

From: Takeley Clerk [REDACTED]
Sent: 04 September 2023 17:00
To: Section 62A Applications <section62a@planninginspectorate.gov.uk>
Cc: Takeley Clerk [REDACTED]
Subject: S62A/2023/0019 LAND TO THE NORTH OF ROSEACRES, BETWEEN PARSONAGE ROAD AND SMITHS GREEN LANE, TAKELEY

Dear Leanne,

OBJECTION TO S62A/2023/0019 – LAND TO THE NORTH OF ROSEACRES, BETWEEN PARSONAGE ROAD AND SMITHS GREEN LANE, TAKELEY

Takeley Parish Council objects to the application for potential harm to an ancient woodland, unsustainable access arrangements, change in setting to heritage assets and unsuitable development in the Countryside Protection Zone.

Supporting information attached to this email:

a) Ancient Woodland

- Woodland Trust – impacts on ancient woodland
- UDC arboriculturist evidence for Land at Warish Hall – vehicular link at the pinch point with Weston Homes industrial estate and foot/cycle links within a woodland buffer zone

b) Transport and access

- TPC snapshot of traffic congestion in Parsonage Road
- Essex County Council approval for 400 daily HGV movements to/from Elsenham quarry to 2030
- Foot and cycle paths - annotated for linking with Smiths Green
- Village Green status verges in Smiths Green and DEFRA guidance
- Weston Homes connectivity plan

c) Planning decisions

- Refusal notice - 40 homes north of Jacks Lane, Land at Warish Hall Farm
- Refusal notice - Land at Tilekiln Green, Start Hill, Great Hallingbury – moderate weight to Policies S7 and S8

The Parish Council has four main objections to the application, which are detailed below:

1) **Harm to an ancient woodland**

Priors Wood will be enclosed to the east by the approved Weston Homes industrial estate and approval of 78 homes and a 66-bed care home on Land East of Parsonage Road. The new proposal would enclose the woodland along its southern boundary, with a buffer of less than 15m.

The harm to woodland created by the access pinch with the industrial area and proposed foot and cycle links within the 'buffer zone' are described by UDC's written expert proof of evidence for the previous appeal on Land at Warish Hall Farm,

'8.3 South-west corner of Prior's Wood

It is clear within the Barton Hyett TRRPP that the proposed hard surfaced access road (vehicle entranceway) sits wholly within the buffer zone. This intrusion into the buffer zone is exacerbated further should the 15-metre-deep buffer zone be considered from the woodland canopy.

8.3.1 It is highly likely that the busiest part of the proposed development will be at the entranceway adjacent to the south-west corner of Prior's Wood. This will likely result in the greatest effect and therefore harm on the woodland. In addition, at this same place, it is proposed to create a feature entrance into the wood with a stone surface. Together, there is likely to be, not only, harm to the woodland but also the protected species within it. I can see no mitigation measures which will prevent this harm.

8.4 In my opinion, there are two different elements to consider. One is the effect of the proposed development on the ASNW and the biodiversity within it. This is concerned with the insufficient depth of the buffer zone, the lack of positive mitigation and the harm caused by the proposed development within the buffer zone and resulting activities. The second element to consider is the harm the proposed development may have on tree roots. This is addressed within the British Standard – BS 5837: In essence, BS 5837 recommends that there are no construction activities with a tree's Root Protection Area (RPA) but where this cannot be avoided, suitable methodology is proposed to minimise any harm. In my opinion, the potential harm to the ASNW by compromising the buffer zone cannot be mitigated by complying with BS 5837:2012. The requirements for BS 5837:2012 should be seen in addition to the requirements for a suitable buffer zone to protect the ASNW.'

The Parish Council objects to harm to the irreplaceable ancient woodland, potential ecological impact on the Local Wildlife Site and harm to the agrarian the setting of the woodland, caused by the development and the cumulative impact from approved adjacent developments.

2) **Unsustainable access arrangements**

From the information provided, the proposal conflicts with Policy GEN1 – Access, and the NPPF paragraph 112 on sustainable transport. The Parish Council's concerns are:

- The pinch point from Bulls Field to Weston Homes industrial area has insufficient space for dedicated road, footpath and cycle access without causing harm to the ancient woodland. A foot/cycle path would require the correct surface and lighting to ensure that it is suitable for all users at all times and this is not shown in the plans.
- Access to Parsonage Road is via an industrial estate and business centre. The development has no dedicated access route off a main road and there seems to be conflict for all users with the industrial area, business centre traffic and car parking.
- It is unclear how all users will safely access onto Parsonage Road, which is already congested as a busy HGV route.
- The foot/cycle links with Smiths Green do not have the potential to link with pavements. There is limited information available on how vehicles will be prevented from accessing the development from Smiths Green Lane. Smiths Green Lane is a high-grade protected lane, and harm to that lane would 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.'

The verges have Village Green status, requiring a separate application to the Secretary of State, for any changes. The refusal of an application for 40 homes north of Jacks Lane established that there is no safe walking route through Jacks Lane restricted byway to amenities at Priors Green. Reason 2 of the decision notice states,

'It has not been adequately demonstrated that safe and suitable access to and from the site for pedestrians and cyclists could be achieved which meets highway design standards whilst responding to local character and biodiversity considerations, contrary to Uttlesford Local Plan policy GEN1 and paragraphs 92, 110 and 112 of the National Planning Policy Framework.'

3) **Heritage harm to designated and non-designated assets**

The development conflicts with Policies ENV2, 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.'*

The agrarian setting of the individual listed buildings in Smiths Green would be replaced by a suburban development. The site is adjacent to the emerging Smiths Green Conservation Area, and the uplift of weight to this policy on designation will be a material consideration. Please note our previous request that the timing of a decision on this application allows for UDC to make its decision on designation of the conservation area on 2nd November.

4) **Unsuitable development in the Countryside Development Zone**

A recent s62A Decision in a neighbouring parish is attached as an example of moderate weight being applied to the CPZ for loss of openness of the Zone.

S62A/2023/0017 at paragraph 56 states,

'However, these benefits fail to negate the moderate to significant harms identified to the CPZ through it not being development appropriate to a rural area and the erosion of its open characteristics, the adverse impact on the character and appearance of the area...'

This was also a dismissal reason on the Land at Warish Hall Farm appeal, '33. Against this background, while the factors set out above would serve to reduce the impact, the proposal would nevertheless result in an adverse effect on the open characteristics of the CPZ in conflict with LP Policy S8.'

'83. In respect of recognising the intrinsic character and beauty of the countryside, I consider Policy S7, 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 in the form proposed needs to be there", 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.'

'84. Turning to Policy S8 and the CPZ... I consider that the conflict with LP Policy S8 should be given moderate weight.'

The Countryside Protection Zone policy originates from the 1981 to 1984 London Airports Planning Inquiry which considered the expansion of Stansted Airport and the further development of Heathrow.

Sir Graham Eyre QC acted as Inspector at the Inquiry and the Government accepted his report and recommendations, which included the requirement for a Countryside Protection Zone.

UDC commissioned the LUC study in 2016 and this forms part of the evidence base for the New Local Plan as linked on the UDC website: [Uttlesford Countryside Protection Zone Study](#)

Takeley has grown significantly since the 2011 Census 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 2026 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. In the Parish Council's view, there is no need for housing to be built in the

Countryside Protection Zone in Takeley. It is also widely believed that the updated housing supply data for Uttlesford will be in excess of the 5-year housing land supply requirement.

The Parish Council would wish to give further comment when updated information is available, including clarification on our highways and access objections. A member of our Planning Committee would wish to speak on behalf of the Parish Council, should a hearing be arranged as part of the process. In the Parish Council's view, the proposal conflicts with the UDC development plan and the harms significantly outweigh the benefits of providing of 96 new homes in this location. We respectfully request that permission is refused.

Kind regards

Jackie

Jackie Deane
Clerk to the Council

Working days Monday to Thursday

Takeley Parish Council
The Old School Community Centre
Brewers End, Takeley CM22 6SB

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