



UTTLESFORD DISTRICT COUNCIL

Council Offices, London Road, Saffron Walden, Essex CB11 4ER
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The Planning Inspectorate
Room 3/J Kite Wing,
Temple Quay House,
2 The Square,
Temple Quay,
Bristol,
BS1 6PN

4 September 2023

Your Ref: S62A/2023/0019

Our Ref UTT/23/1583/PINS:

Please ask for Nigel Brown on [REDACTED]
[REDACTED]

Dear Major Casework Team

TOWN & COUNTRY PLANNING (SECTION 62A APPLICATIONS) (PROCEDURE & CONSEQUENTIAL AMENDMENTS) ORDER 2013.

LAND KNOWN AS BULL FIELD, WARISH HALL FARM, SMITHS GREEN, TAKELELY

Thank you for your letter dated 3 August 2023 confirming that the Planning Inspectorate has received a valid planning application seeking planning permission for the following:

Access to/from Parsonage Road between Weston Group Business Centre and Innovation Centre buildings leading to 96 dwellings on Bulls Field, south of Prior's Wood, including associated parking, landscaping, public open space, land for the expansion of Roseacres Primary School, pedestrian and cycle routes to Smiths Green Lane together with associated infrastructure.

The Council has now had the opportunity to review all the documentation that was submitted by the applicant in respect to the proposal and wishes to make representations in respect of the application, incorporating comments from internal/external non-statutory consultees and including observations in respect of the manner in which the application should be determined.

The application was presented to the Council's Planning Committee on 30 August 2023. In addition to the issues outlined in the officers' Committee report; the main planning issues in respect of which the Council would like the Inspector to consider as part of their assessment of the proposals are:



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Development Limits & Impact on the Character and Appearance of the Area

The site lies in outside of the development limits of Takeley within the open countryside and within the Countryside Protection Zone.

Chapter 15 of the NPPF (2021) contains overarching policies for conserving and enhancing the natural environment. It indicates that planning decisions should contribute to and enhance the natural and local environment by recognising the intrinsic character and beauty of the countryside.

Policy S7 of the Uttlesford Local Plan 2005, in requiring the appearance of development to “*protect or enhance the particular character of the part of the countryside within which it is set or there are special reasons why the development needs to be there*”, is broadly consistent with NPPF paragraphs 130 & 174b and should be given moderate weight.

The site is located within the Countryside Protection Zone (CPZ) for which Policy S8 of the Uttlesford Local Plan 2005 applies. Policy S8 states that in the CPZ planning permission will only be granted for development that is required to be there or is appropriate to the rural area. There will be strict control on new development in particular development will not be permitted it either of the following apply:

- (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.*

The current site constitutes an open field with open and uninterrupted views of the Ancient Woodland to the north. The proposal would create a significant urbanised environment in place of the current pasture field. The development would introduce an urban form of development that would not be sympathetic to the local character and landscape setting, including that of the Ancient Woodland. This would result in the intrinsic character of the countryside being adversely affected contrary to Policies S7 & S8 of the Uttlesford Local Plan 2005.

Impact on Ancient Woodland (Priors Wood)

The application site lies in close proximity to the designated Ancient Woodland (Priors Wood). Notwithstanding the Council's concerns regarding the impact of the proposals upon the landscape setting of the wood, the Council urges that the Inspector carefully considers any buffer protection between any development and the wood.



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The matter over the appropriate buffer was not satisfactorily addressed in the previous dismissed appeal UTT/21/198//OP (APP/C1570/W/22/3291524). The Council is strongly of the view that any buffer area between the development and the wood should be a **minimum of 15 metres**, as recommended by the Woodland Trust. In order for such a buffer zone to be effective it should be measured for the development to the **canopy** of any tree. The Council urges the Inspector to give this matter the highest consideration in their determination of this application.

It should be noted that there is a clear “pinch-point” on the western end of the site as it borders the adjacent site & 7 Acres. It is quite clear at this point that no reasonable buffer could be achieved.

Impact on Heritage Assets

The proposal has the potential to adversely impact the setting of several designated and non-designated heritage assets including:

- Warish Hall (moated site and remains of Takeley Priory) Ancient Monument (Entry# 1007834)
- Goar Lodge Grade II Listed Building (Entry# 1168972)
- Beech Cottage Grade II Listed Building (Entry#1112212)
- The Cottage Grade II Listed Building (Entry#1306743)
- The Gages Grade II Listed Building (Entry#1168954)
- Moat Cottage Grade II* Listed Building (Entry# 1112211)
- The Croft Grade II Listed Building (Entry#1168964)
- White House Grade II Listed Building (Entry#1322592)
- Cheerups Cottage, Grade II Listed Building (Entry#1112207)
- Pump at Pippins, Grade II Listed (Entry#1112210)

Smiths Green to the east of the site is a designated Protected Lane under Policy ENV9 of the Uttlesford Local Plan 2005.

Smiths Green itself is subject to an ongoing public consultation towards the designation of new Conservation Area (proposal attached)

The Council requests that the Inspector takes into consideration the impact of the proposal would have on the significance of all of the aforementioned heritage assets, and to apply the appropriate the weight to the preservation of these assets.

Cumulative Highway Impact



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The Council urges the Inspector to consider the cumulative impact of the proposal upon Parsonage Lane and the general/local road network when considering the consultation response of the Local Highway Authority. Considerable development has been allowed with all sites access directly onto Parsonage Road.

Balance Benefits of Development

It is respected that the Inspector will engage the *tilted* balance in their consideration of this matter. In doing so, it is requested that the likely benefits of land for the extension of school be considered carefully. There is a significant levels difference between the proposed extension and the existing school, which might reduce the likely benefits of this land.

Consideration of Amenity, Car Parking and Design

Whilst it is accepted that the proposal is outline, the Inspector is encouraged to carefully consider the nature of the development in framing any subsequent reserved matters to achieve appropriate amenity provision (garden sizes and separation distances) and appropriate car parking. The Inspector does need to be mindful of the Council's Design Code (currently out for consultation) which any reserved matters applications would need to adhere to.

Consulation Documentation

The following documantion is provided as part of Uttlesford's District Council's consultation response in which should form part of the Inspector's assessment of the proposal.

- Officer's Committee Report (including suggest conditions; and S106 Heads of Terms)
- Draft Minutes of Planning Committee (30 August 2023)
- UDC, Principal Conservation Officer
- UDC, Environmental Health Officer
- Essex Place Services (Ecology)
- Essex Police
- Essex Place services (Archaeolgy)
- Gigaclear
- UDC Housing Officer

Summary



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The concerns raised above are considered to significantly and demonstrably outweigh the public benefits of the provision of housing, including affordable housing, in this location. The Council therefore **RESOLVED to OBJECT** to the proposed development.

Yours sincerely

Dean Hermitage MA Mgeog MRTPI
Director of Planning