

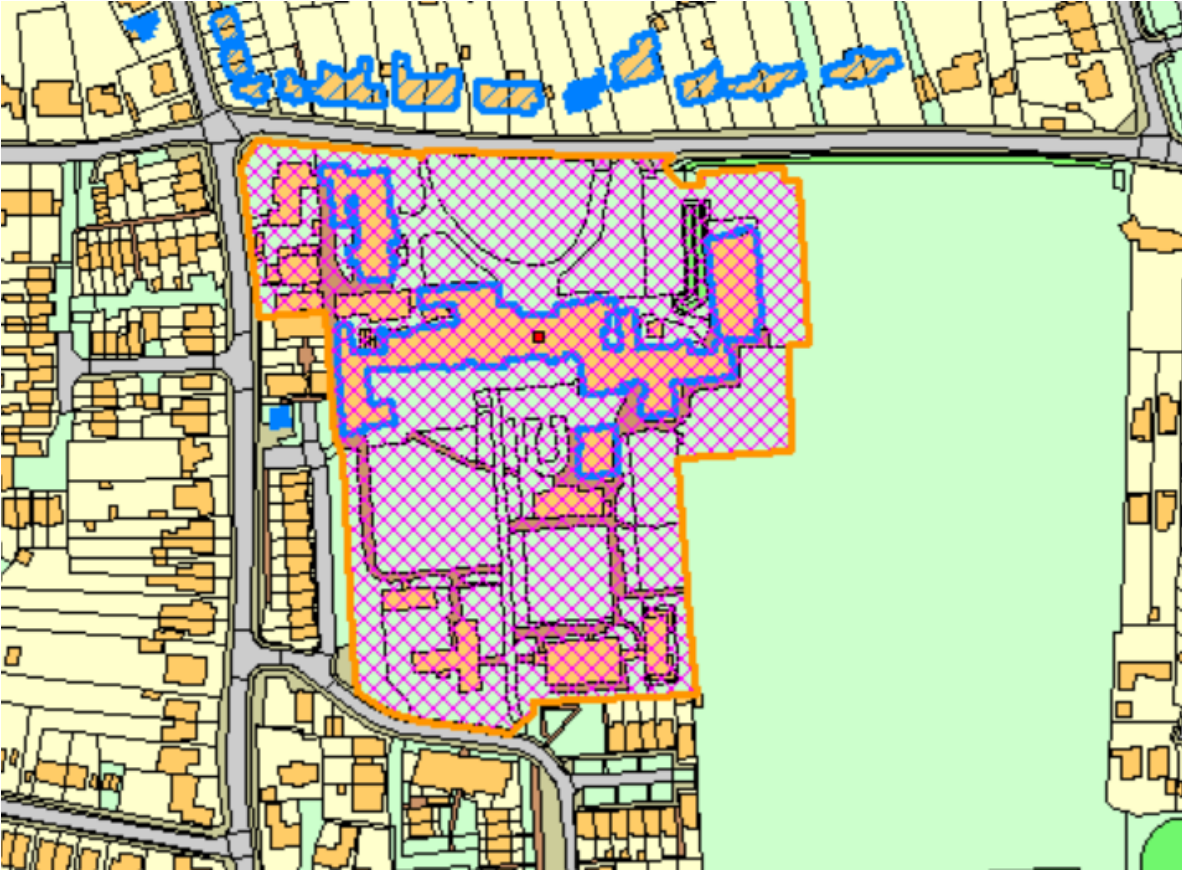
ITEM NUMBER: 12

PLANNING COMMITTEE DATE: 24 July 2024

REFERENCE NUMBER: UTT/24/0431/FUL

LOCATION: Former Friends School, Mount Pleasant Road,
Saffron Walden.

SITE LOCATION PLAN:



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Organisation: Uttlesford District Council Date: 03 July 2024**

PROPOSAL: S73 application to vary condition 2 (approved plans) of UTT/23/1853/FUL (S73 application to vary condition 2 (approved plans) for S62A/22/0000002/UTT/22/1040/PINS conversion of buildings and demolition of buildings to allow redevelopment to provide 96 dwellings, swimming pool and changing facilities) in order to allow for internal and external alterations to the main school building conversion including a small element of demolition, and site plan changes including parking and trees.

APPLICANT: Chase New Homes

AGENT: Barker Parry Town Planning Ltd

EXPIRY DATE: 24 May 2024

EOT Expiry Date 26 July 2024

CASE OFFICER: Timothy Cakebread

NOTATION: Within Development Limits, Conservation Area, Adjacent Listed Building, Part Archaeological Site, Tree Preservation Orders, Flood Zone 1.

REASON THIS APPLICATION IS ON THE AGENDA: Major Planning Application

1. EXECUTIVE SUMMARY

1.1 Planning permission is sought by the Applicant for a 'minor material' amendment to full planning permission that was granted consent by the Secretary of State under application ref: S62A/22/0000002. This approved permission granted permission for the conversion and demolition of existing buildings on the site to allow for its redevelopment to provide a total of 96 residential dwellings alongside associated infrastructure.

1.2 A section 73 planning application (Ref. UTT/23/1853/FUL) was granted 11 January 2024 which permitted the demolition and replacement of the building known as the 'Assembly Building' (the replacement building was virtually the same size and consisted of the same number of units). There were also minor external changes to the building known as 'The Croydon Building'.

1.3 This application before Members today is for further design amendments to site. The applicant has undertaken a soft strip out of the main building and undertaken further site investigation. This application is for several minor changes to the original consent based on a greater understanding of the condition and layout of the building. These changes also incorporate minor alternations to the layout of the wider site and include:

- Internal & external changes to the main school building conversion including a small element of demolition;
- Loss of 2x3 bed units and gain of 1x2 bed and 1x4bed units in the main building (no overall loss of units);
- Relocation of 2 car parking spaces by the Ash houses;
- Removal of 3 groups of trees;
- Change of the 2 grass tennis courts to 2 hard standing tennis courts; and,
- Amended wording of conditions following the above changes.

1.4 Planning Officers and Conservation Officers of the Council have worked with the applicant to ensure an appropriate design solution has been achieved whereby the proposals will preserve and reflect the character of the existing built and natural environment and to ensure a high-quality design suitable for the enjoyment of future residents.

1.5 It is concluded that the proposals comply with the relevant policies contained within the Uttlesford District Local Plan 2005 (as Adopted), the Saffron Walden Neighbourhood Plan and the National Planning Policy Framework.

1.6 The applicant has implemented the full planning permission for the site and construction is progressing. The first completions are expected to be the Ash houses at the end of 2024, followed by Oak and Lime houses in early 2025. At present, the applicant is expecting the completion of the flats within the main building conversion by early 2026.

2. RECOMMENDATION

That the Strategic Director of Planning be authorised to **GRANT** permission for the development subject to those items set out in section 17 of this report –

A) Conditions

3. SITE LOCATION AND DESCRIPTION:

3.1 The area of land subject to this Section 73 planning application relates to the land known as 'Former Friends' School, Mount Pleasant Rd, Saffron Walden CB11 3EB.' The extent of the application site is as shown by the land edged in red on the site location plan submitted in support of this application.

- 3.2** The site itself is located on the southern side of Mount Pleasant Road, within the town of Saffron Walden. The site is generally rectangular in shape, relatively level, with just a slight slope falling from east to west and is approximately 3.25 hectares in size.
- 3.3** The site was formally used as private school known as 'Friends School'; however, it has been vacant since 2017 when the school went into administration. The main school building that fronts Mount Pleasant Road is locally listed. This building has many Tudor embellishments such as large chimney stacks, embattled entrance tower with large corner buttresses and a gothic-arched entrance made from chamfered brick.
- 3.4** The main building has been extended on its eastern side with an indoor swimming pool (early 1900s) and on its southern elevation with a 1980s classroom block. Other buildings have been added on the site over time, with the most recent being the new school building to the south of the site.
- 3.5** At the rear of the site lie the former grassed tennis courts, a hard-surfaced tennis court, a MUGA and a playground.
- 3.6** Along the frontage of the site (Mount Pleasant Road) a modest size wall extends the length of the boundary. Behind the wall lies mature vegetation that is protected by tree preservation orders. Further mature vegetation is located throughout the site in which some are also protected tree preservation orders.
- 3.7** The north-western corner of the site has a limited Debden Road frontage whereby a couple of buildings are visible on this frontage. The remainder of the western boundary is mostly obscured from Debden Road by the relatively recent 'The Avenue' re-development, which was granted planning permission in 2011 and has since be completed. This development was permitted on land that formed part of the school site and included 76 new-build homes along with a new junior school and new dwellings located either side of a Grade II listed water tower. Adjoining the site to the east are the former playing fields which do not form part of the application site (but are within the land ownership of the applicant).
- 3.8** The application site is located and situated within an established built-up area that mainly comprises a mixture of dwelling types and styles.
- 3.9** In terms of local designations, the whole of the site lies within the Saffron Walden Conservation Area. Number 9 Mount Pleasant Road opposite the site and the Water Tower located along Debden Road to the west of the site are both classified as Grade II Listed Buildings. To the front and parts of the rear of the site are designated protected public open space. The rear half of the site also falls within a designated Archaeological site of interest. The Environmental Agency Flood Risk Maps identifies the whole of the site lying within 'Flood Zone 1'

3.10 The former Friends School playing fields to the east of the site are designated as protected open space for playing fields. The site is not adjacent to any statutory or non-statutory landscape designations.

4. PROPOSAL

4.1 Planning permission is sought by the Applicant for a 'minor material' amendment under Section 73 of the Town and Country Planning Act 1990 (which allows changes to the conditions applying to existing permission).

4.2 Condition 2 imposed on the decision notice (Ref. UTT/23/1853/FUL) states that the development hereby permitted shall be carried out in accordance with the approved plans.

4.3 The application when first submitted in February 2024 only included the amendments to the main school building. Subsequently as the applicant is currently progressing with the development, several minor changes to the layout of the site are required and these were added to this application in April 2024.

4.4 If there is no change to the basic principle of the approved development, then the substitution of plans is allowable within the scope of the Section 73.

4.5 The plans substitutions proposed in this application do not affect the description of development. The Council can therefore reasonably consider the alterations proposed in this submission.

4.6 Main Building

4.7 The Main Building is the former main school building which is a locally listed building and a contributor to the significance of Zone 6 of the Saffron Walden Conservation Area. This building will contain 52 of the 96 dwellings being provided on the site.

4.8 This proposal is for minor internal and external alterations to the main building including a small element of demolition. Some of these changes are clarifying errors on the approved proposed plans which are identical to the existing plans (this was not picked up by PINS as part of the section 62a application). A summary of the changes is as follows:

Ground floor

- Internal layout changes:
 - Flat 1 secondary internal entrance removed to provide a second bathroom and main entrance centralised
 - Hallway reduced to increase size of Flats 4 & 7
 - Flat 15 extended internally to be 3 bedrooms
 - Communal lounge reduced in size but direct access from reception created
 - Creation of 2 1xbeds at Flats 8 & 8A (from single 1x2bed)

- Single storey later infill to courtyard demolished, units rearranged and provided with new openings.
- Replacement window to Flat 12 to match others and external access created.
- Roof lights added to Flat 13.
- External door created to Flat 17 and rearranged layout (from a 3 bed to a 2 bed)
- New external doorway to staircase to first floor no longer through a bike store.
- Flat 49 has new external doors and windows.
- New Flat 45 created

First floor

- External Staircase removed from Flat 48
- Flat 17 omitted from first floor (ground floor only now).
- Creation of 2 1xbeds at Flats 24 & 24a (from single 1x2bed)
- Creation of 3 2xbeds at Flats 28, 29 & 48 (from 3 1xbeds)
- Flat 32 becomes a 4 bed instead of a 3 bed

Second floor

- Terraces are provided to Flats 41 and 40.
- A mezzanine is created over Flat 42.
- Creation of 1 2xbeds at Flat 45 (from 1x1bed)
- Flats 46 and 47 no longer provided due to Flats 8A and 24A created on other floors.

Elevation 1

- Windows correctly shown at ground floor, new external door in a window opening. Context of approved Pine Building added.

Elevation 2

- New masonry on tower above main entrance and single storey link building demolished. Context of approved Pine Building correctly reflected.

Elevation 3

- Ground floor windows correctly shown with glazing to match other windows. A dormer window is removed.

Elevation 4

- Block to be demolished correctly reflected and context of approved Pine Building shown.

Elevation 5

- 2 new access doors to be inserted and 2 new windows to be installed to match existing and the ground floor windows are to be elongated.

Elevation 6

- Entrance of single storey link demolished, new external door, an existing door changed to a window to match others.

Elevation 7

- New masonry on small section.

Elevation 8

- Elevation reflects removals of flues etc and new doors.

Elevation 9

- Existing first floor window blocked up, external door relocated, new window at ground floor and further new external door added.

Elevation 10

- Outline of approved demolition shown.

Elevation 11

- New masonry to make good a small section of wall, poor quality dormer removed, ground floor window amended to match others and a door at first floor made into a window due to removal of external staircase.

Elevation 12

- No changes.

Elevation 13

- Pine Building massing correctly reflected.

Elevation 14

- No changes.

Elevation 15

- External openings on elevation facing into courtyard removed to ensure privacy for occupiers. Modified roof ridge.

Elevation 16

- Rooflights replaced with more attractive dormers (centred on windows at ground floor), external staircase removed, and existing windows shown with new external door. Modified roof ridge.

Elevation 17

- New windows and door.

Elevation 18

- External staircase removed and windows improved as a result.

Elevation 19

- Velux roof lights proposed to provide lights to amenity to second floor.

Elevation 20

- Windows partially changed to obscured glazing off to reflect the approved new floor level internally.

4.9 The above alterations result in a change in the mix of the following units:

- Flat 17 is changing from a 1x 3bed flat to a 1x 2 bed flat. This is the result from the relocation of the flat from the first floor to the ground floor due to the lack of space from the eaves space than previously considered; and,
- Flat 32 is changing from a 1x3 bed to 1x4 bed as this is an exceptionally large unit which makes better sense to be a 4 bed over a 3 bed.

4.10 There are minor changes to the layout and location of the units such as changes in the location of a number of 1 and 2 bed units, but overall, the only changes to the mix of tenures is as the above paragraph.

4.11 Other changes

4.12 Two car parking spaces are being relocated from the north of the Ash Buildings to the south of the buildings as tandem car parking spaces. These car parking spaces form part of the 14 car parking spaces assigned to the Ash Buildings and there is no change in the number of car parking spaces. This change can be demonstrated on the proposed site plan Ref. 21 0037-200 Rev N.

4.13 The trees located at 100, 101 & 103 on the Tree Protection Plan (Ref. 1642-KC-XX-YTREE-TPP01 REV F) are low quality trees (category grading C1 & C2) and as they do not significantly contribute to the character of the area, and they are proposed to be removed.

4.14 The existing 2 grass tennis courts are proposed to be converted into hard standing courts. This would improve the usability of them all year, in all weather and this would reduce the maintenance costs associated with them.

4.15 Several of the planning conditions will need to be updated to reflect the changes listed above.

4.16 Section 106

4.17 There are no changes needed to the Section 106 as part of this proposal.

4.18 There are two separate pending planning applications which propose to change the swimming pool into a community hall and meeting space. Should these planning applications be granted then a deed of variation to the section 106 will be required. One of the planning applications is a drop in planning application for this change (Ref. UTT/24/1144/FUL), whilst the other planning application is a non-material amendment (Ref. UTT/24/0513/NMA) to change the description of the development to

remove the reference to the delivery of the swimming pool. Both planning applications will be determined under delegated powers and are separate and not linked to this proposal.

5. ENVIRONMENTAL IMPACT ASSESSMENT

5.1 The proposal falls within 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (the EIA Regs). However, the proposal is for a relatively modest residential-led development. There would be localised effects on the site and surrounding area, but these would not likely result in significant effects on the environment, either alone or cumulatively with other development. Therefore, an Environmental Impact Assessment was not required as part of this reserve matters application.

6. RELEVANT SITE HISTORY

6.1 There has been an extensive amount of planning history to the site which are not particular relevant to the proposals, however, they demonstrate the extensive work that has taken place over a considerable amount of time. The application that is most relevant to these proposals is as follows:

- UTT/22/1040/PINS - Consultation on S62A/22/0000002 for the conversion of buildings and demolition of buildings to allow redevelopment to provide 96 dwellings, swimming pool and changing facilities, associated recreation facilities, access, and landscaping.

6.2 The Inspector granted planning permission subject to conditions and a unilateral undertaking on 11th October 2022.

6.3 Following the above decision a Section 73 planning application (Ref. UTT/23/1853/FUL) was granted in January 2024 for the demolition and replacement of the Assembly Building and minor revisions to the Croydon Building (there was no changes in the number of units being delivered). In addition to this application several planning conditions have been submitted and approved by the Council.

7. PREAPPLICATION ADVICE

7.1 No pre-application discussion took place between the Applicant and the Council prior to the submission of this application.

8. SUMMARY OF STATUTORY CONSULTEE RESPONSES

8.1 Highway Authority – No Objections

8.1.1 The proposed car parking changes are acceptable (see full response in Appendix 1).

9. Local Flood Authority – No Objections

9.1 The revised information provided within the iD Ltd letter from 27 March 2024 is acceptable subject to conditions (see full response in Appendix 2).

9.2 **TOWN COUNCIL COMMENTS**

9.2.1 Saffron Walden Town Council reviewed the proposal at the 23rd May 2024 Planning and Transport meeting and had no specific response.

10. **CONSULTEE RESPONSES**

10.1 **UDC Housing Officer – No Comments**

10.1.1 I have no comments/observations in respect of this application as it does not include affordable housing provision, due to vacant building credit.

10.2 **UDC Environmental Health – No Objection**

10.2.1 The letter from Cass Allen (Ref. LR01-22514-R0) demonstrated that plant noise limits are still achievable with the mitigations/controls described in Cass Allen report TN01-22514-R1, I have no objections to the variation of condition 2.

10.3 **UDC Conservation Officer – No Objection**

10.3.1 Having reviewed the revised information I still consider that the design changes to the communal (residents) lounge are unfortunate evolution of the revised layout to provide additional floor area to Flats 16 & 17. However, the revised information submitted is considered acceptable if it benefits the residential scheme.

10.3.2 The applicant submitted a Section 73 Amendments Heritage Statement following the initial response from the Conservation Officer which considered that the proposed changes would have some additional harm to the locally listed building (at the low end). The heritage statement is clear, and the Conservation Officer considers that the changes are justified and have no additional harm to the locally listed building. Additionally, the overall variation of Condition 2 will not impact the significance of the Conservation Area.

10.4 **UDC Landscape Officer – No Objection**

10.4.1 No objection to the removal of the proposed trees.

10.5 **UDC Design Officer – No Objection**

10.5.1 The proposed revisions are numerous minor amendments that do not fundamentally alter the consented scheme and therefore I have no objection to the proposals in principle. The applicant has addressed my

points and I have no further comments, other than requesting confirmation from the Conservation Officer over their clarification points.

10.6. Place Services (Ecology) – No Objection

10.6.1 Having reviewed the amended documents including the bat mitigation licence from Natural England we are now satisfied that there is sufficient ecological information available for determination of this application subject to conditions.

10.7 Aerodrome Safeguarding (MAG) – No Objection

10.7.1 The Safeguarding Authority for Stansted Airport has assessed this proposal and has no aerodrome safeguarding objections to these Variations. The applicant is reminded to be mindful of the procedures for crane and tall equipment notifications, please see: <https://www.caa.co.uk/Commercial-industry/Airspace/Event-and-obstacle-notification/Crane-notification/>

10.8 NATS Safeguarding (NATS) – No Objection

10.8.1 The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal

10.9 Anglian Water – No Objection

10.9.1 Thank you for your consultation. Having reviewed the development, there is no connection to the Anglian Water sewers, we therefore have no comments.

10.10 Crime Prevention Officer – No objection

10.10.1 We have reviewed the amendments and have no comments. For the applicant to demonstrate compliance with the Secured by Design Homes Award we require them to consult with us directly.

10.11 Sports England – No Objection

10.11.1 Sport England when consulted on previously for the section 62a application questioned the benefits of reinstating the grass tennis courts given they can only be used seasonally and require significant maintenance to maintain. They advised that macadam or synthetic courts would be preferred due to their all-weather nature and more limited maintenance requirements. The proposal is therefore welcomed and there is no objection subject to a condition on the details of the design of the tennis courts.

11. REPRESENTATIONS

- 11.1** Letters were posted to adjoining and adjacent occupiers, site notice placed on site and a notice placed in the local paper.
- 11.2** There have been no responses received from members of the public.

12. MATERIAL CONSIDERATIONS

- 12.1** 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.
- 12.2** 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.
- 12.3** 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.
- 12.4 The Development Plan**
- 12.4.1** 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 21 February 2020)
Great Dunmow Neighbourhood Plan (made December 2016)
Newport and Quendon and Rickling Neighbourhood Plan (made 28 June 2021)
Thaxted Neighbourhood Plan (made 21 February 2019)
Stebbing Neighbourhood Plan (made 19 July 2022)
Saffron Walden Neighbourhood Plan (made 11 October 2022)
Ashdon Neighbourhood Plan (made 6 December 2022)

Great and Little Chesterford Neighbourhood Plan (made 2 February 2023)

13. POLICY

13.1 National Policies

13.1.1 National Planning Policy Framework (December 2023)

13.2 Uttlesford District Plan 2005

13.2.1 Below is a list of the most relevant Development Management Policies in relation to this proposal:

- S1 – Settlement Boundaries for the Main Urban Areas
- GEN1 – Access
- GEN2 – Design
- GEN3 – Flood Protection
- GEN4 – Good Neighbourliness
- GEN5 – Light Pollution
- GEN6 – Infrastructure Provision
- GEN7 – Nature Conservation
- GEN8 – Vehicle Parking Standards
- ENV1 – Design of Development within Conservation Areas
- ENV2 – Development Affecting Listed Buildings
- ENV3 – Open Spaces and Trees
- ENV4 – Ancient Monuments and Sites of Archaeological Interest
- ENV7 – Protection of the Natural Environment
- ENV8 – Other Landscape Elements of Importance
- ENV10 – Noise Sensitive Developments
- ENV11 – Noise Generators
- ENV12 – Groundwater Protection
- ENV14 – Contaminated Land
- H9 – Affordable Housing
- H10 – Housing Mix
- LC1 – Loss of Sports Fields and Recreational Facilities
- LC2 – Access to Leisure and Cultural Facilities

13.3 Saffron Walden Neighbourhood Plan

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

- SW3 – Design
- SW4 – Parking on new developments
- SW16 – Playing Fields and sports halls

13.4 Supplementary Planning Document or Guidance

Uttlesford Local Residential Parking Standards (2013)
Essex County Council Parking Standards (2009)
Accessible homes and Play Space Homes
Uttlesford Interim Climate Change Policy (2021)
Developer Contributions (2023)

14. CONSIDERATIONS AND ASSESSMENT

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

14.2 **A) Design**
B) Heritage
C) Other Issues

14.3 This application makes no changes to the principle of the development which is acceptable by virtue of the original section 62a application for the site.

14.4 A) Design

14.4.1 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. These criteria are reflected in Policy GEN2 of the adopted Local Plan and Policy SW3 of the SWNP which also requires that development is compatible with the scale, form, layout, appearance, and materials of surrounding buildings.

14.4.2 The main building is the largest building on the site and is the location for most of the new dwellings. The alterations to the building need to be in keeping with the consented scheme. As highlighted in Section 4 of this report there are several minor alterations to both the internal and external parts of the main building.

14.4.3 There is no increase or decrease in the number of units within the main building. There is a slight change in the mix of the units with the loss of two 3 bed units to be replaced by a 2 bed and 4 bed unit. This change is considered to be acceptable given it is a very minor change.

14.4.4 The application was consulted to the Design Officer who provided comments including that the changes to the communal lounge resulted in a poorly proportioned room with no windows. The applicant provided a response with the rationale behind the areas of concern including stating that the communal lounge would include windows at the first floor which were visible from a site visit held on 29 May 2024. The design officer confirmed that they have no objections to the proposals in principle and requested confirmation of the acceptability of the changes from the

Conservation Officer given that the main building is a non-designated heritage asset.

14.4.5 It is common that following further site investigation of a building after the soft strip out has been completed that the layout of the proposed units need to be reconfigured. This is due to the layout being slightly different such as walls being thicker, the roof being lower than expected and other reasons that aren't apparent from the initial proposed plans.

14.4.6 The proposals seek to make sensible design alterations following further site investigation and the design evolution of the plans. These changes will help enhance the living arrangements of the flats for the future occupiers. The alterations do not fundamentally alter the design of the consented scheme and as such the proposal would be acceptable in accordance with both Local Plan Policy GEN2 and Policy SW3 of the SWNP.

14.5.1 B) Heritage

14.5.2 Policy ENV1 in the Local Plan allows for development where it preserves or enhances the conservation area. Policy ENV2 seeks to protect the historical significance, preserve, and enhance the setting of heritage assets. The application includes a Section 73 Amendments Heritage Statement relating to the impact of the proposal onto the heritage assets in accordance with Policy SW3 of the SWNP.

14.5.3 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.

14.5.4 The main building on the site is locally listed. The site lies within the Saffron Walden Town Centre Conservation Area. Furthermore, the site lies within the setting of several listed buildings including (which are located adjacent to the site):

- Water Tower – Debden Road, Saffron Walden. (List Entry 1205709); and,
- 9 Mount Pleasant Road, Saffron Walden (List Entry 1196227).

14.5.5 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."*

14.5.6 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.

- 14.5.7** The application was consulted to Uttlesford District Conservation Officer who provided initial comments to the proposal including the loss of the floorspace in the communal lounge to improve Flats 16 & 17 was unfortunate design change. The applicant provided a response with the rationale behind the areas of concern including stating that the communal lounge would include windows at the first floor. The Conservation Officer considered the revised information to the lounge was acceptable if it benefits the residential scheme.
- 14.5.8** The applicant submitted a Section 73 Amendments Heritage Statement following the initial response from the UDC Conservation Officer which considered that the proposed changes would have some additional harm to the locally listed building (at the low end). The heritage statement is clear, and the Conservation Officer considers that the changes are justified and have no additional harm to the locally listed building.
- 14.5.9** The main building has been vacant since 2017 and this proposed development will protect and enhance this locally listed building for the betterment of the Conservation Area. If this proposal is not delivered, then there is a risk that the building will slowly fall into disrepair.
- 14.5.10** The proposals seek to make sensible design alterations following further site investigation and the design evolution of the plans. These changes will help enhance the living arrangements of the flats for the future occupiers. The alterations do not fundamentally alter the design of the consented scheme and as such the proposal would be acceptable in accordance with both Local Plan Policies ENV1 & ENV2 and Policy SW3 of the SWNP.

14.6 C) Other Issues

14.6.1 Car Parking

14.6.2 Policy GEN8 of the Local Plan and Policy SW4 of the SWNP 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).

14.6.3 The proposal includes the relocation of 2 car parking spaces relating to the Ash Buildings from the northern side to the southern side as part of two tandem bays. This change can be demonstrated on Figure 1 overleaf.

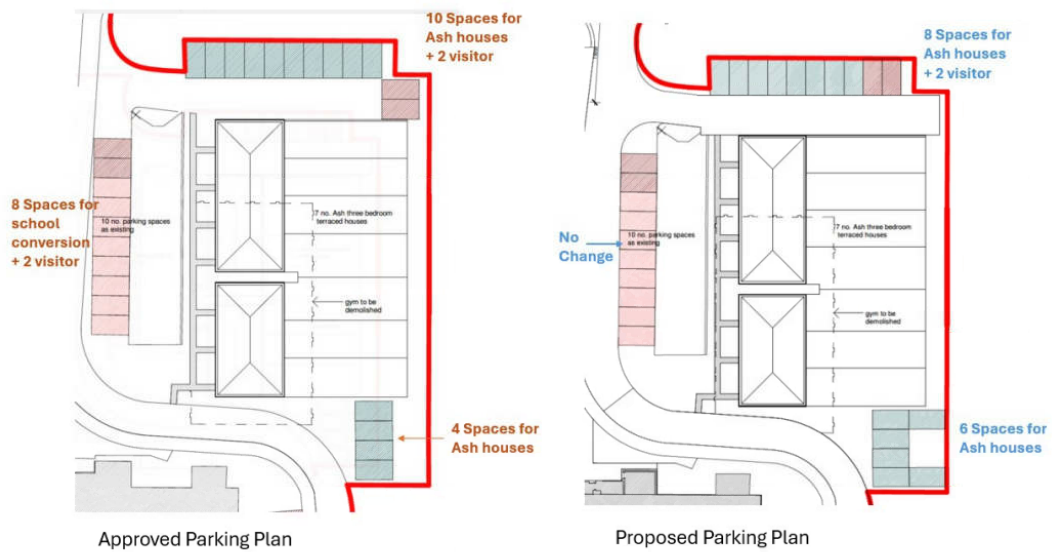


Figure 1 - Extract from the ECC Highways consultation response (11 June 2024) demonstrating the relocation of the two car parking spaces for the Ash Buildings.

14.6.4 This minor change in the location of car parking spaces would be acceptable in accordance with both Local Plan Policy GEN8 and Policy SW4 of the SWNP.

14.6.5 Trees

14.6.6 Policy ENV3 of the Local Plan states that the loss of trees and vegetation will not be permitted unless the need for development outweighs their amenity value. Paragraph 5.6 in support of this position states that '*Where the principle of development is acceptable it should avoid taking away features that are prominent elements and enhance the local environment*'. Policy SW3 of the SWNP states developments should include tree-lined streets unless in specific cases there are clear, justifiable and compelling reasons why this would be inappropriate.

14.6.7 Figure 2 shows the location of trees at 100, 101 and 103 which are proposed to be removed (these are not covered by Tree Protection Orders). These trees are of low quality and do not significantly contribute to the character of the area. Their removal is required following a further review of construction traffic and how construction will take place. The wider site provides a net increase in tree planting.

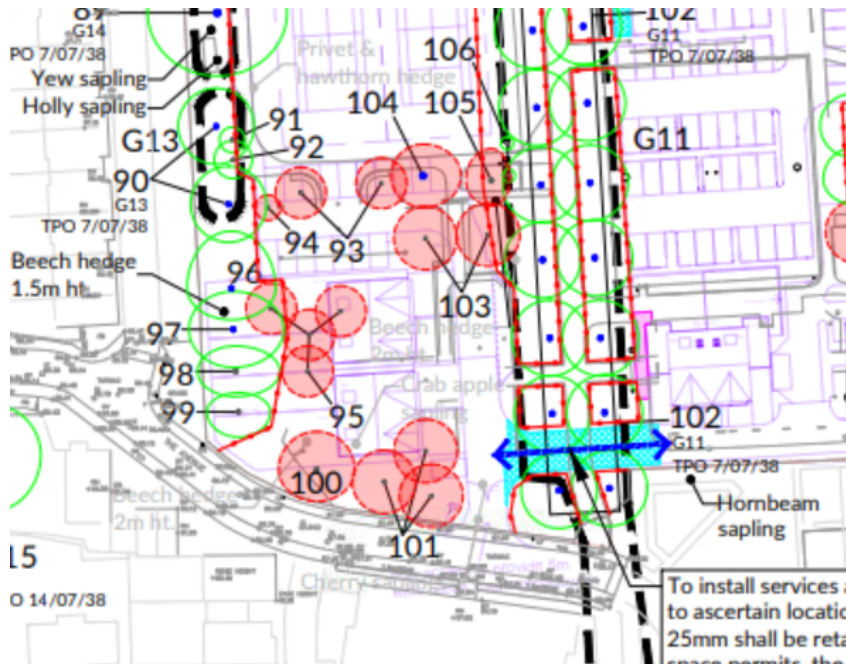


Figure 2 - Extract from Tree Protection Plan Ref. 1642-KC-XX-YTREE-TPP01 REV F demonstrating the location of Trees to be removed at 100, 101 & 103.

- 14.6.8** This minor reduction in the number of trees is deemed acceptable and is in accordance with both Local Plan Policy ENV3 and Policy SW3 of the SWNP.
- 14.6.9** Tennis Courts
- 14.6.10** Policy LC1 of the Local Plan states the loss of sports facilities will only be permitted if the replacement facilities will better meet local recreation needs. Policy LC2 states that sports facilities will be required to provide inclusive access to all section of the community. The supporting text to Policy SW16 of the SWNP references the UDC Playing Pitch Strategy and Action Plan (May 2019) which states there is a shortfall of tennis courts in Saffron Walden.
- 14.6.11** The Section 62a application for the site involved the loss of 2 hard standing tennis courts and the reinstatement of the 2 grass tennis courts. The Inspector considered the loss of the hard standing courts was negative given they are of greater utility because they are less prone to damage and can be used in a greater range of weather than the grass courts. Sports England had a similar viewpoint to the loss of the hard standing courts as stated in their consultation response to this application.
- 14.6.12** The change of the tennis courts to hard standing would improve the useability of the facilities as they would be able to be used all year round, in all weather and the maintenance costs would be reduced. Sport England have no objection to this proposal.
- 14.6.13** This change in the surface of the tennis courts will provide a facility which better meets local recreation needs by providing a facility which is usable

all year round. This is deemed acceptable and is in accordance with both Local Plan Policies LC1 & LC2 and Policy SW16 of the SWNP.

14.6.14 Planning Conditions

14.6.15 Due to the proposed alterations the following conditions need to be updated (this also includes conditions submitted and approved since this application was submitted) – 2, 6, 10, 11, 12, 15, 19 (if approved before planning committee) 22 and a new condition from Sports England for the tennis courts at condition 23. The revised wording is based in part to comments received from consultees and due to the impact of the changes onto the approved consent.

15. ADDITIONAL DUTIES

15.1 Public Sector Equalities Duties

15.1.1 The Equality Act 2010 provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including planning powers.

15.1.2 The Committee must be mindful of this duty inter alia when determining all planning applications. In particular, the Committee must pay due regard to the need to: (1) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act; (2) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (3) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

15.1.3 Due consideration has been made to The Equality Act 2010 during the assessment of the planning application, no conflicts are raised

15.2 Human Rights

15.2.1 There may be implications under Article 1 (protection of property) and Article 8 (right to respect for private and family life) of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions; however, these issues have been taken into account in the determination of this application

16. CONCLUSION

16.1 Planning permission is sought by the Applicant for a 'minor material' amendment to full planning permission that was granted consent by the Section 73 planning application (Ref. UTT/23/1853/FUL) to the original

Section 62a by the Secretary of State under application ref: S62A/22/000002.

- 16.2** The proposals as described in Section 4 of this report are minor in nature, do not alter the description of the original planning permission and do not conflict with any of the imposed conditions and thus can be assessed as a Section 73 application as per the Act.
- 16.3** The internal and external amendments to the main building do not fundamentally change the design of the consented scheme. The Conservation Officer considers that the proposed changes are acceptable and provide no additional harm to the locally listed building. The changes will help to preserve the locally listed main building which has been vacant since 2017 which will ensure its long term conservation.
- 16.4** The other changes which relate to minor changes in the landscaping of the site will improve the site layout which will be of benefit to the wider consented scheme.
- 16.5** The proposals comply with the guidance and standards as set out within the Uttlesford District Council's Adopted Local Plan (2005), relevant supplementary planning documents, the SWNP and the National Planning Policy Framework. It is thereby recommended that this application seeking the required revision be approved subject to the conditions outline below.

17. CONDITIONS

The original planning permission was updated by the approved section 73 planning application (Ref. UTT/23/1853/FUL) which was granted 11 January 2024. This produced a new decision notice and planning conditions which this proposal is based on. The conditions on this decision notice are still in effect unless they have been discharged. In granting permission under this new section 73 the local planning authority may also impose new conditions – provided the conditions do not materially alter the development. For the purpose of clarity, decision notices for the grant of planning permission under section 73 should set out all of the conditions imposed on the new permission, and restate the conditions imposed on earlier permissions that continue to have effect.

- 1** The development hereby permitted shall be begun before the expiration of 3 years from the date issued of the original planning application reference UTT/22/1040/PINS and S62A/22/000002.

REASON: To comply with the requirements of Section 91 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 permitted shall be carried out in accordance with the following approved plans:

21 0037-200N; 204; 205A; 206; 207; 208; 209; 210; 211; 216; 230; 231; 240C; 241C; 242D; 243D; 244; 250; 251; 252; 253; 254; 260A; 270D; 271A; 272; 273; 278D; 279D; 280B; 290D; 291B; 292; 300A; 301; 302A; 303B; 304; 305; 306; 308B; 309; 310; 311; 312; 313; 314; 315; 316; 317; 318; 319; 320; 321; 322; 329; 330; 329; 350; 351; 352; 353; 354; 355; 400; 410; 411; 412; 413; 414; 415; 416 26 0037 207; 27 0037 208; 28 0037 209; 29 0037 210; 30 0037 211; 31 0037 216; 32 0037 230; 33 0037 231; B21049 101E ; 20 0037 224 ; 20 0066 2101 ; 2100 ; 23 0066 2102 F ; 2103 E ; 10 B ; 11 B ; 23 0037- 201P ; 202M; 203M; 204M; 205M; 206M; 307M; 323O; 324O; 325M; 326M; 327M; 328O; 356M; 700C.

REASON: To ensure the development reflects and maintains the character of the surrounding locality and the street scene in accordance with Policies GEN2, ENV1 and the NPPF.

- 3** The approved works shall be carried out in accordance with the 'Site Logistics Plan' ref: CNH005/SLP/01 1, the 'Construction Management Plan' prepared by Chase New Homes submitted 14th March 2023, and the 'Schedule of Works' dated 9th December 2022 as approved under planning application Ref: UTT/23/0668/DOC.

All works shall be carried out in accordance with the approved CMP thereafter.

REASON: To minimise any adverse effects on air quality, in accordance with policy ENV13 of the LP and the Framework.

- 4** The approved works shall be carried out in accordance with the written scheme of investigation prepared by Colchester Archaeological Trust (February 2023) as approved under planning application Ref: UTT/23/0602/DOC and the Archaeological Evaluation Report prepared by Colchester Archaeological Trust (May 2023) as approved under planning application UTT/23/1521/DOC.

REASON: To ensure the appropriate investigation of archaeological remains, in accordance with policy ENV4 of the LP and the Framework.

- 5.** The approved works shall be carried out in accordance with the 'Historic Building Recording Report' prepared by ACD Environmental (January 2023) as approved under planning application Ref: UTT/23/0382/DOC and UTT/23/1716/DOC.

REASON: To ensure the locally listed building has a record of preservation proportionate to the proposed works, in accordance with paragraph 205 of the Framework.

6. The approved works shall be carried out in accordance with drawing 'Surface Construction Details' 1162/CNH005/D3/3605 (August 2023), the 'Detailed Surface Water Drainage Scheme Issue 4' prepared by Infrastructure Design Limited (July 2023), the 'Surface Water Management Plan (SWMP)' prepared by Infrastructure Design Limited (April 2023), the 'Geotechnical and Geo-environmental Interpretative Report' prepared by CGL Proving Ground Solutions (February 2023), further Drainage Details providing different Scenarios (August 2023), the 'Oil Filtration & Pathogen Reduction Products' prepared by Naylor Environmental and the 'Additional Soakaway Check With Made Ground Levels' and the 'Additional Exploratory Hole Records Table' both submitted August 2023 as approved under planning application Ref: UTT/23/0445/DOC and 'Surfacing to Tennis Courts' letter dated 27 March 2024 by Infrastructure Design LTd ref. IDL/1162/CNH/01 unless otherwise agreed by the Local Planning Authority.

The scheme shall subsequently be implemented prior to first occupation of the development.

REASON: To ensure an adequate level of surface water and drainage scheme is provided to minimise the risk of on and off-site flooding in accordance with policy GEN3 of the LP and the Framework.

7. The approved works shall be carried out in accordance with the 'Surface Water Management Plan (SWMP)' prepared by Infrastructure Design Limited (April 2023) as approved under planning application Ref: UTT/23/0445/DOC.

REASON: To ensure an adequate level of surface water and drainage scheme is provided to minimise the risk of on and off-site flooding in accordance with policy GEN3 of the LP and the Framework.

8. The approved works shall be carried out in accordance with the updated Construction Environmental Management Plan: Biodiversity prepared by ADC Environmental June 2023 and the Clarification Addendum prepared by Chase New Homes September 2023) as approved under planning application Ref: UTT/23/0782/DOC.

REASON: To conserve protected and priority species and allow the Council 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 (Priority habitats & species) as updated by the Environment Act 2021 and in accordance with policy GEN7 of the LP and the Framework.

9. The approved works shall be carried out in accordance with the 'Biodiversity Enhancement Plan Rev 1' prepared by ACD Environmental (May 2023) as approved under planning application Ref: UTT/23/0887/DOC.

The CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

REASON: To enhance protected and priority species & habitats and allow the Council to discharge its duties under the s40 of the NERC Act 2006 (Priority habitats & species) and in accordance with policy GEN7 of the LP and the Framework.

- 10.** Hard and soft landscape works shall be undertaken in accordance with the details approved under application UTT/24/0096/DOC and UTT/24/0465/DOC, comprising:

- 'Landscaping Materials Palette dated 9/2/2024
- Hard Landscaping Plan; dwg. no. 23 0037-360 dated 12/02/2024
- Private Drainage Layout; dwg.no. 1162/CNH005/D3/3700 Rev C5, dated 25.01.2024

- Planting plans:
 - 22.044-BOSK-XX-ZZ-DR-L-5000 P01 dated 16.08.2023
 - 22.044-BOSK-XX-ZZ-DR-L-5001 P01 dated 16.08.2023
 - 22.044-BOSK-XX-ZZ-DR-L-5002 P01 dated 16.08.2023
 - 22.044-BOSK-XX-ZZ-DR-L-5003 P01 dated 16.08.2023
 - 22.044-BOSK-XX-ZZ-DR-L-5004 P01 dated 16.08.2023
 - 22.044-BOSK-XX-ZZ-DR-L-5005 P01 dated 16.08.2023
 - 22.044-BOSK-XX-ZZ-DR-L-5006 P01 dated 16.08.2023
 - 22.044-BOSK-XX-ZZ-DR-L-5007 P01 dated 16.08.2023
 - 22.044-BOSK-XX-ZZ-DR-L-5008 P01 dated 16.08.2023
 - 22.044-BOSK-XX-ZZ-DR-L-5009 P01 dated 16.08.2023
 - 22.044-BOSK-XX-ZZ-DR-L-5010 P01 dated 16.08.2023
 - 22.044-BOSK-XX-ZZ-DR-L-5011 P01 dated 16.08.2023
 - 22.044-BOSK-XX-ZZ-DR-L-5012 P01 dated 16.08.2023

All works shall be carried out in accordance with the approved hard and soft landscaping unless otherwise agreed in writing by the Local Planning Authority.

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 and ENV8 of the LP and the Framework.

- 11.** The approved works shall be constructed in accordance with the noise assessment completed by Cass Allen, 27th June, Ref: TN01-22514-R1 as approved under application Ref: UTT/23/0783/DOC and the 'swimming pool plant noise assessment and S73' letter dated 3 April 2024 (ref. LR01-22514-R0) the unless otherwise agreed by the Local Planning Authority.

REASON: To ensure future occupiers enjoy a good acoustic environment and to protect their living conditions, in accordance with policy ENV10 of the LP.

- 12.** The external finishing materials of all buildings shall be constructed in accordance with the details approved under applications UTT/23/3105/DOC ('The Lime Townhouse', Maple Apartments', 'The Oak House' and 'The Pine Apartments') and application UTT/23/0866/DOC ('Conversion Materials' for Croydon Building and Main School and 'Assembly Hall Materials') unless otherwise agreed by the Local Planning Authority.

Thereafter the development shall be constructed in accordance with the approved details.

REASON: To ensure the appearance of the proposed development will reflect with the character of the surrounding locality in accordance with policy GEN2 of the LP.

- 13.** Prior to installation of the relevant works, a lighting design scheme for biodiversity shall be submitted to, and approved in writing by, the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme, and maintained thereafter.

REASON: To allow the Council 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 (Priority habitats & species).

- 14.** Prior to first occupation of the development, a Maintenance Plan detailing the maintenance arrangements, including who is responsible for different elements, of the surface water drainage system, shall have been submitted to, and approved in writing by, the local planning authority. Should any part be maintainable by a maintenance company, details of long-term funding arrangements should be provided. The applicant or any successor in title must maintain yearly logs of maintenance which should be carried out in accordance with any approved Maintenance Plan. These must be available for inspection upon a request by the local planning authority.

REASON: To ensure the SuDS are maintained for the lifetime of the development so that they continue to function as intended to ensure mitigation against flood risk, in accordance with policy GEN3 of the LP and the Framework.

- 15.** The approved works shall be carried out in accordance with the 'Landscape and Ecological Management Plan Rev DR' prepared by ACD Environmental (March 2023) as approved under planning application Ref: UTT/23/0887/DOC unless otherwise agreed by the Local Planning Authority.

REASON: To allow the Council 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 (Priority habitats & species).

- 16.** The parking area relevant to each proposed dwelling shall be provided prior to first occupation of the relevant dwelling. The parking areas for visitors' spaces shall be provided prior to the first occupation of the relevant part of the development. The parking areas shall thereafter be maintained free of obstruction for the parking of residents and visitors' vehicles.

REASON: In the interests of highway safety in accordance with policy GEN8 of the LP and the Framework.

- 17.** Prior to first occupation of the relevant dwelling or sports facility, cycle parking shall be provided in accordance with details first to have been submitted to, and agreed in writing by, the local planning authority.

REASON: To ensure appropriate modes of sustainable transport is achieved in accordance with the adopted Essex County Council Parking Standards (2009), policy GEN8 of the LP and the Framework.

- 18.** Prior to first occupation of the relevant dwelling(s), details demonstrating that appropriate outdoor amenity space is provided for each residential unit shall have been submitted to, and agreed in writing by, the local planning authority.

REASON: To ensure appropriate amenity is provided for future residents in accordance with the Essex Design Guide, Policy GEN2 of the LP and the Framework.

- 19.** Prior to first occupation of the development, the eastern access onto Mount Pleasant Road shall be provided as shall the southern access onto The Avenue Road. In addition, the following shall also be provided:

- a) for the Mount Pleasant Road access, clear to ground visibility splays with dimensions of 2.4 metres by 43 metres in both directions, which shall be retained clear of obstruction at all times thereafter;
- b) for The Avenue access, clear to ground visibility splays with dimensions of 2.4 metres by 25 metres in both directions, which shall be retained clear of obstruction at all times thereafter;
- c) a 5.5 metre carriageway with a 2 metre wide footway on the western side and appropriate verge/margin on the eastern side to provide

intervisibility with pedestrians using the footway adjacent Mount Pleasant Road passing across the eastern access;

d) any required regrading of the embankment to maximise visibility and the width of the existing footway along Mount Pleasant Road; and,

e) removal of the school zigzag lines on Mount Pleasant Road and replacement with any necessary parking restrictions, first to have been agreed with the local planning authority.

REASON: To ensure that vehicles can enter and leave the highway in a controlled manner in a forward gear with adequate inter-visibility between vehicles using the access and those in the existing public highway, in the interests of highway safety in accordance with Policy DM1 of the LP.

- 20.** Prior to first occupation of the development, a Residential Travel Plan shall have been submitted to, and approved in writing by, the local planning authority. The Travel Plan shall include a Residential Travel Information Pack for each dwelling, to include six one day travel vouchers for use with the relevant local public transport operator. The Travel Plan shall thereafter be implemented in accordance with the approved details.

REASON: In the interests of reducing the need to travel by car and promoting sustainable development and transport in accordance with policies DM9 and DM10 of the LP.

- 21.** If during any site investigation, excavation, engineering, or construction works evidence of land contamination is identified, the local planning authority shall be notified without delay. Any land contamination identified, shall be remediated to the satisfaction of the local planning authority to ensure that the site is made suitable for its end use.

REASON: To protect human health and to ensure that no future investigation is required under Part 2A of the Environmental Protection Act 1990 and in accordance with the policy ENV14 of the LP and the Framework.

- 22.** All mitigation and enhancement measures and/or works shall be carried out in accordance with the details contained in the Ecological Impact Assessment (CSA Environmental, June 2022), Supplementary Bat & Ecology Note (CSA Environmental, July 2022) and Mitigation Licence from Natural England (reference 2023-65571-EPS-MIT-1) dated 28th August 2023 as agreed in writing with the local planning authority prior to determination.

This may include the appointment of an appropriately competent person e.g. an ecological clerk of works (ECoW) to provide on-site ecological expertise during construction. The appointed person shall undertake all activities, and works shall be carried out, in accordance with the approved details.

REASON: To conserve and enhance protected and Priority species and allow the Council 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 (Priority habitats & species) and in accordance with policy GEN7 of the LP and the Framework.

- 23.** The approved porous asphalt tennis courts shall be completed to the specification and construction details outlined in the Lawn Tennis Association 'Porous Court Surfaces Guidance Note.'

Once completed, the tennis courts should be maintained in broad accordance with the recommendation of the LTA Guidance Note.

REASON: To ensure that the surface of the tennis courts is fit for purpose and is in accordance with Policy LC1 of the LP.

Appendix 1

From: Rachel McKeown - Strategic Development Engineer <Rachel.McKeown@essex.gov.uk>

Sent: Tuesday, June 11, 2024 4:56 PM

To: Planning <planning@uttlesford.gov.uk>

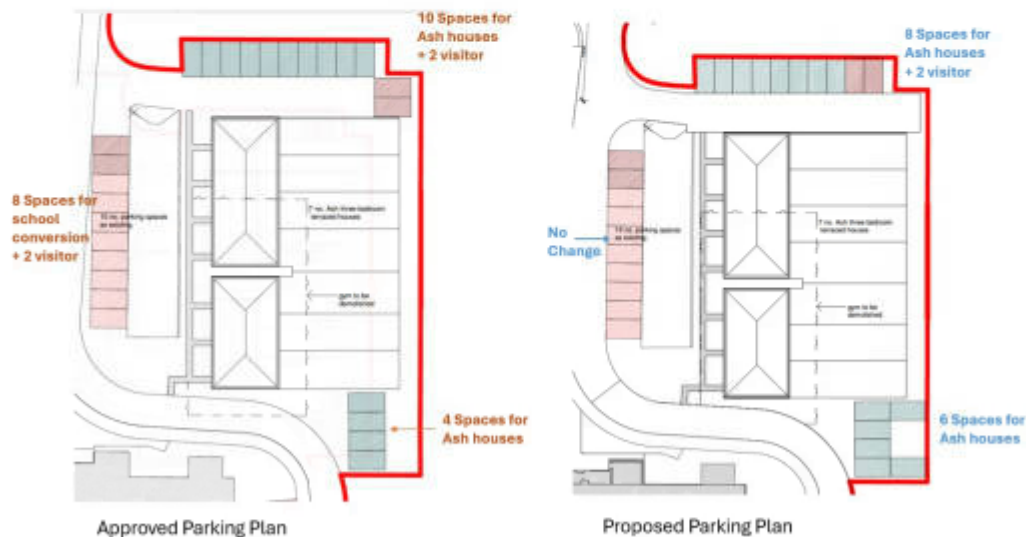
Cc: Tim Cakebread <TCakebread@uttlesford.gov.uk>

Subject: [External] >> RE: (4797) UTT/24/0431/FUL - Friends School Mount Pleasant Road - highways consultation response

UTT/24/0431/FUL | S73 application to vary condition 2 (approved plans) of UTT/23/1853/FUL (S73 application to vary condition 2 (approved plans) for S62A/22/0000002/UTT/22/1040/PINS conversion of buildings and demolition of buildings to allow redevelopment to provide 96 dwellings, swimming pool and changing facilities) in order to allow for internal and external alterations to the main school building conversion including a small element of demolition. | Friends School Mount Pleasant Road Saffron Walden Essex CB11 3NY

Good afternoon,

Thank you for re-consulting us on the above application. On the understanding that the 6no. parking spaces south of the Ash terraced houses are allocated to dwellings (as opposed to unallocated visitor parking) and that the total number of parking spaces across the site is unchanged, as per the supplementary information provided to the highway authority, we are satisfied that there will be no detrimental impact on highway safety, efficiency or accessibility and therefore find the proposal acceptable.



Kind regards,

Rachel McKeown
Strategic Development Engineer

Appendix 2

From: Suds <suds.mail@essex.gov.uk>
Sent: Wednesday, June 5, 2024 9:33 AM
To: Tim Cakebread <TCakebread@uttlesford.gov.uk>
Cc: Planning <planning@uttlesford.gov.uk>
Subject: [External] >> RE: UTT/24/0431/FUL - Friends School - S73 (SUDS-007361)

Dear Tim,

The information provided is acceptable at this stage. We would however request that the same conditions within our letter dated 27/06/22 for UTT/22/1040/PINS are applied to UTT/24/0431/FUL.

Kind regards,

Gemma

Gemma Parson (she/her)
Development and Flood Risk Officer
Environment Climate Action | Climate & Adaptation | GI & SuDS

Adr: E1 County Hall, Chelmsford, Essex, CM1 1QH

 Essex County Council