

Keep Clavering Rural Objection

Section 62A Planning Application Number: S62A/2023/0025
Land to the North of Eldridge Close, Clavering, Essex

APPENDIX

KCR Objections letter -Land rear of Eldridge Close UTT_22_1578_OP

KEEP CLAVERING RURAL

(Formerly Hands off Clavering)

[REDACTED]
[REDACTED]
[REDACTED]

14th July 2022

Dear Sir,

Planning Application Number: UTT/22/1578/OP
Land to the North of Eldridge Close, Clavering, Essex

Keep Clavering Rural objects to the above planning application on the following grounds:

THE ATTEMPTED URBANISATION OF CLAVERING

Estate-type developments in the village such as the 31 unit scheme on land behind the school, the current 32 unit proposal to the north of Eldridge Close and the numerous schemes put forward following the 2021 Call for Sites:

- are inconsistent with the generally linear nature of the village;
- all sit on higher land at the village outskirts and are therefore starkly visible from numerous footpath viewpoints, thus harming the wider landscape;
- are inconsistent with Clavering's rural nature; and
- constitute creeping development that will lead to the urbanisation of the village.

This is inconsistent with the intentions of both the current UDC Local Plan and the National Planning Policy Framework.

THE PREVIOUS OFFICER'S REPORT

The Officer's Report on the previous application for just 9 houses on this site concluded that it was an inappropriate form of development in the countryside, having an encroaching and urbanising effect that would be out of context with the existing pattern of development and harmful to the setting and character of the rural location and out of character with the site, street scene and surrounding area.

If a development of 9 houses would have this impact, a development of 32 houses on the same site **will have an even greater encroaching and urbanising effect** and will be even more out of context with the existing pattern of development and **even more harmful to the setting and character of the rural location**, the site itself, the street scene and the surrounding area.

Unless Officers are proposing a complete 'U turn' in planning terms, it is difficult, if not impossible, for them to reach a different conclusion to the one they reached last time with the application for 9 houses. Just as the harm caused by 9 houses was greater than the housing benefit, so the increased harm caused by 32 houses continues to outweigh the increased housing benefit.

THE PREVIOUS APPEAL REFUSAL FOR 9 HOUSES ON THE SITE

While the Inspector criticised the inefficient site use, this was in the context of the small contribution 9 houses would make towards the district housing supply and, ultimately, the greater harm to the countryside that such profligate land use would cause. In concluding that the Inspector would, therefore, have approved a larger development on the site, the applicant goes far beyond what the Inspector actually said.

In drawing its conclusion, the applicant has failed to take account of what the Inspector said about harm to the countryside that the 9 unit development would cause in terms of its conflict with Local Plan Policy S7 (protecting or enhancing the countryside) and with Paragraph 174(b) of the National Planning Policy Framework (failing to recognise the intrinsic character and beauty of the countryside). If 9 units are harmful in this way, how much more harmful will 32 units be?

It is here that the Inspector was very clear in his opinion. At paragraph 16 of his decision he said that:

“This proposal would detract from the setting of this settlement and the character of the countryside”.

In fact, the Inspector went much further than this by saying (in the same paragraph), that:

“This would be the case for any scheme that extended across the full extent of this field” (our emphasis).

The current proposal is, in fact, a scheme that extends across the full extent of this field. As such, it clearly cuts right across the Inspector’s ruling for development on this site. Accordingly, it is difficult to see how the relatively limited benefits of 32 houses on the district’s housing shortfall can possibly outweigh the harm to the countryside that will result from converting this entire field into housing.

LANDSCAPE IMPACT

We refer the Council to the Landscape report we have commissioned from Michelle Bolger Expert Landscape Consultancy attached to this letter as Appendix 2 that provides professional support to this objections letter on landscape issues. Our own views are as follows:

Harm to landscape views and inadequate screening

- There will be a considerable impact on the countryside when the new houses are viewed from the north and west that the thin belt of trees will do little to mitigate, contrary to paragraph 6 of section 12.0 of the applicant’s Landscape and Visual Impact Appraisal that claims the development will have only a *“slight impact on the immediate area”* and (in paragraph 9) *“a small change to the local landscape character.....limited to the immediate area”*. This is because:
 1. The visual analysis presented by the applicant’s Visual and Impact Assessment restricts itself to **only three viewpoints** and fails to focus on the wider landscape perspective and the numerous additional viewpoints available from various footpaths surrounding the application site. The landscape perspective has already been intruded upon by Eldridge Close, the

appearance of which has not mellowed with time and further building will only increase this harsh view of a housing estate. To add 32 houses to the 24 already in Eldridge Close can only make a detrimental impact upon the environment. The **additional (and numerous) viewpoints that should be considered in making a balanced assessment of the potential intrusiveness** of the development into the countryside, together with a note of what can be seen from them, are set out in **Appendix 1 to this letter**.

2. Despite what is said many times in the application documents about the ability of the belt of trees on the western boundary to screen the development, it has also been said (in paragraph 7.7 of the applicant's Planning Statement) that there will be:

“potential removal of some material in the western boundary hedge to remove any risk associated with falling dead wood”.

The backs of houses on Clatterbury Lane (also known as Arkesden Road) can be seen through the trees now, even before the: *“potential removal of some material”* has taken place, so a new estate right behind the trees will be clearly visible, especially in winter when the leaves have fallen. Photograph 08 in the Landscape and Visual Impact Assessment and photograph 9 in the Preliminary Ecological Appraisal clearly demonstrate just how thin the belt of trees is and how easy it is to see through them. The Key to Figure 06 of the Landscape and Visual Impact Assessment maintains that: *“heavily filtered glimpses of the roof top[s] in winter conditions may be possible”* along the yellow broken lines. The reality is that whilst the rooftops will be visible in summer, in winter not just the roof tops but the exterior form of the houses themselves will be visible in most directions.

3. It is clear from inspection, though not so obvious from the photographs, that there are significant gaps at both ends of the western boundary where the trees stop, through which it is easy to see the site from various viewpoints and the site cannot, therefore, be properly be described (as claimed in paragraph 7.5 of the Planning Statement) as *“visually contained”*.

4. There is significant local concern that the developer of Eldridge Close felled almost all the trees on the western boundary once planning permission was granted, presumably to allow residents a view over the countryside. With the potential removal by the applicant of some parts of the vegetation, as referred to above, this means the trees on the western boundary will be considerably thinner and much less of a shield for the estate, even if some new (and doubtless much younger and smaller) material is added. This concern is amplified by comments beneath the photo 05 of the Tree Survey which states that *“These trees are generally of low quality....they are generally unremarkable features with historically limited or poor management”*. There is also the risk that property owners will undertake tree felling of their own to provide a view over the countryside and since the trees, facing west as they do, will provide a degree of shade into the afternoon and evening, there is the additional incentive for property owners to remove them to enjoy more of the sunshine. All of this militates against the vegetation on the western boundary providing an effective screen for the development.

5. Section 11.0 of the applicant's Landscape and Visual Impact Appraisal rates the visual significance of the development as medium high with the development creating a *“major impact”* in year 1. While some growth of additional planted material may lessen this over time, the potential for vegetation removal by property owners is high, and even if that were not the case, **the estate will be laid bare to public view after leaf fall**. This *“major*

impact” opinion **contrasts** with the Magnitude of Change paragraph in section 09.0 paragraph 8 of the applicant’s Landscape and Visual Impact Assessment where “*The development would result in a slight noticeable change over a small area of the landscape receptor*”. **It also contrasts** with section 09.0 paragraph 8 which says: “*the proposed buildings within a well treed site on the edge of the village would not be out of character with the immediate surroundings*”. The immediate surroundings are individual houses on large plots with no backland development, and which overlook agricultural fields. **Adding an estate of 32 houses directly behind an estate of 24 houses does not create a “slight noticeable change” nor is it in character with “the immediate surroundings**”. It will have high visual significance from numerous viewpoints and contrast harshly with its immediate surroundings.

6. The need for screening always assumes that the level of unattractive intrusiveness of the built form is such as to require screening. This is particularly relevant is the case of the proposed development where the nature of the design clearly has more of an urban flavour than a rural one.

7. The photographs below show how thin the trees on the western boundary of the site look after leaf fall (photos taken January 2021).



Impact on character of the site and the wider countryside

- Maintaining in paragraph 7.4 of the applicant’s Planning Statement that the development will have: “*an impact*” on the character of the current agricultural field (or, indeed, only a “*slight impact*” on the immediate area if paragraph 6 of section 12.0 of the applicant’s Landscape and Visual Impact Assessment is to be believed) significantly understates that impact. It will, in fact, **alter the character of the field and the local environment totally and irrevocably**.
- Paragraph 7.5 of the Planning Statement maintains that the application site is: “*visually contained by existing boundaries thereby limiting views from the wider countryside*”. This is incorrect as any inspection, either from closer viewpoints or from a distance, will reveal this not to be the case. Indeed, the rear of the established properties along Arkesden Road/Clatterbury Lane can be seen

through the trees which means that the development itself, that is much closer to the western boundary, will be even more visible. The statement in paragraph 7.10 that: *“the construction of houses in this location would result in a small change to the local landscape character”* which would be: *“limited to the local area”* is certainly not taking into account the fact that the development, when added to Eldridge Close, would make a large estate of 56 houses on the edge of the village (32 being outside the village boundary). There is no other estate of houses anywhere near that size in Clavering. **Appendix 1** demonstrates that the development would result in serious adverse impacts on the views *“from the wider countryside”* as seen from Footpaths 12, 14, 15, and 19 as well as being very visible from Mill Lane.

Footpath across the site

- The section of Footpath 19 that crosses the site diagonally would no longer be a footpath through the countryside. Instead, that section would simply be a line of pavement through a built up housing estate. The character of that section of footpath and its relationship with the uplands landscape to the immediate north of the site would be harmed.

The site as part of a larger field

- It is immediately obvious, when looking south towards the site from Footpath 19, that the site plus the large agricultural field to the west of the line of trees together form a single field separated only part way by the narrow belt of trees which then tapers out at each end leaving a strong connection between the site and the rest of the field. Indeed, both areas have clearly been farmed as the same field. Accordingly, the site and the rest of the field are integral parts of the same landscape vista. Transforming the site from agricultural into housing would be like lopping off a significant area from the field, to the detriment of its overall character (see photo taken April 2021).



The landscape function of the application site

- The application site provides an attractive transition between the built environment of the village and the more open countryside landscape beyond. The imposition of a housing estate on the site will destroy this sense of

transition providing, instead, a harsh lurch from the new houses to that countryside.

Impact of Langley Chalk Uplands Landscape Character

- The development cannot be successfully accommodated into the local landscape because the site is located in the Langley Chalk Uplands Landscape Character Assessment. The chalk upland LCAs are sensitive to even small extensions because of their elevation, openness and generally sparsely settled character. As such, the proposed development would not be consistent with the LCAs landscape character objectives. The statement in paragraph 7.8 of the applicant's Planning Statement that: "*the site does have some capacity to absorb development (we assume that "development" was intended, although the words used has the appearance of an interesting Freudian slip!) without undue detrimental effects on the 'Langley Chalk Upland' landscape characteristics*", is at odds with the LCA's landscape character objectives. Eldridge Close cannot be used as an example of development in the LCA as it is on a brownfield site which was part of the neighbouring business site.

Weathering of modern housing estates

- Modern housing estate materials tend not to weather over time and blend into their surroundings. For example and despite having been constructed some 7 years ago, when viewed from any one of a number of footpath viewpoints, Eldridge Close is distinctly visible as out of place when compared with the rest of this part of the village and there is no reason to suppose the new estate would weather any better.

Aggregate mass of built form

- Paragraph 12.8 of the applicant's Landscape and Visual Impact Assessment suggests that: "*the proposed new houses would be tucked behind*" the existing Eldridge Close. In reality, not only are there a significantly greater number of houses proposed than on the Eldridge Close estate but, far from being "*tucked behind*" that Estate, they would simply serve to emphasise the magnitude and intrusiveness of the built form that, at a total of 56 houses, would represent by far the largest grouping of houses that the village has ever seen. Indeed, it is the **only grouping** of estate-type development at the northern end of the village.
- For all its intrusiveness, Eldridge Close abuts not existing houses, but a small group of commercial buildings along Stickling Green Road. In the case of the new houses on the application site they will, instead, abut the existing properties along Arkesden Road/Clatterbury Lane, creating an even greater visual aggregation of the built form.
- It is the impact of the 24 houses on the Eldridge Close estate plus the additional 32 houses on the application site that will, in the aggregate, result in so much visual harm to the rural landscape.

Impact on a small rural settlement

- The Summary in paragraph 1 of section, 12.0 of the applicant's Landscape and Visual Impact Appraisal, describes a: "*small rural settlement*". This is true, but merely serves to emphasise why a block of 56 houses in the aggregate would not be a good fit with a "*small rural settlement*". It is also entirely at odds with paragraphs 3 and 6 which state that the estate would: "*fit in well*", "*consolidate existing layout*", "*help to prevent the effect of creeping development*" and have: "*slight impact*". All of this will show up starkly from the numerous viewpoints across the village. In fact, the very size of the proposed estate, fastened as it will be on to the edge of this "*small rural settlement*", will constitute **a highly visible statement piece** that will open the door not to "*creeping development*" but to similar, if not larger, development schemes on the adjoining agricultural land.

Applicant's Landscape Report

- Despite the fact that the development has increased to some 3.5 times the number of houses originally proposed, which has an obvious additional visual impact on the countryside, the applicant's Landscape and Visual Impact Assessment has not materially altered in its review of this entirely different proposal.

LOSS OF GOOD QUALITY AGRICULTURAL LAND

- Unlike Eldridge Close that was a brownfield site, the development site is classified as **Grade 2 (i.e. 'excellent quality agricultural land')** where **'yields are high'**. Any justification for building houses at this location that may have been present when Eldridge Close was built does not apply to the present application.
- The situation with regard to the food economy is now even more important in the light of recent international events and there is little point in building yet more houses on agricultural land when this reduces, correspondingly, the nation's ability to feed the occupants of those houses. Central government is now seriously recognising this issue.

SEWAGE ISSUES

- Paragraph 7.0 of the applicant's Flood Risk Assessments assumes that foul water drainage from the development is: "*expected to drain by gravity into Thames Water equipment in the adjacent Eldridge Close*". Due to existing problems with the sewage pump serving Eldridge Close and the fact that it has **not been adopted by Thames Water but is, instead, maintained by a resident-controlled management company**, it is unlikely that consent will be granted for another 32 houses discharging into the pump. Accordingly, the sewage solution suggested in the Flood Risk Assessments will not be possible.
- Evidence from Eldridge Close residents is that their unadopted sewage system consistently fails due to blockages, causing additional service charge payments to fall on residents. The system already cannot sustain the houses currently using it and would never be able to operate successfully with sewage flows from another 32 houses.

SURFACE WATER RUN OFF

- At times of heavy rainfall, surface water run off from Eldridge Close has been known to fill the drains, resulting in an overflow out of the two drain covers in the pavements at the entrance to Eldridge Close. While paragraph 6.3 of the applicant's Flood Risk Assessments proposes that there will be a: "*SuDS based capture, conveyance and storage before ultimately discharging to the southern ditch at 2 L/s thereby mimicking the existing regime*", this assumes that concreting over a major part of the site with housing will produce a **similar run off pattern to the one at present on the unbuilt site**. Developments such as Eldridge Close demonstrate this assumption can be wildly inaccurate. If the western ditch overflows as a result, this will **exacerbate the current problems experienced by Eldridge Close residents**. We do not see that any account has been taken of this possibility in the applicant's Flood Risk Assessments.
- Evidence from Eldridge Close residents is that some of the gardens are under water at times of heavy rain as a knock-on effect of the water run-off problems referred to above. Adding a further 32 houses on higher ground will only increase the risk of greater surface water problems on the lower ground of Eldridge Close.

ACCESS

- This is a **landlocked site with no direct access to the public highway** except across the existing Eldridge Close estate road that remains **unadopted** and, therefore, **private**. In addition, that access road is narrow and often has cars parked in it (as well as children playing in what is, currently, a cul de sac) that would hinder access to the application site, even were such access to be lawful.

STREET LIGHTING

- Paragraph 2.13 of the applicant's Transport Statement suggests that: "the installation of street lighting in the area would improve pedestrian safety". While that may be the case, it would also **introduce significant light pollution in a village that has virtually no street lighting** and alter the character of the village from one that is essentially rural to one that has implied urban connotations.

NOT INFILLING

- Contrary to paragraph 3.13 of the applicant's Transport Statement, **this site falls outside the accepted definition of 'infilling'** as it does not amount to land between two houses. It is, in fact, an edge-of-settlement development. Consequently that entire paragraph should be disregarded by the Council.

OUTSIDE VILLAGE BOUNDARY

- The development site lies **outside the existing village settlement boundary** for the purposes of the Local Plan.

CONSOLIDATION NOT NEEDED

- The statement in Section 6.0, paragraph 9 of the applicant's Landscape and Visual Impact Assessment floats the idea that: *"The proposals would consolidate the existing settlement pattern at the northern end of Clavering"*. **There is no need for the constituent elements of this part of Clavering to be combined into a single block of housing** – indeed such an arrangement would fly in the face of the generally linear pattern of housing within the village.

PREVIOUS INCREASES IN HOUSING

- Since 2005, over 134 homes have been created or received planning permission in Clavering, increasing the village's housing stock by almost 30%. So far, the village has managed to accommodate this without detracting unduly from its rural character. However, adding tranches of estate-type housing will contribute towards the process of creeping urbanisation, turning an essentially rural village into an urban one.

CALL FOR SITES REFUSAL

- This site was put forward in the 2015 Call for Sites where officers pointed out that *"The site is located within the H3 Langley Chalk Upland Landscape Character Assessment. It has a relatively high sensitivity to change"*. Officers also pointed out, in relation to the site's distance from the school and the village shop, that: *"this site is located beyond the normal walking/cycling distance to these services"*. The conclusion reached, that was accepted by the Council, was that: *"The site is considered unsuitable as development on this site would not contribute to sustainable patterns of development"*. In respect of the matters identified in the Call for Sites report, nothing has changed since 2015.

ROAD AND PEDESTRIAN SAFETY

Highway safety

- The Collision data 'Crash Map' data referred to in paragraphs 2.7 and 5.5 of the applicant's Transport Statement is at least 3 years out of date and is limited just to the highway adjoining the Eldridge Close estate. Even in that respect, the addition of some 64 cars resulting from 32 houses, each making an outwards and inwards journey each day, will mean an increase of some 128 daily traffic movements in and out of Stickling Green Road which is a not insignificant number plus, of course the journeys into and out of the estate by associated delivery vehicles and service vehicles. The access road to the Eldridge Close estate lies shortly after a bend with limited visibility and the potential for accidents will be greatly increased. This situation is exacerbated by vehicle movements into and out of the small industrial estate adjacent to the Eldridge Close estate road where, quite often, large trailer lorries are left parked in the road. This combination of junctions will, if the 32 houses are built, be a recipe for accidents.
- Save only for the 'pinch point' where the application site access road joins the Eldridge Close estate road, traffic can proceed at speed down the application

site access road and there is no vehicle restraint system proposed to alleviate this risk. Effectively, traffic speeds will peak at this 'pinch point' creating a real focus of danger not just for existing traffic on the Eldridge Close estate but also for pedestrians. The long downhill estate road will encourage the build up of traffic speeds, peaking at the double bend before reaching the existing Eldridge Close, thus endangering residents there.

- What paragraph 2.10 of the applicant's Transport Statement fails to mention is that both the footways and carriageway in Eldridge Close are narrow which makes it difficult for passing private and large service vehicles when vehicles are parked on the carriageway. With around 128 vehicle movements each day from the 32 houses, plus delivery and service vehicle movements, the aggregate impact of all of this will result in a hazardous situation and place unacceptable pressure on Eldridge Close residents. There is also a related point here for those willing to endure the long walk to the school and shop and that is that the footpath in the High Street is both uneven and narrow – down to around 2 feet at one point. This is both impractical and dangerous for anyone trying to push a pram or buggy along this route.
- In Clavering's terms a development of 32 houses is not "*small scale*" as paragraph 3.3 of the applicant's Transport Statement alleges. It is, in fact **the largest development the village has ever seen** (even larger when combined with the existing Eldridge Close). Having regard to the nature of the local road network, including Sticking Green Lane into which development traffic will exit, an additional 128 vehicle movements each day (plus delivery and service vehicle movements), will present a traffic problem that will be far from small scale. It will, in fact, have an unacceptable impact on highway safety, contrary to paragraph 111 of Essex County Council's Design Guide. At the very least, a Travel Plan might be expected.
- In paragraph 3.11 of the applicant's Transport Statement the applicant submits that: "*any traffic increase will be insignificant*". In reality, traffic flows through the existing Eldridge Close estate will more than double on account of the 32 houses on the application site. Accordingly, the impact on the existing Eldridge Close access road will be considerable, as will the impact on Stickling Green Lane, albeit less so, but still significant, on surrounding roads. To describe this increase in paragraph 3.15 of the Transport Statement as: "*slight*" (or in paragraph 5.3 as having a: "*negligible impact*") is a clear understatement of the likely impact.
- Difficulties already exist over manoeuvring large service vehicles on the existing access road to Eldridge Close with vehicles having to reverse back into Stickling Green Road and the addition of another 32 houses will only add to this already unsatisfactory and dangerous situation. No consideration has been given to the dangerous pavement overhang by service vehicles both within the application site and the Eldridge Close estate road and no swept path analysis has been done at the entry to Eldridge Close from Stickling Green Road.
- The Council's refusal of the previous planning application was partly on highway safety grounds on the basis of the impact of a development of just 9 houses. It would be inconsistent for the Council now to agree to a development of 32 houses when the highway impact will be over three times that of the original proposal.

Walking options

- Paragraphs 2.8 and 2.9 of the applicant's Transport Statement present a view that appears influenced more by urban than by rural thinking. In particular, it is difficult to see how the suggestion in paragraph 2.8 that: "*Walking offers a realistic option for the journey to work or study for many*", has much bearing in a rural environment. The reality is that the vast majority of journeys to and from this rural locality will be by vehicle with walking restricted to recreational purposes only.

Cycling

- As paragraph 2.14 of the applicant's Transport Statement correctly observes, cycling is influenced by traffic levels. The principal exit routes from the village (Wicken Road and Stortford Road) are both very busy with fast-moving vehicles at commuting times, so cycling would be an option only for the very brave and experienced riders.
- The statement in paragraph 3.4 of the applicant's Transport Statement that **the 'pinch point'** between the end of the estate road to Eldridge Close and the beginning of the estate road to the development will encourage residents to leave their cars at home and get on their push bikes, appears somewhat fanciful. Similarly, in paragraph 3.6, the suggestion that the proposed open space and the incorporation of the existing footpath within the development will have the effect of: "*potentially altering the pedestrian and cycling trip pattern behaviour in the area*", **seems little more than wishful thinking as opposed to a serious transport policy.**

No public bus service

- Paragraph 2.12 of the applicant's Transport Statement is misleading in that it rests on an implied assumption that there are both bus stops and, therefore buses. There may be places where buses customarily stop to pick up passengers, but there are no bus stop structures and in any event, those buses are for schoolchildren only. There is no scheduled public bus service in Clavering, now accepted as fact by the Council. This renders the statements in paragraph 5.3 of the applicant's Transport Statement about: "*Improvements to the bus stop facilities i.e. shelters, seating and increases in bus services*" somewhat irrelevant to the situation that actually exists in this particular village. Possibly 'cut and pasted' from a Planning Statement on another project? The reality is that the chances of Essex County Council re-introducing bus services into the village on account of the fact that just 32 new houses are to be built (let alone expanding them) are nil. Indeed, the most recent Essex County Council review of bus provision concluded there would be no additional service for Clavering.

Local highway network characteristics

- Paragraph 2.18 of the applicant's Transport Statement maintains that there is an: "*existing highway network, with its low-speed and low-traffic environment*". In fact, the main road through Clavering is **a classified B road (B1038) carrying many domestic, commercial and agricultural vehicles, as well as commuter traffic.** It provides **the main arterial route** between Newport, Saffron Walden and Thaxted in the east and Brent Pelham, Buntingford and

the A10 in the west, as well as linking to Bishops Stortford in the south. Consequently, the existing highway network is used by local traffic, through traffic, delivery vehicles and oversized farm vehicles. Paragraph 5.1 of the Transport Statement admits that it is based on a desktop study. A visit to the site would have been more beneficial, even though traffic levels at the present time are down because of the Covid 19 pandemic.

- Paragraph 4.6 of the applicant's Transport Statement bases its assessment of low volume traffic flows purely on the "*low housing density in Stickling Green*". Sadly, **this ignores the fact that** Stickling Green Road serves not just Stickling Green itself but several large farms, several industrial areas within ex farm buildings (some of which are expanding) as well as being a through route to Langley and beyond. This seems to demonstrate a lack of local knowledge on the applicant's part.

On-street parking

- The existing development at Eldridge Close already suffers from problems of on-street parking, both within the estate and on Stickling Green Road, resulting in two serious vehicle collisions on that Road over the past few years. Since nobody was injured in these incidents, they do not appear on the Crash Map metrics which are the only 'official' source of such data, but that does not reduce their significance. Adding another 32 houses on the application site will simply exacerbate the current problems, particularly if the increased volume of traffic from the 32 houses along the Eldridge Close (with the consequent risk of wing mirror and other vehicle damage) effectively 'pushes' parked vehicles onto Stickling Green Road that has its own dangers lying, as this stretch does, close to a bend with restricted visibility.

DEVELOPMENT DESIGN

Building design and materials

- Local Plan Policy GEN2 requires that development will not be permitted unless it is compatible with the "*scale, form, layout, appearance and materials of surrounding buildings*". What exists are large individual houses along Arkesden Road/Clatterbury Lane built in linear form and with large gardens. The proposed development is incompatible with this in terms of its scale, form, layout and appearance. Far from consolidating the existing housing pattern, as suggested by paragraph 4 of section 5.0 of the applicant's Landscape and Visual Impact Appraisal, the development would present a harsh contrasting experience when compared with the houses along Arkesden Road/Clatterbury Lane. Comparing the development with the existing housing estate at Eldridge Close alone, only presents half of the story. When added to the existing Eldridge Close estate, the combined estate of 56 houses would clash even more with the "*scale, form, layout, appearance and materials of surrounding buildings*".
- Sadly, the design of and building materials used in connection with today's housing estates rarely weather well (despite the hopeful statements in paragraph 9 of section 12 of the applicant's Landscape and Visual Impact Analysis) and if proof were needed of this, the existing Eldridge Close estate built some seven years ago now looks as stark as the day it was completed. It sticks out from the rest of the village, even during the summer months (and

more so after leaf fall) and the development will only add to this visual clash with the rest of the northern section of this attractive rural settlement.

- While bungalows at the northern end of the site will be less visible than, say, two storey houses, the fact remains that, when viewed from Footpath 19 leading into the site from the north, they will still be visible at all times of the year, but more so after leaf fall.
- It is difficult to see how the group of bungalows at the northern end of the site can create “*a strong sense of place*” surrounding the Public Right of Way through the site (as claimed by paragraph 4.6 of the applicant’s Planning Statement). That Public Right of Way already has a strong sense of place due to the fact that it currently crosses open countryside. Replacing that openness with the built environment will simply destroy that sense of place, replacing it with a confined sense of place.
- All that the “*increased permeability through the scheme*” will do (assuming that visual permeability is what is meant here by paragraph 4.8 of the applicant’s Planning Statement) is to give glimpses of what has been lost on account of replacing an open field and surrounding trees with a housing estate.
- The applicant maintains that the creation of an estate road within the development with houses either side of it reflects the linear character of properties along Arkesden Road/Clatterbury Lane (per paragraph 4.5 of the applicant’s Planning Statement). The logic of this faulty argument is that the layout of all housing estates is linear, provided the dwellings sit on either side of an estate road.
- Describing the apartment block as a “*farmstead arrangement*” (per paragraph 4.6 of the applicant’s Planning Statement) must surely be a stretch of the imagination.
- Maintaining, in paragraph 4.10 of the applicant’s Planning Statement that the illustrated height of the new buildings will reflect the “*height and scale of the nearby properties*” is a suspect statement. On any reasonable view, while the design of the houses currently proposed for this new estate would fit comfortably within an urban genre, they would simply clash with “*the height and scale of the nearby properties*” in Arkesden Road/Clatterbury Lane.
- The “*modern form*” proposed by paragraph 4.11 of the applicant’s Planning Statement, far from being a “*modern take on a rural characteristic*” will simply clash with all the nearby properties. Sticking timber boarding on the frontage of some of them does not create “*a rural characteristic*” but a rural pastiche.

Tree lined streets?

- Within the development, the applicant refers, at paragraph 4.18 of the Planning Statement, to “*tree lined streets*”. Somewhat disappointingly, the estate plan does not fulfil this expectation with the absence of trees on both sides of the estate road for most of its length. Both the Collins and Cambridge dictionaries define “*tree lined streets*” as streets having trees on both sides of a street which fits with any reasonable expectation from these words.

Public open spaces

- The applicant makes much of the proposed public open spaces intended as a haven for wildflowers. These spaces are far too small to achieve such a purpose. In reality this unrealistic proposal comprises small strips of land just a few feet wide that are far more likely to end up having footballs planted on them than flowers.
- The proposed village pond is too small to make any significant environmental contribution. Also, not being spring-fed, it will simply dry up in the summer months and when full with water, will present a danger to young children as it is located in a public area.

Number of houses on the site

- The statement in paragraph 3.2 of the applicant's Design and Access Statement about the number of houses to be put on the application site is worrying. It states that: "*the overall quantum needs to be reviewed as the design progresses*". While it is accepted that this statement was made in the context of **the applicant's interpretation** of what was said at the pre-application advice stage, it does, nonetheless **indicate a mindset** that might well lead to the number of houses on the application site being further increased if the outline planning application is approved, on the 'foot in the door' principle. This has happened elsewhere in Clavering. Even if this does represent an accurate representation of what was said at the pre-application advice meeting, pre-application advice is **not** binding on the Council.

HARM TO WILDLIFE

- While this looks, at first sight, as an open field with an element of field-edge vegetation with little wildlife presence, local on-site knowledge records the existence of bats, owls and other bird species and doubtless much more that is not immediately visible without stationary wildlife cameras. All wildlife will be evicted by the development and to suggest that a few small areas of publicly accessible green space and a tiny pond will encourage the wildlife to return would seem to display a degree of ignorance over wildlife behaviour.

AFFORDABLE HOUSING

- The applicant proposes 13 affordable homes. The established affordable housing requirement for the village resulting from the recent survey carried out by the Parish Council has been more than met by the planning permission granted on the 31 house development behind the school (UTT/20/2639/OP). This will simply result in an over-provision of that type of housing.
- Evidence from residents is that the block of affordable housing on the estate often has empty properties for months at a time which clearly points to affordable homes being neither necessary nor popular with affordable housing applicants, even in a desirable village such as Clavering.

BACKLAND DEVELOPMENT

- This is a backland development in a village where, currently, there is virtually none (and certainly none in this northern part of the village).

FUTURE MAINTENANCE OF PUBLIC AREAS

- The applicant has provided no details as to how the public areas are to be maintained in the future.

OUTSIDE VILLAGE BOUNDARY

- The application site lies outside the established village boundary for the purposes on the Local Plan.

PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT:

- An important point was established by the decision of 6th March 2020 in the Judicial Review case of (1) Gladman Developments Limited, (2) The Secretary of State for Housing, Communities and Local Government and (inter alia) (3) Uttlesford District Council,. Here, it was clearly stated that the policies in the National Planning Policy Framework (“NPPF”): “do not have the force of statute” and, accordingly the NPPF: “**cannot, and does not purport to, displace or distort the primacy given by the presumption in s.38(6) [of the Planning and Compulsory Purchase Act 2004] to the statutory development plan**”. While the applicant rightly refers to the presumption, **its comments should be balanced by the weight that ought, rightly, to be attached to Local Plan Policies**. Having said that, it is Keep Clavering Rural’s contention that **the proposed development fails all three tests of sustainability** for the reasons set out below:

The economic role:

- There are **insufficient employment opportunities in Clavering** for working people living in the new houses. Houses of this type and size are likely to require a substantial mortgage to sustain them, necessitating an executive position of which there are virtually none in the village or its immediate surrounds. Accordingly, the reference in paragraph 6.19 of the applicant’s Planning Statement to **economic benefits including: “support for local jobs” is unrealistic**. All that the proposed development will do is to add to the already burgeoning commuter population of the village.
- Contrary to paragraph 6.19 of the applicant’s Planning Statement, local services and facilities are not: “*available within walking distance*” and only those requiring the minimum of shopping would consider cycling to the local shop or cycling to the school with small children (see comments below on the social role). As the turnover of residents in the 9 units of affordable housing located in Eldridge Close has proved over the past few years, **it is impractical to live in Clavering without having access to a car**.
- In addition (and contrary to paragraph 6.20 of the applicant’s Planning Statement) there is absolutely **no guarantee whatsoever that: “The houses are likely to be constructed by local building contractors and subcontractors”**. For

example, the Hazels development on the Wicken Road in Clavering was built out by a Cambridge-based builder.

- As regards the new houses supporting the viability of public transport services (referred to in paragraph 6.20 of the applicant's Planning Statement), there are **no public transport services available be to supported** (see comments below on the social role).

The environmental role:

- **There will be a significant adverse impact upon the countryside** when the new houses are viewed from the north and west that the thin belt of trees on the western boundary of the site will do little to mitigate. This is largely because:-
 - (i) The visual analysis presented by the applicant's Landscape and Visual Impact Assessment restricts itself to just three external viewpoints and **fails to focus on the numerous viewpoints in the wider landscape perspective**. That perspective has already been intruded upon by the built form of Eldridge Close (the appearance of which has not mellowed by passing years) which, set as it is right on the edge of the village, is extremely (and uncomfortably) visible. Eldridge Close provides a somewhat harsh 'anchor point' against which to assess the potential impact of the development. The **additional (and numerous) viewpoints that should be considered in making a balanced assessment of the potential intrusiveness** of the development into the countryside, together with a note of what can be seen from them, are set out in Appendix 1 to this letter.
 - (ii) Despite what is said on many occasions in the application documents about the ability of the belt of trees on the western boundary of the site to screen the development, it is easy to spot the backs of the houses in Arkesden Road/Clatterbury Lane through those trees and it will be even easier to spot the new houses as they will be much closer to the trees. Bearing in mind that our site inspection detailed in Appendix 1 took place in July 2020 with the trees in full leaf, **the new houses will be even more visible after the leaves have fallen**. The reality is that it will be possible in winter conditions to **see right through the trees** to the houses just a few yards the other side of them.
 - (iii) It is clear from inspection (though not necessarily from the applicant's photographs) that **there are significant gaps at either end of the western boundary where the trees stop**, through which it is easy to see the site from various viewpoints.
 - (iv) There is **significant local concern** that the developer of Eldridge Close **felled almost all the trees on its western boundary** once planning permission was granted, presumably to allow residents of the Close a pleasant view over open countryside. The language used in Section 9.0, paragraph 7 of the applicant's Landscape and Visual Impact Assessment ("*wherever possible any hedges shrubs and trees that are healthy would be retained*") enables a tree consultant to recommend tree removal on the basis that a tree or shrub or hedge is "unhealthy". Always a matter of opinion that depends on where you set your bar of perfection and one that can be manicured to suit a developer's requirements. This concern is exacerbated by the comments beneath Photo 05 of the applicant's Tree survey Report where it is stated that: "*These trees are generally of low quality....they are generally unremarkable*"

features with historically limited or poor management". It seems to us that, depending on what suits, the applicant is on the one hand maintaining what a fine screen the trees provide, but on the other, how poor they are! We believe this is called having one's cake and eating it.

- (v) The need for screening always assumes that the level of unattractive intrusiveness of the built form is such as to require screening in the first place, which the developer seems to think is necessary.
- The proposed **pond**, located as it will be in a public area for the benefit not just of residents of the development, but also residents of Eldridge Close and the public generally (judging by the planning application description) is **dangerous for small children**, particularly if it is intended to be used to contain overflow of surface water at times of heavy rainfall.
- There is no scheduled public bus service in Clavering.

The social role:

1. Paragraph 6.14 of the applicant's Planning Statement maintains that: "the proposed development ensures access to sustainable modes of transport including walking, cycling and public transport, yet paragraph 6.12 acknowledges that of the various village facilities, only the village hall and the Cricketers pub are within walking distance. A more balanced picture overall emerges when one considers the following:

- (i) The reference in paragraph 6.14 to: "*Clavering village centre*" is misleading as there is no obvious central point in the village. In fact, the village facilities are spread over quite long distances. For example the relevant distances from the application site are **280 metres** to the Cricketers pub, **500 metres** to the village hall **1.26 kilometres** to the Fox and Hounds pub, **1.62 kilometres** to the Christian Centre, **1.75 kilometres** to the school and **2 kilometres** to the village shop. The Church is **1.98 kilometres** from the application site. From this it can be seen that **the majority of the village's facilities are beyond (and in some cases well beyond) the acceptable 800 metres walking distance** as set out in Table 3.2 of the Institution of Highways and Transportation's Guidelines for Journeys by Foot and in the Department for Transport's Manual for Streets notes at Section 4.4.1. It should also not be forgotten that the same Guidelines specify that 400 metres is a "*desirable*" walking distance.
- (ii) Quite apart from the issue of distance, **walking to most of the village facilities is not a safe option** having regard to the uneven pavement and the fact that in parts it narrows to 28 inches and on one section it narrows to as little as 27 inches in an area where existing structures preclude any widening of either the road or the pavement. **A pavement of this width will not accommodate many single baby buggies, let alone a double buggy**. Taking into account the fact that the road itself is both narrow and busy, it does not take too much to imagine the danger to parents with children posed by passing wing mirrors of lorries in particular. In parts the pavement is potholed at the entrances to access drives across Hill Green. The entrance to the village hall car park has already proved to be a hazard to traffic and there have been at least two serious accidents there in recent years.
- (iii) The reality of everyday village life is such that **cycling is not an appropriate option** for distances that are beyond what is acceptable

for walking in the first place. Cycling is only a suitable means of conveyance for shopping when only a few items are being purchased that can be placed in a cycle basket. It is an inadequate means of transport for a large or weekly shop and for many residents with children or infirmities. Secondly, many events at the Christian Centre and sometimes at the Church are held in the evenings and attendance at the pub is often at that time. Clavering High Street is both winding and narrow and at times, quite busy. Stortford Road is also a busy road and, like all other roads in the village, is unlit at night. Neither of these roads is an attractive proposition for a single bike, let alone a family cycling together to attend a village event. Cycling, though admirable, is not a practical option for these purposes and indeed, experience has shown that it is used mainly for family recreational purposes at the weekends and as a means of early morning exercise when the roads are quieter. Neither is it appropriate for journeys to Audley End Rail Station and, unsurprisingly the route to the Station is not one of the National Cycle Routes.

CONTRARY TO LOCAL PLAN POLICY GEN1 (Access)

- Contrary to this policy, **the development will not encourage movement by means other than driving a car** because of the distance of the site from the village facilities and the impracticability of cycle use for most of the journeys that are too far away to be made on foot (see our comments above on NPPF Sustainability Requirements).

CONTRARY TO LOCAL PLAN POLICY GEN2 (Design)

- Contrary to this Policy the design of the development is incompatible with the scale, form, layout and appearance of the existing properties in Arkesden Road/Clatterbury Lane to which it abuts.

CONTRARY TO LOCAL PLAN POLICY GEN7 (Nature conservation)

- Contrary to this Policy, the applicant's Preliminary Ecological Appraisal **fails to take account of the fact that barn owls** hunt across the site and **long-eared owl juveniles** roost in the mature trees and can be heard on late summer evenings. Also, **various bat species** hunt the site and roost there. It is unlikely that any of this would be apparent simply from a desktop survey or a single daytime walk over the site.

CONTRARY TO LOCAL PLAN POLICY ENV5 (protection of Agricultural Land)

- The applicant is **proposing to use the best and most versatile agricultural land for the development**. There is no evidence that any assessment has been made for accommodating the development on previously developed land or within existing development limits, contrary to this Policy.

CONTRARY TO LOCAL PLAN POLICY S7 (Countryside)

- Contrary to this Policy, the **application site lies beyond the village development boundary** and the development does nothing to protect or

enhance the particular character of the countryside. In paragraph 10 of the Inspector's recent decision in the case of the Land South of Oxleys Close, Stortford Road, Clavering CB11 4PB (Appeal ref: APP/C1570/W/19/3233513), he afforded: "**significant weight**" to **Policy S7**, despite that Policy only being partly consistent with the National Planning Policy Framework.

CONTRARY TO PARAGRAPH 8(c) OF THE NPPF (Natural environment)

- Contrary to paragraph 8(c), the development would not protect or enhance the natural environment surrounding the village of Clavering.

CONTRARY TO PARAGRAPH 85 OF THE NPPF (Impact on local roads)

- Contrary to paragraph 85, the development will have an unacceptable impact on local roads.

CONTRARY TO PARAGRAPH 100 OF THE NPPF (Public rights of way)

- Contrary to paragraph 100, the development would harm, rather than protect or enhance public rights of way.

CONTRARY TO PARAGRAPHS 104 AND 111 OF THE NPPF (Highway safety)

- Contrary to paragraphs 104 and 111, the development will have an unacceptable impact on highway safety, particularly in view of the potential for conflicts of movement between pedestrians, cyclists and motor vehicles, both as regards the cumulative effects on the road network and in particular the severe effects on the Eldridge Close estate road.

CONTRARY TO PARAGRAPH 126 OF THE NPPF (Effective engagement with the community)

- Contrary to paragraph 126, there has been **absolutely NO engagement with the Clavering community over the applicant's development proposals**. This is entirely unacceptable, particularly in view of the fact that this will be the largest development in Clavering.

CONTRARY TO PARAGRAPH 130(a) OF THE NPPF (Adding to the quality of the area)

- Contrary to paragraph 130(a), the development fails to add to the overall quality of the area by virtue of the urbanising effect that adding 32 houses onto the back of the 24 existing houses in Eldridge Close, resulting in the formation of what will be by far the biggest block of estate-type housing in the village.

CONTRARY TO PARAGRAPH 130(c) OF THE NPPF (Local character and history, surrounding built environment and landscape setting)

- Contrary to paragraph 130(c), the development fails to be sympathetic to local character and history, moving this part of Clavering in an estate-type direction, in contrast to the linear nature of the surrounding housing in Arkesden Road/Clatterbury Lane and Wicken Road. It will also harm the landscape setting of the northern part of the village due to its prominence, unsympathetic design, significant massing and lack of adequate screening.

CONTRARY TO PARAGRAPH 174(b) OF THE NPPF (Countryside)

- Contrary to paragraph 174(b), the development **fails to recognise the intrinsic character and beauty of the countryside**. The development will change forever, not only the character of this particular field but of the larger field of which it forms part.

CONTRARY TO POLICY DM1- GENERAL POLICY OF ESSEX COUNTY COUNCIL DEVELOPMENT MANAGEMENT POLICIES – HIGHWAYS POLICY (Access and highway safety)

- Contrary to sub-paragraphs vi and vii of Policy DM1, the development fails to have safe and convenient access for sustainable transport modes due to the nature and existing pattern of use of the existing Eldridge Close estate access road AND will create a significant potential risk or be detrimental to the safety of the highway network due to the increased number of car journeys to and from the proposed development in this particular location.

THE PLANNING BALANCE

- The harm that the development will cause to the countryside and to highway safety will outweigh the benefits the additional housing will provide.

As a final point and for the avoidance of doubt, the application site does **not** fall within the hamlet of Stickling Green but lies, instead, in the village of Clavering, contrary to several references to this effect in the application documents.

For the reasons detailed above, the development should be **REFUSED**.

Frank Woods
Deputy Chair,
Keep Clavering Rural

APPENDIX 1

– Viewpoints (attached)

APPENDIX 2

– Landscape report from Michelle Bolger Expert Landscape Consultancy
(see separate document: 1230A Eldridge Close final.pdf)

To:

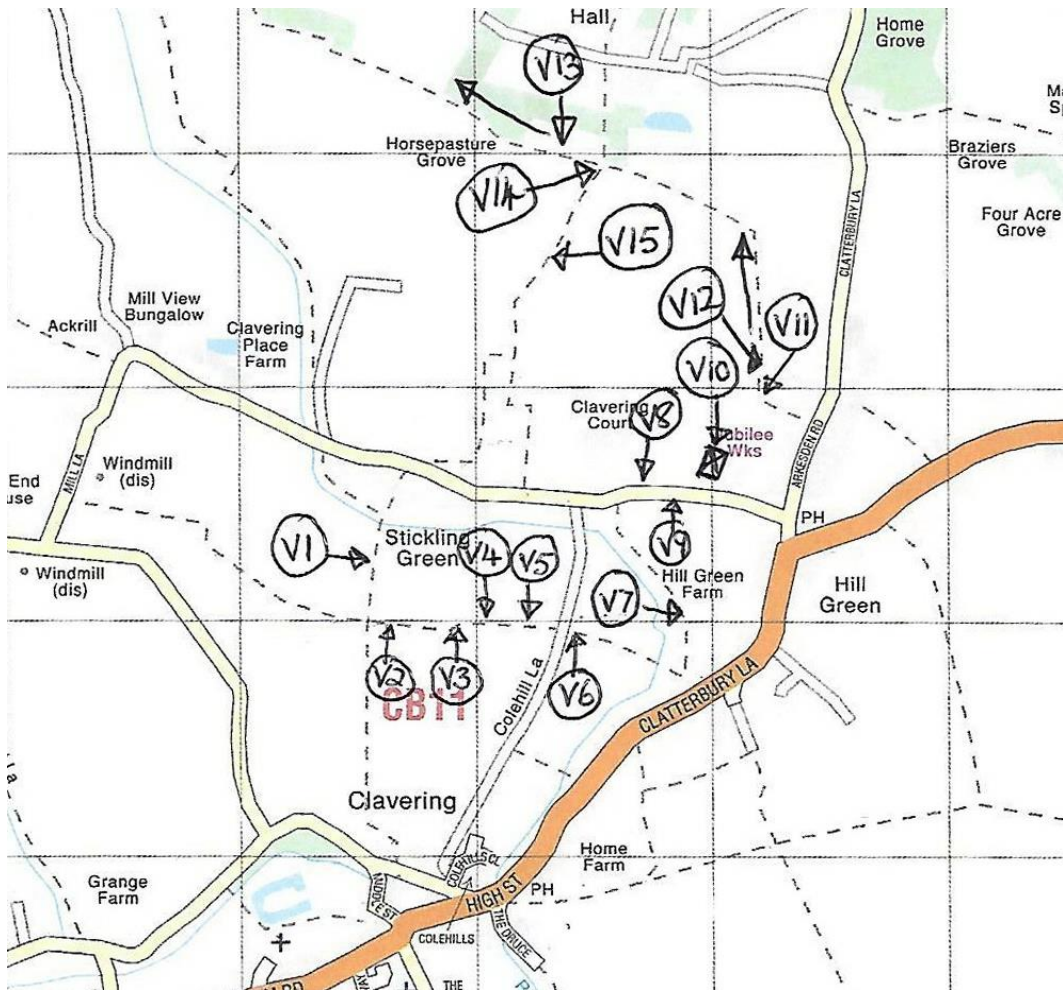
[REDACTED],
Case Officer,
Planning and Development Management,
Uttlesford District Council,
London Road,
Saffron Walden,
Essex CB11 4ER

Copies to:

1. [REDACTED]
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APPENDIX 1

Land at rear of Eldridge Close – Footpath viewpoints



Viewpoint 1 – Footpath 10 (Slightly to the north of electricity pole in the middle of the field)

The existing Eldridge Close development becomes visible and remains so right up to the point where Footpath 10 joins Footpath 12. It illustrates just how prominent an edge of village development can be.

Viewpoint 2 – Footpath 12 (Along the line of the existing hedge)

Eldridge Close not visible when the hedge is in leaf but will be visible during the winter months after leaf fall.

Viewpoint 3 – Footpath 12 (At the point where the hedge ends)

Eldridge is clearly visible at all times of the year and it is at this point that the gap between the end of the last Eldridge house and the start of the line of trees on the western boundary of the development site begins. Any built form on the site will start to become visible through this gap, even at this distance and (during the winter months) the new houses will be visible through the line of trees on the western boundary of the site.

Viewpoint 4 – Footpath 12 (Continuing towards the byway)

Pretty much the same view as with Viewpoint 3, although a little closer. Again, the view of the new houses will be even clearer during the winter months.

Viewpoint 5 – Footpath 12 (Close to the byway)

At this point, a large tree obscures the view that then re-emerges once one is clear of the tree. When that tree is not in leaf, it will cease to obscure the view.

Viewpoint 6 – Footpath 12 (Just after having crossed the byway)

Here, a large gap in the distant trees renders the more visible the gap between the last house in Eldridge Close and the point where the trees on the western boundary of the site begin. It is clear that any buildings on the site in the line of this wide gap will be clearly visible, even in summer and any screening effect of the line of trees to other houses on the development will be significantly reduced after leaf fall.

Viewpoint 7 – Footpath 14 (Emerging from the footpath leading out of Simon's Wood)

Eldridge Close becomes the most dominant feature of the landscape and looms over the field to the right of the footpath. The gap between the last house in Eldridge Close and the start of the line of trees on the western boundary of the site becomes more obvious as will the view of the houses on the site as seen through that gap. Eldridge Close and the gap through the trees remains a continual feature for the rest of this footpath until it crosses over Stickling Brook (Kings Water).

Viewpoint 8 – Stickling Green Road (From opposite The Court and approaching Eldridge Close)

Eldridge Close, the gap between the last Eldridge Close house and the beginning of the trees as well as the line of trees themselves are the dominant features of the landscape along the whole of this stretch of the road.

Viewpoint 9 – Stickling Green Road (Almost at the point where Eldridge Close begins)

There is now a much longer view up the site through the gap referred to above and the houses on the site will now be very visible.

Viewpoint 10 – Eldridge Close (By the gate leading to the field at the end of the Eldridge Close access road)

Here, one gets the true sense of the rising nature of the site and of its size and how the site opens up into the remainder of its field as one looks northwards though the large gap at the northern end of the site.

Viewpoint 11 – The Site (Entry to the site via Footpath 19 that crosses it diagonally)

At this point, it is possible to realise fully, the size of the gaps to the south and north of the line of the trees and how these will allow viewing access into the site and the buildings on it.

Viewpoint 12 – Footpath 19 (As it travels northwards)

Looking back into the site from this footpath through the large gap between the end of the trees on the left and the point where the line of trees on the western boundary of the site peter out, one gets a sense of how the site connects with the field at large and the fact that both site and field are part of the same entity only partly divided by the line of trees. It looks like a continuous field. If anything, the gap becomes even more prominent as one approaches the northernmost point of Footpath 19 (looking back towards the site) before it turns westwards, skirting the grounds of Wood Hall.

Viewpoint 13 – Footpath 19 (Passing its junction with Footpath 15 on the left and continuing on rising ground)

Despite approaching what is, perhaps, the most distant point from the site, what becomes apparent is the fact that it is now possible to see not only Eldridge Close, but also the backs of the existing houses in Arkesden Road/Clatterbury Lane through the line of trees on the western boundary of the site, a view that will become even more apparent after leaf fall. At this time the new houses on the site will be even more apparent than the Arkesden Road/Clatterbury Lane houses, being two (large) garden lengths closer to the line of trees. The true extent of the intrusion into the panoramic landscape will then be apparent.

Viewpoint 14 – Footpath 15 (At its junction with Footpath 19)

A hedge on the left obscures the view towards the site during the summer months but not after leaf fall.

Viewpoint 15 – Footpath 15 (Gap in the hedge on the left)

A large gap in the hedge on the left as one travels southwards to Stickling Green allows for another panoramic view of this part of Clavering. Again, the backs of the existing Arkesden Road/Clatterbury Lane properties are visible though the line of trees on the western boundary of the site (viewing to the left of the small copse of trees in the middle of the field).

The views towards the site then reduce as the ground falls towards Stickling Green but will be more visible after leaf fall.