

UTT/18/3457/FUL
(Saffron Walden)
(UDC Planning Application)

PROPOSAL: Works to the ruins of Walden Castle to allow for public access, comprising a new internal floor to the castle, new security gates and fence and an external lighting scheme.

LOCATION: Saffron Walden Castle, Museum Street, Saffron Walden

APPLICANT: Uttlesford District Council

AGENT: Caroe Architecture Ltd.

EXPIRY DATE: 15th March 2019

CASE OFFICER: Chris Tyler

1. NOTATION

- 1.1 Within Development Limits
Grade I Listed Building
Scheduled Monument
Conservation Area

2. DESCRIPTION OF SITE

- 2.1 The site relates to Saffron Walden Castle and is located on raised ground north west of The Common. The Castle is a designated scheduled monument and only one of six Grade I listed structures in the Conservation area of Saffron Walden.

3. PROPOSAL

- 3.1 This planning application is works to the castle including new internal floor, new security gates, fences and external lighting scheme.

The proposal includes:
1x main gate (MG01)
1x fence/ railing (MG02)
2x access gates (MG03 and MG04)

4. ENVIRONMENTAL IMPACT ASSESSMENT

- 4.1 Town and Country Planning (Environmental Assessment):
The proposal is not a Schedule 1 development, nor does it exceed the threshold criteria of Schedule 2, and therefore an Environmental Assessment is not required.

And

Human Rights Act considerations:

There may be implications under Article 1 and Article 8 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been

taken into account in the determination of this application

5. APPLICANT'S CASE

- 5.1 The applicant has provided a heritage, design and access statement in support of the planning application to illustrate the process that has led to the development proposal and to explain and justify the proposal in a structured way.

Also submitted is a completed biodiversity checklist

6. RELEVANT SITE HISTORY

- 6.1 There are no previous planning applications linked to this proposal.

7. POLICIES

7.1 National Policies

- 7.2 National Planning Policy Framework (2018)

7.3 Uttlesford Local Plan (2005)

Policy S1 – Development limits for Main Urban Areas

Policy ENV1- Design of development within the conservation area

Policy ENV2- Development affecting Listed Buildings

Policy GEN2 – Design

Policy GEN4- Good Neighbourliness

Policy GEN5- Light Pollution

Policy GEN7 - Nature Conservation

Policy GEN1- Access

Policy GEN8 - Vehicle Parking Standards

Policy ENV4 - Ancient Monuments and sites of Archaeological Importance

8. PARISH COUNCIL COMMENTS

- 8.1 No comments received- expiry date 24/1/2019

9.0 CONSULTATIONS

The Highways Authority

- 9.1 From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following measures:

1. The external lighting / floodlighting shall be so positioned and shielded, in perpetuity, to direct light away from the highway. Reason: To ensure that users of the highway are not subjected to glare and dazzle from lighting within the development in the interest of highway safety.

The above conditions are required to ensure that the development accords with the Highway Authority's Development Management Policies, adopted as County Council

Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1. Informatives:

i. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.

Environmental Health

9.2 No objection to the application as proposed.

The application seeks consent for a range of improvement works to the historic Saffron Walden Castle, comprising a new internal floor to the castle, new security gates and fences and an external lighting scheme. From an Environmental Health perspective, the only issue for consideration is the potential for obtrusive or spillover light from the 3 proposed external lighting units to impact on neighbouring residential properties.

The applicants are conscious of this and it appears to have been taken into account in the design of the exterior lighting scheme. The 3 low wattage LED light units that comprise the lighting scheme will be contained within ground level "hides" with the light directed onto the existing walls of the castle. The hides should enable the light to be directed where it is intended and reduce the likelihood of spillover or obtrusive light as a result.

Having reviewed the lighting details submitted, I would advise that Environmental Health have no objection in respect of the development as proposed.

INFORMATIVES

Developers are referred to the Uttlesford District Code of Development Practice. To avoid/minimise the impact upon the amenity of adjoining residents; developers are advised to follow the General Principle, and advice contained therein.

Ecology

9.3 No objections or further recommendations made.

Conservation Officer

9.4 The application is for works to the ruins of Walden Castle to allow for public access, comprising a new internal floor to the castle, new security gates and fences and an external lighting scheme.

Saffron Walden Castle is the remains of a twelfth century tower-keep, grade I listed (ref: 1297737) and located upon the Bury Hill scheduled monument (ref: 1009307), within the Saffron Walden I Conservation Area. The Castle is an important remnant of the town's history and a well-documented example of a motte and bailey castle with important archaeological remains.

The proposals will not cause harm to the castle, and will be beneficial in terms of public engagement with the site. Access to the site will be improved by the insertion of the floor within the keep and the proposed lighting is sensitive to both the listed structure and the conservation area. Concealing the lighting within grass mounds will especially ensure the setting of the castle is not harmed by the proposals, allowing for the grass to appear largely uninterrupted when viewed from afar.

The gates specified within the proposal are sensitive to the structure, and will not detract from the setting. Relatively unobtrusive, the additional protection they provide the castle outweighs any aesthetic harm caused by the modern intervention.

Historic England

- 9.5 The proposal has been assessed by historic England and schedule monument consent has been granted for the works. We advised the proposal is in line with the aims and objective of the NPPF with respect to the historic environment.

BAA

- 9.6 No aerodrome safeguarding objections

ECC Archaeology

- 9.7 The Historic Environment Record shows that the proposed development lies within the Scheduled Monument of Saffron Walden Castle (EHER 411). A programme of work has already been completed by Pre Construct Archaeology which has been agreed with Historic England. As the programme has been agreed no archaeological recommendations are being made on this application.

10 REPRESENTATIONS

- 10.1 Neighbouring properties consultation- 24/1/2019
Expiry date 11/1/2019
Site notice and advertisement consent- 25/1/2019

1 letter of comments received

Neighbours Comments	Case Officers Comments
The documents include state the site will be used for events	The application is for the works to the castle, this does not include change of use and therefore this cannot be considered.
There are other venues within the town for this	The planning application does not consider the castle as a venue and therefore this cannot be considered.
The site is open to the weather; there is no proposal for cover.	The application proposal does not include cover; this is not part of the proposed development submitted and not a material consideration.
There is not reference for traffic/ parking	The applications for the works to the building
No consultation on wildlife	Essex County Council Ecologists have been consulted, no objections or further recommendation have been made. A completed biodiversity checklist was submitted with the application.
The application lack this practical information	It is considered the application includes sufficient information in regards to the proposed works.

10.2 All material planning merits will be considered in the following report.

11 APPRAISAL

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

- A The principle of development (NPPF, ULP Policies S1, GEN2, NPPF)
- B Whether the proposal would have a detrimental impact on the historic fabric, character or appearance of the listed building and the character of the surrounding conservation area as outlined in Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policies ENV1, ENV2, NPPF).
- C Ancient Monuments and sites of Archaeological Importance (ULP Policy ENV4)
- D Impact on residential amenity, disturbance and light pollution (ULP Policies GEN2 & GEN5)
- E Access and Vehicle Parking Standards (ULP Policies GEN1 and GEN8, UDC Parking Standards)
- F Nature Conservation (ULP Policy GEN7)
- G Any other material considerations

A The principle of development (NPPF, ULP Policies S1, GEN2, NPPF)

- 11.1 The principle of development of the site (ULP Policies S1, GEN2 and the NPPF)
The application site lies within the development limits of Saffron Walden ULP Policy S1 where development compatible with the character of the settlement and countryside setting will be permitted within these boundaries.
- 11.2 The proposal is for the proposed works to the Saffron Walden Castle, the proposed works are considered to have significant material change to the character of the site and its setting that will result in any harm.
- 11.3 The proposal will replace the existing fencing, boarding and existing metal gates, there are currently in a poor state of repair, the proposed works are considered of a sensitive design that will in compatible with the site.
- 11.4 The lighting will include concrete base and trenching, the installation of the lighting will include some moderate impact, however due to the arched design of the units within the ground and being covered by turf, it is not considered the physical installation of the lighting units will not result in any harmful impact to the character of the site.
- 11.5 The lighting is intended to floodlight specific areas of the external wall of the castle with subtle warm wash of light. The lighting will illuminate the southwest corner of the castle, the south wall and south east corner; this leaves the rest of the castle and residential area to the rear in darkness. As such, although the introduction and use of lighting will material change the character of the castle the design and fitting will result in a will not result in a visible impact to the aesthetic value of the site and would lead to an enhancement.
- 11.6 Taking in consideration the above points it is considered the proposed development is in accordance with ULP Policies S1, GEN2 and the NPPF.

B Whether the proposal would have a detrimental impact on the historic fabric,

character or appearance of the listed building and the character of the surrounding conservation area as outlined in Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policies ENV1, ENV2, NPPF).

- 11.7 The building is Grade I Listed and is also a Scheduled Monument, Saffron Walden Castle is the remains of a twelfth century tower-keep, grade I listed (ref: 1297737) and located upon the Bury Hill scheduled monument (ref: 1009307), within the Saffron Walden I Conservation Area. The Castle is an important remnant of the town's history and a well-documented example of a motte and bailey castle with important archaeological remains. As such due to the important and sensitive nature of the site due consideration is made to the assessment of this application.
- 11.8 Essex County Council Conservation officers have been consulted in regards to the proposal development, no objection have been made. The conservation officer considered the development will not cause harm to the castle, and will be beneficial in terms of public engagement with the site.
- 11.9 Historic England has also been consulted and supports the proposal, it's also noted that scheduled monument consent has been granted for the works and has been submitted to the local planning authority for review. As such taking the consultation responses the proposed development will not have any harmful impact to the setting and character of the historic building and the surrounding conservation area and therefore accords with the aims of Section 66(1) and Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (ULP Policies ENV1, ENV2, NPPF).

C Ancient Monuments and sites of Archaeological Importance (ULP Policy ENV4)

- 11.10 Ancient Monuments and sites of Archaeological Importance (ULP Policy ENV4) ULP Policy ENV4 assesses the need for the development in regard to the impact on the archaeological importance of the site. A programme of work has been completed by Pre Construction archaeology which has been agreed with Historic England. Essex County Council archaeological specialist has assessed the proposal, no objections or further conditions are made. As such it is considered the proposal does not conflict with ULP Policy ENV4.

D Impact on residential amenity, disturbance and light pollution (ULP Policies GEN2 & GEN5)

- 11.11 Local Plan Policy GEN2 requires that development does not cause an unacceptable loss of privacy, loss of daylight, overbearing impact or overshadowing to neighbouring residential properties.
- 11.12 The proposal, in the context of the works to the building is not considered to result in any significant impact or loss of residential amenity to neighbouring properties that will have any materials harm. The works do not include the change of use of the site and as such the use of the building will not result in any significant intensification. As such the proposal accords with ULP Policy GEN2.
- 11.13 In regards to light pollution ULP Policy GEN5 states a lighting scheme is not permitted unless the level of lighting and its period of use is the minimum necessary to achieve it purpose and the glare and light spillage from the site is minimised.

- 11.14 The proposed development includes details of the proposed lighting; the design of the lighting has been to avoid neighbouring properties. A mock up of the proposed lighting was made in May 2018. The Council Environmental Health officer have been consulted, no objection have been made. Due consideration has been made in regards to light spill over the neighbouring residential properties.
- 11.15 The 3 low wattage LED light units that comprise the lighting scheme will be contained within ground level "hides" with the light directed onto the existing walls of the castle. The hides should enable the light to be directed where it is intended and reduce the likelihood of spill over or obtrusive light as a result. As such it is considered the proposal accords with ULP Policy GEN5.

E Access and Vehicle Parking Standards (ULP Policies GEN1 and GEN8, UDC Local Residential Parking Standards)

- 11.16 As stated previously the proposed development does not include the change of use of the site, therefore the proposal does not require any additional parking provisions.

In regards to Highway safety (ULP Policy GEN1) the Highways Authority have been consulted, no objection have been made subject to the imposition of conditions for the positioning of the lighting. As such it is considered the proposal will not result in a significant harmful impact to parking provisions or highway safety and the proposal accords with ULP Policies GEN1 and GEN8.

F Nature Conservation (ULP Policy GEN7)

- 11.17 The applicants submitted a biodiversity questionnaire as part of the proposal, The proposal includes the works to the castle, no demolition of the building and it is considered the development will not result in the removal of protected habitat. That being said the proposed lighting scheme could have the potential to impact biodiversity.
- 11.18 Essex County Council ecology has been consulted, no objections or further recommendation have been made. As such it is considered the proposal is not considered not to have a harmful impact to protected species and biodiversity and accords with ULP Policy GEN7.

G Any other material considerations

- 11.19 The following policies are included in Regulation 19 Local Plan submission and therefore have been considered in the assessment of the application; these policies hold some limited weight.
- 11.20 SP9- development within development limits
D1- High quality design
EN2- Design of development within conservation areas
EN4-Development affecting Listed Buildings
EN5- Schedule Monuments and sites of archaeological importance
EN20- Light pollution
TA1- Accessible Development
TA4- Vehicle parking standards
EN8- Protecting the natural environment

12. CONCLUSION

12.1 In conclusion, the proposal is considered an appropriate form development that would represent an acceptable scheme in terms of the heritage asset and its surroundings. The proposal would comply with national and relevant local plan policy and is acceptable.

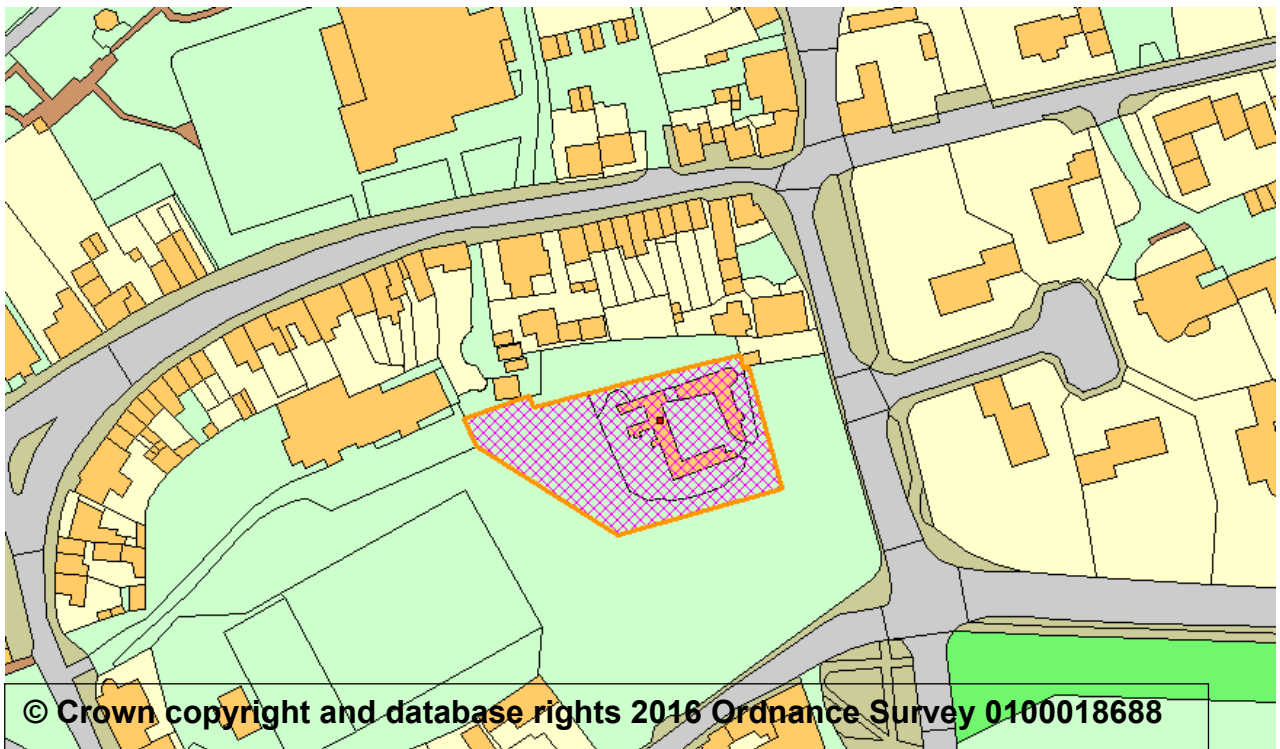
RECOMMENDATION – APPROVAL WITH CONDITIONS

Conditions

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

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

2. The lighting hereby approved will be installed and operated in strict accordance with the approved plans 098303 and 384_D-001. The use of this condition is to ensure the development does not result in any light pollution that will have a detrimental impact to neighbouring residential properties, in accordance with ULP Policies GEN and GEN5.



Organisation: Uttlesford District Council

Department: Planning

Date: 22 February 2019