



Clavering Parish Council

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2nd February 2024

Dear Sirs

Refer: S62A/20223/0030

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 West of Clatterbury Lane, Clavering, Essex

(Also referred to as Land West of the Cricketers, Clatterbury Lane, Clavering per Uttlesford District Council (UDC) reference UTT/23/3113/PINS)

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

Clavering Parish Council asks that it is noted that on 31st January 2024, it drew Uttlesford District Council's attention to the fact that there was an erroneous entry in the Site History as submitted by UDC as Application Ref: UTT/22/2917/OP is a completely different site.

At its Extraordinary Meeting of 31st January 2024, 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

Following the revisions of the NPPF in December 2023 and as at today's date, Uttlesford District Council's revised Years Housing Land Supply is understood to be 4.50

Thus its Local Plan (2005) is not saved.

Paragraph 11 of the NPPF states that there is a presumption in favour of **sustainable** development.

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 11	Sustainable development
Para 20d	Conserving and enhancing the natural environment
Para 40	Community Engagement
Para 114a	Access to Sustainable Transport
Para 114b	Safe and suitable access to the Site
Para 116a b c & d	Pedestrian and vehicle conflicts
Para 124b	Undeveloped Land
Para 128c	Maintaining an area's prevailing setting
Para 135c	Sympathetic builds
Para 180b	Build contributing to and enhancing the natural and local environment
Para 191c	Introduction of artificial light

It must be remembered at all times that the existing development of Eldridge Close, opposite this development, was a brownfield site having been originally agricultural chicken sheds. These sheds were then converted to small seed-bed light industrial units, and as the sheds fell into disrepair the site came forward as a brownfield site. The then tenant businesses were re-located to updated premises on other farms/modern light industrial estates.

This planning application is for a site which is in open countryside and which has been used for grazing for many centuries.

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

There has been no Public Community Consultation with the Village of Clavering for this proposal comprising up to 28 dwellings, either by survey, public exhibition, or leaflet drop. Neither the applicant nor any agent has attended a monthly Clavering parish council meeting to bring forward any details of a planning application which has been seen previously for other developments proposed in Clavering.

In November, the applicant emailed the Parish Council requesting a meeting and was advised of the protocol for a pre-application meeting. However, the applicant's S62A planning application was made 4th December 2023, as evidenced in their documentation, and so precluded any pre-Application consultation as they then attempted to instigate the protocol on 10th January 2024 via Uttlesford District Council.

As mentioned, Paragraph 11 of the NPPF states that there is a presumption in favour of sustainable development.

Clavering is a village without 'connectivity' in respect of sustainable transport.

There are no daily bus services all year round as the Parish Council has to state repeatedly when often presented with Applicants' Transport Statements claiming otherwise.

This is confirmed and evidenced by an Essex County Council (ECC) Transport submission dated 15th December 2023 for another S62A submission (S62A/2023/0025) for a site off Eldridge Close in the same area of the village as this application.

ECC's submission states there is no public transport and also clearly states *given the location of the site (...) the only practical option will be the car. This should be taken into consideration by the Inspector when assessing the overall sustainability and acceptability of the site.*

For Clavering, the only bus services are the two school bus services in term-time alone which run one return journey to Saffron Walden and the same to Bishops Stortford – outward in the morning and inward in the afternoon. There is NO connectivity for these school services with the rail stations at Newport nor Audley End. Further, these buses are designated for school children use only.

It should be noted that the recent Essex Passenger Transport Review for Uttlesford does not introduce any new public daily bus service to Clavering.

Though Essex County Council designates the position of safe bus-stops on the highway, a desk-top exercise clearly 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 and local market towns, there are **no safe cycle paths**, and these are not easy either, given the topography of the surrounding countryside and its narrow winding roads with no central road-marking or designated, separated cycle paths.

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.

This is contrary to Paragraph 114a which indicates that there should be a promotion of access to sustainable transport.

The UDC Draft Local Plan Reg 18 Consultation of last December details the Uttlesford Settlement Services and Facilities Study as an evidence base for its ongoing consideration of its Settlement Hierarchy and which is still under review.

Though Clavering scores highly for having a school, village hall, two places of worship, pub, a 'destination restaurant with rooms', and even seven postboxes, the score for transport which contained 9 separate elements to be totalled was zero.

Clavering Parish Council considers that the proposed accesses for vehicles and pedestrians are dangerous.

The pedestrian access is sited on an extremely tight entry into the Stickling Green Road on a bend. Drivers travelling around this blind bend position their vehicles tightly to the current trees and hedging verge so as to avoid a possible collision with car exiting the same road. A pedestrian will be blind to cars coming along Clatterbury Lane (aka Arkesden Rd) from the direction of the B1038.

The proposed vehicle access is indicated to be moved from its current field entrance to a position closer to the blind bend on the Stickling Green Road.

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. The expectation is that, on a probability of which is the **least** dangerous, any pedestrian will use the vehicular access and this brings about a conflict of pedestrians and vehicles.

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.

It is also considered that any removal of the roadside boundary hedge and trees present in order to improve sight lines will cause harm regarding existing biodiversity.

It is surprising that the hairstreak butterfly, which surveys have previously indicated to be present at this site given the Elm habitat, is not mentioned in the surveys of the current wildlife and the wildlife corridors.

Further, the repositioned vehicle access planned for this narrow country lane is opposite the light industrial estate.

One unit, being in a rural location, deals with farm vehicles including tractors. Low loaders as well as articulated trucks, which are unable to manoeuvre onto the site due to the narrow road, park on Stickling Green Road in order to off-load their goods using forklifts, & etc. where the development's new vehicle access is proposed.

This places the proposed development's new vehicle access in conflict with the existing traffic using the road. Also, though Stickling Green is a country lane, it serves two large farms and is also a route to access neighbouring villages.

The proposed development site is recognised as sitting in the Langley Chalk Uplands Landscape Character Assessment, which is acknowledged to have a high sensitivity to change.

This field to be developed has been under pasture for many years and Paragraph 124b of the NPPF acknowledges that undeveloped land can perform many functions, including supporting wildlife and for carbon storage

28 dwellings placed at this site will detract from the nature and existing character of the countryside of 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.

The site is close to the Conservation Area of Clavering; it is visible from the B1038 and also from the heritage asset, the Cricketers PH, when trees are not in leaf and adjoins Hill Green Farmhouse, a non-designated heritage asset.

Any form of street lighting on the site to improve pedestrian safety would obviously have a negative impact on the wildlife of Clavering – which is obviously a very rural and does not have street lights.

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.

Environmental Role

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

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 & Coronation 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.

A previous Planning Inspector considered this site for a development of 31 dwellings and dismissed the Appeal.

See APP/C1570/A/12/2184181, UTT/0507/12/OP (UDC then had a 4.1 YHLS)

There has been no change to the provision of the limited range and distribution of facilities in Clavering nor their location since this dismissed Appeal.

The pedestrian route to the facilities has already been deemed unsafe. At the narrow section referenced in the appeal decision, the footpath/pavement is barely the width of a child's pushchair and is actually inaccessible for mobility scooter.

The main road through the village, the B1038, also narrows at this point; the road has no central markings as it is so narrow and is also on a bend. Frequently, agricultural vehicles and other large vehicles pass each other by mounting the narrow pavement.

It is for this reason that the children are bussed to Clavering Primary School from Eldridge Close (the brownfield site) as the route is not safe to walk.

The Inspector of the dismissed Appeal stated:

'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 there were limited public bus services at the time of this Appeal but these were withdrawn by ECC some years ago.

There have been no alterations to the road nor pavement since this 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.

At the date of its meeting 31st January, Clavering Parish Council had not seen any Section 106 agreement detailed for education, health & etc.

It has been demonstrated that the proposed 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.

With the exception of the now non-existent daily public bus service, Paragraph 15 of the Appeal Decision APP/C1570/A/12/2184181 still remains valid for this proposed developed.

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

CPC pays heed to the opinion of an Inspector who indicated 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,

Louisa Kwame

Louisa Kwame
Clerk to Clavering Parish Council