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Planning Department
Uttlesford District Council

By email only.



Dear Sirs,

RE: Revised Application to UTT/21/2688/FUL – Residential redevelopment of Springwell Nursery, Walden Road.

We enclose a revised full planning application for the erection of 7no Passivhaus Dwellings, at Springwell Nursery, Walden Road.

This application is a revised submission following the refusal of application reference UTT/21/2688/FUL in December 2021, and this letter sets out the response to each reason for refusal. Additional information is also included within the enclosed Design and Access Statement, Planning Statement, and Consultant Reports.

The officer's reasons for refusal and the rebuttal to each point are listed below:

Reason 1 – Unsuitable and unsustainable location for housing.

The dwellings will be designed to accord with Passivhaus standards, adopting a whole-building approach looking at the way energy is used, generated, and conserved. The requirement for private vehicle use is wholly offset with the Passivhaus standard, and significant solar panel installation to each property (along with battery backup) will essentially provide free use of an occupant's electric vehicle, charged by one of two EV chargers provided to each property.

The site is not isolated but is rather sat among a collection of other residential properties, including several which are approved, yet to be built. With more properties comes more incentive for local services to be provided, therefore improving the sustainability of all the properties which make up the Springwell settlement.

Reason 2 – Harmful development in the Countryside.

Policy S7 has been proven time and time again to be incompatible with the more recently published NPPF, and Uttlesford are still without an up-to-date Local Plan. The site proposes the re-use of a previously developed Brownfield site following the demolition of the existing nursery buildings which are of low architectural value.

The site is well screened from the surroundings and will not have a harmful impact from publicly accessible views as previously claimed by officers.

The development will bring about a substantial improvement both in character and quality of the area over the existing nursery buildings, including a 60% reduction in the built-form footprint.

The dwindling 5-year Land Supply in Uttlesford triggers the promotion of sustainable development, and the social, economic, and environmental advantages of this proposal clearly outweigh any harm.

Reason 3 – Impact upon Listed Buildings

No heritage reasons nor concerns over impacts upon Listed Buildings were raised by the Planning Inspectorate during the 2013 application.

The comments from Place Services are largely unjustified as highlighted in the enclosed Design and Access Statement, with the Springwell settlement being arranged in a sporadic manner with dwellings positioned in a variety of manners, not a linear pattern as claimed.

The loss of the architectural poor nursery structures and gain of new well-designed homes will be a clear visual improvement on the setting and character of the nearby Listed Buildings.

Reason 4 – Highways Access.

The response from the Highways officer in 2013 is enclosed with the application, which for the same access confirmed that the highways authority had no objection to the application as proposed. No design criteria or policy within the Highways department has changed and so this change of view is unsubstantiated.

Notwithstanding this, the provision of drawing PL04 with this application seeks to overcome these objections by confirming that the access can be upgraded to have a suitable width, and adequate visibility onto the highway.

The intensification of the access is offset through the loss of the nursery business which sees on average 150no cars per day during the peak seasons, plus staff, plus deliveries.

Reason 5 – Ecology

Additional information was submitted during the previous application but not considered by the authority. This information is submitted at the outset with this application and so seeks to overcome the holding objection from County Ecologists.

Reason 6 – Flood Risk

The flood mapping data held by the Environment Agency is acknowledged as being incorrect in their letter dated 11th October 2021, and it can only be corrected later. The material supplied with the application demonstrates that the site is not at risk of flooding and therefore this is not a valid reason for refusal.

Reason 7 – Flood Risk

It is not possible to undertake infiltration testing on the site at present because of the trading commercial business, and it is unreasonable for the authority to expect the applicant to do so. This should be a condition of any planning approval.

The soil conditions around the site are well known following the construction of the new-build dwelling east of the site, being sited on chalk. Chalk is typically known for having good infiltration rates and it is highly likely that soakaways or similar will be adequate for the sites surface water run-off.

The fallback position to this is that water can be discharged into the nearby ditch which directly feeds into the river Cam, subject to attenuation and a hydro-brake.

It is requested that infiltration testing and surface water drainage design be conditioned on any approval for the site.

We trust the enclosed is satisfactory and would welcome the opportunity to discuss the application with officers at their convenience.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Ryan Albone

Director | Chartered Architectural Technologist
BSc (Hons) Dip MCIAT