

UTT/20/1143/FUL
(Saffron Walden)
(Major Application)

PROPOSAL: Application to vary condition 8 (electric vehicle charging points) of application UTT/19/1823/FUL – amendment from 10 no. electric vehicle charge points to 4 no. electric vehicle charge points

LOCATION: Saffron Walden Country High School, Audley Road, Saffron Walden Essex CB11 4UH

APPLICANT: Saffron Academy Trust, Saffron Walden Country High School,

AGENT: Trident Building Consultancy

EXPIRY DATE: 17 August 2020

CASE OFFICER: Rosemary Clark

1. NOTATION

1.1 Outside development limits

2. DESCRIPTION OF SITE

2.1 The application site is situated within the grounds of Saffron Walden County High School. Vehicular and pedestrian access is gained via a driveway entrance adjoining Audley End Road. The application site relates to an area south west of the High School Building.

3. PROPOSAL

3.1 This application relates to the variation of Condition 8 attached to UTT/19/1823/FUL which was approved on 8.11.19 for the Creation of an Artificial Grass Pitch (AGP) with associated features including: fencing and entrance gates, pitch barrier with entrance gates, fenced enclosure, hard-standing areas, vehicular maintenance and emergency access, 15m high floodlight system. Maintenance equipment store, football car park, grassed mound and replacement planting.

3.2 Condition 8 relates to 10 x electric vehicle charging points shall be installed within the proposed car park area. These shall be provided, fully wired and connected, ready to use before the use of the development.
REASON: The requirement of the charging points are required to mitigate the harm for poor air quality due to the increase in vehicle movement and being within the designated air quality management area and in accordance with ULP Policy ENV13, Emerging Local Plan Policy TA2 and the NPPF.

3.3 The application seeks consent to vary condition 8 from 10 no electric vehicle charge points to 4 no. electric vehicle charge points.

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 condition was added at the Planning Committee meeting after the committee report recommended that 2 no. points were appropriate. The requirement for 10 no. points was decided upon without due consideration to the financial impact and viability of the whole project, the availability of existing electrical capacity or the remote location of the new football car park at the extreme edge of the school site.
- 5.2 They wish to propose the provision of 4 no. electric vehicle charge points instead. These will be split so that there are 2 no. EVCPs at two different locations on the School site. 2no. would be located at the new football car park which are most likely to be used in the evenings or weekends when the football pitch is being used by Saffron Walden Community FC. The other 2 no. EVCPs would be provided elsewhere in the existing school car park where there is better visibility and they are more likely to be used by daytime visitors to the schools or teachers. (see updated information submitted 9 July 2020)

6. RELEVANT SITE HISTORY

- 6.1 UTT/19/1823/FUL - Creation of an Artificial Grass Pitch (AGP) with associated features including: fencing and entrance gates, pitch barrier with entrance gates, fenced enclosure, hard-standing areas, vehicular maintenance and emergency access, 15m high floodlight system, maintenance equipment store, football car park, grassed mound and replacement planting – Approved with conditions 8.11.19

7. POLICIES

7.1 National Policies

National Planning Policy Framework (2018)

7.2 Uttlesford Local Plan (2005)

GEN2 - Design

ENV13 – Exposure to Poor Air Quality

7.3 Essex Design Guide

8. PARISH COUNCIL COMMENTS

- 8.1 No objections

9.0 CONSULTATIONS

9.1 HIGHWAYS

From a highway and transportation perspective the Highways Authority has no objections to make on this application to vary condition no. 8 to reduce the number of electric vehicle charging points from 10 to 4, as it is not contrary to the relevant transportation policies contained within the Highway Authority's Development Management Policies, adopted as Country Council Supplementary Guidance in February 2011 and Uttlesford Local Plan Policy GEN1.

Informative:

- 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 : SM02 – Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford CM2 5PU
- ii) The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definite Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath no. 35 (Saffron Walden) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

The grant of planning permission does not automatically allow development to commence. In the event of works affecting the highway, none shall be permitted to commence until such time as they have been fully agreed with this Authority. In the interests of highway user safety this may involve the applicant requesting a temporary closure of the definitive route using powers included in the aforementioned Act. All costs associated with this shall be borne by the applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

9.1 ENVIRONMENTAL HEALTH

The applicant wishes to install 4 electric charge points instead of the 10 conditioned in the original application.

This development is just outside the Saffron Walden AGMA but will nevertheless add to local air pollution and an appropriate level of mitigation is expected. NPPF18 supports provision of measures to minimise the impact of development on air quality by encouraging non car travel and providing infrastructure to support use of low emission vehicles.

The Uttlesford Air Quality Technical Planning Guidance recommends 2% dedicated electric charging points (ECP) of the total provision. This would be 1.1 charging bays for this scheme of 55 parking bays.

For developments in the Air Quality Management Area (AGMA) it recommends 1 charge point per 10 spaces which would be 5.5 charging bays.

The close proximity of the site to the Saffron Walden AQMA and likely increased traffic through the town as a result of the development supports the requirement for 5.5 ECP bays for this scheme with additional cable provision designed to prepare for increased demand in future years.

The Planning Committee requested 10 ECP as an improvement to this development

scheme and therefore this matter should be decided by the Planning Committee.

10 REPRESENTATIONS

- 10.1 Site Notice posted 2.6.20
30 Neighbours were consulted – one response received – objection
I wish to object to reducing the number of electric charge points required for the development. I do not believe the provision of these points would add significantly to the development cost, nor does it seem credible that electrical supply is likely to be an issue since the intention is to mount floodlights on the site. Since charging an electric vehicle takes a period of time, it is better that those points are located in areas where people are likely to be parked for an extended period – for example when attending a football match or training session – and suggest the developer should not be trying to set officers and councillors in opposition to each other in the way their comments seem to do. (see response from agent 9.7.20)
- 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 proposal relates to the variation of Condition 8 attached to planning approval UTT/19/1823/FUL. The applicant seeks to reduce the number of Electric Charging Vehicle points from 10 to 4. The issue to be considered is whether the reduction in (EVCP) would be harmful to air quality of the location (ULP Policy GEN2 and ENV13).
- A Whether the reduction in (EVCP) would be harmful to air quality of the location (NPPF, ULP Policy GEN2 and ENV13, Essex Design Guide)**
- 11.1 This application solely relates to the variation of condition 8 with regard to the number of Electric Vehicle Charging Points that need to be provided as a result of the approval of UTT/19/1823/FUL. The approved application is for the Creation of an artificial Grass Pitch and associated features, including provision for 55 cars at the Saffron Walden County High School.
- 11.2 Since the application was approved the Emerging Local Plan has been withdrawn, apart from this all other National and Local Plan Policies remain unchanged.
- 11.3 The site is situated outside of the Air Quality Management Area (AQMA) – Saffron Walden. It is acknowledged that the new facility will have the potential to introduce additional traffic onto the local road network due to the availability of use for training and matches outside normal school hours. The site is within walking and cycling distance of the local community, however it is inevitable that it will attract private vehicles from beyond the immediate area. The Environmental Health response on the initial application stated that the impact on air quality is likely to be negligible, measures should be incorporated to reduce emissions to a minimum, including those to support non car travel, as the site is within acceptable cycling/walking distance from the local community. They recommended that 20% of parking bays should have electric vehicle charging points. However, in the absence of any adopted Planning Policy to enforce this requirement, but in line with proposals contained within the Emerging Local Plan.
- 11.4 It was initially recommended to the Planning Committee that 2 EVCPs was sufficient

to cover this proposal and this was agreed with the Agent. It was resolved at Planning Committee that 10 EVCP should be installed ready to be used prior to use of the facility.

- 11.5 Saffron Academy Trust have submitted this application to vary the condition giving the reason that the cost and practicalities of installing 10 EVCP is unreasonable given that this facility is for use by the community and attached to the school and that the costs make it unviable to proceed on this basis.

It is also difficult to argue that any number of points is required by Policy as currently there is no Local Plan Policy that covers this situation. The NPPF, paragraph 153 indicates that new development should:-

- a) comply with any development plan policies on local requirements for decentralised energy supply unless it can be demonstrated by the applicant, having regard to the type of development involved and its design, that this is not feasible or viable

Whilst it is encouraged that as much effort as possible is put into reducing carbon footprint, and we have the guidance from Environmental Health, stating that 1 charging point should be installed for every 10 car parking spaces, that would mean 5.5 EVCP would need to be provided. This application has come some way to try to meet that requirement.

- 11.6 Additional information has been submitted by the Agent during the life of this application to clarify the reason for this variation request. The applicant in this case is a School Academy Trust, and not a "Developer". The 3G football facility will be a genuinely "Community use" scheme, and it is not for profit. The users will, during the school week, be the pupils of County High School, all other local primary schools and other visiting school children. Outside of school hours, the primary users will be children from 4 to 18 years old from the Saffron Walden area and of course surrounding villages, as well as some visiting teams for football matches on Saturdays and Sundays. The Agent reiterates that The Academy trust (and Saffron Walden Community Youth FC, the partner club) is not seeking to drive revenue by generating large profits from the Community football pitch. It is pointed out that the bulk of the funding for this project will be in the form of a Grant from the Football Foundation, and there will be a binding agreement whereby all surplus revenue is spent exclusively on improvement of existing football facilities at the School, i.e it will be invested in the existing grass football pitches at County High

- 11.7 It was originally proposed that the EVCPs would be situated within the existing car park (2 units) and in the "new" car park (2 units). However, it is now proposed that the EVCP's are all placed together in an alternate location in the existing school car park where it is expected that the EVCP's are far more likely to be used both during the school week and outside of school hours. The units would be installed to the south-west of the site in bays 19-22 (see revised drawing submitted 9.7.20). The EVCPs will be more visible, more accessible to other daytime users (as well as football users), and are closer to the school buildings whilst still being only a short walk to the 3G AGP site. If the units were situated in the football car park, this is at the furthest edge of the school site and is relatively secluded, so it is felt that the points will be less likely to be utilised. Locating the EVCPs more prominently in the existing school car park is more likely to open up use by school staff during the school week.

- 11.8 As the facility has the potential for use mainly by the "local" community and

predominately school pupils it is considered that a bank of ten EVCPs is excessive and disproportionate to the 55 spaces to be provided in the “new” 3G car park.

- 11.9 The type of EVCP unit proposed is a “trickle” or destination charger which provides a slower rate of charge for vehicles which might be parked up for an hour or longer. This is the type which might be found in a retail car park, hotel or workplace. Whilst still expensive, this type requires less electrical capacity for operation. They would be available for all EV users or visitors to the school and will be operated as part of the Polar/BP Chargemaster network, which is consistent with the EVCPs recently installed at the Common Car Park in Saffron Walden.
- 11.10 The agent has also highlighted that if 10 EVCPs were used simultaneously, at the same time as peak electrical demand on the school and its associated buildings (Saffron Hall), the cumulative electrical demand would be substantial and potentially result in the need for upgrade works to the electrical supply at that part of the school, which may require the provision of a new sub-station to meet “peak demand”. Locating the reduced number of 4 EVCPs in the proposed alternate position does not require significant upgrade to the existing electrical supply network.
- 11.11 In the absence of any planning policy to insist on any EVCPs to be included in any proposal, in this instance the provision for 4 new charging points, in a more central location is acceptable resulting in a positive improvement to providing renewable energy to meet local needs in accordance with ULP Policy ENV13 and ENV15.
- 11.12 There are no objection from the Parish Council.
- 11.13 The Highways Authority have been consulted and raise no objections.
- 11.14 One representation has been received objecting to the reduction in EVCP's. It is their believe that the provision of these points would not significantly add to the cost of the development or that it seems credible that electrical supply is likely to be an issue since the intention is to mount floodlights on the site. The agent has responded to these comments. The proposed floodlights at the new 3G AGP will be highly efficient LED fittings which use substantially less electricity than fittings that might previously have been used. Other points addressed in paragraph 11.1 - 14

12. CONCLUSION

- 12.1 It is considered that the proposal for 4 EVCP is acceptable, resulting in the opportunity to address climate change and reduce carbon footprint in the absence of a Development Plan Policy that insists on provision being made for these units.

RECOMMENDATION – APPROVAL

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 Use of the artificial grass pitch shall not commence until: (a) certification

that the Artificial Grass Pitch hereby permitted has met the FIFA Quality accreditation or equivalent International Artificial Turf Standard (IATS); and (b) confirmation that the facility has been registered on the Football Association's Register of Football Turf Pitches; have been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure the development is fit for purpose and sustainable, provides sporting benefits and to accord with ULP Policy LC4.

3. Prior to the use of the artificial grass pitch hereby permitted a community use agreement prepared in consultation with Sport England shall be submitted to and approved in writing by the Local Planning Authority, and a copy of the completed approved agreement has been provided to the Local Planning Authority. The agreement shall apply to the artificial grass pitch, multi-use games area and supporting ancillary changing and parking facilities and include details of pricing policy, hours of use, access by non-educational establishment users, management responsibilities and a mechanism for review, and anything else which the Local Planning Authority in consultation with Sport England considers necessary in order to secure the effective community use of the facilities. The development shall not be used at any time other than in strict compliance with the approved agreement."

REASON: To secure well managed safe community access to the sports facility/facilities, to ensure sufficient benefit to the development of sport and to accord with ULP Policy LC4.

4. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal Report (Concord Ecology, July 2019) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW,) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details."

Reason: To conserve and enhance Protected and Priority species and allow the LPA to discharge its duties under the UK Habitats Regulations, the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with ULP Policy GEN7.

5. Prior to the development above slab level a Biodiversity Enhancement Strategy for Protected and Priority species shall be submitted to and approved in writing by the local planning authority. The content of the Biodiversity Enhancement Strategy shall include the following:
 1. Purpose and conservation objectives for the proposed enhancement measures;
 2. detailed designs to achieve stated objectives;
 3. locations of proposed enhancement measures by appropriate maps and plans;
 4. persons responsible for implementing the enhancement measures;
 5. details of initial aftercare and long-term maintenance (where relevant).

The works shall be implemented in accordance with the approved details and

shall be retained in that manner thereafter."

REASON: To enhance Protected and Priority Species/habitats and allow the LPA to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with ULP Policy GEN7.

6. The development hereby approved and its associated sports lighting shall not be used outside the hours of:
 - a) [8 a.m.] and [10:15 p.m.] Monday to Friday;
 - b) [9 a.m.] and [10:15 p.m.] on Saturday, Sunday and Bank HolidayREASON: To balance illuminating the development for maximum use and benefit to sport with the interest of amenity and sustainability and to accord with ULP Policies GEN4 and ENV11.

7. Prior to commencement of the development, details of all hard and soft landscaping (including planting, hard surfaces and boundary treatment) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details. This should include boundary treatment between the site and neighbouring property.

All planting, seeding or turfing and soil preparation comprised in the above details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings, the completion of the development, or in agreed phases whichever is the sooner, and any plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation. All landscape works shall be carried out in accordance with the guidance contained in British Standards, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure compatibility with the character of the area and to mitigate the loss of trees on the site, in accordance with ULP Policies S7 and GEN2 of the Uttlesford Local Plan (adopted 2005)

8. 4 x electric vehicle charging points shall be installed within the existing car park area marked as bays 19-22 unless otherwise agreed in writing by the Local Planning Authority. These shall be provided, fully wired and connected, ready to use before the use of the development

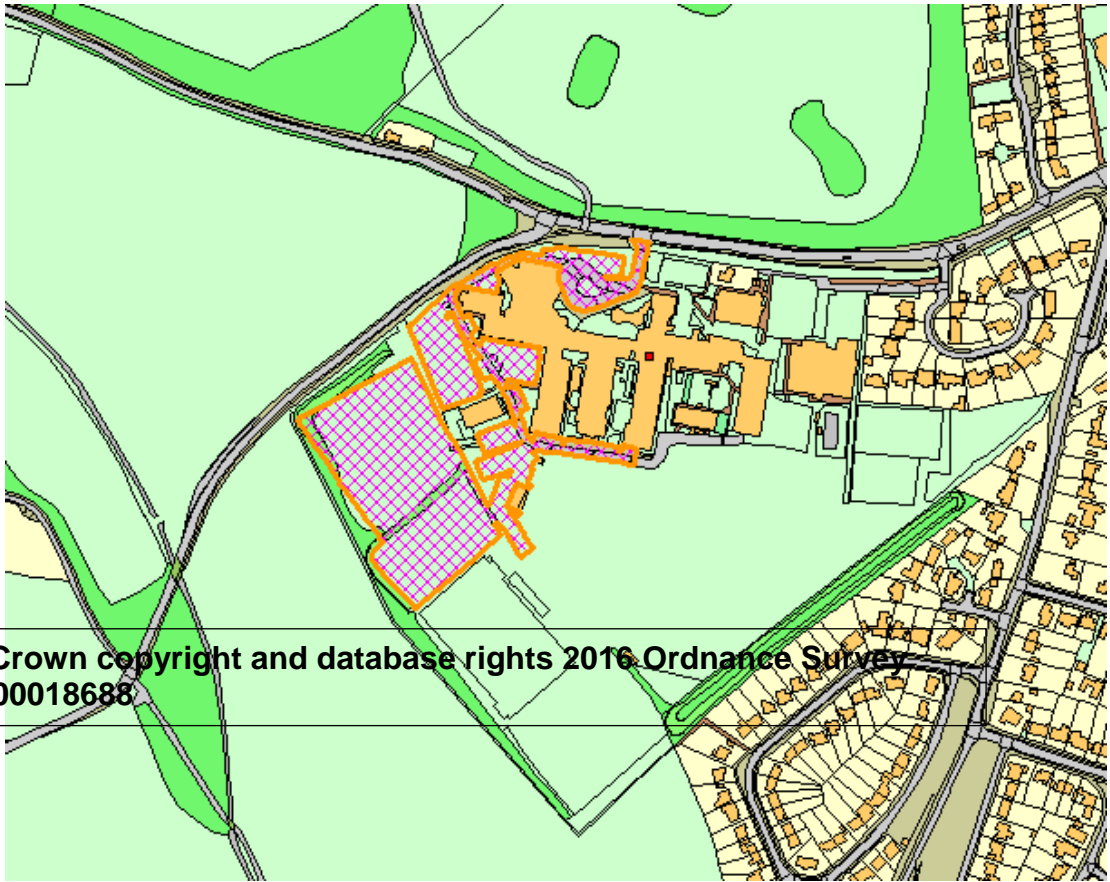
REASON: The requirement of the charging points are required to mitigate the harm for poor air quality due to the increase in vehicle movement and being within the designated air quality management area and in accordance with ULP Policy ENV13 and the NPPF.

9. The floodlights hereby approved will be angled to direct light downwards and fitted with louvre baffles to minimise overspill.

REASON

To balance illuminating the development for the maximum use and benefit to sport with the interest of amenity and to accord with ULP Policy GEN4.

UTT/20/1143/FUL



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Organisation: Uttlesford District Council

Department: Planning

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