

## **Further representation made on behalf of c.100 households next to or close to the former Friends' School, Mount Pleasant Road, Saffron Walden CB11 3EB**

**Section 62A Planning Application:** S62A/22/0000002 Former Friends School, Mount Pleasant Rd, Saffron Walden CB11 3EB

**Uttlesford District Council reference - UDC UTT/22/1040/PINS**

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Please accept this further submission as a formal response to the above application on behalf of the residents of c.100 households that either adjoin or live very close to the site on: Borough Lane, Burgess Croft, Chichester Road, Crawley Hobbs Close, Debden Road, Friends Walk, Greenways, Linden Square, Mount Pleasant Cottages, Mount Pleasant Rd, Northfield Road, Old Mill Road, Pavilion Way, Peaslands Road, Railey Road, St John's Close, The Avenue, Tilia Court, Water Tower Place and Winstanley Road. This follows the additional submissions from the applicant but also other Statutory Consultees.

### **Intent identified for 344 houses on wider site**

It is now apparent that the Applicant has an intent to redevelop the wider site including the sports fields (the latter of which the same Applicant was previously refused consent for). As part of the various statements made in relation to the highways design and provision for the current application, it seems that capacity for 344 houses on the wider site would not be acceptable to Essex Highways (ECC) without highways improvements, none of which are proposed. While these additional homes are not part of this application it has long been the opinion of local residents (as well as the local planning authority) that the overall site (including the sports fields) should be master planned as one entity. Not doing so could very well result in the highways design and provision being inadequate to cope with so many houses – along with the loss of valuable protected sports provision and open space through a series of ever-encroaching successive applications. It also seems clearly the intent of the Applicant through this application to try to secure the inference of a Planning Inspector agreement in principle to the development of the full site through an acknowledgement that the highways are able to accept the traffic from a larger scheme. This point was not lost on ECC.

Whilst this is beyond the direct scope of this application and any related determination, this is a material concern of the local community. Unless clear and binding conditions are placed upon any planning consent (assuming that such consent is granted) in relation to this initial application, the very real fear is that various principles and precedents will be set and that these will be reused, and added to, by the Applicant when a further application for development of the sports fields is submitted in the coming weeks or months.

Linked to the above, we would like to ensure that, if permission is granted, that there is some way of ensuring that the development of the site that is the subject to the current application takes place prior to any further development of the rest of the larger site, including the sports fields (assuming both such an application were forthcoming and if permission were eventually granted). Again the very real fear of residents is that once this current application were to be approved, that it would never be developed out by the Applicant – and instead, having gained highways approval for a larger development, focus on a green-field build on the sports fields. We believe there a real chance that this initial consent could be used to try to merely deliver a planning consent on the sports fields. After all it's clear that the complexity of the

subject site presents significantly lower levels of profit compared with the profits that can be generated from the development of a green field (ie. the sports fields adjacent).

We therefore respectfully request that a condition is placed upon any consent that may be granted whereby the current application site should be fully developed prior to any for the development of the sports fields. Should this not be feasible we would at least request that our concerns be noted in any determination or report so that they may be considered in relation to any determination of subsequent planning applications that may come forward on the sports fields.

**The development and the operation of the swimming pool are both likely unviable and should be removed from consideration of the sports and community facilities being provided by the Applicant.**

Reading the various reports between Sport England and the Applicant it is clear that there some very real concerns in relation to the provision and the running of the swimming pool. These include:

- There is a reference to a Viability Report in relation to the development and operation of the swimming pool. However it is clear that this not been made publicly available therefore it not possible for any scrutiny of or comment on this, least of all by Sport England, Uttlesford District Council or Saffron Walden Town Council.
- Some of the details of this Viability Report seem to be referred to in the Applicant's statements. However it is clear from Sport England's response (and the specialised advice that they sought out) that the provision of the capital investment proposed by the Applicant is substantially less than would be required to bring the swimming pool back into use. Furthermore, the running and maintenance costs seem to have significantly been under-provided for by the Applicant.
- The operation and running of a swimming pool is not set out in sufficient detail. It is also clear that the intention that the residents in this development are to be expected to pay for the maintenance of the swimming pool is fanciful. This is highly unlikely to be acceptable to any resident therefore rendering the pool economic to operate. Linked to this there seems to be an acceptance that there will be limited public provision and access to the pool, which will effectively choke off any significant commercial income that could be generated.

Taken all together it is clear that the viability of a swimming pool is at best uncertain. We therefore respectfully request that:

- The planning application is not determined until an independent Viability Report is carried out and made publicly available determining if the funding, delivery and ongoing running of the swimming pool - with clear provision for public access - is determined as being viable;
- If no independent Viability Report is produced, then it would seem that the provision of the swimming pool should have no bearing on the planning application and would in fact represent a further net loss of sports provision.
- If the above independent Viability Report determines that the pool is not viable then we believe this overall planning application should be refused due to the under provision of public sports and community facilities.

**The applicant is not willing to fund local bus services and cycling provision thereby leaving the local community without adequate services.**

The Applicant's consultants Icen Projects state that the Applicant will not accept to pay any contribution whatsoever towards the provision of bus services in Saffron Walden. This is confusing as this is totally counter to the Applicant's claims that this site is sufficiently sustainable as it benefits from local public transport services. In the same vein the applicant will not agree to contribute towards the enhancement of

local cycling and pedestrian facilities. Taken together the Applicant are not willing to provide funding totalling £380,000. This is even more baffling when the Applicant is willing to invest over £500,000 in the provision of a swimming pool which has doubtful viability, but is not willing to contribute to local services on which there will be a direct increased demand due to their proposed development.

Whatever the outcome of this planning application, we would respectfully request that any consent only be given with conditions that cover all of the required provision of community facilities including the funding - to appropriate levels - of publicly available bus services and provision for cycling and pedestrian improvements. We also would request that Uttlesford District Council be given every opportunity to negotiate and secure the maximum levels of contribution through the agreement of a s.106 planning agreement.

### **Inadequate design and provision of appropriate vehicular entrances and associated visibility splays**

In the aforementioned report from the Applicant's consultants Icen Projects, it was interesting that they are not able to unequivocally confirm that the vehicle access visibility splays at the rear of the development - leading from/onto the Water Tower Place and The Avenue - are designed to deliver sufficient levels of safety, where "technically the visibility [across the splays] can be achieved". We do not think that these responses are sufficient. We would therefore request that a specific condition is placed upon any eventual planning consent ensuring that Essex Highways be fully content with the eventual design of these vehicle entrances and their visibility splays.

### **Summary**

The points referenced above are in addition to the original statement that we submitted. Collectively, we believe there are some fundamental issues relating to the scheme, that at best, requires clear, strong and binding conditions. However due to the lack of detail provided, in particular around the provision and retention of sports and community facilities, we believe that further viability studies are required prior to determining this application.

As noted above our concerns are not only with this current application and its deficiencies but also if unaddressed how these deficiencies could be used by the Applicant, as an established principle or precedent, on a further application to develop the sports fields. We respectfully request that all is done, including an unequivocal statement about the protection of the sports fields onto which this application starts to encroach, to ensure that this current application, if approved, provides every protection related to the protected green spaces, community and sporting facilities and the sports fields which are essential to the life of our community.

We look forward to having the opportunity to set out our case clearly and briefly - and the specific experiences and views of local residents and the wider community - at the forthcoming public hearing. We will be able to demonstrate the ongoing loss that is experienced by the community of Saffron Walden by being denied access for so long to these open spaces, and important community sports fields and facilities.

This response is submitted on behalf of c100 households and 130 residents that live directly adjacent to the Applicants site.

*Calum Ewing*

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