

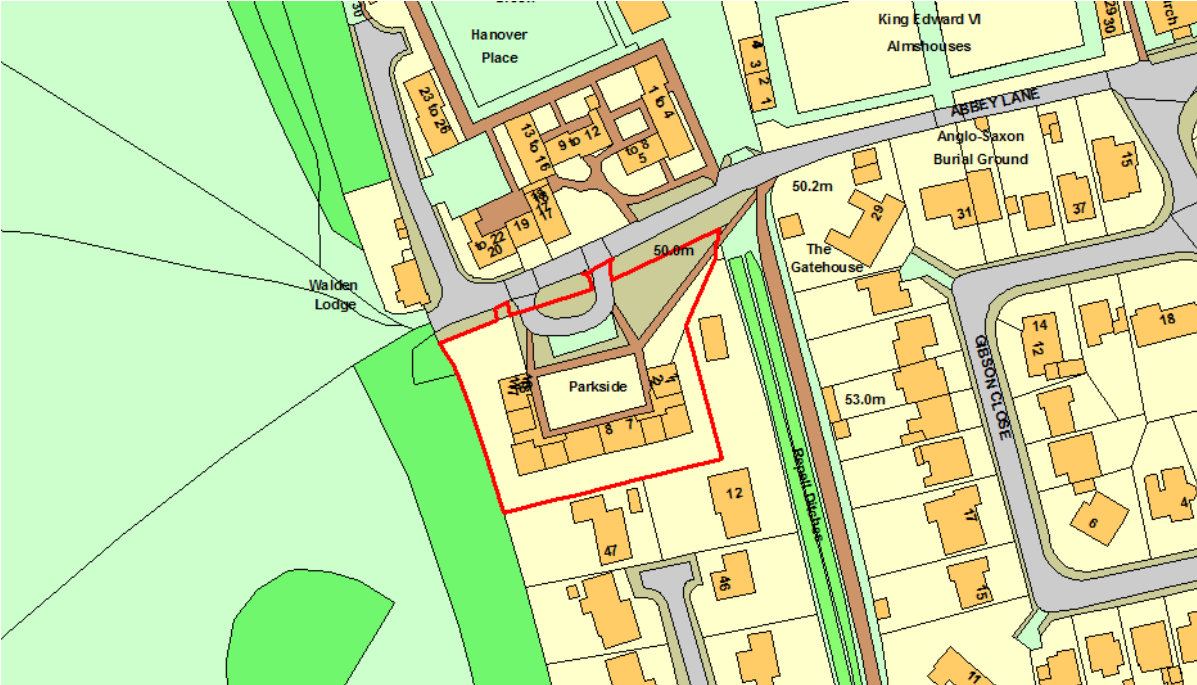
ITEM NUMBER: 6

PLANNING COMMITTEE DATE: 21 June 2023

REFERENCE NUMBER: UTT/22/2208/FUL

LOCATION: Parkside, Abbey Lane, Saffron Walden

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council - Date: May 2023

PROPOSAL: Proposed redevelopment of Parkside Retirement Housing, including the demolition of existing building and erection of new building to provide 24 no. apartments with associated parking, bin storage and communal gardens including alterations to existing site access.

APPLICANT: Uttlesford District Council

AGENT: Saunders Boston Limited

EXPIRY DATE: 29 November 2022

EOT Expiry Date: 23 June 2023

CASE OFFICER: Chris Tyler

NOTATION: Within Development Limits
Part of site within the Conservation Area
Adjacent Listed Building

REASON THIS APPLICATION IS ON THE AGENDA: Major Planning Application

1. EXECUTIVE SUMMARY

- 1.1** The existing building comprises of 18 flats, a mix of 1 and 2 bed units, arranged in a horseshoe arrangement, with central communal garden opening out onto Abbey Lane in Saffron Walden. The proposal included the redevelopment of the site and erection of 24 retirement apartments.
- 1.2** The layout, scale, appearance and landscaping of the development is considered appropriate. The size of the communal amenity areas and parking provisions are acceptable. The development accords with ULP Policies S1, GEN2, GEN8 and the NPPF.
- 1.3** The proposed development will result in a very low level of less than substantial harm to the significance of the Saffron Walden Conservation Area and Setting of the Listed Building (Walden Lodge) It is considered the adverse impacts of the proposal would not significantly and demonstrably outweighed the benefits.

- 1.4 The submitted layout and design shows that impacts upon residential amenity of neighbouring occupiers are not likely to be significant and therefore accords with ULP Policies GEN2 and GEN4.
- 1.5 The proposal accords with the development plan and the NPPF, and no material considerations indicate that planning permission should be refused. It is therefore recommended that permission be granted subject to conditions.

2. **RECOMMENDATION**

That the Director of Planning be authorised to GRANT permission for the development subject to those items set out in section 17 of this report -

A) Conditions

3. **SITE LOCATION AND DESCRIPTION:**

- 3.1 The site is located on the western boundary of the town, bordering with Audley End House Estate and currently has an existing retirement accommodation operated by Uttlesford District Council. The existing building comprises of 18 flats, a mix of 1 and 2 bed units, arranged in a horseshoe arrangement, with central communal garden opening out onto Abbey Lane.
- 3.2 The existing accommodation is situated over 2 stories, with apartments accessed by open deck access from within the courtyard. Both pedestrian and vehicular access is from Abbey Lane. Vehicular entry / exit is via a 'U' shaped drive off which off street parking spaces are available.

4. **PROPOSAL**

- 4.1 This application seeks planning permission for the redevelopment of the site, including demolition of the existing retirement accommodation and the erection of 24 new retirement apartments, parking, communal gardens and associated works.
- 4.2 The proposed development is to provide modern older persons accommodation for people who are over 60 years of age, with associated parking and external amenity space. The proposed accommodation schedule includes:

16 number 1 bed 2 person apartments – 65%
8 number 2 bed 3 person apartments – 35%

5. **ENVIRONMENTAL IMPACT ASSESSMENT**

5.1 The development does not constitute 'EIA development' for the purposes of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

6. **RELEVANT SITE HISTORY**

6.1 There is no planning history linked to this site.

7. **PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

7.1 Pre application advice was sought prior to the submission of the planning application. This included Heritage Advice from the Council's Heritage Officer, the outcomes of the pre application discussion covered:

- Re use existing point of vehicular access with parking located against Eastern boundary – Access point in Client control, does not involve removal of existing mature tree belt to front of the site
- Parking located to the East of the site, acting as a buffer between existing residential and new scheme. Circa 20 spaces,
- Western wing adjacent to historic boundary wall pulled forward - prominent corner addressing Walden Lodge - focal point,
- Southern facing communal garden. No direct over shading,
- Accommodation - circa 23 units (Western wing 3 storey),
- Deck assess facing into the site,
- 3 stair cores required if partial 3 storey,
- Views out over Audley Estate and Abbey Lane,
- Reduced impact to no 12 and 47 to south,
- Western wing pulled further south. East and West wing puller further south.

It was concluded in principle the proposal may be considered acceptable.

8. **SUMMARY OF STATUTORY CONSULTEE RESPONSES**

8.1 **Highway Authority – No Objections**

8.1.1 No objections, from a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, subject to the following conditions:

- No unbound materials to be used in the surface treatment of the access,
- Parking to be provided prior to the occupation of the development,
- Existing access to be closed,
- Submission and approval of construction management plan.

8.2 **Lead Local Flood Authority – No Objections**

8.2.1 No objections, having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we do not object to the granting of planning permission subject to the following conditions:

- Submission and approval of detailed surface water drainage scheme,
- Maintenance arrangement for drainage scheme,

8.3 Historic England – No Objections

8.3.1 No objections, Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application. We suggest that you seek the views of your specialist conservation and archaeological advisers

8.4 The Garden Society – Neutral

8.4.1 On the basis of this we confirm we would like to provide a neutral comment. The impact will be minor and falls within the setting but we consider it is vital to retain the existing tree coverage, as there will be a minor impact to the park/setting through this change in height and subsequent views.

9. SAFFRON WALDEN TOWN COUNCIL

9.1 SWTC considered the above application at its Planning and Transport Committee meeting on 27.09.22 and resolved to respond as follows:

SWTC is unable to formulate a final response to this planning application due to a number of inconsistencies in the documents presented, namely:

1. The Full Design and Access Statement, paragraph 3.7 refers to Walden Place which we presume is a mistake in the document. Walden Place is some distance from the proposed development and is not affected by the proposals.
2. The Archaeological Evaluation provided by Place Services incorrectly references Walden Place, Freshwell Street. We are not certain if this is just a typing error or if the entire evaluation has been mistakenly carried out at Walden Place rather than Parkside.
3. There appears to be inconsistencies in the height and size of the proposed building. Local residents have provided the attached artist's impression of the proposals, and the height shown in these local proposals do not match those as projected by UDC. We are aware the residents have utilised the services of a local architect and therefore have no reason to question the information as presented by the residents.

10. CONSULTEE RESPONSES

10.1 UDC Housing Enabling Officer – No Objection

10.1.1 The redevelopment of Parkside will provide modern fit for purpose 1 and 2 bedroom affordable rented homes for those ages 60 and over. The housing statement submitted advises there is an aging population within Uttlesford and a high level of need within Saffron Walden for 1 and 2 bedroom homes for those aged 60 and above.

10.2 UDC Environmental Health – No Objection

10.2.1 No objections subject to conditions, including:

- Submission and approval of construction management plan,
- Air source heat pump compliance condition,
- Post completion noise survey,
- Approval of external lighting scheme,
- Contamination compliance condition.

10.3 Heritage Officer - Objection

10.3.1 In my opinion, the proposed replacement building will have an impact upon the setting of the listed Lodge, as well as the setting of the Conservation Area and Registered Park and Garden and Conservation Area. This would constitute a low level of less than substantial harm to the listed building and registered park and garden, due to the change in their setting. The harm of the development should be weighed against the benefits of the proposal, as per paragraph 202 of the NPPF.

10.4 Stansted Airport Aerodrome Safeguarding - No Objection.

10.5 UK Power Networks - No Objection

10.6 Cadent Gas - No Objection

10.7 Essex Police - No Objection

10.8. ECC Ecology – No Objection

10.8.1 No objection subject to securing biodiversity mitigation and enhancement measures to be secured by condition.

11. REPRESENTATIONS

11.1 A site notice was displayed on site and 162 notifications letters were sent to nearby properties. An application notification was also advertised in the press.

11.2 Support

11.2.1 No comments received

11.3 Object

- 11.3.1**
- The site should be made into allotments,
 - Highway and pedestrian safety concerns,
 - Overdevelopment of the site,
 - Loss of privacy,
 - Overshadowing,
 - Insufficient green space,
 - Inappropriate layout,
 - The existing trees need to be protected,
 - Building is too large/ high,
 - The building will be dominating,
 - In conflict with the Neighbourhood Plan,
 - Impact tot the character of the site and entrance to Audley End Park,
 - Impact to the listed wall,
 - Noise from the proposed heat pumps,
 - Increase of cars within the street,
 - Construction management issues,
 - The drawings are misleading,
 - The impact on Walden Lodge is substantial
 - The heritage statement is incorrect,
 - The application was not advertised correctly,
 - The existing building should be improved,
 - In appropriate external appearance,
 - Constrained parking and turning areas,
 - Loss of the battle ditches.

11.4 Comments

- 11.4.1** Appropriate consultation and advertisement of the application has taken place

12. MATERIAL CONSIDERATIONS

12.1 In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the “Considerations and Assessments” section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

12.2 Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

- a) The provisions of the development plan, so far as material to the application:

- (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- b) any local finance considerations, so far as material to the application, and
- c) any other material considerations.

12.3 Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve

12.4 The Development Plan

12.4.1 Essex Minerals Local Plan (adopted July 2014)
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)
Uttlesford District Local Plan (adopted 2005)
Felsted Neighbourhood Plan (made Feb 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)
Thaxted Neighbourhood Plan (made February 2019)
Stebbing Neighbourhood Plan (made July 2022)
Saffron Walden neighbourhood plan (made October 2022)
Ashdon Neighbourhood Plan (made December 2022)
Great and Little Chesterford neighbourhood Plan (made February 2023)

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (2021)

13.2 Uttlesford District Plan 2005

S1 – Settlement Boundaries of the main urban areas

GEN1- Access

GEN2 – Design

GEN3 - Flood Protection

GEN4 - Good Neighbourliness

GEN5 – Light Pollution

GEN7 - Nature Conservation

GEN8 - Vehicle Parking Standard

ENV11- Noise Generators

13.3 Saffron Walden Neighbourhood Plan (SWNP)

SW3- Design
SW4- Parking on new developments
SW9- Development of new and existing commercial spaces
SW11- Ecological requirements for all new domestic and commercial developments
SW12 - Promoting walking and cycling

13.4 Supplementary Planning Document or Guidance

Uttlesford Local Residential Parking Standards (2013)
Essex County Council Parking Standards (2009)
Uttlesford Interim Climate Change Policy (2021)

14. CONSIDERATIONS AND ASSESSMENT

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

- 14.2**
- A) Principle of the development**
 - B) Character, Appearance and Heritage**
 - C) Transport**
 - D) Flooding and Drainage**
 - E) Nature Conservation**
 - F) Amenity**
 - G) Air quality**
 - H) Contamination**
 - I) Climate Change**
 - J) Planning Balance**

14.3 A) Principle of the development

14.3.1 The application site is located within the development limits of Saffron Walden where there is a presumption in favour of appropriate development. Sheltered accommodation would normally be considered as appropriate development in this context subject to general development management policies being satisfied. The site is already consists of sheltered accommodation, therefore the use of the site would not be changed and as such the principle of the development of this site has been established and acceptable. This is in accordance with Local Plan Policies S1, H3 and the NPPF.

14.4 B) Character, Appearance and Heritage

14.4.1 Policy GEN2 considers the design of the development to ensure the development is compatible with its surroundings. The design rationale in regards to the appearance of the development seeks a scheme with a sense of place and character, attractively designed using high quality materials built around good quality amenity & landscaped spaces.

- 14.4.2** The proposed building form follows the principle lines of the site in that it is arranged so as to form a solid perimeter facing onto the public realm, offering up a strong street presence and opens out 'internally' to provide secure screened amenity space. The building will be configured around a 3-sided courtyard to maximise on available light and space on the site.
- 14.4.3** SWNP (Policy SW3) advises three-storey housing will be acceptable, other than in settlement edge locations, and subject to the building height and form respecting and complementing the buildings and the landscape in the immediate vicinity. The boundary of the development limits is located to the west of the application site separating the site and Audley End Estate.
- 14.4.4** The proposed building will be inevitably larger and higher than the existing building particularly due to the two-storey nature of the existing dwelling. The massing of the proposed building will be reduced through the creation with of a traditional form and features, also due to the layout of the building the rear of the site will accommodate the communal garden area.
- 14.4.5** The external materials will include appropriate finishes which are considered to the enhance and respond well to the existing site and immediate surrounding area, these include:
- Facing Brickwork
 - Brick work feature panel
 - GRC (glass fibre reinforced concrete) frames and window cills
 - Slatted escape stair and plant store
 - Balconies
- 14.4.6** The proposal has been positioned to maximise the distances to boundaries, with elevations containing habitable windows positioned further from the boundary. The design contains the proposal to the centre of the site also helps to retain as many of the existing boundary as possible, which are predominantly around the periphery of the site.
- 14.4.7** Objections have been received in regard to the scale and height of the proposal and the introduction of a 3 storey building, with an increase from 8m to 11m in height. The section drawing and Design & Access Statement submitted demonstrates, although the height of the building is increased, it will be accommodated within the site with sufficient distances form the neighbouring properties without resulting in a harmful impact to the character of the site or its' surroundings. Also, elements of the proposal are considered sympathetic such as the materials, roof form, positioning and landscaping. As such, although introducing a 3 storey building in close proximity to the settlement boundaries it would still respect and complement the buildings and landscape in the immediate vicinity.
- 14.4.8** There is appropriate level of communal amenity space within the site for both residents and visitors. The amenity space will mainly be to the centre

of the site, which will also provide more of a buffer and relief for the adjacent neighbouring properties.

- 14.4.9** The landscape proposals for this development are focused around a new communal garden area of the building, the proposed boundary treatment and parking area for the development. The siting of the proposed building within the site means that there is an opportunity to enhance the existing landscaping. Details of which is set out in the submitted Landscape Masterplan (Design and Access Statement). In particular, landscaping to the south, east and west boundaries will, in conjunction with the siting of the building centrally within the site, mitigate the visual impact of the development upon neighbouring residential occupiers.
- 14.4.10** Further landscaping is introduced within the site, primarily around the building and car park areas, to provide a combination of screening and segregation between the different areas of the site. The Council's Landscape Officer has been consulted of the landscape scheme, of which no comments or further recommendations have been made received. The proposal is considered will provide an acceptable landscape scheme that will appropriately integrate into the application site and surrounding area. A detailed landscaping proposal would be conditioned should planning permission be granted. The development is in accordance with Local Plan Policies S3, GEN2, Essex Design Guide, SWNP and the NPPF.
- 14.4.11** In regard to heritage impact, the proposal does not include any works to a Listed Building, however, due consideration should be made to impact of the development on the setting of the Conservation Area and individual listed assets, as per Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- 14.4.12** The Council's Heritage Officer has been consulted. They advised as part of the setting of the listed assets, the existing building on the site makes no contribution to any of their significances, as such there is no concerns to the proposed demolition. The replacement building will have an impact upon the setting of the listed Lodge, as well as the setting of the Conservation Area and Registered Park and Garden. There will be little to no impact upon the setting of the Scheduled Monument. Due to the increase in massing of the building in comparison the existing structure, the proposed replacement will have an impact upon how the Conservation Area, Lodge and Registered Park and Garden are viewed and perceived, and will be dominant feature within Abbey Lane.
- 14.4.13** This would constitute a low level of less than substantial harm to the listed building and registered park and garden, due to the change in their setting. The NPPF states that any less than substantial harm to the significance of designated heritage assets should be weighed against the public benefits of the development (paragraph 202 of the NPPF).
- 14.4.14** The public benefits of the development include:

- Short term benefits during the construction phase, with benefit to local companies e.g. contractors, sub-contractors, trades and suppliers,
- Occupiers of the houses would contribute to the local economy in the long term,
- The construction of (sheltered accommodation) dwellings will contribute to the 5 Year Housing Land Supply,
- The proposed development will meet the identified housing needs of the district,
- Delivery of high-quality design with appropriate scale, form, density, architecture and materials.

14.4.15 It is considered the harm arising from the development would be of a lesser magnitude than the public benefits. Consequently, taking into account the Framework as a whole, the adverse impacts of the proposal would not significantly and demonstrably outweigh the benefits.

14.4.16 Taking into consideration the consultation responses from the Council's Heritage Consultant and details set out in the submitted Heritage Statement it is considered the proposed development will subsequently result in a very low level of less than substantial harm to the significance of the Saffron Walden Conservation Area and is in accordance with ULP Policy ENV1 and S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14.4.17 As assessed above the significance of all listed buildings potentially affected by the proposed development will be preserved, in accordance with ULP Policy ENV2 and section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

14.5 C) Transport

14.5.1 Local Plan Policy GEN1 seeks sustainable modes of transport which is reflected within the NPPF. Local Plan Policy GEN1 advised development will only be permitted if it meets 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 networks.
- c) The design of the site must not compromise road safety and must take account of the needs of other users of their highway.
- d) It must be designed to meet the needs of people with disabilities
The development encourages movement by other means other than driving car.

14.5.2 The site is located on the western edge of Saffron Walden town centre, access to the site will be taken from a junction on to Abbey Lane to the north. Abbey Lane is lightly trafficked in the vicinity of the site, owing to the fact that west of the site Abbey Lane is a no-through road.

- 14.5.3** Whilst it is appreciated that the carriageway width of Abbey Lane narrows in places on approach to the site, vehicle tracking runs have been undertaken which suitably demonstrate that both refuse and delivery vehicles can access the site. Construction materials will be transferred to suitable smaller vehicles.
- 14.5.4** Taking into account the comments of the Highway Authority, it is considered that subject to conditions the proposal would not have an adverse effect on highway safety or efficiency. In particular, the level of parking provision has been assessed and found to be sufficient, in combination with relatively good sustainable transport options, to prevent unacceptable impacts on highway safety from on-street parking. It is therefore concluded that the proposal accords with the transport Policies GEN1 and GEN8 of the Local Plan.
- 14.5.6** The Transport Statement has assessed the anticipated trip generation from the development and concludes that the increase in peak hour vehicle trips due to the proposed development would be negligible and would not have a material effect on the operation of the surrounding highway network.
- 14.5.7** ULP Policy GEN8 requires parking provision to be in accordance with current adopted standards. Essex County Council Parking Standards advise retirement development should have 1 space per dwelling. The proposal includes 25 parking spaces for the proposed sheltered accommodation include 6 accessible spaces. The provision of adequate and appropriate on-site parking is considered a betterment of existing on-site provision of approximately 6 parking spaces, which results in parking along Abbey Lane.
- 14.5.8** The level of parking provision has been assessed and found to be sufficient, in combination with relatively good sustainable transport options, to prevent unacceptable impacts on highway safety from on-street parking. No objections have been raised by Highways Authority in regard to parking provisions. Therefore, the scheme is in accordance with Local Plan Policy GEN8.

14.6 D) Flood Risk and Drainage

- 14.6.1** Policy GEN3 requires development outside flood risk areas to not increase the risk of flooding through surface water run-off. The NPPF requires development to be steered towards areas with the lowest probability of flooding. The site is not in an area that is identified as at risk of flooding. However, the proposal is a 'major development' so it would be necessary to include a Sustainable Drainage System (SuDS) as an integral part of the design.
- 14.6.2** The application includes a flood risk assessment, of which the consultation response by the Lead Local Flood Authority it is considered

that subject to conditions the development will include appropriate drainage and will not give rise to an unacceptable increase in flooding and in accordance with ULP Policy GEN3 and the NPPF.

14.7 E) Nature Conservation

14.7.1 Policy GEN7 and Paragraph 179 of the NPPF seeks to ensure that development would not have a harmful effect on wildlife and Biodiversity. Following the initial ecology objection an updated ecology report has been submitted. The updated report takes into consideration the Council's Ecology Consultant comments and as a result they have withdrawn their objection.

14.7.2 Taking into account the comments of the Council's ecological consultant, it is considered unlikely that the development would have a significant adverse effect on any protected species or valuable habitats. It is therefore concluded that the proposal accords with Policy GEN7 and the National Planning Policy Framework and SWNP Policy SW11.

14.8 F) Amenity

14.8.1 Due consideration is made to the scale and siting of the development and its impact to the amenity of neighbouring residential occupiers. This includes loss of privacy, overlooking, over shadowing, overbearing, noise and disturbance.

14.8.2 In regard to loss of privacy and overlooking a number of objections have been made. The submitted floor plans indicate that there should be no overlooking from the proposed building towards neighbouring properties, bearing in mind the separation distance. As such the following assessment is in regard to overlooking made.

14.8.3 47 Saxon Way:
The distance between the rear elevation of the new building and the boundary of the site is 8m and 10m to the north elevation of 47 Saxon Way. The southern elevation of the new building will include a single window to each floor, this will serve a bathroom. The use of a condition for the use of obscure glazing will ensure there will not be any overlooking from this elevation. The orientation of the building, location of the inner stairwell and access ensures overlooking will be kept to a minimum and not at a level that will have a harmful impact.

14.8.4 12 Saxon Way:
The distance between the rear elevation of the new building and the boundary of the site is 8m and 13m to the northwest corner of 12 Saxon Way. The southern elevation of the new building will include a single window to each floor, this will serve a bathroom. The use of a condition for the use of obscure glazing will ensure there will not be any overlooking from this elevation.

It is noted a building is included within the site of 12 Saxon Way, from the case officer's site visit it was noted the western elevation and roof light was exposed to the communal area of the existing building and the existing apartment on the first-floor level.

Although the proposal will result in the increase of a further floor level it is considered that due to the existing overlooking of 12 Saxon Way the proposal will not result in any significant increase in loss of privacy to this property that will have a harmful impact to its private amenity that would justify the refusal of the application

14.8.5 Hanover Place:

The distance of the proposed building in relation to Hanover Place is in excess of 25m. Due to the distance and existing use of the site it is not considered the proposal will not result in any significant increase in loss of privacy to this property that will have a harmful impact to its private amenity.

14.8.6 In regard to whether the development will have an overbearing impact or cause any overshadowing or loss of light to neighbouring properties, taking into account the submitted site sections and distances between the development and neighbouring sites, it is considered that there would be no significant harm to the living conditions of neighbouring occupiers.

14.8.7 ULP Policy GEN5 considers whether the proposed external lighting scheme is necessary and that glare and spillage from the lighting is minimised. In view of the proximity of existing residential dwellings adjoining the proposed site, it is essential to ensure that any external lighting is properly designed and installed to avoid any adverse impacts on residential neighbours from obtrusive/spill-over light, or glare. As such a condition for the details of the proposed external lighting to be submitted and approved prior to installation should be included.

14.8.8 In regard to noise, the application includes a noise impact statement which identifies the noise created by the development. The Council's Environmental Health Officer has been consulted and does not make any objection to the proposal subject to conditions should planning permission be granted, these include:

- Heat source pump to be in compliance with the provisions of BS4142:2014 to prevent the likelihood of noise nuisance to the residents,
- Prior to occupation submission and approval of a post completion noise survey

Taking into account the comments of the Environmental Health Officer and imposition of conditions it is considered that there would be no significant impacts on the amenity of neighbouring residents from noise.

14.8.9 It is therefore concluded that the proposal will not have any significant harm to the amenity of neighbouring residential occupiers and is in accordance with GEN2, GEN4, GEN5, ENV11 and the NPPF.

14.9 G) Air quality

14.9.1 This site lies within the Saffron Walden Air Quality Management Area (AQMA). The submitted Air Quality Assessment REPORT REF - Q_assessment/2021/AbbeyLane_Saffron_Walden dated 27 July 2022 has concluded that the impact on air quality is negligible and no specific mitigation measures against increased emissions post completion have been proposed.

14.9.2 The proposal will be contributing to overall emissions and development in an AQMA is expected to contribute to a reduction in levels of air pollutants within the AQMA. Conditions are recommended to address this prior to the occupation of the development and to minimise the impact of the operational phase by encouraging the use of low emission vehicles and non-car travel, by provision of the following:

- an electric vehicle charge point at the allocated parking space associated with a dwelling,
- Secure, convenient, covered storage for motorised and non-motorised
- cycles for all dwellings to be provided prior to occupation
- Residential and school travel plans aimed at promotion of sustainable
- modes of transport,
- Address the specification of any CHP required as low NOx emissions and ultra-low NOx gas boilers.

14.10 H) Contaminated Land

14.10.1 ULP Policy ENV14 considers the impact of contamination of the site and its impact to the proposed development. The application site may have the potential risk of contamination and therefore the UDC Environmental Health Officer has been consulted. No objections have been made subject the imposition of a planning condition for the submission contamination assessment. As such it is considered the development will not result in any harmful impact due to contamination risks and the proposal accords with ULP Policy ENV14.

14.11 I) Climate Change and Renewable Energy

14.11.1 Following the recently adopted UDC Interim Climate Change Policy 2021 due consideration should be made by developer to demonstrate the path that their proposals take towards achieving net – zero carbon by 2030, and all the ways their proposal are working towards this in response to planning law, and also to the guidance set out in the NPPF and Planning Policy Guidance. The applicant has included a sustainability statement demonstrating sustainability measures.

- 14.11.2 The design of the development incorporates sustainable principle into the full range of sustainable aspects covered by both local and national planning policy. The scheme will include a fabric first approach to optimise the thermal performance of the building.
- 14.11.3 The development will include energy efficient lighting, windows are designed to be as large as possible without compromising the thermal efficiency of the building.
- 14.11.4 The development will include the use of air source heat pump technology for each apartment, this will provide hot water and heating.
- 14.11.5 Implementation of a range of sustainable transport measures including EV charging infrastructure and cycle storage, the development is located within a sustainable location in terms of being close to local amenities and transport links.
- 14.11.6 The proposed measures will ensure the proposed development appropriately addresses climate change, is future proofed and capable of adapting to the move towards a low carbon economy. Compliance with climate change objectives of the NPPF and Uttlesford Interim Climate Change Policy.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

- 15.1.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.
- 15.1.2 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- 15.1.3 Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised

15.2 Human Rights

- 15.2.1 There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol

regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application

16. CONCLUSION

16.1 The proposed scheme would provide the mix of housing sought under paragraphs 60 and 61 of the NPPF to meet the needs of an older generation and people care requirements. The proposed use of the site would make more effected use of the large plot and although not part of a key employment site will provide significant economic growth. There is a need for a care facility of which the need will grow further over the coming years. The development accords with ULP Policies S1, GEN2 and the NPPF.

16.2 The layout, scale, appearance and landscaping of the development is considered appropriate. The size of amenity areas and parking provisions are acceptable. The development accords with ULP Policies S1, GEN2, GEN8 and the NPPF.

16.3 The proposed development will result in a very low level of less than substantial harm to the significance of the Saffron Walden Conservation Area and Setting of the Listed Building. It is considered the harm arising from the development would be of a lesser magnitude that the public benefits. Consequently, taking into account the Framework as a whole, the adverse impacts of the proposal would not significantly and demonstrably outweighed the benefits

16.4 The proposal will not give rise to flooding and is in accordance with ULP Policy GEN3

16.5 Due consideration has been made to the UDC Interim Climate Change Policy 2021 and ULP Policy ENV15 and how the developer has demonstrated the path that their proposals take towards achieving net – zero carbon by 2030.

16.6 The submitted layout and design shows that impacts on residential amenity are not likely to be significant and therefore accords with ULP Policies GEN2 and GEN4.

16.7 The proposal accords with the development plan and the NPPF, and no material considerations indicate that planning permission should be refused. It is therefore recommended that permission be granted.

17. CONDITIONS

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

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

- 2 The development hereby permitted shall be carried out in accordance with the approved plans as set out in the Schedule.

REASON: For the avoidance of doubt as to the nature of the development hereby permitted, to ensure development is carried out in accordance with the approved application details, to ensure that the development is carried out with the minimum harm to the local environment, in accordance with the Policies of the Uttlesford Local Plan (adopted 2005) as shown in the Schedule of Policies

- 3 No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for;

- a) vehicle routing (including risk assessments) and confirmation of how contractors and delivery companies will be made aware of the route (to and from the site) and of any on site restrictions prior to undertaking journeys,
- b) Confirmation of the standard working hours for the site
- c) Swept path analysis for constrained manoeuvres along the proposed route
- d) Consultation with businesses affected (if any), local residents and town council (Evidence of who was consulted, how the consultation was conducted, and a summary of the comments received in response to the consultation should be included. In response to the comments received, the CMP should then be amended where appropriate and, where not appropriate, a reason given. The revised CMP should also include a list of all the comments received)
- e) the parking of vehicles of site operatives and visitors,
- f) loading and unloading of plant and materials,
- g) storage of plant and materials used in constructing the development,
- h) wheel and underbody washing facilities.
- i) Before and after condition survey of Abbey Lane, to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense where caused by developer. (The surveys should be in agreement and arranged with the Highway Authority)
- j) Details to ensure the control of dust and noise,
- k) Hours of construction on site,
- l) Prevention of the pollution of ground and surface waters,
- m) Site waste plan,

REASON: To ensure that the construction of the development is in the interests of highway safety and control of environmental impacts in accordance with ULP Policies GEN1 and GEN4.

- 4 Prior to the commencement of the development hereby approved a Great Crested Newt Method Statement shall be submitted to and approved in writing by the local planning authority. This will contain precautionary mitigation measures and/or works to reduce potential impacts to Great Crested Newt during the construction phase.

The measures and/works shall be carried out strictly in accordance with the approved details and shall be retained in that manner thereafter.”

REASON: To conserve 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) and in accordance with ULP Policy GEN7.

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

- Limiting discharge rates to 2l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the relevant third party/ All relevant permissions to discharge from the site into any outfall should be demonstrated.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy. The scheme shall subsequently be implemented prior to occupation.

REASON

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

In accordance with ULP Policy GEN3 and the NPPF.

- 6** Prior to the commencement of the development above slab level details 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. The development shall be implemented using the approved materials. Subsequently, the approved materials shall not be changed without the prior written consent of the Local Planning Authority.

REASON: To ensure a satisfactory standard of development in the interests of visual amenity in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005), and In the interest of protecting the architectural and historical significant setting of the adjacent listed building and conservation area in accordance with Local Policies ENV1, ENV2 and the NPPF.

- 7** Prior to any works above slab level a Biodiversity Enhancement Strategy for protected and Priority species shall be submitted to and approved in writing by the local planning authority.

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

- a) Purpose and conservation objectives for the proposed enhancement measures;
- b) detailed designs or product descriptions to achieve stated objectives;
- c) locations, orientations, and heights 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 (where relevant).

The works shall be implemented in accordance with the approved details prior to occupation 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 NPPF 2021 and s40 of the

NERC Act 2006 (Priority habitats & species) and in accordance with ULP Policy GEN7.

- 8** Prior to commencement of the development above slab level, details of all hard and soft landscaping (including planting, hard surfaces and boundary treatment) shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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: The use of this pre commencement condition is required to ensure compatibility with the character of the area in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005).

- 9** Prior to the occupation of the development hereby approved, details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority prior to the development commencing. Only the details thereby approved shall be implemented.

REASON: To protect the amenities of the occupiers of adjoining properties in accordance with ULP Policies ENV11, GEN2 and GEN4 of the Uttlesford Local Plan (adopted 2005)

- 10** No dwelling shall be occupied until a post completion noise survey has been undertaken by a suitably qualified acoustic consultant, and a report submitted to and approved in writing by the Local Planning Authority.

Should the plant fail to comply with this condition at any time, it shall be switched off and not used again until it is able to comply. The use of the equipment must not commence or re-commence until a fully detailed noise survey and report has been submitted to and approved in writing by the Local Planning Authority and approved mitigation measures such as acoustic screening or silencers have been implemented. The plant shall be serviced regularly in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are always maintained. Should the plant and equipment fail to comply with this

condition at any time, it shall be switched off and not used again until it is able to comply.

REASON: In the interest of the amenity of the neighbouring resident and in accordance with ULP Policy GEN4

- 11** Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority. Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

REASON: To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk. Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site and in accordance with ULP Policy GEN3 and the NPPF.

- 12** The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk and in accordance with ULP Policy GEN3 and the NPPF.

- 13** Prior to the occupation of the development hereby approved the vehicle parking area indicated on the approved plans, has been provided. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority.

REASON: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking and in accordance with ULP Policy GEN1.

- 14** Prior to the occupation of the development hereby approved a Landscape and Ecological Management Plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement or occupation of the development.

The content of the LEMP shall include the following:

- a) Description and evaluation of features to be managed.

- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organisation responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanism(s) by which the long term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.”

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) and in accordance with ULP Policy GEN7.

- 15** Prior to the occupation of the development hereby approved 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 (through the provision of appropriate technical specifications) 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) and in accordance with ULP Policy GEN7.

- 16** The development hereby approved will include 7 electric vehicle charging points (calculating to 29% of the parking spaces) these shall be provided, fully wired and connected, ready to use before first occupation of the development. The provision of ducting for future installation shall also be included.

REASON: The requirement of the charging points are required to mitigate the harm for poor air quality due to the increase in vehicle movement and being within and in accordance with ULP ENV13 the adopted Interim Climate Change Policy 2021 and the NPPF.

- 17** If during any site investigation, excavation, engineering, or construction works evidence of land contamination is identified, the applicant/developer shall notify the Local Planning Authority without delay. Any land contamination identified, shall be remediated to ensure that the site is made suitable for its end use.

REASON: To protect human health and the environment and in accordance with Policy ENV14 of the Uttlesford Local Plan (adopted 2005).

- 18** 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 and in accordance with ULP Policy GEN1.

- 19** The existing access to the West shown on the existing site and location plan DWG 1784-SBA-XX-XX-DR-A-501 (29/04/22) shall be suitably and permanently closed incorporating the reinstatement to full height of the highway verge/kerbing immediately the proposed new access is brought into first beneficial use.

REASON: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety and in accordance with ULP Policy GEN1.

- 20** All mitigation measures and/or works shall be carried out in accordance with the details contained in the Preliminary Ecological Appraisal (Applied Ecology Ltd., April 2020) as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.

REASON: To conserve 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) and in accordance with ULP Policy GEN7.

- 21** The air source heat pumps to be installed at the proposed site shall be

specified and designed, enclosed, or otherwise attenuated to ensure that noise resulting from their operation shall not exceed the existing background noise level inclusive of any penalty for tonal, impulsive, or other distinctive acoustic characteristics when measured or calculated according to the provisions of BS4142:2014

REASON: to prevent the likelihood of noise nuisance to the residents and in accordance with ULP Policy GEN4.

- 22** The climate control measures associated with the development, set out on the approved plans, including:

Air Source Heat Pumps,
Electric Vehicle Charing Points

Shall be installed into the development as built and retained as such thereafter.

REASON: To ensure that the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance to comply with Policy GEN2 of the Uttlesford Local Plan (adopted 2005) and Uttlesford District Council's Interim Climate Change Policy document (2021).

- 23** The dwellings hereby approved shall be built in accordance with Requirement M4(2) and M4(3) (Accessible and adaptable dwellings) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition, in accordance with approved plan 1784-SBA-XX-XX-DR-A-502 D.

REASON: To ensure a high standard of accessibility, in accordance with Policy GEN2 of the Uttlesford Local Plan (adopted 2005), the SPD entitled 'Accessible Homes and Playspace' and the Planning Practice Guidance.

APPENDIX 1- HIGHWAY AUTHORITY

Your Ref: UTT/22/2208/FUL
Our Ref: 54422
Date: 9th May 2023



Paul Crick
Director for Highways
and Transportation

CC: (by email) *DM, SMO2, Chelmsford
Cllr Paul Gadd*

To: Uttlesford District Council
Assistant Director Planning & Building Control
Council Offices
London Road
SAFFRON WALDEN CB11 4ER

County Hall
Chelmsford
Essex CM1 1QH

Recommendation

Application No. UTT/22/2208/FUL
Applicant Mr Doug Malins
Site Location Parkside Abbey Lane Saffron Walden Essex CB10 1AQ
Proposal Proposed redevelopment of Parkside Retirement Housing, including the demolition of existing building and erection of new building to provide 24 no. apartments with associated parking, bin storage and communal gardens including alterations to existing site access.

From a highway and transportation perspective the impact of the proposal is acceptable to the Highway Authority, 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
2. The proposed development shall not be occupied until such time as the vehicle parking area indicated on the approved plans, has been provided. The vehicle parking area and associated turning area shall be retained in this form at all times. The vehicle parking shall not be used for any purpose other than the parking of vehicles that are related to the use of the development unless otherwise agreed with the Local Planning Authority. Reason: To ensure that on street parking of vehicles in the adjoining streets does not occur in the interests of highway safety and that appropriate parking
3. The existing access to the West shown on the existing site and location plan DWG 1784-SBA-XX-XX-DR-A-501 (29/04/22) shall be suitably and permanently closed incorporating the reinstatement to full height of the highway verge/kerbing immediately the proposed new access is brought into first beneficial use. Reason: To ensure the removal of and to preclude the creation of unnecessary points of traffic conflict in the highway in the interests of highway safety
4. No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for;

- I. vehicle routing (including risk assessments) and confirmation of how contractors and delivery companies will be made aware of the route (to and from the site) and of any on site restrictions prior to undertaking journeys,
- II. Confirmation of the standard working hours for the site
- III. Swept path analysis for constrained manoeuvres along the proposed route
- IV. Consultation with businesses affected (if any), local residents and town council (Evidence of who was consulted, how the consultation was conducted, and a summary of the comments received in response to the consultation should be included. In response to the comments received, the CMP should then be amended where appropriate and, where not appropriate, a reason given. The revised CMP should also include a list of all the comments received)
- V. the parking of vehicles of site operatives and visitors,
- VI. loading and unloading of plant and materials,
- VII. storage of plant and materials used in constructing the development,
- VIII. wheel and underbody washing facilities.
- IX. Before and after condition survey of Abbey Lane, to identify defects to highway in the vicinity of the access to the site and where necessary ensure repairs are undertaken at the developer expense where caused by developer. (The surveys should be in agreement and arranged with the Highway Authority)

Reason: To ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM 1 of the Highway Authority's Development Management Policies February 2011.

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.

Informative:

- i. All work within or affecting the highway is to be laid out and constructed by prior arrangement with, and to the requirements and satisfaction of, the Highway Authority, details to be agreed before the commencement of works. The applicants should be advised to contact the Development Management Team by email at development.management@essexhighways.org or by post to Essex Highways, Springfield Highways Depot, Colchester Road, Chelmsford, Essex, CM2 5PU.
- ii. The Public Right of Way network is protected by the Highways Act 1980. Any unauthorised interference with any route noted on the Definitive Map of PROW is considered to be a breach of this legislation. The public's rights and ease of passage over public footpath no 56 (Saffron Walden) and no 26 (Saffron Walden) shall be maintained free and unobstructed at all times to ensure the continued safe passage of the public on the definitive right of way.

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

applicant and any damage caused to the route shall be rectified by the applicant within the timescale of the closure.

- iii. Under Section 148 of the Highways Act 1980 it is an offence to deposit mud, detritus etc. on the highway. In addition, under Section 161 any person, depositing anything on a highway which results in a user of the highway being injured or endangered is guilty of an offence. Therefore, the applicant must ensure that no mud or detritus is taken onto the highway, such measures include provision of wheel cleaning facilities and sweeping/cleaning of the highway
- iv. There shall be no discharge of surface water onto the Highway.
- v. Prior to any works taking place in public highway or areas to become public highway the developer shall enter into an appropriate legal agreement to regulate the construction of the highway works. This will include the submission of detailed engineering drawings for approval and safety audit

APPENDIX 2- LEAD LOCAL FLOOD AUTHORITY

Essex County Council
**Development and Flood Risk
Waste & Environment**
C426 County Hall
Chelmsford
Essex CM1 1QH



Chris Tyler
Uttlesford District Council
Planning Services

Date: 15 December 2022
Our Ref: SUDS-006439
Your Ref: UTT/22/2208/FUL

Dear Mr Tyler,

Consultation Response – UTT/22/2208/FUL- Parkside , Abbey Lane, saffron Walden

Thank you for your email received on 13 December 2022 which provides this Council with the opportunity to assess and advise on the proposed surface water drainage strategy for the above mentioned planning application.

As the Lead Local Flood Authority (LLFA) this Council provides advice on SuDS schemes for major developments. We have been statutory consultee on surface water since the 15th April 2015.

In providing advice this Council looks to ensure sustainable drainage proposals comply with the required standards as set out in the following documents:

- Non-statutory technical standards for sustainable drainage systems
- Essex County Council's (ECC's) adopted Sustainable Drainage Systems Design Guide
- The CIRIA SuDS Manual (C753)
- BS8582 Code of practice for surface water management for development sites.

Lead Local Flood Authority position

Having reviewed the Flood Risk Assessment and the associated documents which accompanied the planning application, we **do not object** to the granting of planning permission based on the following:

Condition 1

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

- Limiting discharge rates to 2l/s for all storm events up to and including the 1 in 100 year rate plus 40% allowance for climate change subject to agreement with the relevant third party/ All relevant permissions to discharge from the site into any outfall should be demonstrated.

- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Demonstrate that all storage features can half empty within 24 hours for the 1 in 30 plus 40% climate change critical storm event.
- Final modelling and calculations for all areas of the drainage system.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753.
- Detailed engineering drawings of each component of the drainage scheme.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- A written report summarising the final strategy and highlighting any minor changes to the approved strategy.

The scheme shall subsequently be implemented prior to occupation.

Reason

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

Condition 2

Prior to occupation a maintenance plan detailing the maintenance arrangements including who is responsible for different elements of the surface water drainage system and the maintenance activities/frequencies, has been submitted to and agreed, in writing, by the Local Planning Authority.

Should any part be maintainable by a maintenance company, details of long term funding arrangements should be provided.

Reason

To ensure appropriate maintenance arrangements are put in place to enable the surface water drainage system to function as intended to ensure mitigation against flood risk.

Failure to provide the above required information prior to occupation may result in the installation of a system that is not properly maintained and may increase flood risk or pollution hazard from the site.

Condition 3

The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the Local Planning Authority.

Reason

To ensure the SuDS are maintained for the lifetime of the development as outlined in any approved Maintenance Plan so that they continue to function as intended to ensure mitigation against flood risk.

We also have the following advisory comments:

- We strongly recommend looking at the Essex Green Infrastructure Strategy to ensure that the proposals are implementing multifunctional green/blue features effectively. The link can be found below. <https://www.essex.gov.uk/protecting-environment>
- Please note that the Environment Agency updated the peak rainfall climate change allowances on the 10 May 2022. planning application with outline approval are not required to adjust an already approved climate change allowance, however, wherever possible, in cases that do not have a finalised drainage strategy please endeavour to use the updated climate change figures [Flood risk assessments: climate change allowances - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances)

Any questions raised within this response should be directed to the applicant and the response should be provided to the LLFA for further consideration. If you are minded to approve the application contrary to this advice, we request that you contact us to allow further discussion and/or representations from us.

Summary of Flood Risk Responsibilities for your Council

We have not considered the following issues as part of this planning application as they are not within our direct remit; nevertheless these are all very important considerations for managing flood risk for this development, and determining the safety and acceptability of the proposal. Prior to deciding this application you should give due consideration to the issue(s) below. It may be that you need to consult relevant experts outside your planning team.

- Sequential Test in relation to fluvial flood risk;
- Safety of people (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements);
- Safety of the building;
- Flood recovery measures (including flood proofing and other building level resistance and resilience measures);
- Sustainability of the development.

In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise local planning authorities to formally consider the

emergency planning and rescue implications of new development in making their decisions.

Please see Appendix 1 at the end of this letter with more information on the flood risk responsibilities for your council.

INFORMATIVES:

- Essex County Council has a duty to maintain a register and record of assets which have a significant impact on the risk of flooding. In order to capture proposed SuDS which may form part of the future register, a copy of the SuDS assets in a GIS layer should be sent to suds@essex.gov.uk.
- Any drainage features proposed for adoption by Essex County Council should be consulted on with the relevant Highways Development Management Office.
- Changes to existing water courses may require separate consent under the Land Drainage Act before works take place. More information about consenting can be found in the attached standing advice note.
- It is the applicant's responsibility to check that they are complying with common law if the drainage scheme proposes to discharge into an off-site ditch/pipe. The applicant should seek consent where appropriate from other downstream riparian landowners.
- The Ministerial Statement made on 18th December 2014 (ref. HCWS161) states that the final decision regarding the viability and reasonableness of maintenance requirements lies with the LPA. It is not within the scope of the LLFA to comment on the overall viability of a scheme as the decision is based on a range of issues which are outside of this authority's area of expertise.
- We will advise on the acceptability of surface water and the information submitted on all planning applications submitted after the 15th of April 2015 based on the key documents listed within this letter. This includes applications which have been previously submitted as part of an earlier stage of the planning process and granted planning permission based on historic requirements. The Local Planning Authority should use the information submitted within this response in conjunction with any other relevant information submitted as part of this application or as part of preceding applications to make a balanced decision based on the available information.

Yours sincerely,

Alison Vaughan, Development and Flood Risk Officer

Team: Green Infrastructure and Sustainable Drainage

Service: Climate Action and Mitigation

Essex County Council

Internet: www.essex.gov.uk

Email: suds@essex.gov.uk

Appendix 1 - Flood Risk responsibilities for your Council

The following paragraphs provide guidance to assist you in determining matters which are your responsibility to consider.

- Safety of People (including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements)

You need to be satisfied that the proposed procedures will ensure the safety of future occupants of the development. In all circumstances where warning and emergency response is fundamental to managing flood risk, we advise LPAs formally consider the emergency planning and rescue implications of new development in making their decisions.

We do not normally comment on or approve the adequacy of flood emergency response procedures accompanying development proposals as we do not carry out these roles during a flood.

- Flood recovery measures (including flood proofing and other building level resistance and resilience measures)

We recommend that consideration is given to the use of flood proofing measures to reduce the impact of flooding when it occurs. Both flood resilience and resistance measures can be used for flood proofing.

Flood resilient buildings are designed to reduce the consequences of flooding and speed up recovery from the effects of flooding; flood resistant construction can help prevent or minimise the amount of water entering a building. The National Planning Policy Framework confirms that resilient construction is favoured as it can be achieved more consistently and is less likely to encourage occupants to remain in buildings that could be at risk of rapid inundation.

Flood proofing measures include barriers on ground floor doors, windows and access points and bringing in electrical services into the building at a high level so that plugs are located above possible flood levels. Consultation with your building control department is recommended when determining if flood proofing measures are effective.

Further information can be found in the Department for Communities and Local Government publications '[Preparing for Floods](#)' and '[Improving the flood performance of new buildings](#)'.

- Sustainability of the development

The purpose of the planning system is to contribute to the achievement of sustainable development. The NPPF recognises the key role that the planning system plays in helping to mitigate and adapt to the impacts of climate change, taking full account of flood risk and coastal change; this includes minimising vulnerability and providing resilience to these impacts. In making your decision on this planning application we advise you consider the sustainability of the development over its lifetime.

APPENDIX 3- HISTORIC ENGLAND

Mr Chris Tyler
Uttlesford District Council
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

Direct Dial: 01223 583751

Our ref: **W:** P01542333

7 September 2022

Dear Mr Tyler

**T&CP (Development Management Procedure) (England) Order 2015
& Planning (Listed Buildings & Conservation Areas) Regulations 1990**

**PARKSIDE , ABBEY LANE, SAFFRON WALDEN, ESSEX
Application No. UTT/22/2208/FUL**

Thank you for your letter of 31 August 2022 regarding the above application for planning permission.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Yours sincerely

Jess Tipper

APPENDIX 4- THE GARDENS SOCIETY

Comment Details

Commenter Type: Ward Councillor

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Thank you for consulting the Gardens Trust in its role as Statutory Consultee on the above application which affects Audley End, a historic designed landscape of national importance which is included by Historic England on the Register of Parks and Gardens of Special Historic Interest at Grade I.

We have considered the information provided in support of the application and liaised with our colleagues in the Essex Gardens Trust. On the basis of this we confirm we would like to provide a neutral comment. The impact will be minor and falls within the setting but we consider it is vital to retain the existing tree coverage, as there will be a minor impact to the park/setting through this change in height and subsequent views.

If you have any further queries, please contact us.

With kind regards,
Conservation Casework Manager
The Gardens Trust