

## ELMDON, DUDDENHOE END & WENDEN LOFTS PARISH COUNCIL

### COMMENTS ON THE SECTION 62A PLANNING APPLICATION: S62A/2023/0015

#### GRANGE PADDOCK, ICKLETON ROAD, ELMDON, ESSEX, CB11 4LT

This planning application is to build 18 houses on a greenfield site, outside the development limit in an unsustainable village.

#### UDC Planning policy S7 states:-

##### Policy S7 – The Countryside

**The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.**

**This proposal does not meet any of the required criteria mentioned above.**

When Uttlesford District Council (UDC) considered development of this site in their “Call for Sites” report in 2018 they stated categorically **“THE SITE IS NOT CONSIDERED SUITABLE”**.

The village does need some additional housing, but this needs to be starter homes and affordable homes, or small bungalows to enable older residents to downsize whilst remaining in their village. What Elmdon does not need is more 4 and 5 bedroom executive houses.

Elmdon is officially classified as an unsustainable village; no train station, no school, no doctors, no shop, no post office, no pub, and **NO BUS SERVICE**, despite what is claimed in the planning application. The nearest primary school in Chrishall is already at bursting point but there is no mention as to how this would be overcome, plus the doctors’ surgeries in nearby towns and villages are already struggling to cope with the sheer volume of patients.

This makes Elmdon totally unsuitable for a development of this size and nature and the Parish Council would strongly recommend a site visit by the Planning Inspectorate to confirm this. With such a visit the inspector will undoubtedly agree with the Parish Council's unanimous opposition to this application for the following reasons:

### **TRANSPORT STATEMENT 20221216-TS-RevA**

**Section 3, para 3.3**, states that Elmdon has a few limited facilities. The reality is as follows: -

- i) Bus stops: **There are redundant bus stops but no buses.**
- ii) A Church: **Correct**
- iii) A pub: **No operating pub as this has been closed for 10 years**
- iv) A childminder: **No longer trading**
- v) A village (word omitted but we presume hall) : **There is an extremely small village hall (which was originally the village reading room) but due to the limited space it is used very infrequently.**
- vi) **Section 3, paras 3.4, 3.5, 3.6, 3.7, 3.8 and 3.9** of the report surprisingly and erroneously implies that Elmdon has 5 bus services. **It has one school bus and no other bus services!**
  - i) Route 444 is a school bus which runs once per day Mondays to Fridays and only during school term. It can be used by members of the public (space permitting) but would be of no use to regular commuters.
  - ii) Route 31 does not serve Elmdon. The nearest stop is in Chrishall, which is approximately 40 minutes' walk on narrow lanes with no pavements.
  - iii) Route 7 does not serve Elmdon. The nearest stop is in Ickleton, which is approximately 60 minutes' walk on narrow lanes with no pavements.
  - iv) Route 101 does not serve Elmdon. The nearest stop is in Ickleton, which is approximately 60 minutes' walk on narrow lanes with no pavements.
  - v) Route 132 does not serve Elmdon. The nearest stop is in Ickleton, which is approximately 60 minutes' walk on narrow lanes with no pavements.

Due to the total lack of any public transport, cars are vital in this village. Every requirement, whether for shopping, travelling to and from work, leisure activities, doctors' visits, etc., all have to be carried out by car. The Ickleton Road is not uniformly 6 metres wide as claimed in the Transport Statement, it

has very narrow and some absent pavements and is almost entirely full of parked cars.

**Section 4 Site Access.** The proposed site access onto Ickleton Road is opposite a point where existing residents have no off-road parking; therefore, cars are regularly parked opposite the proposed entrance. Vehicles entering the village from the East invariably have to drive on the right hand side of the road at this point due to the parked cars, therefore the proposed new entrance can only multiply the dangers at this point. The road is also regularly used by cyclists and horse riders, so this is likely to form a very unsafe environment for them.

The dangers posed by this site entrance are further exacerbated by the fact that the school bus picks up and drops off the children immediately opposite the proposed site entrance. Surprisingly there is no mention of this in the applicant's documentation.

**Para 3.17** of the report refers to 2 speed surveys that were carried out and which showed that existing average speeds already exceed the posted limits.

**Para 4.4** states that the client informed the author that : *“there were multiple occasions where close calls took place on the junction with their drive and with Hollow Road.”* The addition of all the extra traffic movements generated by this development using the same entrance as the client can only exacerbate this problem.

**Section 5** compares a number of comparable sites to the proposed Elmdon site in order to estimate potential “Trip Generation”. However, there is no mention anywhere in the report as to whether or not these comparable sites have any public transport. As stated previously, Elmdon has no public transport whatsoever, therefore if these sites have public transport, the conclusions are extremely questionable.

In addition, the number of “trips generated” looks extremely dubious. For 18 up-market dwellings one could reasonably assume a minimum of 36 adults, probably more with older offspring, a high proportion of whom will be leaving the village each day to travel to work or higher education. Add to this a similar number of younger children, some of whom driven to school, then the “trip numbers” look incredibly low. It could be argued that there may be a high number of retirees who will not be commuting, but as the development is for executive homes that are seemingly targeted at the upscale commuting market, this seems highly unlikely.

## **FLOOD RISK ASSESSMENT & SuDS REPORT 22021219-FRA**

Ickleton Road, immediately below this elevated site, has suffered serious flooding problems over recent years. The addition of 18 houses plus driveways, roadways, pathways and other hard surfaces from a site which in some places is over 9 metres higher than these nearby properties will only exacerbate the existing flooding risk.

**Section 3 para 3.13** of the FRA & SuDS report mentions that the nearest foul sewer is 100mm diameter and located in Elm Court. However, the report is extremely vague as to how and where exactly the foul water and sewage connections will be made.

Furthermore, there is no information to say that any research has been done regarding the quality of the existing sewage pipes, or whether the sewage pipes and the nearby sewage farm have the capacity to be increased.

If it is proposed to connect to Elm Court, which incidentally is an unadopted private road, what is not stated is that this sewer pipe has been problematic since Elm Court was built some 40 years ago. The pipe is connected to the 11 houses which form Elm Court and has been considered inadequate by water officials who have visited the location on numerous occasions when the sewer has blocked. There is a known sag in the pipe which reduces capacity therefore it is considered that this existing sewer is totally inadequate to take any further throughput.

**Paras 4.3 and 4.4** refer to there being a very low risk of a sewage problem flooding the proposed site due to the high elevation of the site. It makes no reference to the highly increased sewer flooding risk for the residents of Elm Court.

## **DESIGN AND ACCESS, HERITAGE, LANDSCAPE AND PLANNING STATEMENT - December 2022**

Throughout this whole section there is repeated reference to “the benefits outweighing the adverse impacts”, however we cannot find any definitive or quantitative list of these benefits.

This is a greenfield site and the land is of Grade 2 (Very good) quality. As per the Government’s National Planning Policy Framework (NPPF), three strands of sustainability must be demonstrated for the permitting of a development on a greenfield site. These are:-

*1. an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and*

*innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;*

*2. a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and*

*3. an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy*

### **THIS PROPOSAL DOES NOT MEET ANY OF THESE CRITERIA.**

**Para 4.1**, the applicant states that this proposed development would “*deliver a number of new dwellings in the context of a significant shortfall in terms of supply*”. Within 5 miles of Elmdon there is a new development of 1,500 homes, so in our opinion this statement is irrelevant.

**Para 4.31** refers to there being “*a need for some lighting within the development for security and safety reasons*”. There is no street lighting anywhere in Elmdon and to now propose an elevated development with lighting is totally out of character.

**Para 4.40** attempts to draw a comparison between Elmdon and Manuden. There is no possible comparison in terms of facilities and services between these 2 villages.

**Paras 4.41 and 4.42** both keep referring to services available within the village. **THERE ARE NO SERVICES.**

**PARA 4.49** again refers to public bus services. **THERE ARE NO BUSES.**

**Para 4.96** states “*Once built, the proposals would result in the introduction of built form to the rear of the existing properties on the North side of Ickleton Road*”. This statement begs the question as to whether the author has even visited the site. The proposed development immediately overlooks the FRONT of the existing properties on the SOUTH side of Ickleton Road. The proposed development is on an elevated site directly opposite these existing dwellings and will definitely cause loss of outlook plus potential shadowing and light pollution.

**Para 4.99** The 2022 Uttlesford Housing Market Report states “TO MEET THE HOUSING NEEDS OF LOCAL RESIDENTS, THE COUNCIL REQUIRES 40% OF DEVELOPMENT ON SCHEMES OF 15 OR MORE UNITS TO BE DELIVERED AS AFFORDABLE HOMES” This would mean that 7 of these houses should be classed as affordable, of which the report para 4.99 states *“This could be secured by means of a Section 106 agreement”*, but there is no detail whatsoever as to how this could be achieved.

The UDC report also states that 10% of all properties should be low cost homes for first time buyers, with a price cap of £250,000. This would mean 2 houses should meet this criteria, of which there is no evidence.

**Para 4.102** states “development on agricultural land will only be permitted where opportunities have been assessed for accommodating development on previous developed sites or within existing development limits. We can find no evidence that this assessment has been carried out.

**Para 4.106 & 4.107** state *“that there would be a positive factor by providing an area of open communal space”*. This “space” would be in the middle of a development of up-market houses in what is effectively a private estate. How does the proposer expect this “space” to be used and where is the evidence of need?

## **STATEMENT OF COMMUNITY ENGAGEMENT - DECEMBER 2022**

The “Statement of Community Involvement” is an extremely ambiguous document and requires some correction/clarification.

Contrary to what is inferred, the promoters of this scheme seem to have gone out of their way to **avoid** contact with the community or to genuinely seek and / or adopt local opinions.

Two members of the Parish Council (PC) attended an informal meeting with the proposers on 16th May 2022 .The Parish Council SUGGESTED (not recommended) that presentations (PLURAL) should be made to the residents. It was also suggested that the presentations should follow the format of the PC presentations when the Village Design Statement was being presented to the residents, ie,

- It should be advertised well in advance.
- There should be the provision to record attendees’ names and the number of attendees.

- There should be the provision for written comments to be made
- There should be a number of presentations at different days/times to ensure that as many residents as possible could see the proposal and submit their comments.
- Discussion also took place regarding the proposers' statement that they would personally contact each of the residents living directly opposite the proposed development site to discuss the plans face to face with the residents that would be directly affected.

### **The reality was very different.**

The use of the word "presentation" does not really describe what took place. It was advertised as "*A plan for increasing village amenities and housing opportunities.*" The only amenities that were proposed were a children's playground and a tennis court, the latter of which was subsequently dropped.

There was no formal presentation, there was just 2 tables with the outline plans laid out on them which the residents jostled to view/comprehend whilst the promoters responded to questions. There was no record taken as to how many people attended, nor was there any provision to leave recorded comments.

The "presentation" took place on Friday 17th June 2022 at 4.30pm. This was at very short notice (48 hours), badly advertised and in a heatwave, which was a very poor way of engaging with the majority of the village. Many residents who would have liked to attend were unable to do so due to the very short notice.

The timing (4:30pm) was particularly bad as it specifically excluded those in employment who would have been at work, plus it made it very difficult for anyone with young children as they would be returning home from school at that time.

Furthermore, the residents were told that the proposals would be put on the internet and that there would be further presentations. Nothing was published and no further presentations have taken place, despite the fact that eight months have elapsed between the "presentation" date and the planning submission.

### **WE ESTIMATE THAT THIS HAS EFFECTIVELY EXCLUDED MORE THAN HALF OF THE RESIDENTS FROM THIS PROCESS.**

In addition, the proposed face to face meetings with the residents directly affected never took place.

For the applicant to then state that they had consulted the community is really stretching the bounds of credulity. At best they have “ticked the boxes,” at worst they have treated the community with disdain.

Subsequently the PC were contacted by a number of very upset residents. The PC then called an Extraordinary Meeting which took place on 29th June 2022 where this topic was discussed. The minutes of this meeting state Minute 22:28, extract as follows: -

#### *22.58 Planning*

##### *a. Land off Ickleton Road Elmdon*

*The Chairman outlined the background regarding a proposal to build 18 houses on Ickleton Road. It was reported that planning application has not been submitted at this stage. The Developers held a presentation on the 17 June at Elmdon Village Hall. This meeting was deemed improper for the following reasons:*

- 1. insufficient notice (48 hours’ notice);*
- 2. insufficient publicity;*
- 3. no provision to record attendees’ names, and*
- 4. no provision for written comments to be made.*

*At the invitation of the Parish Council the Chair of Clavering Parish Council gave a presentation on how Clavering responded to large planning applications. The Clavering Parish Council worked alongside Keep Clavering Rural. There was no cross funding.*

#### **RESOLVED** that:

- a) The available information on the planning proposal for 18 houses in Elmdon be circulated throughout the whole parish which will include Duddenhoe End and Wenden Lofts, and*
- b) The Clerk be instructed to research and collate background information.*

*Proposed: Councillor Donaldson*

*Secunder: Councillor Bond*

**Section 3. para 3.1** of the Statement of Community Involvement purports to summarise the comments made at the presentation. However, there is no record of these comments or how many people made them, as no form of record keeping was available, therefore there is no evidence as to the accuracy or otherwise of the comments. A selection of letters/emails from concerned residents to the PC are available which show a very different response and strong objections. Not one letter/email was in favour.

## **Biodiversity and Geological Conservation**



Question 14 Biodiversity and Geological Conservation asks **Is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, or on land adjacent to or near the application site?**

**a) Protected and priority species:**

**b) Designated sites, important habitats or other biodiversity features:**

The applicants have responded 'no' to both.

However, information in the provide biodiversitychecklist15essex2018 Redacted (pages 10-11) confirm that

- i) the application site contains or is it within 200m of: semi-natural woodland; scrub thicket; or is it bounded by or adjacent to hedgerows of predominantly native species that are greater than 1m tall and 0.5m wide

The species identified here include European Protected Species namely bats, dormouse and great crested newt, Nationally Protected Species including badger, breeding birds, invertebrates, other protected birds and reptiles, and Priority Species including birds, invertebrates and mammals.

- ii) the application site contains or is it adjacent to a tree/woodland plantation, including of conifers

The species identified in this habitat include European Protected Species bats, dormouse and great crested newt, Nationally Protected Species including badger, invertebrates, plants and reptiles, and Priority Species including birds, and mammals.

- iii) the application site contains or is it adjacent to grassland such as meadows, parkland or pasture

The species identified in this habitat include European Protected Species including bats, and great crested newt, Nationally Protected Species including badger, breeding birds, other protected birds and reptiles, and Priority Species including fungi, invertebrates, plants and mammals.

In Section 3.2 Species Evaluation

*biodiversitychecklist15essex2018*\_Redacted the applicants state that **no European Protected Species, no Nationally Protected Species and no**

**Priority Species will be affected**, and therefore feel that they do not need to provide mitigation nor habitat management plans.

European Protected Species (such as bats, great crested newts, otters and dormice) receive full protection under The Conservation of Habitats and Species Regulations 2017 (as amended) and The Conservation of Habitats and Species Regulations 2010 requires the Local Planning Authority (LPA) to consider 'Three Tests' when determining a planning application that may affect a European Protected Species. These 'tests' are summarised as follows:

- Is there a genuine need and 'purpose' for the proposed development?
- Are there any satisfactory alternatives to delivering and meeting the need in the way proposed?
- Will there be any adverse effect on the conservation status of the species concerned?

Insufficient information has been submitted for planners to fully consider the effect on protected species and their precious habitats. Further they do not provide sufficient evidence to assess the likely negative effects on protected species.

## **OTHER FACTORS TO TAKE INTO CONSIDERATION**

'The Sustainability Appraisal for the Uttlesford Local Plan Scoping Report' issued in August 2021 noted numerous questions that developers must offer assurances on before proposals become sanctioned. To highlight just a few of these where this proposal fails completely:

- *"Protect and enhance settlement identities"* (p.15);
- *"Deliver a range of housing types and tenures to meet locally identified needs"* (p.27);
- *"Deliver housing in the right places which allow residents ease of access to key services, facilities, employment opportunities and other supporting infrastructure."* (p.27);
- *"Promote the use of healthier modes of travel..."* (p.47);
- *"Improve road safety"* (p.79);
- *"Reduce energy consumption from non-renewable sources"* (p.93);
- *"Avoid inappropriate development in areas at risk of flooding, considering the likely future effects of climate change"* (p.93);
- *"Sustainably manage water run-off"* (p.93);
- *".....prioritise brownfield and lower-quality agricultural land"* (p.107);

- And “...protect visual amenity and important viewpoints which contribute to sense of place” (p.120).

**THIS PROPOSAL DOES NOT SATISFY ANY OF THE ABOVE REQUIREMENTS.**

In addition to all of the specific points above, it should also be noted that: -

This proposal is contrary to the recommendations of the Village Design Statement which was adopted by UDC in 2019. When this proposal was first suggested in May 2022, the Elmdon Community Group carried out a survey of every household in the village. From 152 survey forms delivered, 79 were returned and of these, 73 were opposed to the development and 6 neither supported nor opposed.

The site is on an elevated position which will look completely out of scale and out of context with other nearby dwellings as they will totally dominate the nearby houses. Please note that the photo below shows scope of proposed development but is not able to show the significant steep land inclination.



During the last 30 years, twelve houses have been built in Elmdon, plus planning approval has been given for a pair of semis which are yet to be built. It should be noted that all of these have been either infill, rebuilds of demolished houses or barn conversions. **None have been built on greenfield sites and all are within the development limits.** As stated previously this proposal is for 18 new properties on a greenfield site, outside the village development limits and which would increase the number of houses in the village by 12% in one year.

Other points to consider which have been raised by residents are: -

- Loss of green space
- Loss of wildlife habitat
- Increased volume of cars and other vehicles
- Demise of a “Typical rural Essex Village”

Elmdon is a classic ‘tucked away’ village. The Jean Robin book (‘Elmdon: Continuity and change in a north-west Essex village 1861-1964’, published in 1980) noted in its foreword how the ridge villages (of Strethall, Elmdon, Chrishall, Heydon and the two Chishills): -

*“have remained curiously isolated...Elmdon lies in the middle of a cluster of villages linked by second-class roads and lanes.... The village is not on the direct route to anywhere”.*

**This statement is still relevant today.**

In conclusion, this proposal for unsympathetic development will not enhance the village or benefit our parishioners. For the above reasons it is totally unsuitable, and we sincerely request that you reject this planning application.

The forgoing comments on the planning application Ref S62A/2023/0015 Grange Paddock, Ickleton Road, Elmdon were unanimously approved by Elmdon, Duddenhoe End and Wenden Lofts Parish Council at the meeting held Thursday 2 March 2023 (Minute 23.25).

The meeting was attended by 76 parishioners and a show of hands demonstrated an overwhelming majority against the development. If the Inspector deems a hearing to be necessary please register the following to speak at the hearing:- Councillor R.L. Woods, Chairman of Elmdon, Duddenhoe End and Wenden Lofts Parish Council.

**Cllr. R L Woods  
CHAIRMAN OF THE PARISH COUNCIL  
ELMDON, DUDDENHOE END & WENDEN LOFTS**

**Mrs. S J Jones  
PARISH CLERK**