

Our Ref: LF/23061

1 October 2024

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Planning Inspectorate
S62a Application Team
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Dear Ms Palmer

Response to Local Planning Authority Submissions

S62a Application

**S62A/2024/0057 Former Friends School Field, Mount Pleasant Road, Saffron
Walden, CB11 3EB**

Further to the submission of the Local Planning Authority's comments dated the 20 September 2024, we have taken the opportunity to review the information and would like to provide the following comments to assist the Inspector.

The Local Planning Authority, in their cover letter, essentially raise 10 key issues with the proposal, these are addressed in turn.

- Given that the site is designated as an Important Open Space within the Saffron Walden Conservation Area (2018) the proposed design quality should be exemplary. Both the Design and Conservation Officers (at Uttlesford District Council) consider that the proposal is not exemplary, and this is unacceptable at this location.

Development within a Conservation Area is controlled by Local Plan policy ENV1, which states:

"Development will be permitted where it preserves or enhances the character and appearance of the essential features of a Conservation Area, including plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain or significant natural or heritage features...."

Policy SW3 of the Neighbourhood Plan deals with design, in respect of development within the Conservation Area it states:

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"All planning applications for development with the potential to impact on the Conservation Areas and/or heritage assets including listed buildings will be accompanied by a Heritage Statement that describes the significance of the Conservation Area and/or heritage assets and assesses the impact of the development. This includes planning applications outside the Conservation Areas but which will impact on any of the Conservation Areas and/or heritage asset for example because of the generation of additional traffic or the impact on views."

Even within Heritage and Design sections of the NPPF there is no reference to the requirement for development to be exemplary due to its location within a Conservation Area.

NPPF Paragraph 203 provides us with the necessary test when considering the impact of development on a heritage asset.

The Committee Report advises that there are no designated or undesignated heritage assets within the site. However, the front section of the site is within the Conservation Area, in line with the former school building adjacent.

There is without doubt going to be a change to the character of the Conservation Area in this respect and it is considered that the proposal will result in a lower level of 'less than substantial' harm.'

There is no test for 'exemplary' in any policy requirement, the Urban Design comments welcome that the proposal is broadly in accordance with the Uttlesford Design Code and the Conservation Officers says the design references to 'The Avenue' are commendable.

At no point does anyone conclude that the proposal would not sustain or enhance the area, only that it is not 'exemplary' design.

The 'less substantial harm' that arises must be weighed in the public benefit test, having regard to the optimal use of the site.

The Local Planning Authority have failed to achieve a 5 year housing land supply for many years and only now benefit from the 4 year test as a result of publishing their Regulation 19 Plan (with proposals map). The Authority has consistently failed to meet the Housing Delivery Test, with the most recent results demonstrating 58% delivery. There is an overwhelming need for housing within the Uttlesford District area and more importantly affordable housing. This is a highly sustainable site located in the core of Saffron Walden which is a Main Urban Area in the District.

The site has never been freely accessible to the public as public open space and the use of the pitches, largely in association with the School has long ceased and there is no intention to open the site for public use.

When these factors are balanced against the lower level of harm that results from the residential development of the site, the public benefit test is considered to be demonstrated and such a use of the site is considered to represent its optimal use.

Not only will the site deliver much needed homes and affordable homes, but will also provide new sports facilities and changing facilities that are no longer available, whilst providing public access to the protected tree belt and open space beyond. There will also be benefits to the wider public through connectivity being created from Greenway to the south and Mount Pleasant Road to the north.

- The application provides no designated children play space and this is wholly unacceptable given that this proposal is for 91 units.

The site must be read in association with the adjacent school site development which is providing, tennis courts, a MUGA and open space.

The site must be read in association with the adjacent school site development which is providing, tennis courts, a MUGA and open space. There is no intention to provide a boundary treatment on the western edge of the proposed open space such that the development parcels will be interpreted as a whole and residents will have access to both sites facilities..

The site also has ready access to the play facilities located off Peasland Road, approximately 180m from the site, the Lord Butler Leisure Centre, approximately 500m from the site, whilst sports facilities and open space are provided on site.

If it is considered necessary to provide additional on site play provision, there is sufficient space for it to be accommodated adjacent to the western boundary within the proposed open space area. The Applicant is content to receive a condition requiring such provision to be made.

- Both the market and affordable housing mix does not comply with the required mix as stated within the Local Housing Needs Assessment Report (June 2024). The affordable housing is in one cluster which is contrary to the Design Code SPD. This position is endorsed in the Housing Officer consultation response.

There is an overwhelming need for housing within Uttlesford, whilst the emerging Local Plan is at Regulation 19 stage, it does not provide for the housing requirement that would result from the new Housing Standard Method if adopted in its current form.

In a situation such as this, any housing, particularly a scheme that seeks to deliver 40% affordable housing should be welcomed. It is noted that the Local Housing Needs Assessment does not distinguish between flats and houses, only the number of bedrooms sought.

No developer is going to seek to deliver housing for which there is no market and as demonstrated by the independent letter from B3 Living, there is a register social landlord (RSL) already interested in taking on the properties.

From an RSL perspective, the provision of a more tightly clustered group of affordable homes provides an efficiency in management and enables a more coherent and supporting arrangement to be engendered with tenants. The arrangement proposed ensures this is delivered and can be readily managed by the RSL providing a high quality environment and service for future tenants.

- The applicant has not undertaken a public consultation and has undertaken little to no engagement with local stakeholders, such as local sports clubs who could use the proposed sports pitches (see the consultation response to PINS from Saffron Walden Community Football Club). This would help ensure that the club house and sports pitches are tailored directly to the local need to ensure the facility is properly utilised.

There is no legal requirement for consultation to occur, the Applicant has undertaken pre-application discussions with the Local Planning Authority and with Sport England, the latter of which has consulted with the English Cricket Board and the FA. The provision shows a layout that can be delivered but also demonstrates that the site has flexibility in its use, depending on the end user.

- Sports England who are a non-statutory consultee have expressed serious concerns over the re-provision of the sport pitches and the lack of engagement with local sports clubs as per the point above.

As stated Sport England are not a statutory consultee for this application and their pre-application feedback has been taken into account.

The existing fields are in a poor state and not suitable for modern playing standard, they are unlevel and lack the drainage that is required for modern grass playing fields.

The proposal seeks to deliver sports pitches that comply with the Sport England grass pitch standards and that are appropriately levelled and drained, whilst similarly providing a new clubhouse facility that is of benefit to the community.

Following the development of the Former School site adjacent, all changing and support facilities for any pitches were lost. The re-provision of a modern changing and community facility must be a positive addition, that seems to be misplaced in the wider discussion.

- The proposal bases the current need for sports pitches on the Playing Pitch Strategy and Action Plan (2019) which has now been updated by the Playing Pitch and Outdoor Sports Strategy Winter Assessment Report (June 2024). A summer assessment is due to be published shortly. The proposal does not correctly assess the current demand and existing provision of sports pitches.

The Winter Assessment June 2024 was unfortunately not available publicly prior to this application being submitted. There is an identified shortfall of pitches that this proposal will assist with, it may not solve the entire shortfall but will provide for high quality pitches that can be used by the community, with supporting changing rooms and a clubhouse.

The Planning Committee Report (para 13.3.6) identifies the following:

- *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.*

The scheme proposed an adult, 11v11 and 9v9 pitches.

- The proposal does not provide a like for like replacement of sports pitches and is contrary to the Development Plan.

There is no requirement in policy for a like for like replacement and if it were, it would be out of step with the NPPF and therefore out-of-date. It is considered that the proposal is in accordance with NPPF paragraph 103, in that the former pitches have been lost for a significant period with no intention for them to be re-provided, whilst there was no public access to any open space across the site, whereas the proposal would now allow public access to the open space.

- The northern row of detached housing is on a gated driveway. Gated proposals are contrary to guidance within the Saffron Walden Neighbourhood Plan (2022).

A gated community, as referenced in the Neighbourhood Plan policy SW3, is usually one that is inaccessible to anyone that does not live there. However, this is not the case in this instance, the proposed gate restricts vehicle access to reflect the less formal road network but the pedestrian

access to the eastern edge will enable movement through the space and ensures connectivity.

If this element of the proposal is of concern, the Inspector can condition that “notwithstanding the detail shown on the plan” the road shall remain ungated.

- The proposal includes no evidence to support that there will be no negative impact of the sports pitches on to the residential properties which surround the pitches, e.g. ball catching nets, noise and light pollution.

Floodlights are not proposed and would need to be subject to a separate planning application if required.

The Site Layout Plan does annotate a demountable sports netting behind the goalposts, the details of which can be secured by condition.

Following careful consideration of noise matters, as the field could be opened at anytime and used, the noise report concludes that noise is an existing baseline and that the proposal would have no greater impact on adjacent properties than the uncontrolled use of the site.

Comments have been provided within the Planning Committee Report raising concern regarding the use of shared visitor parking with the sports facilities proposed. The requirements for sports facility parking is a maximum standard not a minimum, such that being able to share the visitor parking provision with club house/sports provision enables a flexible use of the spaces without creating a car dominant development in this highly sustainable location. Ultimately, we should be seeking to reduce car parking provision in sustainable locations to encourage people away from the private car and into more sustainable travel patterns.

We have reviewed the Planning Balance test undertaken by the Local Planning Authority within their Planning Committee Report. It is noted that no weightings have been afforded to the benefits and disbenefits. To assist the Inspector, we provide the following assessment:

Benefits

- The provision of market housing in a highly sustainable location can be afforded **substantial positive** weight.
- A new club house and associated sports pitches will meet identified need for both within the sub-area can be afforded **significant positive** weight.
- 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, which can be afforded **significant positive** weight.

- A new footpath will connect Mount Pleasant Road to Greenway via the woodland which can be afforded **moderate positive** weight.
- Short term benefits associated with the construction of the site in terms of construction jobs can be afforded **moderate positive** weight.
- Long term benefits of future occupiers contributing to the local Economy can be afforded **moderate positive** weight.
- Biodiversity improvements including the retention and enhancement of the existing boundary vegetation and the creation of 101 new trees can be afforded **moderate positive** weight.
- A new community orchard for both residents and to help support wildlife can be afforded **moderate positive** weight.
- Sustainability improvements – proposal will achieve a 66% improvement over Part L 2021 of the Building Regulations (site-wide) can be afforded **moderate positive** weight.
- Access to wider sports facilities that are being provided on the adjacent Friends School site to create a comprehensive joined up community can be afforded **moderate positive** weight.

Disbenefits

Whilst the below are not strictly considered to be disbenefits, to assist the Inspector we have used the Council's conclusions and provided a weighting.

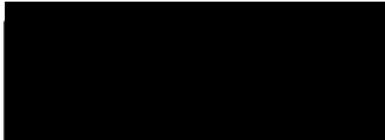
- It is not clear how many and what type of existing sports pitches were part of the site, however the proposal will not provide a like for like replacement, and this is contrary to planning policy. This has a **limited negative** weight given there are no sports pitches available and it is considered to be a benefit that provision has been included.
- 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. This has a **limited negative** weight, the s106 Agreement provides for the provision to be handed over to the Town Council for wider community benefit.
- 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. This is not a disbenefit as there is no legal requirement.
- The proposal will not comply with the openness of the site in relation to the designation within the Conservation Area Appraisal. **Great weight** must be afforded to any heritage impact.

It is clear that the benefits of this proposal significantly outweigh the disbenefits, based on the Council's own assessment when applying NPPF Paragraph 11d, the presumption should be to grant planning permission.

We trust the above assists in the determination of the application, if anything further is required, please do not hesitate to contact me.



Yours sincerely



Liz Fitzgerald
Managing Director

conversion of croydon building into 4 flats
7 parking spaces

new building comprising 4 dwellings,
extension to provide 2 additional dwellings

Maple building
6 no. 1 bed
6 no. parking spaces

Pine building,
12 no. flats
24 parking spaces

4 no. Lime 4 bedroom houses
existing school buildings to be demolished
(shown dotted)

New mews court to serve up to 20 units
on a cul de sac.
combined pedestrian and vehicular
surface of 6m in width, localised narrowing
where appropriate.

new access to provide 6m
wide mews court carriageway.

existing access to be upgraded
straight section of carriageway
to be provided from the entrance
junction for 15m

existing parking
to be retained

10 no. parking spaces
as existing

existing hardstanding
retained for parking

conversion of school
building to 52 flats

commercial vehicle
parking/turning area

temporary bin
collection point

Hard standing tennis courts

MUGA

11 parking spaces for pool users

proposed new parking on area of
existing hard surface tennis courts

public open space

5 no. Oak 4 bedroom houses
existing school buildings to be demolished
(shown dotted)

school conversion	52 flats
croydon building conversion	4 flats
gym replacement	6 no. 1 bed flats approx 50 sq.m.
assembly hall conversion	4no. 3 bed houses, 2 no. 1 bed flats
gym replacement	7 no. houses approx 85 sq.m.
new flat building	12 no. 2 bed flats
avenue access	9 no. houses
total	96

N	approved pool changing rooms indicated	27/03/2024
M	parking layout and landscaping updated	26/03/2024
L	additional planting to accord with landscape strategy	04/04/2022
K	revisions to bin sites, new flats	02/03/2022
J	additional planting indicated	23/02/2022
I	tracking revisions	22/02/2022
H	revised boundaries to time housetypes	18/02/2022
G	revised annotations regarding existing parking	18/02/2022
F	parking revisions	10/02/2022
E	parking provision updated	14/01/2022
D	Oak housetype revised	23/11/2021
C	general revisions	29/11/2021
B	general revisions	09/11/2021
A	general revisions	26/10/2021

REV	AMENDMENTS	DATE

DRAWN BY	Author	DATE	09/05/19
SCALE (@ A1)	1:500	PROJECT NUMBER	Project Number
CHECKED BY	Checker	APPROVED	

TITLE	Proposed site plan
PROJECT	Walden School, Saffron Walden

DRAWING NUMBER	21 0037-200 N
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