

January 8th 2025

**Redetermination of Section 62A Planning Application: S62A/2023/0019 Land to the north of Roseacres, between Parsonage Road and Smiths Green Lane, Takeley, Essex, CM22 6NZ (Land known as Bull Field, Warish Hall Farm, Takeley, Essex)**

Dear Sirs,

Please find my comments in respect of this application.

I would urge you to support the previous decisions in respect of this development and reject this application.

The history of applications on this site:-

UTT/21/1987/FUL - Refused

Appeal APP/C1570/W/22/3291524 - Refused

S62A/23/1583 - Refused, subject to High Court appeal

**Reg 19 Position**

Uttlesford's Local Plan currently being reviewed by planning inspectors for the period 2021 to 2041 is worthy of consideration.

Bulls Field development was included as part of the reg 18 consultation. Following this consultation and the significant number of objections this development was removed from the next iteration of the local plan. Within the local plan at reg 19 this field has been allocated to provide local open green space for the benefit of local residents. With enhancement and extension to the ancient woodland Priors Wood. Providing additional protection to this ancient landscape.

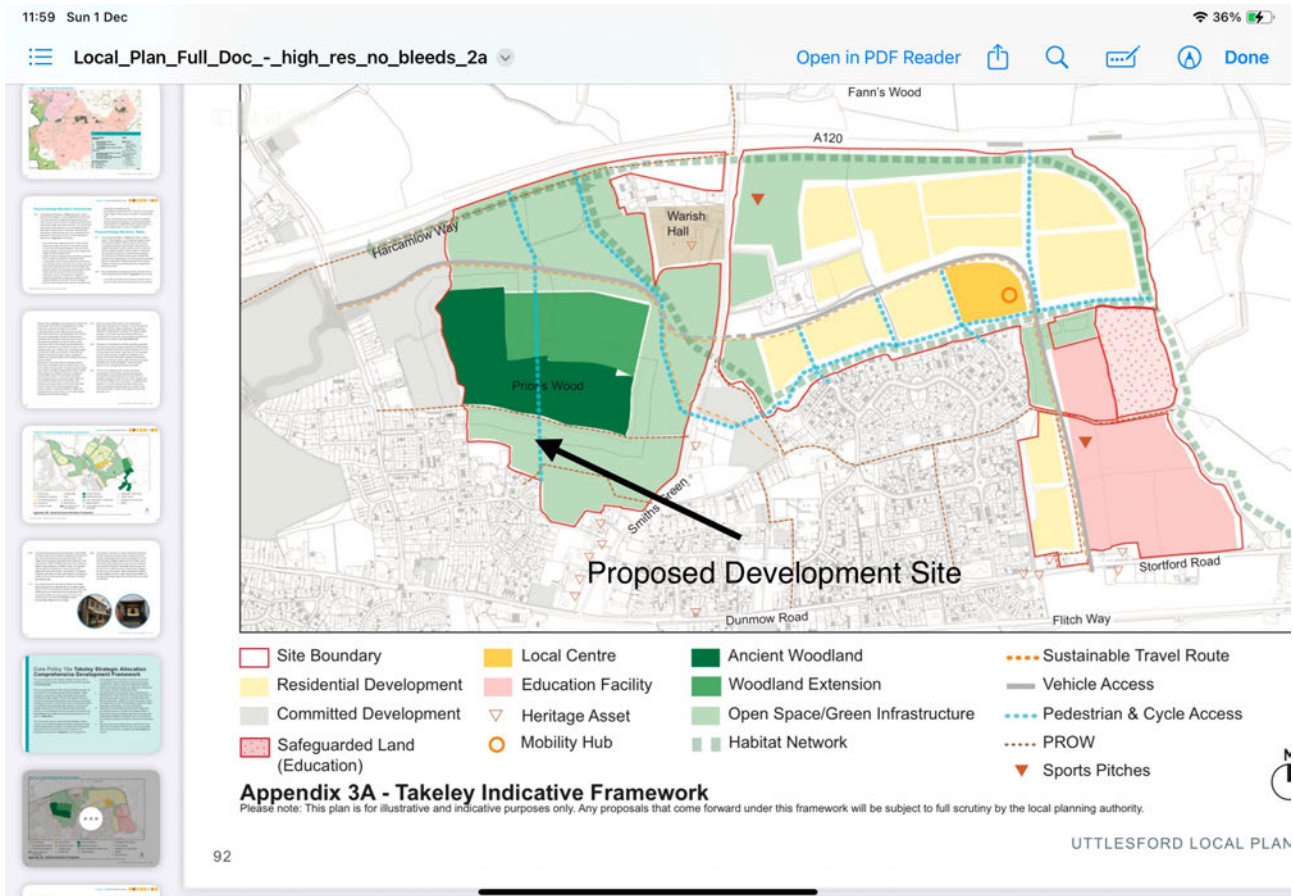
I would highlight the 2021/41 local plan paragraphs

**Core Policy 10a Takeley Strategic Allocation**

**Comprehensive Development Framework**

All new development at the Takeley Strategic Allocation will be guided by a comprehensive development framework as specified in Core Policy 52a. The new housing allocated at the Takeley Strategic Allocation will be provided to an exemplar standard following Garden Village principles to ensure that a highly sustainable and accessible development is fully realised. The new development will form a mixed-use community incorporating on-site services and facilities, including new schools, a local centre, access to local opportunities for employment and enhanced public transport, cycle way and footpath connections to Takeley, Stansted Airport and Great Dunmow. This development will come forward in accordance with Core Policies 10 and 10a and the Site Development Framework set out in Appendix 3.

The Council will continue to work with the landowners, Essex County Council, Natural England and Historic England and other relevant stakeholders to prepare a comprehensive development framework for the site following from the concepts in the Development Framework in Appendix 3. This includes that:



- i. the development is in accordance with the requirements of a travel plan for the whole site to make the necessary contributions in order to implement sustainable transport initiatives, including minimising car usage and increasing the use of public transport, walking and cycling
- ii. the development is in accordance with a comprehensive landscape plan for the whole site, including the provision of significant open space (to function as Suitable Alternative Natural Greenspace -(SANG) of at least 30 hectares, and for the maintenance of which the developer is required to make appropriate endowment or revenue contributions
- iii. proposals for new development should demonstrate that any potential impacts on Warish Hall (heritage assets) or Priors Wood (Ancient Woodland) have been minimised with appropriate and significant mitigation and/ or enhancement(for example including an extension to the Ancient Woodland), and
- iv. the land to the west of Smiths Green Lane that will remain within the Countryside Protection Zone and any proposals within this area must be compatible with Core Policies 12 and 15.
- Publication - Regulation 19 version

*The importance of this area as open space is highlighted by the numerous reg.18 responses and its subsequent removal from the plan. Removal of this area from the development plan mitigates the impact of the development by Weston Homes for some 800 homes on land to the west of Smiths Green/Warish Hall Lane.*

### Local Plan Appendix 3 Heritage:

- Enhance the landscape and heritage setting with a new green space to the south, east and west of Warish Hall moated site and remains of Takeley Priory (Scheduled Monument) and Warish Hall and Moat Bridge (Grade I Listed building).
- Smiths Green is an ancient and wide green space and Protected Lane designated as a Conservation Area in 2023, and whose open and rural character along with the setting of several listed buildings along the edges must be respected in new built form, uses and layout.

- Views from the south along Smiths Green Lane towards Warish Hall and looking southwards from Warish Hall should be retained.
- The remains of the non-designated moated site and its setting should be preserved in situ.
- Trees, hedgerows, banks ditches and verges associated with the lane should be preserved within any new development.
- The Protected Lane should retain its rural setting. Development should be located away from Smiths Green Lane to preserve the open, rural views from the road.
- Adequate provision should be ensured to facilitate access between the B1256 and areas to the north of Takeley and the A120 without recourse to the Protected Lane. Access from the site should be focused to the south-east.
- Sensitive design could be used to fit buildings into the character of the historic settlement. Planting could be used to provide separation between the Ancient Woodland and new development. The Ancient Woodland should be preserved within any development proposals.

#### Green Infrastructure and Biodiversity

- A large portion of the Takeley site is within the Natural England Amber Risk Zone for Great Crested Newts, meaning that it has Great Crested Newt populations, habitats and dispersal routes where developers must use District level licensing in these zones to accommodate the species. The creation of suitable wetland and terrestrial habitat to support Great Crested Newts will be encouraged.
- The site is within the B-Lines National Pollinator Network. Landscaping, active travel routes and road verges should be enhanced to benefit pollinators.
- The whole site is within the Natural England National Habitat Network Expansion Zone around Priority River Habitats.
- The site sits within close proximity to Hatfield Forest, within the Zone of Influence.

The LUC report, presented by the applicants justifying this site, dated July 2024, erroneously shows this site as part of the site allocation. Clearly this is an error as this site is **excluded** from the reg19 version. The report suggests that an excess of land is allocated within the plan for SANG. They quote the minimum requirements for SANG. The SANG land proposed is dissected by a new road reducing the availability and benefits that are required to be provided by SANG allocation. They fail to consider all the development to the east of Parsonage Road, including a new care home and extensive housing, whose residents will benefit from this open space. With all the development in the area there is intense pressure on Hatfield Forest. Hatfield Forest National Nature Reserve is the best surviving example in Britain of an almost complete Royal Hunting Forest. It has seen many owners, from Kings to commoners, now in the ownership of the National Trust. No other Forest on earth evokes the atmosphere of a medieval hunting Forest so completely. With the Forest becoming surrounded by development there is ever increasing visitor pressures on this unique area. The Local Plan acknowledges that an area of land greater than the minimum is required to reduce pressure on the Forest.

In 2016 LUC produced a report for UDC into the effectiveness of the CPZ. On this occasion they concluded that “The parcel plays (area 5 including Smiths Green and North Takeley) an essential role in preventing the merging of the narrow gap between the villages of Takeley and Little Canford, and protecting the rural settlement pattern of Smith’s Green.” I believe that these contradictory opinions undermine the planning process and the public’s confidence in the planning system, ably retold in Robert Brownings poem “He who pays the piper....”

#### **National Planning Policy Framework**

NPPF Dec 2023 states

105. The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them. Designating land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period.

106. The Local Green Space designation should only be used where the green space is:

- a) in reasonably close proximity to the community it serves;

- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- c) local in character and is not an extensive tract of land.

107. Policies for managing development within a Local Green Space should be consistent with those for Green Belts.

NPPF 2024

Paragraph 49:-

Local planning authorities may give weight to relevant policies in emerging plans according to:

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)

Paragraphs 106, 107, and 108 bring forward the paragraphs 105, 106, and 107 from the previous NPPF.

Paragraph 193. When determining planning applications, local planning authorities should apply the following principles:

- c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons 70 and a suitable compensation strategy exists;

### **Countryside Protection Zone**

The original reasons for the CPZ were defined as part of Sir Graham Eyre QC's report following the airport enquiry 1981 to 1983.

Eyre considered that the rural landscape around the airport was 'a precious landscape' (The Airport Inquiries 1981-83:( Report of Inspector Graham Eyre QC, Chapter 50, para 6.17) and that further expansion of the airport at Stansted would be an environmental catastrophe which would be 'an unprecedented and grotesque invasion of a large area of pleasant countryside' (The Airport Inquiries 1981-83: Report of Inspector Graham Eyre QC, Chapter 28, para 2.29)

"I would not be debasing the currency if I express my judgement that the development of an airport at Stansted, with a capacity in excess of 25mppa and requiring the construction and operation of a second runway and all the structural and operational paraphernalia of a modern international airport as we know the animal in 1984, would constitute nothing less than a catastrophe in environmental terms."

In 1995 UDC implemented a development protection zone around the airport to ensure the original vision presented by Sir Graham Eyre of an airport in the countryside is maintained. Many of the principles contained within the CPZ policies align with green belt legislation. Over the years the relevance of the CPZ has been questioned and only due to the lack of an upto date local plan has allowed development been approved within this zone.

A report produced by Brighter Planning Partnership for Takeley Parish Council, May 2022 stated that The development of hamlets around greens reinforces the strong association of the settlement form and character with the landscape. The sense of being set away and 'isolated' from the main settlement of Takeley is still found at Smiths Green. The report continues confirming

that to maintain the uniqueness of the areas there is no opportunity for development to the north of Takeley.

During the transition from reg 18 to reg 19 the CPZ was questioned and came under much discussion and scrutiny whilst some areas have been removed this particular site is included within the new plan.

### **Smiths Green Conservation Area**

[https://www.uttlesford.gov.uk/media/12112/Smiths-Green-Conservation-Area-Character-Appraisal-and-Management-Plan/pdf/Smiths\\_Green\\_CAAMP\\_02102023\\_-\\_lr\\_ihq9u24787ve.pdf?m=1702376169393](https://www.uttlesford.gov.uk/media/12112/Smiths-Green-Conservation-Area-Character-Appraisal-and-Management-Plan/pdf/Smiths_Green_CAAMP_02102023_-_lr_ihq9u24787ve.pdf?m=1702376169393)

The conservation area was formalised in November 2023.

The Conservation Area can be broadly defined as a concentration of predominantly detached historic structures around a historic green and protected lane. The group around the green form a distinctive collection, typical of a historic agrarian hamlet. The aesthetic is reinforced with some examples of high-quality landscape boundaries of specimen trees and hedges.

Whilst many of the buildings are post medieval in date, the origins of settlement here is earlier, with moated sites located within the Conservation Area and its immediate environs. There has been minimal modern intervention in the Conservation Area and a high number of the buildings are of architectural interest.

Smiths Green has, in recent years, been coalesced to some degree into the growing settlement of Takeley. However, the small hamlet is still very distinct and legible. The open land flanking Smiths Green Lane, the protected lane and the historic structures present a character and appearance of historic and architectural interest. This composition, within its agrarian setting, provides an understanding and experience which enhances an appreciation of the historic environment. The special interest here is importantly found not only in the individual buildings but also all of the open spaces between, the quality of the green, the landscaping and its agrarian setting.

Key characteristics which contribute to special interest include:

- The topography is level within the Conservation Area, and its environs.
- Properties located on the boundary of the green create an enclosed character in the southern part of the Conservation Area.
- Existing buildings are predominantly residential and detached.
- There is a loose grain of built development.
- Buildings are 1-2 storeys in height.
- The general high quality of landscaping and boundary treatments.
- Varied building line.
- Varied permeability of boundary treatments.
- Relationship with agrarian landscape and setting to the north.
- Different character at the north of designation in transition to the open agrarian landscape.

When travelling north along Smiths Green the development will be visible and very apparent from the conservation area and the village green sitting as it is proposed between Smiths Green and Priors Wood. Nighttime by introducing artificial light into the current dark environment the estate will be particularly evident. Destroying the agrarian setting of the Hamlet and the scheduled monuments of Warish Hall and St Valerys Priory. Increased urbanisation of the area promotes coalescence adding to the destruction of the uniqueness of the Smiths Green Hamlet, defined within the conservation area appraisal.

### **Site Access**

The primary point of access is through an industrial estate, current use E1. Residents and visitors, pedestrians, cyclists, mobility users all vying with delivery trucks, staff entering and leaving the business units and offices, including a car park for some 150 vehicles. The applicants are currently pursuing a change of use for these industrial units to be B8 APP/C1570/W/24/3354288. Meaning an increase in larger heavy goods vehicles entering and exiting the site.

The transport assessment for 96 dwellings suggests that there will only be 97 motorised trips per day, 1.1 trip per dwelling. The original assessment from 2021 predicted 868 trips for 191 dwellings, 4.36 per dwelling. In their application S62A/2023/0027 the transport assessment

predicted 182 trips for 40 homes, 4.5 per dwelling. Given the 2021 census figures highlight the regions reliance on motorised transport I believe the applicants MUST justify how this low figure will be achieved. Based on the other two assessments this development will likely generate 436 trips per day. Add this to the traffic generated by the car parks and industrial units will the existing junctions cope. What figures did Essex Highways consider in their appraisal.

Cambridge City has the highest rates of cyclists of cycle commutes in the UK. Much investment has been ploughed into infrastructure and safe junctions providing safe cycle ways, even with all this investment only 33% commutes are by cycle.

I would suggest that with all the development around Weston Business Centre this junction will generate the following additional daily trips:

#### Daily Trips

Housing	436	
Industrial Units	453	
Health Centre	292	
Business Centre, additional 124 spaces, 75% occupancy	186	361 total parking
Total	1367	

The second pedestrian and cycle route will be across to Smiths Green, which during the last year has seen a significant increase in vehicles using the lane as a route through to Stansted Airport.

PROW 40 and 41 are footpaths, not byways, therefore are legally approved only for pedestrians. Any works across the verges of Smiths Green will require permission to alter the registered village green. Works to provide access to the new estate from Smiths Green will also impact the Smiths Green conservation area.

PROW 40 crosses the site, how will this be protected within the new estate.

PROW 41 is within the 15m buffer zone along the southern border of Priors Wood. Any upgrades to create an all weather surface, lighting and a cycle route will negatively impact the ancient woodland. This route will need to be relocated outside of the buffer zone and within the estate.

To satisfy requirements to provide more than one access point to the new estate the proposals include upgrading the existing footpaths, Takeley 40 & 41, from footpath to byways. Takeley 41 joins Smiths Green on a blind corner with NO clear sight lines for traffic heading north along Smiths Green. I can attest to seeing traffic having to take avoiding action from pedestrians emerging from this footpath. Safety implications for the increased pedestrian and cycle traffic along Smiths Green (Lane). Smiths Green is an Uttlesford Protected lane, UTTLANE 166.

Smiths Green:-

- A restricted lane.
- A non-listed heritage asset.
- Evidence of Bronze Age activity.
- A protected lane that sits in the top 9 listed lanes in the district.
- It forms part of the National Cycle Route 50.
- It is part of Uttlesford's local cycling and walking infrastructure plan.
- It has no pavements, pedestrians, cyclists, mobility wheelchair users, horse riders all share the same tarmac with cars, lorries and other motorised vehicles.
- There are no street lights.

- The lane is bordered by registered village green, with properties, many of those listed and of historical importance, set well back from the lane.
- Existing village green crossings are limited to gravel tracks.
- A conservation area exists to protect Smiths Green.
- Travelling north the houses give way to agricultural fields that form the setting of the grade 1 listed Warish Hall and the ancient monument of St Valerys Priory.
- The agrarian setting of these important historic buildings support the context of the area.
- On the north side of Warish Hall a small industrial estate exists, which creates disproportionate amounts of traffic along the lane.
- Smiths Green is also used by taxis and similar airport traffic seeking to avoid traffic congestion at the B1256/B183 junction.

As part of the plans for Jacks Field a new bus stop is to be provided on Dunmow Road, B1256. No recognition is made on how the increased pedestrian traffic will access the bus stop on the southern side of Dunmow Road, B1256. The nearest bus stops to the eastern and western side are controlled by traffic lights. I personally can attest to the volume of traffic along this road and problems that occur when trying to cross this road, let alone students rushing to catch school buses. Yet no such plans exist for this new bus stop, a clear omission.

### **Priors Wood - Ancient Woodland and Local Wildlife Site**

Trees are given special consideration under the statutory planning system.

Trees are also important elements of green infrastructure, they represent a key resource that can significantly contribute towards climate change mitigation.

During their lifetime, trees will be vulnerable to disturbance, injury, environmental changes, pests and diseases. Construction work often exerts pressures on existing trees, as do changes in their immediate environment following the construction. A tree that has taken many decades to reach maturity can be damaged irreparably in a few minutes by actions that might be unwitting, negligent or wilful. The early provision of physical protection from damage is therefore critical.

Tree root systems are the most vulnerable part of the tree.

NPPF Dec 2023 states

186. When determining planning applications, local planning authorities should apply the following principles:

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons(67) and a suitable compensation strategy exists; and...

BS5837 prescribes how ancient woodland must be respected and how development in its locality should be conducted. Specifically NO development should be allowed within the 15metre buffer zone. The buffer zone being measured from the natural canopy. The buffer zone must be defined and excludes any development within the zone. This includes any construction, such as paths, play areas, managed grassland and suchlike. The buffer zone to be left as scrub and natural habitat. Protecting the ancient trees root systems by preventing the surfaces becoming compacted. Buffer zones have been identified as ideal habitat for Legacy Grazing:-

- To conserve scarce wildlife and landscapes to help local authorities and other organisations demonstrate a positive commitment to Biodiversity.
- To support the conservation of rare and traditional breeds.
- To explain and promote the role played by grazing animals in shaping the natural and historic environment.
- To achieve the highest standards of animal welfare.

The standards highlight the risks associated to tree roots with construction activity in close proximity. For veteran and ancient trees NO hard surface should be planned within the root protection zone. Hard surfaces include, but not limited to tarmac, bound gravel, paving and similar surfaces.

The proposed vehicle access to the site is within the 15 metre buffer zone. The road surface has the potential to be salt treated during icy weather. Salt is poisonous to vegetation, including trees. Tarmac surfaces leach oil and contaminates into the ground. The interstices in tarmac will become blocked overtime and the surfaces become impermeable. Tree roots in the vicinity will die back due to lack of water.

To the south of the access pinch point is wooded environment, including some ancient trees which this development access point will require removal. Destroying the environmental corridors linking Priors Wood with adjoining countryside.

The applicants arboriculturists report conclusions are disputed by The Woodland Trust report, ([https://publicaccess.uttlesford.gov.uk/online-applications/files/B30639991F34B8B0732B46008901A0D7/pdf/UTT\\_21\\_1987\\_FUL-PRIOR\\_S\\_WOOD\\_-\\_WOODLAND\\_TRUST\\_COMMENTS-3670143.pdf](https://publicaccess.uttlesford.gov.uk/online-applications/files/B30639991F34B8B0732B46008901A0D7/pdf/UTT_21_1987_FUL-PRIOR_S_WOOD_-_WOODLAND_TRUST_COMMENTS-3670143.pdf)), and the report prepared for Takeley Parish Council, ([https://assets.publishing.service.gov.uk/media/64f99a509ee0f2000db7bff8/Takeley\\_Parish\\_Council\\_6\\_Mr\\_Drummond\\_proof\\_of\\_evidence\\_Land\\_at\\_Warish\\_Hall\\_UDC\\_22-015-JB-PoE-Appendix\\_2-4.pdf](https://assets.publishing.service.gov.uk/media/64f99a509ee0f2000db7bff8/Takeley_Parish_Council_6_Mr_Drummond_proof_of_evidence_Land_at_Warish_Hall_UDC_22-015-JB-PoE-Appendix_2-4.pdf)), both reports highlight the harm that this intense development will have on the ancient woodland and LWS.

Further considerations should include measuring the impact of pollution from the new estate on the woodland. Pollution includes airborne emissions and light, both issues highlighted in the arboriculturists reports.

It is very noticeable that when walking through Priors Wood that as you approach the western edge of the wood the light levels fall as the wood is impacted by the industrial units that stifle the light levels. How will this affect the longer term stability and ecology of the ancient woodland.

Within Priors Wood there are ponds which provide excellent habitat for Great Crested Newts. To the south of the site, behind the listed properties off Smiths Green lies a wooded and scub area which due to its lack of human presence is an ideal habitat for these amphibians. This area is in the amber zone for GCN. I have seen evidence of badger activity, clumps of badger hair and suchlike, within the wood.

The 2023 report by the State of Nature Report 2023 highlights the continued decline. Highlighting the growing decline on farmland birds suffering a 59% decline. Further highlighted is the decline in plants and their distribution. The SANG area proposed for this site will have the potential to assist in reversing this decline. Weston Homes own ecology report concludes that the site provides good opportunities for local wildlife.

Weston Homes own ecology assessment highlights that across the site there are 8 different species of bats. Bat flight paths crisscross the site. Bat activity charts highlight the particular activity around the proposed access route. Continuous traffic entering and exiting the site will have significant detrimental impact on flight paths and roosting habitats.

Light pollution will negatively impact on bats and nocturnal insects. Light pollution is generated by street lights, security lights, light spill from windows, doors opening, motor vehicles and their headlights, particularly the windows at higher elevations.

### **Heritage Assets**

The site sits within the zone of influence for Hatfield Forest, an internationally important site.

The site sits within the zone of influence of St Valerys Priory and Warish Hall.

St Valerys Priory a scheduled monument reference number 1007834

Warish Hall and Moat Bridge, reference number 1169063, a grade 1 listed building. A late 13th century aisle house with later additions.

The lands around the former Priory are recorded in the Domesday Book, Essex Folio 20. The area being measured at 0.50 hides, approximately 60 acres. Highlighting how for the last one thousand years these lands have been under cultivation providing food for their communities. The current



fields, hedgerows, footpaths, and lanes reflect the setting of these historic assets form an important and integral part of the relevance of this important site.

The site also impacts on the Smiths Green Conservation Area. The conservation area highlights the historical importance of the area. Moving from the southern area listed cottages set back from the registered village green. Moving north along the lane the agrarian setting of the historical assets with hedgerows and open fields onto the ancient monument of St Valerys Priory and Warish Hall. Views along the lane will be corrupted by this new estate.

The appeal decision APP/C1570/W/22/3291524 refers to the setting and importance of the ancient monument, Warish Hall and St Valerys Priory Included the following comments:-

51. Warish Hall moated site and remains of Takeley Priory Scheduled Monument: this scheduled monument includes a priory site situated on high ground, around 2km east of Takeley church. It contains a complete, rectangular moat which is set within a much larger moated enclosure. As a scheduled monument it is an asset of the highest significance and is of particular historical and archaeological importance.

52. The setting of this SM makes a strong contribution to its significance. Like other examples of its type in this part of England it was constructed in the rural landscape. Whilst field boundaries in this vicinity have changed over time and the site itself has become enclosed by mature trees, the fundamental agrarian land use in the vicinity of the SM has remained. The link to Prior's Wood and Bull Field in my judgement, is an important one in terms of setting. It is likely that the Priory had an ownership and functional relationship with the woodland and the SM retains its functional link to these rural features in the surrounding landscape.

53. Notwithstanding the built development in the vicinity including the airport, the A120 and the housing beyond Smiths Green to the south, I consider that this asset can be appreciated and experienced from Priors Wood and Bull Field in terms of the visual and historical functional links, and the tranquillity they provide to the SM. The undeveloped grain of the surrounding landscape character, as part of the asset's setting, makes a positive contribution to its significance.

54. The proposal would erode this character by bringing development closer to the SM within the nearby Bull Field and Maggots Field. The experience of the SM, from its southern ditch, would be adversely altered as the open agrarian landscape would be enclosed by built development. This would be harmful to the significance of the designated heritage asset.

55. In this regard, I agree with Historic England(15) who in its consultation response noted that it is clear that the SM draws a considerable amount of its significance from its setting. In accepting that the SM is compromised by previous development, it still however benefits from long uninterrupted views southwards towards Prior's Wood and Smiths Green. Against this background,

Historic England considered there would be less than substantial harm of a moderate to high degree.

Inspector McCoy concluded

I have identified that the proposal would be harmful to the character and appearance of the area in terms of its adverse effect on landscape character and visual impact, would reduce the open character of the CPZ and would cause less than substantial harm to 11 no. designated heritage assets that would not be outweighed by the public benefits. Accordingly, the proposal would conflict with saved LP Policies S7, S8, ENV2 and ENV4, and NPPF paragraphs 130, 174b and 202.

### **Affordable Housing**

The applicants proposal to include 40% affordable housing must be secured by watertight agreements. Like many developers Weston Homes will look to renege on any affordable agreements by citing viability tests. By way of an example 40 units approved in Jacks Field, originally planned to include 40% affordable homes is already being challenged, UTT/24/2294/DOV.

### **Sewage Disposal**

I have no doubt that Thames Water will not raise any concerns about this development. Their legal responsibility changes if they raise doubts over the ability of their facilities to cope with ever increasing amounts of sewage being received by their Takeley Street facilities. This development will also include sewage outfall from the 40 properties being built in the adjacent site, Jacks Field.

Thames Water, despite all their financial problems have plans to increase capacity, but such plans will not be completed until 2045. Confirming that they recognise that these facilities are not coping.

Whilst lack of treatment facilities is in itself not a reason to refuse permission, proper planning conditions can be imposed to insure that the impact of development on the treatment plant is not overwhelmed.

Year	Hours discharged	No. Of times	Percentage	Monitor Operational	Reason
2023	1207.7	81	13.78%	99.9%	<i>Not Asset Maintenance - Hydraulic Capacity</i>
2022	701.2	50	8%	99.9%	<i>Performance - Asset Configuration (E.G. Ps/ Rising Main/Storm Tanks)</i>
2021	1281	90	14.62%	98.1%	<i>Not Asset Maintenance - Hydraulic Capacity</i>

Discharges are covered under the Environment Agencies temporary licence TEMP.2948  
Discharges are authorised into Pinceys Brook. Flowing past Hatfield Forest and onwards to join the River Stort, a local boating playground.

Pinceys Brook also receives discharges from sewage installations in Hatfield Broad Oak ; Lower Sherring; Takeley Garnets Hill; Takeley Stane Street; Takeley Wayletts Hill; Stansted Airport. The Water (Special Bill) recently passed its second reading, providing enhanced statutory powers to OFWAT.

It is not sustainable to continue to discharge sewage into our local water courses.

Thames Waters comments during the reg 18 highlighted their concerns regarding the impact that development within the area is having on their infrastructure. Requesting further engagement to ensure that development does not overwhelm the current systems.

Copy of Statement made to Inspector:-

Grade 2 agricultural land which has been in cultivation for some 1000 years, and continues so to this day is proposed for development.

Uttlesford most recent housing figures confirm a 5.14 years housing supply, with a further 2.18 years approved during the first six months of this year.

Priors Wood ancient woodland and a registered local wildlife site (UFD 146) will be decimated by this development. The removal of the trees to provide access for the new estate will break the environmental corridor that runs beside Roseacre Primary School along Priors Path through to Priors Wood and beyond.

Overdevelopment will cause great harm to Priors Wood. Artificial lighting, including light spill from homes will disrupt nocturnal creatures. Priors Wood will suffer from trampling and overuse, increased uncontrolled access will encourage vandalism. Priors Wood will become an orphan woodland.

Under legislation ancient woodland is protected. NPPF, paragraph 181, (c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused,

The trees that will be removed to create access provide screening between the Smiths Green conservation area and the Weston Business Centre and the new industrial buildings.

A heritage assessment produced by Brighter Planning Partnership for Takeley Parish Council, May 2022 concluded that There are considered to be no opportunities for development within the green over and above ancillary development relating to the existing houses. Bulls Field abuts Smith Green to the north and there are important views from the northern end of the green across this field to Priors Wood and Warish Hall. The undeveloped character of the field is important as it defined the limit of the hamlet and reinforces the rural setting of the locality

Any further infill of housing would erode the special character and appearance of Smiths Green notably the gaps between the buildings and the strong landscape character of the green.

Regulatory approval for Smiths Green conservation area is moving forward, it will be compromised by this development.

The transport solutions proposed do not address the local needs and issues. Traffic levels in Takeley are unsustainable. The traffic surveys are so inaccurate that I question if the so called experts actually visited Takeley. Cycle ways, including the Flitch Way are weather and daylight dependent. Essex Highways have proposed a cycle way beyond Takeley to Coopers End Roundabout, cycle way to nowhere. Access to Stansted Airport is not conducive for non motorised journeys. Cars to MAG are a cash cow. MAG's preferred route into the airport is via the A120 with the various security points that visitors pass.

UDC's own toolkit, Building For a Healthy Life specifies that there should be more than a single point of entry for pedestrians and cyclists. Weston Homes proposes footpaths to Smiths Green as a solution. This despite Inspector Susan Hunt BA Hons MA MRTPI reasons for refusing the application S62A/2023/0016 that Smiths Green and Jacks Lane byway was not considered a safe all weather route for pedestrians, cyclists, wheelchair users and the like.

I urge you to reject this proposal, it is environmentally unsound.