



planning direct



Response to third party comments relating to application S62A/22/0005 (Proposed erection of 15 dwellings at Canfield Moat, High Cross Lane, Little Canfield) Dunmow, Essex, CM6 1TD)

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Introduction

The purpose of this statement is to provide a written response on behalf of the applicant to address objections raised by members of the public in relation to planning application S62A/22/0005.

Planning Direct has previously issued a response dated 09 February 2023 to 3 objections posted on the LPA's public access system, however the statement herewith will respond to a further 19 objections which have been brought to the attention of the applicant. It is observed that many of the objectors raise similar points to those already responded to, however this statement is nevertheless considered to provide a consolidated response. A significant proportion of the response reiterates points previously made on behalf of the applicant and also identifies factually inaccurate comments made by several of the objectors.

Although any member of the public is entitled to object to a planning application it should be recognised that approximately 3/4 of the objectors live further than 3-4 kilometres from the site. It is therefore reasonable to suspect that the majority of the objections submitted have been solicited by a party or parties opposing the proposed development. It is appropriate for the client to address the concerns raised by the objectors however the Planning Inspector, in assessing the strength of local opposition to the proposed development, should take the aforementioned matters into account.

Responses to the issues raised by the objectors are addressed within the remainder of the statement,

General comments

It has been pointed out by an objector that the deeds of site forbids the erection of new buildings. Not only is this simply not the case, it is not a planning related issue.

The site will not result in the destruction of agricultural/forestry land. The site forms the domestic curtilage of Canfield Moat and its lawful use is residential and not agricultural or forestry land.

Canfield Moat is not listed, as wrongly stated by at least a couple of objectors.

A parish councillor has stated that it is questionable why the application should be able to completely bypass the local planning committee, however the applicant is entitled to submit an application for the determination of the Planning Inspector given Uttlesford's well documented failure to grant consent for its required percentage of major development applications.

The intentions of the applicant to pursue the development of the site is irrelevant in planning terms and any aspersions made within the objections should be ignored by the Inspector. It is not appropriate to criticise an applicant for potentially profiteering from an application.

High Cross Lane West

It has been identified by several of the objectors that the use of High Cross Lane West for construction traffic will cause disruption. The Inspector, if minded to approve the application, is invited to impose a condition on the developer relating to the submission and subsequent approval of a Construction Management Plan prior to the commencement of the development, which is standard practice for a major planning application.

It is identified by some objectors that High Cross Lane West is in a poor state of disrepair, however the maintenance of the road is the responsibility of the highways authority and as such these matters should be addressed to Essex County Council.

It is acknowledged by one of the objectors that 22 properties are already accessed from the lane, and this is in addition to farm traffic and the adjacent gymnasium. The gymnasium generates a significant volume of traffic on a daily basis and also holds large events during the year.

The lane has a sufficient number of passing places with ample space for vehicles to pass and decent visibility. Furthermore the distance of the proposed site entrance from the junction of High Cross Lane West and the B1256 is approximately 250 metres which

equates to a 20 seconds drive at a speed of 30 mph.

A Visibility Splay Plan has been submitted to the Inspector which demonstrates that splays of 65 metres can be achieved in both directions from the entrance of the private driveway to High Cross Lane West. The applicant would be prepared to undertake a speed survey of passing traffic should the highways authority maintain its objection to the proposed development following a review of the Visibility Splay Plan.

Unspoilt countryside and inappropriate development

References to new housing being erected in the countryside is not a 'crime' as stated by one objector and the choice of this vocabulary is unhelpful. The existing woodland adjacent to the proposed development would remain unaffected by the intended works as can be viewed on the Proposed Site Plan. The proposed development will not be a blot on the landscape as satisfactorily concluded within the accompanying Landscape and Visual Impact Assessment (LVIA).

The LVIA concluded that the key characteristics of the landscape and its integrity would be unaffected by the proposed development and the magnitude of the intended change was considered to be negligible. It was also concluded in the LVIA that the magnitude of the proposed development from a visual impact perspective would be negligible.

It is clear that the proposed development would not concrete over the site as asserted by some objectors. It is calculated that just 6.1% of the curtilage of Canfield Moat will be subject to physical building works in accordance with the submitted plans. The size of the estate is 3.6 hectares of which only 0.22 hectares will comprise physical development. As identified throughout the process the design of the scheme has been wholly influenced by the main house, and the majority of the grounds would be undeveloped.

The introduction of a gatehouse dwellings, stable conversion and workers cottages would create a country estate development which responds positively to the site and draws attention to Canfield Moat as an historical feature. The proposed development would also result in far more members of the public visiting the site and enjoying the

visual appearance of the main house than is currently the case.

Precedence

The development will not set a precedent for further development along High Cross Lane, as the majority of land adjacent to the High Cross Lane West and behind existing gardens is agricultural. The application site is far more appropriate for residential development than nearby sites as its lawful use is already residential garden land that serves an existing dwelling. Although there are also several residential dwellings that front on to High Cross Lane West their respective gardens do not appear to be of sufficient size to accommodate new development, unless proposals are for demolition and replacement.

Notwithstanding the aforementioned points planning authorities have a duty to assess every application on its own merits.

Ecology

Many of the objections raised relate to potential ecological impact and various species have been identified by objectors. It has been asserted by members of the public that the proposals would devastate nature and wildlife, however the detailed ecological reports which accompany the application and produced by fully qualified ecologists support the proposed development and net gains for biodiversity have been identified.

Several of the objectors have also referred to loss of trees, however the accompanying Arboricultural Impact Assessment (AIA) supports the application from an arboricultural perspective. The only trees that have been removed were dead and all existing mature trees and hedges will remain intact as identified within the AIA. Additional planting is proposed within the site in order to secure net gains.

Public Services

A lack of local public funded facilities has been introduced by several objectors as a

reason to refuse the application, however these are clearly matters for local authorities.

In relation to developer contributions Uttlesford DC does not administer a Community Infrastructure Levy (CIL) scheme and clarification on the expected infrastructure payments payable against the proposed development has been requested on numerous occasions from officers with a response still awaited.

Housing supply

Some objectors have stated that new housing is not required, however the local authority has admitted it cannot demonstrate a sufficient supply of land with planning permission to meet its objectively assessed demand for housing within its administrative area.

Although the UK government has recently made statements regarding the proposed abolition of mandatory housing targets, the National Planning Policy Framework adopted in July 2021 remains in place and provides that local authorities are obliged to deliver a five year forward supply of housing land. As a consequence of the lack of a five year supply of housing land and an out of date Local Plan, paragraph 11d(ii) of the NPPF is engaged and the tilted balance applied.

Affordable housing

One of the objectors has stated that the lack of public transport connections to the site would not enable the proposed development to be appropriate for the provision of affordable housing. It should be recognised that a commuted sum has been offered by the applicant in lieu of affordable housing on site, which can be used by the LPA to contribute towards the provision of affordable housing at a more suitable location in the district.

Archaeology

It is noted by one of the objectors that an additional archaeological survey should be undertaken, however we would refer the Inspector to the statement issued on 09

February 2023 which we believe satisfactorily addressed this issue. It is not considered necessary for the applicant to undertake an additional survey prior to the determination of this application and appropriate conditions for the Inspector's consideration were identified in the statement dated 09 February 2023.

To provide some further context there has never been any building on the Canfield Moat estate and its proximity to the old Roman Road is at least 1km.