

UTT/17/0522/OP (Saffron Walden)

(MAJOR)

PROPOSAL: Outline planning permission for up to 85 residential dwellings (including 40% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access point from Little Walden Road and associated ancillary works. All matters to be reserved with the exception of the main site access.

LOCATION: Land Off Little Walden Road Saffron Walden Essex

APPLICANT: Gladman Developments

EXPIRY DATE: 24 May 2017

CASE OFFICER: Alison Hutchinson

1. NOTATION

1.1 Outside Development Limits

2. DESCRIPTION OF SITE

2.1 The application site is located to the east of Little Walden Road, on the northern side of the built-up area of Saffron Walden. It comprises part of an agricultural field and covers approximately 4.47 hectares (11 acres). The irregular southern boundary of the site follows the extent of the existing residential development at St Marys View and Limefields whilst the western boundary extends along Little Walden Road (the B1052). The northern boundary is formed by a belt of woodland with open fields beyond. The eastern boundary is largely arbitrary and follows no natural boundary but has been drawn to coincide with the eastern boundary of the woodland and the extended hedge line from the Limefields Pits local nature reserve to the south.

2.2 The site is largely open and in agricultural use apart from the area adjacent to the existing residential development which contains an area of scrub with trees around its edges. The site has a frontage of some 160m along Little Walden Road. Approximately three quarters of this boundary is formed by a substantial hedgerow with an open area along the southern approach into the town.

2.3 The site slopes down from east to west by approximately 9m.

3. PROPOSAL

3.1 The application represents a resubmission of UTT/16/2210/OP which was refused planning permission on 23 December 2016 on four grounds: the impact of the development on open countryside, highway impact, ecology grounds, particularly in relation to the presence of Barbastelle bats and lastly for the lack of mitigation through a Section 106 Agreement. That application is currently the subject of an appeal. The current application seeks to overcome the technical objections to the previous application. It makes no changes to the overall number of dwellings and

also seeks outline planning permission for up to 85 dwellings on the site with all matters reserved for future approval apart from access.

- 3.2 Access is proposed from Little Walden Road via a single priority controlled junction at the centre of the site frontage. A footway is proposed on the site frontage linking the site with Little Walden Road. The proposal also includes pedestrian/cycle connections close to the south west corner of the south and one central to the southern boundary which would provide direct connection with St Mary's View.
- 3.3 The Design and Access Statement indicates that the development will contain a range of 1 to 5 bedroom properties, comprising a range of house types. The application is accompanied by a revised Development Framework which shows that the built development would occupy a smaller area of the site than the refused application. The density of the development has been increased from the previous 31dph to 34dop to allow more of the site to be used for landscaping and open space. As a consequence, the area of scrub and trees to the north of St Mary's View is to be used for ecology purposes and general open space with the LEAP, previously proposed in that area, to be relocated further north into the main area of the development. An attenuation basin is shown in the south western corner of the site adjacent to existing bungalows on Little Walden Road. A series of footpaths is shown which circle the boundary of the site and also link into St Mary's View.
- 3.4 The applicants have confirmed that 40% affordable housing would be provided with different tenures to comply with policy.

4. APPLICANT'S CASE

- 4.1 The application relates to land off Little Walden Road, Saffron Walden. It seeks outline planning permission for up to 85 dwellings, planting and landscaping, informal open space, a children's play area, surface water attenuation, a vehicular access point from Little Walden Road and associated ancillary works, with all matters reserved except for access.
- 4.2 This application follows a previous application by Gladman for residential development of the site. The application was refused by Uttlesford District Council and this application seeks to respond to the reasons for refusal; specifically those relating to landscape, highways and ecology.
- 4.3 The application site represents a suitable and sustainable location for housing, well located to the existing urban area. The proposal offers the opportunity to deliver:
 - local benefits, through investment in the local community;
 - district-wide benefits, in terms of making a strategically important contribution to housing supply and economic objectives; and
 - a boost to the supply of homes and the delivery of sustainable development, supporting national objectives.
- 4.4 The proposed development has been carefully considered to ensure that it would provide high quality, sustainable development. The design-led approach, informed by consultation with the local planning authority, key stakeholders and the local community responds sensitively to the site's setting, respecting the grain of the surrounding landscape, both built and undeveloped. The development would be a positive addition to Saffron Walden complementing the character of the surrounding area in terms of scale, density, character and quality.

- 4.5 The design focuses residential development on the northern part of the site, retaining significant areas of open space to the south, including a nature park, while also providing a circular footpath around the perimeter. The development edge has been set back from the site frontage to maintain an overall perception of openness and a suitable strategic landscape edge. The approach enables the development to form a sustainable extension whilst retaining around 44% of the site as green infrastructure.
- 4.6 While the proposal development conflicts with the development plan in relation to policies concerning development in the open countryside, due to the absence of a deliverable five-year supply of housing in the district, and in the context of paragraph 49 of the National Planning Policy Framework ('the Framework'), those policies are out of date and the presumption in favour of sustainable development of paragraph 14 of the Framework applies. An assessment against the up-to-date provisions of the Local Plan and the Framework, where relevant, demonstrates the scheme comprises sustainable development.
- 4.7 The proposals would provide a range of benefits, including making a significant contribution towards meeting objectively assessed market and affordable housing needs of the district, in a situation where the five-year housing land supply position of the Council is marginal at best.
- 4.8 Very little weight can be given to the adopted countryside policy that would otherwise constrain the development of this site and the concomitant harm identified to the landscape is limited in scale and magnitude; it is no more than would be expected for changing a previously undeveloped site to one of built form.
- 4.9 There are no policies of the Framework which indicate permission should be restricted.

In summary, the identified harm arising as a result of the development would not be considered sufficient, either in combination or by themselves, to outweigh the benefits of delivering housing as proposed. It is respectfully requested that planning permission is granted.

5. RELEVANT SITE HISTORY

- 5.1 UTT/16/2210/OP - Outline planning permission for up to 85 residential dwellings (including 40% affordable housing), introduction of structural planting and landscaping, informal public open space and children's play area, surface water flood mitigation and attenuation, vehicular access point from Little Walden Road and associated ancillary works. All matters to be reserved with the exception of the main site access. Application refused on 23 December 2016 and due to be considered at a public Inquiry scheduled for June 2017.

UTT/16/0991/FUL – Proposed change of use of land from agricultural to equestrian for the grazing of horses and the erection of a stable block with associated hard standing, fencing, gate and new vehicular access and track on land at Little Walden Road. Pending decision.

UTT/0038/09/FUL – Removal of chestnut paling fence from three sides of nature reserve and replace with chainlink fence 2.4m approx.' at Limefield Pits Nature Reserve, Limefields. Approved 19 March 2009.

UTT/0027/98/DFO – Erection of 27 dwellings and garages and construction of access

to highway at Limefields, Little Walden Road. Reserved matters following approval of UTT/0007/95/OP. Approved 13 August 1998.

UTT/0007/95/OP – Outline application for 30 dwellings on land off Little Walden Road.

Approved 27 September 1995.

6. POLICIES

6.1 National Policies

- National Planning Policy Framework

6.2 Uttlesford Local Plan (2005)

- Policy S1 – Development Limits for the Main Urban Areas
- Policy S7 - Countryside
- Policy GEN1 – Access, Policy GEN2 – Design,
- Policy GEN2 - Design
- Policy GEN3 – Flood Protection
- Policy GEN4 – Good Neighbourliness,
- Policy GEN5 – Light Pollution,
- Policy GEN6 – Infrastructure Provision to Support Development
- Policy GEN7 – Nature Conservation,
- Policy GEN8 – Vehicle Parking Standards,
- Policy ENV3 – Open Spaces and Trees.
- Policy ENV5 – Protection of Agricultural Land,
- Policy ENV7 – The Protection of the Natural Environment – Designated sites
- Policy ENV8 – Other Landscape Elements of Importance for Nature Conservation
- Policy ENV13 – Exposure to Poor Air Quality
- Policy ENV14 – Contaminated Land,
- Policy ENV15 – Renewable Energy,
- Policy H1 – Housing Development,
- Policy H9 – Affordable Housing,
- Policy H10 – Housing Mix

7. TOWN COUNCIL COMMENTS

- 7.1 This planning application was considered at the Town Council's Planning & Road Traffic Committee meeting held on 16th March 2017 and is recorded under Minute Reference P & RT 266-17 and the following response was agreed:

To object to this application on the following grounds:

(Please note that where Policies are referred to, these are Policies from the current Uttlesford District Council's Local Plan adopted 20th January 2005 unless otherwise advised)

1. The application is contrary to Policy S1 - Development limits for the main urban areas. This proposed development seeks permission for up to 85 residential homes all of which would be developed outside of the development limits. The map accompanying Policy S1 clearly defines any major urban extensions or permissible development within the existing built up areas. This application is outside of the development areas shown for Saffron Walden accompanying Policy S1 and on that

basis alone, is not in compliance with the Policy.

2. The application is contrary to Policy S7 – the Countryside. This Policy states that “permission will only be given for development that needs to take place there” and further that “development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there”. This application does not need to be in this location and will result in the loss of countryside surrounding the town of Saffron Walden. There are no known special reasons why the development should be in this location and it would certainly not enhance the particular character of the countryside; its impact would have a negative effect of the view and vista of this area. The proposed site is elevated and is also a key gateway into the town. Large scale development of this nature would have a detrimental impact on entry into the town and would also be seen from a distance. The site sits elevated from neighbouring existing housing and would therefore create a considerable negative, visual impact not only when entering the town but also from within the town itself. The site would be visible from many areas of the town, having a negative visual impact on the surrounding countryside.

3. The application is contrary to Policy ENV5 – Protection of Agricultural Land. The proposed site is grade 2 agricultural land and is therefore considered good quality, versatile agricultural land. Policy ENV 5 states that “developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise”. There is no evidence provided to inform that the developer has sought development in any poorer quality land area and development at this site would result in the loss of prime agricultural land.

4. The application is contrary to both Policies ENV 7 – The Protection of the Natural Environment and ENV 8 – other landscape elements of importance for nature conservation. It is noted that the land is not currently a registered site of special scientific interest and as such does not benefit from protection under this but it is further noted that this is an area of local nature conservation, including wildlife habitats and woodland. Policy ENV 7 states that development in local areas of nature conservation will not be permitted. Policy ENV 8 further advises that development which adversely affects a number of landscape elements (and these are listed within the Policy) will only be permitted if the following criteria apply being “(a) the need for development outweighs the need to retain the elements for their importance to wild fauna and flora and (b) mitigation measures are provided that would compensate for the harm and reinstate the nature conservation value of the locality” Development at this site would have an adverse effect on local hedgerows, locally important habitats and woodland. The application does not address or provide any mitigation measures for compensating this loss

5. The development would have a detrimental impact on the existing road infrastructure. It is likely that 85 homes would result in a minimum of 120 new cars on the road and the narrow, restricted carriageways of the town are unable to cope with the existing traffic congestion let alone an additional estimated 120 vehicles. The following is noted from the Local Plan (paragraph 15.2 Saffron Walden Inset refers) “Traffic in Saffron Walden is a significant problem with its historic street pattern, restricted carriageway widths and junction geometry posing particular problems for heavy goods vehicles. At various times during the day the existing road system is unable to cope with the number of trips being made. This can result in delays, disturbance to the occupants of buildings close to the affected roads and a reduction in the quality of the environment for pedestrians”. The same paragraph continues to note that “Further traffic management measures are envisaged during

the plan period, to be identified through the Essex Local Transport Plan and Uttlesford Transport Strategy". It is noted that no significant plans or measures have been introduced since the adoption of the Local Plan in 2005 and therefore it is fair to assume that the traffic within Saffron Walden continues to be a significant problem and that likely it has deteriorated even further from when the paragraph was written and included in the Local Plan. It is further noted that the applicant has carried out a traffic survey and impact study on the roundabout at Church Street and Ashdon Road but has not continued this study to take account of traffic flow or congestion in any other streets in the town, including other major areas of congestion or junctions.

6. The Town Council notes the objections raised by Essex County Council with regards to the Surface Water Drainage and would support the concerns and queries raised by them.

7. The proposed development would result in the loss of a "sense of place" for the current residents to this area. The residents currently enjoy a view of open countryside, space and quiet as a direct result of being on the outskirts of the town. This sense of place will be totally lost should the application be granted as the current residents of Limes Fields and St Marys View will no longer be on the outskirts of the town but will instead be enveloped into a large urban development.

8. It is noted that Essex County Council Highway Authority objected to the previous application submitted under UTT/16/2210/OP and within this response noted *"from a highway and transportation perspective the impact of the proposal is NOT acceptable to the Highway Authority for the following reasons:*

Having regard to the existing traffic use, forecast growth and the additional traffic which this proposal is likely to generate or attract, the road which connects the proposed access to the town centre and on to key destinations is considered to have insufficient capacity to cater for the proposal while providing safety and efficiency for all road users. It is considered that the residual cumulative impact of the development in this location is severe and application does not provide sufficient mitigation to address this."

At the time of providing this response from the Town Council, the response from the Highway Authority to this application is not yet known and is not shown on the public area of the Planning Portal. The Town Council assumes that those same objections as raised by the Highway Authority in respect of application No UTT/16/2210/OP will remain valid and will be resubmitted by the Highway Authority. This application does not appear to be vastly different to that previously presented and the same traffic impact is anticipated, the Town Council therefore suggests that those same objections as noted by the Highway Authority to the earlier application regarding traffic impact should carry forward to this application. On the basis of the comments submitted previously by the Highway Authority, the Town Council is of the belief that the proposed development would result in significant and unmanageable capacity problems at a number of junctions within Saffron Walden and particularly on Ashdon Road / Church Street.

9. It is noted that the application contains a pumping station and concerns are expressed about noise levels from this station and the negative effect on local residents. Further details are required about this proposed pumping station to ensure that (should the application be granted) any noise levels are acceptable to local residents with little if any noise impact.

10. The application seeks to remove a hedge at the front of the development onto

Little Walden Road and the Town Council objects to the removal of this hedge and the resulting loss of habitat to the local wildlife. Should the application be granted, this hedge should remain.

11. It is noted from the applicant's Statement of Community Involvement (SCI), that the developer "requested a private meeting with Saffron Walden Town Council but this request was declined". In the interests of openness, transparency and best practice, the Town Council had no desire to meet in private with the developer but instead offered on numerous occasions, the opportunity to meet with the developer in a public, open forum. This request was declined by the developer numerous times. The Town Council would not wish to hold private, exclusive meetings with the developer to the detriment of keeping local residents informed. This is not reflected within the applicant's Statement of Community Involvement and the Town Council wishes this matter to be formally noted and recorded as it is omitted from the SCI.

Should Uttlesford District Council be minded to approve this application, Saffron Walden Town Council requests that it is directly involved in and have direct contribution to the S106 discussions and negotiations. This is particularly pertinent for any public open space contained within the development. It is likely that the Town Council would look favourable upon managing the public open space within the development including play areas.

8. CONSULTATIONS

BAA Safeguarding

8.1 No Objections

ECC Education

8.2 From the information provided it is assumed that all of the 85 units are homes with two or more bedrooms, and therefore a development of this size can be expected to generate the need for up to 7.65 Early Years and Childcare (EY&C) places; 25.5 primary school, and 17 secondary school places.

The proposed development is located within the Saffron Walden Castle Ward. According to Essex County Council's childcare sufficiency data published in July 2016, there is one sessional pre-school in the area. Overall, a total of two unfilled places were recorded. For Essex County Council to meet its statutory duties it must both facilitate sufficient places to meet free childcare entitlement demand and also ensure a diverse range of provision so that different needs can be met. Although there is some EY&C capacity in the area, the data shows insufficient provision to meet demand from this proposal. It is, thereby, clear that additional provisions will be needed. An additional 7.65 places would be provided at an estimated total cost of £106,565 at April 2016 prices. This equates to £13,930 per place and so, based on demand generated by this proposal set out above, a developer contribution of £106,565, index linked to April 2016, is sought to mitigate its impact on local EY&C provision.

There is currently a fine balance between the demand and supply of primary school places in Saffron Walden but, with additional housing forecast, Essex County Council's document 'Commissioning School Places in Essex' estimates a deficit of 102 places across the Saffron Walden area (Uttlesford Group 2) if action is not taken. Essex County Council's '10 Year Plan' for meeting demand for school places

proposes a one form entry bulge class for the area and work is underway to look at expanding permanent accommodation at RA Butler Infant and Junior Schools. Based on the demand generated by this proposal set out above, a developer contribution of £311,559, index linked to April 2016, is sought to mitigate its impact on local primary school provision. This equates to £12,218 per place.

With regards to secondary education, the Priority Admissions Area school for the development would be Saffron Walden County High. As with local primary provision, the School is full and forecasts in Commissioning School Places in Essex suggest a potential deficit of 138 places by 2020. Positive discussions have taken place with the school about expanding and this project could be taken forward with developer funding. Based on the demand generated by this proposal set out above, a developer contribution of £315,537, index linked to April 2016, is sought to mitigate its impact on local secondary school provision. This equates to £18,561 per place.

At both primary and secondary school level it is clear from the above data that additional school places will be necessary. This development would add to that need and, thereby, the scope of projects to provide additional school places is directly related to the proposal. The contributions sought are based on the formula, established in the Essex County Council Developers' Guide to Infrastructure Contributions, which calculates sums based on the number and type of homes built. The contribution will thus be fairly and reasonably related in scale and kind to the development and, thereby, Community Infrastructure Levy regulation 122 compliant. Five obligations naming the projects alluded to have not been entered into at this time and the Local Planning Authority would thereby also be regulation 123 compliant in taking the mitigation requested into account when making a decision on this application.

Having reviewed the proximity of the site to the nearest primary and secondary schools, Essex County Council will not be seeking a school transport contribution; however, the developer should ensure that safe direct walking and cycling routes to local schools are available.

In view of the above, I request on behalf of Essex County Council that any permission for this development is granted subject to a section 106 agreement to mitigate its impact on childcare and education. Our standard formula s106 agreement clauses that ensure the contribution would be fairly and reasonably related in scale and kind to the development are available from Essex Legal Services.

If your council were minded to turn down the application, I would be grateful if the lack of surplus childcare and education provision in the area to accommodate the proposed new homes can be noted as an additional reason for refusal, and that we are automatically consulted on any appeal or further application relating to the site.

ECC Highways

8.3 Recommend approval.

The assessment of the application and transport assessment was undertaken with reference to the National Planning Policy Framework 2012 and in particular paragraph 32, the following aspects were considered: access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.

This application is a duplicate of the previous application UTT-16-2010. However the

supporting evidence has been revised and a number of different assumptions have been made concerning the impact of the development on the highway network. In demonstrating the reduced impact on the network the following criteria have been changed:

- The trip rates have been reduced, based on evidence from traffic counts at adjacent estates
- The distribution of trips on the network has been changed to put more traffic going north from the site and thus avoiding the town centre. This is based on evidence from the census data and Google maps journey times.
- The network has been looked at in detail and the profile of traffic through the junctions during the peak hour was replicated in the modelling showing that there is a smooth rather than peaked profile at most junctions

The data from these three exercises has been used to inform the modelling of the impact of the development on a number of key junctions in Saffron Walden.

The new data has been carefully considered and although the trip rates used are lower than that in the original application, using data traffic counts at similar developments can be acceptable to determine trip rates, and in this case they have been looked at in relation to the TRICS database, ensuring that a reasonable forecast is made.

It is thought reasonable that 18% of work related peak traffic will go northward based on census data and fact that the journey times to Cambridge are roughly equivalent to using the route through the town centre. This is especially the case if the junctions to the south are congested when it is likely that conditions on the future network could impact on future driver behaviour.

In looking at the way traffic behaves on the ground it has been possible for the consultant to refine traffic models to reflect with more accuracy the likely impact of the development.

While there is no doubt that a number of junctions within Saffron Walden are at or approaching capacity, the transport assessment demonstrates that the impact on the majority of junctions is likely to be less than 2%. Of particular concern is the Ashdon Road junction. The maximum impact on this is 1.9% (36 trips) in the am peak or 2% (35 trips) in the pm. Even with a higher distribution of trips to the south (90%) the impact is still only 2.1% in the am and 2.2% in the pm. It is very difficult to argue that this level of impact is severe as the growth in queue lengths above the committed development is minimal.

The modelling of the Church Street junction with the B184 shows that it is currently at capacity with significant queuing in the nearside lane. While the modelling previously undertaken showed that the queue would increase beyond the length of Church Street with the addition of growth and committed development, it is generally understood that modelling can become unstable when the capacity is exceeded as in this case. Some work has been undertaken by the applicant to cast doubt on whether the queue will regularly exceed the length of Church Street and impact the Ashdon Road mini roundabout junction. In any event the development is forecast to put only 11 cars on Church Street in the am peak which is again a minimal impact.

A transport strategy was produced by ECC in 2013 and a Cycle Strategy in 2014 which showed a raft of measures that would help to reduce congestion and increase the accessibility of the town centre. A contribution to help deliver these strategies is

required to help to mitigate the impact of the development.

It is noted that the opportunity for using sustainable transport instead of the car is limited as the nearest bus stop with a daily weekday service is 1.27km away. This should be considered by the planning authority within the general sustainability of the site along with the fact the majority of journeys will impact on the Air Quality Management Area in the town centre.

In summary from an assessment of the evidence put forward by the applicant in the transport assessment, in conjunction with the mitigation outlined below, I am forced to conclude that it will be difficult to prove that in highway terms the residual, cumulative impact of the development is severe.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority subject to conditions and a legal obligation to secure contributions towards ECC transport strategies.

ECC SUDs

8.4 Letter dated 24 April 2017

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission.

The proposed development will only meet the requirements of the National Planning Policy Framework if the measures as detailed in the FRA and the documents submitted with this application are implemented and secured by way of a planning condition on any planning permission.

Letter dated 24 March 2017

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we object to the granting of planning permission based on the following:

Inadequate Surface Water Drainage Strategy

The Drainage Strategy submitted with this application does not comply with the requirements set out Essex County Council's Outline Drainage Checklist. Therefore the submitted drainage strategy does not provide a suitable basis for assessment to be made of the flood risks arising from the proposed development. In particular, the submitted strategy fails to:

- Demonstrate a viable discharge location. More information about the levels associated with the ditch leading to the River Slade should be provided to demonstrate why discharge to this location is not possible. Agreement in principle should also be provided to demonstrate that the water company is willing to accept flows into the sewer.
- Provide sufficient information about the proposed discharge rate. – Essex County Council's policy is to require surface water discharge to be restricted to the greenfield 1 in 1 year rate. While rates have been limited below Qbar it is not clear whether they are as low as required.

- Demonstrate that the correct Coefficient of Volumetric Runoff Values (Cv) has been used. – the values of 75% and 84% should only be used when the calculation consider that a proportion of sub-catchment contributing runoff to the drainage system is permeable. Sewers for Adoption (7th Edition) recommends that a Cv of 1.0 should be used whenever calculating runoff from impermeable surfaces (roofs and paved areas should have an impermeability of 100%).
- Provide an allowance for urban creep. A 10% allowance should be allowed to account for unplanned development over the lifetime of the development.
- Provide sufficient storage – Based on the above comments it may be necessary to revise the proposed storage figures.
- Demonstrate sufficient treatment for all parts of the developed site.

Anglian Water

8.5 Section 1 – Assets Affected

1.1 Our records show that there are no assets owned by Anglian Water or those subject to an adoption agreement within the development site boundary.

WASTEWATER SERVICES

Section 2 – Wastewater Treatment

2.1 The foul drainage from this development is in the catchment of Saffron Walden Water Recycling Centre that will have available capacity for these flows.

Section 3 – Foul Sewerage Network

3.1 The sewerage system at present has available capacity for these flows. If the developer wishes to connect to our sewerage network they should serve notice under Section 106 of the Water Industry Act 1991. We will then advise them of the most suitable point of connection.

Section 4 – Surface Water Disposal

4.1 The preferred method of surface water disposal would be to a sustainable drainage system (SuDS) with connection to sewer seen as the last option. Building Regulations (part H) on Drainage and Waste Disposal for England includes a surface water drainage hierarchy, with infiltration on site as the preferred disposal option, followed by discharge to watercourse and then connection to a sewer.

4.2 The surface water strategy/flood risk assessment submitted with the planning application relevant to Anglian Water is acceptable. We request that the agreed strategy is reflected in the planning approval

Section 5 - Trade Effluent

5.1 Not applicable

Section 6 - Suggested Planning Conditions

Anglian Water therefore recommends that a planning condition is attached to any

planning permission.

Affinity Water

- 8.6 You should be aware that the proposed development site is located within an Environment Agency defined groundwater Source Protection Zone (GPZ) corresponding to Debden Road Pumping Station. This is a public water supply, comprising a number of Chalk abstraction boreholes, operated by Affinity Water Ltd.

The construction works and operation of the proposed development site should be done in accordance with the relevant British Standards and Best Management Practices, thereby significantly reducing the groundwater pollution risk. It should be noted that the construction works may exacerbate any existing pollution. If any pollution is found at the site then the appropriate monitoring and remediation methods will need to be undertaken.

Sport England

- 8.7 The proposed development is not considered to fall either within Sport England's statutory or non-statutory remit upon which we would wish to comment, and therefore Sport England has not provided a detailed response.

ECC Archaeology

- 8.8 Recommend a programme of trial trenching and open area excavation

ECC Ecology

- 8.9 No objection subject to conditions

You will be aware that we maintained a holding objection to the previous application (UTT/16/2210/OP) relating to this site by the same applicant for the following reasons:

- Loss of connective bat habitat, particularly for Barbastelle bats.
- Insufficient justification for removal of connecting habitat and removal of semi-improved grassland which could be part of a Local Wildlife Site.
- Insufficient information to determine the adequacy of mitigation
- Uncertainty relating to the extent of hedgerow on the western boundary that would be affected. The applicant's ecologist therefore cannot make a final assessment which needs to be made in the context of the proposals. This is contrary to the NPPF and current national guidance.

The new application provides a Revised Ecological Appraisal (dated February 2017) which includes a Current Site Proposals with Notable Species Plan (Figure 6). This amended scheme has taken many of our comments into account.

We welcome the amended proposals to the scheme to improve connectivity around the perimeters of the site; to retain most of the existing habitat and to create a nature reserve/ nature park. This will help to mitigate for protected species, particularly bats. Proposed mitigation is set out with Section 5 of the Revised Ecological Appraisal.

Bat mitigation/ hedgerows

Mitigation proposed for bats includes:

- Sympathetic lighting
- Bat boxes
- Enhancement and creation of habitats to retain connectivity

However, c.80m of hedgerow H1 on the western boundary would still be lost for the access road and highways visibility. This is significant as it would restrict bat movement, particularly as the record of the Barbastelle bat (Annex II species1) means this is an 'Important Hedgerow' under the Hedgerow Regulations. As the connection for bats would be severed by the access road and the junction and would presumably be wide and well-lit, it would no longer function effectively as a bat access route. A new hedgerow on the opposite side of the site- the eastern boundary- is proposed in the Revised Ecological Appraisal, as well as tree planting near to the main junction. In addition to this, we suggest that additional mitigation is required in order to help ensure continuing connectivity and provide adequate mitigation, ie:

1. We welcome the creation of a green link corridor between the attenuation area and nature park. However, this will need to be dissected by a road and, in order to make it as intact as possible, a bat hop-over should be created at this point.
2. Creation of the tree planting to create a bat hop-over at the new main road junction is welcomed (section 5.43). However, it is assumed that the nature of this junction would require it to be wide and well lit. Therefore, there should also be increased tree planting to provide a partial hop-over at an appropriate point along H1 to enable bat movement to the other side of Little Walden Road, improving connectivity with the Slade. The best place for this might be in the south west corner of the site.
3. All boundaries should be adequately protected from construction. Furthermore, in order to retain connectivity, it should also be ensured that the new hedgerow on the eastern boundary is established before the 80 metres of H1 can be removed. This needs to be included within the Construction Environmental Management Plan (Biodiversity) - please refer to proposed conditions.
4. A sympathetic lighting scheme should be provided through condition, based upon the recommendations in section 5.38.

Reptiles

Details set out in the Discussion and Recommendations section of the Revised Ecological Appraisal should be set out in a Construction Environmental Management Plan (Biodiversity); this can be conditioned.

Badgers

There is an outlier sett which is understood to be used occasionally and the Ecological Appraisal considers that badgers use suitable habitats within the site for movement and foraging. Please note that I have recently visited the site and the badger sett was in use at this time.

The recommendations for badgers in Appendix B, the Badger Survey Report, should be adhered to. In addition, sensible precautions during construction, such as covering all cavities overnight or providing an escape means to avoid the trapping of, and subsequent damage to, badgers and other nocturnal mammals. This should be set out in a Construction Environment Management Plan (please refer to proposed conditions below).

Semi-improved grassland

We welcome the retention of the grassland (5.13). However it is not clear why there would be native tree and shrub planting to “create a mosaic of habitats” as this already exists. It is also not clear why some of the area will still be removed or exactly what would be removed. This information should be provided at the reserved matters stage in the Construction Environment Management Plan.

1 Annex II of The Conservation of Habitats and Species Regulations 2010

Woodland

We welcome the retention of the woodland. Section 5.14 states that, “the vast majority will be retained”, but it is not clear how much of the woodland would be removed (or why) and it is not clear why it is proposed to fence off the woodland.

The woodland should be maintained and enhanced to improve its biodiversity and also to benefit the local community. Long term management should be through a legal agreement.

Habitat creation

The width of habitats to be created is still not clear.

The species-rich grassland should include flowering plants that are able to withstand with some trampling, but nectar rich and to encourage foraging insects eg. red clover and birds foot trefoil.

It is not known whether this has been produced by the same author as the previous Ecological Appraisal, as the consultant has not been identified in the ecological report, despite it being a requirement of CIEEM guidance. This not good practice.

UDC Housing Enabling Officer

- 8.10 The delivery of affordable housing is one of the Councils’ corporate priorities and will be negotiated on all sites for housing. The Councils policy requires 40% on all schemes over 0.5 ha or 15 or more units; 20% on schemes 11-14 units.

The affordable housing provision on this site will attract the 40% policy requirement as the site is for 85 (net) units. This amounts to 34 affordable housing units and it is expected that these properties will be delivered by one of the Council’s preferred Registered Providers.

The mix and tenure split of the properties are given below.

	Land off Little Walden Road				
	1 bed	2 bed	3 bed	4 bed	Totals
Affordable Rental Homes	0	15	6	1	22
Affordable Rental Bungalows	2	0	0	0	2
Shared Ownership Homes	0	8	1	0	9
Shared Ownership Bungalows	0	1		0	1
Total Affordable Housing Units	2	24	7	1	34

Homes should be indistinguishable from the market homes; be predominately houses

with on plot parking and in clusters of no more than 10 units.

The Council requires 5% of all units to be delivered as bungalows. In addition, the Council requires 5% of all dwellings to be fully wheelchair accessible.

9. REPRESENTATIONS

9.1 85 letters have been received objecting to the proposed development together with submissions from Residents Against Sustainable Development (RAUD) on planning policy, highways, ecology, landscape, air quality, local infrastructure. The letters and submission documents raise the following issues:

- This application is the same as the previous one that has been refused planning permission.
- The previous application was rejected by the Highway Authority and the Town Council.
- The objections for the current application are the same as for the previous application.
- The development is not supported by the development Plan which remains the Uttlesford Local Plan 2007.
- The development is contrary to Policies S1, S7, ENV3, ENV5, ENV8, GEN1, GEN2, GEN6, GEN7, ENV7, ENV8, H9
- The development is contrary to relevant provisions of the NPPF
- The development is not sustainable
- The Council has recently recalculated its 5 year supply and can demonstrate a deliverable 5 year supply of housing land and this calculation has been confirmed at recent appeals.
- The loss of the western boundary hedge will exacerbate the visual impact of the development on the open countryside.
- The site is a greenfield site and enhances the setting of Saffron Walden
- The land is Saffron Walden Green Belt.
- Brownfield sites should be considered first.
- Loss of agricultural land.
- Visual impact of the development
- The area for development is elevated and more prominent and will have a greater impact upon the surrounding views from the nearby public rights of way.
- Impact upon the historical landscape and on views from public footpaths in the locality.
- Footpaths and bridleways are used extensively and the views from Catons Lane to Westley Farm Footpath would be destroyed.
- Increase in the possibility of flooding for adjacent housing and Little Walden Road because of the lie of the land and the amount of development.
- Impact upon properties in St Mary's View
- Impact upon nature and wildlife – the development is located adjacent to a local nature reserve and will have detrimental impact upon area.
- Land to the south is a haven for wildlife.
- The field is populated by endangered newts and many different types of bats. This does not seem to have been considered. The close proximity to the nature reserve and ancient woodland puts the local ecology at risk.
- The application interferes significantly with the existing environment for bats.
- Concern about the potential impact of the development on barbastelle bats.
- The nature reserve (Limefields Pit) is geological and historical feature in the

local area and of both historical and environmental importance.

- Question the validity of the Ecological Appraisal.
- Question the length of hedgerow that would be lost to achieve the access from Little Walden Road.
- Concerns regarding the future of the woodland to the north of the site.
- Concerns regarding increased traffic in Limefields and St Mary's View and potential danger to children.
- The submitted Transport Assessment contains errors.
- The submitted Transport Assessment overestimates northbound trips and underestimates south bound ones.
- The proposed vehicular access would be a hazard to road users
- Impact upon congestion within Saffron Walden - there is no option but to drive through town to get to major routes and with other developments around Saffron Walden the town is already close to gridlock at peak times.
- Difficulties of access for emergency vehicles within the town because of congestion.
- Traffic in the town is at crisis level already both in terms of volume and pollution and the increase from this development will add to risk to health of residents.
- Any increase in traffic flow in this area of town will only make worse the problems of congestion on Lt Walden Road, especially at peak times.
- Unsafe location of access on a bend with a 60mph speed limit.
- Increase in traffic at junctions of Church Street, High Street, Hill Street, Thaxted Road etc.
- Increased vehicular traffic to Limefields will carry a greater risk of injury to children cycling and playing on this quiet road.
- Little Walden Road is too narrow for Coaches and LGV's to pass without stopping traffic on the opposite side in places and with increased numbers of residents parking on the roadside between Goddard Way and Town, further volumes are unsustainable
- Public transport in the town is poor
- There is no bus service along Little Walden Road
- The developers propose construction of 85 dwellings over the period 2016 to 2021 and therefore will lead to ongoing disruption for residents in the area and on traffic on Little Walden Road.
- Question the validity of the conclusions in the Transport Report.
- Little Walden Road has a severe speeding problem. There is already a severe speeding problem at the town's end length of Little Walden road, this has never been enforced.
- Impact of the traffic in Linton.
- Most local employment is located either in the town centre or on industrial estates to the east of the town.
- It has been established that the pollution levels in Saffron Walden often exceed national safety limits. An increase in the number of cars travelling through the town each day would have a negative effect on the air quality and therefore health and wellbeing of residents
- The SHLAA assessed the site in 2015 and stated that it is not suitable as it is unsustainable and too far from the town centre.
- There is insufficient infrastructure to support the development. Local services in the town are already under strain and some school children have to travel out of town.
- Local schools are oversubscribed.
- Doctor's surgeries and dentists are oversubscribed.

- Sewage works are already unable to cope.

10. APPRAISAL

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

- A Principle of Development
- B Loss of Agricultural Land
- C Highways
- D Visual Impact
- E Ecology & Landscaping
- F Infrastructure Provision to support the development
- G Amenity
- H Other Material Considerations

The following is a summary of the main reasons for the recommendation:

A Principle of Development

- 10.1 The application site comprises 4.47 hectares of land and is located within the open countryside on the northern edge of Saffron Walden. The site is outside the development limits of Saffron Walden as defined by the Proposals Map and is therefore located within the countryside where ULP Policy S7 applies. This specifies that the countryside will be protected for its own sake and planning permission will only be given for development that needs to take place there or is appropriate to a rural area. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.
- 10.2 The Council's Review of the adopted policies of the Local Plan found Policy S7 to be partly consistent with the NPPF but that while the NPPF takes a positive approach, rather than a protective, Policy S7 is still compatible with the aims of the NPPF in protecting the countryside. A recent Secretary of State appeal decision endorsed this finding and attached significant weight to this. Policy S7 therefore remains relevant to the consideration of this application.
- 10.3 Paragraph 49 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 10.4 The applicants refer to the Council's claim of having a 5.4 year supply of housing against the requirement of 568 dwellings per annum (dpa). The applicants argue that this OAN, contained in the West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA 2015), significantly underestimates the actual requirement. Furthermore, this has been acknowledged by the Council which is now considering raising its requirement to 640 dpa in the light of an update to its SHMA following the publication of the 2014 sub-national population projections. As a consequence, Gladman does not consider that the Council can presently demonstrate a deliverable five year supply of housing sites. Accordingly, the applicants argue that relevant policies for the supply of housing are out of date in accordance with paragraph 49 of the NPPF.

- 10.5 The housing requirement for the purposes of calculating 5 year supply remains 568dpa as set out in the SHMA 2015. Various studies have been done since the publication of the SHMA which update the figures taking account of various factors, including the 2014 population projections. However, the SHMA itself has not been updated and the figure of 640dpa referred to by the applicants does not represent a comprehensive update of the SHMA but has allowed the Council to test a higher figure for the purposes of its emerging Local Plan. The Council has not accepted 640dpa as its OAN and all calculations for the purposes of 5 year supply continue to be assessed against the SHMA housing requirement of 568 dpa.
- 10.6 The Council's Housing Trajectory and 5 Year Land Supply Statement published in November 2015 represents the most up to date published assessment of the Council's 5 year supply and demonstrated that the Council had a 5.4 year supply of housing land. That assessment was based on data at April 2015 and is now somewhat dated. The Council did not publish an assessment of 5 year housing supply in April 2016 although initial work was carried out and reported to the Planning Policy Working Group in June 2016 indicating that the Council could demonstrate a 5 year supply but with a slight shortfall. Since that time, the Council has been involved in a Public Inquiry for development at Felsted and evidence emerged that some of the larger sites which the Council was relying on in its April 2015 trajectory, had either not been started or had not been built as quickly as anticipated. As a consequence, the supply was adjusted at the Public Inquiry in an attempt to reflect this situation.
- 10.7 However, adjusting the supply on this basis and not adjusting other aspects of supply, created other inaccuracies and the final position on 5 year supply at that inquiry was not considered by the Council to be an accurate representation of the present position. The Council has therefore reviewed the draft figures which formed the basis of the calculations provided to the PPWG in June 2016 and has firmed them up so that they can be published and provide a more accurate assessment of supply. These figures have also been adjusted to take account of the lack of delivery on some of the sites as agreed at the Felsted inquiry. The Council has therefore now produced a short interim document which sets out a more accurate assessment of the situation at April 2016 and allows a calculation to be made of the Council's 5 Year Supply of Housing land as at April 2016. This document will be superseded as soon as the Council finalises its work and publishes the April 2017 Housing Trajectory and 5 Year Land Supply.
- 10.8 Calculations based on the interim 2016 Housing Trajectory suggest that the Council is able to demonstrate only a 4.5 year supply of housing land as at April 2016 based on its housing requirement of 568 dpa and applying a 5% buffer. The Council has applied a windfall allowance of 50 dpa to the trajectory. A recent report to PPWG advises that, based on evidence, this should be increased to 70dpa and this will be included within the April 2017 housing supply assessment. Whilst there is an argument that this could be added to the April 2016 assessment, and would increase the Council's supply, it is considered that the revised figures will still show a shortfall and will not demonstrate a 5 year supply of housing land.
- 10.9 For the present time, the Council is therefore unable to demonstrate a deliverable 5 year supply of housing land and Paragraph 49 of the NPPF is applicable which states that policies contained in the Local Plan that are relevant to the supply of housing cannot be considered to be up to date.

- 10.10 Paragraph 14 of the NPPF requires development that is regarded as being sustainable to be granted. Where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole.

It is therefore necessary to assess whether the application proposal is sustainable and presumption in favour is engaged.

B Loss of Agricultural Land

- 10.11 Paragraph 112 of The Framework states that *“local planning authorities should take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of a higher quality”*.
- 10.12 Annex 2 of The Framework defines *“best and most versatile agricultural land”* as *“land in grades 1, 2, and 3a of the Agricultural Land Classification”*.
- 10.13 Policy ENV5 states that where agricultural land is required, developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise.
- 10.14 Most of the agricultural land within Uttlesford District is classified as best and most versatile land. Indeed, most of the sites that are being identified for development within the emerging Local Plan are on such land. The Council accepts that it is inevitable that future development will probably have to use such land as the supply of brownfield land within the district is very restricted. Virtually all the agricultural land within the district is classified as Grade 2 or 3 with some small areas of Grade 1.
- 10.15 The application site is currently in agricultural use and in countryside and the development would result in the loss of agricultural land. The site comprises part of an agricultural field that extends to the east. The applicants have provided no analysis of the soil type but have referred to the SHLAA which records the site as Grade 2 and that it therefore falls within the BMV designation.
- 10.16 There are no defined thresholds for assess the effects of non-agricultural development on agricultural land. One measure that could be considered as a threshold is that local authorities should consult Natural England where proposed developments would lead to the loss of 20 hectares or more of BMV agricultural land.
- 10.17 It could therefore be logical to conclude that BMV land which is less than 20 hectares is unlikely to be considered “significant development of agricultural land as in context with the guidance set out in paragraph 12 of The Framework.
- 10.18 As the site for development is approximately 4.5 hectares in size and although it is defined as “best and most versatile” agricultural land, it is considered that the proposed development would not result in disproportionate loss of BMV land and a reason for refusal on loss of agricultural land could not be justified.

C Highways

- 10.19 A Development Framework Plan has been submitted with the application and retains the previous access arrangements proposed with the first application and which were agreed by the Local Highway Authority. The application proposes that the access to the site should be via a single priority controlled junction located on Little Walden Road. The access point is located approximately midway along the site frontage, about 80m north of the nearest property, No 108 Little Walden Road. The access is proposed with a 5.5m wide carriageway, 2 x 2m footways and 6m corner radii. A footway is proposed along the site frontage to the south of the access to allow pedestrians to connect from the site to Little Walden Road. In addition to the footways being provided adjacent to the proposed access road, a pedestrian/cycle connection is also shown to the south of the site and would link the development to St Mary's View .
- 10.20 It is also proposed to provide a pedestrian island in the location of the existing island on Little Walden Road which would form part of a 'gateway' feature for the speed limit change. This would be of sufficient width to safely house pedestrians with tactile paved dropped kerbs provided on both sides of the carriageway and tactile paving flush with the carriageway on the central island.
- 10.21 The applicants refer to the IHT Document 'Guidelines for Providing for Journeys on Foot' (2000) which suggests that acceptable walking distances for commuting, walking to school and recreation is 1000m and appropriate walking times is 12.5 minutes and that for other non-commuter journeys the distance is 800m and 10 minutes walking. The document suggests that respective distances of 2km and 25minutes walking time and 1.2km and 15 minutes walking time can be 'considered'.
- 10.22 The applicants have measured the walking and cycling distances to facilities in the town and show that most facilities are over 1km from the site and that most are between 1.2 to 25km from the site representing between 18 minute walk (e.g. Waitrose) to 33 minutes' walk (e.g. Saffron Walden County High School). St Mary's C of E Primary School is the closest facility listed at 1km (14 minutes' walk).
- 10.23 The applicants have argued that the site is well located in terms of walking and cycling accessibility and that whilst a small number of services and amenities fall outside the IHT 25 minute walk time, many can be accessed by walking an additional 5 minutes or alternatively by cycling. Residents have challenged these distances claiming that the applicant's distances are underestimated and that none of the facilities are within acceptable walking distances.
- 10.24 Bus accessibility for this part of Saffron Walden is limited. The nearest bus stop is 450m away and provides only a limited service. The more frequent No 34 hourly service operated from the bus stop some 500m to the south of the site but the Highway Authority has confirmed that this has ceased and the tender for this service has not been renewed.
- 10.25 The previous application was refused on highway grounds on the basis that the road which connects the proposed access to the town centre and on to key destinations is considered to have insufficient capacity to cater for the proposed traffic generated by the proposal. The Highway Authority considered that the residual cumulative impact of the development in this location was severe and that the previous application did not provide sufficient mitigation to address this. The Highway Authority raised no objections to the proposed access arrangements either for the first or this application.

- 10.26 The applicants have provided revised information on trip generation with the current application and the impact on the surrounding roads and have been in discussions with the Local Highway Authority. The applicants have advised that they have assessed the impact of the predicted increase in weekday peak hour vehicle traffic on the operation of the local highway network within a study area agreed with ECC, considering a future years of 2022 and taking into account of projected background growth and local committed developments.
- 10.27 The applicants argue that whilst the local highway network can experience congestion during peak periods and traffic surveys confirmed that only three of the junctions are shown to be close to or at theoretical capacity. The traffic impact of the proposed development is only 3.7% at the closest junction in the worst case scenario and the impact decreases to less than 0.5% at the junction farthest away from the proposed development within the study area. Such slight increases in traffic forecast at local junctions are not considered to have a material impact on the operation of the local highway network. Junction modelling also showed minimal increases in queues at junctions within the study area.
- 10.28 The applicants therefore consider that the traffic impact of the proposed development is well below the levels set out in 1994 Guidelines for Traffic Impact Assessment published by the Institution of Highways and Transportation (IHT) of between 5% and 10% daily traffic variation thresholds.
- 10.29 It is noted that the Town Council has continued to object to the proposal on highway grounds and has identified issues with the Transport Assessment. The impact on the road network to the south of the site as traffic seeks to cross the town is one of the main concerns of the representations from the Town Council and existing residents.
- 10.30 It is understood that the revised proposals relating to the access geometry and provision of a footpath and pedestrian island is now acceptable to the Highway Authority which considers that a safe and suitable access can be achieved.
- 10.31 The Highway Authority now also considers that the impact upon the junctions to the south of the site is acceptable. The Authority advises that the assessment of the application and transport assessment was undertaken with reference to the National Planning Policy Framework 2012 and in particular paragraph 32, with reference to matters of access and safety; capacity; the opportunities for sustainable transport; and mitigation measures.
- 10.32 Although this application is a duplicate of the previous application UTT-16-2010, the supporting highways evidence has been revised and a number of different assumptions have been made concerning the impact of the development on the highway network. In demonstrating the reduced impact on the network the following criteria have been changed:
- The trip rates have been reduced, based on evidence from traffic counts at adjacent estates
 - The distribution of trips on the network has been changed to put more traffic going north from the site and thus avoiding the town centre. This is based on evidence from the census data and Google maps journey times.
 - The network has been looked at in detail and the profile of traffic through the junctions during the peak hour was replicated in the modelling showing

that there is a smooth rather than peaked profile at most junctions

- 10.33 The data from these three exercises has been used to inform the modelling of the impact of the development on a number of key junctions in Saffron Walden.
- 10.34 The Highway Authority has advised that the new data has been carefully considered and although the trip rates used are lower than that in the original application, using data traffic counts at similar developments can be acceptable to determine trip rates, and in this case they have been looked at in relation to the TRICS database, ensuring that a reasonable forecast is made.
- 10.35 It is thought reasonable that 18% of work related peak traffic will go northward based on census data and fact that the journey times to Cambridge are roughly equivalent to using the route through the town centre. This is especially the case if the junctions to the south are congested when it is likely that conditions on the future network could impact on future driver behaviour.
- 10.36 In looking at the way traffic behaves on the ground it has been possible for the consultant to refine traffic models to reflect with more accuracy the likely impact of the development.
- 10.37 While there is no doubt that a number of junctions within Saffron Walden are at or approaching capacity, the transport assessment demonstrates that the impact on the majority of junctions is likely to be less than 2%. Of particular concern is the Ashdon Road junction. The maximum impact on this is 1.9% (36 trips) in the am peak or 2% (35 trips) in the pm. Even with a higher distribution of trips to the south (90%) the impact is still only 2.1% in the am and 2.2% in the pm. It is very difficult to argue that this level of impact is severe as the growth in queue lengths above the committed development is minimal.
- 10.38 The modelling of the Church Street junction with the B184 shows that it is currently at capacity with significant queuing in the nearside lane. While the modelling previously undertaken showed that the queue would increase beyond the length of Church Street with the addition of growth and committed development, it is generally understood that modelling can become unstable when the capacity is exceeded as in this case. Some work has been undertaken by the applicant to cast doubt on whether the queue will regularly exceed the length of Church Street and impact the Ashdon Road mini roundabout junction. In any event the development is forecast to put only 11 cars on Church Street in the am peak which is again a minimal impact.
- 10.39 A transport strategy was produced by ECC in 2013 and a Cycle Strategy in 2014 which showed a raft of measures that would help to reduce congestion and increase the accessibility of the town centre. A contribution to help deliver these strategies is required to help to mitigate the impact of the development.
- 10.40 It is noted that the opportunity for using sustainable transport instead of the car is limited as the nearest bus stop with a daily weekday service is 1.27km away. This should be considered by the planning authority within the general sustainability of the site along with the fact the majority of journeys will impact on the Air Quality Management Area in the town centre.
- 10.41 In summary from an assessment of the evidence put forward by the applicant in the transport assessment, in conjunction with the mitigation outlined below, the Highway Authority concludes that it will be difficult to prove that in highway terms

the residual, cumulative impact of the development is severe. As a consequence the Highway Authority now recommends approval subject to conditions and the requirement of contributions towards the Transport Strategy which would need to be secured through a Section 106 Agreement.

- 10.42 The site is removed by some distance from most of the everyday services and facilities that residents will need and beyond both the acceptable and considered distances for walking. Whilst most facilities are within cycling distance, there are concerns by third parties regarding speed along Little Walden Road and the need to cross the junctions which are currently already at capacity to be able to access the town centre.
- 10.43 The site is not dissimilar to other development in Saffron Walden where walking and cycling distances to facilities such as the town centre are similar and are only marginally greater than for the existing residents along St Marys View and Little Walden Road. There is clearly a concern that such distances and the lack of any regular bus service will lead to a possible greater level of use of the motor car. However, in the light of the Highway Authority's conclusions and recommendation of approval it is considered that it will be difficult to sustain an objection on highway grounds for the current application and indeed for the appeal proposal. In the light of the above the proposal is deemed to be acceptable in highway terms and therefore in accordance with Policy GEN1 of the Uttlesford Local Plan and the NPPF. The application is in outline and it is considered that the development is capable of providing adequate on plot car parking in compliance with Policy GEN8.

D Visual Impact

- 10.44 The application site is located on the northern side of Saffron Walden on sloping land that rises up from the road. There is no defined boundary on the eastern side of the site but the eastern edge continues the line of the existing vegetation that forms part of the Limefields to the south. The application is for outline planning permission and only the details of the access are to be approved at this stage. The revised Development Framework plan has been submitted to show how the development could be accommodated and shows that the eastern edge of development would sit part way up the slope and extend slightly further eastwards than the dwellings in St Mary's View. Those properties are not visible from the road being screened by the existing vegetation that extends along their northern boundary and which is proposed as open space in the Development Framework. The Landscape and Visual Appraisal (LVA) states that the site has a fall of some 10m from east to west with the south-eastern corner more steeply sloping and the Design and Access Statement confirms that the development will be mostly 2 storeys with some 2.5 storey dwellings included which would have a maximum ridge height of 10.5m.
- 10.45 The site is largely screened from views to the north by the belt of woodland along its northern boundary. The hedgerow along part of the road frontage also assists in screening the site from views from the road. However, the site is more prominent from the relatively short section of road to the south where there is no hedgerow and also in winter views. The eastern part of the site is also visible in varying degrees to views from sections of the public footpaths across the valley along Westley Lane and Catons Lane although trees and vegetation along Little Walden Road and The Slade help to filter views and provide partial screening, particularly of the western part of the application site. Similarly, there are partial views of the site from sections of footpaths to the east of the site along Westley

Lane, Byrd's Farm Lane and the bridleway no44.53. Again these views are mostly partial views with existing vegetation and landforms restricting many of the views of the site.

- 10.46 The refusal of the first application included a reason for refusal on the grounds that the development would be visually intrusive and would have a harmful effect upon the character and appearance of this area of the countryside. The applicants have resubmitted their revised Landscape and Visual Appraisal with the current application which considers the impact of the development from a wider range of viewpoints and also includes a number of photomontages to show how the development would be accommodated within the landscape over time. They have also amended the Development Framework to reduce the area of built form proposed in the site and provide a larger expanse of green infrastructure than was originally proposed in the first application.
- 10.47 The LVA confirms that the site is not subject to any landscape designation and that it is located within the Cam Valley Landscape Character Area (Essex Landscape Character Assessment 2013) where the landscape has a medium sensitivity to small urban extensions of less than 5ha. The site also lies within the Landscape Character Area (LCA) A1 Cam River Valley within the Uttlesford Landscape Character Assessment (2006) where the area is described as having a relatively high sensitivity to change and that the open skyline of the valley slopes is visually sensitive with new development being potentially highly visible within panoramic inter and cross-valley views.
- 10.48 The LVA confirms that the site will contain 1.97 ha of land dedicated to landscape, Green Infrastructure, public open space, play and habitat related proposals – representing 44% of the total site area. The development would include such measures as setting the development back from the boundaries to allow for the retention of existing trees and hedgerows with new planting being proposed to offset areas where landscaping has to be removed eg. to facilitate the access; the eastern boundary would be landscaped with a buffer which is shown on the Development Framework to be some 15m in width.
- 10.49 The LVA provides an assessment of the visual impacts of the development from a number of public view points including the public footpaths to the east of the site (Byrds Farm Lane) and to the west across the valley (Catons Lane) and also from further afield including the Harcamlow Way.
- 10.50 In terms of the views from the Public Rights of Way, the LVA concludes that the development will be visible to varying degrees from a number of them. Views of the proposed built development would be possible from the northern section of Byrd's Farm Lane - Public Right of Way 44.2 but those views further to the south would be generally screened by the largely continuous belt of vegetation along Public Right of Way 44.2 and intervening landform. The LVA considers that the proposed landscape buffer along the eastern boundary would effectively filter and screen views of new housing in the medium term and that the bank and vegetation to the south-east of the site which is proposed to be heavy and extra heavy standard tree planting, would provide a degree of screening and containment at completion. Lower density development along the eastern edge also provides more scope for on plot planting and a softer, more irregular edge.
- 10.51 There may be glimpsed views from the Harcamlow Way (44.1), which extends along higher ground but these are long distance views in which housing would be seen in the context of extensive residential development within the town.

- 10.52 The LVA considers that views of new housing from the PROWs (44.11 and 44.10) on the opposite side of the valley to the west of The Slade along Westley Lane and Catons Lane would be filtered and screened to varying degrees by intervening vegetation. It states that Viewpoints 10 and 11 illustrate how the site is visible in conjunction with the spire of St Mary's Church but also demonstrate that vegetation along the valley floor and site boundaries would provide a degree of enclosure and containment. This would be reinforced by new planting within proposed areas of public open space. Whilst it is not possible to screen new housing with tree planting due to rising topography, the proposed green infrastructure would soften views in the medium term to a degree and help to integrate the development within its wider landscape setting as shown on the photomontages.
- 10.53 The LVA concludes that once the proposed landscape buffers have had the opportunity to establish, there would be no greater than a moderate adverse effect where views are possible from relatively close proximity to the site declining to be negligible where views are more distant.
- 10.54 In terms of views from Little Walden Road, the LVA accepts that it will be necessary to remove sections of the existing hedgerow to allow for the access and visibility splays but the applicants argue that development would be set back to allow for a new hedgerow and tree planting to be established along the road frontage and create soft and attractive edge to the settlement. Views would only be possible where the road passes directly adjacent to the site with views further along the road to the north screened by the existing tree belt. This would help to protect existing views towards the spire of St Mary's Church as shown at Viewpoint 3. The overall visual effects for users of this road would be minor adverse in the medium term.
- 10.55 Residents against Unsustainable Development (RAUD) have continued to challenge the methodology and the conclusions of the LVA and consider that it contains selective use of viewpoints and therefore photographic evidence and the resulting assessments of impact. The residents consider that their photographs are more representative, that the landscape is of high value and that the development is unsustainable because of its visual impacts.
- 10.56 The submitted material submitted by both the applicants and RAUD highlight the fact that the application site is visible from public footpaths but it is clear that its prominence from those footpaths varies, depending upon a variety of factors including topography, location and the presence or otherwise of existing vegetation. As a consequence, the site is not visible to wider long distance views, but is more prominent within the shorter distance views in this part of the river valley. The existing scrub and trees on the southern part of the site to the north of St Mary's View provide a buffer between the site and the existing urban edge of the town and this would be retained as part of the green infrastructure of the site. There is no development along this section of Little Walden Road to the west and the site would clearly form an extension of Saffron Walden into open countryside.
- 10.57 The PROWs to the west of Little Walden Road provide relatively clear views of the southern and eastern sections of the site, but depending upon the location of the receptor, they also show the site against the background of existing development in Saffron Walden. Other parts clearly show the site against the rural backdrop. Whilst intervening vegetation may break up some of these views,

they do not screen the whole site and additional planting along the road frontage will not overcome the issues of visual intrusion from certain viewpoints within this area of open countryside. The proposals involve the development of part of the existing field and the Development Framework, the LVA and the Design and Access statement highlight the fact that development would not extend up the full extent of the slope. Development would therefore sit below the brow of the slope and planting within the site will serve to help break up the impact of the buildings. The formation of a landscaped buffer along the eastern boundary would also serve to define the limits of the site and also serve to soften the development when seen from the public footpaths to the east and north. The photomontages shows that the landscape buffer would assist in filtering these views and suggest that once established the landscaping will have a similar screening effect as the existing trees along the northern boundary of the site.

- 10.58 Both the Essex Landscape Character Assessment and the Uttlesford Landscape Character Assessment (2006) identify the Cam Valley as being sensitive to change with the more local Uttlesford assessment considering that this area has a relatively high sensitivity to change and that the open skyline of the valley slopes is visually sensitive with new development being potentially highly visible within panoramic inter and cross-valley views. A key requirement therefore is to ensure that development does not extend above the brow of the hill and therefore interrupt the open skyline. Although the LVA concludes that the development will have no more than a minor adverse effect upon completion, reducing to a negligible-minor adverse impact after the landscaping has established over a 10 year period, it is considered that the visual impact of development will change the character and visual perception of the area and that the landscaping proposed will not overcome many of these concerns.
- 10.59 The character of the immediate area will change considerably as a result of the new access proposals. Conflicting information has been submitted regarding the extent of the hedgerow and this is discussed below in more detail under the ecology implications. The revised access plan shows that visibility splays would cut into the hedgerow and that a substantial section would need to be removed but these details do not suggest that all the hedgerow would need to be removed as part of the splays fall within the highway verge. At present however, much of the length of the hedge has grown so that it extends up to the white lines along the metaled part of the highway and it is considered that it will need considerable pruning for much of its length. The access plan also shows that a 2m wide footpath would be constructed along the site frontage to the south of the access and is shown within highway land. A substantial section of this length has no hedgerow at present and will benefit by the new proposed planting along the back edge of the footpath which will help to screen the development. However, the remaining section of hedgerow to the south of the access is likely to require removal and does contribute to the rural setting of the site and the approach into Saffron Walden. The loss of the hedgerow will change the character of this section of road and even with the replacement hedging proposed, the approach into Saffron Walden will appear more urban from an earlier stage. The access will open up the site to views and combined with the provision of a footpath and street lighting, will urbanise this section of road and will be visually harmful to the rural approach into the town.
- 10.60 The applicants have considered the effects of lighting within the LVA but largely in respect of the site itself. They have indicated that tree cover along the site boundaries and in the immediate vicinity of the site would minimise any lighting effects. New lighting would be designed to modern standards with good cut off to

minimise light spill to the night sky. Whilst new lighting can be designed to minimise light spill as much as possible it does not remove it entirely and the new development will be visually prominent at night time.

10.61 Some street lighting is already in place along this road but stops at the cross over and the current 30mph speed signs. The development will extend the street lighting and therefore the urban edge of Saffron Walden by a further 60/70m northwards along Little Walden Road and will change the overall character of this stretch of road.

10.62 The proposals generally will change the character of this area and will extend the northern boundary of Saffron Walden into this rural area, thereby leading to its urbanisation. It is recognised that the development will be visually prominent from some views from the west and it is unlikely that these can be totally screened even with the provision of extensive landscaping because of the sloping lie of the land. It is considered that the additional impacts of light spillage, including car headlights and domestic lighting will totally change the character of this area and that the development is contrary to Policy GEN2 of the Local Plan.

E Ecology & Landscaping

10.63 Existing ecology and natural habitats found on the site must be safeguarded and enhanced and new opportunities for increasing the biodiversity should be explored.

Policy GEN2 of the Local Plan applies a general requirement that development safeguards important environmental features in its setting whilst Policy GEN7 seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated.

10.64 Paragraph 98 of Circular 06/05 states 'that presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would likely to result in harm to the species or its habitat'. Furthermore, the NPPF states that 'the planning system should contribute to and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible'.

10.65 The application site itself is not subject of any statutory nature conservation designation being largely an open field with mature trees and hedgerows around its edges. There are no internationally designated sites within 15km of the site boundary and no SSSIs within the 2km search area. The non-statutory sites of Westley Wood, Grimsditch Wood and Little Grimsditch Wood, are located more than 540m from the site. The applicants consider it highly unlikely that increased pressure upon these sites would arise from the proposed development due to the intervening distance. The application site does however lie adjacent to the locally designated Limefield Pit a PLGS (primarily designated for geology) which is located to the south of the site and to the east of the houses on St Mary's View. Much of the site is fenced off and access is limited. The site is not considered to be a constraint to development but good practice is recommended when working in /around these areas, with as much grassland as possible to be retained and replacement grassland throughout the rest of the landscape scheme.

10.66 The first application was refused on the grounds that it failed to address adequately the potential impacts of the proposed development in respect of protected species and upon wildlife generally in the area. Concerns related to the fact that although the initial habitat and species surveys identified the presence of

protected species, including bats, the surveys and information did not establish the extent to which these species were present within the site. The surveys identified that the hedgerows, woodland, trees and dense scrub within the site and around its edges provide foraging and commuting opportunities for bats. The species recorded comprised common pipistrelle, soprano pipistrelle and the comparatively rare Barbastelle. The surveys also identified the presence of common lizards in the grassland to the south and some, but limited, activity from badgers. No Dormice or Great Crested Newts were found and no mitigation is therefore considered to be necessary for these species.

- 10.67 The County Ecologist objected to the proposals due to the unknown losses of connective bat habitat, particularly Barbastelle bat, insufficient justification for removal of connective habitat and removal of semi-improved grassland which could be part of a Local Wildlife Site, without adequate justification and insufficient information to determine the adequacy of mitigation.
- 10.68 The revised application provides more information on the Barbastelle bats following extensive surveys. Monthly activity surveys have been completed identifying a small number of Barbastelle registrations. The applicants have advised that these bats are likely to use the site as an occasional commuting and foraging route and as such are not considered a constraint to the development.
- 10.69 The application is accompanied by a revised Development Framework which has reduced the overall area for built developed and increased the area shown for green infrastructure, including landscaping and Public Open Space. The area to the north of St Mary's View is now to be retained as a nature park and the play area, formerly shown in this location is moved further north into the main body of the development site. A continuous area of green infrastructure now surrounds the site with a break only for the main access into the site and is designed to strengthen habitat linkages with the surroundings and increase foraging potential.
- 10.70 The County Ecologists have confirmed that they welcome the amended proposals to the scheme to improve connectivity around the perimeters of the site; to retain most of the existing habitat and to create a nature reserve/ nature park. This will help to mitigate for protected species, particularly bats and further mitigation for bats is proposed.
- 10.71 There remain concerns about the significant loss of the hedgerow along the western boundary of the site to facilitate the access and sight lines as it will restrict bat movement, particularly as the record of the Barbastelle bat (Annex II species¹) means this is an 'Important Hedgerow' under the Hedgerow Regulations. As the connection for bats would be severed by the access road and the junction and would be wide and well-lit, it would no longer function effectively as a bat access route. A new hedgerow on the opposite side of the site along its eastern boundary is proposed in the Revised Ecological Appraisal, as well as tree planting near to the main junction to partly compensate for its loss.
- 10.72 The County Ecologist suggests that additional mitigation is therefore required in order to help ensure continuing connectivity and provide adequate mitigation. This mitigation should include the provision of a bat hop-over within the internal green link corridor, increased tree planting to provide a partial hop-over at an appropriate point along H1 to enable bat movement to the other side of Little Walden Road, improving connectivity with the Slade, the protection of all boundaries during construction and the establishment of the new eastern hedgerow before the hedgerow for the new access is removed and sympathetic

lighting within the development. These measures can be secured by condition.

10.73 Residents have challenged some of the proposals including the actual length of hedgerow that would have to be removed to facilitate access. They claim that more than the 80m suggested by the applicants would need to be removed as the sight lines required for the development are in excess 80m. Further, that the applicant's proposal for a 200m hedgerow along the eastern boundary is inaccurate.

10.74 The access proposals are set out in detail in the revised access plan (17-T019 02a) which has removed the proposed footpath to the north of the new access. The new access sight lines will only require the removal of a small portion of the hedgerow to the north of the access to achieve adequate visibility although the hedgerow is likely to need to be trimmed. The sight lines in that direction largely utilise the highway verge. There will be a loss of some 70m from the section of hedgerow to the south of the proposed access and it seems likely therefore that the total loss of hedgerow may be more in the region of 90m rather than the 80m suggested by the applicants. This is nowhere near the amount suggested by third parties who appear to have assumed that the full lengths of both site lines will necessitate removal of the hedgerow. With regard to the new hedgerow along the eastern boundary, this will be approximately 100m but it is not considered that the distances are material to the overall acceptability or otherwise of the proposal bearing in mind the County Ecologist's requirement for mitigation measures to be secured by condition.

10.75 The development as now proposed addresses the concerns of the County Ecologist and therefore the original reason for refusal. Although the application is in outline and the submitted Development Framework is largely illustrative, it follows the recommendations of the submitted Ecology Appraisal and conditions can be attached to require that development adheres to the general principles set out in the Development Framework. There are no outstanding concerns on ecology grounds that would warrant refusal of the revised proposals and which cannot be addressed through the imposition of conditions and it is considered that the proposals now comply with Policy ENV7 of the Local Plan and advice in the National Planning Policy Framework.

F Infrastructure Provision to support the development

10.76 ECC Education anticipates that the proposed development would generate a requirement for up to need for up to 8 Early Years and Childcare (EY&C) places; 26 primary school, and 17 secondary school places.

10.77 According to the Essex County Council, the proposed development is located within the Saffron Walden Castle Ward where there is one sessional pre-school in the area. At the present time, two unfilled places were recorded at the pre-school and therefore ECC Education consider that additional provisions will therefore be needed and an additional 7.65 places would be provided at an estimated total cost of £106,565 at April 2016 prices.

10.78 In terms of primary school places, the proposed development is located within the Uttlesford Primary Group 2 (Saffron Walden) Forecast Planning Group set out in Essex County Council's document 'Commissioning School Places in Essex'. This forecast planning group is forecast to have a deficit of 102 places. Essex County Council's '10 Year Plan' for meeting demand for school places proposes a one form entry bulge class for the area and work is underway to look at expanding

permanent accommodation at RA Butler Infant and Junior Schools. Based on the demand generated by this proposal set out above, a developer contribution of £311,559, index linked to April 2016, is sought to mitigate its impact on local primary school provision.

- 10.79 With regards to secondary education needs, the proposed development is located within the priority admissions area of Saffron Walden County High School which is, for the purposes of forecasting part of the Uttlesford Group 2 (Newport/Saffron Walden) Secondary Group. The school is full and 2020 the school is forecast to have a deficit of 138 places. Positive discussions have taken place with the school about expanding and this project could be taken forward with developer funding. Based on the demand generated by this proposal set out above, a developer contribution of £315,537, index linked to April 2016, is sought to mitigate its impact on local secondary school provision.
- 10.80 NHS Property Services were consulted on both the first and this application but have not responded and have not required any contribution. As a result, no contribution would be required as a result of this development.
- 10.81 The applicants have indicated that they will be prepared to enter into constructive dialogue with the District Council to agree obligations for any necessary and reasonable on and off site provisions that are related in scale and kind to the proposed development and which meets the tests set out in the Community Infrastructure Levy Regulations 2010. General discussion has taken place with regard to the appeal proposal and the requirement for a S106 for that application. It is therefore likely that a Section 106 will be in place for the appeal proposal and therefore adequate mitigation is capable of being provided. As such the development is capable of complying with Local Plan Policy GEN6 and the NPPF.

G Amenity

- 10.82 In terms of the amenity of existing and future residents, it is considered that adequate amenity can be provided for future residents and would be a consideration at the reserved matters stage. The existing residents at St Mary's View would be largely separated from the new housing by the intervening area of the proposed nature park. As a consequence, there would be no issues of overlooking or overshadowing. Furthermore, whilst pedestrian/cycle links are shown through St Mary's View, no vehicular access would be provided and residents would not experience increased levels of traffic.
- 10.83 The development will also extend along the rear gardens of the existing properties along Little Walden Road. These are predominantly bungalows and therefore there is some potential for overlooking and possible overshadowing particularly as the land rises to the east. The new dwellings would be on slightly higher ground and, as shown in the Design and Access Statement, would be two storeys. However, the properties on Little Walden Road have long gardens of some 25 to 30m which would afford adequate privacy in accordance with the Essex Design Guide. Existing trees within the application site also serve to screen these properties and it would be important for these trees and vegetation to be retained as much as possible and that appropriate levels of privacy are safeguarded at the reserved matters stage. It is therefore considered that appropriate levels of amenity can be provided for future residents and that the privacy and amenity of existing levels would not be adversely affected.

- 10.84 The application site also lies to the north of the Saffron Walden Air Quality Management Area (AQMA) and additional traffic entering the town centre as a result of the development will impact upon the AQMA. The applicants have submitted an Air Quality Assessment and have concluded that the development will not cause unacceptable harm from air pollution or a breach in national objectives. The effect on human health is not considered to be significant and the applicants advise that mitigation measures will not be required. However, the applicants confirm that it may be possible to further reduce the impact with the implementation of various mitigation strategies which could include such measures as EV recharging infrastructure, support for local walking and cycling initiatives, contribution to renewable fuel and energy generation projects, etc.
- 10.85 No Council's Environmental Health Officer's comments had been received at the time of writing this report. However, the EHO did comment on the previous application and confirmed that a worst case scenario had been modelled by keeping baseline (2015) background pollutant levels and vehicle emissions the same as in the opening year (2021), to reflect neither reducing as predicted by Detra. In this scenario, an increase of 2.45% of the nitrogen dioxide air quality objective level has been modelled at the top of the High Street, an outcome which equates to "slight adverse" due to annual mean levels being modelled as relatively high at this location. In this worst case scenario, levels have been modelled to remain within the air quality objectives, and in reality there is likely to be an improvement in vehicle emissions and background levels over the intervening 6 years. The impact on air quality at all other existing residential properties has been modelled to be negligible and consequently no mitigation has been proposed.
- 10.86 The impact of the development on air quality was therefore insufficient as a ground for refusal with the previous application and it is considered that the current application is no different, being for the same number of dwellings. In these circumstances, it is considered that there is no conflict with ULP Policy GEN2 (i) or ENV13.

H Other Material Considerations

- 10.87 The application site is located within Flood Zone 1 and a revised drainage strategy has been submitted by the applicants. The County Council as Lead Local Flood Authority EA has now confirmed that the Flood Risk Assessment as amended is acceptable and has withdrawn its objection subject to conditions being imposed on any planning permission. There is therefore no conflict with Policy ENV3 of the ULP.
- 10.88 The site is located within an MSA for High Purity Chalk; Cretaceous White Chalk Subgroup and a Minerals Resource Assessment has been submitted. The Assessment concludes that extraction of chalk underneath the site would not be feasible for the reasons set out in the report. The Minerals Authority has not commented on the current application but did confirm with the previous one that it had no objections to the application and therefore there is no conflict with Policy S8 of the Essex Minerals Local Plan 2014.
- 10.89 A Phase1 environmental report has been submitted and has concluded that the potential for contamination on the site is negligible. The Council's Environmental Health Officer previously confirmed that the findings were accepted but advised that the residential development beyond the southern boundary of the application site is on land historically used for chalk extraction and later as a private landfill.

This site was subject to building protection measures to address the risk from ground gases arising from the infill and underlying chalk strata. The risk of migration of gases affecting the application site remains low but the Environmental Health Officer considered that this should be further assessed by surveying at the stage of geotechnical intrusive sampling prior to development, when the presence of any other significant contamination on the land can be also be assessed and required conditions to be attached.

- 10.90 The site is not located adjacent to any listed buildings or close to any conservation area. The County Archaeologist has advised that the submitted heritage desk based assessment provides an accurate background to the known historic environment assets of the area. There is considerable evidence of prehistoric occupation of the valley slopes with a number of burial mounds and enclosures identified from aerial photography and this is likely to extend into the development area. The submitted document identifies these deposits but fails to understand that they potentially can extend into the development area. The County Archaeologist therefore recommends that conditions should be attached to any planning permission to secure a programme of trial trenching and open air excavation.

Conclusions

Paragraph 7 of the NPPF sets out the three dimensions of sustainable development as being economic, social and environmental and a key consideration therefore is whether the proposed application satisfies these three roles and can be regarded as sustainable. 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.

Economic Role: The application site is on the northern edge of Saffron Walden and would bring some economic benefits to the settlement of Saffron Walden, supporting local services and amenities as a result of the future occupiers of the development. In addition the proposal would provide some positive economic contribution during the construction process of the development and would contribute to the economic dimension of sustainability in the NPPF.

Social Role: The proposal would provide up to 85 dwellings with ancillary infrastructure and would provide 34 affordable dwellings, thereby contributing towards the delivery of housing needed in the district, including the provision of affordable dwellings. There are no facilities in the immediate vicinity and the applicants submitted Transport Assessment shows that most of the facilities that would be needed by future residents are mostly within the 1200m to 2000m from the site. Therefore residents would have to travel to access everyday needs and services. Whilst the development is located within cycling distance of most of the facilities and services contained in Saffron Walden, the site is not within preferred maximum distances for walking. However, other residents within the town, including those who live nearby, have similar distances to travel to facilities and it is therefore considered that while relatively remote, the site is still accessible to a range of facilities.

The application site is also on the opposite side of the town to the railway station and some distance to bus stops with the former hourly bus service now withdrawn so that there is no convenient public transport available for existing or

future residents. As a consequence, it is likely that most residents would have to use the motor car to access everyday facilities and services such as employment, shops and schools.

Environmental Role: the development would have some positive environmental impacts through increased planting contributing to the ecological diversity of the site and area. However, the application will involve the loss of countryside and will involve development which will be visually intrusive in particular, albeit limited, views. The applicants propose landscaping to help mitigate these impacts and whilst the development will fundamentally change the character and appearance of the area,.

It is considered that the proposals will not contribute to protecting and enhancing the natural or built environment. The development does not fulfil the three principles of sustainable development and cannot be regarded as sustainable development and that the presumption in favour of development is not engaged.

Benefits of the Proposal

The development provides benefits through the provision of both market and affordable housing. At the present time, the Council is unable to demonstrate a 5 year supply of housing land and this development will contribute to the Council's stock of market housing and would therefore assist in boosting the supply of housing in line with the requirements of the NPPF. It will also provide much needed affordable housing and as such, these aspects of the proposal should be given significant weight. It will also, in common with any housing development, generate economic benefits through the construction process and also from the spending power of residents.

Planning Balance

The presumption in favour of sustainable development, as set out in the NPPF, states that planning permission should not be granted when the adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The proposals do not represent sustainable development and are considered to be contrary to the development plan.

Since the refusal of planning permission for the previous application, the applicants have submitted revised proposals which have now addressed the previous highway and ecology objections. Both the Local Highway Authority and the County Ecologist are satisfied that the development can proceed without unacceptable impacts provided that relevant planning conditions are attached to any permission and no longer object to the proposals. Furthermore, with the submission of the appeal for the previous application which is due to be heard at a Public Inquiry in July 2017, discussions are ongoing in an attempt to secure an appropriate S106 Agreement to address such matters as the provision of affordable housing, the education contribution and maintenance contributions for the open space and SUDs. The applicants have confirmed their willingness to enter into an appropriate Section 106 and therefore the fourth reason for refusal for the previous application is likely to be overcome.

The remaining issue is therefore the impact upon the countryside. It is accepted that the development will be located within the open countryside, and will result in visual intrusion. However, the site is relatively well contained being bounded to the north by the existing line of trees which restricts views of the site when

approaching from the north. The provision of landscaping within and around the site will soften the overall Impact of the development but will not be able to screen it entirely because of the rising nature of the site. There will continue to be views of the site and therefore of the new housing from sections of Catons Lane and Westley Lane to the west but development will not be seen above the brow of the hill and will not extend as far eastwards as other parts of the town but will be contained within the valley. It is accepted that views from the east and north-east will largely be screened over time with the proposed landscaped buffer along the site's eastern boundary. Little Walden Road will also change considerable but for a relatively short section of the road between the new access and the existing housing. These are all adverse impacts which count against the proposal.

However, the Council is unable to demonstrate a 5 year supply of housing land at the present time and therefore policies relevant to the supply of housing are deemed to be out of date. Policy S7 relates in part to the supply of housing but also relates to the protection of the countryside and weight can therefore be attached to its provisions. However, the weight to be attached to such policies is reduced due to the lack of a 5 year supply and it is considered that, in the overall planning balance, the benefits of the development of bringing forward much needed housing, including affordable housing, which will assist in boosting the supply of housing in the district are not significantly and demonstrably outweighed by the harm that would arise through development within this area of open countryside.

It is considered that the adverse impacts of this development are significantly and demonstrably outweighed by the benefits of the proposal and that planning permission should therefore be granted.

RECOMMENDATION – APPROVAL WITH CONDITIONS

The applicant be informed that the committee would be minded to refuse planning permission for the reasons set out in paragraph (III) unless by the 10 June 2017 the freehold owner enters into a binding agreement 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 Head of Legal Services, in which case he shall be authorised to conclude such an agreement to secure the following:

- (i) Provision of Affordable Housing with appropriate access to be provided at all times.
- (ii) Education Contribution
- (iii) Ensure adequate ongoing maintenance of SUDS System/details of onsite management of SUDs if to be retained in private ownership.
- (iv) Provision and maintenance of open space and LEAP.
- (v) Long term landscape and ecological plan
- (vi) Contributions to Highway Strategy
- (vii) Payment of monitoring fee
- (viii) Pay Councils reasonable costs

(II) In the event of such a variation to the extant obligation being made, the Assistant Director Planning shall be authorised to grant permission subject to the conditions set out below:

(III) If the freehold owner shall fail to enter into such a variation of the extant obligation, the Assistant Director Planning shall be authorised to refuse permission in his discretion at

any time thereafter for the following reason:

- (i) Lack of Affordable Housing with appropriate access.
- (ii) Lack of Education Contribution
- (iii) Lack of adequate ongoing maintenance of SUDs.
- (iv) Lack of provision and maintenance of open space and LEAP
- (v) Lack of long term landscape and ecological plan
- (vi) Lack of contribution to Highway Strategy

1. Approval of the details of the layout, scale, landscaping and appearance (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 3 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. The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

- 3 Development to adhere to the principles set out in the Development Framework Plan ref; 6825-L-03 rev J.

- 4 No dwelling shall be occupied until the proposed access on to B1052 (Little Walden Road) as shown in principle on drawing '17TD19-02a' to include a 5.5 metre carriageway, two 2 metre footways (within the site), and a minimum radius of 8m has been provided. The road junction at its centre line shall be provided with a clear to ground visibility splay with dimensions of 2.4m metres by a 78m to the north and 89m to the south along the nearside edge of the carriageway. Such vehicular visibility splays shall be provided before the road junction is first used by vehicular traffic and retained free of any obstruction at all times.

REASON: To provide adequate inter-visibility between vehicles using the road junction and those in the existing public highway in the interests of highway safety in accordance with policy DM1 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN1 of the Uttlesford District Local Plan as Adopted 2005 and the National Planning Policy Framework..

- 5 No dwelling shall be occupied until a 2m wide footway has been provided on the B1052 (Little Walden Road) to link the footway on the proposed access and the existing footway to the south of the site, the existing island has been removed and a

new pedestrian crossing of Little Walden Road in the form of an island refuge (minimum of 1.5m in width) with associated drop kerbs, tactile paving has been provided to the south of the access (as shown in principle in drawing P16026-001B)

REASON: To make adequate provision for the additional pedestrian traffic generated within the highway as a result of the proposed development in accordance with policy DM9 of the Development Management Policies as adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN1 of the Uttlesford District Local Plan as Adopted 2005 and the National Planning Policy Framework.

- 6 No dwelling shall be occupied until a pedestrian/cycle link and access of minimum width 3m, onto St Mary's View as shown in principle on the development framework plan 6825-L-03-J, is built to adoptable standards, exact alignment to be agreed through a reserve matters application, and to be maintained in perpetuity thereafter.

REASON: to ensure the permeability of the site and in the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 of the Highway Authority's Development Management Policies, adopted as County Council Supplementary Guidance in February 2011 and in accordance with Policy GEN1 of the Uttlesford District Local Plan as Adopted 2005 and the National Planning Policy Framework.

- 7 Prior to the occupation of any dwelling, an electric vehicle charging point shall be provided within any associated garage.

REASON: To provide residents with access to more sustainable and less polluting forms of transport in accordance with DM9 of the Essex Development Management Policies (2011) and paragraph 35 of National Planning Policy Framework (2012) and in accordance with Policy GEN1 of the Uttlesford District Local Plan as Adopted 2005 and the National Planning Policy Framework .

- 8 No development shall take place (including ground works and vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

- 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 Local Planning Authority. The details shall ensure the lighting throughout the site 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 District Local Plan as Adopted 2005 and the National Planning Policy Framework .

- 10 No works shall take place until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented prior to occupation and should include but not be limited to:

- Surface water discharge should be limited to 7.4l/s for all storm events up to and including the 1 in 100 year event plus climate change allowance of 40%
- Provide sufficient storage to ensure no off site flooding takes place as a result of the development for all storm events up to and including the greenfield 1 in 100 year event plus a climate change allowance of 40%.
- Provide treatment for all elements of the development in line with guidance in the CIRIA SuDs manual C753.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and to ensure the effective operation of SuDS features over the lifetime of the development and provide mitigation of any environmental harm which may be caused to the local water environment.

- 11 No works shall take place until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented. The scheme shall be implemented as approved.

REASON: The National Planning Policy Framework paragraph 103 states that local planning authorities should ensure flood risk is not increased elsewhere by development.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development.

- 12
1. No development or preliminary groundworks shall commence until a programme of archaeological trial trenching has been secured and undertaken in accordance with a written scheme of investigation which has been submitted by the applicant, and approved by the planning authority.
 2. A mitigation strategy detailing the excavation/preservation strategy shall be submitted to the local planning authority following the completion of this work.
 3. No development or preliminary groundworks shall commence on those areas

containing archaeological deposits until the satisfactory completion of fieldwork, as detailed in the mitigation strategy, and which has been signed off by the local planning authority through its historic environmental advisors.

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

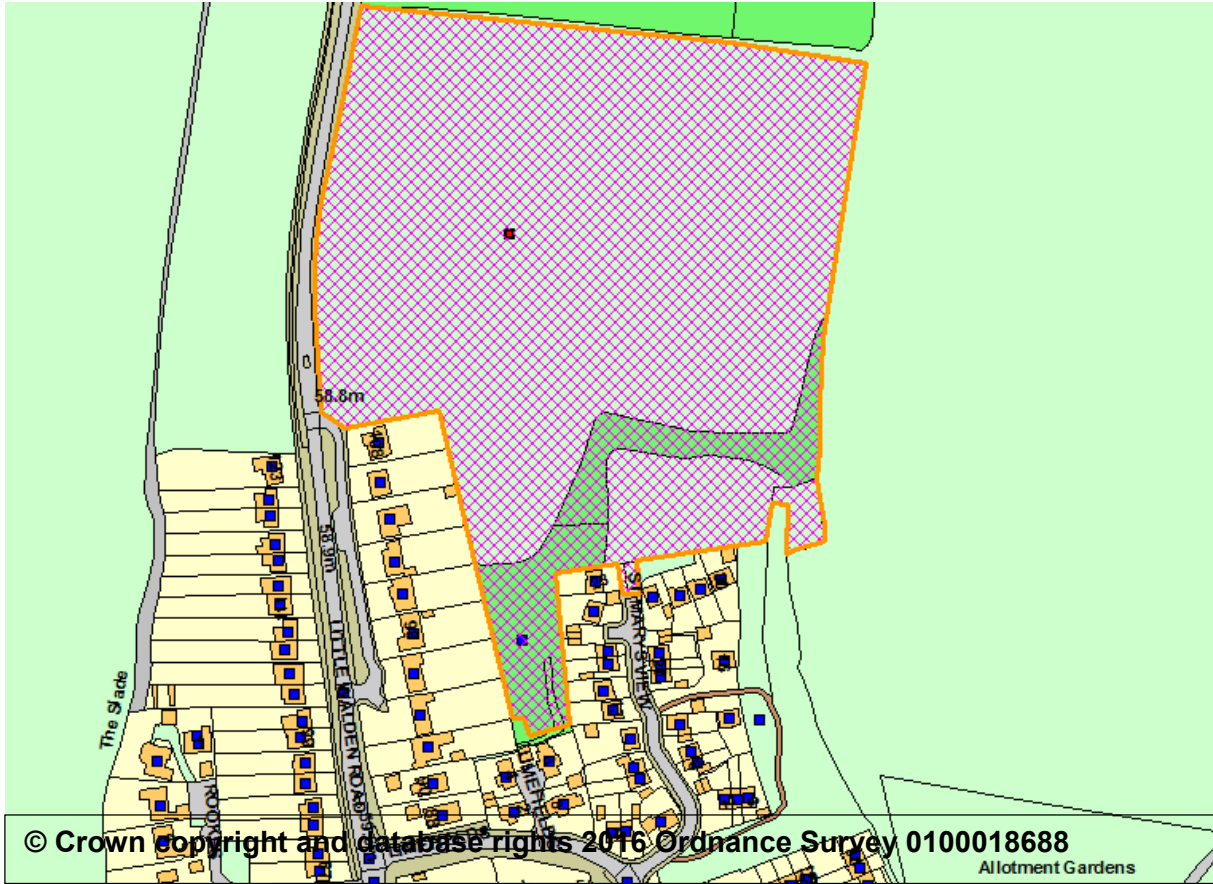
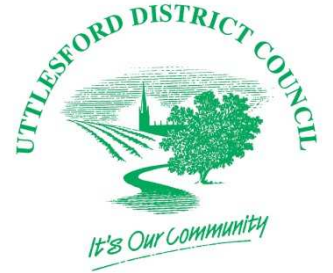
- 13 5% of the dwellings approved by this permission shall be built to Category 3 (wheelchair user) housing M4(3)(2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON : To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace

- 14 Before development commences cross-sections of the site and adjoining land, including details of existing levels around the building(s) hereby permitted and any changes in level proposed, together with the proposed floor levels within the building(s), shall be submitted to and approved by the local planning authority in writing. The development shall be carried out in accordance with the approved details.

REASON: To protect the amenities of neighbours and to minimise the visual impact of the development in the street scene in accordance with Policies GEN2 & GEN4 of the adopted Uttlesford Local Plan 2005.

Application: UTT/17/0522/OP
Address: Land at Little Walden Road, Saffron Walden



Organisation: Uttlesford District Council

Department: Planning

Date: 26 April 2017