

UTT/0262/08/SO Scoping Opinion

Development Control, [Click here to type item number]

Committee:	Development Control	Agenda Item
Date:	19 March 2008	[?]
Title:	UTT/0262/08/SO Scoping Opinion relating to proposed development at Boxted Wood, Stebbing	
Author:	Michael Ovenden - Interim Head of Development Control: (01799) 510476	Item for decision? yes

Summary

The Council has received a request for a Scoping Opinion concerning a proposed new settlement in Stebbing parish. This report and the attached assessment and recommendation sets out the circumstances and concludes by recommending that the developer be informed that when submitted an Environmental Statement concerning the proposed development it should cover the stated issues. Members are asked to consider whether there are any further matters to require to be covered in the Environmental Statement.

Background

All parties will be aware that this authority is required to find new sites for 4200 homes over those previously planned for. These new sites will be identified through the Local Development Framework (LDF). In its preparation of the Core Strategy the Council has set out a number of options for allocating the housing numbers and indicated its preferred option which is for the majority of the new homes to be provided in a new settlement to the north east of Elsenham. The LDF procedure encourages parties to propose alternative options and a number of large sites have been put forward including the site being promoted by Galliard Homes at Boxted Wood. Work on the Core Strategy is still ongoing and the Council has yet to make its final decision on how the housing requirement will be met. It is unlikely that will be made until next year. This scoping report is for a development of 4500 dwellings. Current information indicates that approximately 3000 dwellings would be sited in Stebbing parish, with the balance proposed in Braintree District. Although the scoping report is limited to 4,500 homes it is intended by Galliard Homes that the community would have the capacity to grow to 10,000 dwellings at a later stage.

Development proposals may have a significant impact on the Environment and to judge the impact of large schemes developers are required to submit an Environmental Statement (ES) with the planning application. The Regulations provide a procedure which allows a developer to ask the local planning authority about the scope of an Environmental Statement. This procedure is known as a Scoping Opinion. A response must be given within 5 weeks (in this case 25 March 2008).

Author Michael Ovenden

Version Date 5 March 2008

All parties should be aware that by offering advice in response to a request for a Scoping Opinion the local planning authority is not prejudging, supporting, agreeing or in some other way condoning the development. It is merely setting the terms for the work which will inform the Environmental Statement that will be required if an application is made. Such an Environmental Statement is likely to take a significant period of time to prepare. Therefore an application if it comes is unlikely to be received for many months. Members should bear this information in mind and confine comments to suggesting what information should be in the Environmental Statement and not discuss the merits of the overall scheme or those of other proposals. In this sense this report should be treated in a similar way to the Major applications which are reported to Members under the advanced reporting procedure – commenting on the issues to be covered and not the proposal itself. Members last dealt with a request for a Scoping Opinion in October 2007 relating to a group of wind turbines in the north of the District and South Cambridgeshire. So far no application has come forward for that development.

Recommendations

Members are asked to note the content of the report and consider whether there is further information which the developer should be asked to include within its submission for an Environmental Statement.

Background Papers

Attached report & application UTT/0262/08/SO

Impact

Communication/Consultation	The submission has been publicised including notifying residents, the Parish, statutory consultees and Braintree District Council
Community Safety	None
Equalities	None
Finance	None
Human Rights	None
Legal implications	None
Sustainability	See report
Ward-specific impacts	To the Parish affected by the proposal and further a field within the District and to Braintree District
Workforce/Workplace	None

UTT/0262/08/SO - STEBBING

Scoping Opinion - for approximately 4500 homes
Location Land at Boxted Wood GR/TL 694-232
Applicant Scott Wilson
Agent Scott Wilson
Case Officer Ms K Hollitt 01799 510495
Expiry Date 25/03/2008
Classification OTHER

NOTATION: Outside Development Limits/Ancient Woodland/County Wildlife Site/Adjacent to Listed Buildings

DESCRIPTION OF SITE: The application site is located on the border of Uttlesford and Braintree Districts. The site is 13km east of Stansted Airport, 10km from Great Dunmow and 7km to the west of Braintree. The hamlets of Stebbing Green and Blake End are sited to the south-west and south-east of the site respectively. The site measures a total of 135 hectares – 113ha in Uttlesford and 22ha in Braintree, of which 116ha is Grade 2 arable land and 19ha is Ancient Woodland, known as Boxted Wood. The site is generally flat, but slopes gently up towards Boxted Wood. There is a deep man made lake, created through gravel abstractions, located near the southern boundary of the site, adjacent to the B1256, and is used as a private recreational fishery. This southern boundary has a distinctive character of its own generated by the lake and adjacent wetland vegetation and the River Ter with its associated riverside vegetation. The site is bound by roads on three sides, the B1256 to the south, the road to Stebbing on the west, and Blakes Lane to the east.

DESCRIPTION OF PROPOSAL: This application is for a "scoping opinion" is a preliminary stage of a proposed development that will come into the category that requires an Environmental Impact Assessment to be submitted with the planning application which will be in the form of an Environmental Statement. This preliminary stage is the "Scoping Opinion" which sets the scope of the study that will be carried out and submitted to form the Environmental Statement. The developer has submitted a proposed contents list for the study, together with details of likely impacts and potential mitigation measures, for the consideration of the local planning authority. A similar application has been made to Braintree District Council.

APPLICANT'S CASE including Design & Access statement: Galliard Homes is proposing a 135ha sustainable community of approximately 4500 homes, plus a range of community uses and facilities, employment and business uses and open space. The new settlement would be sited at Boxted Wood, to the north of the A120 between Great Dunmow and Braintree. The developer intendeds that the community would have the capacity to grow to 10,000 dwellings at a later stage. The masterplan seeks to meet development demand in Uttlesford and Braintree and accommodate future growth in an innovative and desirable way creating a sustainable free-standing settlement. The masterplan emphasises a place-making approach, centred around people, engaging with local communities and providing a minimum of 40% affordable homes, as well as jobs.

RELEVANT HISTORY: Construction of agricultural reservoir (to include the extraction of sand and gravel) for diversification of farming namely for irrigation of soft fruit and access road approved 1988.

CONSULTATIONS: The following consultees have been consulted in respect of the Scoping Opinion. Due to the time constraints for writing the report no responses had been received. Any responses will be reported to the Committee.

BAA Safeguarding Team
Highways and Transportation
Ramblers Association
Braintree District Council
English Heritage
Civil Aviation Authority
Environment Agency
Natural England
Essex Wildlife Trust
RSPB
Three Valleys Water
Anglian Water Services
Essex County Council – Archaeology
Landscape Officer
Drainage Engineer
Policy

PARISH COUNCIL COMMENTS: To be reported (due 21 March 2008)

REPRESENTATIONS: This application has been advertised and 2 representations have been received. Period expired 20 March 2008.

If it is considered a sensible approach to site all the housing requirements in one place then communication is paramount in a scheme called an “eco” site. At this site there is no railway line within 5 miles and that one at Braintree is single line with only an hourly service. Bus services could be provided but at what cost to the environment? Communications by road to the B1256 are dangerous. Access points to B1256 are dangerous. Communication to the A120 via the B1256 would require the complete rebuilding of the Felsted junction. No jobs are proposed apart from those housing would create. Would be hard to attract jobs due to being located in the middle of nowhere. Site very hard to screen from B1256 as it is flat and open to long views. Would totally destroy the setting of Boxted Wood and destroy its habitat by the proximity of so many people. Whole proposal is so ill defined and has failed to demonstrate any reason why this site has any advantages. Not eco friendly to build on a greenfield site. Yet more pressure on local infrastructure. Car will be main form of transport. New development will have an effect on the local wildlife.

COMMENTS ON REPRESENTATIONS: Representations to the proposed development cannot be considered at this stage. However, where the comments relate to aspects that could be included in the Scoping Opinion these will be noted.

PLANNING CONSIDERATIONS: The main issues are the impact of the development upon all material issues:

The Scoping Opinion report has identified the following areas for consideration in the Environmental Statement

- Alternatives to the proposed development
- Planning policy
- Agriculture and Forestry
- Cultural Heritage

- Landscape and Visual
- Ecology and nature conservation
- Water environment

The above topics will be considered against the following criteria

- Baseline environmental conditions
- Possible environmental effects
- Possible mitigation
- Geotechnics and Contaminated Land
 - On-site contamination
 - Off-site contamination
 - Unexploded Ordnance
 - Possible human/environmental effects
 - Possible mitigation
- Waste management
 - Baseline environmental conditions
 - Possible environmental effects
- Noise and vibration
 - Baseline environmental conditions
 - Possible environmental effects
 - Possible mitigation
- Air Quality
 - Baseline environmental conditions
 - Possible environmental effects
 - Possible mitigation
- Community and Socio-Economics
 - Baseline environmental conditions
 - Possible environmental effects

Further reports relating to the following topics will also be submitted with the planning application

- Transport Assessment
- Sustainability Assessment
- Flood Risk Assessment

The Scoping Opinion appears to be wide ranging and covers all the relevant planning and environmental issues. Notwithstanding this, it would appear that there are some weaknesses in the proposed approach to the assessment.

Alternatives to the proposed development:

The developer has not considered alternative sites. The Environmental Statement should explain why this site was chosen and why other sites were not investigated.

Cultural Heritage:

The Environmental Statement should clearly identify the locations of the potentially important hedgerows and how these would be preserved during the course of construction.

Landscape and Visual:

The submission states that Boxted Wood is to be retained and managed appropriately to ensure its contribution to the landscape in the long term. However, elsewhere in the report it

states that it is not intended to survey Boxted Wood. Without a suitable survey it is not possible to draw up an appropriate management programme. The details of the management programme should include details as to how and by whom the programme would be implemented.

Ecology and nature conservation:

The submission states that Boxted Wood would be retained and would provide a large proportion of the public open space for the proposed development. Boxted Wood is an ancient woodland and a County Wildlife site. It further states that Boxted Wood will not be surveyed. This is inadequate as it would not be possible to measure the potential impact on the site due to public access. In addition it is not possible to assess whether suitable mitigation measures could be carried out.

It mentions the possibility that the River Ter may provide habitat for water voles and aquatic vertebrates. However, these species are not included in the list of surveys proposed to be carried out.

There are an additional two County Wildlife sites immediately outside the vicinity of the site and the proposed development is likely to affect these, either through increased use by residents of the proposed development, or through traffic fumes. These wildlife sites should also be surveyed and the potential impacts measured. The nature of these wildlife sites, together with the network of water bodies throughout the vicinity of the site could provide suitable habitat for great crested newts and it is considered that the surveys should also include this protected species.

A recent Inspector's decision has identified the need for a minimum of 15m buffer zone around the perimeter of ancient woodlands in order to protect the habitats. This exceeds the requirements of BS5837. This requirement should be factored into the Environmental Statement.

Water Environment:

In line with Environment Agency best practice guidance the proposed development should incorporate Sustainable Urban Drainage Systems (SuDS). The types of drainage systems should be clearly identified and the holding capacity of the system(s) measured to test their robustness. The use of green roofs and rainwater recycling would be likely to be encouraged as they could help achieve the minimum 3 star rating of the Code for Sustainable Homes required in line with current adopted Supplementary Planning Document: Energy Efficiency and Renewable Energy.

Geotechnics and Contaminated Land:

The submission notes that Boxted Wood was used during World War II as a munitions store. It is proposed that an Unexploded Ordnance Desk Study be undertaken. If Boxted Wood is to be used as public open space it is considered that a more rigorous approach should be taken to this issue.

Noise and Vibration:

The submission identifies the main potential sources of noise to the proposed development as being from the B1256, the A120 and Andrewsfield Airfield. The report details how road noise would be measured and assessed but does not consider how the potential noise impacts from the Airfield will be considered. A school is proposed to be incorporated into the development and the impact of noise from the Airfield on the site of the school should be

carefully considered, particularly if operations from the Airfield are likely to increase in the future. It would be unreasonable to expect an existing authorised use to become a statutory nuisance due to the development of the site for an inappropriate use in close proximity to the Airfield. Furthermore, there is a scrap metal merchant close to the boundary of the site and there may be noise implications from this use in close proximity to residential properties.

Air Quality:

The Environmental Statement should consider the impacts of the relevant gases on the wildlife sites. Furthermore, the potential impact of dust during construction on the wildlife sites, the water courses and bodies and Boxted Wood should be clearly identified and assessed.

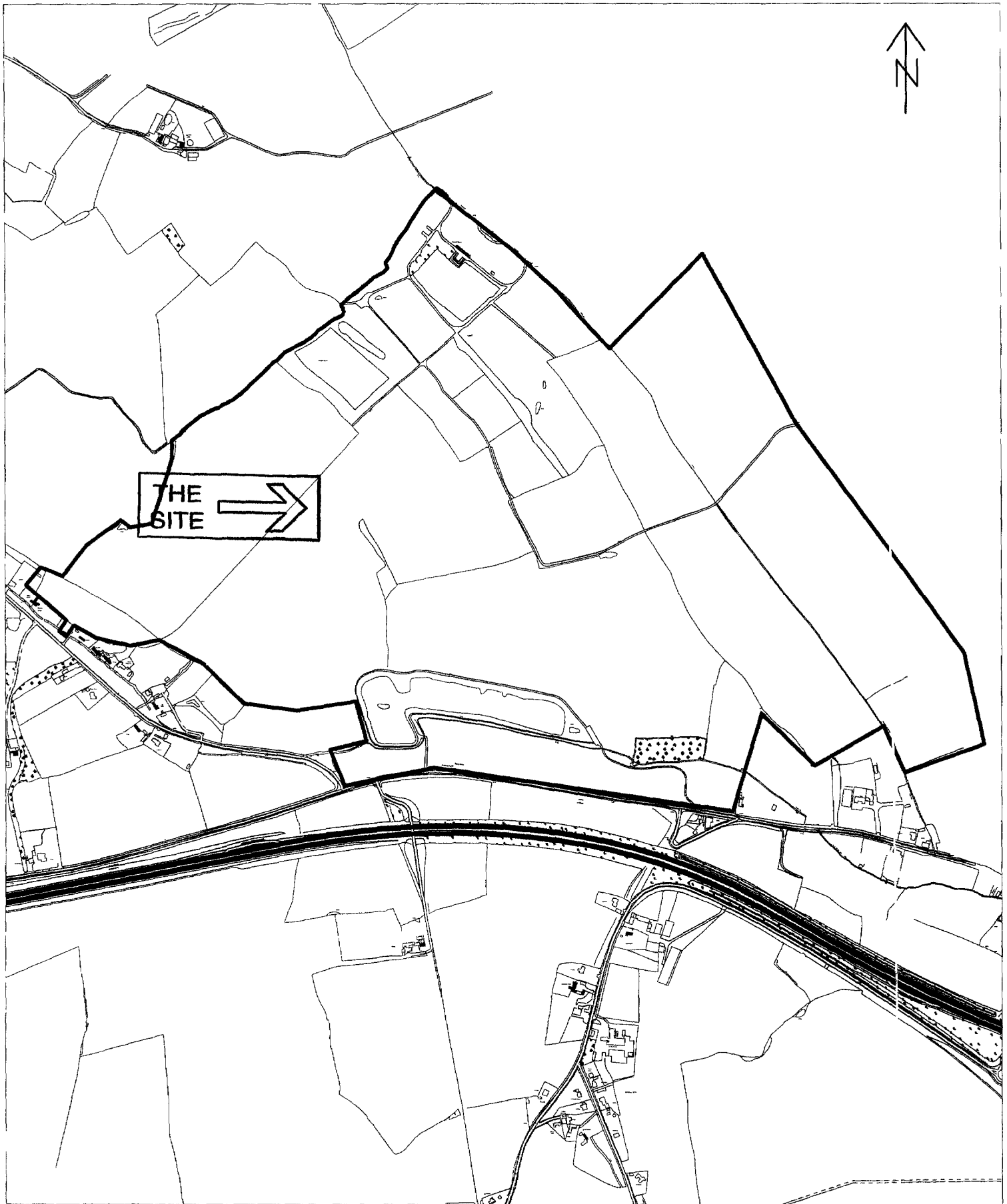
Community and Socio-Economics:

The Environmental Statement should clearly identify the community and socio-economic measures that demonstrate that the proposal could be the creation of "a sustainable free-standing settlement".

CONCLUSIONS: The weaknesses in the approach set out above should be offered. Any other weaknesses identified as part of the consultation process will be incorporated into any response.

RECOMMENDATION: THE SCOPING OPINION COMMENTS IDENTIFIED ABOVE, PLUS ANY FURTHER COMMENTS IDENTIFIED AS PART OF THE CONSULTATION PROCESS SHOULD BE OFFERED TO THE APPLICANT

Background papers: see application file



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DATE 05/03/200

MAP REFERENCE TL6923

SCALE 1 10000

Ms S McCallum
Scott Wilson
Building 14
Michael Young Centre
Purbeck Road
CAMBRIDGE
CB2 8PF

18 May 2008

Your ref: SMcC/D118269

Our ref: UTT/0262/08/SO/KMH

Please ask for Ms K Hollitt on 01799 510495
email: khollitt@uttlesford.gov.uk

Dear Ms McCallum

**SCOPING OPINION FOR APPROXIMATELY 4500 HOMES
LAND AT BOXTED WOOD, STEBBING**

I refer to your letter dated 13 February 2008, together with the accompanying documentation, in accordance with Regulation 10 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. A report was considered by the Development Control Committee at their meeting on 19 March 2008. The following comments are made in respect of the submission.

The Scoping Opinion appears to be wide ranging and covers all the relevant planning and environmental issues. Notwithstanding this, it would appear that there are some weaknesses in the proposed approach to the assessment.

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Community and Socio-Economics:

The Environmental Statement should clearly identify the community and socio-economic measures that demonstrate that the proposal could be the creation of "a sustainable free-standing settlement".

Subsequent to the meeting consultation responses have been received from:

Anglian Water Services Limited
BAA
Environment Agency (2 responses)
Essex County Council – Specialist Archaeological Advice
Essex County Council – Schools, Children and Families Directorate
Natural England
Essex Wildlife Trust
Uttlesford District Council – Planning Policy Section
Uttlesford District Council – Curator, Saffron Walden Museum

In addition, comments have been received from:

Stebbing Parish Council
Residents of Stebbing Green
The Stebbing Society
12 letters from local residents
Councillor Mrs Cant – Member for Stebbing and Lindsell

For your information and guidance for preparing any Environmental Impact Assessment documentation, a copy of these documents is enclosed.

Yours sincerely

KH

K Hollitt
Senior Planning Officer *KH*