the proposed development site, and the surveys undertaken suggest that there is limited potential for further categories of remains to be present. However, this can be addressed through an archaeological condition should planning permission be granted. ECC Archaeology has raised no objection subject to such a condition. This is considered to be in accordance with Local Plan Policy ENV4, Policies SP13 and HE3 of the Draft Local plan and the NPPF.

10.73 With regards to the water and sewerage capacity issue raised by third parties, as part of the draft local plan detailed work has been under taken by Hyder on behalf of UDC and the sites that were being investigated to add to the site allocations list, Uttlesford District Water Cycle Study Stage 2 Detailed Strategy. It was raised within this report that Veolia Water Central that they are confident that adequate supply can be provided through the existing network and local boreholes. There is a risk that future sustainability reduction imposed by the EA.... may require Veolia to alter their strategy... this issue is not entirely attributed to the proposed growth for major allocations there may be an additional requirement for reinforcement of certain areas which would be normally delivered by Veolia. Whilst it is possible that the sites would be supplied with water varying degrees of investment would be required the details of this would be understood with more detailed plans. The existing sewerage network is at capacity and extensive upgrades would be required. Developer would be required to enter discussions with Anglia water. There are major constraints with

regard to the capacity of the surface water network and further information regarding phasing, timescales and confirmation of commitment from developers is required before further comment can be made.

- 10.74 Nonetheless, Anglia and Affinity Water have been consulted of the planning application and have had the benefit of more detailed information being provided as part of the application submission. Whilst no response has been received by Affinity, Anglia has raised no objection. This is not considered to be a material issue to warrant the refusal of the application in its own right. It would be the duty of the developer to ensure that the development would be fully serviced and that it would be capable of water and sewerage provision. If this is a reason why the development could not go ahead because of an inability to cater for the servicing of the site then this would be outside the realms of the planning application. Nonetheless, a pre-planning report submitted as part of the application from Anglia Water to the applicant stating that *“the foul drainage from this development is in the catchment of Saffron Walden Sewage Treatment Works, which has capacity to treat the flows from your development site”*.
- 10.75 A contamination survey was undertaken and submitted as part of the application. The investigation highlighted potential contamination risks from the adjacent cement works site in the form of landfill, there would also be a surface contamination from agricultural use, however intrusive investigations testing and gas monitoring has identified a lack of valid pollutants present. Whilst there is limited potential for contamination no objection has been raised by the Environment Agency or UDC Environmental Health stating that “the site investigation is satisfactory and indicates that the site and the adjacent landfill site do not pose any significant risks to human health.” Based on the above no recommendations from statutory consultees have been made regarding the need for a contamination condition. The scheme is therefore considered to be in accordance with Local Plan Policy ENV14 and Policies SP8 and EN7 of the Draft Local Plan.
- 10.76 With regards to the prevention of the watercourse contamination, the development site falls within Groundwater Source Protection Zones and overlies a Principal Aquifer the EA have suggested conditions relating to details of surface water drainage and details of pollution control measures to be submitted for approval. This is in accordance with Local Plan Policy ENV12 and Policies EN3 and EN7 of the Draft Local Plan.

11. Conclusion

- 11.1 The Draft Local Plan is still at an early stage and has limited weight. At the present time the adopted Local Plan policies are still in force. However, the National Planning Policy Framework (NPPF) is a material planning consideration and this has a strong presumption in favour of sustainable development. The applicants have argued that Uttlesford cannot demonstrate an adequate 5 year supply of housing land. The Council recognises that it has a shortfall, and that it should consider favourably applications for sustainable residential development which will make a positive contribution towards meeting housing need. There is a shortfall of dwellings and as a result the Council remains without a deliverable 5 year land supply. It is important that the Council considers appropriate sites.
- 11.2 The application site has been allocated within the Draft Local Plan and the proposed development will provide an economic, social and environmental role. The application site and proposal is sustainable and the scheme will further increase its level of sustainability,

particularly through proposed highway improvements.

- 11.3 There is not considered to be sufficient lower grade agricultural land available that sustainably relates to the existing settlement. Therefore the application accords with Local Plan Policy ENV5.
- 11.4 Whilst the design is a reserved matter the development is capable of meeting Essex Design Guide standards, being compatible with its surroundings, providing ample playspaces, meeting Secure by Design, Code Level 3, Lifetime Homes Standards and is therefore in accordance with Local Plan Policy GEN2.
- 11.5 The submitted Transport Assessment demonstrates that the proposed development together with proposed off site and on-site highway works can be delivered without any adverse impact upon local highway conditions or road safety. No objection has been raised by the Highways Authority subject to conditions and appropriate highway works. This is further supported by recommendations that have been made within the Essex Highway Assessment that has been undertaken as part of the Draft Local Plan work.
- 11.6 Public Rights of Way will be maintained within and around the application site and further enhanced as part of the reserved matters, should planning permission be granted. This is in accordance with Local Plan Policy GEN1.
- 11.7 Adequate parking provision is capable of being provided on site in accordance with adopted parking standards, Local Plan Policy GEN8, Local Residential Parking Standards (adopted February 2013) and Draft Local Plan Policy TA1.
- 11.8 In terms of Air Quality, no objection was raised regarding the methodology used within the submitted Air Quality Assessment or the information submitted, the impact of which is stated to be small. The application is therefore considered to accord with Local Plan Policy GEN4 and GEN2 and Draft Local Plan Policies EN5 and EN6.
- 11.9 The application site is located within a landscape sensitive area primarily due to changing ground levels of the site and part open/part restricted views to various points of the site. It is acknowledged that there would be noted change in the landscape and there would be a perceived impact due to development. Fundamentally, it is a case of the degree of visual impact and whether it would result in significant detrimental harm. The scheme has been supported by a Landscape Visual Impact Assessment that demonstrates that the development would not give rise to unacceptable mid to long term visual impact. No objection has been raised by the UDC Landscape Officer subject to conditions. The scheme is therefore considered to accord with Local Plan Policy GEN2 and ENV3, and Draft Local Plan Policy C2 and HE5.
- 11.10 The proposal would provide 40% affordable housing with 5% provision of wheelchair accessible units in accordance with policy. In terms of local infrastructure the proposed development would contribute towards education and healthcare provision. A large amount of open space for recreation purposes is proposed to be offered together with a financial contribution towards recreation facilities, a contribution towards a cycle path, bus stop facilities, highway works on and off site. This is in accordance with Local Plan Policy GEN6 of the Local Plan and Draft Local Plan Policy SW1.

- 11.11 The ecological assessment submitted as part of the application concluded that the site is of low ecological value the proposed development would provide enhancements through SUDs features, strengthened and enhanced landscaping. No objection has been raised by ECC Ecology, Environment Agency, and Natural England subject to conditions and carrying the mitigation measures identified within the submitted ecological report. The scheme is therefore in accordance with Policy GEN7 of the adopted Local Plan, also Draft Local Plan Policies SP14 and HE4.
- 11.12 The application site is located in Flood Risk Zone 1 and has a low probability of the risk of flooding. The scheme would incorporate sustainable drainage systems through the inclusion of ponds, and underground storage, which will be subject to reserved matters and conditions should planning permission be granted. No objection has been raised by the Environment Agency subject to conditions. The scheme therefore accords with Local Plan Policy GEN3 of the adopted Local Plan and Policies SP9 and EN4 of the Draft Local Plan.
- 11.13 No adverse impact is concluded upon heritage assets subject to an archaeological condition, in accordance with Local Plan Policy ENV4, and Policies SP13 and HE3 of the Draft Local plan and the NPPF.
- 11.14 No objection has been raised regarding contamination subject to condition should planning permission be granted. This is considered to accord with Local Plan Policies ENV14 and ENV12, also Policies SP8, EN3 and EN7 of the Draft Local Plan.

RECOMMENDATION – CONDITIONAL APPROVAL – SUBJECT TO S106 LEGAL OBLIGATION

- (I) The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless the freehold owner enters into a binding obligation to cover the matters set out below under Section 106 of the Town and Country Planning Act 1990, as amended by the Planning and Compensation Act 1991, in a form to be prepared by the Assistant Chief Executive – Legal, in which case he shall be authorised to conclude such an obligation to secure the following:**
- (i) Education contribution.**
 - (ii) Provision of open space within the development.**
 - (iii) Financial contribution towards NHS Healthcare Facilities.**
 - (iv) Carrying out of highway works.**
 - (v) Financial contribution towards Radwinter Road/Thaxted Road junction works.**
 - (vi) A financial contribution towards an extension to the existing bus service serving the residential part of the development site and the installation of bus stops/shelters and layby.**
 - (vii) Contribution of £145,000 towards the implementation/construction of the Wenden Road cycle path link scheme or 29% of the total cost, whichever is the lower.**
 - (viii) Transfer of 7.8ha of land to the south of Thaxted Road to the District Council.**
 - (ix) Contribution of £500,000 to District Council to provide and enhance sport and recreation facilities on the land south of Thaxted Road to include improved facilities for the existing skate park, rugby pitches, running track, a**

- pavilion/associated building or buildings and car parking.**
 - (x) Contribution towards the maintenance of open space for 20 years if the land is to be maintained by Town or District Council.**
 - (xi) Provision of 40% affordable housing.**
 - (xii) Payment of monitoring fee.**
 - (xiii) Pay Councils reasonable costs.**

- (II) In the event of such an obligation being made, the Assistant Director Planning and Building Control shall be authorised to grant permission subject to the conditions set out below**

- (III) If the freehold owner shall fail to enter into such an obligation by 23 December 2013 the Assistant Director Planning and Building Control shall be authorised to refuse permission in his discretion at any time thereafter for the following reasons:**
 - (i) Education contribution**
 - (ii) Provision of open space and Transfer of open space**
 - (iii) Financial contribution towards NHS Healthcare Facilities**
 - (iv) Carrying out of highway works**
 - (v) Financial contribution towards highway works and public transport**
 - (vi) A financial contribution towards the implementation/construction of the Wenden Road cycle path link scheme**
 - (vii) Contribution of £500,000 to District Council to provide and enhance sport and recreation facilities**
 - (viii) Contribution towards the maintenance of open space for 20 years**
 - (ix) Provision of 40% affordable housing**

CONDITIONS:

1. Approval of the details of the layout, scale, landscaping, appearance and public open space/recreation layout, access into the recreation site, pavilion (hereafter called "the Reserved Matters") shall be obtained from the Local Planning Authority in writing before development commences and the development shall be carried out as approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. (A) Application for approval of the Reserved Matters shall be made to the Local Planning Authority not later than the expiration of 2 years from the date of this permission.
 (B) The development hereby permitted shall be begun later than the expiration of 1 years from the date of approval of the last of the Reserved Matters to be approved.

REASON: To comply with the provisions of Article 3 of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

3. Before the commencement of development detailed scheme relating to measures to protect

neighbouring resident's air quality during the construction phase shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

REASON: To ensure the protection of residential amenity in accordance with Policy GEN4 of the Uttlesford Local Plan (adopted 2005).

4. Before the commencement of the development (excluding demolition) hereby permitted, an accessibility statement/drawing shall be submitted to and approved in writing by the local planning authority. The details submitted shall set out measures to ensure that the buildings are accessible to all sectors of the community. The dwellings shall be designed as 'Lifetime Homes' and with one Plot to be designed to be capable of being adapted for wheelchair use. All the measures that are approved shall be incorporated in the development before occupation.

REASON: To ensure that the district's housing stock is accessible to all and to meet the requirements contained in adopted SPD Accessible Homes and Playspace Adopted November 2005.

5. No construction or removal of trees/hedgerows shall be carried out on site between March and August inclusive in any year, unless an ecological assessment has been undertaken, submitted and approved in writing by the Local Planning Authority which confirms that no species would be adversely affected by the construction or removal of trees/hedgerows.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

6. No development shall take place until a Wildlife Protection Plan for the site has been submitted to and approved in writing by the Local Planning Authority. The details shall include how mitigation measures for Legally Protected Species and Priority Species will be implemented prior to and during construction of the development in accordance with appropriate wildlife legislation. This shall include Method Statements where appropriate. Should pre-construction inspections identify the presence of Legally Protected Species and/or Priority Species not previously recorded, construction works shall cease immediately until such time as further surveys have been completed (during the appropriate season) and mitigation measures have been agreed in writing with the Local Planning Authority.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

7. No development shall take place until a detailed mitigation plan for the bats, badgers and birds identified including their breeding sites and resting places has been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be carried out in accordance with the approved details.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in

accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

8. No development shall take place until a Biodiversity Mitigation and Enhancement Plan has been submitted to and approved in writing by the Uttlesford Planning Authority. The Plan shall include provision for habitat creation and management during the life of the development hereby permitted, as outlined in the Environmental Impact Assessment, dated July 2013 and shall, without prejudice to the foregoing, include:
- (i) Aims and objectives of mitigation and enhancement;
 - (ii) Extent and location of proposed works;
 - (iii) A description and evaluation of the features to be managed;
 - (iv) Sources of habitat materials;
 - (v) Timing of the works;
 - (vi) The personnel responsible for the work;
 - (vii) Disposal of wastes arising from the works;
 - (viii) Selection of specific techniques and practices for preparing the site and/or creating/establishing vegetation;
 - (ix) Appropriate management options for achieving aims and objectives;
 - (x) Prescriptions for management actions;
 - (xi) Ecological trends and constraints on site that may influence mitigation and enhancement measures;
 - (xii) Personnel responsible for implementation of the Plan;
 - (xiii) The Plan shall include demonstration of the feasibility of the implementation of biodiversity mitigation plan for the period specified in the Plan;
 - (xiv) Monitoring and remedial / contingencies measures triggered by monitoring to ensure that the proposed biodiversity gains are realised in full. Monitoring shall review agreed targets at five year intervals and allow for remedial action to be agreed with the Local Planning Authority.

The development hereby permitted shall be implemented in accordance with the approved plan.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

9. No fixed lighting shall be erected or installed until details of the location, height, design, sensors, and luminance have been submitted to and approved in writing by the Planning Authority. The details shall ensure the lighting is designed in such a way to minimise any potential impacts upon nocturnally mobile animals. The lighting shall thereafter be erected, installed and operated in accordance with the approved details.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

10. Should the development hereby approved not have been commenced within one year of the date of this planning permission, a further biodiversity survey of the site shall be carried out to update the information previously submitted with the application [Environmental Impact Assessment, dated July 2013] together with an amended mitigation strategy to mitigate the impact of the development upon the identified protected or priority species. The new

biodiversity survey and mitigation strategy shall be submitted to and be approved in writing by the Planning Authority prior to the commencement of the development hereby permitted and thereafter the development shall be implemented in accordance with the approved biodiversity survey and mitigation/compensation strategy.

REASON: To make appropriate provision for conserving and enhancing the natural environment within the approved development in the interests of biodiversity and in accordance with Policy GEN7 of the Uttlesford Local Plan (adopted 2005) and the NPPF.

11. No development shall take place until the following have been completed;
 - a. Provision of a signalised crossroad access from the B184 Thaxted Road to the residential aspect of the proposed development to the east and to the leisure aspect (skate park extension) of the proposed development to the west, as shown in principle on the submitted drawing numbered: PL12 Rev. C. The signalisation to include but not restricted to pedestrian crossing points and a complete MOVA operating system. All details to be agreed with the Highway Authority.
 - b. Provision of improvements to Thaxted Road/Radwinter Road signalised junction as shown in principle on drawing number: PL06 Rev B. Such improvements to include but not restricted to alterations to kerb lines and associated works to provide an additional lane at the Radwinter Road approach to facilitate turning into Thaxted Road together with replacement signal infrastructure, pedestrian crossing points and any other facilities as necessary. All details to be agreed by the Highway Authority.
 - c. Signalisation of Peaslands Road/Thaxted Road junction as shown in principle on drawing number: PL05. Such improvements to including but not restricted to alterations to the kerb lines and associated works to provide additional lanes on the Thaxted Road approaches, a complete MOVA operating system, pedestrian crossing points and the relocation of existing bus stops on Thaxted Road and any other highway street furniture as deemed necessary.

All details shall be submitted to and approved in writing by the Local Planning Authority in consultation with ECC Highway Authority before commencement of development.

REASON: In the interest of highway and pedestrian safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

12. No development shall commence until details of all the proposed estate roads and footways, including those as shown in principle on drawing number: 267/179/003 Rev A to accord with the Essex Design Guide (including layout, visibility splays, radii, turning, levels, gradients, surfacing, means of surface water drainage, lighting and any necessary Road Safety Audits) shall be submitted to and approved in writing by the Local Planning Authority in consultation with ECC Highways Authority.

REASON: To ensure that an appropriate means of access is provided to the development and to ensure roads/footways are constructed to an appropriate standard in the interests of highways safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

13. Prior to commencement of the development a construction traffic management plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details during the construction phase.

REASON: In the interest of highway and pedestrian safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

14. Prior to occupation details of the provision of links connecting the Public Rights of Way within the vicinity of the site to the internal estate roads, in particular to Footpath 37 Saffron Walden from the north-west corner of the site and the timing for its completion shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the scheme shall be implemented in accordance with the approved details.

REASON: To ensure that an appropriate means of access is provided to the development and to ensure roads/footways are constructed to an appropriate standard in the interests of highways safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

15. Before the commencement of development details of the link road and timing for its completion, that shall be constructed to adoptable standards and to a minimum width of 6.75 meters up to and including the boundary of the site to allow for future extension, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with ECC Highways Authority. The Link Road shall thereafter be completed in accordance with the approved details.

REASON: To ensure that an appropriate means of access is provided to the development and to ensure roads/footways are constructed to an appropriate standard in the interests of highways safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

16. The number of parking spaces shall be in accordance with those standards set down within Essex County Council's Parking Standards – Design and Good Practice, September 2009 and Uttlesford Local Residential Parking Standards, February 2013. Parking bays to measure 5.5m x 2.9m minimum. All single garages to have minimum internal measurements of 7m x 3m and to be provided with vehicular doors a minimum width of 2.3m.

REASON: To ensure that adequate parking is provided for the development standard in the interests of highways safety in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

17. No development or preliminary groundworks can commence until a programme of targeted archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

18. No development or preliminary groundworks can commence on those areas containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environment advisors.

REASON: In the interests of archaeological protection in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

19. A post-excavation assessment (to be submitted within six months of the completion of fieldwork, unless otherwise agreed in advance with the Planning Authority) shall be submitted to and approved by the Local Planning Authority. This will result in the completion of post-excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: A programme of archaeological investigation has already been completed on this site. This has included desk based assessment, fieldwalking and geophysical survey which has shown the presence of archaeological deposits in specific areas within the development. The reports are very thorough and provide a detailed assessment of the significance of the historic environment assets which are likely to be impacted by the proposed development. This office supports the view within this report that a programme of targeted trial trenching, followed by open area excavation will be required if the application receives permission. A professional team of archaeologists should undertake the archaeological work. It is recommended that an initial series of trial trenches is excavated followed by open area excavation if archaeological deposits are identified. This is in accordance with in accordance with Policy ENV4 of the Uttlesford Local Plan (adopted 2005).

20. Development shall not begin until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) Reference: SJC/614901/JRC, Revision 1 dated 31st July has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include a restriction in run-off to greenfield rates by using infiltration where possible and surface water storage on site by using soakaways, swales, basins and permeable paving as outlined in the FRA.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity, in accordance with Policy GEN3 and GEN7 of the Uttlesford Local Plan (adopted 2005)

21. No occupation of dwellings approved by this permission shall occur until the agreed scheme for improvement and/or extension of the existing sewage system has been submitted to and approved in writing by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

REASON: There is insufficient capacity within the existing sewerage infrastructure to accommodate additional foul flows from this site. ii. The development could create and/or exacerbate foul flooding and spills from existing overflows in the absence of improvements to the sewer system, in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

22. Prior to the commencement of any development, a scheme for the provision and implementation of pollution control shall be submitted and agreed in writing with the Local Authority. The development hereby permitted shall be constructed and completed in accordance with the approved plans/specifications.

REASON: To prevent the increased risk of pollution to the water environment, in accordance with Policy ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

23. Prior to the commencement of development a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and occupational phases of the development shall be submitted to and agreed, in writing, with the Local Planning Authority. The scheme shall include a clear timetable for the implementation of the measures in relation to the construction and occupancy of the development. The scheme shall be constructed and the measures provided and made available for use in accordance with the agreed timetables.

REASON: To enhance the sustainability of the development through better use of water, energy and materials, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and Supplementary Planning Document for Energy Efficiency and Renewable Energy (October 2007).

24. Prior to the commencement of development, a scheme for the provision and implementation of rainwater harvesting shall be submitted and agreed, in writing, with the Local Planning Authority. Thereafter the development hereby permitted shall be constructed and completed in accordance with the approved plans/specification before occupancy of any part of the proposed development.

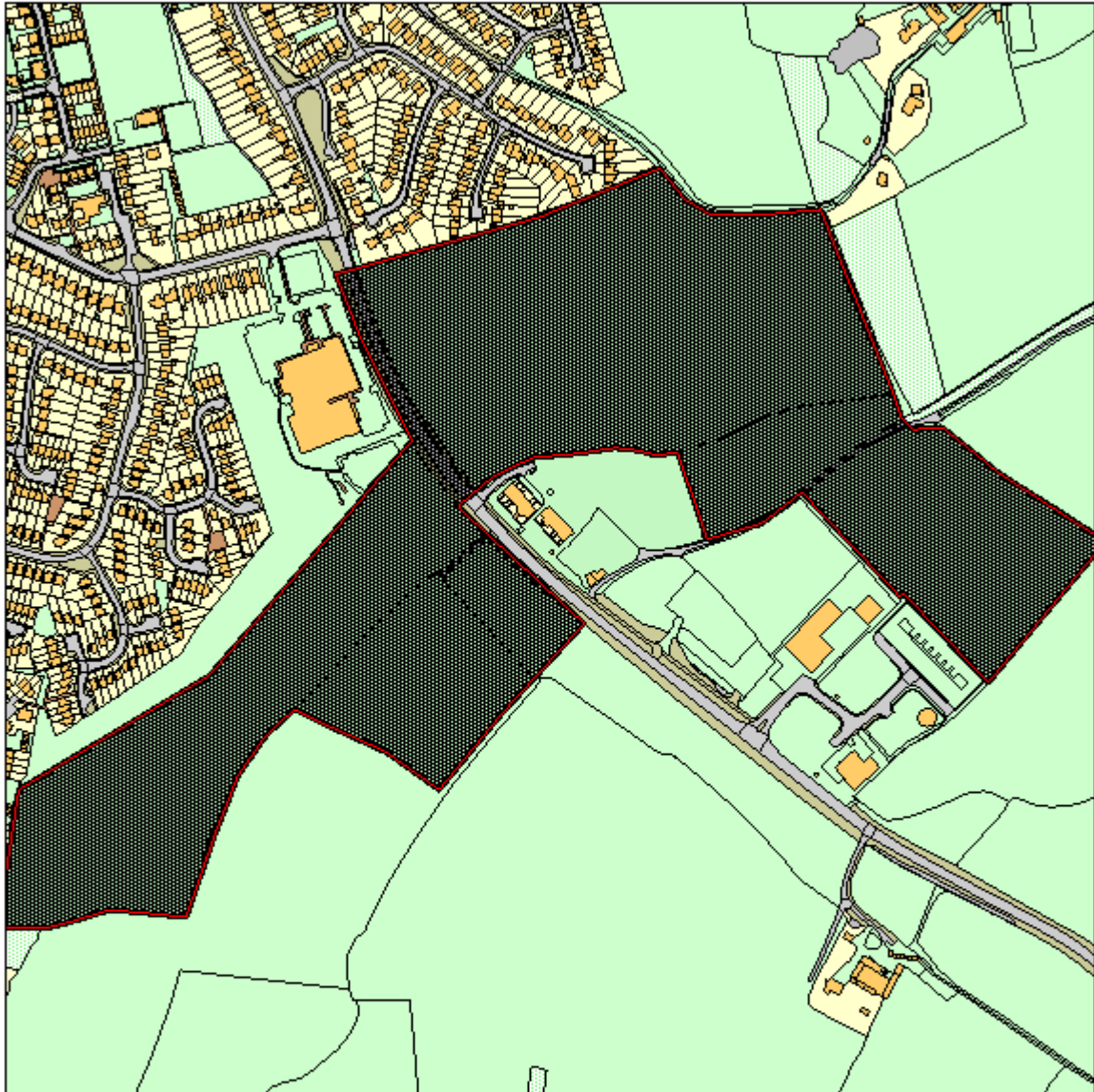
REASON: To enhance the sustainability of the development through efficient use of water resources, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and Supplementary Planning Document for Energy Efficiency and Renewable Energy (October 2007).

UTT/13/2060/OP

Land South and North of Thaxted Road Saffron Walden



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Scale: 1:5000

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