

Late List –Planning Committee 18/09/2024

**Officers please note: Only** Late items from **STATUTORY CONSULTEES** are reproduced in full.  
**Others are summarised.**

**Statutory consultees are listed below:**

- Highway Authority
- The Health & Safety Exec
- Highways Agency
- Local Flood Authority
- Railway
- Environment Agency
- Historic England
- Garden History Society
- Natural England
- Sport England

**Manchester Airport Group** (*MAG is the highway authority for the airport road network + the also section of Bury Lodge Lane running south from the northside entrance to the airport. On these roads, it therefore has the same status as Essex CC and National Highways do for the roads that they administer.*)

This document contains late items received up to and including the end of business on the Friday before Planning Committee. The late list is circulated and placed on the website by 5.00pm on the Monday prior to Planning Committee. This is a public document and it is published with the agenda papers on the UDC website.

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Item Number	Application reference number	Comment
6	UTT/24/1898/PINS	<p><b>UDC Heritage and Conservation Officer</b></p> <p>The Site is within a Conservaton Area, an area that has been designated for its special and unique character, appearance and historic interest. Furthermore, the Site is designated as protected open space, therefore if development on the Site is to be progressed, the proposed scheme should be of exceptional quality to justify the loss of open space.</p> <p>The field is noted within the Saffron Walden Conservation Area Appraisal and Management Proposal as an 'Important Open Space' with the following characteristics:</p> <p>1.304 The semi circular green sward to the front of the Friends School and the associated <b>playing fields to east of the school buildings</b> are important in this area characterised elsewhere by tight urban form.</p> <p>1.305 The grounds to the rear of the school, encompassing the avenue of lime trees and <b>adjacent playing field</b> are also considered to represent an important area of open space which juxtaposes the tight built form of the modern development and is relevant to the school site.</p> <p>The Heritage and Archaeology Statement (HAS) submitted as part of this application provides a good assessment of the Site and its history.</p> <p>The Design and Access and Justification Statement (DAS) refers to the Saffron Walden Conservation Area but does not provide further assessment of how the proposed development preserves or enhances the Conservation Area. Additionally, it does not utilise or refer to the findings within the HAS which is unfortunate. The HAS could have been used as a tool to aid design development.</p> <p>My observations on the application documents are as follows and should be read in conjunction with other specialist officer feedback.</p> <p><b>Materiality and architectural details</b></p> <p>The design references to 'The Avenue' is commendable, however the proposed scheme appears to simply replicate elements of 'The Avenue'. The Site has its own identity and historical connections with the former school. The aim of harmonising the new development with 'The Avenue' is positive, however the proposal could benefit from having its own character to avoid a development that is a pastiche of 'The Avenue' typologies.</p>

		<p>The application does not provide evidence to show that the buildings will be finished to a high-quality standard, which was a key aspect of the award-winning scheme. The Materials Strategy (drawing 23110 D 021) and Materials Schedule (drawing 23110 D 025) refers to a series of materials but uses generic descriptions without reference to a specific product, or type which is not acceptable for a development within a conservation area.</p> <p>Extracts from DAS shown in italics: (non-exhaustive list)  <i>'M1 - Brickwork, to relate positively to The Avenue development'</i>  <i>A specific product including manufacturing method, sources etc should be provided. Confirm how brickwork will 'positively relate' to The Avenue.</i>  <i>'M3 - Weatherboarding, relating to The Avenue development'</i>  <i>Specify timber species, material origin etc.</i>  <i>Why has this development adopted this aesthetic?</i>  <i>'M10 - Grey colour coated windows'</i>  <i>Specify actual materials for external elements that are appropriate for the heritage context. Vague notes for key architectural aspects are not acceptable within a conservation area.</i>  <i>'M4 - Cladding to feature elements'</i>  <i>Provide specific materials and products. Vague notes for key architectural aspects are not acceptable within a conservation area.</i>  <i>M11 - Black rainwater goods</i>  <i>Specify actual materials for external elements, that are appropriate for the heritage context. Vague notes are not acceptable within a conservation area.</i></p> <p>If the application is approved, a Condition could be applied stipulating that a fully detailed Materials Schedule and Specification is subject to LPA approval.</p> <p><b>Form, Layout and Scale</b></p> <p>The choice to retain a large section of the site as open playing fields is a positive aspect. The scale of proposed buildings is appropriate to the context and reflects the modern developments in proximity of the site.</p> <p>The intention to create a varied street scene with different levels of enclosure could be effective, however no information to support this concept has been provided. The application would benefit from illustrated street scenes to show how the layout and typologies are perceived at street level.</p>
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		<p>If the application is approved, a Condition could be applied stipulating the requirement for a series of artists impressions or rendered visualisations, that aligns with all features shown in 'Section 5.0 Design Approach' of the DAS.</p> <p>Rendered walkthroughs would more effectively illustrate the quality of space which at present, is limited to text and 2D street elevations which do not communicate the characteristics of the proposed spaces. In addition, rendered images would help illustrate how the development knits into its context, including its relationship with 'The Avenue', which is the basis for many of the design choices.</p> <p>The Townscape and Visual Assessment would benefit from a series of proposed views that show the development in context.</p> <p><b>Landscape</b></p> <p>The Landscape Strategy and Statement suggests the inclusion of a Micro Orchard with heritage varieties of fruiting and flowering planting of local origin. This is an appealing element of the proposal, however there is limited information that confirms the details and logistics. Additionally, the Micro Orchard is omitted from the Landscape Management Plan (appendices) suggesting the concept has not been fully resolved or costed.</p> <p>If the application is approved, a Condition could be applied that safeguards bespoke details such as the Micro Orchard, which are unique to the development.</p> <p>When considering the Site's status as designated open space, the area of car parking for dwellings seems thoughtless. A minimum of two car parking spaces per dwelling, and three spaces for 4 and 5-bedroom dwellings seems excessive for a Site that is well connected to transport infrastructure.</p> <p>In my opinion, this aspect should be reviewed given the status of the Site as open space, and its location within a Conservation Area.</p> <p><b>Clubhouse</b></p> <p>The elevations (drawing 23110 D 265) are not labelled so the surface treatments are unknown. For example, the location and extent of the 'green roof' and 'sheet roofing to the clubhouse' referenced in the Materials Schedule (drawing 23110 D 025) is unclear.</p>
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		<p>The green roof is not detailed in the Landscape Management Plan (appendices) suggesting the concept has not been fully resolved or costed. Safe access for maintenance/ working at height needs to be considered and should be included in the design at planning stage.</p> <p>Similarly, the proposed solar panels will require access for maintenance and cleaning to ensure they continue to work efficiently. The small section of solar panels to the southwest of the roof has a ramp below at ground level, so it would be prudent to consider how roof mounted aspects will be regularly accessed and maintained, i.e. is a person expected to stand at ground level with an extendable pole?</p> <p>The Clubhouse could be an opportunity to design an exceptional feature building however the current proposal does not convey design excellence. Further information such as rendered visualisations to show the building in context would be beneficial to see how the green roof etc. appears when seen from around the Site.</p> <p><b>Conclusion</b></p> <p>I do not consider the proposals to result in harm to the significance of the listed buildings in proximity of the site. However, paragraph 212 of the NPPF (2023) states that new development within a Conservation Area should enhance or better reveal its significance.</p> <p>In my opinion the current scheme lacks detail and exceptional design quality to justify its position within a Conservation Area, and the loss of designated Open Space.</p> <p><b>ECC Place Services – Ecology</b></p>
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		<p><b>Holding objection due to insufficient ecological information on European Protected Species (bats) mandatory Biodiversity Net Gain (BNG)</b></p> <p><b><u>Summary</u></b></p> <p>We have reviewed the documents supplied by the applicant including the Tree Protection Plan, dra no. 2297-KC-XX-YTREE-TPP01RevD (Kenn Consultants, June 2024), Soft Landscaping Proposals, dra no. L23110.02.A (DCa Landscape, July 2024) and Ecological Impact Assessment (ACD Environmental, 2024) as well as Magic Maps (<a href="https://defra.gov.uk/magic-map-application">Magic Map Application (defra.gov.uk)</a>) to help identify the likely impact development on designated sites, protected &amp; Priority habitats and species and identification of proportionate mitigation.</p> <p>We are not satisfied that there is sufficient ecological information available for determination of application in relation to bats and recommend that further clarification is provided. In addition, we are not satisfied that appropriate information with regard to mandatory biodiversity net gains has been supplied for the application prior to determination. The reasons for this are outlined below:</p>
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		<p><b>European Protected Species:</b></p> <p>The Ecological Impact Assessment (ACD Environmental, June 2024) states that a ground level tree assessment was undertaken on eight trees that are due to be removed at the site. Referencing the Tree Protection Plan, drawing no. 2297-KC-XX-YTREE-TPP01RevD (Keen Consultants, June 2024), more than eight trees are due to be removed or have recommendations for tree surgery on them and so it is considered there is missing data in relation to impacts upon bats. Information on all trees impacted by the proposed development and their suitability to support roosting bats is required prior to determination to inform the need for mitigation and potential a licence from Natural England.</p> <p>To fully assess the impacts of the proposal the LPA needs ecological information for the site, particularly for bats, European Protected Species. These surveys are required prior to determination because Government Standing Advice indicates that you should <i>“Survey for bats if the area includes buildings or other structures that bats tend to use or there are trees with features that bats tend to use nearby”</i>.</p> <p>The results of these surveys are required prior to determination because paragraph 99 of the ODPM Circular 06/2005 highlights that: <i>“It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision.”</i></p> <p>This information is therefore required to provide the LPA with certainty of likely impacts on legally protected species and be able to secure appropriate mitigation either by a mitigation licence from Natural England or a condition of any consent. This will enable the LPA to demonstrate compliance with its statutory duties, including its biodiversity duty under s40 NERC Act 2006 (as amended) and prevent wildlife crime under s17 Crime and Disorder Act 1998.</p> <p>This is needed to enable the LPA to demonstrate its compliance with its statutory duties including its biodiversity duty under s40 NERC Act 2006 (as amended).</p> <p><b>Mandatory Biodiversity Net Gains:</b></p> <p>Applications are required to deliver a mandatory 10% measurable biodiversity net gain, unless exempt under <a href="#">paragraph 17 of Schedule 7A of the Town and Country Planning Act 1990</a> and the <a href="#">Biodiversity Gain Requirements (Exemptions) Regulations 2024</a>.</p> <p>Biodiversity net gains is a statutory requirement set out under <a href="#">Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990</a>. This legislation was inserted into the 1990 Act by Schedule 14 of the Environment Act 2021, and was amended by the Levelling Up and Regeneration Act 2023. The Biodiversity Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 made consequential amendments to other parts of the 1990 Act.</p> <p>The <a href="#">Biodiversity Net Gain Planning Practice Guidance (PPG)</a> sets out how mandatory biodiversity net gains should be applied through the planning process and Paragraph: 011 Reference ID: 74-011-20240214 sets out what information should be submitted as part of a planning application if the statutory biodiversity gain condition applies.</p>
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		<p>Where mandatory biodiversity net gain applies, the planning authority will be required to secure a biodiversity gain condition as a pre-commencement requirement. The biodiversity gain condition has its own separate statutory basis, as a planning condition under <a href="#">paragraph 13 of Schedule 7A of the Town and Country Planning Act 1990</a>. As a result, government have recommended that it is not included in the list of conditions imposed in the written notice when granting planning permission. However, it is highlighted that biodiversity gain condition could be implemented via a separate section of the decision notice. The biodiversity gain condition should secure the provision of a Biodiversity Gain Plan, as well as the finalised full Statutory Biodiversity Metric – Calculation Tool.</p> <p>However, to ensure the biodiversity gain objective is met and the condition can be discharged successfully, it is important biodiversity net gain is considered throughout the planning process. The NPPF emphasises that plans should identify and pursue opportunities for securing measurable net gains for biodiversity, and plans and decisions should minimise impacts and provide net gains for biodiversity. In particular, the Biodiversity Gain Hierarchy must be implemented into proposed designs, to ensure that this is not left to the biodiversity gain condition.</p> <p>As a result, we have reviewed the Ecological Impact Assessment (ACD Environmental, June 2024) and submitted Metric (June 2024) and are not satisfied that appropriate information has been provided prior to determination. This is because the Condition Assessment sheets have not been submitted. This is important so that we can review justification for the conditions given to each existing habitat. The baseline assessment states the woodland is 'moderate' in condition and the modified grassland is in 'good' condition and so justification for this should be provided. Additionally there are numerous individual trees, the condition sheets need to clarify that if the trees have been assessed as a group, they are all homogenous in condition and size class. We are therefore not satisfied that the pre-development baseline information is sufficient, and this information is required prior to determination.</p> <p>As for the post-intervention information, we would like to highlight that the document has included the proposed plans, however, we query the proposed habitats, particularly the use of meadow mix grassland as it is not clear what habitat type this corresponds with in UK Habitat classification or what condition is proposed, or if this habitat is feasible. Additionally, individual trees within garden spaces and other areas which cannot be secured by a condition cannot be included within the post-development assessment. As a result, it is highlighted that the post-intervention habitat conclusions will need to be amended as part of the Biodiversity Gain Condition.</p> <p>It was noted in the Soft Landscaping Proposals, drawing no. L23110.02.A (DCa Landscape, July 2024) that Bluebell (<i>Hyacinthoides non-scripta</i>) are being recommended in the bulb planting in an area of open grassland which is not considered a suitable location as they are associated with growing in woodland. It was also noted that Cherry Laurel (<i>Prunus laurocerasus</i>) has been included in the 'Native Understorey Shade Mix' even though it is not a native species and also in the 'Specimen Shrubs' mix. Cherry Laurel is a vigorously growing plant and although it is not listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) it is thought of as an invasive species and has little benefit to wildlife. It is therefore recommended this species is removed from the proposed planting list. An amended landscape proposal can be secured by a condition of any consent.</p> <p>It is noted that the applicant is proposing to purchase off-site biodiversity credits from a registered provider in order to demonstrate a net gain in Habitat Units. Land used for off-site BNG delivery should be</p>
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		<p>secured for the length of the net gain agreement, either via a Section 106 agreement, or a conservation covenant.</p> <p>In addition, a <a href="#">Habitat Management and Monitoring Plan</a> should be secured for all <a href="#">significant on-site enhancements</a>, as well as off-site enhancements. This should be in line with the approved Biodiversity Gain Plan, with the maintenance and monitoring secured via legal obligation or a condition of any consent for a period of up to 30 years. The monitoring of the post-development habitat creation / enhancement will need be provided to the LPA at years 2, 5, 10, 15, 20, 25, 30 any remedial action or adaptive management will then be agreed with the LPA to ensure the aims and objectives of the Biodiversity Gain Plan are achieved.</p> <p>We look forward to working with the LPA and the applicant to receive the additional information required to support a lawful decision and overcome our holding objection.</p> <p><b>UDC Design</b></p> <p><b>Summary</b></p> <p>The proposal is for 91 dwellings and sports pitches and associated clubhouse on the site of the former playing fields of the Friends School. There are two listed buildings in the vicinity of the site (9&amp;10 Mount Pleasant) and the site is in a Conservation Area and is designated as Protected Open Space.</p> <p>It is noted that the site has been the subject of previous unsuccessful application, UTT/19/1744/OP, in 2019 that was refused on several reasons, including the design being inappropriate to the character of the area and loss of protected open space.</p> <p>Overall, the scale, layout and uses proposed are considered acceptable, subject to further comments below. However, given the sites location within a Conservation Area and its value as a Protected Open Space, the design quality should be exemplary and whilst this scheme meets the threshold for acceptable design quality, it falls short of exemplary.</p> <p>It is noted and appreciated that the applicant has prepared and submitted a Design Code Review document, assessing the scheme against the code, to which it broadly complies.</p> <p><b>Character &amp; Identity</b></p>
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		<p>The site is located within the Saffron Walden Conservation Area and adjacent to and part of the former Friends School and the site itself is designated Protected Open Space. Given these factors, it should be a prerequisite that any proposals be of exceptional design quality to mitigate the loss of open space and of developing within a Conservation Area. The proposals note their adjacency to The Avenue and use this as a contextual reference and design precedent.</p> <p>The Avenue is a scheme of exceptional design quality and a benchmark locally for high quality design, so it is positive that the design proposals are aspiring to meet this design standard. However, it is important that the design proposals take those design strengths and cues and make them their own, rather than imitate. It appears that house types, The Willow, The Aspen and so on, are standard house types used on other schemes, but with different cladding (timber shingles for example) to match The Avenue.</p> <p>Whilst this may be acceptable in design terms, it should be noted that these design features are integral to the proposed design and – if approved – any subsequent amendments to the scheme to revert to less site-specific design details (removing timber shingle cladding or reverting to standard pitched dormers, for example) should be resisted and considered to be a fundamental and material change to the overall design composition.</p> <p>The DAS states that corner buildings have been designed to “include additional windows to the secondary streets to provide passive surveillance and add interest to the street scenes” In reality, this is two windows to living rooms in plots 50 and 56 and small windows to hallways and landings elsewhere, so is of marginal benefit to the streetscene.</p> <p>The layout is broadly acceptable in design terms, with shared surface homezones linking to the primary street (rather than cul-de-sacs) which is positive, as are views through to the playing fields on the approach to the sports pavilion and to the crescent housing.</p> <p>The crescent housing is a successful layout in relation to the sports pitch, although the façade design would benefit from a little more articulation and the integral garages limit passive surveillance and engagement with the street. The detailing of these buildings is important, and facades should be curved in the form of a crescent, rather than the faceted form as shown in the drawings.</p> <p><b>Streets and the public realm</b></p>
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		<p>There are positive elements to the overall street layout and public realm with the inclusion of some street trees and landscaped build-outs as traffic-calming measures and to bookend parking bays. Some aspects of the landscaping seem less successful, for instance the frontages to properties appear to be mown grass, which is unacceptable as this will not create sufficient buffer between street and built-form. There is little information supplied on SuDs strategies or other mitigative measures such as rain and grey-water harvesting.</p> <p>Parking provision generally seems high, given the location of the site and its proximity to the town centre. There are bus routes outside the site on Mount Pleasant Road and it is walkable to the centre of town. Development proposals should be promoting sustainable travel options, such as walking, cycling and public transport over a reliance on the private car. There are 7 instances of triple tandem parking within the plan which is unacceptable (M3.11C). Cycle storage is provided and generally located in the gardens of properties, but there appears insufficient room to move cycles from storage to the street past the parked cars (contravening code M3.12C).</p> <p>Plots 1-7 have gated access, which is unacceptable and not clear why this is necessary. There are a number of parking courtyards which are not well overlooked (in contravention of code M3.4C), for example, plots 50-55 and the apartments. The parking arrangements to plots 8-11 look awkward and, if fully occupied, unlikely to work in terms of manoeuvrability of vehicles in and out. There are several instances of long, timber fenced corridors, such as to plots 32-36 and 65-69 and plot 14, as well as timber fenced parking bays to plots 19,20, 47 and 48.</p> <p><b>Use and Compatibility</b></p> <p>In terms of use and provision of housing, the vast majority of the development is proposed as 3-bedroom houses, with all of the smaller dwelling provision of 1- and 2-bedroom apartments falling within the affordable provision. It would be preferable to see a wider mix across both tenure types</p> <p>to create a more mixed and integrated community. The proposed sports use and associated pavilion and parking, whilst being a positive asset and valuable addition to local amenities, does have the potential for nuisance and the impact on new residents and existing adjacent residents in terms of noise and parking impacts should be carefully considered.</p> <p><b>Sports England</b></p>
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		<p>Thank you for consulting Sport England on the above application.</p> <div data-bbox="683 236 1697 842" style="border: 1px solid black; padding: 5px;"> <p><b>Summary</b></p> <p>An <b>objection</b> is made to this planning application due to the loss of playing fields not according with Sport England's Playing Fields Policy, the NPPF or the adopted Local Plan. Issues and concerns are also raised about the design and layout of the on-site sports facilities that are proposed.</p> <p>This objection could be addressed if appropriate off-site replacement playing field provision could be secured or significant amendments were made to the current scheme as set out in the response.</p> <p>Without prejudice to the above position, if the Planning Inspectorate is minded to approve the application in its current form, it is requested that the opportunity be offered to provide advice on the issues that need to be addressed through a planning obligation and/or planning conditions before the application is determined.</p> </div> <p><b>Sport England – Non Statutory Role and Policy</b></p> <p>It is understood that the site forms part of, or constitutes land last used as playing field as defined in The Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595).</p> <p>However, as the playing field (the former Friends School playing field) has not been used for at least five years, this consultation with Sport England is <u>not</u> a statutory requirement.</p> <p>Notwithstanding the non-statutory nature of the consultation, Sport England has considered the proposal in the light of the National Planning Policy Framework</p>
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		<p>(particularly Para 103) and Sport England's policy on planning applications affecting playing fields <a href="http://www.sportengland.org/playingfieldspolicy">www.sportengland.org/playingfieldspolicy</a> which states:</p> <p>'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:</p> <ul style="list-style-type: none"> <li>• all or any part of a playing field, or</li> <li>• land which has been used as a playing field and remains undeveloped, or</li> <li>• land allocated for use as a playing field</li> </ul> <p>unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions which are set out in annex 1 to this response.'</p> <p><b>The Proposal and its Impact on the playing field</b></p> <p>In summary, the proposal involves a full application for the redevelopment of the majority of the former Friends School's playing fields for residential comprising 91 dwellings and associated infrastructure and landscaping. The secondary element of the application is the reinstatement of the southern part of the former school playing fields to sports pitches for community use and the development of an ancillary clubhouse and car park to support the use of the sports pitches. Friends School closed in 2017 and the school's playing fields, that had significant community use when the school was open, have since been closed and have not been made available for use since then.</p> <p>As set out in the Planning Statement, a 2019 hybrid planning application (Ref: UTT/19/1744/OP) for the redevelopment of the playing fields was refused by Uttlesford District Council in 2021 partly on the basis of the impact on playing fields (refusal reason 6). In 2022, the Planning Inspectorate approved planning permission (S62A/22/000002) for the redevelopment of the adjoining school buildings for residential and supporting uses. This application resulted in the loss of a small part of the playing field (approx. 0.15 ha) and the pavilion and car park which supported the use of the playing field.</p> <p>The current application would result in the loss of the north and central areas of the former school's playing field. It is estimated that this area would comprise of around 2.74 hectares as shown within the red line on the aerial image below taken from Google Earth Pro. The area within the red line excludes the area of the playing field that was approved for development in the 2022 planning application and areas around the periphery of the playing field that would be incapable of being used for forming a playing pitch or part of one. It also excludes the area proposed for the pavilion and car park to support the reinstated sports pitches.</p> <p>The following assessment has been divided into an assessment of the loss of the playing fields and an assessment of the proposed sports facilities.</p>
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#### **Assessment against Sport England's Playing Fields Policy and the NPPF**

##### **Loss of Playing Fields**

I have considered the application proposals with regard to the specific exception criteria identified in the above playing fields policy and would make the following assessment:

- Exception 1 – Not applicable. It has not been demonstrated that there is an excess of playing pitches in the catchment in terms of community playing pitch provision. In this regard, to inform current and future playing pitch needs, Uttlesford District Council completed a Playing Pitch and Outdoor Sports Strategy & Action Plan <https://www.uttlesford.gov.uk/article/4942/infrastructure> in 2019 which assessed playing pitch provision across the district and for the Saffron Walden sub-area of the district. The needs assessment report which supports the strategy was prepared in accordance with Sport England's Playing Pitch Strategy Guidance [https://www.sportengland.org/guidance-and-support/facilities-and-planning/planning-sport?section=assessing\\_needs\\_and\\_playing\\_pitch\\_strategy\\_guidance](https://www.sportengland.org/guidance-and-support/facilities-and-planning/planning-sport?section=assessing_needs_and_playing_pitch_strategy_guidance) and the strategy was endorsed by Sport England and the sports governing bodies which represent the pitch sports. The strategy was therefore considered to provide a robust evidence base to support the preparation/implementation of local plan policies and the determination of planning applications.

While the strategy documents provide full details of the conclusions, key data on football pitch provision is provided in Table 2.16 of the assessment report which shows that there was a total deficiency of 14 football pitch match equivalent sessions in the Saffron Walden analysis area in relation to meeting current demand which would extend to 18 match equivalent sessions after future demand was accounted for. In relation to cricket, Table 5.16 of this

		<p>document shows that there was current deficiency of 8 cricket match sessions in relation to meet current demand in the Saffron Walden analysis area which would extend to 66 match sessions after accounting for future demand. In relation to rugby union, Table 4.13 shows a deficiency of 3.75 match sessions for the rugby pitches that serve the Saffron Walden sub-area in relation to meeting current demand which would extend to 8.25 pitches after future demand was accounted for.</p> <p>Uttlesford District Council are currently preparing a new Playing Pitch and Outdoor Sports Strategy to update the 2019 strategy. While the strategy is unlikely to be completed and published until later in 2024, the Council has just published the 'Winter Assessment Report' (June 2024) <a href="https://www.uttlesford.gov.uk/reg-19-evidence">https://www.uttlesford.gov.uk/reg-19-evidence</a> following the completion of the needs assessment for the winter sports that include football and rugby. Like the 2019 strategy, the assessment has been prepared in assessment with Sport England's guidance and the document has been supported by Sport England and the relevant sports governing bodies. Key data on football pitches is set out in Table 2.39 which summarises the position for the North Uttlesford analysis area which covers Saffron Walden and the surrounding rural area. This shows current deficiencies of adult, youth 11v11 and youth 8v9 football pitches (9 match equivalent sessions in total) and future deficiencies of the same pitch types (14 match equivalent sessions in total). Key data on rugby pitches is set out in Table 4.22. The two rugby clubs that serve Saffron Walden (Saffron Walden RFC and Wendens Ambo RFC) have their facilities in the Rural North and Thaxted analysis area. The table shows that there is a deficiency of 6.5 match equivalent sessions per week which extends to 8.5 sessions after accounting for future demand. While the summer sports assessment has not been completed yet, Appendix 2 of the Winter Assessment Report indicates that the number of cricket teams in the district has marginally increased by one team since 2019. As the supply of cricket facilities in the Saffron Walden area has not changed since 2019 it is considered very unlikely that the deficiencies identified in 2019 will have been reduced.</p> <p>Consequently, there are significant current and future playing pitch deficiencies in the local area relating to all of the playing pitch types that were accommodated on the playing fields when Friends School's playing fields were last in use. As set out below, the 2019 Playing Pitch Strategy's recommendation was for the pitches on the application site to be brought back into use to help meet current and future community playing pitch needs. The proposals for reinstating part of the playing field as part of the planning application would not address these identified deficiencies as set out below.</p> <p>It should be noted that when assessing planning application S82A/22/0000002 in 2022, the Inspector concluded in paragraph 31 of the decision notice that it was clear that the playing field is not surplus to requirements.</p> <ul style="list-style-type: none"> <li>• Exception 2 – Not applicable. The proposed residential development, which represents the majority of the development affecting the playing field, is not ancillary to the principal use of the site as a playing field. The proposals for the</li> </ul>
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		<p>clubhouse and car park would in principle accord with this exception although it should be acknowledged that the loss of part of the playing field to accommodate these essential ancillary facilities has been necessitated by the loss of the existing pavilion and parking facilities approved by application SB2A/22/0000002.</p> <ul style="list-style-type: none"> <li>• Exception 3 – Not applicable. The majority of the area proposed for the residential development is capable of being used for a range of playing pitches and was historically used by Friends School and the local community for a wide range of pitches including football, cricket, rugby and athletics as shown in the aerial photographs in annexes 2 and 3 to this response.</li> <li>• Exception 4 – Not applicable. No replacement playing field provision is currently proposed. While the proposals for bringing the southern part of the existing playing field back into community use are welcomed in principle this does not constitute replacement playing field provision as the site is an existing playing field and therefore there would be a significant net loss in the quantity of playing field provision if the application was approved.</li> <li>• Exception 5 – Not applicable. The proposal is not for a sports facility. The residential development which results in the loss of the majority of the playing field would clearly not constitute a sports facility and the proposals for reinstating the playing fields to the south of the site involve reinstating an existing playing field back into operational use rather than a new sports facility.</li> </ul> <p>As set out in paragraph 21 of Sport England’s Playing Fields Policy, the policy is in line with the Government’s commitment to the protection of playing fields set out in paragraph 103 of the Framework. The policy and its supporting guidance provide clarification to assist with assessing planning applications. Exceptions 1, 4 and 5 of the policy relate to the three criteria in paragraph 103. As set out above, these exceptions are not considered to be applicable.</p> <p>On the basis of the above assessment, the proposal would not, in its current form, accord with any of the exceptions to Sport England’s playing fields policy or the criteria in paragraph 103 of the NPPF.</p> <p>In addition to the above assessment of how the proposals relate to the exceptions in our playing fields policy and the NPPF, the following considerations are relevant to the assessment of this proposal:</p> <ul style="list-style-type: none"> <li>➤ <i>Development Plan Policy: Policy LC1 (Loss of Sports Fields and Recreational Facilities)</i> of the adopted Uttlesford Local Plan (2011) resists the loss of playing fields and broadly aligns with paragraph 103 of the NPPF and Sport England’s Playing Fields Policy. The Proposals Map also identifies the majority of the application site as a Protected Open Space for Playing Fields. It is not therefore considered to be out-of-date as suggested by the applicant in paragraph 6.11 of the Planning Statement. It should also be noted that reason 8 for refusing</li> </ul>
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		<p>the previous 2019 application (JTT/19/1744/OP) on this site was that it was contrary to Policy LCI. Furthermore, it should be noted that Core Policy 67 of Uttlesford District Council's new Local Plan (2021-2041) which is currently subject to a Regulation 19 consultation also takes a similar approach to the protection of playing fields which broadly accords with the NPPF.</p> <p>Paragraph TL2.1 of the made Saffron Walden Neighbourhood Plan (2022) <a href="https://www.uttlesford.gov.uk/articles/4963/Saffron-Walden-Neighbourhood-Plan">https://www.uttlesford.gov.uk/articles/4963/Saffron-Walden-Neighbourhood-Plan</a> which forms part of the Development Plan specifically opposes the loss of the former Friends School's playing fields and notes that they are protected by the NPPF and the Local Plan.</p> <p>➤ <i>Uttlesford Playing Pitch Strategy:</i> As well as identifying significant deficiencies in football, cricket and rugby pitch provision as set out above, the 2019 strategy's action plan (see Walden School entry) specifically recommended that the playing field be brought back into use to support with reducing both current and future shortfalls of football and cricket provision in the Saffron Walden Analysis Area unless the loss of playing fields was mitigated by replacement provision. While an updated strategy and action plan has yet to be prepared by the Council to support the emerging update of the strategy, given that the winter assessment report referred to above has identified that the playing pitch deficiencies identified in 2019 have persisted it is considered unlikely that the recommendation for this site will change. The loss of the majority of the playing fields would therefore be contrary to the District Council's playing pitch strategy recommendation for the site. Reinstating the whole of this site is considered by Sport England and the sports governing bodies to represent one of the few opportunities available in Saffron Walden for helping to address the identified deficiencies.</p> <p>Reference is made in paragraph 6.16 of the Planning Statement to the application site not being included in the assessed provision in the Playing Pitch Strategy. In response, I can advise that references are made to the role of Friends School in meeting community playing pitch needs before it closed in the 'disused provision' sections of the 2019 and 2024 assessment reports. The reason it is not included in the supply/demand analysis for both the 2019 and 2024 assessment reports is that like all playing field sites in the district that are not operational or do not offer community use they do not form part of the available supply for the purpose of assessing whether current supply can meet current/future demand. This accords with Sport England guidance. It is not because such sites are not considered to be playing fields or do not have a potential role to play in meeting playing pitch needs as implied by the applicant.</p> <p>➤ <i>Playing Field Community Use:</i> While the site is not currently publicly accessible and did not have unrestricted public access when Friends School was open, the playing fields were significantly used by the community outside of school hours until the school closed in 2017. As set out in the Council's 2019 Playing Pitch Strategy Assessment, the playing fields were used extensively by local football clubs, Saffron Walden Cricket Club, Wendens Ambo Rugby club,</p>
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		<p>Walden Tri triathlon club and Saffron Striders Running Club. The closure of the site in 2017 had a significant impact on community users.</p> <p>Saffron Walden Community Football Club (SWCFC), which has 75 affiliated teams and nearly 1,000 registered players had extensive use of three football pitches on the site which were considered at the time to be the best quality football pitches in Saffron Walden. The club has made their own representations on the planning application which set out the impact of the closure of the facilities in detail but in summary the shortage of football pitches in Saffron Walden has forced the club to use pitches in outlying villages and is preventing the club from expanding further.</p> <p>Saffron Walden Cricket Club's 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> teams used the cricket square on the site along with their junior sides and the square was considered by the club to be good quality and well maintained. The square had approximately 11 pitches (wickets) which allowed for around 20 matches to take place each cricket season. As a result of losing access to the site, the club now has to travel to Great Chesterford to meet their match needs which necessitates travel by car.</p> <p>Wendens Ambo Rugby Club used to use the rugby pitches for matches and training and since the school closed now have to play outside of Saffron Walden at Carver Barracks.</p> <p>Walden Tri (Triathlon) Club used the playing field for running and cycling training along with the school's swimming pool. This allowed training to take place in all three triathlon disciplines in one location. Following the closure of the school, the club now has to use dispersed facilities including facilities outside of Saffron Walden.</p> <p>As the site's playing field is one of the largest playing fields in Saffron Walden, the loss of access to all of the pitches that it provided (see aerial photos in annexes 2 and 3 to this letter which showed the number and range of pitches that were in use when the school was open) when it closed has inevitably had an impact on the deficiencies in pitch provision identified in the Council's Playing Pitch Strategy. Furthermore, community access to the school's sports facilities including the playing fields was formalised by the completion of a formal community use agreement in 2011 between Friends' School and Uttlesford District Council (appended to this response). The community use agreement made provision for the pitches to be made available for community use on both Saturdays and Sundays throughout the academic year. The extent of the community use of playing field was recognised by the Inspector when planning application S62A/22/0000002 was assessed in paragraph 28 of the decision notice. As such, this is not a school playing field that had limited access or use by the community when the school was operational as implied by paragraph 6.13 of the Planning Statement.</p> <p>➤ <i>Playing Field Status:</i> Sport England considers proposals for the development of playing fields that are no longer in use in the same way as playing fields that are in active use because development on them would permanently prevent</p>
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		<p>such sites from being brought back into use. Even if the playing fields are no longer needed for educational use this does not affect our position. Sport England's playing fields policy and the Government planning policy on playing fields (in paragraph 103 of the NPPF) does not distinguish between public and school playing fields and whether playing fields are currently in use or not. The policy approach that is applied is the same and this is the approach established through planning case law. It should be emphasised that Sport England's role is to safeguard playing fields for meeting the needs of current and future users. While this playing field may not be needed for its previous educational use now or in the future, safeguarding it is justified for meeting current and future community playing pitch needs as set out above and justified by the deficiencies identified in the Council's playing pitch strategy. Policy LC1 of the adopted Local Plan takes a similar approach as paragraph 7.2 of the reasoned justification makes it explicit that sites are protected by the policy whether they are in active use or not and whether through ownership access is prevented.</p> <p>While there is no current community use of the site's playing fields, this is because the site closed for community use when the school closed in 2017 and access has not been permitted since then. The applicant accepts in paragraph 3.4 of the Planning Statement that they have no interest in re-opening the facilities. This is not because there is a lack of demand for using the playing field by the community. Furthermore, there would not appear to have been any attempts made to make the playing fields available for potential management by community bodies (e.g. local authorities and sports clubs) to allow the facilities to re-open since the school closed. The lawful planning use of the site would also remain as a school playing field regardless of whether the site is available for use. There is no obligation under planning law for a playing field to be in active use to justify its protection. The applicants assertion in paragraph 6.19 of the Planning Statement that the proposal for bringing a smaller part of the playing field back into use is a marked improvement in comparison to what is currently offered is therefore not accepted. The pre-application advice letter provided by Uttlesford District Council dated 7<sup>th</sup> March 2024 takes a similar approach on this matter.</p> <p>➤ <i>Proposed Football and Cricket Pitches:</i> The applicant suggests in paragraph 6.15 of the Planning Statement that the proposed football and cricket pitches would meet an identified shortfall of football and cricket pitch provision in Saffron Walden. For the reasons set out later in this response, in its current form, the proposals would only offer potential to provide one 11v11 youth football pitch and one 9v9 youth football pitch. However, as set out in the Council's 2024 Winter Assessment Report there is a current deficiency of 6.5 youth 11v11 pitches (increasing to 9.5 in the future) and 15 youth 9v9 youth 9v9 pitches (increasing to 25 in the future). The provision of one pitch of each type may contribute towards addressing these deficiencies but it would not meet the deficiencies. Furthermore, it would not meet, or contribute towards meeting, the deficiencies for adult football pitches, rugby pitches or cricket pitches. As shown in the aerial photograph in annex 2 when the school's playing field was</p>
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		<p>fully marked out for pitches it could accommodate around 7 winter (football, rugby, hockey) sports pitches which is significantly greater than the 2 pitches proposed on the retained area of the playing field.</p> <p>➤ <i>Loss of Pavilion and Car Parking:</i> While application S62A/22/0000002 resulted in the loss of the pavilion and parking that supported community use of the playing field and had a prejudicial impact on the potential use of the playing fields, it does not make them unusable as suggested in paragraph 6.19 of the Planning Statement. As demonstrated by this application, new pavilion and parking facilities can be provided in principle to facilitate the use of the playing field although the space required to accommodate these facilities would necessitate the loss of a further area of the playing field. It should be noted that in assessing application S62A/22/0000002, the Inspector concluded in paragraph 33 of the decision notice that despite the harm caused by the loss of these facilities, it would be possible for suitable facilities to form part of a potential application for the use of the playing fields.</p> <p>To complement the above assessment I have consulted the relevant sports governing bodies for their feedback on the application which can be summarised as follows:</p> <p><i>Football Foundation (who represent the Football Association and Essex County FA)</i></p> <ul style="list-style-type: none"> <li>• The Football Foundation and Essex FA object to the proposal due to the loss of playing field. The adopted 2019 PPS states the current supply of football pitch provision is insufficient with no spare capacity identified in Uttlesford. It also states to protect existing quantity of pitches. The total number of teams in Uttlesford has increased from 163 teams in 2018 to 211 teams in 2023, therefore would increase the demand on these pitches.</li> <li>• This proposal doesn't consider the loss of the whole playing field and the increased demand within the area associated with the residential development</li> <li>• The Football Foundation and Essex FA are supportive of the separate representations made by Saffron Walden Community Football Club which articulate in detail the local football facility needs, the impact of the closure of the site on the club, the unsuitability of the on-site football proposals and the potential off-site projects that could be delivered if a financial contribution could be secured as part of a mitigation package.</li> <li>• An offsite contribution towards football facility projects within the local area would be supported as part of a mitigation package.</li> </ul> <p><i>Rugby Football Union (RFU)</i></p> <p>The RFU have confirmed their support for findings of the 2024 Uttlesford Playing Pitch Strategy winter assessment which show a significant shortfall of rugby pitch provision in the district which will be exacerbated by future population growth. In</p>
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		<p>the absence of any on-site mitigation, the RFU would be willing to accept the principle of off-site mitigation in the form of financial contributions being secured towards improving rugby pitch and changing room capacity at existing rugby club sites in the local area.</p> <p><u>Football and Cricket Pitch Facility Design, Layout, Operation and Delivery</u></p> <p>If considered in isolation, the proposal to reinstate the southern part of the Friends School playing fields to football and cricket pitches supported by a new clubhouse and ancillary car parking is welcomed in principle. This would respond positively to the recommendations of the Council's Playing Pitch Strategy relating to the site and would offer the potential to make a contribution towards meeting the local football and cricket pitch deficiencies identified in this strategy. The Football Foundation and the England &amp; Wales Cricket Board (ECB) would also welcome the principle of part of the site being reinstated to community use.</p> <p>However, regardless of what position is taken about the loss of playing fields on the site, it will be important that the proposals for reinstating the southern part of the site are fit for purpose from a design perspective and responsive to community needs if they are approved and implemented. While paragraph 6.20 of the Planning Statement refers to purpose built high quality facilities being provided and section 7.0 of the Design &amp; Access Statement refers to the facilities meeting Sport England guidance, the following issues have been identified:</p> <ul style="list-style-type: none"> <li>➤ <b>Cricket Square:</b> A two pitch (wicket) cricket square is proposed. However, the ECB has advised that the average square size is 10 pitches and the minimum that they would accept is a 8 pitch square. Each pitch on a cricket square can only be used a limited number of times per cricket season without affecting its quality which is why cricket squares have a large number of pitches in order to make it viable for a club or operator to use and maintain a facility on a sustainable basis. The ECB advise that a good quality well maintained cricket pitch would be able to take 5 matches per season so two pitches would only have capacity for up to 10 matches per season. Give that cricket clubs can typically have up to three home matches a week between April and September, a two pitch square would clearly fall well short of what would be needed to meet a cricket club's needs over a season. A two pitch square would not justify the capital costs associated with providing the pitches, the outfield or the clubhouse in the first place but just as significant, the costs of maintaining a cricket square and outfield can be significant and are not proportionate to the number of pitches in the square. It would therefore be financially unviable for a club or facility operator to maintain a two pitch square to the required standard given the limited use that could be made of it and consequently the limited income that could be generated from its use to cover these costs. Saffron Walden Cricket Club (who would be expected to be the user of the facility) has also advised that a 2 pitch square would not be of use to them.</li> </ul>
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		<p>The ECB has advised that they consider that sufficient space exists to accommodate at least a 6 pitch square and retain the two football pitches. The ECB's advice to address this is for a sports turf consultant to be appointed to undertake a feasibility study to assess how many cricket pitches could be provided on the site while still allowing for an ECB compliant outfield and football pitches which meet the FA's recommended dimensions. In addition to a 6 pitches for adult use, a non-turf pitch (artificial wicket) should be provided alongside the natural turf pitches to support junior cricket and training use.</p> <p>As shown in the aerial photograph in annex 3 to this response, when the school was open a cricket square with up to 11 pitches was provided. The proposal in its current form would not therefore be equal to the cricket provision historically available as suggested by the applicant in paragraph 6.19 of the Planning Statement. While both Sport England and the ECB would be willing to accept a smaller square than that which was previously marked out it would have to be large enough to meet the needs of a user and be financially sustainable to maintain.</p> <ul style="list-style-type: none"> <li>➤ <i>Football Pitches:</i> It would not be possible to mark out a full size adult football pitch on an east-west orientation as indicated on the Proposed Site Layout drawing if the site is to be used for cricket as a football pitch cannot be marked out over a cricket square due to the need to protect the cricket pitches from damage during the off-season. Neither the Football Foundation or the ECB would support this proposal. The adult football pitch markings should therefore be removed from the plan. The site would only have potential therefore to be used for youth or mini football pitches. If the cricket square is extended as advocated above then it will be necessary to ensure that 11v11 and 9v9 youth football pitches can still be accommodated on the site in accordance with the Football Association's recommended dimensions. However, it should be noted as set out in the separate representations made by Saffron Walden Community Football Club that the two pitches proposed would be of limited use for meeting the club's needs as their need is for two larger adult or youth 11v11 football pitches that could be overmarked for smaller pitches.</li> <li>➤ <i>Playing Pitch Construction:</i> No playing pitch feasibility study has been prepared to support the planning application to identify the issues that would need to be addressed to reinstate the site to playing pitch use. While the site provided a high quality playing field when last in use, it has not been maintained as a playing field for over 7 years and the southern part of the playing field has not been used for a cricket square before. Consideration will need to be given to matters such as gradients, soils, drainage and surface preparation to inform the works required to provide a fit for purpose reinstated playing field in practice. While a feasibility study to consider these matters can be secured through a planning condition, it is recommended that a study is prepared at this stage to inform the works required and the estimated costs. This is especially important if cut and fill levelling works or the installation of primary</li> </ul>
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		<p>drainage system are identified as being required to make the pitches fit for purpose. It is therefore requested that a playing pitch feasibility study is prepared which could also address the issues identified above relating to the cricket square and the football pitches. Sport England's Natural Turf for Sport design guidance <a href="https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/outdoor-surfaces">https://www.sportengland.org/guidance-and-support/facilities-and-planning/design-and-cost-guidance/outdoor-surfaces</a> provides advice on feasibility studies. Examples of feasibility studies and consultants that prepare them can be provided to the applicant upon request.</p> <p>➤ <b>Clubhouse Design:</b> The design and layout of the clubhouse is broadly supported by Sport England, the Football Foundation and the ECB as it is considered to substantially accord with current design guidance published by the three bodies. It should be emphasised though that the benefits of providing a good quality pavilion would be undermined if the football/cricket pitches were not responsive to the needs of users because this may result in the pavilion being underused which in turn would affect the sustainability of the pavilion. However, it is requested that consideration be given to the following matters before the application is determined to ensure that it is as responsive as possible to user needs:</p> <ul style="list-style-type: none"> <li>- Kitchen: Consideration is requested to be given to whether the kitchen could be located somewhere else to allow an external serving hatch to avoid playing field users having to enter the pavilion to get refreshments.</li> <li>- Lockers: The lockers should be contained in the changing rooms if possible.</li> </ul> <p>➤ <b>Ball Strike Risk:</b> Sensitive uses such as dwellings, roads and public open spaces are at risk of ball strike from a playing field, with consequential risk of harm to property and/or persons and hence a potential future liability for the site operator/owner, that in extremes could set at risk the continuance of sport at the site. Development within a 'strike zone' is potentially prejudicial to the use of the playing field as detailed in paragraph 13 of the above Sport England policy. The prejudicial impact on the use of a playing field by residential developments adjoining playing fields has been established through the courts in the case of <i>East Meon Forge and Cricket Ground Protection Association v East Hampshire District Council</i> [2014] EWHC 3543 (Admin) (31 October 2014). In the East Meon case, an assessment undertaken on behalf of the Cricket Club found that cricket balls commonly travel in excess of 70 metres, at all levels and abilities. It was found to be unreasonable to expect residents to live behind shutters during summer weekends or to stay out of their gardens or away from other amenity areas. Additionally, the occupants and visitors to dwellings will be at risk of injury when entering or leaving premises during cricket matches. In a more recent case in 2021, planning permission was quashed by the High Court for a development in Bradford adjacent to a cricket ground where ball strike was not adequately addressed (<i>The Trustees of the Crossflatts Cricket Club v City of Bradford Metropolitan Council</i> (2 December 2021)). The reasons for quashing this permission were that the Defendant's decision to grant planning permission provided legally inadequate reasons for departing from the expert advice received in relation</p>
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		<p>to the risk of ball-strike; and the Defendant failed to have regard to other significant material considerations which had been raised by Sport England about the likely effect of the proposed development on the Claimant cricket club being (amongst other matters) health and safety concerns from ball-strike.</p> <p>No information has been provided in support of the application which addresses the issue of ball strike. The applicant will therefore need to undertake a ball strike risk assessment to assess if ball strike is likely to be an issue for both cricket and football. If it is identified as an issue, then appropriate ball strike mitigation will need to be provided based upon any risks identified. The planning application introduces a new 'agent of change' and therefore the applicant will need to address the issue of ball strike through a risk assessment to identify if ball strike is a risk that needs to be addressed through appropriate ball stop mitigation. The requirement for a ball strike risk assessment and any associated ball stop mitigation required is in accordance with Paragraph 193 of the NPPF. While the details of any required ball stop netting/fencing could be dealt with by way of a planning condition, Sport England is aware from experience elsewhere that the ball stop netting/fencing can be up to 25 metres in height and this has caused concern for the Local Planning Authority or Planning Inspectorate from an amenity perspective. For this reason, Sport England considers that the matters of the design, specification and height of any required ball stop mitigation should be resolved prior to permission being granted in order for it to be acceptable.</p> <p>The fact that this area is an existing playing field does not negate the need for a ball strike risk assessment to be undertaken. This part of the Friends School playing fields has not been used for cricket before which poses a greater risk than other sports due to the relative speed and distance that cricket balls travel. Furthermore, the proposal introduces dwellings and access roads immediately to the north of the playing field area which would pose a potential risk unlike the current use of this area as a playing field. As set out paragraph 6.21 of the Planning Statement, the proposal would also make the tree belt immediately to the east of the playing field available for public access for the first time which would introduce a new risk that previously would not have existed.</p> <p>A ball strike risk assessment, undertaken by a suitably qualified consultant, that examines the ball trajectory for both cricket and football should therefore be undertaken. Sport England can provide advice on consultants that undertake ball strike risk assessments. If ball strike is identified as an issue that requires mitigation, then details of the design, specification and layout of any ball strike mitigation (for example ball stop fencing or netting) should be provided. This should also include details of how any ball strike mitigation will be managed and maintained.</p> <p>➤ <b>Car Parking:</b> The provision of a 30space car park to support the use of the retained playing field is welcomed in principle by Sport England and the governing bodies as this will be essential to support the operation of the</p>
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		<p>playing field in recognition that the 'away' teams, officials and some members of the home teams that use the playing field will not reside in the Saffron Walden area and will therefore likely to need to travel to the site by car. No comment is made on whether 30 spaces is an appropriate level of parking provision as this is a matter for the Planning Inspectorate and other consultees to consider.</p> <p>However, concern is raised about the proposal set out in paragraph 6.45 of the Planning Statement for the parking spaces to be utilised by visitors to the development as well as users of the playing field/clubhouse. Priority for these parking spaces will need to be given to users of the playing field/clubhouse during periods when these facilities are in use which will be weekends and evenings. Without this, the parking spaces are likely to be occupied by residents/visitors in which case playing field/clubhouse users would have to park within the surrounding residential area. Given that peak time parking demand for the playing field/clubhouse is likely to be the same as parking demand for residents/visitors of the residential development it is unclear how the car park could be effectively shared in practice. If the level of parking proposed within the development is considered inadequate without the shared use of this car park then an alternative parking solution will need to be identified to avoid a parking overspill issue arising in practice. Regardless of this, a parking management scheme (details of which could be secured through a planning condition) should be implemented to ensure that users of the playing field/clubhouse have priority over the use of the car park during peak periods of use.</p> <p>➤ <i>Playing Field/Clubhouse Management and Maintenance:</i> No details appear to have been provided of how the playing field and clubhouse could be managed in practice or what security of tenure the operator would be offered. While the full details of this can be secured through a planning obligation, some in principle proposals or options would have been expected to have been outlined in order to demonstrate that the facility will be sustainable in practice to operate especially in the context of the facilities being presented by the applicant in paragraph 7.5 of the Planning Statement as a key benefit of the scheme that should be given significant weight in the planning balance.</p> <p>Core Policy 67a of the Uttlesford Local Plan (Publication – Regulation 19 version) sets out Uttlesford District Council's latest approach to open space management which prioritises town/parish councils followed by the District Council and finally management by the developer or a private management company. At the very least, it should be confirmed that the applicant or a management company appointed by the applicant would be willing to manage the facilities if the local authorities do not accept a transfer. Furthermore, it should be confirmed that a commuted maintenance payment would be made to a local authority if they accepted a transfer in order to ensure that the facilities can be sustainably operated. Without such a payment it is considered unlikely that Saffron Walden Town Council or</p>
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		<p>Uttlesford District Council would consider the principle of accepting the transfer of the facilities.</p> <p>➤ <i>Playing Field/Clubhouse Phasing and Delivery:</i> No details appear to have been provided about the timing of the delivery of the reinstated playing fields and new clubhouse/parking. Notwithstanding Sport England's position on the loss of the playing fields to residential, if these proposals are being put forward as mitigation for the loss of playing fields and as a key social benefit of the scheme then their delivery will need to be secured through any planning permission within an appropriate timescale. Sport England's policy approach to the delivery of playing field mitigation projects as set out in paragraph 61 of the above policy is that provision should be available for use prior to the implementation of any development affecting the existing area of playing field in order to secure continuity of use and certainty of re-provision. A scenario where the residential development is constructed and occupied and the sports facilities are not implemented needs to be avoided as it may be difficult for the local planning authority to take effective action to ensure delivery in this situation.</p> <p><b>Sport England's Position</b></p> <p>Given the above assessment, Sport England raises an <b>objection</b> to the application because in its current form it is not considered to accord with any of the exceptions to our Playing Fields Policy or paragraph 103 of the NPPF due to the loss of playing fields. In addition to this in principle objection to the application there are a number of matters that need to be considered and addressed in relation to the design, layout, operation and delivery of the on-site sports facilities that are proposed in order to make them fit for purpose, responsive to community needs and sustainable to operate.</p> <p>Options for addressing the objection are limited on this occasion due to the scale of the loss of playing fields. The only clear option would be for the applicant to make direct replacement playing field provision off-site in accordance with exception 4 of our policy e.g. an existing playing field in Saffron Walden could be extended or a new playing field created to mitigate the impact but it is acknowledged that opportunities for this in the local area are known to be limited or non-existent hence the need to protect the site. Any on-site mitigation solution would need a much larger proportion of the playing fields to be reinstated and would need to be combined with a financial contribution being secured towards the delivery of off-site playing field mitigation projects in order to mitigate any residual loss of playing fields. However, this would either require a new planning application or major amendments to the current application. I would be happy to discuss such options with the applicant.</p> <p>Without prejudice to the above position, if the Planning Inspectorate is minded to approve the application in its current form contrary to the above advice, it is <b>requested</b> that the opportunity be offered to provide advice on the issues that</p>
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		<p>need to be addressed through a planning obligation and/or planning conditions before the application is determined. This is requested in order to help ensure that the on-site sports facilities that are provided are as fit for purpose as possible although it is strongly advocated that the issues identified above relating to the design, layout operation and delivery of these facilities are considered and addressed as far as possible in the first instance for the reasons explained.</p> <p>If you would like any further information or advice, please contact the undersigned</p>
7	UTT/24/1144/FUL	TBC
8	UTT/24/0897/DFO UTT/24/0902/DFO UTT/24/0904/DFO UTT/24/0906/DFO	<p>RECOMMENDED NORTHSIDE PHASE 2 CONDITIONS</p> <p>Phase 2 Northside 1-4 Option recommended conditions</p> <p style="text-align: center;"><b><u>UTT/24/0904/DFO - Option 1 – Approve subject to conditions</u></b></p> <p><b>1</b> Prior to the occupation of the hereby permitted development details of security fencing to option 1 north of the car parking area which falls outside of the compound area shall be submitted to and approved in writing by the Local Planning Authority.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>2</b> Cycle parking parking Unit 12 shall not be occupied until the cycle parking as shown in principle in drawing number 31939-MSA-ST00-DR-A-48011 Rev PL03, and has been constructed and completed in accordance with the approved details and shall thereafter be kept free of obstruction and permanently available for the parking of cycles only.</p>

		<p><b>Reason:</b> To ensure the cycle parking will conform the Essex Parking Standards and the design guidance LTN 1/20 and give priority to pedestrians and cyclists in accordance with NPPF paragraph 116.</p> <p><b>3</b> Active Travel - Infrastructure (Layout) Prior to first occupation of phase 2, of the development the active travel infrastructure, as shown in principle on drawing number 215864/PD08 Rev A, including but not limited to on and off-road footways and cycleways, crossing points and carpark markings and associated signing and lighting shall be constructed and completed.</p> <p><b>Reason:</b> In the interests of pedestrian and cyclist safety to ensure the cycleway/footway will conform to design guidance in LTN 1/20 and give priority to pedestrians and cyclists in accordance with NPPF paragraph 116.</p> <p><b>4</b> Active Travel - Facilities Details of shower and changing facilities (including lockers) that would help promote cycling as a mode of transport shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any above ground works. As a minimum, the facilities shall comprise 1 shower per 10 cycle spaces and 1 locker per cycle space. The facilities shall be installed and operational prior to first occupation of that part of the development that they serve and maintained as such permanently thereafter.</p> <p><b>Reason:</b> To ensure appropriate facilities are provided and give priority to pedestrians and cyclists in accordance with NPPF paragraph 116.</p> <p><b>5</b> Prior to the construction of the gatehouse and link bridges on each unit details relating to their daily working operation and external facing</p>
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		<p>materials, including glazing shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be implemented in accordance with the approved details.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>6</b> Prior to the commencement of the development details of safety and security measure for the fuel farm shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Essex Policy and HSE.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>7</b> Prior to the commencement of the development details of the fenestration of the building shall be submitted to and approved in writing by the Local Planning Authority.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>8</b> Prior to the occupation of the development hereby permitted internal road parking management details and HGV parking control shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Essex Policy.</p>
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		<p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b><u>UTT/24/0906/DFO - Option 2 – Approve subject to conditions</u></b></p> <p><b>1</b> Cycle parking Units 15 and 16 shall not be occupied until the associated cycle parking as shown in principle in the drawing number 31939-MSA-ST00-DR-A-48012 Revision PL03, and has been constructed and completed in accordance with the approved details and shall thereafter be kept free of obstruction and permanently available for the parking of cycles only.</p> <p><b>Reason:</b> To ensure the cycle parking will conform the Essex Parking Standards and the design guidance LTN 1/20 and give priority to pedestrians and cyclists in accordance with NPPF paragraph 116.</p> <p><b>2</b> Active Travel - Infrastructure (Layout)</p> <p>Prior to first occupation of phase 2, of the development the active travel infrastructure, as shown in principle on drawing number 215864/PD09 Rev A, including but not limited to on and off-road footways and cycleways, crossing points and carpark markings and associated signing and lighting shall be constructed and completed.</p> <p><b>Reason:</b> In the interests of pedestrian and cyclist safety to ensure the cycleway/footway will conform to design guidance in LTN 1/20 and give priority to pedestrians and cyclists in accordance with NPPF paragraph 116.</p> <p>Active Travel - Facilities</p>
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		<p><b>3</b> Details of shower and changing facilities (including lockers) that would help promote cycling as a mode of transport shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any above ground works. As a minimum, the facilities shall comprise 1 shower per 10 cycle spaces and 1 locker per cycle space. The facilities shall be installed and operational prior to first occupation of that part of the development that they serve and maintained as such permanently thereafter.</p> <p><b>Reason:</b> To ensure appropriate facilities are provided and give priority to pedestrians and cyclists in accordance with NPPF paragraph 116.</p> <p><b>4</b> Prior to the construction of the gatehouse and link bridges on each unit details relating to their daily working operation and external facing materials, including glazing shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be implemented in accordance with the approved details.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>5</b> Prior to the commencement of the development details of safety and security measure for the fuel farm shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Essex Policy and HSE.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p>
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		<p><b>6</b> Prior to the commencement of the development details of the fenestration of the building shall be submitted to and approved in writing by the Local Planning Authority.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>7</b> Prior to the occupation of the development hereby permitted internal road parking management details and HGV parking control shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Essex Policy.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b><u>UTT/24/0902/DFO - Option 3 – Approve subject to conditions</u></b></p> <p>Cycle parking</p> <p><b>1</b> Units 14, 15, 16 or 17 shall not be occupied until the associated cycle parking as shown in principle in drawing number 31943-MSAST00-DR-A-48013 Rev PL03, and has been constructed and completed in accordance with the approved details and shall thereafter be kept free of obstruction and permanently available for the parking of cycles only.</p> <p><b>Reason:</b> To ensure the cycle parking will conform the Essex Parking Standards and the design guidance LTN 1/20 and give priority to pedestrians and cyclists in accordance with NPPF paragraph 116.</p> <p>Active Travel - Infrastructure (Layout)</p>
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		<p><b>2</b> Prior to first occupation of phase 2, of the development the active travel infrastructure, as shown in principle on drawing number 215864/PD10 Rev A, including but not limited to on and off-road footways and cycleways, crossing points and carpark markings and associated signing and lighting shall be constructed and completed.</p> <p><b>Reason:</b> In the interests of pedestrian and cyclist safety to ensure the cycleway/footway will conform to design guidance in LTN 1/20 and give priority to pedestrians and cyclists in accordance with NPPF paragraph 116.</p> <p>Active Travel - Facilities</p> <p><b>3</b> Details of shower and changing facilities (including lockers) that would help promote cycling as a mode of transport shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any above ground works. As a minimum, the facilities shall comprise 1 shower per 10 cycle spaces and 1 locker per cycle space. The facilities shall be installed and operational prior to first occupation of that part of the development that they serve and maintained as such permanently thereafter.</p> <p><b>Reason:</b> To ensure appropriate facilities are provided and give priority to pedestrians and cyclists in accordance with NPPF paragraph 116.</p> <p><b>4</b> Prior to the construction of the gatehouse and link bridges on each unit details relating to their daily working operation and external facing materials, including glazing shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be implemented in accordance with the approved details.</p>
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		<p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>5</b> Prior to the commencement of the development details of safety and security measure for the fuel farm shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Essex Policy and HSE.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>6</b> Prior to the commencement of the development details of the fenestration of the building shall be submitted to and approved in writing by the Local Planning Authority.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>7</b> Prior to the occupation of the development hereby permitted internal road parking management details and HGV parking control shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Essex Policy.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b><u>UTT/24/0897/DFO - Option 4 – Approve subject to conditions</u></b></p>
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		<p><b>1</b> Cycle parking Units 12, 14, or 15 shall not be occupied until the associated cycle parking as shown in principle in drawing number 31943-MSA-ST00-DR-A-48014 Rev PL06, has been constructed and completed in accordance with the approved details and shall thereafter be kept free of obstruction and permanently available for the parking of cycles only.</p> <p><b>Reason:</b> To ensure the cycle parking will conform the Essex Parking Standards and the design guidance LTN 1/20 and give priority to pedestrians and cyclists in accordance with NPPF paragraph 116.</p> <p><b>2</b> Active Travel Facilities Details of shower and changing facilities (including lockers) that would help promote cycling as a mode of transport shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any above ground works. As a minimum, the facilities shall comprise 1 shower per 10 cycle spaces and 1 locker per cycle space. The facilities shall be installed and operational prior to first occupation of that part of the development that they serve and maintained as such permanently thereafter.</p> <p><b>Reason:</b> To ensure appropriate facilities are provided and give priority to pedestrians and cyclists in accordance with NPPF paragraph 116.</p> <p><b>3</b> Active Travel Facilities Prior to first occupation of phase 2, of the development the active travel infrastructure, as shown in principle on drawing number 215864/PD11 Rev A (appendix A of additional Information for Option 4), including but not limited to on and off-road footways and cycleways, shared routes to cycle parking of a minimum effective width 3m, crossing points and car park markings and associated signing and lighting shall be constructed and completed.</p>
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		<p><b>Reason:</b> In the interests of pedestrian and cyclist safety to ensure the cycleway/footway will conform to design guidance in LTN 1/20 and give priority to pedestrians and cyclists in accordance with NPPF paragraph 116.</p> <p><b>4</b> Prior to the construction of the gatehouse and link bridges on each unit details relating to their daily working operation and external facing materials, including glazing shall be submitted to and approved in writing by the Local Planning Authority and thereafter shall be implemented in accordance with the approved details.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>5</b> Prior to the commencement of the development details of safety and security measure for the fuel farm shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Essex Policy and HSE.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>6</b> Prior to the commencement of the development details of the fenestration of the building shall be submitted to and approved in writing by the Local Planning Authority.</p>
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		<p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>7</b></p> <p>Prior to the occupation of the development hereby permitted internal road parking management details and HGV parking control shall be submitted to and approved in writing by the Local Planning Authority in conjunction with Essex Policy.</p> <p><b>Reason:</b> In the interest of safety and security of the design of the scheme and the wider area, in accordance with Local Plan Policy GEN2 (adopted 2005) and the NPPF.</p> <p><b>NORTHSIDE PHASE 2 ADDENDUM</b></p> <p>Email 1</p>
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		<p><b>From:</b> NATS Safeguarding</p> <p><b>Sent:</b> 11 September 2024 09:40</p> <p><b>To:</b> Maria Shoesmith</p> <p><b>Cc:</b> NATS Safeguarding</p> <p><b>Subject:</b> [External] &gt;&gt; RE: Phase 2 Northside applications options 1-4 UTT/24/0902/DFO, UTT/24/0904/DFO, UTT/24/0906/DFO and UTT/24/0897/DFO</p> <p>Maria,</p> <p>NATS are happy that condition 53 is functionally equivalent to the condition proposed in the email and therefore if this is already in place we do not require a additional condition.</p> <p>Regards, Alasdair</p> <p>NATS Safeguarding</p> <p>Email 2</p>
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		<p><b>From:</b> Diane Jackson</p> <p><b>Sent:</b> 11 September 2024 15:14</p> <p><b>To:</b> Maria Shoesmith</p> <p><b>Cc:</b> Ross Franklin</p> <p><b>Subject:</b> [External] &gt;&gt; RE: Phase 2 Northside applications options 1-4</p> <p>Hi Maria,</p> <p>Please accept my sincere apologies for the time taken to respond.</p> <p>I can confirm that those elements listed below are covered by the conditions attached to the Outline permission.</p> <p>Thank you,</p> <p>Diane</p> <p>Diane Jackson - MAG Group Aerodrome Safeguarding</p>
9	UTT/23/2496/FUL	<p><b><u>Report Amendments</u></b></p>
		<p><b>Para 1.4- Amended</b></p> <p>As part of Officers' assessment of the application, a very careful and thorough overall balancing exercise of the planning issues has been undertaken. This includes the weighing of any harm caused by the proposals in terms of impact on heritage assets and to the Local Green Space allocation, against the benefits that are generated by the proposals, as listed at 14.3.34. In summary, the harm caused to heritage assets is assessed as being 'less than substantial' (low to moderate) and the harm to the Local Green Space (LGS) allocation is by reason of its policy definition only (ie. Green Belt equivalent) given that public accessibility of the land will in fact be increased from 2.24% to 84.67%. In comparison, the</p>

		benefits from the scheme are multiple, including a number of them that are attributed 'significant/substantial' weight, including the contribution to the housing supply; provision of affordable housing (at a level beyond policy compliance); increased accessibility to the Local Green Space; enhancement to the landscape features of the public open space; and securing bio-diversity net gain (ie. at 18.6%). These are supplemented by a number of other benefits attributed as having moderate weight including the provision of a community building and community car parking. Officers have therefore concluded that the public benefits outweigh the harm, and that very special circumstances exist which overcome the LGS policy issue. As such, and having regard to the NPPF and all other material considerations, the balancing act undertaken tips the scales in favour of granting planning permission.
		<p><b><u>14.3.10- As published</u></b>  A review of Policy S7 for its compatibility with the NPPF has concluded that it is partially compatible but has a more protective rather than positive approach towards development in rural areas and therefore should be given <b>limited</b> weight. The proposal would be located to the south of the High Street in Stebbing, this is adjacent to residential development. Whilst the proposal would have a limited and localised impact on the local landscape, the proposal would not meet the requirements of Policy S7 of the Local Plan and that, consequently the proposal is contrary to that policy.</p> <p><b><u>14.3.10- Amended</u></b>  A review of Policy S7 for its compatibility with the NPPF has concluded that it is partially compatible but has a more protective rather than positive approach towards development in rural areas and therefore should be given <b>moderate</b> weight. The proposal would be located to the south of the High Street in Stebbing, this is adjacent to residential development. Whilst the proposal would have a limited and localised impact on the local landscape, the proposal would not meet the requirements of Policy S7 of the Local Plan and that, consequently the proposal is contrary to that policy.</p>
		<p><b><u>10.10- As published</u></b>  10.10 Place Services (Ecology) – Objection</p> <p>10.10.1 Holding objection due to insufficient ecological information on European Protected Species (Great Crested Newts and bats), protected species (reptiles) and Priority habitats (Hedgerows and Lowland Mixed Deciduous Woodland).</p>



		<p><b><u>10.10 – Amended</u></b>  10.10 Place Services (Ecology) – No Objection</p> <p>10.10.1 No Objection raised, Place Services Ecology have removed their holding objection, subject to conditions.</p>
		<p><b><u>UDC Urban Design Officer- Comments</u></b></p> <p>The proposal is for 28 new homes and a flexible community use building across two adjacent sites in the village of Stebbing. Stebbing is a village with a linear settlement structure and has a Scheduled Ancient Monument (The Mount) and two adjoining Conservation Areas.</p> <p>It is noted that the applicant team has entered into a PPA with UDC and has engaged positively with the EQRP and throughout that process has iteratively revised the designs, reducing the number of new dwellings proposed. The two sites, 1a and 1b, are adjacent to one another, to the west of The Downs and the High Street and the southernmost site, 1b, is adjacent to but not in the two adjoining Conservation Areas.</p> <p>The Stebbing Neighbourhood Plan has allocated these sites as local green space. This note considers aspects of urban design only.</p> <p>Overall, the scheme represents high quality urban design and is in overall compliance with the Uttlesford Design Code and as such, is supported.</p>
		<p><b><u>Applicant’s Rebuttal to Stebbing Parish Council Comments</u></b></p> <p>The very special circumstances and tangible benefits to the community are clearly set out and explained in the applicant’s Planning Statement.</p> <p>The applicant is committed to providing a Landscape Environmental Management Plan (LEMP) to be agreed as part of the S106 covering a 30 year period. A management company would be responsible for implementation and complying with the terms of the LEMP.</p>

		<p>We wish to comment that this objection concerning the relationship of the access (plot D) with the zig-zag lines has no basis on highway grounds; the zig-zag lines present a controlled zone in which 'no stopping' is enforced.</p> <p>This matter has been specifically assessed by both ECC and our expert transport consultants. Speed and volume surveys, achieve safe visibility.</p> <p>Place Services have removed their objection and all matters have now been agreed by their expert ecologists.</p>
		<p><b><u>Applicant's Rebuttal to UDC Roadside Special Verge Officer Comments</u></b></p> <p>This objection does not reflect that we have already agreed to the proposed planning condition (No3) dealing with the Construction Method Statement required, and specifically the inclusion of clause h), providing protection of the special verge, as a pre-commencement matter. This objection should therefore be removed.</p> <p>We note that there is also reference to the verges being common land and stating that they are believed to be owned by the Parish within the 'Summary of Objections' at para 11.2. In this regard, Section 38 of the Commons Act 2006 is relevant and provides appropriate safeguards, we have provided a Planning Inspectorate decision of 5/9/2016 relating to nearby land in the vicinity of Downs Terrace.</p> <p>The following is noted:</p> <p><i>There is little evidence of use of this part of the register unit other than by pedestrians as a means of passing and re-passing along the footway on the northern side of The Downs or as a means by which children can make their way to Stebbing Primary School from the houses on Pound Gate and Garden Fields via the two nearby public footpaths. The proposed works would not prevent the current use of the application land to pass and re-pass although caution would have to be exercised by anyone wishing to cross the end of the access road which the works would create. Whilst there would be some interference in future use arising from the construction of the access road, that interference is not substantial enough to warrant the refusal of consent.'</i></p> <p><i>"the creation of a vehicular way across common land section 5.9 of the Common Land Consents Policy states "such an application may be consistent with the continuing use of the land as common land, even</i></p>

		<i>when the vehicular way is entirely for private benefit, because the construction will not in itself prevent public access, or access for commoners' animals". In this case, the proposed works will not prevent public access to the land; consequently, the application is consistent with section 38 of the 2006 Act.'</i>
10	UTT/23/2599/FUL	TBC
11	UTT/24/1809/FUL	<p>The date of the committee on the front page should be 18 September 2024.</p> <p>Condition 19 has been discharged for the Retirement Living Part (ref UTT/24/1537/DOC) and so should read:</p> <p><i>The development of the Retirement Living Parcel shall be constructed in accordance with the approved details for the building façade, glazing and ventilation elements of the relevant parcel, as submitted and discharged under application ref UTT/24/1537/DOC.</i></p> <p><i>No other development above ground floor slab level of each parcel of the development hereby permitted shall take place until specification details for the building façade, glazing and ventilation elements of the relevant parcel has been submitted to the Local Planning Authority and demonstrate that they achieve the sound attenuation requirements detailed in the Acoustic Design Statement and Noise Impact Assessment prepared by MLM Consulting Engineers Limited reference 102903-MLM-ZZ-XX-RP-YA-0002 Table 13. The development of the relevant parcel shall be carried out in accordance with the approved specification details for that parcel.</i></p> <p><i>ii) Where acoustically attenuated ventilation is required and there is evidence of adverse air quality impact to occupants, mechanical ventilation will be required. Where whole dwelling ventilation is provided then acoustically treated inlets and outlets should where possible be located away from the façade(s) most exposed to noise (and any local sources of air pollution). The scheme shall thereafter be retained as approved.</i></p> <p><i>REASON: To safeguard the amenities of the occupiers on the site, the neighbourhood and to comply with policies GEN5 and ENV13 of the Uttlesford Local Plan (adopted 2005) and the NPPF.</i></p> <p>Condition 20 has been discharged in full (ref UTT/24/1251/DOC) and so should read:</p> <p><i>The development of the Retirement Living Parcel shall be constructed in accordance with the approved details of the acoustic barrier along the southern boundary of the site, western boundary of the site and</i></p>

		<p><i>perimeter of the west care home garden, as submitted and discharged under application ref UTT/24/1251/DOC and UTT/23/1925/DOC.</i></p> <p><i>REASON: To safeguard the amenities of the occupiers on the site, the neighbourhood and to comply with policy GEN4 Uttlesford Local Plan (adopted 2005) and the NPPF.</i></p> <p>Part (iv) of condition 10 for the retirement living parcel has been discharged (ref UTT/24/1721/DOC) and so condition 10 should read:</p> <p><i>The development shall be constructed in accordance with the approved remediation strategy, as submitted and discharged under application UTT/24/0257/DOC, UTT/24/1721/DOC and UTT/24/1154/DOC.</i></p> <p><i>iv) No occupation of any part of the permitted development (except for the Lidl parcel and Retirement Living parcel) shall take place until a verification report demonstrating completion of works set out in the remediation strategy in (iii) has been submitted to and approved by the local planning authority. The long-term monitoring and maintenance plan in (iii) shall be updated and be implemented as approved.</i></p> <p><i>REASON: To protect and prevent the pollution of controlled waters from potential pollutants associated with current and previous land uses in line with National Planning Policy Framework (NPPF), paragraphs 170, 178, 179 and Environment Agency Groundwater and to comply with policy ENV14 of the Uttlesford Local Plan (adopted 2005).</i></p>
12	UTT/24/1486/FUL	<p>At paragraph 3.1 it reads: “The site lies on the east side of Bedlars Green Road, a Class 3 classified road, to the immediate south of Great Hallingbury Manor, an established hotel, and comprises a field understood to have been a former quarry.”</p> <p>This should read: “The site lies on the east side of Bedlars Green Road, a Class 3 classified road, to the immediate south of Great Hallingbury Manor, an established hotel, and previously comprised of a field understood to have been a former quarry.”</p>
13	UTT/24/1363/FUL	TBC
14	UTT/24/1093/FUL	TBC
15	UTT/24/1783/FUL	<b><u>Parish Council</u></b>

		<p>It is noted that the written Officer's Report for the Planning Committee Meeting was finalised before this deadline.</p> <p>Clavering Parish Council notes that the superseded drawings have now been added to the Planning Portal for this application.</p> <p>Clavering Parish Council expresses concern at the substantial raising of the roof line of the proposed garage to replace an agreed cart shed.</p> <p>It repeats its initial comment that if UDC Planning are minded to grant permission for the addition of an external staircase and door at an upper level, that there is condition applied that there can be no allowed permissions to convert the upper story of the garage into dwelling/office space.</p>
16	UTT/24/0323/FUL	<ol style="list-style-type: none"> <li>1. The 'Reason for the application being on the agenda' should be changed to 'Councillor Interest – Both Councillors Christian Criscione and Nick Church have an interest in the site.</li> <li>2. Paragraph 1.2 a typo needs correcting to the following 'The site comprises of a rectangular shaped plot approximately 0.15ha, located outside development limits'.</li> <li>3. Paragraph 1.3 another typo the first part of the sentence should read 'Less than substantial harm has been identified to the setting of the adjacent grade II listed building at Thatched Cottage.'</li> <li>4. Paragraph 6.1 the Relevant Site History references application UTT/23/0493/OP, Land to the East of Goodacres, for wider site context. For clarification purposes, this is a different site to the current application site for UTT/24/0323/FUL.</li> <li>5. Paragraph 11.3.1, second from last bullet point, should read 'A site notice was not posted in the area'.</li> </ol>

		<p>6. Paragraph 11.4.3 an additional sentence should be added to the end of paragraph stating 'Councillor Nick Church also has an interest in the application.</p> <p>7. Paragraph 14.3.6 partial sentence to be omitted at the end '..although the site is within an agricultural/rural context but seeks to support an existing rural business'.</p>
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Note – The purpose of this list is to draw Members attention to any late changes to the officer report or late letters/comments/representations. Representations are not reproduced in full they are summarized

Late items from **STATUTORY CONSULTEES** are reproduced in full.