



17 May 2022

Section 62A Planning Application: S62A/22/000002 Former Friends' School, Mount Pleasant Rd, Saffron Walden CB11 3EB

Please accept this as Saffron Walden Town Council's formal response to the above application, as agreed at our Planning and Transport Committee Meeting on 12th May 2022.

We wish to object to this application for the reasons set out below. The loss of the sports hall and the development of part of the existing sports pitch is contrary to the Uttlesford Local Plan, the NPPF and the emerging Saffron Walden Neighbourhood Plan ("SWNP"), for the reasons set out below. The proposed development does not therefore represent sustainable development within the meaning of the NPPF or justify overriding the Local Plan, SWNP and NPPF policies.

Status of the Saffron Walden Neighbourhood Plan

The SWNP has been submitted for external examination. The external examiner has submitted her report, dated 28 April 2022; a copy of the examiner's report is attached marked SWTC1, and can be found at www.uttlesford.gov.uk/saffronwaldennp. We have attached to this submission, marked SWTC2, a copy of the Neighbourhood Plan in the form approved by the examiner.

The examiner has recommended that, subject to the modifications set out in her report, the SWNP can proceed to a referendum. The SWNP in the form approved by the Examiner was approved at the Saffron Walden Town Council meeting held on 9 May 2022. The SWNP will be submitted for approval to the UDC Cabinet in July 2022 with a view to a referendum in September 2022. It is therefore at a very advanced stage and carries material weight.

Shortage of Sports Provision in Saffron Walden

- Since the change of ownership of the Friends School and the closure of the school, the sports fields and hall have not been open or accessible to the public. Prior to that, they, and the swimming pool, were valuable community resources, used heavily by a variety of sports teams
- This loss is disappointing for the community. Several studies since 2012, referenced more fully in the SWNP have highlighted the significant deficit in sports facilities in Saffron Walden. As detailed in the Uttlesford Sports Strategy documents of 2016 and 2019 there is a deficit of sports facilities in Saffron Walden, both indoor and outdoor – see paragraphs 11.2.6 and 11.2.7 of the SWNP. The main sports groups responding to the SWNP consultations identified deficits in provision in almost all sports.
- The emerging Saffron Walden Neighbourhood Plan details the shortage in provision within paragraph 11.3.11 *"Saffron Walden sports groups have identified the need for a multi-sports campus, which would achieve economies of scale by hosting several different sports across one site, as well as solving important shortages in capacity by providing modern sports facilities"* meaning replacement facilities are a must.
- The need for sporting provisions is illustrated within the Uttlesford District Council 2016 sports facilities development strategy noting *"the lack of access to services in rural areas emphasises the need for local facilities provision" and that with an extra 22,500 people in the area by 2031 additional facilities are needed including: Two more sports hall, one more swimming pool, indoor bowls provision, nine more tennis courts, BMX facilities, two more*

rugby pitches and more” The lack of provision has only heightened since major developments have been approved with no or limited sporting provision provided.

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Proposed loss of sports hall and development of part of existing sports pitch

- The proposed development is proposing to demolish the existing sports block and to construct a car park on the existing playing fields. It would therefore result in a loss of the sport block building itself, its facilities and part of the sports field. Details are shown in the image below.



Relevant Policies protecting Sports facilities

- Paragraph 99 of the NPPF provides that *“Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: a) an assessment has been undertaken which has clearly shown the open space, buildings, or land to be surplus to requirements or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location...”*. No such assessment has been produced.
- The loss of the sports hall and the development of a portion of the playing fields is therefore contrary to paragraph 99 of the NPPF as no assessment has been produced and no replacement facilities are proposed;
- The proposed development is retaining the swimming pool and installing two green tennis courts, but these must be available to the wider community and not just the residents of the development to comply with NPPF Paragraph 99.
- The land the developer is proposing to build housing on protected from development either by Policy Uttlesford Local Plan policy LC1, in the case of the sports fields, or by Policy ENV3, in the case of the south-eastern part of the site and the site sits within a conservation area.

- Uttlesford Local Plan Policy LC1 provides an absolute prohibition on development "*if it would involve the loss of sports fields or other open space for recreation, including allotments*". Exceptions are only permitted if "*Replacement facilities will be provided that better meet local recreational needs*" or "*the need for the facility no longer exists*". The proposed development of part of the playing fields is therefore contrary to ULP Policy LC1 as no replacement facilities are proposed;
- We note that the Application attempts to justify the demolition of the Sports Hall on the basis that it would enhance the character of the conservation area; whilst it may be true that the appearance would be improved, we believe that the loss of the Sports Hall significantly outweighs any such improvement.
- Finally, the proposed public benefits are essentially the same as those already provided on the site prior to its acquisition by the Applicant. No additional facilities are proposed for the additional 96 homes proposed. Policy SW 16.2 of the SWNP and LP Policy GEN6 require appropriate additional infrastructure contributions in respect of the additional housing.

Lack of Affordable Housing and s.106 contributions

- We object to the lack of affordable housing provision. We note the statements made by the Applicant at paragraph 5.50 of the Planning Statement and their viability assessment.
- However, we note that the Applicant acquired the site some 4 years ago. The Local Plan and NPPF policies on the provision of affordable housing were the same then as they are now. Moreover, the Applicant acquired the site because it was prepared to pay a higher price than other interested parties. At least one of those parties had well advanced plans for the maintenance of the school on the site and the maintaining of the open spaces for community use – an application which was clearly favourable in policy terms.
- The same goes for any other s.106 requirements, which have not changed since the site was acquired
- We would therefore be extremely concerned if the Applicant, having outbid any other interested parties, and knowing what the affordable housing and s.106 requirements were when making its offer to purchase, could now be allowed to advance viability grounds for not providing affordable housing.

Maintaining POS

- SWTC has an established policy of taking over the management and maintenance of public open space arising in new developments, which is reiterated in the SWNP. This policy ensures that the public open space is maintained to consistently high standards by a reliable and dependable body. It further negates the need for residents of a new development to pay additional fees to a management company, levying an extra fee (in addition to the council tax bill) to new householders. In respect of this development, SWTC has approached the developer with a view to it (SWTC) managing the public open space which has elicited the following response from Chase New Homes: "*Given the nature of the site it is likely that they will remain under the stewardship of the site, with residents paying for their upkeep*". This would be contrary to the Town Council's desire to manage POS (thereby maintaining excellent standards of POS) and would burden residents with an additional charge for POS which is not exclusive to them, i.e., the POS will be open and available to all and any members of the public at any times, it is not an exclusive development.
- To note SWTC are minded to obtain the POS and the playing fields with appropriate S106 monetary contributions. But not the swimming pool and consider this as a separate entity.

Lack of energy efficiency

- We have looked at the Applicant's planning documents and have been unable to find any statements regarding energy efficiency or carbon reduction provisions, and note for example that none of the buildings shown have any solar panels or other low carbon schemes. Energy efficiency should be in line with the NPPg, paragraph 155 says developments should *"provide a positive strategy for energy from sources, that maximises the potential for suitable development"*

Access

- The access to the site lies within an already busy road network and AQMA area. Therefore, should the application be approved - S106 contributions must include provision for sustainable transport, to encourage residents to walk and cycle in and around the town. Suitable junctions should be installed as part of the S106 contributions, favoring pedestrian safety as part of the hierarchy of road users.

Additional concerns

- Although the supporting plans indicate areas of private garden and communal areas, no measurements of these areas have been provided – sizing provisions should be in line with the SWNP, particularly section 5, Design Considerations.
- Working hours: Work on and access to the site during development should only be between 8:45am to 6:00pm Monday to Friday due to the proximity to schools, school walking routes, and a highly residential area.
- Additional conditions must be included to protect the site, that sits in a conservation area to mitigate the impact on neighboring areas.
- The sports fields and protected open space have been severely damaged during the ownership of the Applicant. To the extent that they lie outside the footprint of the current planning permission, they will be potentially subject to significant further damage during the construction process. We therefore request appropriate conditions so that only the parts of the site which are the subject of this planning permission can be used for construction related activities, and that none of the other sports fields or open space can be used.

Localised Factors

We ask that the following localised factors are considered if planning conditions and S106 discussions are had. The following is a summary of recent planning applications which have either been granted or are currently outstanding and carry significant weight in the determination of this application.

- Application UTT/21/2509/OP is on appeal therefore if granted an additional 233 homes could be built in the East of the Town.
- Five homes are due to be built at the Former Gate Pub, application UTT/21/3429/FUL
- Two new residential care homes are due to be built along Radwinter Road, applications UTT/21/2465/DFO and UTT/21/2007/FUL (this includes a supermarket).
- Traffic congestion in Saffron Walden is already a great concern (this concern will only be greater once the following developments are completed: Little Walden Road, Abbey Homes (2959/DFO); Thaxted Road, Bellway Homes (2355/DFO) and Radwinter Road, Linden Homes (1856/DFO).
- The high levels of congestion resulted in an AQMA along Radwinter Road and key traffic junctions are at over capacity, meaning improved public transport methods and promotion are a must.
- Community and recreational facilities are needed to provide suitable youth provision, the one Community Centre managed by SWTC (Golden Acre) is already at capacity.

Finally attached is a SWTC S106 wish list of contributions which we ask is considered, marked SWTC3.

Conclusion

Should this application be approved suitable mitigations must be sought via S106 and planning conditions, particularly for the loss of sporting provision.