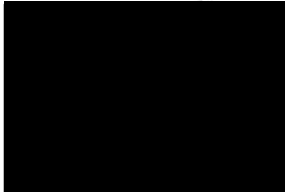


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Ms Ms L Fitzgerald



7th March 2024

Your ref:-----

Our ref: UTT/23/3089/PA

Please ask for Matt Kolaszewski on 01799 510 556
email: mkolaszewski@uttlesford.gov.uk

Dear Ms Fitzgerald,

TOWN AND COUNTRY PLANNING ACT 1990 (as amended)

Re: Pre Application for Erection of 90 dwellings, with associated open space and sports pitches with associated changing facility.

I refer to your preliminary enquiry submitted to Uttlesford District Council on the 04 December 2023. I have examined your submitted documents, including all indicative drawings which inform the submitted proposal.

Site Description

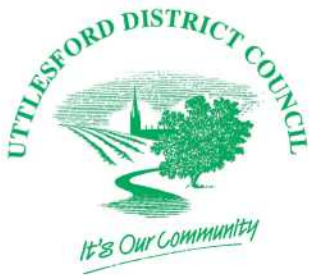
The site comprises the former playing fields of the former Friends School located off Mount Pleasant Road in the southern part of Saffron Walden. The site is located within the Saffron Walden Conservation Area (zone 6). Adjoining the site to the west are the former school buildings and sports facilities which are currently being converted and developed into residential use, with ancillary facilities.

To the south west of the site is a residential development known as 'The Avenue'. To the southern and south eastern boundaries are significant tree belts and open space. The eastern boundary is also well tree'd beyond which are residential properties. The northern boundary of the site consists of mature trees fronting onto Mount Pleasant Road. Access to the site is currently via the main part of the school site, which itself benefits from an access onto Mount Pleasant Road.

The site extends to approximately 6.567ha and is comprised of the former playing fields associated with the Friends School. The site generally slopes downwards north to south and there are two groups of trees protruding into the site in the south easter quarter.

Analysis

In 2019 an application was submitted for the development of this land



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(application ref: UTT/19/1744/OP) was refused. There were a total of eight reasons for refusal (with one being duplicated in error). These are listed below with commentary below them as to how the current pre-app submission has, or hasn't addressed the reasons:

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.

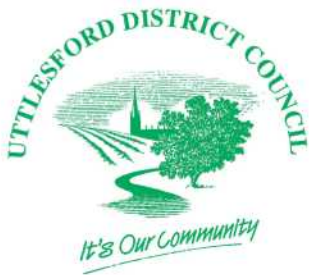
The site remains designated as a protected open space. To this end, whilst it is acknowledged that the use of the site as a school playing field has ceased and given the redevelopment of the wider school site, will no longer be required for this particular purpose, the open space itself remains protected. There therefore remains an in principal objection to the redevelopment of the site.

The pre-app submission relies heavily on the fact that the playing fields have not been used since the school closed in 2017. Whilst accepted that this is the case, it does not follow that this means there is no need for the open space. The open space has not been used by the public since 2017 because they have been unable to access it and as such the fact it's been unused is not considered to be a strong argument for why the site should be redeveloped.

There do not appear to have been any information submitted in terms of the design of proposed buildings and so no further comment can be provided on this element of the refusal.

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.

It is acknowledged that you have sought to address this reason for refusal by essentially flipping the layout of the development and moving the playing fields from the north of the site along Mount Pleasant Road to the southern section of the site. You have also changed the facility from a MUGA to grass pitches (2 x football or 1 x cricket) and in doing so increase the area of sports pitches proposed marginally. However, the comments from Sport England on the original app which was refused stated that they required a 3G pitch. This is not what is proposed. You will need to justify why the proposal is sufficient to meet local demand when the modern trend is for 3G style pitches that can be utilised for a wider range of activities. You state in your submission that given the length of time that has elapsed since the school field was last used (over 5 years) you are no longer required to consult Sport England. I have reviewed the



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criteria and have not come across this. The Council's position remains that this is a protected open space with playing fields.

The playing field may not have been in use but that is because the site owners have not opened it to public use in that time for various reasons and not because there is no requirement for them. For this reason, should an application be forthcoming, we will consult Sport England and follow their advice. The starting point for your scheme remains that you should follow the guidance they provided in their assessment of the previous planning application in regard to the requirements set out by Sport England. Given they wanted a 3G pitch, this will likely by its very nature be an all year-round facility requiring floodlighting etc. Further it will likely need to be rented to local groups during evenings and weekends. This in turn will mean that noise and disturbance from lighting will become an issue that needs to be addressed in any future submission.

Given the constraints of the site (it is essentially encircled by housing) it is considered that no matter where you will put the sports pitches, they will cause noise and disturbance to neighbouring properties owing to the proximity to housing especially in summer months when people are enjoying their gardens – both existing dwellings surrounding the site as well as those within the proposal once they are built. I would advise that a robust management plan is submitted with any future application together with mitigation measures. The goal of this proposal needs to be to provide playing fields/sports pitches etc that are of such a standard that outweighs the harm of the loss of the remainder of the site. It is considered the current proposal fails to achieve this.

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.

It is not clear from the pre-app submission exactly how this reason for refusal has been addressed. A Heritage Impact Assessment should be submitted with any future application that clearly demonstrates how you believe this has been overcome.



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

Any future submission will need to show that the development meets Biodiversity Net Gain requirements and provides a positive contribution to protected species.

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

This can be overcome with the submission of an HIA and should be straight forward.

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.

As per reason no. 2 above, this would need to be fully justified. You have said that the site has not been in use since the school closed which is fine, however there seems to have been no efforts to open it to the public at any stage during the long planning process to redevelop the school etc so if the site is redundant it is purely because of the developers actions and not because there was no need for the use. There appears to be little attempt to demonstrate that there is an over provision of sports pitches in the area.

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.

This can be overcome with the submission of a full application.

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.

See 7 above.

Summary and Conclusions



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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 2005 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.

You will appreciate that the views expressed in this letter are those of an officer which do not bind any Members of the Council's planning committee should an application come before them for formal consideration.

If you have any questions or concerns regarding this letter please do not hesitate to contact me.

Yours sincerely

Matt Kolaszewski
Strategic Applications Officer