

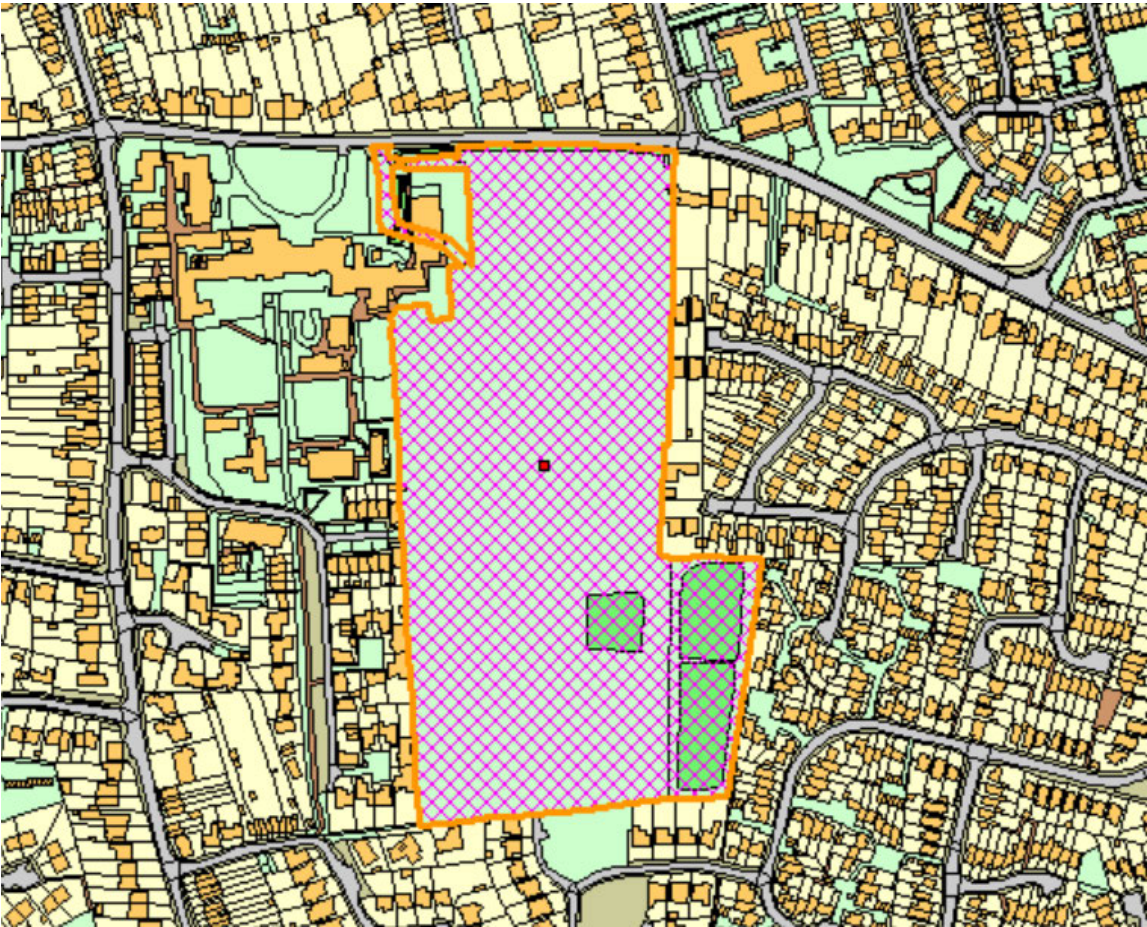
**ITEM NUMBER:**

**PLANNING COMMITTEE DATE:** 18 September 2024

**REFERENCE NUMBER:** S62A/2024/0057 & UTT/24/1898/PINS

**LOCATION:** Former Friends School Field, Mount Pleasant Lane, Saffron Walden

**SITE LOCATION PLAN:**



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Organisation: Uttlesford District Council      Date: 02 August 2024

**PROPOSAL:** Erection of 91no. dwellings with associated infrastructure and landscaping. Provision of playing field and associated clubhouse.

**APPLICANT:** Chase New Homes

**AGENT:** Barker Parry Town Planning Ltd

**DATE CONSULTATION RESPONSE DUE:** 20<sup>th</sup> September 2024

**CASE OFFICER:** Timothy Cakebread

**NOTATION:** Saffron Walden Conservation Area  
Protected Open Space  
Tree Preservation Orders

**REASON THIS CONSULTATION IS ON THE AGENDA:** This is a report in relation to a major planning application submitted to the Planning Inspectorate (PINS) for determination. Uttlesford District Council (UDC) has been designated by Government for poor performance in relation to the quality of decisions making on major applications.

This means that the Uttlesford District Council Planning Authority has the status of a consultee and is not the decision maker. There is limited time to comment. In total 21 days.

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**1. RECOMMENDATION**

That the Strategic Director of Planning be authorised to advise the Planning Inspectorate that Uttlesford District Council make the following observations on this application:

Details are to be outlined by the Planning Committee.

**2. SITE LOCATION AND DESCRIPTION**

**2.1** The application site, has an area of 6.567 hectares, comprising the playing fields associated with the former Friends School and access into the former Friends School site which is currently under construction for a 96 dwelling scheme by the same applicant who owns this site. This consent was granted via the first Section 62a to be submitted in the district.

**2.2** The playing fields like the rest of the former Friends School site was vacated in 2017 when the school closed. The playing fields have fallen into a state of disrepair and has not been open to the public.

**2.3** When the school was open the playing fields were made available to local clubs outside of timings required by the school. Figures 1 and 2 demonstrate the layout of the pitches in both the summer and winter seasons as per the position in 2007. These demonstrate that in the summer there were 5 rounders pitches, 2 cricket pitches (both adult and youth), a running track, javelin, long jump and shot putt pitches. In the winter there were 3 junior football pitches, 2 adult football pitches, 2 hockey pitches, 1 rugby pitch and the 2 cricket squares were retained.

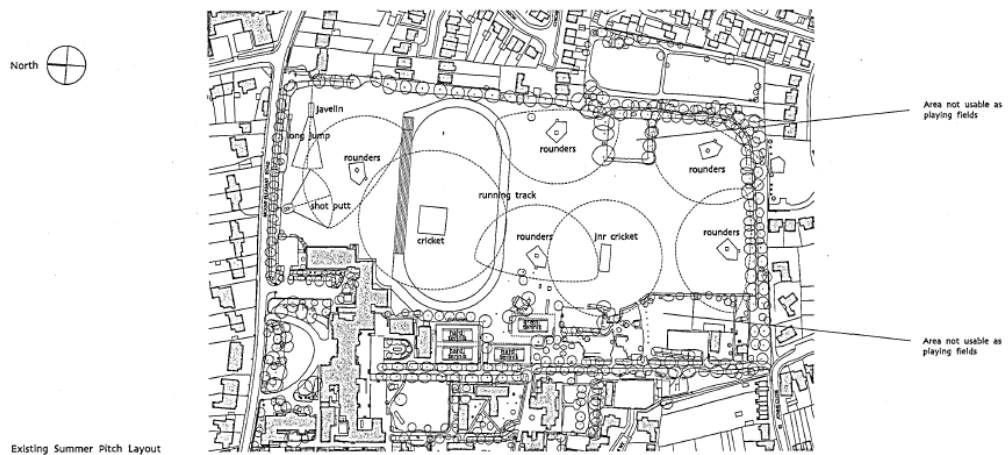


Figure 1 – Existing Summer pitch layout for the refused 2007 planning application



Figure 2 – Existing Winter pitch layout for the refused 2007 planning application

**2.4** The site is approximately 1.2 kilometres south from Saffron Walden town centre, it is generally a rectangular grassed area of land which slopes gently from Mount Pleasant Road (in the north) towards Greenways and St Johns Close (in the south). The site has existing vegetation and trees on the northern, eastern and southern boundaries and none on the western boundary. The site is surrounded by 2 storey residential

properties to the north, east, south and the west where The Avenue is and the redevelopment of the former Friends School site.

- 2.5** The application site is located within the settlement of Saffron Walden which is the largest settlement in Uttlesford District Council (UDC) and classified as a Major Service Centre. The site is located within the Saffron Walden Conservation Area (Zone 6), is located within Flood Zone 1 and part of the site (woodland in the south east) is identified as 'Protected Open Space of Environmental Value', whilst the remainder is identified as 'Protected Open Space Playing Fields'. Adjacent the site is the former Friend School main building which is locally listed and several listed buildings further afield.

### **3. PROPOSAL**

#### **3.1 Background**

- 3.2** In 2019 a hybrid planning application (Ref. UTT/19/1744/OP) was submitted for the playing field site which also includes the former sports hall, swimming pool buildings and access (see Figure 3 overleaf). The description of development was:

*Hybrid application consisting for full details for development of 30 dwellings utilising existing access, re-provision of swimming pool with new changing rooms, artificial grass pitches, sports pavilion, multi-use games area (MUGA), local equipped area for play (LEAP), local area for play (LAP), associated parking and demolition of gym building. The remainder is in outline for up to 70 dwellings with associated infrastructure, public open space, forest school and perimeter path.*

- 3.3** The former sports hall has since been demolished and replaced by the Ash Buildings which are currently under construction due to be completed by the end of 2024. The swimming pool building has a planning application pending (Ref UTT/24/1144/FUL) to convert this into a community hall.



Figure 7.1: Masterplan.

Figure 3 – Demonstrating the masterplan of the site from the Design and Access Statement.

**3.4** This application was recommended for refusal at the 17 March 2021 planning committee meeting; members unanimously agreed. The reasons for refusal were:

**3.5** *1. The scheme of development conflicts with ULP Policies S1, ENV1, ENV3, GEN1, GEN2, GEN8 Essex Design Guide and the NPPF, as the design, layout, scale and appearance of the development is considered inappropriate in terms of the character of the site and surrounding area. In addition, the development would erode a distinctive protected open space of significant importance to the character of this area of Saffron Walden, as well as the conservation area and the locally listed school buildings.*

*2. The submitted layout plans indicating the proposed sports uses and*

*activities are located such that the immediate environs of the new residential properties, will incur, at close quarters, significant disturbance from noise, floodlighting, parking as well as the general coming and going of visitors to the facilities which would be in conflict with ULP Policies GEN2 and GEN4, and the NPPF.*

*3. The proposal is not considered to represent sustainable development in the context of Paragraph 8 of the NPPF, as it cannot show that the economic, social and environmental aspects of the development are satisfied in a positive and beneficial way. The development scheme as submitted, will involve a detrimental impact on the conservation area, the loss of protected playing fields and sports facilities and the locally listed school buildings. Paragraph 11 NPPF, requires full assessment of the benefits that will accrue from the development to show that it will result in a positive contribution. The loss of the protected sports fields, the impact on nearby locally listed buildings and the conservation area would outweigh the benefits of the scheme, especially with limited level of mitigation being proposed. Notwithstanding the fact that the council does not have a 5 year housing supply at present, the type of housing being proposed is not compliant with the housing officers requirements in terms of mix, layout, scale and design. This is a further significant issue that weighs against the development of the site and helps tilt the balance in the consideration of para 11, NPPF. The proposed development is therefore contrary to the NPPF and Local Plan Policies S1, LC1, ENV1 and GEN2.*

*4. The proposal does not show that the development of this site would involve a positive contribution to biodiversity and protected species in the local area, which is in conflict with Local Plan Policy GEN7 and the NPPF.*

*5. The planning application does not include a health impact assessment (HIA) or propose any mitigation of the healthcare impacts arising from the proposed development, without this detail and assessment the application cannot be supported. This is contrary to Local Plan Policy GEN6.*

*6. The applicant has not established that this site is redundant in terms of its longstanding sports use, nor has it been shown that there is an excess of sports facilities and playing fields similar to the application site, consequently the loss of this open space area is unacceptable and against UDP Policy LC1.*

*7. The 2005 Local Plan Policy ENV1 specifically provides that Outline Applications for development within Conservation Areas will not be considered, this application incorporates the largest part of the site as an outline proposal which is unacceptable without detailed information.*

*8. The 2005 Local Plan Policy ENV1 specifically provides that Outline Applications for development within Conservation Areas will not be considered, this application incorporates the largest part of the site as an*

*outline proposal which is unacceptable without detailed information*

**3.6** The applicant did not appeal this decision.

**3.7** Pre-Application Engagement

**3.8** In December 2023 the applicant submitted a pre-application request to UDC with a request from the agent for a bespoke planning fee for a written response and no meeting. The applicant clarified the pre-application request as follows: *'Essentially the proposal is seeking to address the previous reasons for refusal and such there is no requirement for extensive exploration of matters that are not associated with this proposed development parcel'* (email on 7 December 2023 to UDC). The pre-application was for an identical scheme as submitted as part of this application.

**3.9** UDC written response was delayed and issued in March 2024. This provided a high level, without prejudice, assessment (as requested from the applicant) of the proposal against the reasons for refusal of the 2021 previous planning application. The summary of this response was:

*In light of the above appraisal and for the reasons highlighted, there is an objection in principle to residential development on this site due to the conflict with the open space policies in the Local Plan.*

*Furthermore, concerns remain around the type of open space proposed as well the quantum, in light of what the area of open space being lost. In addition to this, given the constraints of the site concerns also remain around the possible noise nuisance to disturbance to existing homes as well as future residents of the proposed development.*

**3.10** The applicant (in their community engagement addendum report) stated that *'The response (from UDC) only considered matters relating to the earlier application (refused application) and provided no feedback on the scheme layout or design proposed. A full response was requested and has never been received'*. UDC provided a response as per the request from the applicant and in accordance with the bespoke pre-application fee. If the applicant required a full response, then they should have paid the normal fee for a scheme of this size.

**3.11** Proposed Scheme

**3.12** This application seeks full planning permission for the erection of 91 no. residential dwellings with associated infrastructure and landscaping. The delivery of a multi-sport pitch and associated clubhouse. This is demonstrated on Figure 4 and the proposal comprises of the following:

- 91 dwellings (mix of flats, semi-detached and detached dwellings) which is 13.5 dwellings per hectare.



- 41% (37 units) will be affordable (70% affordable rent and 30% shared ownership) – 14 1xbeds flats, 6 2xbed flats, 16 3xbed houses and 1 4xbed dwelling.
- 54 units will be market dwellings (all houses) – 40 3xbeds, 8 4xbeds and 6 5xbeds
- 14% of all dwellings will be M4(3) compliant (13 units)
- Creation of a multi-use sports pitch (full size cricket pitch in summer and either 1 adult size football pitch or 2 youth size football pitches in the winter) and the erection of a single storey club house (Class F2(c) – 427 sqm) and 30 ancillary car parking spaces.
- Creation of access roads and parking provision throughout the development
- Public realm improvements including landscaping and the planting of 101 new trees

**3.13** Vehicular access to the site will be directly into the existing Former Friends School site via 2 internal roads which leads into the existing access onto Mount Pleasant Road. Pedestrians would also use this access into addition to a new access onto Mount Pleasant Road in the north east corner, an access into the Former Friends School site in the west (just north of the club house car park) and into the housing development within Greenways to the south of the site.

**3.14**



Figure 4 – Plan demonstrating the proposed site layout (Ref. 23110 (D) 005 Rev A)

**3.15** While the red line boundary for this site is different to the previous refused planning application the relevant differences between the proposals are:

- This is a full planning application for 91 units wherein the previous proposal was a hybrid of 100 units, with 70 in outline.
- The previous application proposed either an adult or 2 youth football pitches and these were in the northern part of the site (no summer pitch provision). Both applications included a club house and parking.
- The previous application included a multi-games area (MUGA), local equipped area for play (LEAP) and local area for play (LAP) wherein this application doesn't include any.

**4. ENVIRONMENTAL IMPACT ASSESSMENT**

**4.1** The application does not include an Environmental Statement as an Environmental Impact Assessment ('EIA') is not required as confirmed by a letter from PINS (15 August 2024).

**5. RELEVANT SITE HISTORY**

**5.1**

<b>Reference</b>	<b>Proposal</b>	<b>Decision</b>
UTT/19/1744/OP	Hybrid application consisting for full details for development of 30 dwellings utilising existing access, re-provision of swimming pool with new changing rooms, artificial grass pitches, sports pavilion, multi-use games area (MUGA), local equipped area for play (LEAP), local area for play (LAP), associated parking and demolition of gym building. The remainder is in outline for up to 70 dwellings with associated infrastructure, public open space, forest school and perimeter <i>path</i> .	Refused 19 March 2021
UTT/0653/06/OP	Outline application (including details of access, siting and landscaping) for 25 dwellings (Site A), 15 detached houses (Site C), 72 apartments in 3.5-4.5 storey buildings (Site B), 32 dwellings in 3-storey buildings (Sites D & E); 3-storey school boarding house; 2-storey replacement junior school; restoration of main building for school use; extension to school car park; relocation of vehicular access onto Debden Road and provision of internal roads, including school drop-off point. Construction of performing arts centre (details of siting, design and external appearance included for this element). Installation of traffic signal scheme at Borough Lane/Debden Road/Mount Pleasant Road, and other financial contributions to highway works; provision of footpath link between Site A and Mount Pleasant Road (adjacent	Refused 10 December 2007

	<p>playing fields/eastern boundary of site). Provision of communal gardens, play areas &amp; replacement wildlife habitat. Demolition of school buildings</p> <p>(This proposal left the playing fields as they are but proposed residential development in area which is now Protected Open Space of Environmental Value)</p>	
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**6. PREAPPLICATION ADVICE AND/OR COMMUNITY CONSULTATION**

**6.1** The applicant has sought pre-application advice with UDC officers and Sport England. Paragraphs 3.7-3.10 provide a summary of the pre-application engagement the applicant undertook with UDC.

**6.2** Sports England (SE) provided a pre-application response on 26 June 2024 which is summarised as follows:

- SE are not a statutory consultee as site hasn't been used as a playing field for at least 5 years
- Principle of re-establishing part of the former school playing fields is welcomed by SE
- UDC Playing Pitch Strategy (2019), the recommended action for this site was to bring the former school playing fields back into use to help reduce current and future community football and cricket pitch shortfalls in the Saffron Walden area
- SE consulted the following two bodies:

-Football Foundation: shortfall in pitches, one adult pitch would not work due to proposed layout and impact on the cricket square. Two smaller pitches would work and regardless the club house is too big for the number of pitches and should be smaller. Applicant needs to consult with -Saffron Walden Community FC regarding the most suitable pitch sizes.  
English Cricket Board: single pitch not sustainable and site could accommodate 6 pitches with 2 football pitches proposed. Internal sizes of club house not know and that information is required as some rooms looks too small

- SE concluded that they would like to be provide further advice when more information is made available.

**6.3** The applicant in their community engagement addendum document state that SP comments above have been accommodated where possible in the proposal, however the applicant has not been specific over what aspects of the proposal have been changed/alterd.

**6.4** The applicant has not undertaken any community consultation and/or engagement with any local stakeholders (including local sports teams) other than UDC and Sports England.

**7. STATUTORY CONSULTEES**

7.1 All statutory consultees are required to write directly to the Planning Inspectorate (PINS) (and not the Local Planning Authority).

7.2 Accordingly, it should be noted that a number of considerations/ advice normally obtained from statutory consultees to assist the Local Planning Authority in the consideration of a major planning application have not been provided and are thereby not included within this report.

7.3 The following responses have been received which have been sent to both PINS and UDC.

#### **7.4 Hertfordshire and West Essex NHS – No objection**

7.4.1 No objection subject to developer contribution (the final dwelling mix needs to be provided to finalise the contribution). The proposed section 106 contribution is based on an average occupancy of 2.4 per dwelling x 91 = 218.4 new patient registration. This equals £152,152.00 (£1,672 per dwelling) and will be used to mitigate the primary health care impact from this proposal.

### **8 PARISH COUNCIL/TOWN COUNCIL COMMENTS**

8.1 Saffron Walden Town Council considered the proposed at the Planning and Transport Committee held of 22 August 2024. SWTC strongly objects to the application due to the loss of open space and character of the Conservaton Area, loss of sporting fields, insufficient road capacity and poorly proposed housing mix. The application is contrary to planning policy and should be refused. Should a hearing take place SWTC would like to speak.

### **9. CONSULTEE RESPONSES**

9.1 These should be submitted by the Parish Council directly to PINS within the 21-day consultation period and are thereby not informed within this report. However, the following responses have been received which have been sent to both PINS and UDC.

#### **9.2 ECC Place Services (Archaeology) – No objection**

9.2.1 The historic environment record and the submitted desk based assessment shows the proposed development area contains potentially significant archaeological remains. Therefore, a condition relating to a programme of trail trenching is required.

#### **9.3 Essex Police – No objection**

9.3.1 This is an initial response and outlines Essex Police considerations to the proposal, which covers guidance in respect of: Essex Design Guide, designing out crime and secure by design (who will respond separately),

traffic management, zero emission fleet and infrastructure strategy and information on Essex policing priorities

#### **9.4 UDC Housing Enabling Officer – Commenting**

**9.4.1** The Planning Statement does not separately identify those units for Affordable Rented and those for Shared ownership it just identifies them as "Affordable." Looking at the proposed affordable housing mix there are too many 3 bedroom houses proposed and no 2 bedroom houses included within the proposed mix. There is a greater need within Saffron Walden for 2 bedroom houses rather than 3 bedroom. I was unable to see if PV panels, heat pumps or EV charging points are proposed.

#### **10. REPRESENTATIONS**

**10.1** The application was publicised by sending letters to adjoining and adjacent occupiers and by displaying a site notice. Anyone wishing to make a representation (whether supporting or objecting) are required to submit their comments directly to PINS within the 21-day consultation period ending the 12<sup>th</sup> September 2024. All representations should be submitted directly to PINS within the 21-day consultation period.

**10.2** UDC has no role in co-ordinating or receiving any representations made about this application. It will be for PINS to decide whether to accept any representations that are made later than 21 days.

#### **11. MATERIAL CONSIDERATIONS**

**11.1** In accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004, this decision has been taken having regard to the policies and proposals in the National Planning Policy Framework, The Development Plan and all other material considerations identified in the "Considerations and Assessments" section of the report. The determination must be made in accordance with the plan unless material considerations indicate otherwise.

**11.2** Section 70(2) of the Town and Country Planning Act requires the local planning authority in dealing with a planning application, to have regard to

- a) The provisions of the development plan, so far as material to the application:
  - (aza) a post-examination draft neighbourhood development plan, so far as material to the application,
- b) any local finance considerations, so far as material to the application, and
- c) any other material considerations.

**11.3** Section 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the local planning authority, or, as

the case may be, the Secretary of State, in considering whether to grant planning permission (or permission in principle) for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses or, fails to preserve or enhance the character and appearance of the Conservation Area.

## **11.4 The Development Plan**

- 11.4.1** Essex Minerals Local Plan (adopted July 2014)  
Essex and Southend-on-Sea Waste Local Plan (adopted July 2017)  
Uttlesford District Local Plan (adopted 2005)  
Felsted Neighbourhood Plan (made Feb 2020)  
Great Dunmow Neighbourhood Plan (made December 2016)  
Newport and Quendon and Rickling Neighbourhood Plan (made June 2021)  
Thaxted Neighbourhood Plan (made February 2019)  
Stebbing Neighbourhood Plan (made July 2022)  
Saffron Walden Neighbourhood Plan (made October 2022)  
Ashdon Neighbourhood Plan (made December 2022)  
Great and Little Chesterford Neighbourhood Plan (made February 2023)
- 11.4.2** The Council is currently consulting on its Regulation 19 Local Plan which will replace the 2005 Local Plan when adopted (forecast 2026). This document currently has limited weight in determining planning applications, however the evidence base to support this document can be a material consideration.

## **12. POLICY**

### **12.1 National Policies**

- 12.1.1** National Planning Policy Framework (2023)

### **12.2 Uttlesford District Plan 2005**

Policy S1 – Settlement boundaries for the Main Urban Areas  
Policy GEN1 – Access  
Policy GEN2 – Design  
Policy GEN3 – Flood protection  
Policy GEN4 – Good Neighbourliness  
Policy GEN5 – Light Pollution  
Policy GEN6 – Infrastructure Provision to Support Development  
Policy GEN7 - Nature Conservation  
Policy GEN8 – Vehicle Parking Standards  
Policy ENV1- Design of development within the conservation area  
Policy ENV2- Development affecting Listed Buildings.  
Policy ENV3- Open Space and Trees  
Policy ENV4 – Archaeology

Policy ENV8 – Other landscape elements of importance for nature conservation  
Policy ENV11 – Noise generators  
Policy ENV12 - Protection of Water Resources  
Policy ENV13 - Exposure to poor air quality  
Policy ENV14 - Contaminated land  
Policy ENV15 - Renewable Energy  
Policy H3 – New Housing within Development Limits  
Policy H9 - Affordable Housing  
Policy H10 - Housing Mix  
LC1 – Loss of Sports Fields and Recreational Facilities  
LC2 – Access to Leisure and Cultural Facilities

## **12.4 Saffron Walden Neighbourhood Plan**

**12.4.1** The Saffron Walden Neighbourhood Plan ('SWNP') was formally made by Council on 11 October 2022. The most relevant policies to consider include:

**12.4.2** Policy SW1 – Housing Mix  
Policy SW2 - Affordable Housing  
Policy SW3 – Design  
Policy SW4 – Parking  
Policy SW10 – High Quality Communication Infrastructure  
Policy SW11 – Ecological Requirements  
Policy SW12 – Walking and Cycling  
Policy SW13 – Travel Planning  
Policy SW14 – Public Transport  
Policy SW15 – Vehicular Transport  
Policy SW16 – Playing Fields and Sports Halls  
Policy SW17 – Open Space for Informal Recreation  
Policy SW19 – Land value to natural environment

## **12.5 Supplementary Planning Document or Guidance**

**12.5.1**

- Energy Efficiency and Renewable Energy (October 2007)
- Essex County Council Adopted Parking Vehicle Standards (2009)
- UDC Local Parking Standards (2009)
- Uttlesford Interim Climate Change Policy (February 2021)
- BNG – Planning Practice Guidance
- Developer Contributions SPD (March 2023)
- Statement of Community Involvement (March 2021)
- UDC Design Code (2024)

## **13. CONSIDERATIONS AND ASSESSMENT**

**13.1** The issues to consider in the determination of this application are:

- 13.2
- A) Principle of development
  - B) Design, Scale and Layout
  - C) Housing Mix and Tenure
  - D) Heritage Impacts and Archaeology
  - E) Nature Conservation and Biodiversity
  - F) Access and Parking
  - G) Climate Change
  - H) Contamination, Noise and Air Quality
  - I) Flooding and Drainage
  - J) Planning Obligations
  - K) Planning Balance
  - L) Other Matters

13.3 A) Principle of Development

13.3.1 Playing Fields

13.3.2 The site is designed as protected open space, and this is covered by Policy LC1 in the Local Plan which states that development will not be permitted if it would involve the loss of a sports field and the exception to this would be if the replacement facilities will better meet local recreational needs and/or if the need of the facility no longer exists. The supporting text under paragraph 7.2 states (my emphasis in bold) '*As there is already a deficiency in the number of playing pitches, policy LC1 is concerned with total or partial loss of playing fields, open space and allotments. It applies whether the **facilities are still in active use or whether through ownership, for example, this is now prevented.** It also applies to development that would prejudice the use of land as playing fields, open space or allotments. It is not intended to prevent the provision of facilities such as changing rooms, pavilions and club houses. **If replacement facilities are proposed these must be at least as good as those lost in terms of location, quantity, quality, and management arrangements.***'

13.3.3 Policy LC2 of the Local Plan supports sports facilities if they provide inclusive access to all sections of the community.

13.3.4 Policy SW16 of the Saffron Walden Neighbourhood Plan (SWNP) reflects both the above policies and states under paragraph 11.2.1 that it opposes the loss of the playing fields at this site.

13.3.5 Paragraph 103 of the NPPF also reflects the Development Plan policies and sets three criteria that ensure existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:

*a) An assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*



*b) The loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*

*c) The development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

**13.3.6** The SWNP references the UDC Playing Pitch Strategy and Action Plan (2019) that states there is a shortfall of grass football pitches, floodlit 3G football pitches, shortfall of cricket, rugby pitches and tennis courts. The applicant also references this document in their planning statement. This document has been superseded by the UDC Playing Pitch and Outdoor Sports Strategy Winter Assessment Report (June 2024) which is in support of the emerging Local Plan. This document focuses on winter sports and the summer sports report is being prepared (e.g. to cover cricket, tennis etc). The site falls within the North Uttlesford sub-area and the report had the following findings:

- Current and future shortfall of adult, youth (11v11 and 9v9) pitches whilst mini (7v7 and 5v5) pitches have spare capacity currently and in the future. There is significant future shortfall in youth (11v11) compared to adult and youth 9v9.
- Current and future shortfall of one 3G pitch
- No shortfall exists or in the future for hockey and rugby pitches

**13.3.7** Paragraph 2.3 provides a breakdown of the existing pitches on the site split between the winter and summer as per the 2007 planning application. It mentions that while the school had pitches marked out across all of the playing field they were not used intensively. It also states at the time the school aspired to reduce the size of the playing field from 5.49ha to 3.6ha but did not state what impact this would have on the number and type of pitches (or whether this was implemented).

**13.3.8** In conjunction with the findings from the Winter Pitch Assessment the table below sets out the existing known layout of the site and the proposed pitch layout.

Type of Pitch	2007 Provision	2024 (Winter) provision** *	Proposed provision**	Shortfall (current and future)*****
Football (adult)	2	3**	1	2
Football (junior)	3		2	12*****
Rugby	1	1		0
Hockey	2	1		0

Cricket (adult)	1		1	
Cricket (junior)	1			
Rounders	5			
Other*				

\*includes the running track and associated athletics pitches

\*\*configuration not known so assume it was a mix of adult and junior pitches

\*\*\*summer provision not currently known

\*\*\*\*football proposal is either a single adult or two junior pitches

\*\*\*\*\*summer current and future shortfall not known

\*\*\*\*\*this is split down to 9.5 for 11v11 and 2.5 for 9v9 pitches

**13.3.9** When the school was open (up until 2017) the pitches were predominantly used by the school, but the community was able to use them outside of school requirements and we understand the pitches were well used by the community. The former school site had several changing facilities used in conjunction with the playing fields which are no longer operational due to the redevelopment of this site. The access to the playing fields was/is via the former main school site and thus there was no direct public access. We understand when the school closed access to the playing fields also stopped, and the applicant has let the site fall into disrepair. It is not known if community sports teams have tried to obtain access to the pitches.

**13.3.10** There is a clear need for more adult and junior football pitches in North Uttlesford as per the UDC Playing Pitch and Outdoor Sports Strategy Winter Assessment Report and it is not currently known what summer pitch need is. Paragraph 6.2 clearly sets out the position of the Football Foundation and English Cricket Board in respect of the proposal. For ease this is repeated as follows:

- Football Foundation: shortfall in pitches, one adult pitch would not work due to proposed layout and impact on the cricket square. Two smaller pitches would work and regardless the club house is too big for the number of pitches and should be smaller. Applicant needs to consult with Saffron Walden Community FC regarding the most suitable pitch sizes.
- English Cricket Board: single pitch not sustainable and site could accommodate 6 pitches with 2 football pitches proposed. Internal sizes of club house not know and that information is required as some rooms looks too small

**13.3.11** Both SP response and the UDC Playing Pitch and Outdoor Sports Strategy Winter Assessment Report is based on evidence from speaking to local sports clubs/stakeholders over what they require in terms of

pitches but also in respect of changing facilities and ancillary development (e.g. car parking). It is disappointing that the applicant has not engaged with local sports clubs to understand what their requirements are and then to incorporate this within the proposal. Currently the proposal is seeking to maximise the space but without providing the practicality for ensuring the provision is acceptable to the end users (this seems to be a missed opportunity to provide additional weight in support of the proposal).

- 13.3.12** The applicant's proposal is based on the current provision offered which is nothing and equal to the historic provision (based on the 2019 UDC Playing Pitch Strategy). Therefore, the proposal is an improvement as it delivers purpose built high quality facilities which meets local need. However, the applicant has not reviewed the latest outdoor pitch assessment and/or the historic application applications which sets out the previous layout of the site which has more pitches than currently proposed.
- 13.3.13** The applicant has not taken the opportunity to engage with local sports clubs to enable them to feed into the proposal and/or be the named end users of the site. This would have helped provided certainty that the proposal meets local needs, is supported and is more likely to come forward.
- 13.3.14** While the provision of some replacement sports pitches is undoubtedly welcomed the proposal falls short of being in accordance with Local and National policies/guidance in terms of the replacement and enhancement of sports pitches.
- 13.3.15** Housing
- 13.3.16** The site is located within the settlement boundary of Saffron Walden which is the principal town within the district. Policy S1 of the Local Plan states that proposals will be granted if they are compatible with the character of the settlement. The principle of housing is deemed acceptable due to its location within the settlement boundary.
- 13.3.17** Paragraph 226 of the NPPF allows for Council's that have reached Regulation 18 or 19 stage of the plan-making process, including the publication of both a policies map and proposed allocations towards meeting housing need, to only be required to identify deliverable sites equating to a minimum of 4 years' worth of the local housing need. Paragraph 226 was engaged on 8th August 2024, following UDC publication of its Regulation 19 Local Plan. As of 20<sup>th</sup> August 2024,<sup>1</sup> the Council can demonstrate a 4.12 years housing land supply (which includes a 20% buffer).
- 13.3.18** On the 30 July 2024, the Government published its proposed changes to the NPPF for consultation (closing on 24th September 2024). These

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<sup>1</sup> [Housing Trajectory and Five-Year Land Supply - Uttlesford District Council](#)

changes include removing paragraph 226 in its entirety and if this is change is made this will remove the 4 year housing land supply position. This will mean that the housing land supply position will revert back to the requirement to demonstrate a 5 year housing land supply regardless of the position with the emerging Local Plan. UDC recent performance against the Housing Delivery Test was 58%, meaning it must continue to engage the presumption in favour of sustainable development under paragraph 11(d) of the NPPF in any respect (as the NPPF requires unless 75% or more).

- 13.3.19** The proposal is within the settlement of Saffron Walden and principle of housing is deemed acceptable subject to the proposal complying with the other policies within the Development Plan.

#### **13.4 B) Design, Scale and Layout**

- 13.4.1** In terms of design policy, good design is central to the objectives of both National and Local planning policies. The NPPF requires policies to plan positively for the achievement of high quality and inclusive design for the wider area and development schemes. Section 12 of the NPPF highlights that the Government attaches great importance to the design of the built development, adding at Paragraph 131 '*The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve*'. These criteria are reflected in Policy GEN2 of the Local Plan and within Policy SW3 of the SWNP. In addition, the Council has recently adopted a District Wide Design Code SPD to help provide design guidance.
- 13.4.2** The design of the dwellings follows the appearance of adjacent residential development, The Avenue which has won numerous awards since being built in 2014, including the RIBA National Award in 2016. All dwellings have steep duo-pitched gabled roofs with a controlled palette of materials with a mix of designs which demonstrate irregular fenestration patterns. The location of the sports pitches ensures the site retains the openness of the outlook of the dwellings along The Avenue.
- 13.4.3** The layout has been chosen with the principal objective to re-provide the sports pitches and that most of the internal road's led to it. This includes the design of the crescent buildings to the north of the sports pitches which reflect the circular layout of the cricket pitch and there are gaps either side to allow a visual vista through the site from north to south.
- 13.4.4** All the dwellings are 2 storeys other than 4 units located in the middle eastern part of the site which are 2.5 storeys. All the garages and the club house are single storey. The proposed heights follow the height of the surrounding dwellings, and this is considered to be appropriate to setting of the area. The proposal will include a mix of 1-5 bed dwellings with all the 1 and 2 beds being flats and designated affordable housing.

**13.4.5** The Design & Access Statement and Planning Statement make no reference to the Essex Design Guide so it is not clear if the proposal complies with this. There is an appendix to the DAS which states how the proposal complies with the UDC District Design Code. This also doesn't include an assessment of how the proposal mitigates the impact onto the adjoining residential properties other than being set back by at least 25m from the edges of the site.

**13.4.6** It is positive that the proposal is following the design of The Avenue to influence this proposal, and the scale seems to be in keeping with the surrounding area. The applicant needs to provide more information over how the proposal meets design guidance and how the proposal mitigates any impact onto the surrounding residential amenity.

**13.4.7** The UDC Design Officer has been consulted regarding the scale and appearance of the application. No comments have been received and any comments received are required to be submitted directly to PINS.

### **13.5 C) Housing Mix and Tenure**

#### **13.5.1 Housing Mix**

**13.5.2** Policy H10 requires that developments of 3 or more dwellings should provide a significant proportion of small 2- and 3-bedroom market dwellings. The Local Housing Needs Assessment Report (June 2024) which forms part of the evidence base for the emerging Local Plan concludes (page 90) that the appropriate mix of market homes on new developments is:

- 1 & 2 beds – 25%
- 3 beds – 45%
- 4+ beds – 30%

**13.5.3** Policy SW1 of the SWNP states that the housing mix should include a mix of sizes which reflects local needs and that the specific mix should be based on up to date local evidence and need.

**13.5.4** The accommodation mix is as follows, which is 54 units out of a total of 91 units.:

- 3 beds – 40 units (74%)
- 4 beds – 8 units (15%)
- 4+ beds – 6 units (11%)

#### **13.5.5 Affordable Housing**

**13.5.6** Policy H9 of the Local Plan states that residential schemes over 0.5ha or 15 or more properties should provide 40% of houses as affordable. The delivery of affordable housing is one of the Councils' corporate priorities. Section 5 of the NPPF requires that developments deliver a wide choice

of high-quality homes, including affordable homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities.

**13.5.7** Policy SW2 of the SWNP supports the Local Plan but provides more details such as affordable housing should be distributed throughout the development in appropriately sized non-contiguous clusters. In addition, the mix should reflect the most up to date local housing need.

**13.5.8** The Local Housing Needs Assessment Report (June 2024) which forms part of the evidence base for the emerging Local Plan concludes (page 90) that the appropriate mix of affordable homes on new developments is:

Shared Ownership

- 1 beds – 20%
- 2 beds – 45%
- 3 / 3+ beds – 35%

Affordable Rented

- 1 beds – 25%
- 2 beds – 30%
- 3 beds – 35%
- 4+ beds – 10%

**13.5.9** The proposal includes the provision of 37 affordable housing dwellings which is 41% of the total number of dwellings (at 91 units) so is in excess of the policy requirement. While the accommodation schedule does not provide a split between affordable rent and shared ownership the applicants draft heads of terms states this will be 70% affordable rent and 30% shared ownership. The overall mix is as follows noting that all the 1 and 2 beds are flats, and the 3 and 4 beds are houses. It is not clear how the units are split between affordable rent and shared ownership:

- 1 beds – 14 units (38%)
- 2 beds – 6 units (16%)
- 3 beds – 16 units (43%)
- 4 beds – 1 unit (3%)

**13.5.10** The proposed affordable housing provides a balanced mix of tenures and is largely in accordance with the guidance within the Local Housing Needs Assessment Report (LHNA) (June 2024). This is caveated that the proposal has not provided a breakdown of the number of units for shared ownership, first homes or affordable rent. This information is required to fully understand the impact that the proposal will have in meeting the shortfall in affordable housing in the district.

**13.5.11** The planning statement mentions that a housing association is interested in the site, however there are no further details over who this is and whether they will be taking on all the affordable housing.

**13.5.12** Figure 5 below is an extract from the Design and Access Statement which provides the layout of the affordable and market housing. This demonstrates that affordable housing is clustered into one part of the site and is not disbursed/integrated into the rest of the site, this is contrary to Policy SW2 of the SWNP and guidance within the Design Code and would not help to provide a balanced well integrated community.

**13.5.13**



Figure 4.4 – Tenure plan: ■ affordable, ■ market housing

Figure 5 – Extract from the Design and Access Statement (figure 4.4) demonstrating the location of the affordable housing

**13.5.14** Summary

**13.5.15** It is the Councils' policy to require 5% of the whole scheme to be delivered as fully wheelchair accessible (building regulations, Part M, Category 3 homes). The proposal delivers 13 units (6 affordable and 7 market) which is 14% of the whole scheme.

**13.5.16** The Council's Housing Strategy 2021-26 also aims for 5% of all units to be bungalows. The proposal delivers 20 units (22%) as flats with all first floor flats having lifts. There are no separate bungalows provided which is contrary to this guidance.

**13.5.17** The proposed housing mix would provide 54 market dwellings which would comprise 3 bedrooms or more which is equates to 100%. UDC Housing Officer considers that there is a greater need for 2 bed houses than 3 bed houses in Saffron Walden, which is backed-up by the 2024 LHNA. The proposal should incorporate more 2 beds in accordance with the Local Housing Needs Assessment Report.

**13.5.18** While the proposal provides the required level of affordable housing it does not specify what the split is between different affordable products. Contrary to policy it clusters all the affordable in one location which will not provide a balanced and integrated community. Furthermore, UDC Housing Officer considers that the proposed affordable housing mix has too many 3 bedroom houses proposed, and no 2 bedroom houses included within the proposed mix. The proposal needs to amend the proposal and/or provide justification to this position.

## **13.6 D) Heritage Impacts and Archaeology**

### **13.6.1 Heritage Assets**

**13.6.2** Policy ENV 2 of the Local Plan seeks to protect the historical significance, preserve and enhance the setting of heritage assets which is supported by Policy SW3 of the SWNP.

**13.6.3** The guidance contained within Section 16 of the NPPF, 'Conserving and enhancing the historic environment', relates to the historic environment, and developments which may have an effect upon it. The NPPF defines significance as 'the value of a heritage asset to this and future generations because of its heritage interest'. Such interest may be archaeological, architectural, artistic or historic.

**13.6.4** Paragraphs 200, 205 and 206 of the NPPF state: "*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, the significance, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification*".

**13.6.5** The site has no designated or undesignated heritage assets within in. It is however classified as an important open space within Zone 6 of the Saffron Walden Conservation Area Appraisal (2018).

**13.6.6** The nearest listed buildings are the Water Tower (List Entry 1205709) which is located on the western site of the former Friends School site and 9 Mount Pleasant Road (List Entry 1196227) which is located to the north west of the site on the northern side of Mount Pleasant. Both buildings are Grade II listed, and neither are located on the boarder of the site and are



both set back from the site. The main building to the former friend's school is locally listed.

- 13.6.7** Annex 2 of the NPPF defines setting as: *“The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.”*
- 13.6.8** The significance of a heritage asset is defined in the NPPF as its value to this and future generations because of its heritage interest. That interest may be archaeological, architectural, artistic, or historic. Significance derives not only from a heritage asset's physical presence, but also from its setting. Significance may be harmed by a development, and it is necessary to determine the degree of harm that may be caused.
- 13.6.9** The applicants Heritage Statement considers that the proposal will have very limited harm to both the settings of the locally and statutory listed buildings. I consider that the impact of the proposal will be greater onto the locally listed building and regardless the site is classified as providing an important open space which provides a break to the tight built form of the surrounding buildings (including openness to the locally listed main school building). This development will be contrary to the wording within the Conservation Area Appraisal.
- 13.6.10** The applicant has also provided a Townscape and Visual Impact Assessment which considers that the proposal will respect the existing character along Mount Pleasant Road and that the site is well screened. The assessment supports the position of the Heritage Statement that the applicant considers the proposal will not have an impact on the important views from the locally listed former main school building.
- 13.6.11** UDC Conservation and Heritage Officer has been consulted regarding the development and the impact onto the setting of these heritage assets. Their response will be important to understand what harm the proposal has and whether the benefits of the scheme could outweigh any negative heritage concerns. No comments have been received and any comments received are required to be submitted directly to PINS.
- 13.6.12** Archaeology
- 13.6.13** Policy ENV4 of the adopted Local Plan states the preservation of locally important archaeological remains will be sought unless the need for development outweighs the importance of the archaeology. It further highlights that in situations where there are grounds for believing that a site would be affected, applicants would be required to provide an archaeological field assessment to be carried out before a planning

application can be determined, thus allowing and enabling informed and reasonable planning decisions to be made.

- 13.6.14** The site has no archaeological designation however the applicant's heritage report states that the site does have the potential for archaeological remains. ECC Archaeology have no objection subject to a condition relating to a programme of trail trenching.

## **13.7 E) Nature Conservation and Biodiversity**

### **13.7.1 Nature Conservation**

- 13.7.2** Policy GEN2 of the Local Plan applies a general requirement that development safeguards important environmental features in its setting, which is supported by Policy SW3 of the SWNP. Whilst Policy GEN7 seeks to protect wildlife, particularly protected species and requires the potential impacts of the development to be mitigated. The loss of trees and vegetation will not be permitted unless the need for development outweighs the benefits of the proposal under Policy ENV3 & ENV8.

- 13.7.3** Policy SW17 of the SWNP states that informal recreation must be well located and incorporated into proposals (and not delivered in piecemeal). SW19 states that Saffron Walden has no publicly accessible woodland and the creation of such would be welcomed.

- 13.7.4** Paragraph 180 of the NPPF states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes.

- 13.7.5** The majority of the site is designed as protected open space for playing fields, while the woodland in the south east corner is designed as protected open space of environmental value. The proposal includes no development within the woodland. This part of the site has never been publicly accessible, and the proposal seeks to preserve this space and make it accessible to the public.

- 13.7.6** The site boundary currently consists of extensive vegetation and trees on the northern, eastern and southern borders. The western board has no existing vegetation and is highly visible to the former friend's school redevelopment and The Avenue. The proposal seeks to retain and enhance the existing vegetation/ trees (including the woodland in the south eastern corner) through a landscape and maintenance strategies. There will be the loss of some trees relating to the delivery of the sports pitches and some of these are protected by tree preservation orders, but the application considers the removal is deemed to be acceptable due to the provision of new trees across the site.

- 13.7.7** The Landscape and Tree strategies provide a layout of the new trees (101) to be planted. These will be spread out across the site and are

proposed to be native fruiting trees and other trees which aim to increase native floral as well as foraging opportunities for birds and invertebrates. The frontages to the dwellings will include native wildflowers and grasses and will be cut a maximum of 3 times a year to ensure flower and seed production.

**13.7.8** The provision of the sports pitches and surrounding open space is covered in the above sub-section and in addition to this the proposal includes a micro orchard located on the western boarder which is adjacent the MUGA in the former friend's school site. This offers the potential for community involvement in harvesting the fruits once mature and enables wildlife to forage. There is no other formal or informal open space/play space provided.

**13.7.9** The applicant states that the formal and informal open space and play space being provided on the former friend's school site will be connected to this site and thus will avoid the need for the applicant to provide additional play space/open space on this site. More evidence is needed to demonstrate that these spaces can accommodate the increased usage and or whether more this site needs to contain more formal/informal play space.

**13.7.10** Biodiversity

**13.7.11** Major planning applications now need to comply with providing a minimum of 10% biodiversity net gain. The Statutory Biodiversity Metric has been completed for the application site and states the proposal would result in a loss of 27% of the habitat units and a gain of 32.49% of the hedgerow units. While some mitigation can be provided on site, 15.54 units will need to be secured off-site. The applicant is proposing to secure off-site credits via the section 106 and consider that there are credits available.

**13.7.12** The proposal includes sensitive lighting strategy to ensure the impact of external lighting is kept to a minimum on wildlife, such as bats.

**13.7.13** Furthermore, the Ecology Assessment concludes that the proposal will have no impacts on protected species but does include mitigation measures such as provision of swift boxes, sparrow terrace boxes, bat boxes and hedgehog holes.

**13.7.14** UDC Landscape have been consulted in respect of the impact of the proposal onto the landscape, the proposed landscaping and open space provision. ECC Ecology have been consulted in respect of the impact of the proposal onto the ecology, wildlife and biodiversity provision. It is disappointing for a large site that the proposal cannot provide the required on-site biodiversity improvements. No comments have been received and any comments received are required to be submitted directly to PINS

**13.8** **F) Access and Parking**

**13.8.1** Access

**13.8.2** Paragraph 114 (b) of the NPPF states that development should ensure that *'safe and suitable access to the site can be achieved for all users'*, whilst Paragraph 116 (c) states that development should *'create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards.'*

**13.8.3** Policy GEN1 of the Local Plan requires developments to be designed so that they do not have unacceptable impacts upon the existing road network, that they must compromise road safety and take account of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired and encourage movement by means other than a vehicle.

**13.8.4** The only vehicular access to the site will utilise the existing and enhanced access into the former friend's school site from Mount Pleasant Road, as demonstrated on Figure 6. This provides two vehicular access points into the detached housing in the northern part of the site, via the road running to the north of the Ash Buildings and a new junction where the road runs into the car park for former swimming pool building. The transport assessment states that all of the roads comply with regulations in respect of access for refuse and emergency vehicles. This assessment is not explicit that the roads are suitable for the proposed coaches that will access the club house, but I assume this is the case if refuse/emergency vehicles can (this will need to be confirmed).

### 13.8.5



Figure 6 – Extract from the Proposed Site Layout (Coloured) Plan (23110 (D) 005) which demonstrates the main vehicular access into the site

- 13.8.6** Pedestrian access to the site will be via the new pavements from the vehicular access and also via a separate pedestrian only access that runs along the eastern boundary from Mount Pleasant Road to the housing development to the south of the site (Greenways). There is also a pedestrian access into the former friend school site via the vehicular access and also into the southern part of the former friend's school.
- 13.8.7** Given the sites location within Saffron Walden it is well connected into local bus routes and provides good pedestrians links into and around the settlement.
- 13.8.8** The transport assessment considers that the proposal will generate 43 vehicle movements in the AM peak and 47 vehicle movements in the PM peak and thus this will generate a small number of vehicle movements onto the local highway network. A review of 7 junctions considers that the proposal will not have a significant impact onto these.
- 13.8.9** The sites previous impact onto the highways network is not known but is assumed to have had little to no impact and thus the proposal is likely to have an impact onto the local road network, which has not had this historic level of accessibility. It makes sense for the vehicular access to utilise the existing access from the adjacent site.

### **13.8.10** Parking

- 13.8.11** Policy GEN8 of the Local Plan states that development will not be permitted unless the number, design and layout of vehicle parking places proposed is appropriate for the location as set out in the ECC Parking Standards Design and Good Practice (2009) and Uttlesford District Council Local Residential Parking Standards (2013) which only updated the parking requirement (3 spaces) for 4 or more-bedroom dwellings. The Essex guidance states that a minimum of 1 car parking spaces per 1xbed and 2 car parking spaces per 2/3xbed dwellings are provided. In addition, each dwelling should also be provided with at least 1 secure cycle covered space.
- 13.8.12** Policy SW4 of the SWNP supports the above policy and also states that all dwellings should make provision for electric vehicle charging points. Each dwelling will be provided with a designated vehicle charging point close to the property.
- 13.8.13** The proposal provides a total of 183 allocated car parking, 46 unallocated spaces and 2 coach parking spaces providing a total of 231 parking spaces. Included within the unallocated provision are 30 car parking spaces proposed to be associated with the clubhouse and sports field uses. The applicant considers that the approach to the visitor parking provision is to combine it as dual use with the sports pitch parking and this avoids the need to provide the required level of visitor parking for the residential dwellings.
- 13.8.14** Cycle parking will be provided within a secure storage within the curtilage of each house (e.g. a shed or garage) and in secured communal store for the flats. 14 cycle parking spaces are proposed as part of the club house.
- 13.8.15** ECC Highways Officer has been consulted regarding the proposal and in particular for the increase in traffic onto the local road network and the lack of visitor car parking spaces. While I can understand the rationale the dual use of the sports pitch parking for both sports teams and visitors, it is more likely that visitors will visit outside of working hours (e.g. evenings weekends) and this more likely to be when the sports pitches are being used and thus the proposal should provide the required level of visitor parking. No comments have been received and any comments received are required to be submitted directly to PINS.

### **13.9** **G) Climate Change**

- 13.9.1** Policy GEN2 of the Local Plan seeks to ensure that the design of new development helps to minimise water and energy consumption. Uttlesford Interim Climate Change Policy (2021) sets out a list of Policies of note a demonstration of how developments demonstrate the path towards carbon zero. The NPPF seeks to ensure that new development should

avoid increased vulnerability arising from climate change. More so, developments should help to reduce greenhouse gas emissions.

**13.9.2** The applicant has indicated within their Design and Access Statement that the design of the proposals to help tackle climate change and reduce carbon emissions will include the following techniques and features:

- Highly insulated external walls, floors and roofs
- Installation of energy efficient appliances and light fittings
- Insulated pipework within the dwellings
- Orientation to allow all gardens and houses, and the clubhouse, to benefit from solar access at some point during the day
- Pitched roofs to allow for the most efficient installation of renewable panels
- Argon filled, sealed double glazed window units to all properties and sized to control solar gain
- An air tightness level to minimise the potential for loss of heat energy through air leakage
- Quality control monitoring to ensure the buildings meet the energy efficiency targets
- Provision of Operational and Maintenance manuals to all dwellings to inform the occupiers of the energy saving design features applied to the property
- Low flow taps and dual flush WCs
- Air source heat pumps (ASHP)

**13.9.3** The application includes a sustainable assessment which concludes that the proposed residential development will achieve a 66% improvement over Part L 2021 of the Building Regulations and the commercial development will achieve a 43% improvement. Overall, the proposed development will achieve a 66% improvement over Part L 2021 of the Building Regulations (site-wide).

**13.9.4** The proposal seems to provide a range of measures to tackle sustainably and meet the guidance within the Interim Climate Change Policy and District Wide Design Code SPD.

**13.9.5** UDC Environmental Health have been consulted regarding the sustainability proposals. No comments have been received and any comments received are required to be submitted directly to PINS.

## **13.10 H) Contamination, Noise and Air Quality**

**13.10.1** Policy ENV14 of the Local Plan states that any proposal on contaminated land needs to take proper account of the contamination. Mitigation measures, appropriate to the nature and scale of the proposed development will need to be agreed.

- 13.10.2** Policy ENV11 of the Local Plan states that noise generating development will not be permitted if it would be liable to affect adversely the reasonable occupation of existing or proposed noise sensitive development nearby, unless the need for the development outweighs the degree of noise generated.
- 13.10.3** Policy ENV13 of the Local Plan states that proposals that would involve users being exposed on an extended long-term basis to poor air quality outdoors near ground level will not be permitted. Policy GEN4 states that the installation of plant will not be permitted where dust, fumes, exposure to other pollutant would cause material disturbance or nuisance to occupiers of surrounding properties.
- 13.10.4** The SWNP states that the northern part of the site is located within the Saffron Walden Air Quality Management Area (AQMA). However, this AQMA was revoked on 19 March 2024 as it indicates that local air quality has improved and is generally good with a low risk to health impacts.
- 13.10.5** The applicant has submitted a Stage 1 Desktop report into the potential contamination on the site. This considers that there are several potential areas for contamination (such as a substation and groundwater). This report considers that a Stage 2 Geotechnical ground investigation is required.
- 13.10.6** The applicant has submitted a Noise Impact Assessment which considers the proposal is acceptable in terms of noise levels (such as from road traffic and ASHP).
- 13.10.7** The applicant has submitted an Air Quality Assessment which considers that the proposal is suitable in terms of air quality and there are no air quality constraints. It also states that during the construction phase, best practice mitigation measures would ensure there are no significant residual air quality impacts
- 13.10.8** UDC Environmental Health have been consulted regarding impact of the proposal onto the above points. No comments have been received and any comments received are required to be submitted directly to PINS.

**13.11 I) Flooding and Drainage**

- 13.11.1** Policy GEN3 of the Local Plan requires developments within settlements and outside of flood risk areas to not increase the risk of flooding through surface water run off and a flood risk assessment is required to demonstrate this. Sustainable drainage systems should also be considered.
- 13.11.2** The Environmental Agency's website and the Councils policy maps has identified the site is within a fluvial Flood Zone 1 where there is a minimal risk of flooding.



- 13.11.3** The applicant has submitted a Flood Risk Assessment which demonstrates how surface water and foul water drainage will be dealt with.
- 13.11.4** The former friends school redevelopment includes a SUDS drainage feature to the rear of the Ash Buildings. This has a building exclusion zone which extends into the site, and this is not proposed to be built on.
- 13.11.5** ECC Flooding have been consulted regarding the flood risk assessment and how the proposal mitigates the impact of drainage. No comments have been received and any comments received are required to be submitted directly to PINS.

## **13.12 J) Planning Obligations**

- 13.12.1** Policy GEN6 of the Local Plan states that development will not be permitted unless it makes provision for school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed development.
- 13.12.2** Paragraph 57 of the NPPF sets out that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development. This is in accordance with Regulation 122 of the Community Infrastructure Levy (CIL) Regulations.
- 13.12.3** A draft section 106 will be prepared and will take into consideration consultation responses received.
- 13.12.4** The following are the indicative obligations that the proposal is likely to need to provide against:
- Provision of at least 40% affordable housing.
  - Affordable housing tenure mix will be 70% affordable rent and 30% shared ownership
  - Provision of at least 5% wheelchair accessible and adaptable dwellings (M4(3) – Building Regulations 2010.
  - Off-site provision of 15.54 habitat units to achieve a 10% Biodiversity Net Gain
  - On site public open space
  - On site club house and sports pitches
  - Education contributions
  - Healthcare contribution £152,152.00 (subject to final tenure mix)
  - Sustainable Transport Contribution
  - Travel Plan
  - Public Library contribution
  - Employment & Skills

- Flood and Water management
- General monitoring Fees

### **13.13 K) Planning Balance**

**13.13.1** This section provides a summary of the key points of the proposal. It is difficult to fully understand whether the proposal is acceptable without specialist input from consultees.

#### **13.13.2 Benefits of the proposal**

- A new club house and associated sports pitches will meet identified need for both within the sub-area
- The protected open space (woodland) in the south east of the site will be opened up for public use. The SWNP identifies that the town has no publicly accessible woodland and this will help to meet this shortfall. A new footpath will connect Mount Pleasant Road to Greenway via the woodland.
- Short term benefits associated with the construction of the site in terms of construction jobs
- Long term benefits of future occupiers contributing to the local economy
- Biodiversity improvements including the retention and enhancement of the existing boundary vegetation and the creation of 101 new trees
- A new community orchard for both residents and to help support wildlife
- Sustainability improvements – proposal will achieve a 66% improvement over Part L 2021 of the Building Regulations (site-wide).

#### **13.13.3 Neutral Factors**

- While the proposal provides a positive contribution to the provision of housing within Saffron Walden including the required level of affordable housing. The proposal does not provide the identified need for a mix of tenures for both market and affordable units as per the Local Housing Needs Assessment Report (June 2024). All of the affordable units are located in a cluster, and it is not clear what units are affordable rent and shared ownership
- The minimum 10% Biodiversity Net Gain cannot be delivered on site and an off-site credit is required. It is not clear how deliverable this is.
- Propose utilities the former friends school facilities (e.g. MUGA) and its not clear if there is a requirement for the site to have more formal play space
- No bungalows are provided but this could be offset by the number of 1 bed flats with lift access.
- The Council can currently demonstrate a 4 year housing land supply but remains in the position of presumption of sustainable development.
- The site is designated as providing openness in respect of the surrounding dense development as per the Conservation Area, this is

slightly mitigated by providing the sports pitches to the south of the site to enable the openness of dwellings within the Avenue to be retained.

- Small impact onto the transport network – it is not known if this is acceptable
- Lack of the required level of visitors parking which relies on space within the car park for the sports club.

#### **13.13.4 Adverse impacts of the proposal**

- It is not clear how many and what type of existing sports pitches were part of the site, however the proposal will not provide a like for like replacement, and this is contrary to planning policy.
- There is no end user for the sports pitches identified and thus it is unclear what the final sports pitch layout will be. It is disappointing that the applicant has not engaged with local sports clubs given that there is an identified need for sports pitches in the sub-area
- For a scheme of this size, it is disappointing that the applicant has not undertaken a pre-submission consultation with local residents and neighbours given the impact this proposal will have. This is contrary to the guidance within the District Wide Design Guide.
- The proposal will not comply with the openness of the site in relation to the designation within the Conservation Area Appraisal

#### **13.14 L) Other matters**

**13.14.1** From 1 October 2013 the Growth and Infrastructure Act inserted two new provisions into the Town and Country Planning Act (1990) ('the Act'). Section 62A allows major applications for planning permission, consents and orders to be made directly to the Planning Inspectorate (acting on behalf of the Secretary of State) where a local planning authority has been designated for this purpose.

**13.14.2** The Planning Inspectorate will appoint an Inspector to determine the application. The Inspector will be provided with the application documents, representations and any other relevant documents including the development plan policies. Consultation with statutory consultees and the designated LPA will be carried out by the Planning Inspectorate.

**13.14.3** The LPA also must carry out its normal notification duties, which may include erecting a site notice and/or writing to the owners/occupiers of adjoining land.

**13.14.4** The LPA is also a statutory consultee and must provide a substantive response to the consultation within 21 days, in this case by 30th July 2024. This should include a recommendation, with reasons, for whether planning permission should be granted or refused, and a list of conditions if planning permission is granted.

**13.14.5** The Planning Inspectorate will issue a formal decision notice incorporating a statement setting out the reasons for the decision. If the

application is approved the decision will also list any conditions which are considered necessary. There is no right to appeal.

## **14. CONCLUSION**

**14.1** Due to the nature of this application process, it is not possible to provide a detailed assessment of the proposal due to the lack of input from all consultees. Due to this application process no neighbour responses can be factored into the assessment of the proposal.

**14.2** The site is vacant and has fallen into disrepair following the closure of the former Friends School in 2017. The site previously provided sports pitches which could be used by local sports teams outside of school use. Other than the site providing open space within the setting of the Conservation Area it is not providing any benefits to Saffron Walden. The redevelopment of this site could be considered positively, especially the provision of a range of much needed houses and the provision of sports pitches of which there is an identified need.

**14.3** However, it is disappointing that the applicant has not positively engaged with the local community, stakeholders and importantly local sports clubs who are likely to be using the sporting provision. The proposal does not provide a coherent position of what the sporting pitch provision will be and the response from SP is clear that the proposal needs to be tailored to the end user. There is an identified need for football pitches and cricket pitches (noting that a revised summer pitch assessment is in the process of being prepared). This is a large site which had a significantly larger provision of sports pitches than is being proposed. The site doesn't have a lot of physical constraints which would warrant the need for significant housing to enable the delivery of sports pitches. The site is in a highly accessible location to the residents of Saffron Walden and the proposal should deliver a greater provision of sports pitches to mitigate the loss of the whole site as supported by planning policy.

**14.4** The unique application process that is presented by this submission, requires the Local Planning Authority to advise the Planning Inspectorate whether or not it objects to this proposal. Having regard to the limited opportunity to consider the proposals the Planning Committee is invited to provide its comments on this proposal.

## **14.5 PLANNING CONDITIONS**

**14.5.1** Without prejudice should the Planning Inspector be minded to grant planning permission the following draft conditions are suggested.

**1** The development hereby permitted shall be begun before the expiration of 3 years from the date of this decision.

REASON: In accordance with Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby approved shall be carried out in accordance with the approved plans as listed unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the development is built out in accordance with the approved plans and to ensure that the development reflects and maintains the character of the surrounding locality in accordance with Policies GEN2 and S7 of the Adopted Local Plan and the National Planning Policy Framework.

- 3 No development above slab level shall commence until the external materials of construction for the development have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details.

REASON: In the interests of the appearance of the development and to accord with Policy GEN2 of the Uttlesford Local Plan 2005.

- 4 Prior to commencement of the development hereby approved, a construction environmental management plan (CEMP: Biodiversity) in accordance with the submitted Ecological Impact Assessment (ACD environmental, June 2024) shall be submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- Risk assessment of potentially damaging construction activities.
- Identification of “biodiversity protection zones”
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works
- Responsible persons and lines of communication.
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

REASON: To conserve protected and Priority species and allow the LPA to discharge its duties under the Conservation of Habitats and Species

Regulations 2017 (as amended), the Wildlife & Countryside Act 1981 (as amended) and s40 of the NERC Act 2006 (As amended).

**5** All works hereby permitted shall be carried out only between the following hours:

- 08 00 Hours and 18 00 Hours on Mondays to Fridays
- 08 00 and 13 00 Hours on Saturdays and;
- at no time on Sundays and Bank Holidays.

Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above

REASON: In the interests of the amenity of surrounding locality residential premises in accordance with Policies GEN2, and GEN4.

**6** No development shall take place, including any ground works or demolition until measures to minimise and manage the creation of dust and smoke should be implemented for the full duration of all construction works, including demolition and excavation, has been submitted to, and approved in writing by, the local planning authority.

REASON: To ensure the protections of the surrounding residential amenity and in conjunction with Policies ENV13 and GEN4 of the Local Plan.

**7** Prior to the commencement of the development details of any external lighting to be installed on the site, including the design of the lighting unit, any supporting structure, and the extent of the area to be illuminated, shall be submitted to and approved in writing by the Local Planning Authority. Only the details thereby approved shall be implemented.

REASON: To ensure there are unacceptable impacts onto the amenity of the surrounding residential premises in accordance with Policies GEN2 and GEN4.

**8** No development shall take place, including any ground works or demolition, until a Construction Management Plan has been submitted to, and approved in writing by, the local planning authority, in consultation with the local highway authority. The approved plan shall be adhered to throughout the construction period. The Plan shall provide for:

- a) construction vehicle access
- b) the parking of vehicles of site operatives and visitors,
- c) loading and unloading of plant and materials,
- d) storage of plant and materials used in constructing the development,
- e) wheel and underbody washing facilities.
- f) routing strategy for construction vehicles,
- g) protection of public rights of way within or adjacent to the site,

REASON: to ensure that on-street parking of these vehicles in the adjoining streets does not occur and to ensure that loose materials and spoil are not brought out onto the highway in the interests of highway safety and Policy DM1.

- 9 No development shall take place, including any ground works until a detailed surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority.

The scheme should include but not be limited to:

- Verification of the suitability of infiltration of surface water for the development. This should be based on infiltration tests that have been undertaken in accordance with BRE 365 testing procedure and the infiltration testing methods found in chapter 25.3 of The CIRIA SuDS Manual C753. If infiltration is viable, an infiltration scheme should be used in accordance with the Drainage Hierarchy.
- If infiltration is not feasible, discharge rates must be limited to a maximum of 1.8l/s for all storm events up to and including the 1 in 100 year plus 40% allowance for climate change storm event. All relevant permissions to discharge from the site into any outfall should be demonstrated, inclusive of the settlement chamber.
- Provide sufficient storage to ensure no off site flooding as a result of the development during all storm events up to and including the 1 in 100 year plus 40% climate change event.
- Half Drain Time - demonstrate that features are able to accommodate a 1 in 10 year storm event within 24 hours of a 1 in 30 year event plus climate change. This requires hydraulic modelling to be run for both storm events.
- Provision of 10% urban creep allowance.
- Final modelling and detailed calculations for all areas of the drainage system. Full drainage network details and results to be produced within modelling software. This includes the manhole schedule, design criteria and input variables, area summaries, outfall details, modelled storm details and simulation criteria, flow control structure details, and the summary of results for critical storms for the 1yr, 30yr and 100yr plus 40% climate change storms. Sewer Network Design should demonstrate that there is No Surcharging for the 1 in 1yr RP.
- The appropriate level of treatment for all runoff leaving the site, in line with the Simple Index Approach in chapter 26 of the CIRIA SuDS Manual C753. This must acknowledge the site being within a SPZ.
- The provision of permeable paving for any required hardstanding where possible.
- Demonstration that the sediment chamber which will be used to convey surface water, has been cleared of any blockage and is in fully working condition.

- Detailed engineering drawings of each component of the drainage scheme, including the pond.
- A final drainage plan which details exceedance and conveyance routes, FFL and ground levels, and location and sizing of any drainage features.
- An updated drainage strategy incorporating all of the above bullet points including matters already approved and highlighting any changes to the previously approved strategy.

The scheme shall subsequently be implemented prior to occupation.

**REASON:**

- To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
- To ensure the effective operation of SuDS features over the lifetime of the development.
- To provide mitigation of any environmental harm which may be caused to the local water environment
- Failure to provide the above required information before commencement of works may result in a system being installed that is not sufficient to deal with surface water occurring during rainfall events and may lead to increased flood risk and pollution hazard from the site.

- 10** No development shall take place, including any ground works or demolition until a scheme to minimise the risk of offsite flooding caused by surface water run-off and groundwater during construction works and prevent pollution has been submitted to, and approved in writing by, the local planning authority. The scheme shall subsequently be implemented as approved.

**REASON:** The National Planning Policy Framework paragraph 167 and paragraph 174 state that local planning authorities should ensure development does not increase flood risk elsewhere and does not contribute to water pollution.

Construction may lead to excess water being discharged from the site. If dewatering takes place to allow for construction to take place below groundwater level, this will cause additional water to be discharged. Furthermore, the removal of topsoils during construction may limit the ability of the site to intercept rainfall and may lead to increased runoff rates. To mitigate increased flood risk to the surrounding area during construction there needs to be satisfactory storage of/disposal of surface water and groundwater which needs to be agreed before commencement of the development. Construction may also lead to polluted water being allowed to leave the site. Methods for preventing or mitigating this should be proposed.



- 11** Prior to commencement of the development hereby approved, measure of renewable energy/climate control and water efficiency measures associated with the development shall be submitted to and approved in writing by the local planning authority. Thereafter, all approved measures shall be implemented prior to the occupation of the development and thereafter retained unless otherwise agreed in writing by the local planning authority.

REASON: To ensure the development is sustainable and makes efficient use of energy, water and materials and has an acceptable appearance to comply with Policies ENV13 and GEN2.

- 12**
1. No development or preliminary groundworks of any kind shall take place until a programme of archaeological investigation has been secured in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.
  2. No development or preliminary groundworks of any kind shall take place until the completion of the programme of archaeological investigation identified in the WSI defined in 1 above.
  3. The applicant will submit to the local planning authority a post excavation assessment (to be submitted within six months of the completion of the fieldwork, unless otherwise agreed in advance with the Planning Authority). This will result in the completion of post excavation analysis, preparation of a full site archive and report ready for deposition at the local museum, and submission of a publication report.

REASON: To protect the historic environment, in accordance with Policy ENV4 of the Uttlesford Local Plan (2005).

- 13** Prior to the occupation of the club house a management plan and travel plan should be submitted and approved by the Local Planning Authority. This will provide details over how the building and car park will be managed and to reduce any negative impacts onto the surrounding uses. The building should not be used after midnight during the week and at the weekend.

REASON: To protect the residential amenity of the surrounding properties in accordance with Policies GEN2 and GEN4 of the Local Plan.

- 14** No plant or machinery shall be operated on the site during the construction phase of the development hereby permitted before 0730hrs on Monday to Saturday, nor after 1800hrs on weekdays and 1300hrs on Saturdays, nor at any time on Sundays or bank holidays.

REASON: To safeguard the amenities of residents of nearby properties, in accordance with Policy GEN4 of the of the Uttlesford Local Plan (adopted 2005).

- 15** If during any site investigation, excavation, engineering, or construction works evidence of land contamination is identified, it must be reported in writing immediately to the Local Planning Authority. The contamination shall be investigated by a competent person in accordance with the Essex Contaminated Land Consortium's 'Land Affected by Contamination: Technical Guidance for Applicants and Developers' and The Environment Agency Land Contamination Risk Management (LCRM) and other current guidance deemed authoritative for the purposes, to the satisfaction of the Local Planning Authority, to ensure that the site is made suitable for its end use. Where remediation is necessary, a remediation scheme must be prepared and submitted for the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority

REASON: To ensure that the proposed development does not cause harm to human health, the water environment, and other receptors in accordance with Policy GEN2, ENV12 and ENV14 of the Uttlesford Local Plan (adopted 2005).

- 16** Prior to the commencement of the development hereby approved, full details of both hard and soft landscape works shall be in accordance with Landscape and Tree Strategies submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include [for example]:-

- proposed finished levels or contours;
- legacy planting proposals
- means of enclosure including security fencing and CCTV during operation of the site;
- car parking layouts;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture, refuse or other storage units, signs, lighting, etc.);
- proposed and existing functional services above and below ground (e.g. drainage power),
- communications cables, pipelines etc. indicating lines, manholes, supports);
- Soft landscape works shall include [planting plans; written specifications including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programmed.

REASON: The landscaping of this site is required in order to protect and enhance the existing visual character of the area and to reduce the visual and environmental impacts of the development hereby permitted, in accordance with Policies GEN2, GEN8, GEN7, ENV3 and ENV8 of the Uttlesford Local Plan (adopted 2005).

- 17** All existing trees and hedges shall be retained, unless shown on the approved drawings as being removed. All trees and hedges on and immediately adjoining the site shall be protected from damage as a result of works on the site, to the satisfaction of the Local Planning Authority in accordance with BS5837: 2012 Trees in relation to design, demolition and construction, or any subsequent relevant British Standard, for the duration of the works on site and until at least five years following contractual practical completion of the approved development. In the event that trees or hedging become damaged or otherwise defective during such period, the Local Planning Authority shall be notified as soon as reasonably practicable and remedial action agreed and implemented. In the event that any tree or hedging dies or is removed without the prior consent of the Local Planning Authority, it shall be replaced as soon as is reasonably practicable and, in any case, by not later than the end of the first available planting season, with trees of such size, species and in such number and positions as may be agreed with the Authority.

REASON: To ensure the continuity of amenity afforded by existing trees and hedges, in accordance with Policy ENV3 of the Uttlesford Local Plan (adopted 2005).

- 18** A) The Biodiversity Gain Plan shall be prepared in accordance with the Ecological Appraisal dated June 2024 and prepared by ACD Environmental.

B) The development shall not commence until a Habitat Management and Monitoring Plan (the HMMP), prepared in accordance with the approved Biodiversity Gain Plan and including:

- (a) a non-technical summary;
- (b) the roles and responsibilities of the people or organisation(s) delivering the HMMP;
- (c) the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan;
- (d) the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development; and
- (e) the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority, has been submitted to, and approved in writing by, the local planning authority.

C) Monitoring reports shall be submitted to local planning authority in writing in accordance with the methodology and frequency specified in the approved HMMP.

REASON: To enhance the ecology and biodiversity in accordance with national and local planning policy.

- 19** There shall be no discharge of surface water onto the highway.

REASON: to prevent hazards caused by water flowing onto the highway and to avoid the formation of ice on the highway in the interest of highway safety to ensure accordance with policy DM1 and Local Plan Policy GEN1, and GEN2.

- 20** The planting proposals hereby approved shall be carried out no later than during the first planting season following the date when the development hereby permitted is ready for occupation or in accordance with a programme agreed in writing with the council. All planted materials shall be maintained for five years, and any trees or plants removed, dying, being severely damaged or becoming seriously diseased within 5 years of planting shall be replaced with others of similar size and species to those originally required to be planted.

REASON: To ensure that the appearance of the development is satisfactory in accordance with Local Policy GEN2

- 21** A minimum of 5% of the total dwellings approved by this permission shall be built to Category 3 (wheelchair user) housing M4(3)(2)(a) wheelchair adaptable. The remaining dwellings approved by this permission shall be built to Category 2: Accessible and adaptable dwellings M4(2) of the Building Regulations 2010 Approved Document M, Volume 1 2015 edition.

REASON: To ensure compliance with Policy GEN2 (c) of the Uttlesford Local Plan 2005 and the subsequent SPD on Accessible Homes and Playspace

## **Appendix 1 – Hertfordshire and West Essex NHS**

Charter House  
Parkway  
Welwyn Garden City  
Hertfordshire  
AL8 6JL  
20 August 2024

By email:

Leanne Palmer  
Section 62A Applications Team

Dear Leanne,

**Planning Application Consultation: S62A/2024/0057 – Former Friends School Field Mount Pleasant Road Saffron Walden Essex**

**Proposal: Consultation on S62A/2024/0057 - Erection of 91 no. dwellings with associated infrastructure and landscaping. Provision of playing field and associated clubhouse**

Thank you for consulting the Hertfordshire and West Essex Integrated Care Board (HWE ICB) on the above-mentioned planning application.

The HWE ICB became a statutory body on 1 July 2022 and is the health commissioner responsible for delivering joined up health and social health care to a population of c1.8m. in Hertfordshire and west Essex.

The HWE ICB works in partnership with health providers, local authorities, and other organisations to:

- improve the general health and wellbeing of Hertfordshire and west Essex residents and improve health care services in the area.
- tackle the inequalities which affect people's physical and mental health, such as their ability to get the health services they need, and the quality of those services help tackle health and wider inequalities.
- get the most out of local health and care services and make sure that they are good value for money.
- help the NHS support social and economic development in Hertfordshire and west Essex.

Dr Jane Halpin, Chief Executive

Rt. Hon. Paul Burstow, Chair



### **Assessment of impact on existing Healthcare Provision**

The HWE ICB has assessed the impact of the proposed development on existing primary health care provision in and around the vicinity of Saffron Walden.

This proposed development would deliver 91 dwellings. The ICB is not aware of the detail of the housing mix to allow for more accuracy in terms of the occupancy rates and therefore the likely increase in new patient registrations. For the time being the ICB will work on an average occupancy of 2.4 per dwelling x 91 dwellings = **218.4 new patient registrations across the development**

**The ICB requests that they be informed once the dwelling mix is known and what the Local Authorities expected occupancy rate is of each type of dwelling to allow them, if appropriate, to revise this response.**

Within the HWE ICB there are 35 Primary Care Networks (PCNs) across the 14 localities; each covering a population of between circa 27,000 and 68,000 patients. These PCNs are expected to deliver services at scale for its registered population whilst working collaboratively with acute, community, voluntary and social care services in order to ensure an integrated approach to patient care. As such a doctors' general practitioners' surgery may include an ancillary pharmacy and ancillary facilities for treatments provided by general practitioners, nurses and other healthcare professionals. The PCN that covers Saffron Walden (North Uttlesford PCN) and under which this development falls has a combined patient registration **list of 42,380** which is growing.

Patients are at liberty to choose which GP practice to register with providing they live within the practice boundary. However, the majority of patients choose to register with the surgery closest and/or most easily accessible to their home for the following reasons: it is the quickest journey, accessible by public transport or is in walking distance), parking provision, especially for families with young children and for older adults.

Despite premises constraints GP Practices are not allowed to close their lists to new registrations without consultation with, and permission from the HWE ICB. Even when surgeries are significantly constrained the NHS will seek to avoid a situation where a patient is denied access to their nearest GP surgery, with patient lists only closed in exceptional circumstances.

As a result of significant growth proposed in Local Plans, the HWE ICB expects applications to close lists to increase. It is therefore important that new developments make a financial contribution to mitigate any primary health care impacts the development will have.

Dr Jane Halpin, Chief Executive

Rt. Hon. Paul Burstow, Chair



## Healthcare Needs Arising from the Proposed Development

Development at Former Friends School Field, Mount Pleasant Road will have an impact on primary health care provision in the area, and its implications, if unmitigated, would be unsustainable for the NHS.

The financial contribution for health infrastructure that the HWE ICB is seeking, to mitigate the primary health care impacts from this development, has been calculated using a formula based on the number of units proposed and does not take into account any existing deficiencies or shortfalls in Saffron Walden and its vicinity, or other development proposals in the area.

### ***Cost calculation of additional primary healthcare services arising from the development proposal***

218.4 new patient registrations/2000 = 0.1092 of a GP \*GP based on ratio of 2,000 patients per 1 GP and 199m<sup>2</sup> as set out in the NHS England "Premises Principles of Best Practice Part 1 Procurement & Development"

0.1092 x 199 m<sup>2</sup> = 21.7308 m<sup>2</sup> of additional space required

21.7308 m<sup>2</sup> x £7,000\* per m<sup>2</sup> = £152,115.60 (\*Build cost; includes fit out and fees)

£152,115.60 / 91 dwellings = £1,671.60 per dwelling (rounded up to £1,672 per dwelling)

**Total GMS monies requested: 91 dwellings x £1,672 per dwelling = £152,152.00**

The HWE ICB therefore requests that this sum is secured through a planning obligation attached to any grant of planning permission, in the form of a Section 106 planning obligation. A trigger point of payment on occupancy of the 10th Dwelling is also requested.

Please note, the developer contribution figure referred to in this response is a calculation only and that the final payment will be based on the actual dwelling unit mix and the inclusion of indexation. If planning permission is granted, the HWE ICB propose to focus Section 106 monies on The Gold Street Surgery and/or Crocus Medical Practice. The ICB are already in discussion with the practices and are exploring an increase in capacity by way of re-configuring, extending or relocating the GP premises to provide sufficient space to increase resources and clinical services and thus keep the patient lists open. This would likely, at least in the case of The Gold Street Surgery, include the cost of the removal of the patient records to offsite storage or digitisation of them to allow the space they occupy to be repurposed and ultimately increase clinical space.

Dr Jane Halpin, Chief Executive

Rt. Hon. Paul Burstow, Chair



In terms of identifying a project in full at this stage, please note:

- All projects are subject to Full Business Case approval by the HWE ICB and NHS England.
- A commercial arrangement has to be agreed between the landowner, developer and end user based on a compliant design specification and which demonstrates value for money.
- All planning applications and responses are in the public domain; identifying a project before any design work starts and funding is discussed, agreed and secured may raise public expectation and indicate a promise of improvements and increased capacity, which are subject to both above points. Securing developers contributions to all aspects of healthcare is therefore vital.
- A project identified and costed in response to the planning application may not meet the objectives of current strategies or could have significantly increased in cost, especially if there has been any significant time lapse from the date of the response to the date of implementation of the planning consent.

In conclusion, in its capacity as the primary healthcare commissioner with full delegation from NHS England, the HWE ICB has identified a need for additional primary healthcare provision to mitigate the impacts arising from the proposed development. The cost calculation, set out above are those that the HWE ICB and NHS England deem appropriate having regard to the formulated needs arising from the development.

The HWE ICB is satisfied that the basis and value of the developer contribution sought is consistent with the policy and tests for imposing planning obligations, as set out in the NPPF. Further, NHS England and the HWE ICB reserve the right to apply for S106 money retrospectively and the right to amend and request that this be reflected in any S106 agreement.

Subject to certainty that developer contributions will be secured, as set out above, the HWE ICB does not raise an objection to the proposed development.

The HWE ICB looks forward to working with the Council and applicant to satisfactorily address the issues raised in this consultation response and would appreciate acknowledgement of receipt of this letter.

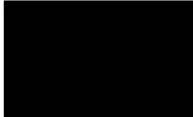
Dr Jane Halpin, Chief Executive

Rt. Hon. Paul Burstow, Chair





Yours faithfully,



Sue Fogden MRICS LLB (Hons)  
Director – Estates and Capital  
NHS Hertfordshire & West Essex ICB

Dr Jane Halpin, Chief Executive

Rt. Hon. Paul Burstow, Chair



