

## UTT/20/3415/FUL (SAFFRON WALDEN)

### (UDC Application)

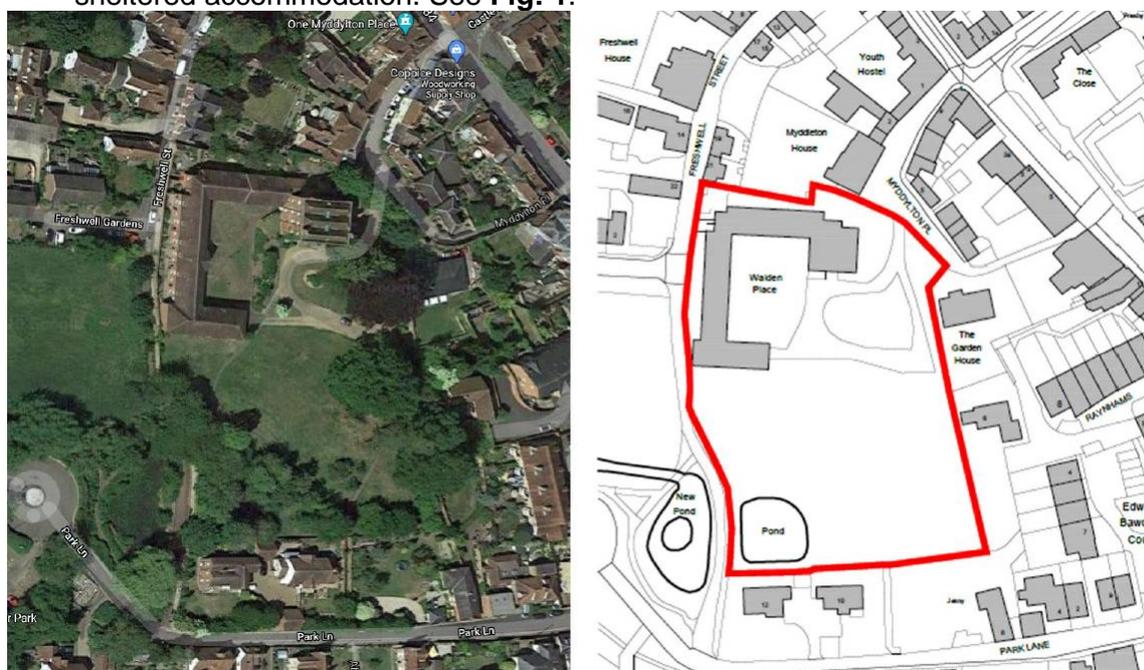
<b>PROPOSAL:</b>	Proposed Single Storey & Two Storey Extensions, Erection of New Boundary Wall & Railings, Alterations to Existing Access and Parking, Part Demolition of 1980s Extension to Remove Link to Sheltered Housing Scheme, Including Associated Repairs and Landscape Works
<b>LOCATION:</b>	Walden Place, Freshwell Street, Saffron Walden, Essex. CB10 1DQ
<b>APPLICANT:</b>	Uttlesford District Council
<b>AGENT:</b>	Design Partnership (Ely) Ltd
<b>EXPIRY DATE:</b>	10.06.2021 (extension of time)
<b>CASE OFFICER:</b>	Maria Shoosmith

## 1 NOTATION

- 1.1 Listed Buildings / Area 3 of Saffron Walden conservation area / trees protected by Conservation area and proximity to listed buildings / Section of Protected open space – Walden Place / Archaeology important area

## 2. DESCRIPTION OF THE SITE

- 2.1 The site lies between Freshwell Street to the west and Myddylton Place to the north east, in the western part of the historic core of Saffron Walden. Walden House is a mid 18th century building with a 1980s extension, currently in use as residential sheltered accommodation. See **Fig: 1**.



**Fig: 1** - Site location plan and aerial photograph of site.

- 2.2 The buildings concerned are set in extensive landscaped grounds, within a protected open space area and located in Zone 3 of the Saffron Walden Conservation area.



**Fig: 2 - Protected Open Space area (Hatched)**



**Fig: 3 – Saffron Walden Conservation Area**

2.3 The group of buildings within Walden Place also includes a listed building; Walden House, which is Grade II, and is described as:

#### **Walden Place**

4.2.1 TL5338 MYDDYLTON PLACE 669-1/1/313 (West side) 28/11/51  
Walden Place GV II

Large house, now divided up for retirement apartments and sheltered accommodation. Mid C18, with some C19 refenestration, C20 division. Red brick, some stucco dressings, clay tiled roof, plan rectangular but with C20 wing projecting on NW corner. 3 storeys and cellars. Front, S elevation: 5 bays, parapet with recessed panels and stucco cornice. Central doorway approached by steps, Doric style, with pediment, triglyph frieze and fluted flat pilasters. Within, rusticated stucco door-case. Door with 8 panels, all now glazed. All windows have rubbed brick voussoirs that are shaped to central keystone form. All are sashes with glazing bars, ground floor, 3x5 panes, first floor 3x4, second floor 3x2. Central windows have moulded stucco architraves, first floor 'eared', second floor 'shouldered' plus keystone, both have consoles below sills. Roof concealed by parapet but comprises 3 hipped runs parallel to frontage. Stacks at E and W ends. Rear N elevation: 5 window range, somewhat irregular. External stack to W. Windows all sashes with glazing bars, rubbed brick voussoirs, ground floor two 3x4 panes, first floor five 3x4 panes, second floor three 3x2 panes. C20 addition, ground floor, W end. W side elevation: 4 storeys (includes side of cellars) 4 bays, ground and first floor windows, sashes in house style 3x4 panes, second floor 3x2 panes. 2 windows on first floor blind with glazing painted in. Cellar, 2 windows blocked one now with louvres, C20 louvred door. E side elevation: 3 storeys, 3 window range, windows somewhat irregular in house style. Ground floor, two 2x4 panes, one 3x4. First floor, round headed stair window 3x4 panes plus radial glazing, window either side in 'Venetian' style 2x4 panes, second floor, two 2x2 panes, one 3x2 panes. Roof system seen with stack to S. INTERIOR: open string original dogleg stair, 3 turned balusters per tread, turned newel posts, wreathed handrail. Original C18 dogleg back stair, closed string, turned balusters. Round arched entry to passageway at base of principal staircase, moulded with shell decorated keystone. A number of

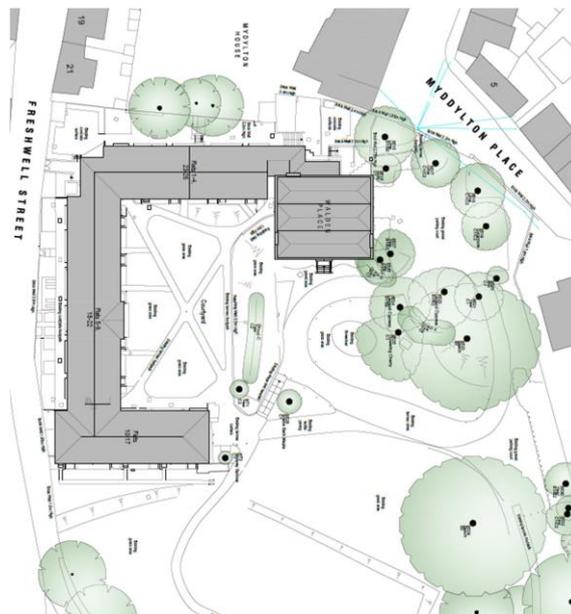
heavy panelled doors survive, also 2 ceilings with plastered cornices, one reeded with roundels, other with oak leaf and acorn decoration. Cellars have brick floors.

- 2.4 The area more widely has an extensive number of listed buildings as shown in yellow on **Fig: 4**.



**Fig: 4** Listed Buildings in the immediate area (highlighted in yellow)

- 2.5 There are a number of trees in and around the site which are protected by either the conservation area or their proximity to the setting of the listed building, see **Fig: 5**.



**Fig: 5** – Existing site layout with trees and landscaping shown



**Fig: 6a** – Photograph of Walden Place looking north.



**Fig 6b** – This shows the relationship of Walden place and the ground level difference

2.5 The site plan above, **Fig: 5**, shows some of the existing 1980's extension, which appears to follow the proportions of the old gardens of Walden Place. There is also a single storey link to the rear of Walden Place. It is worth noting that the modern 1980's extensions sit at a lower ground level than Walden Place which helps reduce the impact of the existing structures in relation to the listed building.

### 3. THE PROPOSAL

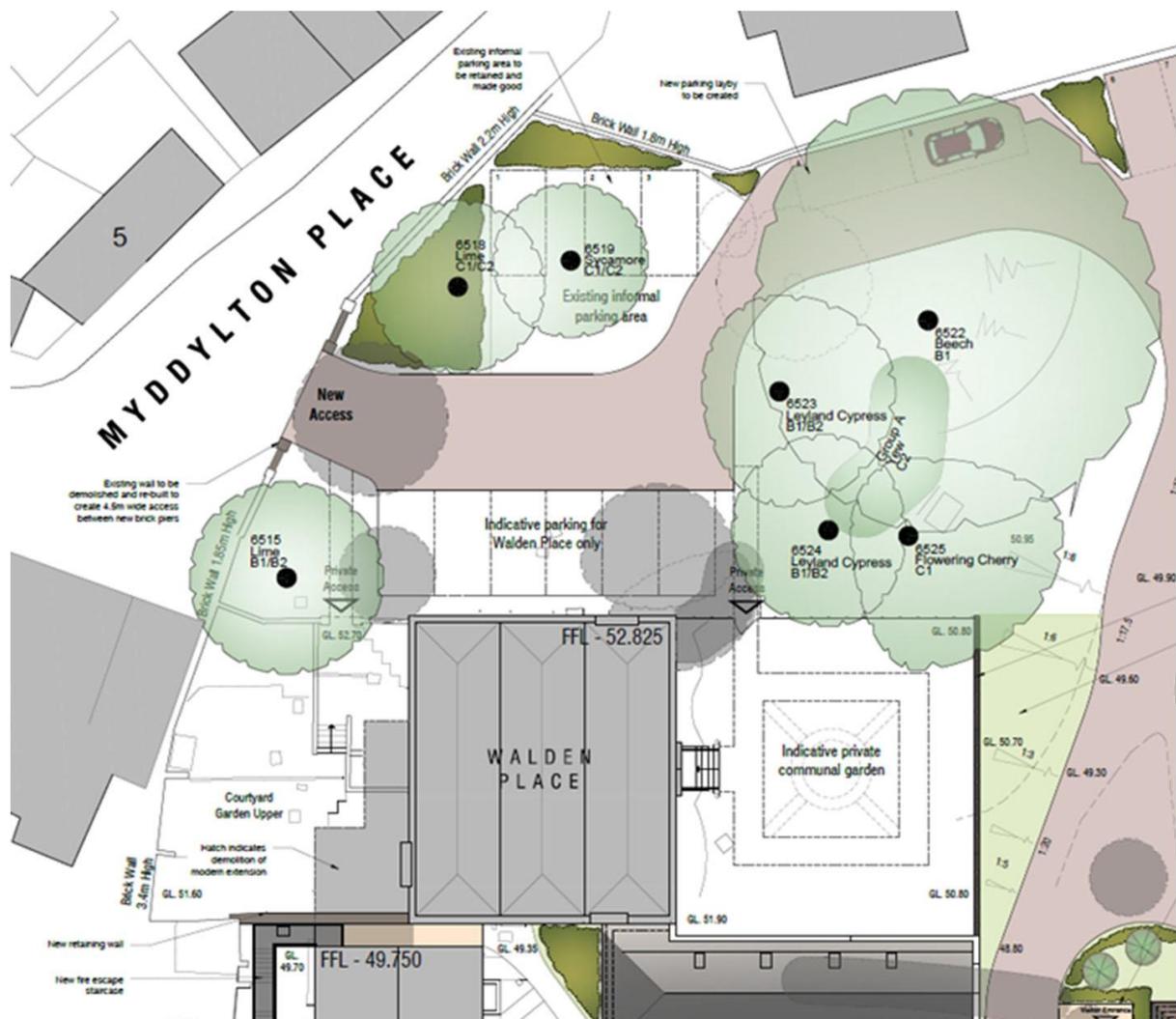
3.1 The application seeks planning permission for a proposed single storey and a two storey extension to create additional accommodation; erection of a new boundary wall and railings together with alterations to the existing access and parking. The scheme also includes for part demolition of the existing 1980s extension to remove a link to the existing sheltered housing scheme and includes associated repairs and landscape works, as shown on **Fig: 7**.



**Fig: 7** – illustrates the construction of the two new extensions.

- 3.2 The proposed single storey extension would be outside of the protected open space area, but the proposed two storey extension and adjoining sun lounge will slightly encroach on to it. It should be noted that the protected open space area does not make allowance for existing amenity areas associated with Walden Place, including, access, parking, and defensible garden spaces on the southern boundary.
- 3.3 The first of the proposed extensions is a single storey structure which will sit in the location of the existing planted banking on the east side of the courtyard garden and will be cut into the ground. A new wall will also be constructed on the eastern side of the extension to create a new boundary to Walden Place. Due to the difference in ground level, very little of the extension will be visible from the public domain.
- 3.4 The second extension will be added to the southern wing of the 1980s sheltered scheme and will consist of a two- storey structure to the end of the building following the same building line and roofline, with a smaller structure on the north side of the building. On the southern side of the building a single storey sun lounge will be added. This will see the conversion of an existing apartment into a common lounge which will be extended on the side of the building. There will also be a guest bedroom, office, WC on the ground floor. The extension will allow for a new staircase and lift that will allowing better accessibility.
- 3.5 Where the existing link to Walden House is removed, a new boundary wall will be constructed together with a new fire escape staircase for emergency use.
- 3.6 It is proposed to create a terrace to the south of the communal lounge that will overlook the public open space. This will largely follow the existing contours of the site which are slightly raised at this point. The edge of the terrace would be delineated with soft landscaping without fencing.
- 3.7 The scheme also seeks to define areas of amenity space and parking for Walden House to compliment future conversion. The conversion works will however be left to the future purchaser and this does not fall part of the planning application as such.

- 3.8 To the rear of Walden House (North side) the existing lean-to extension will be removed, and remedial works carried out to paving and retaining walls sufficient to secure the building and make weather tight.
- 3.9 To the south of Walden Place a new enclosed formal garden is proposed. The western boundary would to which will be formed with a new brick wall above the abutting extension. The southern and eastern boundaries would be formed with new railings and retaining wall. It is envisaged that the space could be laid out as a formal garden with gravelled paths, clipped hedges and trees providing a shared amenity space for residential use. These proposals only include works to form the boundaries, the detailed scheme is left to a future purchaser of Walden House, **Fig: 8** illustrates the proposals for the future of Walden House.



**Fig: 8** – Illustrative scheme for the future of Walden House

- 3.10 The existing communal entrance to Walden Place is hidden behind the rear of the building, accessed through a gateway in the boundary wall. It is therefore not immediately obvious to visitors. The courtyard is also open which makes it possible to access the scheme via the adjacent public open space. Whilst there are security locks in place, the current layout is not optimum for crime prevention. The proposals seek to address this by closing off the semi-public through-route, behind Walden Place and moving the entrance to a more visible location at the south of the building, providing greater opportunity for natural surveillance.

- 3.11 The existing vehicular access is via Myddylton Place on the northern walled boundary. The existing opening through the boundary wall is a little narrow and off centre which makes access for larger vehicles difficult. It is therefore proposed to move the opening slightly to the west and widen it. This will assist the construction works but also future maintenance and potentially fire appliance access. The area of wall affected has previously been rebuilt and therefore the works would not involve the loss of historic fabric in this respect. The informal parking area to the east will be rationalised in association with moving the access.
- 3.12 An existing pollarded Lime tree would be removed as part of the access alterations. Justification of this tree removal is detailed in the tree report which will be discussed below.
- 3.13 The proposals include alterations to the driveway and parking to the east and south of Walden Place. Providing a drop off zone and turning area to the new communal entrance. The line of the proposed surfacing follows the existing driveway causing no significant loss of green space or impact to existing trees. An existing Yew tree that is growing against the building will be removed as part of these works.
- 3.14 There is an existing footpath running through the site that is open to the public, linking Park Lane to the High Street via Myddylton Place. This appears well used and clearly has public amenity value. The proposals include a slight re-alignment of the footpaths route to move it away from the proposed extension.
- 3.15 It should be noted that whilst the planning submission highlights the likely uses for Walden House and possible ways of subdividing the building for future use when it is sold off it does not form part of this planning application. Nonetheless, an additional 6 car parking spaces have been created in addition to cater for any future use of the main house.

#### **4. ENVIRONMENTAL IMPACT ASSESSMENT**

- 4.1 The proposal is not EIA development and an environmental assessment is not required to assess the environmental impacts of the development whereby the site does not fall within a "sensitive area".

#### **5. APPLICANTS CASE**

- 5.1 The proposed development would allow the creation of two additional sheltered flats plus provide a new Resident's Communal Lounge plus a new plant room, Manager's office, and lift. The development is required in order to allow the conversion of Walden House into private flats. Walden House requires a significant work and up keep which has become unviable and a drain on the public purse. In order to overcome this and for the long term benefit of the preservation of the listed building its conversion to allow it to be later sold would enable this and to build the accommodation required to compensate for the loss of the conversion of the main house.
- 5.2 The extensions proposed will sit lower than Walden House due to ground level differences which also ensures that the setting of this Grade II listed Building is not detracted from.
- 5.3 *"Walden House is currently in reasonable repair but is starting to need refurbishment to preserve the long-term integrity of the structure. There have been several*

*unsympathetic interventions over the recent history of the building, the most obvious being the conversion to a sheltered housing scheme and addition of the 1980s extension. Clearly this cannot be completely reversed as it provides valuable housing for elderly residents in the community. The cost of refurbishment works will need to be substantial to ensure that the work is carried out in a sympathetic and correct way, therefore a new use is required that can support these costs.*

- 5.4 *It is clear, the best option for Walden House, with exception of demolishing the extension and reverting it back to a single dwelling which can probably be discounted due to practicality, the listed house should be separated from the sheltered scheme. This must be achieved with minimal loss of dwellings to retain the viability of the sheltered scheme. It is therefore necessary to replace some of the lost accommodation.*
- 5.5 *These proposals have been pared back to the absolute minimum to replace two of the three existing flats plus the communal accommodation whilst also providing better access for residents. Whilst there is a small encroachment into an important protected open space, the extent of this only extends to an area that is already under tarmac.*
- 5.6 *The scale of the proposals is subordinate to the listed building and set outside of existing sight lines of the building. The setting of the listed building is therefore preserved. The appearance of the extension is deliberately understated and reflects the character of the modern sheltered scheme. It is felt that this is an appropriate response to the site and avoids the introduction of a third, potentially competing element into the historic setting.*
- 5.7 *In this context it is felt the proposed extensions will have only a slight impact on Walden House, but this can be mitigated and offset by facilitating further development and refurbishment.*
- 5.8 *The proposals will involve sufficient works to separate the listed house from the sheltered scheme, including the demolition of the lean-to link, erection on new boundaries treatments to create a private garden, and the laying out of new parking. The remaining conversion works will be left to a future purchaser.”*

## **6. RELEVANT PLANNING HISTORY**

- 6.1 The below are various application relating to the main house;
- LB/UTT/0785/77/CA – Demolition of outbuildings to the north of Walden Place
  - LB/UTT/1016/80/CA - Increase overall width of approved footpath entrance gateway into Freshwell Street from 4'0" to 6'0" including partial demolition of listed wall
  - UTT/0092/77/LB/CA - Conversion of existing house and erection of new buildings to form elderly persons complex
  - UTT/0490/92 - Detailed application for the construction of a bandstand
  - UTT/1062/97/LB - Installation of three wall- mounted floodlights to illuminate car park and provision of replacement light
- 6.2 The main relevant history is the parallel Listed Building application UTT/20/3416/LB - Part demolition of existing extensions to sheltered scheme from listed building, including alterations to access, listed wall, existing parking and driveways. Addition of

new boundary wall, railings, fire escape stairs, landscaping works and temporary repair works to listed building associated with the demolition of rear extension.

## 7. PLANNING POLICY

### National Policy

National Planning Policy Framework (2021)

National Design Framework

### Uttlesford Local Plan (2005)

- ULP Policy S1 – Settlement boundaries for the Main Urban Areas
- ULP Policy GEN1 – Access
- ULP Policy GEN2 – Design
- ULP Policy GEN3 – Flood protection
- ULP Policy GEN4 – Good Neighbourliness
- ULP Policy GEN5 – Light Pollution
- ULP Policy GEN6 – Infrastructure Provision to Support Development
- ULP Policy GEN7 - Nature Conservation
- ULP Policy GEN8 – Vehicle Parking Standards
- ULP Policy H9 - Affordable Housing
- ULP Policy H10 - Housing Mix
- ULP Policy ENV1 - Design of development within the conservation area
- ULP Policy ENV2 - Development affecting Listed Buildings.
- ULP Policy ENV3 - Open Space and Trees
- ULP Policy ENV12 - Protection of Water Resources
- ULP Policy ENV13 - Exposure to poor air quality
- ULP Policy ENV14 - Contaminated land
- ULP Policy ENV15 - Renewable Energy

### Supplementary Planning Documents/Guidance

- Supplementary Planning Document- Accessible homes and play space homes
- Uttlesford Local Residential Parking Standards (2013)
- Essex Design Guide
- ECC Parking Standards – “Design and Good Practice” (September 2009)
- Saffron Walden Neighbourhood Plan  
The emerging Neighbourhood Plan is at an early still stage in its preparation and therefore, carries limited weight. In the context of the application site, the emerging Neighbourhood Plan notes that the site is not allocated for development being within an area identified for amenity and open space and within the Saffron Walden conservation area Zone 6.
- Interim Climate Change Policy (2021)

## 8. SAFFRON WALDEN TOWN COUNCIL

No comment

## 9. CONSULTATIONS

### 9.1 Environmental Health

The development site is outside aircraft noise and other transportation noise significance contour plots. The site is inside the Air Quality Management Zone and a

AQ report has been submitted by Aether Ltd ref AQ\_assessment/2020/ Walden Place dated 13th November 2020. The report concludes;  
*The results of the assessment indicate that annual mean NO2 concentrations are below the objective in the base year scenario. Concentrations of particulate matter (PM10) are also predicted to be below the annual mean objective in the base year scenario. Based on the evidence it is estimated that there will be no exceedances of either short term objective for NO2 or PM10. The future scenario predicts that NO2 and PM10 concentrations to change by < 0.1 µg/m3. Therefore, no mitigation is required as the air quality objectives are predicted to be met. Instead, other measures such as installing electric charging points, should be considered to reduce the emissions arising from the development.*

I have no objection to the methodology of the report or outcome and recommend the AQ condition below. It is therefore considered that the development will not negatively impact neighbouring properties, and I have no in principle objections to the application subject to the following condition being applied to any consent granted.

**Proposed Condition- Air Quality**

Provide an electric vehicle charge point at any garage or allocated parking space associated with a dwelling.

REASON: To support the use of low emission vehicles

9.2 **Ecology**

We have reviewed the documents supplied by the applicant, relating to the likely impacts of development on Protected & Priority habitats and species, identification of proportionate mitigation. We are not satisfied that there is sufficient ecological information available for determination of this application. The Preliminary Ecological Appraisal (Applied Ecology, November 2020) recommends that *“in line with best practice guidance, the two building sections identified as being of low bat roost suitability should each be subject to a single manual bat activity survey during the main bat activity survey period of May–August”*.

The results of these surveys are necessary, prior to determination as paragraph 99 of the ODPM Circular 2005 highlights that: *“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.”*

This is needed to enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

**Further comments received 17.08.2021 following the submission of additional information;**

**No objection subject to securing biodiversity mitigation and enhancement measures**

We have reviewed the Preliminary Ecological Appraisal (Applied Ecology, November 2020), Magic Maps (<https://magic.defra.gov.uk>) and aerial photographs relating to the likely impacts of development on designated sites, protected and Priority species and habitats. We have also reviewed the newly submitted Bat Activity Survey (Applied Ecology Ltd, August 2021). The Bat Activity Survey (Applied Ecology Ltd, August 2021) advises the proposal to extend and renovate the care home is considered

highly unlikely to result in the disturbance and loss of bat roosts and can be completed without restriction in relation to bats. The bat activity survey findings remain valid for 12 months from the date of the survey (29 June 2021). A pair of swifts were confirmed to be nesting in the apex of the east facing clock tower gable during the survey, with the adult birds leaving and returning to the nest on a couple of occasions during the survey and calls being heard from the nest. Therefore, the Bat Activity Survey (Applied Ecology Ltd, August 2021) has recommended that six swift nest bricks and/or boxes are provided as a biodiversity enhancement measure given the confirmed presence of this species within the Site and the opportunity the new build provides to cater for this species. We support this recommendation which will provide new habitat for this declining species.

We are satisfied that there is sufficient ecological information available for determination. This provides certainty for the LPA of the likely impacts on protected and Priority species & habitats and, with appropriate mitigation measures secured, the development can be made acceptable.

In addition, a Wildlife Sensitive Lighting Strategy should be delivered for this scheme to avoid impacts to foraging and commuting bats. This must follow the Guidance Note 8 Bats and artificial lighting (The Institute of Lighting Professionals & Bat Conservation Trust, 2018). In summary, it is highlighted that the following measures should be implemented for the lighting design, which could be informed by a professional ecologist:

- Light levels should be as low as possible as required to fulfil the lighting need.
- Movement sensors and timers could be used to minimise the 'lit time'.

We also support the proposed reasonable biodiversity enhancements, which have been recommended to secure measurable net gains for biodiversity, as outlined under Paragraph 174 [d] of the National Planning Policy Framework 2021. This includes six swift nest bricks and/or boxes. The reasonable biodiversity enhancement measures should be outlined within a Biodiversity Enhancement Strategy and should be secured.

This will enable LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006.

Impacts will be minimised such that the proposal is acceptable subject to the conditions below based on BS42020:2013.

Submission for approval and implementation of the details below should be a condition of any planning consent.

**Recommended conditions:**

**1. ACTION REQUIRED IN ACCORDANCE WITH ECOLOGICAL APPRAISAL RECOMMENDATIONS**

*"All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Applied Ecology, November 2020) and the Bat Activity Survey (Applied Ecology Ltd, August 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination."*

**Reason:** To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations

2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species).

## **2. PRIOR TO SLAB LEVEL: BIODIVERSITY ENHANCEMENT STRATEGY**

*“A Biodiversity Enhancement Strategy shall be submitted to and approved in writing by the local planning authority following the recommendations made within the Bat Activity Survey (Applied Ecology Ltd, August 2021).*

*The content of the Biodiversity Enhancement Strategy shall include the following:*

- a) Purpose and conservation objectives for the proposed enhancement measures;*
- b) detailed designs to achieve stated objectives;*
- c) locations of proposed enhancement measures by appropriate maps and plans;*
- d) persons responsible for implementing the enhancement measures;*
- e) details of initial aftercare and long-term maintenance.*

*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).

## **3. PRIOR TO BENEFICIARY USE: WILDLIFE SENSITIVE LIGHTING DESIGN SCHEME**

*“A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.*

*All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.”*

**Reason:** To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species)

### **9.3 ECC Highways**

**From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, as shown in principle on DWG no. UDC-655-P07 (Site Plan – Proposed), subject to the following measures:**

1. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary. **Reason:** To avoid displacement of loose material onto the highway in the interests 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.**

#### 9.4 **ECC Historic Buildings and Conservation Advice**

Built Heritage Advice pertaining to an application for the part demolition of existing extensions to sheltered scheme from listed building, including alterations to access, listed wall, existing parking and driveways. Addition of new boundary wall, railings, fire escape stairs, landscaping works and temporary repair works to listed building associated with the demolition of rear extension.

The building affected by this application, Walden Place, is Grade II listed. It is a large mid-eighteenth-century house with later alterations and additions (list entry number: 1196232). Walden Place is enclosed by walls such as the Wall to the east side of the Garden of Walden Place (list entry number: 1025113) and Garden Wall to number five, also to the east, which are Grade II listed (list entry number: 1280442). The western wall is also Grade II listed, Garden Wall of Walden Place (list entry number: 1196172). The application site is located within the Saffron Walden Conservation Area and within the vicinity of several listed buildings.

There is no objection to the demolition and removal of the 1980s extension to Walden Place, and there is no in principle objection to the single storey extension adjacent to the listed building. The form of the proposed single storey extension and its low ridge height is considered acceptable. However, the abutment of the single storey extension to the listed building appears unnecessary and the inclusion of four rooflights upon the north facing roof slope of the extension should be located facing towards the courtyard, so that a blank roof slope is facing the listed building. I consider there to be a more sympathetic approach with regards to the location of the proposed building, which does not abut the listed building.

With regards to the two-storey extension to the existing flats, I do not consider the proposals to preserve the setting of the listed building. The existing building allows views of the listed building from within the adjacent open verdant space, particularly from the south west. The proposed two-storey extension would adversely impact this, thus detracting from the experience and appreciation of the listed building. Furthermore, I consider the quantity of glazing to be excessive, in particular the prominent roof lanterns are considered incongruous. The proposed fails, in my opinion, to make a positive contribution to local character and distinctiveness as per Paragraph 192.c of the NPPF (2019).

I have no objection to the creation of a private garden, the creation of a new boundary wall and railings subject to details being confirmed. Were this application to be approved, I recommend a full hard and soft landscaping scheme is submitted prior to implementation.

I am unable to support this application. The proposals would, in my opinion, fail to preserve the special interest of the listed building, contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, through inappropriate development in its setting. With regards to the NPPF (2019), the level of harm is considered less than substantial, Paragraph 196 being relevant.

#### 9.5 **UK Power Network**

Should the excavation affect our Extra High Voltage equipment (6.6 KV, 22 KV, 33 KV or 132 KV), please contact us to obtain a copy of the primary route drawings and associated cross sections.

## 9.6 **ECC Archaeology**

No objections subject to conditions.

## 9.7 **Landscape Officer**

There are a number of trees which would be required to be felled to accommodate the proposed development. There are potentially 11 trees, consisting of holly, lime, box, yew, spruce, and maple that would need to be removed. None of these trees are considered to be of sufficient public amenity value worthy of being made the subject of a tree preservation order. Any approval should be subject to a condition requiring a detailed scheme of landscaping, including tree planting, to be submitted for approval. I concur with Place Services' historic building and conservation advice in respect of the proposals.

## 10. **REPRESENTATIONS**

10.1 The planning application has been advertised on site and in the local press. Neighbouring occupiers have also been notified of the application of which the following points were raised;

- There is no access from Freshwell Street just Myddylton Place
- The junction from Myddylton Place to High Street is very busy and narrow with Listed Buildings either side and as that a condition is place to restrict size of construction vehicles from accessing it same with the use of Myddylton Place as there are no pavements.
- More cars using narrow lane
- Highways & Pedestrian safety
- Construction works would affect stability of older buildings through vibration.
- Air and noise pollution
- Lack of clear notification of application everyone was not directly notified
- Site should be visited
- Demolishing part of listed wall will do nothing in terms of improving the highway situation on Myddylton Place
- One parking space on Myddylton Place will be lost
- Over development of historic area should restrict any future development after this development
- Access could also be provided from Park Lane but measure to avoid rat run
- From the description unable to envisage what is proposed more information is required
- Do not object to the principle of the development but there is concern regarding damage to buildings
- The application site is not Freshwell Street as it is accessed from Myddylton Place
- Construction Method Statement must be submitted
- Trees should be protected during the works
- New driveway contains pinch points where two vehicle can not pass

## 11. **APPRAISAL**

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

- A Principle
- B Design & Conservation
- C Amenity

D	Ecology & Trees
E	Highways
F	Flooding
G	Infrastructure
H	Other Considerations

## **A Principle**

- 11.1 Local Plan Policy S1 for Development limits for the Main Urban Areas states “*The development limits of the existing main urban areas and proposed urban extensions for Great Dunmow, Saffron Walden and Stansted Mountfitchet are defined on the Proposals Map. The following development will be permitted within these boundaries:*
- *Major urban extensions, if in accordance with this Plan;*
  - *Development within the existing built up areas, if compatible with the character of the settlement and, in addition, for sites on the edge of the built up area, its countryside setting.”*
- 11.2 National Planning Policy Framework states that housing applications should be considered in the context of the presumption in favour of sustainable development. The sustainability of the proposed development is not at question regarding the location of this scheme and the nature of the proposed development especially being located within the core of Saffron Walden.
- 11.3 Local Plan Policy S1 states that development within development limits area acceptable subject to its according with other aspect of the local plan, the proposed scheme is therefore acceptable in principle in this respect.

## **B Design & Conservation**

- 11.4 Local Plan Policy GEN2 states that "*Development will not be permitted unless its design meets all the following criteria and has regard to adopted Supplementary Design Guidance and Supplementary Planning Documents.*
- a) It is compatible with the scale, form, layout, appearance and materials of surrounding buildings;*
- b) It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;*
- c) It provides an environment, which meets the reasonable needs of all potential users.*
- d) It helps to reduce the potential for crime;*
- e) It helps to minimise water and energy consumption;*
- f) It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.*

*g) It helps to reduce waste production and encourages recycling and reuse.*

*h) It minimises the environmental impact on neighbouring properties by appropriate mitigating measures.*

*i) It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing"*

11.5 The NPPF states that high quality design and a good standard of amenity for all existing and future occupants of land and buildings should be secured.

11.6 Local Plan Policy ENV2 for Listed Buildings states the following;

*"Development affecting a listed building should be in keeping with its scale, character and surroundings. Demolition of a listed building, or development proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics and its setting"*

11.7 Walden Place is Grade II listed as defined above. The immediate works proposed to the listed building are "Part demolition of existing extensions to sheltered scheme from listed building, including alterations to access, listed wall, existing parking and driveways. Addition of new boundary wall, railings, fire escape stairs, landscaping works and temporary repair works to listed building associated with the demolition of rear extension." The Conservation Officer have stated "*There is no objection to the demolition and removal of the 1980s extension to Walden Place, and there is no in principle objection to the single storey extension adjacent to the listed building. The form of the proposed single storey extension and its low ridge height is considered acceptable. However, the abutment of the single storey extension to the listed building appears unnecessary and the inclusion of four rooflights upon the north facing roof slope of the extension should be located facing towards the courtyard, so that a blank roof slope is facing the listed building.*"

11.8 Conservation had also stated that "*I have no objection to the creation of a private garden, the creation of a new boundary wall and railings subject to details being confirmed. Were this application to be approved, I recommend a full hard and soft landscaping scheme is submitted prior to implementation.*"

11.9 With regards to the two storey extension Conservation objected stating "*With regards to the two-storey extension to the existing flats, I do not consider the proposals to preserve the setting of the listed building. The existing building allows views of the listed building from within the adjacent open verdant space, particularly from the south west. The proposed two-storey extension would adversely impact this, thus detracting from the experience and appreciation of the listed building. Furthermore, I consider the quantity of glazing to be excessive, in particular the prominent roof lanterns are considered incongruous. The proposed fails, in my opinion, to make a positive contribution to local character and distinctiveness as per Paragraph 192.c of the NPPF (2019).*" 11.10 Paragraph 190 of the NPPF states "*Plans should set*

*out a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. This strategy should take into account:*

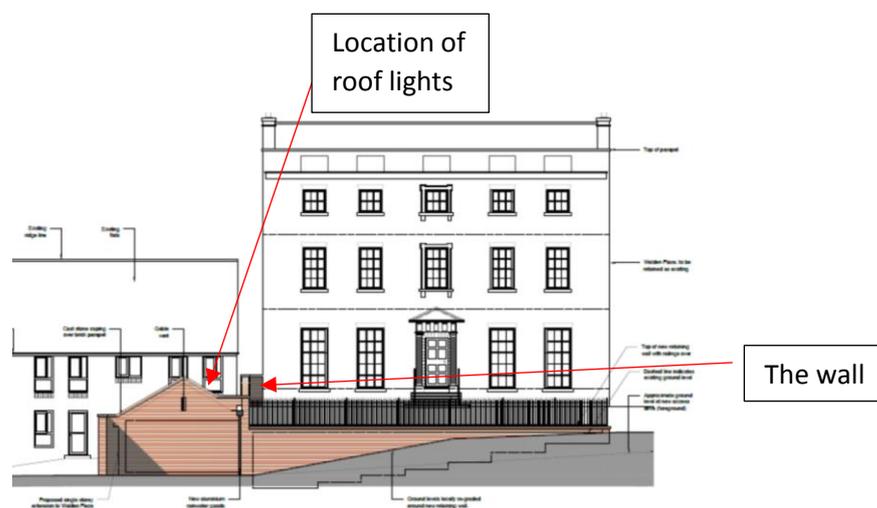
*a) the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation;*

*b) the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;*

*c) the desirability of new development making a positive contribution to local character and distinctiveness; and*

*d) opportunities to draw on the contribution made by the historic environment to the character of a place.”*

- 11.11 The main concern of the objection raised, the two-storey extension follows the roofline of the existing building. This sits much lower than Walden Place and is subordinate in size, scale and design replicating more or less what is there at present. The side of the extension is set back from the sight line of Walden Place and maintaining un-interrupted views of the listed building, particularly from the adjacent open space. The applicant has gone through a sequential approach of alternative locations on the site but none were feasible in terms of locality and without causing unacceptable harm to the setting of the adjacent Listed Building.
- 11.12 The removal of the 1980s modern additions are to the benefit of the Listed Building reversing existing unsympathetic elements.
- 11.13 The existing protected open space will be largely unaffected by the works with exception to the tree removals near to the building and modifications to the access mentioned above. Whilst a small element of the open space will be utilised to enable the development to happen the primary function and ability to use the open space will not be interrupted nor lost.
- 11.14 In terms of the concerns regarding the attachment of the single storey extension to the Listed Building this is considered to be a minimal compromise as part of the overall development. The harm is considered to be lesser in comparison to the existing 1980s extension that is proposed to be demolished the other side of the building. The proposed extension would facilitate in securing the long term viability and use of the main listed building by allowing the existing occupiers to decant to the new additions freeing up the sale of Walden Place. The extension would be subservient to the Listed Building. The rooflights which are also a concern for Conservation in terms of *“the inclusion of four rooflights upon the north facing roof slope of the extension should be located facing towards the courtyard, so that a blank roof slope is facing the listed building.”* This would be set below the wall which referred to above and in effectively what would be a valley, as illustrated in the diagram below. Therefore the perceived impact would be minimised and the overall harm would be outweighed by the public benefit in accordance with Paragraph 202 of the NPPF which states *“Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.”*



11.15 The Design and Access Statement highlighted the effects of the proposed development upon the setting of the listed Walden House. *It supports the above assessment of the scheme it also states that “The alterations to the drive and enclosure with wall and railings will create a slightly harder edge and loss of openness. These works are however contained within the area already under paving and provides the opportunity to remove some unsightly steps and handrail. Walden Place will also require some defensible space around it, as part of any future successful conversion.”*

11.16 The D & A goes on to state that *“There will be a small number of trees removed adjacent to the building such as the yew tree growing directly against the building. This is necessary to prevent damage to the building and will benefit the retained trees...The creation of a new boundary wall between the 1980s extension and the listed building will help create separation and enclosure generating a less cluttered view than existing. This could be further enhanced with landscaping...The separation of Walden Place from the sheltered scheme, clearly provides an opportunity to reverse some of the negative interventions that have occurred in the past, and to provide a viable new use that will facilitate sympathetic repair and refurbishment and a secure future.”*

11.17 The impact of the proposed development is localised to the immediate area and no other impact upon the setting of other adjacent listed buildings is considered in accordance with Local Plan Policies GEN2, ENV1, and ENV2, also in accordance with the NPPF (2021).

11.18 The inclusion of an additional lift to the first floor will facilitate and improve the internal access to the main building with further accessible toilet being provided in accordance with Local Plan Policies GEN1 and GEN2.

11.19 The proposed extensions would be required to meet current Building Regulation requirement in terms of energy efficiency measures in accordance with Policy GEN2 and the Interim Climate Change Policy (2021)

## **C Amenity**

11.20 Policies GEN4 and GEN5 of the Local Plan seek to protect the amenity of neighbouring existing and future occupiers, together with the amenity of the locality and surrounding area. Due to the nature of the proposed extensions these would have limited impact. The outlook for ground floor Flat 1 would alter with the erection

of the single storey extension building however there is sufficient distance between the two. The scheme is therefore in accordance with Local Plan Policy.

## **D Ecology & Trees**

- 11.21 Local Plan Policy GEN7 for nature conservation seeks that development that would have harmful effects upon wildlife or geological features will not be permitted unless the need for development outweighs the harm. It also seeks that a conservation survey be sought for sites that are likely to be ecologically sensitive with associated mitigation measures.
- 11.22 The application site is not within and ecological designated site. There nearest designation is 3.9km away from the site. Nonetheless an Ecological Phase 1 survey has been undertaken and submitted as part of the application. The habitats on site are described as negligible. An area of woodland, mature trees, and pond considered to be of higher level of ecological value will not be impacted as part of the development. A small number of semi-mature and young trees will be removed to facilitate the development And others in the interest of the protection of the main listed building. The survey states that the trees to be affected are likely to support breeding birds however none of any significance. In terms of bats the survey stated *“Of the three building sections to be impacted by the proposed development, the modern extension between Walden Place and Flats 1–4 (section 1) and the eastern end of Flats 10–17 (section 3), were assessed in line with best practice guidance as being of low bat roost suitability. They possessed a number of minor features of potential value to individual roosting bats, in areas which would be demolished in the case of section 1, or lost due to the construction of a new extension in the case of section 3.”*
- 11.23 The assessment identified further ecological surveys to be undertaken to establish in two building sections being of low bat roost suitability during the period of May and August in order to confirm the absence of bats from those buildings prior to the commencement of works. If it has been identified then further surveys would need to be undertaken to establish the level of roost activity and a mitigation licence from Natural England would be required to enable the development. In terms of appropriate mitigation bat boxes will be installed in the mature trees.
- 11.24 Ecology have been consulted on the planning application of which they have raised a holding objection until further surveys have been undertaken as identified within the submitted Ecological Assessment. These have since been undertaken of which Ecology have removed their objection subject to conditions. Therefore the proposed development is in accordance with policy in this respect.
- 11.25 In terms of tree works an existing Yew tree that is growing against the building will be removed as part of these works. This is to the benefit of the building so it does not compromise the structure. Also the submitted Arboricultural Survey identified an immature plants to be removed and replaced as well as part of the new access arrangements. Re-pollarding and crown lifting are also proposed. Whilst the views within the site are stated will alter slightly for the public footpath users the views from outside the application site and surrounding conservation area will not alter. The Arboricultural Survey identified the proposed works to the landscaping as being an opportunity to replace and provide additional planting that will provide a tree cover net gain. This will be both a landscape and an ecological habitat benefit. None of the trees proposed to be removed are covered by TPOs. The Landscape Officer has been consulted of the application of which no objections have been raised to the

proposed tree works. The proposed development is therefore in accordance with Local Plan Policy GEN7 and the NPPF.

## **E Highways & Air Quality**

11.26 Local plan policy GEN1 states “*development will only be permitted if it meets all of the following criteria;*

*a) Access to the main road network must be capable of carrying the traffic generated by the development safely.*

*b) The traffic generated by the development must be capable of being accommodated on the surrounding transport network.*

*c) The design of the site must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.*

*d) It must be designed to meet the needs of people with disabilities if it is development to which the general public expects to have access.*

*e) The development encourages movement by means other than driving a car.”*

11.27 Local Plan Policy GEN1 seeks sustainable modes of transport which is reflected within National Planning Policy Framework.

11.28 Paragraph 111 of the NPPF states “*Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*”

11.29 The application site falls within the Saffron Walden Air Quality Management Area. An Air Quality Assessment has been undertaken and submitted as part of the application. The report outlined that it has been assumed that there has been no improvements to the air quality between 2019 and the base line year of expected occupation of the proposed development. It has been outlined that there are expected improvements to vehicles of which there is likely to be some improvement to pollution concentrations as a result. Network modelling has been used to identify predicted concentration levels in sensitive areas. The study has identified that there would be no exceedance in the short term of particulate matter PM10 or for nitrogen dioxide and that future scenarios predict a reduction. As result of this and the nature of the proposed development that it is a sheltered accommodation with low vehicle ownership and that the site is located within a town centre no mitigation has been identified to be required. This is also supported by the fact that the proposed development would be reduced from currently 29 flats to 28 as a result of the proposed works. The report identified the provision of other measure such as electric charging points on site to help encourage the reduction of pollution levels.

11.30 Environmental Health have been consulted of the application and have stated that “*I have no objection to the methodology of the report or outcome and recommend the AQ condition [below]. It is therefore considered that the development will not negatively impact neighbouring properties, and I have no in principle objections to the application subject to the [following] condition being applied to any consent granted.*” The proposed development is therefore considered to accord with Policy ENV13 in

this respect. As no objection has been raised in terms of air quality, therefore this part of the application is in accordance with Policies ENV13 and in accordance with Paragraph 185 of the NPPF.

- 11.31 In terms of car parking Local Plan Policy GEN8 seeks that scheme accord with the parking standards, with regards to this development it is The Essex Parking Standards (2009).
- 11.32 The adhoc parking will be formally laid out. The formal parking layout will allow for 1 parking space per flat should Walden House be converted into flats. The informal parking along the eastern boundary where it has overgrown will be cleared to create more effective parking for a further 10 parking spaces creating a net gain of 6 spaces. There will be new electric charging points for use by the residents or their visitors.
- 11.33 Walden Place is a sheltered housing scheme and use of private cars by residents is relatively low. There will be no increase in the number of dwellings resulting from the development that forms the subject of this application. Dependant on what is proposed in the future for the main house then it will need to be considered whether there is sufficient provision parking to cater for both sites. No objections have been raised by Highways subject to conditions. The development is therefore in accordance policies GEN1, GEN8 and ENV13 and the NPPF.

## **F Flooding**

- 11.34 Local Plan Policy GEN3 seeks the protection of functional floodplains and buildings would not be permitted unless there is an exceptional need. It goes onto state *“Within areas of flood risk, within the development limit, development will normally be permitted where the conclusions of a flood risk assessment demonstrate an adequate standard of flood protection and there is no increased risk of flooding elsewhere.....Outside flood risk areas development must not increase the risk of flooding through surface water run-off. A flood risk assessment will be required to demonstrate this. Sustainable Drainage Systems should also be considered as an appropriate flood mitigation measure in the first instance.”*
- 11.35 The application site that is located on higher ground is within Flood Risk Zone 1 whereby there Flood Zone 1 is a low probability flood zone and comprises land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year (< 0.1%).
- 11.36 The southeast corner of the open space, near Swan Meadow Car Park falls within Flood Risk Zones 2 and 3.
- 11.37 The site is located within a ground water protection zone whereby any building works would need to be in accordance with British Standards in order to protect the watercourse from pollution. Geological survey has been undertaken to identify the makeup of the ground. It has been identified that the site consists of Made Ground overlying chalk have been confirmed on the site. The findings represent the superficial and bedrock deposits. As a result the ground conditions are suitable for infiltration of all surface water run-off. A sustainable approach to surface water management is proposed using soakaways for roof drainage and permeable paving for new driveways and parking areas. The use of infiltration features provides water quality benefits to the receiving watercourses and groundwater. Sustainable drainage features will be maintained by the site owners in accordance with the SuDS

Management and Maintenance Plan. By utilising such as method this would reduce any likely increase of risk of flooring at the lower levels on the adjacent surrounding area. Whilst SUDs have not been consulted on the application as it falls below their threshold the information submitted is considered to be acceptable taking into account best practice guidance. The application is therefore considered to be in accordance with Local Plan Policy GEN3 also the NPPF.

## **G Infrastructure**

- 11.38 Local Plan Policy GEN6 states that “Development will not be permitted unless it makes provision at the appropriate time for the community facilities, school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed development. In localities where the cumulative impact of the developments necessitates such provision, developers may be required to contribute to the cost of such provision by the relevant statutory authority.”
- 11.39 Based on the above, the nature of the use and statutory representations which have been received no mitigating infrastructure is required, in accordance with Policy GEN6 of the adopted Local Plan.

## **H Other considerations**

- 11.40 Policy ENV4 relating to Ancient Monuments and Sites of Archaeological Importance states “*Where nationally important archaeological remains, whether scheduled or not, and their settings, are affected by the proposed development there will be a presumption in favour of their physical preservation in situ. The preservation in situ of locally important archaeological remains will be sought unless the need for the development outweighs the importance the archaeology. In situations where there are grounds for believing that sites, monuments or their settings would be affected developer will be required to arrange for an archaeological field assessment to be carried out before the planning application can be determined thus enabling an informed and reasonable planning decision to be made. In circumstances where preservation is not possible or provision have been made for a programme of archaeological investigation and recording prior to commencement of the development*”
- 11.41 An archaeological scheme of investigation for evaluation and recording has been undertaken due to the history of the area. This highlights the proposed methodology to be undertaken to record an archaeological finds. A Brief for Archaeological Evaluation has also been submitted as part of the application. ECC Archaeology have been consulted of the application and as a result have raised no objections subject to conditions. As a result the proposed development is in accordance with Local Plan Policy ENV4.

## **12. Conclusion**

- 12.1 The principle of the development is acceptable being within the core of Saffron Walden. In accordance with Local Plan Policy S1 and the NPPF.
- 12.2 Separation of the listed building and creation of a defensible curtilage. This provides the opportunity for reversal of inappropriate past alterations and sympathetic refurbishment to secure the long-term future of the building. The proposed development extensions are considered acceptable and appropriate for the site and would result in minimal impact to the listed building. The proposed development

would in the long terms interest of the listed building and its long terms viability and maintenance. Therefore the perceived impact would be minimised and the overall harm would be outweighed by the public benefit in accordance with Paragraph 202 of the NPPF and Local Plan Policies GEN2, ENV1 and ENV2.

- 12.3 There are no issues relating to amenity, archaeology, flooding, ecology, highways, air pollution and landscape. Therefore the proposed development is in accordance with Local Plan Policies GEN1, GEN3, GEN4, GEN5, GEN6, GEN7, GEN8, ENV4, ENV13 and relevant section of the NPPF (2021).

### **RECOMMENDATION – APPROVE Subject to 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. Prior to the erection of the development hereby approved (not including footings and foundations) full details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [for example]:-
  - i. proposed finished levels or contours;
  - ii. means of enclosure;
  - iii. car parking layouts;
  - iv. other vehicle and pedestrian access and circulation areas;
  - v. hard surfacing materials;
  - vi. minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting, etc.);
  - vii. proposed and existing functional services above and below ground (e.g. drainage power, communications cables, pipelines etc. indicating lines, manholes, supports.); retained historic landscape features and proposals for restoration, where relevant.
  - viii. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

3. All hard and soft landscape works shall be carried out in accordance with the approved details. 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 proper implementation of the agreed landscape details in the interest of the amenity value of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005)

4. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant, and approved in writing by the local planning authority.

Reason: The Historic Environment Record indicates the proposed developed lies within an area of known archaeological deposits.

The Historic Environment Record indicates that the proposed development lies within an area of known archaeological sensitivity. The proposed development lies in close proximity to the line of the medieval town defensive ditch (EHER 408). The defences were very substantial as indicated by those surviving on the eastern side of the town which are protected as a Scheduled Monument (SM 1002179). In the early to mid-13th century a large area to the south of the castle bailey was enclosed with new streets being laid out. Part of this enclosure survives as the Repell ditches (EHER 0443), part of which are preserved as a Scheduled Monument (SAM 54). There is therefore high potential for encountering archaeological deposits during the proposed development.

A watching brief to the north of the proposed development identified three phases of occupation within the area, the earliest dating to the twelfth century (EHER 13945). Features identified included pits, levelling layers, a brick built oven, a brick-lined well and a flint and mortar wall. Rubbish pits of twelfth century date excavated possibly represent backyard activity associated with a precursor medieval building fronting Myddylton Place. The development area therefore lies within the medieval town and has the potential for surviving buildings associated with this.

5. The archaeological work would comprise the excavation of a series of trenches to assess the importance of the surviving archaeological deposits followed by open area excavation where deposits are identified, followed by a publication report. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above.

The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

Reason: The Historic Environment Record indicates the proposed developed lies within an area of known archaeological deposits.

The Historic Environment Record indicates that the proposed development lies within an area of known archaeological sensitivity. The proposed development lies in close proximity to the line of the medieval town defensive ditch (EHER 408). The defences were very substantial as indicated by those surviving on the eastern side of the town which are protected as a Scheduled Monument (SM 1002179). In the early to mid-13th century a large area to the south of the castle bailey was enclosed with new streets being laid out. Part of this enclosure survives as the Repell ditches (EHER 0443), part of which are preserved as a Scheduled Monument (SAM 54). There is therefore high potential for encountering archaeological deposits during the proposed development.

A watching brief to the north of the proposed development identified three phases of occupation within the area, the earliest dating to the twelfth century (EHER 13945). Features identified included pits, levelling layers, a brick built oven, a brick-lined well and a flint and mortar wall. Rubbish pits of twelfth century date excavated possibly represent backyard activity associated with a precursor medieval building fronting Myddylton Place. The development area therefore lies within the medieval town and has the potential for surviving buildings associated with this.

The archaeological work would comprise the excavation of a series of trenches to assess the importance of the surviving archaeological deposits followed by open area excavation where deposits are identified, followed by a publication report. All archaeological work should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by this office.

6. All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Applied Ecology, November 2020) and the Bat Activity Survey (Applied Ecology Ltd, August 2021) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

Reason: To conserve and enhance protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species). Also in accordance with Local Plan Policy GEN7 and the NPPF.

7. A Biodiversity Enhancement Strategy shall be submitted to and approved in writing by the local planning authority following the recommendations made within the Bat Activity Survey (Applied Ecology Ltd, August 2021).

The content of the Biodiversity Enhancement Strategy shall include the following:

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs to achieve stated objectives;
- c) locations of proposed enhancement measures by appropriate maps and plans;
- d) persons responsible for implementing the enhancement measures;
- e) details of initial aftercare and long-term maintenance.

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). Also in accordance with Local Plan Policy GEN7 and the NPPF.

8. A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

Reason: To allow the LPA to discharge its duties under the Conservation of Habitats and Species Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 as amended and s40 of the NERC Act 2006 (Priority habitats & species). Also in accordance with Local Plan Policy GEN7 and the NPPF.

9. No unbound material shall be used in the surface treatment of the vehicular access within 6 metres of the highway boundary.

Reason: To avoid displacement of loose material onto the highway in the interests of highway safety, in accordance with Local Plan Policy GEN1 and the NPPF.

10. Prior to the occupation of the new development electric vehicle charging points at allocated parking space shall be provided in accordance with the approved details that shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

REASON: To support the use of low emission vehicles in accordance with Local Plan Policy ENV13 and the NPPF and the Interim Climate Change Policy (2021)

11. (a) No retained tree or shrub shall be cut down, uprooted or destroyed, nor shall any retained tree or shrub be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree or shrub is removed, uprooted or destroyed or dies, another tree or shrub shall be planted at the same place and that tree or shrub shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

(c) The erection of fencing for the protection of any retained tree shrub or hedge shall be undertaken in accordance with details approved in writing by the local planning authority to comply with the recommendation of British Standard 5837:2005 (Trees in relation to construction) before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority. No fires shall be lit within 20 metres of the retained trees and shrubs.

In this condition 'retained tree or shrub' means an existing tree or shrub, as the case may be, which is to be retained in accordance with the approved plans and

particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the date of the occupation of the building for its permitted use.

REASON: To protect the existing trees, shrubs and hedgerows in the interest of visual amenity, in accordance with Policies GEN2 and GEN7 of the Uttlesford Local Plan (adopted 2005).

12. Prior to the commencement of development above slab level (i.e. not including site set up, ground works, footings and foundations), samples of the materials to be used in the construction of the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. Development thereafter shall be carried out in accordance with the approved details.

REASON: In the interests of the appearance of the development in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).