



UTTLESFORD DISTRICT COUNCIL

Council Offices, London Road, Saffron Walden, Essex CB11 4ER
Telephone (01799) 510510, Fax (01799) 510550
Textphone Users 18001
Email uconnect@uttlesford.gov.uk Website www.uttlesford.gov.uk

Mr M Hodgson
Savills (UK) Ltd
Unex House
132-134 Hills Road
Cambridge
CB2 8PA

Dated: 19 March 2021

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED) TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2015

Application Number: UTT/19/1744/OP
Applicant: Chase (SW) Ltd

Uttlesford District Council **Refuses Permission** for:

Hybrid application consisting of full details for development of 30 dwellings utilising existing access, re-provision of swimming pool with new changing rooms, artificial grass pitches, sports pavilion, multi-use games area (MUGA), local equipped area for play (LEAP), local area for play (LAP), associated parking and demolition of gym building. The remainder is in outline for up to 70 dwellings with associated infrastructure, public open space, forest school and perimeter path. at Former Friends School Mount Pleasant Road Saffron Walden CB11 3EB

The refused plans/documents are listed below:

Plan Reference/Version	Plan Type/Notes	Received
AIR QUALITY ASSESSMENT	Other	31/07/2019
ARCHAEOLOGICAL DESK BASED ASSESSMENT	Other	31/07/2019
DRAINAGE STRATEGY AND SUDS STATEMENT	Drainage	31/07/2019
INFRASTRUCTURE AND FOUL WATER STATEMENT	Other	31/07/2019
19 0037-600 C	Block Plan	31/07/2019
19 0037-601 D	Location Plan	31/07/2019
19 0037-602 B	Other	31/07/2019
19 0037-605 A	Other	31/07/2019
19 0037-606 A	Other	31/07/2019
19 0037-609 B	Combined	31/07/2019

19 0037-610 A	Combined	31/07/2019
19 0037-620 A	Combined	31/07/2019
19 0037-627	Combined	31/07/2019
19 0037-628	Combined	31/07/2019
19 0037-650	Other	31/07/2019
19 0037 - 660 A	Other	31/07/2019
19 0037 - 700	Other	31/07/2019
DAT/9.8	Other	31/07/2019
DESIGN AND ACCESS STATEMENT	Design and Access Statement	31/07/2019
FLOOD RISK ASSESSMENT	Other	31/07/2019
HERITAGE STATEMENT	Other	31/07/2019
PLANNING STATEMENT	Other	31/07/2019
PRELIMINARY ECOLOGICAL APPRAISAL	Other	31/07/2019
TOWNSCAPE AND VISUAL APPRAISAL	Other	31/07/2019
TRANSPORT ASSESSMENT	Other	31/07/2019
TREE SURVEY	Other	31/07/2019

Permission is refused for the following reasons:

- 1 The scheme of development conflicts with ULP Policies S1, ENV1, ENV3, GEN1, GEN2, GEN8 Essex Design Guide and the NPPF, as the design, layout, scale and appearance of the development is considered inappropriate in terms of the character of the site and surrounding area. In addition, the development would erode a distinctive protected open space of significant importance to the character of this area of Saffron Walden, as well as the conservation area and the locally listed school buildings.

- 2 The submitted layout plans indicating the proposed sports uses and activities are located such that the immediate environs of the new residential properties, will incur, at close quarters, significant disturbance from noise, floodlighting, parking as well as the general coming and going of visitors to the facilities which would be in conflict with ULP Policies GEN2 and GEN4, and the NPPF.

- 3 The proposal is not considered to represent sustainable development in the context of Paragraph 8 of the NPPF, as it cannot show that the economic, social and environmental aspects of the development are satisfied in a positive and beneficial way. The development scheme as submitted, will involve a detrimental impact on the conservation area, the loss of protected playing fields and sports facilities and the locally listed school buildings. Paragraph 11 NPPF, requires full assessment of the benefits that will accrue from the development to show that it will result in a positive contribution. The loss of the protected sports fields, the impact on nearby locally listed buildings and the conservation area would outweigh the benefits of the scheme, especially with limited level of mitigation being proposed. Notwithstanding the fact that the council does not have a 5 year housing supply at present, the type of housing being proposed is not compliant with the housing officers requirements in terms of mix, layout, scale and design. This is a further significant issue that weighs against the development of the site and helps tilt the balance in the consideration of para 11, NPPF. The proposed development is therefore contrary to the NPPF and Local Plan Policies S1, LC1, ENV1 and GEN2.
- 4 The proposal does not show that the development of this site would involve a positive contribution to bio-diversity and protected species in the local area, which is in conflict with Local Plan Policy GEN7 and the NPPF.
- 5 The planning application does not include a health impact assessment (HIA) or propose any mitigation of the healthcare impacts arising from the proposed development, without this detail and assessment the application cannot be supported. This is contrary to Local Plan Policy GEN6
- 6 The applicant has not established that this site is redundant in terms of its longstanding sports use, nor has it been shown that there is an excess of sports facilities and playing fields similar to the application site, consequently the loss of this open space area is unacceptable and against UDP Policy LC1.
- 7 The 2005 Local Plan Policy ENV1 specifically provides that Outline Applications for development within Conservation Areas will not be considered, this application incorporates the largest part of the site as an outline proposal which is unacceptable without detailed information.
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In determining this application, the Local Planning Authority had regard to the following Development Plan Policies:

Policy	Local Plan	Local Plan Phase
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NPPF3 - National Planning
Policy Framework 3

E3 - Access to Workplaces	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
S1 - Settlement Boundaries for the Main Urban Areas	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
S7 - The Countryside	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN1 - Access	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN2 - Design	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN3 - Flood Protection	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN4 - Good Neighbours	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN5 - Light Pollution	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN6 - Infrastructure Provision to Support Development	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN7 - Nature Conservation	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
GEN8 - Vehicle Parking Standards	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
H9 - Affordable Housing	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
H10 - Housing Mix	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV1 - Design of development within Conservation Areas	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV2 - Development affecting Listed Buildings	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV3 - Open spaces and trees	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV5 - Protection of agricultural land	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV11 - Noise generators	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV12 - Groundwater protection	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV13 - Exposure to poor air quality	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV14 - Contaminated land	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005
ENV15 - Renewable Energy	Uttlesford Local Plan 2005	Uttlesford Local Plan Adopted 2005

RS1 - Access to Retailing and Services Uttlesford Local Plan 2005 Uttlesford Local Plan Adopted 2005
RS2 - Town and local centre Uttlesford Local Plan 2005 Uttlesford Local Plan Adopted 2005

SPD1 - Home Extensions

Uttlesford Local Parking Standards

ECP - ECC Parking Standards (Design & Good Practice) September 2009

EDG - Ecology and Biodiversity

EDG - Garden Size

EDG - Landscape and Greenspaces

EDG - Parking Square (Space)

EDG - Private Amenity Space

EDG - Rear Privacy

EDG - Appropriate Use of Materials

EDG - Architectural Details

EDG - Balance and Windows

EDG - Building Form



Gordon Glenday
Assistant Director Planning

Notes:

0 Appeals to the Secretary of State

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an ENFORCEMENT NOTICE, if you

want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.

If an ENFORCEMENT NOTICE is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

If this is a decision to REFUSE planning permission for a HOUSEHOLDER (HHF) application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse planning permission for a MINOR COMMERCIAL application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.

If this is a decision to refuse express consent for the display of an ADVERTISEMENT, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.

If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice (for those not specifically mentioned above).

Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>

If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.

The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries>

