

**ADDENDUM LIST –Planning Committee 7<sup>TH</sup> February 2024**


**Officers please note: Only** Late items from **STATUTORY CONSULTEES** are reproduced in full.  
**Others are summarised.**

**Statutory consultees are listed below:**

**Highway Authority**  
**The Health & Safety Exec**  
**Highways Agency**  
**Local Flood Authority**  
**Railway**  
**Environment Agency**  
**Historic England**  
**Garden History Society**  
**Natural England**  
**Sport England**

***Manchester Airport Group (MAG is the highway authority for the airport road network + the also section of Bury Lodge Lane running south from the northside entrance to the airport. On these roads, it therefore has the same status as Essex CC and National Highways do for the roads that they administer.)***

This document contains late items received up to and including the end of business on the Friday before Planning Committee. The late list is circulated and placed on the website by 5.00pm on the Monday prior to Planning Committee. This is a public document and it is published with the agenda papers on the UDC website.

Item Number	Application reference number	Comment
6		NONE
7	<p><b>UTT/23/3113/PINS</b></p> <p><b>Land West Of The Cricketers, Clatterbury Lane, Clavering</b></p>	<p><b>UDC Principal Conservation Officer</b></p> <p>The proposal was submitted in Outline with full details reserved for future approval hence it is noted that design details are not required as part of this application. The Design and Access Statement (DAS) suggests that two distinct Character Areas have been designed, however the 'distinctiveness' is not clear on the illustrative masterplan. A development of this scale could produce a significant negative effect on the character and appearance of its countryside setting. Therefore, any new development requires exceptional architectural detailing to justify if on balance, the benefit outweighs the harm.</p> <p>The study to show the proposed outline massing in context is beneficial. The information provided suggests the development will be largely screened behind vegetation. However, it is not possible to comment further without architectural massing studies in context, and rendered visualisations as seen from a variety of viewpoints from the public highways, and local properties</p> <p>The proposed development will inevitably affect the openness of the rural site. Further information about design quality is required to review if on balance, a development in this location can be justified.</p>
		<p><b>Essex County Council- Archaeology:</b> No objections</p>
		<p><b>UDC Urban Design Officer:</b> The proposal is, in general terms, compatible with the surrounding buildings in terms of scale, massing, and form. However, with regards to layout, the proposal is an introverted, cul-de-sac type arrangement,</p>

	<p>which is not the prevalent layout typology of Clavering, which, on the whole, has a more linear structure.</p> <p>As this is an outline application, there is currently insufficient information available at this stage to ascertain the proposals in respect of strategies to minimise water and energy consumption or waste reduction or recycling.</p> <p>The proposals are for a cul-de-sac type development accessed from a single point of entry and egress. As such, this form of development and its inherent layout are contrary to the linear, ribbon type development that has historically formed the village of Clavering. Furthermore, development of this scale with the limited outward connections and sustainable travel options will, in all likelihood, be overly reliant on cars for the majority of journeys. This coupled with the introverted nature of the layout risks creating a dormitory development that does not fully integrate with its neighbourhood.</p>
	<p><b>Parish Council</b></p> <p>Clavering Parish Council <b>OBJECTS</b> to the planning application as it is <b>CONTRARY</b> to the National Planning Policy Framework</p> <p>It FAILS all three tests of sustainability – economic, environmental and social. Is contrary to:</p> <ul style="list-style-type: none"> <li>Para 11 Sustainable development</li> <li>Para 20d Conserving and enhancing the natural environment</li> <li>Para 40 Community Engagement</li> <li>Para 114a Access to Sustainable Transport</li> <li>Para 114b Safe and suitable access to the Site</li> <li>Para 116a b c &amp; d Pedestrian and vehicle conflicts</li> <li>Para 124b Undeveloped Land</li> <li>Para 128c Maintaining an area’s prevailing setting</li> <li>Para 135c Sympathetic builds</li> <li>Para 180b Build contributing to and enhancing the natural and local environment</li> <li>Para 191c Introduction of artificial light</li> </ul> <p>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</p>

		<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>As mentioned, Paragraph 11 of the NPPF states that there is a presumption in favour of sustainable development.</p> <p>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.</p> <p>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</p>
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		<p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>This is contrary to Paragraph 114a which indicates that there should be a promotion of access to sustainable transport.</p> <p>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.</p> <p>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.</p> <p>Clavering Parish Council considers that the proposed accesses for vehicles and pedestrians are dangerous.</p> <p>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.</p>
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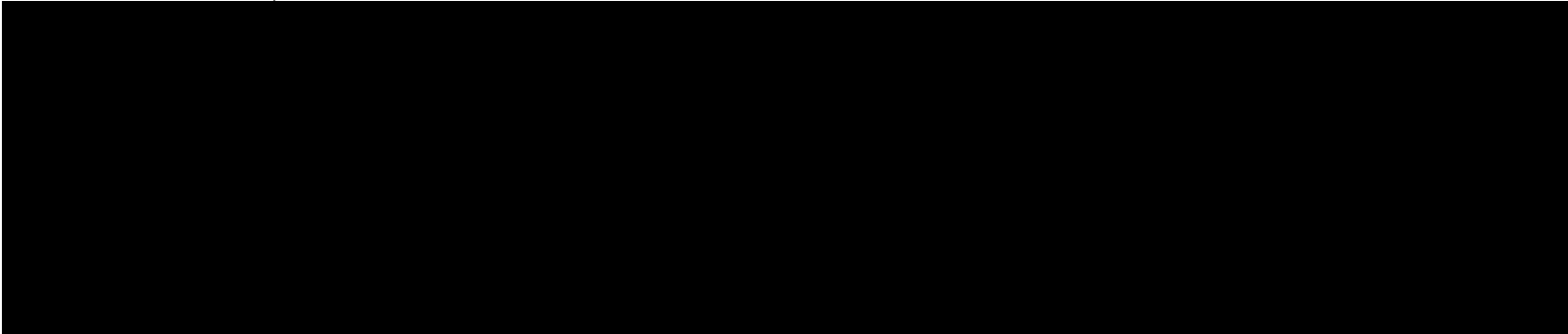
		<p>A pedestrian will be blind to cars coming along Clatterbury Lane (aka Arkesden Rd) from the direction of the B1038.</p> <p>The proposed vehicle access is indicated to be moved from its current field entrance to a position closer to the blind bend on the Stickling Green Road.</p> <p>It is also known 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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>Further, the repositioned vehicle access planned for this narrow country lane is opposite the light industrial estate.</p> <p>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, &amp; etc. where the development's new vehicle access is proposed.</p> <p>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.</p> <p>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.</p>
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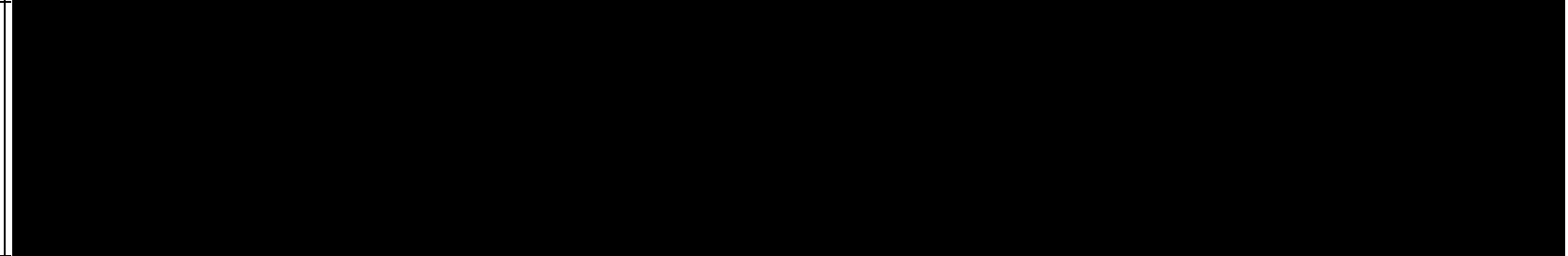
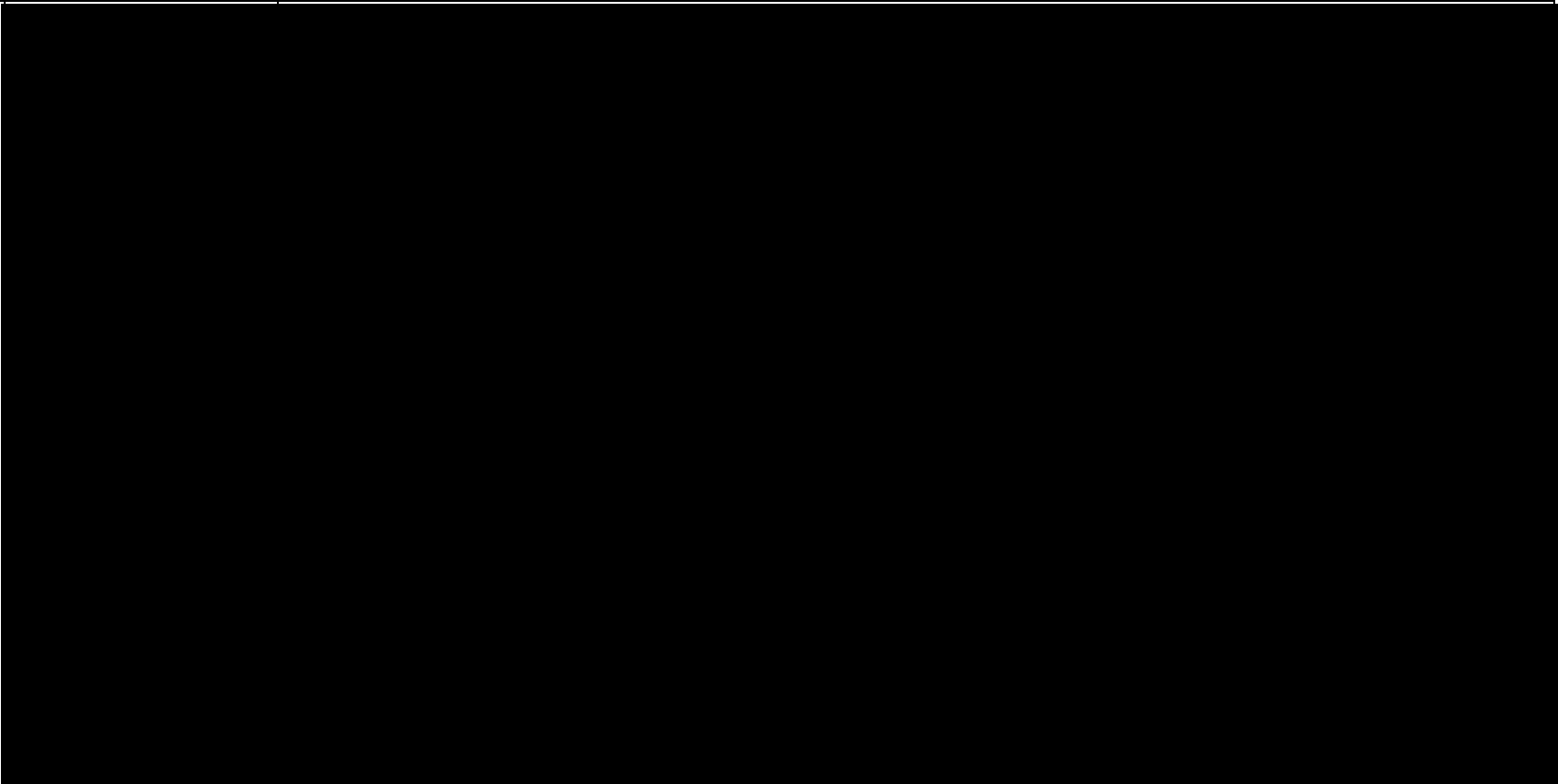
		<p>There are thriving groups from Beavers and Cubs through Cricket and Bowls teams to a Drama Group, which has received awards from the National Operatic &amp; Dramatic Association and whose village Christmas panto this year has some 50 participants, and a History Group, which carried out its own local 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.</p> <p>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.</p> <p>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)</p> <p>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.</p> <p>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.</p> <p><i>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.</i></p> <p><i>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.</i></p>
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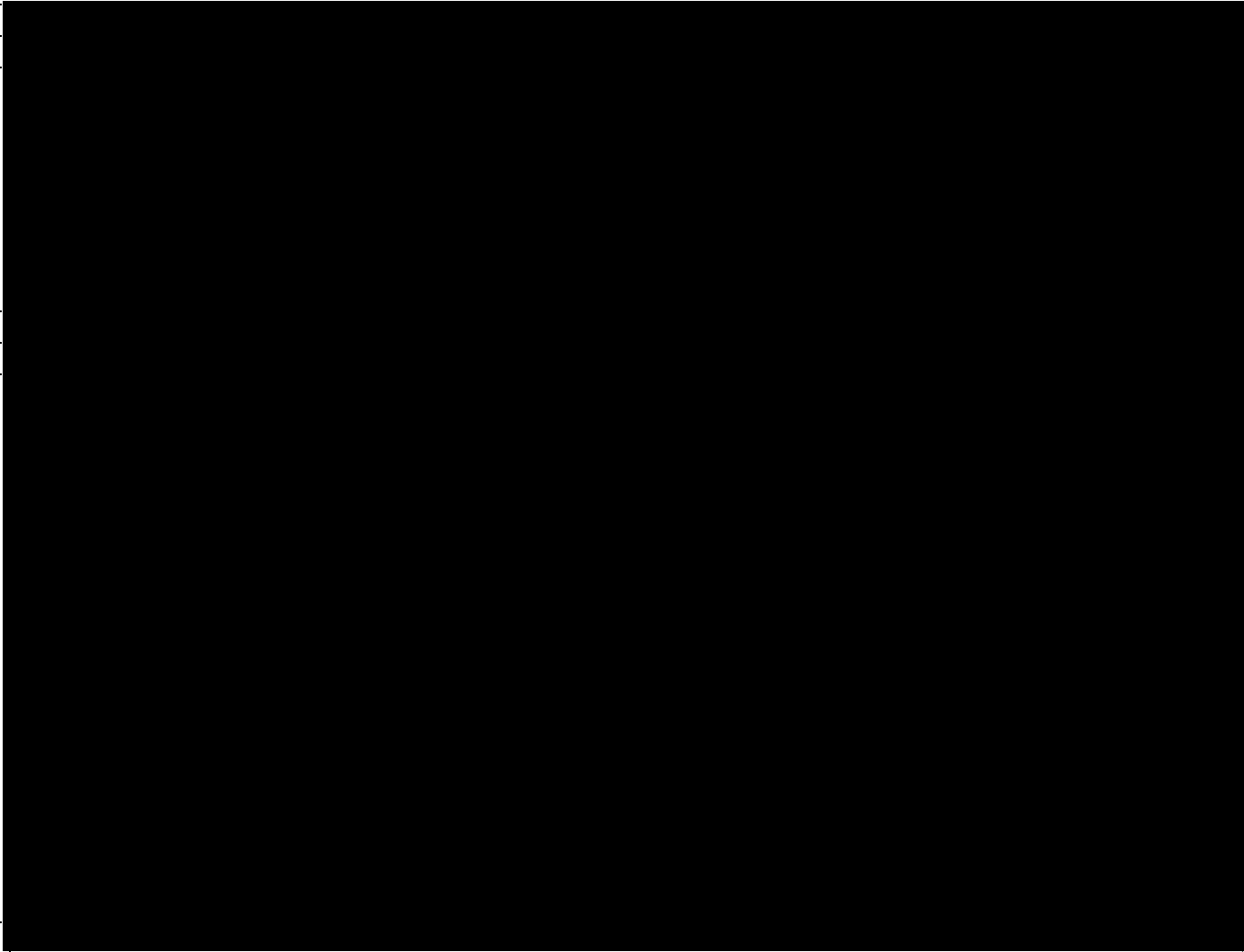
		<p><i>The footpath is, however, narrow in places, and you never see parents walking through this section through the middle of the village is unsurprising. Thus the appeal site is not well located with regard to convenient access to the limited range and distribution of facilities towards the far end 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.'</i></p> <p>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.</p> <p>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.</p> <p>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.</p> <p>At the date of its meeting 31st January, Clavering Parish Council had not seen any Section 106 agreement detailed for education, health &amp; etc.</p> <p>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.</p> <p>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.</p> <p>Clavering Parish Council (CPC) believes that the provision of housing at this site is not outweighed by the damage caused to the countryside.</p> <p>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.</p> <p>Accordingly it is respectfully requested that this application should be <b>REFUSED</b></p>

		<p><b>Planning History</b></p> <p>It is noted the planning history submitted to the Planning Inspectorate included details of planning application UTT/22/2917/OP, I confirm that application is not relevant to this current application site or proposed development. As such this will be confirmed to the Planning Inspector within the Council's written submission.</p>
		<p><b>Committee Report- Amendment</b></p> <p><b>Existing Paragraph 14.18.1</b>  The development site is located outside development limits. The Council's October 2023 published land supply figure is 5.14 years, however cannot demonstrate the necessary 20% buffer (paragraph 77 of the NPPF). In line with the presumption in favour of sustainable development set out in the NPPF - paragraph 11 (d) (ii). In this case the tilted balance is engaged.</p> <p><b>Revised Paragraph 14.18.1</b>  The 5-Year Housing Land Supply (5YHLS) figure has been updated twice recently. In October 2023, the Local Planning Authority (LPA) published a 5YHLS figure of 5.14 years with the necessary 5% buffer. However following paragraph 79(c) of the National Planning Policy Framework (NPPF), a 20% buffer must be added to the LPA's housing requirement because of the updated HDT. This means that the current 5YHLS is 4.50 years (instead of 5.14 years). In line with the presumption in favour of sustainable development set out in the NPPF - paragraph 11 (d) (ii). In this case the tilted balance is engaged.</p>
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Note – The purpose of this list is to draw Members attention to any late changes to the officer report or late letters/comments/representations. Representations are not reproduced in full they are summarised

Late items from **STATUTORY CONSULTEES** are reproduced in full.