

From: Takeley Clerk [REDACTED]
Sent: 15 May 2023 15:43
To: Section 62A Applications <section62a@planninginspectorate.gov.uk>
Cc: Takeley Clerk [REDACTED]
Subject: S62A/2023/0016 Warish Hall Farm, Smiths Green Lane, Takeley, Essex, CM22 6NZ

Dear Sirs

Takeley Parish Council strongly objects to the application S62A/2023/0016 Warish Hall Farm, Smiths Green Lane, Takeley due to its unsustainable location, unacceptable harm to the setting of heritage assets and inappropriate development within the Countryside Protection Zone.

This application site is one parcel of the wider application Land at Warish Hall Farm which was dismissed at appeal in August 2022. The Parish Council were a Rule 6 party at the appeal at significant cost to the parish and individual residents who raised funds for this purpose. The proposal is of great interest to the community therefore, we request that a hearing date is set to give the residents an opportunity to attend and give their views in person.

The Parish Council is currently working with Essex County Council Place Services on the public consultation of a draft Conservation Area Appraisal for Smiths Green, which includes Smiths Green Lane and part of Jacks Lane, adjacent to the application site. The proposal would have a negative impact on the setting of the sensitive, historic area of Takeley.

We appreciate that the District Council's housing supply is just under the 5yhl, however the population in Takeley has increased significantly in recent years. We consider that the harm from this proposal would significantly outweigh the benefits.

Objections to conflicts with local and national policies are as follows:

- 1) The development conflicts with UDC Policies S7 - The Countryside, ENV5 – Protection of Agricultural Land, S8 – Countryside Protection Zone and NPPF paragraph 174, which states that, 'Planning policies and decisions should contribute to and enhance the natural and local environment by... (b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;' This development has a suburban character and does nothing to recognise the intrinsic character and beauty of the countryside. In the Land at Warish Hall appeal, the inspector said of Policy S7 – The Countryside, that it is 'broadly consistent with NPPF paragraphs 130 and 174b'. 'Consequently, having concluded that there would be significant landscape character and visual impact harm arising from the proposal without special reasons being demonstrated as to why the development in the form proposed needs to be there, I give moderate weight to this conflict with the last strand of Policy S7, given it is not fully consistent with the NPPF'.
- 2) The conflict with Policy S8 was also given S8 'moderate weight'^[1]

^[1] Appeal decision paragraph 85

The inspector 'identified that the proposal would be harmful to the character and appearance of the area in terms of its adverse effect on landscape character and visual impact, would reduce the open character of the CPZ'.

In our view, the development conflicts with both parts of Policy S8,

'a) New buildings or uses would promote coalescence between the airport and existing development in the surrounding countryside;

b) It would adversely affect the open characteristics of the zone.'

Land at Warish Hall Appeal Decision paragraph 104 All development within the CPZ erodes the gap which maintains the longstanding concept of

'an airport in the countryside'. This development would merge a rural settlement in Smiths Green and Jacks Lane with the suburban settlement of Priors Green, affecting the open characteristic of the buffer zone surrounding the airport.

- 3) We note that the application has also been submitted to UDC for consideration and there is insufficient information on the harm to the natural environment and wildlife, with a potential breach of Policy GEN7 – Nature Conservation, which states, 'Development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation.'

The Parish Council is concerned that wildlife harms will not be fully mitigated and works to the adjacent drainage ditch along Jacks Lane would necessitate significant tree and hedge felling, as advised by the landowner on our recent enquiries regarding surface flooding along the byway. There are also concerns over light pollution from the development and its impact on wildlife.

- 4) There would be harm to the setting of an ancient monument, at Warish Hall, and to the setting of Grade 2 listed Hollow Elm. The development conflicts with Policies ENV2 and ENV4, in that 'Development affecting a listed building should be in keeping with its scale, character and surroundings... development proposals that adversely affect the setting... of a listed building will not be permitted.' Furthermore, the site is adjacent to the emerging Smiths Green Conservation Area and would impact significantly on its setting, removing the agrarian character and removing the important gap between a suburban development at Priors Green and the historic rural hamlet of Smiths Green would harm the setting of Smiths Green.

- 5) The site is unsustainable; the proposal conflicts with GEN1 – Access, and the NPPF paragraph 112 on sustainable transport because residents would be reliant on the use of the private car.

Walking and cycling opportunities to access to amenities at Priors Green would be limited to an unlit bridleway. Pavements could not be introduced on the byway or on Smiths Green Lane

(also known as Warish Hall Road), which is a high-grade Protected Lane. Within the site, there is a standalone footpath but there are no pavements on either side of the road through the development.

We note Essex Highways comments to the planning application under consideration by Uttlesford District Council and we agree with their recommendation for refusal.

- 6) Increased traffic and the widening the farm entrance to form the access the development could impact the special verge which has Village Green status. Increased traffic on the single-track Smiths Green Lane would cause constant and irreparable damage to the protected lane, in conflict with ENV9 – Historic Landscapes. The

policy states that, 'proposals likely to harm significant local historic landscapes... and protected lanes... will not be permitted unless the need for the development outweighs the historic significance of the site.'

- 7) Takeley has grown significantly since the 2011 Census³ and currently has 2,000 homes mostly location along the Dunmow Road, Parsonage Road and at Priors Green. Projections from approved development and housing sites approved since May 2022⁶ will result in a growth of 86% in a 16-year period. Infrastructure is already strained therefore careful consideration should be given to appropriate and sustainable locations for future housing development in Takeley. Although there is a shortfall in the district's housing supply, this position has improved, with the most recently reported data at 4.89 years Housing Land Supply.

Further information on the Smiths Green Conservation Area appraisal and boundary will be shared with PINS ahead of the consultation deadline. The Parish Council respectfully requests that our objections are considered and permission is refused.

Kind regards

[Redacted signature]

Jackie Deane
Clerk to the Council

Working days Monday to Thursday

Takeley Parish Council

[Redacted address lines]