

CHAPTER 11 COUNTRYSIDE

Introduction

Paragraph 11.2

This policy and supporting text was responded to by 1 person / organisation.

Support	-
Object	-
Comment	1

Overarching Summary

- Development depleting the countryside as well as destroying the natural habits and demolition of historic buildings.

Statutory consultees and other bodies

No comments received.

Developers/landowners/site promoters

No comments received.

Individuals

- Development in the form of mass minute homes is eating up the countryside and destroying natural habitats as well as the demolition of historic rural buildings

Sustainability Appraisal June 2017

No policies to appraise.

Officer Response

Proposed changes to plan

Protection of Landscape Character

Policy CI

This policy and supporting text was responded to by 22 people/organisations.

Support	8
Object	8
Comment	6

Overarching Summary

- Policy considered as not seeking landscape enhancement
- Recommendation to change wording from “material harm”
- NUGC regarded as in conflict With Policy C1 principles regarding settlement pattern, scale, density and cross views
- Careful lighting installations in public and private developments to reduce visual impact in rural areas
- Policy supported for protection of panoramic views
- Thaxted’s historic character believed to be under threat from increasing levels of development especially, inappropriate design and lack of enforcement
- Policy considered not contrary to NPPF principles (paragraph 14)
- Policy considered overly restrictive and fails to recognise positive improvements and mitigations that development can provide

Statutory consultees and other bodies

Historic England considers that the Policy does not seek landscape enhancement and refers to ‘material harm’ and changing this wording is recommended. The objective of protecting and enhancing landscape is recognition of its links to the cultural heritage.

Saffron Walden Town Council and Thaxted Parish Council support the policy especially the protection of panoramic views.

Great Chesterford Parish Council regards NUGC as being at odds with Policy C1 since the development will a significant adverse impact on cross views and the settlement pattern. Material harm will be caused to the historic settlement pattern in scale and density; landscape patterns and character, filed patterns and historic lanes.

Little Chesterford Parish Council considers that the NUGV development is contrary to Policy C1 as stated in terms of cross valley views, panoramic views and material harm to the historic settlement pattern especially in scale and density. The promoter’s indicative plans shows development on hillsides and this is contrary to the historic development pattern on hillsides.

Littlebury Parish Council considers that the careful design of lighting installations in both private and public developments is important in reducing the visual impact of new developments whilst maintaining the rural character of the area.

THE THAXTED SOCIETY notes that Thaxted's historic character predominates but is susceptible to being overwhelmed by increasing levels of development and inappropriate design where vigilant care, mitigation and enforcement are lacking.

Saffron Walden Neighbourhood Plan Steering Group and **s Stansted Neighbourhood Plan Steering Group** support the policy but consider that hedgerows should be protected as some are ancient and Uttlesford's Protected Lanes should be referenced.

Developers/landowners/site promoters

- Policy overly restrictive and fails to recognise positive improvements and mitigations that development can provide
- Policy inconsistent with NPPF which emphasizes the importance of balancing adverse impacts and benefits.
- Approach that restricts development on the basis of material harm regardless significance of harm and potential for mitigation is contrary to NPPF principles Paragraph 14
- Policy C1 is not framed in line with NPPF guidance
- Policy needs rewording to allow decision makers to undertake a NPPF compliant planning balancing exercise
- Objection to policy approach as it effectively prevents development that has a view
- NPPF requires protection of valued landscapes and Policy C1 is non-compliant
- Sufficient controls in place elsewhere to give such matters the appropriate level of protection and therefore policy in its entirety should be deleted

Individuals

- Key area of concern is the protection of habitats and the Greenbelt
- Policy C1 principles are unachievable in NUGV because the historic settlement pattern cannot be followed due to the topography of the area
- NUGV poses a strong possibility of coalescence with Great Chesterford
- NUGV will have an adverse visual impact and any mitigation measures would constrain development
- Development of all three proposed Garden Communities will cause all the harms that Policy C1 is seeking to protect against
- Development at Easton Park does not comply with Policy C1 principles
- Easton Park supports a variety of wildlife and concern is raised over deer herds using the park and deer safe corridors would be lost to development
- What precise measures will be put in place to protect the three Protected Lanes that bound the Easton Park development site?
- NUGV will be highly visible from South Cambs and the environmentally sensitive Cam Valley
- NUGV will cause permanent destruction of upland, the skyline, good quality agricultural land and urbanise an essentially rural landscape that has a sensitivity to change
- Destruction of the countryside is unacceptable and ruining it for current and future generations

Sustainability Appraisal June 2017

Significant, Temporal and Secondary Effects

Uttlesford District is made up of 26 different landscape character areas which each have individual profiles detailing their visual, historic and ecological characteristics as well as their sensitivities to change. Sensitivities to change are particularly high where there are open skylines and cross valley views. There are other notable landscape features in Uttlesford District, such as historic parklands, parks and gardens; historic lanes; and historic field patterns, greens, commons and roadside verges, the impact on which should be considered when determining proposals. The policy would make landscape character a specific consideration when assessing development proposals both within settlement boundaries and beyond them. This would have a significant positive impact on landscapes. The policy seeks to avoid harm to those landscape patterns, woodland areas, hedgerows, individual trees and vistas across the district which have important landscape value. Similarly, the policy would have a significantly positive impact on the integrity and character of the historic environment within the district which may have a far wider area of influence than features already designated. Historic landscapes comprise features of historical importance therefore by protecting these landscapes this policy would maintain these assets.

Alternatives Considered

The NPPF states that the planning system should contribute to protecting and enhancing valued landscapes and that Landscape Character Assessments should be undertaken to support the Local Plan. The Policy is in direct compliance with the NPPF and any deviation from the Policy approach could be considered unsustainable or otherwise not distinctly different to warrant assessment within this SA.

Proposed Mitigation Measures / Recommendations

No mitigation measures or recommendations are proposed.

Officer Response

Proposed changes to plan

Re-use of Rural Buildings

Policy C2

This policy and supporting text was responded to by 10 people/organisations.

Support	5
Object	1
Comment	4

Overarching Summary

- Policy welcomed by Historic England as it will protect heritage assets or enhance the countryside
- Policy offers opportunity to identify a potential role for re-use of agricultural in supporting rural economy
- Use of Dutch Barn footprints for dwellings should be avoided
- Construction of agricultural buildings as a pretext to provide a future dwelling footprints should be avoided
- Delete last Policy Bullet point as is heading of next paragraph and Policy C3 title

Statutory consultees and other bodies

Historic England welcomes the requirement for re-use of rural building to protect or enhance the countryside. This will help protect heritage assets and the character of the countryside. Policy is an opportunity to identify potential role that re-use of rural buildings could contribute in supporting the local rural economy.

East Hertfordshire District Council suggests that last bullet point in Policy C2 text should be deleted because it is covered in Policy C3.

THE THAXTED SOCIETY supports the policy but considers that more stringent conditions should be attached to avoid use of a rudimentary Dutch Barn as a footprint for a dwelling or vice versa. Construction of agricultural building as pretext for providing future dwelling footprints should be avoided.

Saffron Walden Town Council, Thaxted Parish Council and Stansted Neighbourhood Plan Steering Group recommend removal of last bullet point from Policy text as it is the heading of paragraph 11.8 and Policy C3 title.

Saffron Walden Neighbourhood Plan Steering Group supports the policy.

Developers/landowners/site promoters

No comments received.

Individuals

- Policy supported
- Policy C3 last bullet point is heading for Paragraph 11.8
- Once last bullet point is removed then semi-colon on penultimate bullet point is redundant and should be deleted.

Sustainability Appraisal June 2017

Significant, Temporal and Secondary Effects

This policy would have positive impacts on the natural environment where a criterion stipulates that development will only be permitted where it protects or enhances the character of the countryside and its biodiversity value. The policy will also have significant positive secondary effects on landscape, through re-use, and also the sustainable use of land. Impacts on the historic environment are uncertain in association with the possibility that

redundant rural buildings are historic in nature and could be non-designated heritage assets that otherwise are not covered by policy within the Plan.

Alternatives Considered

An alternative approach was considered:

- Alternative C2 (a): For the re-use of rural buildings outside development limits to be limited to employment purposes; or if demonstrably unviable, then for another non-residential use, or for residential use only if all other types of use are demonstrably unviable (as proven either by marketing or an independent assessment). Although paragraph 28 of the NPPF requires Local Plans to promote a strong rural economy by enabling the growth and expansion of rural businesses and enterprises through the conversion of existing buildings. Nevertheless, Permitted Development rights allow the change of use of agricultural buildings for a range of uses subject to certain criteria being met. The Preferred policy approach only applies in those cases where planning consent is required. The implications of the Policy are that not all buildings will necessarily be appropriate for some form of beneficial use; however the alternative can be seen to conflict with the possibility that rural buildings may be suitable for non-employment uses and a general presumption in favour of sustainable of non-employment development in such areas. For this reason the alternative has been rejected in favour of a less constrained approach as espoused in the Policy. The alternative is also likely to lead to fewer schemes being viable in rural areas, which remain redundant and do not improve local landscape and townscape as a result. For this reason the alternative has been rejected.

Proposed Mitigation Measures / Recommendations

It is recommended that the Policy be expanded to protect and enhance those rural buildings that are not listed but have value as non-designated heritage assets.

Officer Response

Proposed changes to plan

Change of Use of Agricultural Land to Domestic Garden

Policy C3

This policy and supporting text was responded to by 6 people/organisations.

Support	3
Object	3
Comment	0

Overarching Summary

- Permitted rights should not be included
- Proposed Garden Communities do not meet Policy C3 criteria
- Proposed garden Communities will change the character and appearance of the countryside

- Policy rewording require to ensure that domestic gardens cannot be used for house building
- Policy may give rise to domestic infill in form of annexes on originally designated agricultural land

Statutory consultees and other bodies

THE THAXTED SOCIETY supports the policy.

Saffron Walden Neighbourhood Plan Steering Group and Stansted Neighbourhood Plan Steering suggest that permitted development rights should not be included.

Developers/landowners/site promoters

No comments received.

Individuals

- Proposed large scale development will change the character and appearance of the countryside
- Disagree that New Garden Communities meet the Policy C3 criteria, also an explanation required on how criteria is being met
- Policy has potential to give rise to domestic infill e.g. annexes on originally agricultural land
- Reword policy to ensure that domestic gardens cannot be used for house building

Sustainability Appraisal June 2017

Significant, Temporal and Secondary Effects

Changes of use from agricultural land to domestic garden can materially change the character and appearance of the surrounding countryside and landscape. The policy seeks to control changes to land use in order to preserve the character and appearance of the countryside which will ensure positive impacts on landscape through its preservation. However, agricultural land is an economic resource and it is uncertain what impact this policy will have on protecting high grade agricultural land. The impact on soils has therefore been marked as uncertain. This is also the case regarding the historic environment and the alteration of any field boundaries. Despite this, other policy exists within the Plan to ensure that historic field patterns are protected.

Alternatives Considered

An alternative approach was considered:

- Alternative C3 (a): To have no policy regarding the change of use of agricultural land to a domestic garden.
There will be negative and uncertain impacts on relevant sustainability criteria arising from this alternative. Since the adoption of the Adopted Local Plan 2005 there have been a number of applications for changes of use to residential garden land which have been approved. The Council propose keeping the policy, as per the adopted Local Plan 2005, because it has successfully controlled development, by resisting inappropriate extensions of domestic gardens into the countryside. There has also been consistent support for this policy by Inspectors in the past and therefore this alternative has not been progressed.

Officer Response

Proposed changes to plan

New Community Facilities within the Countryside

Paragraph 11.9

This policy and supporting text was responded to by 3 people/organisations.

Support	-
Object	-
Comment	3

Overarching Summary

- Reference to be made to Essex Rural Strategy 2016-2020 (RCCE 2016) and successor documents published by Essex Rural Partnership to help promote vibrant, mixed and sustainable rural communities
- Suggestion to add 'indoor and outdoor sports facilities' to the list in paragraph.

Statutory consultees and other bodies

Essex County Council Environment, Sustainability and Highways suggest that UDC refer to Essex Rural Strategy 2016-2020 (RCCE 2016) and successor documents published by Essex Rural Partnership to help promote vibrant, mixed and sustainable rural communities.

Saffron Walden Neighbourhood Plan Steering Group and Stansted Neighbourhood Plan Steering Group suggest addition of 'indoor and outdoor sports facilities' to the list in paragraph.

Developers/landowners/site promoters

No comments received.

Individuals

No comments received.

Sustainability Appraisal June 2017

No policies to appraise.

Officer Response

Proposed changes to plan

New Community Facilities within the Countryside

Policy C4

This policy and supporting text was responded to by 9 people/organisations.

Support	4
Object	2
Comment	3

Overarching Summary

- Recognition that in principle outdoor sports facilities may be justified in the countryside beyond development limits is welcome
- Outdoor sports facilities requiring access to natural resources may not be met in urban areas due to land take and locational requirements
- Community facilities and other built amenities should not be permitted beyond development limits except in exceptional circumstances
- Policy as drafted make no provision for expansion or improvement of community facilities in the countryside
- Flexibility required to meet community needs
- Policy to be amended to require a Landscape Assessment on application

Statutory consultees and other bodies

Sport England welcomes policy due to recognition that in principle outdoor sports facilities may be justified in the countryside beyond Development Limits of settlements. Many outdoor sports facilities that require access to natural resources have land take or locational requirements which prevent being met within urban areas.

Historic England recommends that the policy is amended to require development to have regard to the historic environment. Development should be considered in the context of a Landscape Assessment which should accompany an application.

THE THAXTED SOCIETY considers that 'community facilities' might include other built amenities not sport related and as such should not be allowed outside development limits

other than in extreme circumstances. Provision of such built amenities beyond the town's core is contrary to The Thaxted Society's policy.

Saffron Walden Town Council, Thaxted Parish Council and Saffron Walden Neighbourhood Plan Steering Group support the policy.

Developers/landowners/site promoters

- The principle of deeming community facilities acceptable beyond development limits is welcome
- Policy as drafted does not include provision for expansion of existing community facilities with the countryside to meet needs
- Policy as drafted restricts improvement of existing facilities in future
- Flexibility required to meet specific community needs
- UDC to use exemplar scheme where sports pitches and new community centre were funded wholly by enabling development.

Individuals

- Private or public facilities do not replace the long walks and bicycle rides on traffic free countryside lanes

Sustainability Appraisal June 2017

Significant, Temporal and Secondary Effects

Paragraph 70 of the NPPF states that planning policies should “plan positively for the provision and use of shared space, community facilities [...] and other local services to enhance the sustainability of communities and residential environments.” The Council consider that the provision of new or replacement sport and recreational facilities beyond development limits is acceptable, and this is shared within this assessment with a large proportion of historic settlements within the District and a scarcity of suitable land within development limits. There will be positive impacts where new facilities will be permitted beyond development limits in the above listed circumstances. This will have significant positive impacts on health and well-being. Although the policy does not include any environmental considerations within the necessary qualifying criteria, the policy is a single issue theme outlining the principle of new community facilities within the countryside, and other policies apply for such protection and enhancement within the Plan.

Alternatives Considered

An alternative approach was considered:

- Alternative C4(a): To have no policy regarding new community facilities within the Countryside

There will be uncertain impacts on relevant sustainability criteria arising from this alternative however it should be acknowledged that both the Policy and this alternative seek to locate new facilities within development limits in the first instance. The Council considers it is important to have a policy specifying the type of development which is appropriate i.e. not only playing fields but also built development such as club-houses etc. It therefore rejected the alternative of deleting the policy as this would create uncertainty as to the future provision of such new facilities.

Proposed Mitigation Measures / Recommendations

No mitigation measures or recommendations are proposed.

Officer Response

Proposed changes to plan