



Clavering Parish Council

Chairman: Stephanie Gill
Clerk to the Council: Vacant

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Inquiries and Major Casework Team
The Planning Inspectorate
3rd Floor
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

6th December 2023

Dear Sirs

Refer: S62A/2023/0025

**Outline Planning Application with all matters reserved except access for up to 28 dwellings (Class C3) including public open space, sustainable drainable systems, landscaping and associated infrastructure and development.
Land to the North of Eldridge Close, Stickling Green, Clavering, Essex**

Clavering Parish Council acknowledges that all planning applications must be considered on their own merits.

At its Extraordinary Meeting of 4th December 2023, Clavering Parish Council determined as follows:

Clavering Parish Council **OBJECTS** to the above planning application as it **FAILS the Uttlesford District Council (UDC) Local Plan (2005)** policies

S7 Protection of Countryside
ENV5 Protection of Agricultural Land
GEN1 Access
GEN2 Design
GEN 7 Nature

UDC's Local Plan (2005) is saved as currently the district has a 5.14 Year Housing Land Supply (YHLS).

UDC is at Regulation 18 stage of its new Draft Local Plan being written to 2041.

It is acknowledge that the current saved plan may not entirely reflect the National Planning Policy Framework.

Clavering Parish Council **OBJECTS** to the planning application as it is **CONTRARY to the National Planning Policy Framework**

It **FAILS** all three tests of sustainability – economic, environmental and social.

Is contrary to:	Para. 8 c	Natural Environment
	Para 85	Impact on local roads
	Para 104 and 111	Highway Safety
	Para 126	Effective Community Engagement
	Para 130 a	Adding to the quality of the area
	Para 130 c	Local character ...and landscape setting
	Para 174 b	Countryside
	Para 185 c	Artificial light

It must be remembered at all times that the existing development Eldridge Close, over which this development gains access and to which the proposed application repeatedly refers, was a brownfield site having been small light industrial/agricultural units.

This planning application is for a site which is open countryside and Grade 2 Agricultural land, ie excellent quality with high yields.

Further this site is NOT infilling, it is backland development as the site plans themselves clearly indicate.

Clavering Parish Council now demonstrates the reasons for the application failing and being contrary.

There has been no Public Consultation with the Village of Clavering for this proposal comprising up to 28 dwellings, either by survey, public exhibition, or leaflet drop.

The applicant has not written to the Parish Council to ask to attend the public participation section of its monthly meetings to inform parishioners of the proposal.

There was a previous proposal that was consulted on and which was later turned down at Appeal.

There was a later proposal for 32 houses which was refused by UDC and which was lodged 17th October 2023 with the Inspectorate for appeal (APP/C1570/W/23/3331461, UTT/22/1578/OP)

Though there was a pandemic, the village has seen Public Consultations take place in its Village Hall since March 2020, and developers be invited to the Council meetings.

The Council consider that this is a great failure, of what is required of them, by the applicant.

This site is recognised as sitting in the Langley Chalk Uplands Landscape Character Assessment and which is acknowledged to have a high sensitivity to change.

28 dwellings placed at this site will detract from the nature and existing character of the countryside for the Village of Clavering and will not recognise its intrinsic beauty and character.

The proposed screening would be considered inadequate; it would also mean that the development will be highly visible in the countryside when viewed from footpaths and especially when trees are not in leaf. This proposed development remains a significant impact on the countryside.

As the field is currently under plough, the suggestion for wildflower areas to give a biodiversity positivity would not be viable as the land is fertile land (not a requirement for wildflowers).

There is a proposed water garden and village pond and though this is not spring-fed as are all other known village ponds which are natural, nor does it appear to connect to the village's water courses.

In the previously dismissed appeal for 9 houses at the proposed site (APP/C1570/W/21/3267624) the Inspector clearly stated, referencing paragraph 174(b) of the NPPF:

'This proposal would detract from the setting of this settlement and the character of the countryside. This would be the case for any scheme which extended across the full extent of this field.'

The access to the site is via an un-adopted road and there is a plan to have a 'pinchpoint,' which indicates traffic build up for the vehicles on the proposed site. It is also unclear from the submissions as to whether some cars will cross the pavements in order to reach the inner access road of the proposed site from their dwellings.

Concern is raised as 28 more dwellings will be accessing Eldridge Close which is currently built to the standard to take vehicles from 24 dwellings only.

It is also known that 28 new dwellings in a rural area are recognised to generate at least 112 vehicle crossings per day at the access point to the main highway system.

There is an existing inadequacy of provision for pedestrian footpaths on Eldridge Close, which are narrow, yet per this application the pavements are expected to take pedestrians from a total of 56 dwellings.

The planned access creates issues for pedestrian safety both on the proposed development and Eldridge Close.

It has been stated that there will be street lighting on the site to improve pedestrian safety. Clavering has only one area (ex Council housing with bungalows for the elderly) where there is some form of street lighting, though this is not all through the night; there is no other street lighting in the village as this would obviously have a negative impact on the wildlife of Clavering – which is obviously in a very rural setting.

It is noted that no swept path analyses have been shown in this application. As UDC has larger than the usual refuse collection trucks, this must be demonstrated for an all matters except access application.

There are many infrastructure requirements which are not met in this application.

The chalk streams in this area are already drying up and nearby Newport is already taking water allocated to nearby Wicken.

There is inadequate explanation of how sewerage will reach the pipes to be processed by Thames Water as currently the pipework used at Eldridge Close necessitates a pump which is maintained by the resident's management group of Eldridge Close.

Contrary to the statements made in the application's Transport Statement, there are no bus services in Clavering, other than the two school bus services in term-time only which run one return journey to Saffron Walden and Bishops Stortford – outward in the morning and inward in the afternoon. There is NO connectivity for these school services with the rail station at Newport nor Audley End. Further, these buses are for school children use only. Though Essex County Council designates the position of safe bus-stops on the highway, a desk-top exercise shows that in Clavering there is no regular bus service. The inaccurate use

of a desk-top survey, rather than site and village visits, shows an inadequacy in the Transport Statement.

Whilst it may be possible to cycle to the rail stations, there are **no safe cycle paths to either station** and narrow winding lanes must be used. **One route (via Hobbs Aerie (Arkesden) to Audley End) has already seen a cyclist killed in October 2020, with no fault apportioned to the car-driver nor cyclist.**

Regarding the three strains of Sustainability, this application fails as follows:

Economic Role

There is no long term contribution to the economy of Clavering as the application does not provide places of employment. Though it may be that the site could be developed by local contractors there is no guarantee of this.

The applicant makes a statement that the development would support the viability of public transport in Clavering – but if none exists, how would it do that? It should be noted that a recent Essex Passenger Transport Review for Uttlesford does not introduce any service to Clavering.

Environmental Role

The proposed development has a significant impact on the countryside as detailed above and also does not introduce true, positive biodiversity.

The application documents show urban street scenes of housing which are contrary to the existing street scenes of rural Clavering.

See also comment below regarding car use.

Social Role

Clavering was the RCCE Essex Village of the Year in 2014 and its vibrancy was cited.

Throughout the Covid-19 pandemic the community worked together in many ways supporting other community members; its Platinum Jubilee Celebrations were coordinated by parishioners – not with just the Parish Council at the helm.

There are thriving groups from Beavers and Cubs through Cricket and Bowls teams to a Drama Group, which has received awards from the National Operatic & Dramatic Association and whose village Christmas panto this year has some 50 participants, and a History Group, which carried out its own local archaeological dig in 2021 with one potentially to take place in 2025. This is clear evidence that there is no need to introduce housing to revitalise the village – which the Localism Act 2011 wished to do.

It should also be noted that the centres of social activity, including the school, village shop and church are at greater distances from the proposed development than the 800m considered acceptable.

The pedestrian route to these has already been deemed unsafe by a previous Planning Inspector when considering a site for development near this current application.

See APP/C1570/A/12/2184181 Paragraph 16. UTT/0507/12/OP (UDC then had a 4.1 YHLS) *'Most of the facilities are at the other, southern end of the village.*

At a fairly brisk walking pace, it takes about 20 minutes to reach the Primary School and probably another couple of minutes to enter the building. It takes about 24 minutes to walk

to the supermarket/postoffice, and no doubt longer if accompanied by a child, buggy and a bag full of shopping on the way back. (...)

The footpath is, however, narrow in places, and (...) (the) comment that you never see parents walking through this section through the middle of the village is unsurprising. Thus the appeal site is not well located with regard to convenient access to the limited range and distribution of facilities towards the far end of the village. These circumstances would inevitably result in a greater use of private transport and a significant increase in traffic along village roads, ill-suited to accommodate it in terms of physical and environmental capacity.'

It should be noted that children from the Eldridge Close development (the brownfield development) must be bussed by ECC to Clavering Primary School due to the unsafe pavement route.

There have been no alterations to the road nor pavement since that finding so from a social, as well as environmental, thread this is not acceptable as car use would be required.

It should also be noted that there are no healthcare facilities in Clavering; the nearest doctor's surgery is 3 miles away in Newport along routes which have no pavements, whilst the dental surgeries are 6 miles away in Saffron Walden along similar routes. There is no public transport to these.

Clavering Parish Council draws the Inspector's attention to the fact there is no local healthcare provision in the Draft Section 106 Agreement.

It may be considered that as UDC's Saved Local Plan is out of date, this application must be considered under the NPPF and so the tilt of the balance of harm will be employed. If this is so, it has been demonstrated above that the build fails all three strains of sustainability – so should not be permitted – even before the evidence of it causing harm to the countryside, its agriculture and its landscape, urbanisation, natural environment.

Clavering Parish Council (CPC) believes that the provision of housing is not outweighed by the damage caused to the countryside.

CPC pays heed to the opinion of the Inspector at another appeal in Clavering that 'Clavering is sustainable for certain locations' and this site is not such a location.

Accordingly it is respectfully requested that this application should be REFUSED

Thank you for your kind attention to this,

Stephanie M. Gill

Cllr. Stephanie M. Gill

Chairman

In absence of an appointed Clerk to Clavering Parish Council