

ADDENDUM to UTT/13/2423/OP (SAFFRON WALDEN)

(MAJOR)

PROPOSAL: Outline application for redevelopment of the site to provide up to 1.25 ha of land to be used as a Builders Merchants and Yard (use Class B8), up to 0.47 ha of land to be used for offices and/or Research Development and/or Light Industrial (Use Class B1 (a), (b) and (C)), up to 1.16 ha of land for use as Business, general Industrial and Storage and Distribution uses (Use Class B1, B2 and/or B8), a Local Centre of up to 0.86 ha for uses falling within Use Class A1, including a local retail store (with the net A1 retail floor space limited to 279m²), a café/ restaurant/ public house (Use Class A3 and A4), a hotel (Use Class C1), up to 167 dwellings including affordable housing (Use Class C3) to be provided on 4.78 ha of land, together with public open space, landscaping and the provision of supporting infrastructure including replacement substations, and the demolition of existing buildings, with all matters reserved except for access

LOCATION: Ashdon Road Commercial Centre, Ashdon Road, Saffron Walden

APPLICANT: Ridgeon Properties Limited

AGENT: Januarys Consultant Surveyors

EXPIRY DATE: 10 December 2013

CASE OFFICER: Maria Shoemith

1.0 Introduction

- 1.1 This application was considered at the Planning Committee meeting dated 12th March 2014, copy of the report is attached in Appendix A, and was deferred to allow further information on three points;
- a) Highways;
 - b) Education relating to the shortfall of school places in Saffron Walden
 - c) Lack of Public Open Space
- 1.2 Additional information has been submitted by the applicant covering the above issues. A revised phasing plan has been submitted addressing concerns that were raised by third party objectors relating to phase one being implemented and applicant not implementing the rest of the proposed scheme, benefiting from the development of additional housing.

This plan indicates a revised phasing plan whereby the previous identified phase one is now marked 'Phase 1a' and phase 2 is now identified as 'Phase 1b'.

- 1.3 Three plans have been submitted identifying the level of amenity space that is required in line with the Pre Submission Draft Local Plan (0.387ha), another plan indicating the extent of usable public open space which is proposed to be provided and the third plan indicating the extent of the public open space which is proposed to be provided on the illustrative master plan as part of the overall scheme.
- 1.4 A plan has also been submitted demonstrating all of Ridgeons regional stores.

2.0 Consultation

- 2.1 Following the submission of additional and amended information the following representations have been received:

ECC Highways

- 2.2 The application has been reconsidered by ECC Highways who maintain their previous comments. The application has also been considered as part of proposed strategic strategy, which forms part of the Draft Local Plan Highway Impact Assessment.

ECC Education

- 2.3 A statement was submitted by ECC Education clarifying why a contribution was sought from the Ridgeon's development in comparison to the Manor Oak (UTT/13/3467/OP) and the Kier application (UTT/13/2060/OP).
- 2.4 ECC stated "*the difference is due to the Ridgeon's site being costed on the basis of expanding the existing schools and the cost of a new primary school being used in the case of the two other applications. As you are aware, new build and expansion projects have different associated costs as it is assumed, for example, that an existing school will not need all the 'common' areas to be enlarged.*

There are two reasons why this approach was taken in this case: -

- 1. A new school is envisaged by the (Draft) Local Plan on the major allocation at a size commensurate with this policy area; and*
- 2. The Ridgeon's consultation response was submitted before a new school site was identified. Costs were only produced once Manor Oak and Kier identified potential locations for a new school.*

It is not unusual practice to amend contribution requests, once made, but I accept that in this case it would appear unfair to Manor Oak and Kier if Ridgeon's do not contribute the same pro rata sums. From ECC perspective a higher contribution would be welcomed to fill in a potential gap, as it appears that the final section of the Saffron Walden Policy Area 1 may not be developed for some time. The extra demand for primary school places

generated by Ridgeon's could be accommodated at the new school if built."

3.0 Analysis:

Highways

- 3.1 Further information submitted by the applicant states that a Transport Assessment, Travel Plan and subsequent technical notes have been prepared to consider the traffic and transport implications of the planning application for the proposed mixed use redevelopment. The assessments have taken into account a full audit of existing traffic, transport in terms of public transport services, pedestrian and cycle provision, also policy conditions.
- 3.2 The technical note submitted goes onto state that *"the traffic impact of the proposed redevelopment upon the local highway network has been calculated by comparing the traffic generation rates of the current uses of the site against that predicted to be generated by the proposed redevelopment scheme, using a series of traffic generation rate agreed with ECC. These rates, and matters such as traffic growth and the implications of other committed developments nearby, were subsequently checked against the rates used in the County Council's own assessments to ensure consistency and robustness."* Traffic flows were also looked at in relation to the air quality assessment and the impact upon immediate junctions and their operation during peak hours. Where appropriate mitigation has been proposed by way of direct infrastructure works in the form of upgrading measures to the Ashdon Road/Common Hill/Church Street mini-roundabout. Contributions have also been secured to enable the upgrading measures of the town centre to improve the traffic flows such as the High Street/George Street junction and the Saffron Walden to Wendon Ambo cycle path, which forms part of the works identified and required by the Draft Local Plan Highway Impact Assessment. Measures have been identified in Section C of the Officer's report (please refer to Appendix A).
- 3.3 One of the off-site works proposed is parking control measures along Ashdon Road. The supporting information submitted by the applicant states that there are currently a number of parking control measures between Common Hill and Elizabeth Way. There are a few lengths of Ashdon Road which are not the subject of any parking control measures. These sections are associated with the dwellings which do not have any form of off-street parking. Some minor amendments to the existing parking control measures have been recommended in order to improve vehicle movement along Ashdon Road. These have been highlight in Drawing E63, submitted as additional information. The amendments would see the provision of double yellow lines to allow for passing bays together with improved signage. The highway improvement would be provide as part of a coordinated strategy for highway improvements within the town centre which would be delivered alongside other enhancements that would be forthcoming in respect of other committed developments. These would be controlled through either conditions which have been recommended or legal obligations such as the Section 106 Heads of Terms and/or Section 278 of the Highway Regulations.

- 3.4 Information has been submitted outlining the impact of traffic flows as a result of the proposed development. It was demonstrated that HGV movement would be reduced and the additional capacity as a result of the HGV reduction would be utilised by the modest increase in overall trip rates generated by the scheme.
- 3.5 Accessibility of the site was also looked at together with alternative means of travel through non-car modes. This has been reflected in the Travel Plan submitted as part of the application which will be an active document that will be continually monitored.
- 3.6 Concern was raised at the previous Planning Committee Meeting about the scheme generating a high level of car parking requirement resulting from the level of jobs that the scheme would generate. It is stated within the application that the development would generate employment of approximately between 431-720 jobs this figure has been taken from the English Partnership Employment Density Standards and therefore is a board brush used. The parking space allocations used within the Essex Parking Standards is based on floorspace provision and not employment numbers and this is a maximum figure. Based on the proposed floorspace it is predicted that the employment space would generate a need for 338 to 382 space not the full 700 which was envisaged at the Planning Committee. Therefore the proposed development would not be car dominated. Nonetheless, this would be controlled through the reserved matters should planning permission be granted, in accordance with the Essex Parking Standards and Local Plan Policy GEN8.
- 3.7 As a point of clarification due to issues raised regarding the proposed operation of Ridgeons it has been confirmed that that Ridgeons would be reducing the number of HGVs that would be run from the Saffron Walden branches the new store would be designed as a 'hub store' that would still provide the same level of service and product to its customers as is currently provided. The HGVs will cover a reduced catchment area, fewer vehicles making fewer return trips. This would be achieved through the operation of 'satellite stores'. Such satellite stores have been opened in Royston and Sawbridgeworth and other such stores are proposed. Customers will be able to order all goods in the Saffron Walden store but depending on their home address the goods could be dispatched from other stores.
- 3.8 The Highways Authority raised no objections subject to conditions and mitigation measures, as identified in Appendix A paragraph 10.44. In considering the above the proposed development is acceptable in highway terms subject to recommended conditions, 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).

Education

- 3.9 Concern was raised by Members regarding the shortage of educational school places available within Saffron Walden. ECC Education has submitted a statement outlining their reasoning behind the requirement sought as a result of the proposed. ECC Education has also outlined their strategic approach for Saffron Walden's education provision. Following the consideration of the Manor Oak application in conjunction with

the Kier application, an increased contribution is now sought from the Ridgeon's application towards the provision of early years and primary education.

- 3.10 It should be emphasised that no objection has been raised by ECC Education subject to a S106 Obligation for an education contribution should planning permission be granted. This is in accordance with Local Plan Policy GEN6.

Open Space and Phasing

- 3.11 The submitted plans demonstrate the open space provision provided as part of the proposed development. More open space than required is provided in the form of useable and overall open space provision.
- 3.12 Draft Policy INF1 indicates an open space requirement (based 167 dwellings) 0.31ha of amenity space and 0.078ha of children's plays space. The submitted drawings indicates that 2.1ha of amenity space would be provide by the proposed development, which is 5.5 times more open space than the draft policy requires, also 3 times (1.15ha) more than what is required in the form of usable space. The scheme therefore accords with Local Plan Policy GEN2 and GEN7, and Draft Local Plan Policy INF1. It should be noted that the designation of the whole of the application site is employment land under Policy SW6, whereby built form is acceptable in principle and that the current open space within the site is not protected by current local plan policies.
- 3.13 In terms of phasing, the numbering of the phasing has been amended to make it clear that whilst development is proposed in Phase 1a in conjunction with this demolition is proposed to occur simultaneously in Phase 1b, to allow the proposed new Ridgeons building to be constructed while ensuring business continuity. It has been emphasised by the applicant that Phase 1a would not be development and the rest of the proposed development abandoned as Ridgeon's want and need to develop their new store. Nonetheless, this would also be controlled through conditions and the Section 106 which controls the phasing plan.

Material Consideration:
5 year Land Supply

- 3.14 The Draft Local Plan now has slightly more weight in that it has been approved by Full Council to formally go out to consultation between April – June 2014. The 5-year land supply is a rolling target, which moves forward a year each April and therefore the Council must continue to monitor this delivery very closely. The Council therefore considers that it again has less than a 5-year supply of land and applications need to be considered accordingly. The Local Planning Authority has the duty to consider favourably applications for sustainable residential development which will make a positive contribution towards meeting housing need, ensuring the level of housing supply is robust and provides a continuous delivery of housing. The principle of the application is still considered to be acceptable as it is a sustainable form of development as outline within Section 10.1 to 10.23 of the main committee report, please refer to Appendix A, in accordance with the core principles of the NPPF.

4.0 Conclusion:

- 4.1 The submission of additional information relating to highways, addressing the educational school places shortage, open space provision and phasing of the development is considered to address the outstanding matters raised by Members at the 12 March 2014 Planning Committee. The scheme is considered acceptable subject to conditions listed below and Section 106 Agreement.

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) Contribution to NHS of up to £38,400 for up to 167 dwelling units or pro rata per dwelling
 - (ii) Highway works contribution (£120K)
 - (iii) Travel Plan
 - (iv) Travel Plan monitoring
 - (v) Contribution towards Education
 - (vi) Open space provision and maintenance, including long term maintenance of habitat, and transfer to Town Council or Management company
 - (vii) 40% affordable housing provision
 - (viii) Contribution of £80,000 towards the implementation/construction of the Wenden Road cycle path link scheme £80,000 (index linked) or 29% of the total cost, whichever is the lower;
 - (ix) A financial contribution of £5,000 (index linked), to fund the implementation of a parking scheme along Ashdon Road;
 - (x) Provision of enhancements of mini roundabout Ashdon Road/Church Street/Castle Hill/Common Hill or financial contribution towards the scheme
 - (xi) Gateway treatment to be provided to the east of the site, to include town entrance signs; any necessary Traffic Regulation Orders and a system of street lighting
 - (xii) Bus service to the development through the enhancement and/or extension of existing services
 - (xiii) Phasing Plan
 - (xiv) Pay Councils reasonable costs;
 - (xv) S106 monitoring fee
- (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 2 June 2014 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) Financial contribution towards NHS**
- (ii) Provision/Financial contribution towards highway works and bus service enhancement and/or extension**
- (iii) Travel plan**
- (iv) Education contribution**
- (v) Provision of open space and Transfer of open space**
- (vi) A financial contribution towards the implementation/construction of the Wenden Road cycle path link scheme**
- (vii) Provision of 40% affordable housing**
- (viii) Financial contribution towards the implementation of a parking scheme along Ashdon Road**

CONDITIONS:

1. Approval of the details of the layout, scale, landscaping, appearance and public open space layout (hereafter called "the Reserved Matters") for each plot or phase shall be obtained from the Local Planning Authority in writing before development commences on that plot or phase 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 4 years from the date of this permission.
(B) The development hereby permitted shall be begun no later than the expiration of 2 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 on a plot or phase, a detailed scheme relating to measures to protect neighbouring resident's air quality during the construction of that plot or 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 on each plot or phase (excluding demolition) hereby permitted, an accessibility statement/drawing shall be submitted to and approved in writing for that plot or phase by the local planning authority. The details submitted shall set out measures to ensure that the buildings to be provided within the plot or phase are physically accessible. Any approved dwellings shall be designed as 'Lifetime Homes' and with (5% of all) Plots 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 Uttlesford Planning Authority. The details shall include how protection and mitigation measures for Legally Protected Species will be implemented prior to and during construction of the development in accordance with appropriate wildlife legislation. This shall include Method Statements. The development shall thereafter 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.

7. No development shall take place until a detailed mitigation plan for the reptiles, bats, badgers and birds identified including their breeding sites and resting places, and Calcareous Grassland 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 translocation, creation and management during the life of the development hereby permitted, and mitigation for impacts upon identified protected and priority species, in accordance with the general principles outlined in the Summary Ecological Report (dated August 2013) and all appendices to that Report and shall, without prejudice to the foregoing, include:

- (i) Aims and objectives of mitigation;
- (ii) Extent and location of proposed works;
- (iii) A description and evaluation of all 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 translocating, creating and establishing vegetation;
- (ix) Appropriate management options for achieving aims and objectives;
- (x) Prescriptions for management actions;
- (xi) Personnel responsible for implementation of the Plan;
- (xii) The Plan shall include demonstration of the feasibility of the implementation of the Plan including details of funding for delivery of the Plan and long-term management of the habitats;
- (xiii) Monitoring and remedial measures triggered by monitoring to ensure that the proposed biodiversity gains are realised in full.

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. Prior to the commencement of development, an update bat and badger survey of the site shall be carried out to update the information previously submitted with the application together with an amended mitigation strategy to mitigate the impact of the development upon these identified protected species. The new surveys and mitigation strategy shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and thereafter the development shall be implemented in accordance with the approved surveys and mitigation 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. Before the commencement of development on the relevant phase of the development that contains the main electricity substation that is located to the rear of the site and which is shown as to be retained on the illustrative masterplan, details of boundary treatment for screening and noise mitigation details of the existing electricity substation shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approval details, in accordance with a programme agreed with the Local Planning Authority.

REASON: In the interest of residential amenity and safeguarding the development, in accordance with Policies GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

12. Before the commencement of development on the commercial land, details of the proposed estate roads and spine road to serve the commercial sector which shall be of minimum carriageway width 7.3m, and 2m footways as shown in principle on the illustrative Master Plan, including layout, visibility splays, radii, turning, levels, gradients, surfacing, means of surface water drainage, lighting, bus stops and any necessary Road Safety Audits, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Highway Authority, and thereafter implemented in accordance with the approved details in accordance with an implementation programme that is agreed in writing by the Local Planning Authority..

REASON: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety, efficiency and accessibility in accordance with Policies GEN1 and GEN2 of the Uttlesford Local Plan (adopted 2005)

13. Before the commencement of development on a plot or phase, a Construction Traffic Management Plan for that plot or phase shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. This document should state how construction traffic for that plot or phase will be managed including (but not exclusively) the management and provision of the following items:

1. Suitable access arrangements to the plot or phase in connection with the construction of the development,
2. wheel cleaning facilities for the duration of the development on that plot or phase to prevent the deposition of mud and other debris onto the highway network/public areas,
3. turning and parking facilities for delivery/construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site.
4. Routing and timing of construction traffic, which should be discussed in advance with the Highway Authority to minimise impact on the local community.

And, thereafter the scheme shall be implemented in accordance with those approved details.

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

14. Before the commencement of development (save for any demolition or site preparation works) details of the provision of the proposed priority junction on to Ashdon Road, as shown in principle on the submitted drawing number TA/001 to include a 7.3 metre carriageway, two 2 metre footways, 15 metre kerb radii with 1:20 tapers over 25 metres on both sides, and 2.4m x 90m visibility splays shall be submitted to and approved in writing by the Local Planning Authority. Details, including, means of surface water drainage, lighting, signing and Road Safety Audits, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority, and thereafter implemented in accordance with the approved details.

REASON: To provide highway safety and adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

15. Before the commencement of development, (save for any demolition or site preparation works) details of the provision of the proposed pedestrian and cycle access on to Ashdon Road as shown in principle on the submitted Master Plan drawing, to consist of a shared use footway/cycleway 3.5m wide to include appropriate facilities to allow cyclists to enter and exit Ashdon Road, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and thereafter implemented in accordance with the approved details in accordance with a programme to be agreed in writing by the Local Planning Authority.

REASON: To provide a convenient access for pedestrians and cyclists from the development to local amenities in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

16. No more than 50 dwellings shall be occupied before the provision of a bus turning circle within the development. The turning circle is to include facilities to allow buses to turn without a reversing movement; provide convenient access for pedestrians; and a bus stop with the following facilities: shelter; seating; raised kerbs; bus stop markings; real time passenger information; flag and timetable casing. Details shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, before the commencement of development.

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

17. 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.

REASON: To ensure that appropriate parking is provided in the interests of highway safety and efficiency in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and Essex County Council's Parking Standards Design and Good Practice, September 2009 and Uttlesford Local Residential Parking Standards February 2013.

18. The provision of electronic vehicle charging points at all properties with garages and charging points to be provided within the commercial car parking areas. Details of the charging points for each plot or phase shall be submitted to and approved in writing before the commencement of development on that plot or phase, and thereafter implemented in accordance with the approved details.

REASON: To provide residents and commercial development users with access to more sustainable forms of transport in accordance with in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

19. Details of the provision of pedestrian and cyclist signs at key points along the appropriate routes to the town centre and railway station from the site, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority, prior to the commencement of the development and thereafter implemented in accordance with the approved details.

REASON: To improve links for pedestrians and cyclists from the development to local amenities and the town centre in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

20. No development shall commence until a scheme that includes the following components to deal with the risks associated with contamination of the site have been submitted to and approved, in writing, by the local planning authority:
 - 1) A preliminary risk assessment which has identified: - all previous uses - potential contaminants associated with those uses - a conceptual model of the site indicating sources, pathways and receptors - potentially unacceptable risks arising from contamination at the site.
 - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken across the different phases of the site.

REASON: To ensure that the proposed development does not cause pollution of controlled waters and that the development complies with approved details in the interests of controlled waters, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

21. The buildings approved in each plot or phase shall not be occupied until a verification report for that plot or phase demonstrating completion of works set out in the approved remediation strategy in Condition 20 (3) are completed and the effectiveness of the remediation has been submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To ensure that the proposed development does not cause pollution of controlled waters and that the development complies with approved details in the interests of controlled waters, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

22. No development shall take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring each plot or phase and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the proposed development does not cause pollution of controlled waters and that the development complies with approved details in the interests of controlled waters, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

23. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the proposed development does not cause pollution of controlled waters and that the development complies with approved details in the interests of controlled waters, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

24. No infiltration of surface water drainage into the ground at the site which is the subject of this planning permission is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON: To ensure that the proposed development does not cause pollution of controlled waters and that the development complies with approved details in the interests of controlled waters, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

25. Prior to the commencement of development in a plot or phase, a scheme for the provision and implementation of pollution control to the water environment for that plot or phase shall be submitted and agreed, in writing, with the Local Planning Authority. As a minimum, the scheme shall ensure that:
- (i) Vehicle loading or unloading bays and storage areas involving chemicals, refuse or other polluting matter shall not be connected to the surface water drainage system.
 - (ii) All drums and small containers used for oil and other chemicals shall be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaway.
 - (iii) There shall be no internal drains in areas where chemicals and other polluting materials are stored. Appropriate spill clean-up material shall be available in case of an emergency.
 - (iv) All foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent shall be discharged to the foul sewer.

The scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.

REASON: To ensure a satisfactory method of pollution control, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

26. Prior to the commencement of development on each plot or phase, a scheme for the provision and implementation of water, energy and resource efficiency measures, during the construction and occupational phases of that plot or phase 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).

27. Prior to the commencement of development on each plot or phase, a scheme for the

provision and implementation of rainwater harvesting for that plot or phase 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 in that plot or phase, unless otherwise agreed in writing.

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).

28. The development hereby permitted shall not be commenced until a surface water drainage strategy for the site, based on the agreed Flood Risk Assessment (FRA) Ridgeons Ltd Land at Ashdon Road, Saffron Walden, Essex CB10 2NH Reference: SJC/614633/JRC, 07 August 2013 has been submitted to and approved in writing by the local planning authority. Prior to the commencement of development on each plot or phase, a detailed surface water drainage plan for that plot or phase which responds to the content of the approved surface water drainage strategy shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage plan shall include a restriction in run-off and surface water storage on site as outlined within the FRA and within surface water drainage strategy, giving priority to infiltration should ground conditions permit. The approved surface water drainage plan shall subsequently be implemented in accordance with the approved details before the development on that plot or phase is completed.

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)

29. Prior to the commencement of development no drainage works shall commence until a site wide surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. Prior to the commencement of development on each plot or phase, a detailed surface water management plan which responds to the content of site wide surface water management strategy shall be submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water management strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding, in accordance with, in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

30. Before the commencement of development on each plot or phase of the development, details of plant/machinery, noise and dust mitigation for that plot or phase shall be submitted to and approved by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

REASON: In the interest of protecting the residential amenity of existing and future residents and the amenity of the locality, in accordance with Policy GEN4 and GEN2 of the Uttlesford Local Plan (adopted 2005).

31. Prior to the commencement of development on each plot or phases details relating to the non-residential units in terms of proposed use, and operators for each commercial unit/plot together with an updated associated Highway Assessment and Air Quality Assessment shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approved details.

REASON: In the interest of protecting the residential amenity, highways and pedestrian safety and air quality from unacceptable levels of increased vehicle movements in accordance with Policy GEN1, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005).

Appendix

UTT/13/2423/OP - (SAFFRON WALDEN)

(MAJOR)

PROPOSAL:	Outline application for redevelopment of the site to provide up to 1.25 ha of land to be used as a Builders Merchants and Yard (use Class B8), up to 0.47 ha of land to be used for offices and/or Research Development and/or Light Industrial (Use Class B1 (a), (b) and (C)), up to 1.16 ha of land for use as Business, general Industrial and Storage and Distribution uses (Use Class B1, B2 and /or B8), a Local Centre of up to 0.86 ha for uses falling within Use Class A1, including a local retail store (with the net A1 retail floor space limited to 279m2), a café/ restaurant/ public house (Use Class A3 and A4), a hotel (Use Class C1), up to 167 dwellings including affordable housing (Use Class C3) to be provided on 4.78 ha of land, together with public open space, landscaping and the provision of supporting infrastructure including replacement substations, and the demolition of existing buildings, with all matters reserved except for access
LOCATION:	Ashdon Road Commercial Centre, Ashdon Road, Saffron Walden
APPLICANT:	Ridgeon Properties Limited
AGENT:	Januarys Consultant Surveyors
EXPIRY DATE:	10 December 2013
CASE OFFICER:	Maria Shoesmith

1 NOTATION

- 1.1 Development Limits, Within 500m of Oil pipes, Protected Verge, adjacent to County Wildlife Site, 500m of AQMA, Airport Safeguarding, Archaeology

2 DESCRIPTION OF SITE

- 2.1 The application site is located north east of Saffron Walden, north of Ashdon Road also east and to the rear of the properties that are located on De Vigier Avenue. To the north and west of the site is open countryside. Ten Acre Wood lies to the north of the application site, Whitehill Wood is situated to the north east and Pounce Wood to the southeast of the site. Opposite the application to the south of Ashdon Road is a current housing and commercial

scheme which is being developed (UTT/0400/09/OP) The subject application site comprise of 13 hectares of commercial industrial units.

- 2.2 The Ashdon Road Commercial Centre is one of the largest employment sites in Saffron Walden with a number of business that are located within 12 warehouse and industrial units which vary in size, with a majority of the buildings being located along the eastern part of the site.
- 2.3 There are large areas of concrete hardstanding surrounding the built form. Many of the buildings on site date back to 1950s and 1960s and many are showing to be beyond economic repair
- 2.4 The main owner and occupant of the land is Ridgeons, a retail warehouse industrial unit for construction materials. The buildings on site are large in scale and are dominating. Although boundary vegetation and topography mean that the site is well screened to the west and south and partly screened close up along the east and north. There are large grassed areas either side of the access which form terraces at the southern end of the site, which is framed a native hedgerow, with levels falling steeply to meet Ashdon Road. A drainage pond is located to the west of the site. There is a hedge which runs along the southwestern edge which bounds the rear gardens of properties along De Vigier Avenue, together with other native and coniferous planting.
- 2.5 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.
- 2.6 The site is stated to be located on the mid-slopes of the valley sides north-east of Saffron Walden between 80 and 90 AOD (above ordinance datum). Generally the site slopes from north to south, with parts being terraced to accommodate the commercial buildings. These areas of ground levels are linked by concrete ramps and access roads. There is a vegetated area of higher ground is located to the north of the site at 93.5m AOD. From this point the ground levels slopes steeply down on both sides. The northeastern part of the site has a hardstanding area at 91.5m AOD. From this point of hardstanding area the levels fall to the main development area of approximately 84m AOD. From the developed area the ground falls further away to the south with a gradient slope increasing at the southern edge of the site to meet Ashdon Road. The ground slopes up away from the buildings along the eastern boundary. A dismantled railway line runs along the eastern edge of the boundary located within a cutting and it is surrounded by dense trees and scrub
- 2.7 There are no public rights of way which run through the site.
- 2.8 The application site is surrounded by various constraints in the form of having high pressure oil pipes which run through the site, being located adjacent to a County Wildlife site, part of the sites frontage is protected special verge. The site falls within the airport safeguarding zone by which no buildings can exceed 15m in height, also the application site is located within 500m of the designated Saffron Walden Air Quality Management Area. ANCO Oil storage facility is located southeast of the application site. There are two oil pipelines which

cross the site and are connecting to the oil storage facility, one running north-south down the center of the site and the other across the southwestern corner of the site.

- 2.9 There is an existing electricity substation which is located to the northwestern corner of the application site. This is stated to form a noise constrain on the site and that residential dwellings would need to located at least 10m away from the noise source together with a range of noise mitigation measure to be proposed in the form of an acoustic noise barrier and upgraded glazing to those immediate dwellings.

3. PROPOSAL

- 3.1 The application is for outline planning permission for the demolition of the various industrial units on site and sites redevelopment comprising of the following;
- Up to 167 residential dwellings, including affordable housing covering an area of 4.78ha;
 - Replacement Builders Merchants and Yard for Ridgeons on 1.25ha;
 - Up to 0.47 ha of land to be used for offices and/or Research Development and/or Light Industrial (Use Class B1 (a), (b) and (C));
 - Up to 1.16 ha of land for use as Business, General Industrial and Storage and Distribution uses (Use Class B1, B2 and /or B8);
 - A Local Centre of up to 0.86 ha for uses falling within Use Class A1, including a local retail store (with the net A1 retail floor space limited to 279m²), and a up to a 40 bed hotel (Use Class C1) with a café/ family restaurant/ public house (Use Class A3 and A4)
- 3.2 The proposed scheme also includes the provision of public open space, landscaping and the provision of supporting infrastructure including replacement substations with all matters reserved except for access.
- 3.3 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. It is stated that there would be a variety of housing sizes ranging from 1 to 5 bedroom dwellings. The table below shows an indicative breakdown of the proposed dwellings;

Indicative Housing Mix

Dwelling Type	Tenure			Total
	Private	Affordable Shared Ownership	Affordable Rented Housing	
1 bed flat			5	5
1 bed house		3	6	9
1 bed bungalow			2	2
2 bed house	10	10	17	37
2 bed bungalow	4	1	1	6
3 bed house	42	7	13	62
4 bed house	36		2	38
5 + bed house	8			8
TOTAL	100 (60%)	21 (12%)	46(28%)	167 (100%)

- 3.4 The application would involve the necessary highway improvements in the form of amended roundabout and contribution towards highway improvements in order to accommodate the proposed development. The access is the only detailed part of the application. It is proposed that the whole scheme would be accessed from the existing access which is proposed to modify the radius. The road would thereafter split into a T-junction segregating the access to the residential development from the commercial activities. It is proposed that there would be a separate footway/cycle way link.
- 3.5 It is stated that the proposed scheme would accord with both ECC Parking Standards (2009) and the Uttlesford Local Parking Standards (February 2013) at providing 1 space for 1 bed dwellings, 2 spaces for 2 and 3 bedroom dwellings, and 3 spaces for 4 and 5 bedroom dwellings, with 0.25 visitor spaces per dwelling. An illustrative parking strategy has been submitted as part of the application which indicates that the spaces would be predominately provided on-plot and others would be provided on parking courts. It is proposed that the convenience store would have a short stay parking provision and further parking to the rear. The hotel restaurant parking would be broken up by trees and shrubs to soften the appearance and the employment sites would have small court yard parking areas.
- 3.6 Within the master plan some of the key design principles would be to maintain and recreate

green corridors both in terms of level of open space, preserving and enhancing wildlife, residential landscape buffer zone between the proposed residential and the re-developed commercial units. The heights of the proposed development would be up to 9m for the commercial element (with the exception of the retail/residential building) which is the equivalent to 2 storeys. The residential development around the perimeter of the site would also be up to 9m in height, with a number of bungalows that is proposed within the scheme. The illustrative core of the residential scheme would be up to 10.5m in height (equivalent to 2 ½ storeys). The average density across the site would be 35 dwellings per hectare.

- 3.7 It is proposed as part of the application that there is a phasing scheme which would be essential to the implementation of the development both in terms of decanting businesses and the financial release of funds to enable the re-development. This is proposed as follows;

Phase 1: The initial phase would see the delivery of about 42 dwellings on vacant land within the southern part of the site to enable the existing Ridgeons site to continue to trade. Demolition of the existing warehouse, in Phase 2 would commence during this phase;

Phase 2: The Ridgeon's site, B1 plots, the hotel, restaurant and store with 5 over sailing apartments would then be developed. The existing Ridgeon's site would continue trading until the new site has been developed;

Phase 3: Following relocation of Ridgeons Phase 3 would see the development of approximately 84 dwellings;

Phase 4: Development of B1 plots and B2 and/or B8 development to the rear of the site;

Phase 5: Final phase of residential development would see the delivery of about 36 dwellings;

Phase 6: The final employment phase would see the completion of the B1 plots and B2 and/or B8 development to the rear of the site.

- 3.8 The application seeks for a flexible consent in terms of the commercial floorspace it is allowed to develop with a maximum specified and due to the fact that the scheme is speculative at this moment in time flexibility in the buildings uses, types and sizes. The table below breaks down the commercial space proposed.

	Maximum Land Area Coverage (hectares)	Maximum Floorspace Area Coverage (square metres)
Ridgeons Site (Use Class B8)	1.25	3741
B1 (a) Offices	0.47	2021
B1 Office and /or Research and development and/or light Industrial	0.4	1720
B1 and/or B2 and/or B8	1.16	3225 (B1)
		2926 (B2)
		3750 (B8)
Restaurant and/or Public House	0.86	325
Local Store	Part of above	335 (net sales 279)
Offices	Part of above	115
Hotel (C1)	Part of above	1000 (40 beds)
Total:	4.14ha	12,183-13,007 sqm

3.9 It should be highlighted that the application is for outline consent and all matters are reserved apart from access and therefore other than highway matters it is the principle of the application which is under consideration. Details of design and scale of the buildings are a reserved matter. However, should the accumulative size of a particular floorspace be considered to have a detrimental impact upon the highways etc. then this could be conditioned at outline if reasonable should planning permission be granted.

4. APPLICANT'S CASE

4.1 The following documents have been put together by a highly experienced and professional team submitted in support of the application;

- Saffron Walden Market Overview Statement (Januarys Consultant Surveyors, September 2013);
- Planning Statement(Januarys Consultant Surveyors, September 2013);
- Town Centre Uses Statement (GL Hearn, September 2013);
- Development Appraisal Report (CONFIDENTIAL - Januarys Commercial Properties Consultants, September 2013);
- Design and Access Statement (Hankinson Duckett Associates, September 2013);
- Consultation Statement (GL Hearn, September 2013);

- Building Condition Survey (Forbes Associates, August 2013) ;
- External Lighting Statement (MLM, 6 September 2013);
- Landscape and Visual Assessment Plus Appendices (Hankinson Duckett Associates, September 2013);
- Hedgerow Assessment (MKA Ecology Limited, September 2012);
- Phase 1 Habitat and Ecological Scoping Survey (MKA Ecology Limited, 20 April 2010);
- Ecological Report Summary (MKA Ecology Limited, August 2013);
- Badger Survey (CONFIDENTIAL - MKA Ecology Limited, July 2010);
- Reptile Survey (MKA Ecology Limited, 3 November 2010);
- Great Crested Newt Surveys (MKA Ecology Limited, July 2010) ;
- Bat Surveys (MKA Ecology Limited, July 2013);
- Breeding Bird Surveys (MKA Ecology Limited, July 2010);
- Botanical Survey (MKA Ecology Limited, 26 August 2010);
- PADHI Compliance Summary (Forbes Associates, August 2013);
- Flood Risk Assessment (MLM, 7 August 2013);
- Transport Assessment (SLR, September 2013);
- Travel Plan (SLR, September 2013);
- Air Quality Assessment (Air Quality Consultants Limited, 22 August 2013);
- Noise Assessment (Cass Allen Associates, 2 September 2013) ;
- Sustainability Energy Report (MLM, 5 September 2013);
- Utility Services Report (MLM, 4 September 2013);
- Preliminary Contamination Assessment Report (MLM, September 2013);
- Pre-Design Site Waste Management Plan (MLM, June 2013);
- Archaeological Desk Top Assessment (Cambridge University Archaeology Unit, October 2012)

4.2 A statement has been submitted by Ridgeons which stated the following;

4.2.1 Ridgeons is one of the UK's largest independent Timber and Builders Merchants, supplying all the materials and services required to construct residential and commercial properties to the trade, professional DIY'ers and retail customers. Ridgeons supply over 18,000 products including showrooms displaying kitchens and bathrooms, heating and plumbing, sustainable products, hire equipment, landscape, timber and building materials.

4.2.2 Ridgeons has strong link with Saffron Walden since 1958, have been located at the former Acrow site since 1987 and this Branch together with that provided in Cambridge, are the busiest and most active in the business portfolio. These two branches form the hub of the business. The retention of the Saffron Walden Branch is therefore of up most importance to the business.

4.2.3 The Saffron Walden Branch employs 85 staff and generates 20% of the Group's sales. There are over 5,500 account held by customers based in and around Saffron Walden with between 500 and 600 customers visiting the site each day to collect and order products.

4.2.4 Ridgeons also has strong community links in the form of the Ridgeon Community Fund

providing grants to Saffron Walden Explorer Scouts, the Thaxted Centre for the Disabled and Support4sight. Annual staff fund raising for Help the Heroes in Carver Barracks is also undertaken while support is given to local events such as St Mary's Church Saffron Walden Festival of Flowers, Ashdon Primary School PTA and Saffron Walden Carnival.

- 4.2.5 The existing branch was created in 1980s by a refurbishment. Overtime this has been this has been further altered and refurbished, but has now pasted its economic life. The building has become very expensive to maintain for both heating and lighting and it no longer complies with current environmental standards. The way products are handled, stored and displayed has also improved over the past 25 years and there is no longer a need for such a large building and outside storage areas. Customers are looking for more efficient way to buy and collect materials. While improvements have been delivered in other locations, the Saffron Walden Branch is now in need of urgent improvement.
- 4.2.6 The new Branch will be modelled on other new Ridgeons sites that have been provided across the region over the last few years. This is a proven model that has successful in offering the same range of products and services as currently offered, but on a more efficient site.
- 4.2.7 The Saffron Walden Branch will continue to provide the full range of products to our customer base in and around the town while supporting smaller Braches in the County. While the building and site are will be reduced, the overall scale of the operation will remain.
- 4.2.8 Their vision for the development is *“to create a sustainable, mixed-use development that provides a purpose built site for Ridgeon’s established Saffron Walden business, intensifies employment land uses to meet market need and provides market and affordable housing within a landscape structure and public open space.”*
- 4.2.9 The Design and Access Statement has been submitted in support of the application. It highlights that the main focus of the application is to upgrade and intensify the site’s employment land uses by providing accommodation that meets the current and future needs of businesses within the area. It has been stated that up to 400 jobs could be generated by the proposed development. The delivery of new houses will enable the redevelopment of the commercial and employment premises. The homes will also help meet the market and affordable housing requirements. The mixed use development will lead to greater opportunities to live close to locations of employment. The indicative master plan highlights areas of open space which would be within walking distance of the site. The application is located approximately 2km (1.24miles) from the town centre which provides various services and facilities, with the nearest school being within 20 minute walk from the site.
- 4.2.10 The proposal will make appropriate provisions to support existing services such as the schools and doctors surgery. The mixed use scheme also providing a small local store to provide top-up shopping for the new residents, users of the employment site and the existing residents close by.
- 4.2.11 The Design and Access Statement discusses the Saffron Walden’s historic character and

palette of materials. To the west of the application site it is stated that there is an urban context, with De Vigier having a suburban 20th Century character, with ground levels rising north of Ashdon Road, with some of the properties which are located on De Vigier Avenue on a lower ground level to Ridgeons. West and east of the application site there are wide roadside verges, with mature hedges and open space. It is acknowledged within the Statement that there is a transitional change in character from Elizabeth Way eastwards towards the application site from a residential character to a more commercial character, the commercial units and the oil storage facility.

4.2.12 The density levels change throughout various areas of this part of town. The proposed development is stated would reflect its brownfield current status and have a density of approximately 35 dwellings per hectare. The development is not intended to replicate a pastiche of historic forms, but to identify the underlying principles that can be applied to the architecture and townscape of this new development. Principles that will be considered is variation in building heights and density, using buildings to frame well-proportioned streets and spaces and establishing green spaces and opportunities for planting which are integrate to the development.

4.2.13 The site currently takes access from Ashdon Road and would remain to be the main and sole access into the site. The area is enclosed and has restricted pedestrian permeability. There is a single pedestrian access at the site's south-western corner (closest to town), and extends to the town centre. There is a network of footpaths to the western end of Ashdon Road through the common. There are bus services no. 29 and 59 serving Ashdon Road, with bus stops close to the site. The bus service connects to Audley End Railway Station. The service however is stated to be irregular particularly during the day.

4.2.14 Improvements to the existing transport network such as footpath enhancements and improved bus service provision could be provided to minimise additional car journeys on the existing network. This has been further demonstrated through the accompanying transport assessment.

4.2.15 In terms of ecological constraints it is stated that these have been taken into account the design process, with the majority of the highest value habitats being retained and mitigation measures proposed for any loss of habitat.

4.3 Statement of Community Engagement:

4.3.1 Two public consultation events were held at the Ridgeons site, Ashdon Road (13th June 2013) and at St Mary's Parish Rooms (15th June 2013) with morning, afternoon and evening sessions to allow convenient public attendance. The consultation was widely publicised through stakeholder letters, website, local media and door knocking. 209 people were stated to have attended the consultation events over the course of the two days, following 1,061 letters being sent to local residents and businesses within a specified area. A separate consultation was undertaken for Ridgeons employees and on-site tenants. 70 completed feedback forms were received following the public consultation.

4.3.2 The feedback from the consultation highlighted the following design and access considerations:

- The proposal should carefully consider the amenity of adjacent dwellings on De Vigier Avenue;
- People acknowledge both the physical need to redevelop the old buildings and welcome the regeneration of more employment;
- There were mixed views on the inclusion of homes however the need for affordable homes in Saffron Walden was acknowledged;
- Landscape and open space should be well considered;
- Consideration should be given to traffic and infrastructure.

5. RELEVANT SITE HISTORY

- 5.1 There have been numerous individual applications for various developments and changes of use on site however none that are considered to be of relevance to this application. There are other applications within Saffron Walden which are considered appropriate to take into consideration in terms of a wider strategic level in the form of the following;
- 5.2 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;
- 5.3 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;
- 5.4 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.
- 5.5 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.
- 5.6 UTT/2208/10/REN – Granite Site - Renewal of approved planning application.
- 5.7 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.

- 5.8 UTT/0400/09/OP - Land At Ashdon Road - Mixed use development comprising the construction of 130 residential units (37 units of affordable housing) and approximately 3800 square metres of Class B1 employment land with associated access points, play areas, open space, landscaping and associated ancillary works – Granted July 2012
- 5.9 UTT/13/2060/OP - Land South And North Of Thaxted Road - Outline application with all matters reserved except access for residential development of up to 300 dwellings, pavilion building, extension to skate park and provision of land for open space/recreation use, including an option for a new primary school on a 2.4 ha site – This was presented to the 11 December 2013 Planning Committee with a recommendation of approval subject to S106 and conditions. This was deferred subject to the submission for further information relating to highways and education relating to the lack of primary school places.
- 5.10 UTT/13/3467/OP - Land South Of Radwinter Road - Outline planning application for either a residential development of up to 230 dwellings; Class B1 Business floorspace, extra care housing within Class C2, provision of public open space or for development of up to 200 dwellings, Class B1 Business floorspace, extra care housing within Class C2, provision of public open space, provision of land for a one form entry primary school; together with associated infrastructure including roads, drainage, access details from Radwinter Road and Shire Hill, with all matters reserved except access. This application is currently under determination.
- 5.11 A Screening Opinion has been undertaken regarding the proposed development in the form of the following;
- UTT/13/1044/SCO - proposed development of circa 170 residential dwelling and Circa 12,000m² commercial floor space. The Screening Opinion concluded that an EIA would not be required (dated 14th May 2013). The submitted application has not altered the scope of the scheme therefore the Screening Opinion issued is considered to still be relevant in receipt of this application.
- 5.12 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
- SW6 Safeguarding Existing Employment Areas
- 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
- 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
- RET1 Shops and other Town Centre Uses

7. SAFFRON WALDEN TOWN COUNCIL COMMENTS

- Significant weight should be given to the policies of the adopted local plan due to their consistency with the NPPF.
- The proposed development is contrary to the local plan for 6 reasons;
 - Safeguarded employment land and part of the housing which is proposed is on previously undeveloped land;
 - There would be a loss of playing field and open amenity land which will not be replaced;
 - The main road access to the site is not capable of carrying the additional traffic that would be generated and the scheme would fail to encourage the use of other means of transport other than by car;
 - Fails to accord with biodiversity policies as the information submitted to assess the impact is inadequate to make an informed decision;
 - There would be a loss of rare grass from the special road verges;
 - Does not provide the necessary school places that is required;
 - There is an existing water stress
 - Excessive upgrades to existing sewage network maybe required
 - Land contamination unable to tell the extent of the problem;
 - The generation of jobs would not be enough to outweigh the impact of the scheme.
 - The adverse impacts of the proposed development would include impact upon traffic congestion and its accumulative impact, the location of the scheme is not sustainable, not in respect of the housing element being provided within a 5 year period.
 - The proposed development would detract from the area as it would result in the loss of amenity space and due to infrequent transport provision, unsuitable location, no school provision and would contribute to unacceptable levels of air quality

8. CONSULTATIONS

Network Rail

- 8.1 No comments.

ECC Archaeology

- 8.2 Submitted desk based assessment has identified substantial damage to the development area by the existing development, associated landscaping and pipelines. Little of the original area survives and Records show no deposits within the site based on the above no recommendations are made.

Fisher German

- 8.3 Apparatus in area and currently in discussions with the landowner. Plans should not be relied on for excavation or construction purposes.

UDC Housing

- 8.4 40% Affordable housing required, 5% wheelchair accessible.

NATS

- 8.5 No safeguard objections

Anglia Water

- 8.6 No assets owned by Anglia Water. Informative required and condition relating to surface water management strategy.

Affinity Water

- 8.7 Located in Ground water protection zone.

ECC SUDs

- 8.8 It is noted from the FRA (paras. 4.1 and 4.3) that soil infiltration testing has not been carried out and therefore the potential for SuDS infiltration has not been investigated in any detail. Further testing, analysis and design will be needed to determine the scope for the use of infiltration techniques (if applicable).
- 8.9 The proposed illustrative Surface Water Drainage (drawing nos. 614633/110 to 113/P1) appear to show surface water from the various catchment areas draining via extensive piped drainage systems into underground attenuation structures before discharging via flow control devices at pre-development greenfield rates to existing culverted watercourses.
- 8.10 We would ideally look for surface SuDS features to be used in the place of pipework and underground storage structures as their performance is much easier to observe and maintenance/access is easier to undertake.
- 8.11 Strongly promote SuDS features (e.g. swales, filter strips, basins, ponds and wetlands etc.) rather than pipes, soakaways and underground storage structures.
Support drainage 1:100 year rainfall

ECC Minerals & Waste

- 8.12 Initially objected on grounds of sterilizing minerals.

- 8.13 26/9/2013: following discussions it has come to light that the application site is a safeguarded employment area. Policy S8 in the emerging Replacement Essex Minerals Local Plan does not apply to land already allocated in adopted local development plan documents. As such the holding objection originally communicated to you on the 17th September no longer applies. The Minerals Planning Authority would instead like to return a response of 'no comment' against this application.

UDC Environmental Health

- 8.14 The worst case predictions result in virtually unchanged emissions with or without the development at key junctions within the AQMA, and consequently no mitigation to counteract any increases in emissions has been proposed. The assessment has acknowledged there will be an increase in cars on local roads as a result of the development, and the increased emissions from cars will be counteracted to an extent by a reduction in the current number of HDV's using the site. There is a risk that the number of cars when combined with committed development or development approved in the interim has been underestimated or not possible to account for, with associated adverse effect on queuing traffic at the key junctions and consequent higher proportionate emission of nitrogen dioxide from queuing traffic.
- 8.15 The location of the development increases the need to travel to and from the west of Saffron Walden to access services and wider road network, and current exceedances of air quality standards at junctions within AQMA without mitigation.
- 8.16 The Draft Local Plan requires that development within or affecting the AQMA will be expected to contribute to a reduction in levels of air pollution, and to reduce the need to travel by car, which the proposal fails to do.
- 8.17 The noise assessment has identified that small areas of the proposed residential accommodation will be subject to noise from traffic on Ashdon Road at levels which exceed the reasonable design criteria of BS8233. A condition is recommended to require submission at the detailed stage of a scheme of design and mitigation to ensure that no noise sensitive development is subject to noise levels exceeding the reasonable design levels during the day and good design levels during the night, as set out in BS 8233.
- 8.18 The revised location of Ridgeons yard provides adequate separation distance to meet the criteria, and the proposal has the benefit of increasing the separation distance from existing noise sensitive development.
- 8.19 The introduction of new commercial and industrial activities may give rise to new noise sources which cannot be assessed at the outline stage. It is therefore recommended that noise from fixed plant is controlled by a condition requiring an assessment at the detailed stage to be carried out under BS4142, where appropriate to use. A scheme of design and mitigation measures must be submitted and approved to achieve a specific noise level at the closest noise sensitive receptor from all plant combined of no more than the

background noise level measured during operation of the site, and if a noise is identified as having tonal content it should be reduced by a further 5dB.

- 8.20 There is a high risk that the buildings to be demolished or refurbished will contain asbestos, and it is recommended that an informative is included to carry out the development in accordance with the UDC Code of Development Practice which contains advice on the control of asbestos containing material, and references to the standards expected by the Council with regard to contamination.
- 8.21 The proposed lighting on the site may cause loss of amenity from glare to current and future residents on site and in close proximity to the site.

NB: Since the above comment have been submitted, further correspondence between the applicant and the UDC EH has confirmed that there is no objection on air quality grounds, and that the comments on the planning application are to intend awareness of the issue regarding certain consented development not being included in the traffic data, interested to see what effects the additional consented development would have on traffic flows and welcome the Travel Plan as a contribution towards air quality mitigation.

Following Additional Traffic Data submitted:

The revisions to the traffic data are acceptable and I confirm my query has been resolved and that I have no additional comments relating to air quality. Obviously I would support planning obligations to increase capacity of the roundabout, and more general mitigation measures to encourage occupiers and visitors to the site to use non-car based modes of transport.

HSE

- 8.22 No comments on restaurant and retail aspects, relating to open space, hotels, to the residential dwellings; and to the commercial units.

Airside OPS Ltd

- 8.23 No objection to application but should wind turbines be proposed this would have an impact upon safe operation of aircraft.

ECC Education

- 8.24 Additional provision will be needed at early years and childcare, primary and secondary level and that this development would add to that need. Therefore request that should planning permission be granted a S106 contribution request for £178,331 early years and childcare provision, £522,343 for primary and £529,023 for secondary education provision on the basis of the development for 167 houses all with 2 or more bedrooms equating to a total of £1,229,697 (indexed linked to April 2013 costs, PUBSEC index).

N.B: It should be noted that the applicant has clarified the mix of dwellings would include a proportion of 10 no. x 1 bedroom dwellings therefore the contribution should be based on 157 dwellings of which the request has been amended to the following by ECC Education, for £167,652 early years and childcare provision, £491,065 for primary and £497,345 for secondary education provision, equating to a total of £1,156,062.

NHS

- 8.25 Holding objection, 167 dwellings is likely to have a significant impact upon NHS funding program. Application does not include a Healthcare Impact Assessment. There is an overall capacity deficit in the catchment surgeries and a developer contribution of £38,400, 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 payable before first occupation. Based on Policies SP7 & SP17 of draft Local Plan (2012) & Para 17, 69, 70, 156,162 &196 of NPPF.

Sport England

- 8.26 Object: To any development which would lead to the loss of or prejudice the use of playing fields. The application site to the south west up until recently the area of open space has been partially marked out as football pitch for a number of years. Whilst it is accepted that the field is not marked out now it has been and therefore a former playing field. Housing is proposed on this part of the site and there are there is no mitigation for this loss. There is no exception criteria i.e. excess of playing field pitches in UDC; the proposal is not ancillary to the principal use of the site as a playing field, no current proposals for its replacement.
- 8.27 It has also been stated that whilst SE accepts that the draft local plan is at an early stage the Open Space, Sports Facility and Playing Pitch Strategy (2012) for the whole district is an up to date assessment of the district's needs.
- 8.28 Based on the size of the number of dwellings proposed it is too small to justify on-site sports facilities. There are currently no off-site financial contributions towards community sports facility provision and would be willing to withdraw objection if this was to change.

Natural England

- 8.29 Initial response: Statutory nature conservation sites – no objection. Based upon the information provided, Natural England advises the Council that the proposal is unlikely to affect any statutorily protected sites or landscapes. Bats – No objection subject to condition, Great crested newts – No objection
- 8.30 Further to additional information being submitted; No objection. The proposed amendments are unlikely to have a significant different impact than the original proposal.

Environment Agency

- 8.31 Letter dated 4/10/2013: The FRA submitted with this application does not comply with the requirements set out in paragraph 9 the Technical Guide to the National Planning Policy Framework. The submitted FRA does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. The submitted FRA fails to demonstrate that surface water will be managed in a sustainable manner in line with the NPPF. Recommend land contamination conditions. Initial Objection on lack of FRA
- 8.32 Further to information submitted a letter dated 21/10/2013 from EA stated: No objection regarding FRA subject to condition.

Highways

- 8.33 Initial Holding response further information required regarding Trip rates, committed development and growth, speed survey, access, special verges, junction models, Bus strategy and turning area, and possible contributions towards highways. More analysis of the TA will be undertaken of which even further queries may arise.
- 8.34 Final response following the submission of additional information requested: The proposed development is located on a site with existing commercial use, and therefore its impact on the Highway Network has been measured within this context. While the number of trips will increase, the reduction in size of the existing store and change of use of the site means that the number of HGVs on the local network is forecast to decrease. The development will have an impact on the general network in Saffron Walden and specifically on Ashdon Road, therefore mitigation is required, this includes capacity improvements at the Ashdon Road/Church Street/Common Hill, reconfiguration of the parking on Ashdon Road and a contribution to the package of Highway measures identified in the Uttlesford Local Plan Highway Impact Assessment (Oct 2013), as well as provision of bus infrastructure; some enhancement of bus services; walking and cycling links; and the implementation of travel plans for the residential and commercial development on the site.
- 8.35 Assessment of the evidence put forward in the Transport Assessment and associated Technical Papers concludes that the impact of the development can be mitigated, if the following conditions are met. Therefore the Highway Authority would not wish to raise an objection to the above application subject to the conditions outlined.

UDC Landscape Officer

- 8.36 The proposed landscape strategy for the development is considered to be sound. For the greater part existing landscape features are shown on the illustrative masterplan to be retained. The proposed new planting of native species to reinforce existing vegetation at the northern and eastern edges of the site would form an appropriate treatment to the boundaries reflecting the wooded characteristics of the countryside beyond. The establishment of a natural and semi-natural open space in the

northern part of the site and the proposed formation of a landscaped corridor segregating the residential and employment areas is considered appropriate.

- 8.37 An external lighting statement has been submitted which sets out the lighting strategy for the proposed development. The strategy is to provide a 'dark sky' design with no upward light spill. It is proposed that all external lanterns would be mounted a zero degree inclination and have a flat glass protector, giving no upward light spill.
- 8.38 There are no significant arboricultural implications in respect of the proposed development.
- 8.39 There are high value boundary tree belts situated around the perimeter of the site which provide important screening elements. For the greater part these tree belts are shown to be retained on the illustrative masterplan. There is an area of high value scrub vegetation (Identified as Area A on the Tree Constraints Plan) surrounding a pond in the western part of the site which for the most part is shown to be removed. However, the outer part is proposed to be retained to maintain its site boundary screening function. There are two low value areas of shrub (Areas D and E) in the north eastern part of the site which are shown to be removed. The removal of this vegetation, which consists mainly of hawthorn and blackthorn, is not considered to have significant landscape impact.
- 8.40 There are very few individual trees on the site. There is a mature field maple situated in the north of the site which is considered to be of high value and this is showing to be retained on the illustrative masterplan.
- 8.41 There is an existing native species hedgerow which runs along part of the Ashdon Road frontage of the site. This hedge run is shown to be retained as part of the landscaping of the proposed development.

Uttlesford Area Access Group

- 8.42 Would like to see a stronger commitment to the issues of access for disabled people within the Design and Access Statement. All dwellings should meet Lifetime Homes Standards and appropriate number allocated for wheelchair accessibility. Commercial units should be accessible.

UDC Access and Equalities Officer

- 8.43 The site would need to meet SPD on Accessible Homes and Playspace. There is a requirement for eight dwellings to be constructed to Wheelchair Accessible Homes Standards and this needs to be across all tenures, not just in the affordable sector. Advocate the provision of bungalows on this site to meet this need particularly in view of the proposed shop and restaurant facilities to be developed. Access to all retail outlets and the public open space will need to be designed to be accessible for all users. It has been noted that it is difficult for a wheelchair user relating to safe crossing along this road and this would increase with more vehicles and therefore would need to be

considered.

ECC Ecology

- 8.44 Initial Response: No objection subject to 106 - The proposal is acceptable providing that delivery and long-term management of the Biodiversity Mitigation and Enhancement Plan is secured through the section 106 agreement under 'Open space provision and management' and appropriate obligations to protect the biodiversity of the site are imposed.
- 8.45 Further to additional information being submitted: It should be ensured that no Calcareous grassland is destroyed. To create a reptile habitat in the mitigation areas. The final masterplan should take into account the following; cat fencing, retention of the Calcareous grassland to the western perimeter and improving the wildlife corridor.
- 8.46 Replacement Calcareous grassland replacement has been confirmed would be greater than 1:1 ratio and that the grassland would not be destroyed through the creation of reptile habitat. It is unclear where the reptile fencing and footpaths would be. Disappointing that western areas of the grassland have not been retained. The wildlife corridor down the centre of the site would have competing pressures. Appreciate that the application is outline and many of the concerns could be addressed at the reserved matters stage, nonetheless the masterplan is an indication of intentions.

UDC Special Verges

- 8.47 Initially objected to impact upon special verge and alteration to the access, also the loss of Calcareous grassland which is very rare habitat
- 8.48 Further to additional information being submitted; Still object on the same grounds, however if the application is approved there is the opportunity to mitigate for the damage by translocation of grass from the area to be destroyed on areas of the entrance. Detailed ecological provisions are proposed but not provided therefore should planning permission be granted conditions relating to wildlife protection plan, biodiversity mitigation and enhancement plan, lighting strategy and up to date bats and badgers surveys to be provided.

Essex Wildlife Trust

- 8.49 Two responses received (4 October 2013 & 29 November 2013): Loss of green open space, impact on special verges both side of entrance rare species Sulphur Clover, existing population of bats and lizards and increased pressures on the population, need for management plans for open greenspace and nature conservation. The verges would not be managed. Intensification of site would lead to erosion of lizard population through the introduction of household pets (i.e. cats). The corridor running through the site would not provide for wildlife enhancement. The development would be harmful to conservation of biodiversity.

Essex Field Club

- 8.50 Two responses received (7 October 2013 & 26 November 2013): Object no species desk studies undertaken to inform the ecological survey. The information submitted only provides information on statutory and non-statutory local wildlife.

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 25 objections and 48 standard petition letters have been received raising the following planning points:

- Traffic and congestion accumulation of developments in area,
- Surface water flooding in area on roads and gardens from the farmland,
- No need for additional housing;
- No infrastructure provision (schools and healthcare);
- No amendment to road infrastructure to cater for development;
- Parking;
- Junction capacity;
- Need to carry out traffic survey;
- Object to hotel;
- Alternative road required to cope with traffic;
- Loss of open space and sports;
- Poor location of Play Park;
- Road works;
- Accumulative traffic from commercial and housing;
- Poor Air quality;
- Near fuel storage facility;
- Mixing uses;
- Contrary to policy;
- Unsustainable;
- Loss of employment and employment land;
- Miss judged impact upon highways;
- Highway and pedestrian safety;
- Requirement for highway improvement financial contribution
- No facilities for pedestrian or cycling;
- Impact upon countryside;
- Scheme is in wrong location;
- Object to a new storage and distribution business being proposed;
- Unlikely that another Pub would be viable;
- There should be a speed reduction to 20mph along Ashdon Rd plus another traffic calming methods and a ban on very long HGVs;
- Vital that school paces are provided in time to meet the need of the new dwellings;
- Support an electric bus running from the site across town and back;

- Open spaces would need to be accessible;
- Can find where passivehaus dwellings and school will be built;
- The proposed convenience store should not take the form of a supermarket;
- Renewable energy has not been properly addressed;
- Impact upon town centre shops;
- The area has low unemployment therefore the scheme is not needed;
- Surface water drainage problems due to ground level differences and land being built on;
- Houses will not be affordable;
- Ecology;
- Size of hotel is inappropriate;

2 letters of support were submitted raising the following points;

- There is a need for more housing and jobs;
- Scheme would provide 67 affordable homes;
- Provide local jobs;
- It would safeguard Ridgeons as an employer;

1 letter was submitted raising the following comments;

A 51 page letter from WeAreResidents has been submitted in objection of the application raising the following points;

- Generally support the intent of the proposals but object to certain aspects;
- The application is better than others that have been submitted in that it provides an integrated development of houses an employment and support efforts in bringing forward underused employment land;
- Support the development of employment uses;
- Do not support the removal of playing field/open space. Might support scheme if this was retained and housing is scaled back and other issues are addressed.
- Would like to support the remained of the development but;
- Cannot see how the additional traffic can be accommodated on Ashdon and Radwinter Roads, or the rest of Saffron Walden network with meaningful mitigation and not clear how this can be provided;
- Due to the location of the site it would increase level of air pollution and worsen existing unlawful levels;
- No sustainable transport;
- Need to address the infrastructure demands of the development such as education;
- Application is contrary to local plan policy and it is unsustainable contrary to the NPPF and therefore should be refused in its current form;
- Site is allocated safeguarded employment and would be significantly reduced, particularly following the loss of other employment sites to residential;
- Creation of cross traffic within SW as a result;
- The Marketing statement claims the shortage of office space and the increase in rentals and expect a continuation in such demand if true then should not be allowing residential use,

- unless it can be demonstrated there is only a demand for that specific amount of office space;
- Argument made that it is uneconomic to develop commercial and require residential to subsidise it development makes no sense, if case profits should be used elsewhere;
- Contrary to draft policy regarding change of use;
- Site has never been previously identified for non-employment development and although the draft plan carries little weight the site was previously rejected as a potential site in 2012;
- No mention regarding the loss of open space to residential;
- The application relies on the draft local plan of which has evolved, and carries little weight;
- Not clear where the applicant would make an education contribution of £1.4m to address the lack of education provision; a financial contribution would be insufficient a new primary school is required;
- TA fails to identify the queuing length or junction capacity of the main SW junctions; a realistic TA is required;
- It has been stated by the council that the link road between Radwinter Rd and Thaxted Rd is an essential component, there is no evidence that this would be built, this application should be refused unless firm obligation that this road would come forward;
- Residents parking should be retained on Ashdon Rd;
- ECC Air Quality assessment indicated that the levels will get and traffic from development, therefore a realistic air quality assessment is required however application should still be refused for producing a material car movement which will affect air quality, scheme should only be allowed if it would reduce the limits at each junction to within the legal limits

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, contamination and Oil Pipelines

A Principle of development

Principle

- 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 within the development limits of Saffron Walden and is therefore

Local Plan Policy S1 (Development Limits for the Main Urban Areas) applies. This states “...*The following development will be permitted within these boundaries: Major urban extensions, if in accordance with this plan; Development within the existing built up areas, if compatible with the character of the settlement and, in addition, for sites on the edge of the built up area, its countryside setting*”. Local Plan Policy SW6 relating to Safeguarding Existing Employment Areas identifies the Ashdon Road site as a key employment consisting of an area of 12.83ha and the policy seeks to protect such employment land. This is also emphasised within Local Plan Policy E2 (Safeguarded Employment Land).

- 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. This has found the plan was 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. The NPPF supports well designed new buildings to support sustainable growth and expansion of all types of business and enterprise, and therefore must be weighed against the other sustainability principles. These will be discussed further in Section 10.9 below.
- 10.4 The application site lies with the development limits and is safeguarded employment land, designated as brownfield land. The application site and that which is designated safeguarded employment land encompasses an area of open space which is located to the front of the site.
- 10.5 There have been a number of objections from third parties and Sport England regarding the loss of the open space. Whilst it has been informally used by public with a short term agreement (10 month, 1 September 2012 to 30 June 2013) with the local football team, this is not a formal or protected open space/playing field, and it is enclosed by security chain link perimeter fencing with gated access either end which are periodically locked. Private land notices are erected around the site. A large section of this space is overgrow and has steep ground level changes. It has been stated that this parcel of land has not been developed on as Ridgeons desired to maintain a clear sight from the highway of their own premises.
- 10.6 The application seeks to redevelop 60% of the site for commercial use and retain a proportion of the open space to the front of the site. The principle of the redevelopment, of the site accords with Local Plan Policy S1, and the replacement of the commercial units with Policy E2 of the adopted Local Plan in this respect.

Need

- 10.7 The applicants have argued at the time of submission that Uttlesford cannot demonstrate an adequate 5 year supply of housing land. 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. The Council recognised until recently that it had a shortfall, and that it should consider favourably applications for sustainable residential development which will make a positive contribution towards meeting housing need. That shortfall was met at the Planning Committee meeting 12 February 2014. A further update will be provided at the

meeting.

- 10.8 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. Whilst the 5 year land supply has been met we need to ensure that this is maintained. 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.
- 10.9 The LPA has a duty to determine all applications and against the NPPF. 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.
- 10.10 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. 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. It is stated that the employment site would provide serviced plots to meet local need. It is emphasised that the residential element of the scheme is required to enable and support the redevelopment employment element through the provision of a mixture of dwellings and tenures. The proposed top-up convenience store together with the proposed hotel and restaurant would form the core of the whole development. As discussed in Section 3.8 above flexible consent is sought regarding the commercial uses to ensure that the scheme is capable of responding to market demand without compromising the viability of the development and being able to still provide and retain an element of industrial floorspace on site. The redevelopment of the commercial buildings for improved modern facilities is capable of increasing the generation of jobs from 120 to anything between 431 to 720 jobs. The configuration of the illustrative master plan indicates the generation of approximately 533 jobs. The proposed development would support existing local services and provide the possibility of small start-up businesses in the office space proposed. This proposal would help deliver an economic role
- 10.11 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 significant

proportion of bungalows and a range of dwelling sizes. 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, new footpaths and cycle routes. The location of a local shop, hotel, restaurant, and a variety of commercial employment the scheme seeks to achieve a sustainable health environment which could reduce the need for travel by private vehicle. This proposal would help to deliver a social role.

- 10.12 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. A large proportion of open space is retained to the front and rear of the site and landscaped buffer strips and margins are indicated to be incorporated into the scheme. It is indicated that as much as is possible the special grass verge that provides a rear flora species is retained. Also, an existing landscaped mound to the north of the site that is a reptile habitat is proposed to be retained within the development. This proposal would help to deliver an environmental role.

The proposals would help to fulfil the three principles of sustainable development.

- 10.13 The site has since been included within the further draft allocation sites and was presented at the 1 November 2013 Local Plan Working Group. The LPWG report stated that the existing employment site is in a poor state of repair and coming to the end of its useful life. It stated that a 100% commercial would not be viable on this site and that enabling development in the form of residential would be required. This draft policy seeks for a mixed and balanced community to include bungalows, wheelchair accessible and bungalow housing, mixed commercial floorspace and informal recreation.
- 10.14 The main argument for the mixed use development is that the existing buildings on site are under occupied and are beyond viable economic repair. The buildings have been constructed between mid-1950s to 1970. Ridgeons have owned and occupied the site since the 1980s and the business has grown and operated from the building it occupies. A purpose built unit is required to enable the business to operate efficiently and to enable the business to grow. It has been stated that the running costs of the site are high in maintenance and repair. The buildings are falling into a state of disrepair and some have already been condemned as not fit for occupation. A Building Conditions Report has been submitted in support to demonstrate this.
- 10.15 While many of the buildings are still occupied these are at peppercorn rents to just cover building rates. The site as a whole is not generating a rental value and frequent repair bills exceed the income generated. More and more of the buildings are stated to be set aside as unfit accommodation. The Building Conditions Survey highlighted that Ridgeons has spent over £1.5million over the last 10 years on essential repairs and ongoing maintenance to keep the buildings occupied. It states that all the buildings on site are deteriorated with

significant typical issues of leaking roofs, dampness, damage and general deterioration, outdated finishes and fittings, also outdated mechanical and electrical services. It goes on to say that the cost to upgrade the buildings now to current acceptable standards is estimated being at least £10million. As a result the site is needed to be redeveloped to provide more appropriate type and quality of buildings with modern facilities that can be viably marketed and occupied.

- 10.16 As part of the application a Marketing Report has been undertaken and submitted this outlines the current market trends. This outlined that the office market is in good health and that there was a lack of such office space available. The industrial market is not as strong with many of the industrial buildings aging and vacant, yielding a low rental return. The report emphasised that there were no formal hotels within Saffron Walden which provided overnight stay and as a result of this and the size of the population there is the support for a small budget hotel (40-50 beds). Similarly that with the low vacancy rates of A1 shops within Saffron Walden and the increased residential population in this part of the town there is the demand for a small local store (279 sqm) to serve the immediate location. The Employment Land Review (2011) also concluded that there is a lack of modern office accommodation to meet the needs of Saffron Walden and there is a current surplus of B1(c), B2 and particularly B8 units in Saffron Walden. This application responds to these findings.
- 10.17 The varied mixed use development has been configured to enable viable economic redevelopment of the commercial units. To facilitate the development is proposed to be phased to release such funding which is required to allow uninterrupted continued use of the Ridgeons whilst construction is ongoing. Whilst the proposed new commercial units have been offered to existing tenants the scheme remains speculative at this stage and therefore flexibility in the size of the units and commercial use of the proposed buildings is required as part of the application submission. The flexibility in sizes and the mixture in uses are proposed to ensure that the commercial buildings are viably redeveloped without being compromised by market demands, and in turn ensuring that the scheme is deliverable. A Viability Appraisal has been submitted in support of the application. This breaks down the cost of construction of various land uses from 100% commercial to the illustrative proposed scheme and it has been demonstrated that the construction of pure commercial is not viable and would incur a deficit in land value which would prevent such a development from being implemented.
- 10.18 The golden thread through the NPPF is encouraging sustainable economic growth, securing economic growth in order to create jobs and prosperity. The NPPF states *“Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.”* It goes on to state *“policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances.....(it should) facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.”* Where the adopted Local Plan identifies the application site as a key employment safeguarded site, the economic market has clearly changed during this

period whereby 'developers' are having to look at enabling development to drive schemes forward and ensure that they are viable and deliverable. This application is a classic example of this. The NPPF also makes clear that "*Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.*" Whilst approximately 40% of the site is proposed to be released to residential this is to provide a variety of optimum generating employment uses on site with the added flexibility in responding to speculative market demand.

- 10.19 Considering the above the proposed development 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. The development is considered to be sustainable development. The partial loss employment land to residential to enable facilitating the site's commercial redevelopment is considered acceptable and therefore the principle of the proposal is acceptable, in accordance with Local Plan Policies S1, E2, and SW6, and overall in accordance with the NPPF.

Town Centre Impact

- 10.20 The proposed local convenience store is stated to have a floor area of 270sqm, together with the 'budget' hotel of approx. 40 bed with ancillary restaurant are considered to be town centre uses. Where such town centre uses are proposed out of centre then an impact assessment is required. The proposal falls below the required threshold (2,500 sqm); therefore such an assessment is not required. Nonetheless, a result a Town Centre Statement has been submitted in support of the application. This has been assessed by the LPAs retained retail consultants, Savills (Bristol). **See Appendix A**
- 10.21 Whilst Local Plan Policies E2 seeks to safeguard employment, and Policy LC5 permits hotels within development limits; the NPPF similarly to the former PPS4 and Local Plan Policy RS2 seeks to protect town centres. The NPPF states "*Where an application fails to satisfy the sequential test or is likely to have significant adverse impact on one or more of the above factors, it should be refused.*" The submitted statement outlines that a sequential assessment has been undertaken identifying sites that are specified within the Local Plan and the LPAs Retail Capacity Study/ Draft Local Plan. These sites have been concluded to be unsuitable and unavailable; therefore the application site is sequentially more preferable. As a result the proposed hotel and ancillary restaurant are considered acceptable as employment generating uses. This view was reinforced by the Savills' assessment of the Town Centre Uses Statement.
- 10.22 With regards to the proposed local convenience store, the emerging plan identifies some 790sqm of which this has been consumed by the Aldi application on Thaxted Road (UTT/13/0268/FUL). It has been outlined within the application submission that the store would be small and due to its size restricting the amount of stock that can be offered, and

therefore would only serve the neighbouring population as a top-up store. This argument has been discussed within Savills response “*GL Hearn suggest that “there is no existing top up retail provision exists within this area and there is a clear demand for local top up facilities if a sustainable mix of uses are to be provided locally”. We have therefore applied an 800m radius from the application site. Within this area there is the existing Tesco Supermarket at Radwinter Road which also has an extant planning permission (Ref. UTT/1323/09/FUL) for an extension comprising 886 sq m net comparison floorspace and 388 sq m net convenience floorspace. The permission does not expire until August 2014. Also within this area is the northern part of an emerging allocation, under Policy 1 of the draft Local Plan, for land to the east of Saffron Walden for 800 residential dwellings, 6 ha of employment land and a local centre including 790 sq m of convenience floorspace. There is therefore existing and proposed foodstore provision within 800m of the application site which is capable of satisfying demand for local convenience shopping facilities for both main food and top-up shopping. We therefore consider that there is not a quantitative or qualitative deficiency so as justify the provision of a local convenience store at Ashdon Road and, in any event, the site is not sequentially preferable to the existing Tesco store and its extension or the emerging local centre allocation (Policy 1). The rationale for providing a store on Ashdon Road is not therefore agreed.*

- 10.23 Whilst the rational for proposing the retail store has not been accepted, the illustrative masterplan reflects the viability of the scheme. Even though 40% of the site would provide residential this together with the proposed mixed use commercial aspect of the development would enable the commercial development and facilitate in increasing the level of employment generated on site by at least 3.5 times. This is considered to be a material planning consideration in light of the NPPF and therefore considerable weight is added to this outweighing the harm of allowing town centre uses in this location, in this instance. This application therefore generally accords with Local Plan Policies RS1, RS2, Draft Local Plan Policy RET1, and the core of the NPPF in this respect.

B Design

- 10.24 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 Polices SP1 and DES1.
- 10.25 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, within Development Limits and on a commercial industrial area. There are a number of existing large buildings on site which range from 5m, building located to the northern part of the site, 6.5m - 7.5m high in the centre of the site, and 9.5m high along the western boundary. There are three large warehouse buildings which are sited (two no.) to the front and one to the rear of the site ranging 11 -11.5m in height.
- 10.26 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. An illustrative heights plan has been submitted as part of the application which specifies that around the perimeter of the site the proposed building would be up to 9m in height (equivalent to 2 storeys), including the commercial buildings, with the exception of the retail/residential building, and the core of the residential up to the centre of the site being up to 10.5m which would allow a flated development above the proposed retail store and 2 ½ storeys on dwellings less sensitively sited. It is stated that the proposed hotel would be domestic in scale and in balance with the architecture of the residential dwellings that would form the frontage of the western part of the site, of the elevation would be broken-up through the use of differing materials.

- 10.27 Open space area is proposed to the south and protected open space area to the north of the site with pedestrian footpaths and cycle routes linking these. This combined with perimeter landscaped boundary treatment would provide a green link through the site, which would connect wildlife habitats. The scheme would provide a mixture of alternative routes through the site which connects each of the uses such as paths, open spaces, shared surface mews roads and footways, which would provide differing characters throughout the proposed scheme. The employment zones are also proposed to be landscaped.
- 10.28 It is also stated that parking would be a mix of on-plot and court yard parking.
- 10.29 An illustrative masterplan has been submitted showing various aspects of the development, some also showing below standard gardens to the proposed residential dwellings. It should be noted that the application is outline with all matters reserved apart from the access, and the scheme is for up to 167 residential dwellings therefore fewer dwellings could come forward, should outline consent be granted. An illustrative plan showing the size layout of the proposed dwellings has also been submitted, of which it is considered that the size of dwellings could be re-arranged to address any amenity space shortfall. Nonetheless, it has been confirmed within the application that the scheme will comply with the Essex Design Guide regarding amenity space provision, in accordance with Local Plan Policy GEN2.
- 10.30 A children's play space is indicated within the illustrative master plan which would link up with a green corridor.
- 10.31 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.
- 10.32 In terms of principles of sustainable design, it has been stated the design of the scheme would be of such whereby it would encourage pedestrian movement with ease of access to bus stop and the proposed local convenience store and public open space. The proposed mix use of the development has been designed to reduce the need to travel and encourage sustainability.

10.33 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 features such as passive solar gain. This is in accordance with Policy GEN2 and Supplementary Planning Document for Energy Efficiency and Renewable Energy (October 2007).

C Highways

10.34 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."

10.35 Local Plan Policy GEN1 seeks sustainable modes of transport which is reflected within National Planning Policy Framework and Draft Local Plan Policy SP15.

10.36 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 and a bus turning facility are proposed within the application site. There are bus stops along Ashdon Road. Audley End train station is approximately 3 mile southwest from the site and the M11 is located west of the town.

10.37 The site is located within 15 minute walk to the local leisure centre, on key employment sites and 5/10 minute walk to other employment sites, a large food store and a 10/15 minute walk the community hospital, schools and the edge of the historic town centre.

10.38 A Transport Assessment and a Travel Plan has been submitted as part of the application. Some of the measures identified within the Travel Plan to reduce the use of private car include investigating the potential of a diverted bus service into the site incorporating a bus turning facility, footway and cycleway improvements both on and off site, and a car share scheme.

10.39 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. The development is considered to accord with Local Plan Policy GEN1, Draft Plan Policy SP15 and the NPPF in respect of sustainable modes of transport and accessibility.

- 10.40 Different types of streets are proposed within the development. A main vehicle loop around the application site would have a carriage way of 4.8m with 2 footpaths of which at least one would be 2m in width. The majority of streets would be in the form of a mews having a width of 5.8m and combined pedestrian and vehicular surfaces. The north-south green corridor would have informal footpaths running through it. Minor access ways would have shared surface roads which would narrow at points to allow only pedestrian access. The minor access way would have a width of 4.8m with combined pedestrian vehicular surfaces and adjacent grass verges. A 3m wide footpath and emergency vehicle access is proposed along the frontage of the site.
- 10.41 The access into the site forms part of the determination of the application. One point of access is proposed for the application site. This is due to the Oil pipe constraints and also due to the gradient of the land which would need to be cut into and the level of vegetation removal which would have an unacceptable impact. Nonetheless, it has been stated that the existing pedestrian access could be widened to provide alternative emergency vehicle access. It is proposed that the access will be marginally modified to provide visibility splays of 2.4m x 90m. By providing this visibility splay it would only slightly affect the special verge which is located to the front of the site. This would be later discussed in terms of ecological impact. In terms of highway safety no objection was raised regarding the proposed access, therefore the scheme is considered to accord with Local Plan Policy GEN1.
- 10.42 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.
- 10.43 An Assessment of Highway Impact of Local Sites 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 does not highlight the main junctions immediately surrounding the application site as having currently no capacity issues in either peak hour.
- 10.44 Within the Transport Assessment (TA) it states that the development would result in 91 additional vehicular trips in the AM peak hour and 93 additional vehicular trips in the PM peak hour. The number of expected additional trips over the whole day is 572 movements. It has been stated within the submission that "while the development will therefore result in an additional traffic impact, 80% of the development's trips, the daily total of which 2932 trips, is off set by the existing daily movements of the existing site, the total of which is 2360." A further traffic appraisal relating to the residential element states that in the AM

peak hour there would be 20 arrival and 52 departures, and in the PM peak hour there would be 56 arrivals and 32 departures. This is likely to marginally alter subject to final tenure and dwelling type approved. A strategy addressing mitigating the additional 572 trips has been set out within the TA, which includes off-site highway improvements to increase highway capacity. These improvements include a traffic management scheme to enforce parking restrictions on Ashdon Road and improvements of the Radwinter Road and Thaxted Road junction. Other measures are proposed in terms of increasing and improving sustainable forms of transport in the form of walking, cycling and public transport. It is proposed as part of the application that there would be remodeling of the roundabout at the Ashdon Road/Castle Hill junction which would increase its capacity as a result of the proposed development.

10.45 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. The TA concluded that a combination of the proposed improvement measures will ensure that the additional trips that the development would generate would not materially affect the existing road conditions and that the measures would enhance highway capacity.

10.46 The Highway Authority has assessed the application and has made the following comments *“The proposed development is located on a site with existing commercial use, and therefore its impact on the Highway Network has been measured within this context. While the number of trips will increase, the reduction in size of the existing store and change of use of the site means that the number of HGVs on the local network is forecast to decrease. The development will have an impact on the general network in Saffron Walden and specifically on Ashdon Road, therefore mitigation is required, this includes capacity improvements at the Ashdon Road/Church Street/Common Hill, reconfiguration of the parking on Ashdon Road and a contribution to the package of Highway measures identified in the Uttlesford Local Plan Highway Impact Assessment (Oct 2013), as well as provision of bus infrastructure; some enhancement of bus services; walking and cycling links; and the implementation of travel plans for the residential and commercial development on the site.*

Assessment of the evidence put forward in the Transport Assessment and associated Technical Papers concludes that the impact of the development can be mitigated, if the following conditions are met. Therefore the Highway Authority would not wish to raise an objection to the above application subject to the conditions”

10.47 In considering the above the proposed development is acceptable in terms of highways subject to recommended conditions, 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

10.48 A Landscape and Visual Impact Assessment has been submitted as part of the

application.

- 10.49 There is very limited landscaping within the application site however the site benefits from dense vegetation along the perimeter of the site. Two dense areas are off site along the former railway to the east of the site and a dense area of scrub to the southeast of the site. Scrub areas identified as areas A, D and E are likely to be removed are part of the proposal, with only area A which includes a pond, being of high amenity value. Within the submitted Arboricultural Implications Assessment this is stated would have a low degree of impact.
- 10.50 The site is presently well screened with limited glimpses from public footpaths at a distance. The proposal would remove the large run down warehouse/industrial units from the site and would be replaced with lower, more modest scale buildings. This together with an integrated landscaped enhancement of the site would make a positive contribution on the landscape character and appearance of the area. It is stated that the visibility of the site would reduce following its redevelopment and the implementation of an enhanced landscaping scheme.
- 10.51 The UDC Landscape Officer has stated that “*The retained boundary hedgerow, scrub and trees help contain views of the site from the wider countryside and provide high value habitat from breeding birds. It is stated that this would be retained and enhanced with the additional of new planting. The existing steep slope which exists to the north of the site would be maintained as a semi-natural and natural public open space.*” A detailed lighting scheme would need to be sensitively designed in terms of the impact this could have upon the wider locality, residential amenity and ecology. The Landscape Officer has stated that the lighting scheme is considered important due to the typography of the site and the sensitive relationship between the mixtures of the uses regarding their integration. An external lighting statement has been submitted which sets out the lighting strategy for the proposed development. The strategy is to provide a ‘dark sky’ design with no upward light spill. It is proposed that all external lanterns would be mounted a zero degree inclination and have a flat glass protector, giving no upward light spill.
- 10.52 The proposed landscape strategy for the development is considered to be sound. For the greater part existing landscape features are shown on the illustrative masterplan to be retained. The proposed new planting of native species to reinforce existing vegetation at the northern and eastern edges of the site would form an appropriate treatment to the boundaries reflecting the wooded characteristics of the countryside beyond. The establishment of a natural and semi-natural open space in the northern part of the site and the proposed formation of a landscaped corridor segregating the residential and employment areas is considered appropriate.
- 10.53 Overall the Landscape Officer has raised no objection regarding arboricultural implications and concluded that there would not be a significant landscape impact. 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

Air Quality

- 10.54 An Air Quality Assessment (AQA) has been submitted as part of the application. This outlined that various assessments have been undertaken in order to establish whether the proposed development would have an adverse detrimental effect upon sensitive junctions within the Air Quality Management Area. Increased traffic emissions have been modelled on 19 worst case receptors representing properties where impacts are expected to be at their greatest, also air quality at the application site boundary was looked at in order to assess whether the site would be suitable for residential properties. It was concluded within the AQA that come 2020 the receptors are predicted to be below objectives for coarse and fine particles whether the proposed development is implemented or not. This outcome was similar to that for nitrogen dioxide levels. The proposed development would only marginally increase traffic levels on local roads which would lead to a small change in air quality.
- 10.55 Air quality levels along the sites closest boundary was identified as being acceptable in a worst case scenario, thereby concluding that there was no constraint to the proposed residential scheme anywhere on site. The overall air quality impact of the proposed development was concluded within the Air Quality Assessment to be insignificant taking into account uncertainties of future projections.
- 10.56 Environmental Health assessed the AQA and confirmed that *“the worst case predictions result in virtually unchanged emissions with or without the development at key junctions within the AQMA, and consequently no mitigation to counteract any increases in emissions has been proposed. The assessment has acknowledged there will be an increase in cars on local roads as a result of the development, and the increased emissions from cars will be counteracted to an extent by a reduction in the current number of HDV’s using the site. There is a risk that the number of cars when combined with committed development or development approved in the interim has been underestimated or not possible to account for, with associated adverse effect on queuing traffic at the key junctions and consequent higher proportionate emission of nitrogen dioxide from queuing traffic. The location of the development increases the need to travel to and from the west of Saffron Walden to access services and wider road network, and current exceedances of air quality standards at junctions within AQMA without mitigation. The Draft Local Plan requires that development within or affecting the AQMA will be expected to contribute to a reduction in levels of air pollution, and to reduce the need to travel by car, which the proposal fails to do.”*
- 10.57 Since the initial comments have been received, further correspondence between the applicant and the UDC EH has confirmed that there is no objection on air quality grounds, and that the comments on the planning application are to intend to raise awareness of the issue regarding certain consented development not being included in the traffic data, interested to see what effects the additional consented development would have on traffic flows and welcome the Travel Plan as a contribution towards air quality mitigation. Following Additional Traffic Data being submitted Environmental Health have been

re-consulted and have confirmed that the revisions to the traffic data are acceptable and confirmed their queries have been resolved and have no additional comments relating to air quality, they support provisions to increase capacity of the roundabout, and more general mitigation measures to encourage occupiers and visitors to the site to use non-car based modes of transport. In considering the above the scheme is in accordance with Local Plan Policies GEN4 and GEN2, also Draft Local Plan Policies EN5 and EN6.

Amenity

- 10.58 A Noise Assessment has been submitted as part of the application. In terms of amenity there is an existing electricity substation that provides a source of noise emissions. It is stated within the application submission that there would need to be a distance of 6m safety exclusion zone with a 2m sterile zone for maintenance access. To mitigate the noise the nearest dwelling would be no more than 10m and with the erection of acoustic fencing, and the provision of upgraded housing facades and glazed windows to mitigate the noise. Should planning permission be granted details of this would need to be submitted for approval.
- 10.59 Environmental Health have raised that the introduction of new commercial and industrial activities may give rise to new noise sources which cannot be assessed at the outline stage. It is therefore recommended that noise from fixed plant is controlled by a condition requiring an assessment at the detailed stage to be carried out under BS4142, where appropriate to use. A scheme of design and mitigation measures must be submitted and approved to achieve a specific noise level at the closest noise sensitive receptor from all plant combined of no more than the background noise level measured during operation of the site, and if a noise is identified as having tonal content it should be reduced by a further 5dB. Should planning permission be granted this can be conditioned.
- 10.60 The noise assessment has identified that small areas of the proposed residential accommodation will be subject to noise from traffic on Ashdon Road at levels which exceed the reasonable design criteria. Should planning permission be granted a condition would be required regarding details of design and mitigation to ensure that no noise sensitive development is subject to noise levels exceeding the reasonable design levels during the day and good design levels during the night.
- 10.61 The design layout shows an indicative illustration of how the scheme could be laid out with the dwellings located to the western half of the site (north to south) and commercial uses located along the eastern half of the site (north to south). Where the proposed development abuts the existing sensitive residential dwellings on De Vigier Avenue bungalows are proposed as part of the larger residential area. As part of the Design and Access Statement cross sections have been provided to illustrate the relationship between the existing properties which front onto De Vigier Avenue and the proposed dwellings. This particularly has been done to address the issue of ground level difference between the application site and the properties located on De Vigier Avenue. Two-storey to two-storey dwelling back to back distances are 45m. The back to back distance from the existing two-storey dwellings to the proposed bungalows would be 21 to 52m back to back. 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.

- 10.62 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, and play space areas (LEAP). An 8m wide planted green corridor with informal footpaths is proposed to form a buffer between the residential and the commercial uses. It is also proposed that B1 office spaces/retail unit would be the closest commercial use to the residential units, of which it is stated that these would be orientated at an angle to mitigate any visual or residential amenity issues. The design of the open spaces would be further detailed at reserved matter stage should planning permission be granted.
- 10.63 The existing residents would be far enough removed from the new housing so that there would be no issues of overlooking or overshadowing. It has been confirmed by Environmental Health that the revised location of Ridgeons yard provides adequate separation distance to meet the criteria, and the proposal has the benefit of increasing the separation distance from existing noise sensitive development.
- 10.64 There is a high risk that the buildings to be demolished or refurbished will contain asbestos. This has been confirmed within the Building Conditions Survey submitted. Environmental Health recommended that an informative is included to carry out the development in accordance with the UDC Code of Development Practice.
- 10.65 The proposed lighting on the site may cause loss of amenity from glare to current and future residents on site and in close proximity to the site. This has been discussed above within Landscaping Section.
- 10.66 The scheme is considered to accord with Local Plan Policy GEN4 and GEN2 and Draft Plan Policy EN5.

F Infrastructure provision to support the development

- 10.67 The application site has been allocated within amendments to the Draft Local Plan as being a commercially mixed use site, providing an element of residential. No infrastructure provision has been identified within the LPWG report other than highway impact would need to be considered.
- 10.68 The following is proposed to support the development in terms of infrastructure and mitigation.
- Open space*
- 10.69 The public open space including playspace areas situated within the residential part of the development to be transferred to the Town Council or Management Company.
- Highways*
- 10.70 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;

- The construction of the Ashdon Road/Castle Hill roundabout;
- A financial contribution of £80,000 towards the implementation/construction of the Wenden Road cycle path link scheme or 16% of the total cost, whichever is the lower.
- A £120,000 for contribution towards the town centre works has been identified as a need to address the cumulative impact of the Ridgeons development, the evidence for this need is within the *Uttlesford Local Plan Highway Impact Assessment (Oct 2013)*.

Education

- 10.71 A payment of an education contribution relating to the number of school places generated by the application has been confirmed will be paid. This will address the education capacity issues that have been raised. For a scheme of 157 units providing 2 or more bedrooms as per the illustrative masterplan it has been confirmed that a financial contribution of £167,652 towards early years and childcare provision, £491,065 for primary and £497,345 for secondary education provision, equating to a total of £1,156,062 will be made to mitigate the impact upon education as a result of the development.

Health

- 10.72 Whilst a holding objection has been raised by the NHS seeking £38,400, 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 payable before first occupation, this has been included within the S106 Heads of Terms.
- 10.73 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, Draft Local Plan Policy SP17 and the NPPF.

G Mix of Housing and Affordable Housing

- 10.74 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 67 units should 167 units in total be approved at reserved matters.
- 10.75 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 achieve 5% bungalows (equating to 4 units) to meet wheelchair accessible housing need, however on the indicative plans this is indicated to be 8 units on the illustrative masterplan. 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.

- 10.76 Indicative plans have been submitted as part of the application which highlights possible layout for the proposed dwellings including the location of the bungalows and affordable housing. The indicative layout for affordable housing clustering shows that there are two clusters which have 12 and 11 dwellings, which is more than the cluster of 10 units which is sought after. The cluster of 12 also being close to another cluster of 4 units. It is considered that scheme being provided in phases which is essential to enable the development come forward and the applicant ensuring that 40% of affordable housing is provided in each phase has made the cluster of affordable housing slightly challenging. Nonetheless, it is considered that this is still achievable. 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

- 10.77 A Phase 1 Ecological Assessment of the site has been undertaken and submitted with the application, together with individual separate studies as identified in paragraph 4.1 above. The ecological habitats and constraints have been identified on the application site. These include the Ashdon Road verges, areas of important grass land, the presence of reptiles, both existing and enhanced reptile habitat, areas along the western boundary and to the south of the site where there is current open space, potential bat roosts and the areas of scrub forming the eastern and western perimeters of the site which have been identified as high value habitats for breeding birds. There is Calcareous grass verges at the front of the site entrance which is designated as a Local Wildlife Site. This is stated that it would be retained as a natural/semi natural open space. A small element would be lost due to the realignment of the vehicular access as a highway safety measure. It has been proposed within the submission that the element that would be lost could be relocated to the north of the site as compensation. Other mitigation measures have been outlined within a letter from the applicant dated 14 November 2013 in terms of careful management and protection of the verge to ensure its protection.
- 10.78 Whilst the site is predominately of buildings and hardstanding and generally of low ecological value the surveys has concluded the following. A bat roost was located within Unit 2 which is stated serves a single Common Pipistrelle roost, other than this the general bat activity within this area was found to be low. It is proposed that a replacement roost location would be provided on site to mitigate any loss. A population of lizards was recorded on site with suitable reptile habitat around the existing northern perimeter of the site on a raised soil mound. A mitigation strategy is proposed at a more detailed stage, should planning permission be granted, involving capturing any reptiles in the affected area and translocating to new and enhanced habitat to the rear of the site. There would be landscaping along the boundaries, a spine of landscaping also forming a buffer between the proposed uses is indicated on the masterplan. A large proportion of the foreground

area is proposed to be maintained as open space, together with higher ground level located to the northern area of the site, which would have 'meandering' footpaths running through it. The northern landscaped element due to the ground level differences and the nature of the area it is proposed to be retained as reptile habitat. No impact upon Great Crested Newts is considered as the nearest population was off site some 400m. Whilst the site is within the 500m migrating distance there are other more suitable habitats closer than the application site, with the pond on site deemed as unsuitable. No harm or loss to breeding birds habitat would result with habitat being retained and enhanced as a result of the proposed developments landscaping scheme. A Badger survey undertaken found no presence of badgers on site therefore concluded that the development is unlikely to have an effect upon the Badger population.

- 10.79 Objections have been raised by Wildlife Trust, Essex Field Club, UDC Special Verges and ECC Ecology surrounding various points namely the impact upon the special Calcareous grassland, and the landscape corridor. These points have been addressed through the proposed translocation of a ratio greater than 1:1 of the grassland and a Management Plan and landscaping plan that would be approved at reserved matters stage, should planning permission be granted.
- 10.80 The Essex Field Club seeks for further surveys to be carried out on data which has been collected 2km from the site and there is no indication of such species being presence on site. Other information requested such as fencing details and management plans would be dealt with at reserved matters stage.
- 10.81 Whilst some impact would occur this is not considered to be detrimental and mitigation measures would be implemented through a Habitat Management Plan and the introduction of other landscaping and wildlife corridors within the site. This is considered to be in accordance with Local Plan Policies GEN2, GEN7 and Draft Plan Policies SP14 HE4, and the NPPF.

I Flood Risk and Drainage

- 10.82 Due to the scale of the proposed development a Flood Risk Assessment (FRA) 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. It is stated within the application submission that there is less than 1 in 1000 annual probability of flooding. There is a watercourse which runs up to the northwestern edge from the north and it is culverted running underneath the application site. The Flood Risk Assessment states that surface water runoff from the site can be discharged to the culverted watercourse at greenfield runoff rates (assuming a worst case scenario). The level of any underground storage is stated would depend upon further contamination assessment. An assessment of the risk of flooding to the site from minor sources concluded that this poses no significant flood risk to the site, this has been evidenced within the submitted FRA.
- 10.83 The drainage strategy for the site is stated will rely on disposal of surface water runoff to sewers. Due to the underlying geology it is unlikely that soakaways would be viable. The

Sustainable Drainage Solutions SuDS using infiltration drainage should be used wherever possible. It has not demonstrated that this is achievable at this stage. This would be developed at the reserved matters stage should planning permission be granted. 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

- 10.84 Archaeological Assessment has been submitted as part of the application this highlighted that there were a low number of finds/features in this area which was considered to be unusual for such a historic town. It has been suggested that the installation of the fuel pipeline and the development of the existing commercial site is likely to have resulted in almost total loss of any archeological remains within the site. This was concluded within the desktop assessment of the site. As a result no objection has been raised by ECC Archaeology. This is in accordance with Local Plan Policy ENV4, Policies SP13 and HE3 of the Draft Local plan and the NPPF.
- 10.85 A contamination survey was undertaken and submitted as part of the application. The investigation highlighted potential contamination risks of many of the large and small units due to the nature of the previous uses. There is evidence of extensive, although localized, oil and fuel storage/dispensing. Recommendations for investigating pollutants linkages and removal of asbestos surveys have been made to address this. No objection has been raised regarding contamination from either UDC Environmental Health or by the Environment Agency subject to 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.
- 10.86 With regards to the prevention of the watercourse contamination, the development site falls within Groundwater Source Protection Zones and overlies a Principal Aquifer the Environment Agency 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.
- 10.87 The oil pipeline which extends from the AMCO storage facility through the application site provides a hazardous constraint. As indicatively illustrated, the proposed built form is designed to be located away from the lines that run through the spine of the site and along the front boundary. A PADHI Compliance Summary has been submitted as part of the application. The HSE service has been consulted regarding the application as a result no comments or objections have been raised. None the less they would need to be re-consulted on a more detailed design should planning permission be granted.
- 10.88 In terms of aerodrome safeguarding this is not considered to be of concern as the proposed development would be reduced in height in comparison to what currently exists on site.

11. Conclusion

- 11.1 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.
- 11.2 The principle of the development and the need has been demonstrated. The proposed development 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. The development is considered to be sustainable development. The partial loss employment land to residential to enable facilitating the site's commercial redevelopment and its viability is considered acceptable and therefore the principle of the proposal is acceptable, in accordance with Local Plan Policies S1, E2, and SW6, and overall in accordance with the NPPF.
- 11.3 With regards to the proposed town centre uses, whilst the rationale for proposing the retail store has not been accepted, the illustrative masterplan reflects the viability of the scheme. Even though 40% of the site would provide residential this together with the proposed mixed use commercial aspect of the development would enable the commercial development and facilitate in increasing the level of employment generated on site by at least 3.5 times. This is considered to be a material planning consideration in light of the NPPF and therefore considerable weight is added to this outweighing the harm of allowing town centre uses in this location, in this instance. This application therefore generally accords with Local Plan Policies RS1, RS2, Draft Local Plan Policy RET1, and the core of the NPPF in this respect.
- 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 80% of the vehicle movement would be counter balance by the existing level of vehicle movement and the additional vehicle movement would be counterbalance by various sustainable transportation elements have been proposed as part of the application in the form of improved footpaths and cycle paths, and the proposed travel plans. Also, improvements to junctions through a financial contribution is proposed. 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. No objection has been raised by Highways Authority subject to conditions. In considering the above the proposed development is acceptable in terms of highways subject to recommended conditions 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).
- 11.6 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.

- 11.7 The site currently contains very limited landscaping; however the site is well screened from public footpaths at a distance. The proposal would remove the large run down warehouse/industrial units from the site and would be replaced with lower, more modest scale buildings. This together with an integrated landscaped enhancement of the site would make a positive contribution on the landscape character and appearance of the area. It is stated that the visibility of the site would reduce following its redevelopment and the implementation of an enhanced landscaping scheme. No landscaping objections have been raised. The scheme is therefore considered to accord with Local Plan Policy GEN2 and ENV3, also Policy C2 and HE5 of the Draft Local Plan.
- 11.8 The overall air quality impact of the proposed development was concluded within the Air Quality Assessment to be insignificant taking into account uncertainties of future projections. No objection has been raised by Environmental Health as a result however this response is also encouraged through the implementation of a travel plan and highway improvements. In considering the above the scheme is in accordance with Local Plan Policies GEN4 and GEN2, also Draft Local Plan Policies EN5 and EN6.
- 11.9 Whilst there are possibilities of noise sensitivities within the application site these could be controlled through conditions should planning permission be granted. No visual, overlooking or other forms of residential amenity (i.e. noise, dust and light pollution) impact are considered subject to conditions should planning permission be granted. The scheme is considered to accord with Local Plan Policy GEN4 and GEN2 and Draft Plan Policy EN5.
- 11.10 Various infrastructure is proposed as part of the application to mitigate the development, in the form of education, open space, health and affordable housing, in accordance with Policies GEN6, H9 and H10 of the Local Plan, Draft Local Plan Policies SP5, SP6, SP7, SP17, HO5 and HO6, also the requirements of the NPPF.
- 11.11 In terms of ecology whilst some impact would occur this is not considered to be detrimental and mitigation measures would be implemented through a Habitat Management Plan and the introduction of other landscaping and wildlife corridors within the site. This is considered to be in accordance with Local Plan Policies GEN2, GEN7 and Draft Plan Policies SP14 HE4, and the NPPF.
- 11.12 No adverse impact is concluded upon heritage assets, in accordance with Local Plan Policy ENV4, and Policies SP13 and HE3 of the Draft Local plan and the NPPF.
- 11.13 No objection has been raised regarding contamination, Flood risk, oil pipelines and aerodrome safeguarding 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) Contribution to NHS of up to £38,400 for up to 167 dwelling units or pro rata per dwelling
 - (ii) Highway works contribution (£120K)
 - (iii) Travel Plan
 - (iv) Travel Plan monitoring
 - (v) Contribution towards Education
 - (vi) Open space provision and maintenance, and transfer to Town Council or Management company
 - (vii) 40% affordable housing provision
 - (viii) Contribution of £80, 000 towards the implementation/construction of the Wenden Road cycle path link scheme £80,000 (index linked) or 29% of the total cost, whichever is the lower;
 - (ix) A financial contribution of £5000 (index linked), to fund the implementation of a parking scheme along Ashdon Road;
 - (x) Pay Councils reasonable costs;
 - (xi) S106 monitoring contribution.
- (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 7 May 2014 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) Financial contribution towards NHS
 - (ii) Financial contribution towards highway works
 - (iii) Travel plan
 - (iv) Education contribution
 - (v) Provision of open space and Transfer of open space
 - (vi) A financial contribution towards the implementation/construction of the Wenden Road cycle path link scheme
 - (vii) Provision of 40% affordable housing
 - (viii) A financial contribution towards the implementation of a parking scheme

along Ashdon Road.

CONDITIONS:

1. Approval of the details of the layout, scale, landscaping, appearance and public open layout (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 Uttlesford Planning Authority. The details shall include how protection and mitigation measures for Legally Protected Species will be implemented prior to and during construction of the development in accordance with appropriate wildlife legislation. This shall include Method Statements. The development shall thereafter 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.

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, and Calcareous Grassland 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 translocation, creation and management during the life of the development hereby permitted, and mitigation for impacts upon identified protected and priority species, in accordance with the general principles outlined in the Summary Ecological Report (dated August 2013) and all appendices to that Report and shall, without prejudice to the foregoing, include:
 - (i) Aims and objectives of mitigation;
 - (ii) Extent and location of proposed works;
 - (iii) A description and evaluation of all 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 translocating, creating and establishing vegetation;
 - (ix) Appropriate management options for achieving aims and objectives;
 - (x) Prescriptions for management actions;

- (xi) Personnel responsible for implementation of the Plan;
- (xii) The Plan shall include demonstration of the feasibility of the implementation of the Plan including details of funding for delivery of the Plan and long-term management of the habitats;
- (xiii) Monitoring and remedial measures triggered by monitoring to ensure that the proposed biodiversity gains are realised in full.

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. Prior to development, an update bat and badger survey of the site shall be carried out to update the information previously submitted with the application together with an amended mitigation strategy to mitigate the impact of the development upon the identified protected species. The new surveys and mitigation strategy shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted and thereafter the development shall be implemented in accordance with the approved surveys and mitigation 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. Before the commencement of development details of boundary treatment for screening and noise mitigation details of the existing electricity substation shall be submitted to and approved in writing by the Local Planning Authority and thereafter implement in accordance with the approval details.

REASON: In the interest of residential amenity and safeguarding the development, in accordance with Policies GEN2, and GEN4 of the Uttlesford Local Plan (adopted 2005).

12. Before the commencement of development details of the proposed estate roads, spine road to serve the commercial sector which shall be of minimum carriageway width 7.3m, and 2m footways as shown in principle on the illustrative Master Plan, including layout, visibility splays, radii, turning, levels, gradients, surfacing, means of surface water drainage, lighting,

bus stops and any necessary Road Safety Audits, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with Highway Authority, and thereafter implement in accordance with the approved details.

REASON: To ensure roads/footways are constructed to an appropriate standard in the interests of highway safety, efficiency and accessibility in accordance with Policies GEN1 and GEN2 of the Uttlesford Local Plan (adopted 2005)

13. Before the commencement of development a Construction Traffic Management Plan shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority. This document should state how construction traffic will be managed including (but not exclusively) the management and provision of the following items:
 1. Suitable access arrangements to the application site in connection with the construction of the development,
 2. wheel cleaning facilities for the duration of the development to prevent the deposition of mud and other debris onto the highway network/public areas,
 3. turning and parking facilities for delivery/construction vehicles within the limits of the application site together with an adequate parking area for those employed in developing the site.
 4. Routing and timing of construction traffic, which should be discussed in advance with the Highway Authority to minimise impact on the local community.

And, thereafter the scheme shall be implemented in accordance with those approved details.

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

14. Before the commencement of development details of the provision of the proposed priority junction on to Ashdon Road, as shown in principle on the submitted drawing number TA/001 to include a 7.3 metre carriageway, two 2 metre footways, 15 metre kerb radii with 1:20 tapers over 25 metres on both sides, and 2.4m x 90m visibility splays. Details, including, means of surface water drainage, lighting, signing and Road Safety Audits, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority, and thereafter implemented in accordance with the approved details.

REASON: To provide highway safety and adequate inter-visibility between the users of the access and the existing public highway for the safety and convenience of users of the highway and of the access in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

15. Before the commencement of development details of the provision of the proposed pedestrian and cycle access on to Ashdon Road as shown in principle on the submitted Master Plan drawing, to consist of a shared use footway/cycleway 3.5m wide to include appropriate facilities to allow cyclists to enter and exit Ashdon Road, shall be submitted to

and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, and thereafter implement in accordance with the approved details.

REASON: To provide a convenient access for pedestrians and cyclists from the development to local amenities in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

16. No occupation of any dwelling shall take place until such time as the following have been completed to a standard to be agreed with the Highway Authority:

- (i) Ashdon Road/Church Street/Castle Hill/Common Hill mini roundabout: Provision of the scheme to provide increased capacity to the Ashdon Road/Church Street/Castle Hill/Common Hill mini roundabout to as outlined in principle on drawing number 101. OR payment of a financial contribution towards the scheme or any other such highway works in the vicinity deemed necessary to mitigate the impact of the development, and identified as part of a package of measures outlined in the Uttlesford Local Plan Highway Impact Assessment (October 2013).

Detail of works, including safety Audits, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, before the commencement of development .

- (ii) Gateway treatment to be provided to the east of the site, to include town entrance signs; any necessary Traffic Regulation Orders and a system of street lighting to compatible with the scheme to be provided in connection with the Land South of Ashdon Road development (UTT/09/0400 and UTT/09/0407). Details shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, before the commencement of development.

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

17. No more than 50 dwellings shall be occupied before the provision of a bus turning circle within the development. The turning circle is to include facilities to allow buses to turn without a reversing movement; provide convenient access for pedestrians; and a bus stop with the following facilities: shelter; seating; raised kerbs; bus stop markings; real time passenger information; flag and timetable casing. Details shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Highway Authority, before the commencement of development.

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

18. A bus service to the development through the enhancement and/or extension of existing services into and adjacent to the development in order to provide enhanced peak hour services to the town centre and rail station. The service shall be provided before the

occupation of the 50th dwelling unless otherwise agreed in writing with the Local Planning

REASON: To provide convenient access to bus services by ensuring that all dwellings are within 400m of a bus service in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

19. 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.

REASON: To ensure that appropriate parking is provided in the interests of highway safety and efficiency in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005) and Essex County Council's Parking Standards Design and Good Practice, September 2009 and Uttlesford Local Residential Parking Standards February 2013.

20. The provision of electronic vehicle charging points at all properties with garages and charging points to be provided within the commercial car parking areas. Details of the charging points shall be submitted to and approved in writing before the commencement of each phase, and thereafter implement in accordance with the approved details.

REASON: To provide residents and commercial development users with access to more sustainable forms of transport in accordance with in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

21. Details of the provision of pedestrian and cyclist signs at key points along the appropriate routes to the town centre and railway station from the site, shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority, prior to commencement of the development.

REASON: To improve links for pedestrians and cyclists from the development to local amenities and the town centre in accordance with Policy GEN1 of the Uttlesford Local Plan (adopted 2005).

22. Prior to each phase of development approved by this planning permission/ No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:
- 1) A preliminary risk assessment which has identified: - all previous uses - potential contaminants associated with those uses - a conceptual model of the site indicating sources, pathways and receptors - potentially unacceptable risks arising from contamination at the site.
 - 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the

remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure that the proposed development does not cause pollution of controlled waters and that the development complies with approved details in the interests of controlled waters, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

23. No occupation of any part of the permitted development / of each phase of development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

REASON: To ensure that the proposed development does not cause pollution of controlled waters and that the development complies with approved details in the interests of controlled waters, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

24. No development shall take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the proposed development does not cause pollution of controlled waters and that the development complies with approved details in the interests of controlled waters, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

25. If, during development, contamination not previously identified is found to be present at the

site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

REASON: To ensure that the proposed development does not cause pollution of controlled waters and that the development complies with approved details in the interests of controlled waters, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

26. No infiltration of surface water drainage into the ground at the site which is the subject of this planning permission is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON: To ensure that the proposed development does not cause pollution of controlled waters and that the development complies with approved details in the interests of controlled waters, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

27. Prior to the commencement of development, a scheme for the provision and implementation of pollution control to the water environment shall be submitted and agreed, in writing, with the Local Planning Authority. As a minimum, the scheme shall ensure that:
- (i) Vehicle loading or unloading bays and storage areas involving chemicals, refuse or other polluting matter shall not be connected to the surface water drainage system.
 - (ii) All drums and small containers used for oil and other chemicals shall be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaway.
 - (iii) There shall be no internal drains in areas where chemicals and other polluting materials are stored. Appropriate spill clean-up material shall be available in case of an emergency.
 - (iv) All foul sewage or trade effluent, including cooling water containing chemical additives, or vehicle washing water, including steam cleaning effluent shall be discharged to the foul sewer.

The scheme shall be constructed and completed in accordance with the approved plans/specification at such time(s) as may be specified in the approved scheme.

REASON: To ensure a satisfactory method of pollution control, in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

28. 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).

29. 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, unless otherwise agreed in writing.

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).

30. The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) Ridgeons Ltd Land at Ashdon Road, Saffron Walden, Essex CB10 2NH Reference: SJC/614633/JRC, 07 August 2013 has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA giving priority to infiltration should ground conditions permit. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

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)

31. No drainage works shall commence until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas to be constructed until the works have been carried out in accordance with the surface water strategy so approved unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent environmental and amenity problems arising from flooding, in accordance with, in accordance with Policy GEN3 of the Uttlesford Local Plan (adopted 2005).

32. Prior to the commencement of development a detailed phasing plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall thereafter be

implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of ensuring the scheme will deliver the appropriate level of commercial development, in accordance with Policies S1, SW6, and E2 of the Uttlesford Local Plan (adopted 2005)

33. Before the commencement of each phase of the development a details of plant/machinery, noise and dust mitigation shall be submitted to and approved by the Local Planning Authority, and thereafter implemented in accordance with the approved details.

REASON: In the interest of protecting the residential amenity of existing and future residents and the amenity of the locality, in accordance with Policy GEN4 and GEN2 of the Uttlesford Local Plan (adopted 2005).



Land North of Ashdon
Road, Saffron Walden
Planning Application
Reference: UTT/13/2423/0P

Further to our correspondence dated 17 December 2013 and GL Hearn's letter dated 20 January 2014 which addresses points raised in our previous letter, we set out our comments below on GL Hearn's response.

Retail use-
catchment area

GL Hearn make reference to appeal decisions that have established that a catchment area between 500 to 800m is appropriate for a convenience store of the size and function proposed and that this is therefore the appropriate area of search in terms of the sequential approach. We understand that the appeal decisions referred to include the Former Cherry Tree Garage appeal decision (Ref. 2091039). We note that the Inquiry opened in June 2009 and therefore the appeal decision pre-dates the NPPF. The inspector addresses the size of the catchment area in the context of his assessment of need, not the sequential test. Nevertheless, taking into account the inspector's decision and the advice in the Practice Guidance we consider the application of the 800m radius catchment area for the proposed convenience store to be reasonable given the scale of the proposal.

GL Hearn suggest that *"there is no existing top up retail provision exists within this area and there is a clear demand for local top up facilities if a sustainable mix of uses are to be provided locally"*. We have therefore applied an 800m radius from the application site. Within this area there is the existing Tesco Supermarket at Radwinter Road which also has an extant planning permission (Ref. UTT/1323/09/FUL) for an extension comprising 886 sq m net comparison floorspace and 388 sq m net convenience floorspace. The permission does not expire until August 2014.

Also within this area is the northern part of an emerging allocation, under Policy 1 of the draft Local Plan, for land to the east of Saffron Walden for 800 residential dwellings, 6 ha of employment land and a local centre including 790 sq m of convenience floorspace.

There is therefore existing and proposed foodstore provision within 800m of the application site which are capable of satisfying demand for local convenience shopping facilities for both main food and top-up shopping.

We therefore consider that there is not a quantitative or qualitative deficiency so as to justify the provision of a local convenience store at Ashdon Road and, in any event, the site is not sequentially preferable to the existing Tesco store and its extension or the emerging local centre allocation (Policy 1). The rationale for providing a store on Ashdon Road is not therefore agreed.

Hotel/ restaurant use -sequential approach

In terms of the hotel and restaurant, regardless of whether they are provided together or separately, we consider that both uses would serve a much wider catchment area than 800m. We consider this element of the proposal can be provided separately and sequentially preferable sites within the town centre should be considered. If the application site satisfies the sequential test i.e. there are no other sequentially preferable sites we would not disagree that the relatively isolated nature of the application site would probably mean that a hotel in that location would need a restaurant to satisfy its customers' needs and be commercially viable. However, a hotel in the town centre would not need a full scale restaurant as there are other such facilities within the town centre ie providing the two uses separately in the town centre would be acceptable and viable.

The applicants refer to the Planning guidance on Need, Impact and Sequential Test and the Dundee case but do not mention the emerging National Planning Policy Guidance (NPPG) which is more up to date and will supersede the existing guidance when it is published in its final form. In terms of how the sequential test should be applied in decision making the emerging NPPG sets out the following checklist:

With due regard to the requirement to demonstrate flexibility, has the suitability of all more central sites to accommodate the need or demand which the proposal is intended to meet been considered? Where the proposal would be located in an edge of centre or out of centre location, preference should be given to accessible sites that are well connected to the town centre. Any associated reasoning should be set out clearly; Is there scope for flexibility in the format and/or scale of the proposal? It is not necessary to demonstrate that a potential town centre or edge of centre site can accommodate precisely the scale and form of development being proposed, but rather to consider what contribution more central sites are able to make, either individually or collectively, to meeting the same requirements as the application is intended to meet

We have reviewed the additional information provided by GL Hearn, submitted in respect of the sequential test. We consider that Fairycroft Road site is not available due to it being integral to the function of the Waitrose store and if it were to be developed it would be likely to be

primarily as an extension to the Waitrose store. The Emson Close site and the Fire Station / Laundry site are able to accommodate the proposed restaurant use, but we consider that GL Hearn have demonstrated that neither are capable of accommodating the proposed hotel use and both have availability issues. We also accept that a restaurant will be needed to satisfy customer requirements for a hotel at the application site in such a location ie at a non central location. We therefore consider that there are no suitable, viable and available sites capable of accommodating the proposed hotel and also accept a restaurant should be provided with it.

Summary

We have undertaken a review of the relevant appeal decisions identified by GL Hearn and consider an 800m radius catchment area for the retail floorspace is acceptable given its scale and function. We do not however consider the rationale for the retail floorspace to be justified given the existing and proposed retail provision within the 800m catchment area of the site. This includes the Tesco store on Radwinter Road which has an extant permission for additional convenience floorspace and there is also an emerging allocation for an urban extension on land between Radwinter Road and Thaxted Road which includes a local centre that would address any unmet demand for local convenience floorspace. The proposed site is not sequentially preferable to either of these locations and no priority should therefore be accorded to it. We therefore conclude the applicant's justification - for the retail floorspace is flawed given the existing and planned/committed retail floorspace within the 800m catchment area from the site.

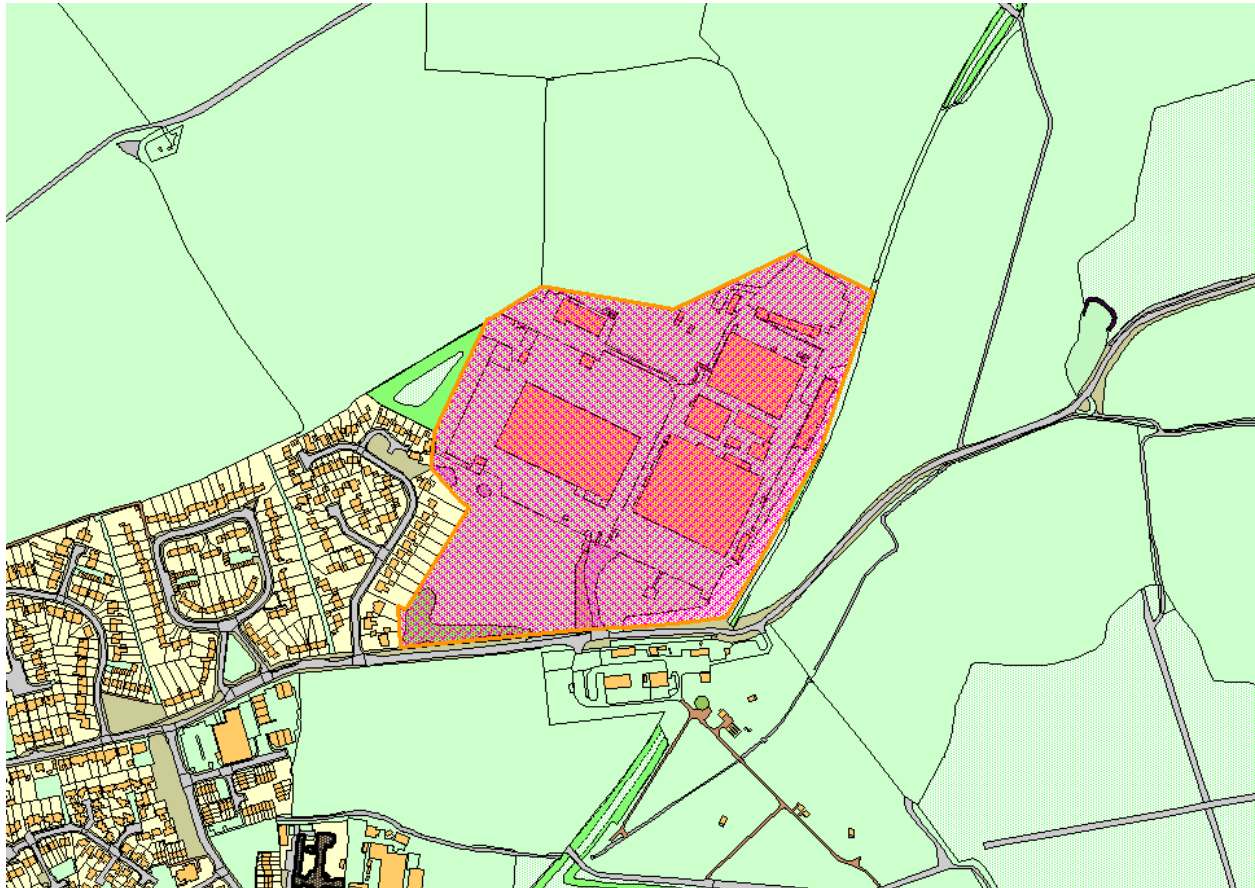
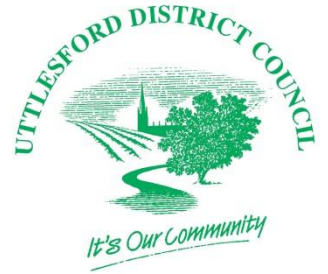
In respect of the sequential test the Governments intention is for applicants to demonstrate flexibility in format and/or scale of the proposal and more importantly to consider the contribution more central sites are able to make either individually or collectively to meeting the same requirements as the application is intended to meet.

We have reviewed the applicants response in respect of the sequential test and although we consider that the hotel and restaurant do not need to be provided together within the town centre we recognise that given the nature of the application site a restaurant will be needed to support a hotel in such a location. Therefore if the hotel cannot be accommodated on a sequentially preferable site we accept that a restaurant will be needed to be provided with it on the proposed site. Having reviewed the applicants submissions in respect of the sequentially preferable sites we consider that there is currently no sequentially preferable sites in the town centre that are available to accommodate the proposed hotel development.

Application no.: UTT/13/2423/OP

Address: Ashdon Road Commercial Centre Ashdon Road

Saffron Walden



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Organisation: Uttlesford District Council

Department: Planning

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