

UTT/15/2336/FUL (SAFFRON WALDEN)

(OTHER – Called In by Cllr Lodge)

(a) That the road which will be developed as a result of this change of use will add to traffic congestion in and around this area. There are parking and access concerns for any road which will be developed arising from this granting of access.

(b) The Town Council requests that a Grampian Condition is attached to this application thereby postponing the implementation of otherwise permitted development (i.e. the building of a road) until such time as other measures are in place to support this provision, i.e. sufficient infrastructure and traffic management to mitigate against the increase in parking and traffic movement.

(c) The Town Council further objects on the grounds that the proposed development which would follow this change of use would likely remain a dead end road for a period of time, in anticipation by the developer that planning permission is granted for housing development. Until this occurs, the road will be a dead end and this may encourage additional parking (by non-residents) in what is already a busy and overcrowded area. It is also likely that if the road is built and there are no sufficient barriers in place to prevent access to the adjacent fields, that trespassing may occur as access the vacant land is left open.

(d) It is noted that the proposed road is to provide future access to a potential housing development. Whilst it is noted that until such time as a new planning application is submitted for housing, it is not really therefore possible to take this element into consideration but should the any future planning application be refused, it would render the road surplus to requirements and would likely be unmaintained by the developer.

(e) The Town Council requests that this application is determined at Committee level and is not therefore delegated to an officer decision. The reason for this request is to allow full and democratic involvement and participation in this planning application; affording local residents an opportunity to air their views to a democratically elected panel of councillors.

PROPOSAL: Change of use of land from grassland to highway use

LOCATION: Land Adjacent Unit 44 Shire Hill Industrial Estate Saffron Walden

APPLICANT: Manor Oak Homes

AGENT: Framptons

EXPIRY DATE: 29 September 2015

EXTENSION OF TIME: 21 December 2015

CASE OFFICER: Maria Shoemith

1. NOTATION

1.1 Development Limits/adjacent to countryside, Airport Safeguard Zone, Contaminated Land

2. DESCRIPTION OF SITE

2.1 The application site is a small irregular shaped piece of land which currently forms part of a large landscape buffer strip between the Shire Hill Industrial Estate and the

agricultural field to the east of the site. The subject piece of land abuts Shire Hill Road and a hammerhead. This contains shrubbery and a tree.

2.2 The area covered is 52.6 square metres.

2.3 The site falls within Flood Risk Zone 1 whereby there is low risk of flooding from rivers. There are no other sources of flooding sources identified. The application site falls approximately 300metres east of the Saffron Walden Air Quality Management Area.

3. PROPOSAL

3.1 The application is for full planning permission for the change of use of the subject irregular piece of land for highway purposes.

3.2 Outline planning permission was granted 30th April 2013 by Planning Committee Members for "*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*" (UTT/13/3467/OP) for the adjacent site to the east of which this proposal would link up with.

3.3 As part of the above outline planning permission, consent was provided for primary access to be taken from Radwinter Road and a secondary access from Shire Hill. The proposed scheme here is proposed to form that secondary access for the above development, UTT/13/3467/OP.

4. APPLICANT'S CASE

4.1 N/A

5. RELEVANT SITE HISTORY

5.1 UTT/13/3467/OP - 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 - Granted 26 May 2015

5.2 Screening Opinions have been undertaken regarding the proposed development in the form of the following;

- UTT/13/3363/SCO – Mixed development of up to 230 homes (Class C3), up to 1,800 sqm of B1 office floor space, 60 extra care units (Class C2) and 42 sheltered units (Class C3) with areas of public open space, landscaping, parking and foot-paths links and new access
Environmental Impact Assessment would not be required.

- UTT/13/3467/OP – A new Screening Opinion was further undertaken following the submission of the application which now included the option of a new single form entry primary school.

Environmental Impact Assessment would not be required.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford District Local Plan 2005

- S1 Development within Development Limits
- S7 Countryside
- SW6 Safeguarding of Existing Employment Areas
- GEN1 Access
- GEN2 Design
- GEN3 Flood Risk
- GEN4 Good Neighbourliness
- GEN5 Light Pollution
- GEN6 Infrastructure Provision to Support Development
- GEN7 Nature Conservation
- ENV12 Protection of Water Resources
- ENV13 Exposure to Poor Air Quality
- ENV14 Contaminated Land

7. SAFFRON WALDEN TOWN COUNCIL COMMENTS

7.1 To object to this application on the following grounds:

(a) That the road which will be developed as a result of this change of use will add to traffic congestion in and around this area. There are parking and access concerns for any road which will be developed arising from this granting of access.

(b) The Town Council requests that a Grampian Condition is attached to this application thereby postponing the implementation of otherwise permitted development (i.e. the building of a road) until such time as other measures are in place to support this provision, i.e. sufficient infrastructure and traffic management to mitigate against the increase in parking and traffic movement.

(c) The Town Council further objects on the grounds that the proposed development which would follow this change of use would likely remain a dead end road for a period of time, in anticipation by the developer that planning permission is granted for housing development. Until this occurs, the road will be a dead end and this may encourage additional parking (by non-residents) in what is already a busy and overcrowded area. It is also likely that if the road is built and there are no sufficient barriers in place to prevent access to the adjacent fields, that trespassing may occur as access the vacant land is left open.

(d) It is noted that the proposed road is to provide future access to a potential housing development. Whilst it is noted that until such time as a new planning application is submitted for housing, it is not really therefore possible to take this element into consideration but should the any future planning application be refused, it would render the road surplus to requirements and would likely be unmaintained by the developer.

(e) The Town Council requests that this application is determined at Committee level and is not therefore delegated to an officer decision. The reason for this request is to

allow full and democratic involvement and participation in this planning application; affording local residents an opportunity to air their views to a democratically elected panel of councillors.

8. CONSULTATIONS

ECC Highways

8.1 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to the following conditions:

- The highway is constructed to adoptable standards and forms part of the access to planning application UTT/13/3467/OP.

Landscaping Officer (Verbal Comments)

8.2 No objection, as the trees are relatively poor quality and form.

9. REPRESENTATIONS

9.1 Neighbouring properties have been consulted of the application. As a result one representation has been received raising the following points;

- We currently run a busy manufacturing facility from units 38, 40 and 46. Although we have no objection to the grassland being changed to highways, we must request that during all construction work the entrance to our units, used by HGV's regularly throughout the day, is kept clear at all times. The entrances to the units have not been clearly defined on the map. It may be appropriate to mark this area with double yellow lines as there will be a considerable amount of displaced vehicles which park in this area. It also looks as if three entrances serves the units from the map, but this is not the case as each unit has parking within the forecourt area.

10. APPRAISAL

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

- A Principle of development & Highways
- B Design & Amenity
- C Landscape Impact & Biodiversity

A Principle of development & Highways

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 Shire Hill site as a key employment consisting of an area of 11.25ha 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.

- 10.4 The principle of the proposed development in terms of the change of use of an element of land for highway purposes has been previously granted planning permission as part of the larger development on the adjacent site for “*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*” (UTT/13/3467/OP). As part of this application planning permission was granted for the creation of a secondary access point in this location. This scheme will still safeguard Shire Hill in accordance with Local Plan Policies SW6 and E2.
- 10.5 Planning permission has been applied for in this instance to clarify that this parcel of land had specifically planning permission for such highway purposes to serve the adjacent site’s housing scheme.
- 10.6 The planning consent this was granted subject to a whole list of planning conditions and Section 106 Obligation requirements. The UTT/13/3467/OP consent requires, amongst other things the access to be implemented in accordance with adoptions standards, a financial contribution towards the introduction of a ‘Shire Hill’ parking scheme. Works to the access would be subject to separate highway legislation under which the works would be required to follow a separate process.
- 10.7 The subject application does not compromise the requirements of UTT/13/3467/OP in terms of conditions and S106 requirements. ECC Highways have been consulted of the application. As a result no objection has been raised subject to the access road being constructed to adoptable standards and that it is only implemented to form part of the access to planning application UTT/13/3467/OP. This would also address a number of the concerns raised by the Town Council.
- 10.8 Details of vehicle movement and congestion have been previously addressed as part of the larger housing development application.
- 10.9 Therefore, the principle of the change of use and creation of access is considered to be acceptable, subject to the suggested Grampian condition should planning permission be granted, in accordance with Local Plan Policies S1, SW6, S7, GEN1 and the NPPF.

B Design & Amenity

- 10.10 Details of design, amenity and pollution have been previously addressed as part of the larger housing development application. Should planning permission be granted for this application a Grampian condition would be required to ensure that the access would be implemented in accordance with the planning consent of the adjacent larger development which this access would technically form part of, in accordance with Local Plan Policies GEN1, GEN2, GEN4, GEN5, GEN6, GEN7, ENV12, ENV13 and ENV14.

C Landscape Impact & Biodiversity

- 10.11 The adjacent housing development was assessed against a submitted Landscape and Visual Impact Assessment and Arboricultural Statement at the time.
- 10.12 No objection was raised at time subject to conditions relating to the submission of details on a landscaping and lighting scheme. Similarly, the loss of two Poplar trees has been previously considered. Regarding this scheme no objections have been raised by the Council's Landscaping Officer on the basis that the two Poplar trees are relatively poor quality and form. The scheme is therefore considered to accord with Local Plan Policy GEN2, and GEN7 in this respect.
- 10.13 With regards to ecology, again, a separate Phase 1 Ecological Survey was submitted and assessed at the time of the main application. At the time of submission the previous ecological survey was still valid and is still valid whereby separate recommendations and mitigation measures have been requested, the scheme is therefore considered to accord with Local Plan Policy GEN2, and GEN7 in this respect should this development be implemented in conjunction with the main adjacent development which forms UTT/13/3467/OP.

11. CONCLUSION

- 11.1 The principle of the change of use and creation of access is considered to be acceptable; subject to the suggested Grampian condition should planning permission be granted, in accordance with Local Plan Policies S1, SW6, S7, GEN1 and the NPPF.
- 11.2 Details of design, amenity and pollution have been previously addressed as part of the larger housing development application. Should planning permission be granted for this application a Grampian condition would be required to ensure that the access would be implemented in accordance with the planning consent of the adjacent larger development which this access would technically form part of, in accordance with Local Plan Policies GEN1, GEN2, GEN4, GEN5, GEN6, GEN7, ENV12, ENV13 and ENV14.
- 11.3 No objections have been raised by the Council's Landscaping Officer on the basis that the two Poplar trees are relatively poor quality and form. The scheme is therefore considered to accord with Local Plan Policy GEN2, and GEN7 in this respect.
- 11.4 No ecological are raised considered subject to the scheme being developed in conjunction with the main adjacent development which forms UTT/13/3467/OP and therefore would be in accordance with Local Plan Policy GEN2, and GEN7.

RECOMMENDATION – CONDITIONAL APPROVAL

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be constructed to adoptable highway standards and shall form part of the access to planning application UTT/13/3467/OP with a continuous link.

REASON: To ensure the protection of both sites in the interest of the amenity of the surrounding locality in accordance with S1, SW6, S7, GEN1, GEN2, GEN4, GEN5,

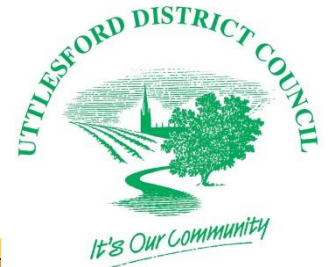
GEN6, GEN7, ENV12, ENV13 and ENV14 and the National Planning Policy Framework.

3. The development hereby permitted shall be implemented in conjunction with planning consent UTT/13/3467/OP and in accordance with the associated conditions and Section 106 Obligation.

REASON: To ensure the protection of both sites in the interest of the amenity of the surrounding locality in accordance with S1, SW6, S7, GEN1, GEN2, GEN4, GEN5, GEN6, GEN7, ENV12, ENV13 and ENV14 and the National Planning Policy Framework.

Application number: UTT/15/2336/FUL

Address: Land Adjacent Unit 44
Shire Hill Industrial Estate
Saffron Walden



Reproduced from the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationary Office© Crown Copyright 2000. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings

Organisation: Uttlesford District Council

Department: Planning

Date: 02 December 2015

SLA Number: 100018688