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The Chief Executive
Uttlesford District Council
Council Offices
London Road
Saffron Waldon
Essex
CB11 4ER

Your Ref:

Our Ref: DP 435

Date: 19 February 2004

Dear Sir

1. I was appointed by the Office of the Deputy Prime Minister to hold a public inquiry into objections to the Deposit Draft of the Uttlesford Local Plan. The Inquiry was held between the 13 May 2003 and the 2 July 2003. A pre-Inquiry meeting was held on the 13 February 2003. Before, during and after the Inquiry I made a number of accompanied or unaccompanied site visits that were subject to objection.

2. There were some 913 objections received to the deposit and revised deposit plan and 237 expressions of support. During the consultation process 120 objections were unconditionally withdrawn, and a further 65 conditionally withdrawn.

3. In my consideration of all outstanding objections I have had regard to the submissions at the Inquiry and in writing and to all other material considerations, including national guidance and government circulars. I have not had regard to changes in local planning circumstances subsequent to my closing the Inquiry as I have not received representations thereon, except for the future expansion of Stansted Airport, the implications of which were discussed at Inquiry. The Council will need to take these changes into account in considering my recommendations. The Council will also need to take into account any further government advice published subsequent to the completion of the report.

4. The main policy issues in my report concern the amount and location of land allocated for housing, the extent and description of settlement boundaries, and thresholds for the provision of affordable housing.

5. A number of objectors considered that the Council should Plan for increased expansion of housing because of the government's allocation of funding for growth in the M11 corridor from London to Cambridge and because of the further expansion of Stansted Airport. I did not agree with this approach. This Plan is to cover the period up to 2011 and as far as I can assess the new Regional Planning guidance is not likely to be available until mid 2005. This may well be optimistic having regard to the recent White Paper on Airport Expansion and its implications for the South East. I agree with the Council that without a Regional Spatial Strategy it is unable to assess the effect on Uttlesford in any detail, other than the direct impact of a new runway.

6. Although objections were raised to some allocated sites these had for the most part been allocated previously for housing and either have planning permission, or at the time of Inquiry such permission was imminent following agreements on a master plan. I have recommended some increase in densities but even with these I am concerned that with the uncertainties hanging over the district, the Takeley area in particular, coupled with an over reliance on windfalls, Structure Plan housing requirements will not be met. I do not consider the shortfall is likely to be great and by bringing forward part of the reserve site, this should not only ensure an adequate supply of housing but at the same time act should act as an impetus for much needed community development in Saffron Walden.

7. I also dealt with a large number of omission site objections related to the villages because the sequential approach had not resulted in the Council looking specifically at local needs housing. It had concentrated on meeting the Structure Plan housing requirements. Many of the omission sites were so large that I had no choice but to consider them in relation to Structure Plan requirements. There were also a number of small sites which I was able to deal with on their own merits taking into account their impact on the character of the villages concerned.

8. I consider that the term "settlement boundaries" should be replaced with "development limits" as I found the former description misleading. Settlement boundaries often exclude major parts of a village including conservation areas whereas "development limits" says what it means.

9. I have recommended that the thresholds on affordable housing be revised downwards and made more flexible to better reflect national guidance. I am mindful that strict adherence to these thresholds will make it even less likely that the Council will secure the estimated requisite amount of affordable housing during the Plan period, but this has to be balanced against the reasonableness of the policies adopted.

10. Much of the Inquiry was taken up with informal round table sessions and hearings. This informal approach produced a more relaxed atmosphere and helped considerably to reduce the number of sitting days. Although there was criticism from some objectors about the terseness of the Plan and its format, I found the Council's overall approach had taken into account current government guidance to focus Plan policies and avoid unnecessary repetition. It is an enabling document to be supported by Supplementary Planning Guidance as required.

11. I wish to express my thanks for the help and co-operation I received throughout the Inquiry from officers and staff of the Council. Members and officers gave up their

limited space to accommodate my Programme Officer and me during the Plan period. The Council also produced skeleton disks, which included a precis of the objections received, to help me in the preparation of my report. The titling, and the format of chapters and paragraphs is based on the skeleton. Before and throughout the Inquiry I was ably assisted by Anne Ryan, my Programme Officer to whom I wish to express my sincere thanks for her good humoured support and hard work.

Yours faithfully

Eric T Searle

1. CHAPTER 1 - INTRODUCTION – ROLE AND PURPOSE OF PLAN

1.1 PARAGRAPH 1.1 – NATIONAL STRATEGY

The Objections

219.4 English Heritage

The urban white paper also contains relevant advice, especially on housing density, location of development and design. It should be mentioned.

218.1 Saffron Walden Friends of the Earth

Plan at present does not present a complete picture on the character of the District

121.1 (Objection withdrawn) Stansted Airport Limited

Misquotation of Government Aim regarding social progress. Amend text to read "social progress which recognises the needs of everyone"

U.D.C is proposing a change to Para 1.1

National Strategy

1.1. The UK national strategy for sustainable development starts by focusing on the simple idea of a better quality of life for everyone, now and for generations to come. Local plans have a part to play in this. They fit into a complex picture, however. The national strategy has four objectives, which it aims to meet at the same time, in the UK and the world as a whole:

- Social progress which ~~meets~~ **recognises** the needs of everyone;
- Effective protection of the environment;
- Prudent use of natural resources;
- Maintenance of high and stable levels of economic growth and employment.

These inform other national strategy documents like the White Papers *Our Countryside: The Future*, *A New Deal for Transport* and **the Urban White Paper**.

Inspector's Reasoning and Conclusions

- 1.1.1 The Council agrees with the objector. The proposed amendment to paragraph 1.1 in the revised deposit draft (CD/108) includes reference to the Urban White Paper. (219.4).
- 1.1.2 Additional paragraphs have been added to Chapter 1 describing the attributes and problems of Uttlesford and its community strategy. Together with the Main Aims of the Plan I consider that these paragraphs are a sufficient introduction to the Plan. (218.1)
- 1.1.3 The "National Strategy" has been re-written. In my view it now meets the objection raised which has been withdrawn. (121.1)

RECOMMENDATION

Make no further modifications to the Plan in response to these objections.

1.2 PARAGRAPH 1.3 – REGIONAL PLANNING GUIDANCE

The Objections

218.2 Saffron Walden Friends of the Earth

List of planning principles suggested that will provide an essential guide to the intentions of the plan and supplements the Council's objectives.

121.2 (Objection withdrawn) Stansted Airport Limited

Reference not made to international connections as a key reference of regional strategy. Reference not made to regional economic strategy.

Inspector's Reasoning and Conclusions

- 1.2.1 I believe that the Council has met this objection by including paragraphs 1.4 and 1.7 in the revised deposit draft referring to international connections and regional strategy.

RECOMMENDATION

Make no further modifications to the Plan in response to these objections

1.3 REVISED DEPOSIT

NEW PARA 1.4 – REGIONAL PLANNING GUIDANCE

The Objections

89.6 Mr Keith Clement, Keith Clement Associates

Plan should make reference to RPG 14.

92.16 Old Road Securities on behalf of Audley End

90.4 RMJ & WRA Drown

The emerging Uttlesford Local Plan should make reference to RPG9 and emerging RPG 14 and the development pressures highlighted by both documents.

Inspector's Reasoning and Conclusions

- 1.3.1 Paragraph 1.4 of the Revised Deposit Draft now makes reference to RPG 9. With regard to forthcoming Regional Guidance also see my introduction to the Housing Chapter of the Plan. I do not consider that reference should be made in this Plan to guidance that has yet to be published and is expected to cover a time scale up to 2021. Until this sub regional study, which includes an area stretching from London Docklands to Cambridge, identifies the scale

and location of development and its likely effect on the Uttlesford District over a particular period I do not believe the Council are able to plan in any meaningful way for its introduction. Once the guidance is published the Council will no doubt assess whether any immediate review of all or certain parts of the Plan is necessary.

RECOMMENDATION

Make no modification to the Plan in response to these objections.

1.4 PARAGRAPH 1.5 – REGIONAL PLANNING GUIDANCE

The Objection

119.1 Proto Limited

The role and contribution of Stansted Airport in the sub regional economy should be described. Add to end of paragraph after "Stansted Airport which has increasing economic importance, particularly through its potential as an intergrated transport hub

Inspector's Reasoning and Conclusions

1.4.1 I have no strong feelings about the inclusion of the additional sentence but it would put the importance of the airport into perspective. It seems to me that now the new national airport policy has been issued the Council will revise the second half of paragraph 1.4 accordingly. In any event I consider the phrase should be included.

RECOMMENDATION

Modify paragraph 1.5 after "Stansted Airport" by adding "*..which has increasing economic importance, particularly through its potential as an integrated transport hub*"

1.5 PARAGRAPH 1.6 – REGIONAL PLANNING GUIDANCE

The Objection

202.4 Countryside Strategic Projects

New regional guidance, structure plan review, SERAS and London to Cambridge studies etc should be addressed in the Local Plan. Revisions should be made to ensure this Local Plan recognises the need for the Council to adopt a long term development strategy and within that context highlights the potential need for current planning policies and decisions to avoid prejudicing likely future development sites.

119.2 Proto Limited

Amend the last sentence by deleting "addressed" and inserting instead "finally resolved" and add at the end of paragraph "but this plan should not unreasonably close off options for future local growth".

Inspector's Reasoning and Conclusions

1.5.1 The Council has set out in Position Statement No.4 the strategic issues which need to be resolved before the Plan can be further reviewed. See also my introduction to the Housing Chapter of the Plan for comment on the future.

RECOMMENDATION

Make no modification to the Plan in response to these objections

1.6 PARAGRAPH 1.10 – OTHER SUB REGIONAL PLANS AND STRATEGIES THAT APPLY TO UTTLESFORD

The Objections

121.3 (Objection withdrawn) Stansted Airport Limited

General support for issues identified, especially the provision of local jobs. Suggest that accessibility to public transport should also be identified as a locational factor for housing.

221.1 Saffron Walden Friends of the Earth

Little unemployment therefore new housing not applicable, except for affordable housing.

208.1 English Nature

The text needs to clearly state that certain issues relevant to local plan formulation are characterised by their 'cross cutting' nature. These issues are of special significance in the Sustainable Development Context.

U.D.C. is proposing a change to Paragraph 1.10

In bullet point 6 delete "Local Environment Agency Plans" and replace with "Environment Agency Plans"

U.D.C. is proposing a change to Paragraph 1.11

Amend bullet point 3 to read:

Locating housing in places **with accessibility to public transport or** that encourages walking and cycling rather than driving by car or increases the potential for shorter car journeys to work.

Inspector's Reasoning and Conclusions

- 1.6.1 Low unemployment is only one factor the Council needs to take into account in allocating land for general needs housing. The district has to provide housing to meet Structure Plan requirements. I have dealt with objections to the allocation and non-allocation of particular sites elsewhere in the Plan depending against which policy the objection has been lodged. (221.1).
- 1.6.2 Sustainability and quality of life factors are important elements in various policies of the Plan. In my view, the Council has made it clear what sub regional and local strategies, including those dealing with biodiversity, need to be taken into account when considering proposals for development. The weight given to each of the identified factors can only be assessed against individual proposals.(208.1)

RECOMMENDATION

Make no further modifications to the Plan in response to these objections but modify paragraphs 1.10 and 1.11 as shown above.

1.7 PARAGRAPHS 1.12 & 1.13 – OBJECTIVES AND VISION FOR THE LOCAL PLAN

The Objections

93.1 Hastoe Housing Association/Springboard HA

The provision of affordable housing should be at the heart of the plan's strategy and meeting housing needs should be the priority of the plan. Note and welcome the inclusion of 'ensuring the choice of homes better meets our community needs'. However, it is clear that there will be conflicts between the achievement of those objectives, and it is important that the plan provides direction and emphasis when conflicts emerge.

18.1 Parker

Flexibility should exist within the plan to enable development to take place in individual settlements to assist those settlements to become "self sustaining" enabling shops and community services to maintain and improve their presence. Chapter 1 makes no reference to the planning needs of rural settlements. The objectives are misguided as the remainder of the plan does not represent the rural settlements of the District.

119.3 Proto Limited

Amend Paragraph 1.12 second to fifth bullet points to Growing the economy to meet needs. Improving health and safety, ensuring the choice of homes better meets needs and ensuring better access for all to services and jobs. Amend last line of Para 1.13 to read jobs, facilities and services to meet needs.

The plans objectives and vision relates to "our community" and its needs. The plan should make clear that these include obligations to meet needs imposed on the area because of its location, economic influence and infrastructure and those who rely on these considerations are also part of the "community" ; alternatively and to avoid confusion the word "community" could be deleted. The local economy needs (and is

forecast) to grow over the next decade and this should be identified as an objective without such growth other objectives will be impossible to achieve. It is not necessary or indeed desirable for the plan's main aims/objectives to repeat the Council's strategic objectives. They need to be translated into Land Use Planning Issues

213.1 (Objection withdrawn) CPREssex

Vision for the Local Plan ought to come first, followed by Objectives

215.5 Countryside Agency

Cross Reference aims and vision to the planning objectives set out in Appendix 2.

221.8 Porter

No vision or principles - no description of present situation. Two objectives are very important and need to be emphasised. The impact on the environment must be taken into account in all decisions to ensure Uttlesford can continue to be regarded as a good place to live. A district wide plan to take into account transport access from villages to transport centres and reduction in congestion in main towns.

UDC is proposing an additional sentence following Paragraph 1.13 to read:

Appendix 2 sets out indicators and targets to ensure the policies meet these objectives

UDC is proposing additional Paragraphs 1.14-1.15

1.14 The community strategy vision statement for Uttlesford is “a safe and pleasant environment in which to live, grow and prosper.”

1.15 Uttlesford enjoys strong positive attributes: its mainly rural environment, productive farmland and historic small towns and villages, good access to London's job opportunities, cultural and sporting attractions and shopping, and to Cambridge with the further range of job opportunities and leisure activities this university city provides. Uttlesford has excellent schools and good access to health care, a high level of economic activity and very low unemployment, and a low crime rate. It is a relatively affluent area. It has a growing network of domestic and international air services through Stansted Airport. These factors have led to Uttlesford being described in 2001 as the district offering the best quality of life out of 376 local authority areas in England and Wales. For reasons partly related to these attributes, house prices, car ownership, road traffic casualty rates and road traffic growth forecasts are, however, relatively high.

1.16 This plan seeks to maintain and improve on Uttlesford's positive attributes. It will preserve the quality of life in the towns and villages. Its policies will help to address concerns within the community about facilities for young people, crime, housing needs, preserving the environment, public transport and access to services, in so far as these can be addressed through the planning system. It will protect the district's environment from inappropriate development. It will help secure the provision of appropriate high quality leisure facilities and other infrastructure needed to support the level of development proposed in the plan. It will seek to ensure that good,

affordable housing is available to all residents, especially young people from the District.

Objections received in response to the proposed changes

119.61 Proto Ltd

The text fails to address the importance of Stansted Airport as an employment location in its own right and as a driver of local economic opportunity that has fundamental importance to this local community

234.1 The Wendens Ambo Society

We object to the deletion of the term "countryside setting" and replacement with "mainly rural setting". The Government's potential plans for Stansted and the transport and housing necessary to service a vastly expanded airport could mean that this area becomes a concrete jungle. We should retain all references to Uttlesford remaining in a "Countryside Setting" in particular to put Policies S7 and S8 into context.

Inspector's Reasoning and Conclusions

- 1.7.1 Although the provision of Affordable Housing is an important government aim, the Main Aim Objective at paragraph 1.13 of the Plan to ensure the choice of homes to meet the needs of the community would include the provision of Affordable Housing. Other policies in the Plan lay down criteria for Affordable Housing and I have dealt with these in the Housing Chapter of the Plan. (93.1)
- 1.7.2 In my view only significant development in rural settlements would have an identifiable impact on their sustainability. However, I have made recommendations about the need to look again at local housing need in the villages in the Housing Chapter of the Plan. I have also considered the needs of particular key and rural settlements when dealing with omission sites. (18.1)
- 1.7.3 I consider the Plan recognises in paragraph 1.2 that national planning guidance requirements need to be met. These include ensuring sufficient land is available for different types of industrial and commercial development, readily capable of development and well served by infrastructure, consistent with national transport goals. The Plan also clearly recognises the national and local importance of Stansted Airport, the role of which is presently under review. To my mind the five strategic objectives in referring to the *whole community* and *our community's needs* include future members of that community, although I am concerned that the third bullet point to paragraph 1.13 of the Revised Deposit Draft seems superfluous. I would have thought the objective is "improving health and safety" not merely for the benefit of the community but also for those who visit, or make use of its facilities. I know that *community* can be defined as "society as a whole" or the "public" but with *our* in front of it I doubt this was the intention. (119.3).

- 1.7.4 Cross referencing to Planning Objectives set out in Appendix 2 is now proposed by adding an additional sentence following the bullet points in paragraph 1.13. This overcomes the objection raised. (215.5)
- 1.7.5 Three paragraphs 1.14, 1.15 and 1.16 have been added to the Revised Deposit Draft as part of the vision for the local plan. These identify the attributes of Uttlesford and how the Plan seeks to maintain and improve on these positive attributes, in so far as they can through the planning system. I consider these paragraphs now lay down the vision and principles and are backed up by individual policies throughout the Plan. (221.8)
- 1.7.6 As paragraph 1.15 is a statement of fact and refers to job opportunities in London and Cambridge I see no reason why an addition should not be made to the sentence "It has a growing network of domestic and international air services through Stansted Airport **which is a major local employer in its own right.**" (119.61)
- 1.7.7 The Council has clearly identified Stansted Airport as an airport in the countryside in the bullet points in paragraph 2.2 Key Elements. It also identifies a Countryside Protection Zone to maintain a local belt of countryside around the airport. Both Policies S7 and S8 apply in this Zone. This text together with the revised paragraphs 1.14 to 1.16 to protect the district's environment from inappropriate development make clear the commitment of the Council to the countryside around Stansted. (234.1)

RECOMMENDATION

- a) **Amend the third bullet point in paragraph 1.13 to "*Improving health and safety*"**
- b) **Add to the sentence "It has a growing network of domestic and international air services through Stansted" the following phrase "*which is a major local employer in its own right*"**
- c) **Otherwise modify in accordance with Council's proposed additional changes to paragraphs 1.13, 1.14 and 1.15 highlighted in the text above.**

1.8 MISCELLANEOUS

The Objections

204.14 (Objection conditionally withdrawn) Essex County Council

1. Add 'Replacement' or 'Review' to the title of the Local Plan to distinguish it from the Adopted Plan. 2. Use correct titles for Essex Plans in all references eg Essex Minerals Local Plan First Review. 3. In Para 1.9 after Essex Local Transport Plan

add "and related Strategy Documents". 4. Para 1.10: Move first sentence to Para 1.9 . Add heading "Local Plan". 5. The reasoned justification should consistently precede the policy to which it relates. Currently it is a mixture of preceding and following, which is confusing. 6. All sections should have headings. Currently some sections do not, leading to topics appearing under the wrong heading.

213.31 CPREssex

We wonder whether you would consider inserting an explanation for the changes on an extra page before the maps section. It might also be possible to indicate on that page the expected results of the landscape character assessments, so that those looking at the maps understand why the parish is no longer covered with the A.S.L.V. designation. Helpful to have a proper index of policies where the subjects are listed in alphabetical order, followed by the relevant policy or policies and page numbers. Please look at inserting page headlines. Perhaps just chapter titles in italic caps. The information contained on the text insets that accompanied the maps in the Adopted Plan was very useful for parish councils and local societies. We appreciate that to reinstate them would greatly increase the bulk of the document and would also involve showing maps of all settlements including the hamlets now omitted because they do not have settlement boundaries. We found the Index of Policies of little greater help than the Contents List at the front. The plan would be easier to use if it had page headlines. Please could you consider inserting them?

219.1 English Heritage

Not appropriate to refer readers to the Structure Plan to fill gaps in policy coverage. Lack of any policy on archaeology. Is not in line with PPG12, which states plans should concentrate on those matters that are likely to provide the basis for planning applications

221.4 Porter

The list of Topic Chapters has "economy" before "environment" but see 1.12 where National Strategy has "environment" before economy. Which is the most important in Uttlesford. I think consideration of the environment must always be included.

226.1 North West Essex & East Herts Preservation Association

Uttlesford is very rich over a whole spectrum of environmental items. How can any further deterioration be tolerated in the environment surrounding the SSSIs of Hatfield Forest and East End Wood, the ancient town of Thaxted, together with the listed buildings, conservation areas and special landscape value which abound in the District? The District Plan should not in anyway suggest or imply that there are circumstances under which the protection of our environment, its residents and heritage assets can be diminished or removed

Inspector's Reasoning and Conclusions

- 1.8.1 I would expect the final document to be amended to take into account these editorial matters. (204.14)
- 1.8.2 The Council will be further addressing matters of format in the final document, but it would not be appropriate to refer in this Plan to matters in a superseded plan. (213.31)
- 1.8.3 Both the Structure Plan and the Local Plan form the Development Plan for Uttlesford. It would create a bulky Plan if policies were to be repeated. It

would also be contrary to national guidance. I do, however, agree that additional text is necessary relating to Archaeology and Ancient Monuments as does the Council. Paragraphs 5.7 and 5.8 in the Environment, Built and Natural Chapter have been revised accordingly. (219.1)

- 1.8.4 As topic chapters are in alphabetical order for ease of reference matters are not listed on the basis of degrees of importance to the area. (221.4)
- 1.8.5 It is not clear to me what amendment, if any, is being sought to the Plan. In my view, the various general policies, supplemented by specific policies in the Plan are directed towards the protection of the environment from inappropriate development. The general policies deal with "quality of life issues" (226.1)

RECOMMENDATION

Make no further modification to the Plan in response to these objections.

2. CHAPTER 2 - WHERE WILL DEVELOPMENT TAKE PLACE

2.1 PARAGRAPH 2.2

The Objections

215.6 The Countryside Agency

Welcome the spatial strategy although concerned that an unnecessarily negative tone is apparent in relation to rural development. We believe that a better explanation could be included in this Chapter of the distinction to be made between a resistance to general development pressures and a positive approach to the meeting of local needs for affordable housing and economic diversification in line with PPG7.

213.2 CPREssex

CPREssex believes that it would be more logical to list the policies shown on pages 6-8 in the same order as the key elements listed on page 5

125.1 Cala Homes (South) Ltd

Newport should be redefined as a Key Rural Settlement. It is well served by amenities and facilities including a primary school as well as a railway station. It is considered that Newport is capable of absorbing additional residential development in sustainable locations which would not harm the character of the village. Object to the inclusion of Newport within the "Other Villages" category for these reasons.

121.5 (Objection withdrawn) Stansted Airport Limited

The last sentence of paragraph on Metropolitan Green Belt is not required, as any development that does not comply with these criteria would trigger the need to consider "very special circumstances"

224.1 Wilcock

With the restrictions drawn tightly around a large number of the smaller villages there appears to be no room for modest development for local people and a lot of the character of these villages are suffering from this lack of suitable and particularly affordable housing.

223.1 Elsenham Parish Council

Further residential development should not be allowed in Elsenham. Strong resistance to exception sites outside the village envelope as any extra building will impose further strain on an already overburdened infrastructure. Vehicular access to the village is inadequate and parking in Elsenham is impossible. There is little or no scope for infilling.

43.1 Strategic Rail Authority

The Deposit Plan does not take into account proposals to extend Stansted Airport and the effects of an expanded airport on other policy subjects. We believe the Councils' policies should consider the implications of airport growth and include LA21 strategy considerations.

119.6 Proto Limited

Delete bullet point and whole of text relating to the CPZ. This designation serves no countryside purpose in terms of recognising particular features, which need to be

respected or enhanced. Normal planning policies address the location for new development and provide necessary protection. This designation isn't necessary or appropriate. Guidance in PPG7 at Para 4.16 supports this objection and this is a new factor that must be taken into account since the preparation of the current local plan. The maintenance of the countryside around the airport should not be given status as an overriding objective.

119.5 Proto Limited

Delete text and insert the airport is a major economic driver for the region and largest employer in the area. It is also acknowledged as a key transport hub in the region. It already has good quality air, rail, motorway and principal road connections

92.1 (Objection withdrawn) Old Road Securities on behalf of Audley End Estates

In the event that the allocated business parks at Great Dunmow and Saffron Walden are retained amend as follows: "urban extensions are also included within the settlement boundaries for housing or business parks. These locations have been identified with regard to proximity to public transport provision and will benefit from new investment in the new A120.

218.7 (Objection withdrawn) Saffron Walden Friends of the Earth

Statement in relation to the Airport is unclear in relation to Airport in the countryside - delete "coalescing developments"

219.5 English Heritage

This chapter should include text covering the protection of the character of historic settlements. Protection of settlement character should also be addressed more comprehensively in policy. While policy S1 makes a welcome reference in the context of sites on the edges of settlements, careful development within towns as well as the management of traffic is just as important to ensuring the integrity of the whole.

161.1 The Stebbing Society

The society objects to the inclusion of the phrase "including gardens of existing houses" which will unnecessarily encourage inappropriate planning applications.

10.2 & 3 National Trust

Wording "development that needs to take place there or is appropriate to a rural area is imprecise" and would benefit from tighter definition For the avoidance of doubt it should be stated that policy S7 applies in the Countryside Protection Zone also

15.1 (Objection withdrawn) Swindlehurst,

Para 3 on Urban Areas should reflect this constraint and allow for the development of pedestrian networks. After 'air quality' in line 5 suggest insert "the need for pedestrian networking". There is absence of attention in the Plan to the role of walking in the proposed policies. Walking is important to households without cars and includes the poorest and most disadvantaged sections of society.

U.D.C. Proposed Change to Para 2.2

2.2. Key elements are:

- **Rural restraint area.** Most of the district including its smaller settlements lies outside defined settlement boundaries. Any development beyond these

boundaries must be consistent with national policy on the countryside and the appropriate Structure Plan Policy C5. **The countryside needs to be protected for its own sake, but not in such a way that the plan prevents evolution of economic activity that is part of life in rural areas and is in sympathy with its character. Examples of development that may be permitted in principle include re-use of rural buildings, suitable farm diversification, outdoor sport and recreation uses, and affordable housing and other facilities to meet local community needs.**

- **Metropolitan Green Belt.** A belt of countryside needs to be retained between Harlow, Bishop's Stortford, Stansted Mountfitchet and Stansted Airport as part of the regional concept of containing the urban sprawl of London. Within the Green Belt development will only be permitted if it accords with national planning policy on green belts (PPG2) and Structure Plan Policy C2. ~~Except in very special circumstances.~~ Development permitted should preserve the openness of the Green Belt and its scale, design and siting should be such that the character of the countryside is not harmed.
- **Urban areas of Great Dunmow, Saffron Walden and Stansted Mountfitchet.** These are service centres and hubs for surrounding rural areas. They are attractive places to live, work and for recreation. Best use will be made of previously developed, unused and underused land and existing buildings, subject to constraints of traffic congestion and maintaining air quality and the need to safeguard key employment areas. Urban extensions are also included within settlement boundaries, for housing or business parks. These locations are well related to the principal bus and rail corridors, which will benefit from investment in the new A120, the West Anglia Route Modernisation (WARM) rail scheme and public transport services. **Development in urban areas enables some journeys to be made on foot, particularly to and from work and school.** Community facility and affordable housing needs may exceptionally be met outside settlement boundaries.
- **A120 corridor.** In addition to the major urban extension at Great Dunmow, sites at Takeley/Little Canfield (Priors Green) and Felsted/ Little Dunmow (Oakwood Park) are identified for new housing and associated facilities on a significant scale within the A120 transport corridor, which will benefit from planned/ anticipated public and private investment. **An extension to the Stansted Distribution Centre is proposed.** These sites have good access to Stansted Airport. Takeley is a key rural settlement (see below). Oakwood Park recycles a significant previously developed site. Locations are sufficiently far apart for the A120 corridor to retain its character as a transport axis across countryside, and avoid it becoming one linear development.
- **Stansted Airport.** The Plan sets out limits on the physical extent of the airport. It is to be seen as an airport in the countryside.
- **Airport in the countryside.** The Plan identifies a Countryside Protection Zone. The priority within this zone is to maintain a local belt of countryside around the airport that will not be eroded by coalescing developments. Development consistent with national planning policy for the countryside will only be permitted if it also accords with this overriding objective. **Both Policies S7 and S8 apply in the Countryside Protection Zone.**
- **Chesterford Park.** This is an existing research and development complex in the countryside between Saffron Walden and Cambridge with potential

for renewal of some existing buildings. However, the Plan identifies limits on its physical extent.

- **Selected Key Rural Settlements.** Elsenham, Great Chesterford, Takeley and Thaxted are identified as Key Rural Settlements. These key settlements are locations where either of the following apply:
 - I. Some further limited employment or residential development is proposed;
 - II. Key existing employment sites will be safeguarded.The intention is to protect or strengthen the role of these communities where there is potential to encourage people to live and work locally. Local affordable housing and community facility needs may be met on "exception sites" outside settlement boundaries.
- **Other Villages.** Where these have settlement boundaries, those boundaries will be tightly drawn. There is some limited potential within these boundaries on small previously developed sites, including gardens of existing houses. Local affordable housing and community facility needs may be met on "exception sites" outside settlement boundaries.

Objections Received in relation to Proposed Changes

213.39 CPREssex

The first example in this paragraph could easily be interpreted in such a way as to make it difficult to resist unsuitable development. Objection would be met by the addition of the word "appropriate"

218.59 Saffron Walden Friends of the Earth

Para should be strengthened to read " Development in urban areas "will be expected to encourage journeys to be made on foot"

107.5 Rosper Estates Ltd

Delete the words "both policies S7 and S8 apply in the Countryside Protection Zone" in paragraph 2.2. The proposed alteration to the Countryside Protection Zone paragraph is too restrictive. There will be situations where development can take place without affecting criteria (a) or (b) of Policy S8. This should not be prevented. To do so would unnecessarily restrict the economic and social development of these areas.

119.54 Proto Ltd

The new text relating to the rural restraint area fails to acknowledge that there may be circumstances where new economic activity extending beyond the local rural context may need to be properly accommodated. With regard to the A120 corridor the Stansted Distribution Centre has not been justified as part of thorough review of the economic and related benefits of releasing land near the corridor close to the airport. It is not appropriate for both policies S7 and S8 to apply in the CPZ.

The Council is proposing additional changes to paragraph 2.2

Amend last sentence of text under Rural Restraint Area to read:

Examples of development that may be permitted in principle include appropriate re-use of rural buildings, suitable farm diversification.....etc

Delete proposed additional last sentence under Airport in the Countryside:

~~Both policies S7 and S8 apply in the Countryside Protection Zone~~

Inspector's Reasoning and Conclusions

- 2.1.1 Paragraph 2.2 has been expanded to indicate the type of development which is considered suitable in a rural area. As the Development Plan for the area consists of the Structure plan and the Local Plan, although the Structure Plan policies can be refined to meet local circumstances, I do not believe they need to be repeated in the Local Plan. (215.6)
- 2.1.2 Paragraph 2.2 is a list of key elements which are directly related to the policies which follow. I find the order of the S policies to be logical but see no reason why paragraph 2.2 could not be re-ordered to reflect the order of the policies. The key elements would then flow more logically into the policies.(213.2)
- 2.1.3 See my report on Newport at Policy S3 below. The Council has agreed with the objector and the second bullet point of paragraph 2.2 has been revised. The words "except in very special circumstances" were superfluous. (121.5)
- 2.1.4 I have recommended in the Housing Chapter of the Plan that the need for local housing in the villages should be further investigated in conjunction with parish councils.(224.1)
- 2.1.5 In my view it is unlikely that a small exception site for affordable housing would create significant parking or traffic problems. However, exception sites would only be permitted on the basis of local need. The District Council has not proposed any allocations for additional housing in the village, although a number of objectors have. These I have dealt with elsewhere in the Plan depending against which policy the objection was lodged. (223.1)
- 2.1.6 The effects of airport expansion are strategic matters best dealt with by Policy BIW9 of the Structure Plan. The criteria in that policy deal with the requirement for new housing, commercial development and associated community facilities, and adequacy of access. As the Structure Plan and the Local Plan form the Development Plan for the area I see no reason to repeat the criteria in the Local Plan. In Chapter 16 the Council has specifically identified airport related development. Other Plan policies, including those on access and housing, also recognise the needs of the airport. (43.1)
- 2.1.7 I have dealt with objections to the Countryside Protection Zone at Policy S8. (107.5)
- 2.1.8 As this Chapter refers only to where development will take place in my view there is no need for more detail about Stansted Airport. This will be covered in Chapter 16 of the Plan. Policy S4 describes the type of development which will be permitted within the airport boundary. See also my report on Chapter 16. Paragraph 1.4 as revised refers to the role of Stansted Airport as an international gateway. The sentence "Stansted is clearly one of these gateways" could be added to by including the words. **It is a key transport hub and has good quality air, rail and principal road connections.** This then leads logically to reference to sustainable surface access. (119.5)

- 2.1.9 I have dealt with the Ashdon Road reserve site elsewhere in this report, including the Housing Chapter at Policy H1 and also when reporting on an objection by Old Road Securities PLC and Audley End Estate about an omission site in Little Walden Road. (92.1)
- 2.1.10 I believe that the concern about protecting the character of historic settlements is met by policies in the Environment Chapter of the Plan (219.5)
- 2.1.11 If the phrase "including gardens of existing houses" were deleted acceptable forms of intensification of development on under used plots within villages, and some infilling would be discouraged. Although the phrase might encourage planning applications for inappropriate developments the Council would deal with each such proposal on its own merits having regard to other policies of the Plan including S7, the statement in paragraph 6.5, and H3 on backland development. (161.1)
- 2.1.12 I consider the Proposed Changes to Policy S8 make it clear that the requirement of Policy S7 also have to be met in the CPZ. However, see my views on Policy S8 elsewhere in this report. (10.2).
- 2.1.13 The Council is in agreement with the objector. I consider the addition of the word "appropriate" covers the matter. (213.39)
- 2.1.14 I believe this is a matter of emphasis. The Council's statement is factual. As paragraph 2.2 sets out key elements the sentence in the third bullet point could be more positive. I suggest "**Development in urban areas, where there are a wide range of facilities, would encourage journeys to be made on foot, particularly.....**" (218.59)
- 2.1.15 The Council has agreed the deletion of the words "both policies S7 and S8 apply in the Countryside Protection Zone" from paragraph 2.2. See my report on Policy S8. (107.5).
- 2.1.16 See paragraph 2.1.6 above (119.54).

RECOMMENDATION

- a) **Re-order 2.2 to reflect order of policies**
 - b) **Modify the third bullet point as follows:**
Development in urban areas, where there are a wide range of facilities, would encourage journeys to be made on foot, particularly.....
 - c) **Add to paragraph 1.4 after "Stansted is one of these gateways" "It is a key transport hub and has good quality air, rail and principal road connections."**
-

2.2 PARAGRAPH 2.3

93.2 Hastoe Housing Association/Springboard HA

There should be an 'S' policy which seeks to ensure sufficient affordable housing can be provided in areas where need exists.

218.8 (Objection withdrawn) Saffron Walden Friends of the Earth

Move 2.3 to Section 3 after 3.1. Add "subject to other policies of the development plan" after the end of Policy S1

Inspector's Reasoning and Conclusions

2.2.1 I consider that an additional policy of intent, which merely seeks to ensure sufficient affordable housing in areas where a need exists, would not be specific enough to be of much help. Policies H8, H9 and H10 cover both urban and village needs housing. See my report on Affordable Housing in the Housing Chapter. (93.2).

RECOMMENDATION

Make no modification to the Plan in response to this objection

2.3 PARAGRAPH 2.4 – IMPLEMENTATION

The Objection

218.12 Saffron Walden Friends of the Earth

Refer to rail and bus links in this Para. If implementation hasn't been secured then problems should be set out along with steps to be taken to overcome them

UDC Proposed Change to Para 2.4

Development will be largely implemented with private sector resources. The house building industry, commercial developers and BAA anticipates investment. This is realistic in the context of the area's relative prosperity. The new A120 is a significant public sector investment scheme. Completion of the new road from Stansted to Dunmow west is anticipated by the end of 2002 and from Dunmow west to Braintree bypass by 2003/4. **Private sector investment in new bus and coach services is anticipated.**

Inspector's Reasoning and Conclusions

- 2.3.1 The Council has included an additional sentence to the effect that private sector investment in new bus and coach services is anticipated during the Plan period. (218.12).

RECOMMENDATION

Make no further modifications to the Plan in response to this objection

2.4 POLICY S1 – SETTLEMENT BOUNDARIES FOR THE MAIN URBAN AREAS

The Objections

217.1 Pelham Homes Limited

Object to the lack of any sequential order of development locations as in PPG3 for settlement policies within the plan. Without a sequential order of development for the settlement areas and sites, sites that should not be developed before other sequentially superior sites will be developed. This will not comply with the provisions of PPG3. Policies S1 to S3 should be incorporated into one new policy S1 with four new parts to highlight the sequential order for development locations in the District.

15.2 (Objection withdrawn) Swindlehurst,

Policy needs a cross reference to paragraph 1.10 (3) and encourage walking. Absence of attention in the Plan to the role of walking in the proposed policies. Journeys on foot relieve traffic congestion; increase social contacts, breaking down segregation and make towns more attractive to live in and have significant health benefits. Walking important to households without cars and include the poorest and most disadvantaged sections of society.

94.1 Saxon Developments Ltd

The exclusion from the settlement boundary of land at Ongar Road that will be enclosed by the new A120 is inappropriate. This area's allocation for housing will be necessary for the District's Structure Plan housing requirement to be met.

142.1 (Objection withdrawn) Wickford Development Co Ltd

Settlement boundary should be redrawn to include Land at Brick Kiln farm, St Edmunds Lane, Gt Dunmow. Land comprises former farm yard, stables and 3 dwellings. Site is closely related to existing services, it would redevelop derelict and unattractive farm buildings, it is a logical extension to the Settlement Boundary and would create a better urban edge without reducing open space, Land can be developed without significant adverse visual affects on landscape. Current boundary is illogical .

186.3 Siemens Pension Fund

The boundary for Great Dunmow should be extended to include the representation site at Folly Farm. The boundary should follow the line of the proposed A120

202.2 Countryside Strategic Projects

Extension of the defined settlement boundary to include land at Dunmow Park, its immediate curtilage and the parkland between the house and Braintree Road. Land at Dunmow Park is an appropriate and sustainable location for an urban extension. Reviews of the settlement boundary should be considered at each local plan review. Too much emphasis is attached to assumed development of unspecified sites within the existing urban areas in the Deposit Draft Plan. Further growth will be required in Uttlesford generally beyond the current replacement structure plan figures to meet the needs resulting from a combination of factors e.g. growth of Stansted, potential growth in the M11 corridor. It is essential for effective planning that appropriate sites and contingency sites should be identified now and development limits relaxed in key areas in order to meet both shorter and longer term needs and requirements. The proposed change to the settlement boundary will incorporate Dunmow Park and its immediate curtilage together with the parkland between the house and Braintree Road. As part of this two areas should be designated as a riverside park.

218.8 (Objection withdrawn) Saffron Walden Friends of the Earth

Move 2.3 to Section 3 after 3.1 add "subject to other policies of the development plan" after the end of Policy S1

Inspector's Reasoning and Conclusions

- 2.4.1 Additions to paragraph 6.3 in the Housing Chapter describe the search sequence followed, which I consider to be in accordance with advice in PPG3. Policies S1 to S3 define the forms of development acceptable in urban areas, listed settlements, and other settlements with boundaries. In my view there is no conflict in these policies with advice in PPG3 because the Plan needs to be read as a whole. The sequential order of development proposed by the objector does not reflect the historic allocations of housing sites and the need for developments at Takeley and Felsted to be completed during the Plan period. For this completion to occur sites need to be developed concurrently rather than sequentially. (217.1)
- 2.4.2 I have dealt with objections to the total allocation of land for housing and the arguments about which sites are likely to come forward in the Housing Chapter of the Plan at Policy H1. (94.1)
- 2.4.3 The objector considers that the Settlement Boundary for Great Dunmow at Ongar Road should be realigned to run along the north edge of the poor quality air zone adjacent to the new A120. The land within the new boundary should then be allocated for residential development as an urban extension to the town.
- 2.4.4 Regardless of the new A120, and the location of the site close to local employment, I consider from my visit that the site reads as part of the countryside and is an important transition area separating the new A120 from the town. The site forms part of a green wedge opening out into the countryside beyond. Its development would create a promontory of housing

development which would adversely affect the setting of the town. I consider that the tongue of Olive Wood is an element in the countryside not a boundary separating housing from open land.(94.1)

- 2.4.5 The Omission Site at Folly Farm is a large greenfield site, prominent in the countryside between the old A120 and the new A120, at present under construction. Development of this site by the construction of about 1200 homes, with employment, commercial and recreational uses would create a new "neighbourhood" in an area of attractive countryside, an area forming an important substantial green wedge separating the new A120 from the town. I have also dealt with this objection as an omission site submission at paragraph 14.8 below. Objections to the total allocation of land for housing are dealt with in the Housing Chapter of the Plan at Policy H1 and land for employment mainly in the Employment Chapter (186.3).
- 2.4.6 The argument about the release of further land to meet future needs is dealt with in the Housing Chapter at Policy H1. (202.2)
- 2.4.7 Dunmow Park is a large area of attractive parkland within the Chelmer Valley. It forms an important part of the rural setting of the town. On present advice in PPG3 this omission site could accommodate up to 445 dwellings which would create a significant urban intrusion into the countryside on the eastern side of the town. If additional land is to be allocated for housing I believe there are far more acceptable sites involving less impact on the countryside. See my report on Policy H1.

RECOMMENDATION

Make no modification to the Plan in response to these objections.

2.5 POLICY S2 – SETTLEMENT BOUNDARIES FOR OAKWOOD PARK, LITTLE DUNMOW AND PRIORS GREEN, TAKELEY/LITTLE CANFIELD

The Objections

94.2 Saxon Developments Ltd

The settlement boundary for Priors Green should run along the track extending eastwards from Jacks Lane with the land excluded from the new settlement boundary to the north of this track re-designated as part of the Countryside Protection Zone. This area of undeveloped farmland is of a different character to that to the south of Jacks Lane and this track where the nurseries, scattered development and under-utilised land predominate. Consequential amendments should be made to the Takeley/Little Canfield Local Policy 3 to the supporting text to this policy. These consequential amendments should include a significant reduction of the number of dwellings proposed at Priors Green to reflect the reduced site area suggested above.

144.1 Bryant Homes Limited

Policy S2 should be amended to include reference to development at north west Takeley as an "area of special reserve" and the proposals map/inset maps amended to include the site within the settlement boundary.

205.2 Enodis Property Developments

The Oakwood Park Settlement boundary should be reinstated as per the adopted Uttlesford District Local Plan 1995. The settlement boundary set for Oakwood Park artificially limits the development capacity of the site. As a consequence the Local Plan fails to make best use of previously developed land in accordance with national policy guidance.

UDC Proposed Change to Policy S2

Policy S2 – Settlement Boundaries for Oakwood Park, Little Dunmow and Priors Green, Takeley/ Little Canfield

The settlement boundaries of:

- **the proposed Priors Green development in Takeley and Little Canfield; and**
- **the proposed Oakwood Park development ~~between~~ in Felsted and Little Dunmow**

are defined on the Proposals Map. Development will be permitted within these boundaries if it is in accordance with this Plan.

Inspectors' Reasoning and Conclusions

- 2.5.1 From my visit I agree that the character of the area to the north of the track extending eastwards from Jacks Lane at Priors Green is different from that to the south. I also agree that Jacks Lane and the land to the east would be one defensible boundary. However, as the boundary now shown reflects a recent planning permission awaiting, I was told at Inquiry, an imminent Section 106 agreement, any discussion about a revised boundary would be academic. I note that this is not an objection to Policy S2 as such, but to the alignment of the boundary. (94.2)
- 2.5.2 In my view the land to the north west of Takeley is particularly vulnerable to development. It would be an unacceptable intrusion into open countryside which separates the village from the airport. The designation of this land as a CPZ reflects the Council's concern about coalescing development. See also my report in the Housing Chapter of the Plan at Policy H1 on the need to allocate further land for Housing during the Plan period. (144.1)
- 2.5.3 I understood from evidence at the Inquiry that the Council has approved a Master Plan for Oakwood Park, which took into account the need for a school site and other works. It is presumably the boundary of that Plan which would be reflected in the Oakwood Park Inset. I have no detailed evidence before me on which to recommend an alternative boundary. This objection is not in respect of the policy itself, but is concern about where the boundary is drawn. (205.2)

RECOMMENDATION

Make no modification to the Plan in response to these objections.

2.6 POLICY S3 – OTHER SETTLEMENT BOUNDARIES

The Objections

120.7 Laing Strategic Land Ltd

Insert Newport into Policy S3 as a Key Rural Settlement. Given its range of facilities, schools, shops and rail station it performs a similar role to Elsenham and Great Chesterford

125.2 Cala Homes (South) Ltd

Amend Policy wording to include Newport as a Key Rural Settlement,

218.9 Saffron Walden Friends of the Earth

Add "subject to compliance with other policies in the Development Plan" at the end of Policy S3

143.1 (Objection conditionally withdrawn) David Wilson Estates

Recognition of potential for major development at Elsenham.

Elsenham is as sustainable a location for development as Takeley and its merits should be recognised within the text of the plan. Elsenham is more sustainable than the other key rural areas. Potential to encourage people to live and work locally or travel by train to work. This potential should be recognised when considering the location of housing allocations.

Inspectors' Reasoning and Conclusions

2.6.1 I have dealt with the argument about additional housing to meet Structure Plan requirements and local needs earlier in the Housing Chapter of the Plan at Policy H1. I have concluded that with the revisions I have recommended there will be adequate housing land allocated or reserved during the plan period and there is no need to allocate further land for strategic purposes in Newport

2.6.2 It seems to me from my visits to Newport that it has a similar role to other designated Key Rural Settlements and has better and wider range of facilities than most. At present the Key Rural Settlements are Elsenham, Great Chesterford, Takeley and Thaxted. In Newport there a number of dispersed employment uses which are no less important for being dispersed. Although there are a few industries in Station Road, from my visit I do not consider they could be defined as a Zone. Neither does the Council. However, it seems to me that the designation of an employment zone should not, of itself, be a determining factor whether a village is defined as a Key Rural Settlement.

2.6.3 Newport has a mainline railway station with direct services to Cambridge, Stansted and Bishops Stortford to the north and Harlow and London to the

south. It is on a principal bus route linking with Bishops Stortford, Stansted and Harlow to the south and Saffron Walden and Bury St Edmunds to the north. The village benefits from a primary and secondary grammar school, it has a number of fragmented employment uses and a wide range of shops and community facilities.

- 2.6.4 The Council does not dispute that Newport is of an appropriate scale but considers there are no suitable sites for development, and that as the village does not have key employment sites either, that the village should not be reclassified. The Council considers that there are constraints that would prevent development of Newport on a meaningful scale. These include the Conservation Area designation, the line of the railway and flooding. I agree that there are but I consider the settlement boundary line has been drawn very tightly at present, particularly at the northern end of the village.
- 2.6.5 From my visits I consider that the frontage development on the north side of Bury Water Lane, including the Council Depot and the school buildings form an integral part of the village and should be included within the settlement boundary.
- 2.6.6 I have considered whether Policy S3 should be split into key settlements and others. The objector suggests that development in all settlements other than those listed in Policies S1, S2 and S3 should be limited to minor developments within the settlement boundaries but I do not see that this is necessary. Policy S3 already requires development to be compatible with the character of the settlement, regardless of its size. Also Policy H2 lays down the criteria for windfall development within settlements. (120.7)(125.2)
- 2.6.7 As the Plan is read as a whole it is not necessary to cross reference to other policies in the Plan. (218.9)
- 2.6.8 Elsenham is accepted by the Council to be a sustainable location for development in principle as it is designated as a Key Rural Settlement. I have dealt with objections in respect of omission sites individually later in my report. No housing allocations have been proposed for the village by the Council. (143.1)

RECOMMENDATION

- a) **Modify the Newport Inset Map by including existing frontage development on the north side of Bury Water Lane within the settlement boundary.**
- b) **Reclassify Newport as a Key Rural Settlement under Policy S3.**
-

2.7 POLICY S4 – STANSTED AIRPORT BOUNDARY

The Objections

95.2 Chartwell Land PLC

Extend the Stansted Airport Boundary to the south of the A120 to allow development needs associated with Stansted Airport. The area available for development within the boundary is insufficient to the economic activity associated with the growth of the airport.

119.9 Proto Limited

Amend second and third lines of policy S4 to read "provision is made for development directly related to Stansted Airport and some limited kinds of associated activities within the boundaries of the

There is a need for stricter, more precise definition of "associated" this will become particularly important as a consequence of any expansion to 25 mppa when land will need to be primarily protected for directly related development so that the operational efficiency of the airport is maximised to the region's and areas's economic advantage.

165.1 (Objection withdrawn) Riverbrook Estates Limited

Add to the final sentence of Policy S4 ".....Industrial and Commercial development not essential to the operation of the airport or development that is unrelated to the primary use of the airport will not be permitted on any part of designated site area. Support the policy in general terms but concerned that it is not sufficiently clear. The need to contain the built form within the boundaries of the airport reflects the importance of the surrounding countryside. In order to prevent the coalescence of the airport development and the existing development in the open countryside it is essential that any new development even within the boundaries should only be permitted if it is essential to the operation of and wholly related to the Airport.

Inspector's Reasoning and Conclusions

2.7.1 Chapter 16 - Stansted Airport Inset of the Plan indicates how the present needs of the Airport can be met. The future of the airport and the M11 corridor will require new regional guidance after their implications have been assessed. I believe it would be premature to consider extending the boundary of the Airport. See also my report at paragraph 17. (95.2)

2.7.2 In my view Section 16 – Stansted Airport Inset provides sufficient explanation about “associated development” (119.9)

RECOMMENDATION

Make no modification to the Plan in response to these objections

2.8 POLICY S6 – METROPOLITAN GREEN BELT

The Objections

34.1 Ovenden

Requires a clear and strong statement that the MGB will be protected from all but a very limited range of development, making it clear that within the MGB development will be more tightly controlled than outside it.

214.1 Thames Water Property

Amend policy S6 by adding "limited infilling or redevelopment of the following major existing developed sites will be permitted in line with PPG2 Annex C 1) Bishops Stortford Sewage Treatment works as defined on the Proposals Map (2) Stansted Sewage Treatment works. Identify both sites on the Proposals Map

218.10 Saffron Walden Friends of the Earth

Add "and subject to other policies in the Development Plan" after setting in the 2nd para. Add "provided it also accords with other policies in the Development Plan" at the end of the policy

228.5 Stansted Parish Council

The expansion of The Mountfitchet High School should include the development of a sixth form. Secondary education is short of spaces.

Inspector's Reasoning and Conclusions

- 2.8.1 Paragraph 2.2 makes it clear that development will only be permitted if it accords with Planning Policy Guidance No. 2 and Structure Plan Policy C2 which lays out in some detail criteria to be met. As the development plan is both the Structure Plan and the Local Plan I see no reason to repeat the fundamentals of Green Belt policy in the Local Plan. Policy S6 is merely a refinement of the basic Structure Plan Green Belt policy to meet local circumstances. (34.1)
- 2.8.2 The detailed national guidance contained in Planning Policy Guidance No. 2 Annex C would need to be followed by the Council if any proposals were submitted in respect of these sites. Unless the Council has some reason to refine national guidance to meet local circumstances I see no need to repeat the criteria in Planning Policy Guidance No. 2. (214.1)
- 2.8.3 As the Plan is read as a whole there is no need to make reference to other policies in the Plan. (218.10)
- 2.8.4 The expansion of the High School into a sixth form is an infrastructure issue to be considered by the County Council as education authority. It is not a matter for a Local Plan other than as part of the development control process unless additional land needs to be allocated. (228.5)

RECOMMENDATION

Make no modification to the Plan in response to these objections.

2.9 POLICY S7 – THE COUNTRYSIDE

The Objections

10.2 National Trust

Feel that the wording "development that needs to take place there or is appropriate to a rural area is imprecise" and would benefit from tighter definition. For the avoidance of doubt it should be stated that policy S7 applies in the Countryside Protection Zone also.

32.1 Fyffes Group Ltd

Policy S7 as worded is unduly restrictive and could preclude forms of development on sites where the principle of development is already long established, which would not be detrimental to conserving the quality of the countryside but which would help to secure the vitality of the rural economy. Strict application of Policy S7 could lead to the creation of unused, underused and derelict sites in the countryside and could stifle the legitimate expansion of businesses which would also be contrary to the spirit of PPG4.

34.2 Ovenden,

Requires clear statement about protecting the countryside for its own sake. Define terms clearly. Indicate that there will be strict control on development other than (and as well as) new buildings. Require applicants to demonstrate why the development should be permitted and that they have mitigated its harmful affects.

No clear statement about protecting the countryside for its own sake. The terms 'needs to take place' and 'appropriate to a rural area' are too vague. The term 'strict control on new building' indicates a lack of strict control over other developments even though they can be just as damaging.

103.4 Curtis,

Amend policy to say " ... in the countryside, planning permission will only be given for development that needs to take place there, is appropriate to a rural area, or is residential infill under the terms of policy (insert new policy number).

In light of objection to para 6.6, Policy S7 also requires partial amendment in wording. Object to Policy S7, until such time as this alteration is made or the objections to Policies S3, H2 and the Inset map are accepted.

107.1 (Objection withdrawn) Rosper Estates Limited

The following words should be added to this policy at the end of the penultimate sentence "or would lead to a significant environmental improvement in an existing established commercial site in accordance with Policy E5"

This plan is too restrictive and will unnecessarily restrict the economic and social development of the countryside contrary to PPG7

119.10 Proto Limited

Delete policy S7 or alternatively add "or meets another identified need which cannot be met elsewhere". There is no need for this policy as the plan will provide the statutory basis for directing development to appropriate locations. If it is retained the phrase " needs to take place there" should be better defined. It should not be limited to rural needs but should permit development for which a need is found to exist and which cannot otherwise be accommodated in an urban area

161.2 The Stebbing Society

The inclusion of the phrase "that needs to take place" should be removed. It unnecessarily opens the countryside to development applications because need is highly subjective.

165.2 (Objection withdrawn?) Riverbrook Estates Limited

Add to the second sentence of Policy S7 "That needs to take place there or in the case of Roadside Services where over-riding need has been demonstrated as required by Policy T2 of this plan, or is....."

The policy is acceptable in principle but the second sentence should be expanded to include the development of roadside services where need has been demonstrated under the terms of Policy T2.

188.1 (Objection withdrawn) Sport England

Outdoor sport and recreation should be promoted as a compatible use in the countryside and therefore should be included in the policy wording.

204.1 Essex County Council

Delete Policy S7 - it duplicates Replacement Structure Plan Policy C5, but only partially, and therefore weakens it.

213.3 CPREssex

The use of the word "need" in this sense requires further consideration and should always be defined or the phrase omitted. Final sentence should be deleted. The penultimate sentence should be altered to read "In the countryside planning permission will only be given for development that is appropriate to a rural area, and such development will be subject to strict controls as outlined in Essex Structure Plan Policy C5 - rural areas not in the Green Belt.

215.1 Countryside Agency

Policy S7 and the explanatory text to be found in para 2.2 provide an unduly negative picture of the Plan's policy approach to rural development as evidenced by other, more specific policies. Nor is it entirely consistent with the policy framework provided by the Essex and Southend on Sea replacement Structure Plan or with guidance provided by PPG7

218.11 Saffron Walden Friends of the Earth

Delete "needs to take place there" and "there will be strict control on new building" and add additional wording.

222.1 GO-East

The policy states that planning permission will only be given for development that needs to take place, or it appropriate to rural areas and that there will be strict control over new buildings. We consider the first statement to be too vague to add value to the Local Plan whilst the second could restrict the ability of farm enterprises to diversify into new markets. The definition of which parts of the countryside are affected should be taken out of the main policy text. It could be made explicit in a short preamble to the policy. (Alternative wording suggested)

Inspector's Reasoning and Conclusions

- 2.9.1 My first reaction to the phrase "development that needs to take place there" was that it is imprecise and this is the concern of the objector. However, on further consideration, based on my site visits to various premises in the countryside, I realise that there are uses which either for historic reasons, or because of the particular type of use, need to be located in the countryside or the CPZ, even if they are not appropriate to a rural area. The Council has tried to allow for this and, on balance, I believe the present wording should remain. (10.2 & 3).
- 2.9.2 I consider the policy has been worded in such a way that it is not unduly restrictive. In fact, it is not restrictive enough for some objectors. See paragraph 2.9.1 above. The Council accepts that there is certain development that needs to take place in the countryside to support the rural economy. In paragraph 2.2 it is accepted that the countryside needs to be protected for its own sake but *not in such a way that the Plan prevents evolution of economic activity*. The second part of Policy RE3 of the Structure Plan also accepts that there may be uses proposed in the countryside which have not been foreseen but may need to be accommodated subject to compliance with other policies of the Plan. (32.1)(165.2)
- 2.9.3 I share the view of that more emphasis could be put on protecting the countryside for its own sake by adding after "In the countryside, **which will be protected for its own sake, planning**..... However, I believe that other general and detailed policies of the Plan are sufficient to deal with mitigation measures. I(10.2 & 3)(32.1)(34.2)
- 2.9.4 I have dealt with residential infill policy in the Housing Chapter of the Plan. I do not generally consider that a strategic countryside policy should include much detail or be cross referred elsewhere but as there is no infilling policy which applies outside of settlement boundaries it would be helpful to include a new third sentence. **This will include infilling in accordance with guidance in paragraph 6.5 of the Housing Chapter of the Plan.** The alternative would be to include a specific policy on infilling outside of settlement boundaries. (103.4)
- 2.9.5 See paragraph 2.9.2 above. In my view it would not be appropriate to add the words suggested by the objector, because improvement of the environment is only one factor which needs to be taken into account, in considering the expansion of an existing commercial development in the countryside. (107.1)
- 2.9.6 I have dealt with this matter in part at paragraphs 2.9.1 and 2.9.2 above. The type of development envisaged would be dealt with as an exception. Also as the Structure Plan and the Local Plan form the Development Plan for the area I see no need to repeat part of Policy RE3 in the Local Plan. Revised paragraph 2.2 provides some examples of the type of the development which may be acceptable but this is not exclusive (119.10)
- 2.9.7 I have dealt with this matter in paragraphs 2.9.1, 2.9.2 and 2.9.6 above. (161.2)

2.9.8 As the Structure Plan and the Local Plan form the Development Plan for the area the two are read together. I do not believe Policy S7 weakens Policy C5 of the Structure Plan because the Council has included other more detailed policies in the Plan. These reflect the criteria in Policy C5. Although the Council has introduced "need" into the equation and has mentioned some examples in paragraph 2.2 in my view the second paragraph of Policy RE3 recognises that exceptions can be made. (204.1).

2.9.9 See paragraphs 2.9.1,2.9.2 and 2.9.6 above (213.3)(215.1)(222.1)(218.11)

RECOMMENDATION

- a) **Modify by adding after "In the countryside" the words "*which will be protected for its own sake*", *planning...***
 - b) **Modify by including an additional third sentence "*This will include infilling in accordance with paragraph 6.5 of the Housing Chapter of the Plan*"**
-

2.10 POLICY S8 - THE COUNTRYSIDE PROTECTION ZONE

The Objections

4.1 F Cannon & Sons Ltd

Exclude site at Bedlars Green from the Countryside Protection Zone. The site contains permanent structures (with planning permission) associated with a long established builders yard and offices. It also accommodates a roofing contractors premises and an LPG store enclosed. A mature tree/hedgerow defines the northern boundary and visually and physically segregates the site from the open land further north and east. These long established commercial premises do not contribute to the open characteristics of the Protection Zone to the north and east. It should be recognised that the site is an integral part of the settlement of Bedlars Green.

34.3 Ovenden,

Should include a requirement to follow the restriction in a more robust S7 so that issues of coalescence and loss of openness are in addition to not instead of S7 requirements.

115.4 Prowting Projects and Gleeson Homes

Object to the boundary of the CPZ as it affects land on the south eastern side of Elsenham as shown on the Inset Map and specifically in respect of land south of Stansted Road. This land is not prominent in the wider landscape and forms a minor component to the visual scene when seen from vantage points close to the airport. It makes little or no contribution to the objectives of the CPZ. The Inspector at the

previous inquiry recommended that land north of the railway and east of the M11 should not form part of the CPZ.

119.11 Proto Limited

Delete Policy - it is a totally inappropriate policy and has no relationship with the approach in the recently adopted Replacement Structure Plan. That follows the landscape character approach. The policy has no relationship to the inherent quality of the countryside and is not based on any proper assessment of the character of this area of the countryside. There is no countryside or landscape justification for it being focussed on the area around Stansted. It is the type of policy that paragraph 4.16 of PPG7 advises against. The plan will provide the statutory planning basis for directing development to appropriate places.

144.3 (Objection withdrawn) Bryant Homes Limited

Land to the north west of Takeley should be excluded from the CPZ. The land is a suitable site for residential development related to Stansted Airport. It is conveniently located to the airport thereby maximising opportunities for utilising sustainable forms of transport and minimising the number and length of journeys by other less sustainable forms of transport particularly by car. By concentrating development close to the airport where it is most needed the impact on the wider district will be minimised. Alternative strategies of spreading development around the District will impact on a wider area. The site will soon be separated from the airport by the A120 bypass, much of which will be located on an embankment. The road will act as a logical defensible outer boundary for a Countryside Protection Zone around the airport.

168.1 Ash

182.1 Coleman

Area of land (2ha) bounded by Southern Ancillary Area and new A120 should be excluded from the CPZ. The area indicated as the CPZ does not take into account the A120 bypass at Takeley which is currently under construction. The new road will create a natural boundary to the airport and therefore small parcels of land divided by the New road on the airport side should be excluded from the CPZ.

201.3 Countryside Properties PLC

Preferably delete policy S8 or redraw the boundary to exclude the whole area south of the new A120. When the CPZ was first conceived Stansted Airports expansion programme was in the very earliest stages. Its impact was as yet unknown and planning policies for the countryside at both local and national levels were much less well developed than today. The airport development and planning policies have moved on a long way in the meantime. It is no longer necessary to have a CPZ because adequate protection is now available for the open countryside under other local and structure plan policies and PPG7. If the policy is retained the southern boundary should be redrawn to follow the line of the new A120 by pass. Once this new dual carriageway road is in place this will provide a permanent separation between the Airport and the villages to the south and coalescence will not be possible. The areas to the south of the new road should therefore be deleted.

51.1 Cheergay Properties

Adequate provision has not been made for the future extension and expansion of business activities on the Elsenham Quality Foods site - an established industrial and manufacturing site to the detriment of the long term health of the businesses established there.

UDC Proposed Change to Policy S8

The area and boundaries of the Countryside Protection Zone around Stansted Airport are defined on the Proposals Map. In the Countryside Protection Zone planning permission will only be granted for development that is required to be there, or is appropriate to a rural area. There will be strict control of new development. In particular development will not be permitted if either of the following apply:

- a) New buildings or uses would promote coalescence between the airport and existing development in the surrounding countryside;**
- b) It would adversely affect the open characteristics of the zone.**

Objections Received in response to proposed change

107.4 Rosper Estates Ltd

Delete the proposed additional words at Policy S8. The proposed alteration to the Countryside Protection Zone paragraph/policy is too restrictive. There will be situations where development can take place without affecting criteria (a) or (b) of Policy S8. This should not be prevented. To do so would unnecessarily restrict the economic and social development of these areas.

119.55 Proto Ltd

Provide appropriate clarification that will address the appraisal of necessary inward investment. The policy needs to more adequately define what is meant by "required to be there"

213.40 CPRE

CPRE objects to the use of the words "required to be there" without any further definition in order to ensure that such development meets the Council's requirements and not only those of the applicant. CPRE suggests the addition of a phrase between "development" and "that is required to be there" in line 2 to read "where evidence of need has been submitted by the applicant sufficient to prove" that it is required to be there or is appropriate.

Inspector's Reasoning and Conclusions

- 2.10.1 From my visit I consider the site reads more as part of the countryside than the village. The landscape dominates. Although of itself an extension to the business uses would have a minimum effect on coalescence of the settlement and the airport I see no reason to create an arbitrary boundary for the CPZ which does not coincide with the defined settlement boundary. Any expansion of the existing business uses would be assessed on the basis of Policy S8. (4.1)
- 2.10.2 As the policy repeats the wording of Policy S7 I do not believe there can be any doubt about interpretation, particularly as it is clarified in the supporting text. The revised wording proposed by the objector would be concise and in my view equally acceptable. Both wordings deal clearly with the fundamental issues, those covered by criteria a) and b). (34.3)
- 2.10.3 The objection refers to land on the south eastern side of the village but I assume from my visit and the evidence that the land referred to is on the

south western side of the village to the south of the Stansted Road. The land enclosed by Stansted Road, the motorway, and the railway. Although this is open countryside I share the view of the previous Inspector that it is not land which needs to be protected under Policy S8 as it does not read as part of the countryside setting of the airport. The railway forms a substantial boundary to the south of the village and I would recommend the CPZ boundary follows that line. I believe the land can be adequately protected under Policy S7. (115.4)

2.10.4 This policy was in the previous Plan and in my view has been included to identify a particular problem for Uttlesford having regard to pressures for development in the countryside which would be contrary to Structure Plan Policy BIW7 – London Stansted Airport. Although the CPZ could be refined into Special Landscape Areas and others under Structure Plan Policy NR4 I do not consider the main purpose of the policy is to assess development proposals against particular landscape character. It is primarily to protect the openness of vulnerable countryside from coalescence. (119.11)

2.10.5 In my view the new A120 will create an unnatural boundary in the countryside. The new route of the A120 is further north than the old road and closer to the airport. With the new alignment I consider the CPZ boundary to be more important than ever to ensure that the road retains its rural setting and does not become a development boundary for coalesce on vulnerable open land between it and the airport. There are vulnerable open areas of countryside between Takeley village and the realigned road The airport is still expanding up to 25mppa and the necessity remains for the pleasant rural periphery of the airport to be kept free from unnecessary building particularly coalescing development. Other policies of the Plan might achieve this aim but the policy clearly spells out the Council's intention to safeguard the "airport in the countryside" concept by resisting urbanisation (182.1)(168.1)(201.3)

2.10.6 I do not consider the additional criteria would unnecessarily restrict the economic and social development of the area. The objector has stated that there will be situations where development can take place without affecting the criteria listed. If criteria a) and b) are not infringed then they would not be an obstacle to development. (107.4)

2.10.7 I have dealt with concerns about the wording of S7 and S8 at Policy S7 above (213.40)(119.55).

RECOMMENDATION

Make no modification to the Plan in response to these objections

Elsenham Quality Foods

- 2.10.8 The site has been in industrial use since 1890 and was originally part of Elsenham Fruit Farm which developed into the Elsenham Jam Factory Company and then became known as Elsenham Quality Foods Limited. It was taken over by Borough's Gin which became Beefeater .in the 1960's. and was later owned by J M Smucker a US Company. The site was acquired by the present owner in 1995. The omission site has a total area of some 17.8 ha with 3.69 ha developed at the time of Inquiry.
- 2.10.9 Land in the ownership of the company includes large areas of open countryside, which if included within an industrial allocation would spread an isolated industrial development into its attractive rural setting remote from any settlement.
- 2.10.10 It seems to me that the location of the industrial site within the countryside as such has not inhibited its development so far. When the buildings were largely destroyed by fire in 1969 the Council granted planning permission for a headquarters building and large new factory building. The large new factory building was never built but this was the choice of the applicant. Since the present owners acquired the site in 1995 planning permission has been granted for change of use in 1996, and in 2000 planning permission was granted for the erection of extensions to two existing buildings and the erection of two B1 business units with associated car parking. One extension has yet to be built. A further permission was granted in 2002 for a building incorporating a new pump house, water bottling facility for Elsenham Natural Spring Water Company, a café and offices, which was due to start in April 2003 but on my site visit earlier had not yet commenced.
- 2.10.11 Up to a further 50 jobs are likely to be created adding to the in excess of the 250 already on site. A further two storey extension to the building occupied by Molton Brown Cosmetics was submitted in February 2003 and had not been determined at the time of the Inquiry but as far as siting is concerned I saw from my visit that it was well related to the existing building.
- 2.10.12 The site has been located within the CPZ since the current district plan was adopted, following consideration of the principle of the zone by the previous Inspector. He was of the view that the immediate environs of the airport would be a magnet for indirectly associated enterprises and that the pleasant rural periphery of the airport should be kept free from unnecessary building. He was particularly concerned about existing uses wishing to expand beyond their existing confines as this could involve a gradual and pernicious nibbling of the open land within the zone. On the above basis he considered the CPZ policy was justified.
- 2.10.13 The area around the airport is still vulnerable and it seems to me that there has been no material change which lead me to the conclusion that the CPZ is no longer required. I also share the view of the Council that it should remain as a blanket zone and that there should not be holes in it to reflect existing uses. These uses are an integral part of the countryside and not separate from the countryside setting that needs to be protected.

- 2.10.14 To my mind some of the concerns about the CPZ have been met by the rewording of Policy S8 following objections. Policy S8 has been changed to state that *planning permission will only be granted for development that is required to be there*. This gives the Council the flexibility to consider the needs of existing industries to expand subject to avoiding coalescence between the airport and existing development in the countryside, and adverse effects on the open characteristics of the zone. Even if the employment site were recognised as such in the Plan it would remain an industrial site in the open countryside remote from any settlement. Because of this, impact on the surrounding countryside would be a criterion to take into account in considering any proposals for development under Policy S7. Coalescence involves the fusing together either visually or physically of separate developments and new buildings would need to be assessed having regard to the scale and relationship with existing development.
- 2.10.15 I do, however, share the concern of the objector that there is no mention of this important industrial site anywhere in the Plan. It seems to me that with a total of in excess of 300 employees when present proposals are completed the site justifies some recognition as a key manufacturing location in the district. The question is where? Policy E1 already allocates sufficient land to meet Structure Plan requirements for business, general industry, storage or distribution use during the Plan period.
- 2.10.16 From the wording of paragraph 4.10 the reason behind Policy E2 is to protect the redevelopment of industrial premises from market pressure for housing. In my view the Gaunts End industrial site would not be likely to be under such pressure in this location, but because of its importance to local employment it could be protected from other changes of use under Policy E2 and included on the Proposals Map.
- 2.10.17 Another option would be to have a particular policy for the site laying down criteria for its development. However, this approach would probably not provide the flexibility that the Council has operated under so far and could result in a tight boundary around the existing developed part of the site. I consider this would be unfortunate. Although from my visit I am of the view that much of the open land has countryside characteristics and should not be built on, such as the scrub land to the west, there is not only land within the main industrial area near the effluent plant which could, with a minor change of boundary, be developed, there is some possibility of redeveloping the HFX building and the car parking area to the north of it to provide a more attractive entrance into the estate. I believe this could be done without causing significant visual impact on the openness of the area taking into account the new building permitted for Elsenham Spring Water Company to the south, and that the older HFX building will not enhance the setting of that new building.
- 2.10.18 On balance I am of the view that it would be better to retain the flexibility the Council has shown in the past rather than have a specific policy for the site which because of a cautious approach might be self defeating for the company. However, I do believe that the importance of the industrial estate to local employment should be recognised. I am inclined to the view that because of its importance as a manufacturing site it should be protected

under Policy E2. This could best be done by listing the site as "Safeguarded Employment Land" under Policy E2 and showing it diagrammatically on the Proposals Map. (51.1)

RECOMMENDATION

Modify the Plan by listing the site as "Safeguarded Employment Land" under Policy E2 and show diagrammatically on the Proposals Map.

2.11 NEW PARAGRAPH 2.5

202.5 Countryside Strategic Projects

Add new paragraph 2.5 - Longer Term Strategy. Conclusion in 1.6 is that new regional guidance, structure plan review, SERAS and London to Cambridge studies etc are a matter for the review of the Local Plan and cannot be addressed at this stage. The substance of this objection is that this conclusion is inappropriate. The information will be largely available by the time this plan proceeds to inquiry and the short term incremental and largely reactive approach to future development that characterises much of the strategic planning in the County is harmful to the pursuit of a more sustainable pattern of development. Revisions should be made to ensure this Local Plan recognises the need for the Council to adopt a long term development strategy and within that context highlights the potential need for current planning policies and decisions to avoid prejudicing likely future development sites.

Inspector's Reasoning and Conclusions

2.11.1 At the time of the Inquiry new regional guidance was not available, nor was a government decision about the future of Stansted Airport. See my introduction to the Housing Chapter for an update on future needs. (202.5)

RECOMMENDATION

Make no modifications to the Plan at this time in response to this objection.

3. CHAPTER 3 - GENERAL PLANNING POLICIES

3.0 PARAGRAPH 3.1

U.D.C. is proposing a further change to para 3.1 in response to objections 213.19 in relation to H3 Housing and 213.26 in relation to 10.1-19.3 Selected Areas

All the policies in this Plan and the Structure Plan have been considered in determining any planning application. This plan has been organised so that policies on all the standard matters are grouped together in this section and these will apply to all development. It is followed by policies or more specific themes such as economic activity and housing.

Inspector's Reasoning and Conclusions

3.0.1 The additional wording makes it clear that the General policies apply to all development and should be included.

RECOMMENDATION

Modify the Plan in accordance with Proposed Further Change to paragraph 3.1 highlighted above.

3.1 PARAGRAPH 3.2

119.12 Proto Limited

Add after "achievement of " the phrase "local economic growth"
The objective fails to have proper regard to the need to secure growth in the local economy so that resources are available to achieve social progress.

Inspector's Reasoning and Conclusions

3.1.1 Local economic growth is important but is dealt with as a dedicated Topic in Chapter 4 - Economic Activity.

RECOMMENDATION

Make no modification to the Plan in response to this objection

3.2 PARAGRAPH 3.3

The Objections

219.6 English Heritage

This chapter should include the historic environment in Para 3.3 and a general policy relating to protection of the historic environment similar to the coverage of nature conservation and countryside character issues.

208.2 English Nature

Additional text needed to indicate role and value of biodiversity. "...issues for consideration include: promoting biodiversity through appropriate landscaping, the provision of semi natural open spaces and as part of multifunctional green networks (*see note 1 below), designing out crime....." [Note from EN research report No 256} Chapter seeks to address sustainable development. To achieve this goal it needs to acknowledge biodiversity and the fact that this subject represents a 'cross cutting theme'. The omission of text dealing with biodiversity weakens the chapter's overall message due to the multi-stranded nature of biodiversity.

206.5 (Objection withdrawn) Uttlesford LA21 Group2

Insert the word 'appropriate' between 'planting' and 'windbreaks' in the third sentence. The Farming, Wildlife & Countryside Group of Uttlesford Local Agenda 21 UK wish to encourage the planting of native hedgerow species and guard against the planting of unsuitable (though quick growing) species such as cupressus leylandii.

208.3 (Objection conditionally withdrawn) English Nature

Wording of the last two sentences may be accused of ambiguity or at least a lack of clarity as to how decisions will be made. EN suggests that an opportunity exists here to set out (or refer to) objective criteria for the assessment of development proposals. A criteria led approach would allow Sustainable Development (SD) issues to be addressed in a transparent way and would help to demonstrate the Council's commitment to SD. This opportunity may also provide scope for the inclusion of a policy dealing with Environmental Assessment. [see also objection to Chapter 5 Environment]

218.13 Saffron Walden Friends of the Earth

After contribute add " particularly in controlling where development takes place to create sustainable settlements and work places. Delete "in addition to visual appearance of the building and replace with "other considerations etc" In the last line delete "will be" and replace with "is" Informed choice should include public consultation and statutory consultees.

UDC Proposed Change to Para 3.3

The planning system has a role to play in implementing sustainability objectives through the development control process, although there are limits to what it can achieve on its own. Its influence on the design, location and accessibility of buildings is one area where it can contribute. In addition to the visual appearance of building,

issues for consideration include: **protection of the historic environment**, **promoting biodiversity**, designing out crime through the avoidance of public areas that are out of view, promoting home energy efficiency through the orientation, spacing and grouping of buildings, the location and size of windows, conservatories as buffer zones, planting **appropriate** windbreaks, avoiding the overshadowing of neighbouring buildings, solar panels, porous surfaces for car parking to reduce the rate of water run off and the provision of water butts to collect rainwater for garden use. Some of these techniques potentially conflict with each other and therefore a pragmatic approach will be required. The choice, however, should be an informed one.

Inspector's Reasoning and Conclusions

- 3.2.1 The Council has added wording to paragraph 3.3 to recognise the importance of protecting the historic environment. Criteria in Policy GEN2 also safeguard important environmental features and their settings and more detailed protection policies are contained in Chapter 5 – Environment Built and Natural. (219.6)
- 3.2.2 Paragraph 3.3 has now been revised to mention “biodiversity” as an issue. Other more detailed aspects affecting biodiversity are included in Chapter 5 dealing with the environment. (208.2)
- 3.2.3 I believe that paragraph 3.3 as revised lists the issues to be taken into account. The last two sentences merely recognise the balancing exercise that often takes place when considering planning proposals. (208.3)
- 3.2.4 I do not consider that recognised consultation procedures, both public and statutory need to be mentioned in a Local Plan, they are a part of the development control process. However, as the first sentence introduces sustainability I see no reason why this should not be continued by adding **to the creation of sustainable settlements and work places** to the end of the second sentence. As the second sentence also mentions location and accessibility, not just design and visual appearance I consider it would be more logical to include the “visual appearance of the building” in the list of issues for consideration. (218.13)

RECOMMENDATION

- a) **Modify the Plan by adding *to the creation of sustainable settlements and work places* to the end of the second sentence.**
- b) **Add *visual appearance of the building* to the list of issues**
-

3.3 PARAGRAPH 3.4

The Objections

224.2 Wilcock,

The District Plan is very scant on the encouragement for equality in the treatment of disability and the promotion of disabled access. I think there ought to be section totally dedicated to the needs of disabled people. This could include Lifetime Homes, Special Needs housing and the creation of local community care which is sadly lacking at present. There is nothing in the documents that creates a climate of positive approach to disabled people in whatever way they may be disabled. With the creation of many new housing developments there is no mention of the creation of units that would fit into these communities and attract good quality integration. There should be positive measures incorporated to satisfy this document as meeting the needs of the Disability Discrimination Act of 2004 as it will apply and I can see no provision in the document that encourages a culture for service providers to actively overcome those problems and allow more disabled people to lead independent lives

212.1 Uttlesford Area Access Group

Add to 3.4 "specific supplementary planning guidance having regard to social inclusion" The Group felt that a further statement should be included as there is insufficient coverage of social inclusion

12.1 Architectural Liaison Officer - Essex Police

Pleased that the Council has included reference to "reducing the potential for crime by designing safer environments". Council should add to the plan that developments should attain "secured by design" certification - dwelling or commercial. This could be targeted at developments of 10 or more homes and or mixed developments. This way we would be pro-actively addressing potential crime and disorder issues at the earliest possible time. To compliment this large car parking facilities should attain "secured car parks" award.

227.2 (Objection conditionally withdrawn) Environment Agency

Inclusion of 'water resource management' as a bullet point in the list of local quality of life issues.

208.4 (Objection conditionally withdrawn) English Nature

In light of comments made on paragraph 3.3 recommend that the words 'nature conservation' under 3.4 be amended to 'biodiversity'

UDC Proposed Change to Para 3.4

3.1. This section addresses the following local quality of life issues, which could all potentially be relevant to any proposal:

- Access
- ~~Community safety~~
- Design **including community safety**
- Flood protection
- Good neighbourliness
- Light pollution
- ~~Mitigation of impacts~~ **Infrastructure provision to support development**
- Nature conservation
- Reinforcing countryside character

- Vehicle parking standards

Inspector's Reasoning and Conclusions

- 3.3.1 The ODPM has recently published Planning and Access for Disabled People: A Good Access Guide. Its primary objective is to ensure that the planning system successfully and consistently delivers inclusive environments that can be used by everyone - including those living with disabilities.
- 3.3.2 The Council is sympathetic to the needs of the disabled and has made limited reference to their needs in the plan. However, latest advice on Development Plans is that appropriate inclusive access policies should be introduced in respect of each relevant topic, such as shopping, housing etc, supported by a specific strategic policy. It advises against reliance on a single access policy that stands alone and is more likely to be missed.
- 3.3.3 To comply with national guidance in addition to the strategic policy GEN1 on Access - it will be necessary to complement this policy with policies or criteria related to each relevant topic. I am not suggesting specific wording as this may vary from Chapter to Topic and there is particular expertise within the Council to provide appropriate wording. Lifetimes Homes is an important concept but its standards are detailed and could best be dealt with in Supplementary Planning Guidance which allows for rapid change to evolving standards (224.2, 212.1)
- 3.3.4 The Council has revised paragraph 3.5 of the supporting text to promote "secure by design" certification. Also Policy GEN2 – Design d) criterion requires the design to help reduce the potential for crime. I believe that any detailed requirements could best be dealt with in Supplementary Planning Guidance. This is the intention of the Council. (12.1)
- 3.3.5 Because of the revised wording to paragraph 3.5 in the Revised Deposit Draft which refers to water resource management, this objection has been conditionally withdrawn (227.2).
- 3.3.6 Although I do not agree with the objector that the words "nature conservation" should be deleted and substituted by "biodiversity" I see some merit in adding "including "biodiversity" to emphasise its importance after Nature Conservation in the bullet points in paragraph 3.4 (208.4)

RECOMMENDATION

- Include inclusive access policies in Plan in accordance with advice in Planning and Access for Disabled People - A Good Access Guide.**
 - Add "*including biodiversity*" after Nature Conservation.... in the bullet points in paragraph 3.4**
-

3.4 POLICY GEN1 – ACCESS

The Objections

15.3 (Objection withdrawn) Swindlehurst

Point c) confuses the need to encourage walking/cycling with road safety considerations. The words 'access must not compromise road safety and..' need to be taken out and made the subject of a separate sub para d).

Absence of attention in the Plan to the role of walking in the proposed policies.

Journeys on foot relieve traffic congestion; increase social contacts, breaking down segregation & make towns more attractive to live in & have significant health benefits. Walking is important to household without cars and includes the poorest and most disadvantaged sections of society.

119.13 Proto Limited

Delete the policy and possibly develop supplementary planning guidance alternatively redraft policy as follows; the local road network, and the access to it, should be able to safely accommodate any additional traffic generated by the proposed development. "Satisfactory" is an inappropriate test. The policy should refer to no unacceptable harm being caused. It is also inappropriate to raise these issues to the status of a development plan policy. They are development standards, and as such may properly be modified in appropriate circumstances without fear of being found to be contrary to the development plan

120.1 (Objection withdrawn) Laing Strategic Land Ltd

Development will only be permitted if it has a satisfactory means of access or a satisfactory access can be achieved.

The policy should be amended to indicate that development may be permitted where the unsatisfactory access can be resolved (either by works or through a S106 agreement)

156.3 Saffron Walden Town Council

Add the words "and in particular should not cause undue congestion" to the end of section b) of this policy. Whilst present and proposed policies rightly consider safety little consideration appears to be given to congestion on road systems. Saffron Walden has suffered and will continue to suffer particularly badly from additional traffic from both present and proposed developments in the east of the town. The Town Council believes it would be possible to construct a theoretical maximum capacity for certain junctions. It believes that applicants should be financially responsible for remedial traffic measures acceptable to the local Highway Authority and in the context of the town and that should an application generate traffic in excess of that figure and that this should not be possible the application should be refused.

163.4 (Objection withdrawn) Mantle Estates Limited

Although not objecting to the policy it is suggested that the term "satisfactory" in respect of means of access is insufficiently clear and definite. An alternative might be that development would only be permitted if the means of access proposed did not cause demonstrable harm

This policy sets out criteria to be met when new development is to be permitted.

Reference to the submitted highway consultants report demonstrates not only that the existing Stansted Distribution Centre access to the A120 is satisfactory but that

there will be a significant benefit from the removal of the traffic from the Elliots site using its own sub-standard access, poor highway and poor junction with the A120. The highway consultants report concludes that there are no reasonable or realistic reasons in highway traffic and transport terms why this development site cannot be allocated for B8 uses in the Local Plan

164.2 Bellway Homes

Delete policy GEN1 the wording relating to access is far too detailed. It places emphasis on vehicular traffic, contrary to the Government's approach of seeking to encourage non-car modes of traffic. The policy only seeks to duplicate the thrust behind the contents of documents such as the Essex Design Guide and Design Bulletin 32. It is our view that the policy is unnecessary and should be deleted.

204.2 Essex County Council

Delete policy GEN1 - it duplicates Replacement Structure Plan Policy T3, but only partially, and therefore weakens it.

210.1 (Objection conditionally withdrawn) British Horse Society

The society notes that part c) of this policy seeks to safeguard the road safety of cyclists, pedestrians and those with impaired mobility. The society is sure that the Council does not intend to deny this protection to horse riders and seeks their inclusion in this policy.

212.2 (Objection withdrawn) Uttlesford Area Access Group

Add new criteria to policy GEN1 D) Increase accessibility for everyone to facilities needed to maintain or improve their quality of life. This includes any development of transport facilities for disabled people and any reconstruction or refurbishment of older transport facilities which should, so far as is practicable, incorporate improved access and facilities for disabled people. E) New development, or proposals for changes of use or relevant alterations to existing buildings and land to which the public in general expects to have access especially shops, sports recreation and community facilities will only be permitted if they are designed to meet the needs of disabled people including having regard to accessible parking spaces (where appropriate) convenient movement along pathways and an unhindered approach to buildings.

The group felt that two new criteria should be introduced and that additional aspects relating to access will be covered under "supplementary planning guidance which will ensure dignified access for all"

218.14 Saffron Walden Friends of the Earth

Criteria c) delete "must take account of the needs of " and include rest in new criteria d) to read all units within the development must be fully and conveniently accessible for cyclists, pedestrians and people whose mobility is impaired.

UDC Proposed changes to Policy GEN1

Policy GEN1 – Access

Development will only be permitted if it has ~~has~~ would have satisfactory means of access. All the following criteria must be met:

- a) Access to the main road network must be capable of carrying the traffic generated by the development safely.**
- b) The traffic generated by the development must be capable of being accommodated on the surrounding transport network.**

- c) **The design of the site access must not compromise road safety and must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.**
- d) **It must be designed to meet the needs of disabled people if it is development to which the general public expect to have access.**
- e) **The development encourages movement by means other than driving a car.**

Objections to Proposed Changes

73.4 HBF

Planning policies should not seek to duplicate or go further than other statutory regulations. The alterations to this policy do exactly that, issues of access are clearly covered in Part M of the Building Regs 2000.

212.12 (Objection conditionally withdrawn) Uttlesford Access Group

The group wishes the term in (d) "disabled people" to be replaced with "people with disabilities". It is felt that this is more in keeping with appropriate terminology

U.D.C. is proposing further change to Policy GEN1

Criteria (d) to read:

It must be designed to meet the needs of ~~disabled people~~ **people with disabilities** if it is development to which the general public expect to have access.

Inspector's Reasoning and Conclusions

- 3.4.1 I am inclined to agree that whether an access is "satisfactory" is not an appropriate test. However, I see no reason why the criteria listed should not be included as they are not related to specific highway standards, but are a list of general criteria to be taken into account. The first sentence of the policy should be reworded to "**Development will only be permitted if its meets all of the following criteria**" (119.13)
- 3.4.2 I heard evidence at Inquiry on local concern about traffic problems in Saffron Walden; that caused by existing development; and the likelihood of increased traffic congestion to the east of the town by proposed development. Although I accept that it would be possible to construct a theoretical maximum capacity for certain junctions, I do not consider such a level of detail to be a function of the local Plan.
- 3.4.3 The District Council is not the highway authority but Local Plan Policy GEN6 reflects the Structure Plan on infrastructure provision, including transport costs. It is a normal requirement that contributions are sought from developers to pay towards highway improvements necessary to accommodate new development. Apart from advice from the Highway Authority if the District Council is concerned about traffic congestion it can initiate an independent study of such width as is considered appropriate (156.3)
- 3.4.4 The Council's approach in the Plan is to go from general policies to the specific I do not find Policy GEN 1 as revised to be particularly detailed. It

lays down criteria that need to be met and, reflects local concerns varying from access for the disabled to the need to encourage movement other than by car. I accept that there is partial duplication of the provisions of Structure Plan Policy T3 but the Transport Chapter of the Local Plan contains no general policies. As the Structure Plan and the Local Plan make up the Development Plan for the area I do not believe Policy T3 would be compromised. I do not consider it should be deleted. (164.2 , 204.2)

- 3.4.5 This objection needs to be met and the Council has revised the wording of GEN1 c) to mention horse riders. (210.1)
- 3.4.6 Although the intent of the objection is laudable I consider it would be too draconian. For example, to require all types of multi- storey units, regardless of use, to be "fully " accessible for cyclists could lead to considerable debate what such total accessibility means. (218.14)
- 3.4.7 To include a criterion on disabled access is in accordance with current national advice. I have dealt with this matter above. (73.4)
- 3.4.8 This objection is conditionally withdrawn as the Council has rephrased criterion d) by replacing "disabled people" with "**people with disabilities**"..... (212.12)

RECOMMENDATION

- a) **Reword the first and second sentence of Policy GEN1 as follows:**
Development will only be permitted if it meets all of the following criteria:
- b) **Modify criterion d) in accordance with Further Proposed change in response to objection 212.12 above.**

3.5 REVISED DEPOSIT AMENDED PARA 3.5 – DESIGN

121.20 Stansted Airport Ltd

Amendment to text - second sentence to improve understanding of "promote secure by design". Suggested rewording of following. text to read "secures appropriate open space provision and play equipment, encourage design measures aimed at minimising water consumption and encouraging conservation and re-use of grey water, minimising waste generation, enabling recycling and other aspects of sustainable development design

227.22 The Environment Agency

Text should read "expect design measures aimed at saving water" rather than "encourage design measures aimed at Saving Water"
We withdraw our original objection requesting the need to mention water resource management as this is now included. Support the addition of waste reduction/recycling and water efficiency as design considerations. Object to the current wording and would also want to have the opportunity to contribute to the proposed Supplementary Planning Guidance on design issues

U.D.C. is proposing further change to para 3.5.

Text would read as follows:

Further Supplementary Planning Guidance will be prepared on design issues. This will encourage development to be designed so that it meets the needs of those with physical and sensory impairment. The SPG will also encourage "Lifetime Homes" promote compliance with the Association of Chief Police Officers "Secured by Design" Award criteria or any successor initiatives and ensure appropriate open space provision and play equipment is provided. Development in accordance with the SPG will be expected to minimise waste generation and enable recycling and also to incorporate design measures aimed at minimising water consumption and encouraging sustainable drainage systems, conservation and re-use of grey water. Other aspects of sustainable development design including planting to enhance new development will also be covered. The Essex Design Guide for Residential and Mixed Use Areas has been adopted as supplementary planning guidance.

Inspector's Reasoning and Conclusions

- 3.5.1 The response by the Council has been to rewrite this paragraph in accordance with the suggested wording of this objector and the Environment Agency. Substitute the revised wording for that in paragraph 3.5. (227.22) (121.20)

RECOMMENDATION

Substitute the wording of paragraph 3.5 with that proposed by the Council in response to objection 227.22 and 121.20 shown highlighted above.

3.6 POLICY GEN2 – DESIGN

The Objections

71.5 Walford

Add additional sub-paragraph (g) it minimises the environmental impact on neighbouring properties by use of appropriate planting schemes earthworks or other mitigating measures.

I believe that this policy does not sufficiently recognise the potential impact of development on neighbouring properties, and that it is appropriate for additional safeguards to be built in as a matter of general policy.

119.14 Proto Limited

It is not appropriate to have a policy that requires all these criteria to be met. The policy needs to be able to facilitate bold and imaginative design. The Council's approach also needs to recognise that design cannot be a matter that can be prescriptively determined by policy. Whilst it is appropriate to strive for good design it is not appropriate to require all new development to have regard to the County

Council's design guide. Provide new text as follows: in determining planning applications and in developing supplementary planning guidance the following factors will be taken into account in so far as they are relevant. The scale, form, layout, appearance and materials of surrounding buildings. The ability to retain important environmental features which help to reduce the visual impact of the development, accessibility for those whose mobility is impaired, the potential to reduce crime and the minimisation of water and energy consumption

212.3 (Objection withdrawn) Uttlesford Area Access Group

Add new criteria c) "it provides environments which are socially inclusive to meet the needs of everyone"

Although there is some provision in the current criteria the Group felt that the suggested replacement statement was preferred.

218.15 (Objection withdrawn) Saffron Walden Friends of the Earth

Criteria b) delete "helping " and replace with "any opportunities they give" Criteria d) delete helps to reduce and replace with "minimises" Criteria e) delete "helps to"

218.16 (Objection conditionally withdrawn) Saffron Walden Friends of the Earth

Insert date of publication of Essex Design Guide. Add to end of Para "and will be taken into account in assessing proposals.

222.2 Go-East

Whilst we welcome criterion (E) in Policy GEN2 it would be helpful if it could be explained somewhere what sort of design features the Council is seeking. Examples could be solar panels and high insulation standards to reduce energy consumption and greywater recycling to reduce water consumption. We are disappointed to see nothing in this policy about reducing waste and encouraging recycling. Apart from stating the general principle this could be encouraged through having a design requirement of space to store recycling bins which is often a limiting factor.

227.1 (Objection conditionally withdrawn) Environment Agency

Addition to clause e) saying "...and does not cause an unacceptable change in groundwater levels, or flow in groundwater fed streams, ditches, or springs. Policy could also include a point regarding minimisation of construction and demolition waste, either through re-use on site, or recycling, where practicable.

UDC Proposed Change to Policy GEN2

Policy GEN2 – Design

Development will not be permitted unless its design meets all the following criteria:

- a) **It respects the scale, form, layout, appearance and materials of surrounding buildings;**
- b) **It safeguards important environmental features in its setting, enabling their retention and helping to reduce the visual impact of new buildings or structures where appropriate;**
- c) **It provides good access for those whose mobility is impaired It provides an environment which meets the reasonable needs of all potential users.**
- d) **It helps to reduce the potential for crime;**
- e) **It helps to minimise water and energy consumption;**

- f) **It has regard to guidance on layout and design adopted as supplementary planning guidance to the development plan.**
- g) **It helps to reduce waste production and encourages recycling and reuse.**

Objections to proposed change

73.5 HBF

In general the criteria set by the Council seem clear and logical. However part (c) tends to flout a generally acceptable policy. As such this policy is far too ambiguous in terms of its application and some regard for clarification needs to be taken if it is to be included in the Plan.

212.14 Uttlesford Access Group

Amend criteria to read c) it provides environments, which are socially inclusive to meet the needs of everyone.

The group does not accept that a section on Design has no reference to social inclusion.

212.13 Uttlesford Access Group

While the group is happy that there is provision for Supplementary Guidance within this section it knows that there is National Guidance in place on Lifetime Homes issued by the Joseph Rowntree Foundation. The word "encourage" should therefore be deleted and replaced with the word "promote".

Inspector's Reasoning and Conclusions

- 3.6.1 Mitigation measures through appropriate landscaping will normally be dealt with by planning condition. Some policies already refer to enhancement through landscaping. However, although criterion c) looks after the interests of potential users I see no reason why a general criterion, now h), should not be added to protect neighbouring properties. However, as this is a general policy it does not have to be specific in its reference to the mitigating measures required. I consider the following wording would be helpful **h) it minimises the environmental impact on neighbouring properties by appropriate mitigating measures"** These mitigating measures can be covered in more detail in Supplementary Planning Guidance. (71.5)
- 3.6.2 The list of criteria in the policy are those which I would expect to be carefully considered by the Council if a proposal were submitted for development. The wording of such criteria, particularly those with the words "help to" I do not find unduly restrictive on design.
- 3.6.3 I do share the concern of the objector about the word "respects" in criterion a). I believe the word **compatible** would be more appropriate. Although "respects" means to have regard for, **compatible** accepts that a proposal although different might still combine in harmony with other buildings nearby.. With national guidance on higher densities it may well be that the form, layout and appearance, of housing development in particular, will be different from that adjoining. I find the remainder of the criteria to be based on national guidance with the exception of criterion f). I have had no detailed evidence before me either in writing or at Inquiry about Supplementary Planning

Guidance but it seems to me that if the Council has adopted it, this information should be mentioned in the policy so that those reading the Plan are aware of it. (119.14)

- 3.6.4 The Council has proposed a new criteria g) in Policy GEN2 in the Revised Deposit Draft of the Plan to help reduce waste and encourage recycling. The more detailed design matters mentioned by the objector are a matters which should be dealt with in Supplementary Planning Guidance. (222.2)
- 3.6.5 I believe the changes suggested are too detailed for a general policy. They could either be dealt with in the Environment Chapter or Supplementary Planning Guidance (227.1)
- 3.6.6 From my reading of the objections, some consider the criteria too strict, others consider them too ambiguous. As this is a general policy it is likely, as mentioned in revised paragraph 3.5, that certain criteria will need to be followed up by Supplementary Planning Guidance. Apart from the modifications I have suggested above, I find the wording acceptable. (73.5)
- 3.6.7 In my view the original wording of criterion c) was very restrictive and made no mention of all who occupy buildings. As the revised wording covers the needs of all potential users there can be no social exclusion by design. (212.14)
- 3.6.8 It seems to me that to encourage or promote are much the same, as "promote" means to urge or advocate which are ways of encouragement. I see no reason for change. Supplementary Planning Guidance is expected to provide greater guidance on the importance of Lifetime Homes. (212.13)

RECOMMENDATION

- a) **Modify the Plan by adding criterion h) "*it minimises the environmental impact on neighbouring properties by appropriate mitigating measures*"**
- b) **Replace "respects" with "*compatible*"**
- c) **Refer to Supplementary Planning Guidance if it is to be used to support policy.**

3.7 PARAGRAPH 3.7

The Objection

149.9 Great Dunmow Town Council

3.7 is a complete nonsense as area GD4 in Great Dunmow is within the flood plain. Flood plains as defined by the Environment Agency need to be reassessed as they are based on flood levels from 1947 and many flood plains have now changed or increased in size.

Inspectors Reasoning and Conclusions

- 3.7.1 I had no detailed evidence before me at Inquiry about flooding but according to the latest indicative floodplain maps of 1999 site GD4 is outside the area likely to flood. The proposed allocated site would, therefore, comply with paragraph 3.7.

RECOMMENDATION

Make no modification to the Plan in response to this objection.

3.8 REVISED DEPOSIT
NEW PARAGRAPH 3.8

The Objections

121. 21 Stansted Airport Ltd

Redraft to read "surface water disposal from developments must, where practicable take place on site using appropriate and acceptable methods, including soakaways. Need to identify for larger or development requiring other approved methods of surface water disposal

240.3 (Objection conditionally withdrawn) Essex Wildlife Trust

Insert wording "include sustainable urban drainage systems or " directly after "where practicable" in the first line of para 3.8.

This new para should include direct reference to SUDS. All new developments should strongly consider inclusion of environmentally friendly surface water disposal. Massive benefits to ecology and quality of life are the two main spin offs.

U.D.C. is proposing an additional change to paragraph 3.8 to read:

Surface water disposal from developments must, where practicable take place on site ~~for example in the form of~~ using appropriate and acceptable methods, including soakaways.

Inspector's Reasoning and Conclusions

- 3.8.1 The Council has agreed with the objector's wording on surface water disposal. This will provide the flexibility required. (121.21)
- 3.8.2 There is no mention made at present of SuDs and there have been a number of representations on this matter. Although the detail can be included in Supplementary Planning Guidance I consider that specific mention should be made of SuDs in the Plan. The Council has proposed an additional change to paragraph 3.5 to include this. (240.3)

RECOMMENDATION

- a) **Modify paragraph 3.5 in accordance with the additional change proposed by the Council in its response to the objection to include the sentence "Development in accordance with the SPG will be expected to**

minimise waste generation and enable recycling and also to incorporate design measures aimed at minimising water consumption and encouraging sustainable drainage systems, conservation and re-use of grey water”.

b) **Modify paragraph 3.8 in accordance with the proposed additional change highlighted above.**

3.9 REVISED DEPOSIT NEW PARA 3.9

227.26 The Environment Agency

The EA is in general opposed to the culverting of watercourses because of the adverse ecological and flood defence effects likely to arise. Proposed developments above or very close to culverted watercourses will generally not be permitted. De-culverting watercourses is encouraged by the EA. Development should not cause unacceptable detriment to the environment or affect habitat along the river corridor. Developments within 9m of the river corridor will not be permitted unless there are exceptional or functional purposes and the development does not have an adverse effect on the river corridor environment. Development within 9m of a watercourse will require Land Drainage Consent from the Environment Agency.

Inspector's Reasoning and Conclusions

3.9.1 Apart from the reference to the culverting of watercourses In my view these flood protection matters are too detailed for inclusion in the Plan and should be part of Supplementary Planning Guidance. (227.26)

RECOMMENDATION

Make no further modification to the Plan in response to this objection.

3.10 POLICY GEN3 – FLOOD PROTECTION

The Objections

119.15 Proto Limited

The policy itself should include the definition of "high potential risk" it should also recognise that development schemes will often incorporate appropriate measures to address the risk of flooding. The first line of the policy should state " in areas subject to a 1 in 100 year flood risk, residential" and the last line should read "measures incorporated in the proposed development or otherwise secured by condition or planning obligation".

149.1 Great Dunmow Town Council

The policy should state "in areas with a high potential risk of flooding residential, commercial and industrial development will not be permitted". The statement that in other areas development will not be permitted if it would increase the risk of flooding as a result of changes in surface water run off unless that risk can be reduced to

acceptable levels through measures secured by condition or planning obligation needs to be more precise and certain criteria must be met.

If an area is known to flood no development of any sort should be permitted. To state that adequate flood defences must be provided if such areas are developed and that it must be designed to resist flooding and finally that suitable warning and evacuation procedures must be in place is totally unacceptable. As a result of climate change we are advised that flooding will become more widespread. There should be no exceptions as by making exceptions it could endanger life and cause severe damage to property resulting in property owners being unable to obtain insurance. Flood plains as defined by the Environment Agency need to be reassessed as they are based on flood levels from 1947 and many flood plains have now changed or increased in size.

208.5 (Objection conditionally withdrawn) English Nature

Where development is exceptionally permitted we recommend that provision of compensatory capacity should be a requirement. The second part of the policy ("In other areas of development...") addresses the scope for mitigation through planning conditions/obligations and this approach should apply to "exceptional" development also.

Criteria a) to c) do not mention the need to maintain flood capacity within flood plains. This policy provides a link between development and biodiversity which needs to be clearly stated. Recommend that the creation of such habitats should feature in measures to maintain the flood capacity of floodplains following essential development.

227.8 Environment Agency

Suggested addition to existing surface water run off section of the existing Policy set out in full in representation.

PPG25 states that Sustainable Drainage Systems (SuDS) should be included in Local Plans. SuDS involves controlling surface water runoff by softer engineering solutions that are closer to their natural drainage regimes and help to promote wider environmental objectives as well as reducing flood risk.

227.7 (Objection conditionally withdrawn) Environment Agency

Amended policy and new supporting text suggested and set out in full in representation. Environment Agency Indicative floodplain Maps should be included as part of the plan (or as SPG) to highlight areas at risk and act as a trigger for a flood risk assessment.

Recommend an amended policy in light of the recent publication of the final version of PPG25 Development & Flood Risk. The guidance that all local authorities and developers should now be working to.

229.1 Chelmsford Borough Council

Identify flood plains or areas of flood risk in Plan.

Para 51 of PPG25 advises that indicative flood plains or areas of flood risk should be identified within local plans. The information is important in informing development control. The catchment of the River Chelmer includes land within Uttlesford and as such there is the potential that development could have an effect on land downstream that lies within the Chelmsford area.

UDC Proposed Change to Policy GEN3

Policy GEN3 – Flood Protection

~~In areas with a high potential risk of flooding, residential, commercial and industrial development will not be permitted unless a particular location is essential. If such development is exceptionally permitted, the following must all apply:~~

- ~~a) Adequate flood defences must be provided;~~
- ~~b) It must be designed to resist flooding; and~~
- ~~c) Suitable warning and evacuation procedures must be in place.~~

~~In other areas development will not be permitted if it would increase the risk of flooding as a result of changes in surface water run off, unless that risk can be reduced to acceptable levels through measures secured by condition or planning obligation.~~

Within the functional floodplain, buildings will not be permitted unless there is an exceptional need. Where existing sites are to be redeveloped, all opportunities to restore the natural flood flow areas should be sought. Within areas of the floodplain beyond the settlement boundary, commercial, industrial and new residential development will not be permitted. Subject to the outcome of a flood risk assessment and the suitability of the flood mitigation and management measures proposed, other developments will be permitted.

Within areas of flood risk, applications will be accompanied by full flood risk assessments setting out the level of risk posed to the proposed development throughout its lifetime, and the effectiveness of flood mitigation measures proposed.

Within flood risk areas within the settlement boundary, development will normally be permitted, subject to the conclusions of a flood risk assessment and the suitability of the flood mitigation and management measures proposed.

Objections received in response to proposed change

214.4 Thames Property Services

Amend GEN3 to reflect advice in Para 23 of PPG25 which permits development of essential transport and utilities infrastructure in the flood plain. By the necessity to be close to rivers some sewage water treatment works are located within the floodplain and it is likely that some operational development will be required to cater for growth and to meet new treatment standards.

227.27 The Environment Agency

Support the revised flood protection policy, which is now in line with PPG25 so we withdraw our original objection. Suggest minor wording to the policy in the form of re-ordering and some additions/deletions. Object to currently proposed policy. Alternative wording suggested

U.D.C. is proposing further change to Policy GEN3

Within the functional floodplain, within and beyond Settlement Boundaries buildings will not be permitted unless there is exceptional need. **Developments that exceptionally need to be located there will be permitted, subject to the outcome of a flood risk assessment.** Where existing sites are to be redeveloped, all opportunities to restore the natural flood flow areas should be sought.

Within areas of the floodplain beyond the settlement boundary, commercial, industrial and new residential development will not be permitted. Subject to the outcome of a flood risk assessment and the suitability of the flood mitigation and management measures proposed, other developments will be permitted.

Within areas of flood risk, applications will be accompanied by full flood risk assessments setting out the level of the risk posed to the proposed development through its lifetime, and the effectiveness of flood mitigation measures proposed within the settlement boundary, development will normally be permitted where the conclusions of a flood risk assessment demonstrate an adequate standard of flood protection.

Within flood risk areas within the settlement boundary, development will normally be permitted, subject to the conclusions of a flood risk assessment and the suitability of the flood mitigation and management measures proposed.

Outside flood risk areas development must not increase the risk of flooding through surface water run-off. A flood risk assessment will be required to demonstrate this. Sustainable Drainage Systems should also be considered as an appropriate flood mitigation measure in the first instance.

For all areas where development will be exposed to or may lead to an increase in the risk of flooding applications will be accompanied by a full Flood Risk Assessment (FRA) which sets out the level of risk associated with the proposed development. The FRA will show that the proposed development can be provided with the appropriate minimum standard of protection throughout its lifetime and the effectiveness of flood mitigation measures proposed.

Inspector's Reasoning and Conclusions

- 3.10.1 Policy GEN3 has been re written to accord with Environment Agency advice. Also paragraph 3.6 in the supporting text describes high potential risk. I consider that together with Supplementary Planning Guidance on areas liable to flood, the Plan will comprehensively cover flood risks. (119.15)
- 3.10.2 In my view the wording of Policy GEN3 now incorporates the latest national guidance and advice from the Environment Agency. The policy takes the realistic approach that within a settlement sites at flood risk may be developed if satisfactory mitigation measures can be taken. This can only be determined following a full flood risk assessment required by the policy. (149.1)(214.4)
- 3.10.3 See paragraph 3.10.2 above. The Council has also added a sentence to Policy GEN7 to ensure that the creation of new habitats will be sought if development would have a harmful effect on wildlife. (208.5)
- 3.10.4 The Council has rewritten Policy GEN3 to accord with national guidance in Planning Policy Guidance No. 25 – Development and Flood Risk - and the advice of the Environment Agency. More detailed requirements will be included in Supplementary Planning Guidance. (227.8) , (227.7)
- 3.10.5 Paragraph 51 of Planning Policy Guidance No. 25 advises that areas of flood risk should be shown on local plans where specific policies are to be applied. Otherwise, the latest version of indicative flood plain maps, including the

extreme flood line, can either be provided as technical support for the local plan or in Supplementary Planning Guidance. The Council proposes to include it in SPG which is more adaptable to change. Paragraph 3.6 now defines high potential risk. I consider the objection has reasonably been met by the changes (229.1)

3.10.6 Policy GEN3 accepts buildings in the flood plain if there is exceptional need. I do not consider a local plan policy needs to go into detail about exceptions or repeat the details of national guidance.

3.10.7 See paragraph 3.10.2 above. The new wording of the Policy incorporates the advice of the Environment Agency on flood protection, and accords with advice in Planning Policy Guidance No. 25. (227.27)

RECOMMENDATION

Make no further modification to the Plan in response to these objections.

3.11 POLICY GEN4 – GOOD NEIGHBOURLINESS

The Objections

100.1 Mark Liell and Son

101.1 Mr and Mrs D.J. Coleby

Please enhance and reinforce need to avoid detriment of the visual amenity of residential properties when considering employment uses (ground extraction/landfill sites) in the countryside. Would like to see policy inserted preventing the working boundaries of the existing Elsenham Extraction/Landfill sites being altered or extended.

Concerned that Bretts/Smiths who operate/own the Elsenham quarry (sand extraction) and landfill site will shortly commence promotion for an extension of the existing consents onto land close to/approaching Pledgdon Green. We are therefore supportive of policies GEN4, GEN8 and the protective wording of E3 and E4 but would like reference to the need for visual amenity to be maintained.

119.16 Proto Limited

Delete policy - it is not appropriate to have a policy that is phrased as prescriptively as this. To have a development plan policy presuming refusal of permission to any development where any of these adverse affects arise is inappropriate. The factors should not have development plan policy status but regard should be had to them, either as other material considerations or in more general terms as criteria within other relevant policies. For example in determining the appropriate location to make an allocation for uses that create the effects in criterion A) or in determining applications for such uses, the plan will or should, have appropriate policies in place. Criterion b) is addressed by GEN2

156.5 Saffron Walden Town Council

A third clause should be added c) the proximity to boundary fences should be a material consideration in providing extensions. The Town Council are concerned at the number of planning applications where extensions are built right up to the boundary. In certain circumstances this can lead to a terracing effect where none was intended on the original design.

UDC Proposed Change to Policy GEN4

Policy GEN4 - Good neighbourliness

Development will not be permitted if it would adversely would have a materially adverse affect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of any of the following:

- a) noise, vibration, smell, dust, light , fumes, electro magnetic radiation, exposure to other pollutants;
- b) loss of privacy, loss of daylight, overbearing impact or overshadowing.

The Objections received in relation to the proposed change

121.22 Stansted Airport Ltd

Objection raised through lack of defined criteria against which material adverse effect can be judged. Inclusion of undefined term increases deficiency

Inspector's Reasoning and Conclusions

3.11.1 The objector's concern is about the proposed expansion of an existing quarry and its impact on visual amenity. It seems to me that Policy GEN4 which covers good neighbourliness and Policy GEN8 which protects countryside character are sufficiently robust to protect amenity. I have no evidence before me from the Council about the future of the quarry so I am unable to assess whether a site boundary should be defined. I would expect the Council to deal with any proposal to expand the existing quarrying operation through the development control process. (100.1) (101.1).

3.11.2 The policy as now rewritten refers to a "materially averse" effect (with the rephrasing, "effect" should be substituted for "affect") which gives a greater degree of flexibility and no longer has a presumption of refusal where any adverse effects occur. However, I share some of the doubts of the objector about this policy on Good Neighbourliness and the inclusion of criterion b) as this should form an integral part of Policy GEN2 – Design. I do not consider a "good neighbour" general policy which deals with nuisance to be unacceptable but from the evidence I am not aware of the extent of "bad neighbour" development locally and can only suggest a general policy such as:

"Development and uses, whether they involve the installation of plant or machinery or not, will not be permitted where:

- a) noise or vibration generated or
- b) smell, dust, light, fumes, electro magnetic radiation, exposure to other pollutants would cause material disturbance or nuisance to occupiers of surrounding properties.

If this is an appropriate policy for Uttlesford it could be included. (119.16).

3.11.3 I consider that detailed advice and criteria about house extensions should be included in Supplementary Planning Guidance and should not form part of a local plan policy. This is the approach taken by the Council. (156.5)

3.11.4 See paragraph 3.11.2 above.

RECOMMENDATION

- a) **Modify Policy GEN4 by transferring criterion b) to Policy GEN2**
 - b) **Consider the suggested alternative wording for Policy GEN4 if appropriate to the needs of Uttlesford.**
-

3.12 POLICY GEN5 – LIGHT POLLUTION

The Objections

10.4 National Trust

Para 3.8 should end with the words “.....by careful specification”

The National Trust supports policy GEN5 but the text of para 3.8 should be amended. We do not believe that the tranquility and darkness of the countryside should be sacrificed, even exceptionally

119.17 Proto Limited

Delete Policy - It is not appropriate to have a policy on this issue that is phrased in this prescriptive way. The balance between what may be appropriate to meet security and safety objectives and the effect on the environment must be a matter of judgement in each individual case. It is inappropriate that a conflict with development plan policy might arise due to the subjective interpretation of this balance. Regard, should however, be had to these factors either as other material considerations or in more general terms as criteria to be taken into account within other relevant policies.

164.3 Bellway Homes

The Policy should be deleted - GEN 5 is very general in nature despite the fact that it is seeking to address a particularly detailed technical issue. Its application in regard to specific proposals seems rather over-zealous towards almost the elimination of light in respect to any development. Such matters are best dealt with in a more balanced fashion through the appropriate considerations of a detailed submission. Furthermore it potentially conflicts with the standards adopted by other organisations (e.g. the highway authority), which have ultimate responsibility for such matters.

218.17 (Objection withdrawn) Saffron Walden Friends of the Earth

Amend the first sentence of the policy to read major development will be conditioned to ensure that any lighting scheme meets the following criteria.

219.3 English Heritage

Add c) The lighting does not detract visually from the character of the historic building or conservation area.

Inspector's Reasoning and Conclusions

3.12.1 I consider it to be a fact of planning and everyday life that exceptions may be necessary particularly with the diversification of the countryside, the need for security measures, and the need to provide sports facilities both in and outside of urban areas. These may all have an impact on the countryside. (10.4)

3.12.2 Light pollution is becoming a greater problem for the countryside and the Council has recognised this in formulating its policy. Although the control of light pollution could be included in a Good Neighbour policy the effects of it can extend to a wider area than a "neighbourhood." I do not believe the policy is over zealous in that the supporting text clearly identifies the circumstances where lighting may be necessary. (119.17) (164.3)

3.12.3 Any development affecting listed buildings is dealt with under Policy ENV2 and does not need to be repeated in a general policy. (219.3)

RECOMMENDATION

Make no modification to the Plan in response to these objections

3.13 PARAGRAPH 3.8

The Objections

218.18 Saffron Walden Friends of the Earth

Amend Para from 3rd sentence to read "This often harms the amenities of nearby residents and so conditions will be imposed to ensure careful specification of light fittings and impose time limits on their use. There may be circumstances where the importance of facilities to sport development is judged to outweigh the visual impact on the character of the countryside

UDC proposed change to paragraph 3.8

REVISED DEPOSIT
PARAGRAPH 3.10 LIGHT POLLUTION

Light Pollution

There is a potential conflict between keeping lighting to a minimum as part of protecting the character of the countryside, maintaining the visibility of the night sky, and security and safety objectives. Lighting can also extend the opportunity for outdoor sport activities in the winter months when there is limited daylight. This conflict can be resolved to some extent by careful specification **and the use of the best available technology**, but there may be circumstances where, for example, the

importance of facilities to sport development is judged to outweigh the effect on the countryside.

The Objections

119.56 Proto Ltd

Amend text to refer to "appropriate" technology

The use of the "best available" technology is an excessive requirement

121.23 Stansted Airport Ltd

Reword to read "the use of best available technology not entailing excessive costs"

Lack of definition as to extent to which best available technology should be sought and applied

U.D.C is proposing a further change to Revised Deposit Paragraph 3.10

Third sentence to read:

This conflict can be resolved to some extent by careful specification and the use of the best available technology where the cost is proportionate to the benefit, but there may be some circumstances.....etc

Inspector's Reasoning and Conclusions

3.13.1 I do not consider that the additional wording suggested is necessary because criteria a) and b) would be enforced by condition if required as a normal part of the development control process. It might help to include the words after "The level of lighting, **and its period of use**, is the..." in criterion a).

3.13.2 By altering the supporting text in paragraph 3.10 to include the words "where the cost is proportionate to the benefit" I consider these objections have been reasonably met. (119.56)(121.23)

RECOMMENDATION

a) **Modify criterion a) of Policy GEN5 by adding after** "The level of lighting, the words **and its period of use**, is the....."

3.14 POLICY GEN6 – MITIGATION OF IMPACTS

The Objections

15.4 Swindlehurst,

Insert after "transportation provision" in line 3 the words "including walking and cycling"

93.3 Hastoe Housing Association/Springboard HA

Affordable housing should not be subject to this policy. Affordable housing should be included in the list of requirements. There should be recognition in this policy that the provision of affordable housing is itself a community benefit. It is not appropriate for

eg for schemes for affordable housing to be expected to contribute towards local education provision, when the residents are local. Moreover, when negotiating necessary planning benefits with developers, it should be made clear that affordable housing is the priority.

118.1 Bryant Projects

Add the following to Para 3.9 "reflects the level of demand its scheme would generate and will set out its programme and commitment to operating public services for which such contributions may be made. Contributions may be applied...."

The community recognises its obligation to make appropriate contributions to the range of community and infrastructure pre requisites made necessary by proposed development. As many of the facilities to which development will be expected to contribute are managed and operated by the statutory authorities the District and County Council in particular the plan should provide a commitment from the District Council that it will seek to ensure that facilities which are provided or to which contributions are obtained will be provided and properly maintained by the public authorities.

119.18 Proto Limited The policy needs to be redrafted to clearly and accurately reflect the guidance in circular 1/97. The level of contribution sought must reasonably relate to the development permitted and be necessary to mitigate the effects it has on that aspect of service provision. The implicit suggestion in the supporting text of a formula to determine the scale of contribution is inappropriate bearing in mind the advice in circular 1/97. Contributions should be held in reserve to address impacts that may arise in the future (other than those specifically assessed as likely to arise at the time of determination) Redraft policy to state: in determining applications for planning permission regard will be had to the need for public and physical infrastructure and the extent to which provision is to be made in terms of it reasonably relating to the development being permitted and being necessary to mitigate the effects it has on that aspect of the service provision. Redraft supporting text " they are required" in lines 3 and 4 of paragraph 3.9 and replace with practicable. Delete the fourth and sixth sentences.

164.4 Bellway Homes The policy needs to be reworded to ensure that there may be circumstances where the full "shopping list" of contribution is not sought given particular planning gains that may arise from matters such as environmental improvement or severe contamination issues. The nature of GEN6 makes no reference to the need for balance to be introduced when, for example dealing with brownfield sites where the environmental gain of removing a particular noxious use may outweigh the need for a particular planning obligation. In this instance the long list of contributions being sought by this policy would need to be reassessed in the light of the unique circumstances of a particular site

204.3 (Objection conditionally withdrawn) Essex County Council

Add 'including consideration of public rights of way' to the end of the first sentence of policy GEN6. Add 'Improvements to public paths will be sought where appropriate and secured by planning agreements.' to the end of paragraph 3.9. It must be made clear that there is a duty to consider public paths as part of the development process and to protect and enhance the network.

208.6 (Objection conditionally withdrawn) English Nature

Suggest that the subject matter (service or infrastructure provision) needs to be reflected in the policy's title. The policy appears to deal specifically with the effects of development upon service provision. The title on the other hand is rather general and might be taken to apply to a wide range of development impacts.

214.2 Thames Water Property

Whilst GEN6 is supported in principle it is considered that it does not go far enough in relation to ensuring that the necessary infrastructure to service development is made available. New Policies suggested.

218.20 (Objection withdrawn) Saffron Walden Friends of the Earth

Amend final sentence of Policy GEN6 to read small scale developments necessitate such provision on a cumulative basis and therefore developers will be required to contribute etc Add "in accordance with national guidance" after period in the final sentence of para 3.9.

227.12 (Objection conditionally withdrawn) Environment Agency

This should include water resources, drainage (including (SuDS) and sewage disposal, and the possible phasing of development. Regard should be made to DETR C3/99 concerning foul drainage.

229.2 Chelmsford Borough Council

Include reference to sustainable urban drainage systems (SuDS) as promoted by the Environment Agency

220.1 Essex County Council, Learning Services

Would like to see reference to a planning policy which specifies that school provision will be taken into account, if this is justified as a direct consequence of the new development and that the appropriate level of developer contribution will be sought for this purpose. I.e. land and/or money for the construction of the extension to an existing school or the provision of a new one. Refer to Structure Plan policy BE5.

UDC Proposed change to policy GEN6

Policy GEN6 – Mitigation of Impacts – **Infrastructure Provision to Support Development**

Development will not be permitted unless it makes provision at the appropriate time for community facilities, school capacity, public services, transport provision, drainage and other infrastructure that are made necessary by the proposed development. In localities where the cumulative impact of developments necessitates such provision, developers may be required to contribute to the costs of such provision by the relevant statutory authority.

Inspector's Reasoning and Support

3.14.1 As Policy GEN6 relates to the provision of all forms of infrastructure to support development, and as transport provision is already included within the policy, I do not consider that walking and cycling need to be specifically mentioned. This is a policy written in general terms and, for example, the type of community facility or public service is not further defined (15.4)

- 3.14.2 This is a general policy on infrastructure provision as its title clearly states. "Infrastructure to Support Development." Affordable Housing is not part of that infrastructure it is part of the development which could, with its contiguous development, create an additional demand for infrastructure provision. I do not consider Affordable Housing should be mentioned in this general policy. (93.3)
- 3.14.3 I have dealt with a number of objections together. I consider paragraph 3.11 of the supporting text explains what is intended. However, the development Plan for the area is the Structure Plan and the Local Plan combined. It seems to me that Policy GEN6 is a repeat of part of Structure Plan Policy BE5 on Planning Obligations. It is not good practice to have a local plan policy that does not add something of substance to a Structure Plan policy. I do not consider it necessary to expand the supporting text as suggested because it merely requires contributions to be subject to negotiation. This would be a repetition of Structure Plan Policy BE5. If the Council intends to introduce Supplementary Planning Guidance on such provision it would be helpful to mention this in paragraph 3.11 (118.1)(119.18)(164.4)(204.3)(220.1)(214.2)
- 3.14.4 The title has been changed to refer specifically to infrastructure. This meets this objection which has been conditionally withdrawn. (208.6)
- 3.14.5 I have dealt with the need to include reference to SuDs at Policy GEN3 above. (227.12)(229.2)

RECOMMENDATION

Make no modification to the policy in response to these objections but if Supplementary Planning Guidance is to be adopted this should be mentioned in paragraph 3.11

3.15 POLICY GEN7 – NATURE CONSERVATION

The Objections

93.4 Hastoe Housing Association/Springboard HA

This policy is far too rigid. We do not believe there is a place for a general policy dealing with this matter. We are concerned, particularly in light of paragraph 3.10 that development could be frustrated by minimal 'wildlife' interest.

119.19 Proto Limited

Delete policy - It is noted that para 3.10 implies that this policy is not restricted to areas of identified nature conservation. As such, it may not be appropriate to demonstrate that a need for the development outweighs any harmful effects. The benefits arising from the development may be more than adequate to outweigh the harm. The policy is too uncertain as most development has some adverse effect on wildlife. Non statutory interests are an "other material consideration" and should not be given development plan policy status.

120.2 Laing Strategic Land Ltd

"Development that would have a significant adverse impact on"

The phrase "harmful effect" is too vague and could be applied to almost any development. The test should be "significant adverse impact on....."

164.5 Bellway Homes Agent

Mitigation measures are a fundamental basis for addressing nature conservation interests and this issue needs to be more appropriately addressed within Policy GEN7. Despite referring to mitigation measures in its last sentence it is our view that the policy is heavily biased towards the negative approach of assessing any new development. A balanced wording could acknowledge that there are perfectly adequate mitigating measures that can be introduced which secure and often improve the nature conservation aspects as it relates to new development.

208.7 (Objection conditionally withdrawn) English Nature

(1) Change wording to read "...Measures to mitigate and/or compensate for the potential impacts of development...". (2) Additional supporting text be inserted in the local plan.

(1) Mitigation measures will not always provide a satisfactory outcome for the protected species in question, especially where for eg, as a last resort, translocation to another suitable site is needed. In these cases compensation measures will be needed to ensure the correct management of the receptor site including monitoring.

(2) Applicants must be made aware of the stringent protection afforded to these species and the potential need to apply to DEFRA for a licence. This requirement is over and above those necessary for planning approval to be granted. [see also objection to Chapter 5 Environment]

222.4 Go-East

GEN7 could go further. It simply deals with development that would have a harmful effect on wildlife and how to minimise and mitigate the damage. However, Policy E2 of the Regional Planning Guidance for the south east shifts the emphasis towards enhancing biodiversity through positive action. This could also be reflected in the general design principles policy GEN2 and is also applicable later in the plan to Policies ENV6 and ENV7

227.13 (Objection conditionally withdrawn) Environment Agency

Suggest widening of policy to include landscape impacts and the policy should also mention biodiversity and the flagship species for the District (brown hare, skylark, and brown butterflies). Also recommend a slight rewording at the start of the second sentence so that it includes habitats specifically, and would read "Where the site includes protected species or habitats"

UDC Proposed Change to Policy GEN7

Policy GEN7 – Nature Conservation

Development that would have a harmful effect on wildlife or geological features will not be permitted unless the need for the development outweighs the importance of the feature to nature conservation. Where the site includes protected species or habitats suitable for protected species, a nature conservation survey may will be required. Measures to mitigate and/or compensate for the potential impacts of development, secured by planning obligation or condition, will be required. The creation of appropriate new habitats will be sought.

Inspector's Reasoning and Conclusions

- 3.15.1 The Environment Built and Natural Chapter deals with recognised sites of importance but does not deal generally with the need for Nature Conservation. I do not share the view that a general policy on Nature Conservation is not necessary. I am, however, concerned about two aspects of the policy as written.
- 3.15.2 The first is that many developments of greenfield sites and even brownfield sites which have been left derelict would have a harmful effect on wildlife, but unless there was "significant" harm the need for the development would outweigh the harm to minimal wildlife interest. The second is that unless there was "significant harm" it is unlikely that a refusal of planning permission could be justified on Nature Conservation grounds. It would, therefore, better reflect what is likely to happen if the word **significant** were inserted before the word "harmful." The Council has proposed revised wording on mitigation and compensation to provide extra flexibility.
- 3.15.3 I do not consider that a general policy should mention specific flagship species but a reference to positive enhancement through biodiversity would be appropriate.(93.4)(119.9)(120.2)(208.7)(227.13)(222.4)(164.5)

RECOMMENDATION

Modify by:

- a) Inserting the word *significant* before "harmful" in Policy GEN7
- b) Inserting the words *enhancement through biodiversity* after "appropriate new habitats" in the last sentence of the policy.

3.16 POLICY GEN8 – REINFORCING COUNTRYSIDE CHARACTER

The Objections

93.5 Hastoe Housing Association/Springboard HA

Policy is too rigid. The test must be whether or not harm is caused.

119.20 Proto Limited

Delete policy - it is too restrictive. Development in or adjacent to the countryside that occurs to meet specific needs will undoubtedly have a visual impact on the countryside. It will usually not be able to "protect or enhance" the character of the countryside. This is an inappropriate test. The policy should be deleted, Whilst visual impact on the countryside may be an "other material consideration" or a criterion that should be had regard to it is not appropriate for a plan policy to restrict development in this way

159.3 Widdington Parish Council

The policy does not go far enough There are too many unlessees. The Countryside should be protected full stop ie development having a visual impact on the countryside should not be permitted.

213.10 CPREssex

CPREssex notes with some alarm that the Plan includes no reference to the currently still valid policy on areas of special landscape value and there is no explanation for the disappearance of this designation. Council should include explanations of the changes to make clear that the relevant areas have not lost their protection and to formulate a policy that will cover protection in the interim period. We feel that general protection given by the Adopted Plan Policy C2 has been withdrawn and we therefore object to its omission.

Inspectors Reasoning and Conclusions

3.16.1 To my mind the reinforcement of countryside character is an integral part of Countryside Policy S7. The supporting text in paragraph 3.13 could be incorporated into paragraph 3.3 and Policy GEN8 included at the end of Policy S7. However, I find the wording of Policy GEN8 inflexible in that if a development *needs to be* in the countryside there are circumstances where it may not be possible to protect or enhance the countryside from visual intrusion. Any development is likely to have some kind of visual impact on the countryside. I consider the policy should be modified as follows:

Delete “in or having a visual impact on the countryside” from the policy and add to the end “*or there are special reasons why the development in the form proposed needs to be sited in a particular sensitive location*”. (93.5)(119.20)(159.3)

3.16.2 The only evidence I have is that the County Council did not intend that Areas of Special Landscape Value should be carried forward into new local plans, and that landscape character assessments will be used to give a more detailed analysis of parts of the countryside. Countryside Design Statements might be helpful, but I have no detailed evidence before me on the matter. Also see 3.17 below. (213.10)

RECOMMENDATION

Delete Policy GEN8 and incorporate the supporting text of paragraph 3.13 into paragraph 3.3. Delete “in or having a visual impact on the countryside” from the policy and add to the end “*or there are special reasons why the development in the form proposed needs to be sited in a particular sensitive location*”. Then add as an additional sentence to Policy S7.

3.17 PARAGRAPH 3.11

The Objections

191.3 East of England Tourist Board

Inclusion of a paragraph recognising landscape character with reference to the Countryside Agency's Zones would address the concerns stated and ensure that Uttlesford's distinctive characteristics are retained.

Inspector's Reasoning and Conclusions

3.17.1 I have no evidence before me about the present state of character assessments that would normally be part of the input into the Structure Plan as part of a national framework. Whether there is any information available to the District Council about such zones that could be incorporated into the local Plan is a matter I have to leave to the Council

RECOMMENDATION

Make no modification to the Plan in response to this objection

3.18 POLICY GEN9 – VEHICLE PARKING STANDARDS

The Objections

92.5 (Objection withdrawn) Old Road Securities, Audley End Estates

Policy GEN9 should be updated in line with PPG13 and the Essex Planning Officers Association Vehicle Parking Standards August 2001 providing different parking standards for different size dwellings.

93.6 Hastoe Housing Association/Springboard HA

Rather than a rigid policy which assumes private and affordable housing standard should be same, we suggest that the amount of car parking proposed by a housing association in a particular scheme should be viewed as appropriate unless there are sound reasons to indicate otherwise.

The parking standards must recognise (as suggested by PPG13 and C6/98) that car ownership rates, including those for affordable housing households, must be taken account of.

119.21 Proto Limited

Amend B1/B2/B8 cycle standards to 1 per 200m² for staff with no additional provision for visitors

Whilst this policy is generally supported as well as the vehicle parking standards at Appendix 1 (since they are set at an appropriate level given the locational and accessibility issues affecting Uttlesford) The cycle parking standards for the three business classes is excessive

122.1 (Objection withdrawn) Sainsbury's Supermarkets Ltd

Seek more flexible standard - PPG13 Annex D: Maximum Parking Standards proposes 1 space per 14m² for stores of 1,000m² or more. This standard is not set

out in the emerging local plan nor is there any adequate explanation why food stores are not identified as a sub category of A1 uses. Curiously cash and carry and other retail warehouses are and garden centres are proposed to have the same parking standards as other A1 uses i.e. 1 space per 20, The reason for seeking a more flexible maximum standard is to strike the right balance between encouraging new investment in town centres by providing adequate car parking and potentially increasing traffic congestion (para 56 of PPG13)

156.7 Saffron Walden Town Council

First two sentences of 3.12 should be amended to read. "a realistic approach is needed. Whilst acknowledging the need to tackle the growing problem of traffic emissions and road congestion, encourage efficiency in the use of fossil fuels and making it easier to walk or cycle for local short distance trips, nonetheless the Council believe that as much off street parking as is possible should be provided in this very rural area. The Town Council does not believe that in a rural area where people have to be dependant on a car that developers should be urged to discourage unlimited car park provision.

204.4 (Objection conditionally withdrawn) Essex County Council

Policy GEN9 and Appendix 1 need clarifying to bring them into conformity with Replacement Structure Plan Policy T12, the Vehicle Parking Standards Supplementary Planning Guidance produced by the Essex Planning Officers Association and PPG13. Amend GEN9 to :- Development will not be permitted unless the number, design and layout of vehicle parking places is appropriate for the location, as set out in Supplementary Planning Guidance "Vehicle Parking Standards", a summary extract of which is reproduced in Appendix 1 to this Plan. In Appendix 1 add "Maximum" to the heading of the Vehicle Spaces column and add "minimum" to the headings of the Cycle Spaces and Powered Two Wheeler Spaces columns.

212.4 (Objection withdrawn) Uttlesford Area Access Group

Add criteria. Spaces should be located in areas which are easily accessible and clearly visible. They should preferably be located within the curtilage of dwellings. Where this is not possible or appropriate because of the form of type of development or where this would substantially compromise the design or layout of a scheme such assigned spaces should be located as close as possible to the relevant dwelling and be clearly marked. Guidance on the amount of parking provision that should be supplied for disabled people is outlined in the DETR's Traffic Advisory Leaflet 5/95 - Parking for Disabled People

217.2 Pelham Homes Limited

An appropriate justification needs to be given in view of the guidance in PPG3 which appears to be absent at present. LPA makes no reference to parking standards as set out in PPG3 or PPG13 for residential development of a 1.5 maximum average. Instead it appears to dictate parking standards to the developer for residential development at a traditional rate. GEN 9 also states that development will not be permitted unless the number of vehicle parking spaces is adequate for the location as set out in Appendix 1. PPG13 states that LA's should not require developers to provide more spaces than they themselves wish, other than in exceptional circumstances which might include for example where there are significant implications for road safety which cannot be resolved through the introduction or enforcement of on-street parking controls.

UDC proposed amendment to Policy GEN9

Policy GEN9 – Vehicle Parking Standards

Development will not be permitted unless the number, design and layout of vehicle parking spaces–places proposed is adequate appropriate for the location, as set out in Supplementary Planning Guidance “Vehicle Parking Standards” a summary extract of which is reproduced in Appendix 1 to this Plan.

Inspector's Reasoning and Conclusions

- 3.18.1 I find the revised wording of the policy to be acceptable and objectors are raising the issue about the standards adopted and contained in Appendix 1 rather than to the policy itself. It seems to me that the standards have been revised on the advice of the County Council to conform with Replacement Structure Plan Policy T12, the Vehicle Parking Standards Supplementary Planning Guidance produced by the Essex Planning Officers Association and PPG13. Whether the standards could be refined further would depend on local knowledge and local survey information, but presumably this was available to the Essex Planning Officers Association in formulating the standards proposed.

RECOMMENDATION

Make no modification in response to these objections but modify Policy GEN9 as proposed by the Council and highlighted above.

3.19 NEW GENERAL PLANNING POLICY - COMMUNITY GAIN

71.1 Walford

There should be a new policy GEN10 on community gain. Concepts of what is reasonable or acceptable have moved on. Where an application for development is made the applicant may be requested to incorporate into his scheme or otherwise to take measures which will provide community gain, whether by providing additional services or facilities or by diminishing any adverse environmental impact experienced by reason of prior development on that or adjoining land within the same control especially where changes in custom, practise, technology or materials means that such measures could bring significant improvements in amenity for neighbouring property.

Inspector's Reasoning and Conclusions

- 3.19.1 National guidance about planning gain, the availability of planning obligations and the imposition of conditions, to secure mitigation measures is already available in government circulars. This procedure has to be followed. There is already a general policy in the Plan, Policy GEN6 which makes it clear that development will not be permitted unless provision is made to

mitigate impacts by the provision of appropriate infrastructure. Other mitigation measures to protect amenities of neighbours can be achieved by the use of planning conditions under the development control procedure. I do not consider a further general policy would make controls any firmer.

RECOMMENDATION

Make no modification to the Plan in response to this objection

3.20 NEW GENERAL PLANNING POLICY – HABITAT CREATION

The Objection

206.8 (Objection withdrawn) Walker, Uttlesford LA21 Group2

Proposed nature conservation policies do not comply with para 15 of PPG9. Insert new GEN policy "All new development will be required, where possible to provide for the retention of existing habitats and wildlife features and to create appropriate new habitats".

Inspector's Reasoning and Conclusions

3.20.1 Objection withdrawn

RECOMMENDATION

No recommendation

3.21 NEW GENERAL PLANNING POLICY - WATER EFFICIENCY

The Objection

227.3 (Objection conditionally withdrawn) Environment Agency

Strongly recommend the inclusion of a specific policy promoting water efficiency measures, particularly with regard to large-scale housing developments where the expectations should be that such measures would be adopted.

Due to Uttlesford's location within one of the most severely constrained areas for water resources in the country, with risk of rising demand exceeding supply for much of Essex, every opportunity should be taken to build water efficiency into new developments, and innovative approaches should be encouraged.

Inspector's Reasoning and Conclusions

3.21.1 The Council has included a criterion in Policy GEN2 – Design - on minimising water consumption and has agreed to include water efficiency matters in Supplementary Planning Guidance supporting the policy

RECOMMENDATION

Make no further modification to the Plan in response to this objection but include provisions in Supplementary Planning Guidance.

4. CHAPTER 4 - ECONOMIC ACTIVITY

4.1 PARAGRAPH 4.1

The Objections

163.3 (objection withdrawn) Mantle Estates Limited

It is considered particularly important that a range of opportunities is available throughout the District and that alternative employment exists other than in the concentration "on airport at Stansted". Whilst generous provision for employment activities is made within the airport development boundary, practically no provision is made beyond that boundary for important economic activity which arises in connection with the airport but not directly related to its aviation activities. Stansted Distribution Centre has already demonstrated that it can help meet these important requirements. Whilst the objection site extension to Stansted Distribution Centre will be available to all comers its location means that it can in a small way help to meet the demand arising from businesses directly associated with the airport.

119.22 Proto Limited

Add in the first objective “good quality”, after “enough” and add a fifth objective stating “to secure continued economic growth through recognising Stansted's potential in economic and accessibility terms”

A fifth objective should be added to reflect the need to secure continued economic growth and appropriately exploit the potential of the airport in economic and accessibility terms. This would include the effective accommodation of enterprises attracted into the vicinity of Stansted but not directly related to or associated with the airport itself. Technical annex B (employment) to the structure plan recognises this important factor. The first objective should also address the need for land to meet qualitative requirements.

Inspector’s Reasoning and Conclusions

- 4.1.1 The objector has suggested that “good quality” be added to the first bullet point in paragraph 4.1. It seems to me that “good quality” can be interpreted in a number of ways some unrelated to employment. The word **suitable** could be added but I do not feel strongly about it as it would be for the Council to determine “suitability” in allocating sites. In the event of the Council allocating new land for employment use which was unsuited to the purpose it would presumably not be taken up and additional land would need to be found.
- 4.1.2 Paragraph B28 of Technical Annex B of the Structure Plan mentions that some land at Great Dunmow is available to cater for enterprises attracted into the vicinity of Stansted but not directly related to the airport itself. I consider that such an allocation is covered by the second bullet point in paragraph 4.1 “to ensure that alternative employment exists other than in the concentration on airport at Stansted.” In my view to add the fifth objective as suggested by the objector would be misleading because the County Strategy has identified Harlow, outside of the district, to fulfil the strategic function of accommodating new development, (other than direct and associated employment), in connection with airport expansion. (119.22)

RECOMMENDATION

Make no modification to the Plan in response to these objections.

4.2 PARAGRAPH 4.2

The Objections

218.19 Saffron Walden Friends of the Earth

Query whether the 2.8ha stated is enough. There is already an imbalance with housing

119.23 Proto Limited

The first sentence should be rephrased so that it states: The increase in the amount of land for business uses in Uttlesford is determined in the Structure Plan
The Structure Plan does not determine that all employment land or any particular amount should be accommodated in the two largest towns.

UDC Proposed Change to Para 4.2

- 4.1. The increase in the amount of land for business uses in Uttlesford’s two largest urban areas is determined in the structure plan. It requires that the total will increase by 16 hectares by 2011. At 2000, employment areas in Great Dunmow and Saffron Walden totalled 46.76 hectares. All these figures are net site areas, and exclude major distributor roads and strategic landscape buffers. This local plan indicates where land is proposed for development so as to achieve this increase in land for business uses. The total area proposed exceeds 16 hectares by ~~2.8~~ **1.36** hectares. Some existing employment land is proposed for redevelopment by housing, and this has to be replaced.

~~There are sites committed for business parks at Great Dunmow and Saffron Walden. Both continue to be appropriate proposals. Both are on undeveloped land but there is no potential to accommodate employment development on previously developed land in Uttlesford.~~

~~Saffron Walden has reasonable potential for employment growth. Key factors are some existing high tech employment, access to the trunk road network, access to Cambridge, London and Stansted Airport, limited commuting to Cambridge, and above average living environment. Great Dunmow shares some of the same advantages. The size of the local economy in both towns is small, however, and the past growth trend sporadic. These are limiting factors.~~

~~A range of sites is needed. This will enable the high tech sector, with its greater growth potential in the longer term, to be accommodated on business park sites, as well as meeting the needs of the traditional manufacturing and distribution sectors.~~

~~Great Chesterford is one of four key rural settlements. It is the one that has the potential for further village employment growth with its existing high tech and~~

~~other employment and a suitable site with good accessibility, including public transport.~~

Inspector’s Reasoning and Conclusions

- 4.2.1 I have dealt with the Ashdon Road site, most of which is now shown as a reserve site for housing, in the Housing Chapter of the Plan, and when considering community needs in the town. There have been objections about the suitability of sites for certain employment uses, and additional sites have been suggested which I have dealt with on their own merits. However, I have had no detailed evidence before me indicating that there would be an inadequate supply of land overall for employment purposes in the main urban areas or key settlements, during the Plan period. The Structure Plan figure is exceeded, albeit by a small amount.(218.19)
- 4.2.2 As I understand the wording of the first sentence of the revised paragraph 4.2 it is a statement of fact. The strategic vision is that employment uses should be concentrated in the two larger towns. It does not say that all employment land should be accommodated in these towns and does not preclude the Council allocating smaller employment sites in key settlements, or elsewhere. Such allocations have been made. (119.23)

RECOMMENDATION

Make no modification to the Plan in response to these objections

4.3 PARAGRAPH 4.5

The Objections

163.8 (Objection withdrawn) Mantle Estates Limited

Amendment to para 4.3 "both are on undeveloped land but there are only a few small sites capable of accommodating employment development on previously developed land in Uttlesford".

It is misleading to say there is no potential to accommodate employment development on previously developed land in Uttlesford. The objection site is wholly previously developed land. Part continues in employment activities of a low grade nature based on the historic use of the site. The other part of the land further east has a chequered history of uses associated with the previous Elliotts site including storage, dumping and tipping. It is now almost wholly made up ground and the total of the site which extends to 2.1 hectares can make a small but useful contribution to the recycling of damaged land into more effective use.

219.7 English Heritage

These paras appear to suggest that existing employment sites are inappropriate for hi-tech industries. Many historic buildings are being successfully converted to accommodate such businesses. Rural districts such as Uttlesford do not need to compete with the Cambridge hi-tech cluster, but should seek to achieve sustainable mixed use schemes wherever possible which can be assimilated without damage to settlement character. The re-use of existing buildings, particularly where they are of

townscape character can be a positive catalyst to securing continued vibrancy of town centres.

UDC Proposed Change to Para 4.5 & additional para's

- 4.2. A range of sites is proposed to meet the needs of the high tech sector, with its greater potential growth in the longer term, as well as meeting the needs of office, traditional manufacturing and distribution sectors.**
- 4.3. Great Dunmow has reasonable potential for employment growth. Key factors are access to the trunk road network, access to London and Stansted Airport and above average living environment. The size of the local economy is small, however, and past growth trends sporadic. These are limiting factors.**
- 4.4. The site committed for a business park at Great Dunmow continues to be an appropriate proposal. It is on undeveloped land but there is limited potential to accommodate employment development on previously developed land in Uttlesford. The former Newton Works site is previously developed land with access to the trunk road network.**
- 4.5. Saffron Walden enjoys similar advantages to Great Dunmow along with proximity to Cambridge and existing high tech employment. However there are few suitable sites which would not impinge on the historic town environment or the surrounding open countryside. A small site is proposed as an extension to the existing Business Centre, off Elizabeth Way.**
- 4.6. The proposed extension to the Stansted Distribution Centre will bring a small parcel of despoiled land into productive use as an extension to an existing employment site.**

Objections to the Proposed Changes

72.5 Norwich Union Life and Pensions Ltd

Suggest adding to Para 4.6 "There is scope for some additional research and development facilities at Chesterford Research Park approximately 3 miles to the north of Saffron Walden" It would be helpful to refer to Chesterford Research Park in the context of employment in the Saffron Walden Area

Inspector’s Reasoning and Conclusions

- 4.3.1 Paragraphs 4.3 – 4.5 are concerned with the identification of sites to meet potential growth of the high tech sector. Whether or not existing employment sites or buildings, including listed or historic buildings, would be suitable for high tech use would be a matter to be assessed by the prospective occupier. I find no presumption in the Plan which would preclude such uses if they came forward. (219.7)
- 4.3.2 In my view it would not be appropriate to refer to Chesterford Park in paragraph 4.3 to 4.7 as these paragraphs of supporting text only relate to the Distribution of Employment Land listed in Policy E1. There is a separate Chesterford Park inset statement in the Plan.(72.5)
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RECOMMENDATION

Make no further modification in response to these objections.

4.4 POLICY E1 – DISTRIBUTION OF EMPLOYMENT LAND

The Objections

69.1 Wilcox

Delete allocation and policy SW3. Inadequate transport infrastructure - in particular Ashdon Road is a narrow residential road, which is effectively one way for much of its length. The need for the development is not proven.

86.1 Bucknell

Ashdon Road is not suitable for a business park. It is not a strategic transport route and is not very well served by public transport links and development of the site for employment uses would be detrimental to the surrounding environment, not least through heavy goods vehicle movements along narrow residential streets. There are other sites within the District that are more suitable for development as a business park both in location to transport links and also in environmental impact terms. Land at Saling airfield is proposed as an alternative to the Ashdon Road allocation in association with the development of a new settlement.

92.6 (Objection withdrawn) Old Road Securities, Audley End Estates

Replace Saffron Walden Business Park with land north east of Wendens Ambo. Paras 4.2 and 4.8 indicate a net increase of 20 ha in employment land provision beyond that required and recommended through the Structure Plan. Notwithstanding the over supply of employment land the 5.4has at Ashdon Road is not suitable for development as a business park. The Ashdon Road site is not on a strategic or major highway route. It is unsuitable for heavy goods vehicle movements via narrow residential streets. Development for larger scale employment purposes would have a detrimental impact on environmental conditions and amenity to local residents. There are other sites within the District that are more suitable for development as a business park both in relation to transport links and also in environmental impact terms. Land north east of Wendens Ambo is more suitable for development as a business park.

92.8 Old Road Securities, Audley End Estates

Re-allocate an element of land forming the Ashdon Road Business Park specifically for homeworking. Uttlesford provides a high quality environment within which people chose to live and work. Nevertheless a large number of people within Uttlesford, including Saffron Walden commute to their places of work with resulting detrimental impacts resulting from private motor vehicle journeys and associated pollution. It therefore makes sense that people should be encouraged to reduce the number of journeys and this can be achieved through the support of homeworking. Suitable land should be allocated within the emerging local plan as suitable for live-work units providing modern communication facilities within new home/office environments. Uttlesford District Council should be pro-active in identifying suitable sites for homeworking. Land at Ashdon Road, currently allocated as a business park would be ideal for at least an element of home working. The site is close to the numerous services and community facilities available within Saffron Walden.

119.24 Proto Limited

Delete references to the four sites and urgently review opportunities in the administrative area for locations more appropriate to meeting economic and travel saving requirements. In this regard it is noted that there is no potential to accommodate employment land requirements on previously developed land. None of the four identified sites meet the criteria for securing economic and employment growth. There are adverse site specific factors relating to all sites to a greater or lesser extent. They will fail to meet the structure plan requirement because of their qualitative limitations. In this regard it is noted that para 4.4 suggest key factors to site selection. Most of the identified sites score very poorly against these factors. It is also noted that a range of sites is needed with a specific reference to enabling the hi-tech sector to be accommodated on business park sites. None of the proposed sites will effectively cater for enterprises attracted into the vicinity of Stansted but not directly related to the airport itself.

144.4 Bryant Homes Limited

Reconsider the strategy with a view to locating development closer to Stansted Airport. The Stansted Airport area is an obvious location for employment development. Employment development close to Stansted would be likely to be the most sustainable location in the District and would maximise opportunities for utilising sustainable forms of transport. Employment development close to Stansted would also help to bring more prosperity and jobs to the area. By concentrating development close to the airport, where it is most needed the impact on the wider area will be minimised. Alternative strategies of spreading development around the district will impact on a wider area.

147.3 (Objection conditionally withdrawn) Great Chesterford Parish Council

The 0.89 hectare site on London Road is within the Development Limit and potential site for domestic development. The Parish Council do not wish to change potential use to employment development
The parish council is not aware of any need for further employment development and has already requested that the former Swaine Adeney site to the rear of this site be retained for employment, thus creating a mix of development in this area.

156.8 Saffron Walden Town Council

The present plan specifically identified the site at Ashdon Road for development as a light industrial site. The Town Council supported the inclusion of the idea of providing a business park site in 1991 as it was thought that such a site was both necessary and desirable. However the site has not been developed and the town council believes that with the proposals for Chesterford Park the site should be reallocated in such a way to ensure that the replacement designation would allow for a substantial amount of public open space. A new policy SWTC1 is suggested. The Town Council believes that the District Council should continue its policy of encouraging non - conforming industrial sites to relocate where practicable.

159.6 (Objection withdrawn) Widdington Parish Council

The provision should state not more than 20 hectares. New sites should not be approved until existing capacity is exhausted

163.7 (Objection withdrawn) Mantle Estates Limited

Include land at the Stansted Distribution Centre within policy E1 - 2.1 Hectares. The objection site should be listed as one of those making a contribution to the provision of employment land development opportunities. The investigations of a landscape architect and a highways consultant identifies no unacceptable harm which could arise out of the development of the objection sites for employment purposes. As previously developed land it should therefore be incorporated within policy E1. This specific detailed investigation follows the advice of the previous local plan inspector.

186.5 Siemens Pension Fund

Policy E1 should be amended to include the potential for employment development on land at Folly Farm, Great Dunmow

189.2 Exors of D Cock

Policy E1 should be amended to take account of the growing needs for great Dunmow by releasing additional land for employment, specifically taking into account the land at the south of Hoblongs Industrial Estate as a preferred location. Additional employment land should be allocated in Great Dunmow. Object to exclusion of land south of Great Dunmow, adjoining Hoblongs Ind Estate, which is suitable for employment purposes. The site is prominent when entering the town and therefore development as a civic amenity site and depot, as current application would be detrimental.

216.2 Hertfordshire County Council

You have allocated employment land for business parks at Great Dunmow and Saffron Walden. These business parks have presumably been allocated for general business use but could accommodate airport related employment uses if there were a demand for this.

219.8 English Heritage

Business Park allocations on edge of town and out of town sites should be examined very carefully. The sustainable development framework for the east of England emphasises the need for mixed use development in town centres and the efficient use of buildings.

UDC Proposed change to policy E1

Policy E1 – Distribution of Employment Land
Provision is made for a net increase of about 20 17.36 hectares of land for business, general industry, storage or distribution development within the plan area, excluding land within the Stansted Airport boundary.

The following sites, defined on the Proposals Map, are proposed for employment development as indicated in the following table:

Site	Site area (net in hectares)
Great Dunmow Business Park	9.60
Former Newton Works Stortford Road, Great Dunmow	0.90
Saffron Walden Business	5.40

Park	
Land adjoining Saffron Business Centre, Elizabeth Close, Saffron Walden	1.00
Thaxted Road, Saffron Walden	3.76
London Road, Great Chesterford	0.89
Stansted Distribution Centre extension	2.1

Objections to the proposed change

120.11 Laing Strategic Land Ltd

Reinstate " Saffron Walden Business Park 5.40h" in the table in Policy E1
 No justification is given for the reduction in the employment land provision in the District. This reduction is largely due to the deletion of the Saffron Walden Business Park (Policy SW3) which will adversely affect the ability of the town to respond to economic changes in the period to 2011.

237.1 Cllr R. Copping

Object to the inclusion of the Former Newton Works, Stortford Road in Policy E1 Distribution of Employment Land. It would seem inappropriate to allocate an adjacent eminently suitable site for school expansion to business use. It is inappropriate to locate business uses close to the school.

78.2 Kier Land

1. Retain 5.4 ha for employment. Allocate land near Lord Butler Leisure centre for reserve housing. Set aside land next to the leisure centre for an arts centre. These allocations would link in with the recent applications at Thaxted Road for employment uses. 2. Reallocate Ashdon Road for mixed uses. This would be more in keeping with PPG3. This would result in a shortfall of employment and housing land. Allocate new site for the additional residential land. Land could also be provided for an arts centre. Applications recently submitted for Thaxted Road illustrate that there is interest in developing sites in Saffron Walden for employment uses and it would be inappropriate for the Council to reduce its employment allocations at this stage.

119.57 Proto Ltd

Delete proposed additional allocations at Great Dunmow and Saffron Walden.
 Provide a detailed analysis and justification of the benefits of further development in the A120 corridor and review all other relevant sites in addition to the extension to the Stansted Distribution Centre in order to assess its appropriateness
 The former Newton Works at Great Dunmow and land adjoining Saffron Business Centre at Saffron Walden should be deleted as they will not effectively meet modern business needs. These sites fail to adequately meet the criteria for securing economic and employment growth. The extension to the Stansted Distribution Centre has not been justified as part of a thorough review of the economic and related benefits from releasing land near the A120 corridor close to the airport.

Inspector’s Reasoning and Conclusions

- 4.4.1 The Council has deleted the Business Park Allocation and has proposed a small employment site adjacent to the Saffron Business centre. The remainder of the site is now proposed as a reserve site for housing. I agree with home working provision in principle but the Council would need to consider it on the basis of its experience elsewhere in the district. See my report on the Ashdon Road site in the Housing Chapter of the Plan. (69.1)(92.6)
- 4.4.2 See 4.4.1 above. The alternative site suggested for employment is Saling airfield. From my visit I found it to be remote in the countryside and not a sustainable location for general employment. As far as possible employment generating uses should be in or closely related to built up areas where there are a wide range of facilities, housing, and choice of transport modes. (86.1)
- 4.4.3 The panel dealing with the Replacement Structure Plan concluded that “although Stansted will be a major factor in economic regeneration of parts of Essex and Hertfordshire further allocations for business, industry and warehousing are not needed at Stansted, other than that covered by Policy B1W6, or in the attractive and tranquil countryside surrounding it.”
- 4.4.4 The panel saw opportunities to develop Harlow further for businesses that require an international airport at a reasonable distance. York Consulting also concluded in its report that new employment opportunities supported by the proposed development of Stansted Airport up to 25mppa would be filled either by in commuters or by local recruitment.
- 4.4.5 Employment allocations in Uttlesford outside of the airport are only a small part of the picture. The influence of the airport extends to include the Cambridge high tech cluster, the Cambridge-Ipswich high tech corridor, Harlow, and the Lea Valley together with others further afield. (119.24)(144.4)
- 4.4.6 This objection has been conditionally withdrawn as the Council has now deleted the London Road site from Policy E1 – Distribution of Employment Land and included it in paragraph 12.3 and Policy Great Chesterford Local Policy 2 for residential development. . I have dealt with other objections in respect of Great Chesterford elsewhere in the Plan. (147.3).
- 4.4.7 See paragraph 4.4.1 above. From the evidence at Inquiry I understand that the Saffron Walden Town Council now support the mixed but mainly housing development of the Ashdon Road site as part of a package to provide community facilities and affordable housing for the town. (156.8)
- 4.4.8 I have dealt with the Folly Farm site when considering omission sites for housing etc. (186.5)
- 4.4.9 I have dealt with this land adjoining the Hoblongs Industrial Estate when considering objections from residents to the new civic amenity site and council depot. (189.2)

- 4.4.10 Technical Annex B Employment at paragraph B.28 of the Structure Plan recognises that some of the employment provision at Great Dunmow is available to cater for enterprises attracted into the vicinity of Stansted but not directly related to the airport itself. I understand from the evidence on strategy that land within the airport will absorb employment uses directly related to the airport, and that other major employment uses will be directed towards Harlow. The Plan reflects this approach (216.2)
- 4.4.11 The Council’s strategy is to allocate sites within built up areas and to resist out of town and countryside development. With the diversity of ownership and historic buildings in the town centres the opportunities for mixed use development on any scale is probably limited. A scheme at Great Dunmow, which took many years to co-ordinate, has yet to commence. (219.8)
- 4.4.12 The employment allocation at the Ashdon Road site was deleted apart from 0.6 ha retained in employment use because of traffic impact and apparent lack of commercial interest in the site. I have dealt with the merits of this site in the Housing Chapter of the Plan. Regardless of its deletion the Council will exceed the target of 16ha in the Adopted Structure Plan although some objectors have questioned the suitability of allocated sites for employment use. I have dealt with these when considering individual objections. (120.11)(92.8)
- 4.4.13 If the former Newton Works site continues to be allocated for employment use following a proposal for a new 450 pupil Primary School and the possible need for a magistrates court, its use would be a B1 Office Use which is compatible with a school and a residential area. (237.1)
- 4.4.14 I have dealt with arguments about the need for additional land for housing, including the Ashdon Road reserve site, in the Housing Chapter of the Plan at Policy H1. (78.2)
- 4.4.15 I have no detailed evidence before me about the suitability of the former Newton Works at Great Dunmow or the Saffron Business Centre expansion at Saffron Walden for modern business, nor do I have details of surveys which were carried out prior to the allocation of the Stansted Distribution Centre. However, from my visits I consider the first two to be well located to meet local employment needs. Paragraph 4.3 of the supporting text makes it clear that a range of sites is proposed, and not all such sites are likely to be suitable for high tech industry. See also paragraph 4.4.12 above. Regardless of the suitability of other unspecified sites for industry along the A120 corridor, from my visit I found the extension area to Stansted Distribution Centre to be partially previously developed land in a strategic location outside of the CPZ and as such appropriate for employment purposes. (119.57)

RECOMMENDATION

Make no modification to the Plan in response to these objections

4.5 POLICY E2 – SAFEGUARDING EMPLOYMENT LAND

The Objections

19.4 British Telecom

(g) evidence can be submitted to the Local Planning Authority which demonstrates that there is no demand for the site or employment land in this location.(h) It can be demonstrated that the site is no longer suitable for employment use (based on location, access, impact on adjoining properties etc) and alternative uses can be shown to result in improvements to the surrounding area.

Policy does not give any flexibility to allow consideration of circumstances where it would be unreasonable to safeguard employment land. Additional criteria should be added to the second half of Policy which relates to employment outside of key employment areas. These should consider the suitability of the site and changes in the market for employment land.

93.7 Hastoe Housing Association/Springboard HA

In a number of local authorities the opportunity is taken to allow affordable housing as the only exception to employment use on employment sites. In view of the need for affordable housing we believe a similar approach would be appropriate in Uttlesford and this exception should be included in Policy E2

119.25 Proto Limited

Delete preamble text after "will be permitted" add having regard to whether and add g) the site is qualitively constrained and unlikely to be of reasonable interest to a range of market sectors.

The second part of the policy is unduly restrictive. Non-key employment areas ought to be subject to a more relaxed regime relating to change. Many are of poor quality

166.1 Woodhall Estates (UK) Ltd

b) Existing employment areas of 0.5 hectares and over in the key rural settlements of Elsenham, Great Chesterford, Takeley and Thaxted (except Sampford Rad, Thaxted)...the development of employment land for other use outside key employment areas and at Sampford Road, Thaxted will be permitted if the employment use has been abandoned or....."

Our objection is based on the second suggested criteria "key existing employment sites will be safeguarded" The reason for the this objection is that this site in Thaxted is unique. The objectors current intentions are to seek to implement a hybrid scheme which has been allowed on appeal. However it must be recognised that this hybrid scheme has only come about as a result of 20 years or so failiure by several different owners to bring development forward in a commercially acceptable fashion. It would be quite wrong in the case of this unique site having regard to the difficult history to impose possible further handicaps should the current hybrid scheme prove impratical to deliver for some reason.

189.1 Exors of D Cock

Include land south of Great Dunmow, adjoining Hoblongs Ind Estate, within settlement boundary and identify as being suitable for employment purposes..There is additional pressure for employment land to be allocated in light of new A120 and Airport growth. Great Dunmow should take majority of allocation. E2 suggests that employment land should be safeguarded. However certain sites should come forward to allow sustainable locations for commercial opportunities. This would have

the added benefit of releasing poorly located or historic industrial land for alternative uses including residential.

UDC Proposed Change to Policy E2

Policy E2 – Safeguarding Employment Land

The following key employment areas identified on the Proposals Map will be safeguarded from redevelopment or change of use to other land-uses:

- a) Existing employment areas of 1.0 hectares and over located within the main urban areas of Great Dunmow, Saffron Walden and Stansted Mountfitchet;
- b) Existing employment areas of 0.5 hectares and over in the key rural settlements of Elsenham, Great Chesterford, Takeley and Thaxted;
- c) The sites identified in Policy E1;
- d) The site at Chesterford Park identified in Policy S5.
- e) Stansted Distribution Centre at Start Hill, Great Hallingbury

The development of employment land for other uses outside the key employment areas will be permitted if the employment use has been abandoned or either of the following apply:

- e) It is a change of use that would not prevent the building changing back to employment use in the future;
- f) The present use harms the character or amenities of the surrounding area.

Inspector’s Reasoning and Conclusions

- 4.5.1 Although local employment figures should be kept under review to provide a base on which a future assessment of local employment can be made, it is for the Council to decide on the best knowledge that it has the policies necessary to secure a proper balance of housing and industry. As at present profit levels are generally greater from residential provision than from industrial development I consider it essential for the Council to have a firm policy safeguarding key employment sites. From my visit to a number of key sites I saw nothing which led me to conclude that the sites would, with or without redevelopment, be unsuitable for local industrial/business use in the future.
- 4.5.2 I do have some doubts about the merit of criterion e)(as a new (e) has been added this will become f). It is not related to abandonment so I presume would involve the loss from employment of an established business use. I question whether if it is acceptable to lose an employment use over an unspecified period, it would be reasonable to expect the building to revert back to another employment use. It is not clear to me what the Council had in mind including this criterion? Although the qualitative nature of the accommodation would be a factor in its continued use, a business/industrial use may well provide a “niche” in local employment and does not have to provide accommodation for a range of market interests. (19.4) (119.25)
- 4.5.3 See my report on Affordable Housing in the Housing Chapter of the Plan. To my mind if an employment site is essential to the economic base of the district

it would be illogical to permit housing on it, whether for general needs housing or affordable housing. In practise, it would normally be a mixture of the two to create a balanced housing area to prevent social exclusion. (93.7)

- 4.5.4 I have considered this land south of Great Dunmow adjoining Hoblongs Industrial Estate elsewhere in my report when dealing with objections to its allocation as a civic amenity site and depot. (189.1).

RECOMMENDATION

Council to reconsider the need for criterion (f)

* * *

Bellrope Meadow , Sampford Road, Thaxted

- 4.5.5 Policy S3 identifies Thaxted as a key rural settlement. It is an important local centre and the Council allocated the objection site many years ago to encourage people to work and live locally. The allocation had the full support of the parish council. Planning permission has been granted for a mixed use scheme on this 1.42ha site combining B1 uses with homes specifically designed for home working. This decision on appeal provided for 4 separate buildings for employment use (Class B1) with 18 dwellings of varying sizes, each with a designated office/studio attached or adjacent. No development has taken place over the years except for the creation of an access.
- 4.5.6 The owners have carried out an extensive marketing exercise and I am satisfied that it has been as comprehensive and as innovative as it could be. This has resulted in no serious interest being shown and the site remains on the market.
- 4.5.7 Planning Policy Guidance No. 3 advises on making the best use of scarce resources and that non housing allocations should be kept under review because if they do not come forward during the Plan period they are a wasted resource. Although over the past five years the market generally in the area has been fairly buoyant mainly because of an expanding Stansted Airport this has not resulted in any effective interest in the site for employment or mixed use purposes.
- 4.5.8 The site is located on the northern edge of the town and in my view if a proposal were submitted for housing on this site, ignoring the marketing history, it would not receive favourable consideration because the site is remote from the centre. This was probably one of reasons it was chosen for employment use in the first instance. A number of applications for residential development have been submitted, all were refused, and one was dismissed on appeal. The site is not technically brown field but it has the benefit of a permission and sooner or later will be developed.
-

- 4.5.9 I have dealt with the allocation of land for housing at Policy H1 of the Housing Chapter and my recommendation can be seen there. However, I do not consider it necessary to release the objection site for housing to meet Structure Plan requirements, nor do I consider it to be a good site for housing other than as a last resort. On the other hand there are no physical reasons why the site could not be developed for housing and a residential scheme would probably present a more attractive face to the countryside than B1 units.
- 4.5.10 I am reluctant even at this stage to “lose” this land to housing if there is any opportunity to achieve what the Council has been aiming for, local jobs and homeworking. Thaxted is a key rural settlement where one of the priorities is to provide employment. It seems to me that the only reasonable option is the compromise which was discussed at Inquiry. That is the allocation of the whole site for live/work units, rather than purely residential, in the hope that this will be a sufficient incentive for a housing developer to produce what will still be a mixed use scheme on a more modest scale.

RECOMMENDATION

- a) **Modify Thaxted Local Policy 2 to say: “A 1.42 hectare site adjoining Sampford Road is proposed for homeworking units” and revise the supporting text and the Proposals Map accordingly.**
- c) **Amend Thaxted Local Policy 3. Amend Policy H1 d). Add a further bullet point to paragraph 6.3 stating “A review of land previously allocated for employment purposes”**

4.6 PARAGRAPH 4.10

The Objection

206.9 (Objection withdrawn) Uttlesford Local Agenda 21 Group 2

Limiting the farming reference to arable is unduly restricted. The Farming and Wildlife Group would like to see the words “under arable crop regimes” eliminated at the second sentence and the words “for crops” included at the end of the second sentence.

U.D.C is proposed an amendment to Paragraph 4.10

Second sentence to read:

The land is highly productive ~~under arable crop regimes~~ for crops.

Inspector’s Reasoning and Conclusions

4.6.1 The Council has agreed this minor modification in the Revised Deposit Draft.

RECOMMENDATION

Make no further modification in response to this objection.

4.7 POLICY E3 – FARM DIVERSIFICATION – ALTERNATIVE USE OF FARMLAND

The Objections

206.11 (Objection withdrawn) Uttlesford Local Agenda 21 Group 2

The group wishes to see maximum protection given to our country lanes especially their tranquillity and access for informal leisure uses. In criteria (d) insert words “countryside character” between “road safety” and “and amenity”.

212.5 Uttlesford Area Access Group

Add criteria E) to Policy E3 “it will be accessible to all, to ensure social inclusion.”

219.9 English Heritage

This policy encourages many activities which would be harmful to countryside character. While PPG7 clearly seeks rural diversification this policy is too permissive in its scope and its wording.

222.3 Go-East

We suggest that Policies E4 and H5 are combined with E3 to provide a comprehensive rural development policy. E3 is very restrictive in the way it looks at farm diversification. Farm diversification or business development on a farm site may or may not change the use of the farmland. It is quite possible for IT development or commercial business use to be considered farm diversification and yet not affect agricultural land. Alternative use of farmland could also be the growing of alternative crops such as energy crops (miscanthus and short rotation coppice) and pharmaceutical crops. Policy E3 is too restrictive in its wording. Policy E4 does not approach rural diversification in a positive way and both E4 and H5 are repetitive in their criteria. Neither E4 or H5 add value to the planning system as the criteria listed are identical to that in PPG7.

UDC Proposed Change to Policy E3

Policy E3 - Farm Diversification: Alternative use of Farmland

Alternative uses for agricultural land will be permitted if all the following criteria are met:

- a) The development includes proposals for landscape and nature conservation enhancement;**
- b) The development would not result in a significant increase in noise levels or other adverse impacts beyond the holding;**
- c) The continued viability and function of the agricultural holding would not be harmed;**

- d) **The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety countryside character and amenity).**

Inspector’s Reasoning and Conclusions

- 4.7.1 National guidance encourages diversification in the countryside. As this policy refers only to farmland and not buildings I consider that criteria c) and d) of this policy together with other policies in the Environment Chapter of the Plan are sufficient to safeguard the diverse character of the Uttlesford countryside. I have recommended elsewhere that the Council reviews the various policies on the basis of advice in Planning and Access for Disabled People : A Good Practice Guide (219.9)(212.5)
- 4.7.2 Some objectors consider the policy to be too strict others believe it to be too loose. I consider that the comprehensive policy proposed by the objector combining E3, E4 and H5 would encourage rural diversification but would not provide sufficient guidance or criteria to determine under what conditions or circumstances such development would be acceptable. Having regard to the character of this part of Essex I do not find the policies proposed by the Council to be unduly restrictive.
- 4.7.3 Policy E4 clearly lists the types of uses that would be acceptable in rural buildings in the Green Belt, the Countryside Zone and the countryside. A balance needs to be struck between rural diversification and protection from those changes that introduce unacceptable urbanisation into rural areas. I find that the guidance in PPG7 has been adapted to meet that balance. The Council has also identified sites in small country towns and villages where employment development can be accommodated. (222.3)

RECOMMENDATION

Make no modification to the Plan in response to these objections

4.8 POLICY E4 – RE-USE OF RURAL BUILDINGS

The Objections

38.1 Gosling & Robson Trusts

Substitute for "business uses" - "employment (including business) uses"

183.7 Sworders Agricultural

There is a need for such a policy that especially encourages farm diversification projects in the local plan and it is felt that the inclusion of this policy should be supported. The policy is also in line with Planning Policy Guidance Note 7 and in particular the accompanying amendment notes published in March 2001. The policy and in particular sections c) and d) are considered to be too vague, determining what degree of noise or impact that could be considered significant would prove difficult to quantify. In addition there needs to be clarification as to "unacceptable pressures" on the road network.

188.4 (Objection withdrawn) Sport England

Would wish to see sport and recreation identified as a use which may be acceptable within existing rural buildings particularly where it would meet an identified local need

189.3 Exors of D Cock

E4 should be downscaled for small scale business use respecting the needs of the countryside, and not placing undue pressure on the rural highway network while allowing 'strategic allocations' within the larger settlements such as Great Dunmow to expand. Object to exclusion of land south of Great Dunmow, adjoining Hoblongs Ind Estate, which is suitable for employment purposes. E4 detracts from the larger commercial opportunities within the urban settlements. Reuse of rural building for employment should be on small scale and must not compete with planned Business Parks such as in Gt Dunmow which have opportunity to expand more quickly and in a sustainable way.

208.8 (Objection conditionally withdrawn) English Nature

Policy is amended to reflect the same positive approach as that stated in E3 (a) [ie protect and enhance] and include reference to protected species like bats and barn owls and their statutory legal protection. Cross reference policy to GEN7. Omission of reference to potential for nature conservation and landscape enhancement and also the dependence of certain protected species on rural buildings

206.12 (Objection withdrawn) Uttlesford Local Agenda 21 Group 2

The group wishes to see maximum protection given to our country lanes, especially their tranquility and access for informal leisure uses. In criteria (d) insert the words "countryside character" between "road safety" and "and amenity"

209.3 Three Valleys Water Plc

Acknowledgement within the written justification to policy E4 that buildings such as water company towers, pumping stations depots within the rural area would, in principle be suitable for alternative uses, such as business use or housing. Whilst the majority of the water company sites within the District are fully operational and are unlikely to be decommissioned within the short term it would be appropriate for the emerging local plan to confirm within the written justification to the Plan that these built structures represent the sort of opportunities to be found in the countryside where re-use for business purposes would, in principle be acceptable.

212.6 Uttlesford Area Access Group

Add criteria e) the development will be accessible to all, to ensure social inclusion.

213.6 Herrman, CPREssex

The final sentence in the adopted policy C5 should be retained in the new policy E4 "in the Green Belt proof of redundancy of the building may be required"
CPREssex notes with regret that this policy does not include the final sentence of Policy C5 in the current Adopted Plan. That sentence reads "in the Green Belt proof of redundancy of the building may be required" and we object to its omission.

219.10 English Heritage

This policy should include criteria relating to the conservation of historic farm buildings.

107.2 (Objection withdrawn) Rosper Estates Limited

Policies within the plan concerning "businesses in the countryside" are too restrictive. In particular the policies would appear to preclude re-development of existing buildings within the countryside. There will be circumstances in the Countryside where established sites/buildings could be redeveloped for appropriate uses leading to significant environmental improvement thereby enhancing the appearance of the countryside. This is recognised in the current plan and should be reflected in the new plan. New policy E5 should be included within the plan. "The redevelopment of existing established sites within the countryside for commercial purposes will be favourably considered where: 1) the existing buildings still have considerable life; 2) the redevelopment would lead to a significant environmental improvement in the site.

183.10 Sworders Agricultural

It is recognised by Government in it’s March 2001 amendment to PPG7 that there is an increasing importance to farmers of diversification into non-agricultural activities and that local authorities should take a positive approach to farm diversification proposals. A policy like policy C4 from the Uttlesford Adopted Local Plan should be included. A policy should also be introduced to encourage the development of farm shops in the countryside as they have been a successful form of farm diversification in many areas whilst providing a valuable service to the community. Policies covering farm diversification and a separate policy for farm shops must be included within the Local Plan. These policies should reflect national policy and government encouragement for farm diversification.

UDC Proposed Change to Policy E4

Policy E4 – Re-Use of Rural Buildings

The re-use and adaptation of rural buildings for business uses, small scale retail outlets, leisure uses or for tourist accommodation will be permitted in the countryside, including the Metropolitan Green Belt, the Countryside Protection Zone and beyond, if all the following criteria are met:

- a) **The buildings are of a permanent and substantial construction;**
- b) **They are capable of conversion without major reconstruction or significant extension;**
- c) **The development would protect or enhance the character of the countryside or its amenity value or its biodiversity and not result in a significant increase in noise levels or other adverse impacts;**
- d) **The development would not place unacceptable pressures on the surrounding rural road network (in terms of traffic levels, road safety countryside character and amenity).**

Objections to proposed change

222.10 Go-East

We would like to see point (c) altered further to read "the development would not have an undue adverse effect on the character of the landscape, its amenity value and its biodiversity"

U.D.C. is proposing to make a further amendment to Policy E4 (Criteria C)

The development would protect or enhance the character of the countryside and its landscape, amenity value or its biodiversity and not result in a significant increase in noise levels or other adverse impacts

Inspector’s Reasoning and Conclusions

- 4.8.1 Although there may be exceptions to this, the primary concern of the Council is to encourage the re-use of existing rural buildings on a relatively small scale for business purposes as part of rural diversification. Employment generation is not the main purpose of the policy. (38.1)
- 4.8.2 I do not consider it would be reasonable to try to introduce into the policy stricter criteria as the impact of each proposal in the countryside needs to be assessed on its own merits. National guidance encourages rural diversification and a flexible approach is needed. (183.7)
- 4.8.3 The use or adaptation of rural buildings to other uses is encouraged in national guidance to provide for diversification in the countryside. In my experience such development is normally small scale, but if they were not the Council would assess their impact under the criteria listed in the policy and against other general and specific policies in the plan to protect the countryside. I have dealt with the land adjoining the Hoblongs Industrial estate when considering objections to the civic amenity site and council depot. (189.3)
- 4.8.4 The Council has agreed the necessary reference to biodiversity in criterion c) which together with references in paragraph 4.13 and GEN7 to biodiversity and protected species provide a reasonable basis for control of development.. This objection has been conditionally withdrawn. (208.80)
- 4.8.5 There are a diverse range of buildings in the countryside. Although I see no need to mention a specific type of rural building the Council has now accepted that Policy E4 also needs to refer to non-agricultural buildings and has made the necessary change to paragraph 4.13. (209.3)
- 4.8.6 I have recommended that the Council looks again at accessibility and social inclusion, and includes appropriate criteria in policies on the basis of current national guidance Planning and Access for the Disabled. (212.6)
- 4.8.7 To include a statement about the redundancy of a building in the Green Belt would not be in accordance with government guidance in Planning Policy Guidance No. 2. This states that it should not normally be necessary to consider whether a building is no longer needed for its present use. (213.6)

- 4.8.8 As the Environment Chapter contains Policy ENV2 which provides protection for historic buildings, both urban and rural, I do not consider it necessary to repeat that protection in Policy E4. (219.10)
- 4.8.9 I have seen a number of plans with a farm shop policy included but it seems to me that Policy E4 encourages among other uses “small scale retail outlets” in the Green Belt, the Countryside Protection Zone and the countryside. I do not consider there is need for a separate policy on farm shops. (183.10)
- 4.8.10 The Council has in part amended criterion (c) to include landscape as suggested by the objector. Otherwise I prefer the positive wording of “protect and enhance” of the Council rather than “undue adverse effect upon” suggested by the objector. (222.10)

RECOMMENDATION

Make no further modifications in response to these objections other than in respect of social inclusion which I have dealt with when considering Planning and Access for Disabled People – A Good Practice Guide

5. CHAPTER 5 – ENVIRONMENT

5.0 TITLE OF CHAPTER

213.7 (Objection withdrawn) CPREssex

Title of this chapter should be expanded to Environment, Built and Natural.

U.D.C. Proposed change to chapter heading

5. Environment, **Built and Natural**

Objection to proposed change

219.31 English Heritage

Concerned that the amendment to include reference only to “Built and Natural” environment is unhelpful. Such a division is inadequate as a basis for considering an areas heritage resources since it can be interpreted to exclude important component features of the historic environment such as archaeology, historic parks and gardens and landscapes. Suggest the inclusion of a specific reference to the “historic environment” in the chapter title.

Inspector’s Reasoning and Conclusions

5.0.1 The Council has agreed to this change and has revised the title as suggested by the objector and the objection has been withdrawn. (213.7)(219.31)

RECOMMENDATION

Make no further modification to the Plan in response to these objections.

5.1 PARAGRAPH 5.1

The Objections

119.26 Proto Limited

An additional objective should be added to reflect the role of such land use planning objectives. Add “to accommodate necessary development whilst minimising its impact on the environment”

213.8 (Objection withdrawn) CPREssex

In the list of objectives the phrase “for its own sake” should be added to the third objective so that it reads.”to protect the natural environment for its own sake for its biodiversity and agricultural and visual qualities”

222.5 Go-East

The third bullet point could be expanded to read "to protect groundwater resources from contamination and over extraction" to more fully capture the spirit of Policy INF2 in RPG9

219.11 English Heritage

This para should include protection of archaeological remains and historic parks and gardens.

UDC Proposed Change to Para 5.1

- 5.1. The policies on the built and natural environment have the following objectives:
- To safeguard the character of Uttlesford’s historic settlements
 - To conserve and enhance the historic buildings in Uttlesford and their setting.
 - To protect the natural environment for its **own sake, particularly for its** biodiversity, and agricultural, cultural and visual qualities.
 - To limit sensitive development in areas subject to high levels of noise from aircraft or other sources, and avoid deterioration in the noise environment.
 - To protect groundwater **and surface water** resources from contamination **and over extraction**.
 - To protect users of residential properties in particular from long term exposure to poor ground level air quality.
 - To improve the health of the community.

Objections to the proposed change

227.32 The Environment Agency

Support the inclusion in para 5.1 of reference to protection of surface water and over abstraction. However the Environment Agency must object to the current wording as it refers to protection of water resources from "contamination and over extraction". The correct terminology for the latter is over "abstraction" rather than "extraction" and should be amended accordingly.

U.D.C is proposing a further amendment to paragraph 5.1

Bullet point 5 will read:

To protect ground and surface water resources from contamination and over ~~extraction~~ **abstraction**.

Inspectors Reasoning and Conclusions

- 5.1.1 I do not consider it necessary to repeat the balancing exercise between the sometimes conflicting aims of development and its impact on the environment which is already contained in the Objectives and Vision for the Local Plan in paragraphs 1.13 to 1.16. (119.26)
- 5.1.2 The Council has expanded the fifth bullet point to protect ground and surface water from contamination and over abstraction as suggested by the objector. (225.5)

- 5.1.3 Paragraph 5.1 lays down the objectives to protect the environment, built or natural, which would include archaeological remains and historic parks and gardens. I do not consider that in this opening paragraph that specific features need to be mentioned. (219.11)
- 5.1.4 The Council has agreed the additional change suggested by the objector to include **abstraction** instead of “extraction”. (227.32)

RECOMMENDATION

Make no further modifications in response to these objections

5.2 POLICY ENV1 – DESIGN OF DEVELOPMENT WITHIN CONSERVATION AREAS

The Objections

219.2 & 12 English Heritage

Concerned about the sparsity of coverage where topics are addressed. The pursuit of brevity has resulted in many cases in bland statements which go no further than phrases in the legislation. Policy ENV1 on development in Conservation Areas is an example of this. This is a general statement which goes no further than S72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. Expansion is needed to encompass scale, form and materials of new development, protection of views and settings, historic grain and street patterns, important open spaces and landscaping.

219.13 English Heritage

A new policy is required covering demolition in conservation areas.

UDC Proposed Change to Policy ENV1

Policy ENV1 - Design of Development within Conservation Areas

~~In Conservation Areas development will be required to preserve or enhance the character or appearance of the area. Outline applications will not be considered.~~

Development will be permitted where it preserves or enhances the character and appearance of the essential features of a Conservation Area, including plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain or significant natural or heritage features. Outline applications will not be considered. Development involving the demolition of a structure which positively contributes to the character and appearance of the area will not be permitted.

Inspector’s Reasoning and Conclusions

- 5.2.1 The supporting text at paragraph 5.4 and Policy ENV1 have both been reworded to recognise the importance of Conservation Areas and lay down

matters to be considered when development is proposed. I consider there is now sufficient detail in the policy for reasonable consideration to be given to such proposals. (219.2)(219.12).

5.2.2 Demolition of structures in Conservation Areas is now specifically referred to in Policy ENV1. (219.13)

RECOMMENDATION

Make no further modification in response to this objection.

5.3 POLICY ENV2 – DEVELOPMENT AFFECTING LISTED BUILDINGS

The Objections

119.27 Proto Limited

The policy wording goes beyond that contained in the Act
Redraft policy as follows: Development affecting a listed building will be determined have regard to the following: The impact on its setting and the effect on its special character or interest.

212.7 Uttlesford Area Access Group

Add a policy statement to form part of Supplementary Planning Guidance. "The District Council will encourage access and facilities for disabled people at places of architectural and historic importance where these are not likely to be detrimental to the fabric and setting of the building or the character of a space. Provision should be made for disabled people to visit and benefit from sites of archaeological importance and ancient monuments where it is possible to do so without undue damage to the sites themselves. Such provisions should provide easy, dignified access to historic buildings for everyone. Supplementary guidance can be found in the English Heritage publication entitled "Easy Access to Historic Properties"

219.15 English Heritage

ENV2 provides insufficient guidance on development affecting listed buildings - the plan should include specific policies relating to extension, alteration and change of use, setting out the criteria that will be applied. A policy relating to the demolition of listed buildings should also be included.

213.30 CPREssex

Show listed buildings on the map or indicate where maps of them could be studied.

UDC Proposed Changes to Policy ENV2

Policy ENV2- Development affecting Listed Buildings

~~Development affecting a listed building should be in keeping with its scale, character and surroundings. Development proposals that adversely affect the setting, and alterations that impair the special characteristics, of a listed building will not be permitted.~~

Development affecting a listed building should be in keeping with its scale, character and surroundings. Demolition of a listed building, or development proposals that adversely affect the setting, and alterations that impair the special characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building and its architectural and historic characteristics.

Objections to the Proposed Change

200.4 Railtrack Property

Object to the inflexibility of this policy. Simply not permitting any adverse alterations to listed buildings may not always be the most practicable option. Railtrack takes pride in its listed structures and makes every effort to ensure that they are well maintained and altered in sensitive ways where required. However in some circumstances demolition or insensitive alteration is necessary for Railtrack to fulfil its statutory role to provide a safe and efficient rail network

Insert the word "normally" as follows.....special characteristics of a listed building will not normally be permitted.

219.32 English Heritage

Modify the last sentence to include a commitment to protecting the setting of the Listed Building.

222.11 GO-East

Prefer that the word normally be deleted.

U.D.C. is proposing a further amendment to Policy ENV2 to read:

Development affecting a listed building should be in keeping with its scale, character and surroundings. Demolition of a listed building, or development proposals that adversely affect the setting and alterations that impair the characteristics of a listed building will not be permitted. In cases where planning permission might not normally be granted for the conversion of listed buildings to alternative uses, favourable consideration may be accorded to schemes which incorporate works that represent the most practical way of preserving the building, and its architectural and historic characteristics and its setting.

Inspector’s Reasoning and Conclusions

- 5.3.1 Policy ENV2 in the Revised Deposit Draft has now been reworded to reflect national guidance and legislation. (119.27)
- 5.3.2 I have recommended that changes are required to various chapters of the Plan on the basis of current national guidance in Planning and Access for Disabled People. (212.7)
- 5.3.3 The objection from English Heritage has resulted in revised wording to Policy ENV2. Criteria have now been added against which proposals can be judged. (219.15)

- 5.3.4 The Proposals Map, as its name implies, and the Inset Maps are not intended as land use maps but to show future allocations and proposals. However, I assume that the Council would either have a statutory map register or a series of maps showing listed buildings available for public perusal separate from the local plan. (213.30)
- 5.3.5 I believe a firm policy is necessary to protect listed buildings. There is no need to include the word “normally” in this policy as Section 54a of the Act provide the necessary flexibility for exceptions to be made. (200.4)(222.11)
- 5.3.6 The Council has agreed with the objector and I consider that the objection has been met by the rewording of the last sentence of the policy to include the setting of a listed building. (219.32)

RECOMMENDATION

Modify Policy ENV2 in accordance with the additional amendment to the wording shown above.

5.4 POLICY ENV3 – OPEN SPACES AND TREES

The Objections

23.2 Hunter

Include other large gardens of importance within Policy ENV3 or write a new policy concerned with registered parks and gardens.

Large gardens give space for the growth of tall and spreading trees, add to the townscape of the village and contribute to the variety and texture of the overall scene, they are of nature conservation value. They are a much diminished resource.

71.2 Walford

The policy needs to be strengthened. Pressure on housing and for other development is chopping away gradually at the rural nature of much of Uttlesford. Where a proposed developer has it in its power to minimise the environmental impact it should be forced to do so. The Council should ensure that all and any developments (even where considered necessary) impinge as little as possible on open space.

119.28 Proto Limited

Add “within existing built” up areas after “development proposals”. It should be made clear that “other visually important spaces” and the similar reference in the final sentence of paragraph 5.5 are not meant to apply to areas within the countryside.

149.6 Great Dunmow Town Council

Include reference to the protection of open space within the plan. There is no specific reference to the protection of open spaces. All open spaces should be defined in the plan and must be protected from development.

161.3 The Stebbing Society

Stebbing possesses a number of traditional open spaces, gardens, and trees that make an important contribution to the street scene and conservation area. These features are referred to in the Uttlesford District Plan as special characteristics to be preserved. The Local Plan should include Stebbing in this policy and this should be indicated on the Inset Map.

215.2 Countryside Agency

We support fully the intentions of this policy but believe that the policy or its supporting text should provide further guidance on how judgements are to be made and what criteria are to be used in the assessment of "the need for development " and amenity value" if it is to be effective. The policy of supporting text should encourage the use of the Quality of Life Capital approach, recently launched by the Countryside Agency etc. This is a planning and management tool for identifying what matters and why so that the consequences of plans, development proposals and management options on quality of life can be better taken into account. With respect to site specific assessments the QoL approach can assist and strengthen the conventional assessment process through putting all kinds of social economic and environmental services and benefits in the same framework. Providing a systematic and transparent framework for determining where, in what form and with what conditions development can be accommodated. Offering a means to integrate the views of local residents as well as expert and specialist inputs and increase public awareness of and participation in the assessment process. Encouraging the enhancement of quality of life rather than simply maintaining the status quo and ensuring a comprehensive and inclusive assessment of potential impacts and management options.

218.21 Saffron Walden Friends of the Earth

Amend final sentence of para 5.5 to read "other smaller spaces of importance will also be protected where development would be inappropriate. ENV3 - Traditional open spaces should be defined. Add recreation areas and commons to the policy. Delete "proposals" after development.

213.9 CPREssex

We ask the Council to give further thought to this use with a view to eliminating a phrase that will be difficult to define and even more difficult to enforce. CPREssex is particularly concerned at the use of the word "need" in policies ENV3, 4, 6, 7, and 8

UDC Proposed Additional new Para 5.6

Where the principle of development is acceptable it should avoid taking features that are prominent elements and enhance the local environment, such as for example, healthy mature trees. However, as a specific example, it may not be possible to accommodate a residential development on a tight space without removing a clump of sycamore saplings or similar. This may be considered acceptable. Sometimes public facilities may be proposed on open space. Again, if a successful design can be achieved, a limited loss of open space may be permitted.

Objections Received in relation to proposed change

213.43 CPRE

CPRE considers it would be better to add "away" at the end of line 1, or use the word "removing" instead of "taking"

U.D.C is proposing additional changes to paragraphs 5.5 and 5.6

Amend second sentence of para 5.5 to read:

Such spaces may include village greens, commons or narrow tongues of agricultural land or woodland or large mature gardens.

Amend the final sentence of para 5.5 to read:

Other smaller spaces of importance ~~may exist~~ will also be protected where development.... Amend first sentence of para.5.6 to read:

Where the principle of development is acceptable it should avoid taking away features that are prominent elements and enhance the local environment such as for example, healthy mature trees.

Inspector’s Reasoning and Conclusions

- 5.4.1 I accept that large gardens are important and should be given recognition in paragraph 5.5. The Council has agreed and has amended the second sentence as shown above. (23.2)
- 5.4.2 I have recommended above that an additional criterion h) be added to Policy GEN2 to cover a range of mitigating measures which can be detailed further in Supplementary Planning Guidance. The Council has to consider on the merits of the case the balance between development and the need to retain trees and open spaces. (71.2)
- 5.4.3 In my view “other visually important spaces” could reasonably apply to open spaces in the countryside as a number of villages have no settlement boundaries and are categorised as countryside. As trees and open spaces are as important to these villages as they are to urban areas I do not consider “built up areas” should be added to the policy. (119.28)
- 5.4.4 The Proposal Map and Inset Maps are to show allocations and are not intended as a land use map to show either existing open spaces or say. Listed Buildings. Although it might be possible in an urban area I doubt that it is practical to identify all “other visually important spaces” in the district and put them on a map. (149.6)(161.3)
- 5.4.5 Various criteria need to be balanced one against the other prior to agreeing to the loss of open space or trees. New paragraph 5.6 now gives some examples of what would be taken into account and is an abridged version of the objection. The detailed process of planning, consultation and management and the Quality of Life Capital approach would be more appropriately contained in Supplementary Planning Guidance than in the Plan itself. (215.2)
- 5.4.6 I agree that small open spaces may well be as important in visual and amenity terms as larger spaces. The Council has revised the wording of Policy ENV3 to recognise this. “Away” has been added to the end of the line as part of the additional changes shown above. This clarifies the wording. (218.21)(214.43)

- 5.4.7 Although it is not possible to define need inclusively the Council has introduced a new paragraph 5.6 giving examples of factors to be taken into account in assessing the need for the development against the need to conserve. (213.9)

RECOMMENDATION

Make no further modifications to the Plan but amend paragraphs 5.5 and 5.6 of the Plan by incorporating the additional changes shown above

5.5 PARAGRAPH 5.6 – ANCIENT MONUMENTS AND SITES OF ARCHAEOLOGICAL IMPORTANCE

The Objections

219.16 English Heritage

Addition of a policy framework relating to archeology is essential. We do not consider it sufficient to rely on the structure plan for this. The framework should cover evaluation of sites of archeological significance or potential, The presumption in favour of preservation of nationally important sites and their settings. Preservation in situ of other remains depending on their merit and the nature of the development: provision for excavation and recording where appropriate and enhancement of archeological sites.

219.30 English Heritage

Scheduled Ancient Monuments should be identified on the map

204.5 (Objection conditionally withdrawn) Essex County Council

Paragraph needs correction and clarification amended paragraph 5.6 suggested - see objection letter

218.22 (Objection withdrawn) Saffron Walden Friends of the Earth

First sentence to read Uttlesford contains many areas of considerable.....Last sentence to read "development proposals will be assessed against the Structure Plan Policies on the protection" etc

UDC Proposed new paragraphs

Ancient Monuments and Sites of Archaeological Importance

~~Uttlesford is an area of considerable archaeological importance. There are more than 30 scheduled ancient monuments, some of which are visible today, such as Ring Hill at Littlebury, Wallbury Camp, Canfield Mound, and the Battle Ditches and Norman Keep at Saffron Walden. In addition to these, there are numerous sites that have been identified by Essex County Council as being of archaeological importance. On many of these sites artefacts have been discovered, and some may provide evidence of past social and economic activity. New discoveries are frequently made, for example during preparatory work for development at Stansted Airport where a~~

settlement of Romano-British origin was discovered, together with important artefacts. The structure plan has policies on the protection of archaeological sites (Structure Plan Policy HC5) and archaeological assessment (Structure Plan Policy HC6).

The desirability of preserving an ancient monument and its setting is a material consideration in determining planning applications whether the monument is scheduled or unscheduled. The Structure Plan has policies on the protection of archaeological sites and archaeological assessment. Structure Plan policy HC5 prevents development which would damage or destroy a Scheduled Ancient Monument or nationally important archaeological site, its character or setting and seeks to protect, conserve and enhance such sites. Structure Plan policy HC6 sets out the need for nationally important sites to be preserved in situ, and the requirements for field evaluations, investigations and recordings. When investigating and making proposals for sites, the planning authority will expect applicants to adopt the procedures set out in central government planning policy guidance 16: Archaeology and Planning (PPG16).

Within Uttlesford District, approximately 3000 sites of archaeological interest are recorded on the Heritage Conservation Record (EHCR) maintained by Essex County Council, of which 73 are Scheduled Ancient Monuments (December 2001). However the EHCR records represent only a fraction of the total. Many important sites remain undiscovered and unrecorded. Archaeological sites are a finite and non-renewable resource. As a result it is important to ensure that they are not needlessly or thoughtlessly destroyed.

Objections to the Proposed Change

121.24 Stansted Airport Ltd

Reference should be made to appropriate extract from para 8 of PPG16. Whilst the draft may accurately reflect the Structure Plan policy HC6 in so far as that states the "need for nationally important sites to be preserved in situ" it is suggested that this goes beyond the guidance set out in PPG16. The presumption in the PPG is retention in situ but this is not absolute.

219.33 English Heritage

Local Plan should include policies for the protection, enhancement and preservation of sites of archaeological interest and of their settings. Also the first line should be amended to the stronger statement that "there is a presumption in favour of the preservation of nationally important sites and their settings"

Welcome the inclusion of a fuller statement on archaeology. This needs to be elevated to policy status in line with guidance in Planning Policy Guidance No. 16.

Inspector’s Reasoning and Conclusions

5.5.1 The Council has rewritten paragraph 5.7 referring to Structure Plan Policies HC5 and HC6. As the Structure Plan and the Local Plan form the development plan for the area there is no need to repeat the Structure Plan policies. However, I would normally expect a policy refining the Structure Plan policy in the Local Plan listing nationally important archaeological remains and their settings and a separate policy dealing with sites of local archaeological value, in accordance with advice in Planning Policy Guidance No. 16. The difficulty I have in this matter is that there is very little detailed

evidence before me about archaeological remains and their importance and whether the extent of such sites have been identified. If survey information is available I would expect it to be included in a policy or policies.
(219.16)(219.30)(204.5)(219.33)

- 5.5.2 I agree there is a different in emphasis in the Structure Plan Policy HC6 and national guidance in Planning Policy Guidance No. 16 paragraph 8. Regardless of the wording of the Structure Plan policy I believe paragraph 5.7 should also clearly reflect national guidance and it should not await a Local Development Document to be clarified. (121.24)

RECOMMENDATION

- a) **Reconsider the need for a policy or policies on archaeology in accordance with advice in Planning Policy Guidance No. 16.**
 - b) **Modify paragraph 5.7 to accord with advice in paragraph 8 of Planning Policy Guidance No. 16.**
-

5.6 PARAGRAPH 5.7 – THE QUALITY OF THE COUNTRYSIDE

218.23 (Objection withdrawn) Saffron Walden Friends of the Earth

Amend 5.7 to read “Uttlesford is a highly productive arable farming area. There is no Grade 1 land but over 80% of the District is classified Grade 2. There is also some Grade 3a land. This represents the best and most fertile farmland. Such land should be protected from development unless a development of national or regional significance takes precedent”.

206.13 (Objection conditionally withdrawn) Uttlesford LA21 Group2

The Farming, Wildlife & Countryside Group of Uttlesford Local Agenda 21 UK wishes to see strong protection from development of all agricultural land in the district – Para 5.7 to read "Uttlesford is a highly productive farming area. There is no Grade 1 land but over 80% of the District is classified Grade 2 under the MAFF Agricultural Land Classification (ALC) system. There is also some Grade 3a land. All these grades represent some of the best and most fertile farmland. Such land should be protected from development which would adversely affect its maintaining its current ALC status.

UDC proposed change to paragraph 5.9

Uttlesford is a highly productive arable farming area. There is no Grade 1 land but over 80% of the District is classified Grade 2 by the Ministry of Agriculture, Fisheries and Food. There is some Grade 3a land. This represents the best and most versatile farmland. Such land should be avoided for development if-at-all-possible **unless sustainability considerations suggest otherwise.**

Inspector’s reasoning and conclusions

- 5.6.1 The Council has amended paragraph 5.9 in accordance with the objection to take into account sustainability considerations.

RECOMMENDATION

Make no further modifications to the Plan in response to this objection but modify in accordance with proposed change shown above.

5.7 PARAGRAPH 5.8

The Objection

206.14 (Objection withdrawn) Uttlesford LA21 Group2

Para 5.8 to read "Pasture land is not extensive although it does exist in the river valleys where drainage problems, in part, have resulted in (ALC) Grade 3b designation. Such land is an important element of the historic and current countryside character of the district and should be avoided for development which would adversely affect its maintaining that status and character.

The Farming, Wildlife & Countryside Group of Uttlesford Local Agenda 21 UK wishes to see strong protection from development of all farmland in the District.

UDC proposed change to paragraph 5.8

Pastureland is not extensive but it does exist in the river valleys where drainage problems, in part, have resulted in Grade 3b designation. **Although not the best and most versatile farmland, pasture land is important to the character and biodiversity of the district**

Inspector’s reasoning and conclusions

5.7.1 The Council reworded this paragraph in the Revised Deposit Draft and the objection was withdrawn.

RECOMMENDATION

Make no further modification to the Plan in response to this objection.

5.8 REVISED DEPOSIT - PROPOSED NEW PARAGRAPH 5.11

Proposals to change agricultural land to domestic garden which are not likely to materially change the character or appearance of the surrounding countryside are those which involve tidying up a meandering border or use unworkable corners of fields and do not create wedges of domestic garden intruding into an agricultural landscape. They should include appropriate boundary treatment such as hedgerows of indigenous species or fencing appropriate to a rural location such as post and rail fencing which do not have the effect of urbanising the area or of compromising the openness of the countryside. In the new garden conditions removing permitted development rights may be imposed where structures would compromise the open character.

The Objections

222.12 GO-East

We think that the wording of the new paragraph 5.11 needs clarification and suggest amending the third line to read "surrounding countryside and are those which ..into an agricultural landscape will be approved"

240.12 (Objection conditionally withdrawn) Essex Wildlife Trust

Please consider removing the wording "tidying up a meandering border" Such a boundary could be of nature conservation/historic interest and creation of new gardens from previously agricultural land should not involve grubbing out of important hedgerows/ditch infilling. Although ENV7 could be argued to provide protection in these cases the phrase does introduce unhelpful confusion.

U.D.C. is proposing further amendment to Paragraph 5.11 to read:

Proposals to change agricultural land to domestic garden which are not likely to materially change the character or appearance of the surrounding countryside and are those which ~~involve tidying up a meandering border or for instance~~ use unworkable corners of fields etc

Inspector’s reasoning and conclusions

5.8.1 The Council has agreed this change to the wording in the third line of paragraph 5.11 and the removal of the phrase “involve tidying up a meandering border” (222.12)(213.13)

RECOMMENDATION

Modify paragraph 5.11 in accordance with the further changes shown above.

5.9 PARAGRAPHS 5.10 – 5.13

The Objections

213.13 CPREssex

We ask that the Council adds a phrase at the end of para 5.10 so that it reads: The best of these have been designated Protected Lanes, and will be subject to Essex Structure Plan Policy NR5
CPREssex regrets the absence of any specific reference to effects of traffic increase on Protected Lanes within any policy either in this chapter or in the Transport Chapter and for that reason objects to the lack of cross reference to the relevant Structure Plan Policy

218.24 (Objection withdrawn) Saffron Walden Friends of the Earth

5.10 should refer to hedgrow legislation. 5.11 delete last sentence and draw attention to EA requirements set out in Government Circular. 5.12 Delete “which” and replace with "these" in last sentence. 5.13 add location of schedule of protected species to last sentence.

208.9 (Objection conditionally withdrawn) English Nature

The value of brownfield sites for wildlife needs to be stated in the local plan as early on as possible either in a list of criteria to be considered in all development proposals

(see objection to para 3.3), or as part of the current GEN7 policy and accompanying text (para 3.10). Specific reference to the value of such sites for wildlife needs to be made within chapter 5. The subject does not appear to site comfortably with any of the existing paragraphs and policies. New text is therefore needed.

208.11 (Objection conditionally withdrawn) English Nature

Consider text should make a stronger commitment to declaring Local Nature Reserves (LNRs). LNRs form part of the wider biodiversity picture. They play a part in biodiversity conservation, enhance the quality of local communities and can provide opportunities for education and community development. Appreciate district Council’s land holding is small however other avenues exist and the Council should consider the scope for dialogue with landowners of existing wildlife sites and nature reserves (such as Essex Wildlife Trust). Declaration and management of LNRs provides a valuable means of delivering accessible natural green space (see objection 208.10). Suggested amended wording "The Council will work with English Nature, parish councils and landowners to secure the declaration of new Local Nature Reserves in and around the District's main settlements."

227.16 (Objection conditionally withdrawn) Environment Agency

Recommend inclusion of water vole in the list of protected species as an example of water reliant species and crested newts should read great crested newt. (Paragraph 5.13)

UDC proposed changes to paragraphs 5.10 to 5.13 and new paragraphs

The District's landscape includes important historic elements. There are twelve historic parklands identified on the Proposals Map and Inset Maps whose character remains relatively intact. Four of these parklands are included in the English Heritage Register of Historic Parks and Gardens. Development proposals will need to be sensitive to the way open space, plantation and water features create their particular landscape characteristics. There are ancient landscapes in two areas where there are notable complexes of surviving ancient semi natural woodland with coppice and standards, and medieval boundary banks: Hatfield Forest and the southern part of Debden Parish. In the latter case there is also clear evidence of very early piecemeal enclosure. **Modest proposals such as agricultural development or farm diversification schemes complying with Policy E3 may be acceptable in historic landscapes if handled sensitively and where harm is compensated by landscape enhancement and biodiversity proposals.**

Woodland and hedgerows are important components in the local landscape. Many field boundary hedgerows have been lost in recent years and woodlands in the landscape have often acquired particular prominence because of this. **Hedgerow legislation introduced in 1997 means that the Council must be notified when an owner wishes to remove a hedgerow, if the hedge is of historic or ecological importance the Council can serve a Hedgerow Retention notice. While development should retain features listed in policy ENV7 wherever possible, it might be necessary, for example, to remove a length of hedging to provide adequate access to a barn conversion. This may be permitted provided there is an agreed scheme of compensating new planting.** All of the visually important woodlands in the District are shown on the Proposals Map and Inset Maps. Broad byways and narrow enclosed high-banked lanes are also important elements in the character of the countryside. The best of these have been designated Protected Lanes.

Some of the woodlands are very old and of ecological importance. The best habitats are designated as Sites of Special Scientific Interest. Hales Wood and Hatfield Forest are National Nature Reserves. Sites of Special Scientific Interest are identified by English Nature as being of special interest by reason of flora, fauna, geological or physiographic features. Most of the sites in Uttlesford are ancient woodlands, but there are good examples of specific grassland/ streamside habitats. Halls Quarry is a site of geological interest. Where the Council has statutory discretion to require an environmental assessment, because a relevant project is likely to have significant effects on the special character of an SSSI, it will normally require one.

Sites of Special Scientific Interest and National Nature Reserves have the maximum degree of protection from development. Examples of exceptions, though, might be a minor development such as a new access or visitor facilities with limited effects, or a nearby development that might also have limited effects on nature conservation value of the protected site. Other nature conservation sites will still be given a high degree of protection, but a telecommunications mast, for example, with limited and temporary effects on biodiversity might be acceptably accommodated if there are landscape considerations that weigh against other technically feasible sites. Also there may be operational reasons why development needs should sometimes override biodiversity objectives.

Roadside verges also represent uncultivated areas in an intensively farmed landscape where rare plants may still be found, and Special Verges are shown on the Proposals Map and Inset Maps as areas to which Policy ~~ENV 9~~ **ENV 7** applies. Special Verges may often be associated with lanes following historic alignments. Other sites of local ecological value exist and further sites worthy of protection may be identified in the Plan period, which might include Local Nature Reserves. **The Council will work with English Nature, Town and Parish Councils and landowners to secure the declaration of new Local Nature Reserves in and around the District’s main settlements.**

Part 1 of the Wildlife and Countryside Act 1981 sets out the protection, which is afforded to wild animals and plants. The presence of a protected species such as bats, barn owls, badgers and **great** crested newts **or water voles** on a site will be taken into account when considering a proposal for development. **Particular care needs to be given to proposals for the redevelopment of derelict sites. Such sites with derelict buildings and areas of hardstanding provide suitable habitats for amphibians and reptiles.** Development will either be refused or be subject to a requirement that reasonable precautions be taken. This is not an issue restricted to the countryside, as bats, for example, may roost in the roof spaces of buildings in towns and villages.

Objections to new Paragraph 5.15

213.44 Patricia Herrmann, CPRE

CPRE suggests the final sentence on this page be changed to read, "other nature conservation sites will still be given a high degree of protection, but a use with limited and temporary effects on biodiversity might be acceptably accommodated if there are landscape considerations that weigh against other technically feasible sites" , and that the last sentence be deleted.

In a policy where exceptions are mentioned CPRE believes it preferable not to list such exceptions, but to consider each application on its merits

227.33 The Environment Agency

Support the principle of this para but object to the existing text as we would like to add a sentence to the end saying "in all cases appropriate mitigation measures will be sought to compensate for biodiversity losses

U.D.C. is proposing further changes to paragraph 5.15

The last two sentences would read:

Other nature conservation sites will still be given a high degree of protection, but a ~~Telecommunications mast, for example,~~ a use with limited and temporary effects on Biodiversity might be acceptably accommodated if there are landscape considerations that weigh against other technically feasible sites. Also there may be operational considerations why development needs should sometimes override Biodiversity objectives. Appropriate mitigation measures will be sought to compensate for biodiversity losses.

Inspector’s reasoning and conclusions

- 5.9.1 The Council already has a Policy to protect historic landscapes, including protected lanes, at Policy ENV8. This reflects Policy NR5 of the Structure Plan. As both the Structure Plan and the Local Plan form the development plan for the area there is no need for specific cross referencing. (213.13)
- 5.9.2 The Council has recognised the importance of previously developed land to wildlife and has met the objection by amending paragraph 5.15. The objection is conditionally withdrawn (208.9)
- 5.9.3 Local Nature Reserves play an important part in conservation. The Council has agreed with the objector and revised paragraph 5.15 accordingly. The objection is conditionally withdrawn (208.11)
- 5.9.4 The water vole is now included in the list. This objection is conditionally withdrawn. (227.16)
- 5.9.5 The Council has now accepted that there is no need to include an example and has revised paragraph 5.15. I see no reason to delete what was the last sentence, as this merely accepts that there are circumstances when biodiversity objectives may have to be overridden. A further sentence has now been added to seek mitigation or compensatory measures. I agree with the Council that it might not be appropriate to seek such measures in all cases. (213.44)(227.33)

RECOMMENDATION

Modify the Plan in accordance with further changes to paragraph 5.15 shown above.

5.10 POLICY ENV4 - PROTECTION OF AGRICULTURAL LAND

The Objection

115.5 (Objection conditionally withdrawn) Prowting Projects and Gleeson Homes

Object to the wording of this policy which fails to pay due regard to current government policy as set out in the revisions to PPG7. Government policy recognises that issues of agricultural land quality must be weighed in the balance with wider sustainability considerations. Add to the end of the draft policy "except where other sustainability considerations suggest otherwise"

118.7 Bryant Projects

Redraft ENV 4 as follows: Development proposals involving irreversible loss of the best and most versatile land will not be permitted, unless it is otherwise considered to be the most sustainable alternative taking into account the availability of previously developed land or other appropriate land of a lesser quality and there is an overriding need for the development

We do not fully consider that ENV4 interprets the revisions to Para 2.17 of PPG7 introduced in March 2001. ENV4 does not allow for sustainability considerations to be balanced against the interests of protecting agricultural land. There may, for example be occasions where a parcel of land is of higher grade quality compared to an alternative, but other sustainability considerations indicate it to be a preferable choice. The policy should allow specifically for such comparative considerations in accordance with the intentions of Government advice.

119.29 Proto Limited

Redraft policy to state: development proposals involving the loss of land in agricultural use shall have regard to: a) the quality of land b) the size of land to be lost c) the scale of the agricultural holding and d) the extent of severance from the remainder of that or other holdings. The policy should be redrafted so that it also relates to the overall size and quality of the agricultural holding and issues such as severance.

144.5 Bryant Homes Limited

Amend the policy to reflect the guidance in PPG7

The policy does not reflect the guidance relating to best and most versatile agricultural land contained in PPG7 as amended in March 2001. The guidance relaxes the previous controls over the loss of agricultural land. Sustainability considerations such as biodiversity, landscape accessibility and amenity value may override agricultural land value. Statutory and non statutory designations should also be taken into account, alongside agricultural land quality, in weighing up the relative merits of a site rather than the more limited previously developed land and agricultural land quality criteria set out in the policy

164.7 Bellway Homes

Policy ENV4 as written simply refers to the circumstances where development proposals on the best and most versatile land will not be permitted unless there is an overriding need for the development. There is no reference within this policy to

balancing the need for the preservation of such quality land within the objectives of sustainability. Clearly in such circumstances a balance has to be struck and the policy would be more appropriate to refer to the need to assess a site's sustainability criteria when looking at development, in comparison to its agricultural land classification.

213.9 CPREssex

We ask the Council to give further thought to this use with a view to eliminating a phrase that will be difficult to define and even more difficult to enforce. CPREssex is particularly concerned at the use of the word "need" in policies ENV3, 4, 6, 7, and 8

218.25 (Objection withdrawn) Saffron Walden Friends of the Earth

Policy refers to need - who's definition of need is this?

222.7 Go-East

Policy ENV4 does not reflect the new wording of PPG7 as set out in March 2001 concerning the best and most versatile land. Whether the development is irreversible or not is not longer a material consideration in assessing development of agricultural land. We suggest that the policy be reworded as follows "Development of the best and most versatile agricultural land will only be permitted where opportunities have been assessed for accommodating development on previously developed sites or within existing settlement boundaries. Where development of agricultural land is required, developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise.

UDC Proposed Change to Policy ENV4

Policy ENV4 - Protection of Agricultural Land

~~Development proposals involving irreversible loss of the best and most versatile land will not be permitted, unless there is an overriding need for the development, which cannot take place on previously developed land or appropriate land of a lesser quality.~~

Development of the best and most versatile agricultural land will only be permitted where opportunities have been assessed for accommodating development on previously developed sites or within existing settlement boundaries. Where development of agricultural land is required, developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise.

Objections to Proposed Change

213.45 CPRE

CPRE object to the use of the words "is required" without any limiting definition and suggests the addition of the words "by the applicant" after "required"

Inspector’s Reasoning and Conclusions

- 5.10.1 Policy ENV4 has been reworded to reflect advice in Planning Policy Guidance No. 7 regarding agricultural land
(115.5)(118.7)(119.29)(144.5)(164.7)(222.7)

5.10.2 “Need” is mentioned in a number of policies in Local Plans. The word has not caused particular difficulty. It introduces some flexibility but has to be proven to the satisfaction of the Council on the merits of the case. The Council has expanded the supporting text to provide more explanation about the definition of need. Policy ENV4 as rewritten now contains no mention of need. (213.9)(213.45)

RECOMMENDATION

Modify the Plan in accordance with Proposed Change to ENV4 as shown above.

5.11 POLICY ENV5 - CHANGE OF USE OF AGRICULTURAL LAND TO DOMESTIC GARDEN

The Objections

10.9 (Objection conditionally withdrawn) National Trust

The National Trust supports Policy ENV5. However the policy or supporting text could usefully be extended to highlight the importance of appropriate means of enclosure and boundary treatment such that this does not have the effect of urbanising the area or of compromising the openness of the Countryside

34.4 Ovenden

Policy is too positive; masquerades as useful policy but terms are too vague; makes the LPA’s job in refusing change of use applications unnecessarily difficult. Which applicant will believe that their proposal fails to comply with the policy? Removal of Permitted Development rights merely mean that planning permission is required and thus is no great safeguard. Should indicate that unless the area of land involved is small (however defined); that the property’s existing garden is small and that it relates to tidying up a meandering boundary, that changes of use won’t be permitted. Alternatively it would be better to remove the policy and rely on a robust S7 rather than retain an unhelpful policy.

161.6 The Stebbing Society

Conditions regulating development rights are essential to any planning permission of this kind and the wording of the policy should be amended to reflect this.

218.26 (Objection withdrawn) Saffron Walden Friends of the Earth

Delete Policy ENV5 - Countryside Protection Policies

222.9 Go-East

Policy ENV5 (and Policy H5) states that planning permission may be subject to conditions regulating development rights. Permitted development rights should only be removed in exceptional circumstances where there is a real and specific threat to an interest of acknowledged importance. And DOE circular 11/95 advises that conditions withdrawing such rights should themselves only be imposed exceptionally. We consider that some clarification is needed as to the type of development that might warrant such restrictive action.

Inspector’s Reasoning and Conclusions

- 5.11.1 There is new supporting text in the Revised Deposit Draft at paragraph 5.11 referring to appropriate boundary treatments. This objection is, therefore, conditionally withdrawn (10.9)
- 5.11.2 Paragraph 5.11 explains the thinking behind the policy and it should be relatively easy to assess the impact on the character and appearance of a garden intrusion from a site visit. It seems to me that the optional wording suggested would be too prescriptive in that it creates an arbitrary formula not specifically related to the impact of the incursion on the character or appearance of the countryside. I consider that with the amended supporting text it is better to have a specific policy dealing with the problem of garden extensions than rely on a general policy S7.
- 5.11.3 Paragraph 5.11 now contains an explanation about the background to the policy. Whether permitted development rights need to be taken away would depend on the form of the extension of the garden land and the impact of subsequent buildings into open countryside. I consider the word “may” is appropriate to allow for this flexibility as there may be occasions when the removal of permitted develop rights is warranted. (161.6)(222.9)(34.4)

RECOMMENDATION

Make no modification to the Plan in response to these objections

5.12 POLICY ENV6 – THE PROTECTION OF THE NATURAL ENVIRONMENT – DESIGNATED SITES

The Objections

6.2 The Woodland Trust

Ancient woodland is an irreplaceable habitat having taken at least 400 years to evolve. There is an important concentration of this habitat in Uttlesford and the Trust believes that it should be therefore given absolute protection and object to the caveat relating to need. Suggested wording - Permission will not be granted for development within an area of ancient woodland" and "in order to protect areas of woodland, especially ancient and semi-natural ancient woodlands and/or woodlands special scientific interest development will be resisted which would be harmful to the trees within and/or on their outer edges".

14.1 Essex RIGS Group

ENV6 should include reference to regionally important geological sites (RIGS). The Essex RIGS group is about the notify the Council of a number of RIGS in Uttlesford District. RIGS are described in PPG9 and the initiative has the support of English Nature

119.30 Proto Limited

Add at the end of the First Sentence "or appropriate mitigation measures are provided . Delete second sentence.

With regard to the first part of the policy there are different degrees of adverse affect on an area and in some circumstances mitigation may be possible or appropriate. The extent of such mitigation as well as the need for the proposed development must be taken into account. It is noted that the relevance of mitigation is referred to in Policy ENV7. The second part of the policy is inappropriate since areas of lesser nature conservation significance will require the same very substantial burden of proof of need as for nationally important sites.

208.10 (Objection conditionally withdrawn) English Nature

There is an omission to reference to access to natural green space. UK BAP "encourages local planning authorities to make reasonable provision for Local Nature Reserves and natural green space in local plans and environmental charters." A suitable policy might be "the council will seek to ensure that all people living and working in the district have reasonable access to an area of nature conservation interest". Supporting text might include the English Nature natural green space thresholds.

208.12 (Objection conditionally withdrawn) English Nature

Amend policy ENV6 to include Local Nature Reserves (another form of designated site), Country Wildlife Sites, and Regionally Important Geological and Geomorphological Sites (RIGS). LNRs form part of the wider biodiversity picture and provide a valuable means of delivering accessible natural green space. County Wildlife sites and Regionally Important Geological Sites (RIGS) are both non statutory but urge the council to include these terms within the policy.

213.9 CPREssex

CPREssex is particularly concerned at the use of the word "need" in policies ENV3, 4, 6, 7, and 8. We ask the Council to give further thought to this use with a view to eliminating a phrase that will be difficult to define and even more difficult to enforce.

UDC Proposed Change to Policy ENV6

Policy ENV6 - The Protection of the Natural Environment - Designated Sites
Development proposals that adversely affect areas of nationally important nature conservation concern, such as Sites of Special Scientific Interest and National Nature Reserves, will not be permitted unless the need for the development outweighs the particular importance of the nature conservation value of site or reserve.
Development proposals likely to affect local areas of nature conservation significance, such as County Wildlife sites, ancient woodlands, wildlife habitats, sites of ecological interest and Regionally Important Geological/ Geomorphological Sites, will not be permitted unless the need for the development outweighs the local significance of the site to the biodiversity of the District. Where development is permitted the authority will consider the use of conditions or planning obligations to ensure the protection and enhancement of the site’s conservation interest.

Inspector’s Reasoning and Conclusions

- 5.12.1 The sites have been designated because of their particular importance to the natural environment and there must be a presumption against development which would adversely affect them. It seems to me that the word “adversely” should also be included in the policy related to local areas of nature conservation etc. as minor effects or incursions would not normally preclude some forms of development. Although the caveat is not really necessary because exceptions can be dealt under Section 54A of the Act. I do not feel strongly about its exclusion, as the Council would no doubt ensure that there was a proven need before granting planning permission for development where there is a presumption against it. (6.2).
- 5.12.2 Policy ENV6 of the Revised Deposit Plan includes reference to Regionally Important Geological/Geomorphological Sites. There are no Local Nature Reserves in the district to include. As, however, Policy ENV6 includes “such as” in its wording LNR’s would be covered by this policy if designated. (14.1)(208.12)
- 5.12.3 I believe that the additional sentence proposed by the Council covers the issue of mitigation. I agree with the objector that the same balancing exercise would be carried out for areas of local significance as for nationally important sites but apart from the word “adversely” which I have referred to above the wording is similar. (119.30)
- 5.12.4 The Council has expanded the supporting text to provide information on need. Also see paragraph 5.11.5 above regarding additions to Policy ENV6. I do not favour a policy which merely gives people reasonable access to an area of nature conservation as it would be too general to implement in any meaningful way (208.10)
- 5.12.5 I have also dealt with the definition of need at paragraph 5.10.2 above. (213.9)

RECOMMENDATION

Make no modification to the Plan in response to these objections

5.13 POLICY ENV7 – OTHER LANDSCAPE ELEMENTS OF IMPORTANCE FOR NATURE CONSERVATION

The Objection

6.1 The Woodland Trust

Other Councils have adopted absolute protection of ancient woodland. E.G. "Trees and woodlands, especially ancient woodlands will be protected and their management promoted" and "Development will only be acceptable where it will not result in the loss of/or damage to ancient woodland". We would like to see Uttlesford adopt a similar form of words in policy ENV7 to ensure that no more of this valuable and irreplaceable resource is lost.

93.8 Hastoe Housing Association/Springboard HA

Object to this policy which places environmental protection of relatively low value areas at too high a level. In effect there is little difference between ENV6, which deals with high level nature conservation sites, and ENV7.

119.31 Proto Limited

Delete policy - it is inappropriate for inclusion in a development plan. It addresses an unnecessary level of detail which should be addressed in supplementary planning guidance

213.9 CPREssex

CPREssex is particularly concerned at the use of the word "need" in policies ENV3, 4, 6, 7, and 8. We ask the Council to give further thought to this use with a view to eliminating a phrase that will be difficult to define and even more difficult to enforce.

227.18 (Objection conditionally withdrawn) Environment Agency

The policy should include river corridors and other linear wetland features such as streams and ditches as, although not great in landscape terms, they are of great ecological value as habitat and act as links between larger areas of habitat. Such links should be preserved and incorporated into scheme design. This would tie in with the Agency’s anti-culverting policy.

UDC Proposed Change to Policy ENV7

Policy ENV7 – Other Landscape Elements of Importance for Nature Conservation

Development that may adversely affect these landscape elements

Hedgerows	Plantations and small woodlands
Linear tree belts	Ponds
Larger semi natural or ancient woodlands	Reservoirs
Semi-natural grasslands	River corridors
Green lanes and special verges	Linear wetland features
Orchards	Networks or patterns of other locally important habitats.

will only be permitted if the following criteria apply:

- a) The need for the development outweighs the need to retain the elements for their importance to wild fauna and flora;**
- b) Mitigation measures are provided that would compensate for the harm and reinstate the nature conservation value of the locality.**

Appropriate management of these elements will be encouraged through the use of conditions and planning obligations

Inspector’s Reasoning and Conclusions

5.13.1 This policy includes a list of elements of differing importance. As long as robust proof of need is required and this is a matter of implementation I do not consider the policy has to be strengthened, particularly as designated sites of particular importance would be covered by Policy ENV6. If necessary, an ecological survey can be required through Policy GEN7 (6.1).

5.13.2 I do not consider Policy ENV7 can be construed as being too firm or even too weak because it will depend on the assessment of need, balanced against the relative importance of the particular nature conservation feature, which will determine whether development is acceptable or not. Some Plans contain policy dealing with individual features such as wildlife river corridors but the Council has grouped together those elements of the countryside that may be worthy of protection. The policy should not be deleted. (93.8)

5.13.3 I have dealt with the definition of need at paragraph 5.10.2 above (213.9).

5.13.4 The Council has now included linear wetland features and the objection is conditionally withdrawn. (227.18)

RECOMMENDATION

Make no further modification to the Plan in response to these objections but modify in accordance with proposed change shown above.

5.14 POLICY ENV8 - HISTORIC LANDSCAPE

The Objections

183.4 Sworders Agricultural

The reference in the policy to 'likely to harm significant local historic landscapes' is not defined. Proving what is considered historically significant in terms of landscape would prove difficult.

213.9 CPREssex

CPREssex is particularly concerned at the use of the word "need" in policies ENV3, 4, 6, 7, and 8. We ask the Council to give further thought to this use with a view to eliminating a phrase that will be difficult to define and even more difficult to enforce.

218.27 Saffron Walden Friends of the Earth

Amend wording - Development proposals which would lead to significant harm to local historic landscapes, historic parks and gardens and protected lanes as defined on the Proposals Map will not be permitted.

219.17 English Heritage Agent

ENV8 should include protection of the settings of historic parks and gardens. The phrase "unless the need for the development outweighs the historic significance of the site weakens the policy and is superfluous. It is always open to the local planning authority to make exceptions, taking account of other material considerations.

Inspector’s reasoning and conclusions

5.14.1 As the policy refers to sites that are shown on the Proposals Map their particular historic significance has been recognised and they would be protected by the policy. (183.4)

5.14.2 I have dealt with concern about the word need at 5.10.2 above. Although there is flexibility under Section 54A of the Act the policy recognises the balance of conflicting interests and the practical implementation of that judgement. (213.9) (218.27)(219.17)

RECOMMENDATION

Make no modification to the Plan in response to these objections

5.15 AIRCRAFT NOISE

223.2 Elsenham Parish Council

No mention of cargo, which is expanding and no limitation of cargo take offs. Ground noise? Night Flights?

Inspector’s reasoning and conclusions

5.15.1 I am not sure how Policy ENV9 and ENV10 would relate to cargo take-offs and night flights. Policy ENV9 deals with new development affected by noise and ENV10 b) controls noise generating development. Night flights as such are dealt with separately by government regulations. However, the supporting text may now need updating to take into account an increased throughput at Stansted.

RECOMMENDATION

Council to consider updating paragraph 5.20.

5.16 PARAGRAPH 5.18

209.2 Three Valleys Water Plc

Add to the end of para 5.18. Within groundwater protection zones, residential development would represent an acceptable form of development. Confirmation that residential development will normally be permitted within the groundwater protection sites. Without prejudice to the Water Company's support for all measures published by the Environment Agency resulting in the protection of groundwater sources where contamination is a possible risk, we consider that it would help the clarity of the proposed policy to confirm that residential development within these areas will normally be acceptable. In the water company's experience the application of ground water protection zones over wide areas can potentially result in the sterilisation and under utilisation of important land resources within the urban area unless properly controlled. Further the application of these standards and controls can lead to unwarranted protracted time delays and costs in implementing new development controls.

UDC Proposed No Amendment to Paragraph 5.18

Inspector’s Reasoning and Conclusions

5.16.1 The term “development” in Policy ENV11 would include residential but I see no need for this to be specified. The policy is intended to protect groundwater or surface water from all forms of development. (209.2)

RECOMMENDATION

Make no modification to the Plan in response to this objection

5.17 POLICY ENV9 – NOISE SENSITIVE DEVELOPMENT AND DISTURBANCE FROM AIRCRAFT

The Objections

119.32 Proto Limited

Urgently review the assumptions used and measurements made in establishing the various contours so far established. Amend contour shown on Proposals Map and add other contours up to 69 dba. Redraft policy: Planning applications for noise sensitive development will be determined using the Dba noise contour appropriate for the type of development being permitted and will have regard to the appropriateness and level of any design features or sound proofing whether the development is a replacement building and whether it is an extension to an existing building

121.8 & 28 Stansted Airport Limited

Base application of Policy ENV9 on noise contour representing potential greater use of airport. Amend proposal map and relevant inset plans.
Choice of 57 Leq contour for 15 mppa does not reflect intention and flexibility of policy ENV9 or reflect the guidance of PPG24 Para 9

157.3 Great Hallingbury Parish

Policy ENV9 affects the major part of Great Hallingbury to the north of the LEQ noise contour. This would mean that no new buildings will be permitted. Policy 12, however gives permission for building within the settlement areas. If policies are contradictory how will applications be assessed.

164.8 Bellway Homes

Wording of Policy ENV9 is inequitable and illogical and should be reworded. "Where noise sensitive developments fall within the zone where it is anticipated that exposure to aircraft noise will be 57db(a) Leq (0700-2300) hours or more adequate safeguarding conditions will be included within any appropriate planning permissions to ensure that adequate soundproofing is undertaken."

Thaxted is affected by the 57 leq contour which includes about half of the existing built up area. If the policy is applied as suggested this will mean that only extensions and/ or conversions of noise sensitive development will be permitted subject to appropriate soundproofing. In the context of this policy, noise sensitive developments

include residential and office uses. The effect of this is to resist new housing or new employment proposals even within the built up area as shown on the inset plan. If the authority would resist new development on the site if it falls within a noise sensitive development category we would submit that it is contrary to the thrust behind PPG3.

216.3 Hertfordshire County Council

Applying ENV9 as worded in Thaxted may prove difficult as the anticipated 57 leq contour is likely to cover different parts of the town at different times and inevitably there will be proposals for otherwise acceptable new housing within the urban envelope.

213.14 (Objection withdrawn) CPREssex

We suggest that policies ENV9, ENV10, ENV11 and ENV12, with the associated text be moved to chapter 3 to follow GEN5 on light pollution
CPREssex considers that noise pollution, ground water protection and protection from poor air quality are just as important General Policies as those listed on pages 10-11 and should therefore be in that chapter rather than this one.

UDC Proposed Changes to Policy ENV9

Policy ENV9 - Noise Sensitive Development and Disturbance from Aircraft
Noise sensitive developments will be refused within the zone where it is anticipated that exposure to aircraft noise will be 57dB(A) L_{eq} (0700-2300 Hours) or more, unless it is a replacement building or an extension to a building and it will be adequately sound proofed.

Inspector’s Reasoning and Conclusions

- 5.17.1 I have mentioned above that some updating is required now that planning permission has been granted for development of Stansted up to 25 mppa. It will now be appropriate to include the LEQ contour forecast for 25mppa in 2012. Policy ENV9, as revised, now indicates that buildings within the sound sensitive area would be acceptable with adequate sound proofing.
- 5.17.2 However, I am concerned that this policy and the supporting text do not reflect the guidance in Planning Policy Guidance No. 24. Although PPG24 recognises that offices will contain activities that are noise sensitive it also states that NEC principles cannot be sensibly applied to them. I consider it is an over simplification to say in paragraph 5.20 that noise sensitive developments include residential and *office uses*.. There is no mention of schools being noise sensitive development in paragraph 5.20. It seems to me that the Council is attempting to impose “new dwelling” standards on all forms of noise sensitive development.
- 5.17.3 As I see it the objective of the policy is the control of new development to avoid disturbance by noise from established or envisaged sources. This can be done in two ways. By imposing specific standards related to a particular form of development, which could become very detailed, or have a general policy that recognises noise contours will vary for different forms of noise sensitive development. I favour the latter, supplemented by Supplementary Planning Guidance if required which would be based on the Noise Exposure Categories in Planning Policy Guidance No. 24. There are a number of ways

a general policy could be worded. I have suggested one below.
(119.32)(121.8)(121.28)(157.3)(164.8)(216.3)

RECOMMENDATION

Modify the Plan as follows:

- a) Update supporting text to recognise that planning permission has been granted for development at Stansted up to 25mppa
- b) Delete reference to offices in paragraph 5.20.
- c) Delete the existing policy and substitute a general policy in the following terms;
“Housing and other noise sensitive development will not be permitted if the occupants would experience significant noise disturbance. This will be assessed by using the appropriate noise contour for the type of development and will take into account mitigating design and sound proofing features”
- d) Either delete the noise contours from the Proposals Map and include the noise exposure categories in Supplementary Planning Guidance, or add to the Proposals Map the range of noise exposure categories referred to in Annex 1 of Planning Policy Guidance No. 24.

5.18 REVISED DEPOSIT - NEW PARAGRAPH 5.22

5.22 Development that generates noise is typically associated with economic activity. A B2 general industrial use, transport infrastructure, or a significant traffic generator are examples. It will be necessary to weigh the benefit of the jobs created, the value of the business supported and the reduction in congestion costs against the degree of annoyance caused by the noise in the case of these developments, taking into account any controls and mitigation measures that could reasonably be imposed by condition.

Objections to the proposed change

200.6 Railtrack Property

Railtrack notes the list of benefits/criteria against which noise generating development will be judged. It is felt that this list of benefits is not wide enough and should include other environmental improvements. Particularly in assessing transport infrastructure proposals there may well be significant benefits beyond just reducing congestion costs. The paragraph should be amended as follows: ..it will be necessary to weigh the benefit of the jobs created, the value of the business supported, the reduction in congestion costs and environmental improvements against the degree of annoyance caused by the noise.

U.D.C is proposing further change to Paragraph 5.22

Amend 3rd sentence to read:

It will be necessary to weigh the benefit of the jobs created, the value of the business supported and the reduction in congestion costs and any other benefits against the degree of annoyance caused by the noise in the case of these developmentsetc

Inspector’s reasoning and conclusions

5.18.1 The words “any other benefits” have been added. This will recognise other environmental benefits as proposed by the objector. (200.6)

RECOMMENDATION

Modify the supporting text of the Plan in accordance with proposed further change to paragraph 5.22 shown above.

5.19 POLICY ENV10 – NOISE GENERATORS AND EXPOSURE TO NOISE

The Objections

218.28 Saffron Walden Friends of the Earth

Change "users" to "occupiers" in criteria (a). Criteria (b) delete "unless the need for the development outweighs the degree of noise generated"

10.13 National Trust

The National Trust feels that Policies ENV9 and ENV10 are all very well but that they refer only to built development and do not acknowledge the harm that excessive noise does to the wildlife and tranquility of the countryside and especially to designated sites of national importance such as Hatfield Forest.

Inspector’s Reasoning and Conclusions

- 5.19.1 Either “users” or “occupiers” would be suitable in criteria (a) but I see no reason to change what the Council has proposed. The new paragraph 5.22 gives some explanation of need but I have dealt with the principle of including “need” in policies at 5.10.2 above (218.28).
- 5.19.2 There are other policies in the Plan which protect the environment from inappropriate development including Policy GEN7 (10.13)

RECOMMENDATION

Make no modification to the Plan in response to these objections

5.20 POLICY ENV11 – GROUNDWATER PROTECTION

The Objection

222.6 Go-East

Policy ENV11 could be expanded to fully capture the spirit of Policy INF2 in RPG 9 in relation to protecting groundwater resources from contamination and over extraction.

227.9 Environment Agency

Reference should be made to culverting policy in supporting text is not in a policy.

Suggested policy set out in full in representation.

The EA has recently adopted a policy that seeks to prevent the culverting of watercourses and encourages the opening up (de-culverting) of watercourses at every opportunity.

227.10 Environment Agency

No reference to Catchment Abstraction Management Strategies (CAMS).

Include a paragraph discussing CAMS. The aim of the CAMs is to develop a framework to manage water resources locally through a holistic approach that considers the needs of abstractors alongside those of fisheries, recreation and navigation, whilst protecting water quality and conserving the aquatic environment.

227.11 (Objection conditionally withdrawn) Environment Agency

The Plan should state the requirement for contaminated land investigations to be undertaken in light of new legislation contained within the Environmental Protection Act 1990 as amended by the Environment Act 1995, which became operational on 1.4.00.

227.20 (Objection conditionally withdrawn) Environment Agency

The Plan should contain a policy for the protection of surface water and pollution prevention generally. This is especially important with regard to development at Stansted Airport. The policy could take the form of an extension to the ground water policy or a new policy. Suggested wording for a pollution prevention policy is outlined in representation.

UDC Proposed New Policy on Contaminated Land and new Paragraph 5.26

5.26 The principle of sustainable development means that, where practicable, brownfield sites, including those affected by contamination, should be recycled into new uses. Any proposal on contaminated land needs to take proper account of the contamination.

Policy ENV# – Contaminated Land

Where a site is known or strongly suspected to be contaminated, and this is causing or may cause significant harm, a site investigation, risk assessment, proposals and timetable for remediation will be required.

Objection to Proposed New Policy

227.39 The Environment Agency

The Environment Agency supports the inclusion of this Policy and so we withdraw our original objection. However, we must object to the current wording. The Agency feels that the Policy should also make reference to the controlled waters, as through these there is the potential to contaminate the wider environment outside the development site.

121.25 Stansted Airport Ltd

The extent of contamination of any particular site and the type of development proposed will affect the remedial actions required and this should be made more explicit.

U.D.C. is proposing further change to Policy ENV # and Para 5.26

Amend final sentence of Para 5.26 to read:

Any proposal on contaminated land needs to take proper account of the contamination. Mitigation measures, appropriate to the nature and scale of the proposed development will need to be agreed.

Amend Policy ENV# to read:

Before development, where a site is known or strongly suspected to be contaminated, and this is causing or may cause significant harm, or pollution of controlled waters, (including groundwater) a site investigation, risk assessment, proposals and timetable for remediation will be required.

Inspector’s Reasoning and Conclusions

- 5.20.1 Although Policy ENV11 could be expanded Policy GEN2 requires development to minimise water consumption. However, I believe that either the policy could be expanded as the objector suggests or alternatively Supplementary Planning Guidance produced to complement the policy. (222.6)
- 5.20.2 The Council has included a new paragraph 3.9 dealing with the Environment Agency policy on culverting. (227.9)
- 5.20.3 Paragraphs 1.10 and 1.11 list agencies and issues that will be dealt with in Uttlesford by other bodies. This includes the Environment Agency. The management strategy is a tool under the control of the EA not directly related to land use policies. The Council has agreed to amend paragraph 1.10 to replace “Local Environment Agency Plans” with “Environment Agency Plans” (227.10)
- 5.20.4 The Council has now introduced a new policy on Contaminated Land to reflect new legislation and this objection has been conditionally withdrawn. (227.11)
- 5.20.5 The title of Policy ENV11 has been changed and wording added to include reference to surface water contamination to partially meet the objection. More detail can be included in the Supplementary Planning Guidance which the Council intends to produce. (227.20)
- 5.20.6 The wording of Policy ENV# has been further revised to meet the objection. (227.39)
- 5.20.7 Mention of mitigation is necessary and the Council has further revised the wording of paragraph 5.26 to recognise this (121.25)

RECOMMENDATION

- a) **Modify paragraph 5.26 to incorporate latest amendment as shown highlighted above**
 - b) **Modify Policy ENV# to incorporate latest amendments as shown highlighted above**
 - c) **Modify paragraph 1.10 by deleting “ Local” from Local Environment Agency Plans.**
 - d) **Expand policy to incorporate advice in INF2 or alternatively include in Supplementary Planning Guidance**
-

5.21 POLICY ENV12 – EXPOSURE TO POOR AIR QUALITY

The Objection

10.14 National Trust

Policy ENV12 refers only to built development within the M11 and A120 corridors, and neither it nor the supporting text acknowledges the harm that air pollution- whether from roads, from operations at Stansted Airport or from aircraft in flight does to wildlife, especially at designated sites of national importance such as Hatfield Forest and at other sensitive locations.

16.6 (Objection withdrawn) The Fairfield Partnership

The criteria for the designation of the Poor Air Quality Zone be reconsidered in a more site specific manner. The allocation is not based on any scientific measure of air quality but refers to an arbitrary and simplistic measure of distance from the central reservation of the motorway. This fails to take account of differing local environments such as tree belts and other mitigating features which may mean that the impact of pollution from the M11 on air quality differs from location to location according to local circumstances.

119.33 Proto Limited

Delete second sentence of the policy - Objection is made to the arbitrary nature of the size of the "no development zone" based on the quality of the assumptions used.

157.2 Great Hallingbury Parish Council

Exposure to poor air quality is not limited to road traffic pollution in the areas immediately surrounding Stansted Airport. Poor air quality is also experienced when plane engines are running for considerable time on the ground. This is especially noticeable in Great Hallingbury when the wind is from the north.

218.29 Saffron Walden Friends of the Earth

Concerned that the policy does not refer to roads containing standing traffic close to peoples homes/workplaces. Extended long term basis must be defined.

Inspector’s Reasoning and Conclusions

5.21.1 As the Zone has been identified using a recommended and recognised method I consider the wording of the policy to be reasonable. The supporting text could be expanded to indicate the methods used but the District with the County Council would have to justify any refusal of planning permission based on this policy at appeal. (16.6)(119.33)

5.21.2 This is a specific policy to deal with air quality related to the M11 and A120 as defined by government criteria. It is not related to the effects of other roads and their usage or other means of pollution. Other policies in the Plan protect the living environment. (218.29)(^10.14)

RECOMMENDATION

Council to consider whether to expand the supporting text to identify criteria used in formulation of policy

5.22 PROTECTION OF HISTORIC SETTLEMENTS

The Objection

219.14 English Heritage

The plan should include an additional policy relating to the protection of the character of the exceptional historic settlements in the district together with appropriate explanatory text.

Inspector’s reasoning and conclusions

5.22.1 From my reading of the Plan with General Policies leading to the specific I consider the topics covered by the policies are adequate to protect the character of all settlements, whether of historic significance or not. The supporting text already describes important elements of the character of the district. I do not consider it necessary for a separate policy to be introduced to specifically protect the character of historic settlements. (219.14)

RECOMMENDATION

Make no modification to the Plan in response to this objection

5.23 RENEWABLE ENERGY

The Objection

13.1 Department of Trade and Industry (ETSU)

Plan should be revised such that it contains a specific section entitled " Renewable Energy" within which there should be: text which outlines the essence of and rationale for government policy on renewable energy as expressed in PPG22. Specific reference be made to the Govt target for renewable energy generation by 2010. A stand alone renewable energy planning policy which provides clear guidance about the circumstances in which proposals for renewable energy developments will be permitted. Plan should contain a policy which expresses positive support for the development of all renewable energy technologies subject to their meeting a range of clearly specified and suitable environmental criteria.

Inspector’s Reasoning and Conclusions

5.23.1 I believe that Policy EG2 of the Structure Plan forms a sound basis for considering energy efficient power schemes. As the Development Plan for the area is the Structure Plan and the Local Plan combined I see no point in repeating the Structure Plan policy. I am not sure how the District could refine the Structure Plan to include a policy in the Local Plan unless it had in mind specific sites or general locations suitable for various types of renewable energy installations and was able to identify them and provide supporting criteria. From the Council’s evidence I doubt that this is the case but raise it in my recommendation.

RECOMMENDATION

Council to consider whether it has the necessary information to formulate a meaningful policy on renewable energy.

5.24 COLLECTION OF RECYCLABLES

The Objections

227.5 Environment Agency

Include a policy to the effect that "collection facilities for recyclables should be provided on new and extensions to existing employment sites." Could either be a general planning policy or as part of the Economic Activity Chapter.

The plan should include a policy relating to development being designed to include ease of collection of recyclables, to assist the District in reaching its targets outlined in its Best Value Indicators.

227.6 Environment Agency

Include policy encouraging development proposals involving waste recovery, such as recycling and composting, if there is no material conflict with other relevant policies of the Plan. That this should not just be collection and sorting facilities, but reprocessing facilities (to turn the material into new products) should also be encouraged on industrial estates/business parks.

Inspector’s Reasoning and Conclusions

5.24.1 Criterion g) was added to Policy GEN2 to encourage recycling and re-use. Also paragraph 3.5 advises that Supplementary Guidance will be produced dealing with the more detailed factors of recycling.(227.5)(227.6)

RECOMMENDATION

Make no further modification to the Plan in response to this objection

5.25 SURFACE WATER DRAINAGE

The Objection

214.3 Thames Water Property

New policy and para should be included on surface water drainage - it is the responsibility of a developer to make proper provision for drainage to ground, water courses or surface water sewer. It must not be allowed to drain to the foul sewer, this is the major contributor to sewer flooding. Thames Water recognises the environmental and economic benefits of surface water source control and encourages its appropriate application where it is to the overall benefit of our customers. Hence in the disposal of surface water Thames Water a) seek to ensure that new connections to the public sewerage system do not pose an unacceptable threat of surcharge, flooding or pollution; b) in line with advice from the DETR encourages where practicable disposal "on site" without recourse to the public sewerage system for example in the form of soakaways or infiltration areas on free draining soils. c) requires the separation of foul and surface water sewerage on new developments.

UDC proposed change to Policy GEN6 in response to this objection

Inspector’s reasoning and conclusions

5.25.1 Although Policy GEN6 requires appropriate drainage and infrastructure provision and paragraph 3.8 has been added to the plan to give further advice, I consider it would be helpful to also include in the supporting text an abridged version of the wording suggested by Thames Water. I consider it provides helpful information to developers and others reading the Plan.
(214.3)

RECOMMENDATION

Expand paragraph 3.8 to incorporate information provided by Thames Water.

6. CHAPTER 6 - HOUSING

6.1 POLICY H1 – HOUSING DEVELOPMENT

The Objections

16.2 (Objection withdrawn) The Fairfield Partnership

In order to achieve the targets for new housing in the district, the expansion of suitable villages in an appropriate manner will be required.

20.1 Martin Grant Homes (UK) Ltd

H1 fails to make adequate provision for appropriate levels of residential development in the rural settlements. 10% allowance should be applied to the calculations underpinning the Deposit Draft and to the figures relating to the sites with the benefit of outline planning permission and those sites with full planning permission where development has yet to commence. Appropriate calculations will indicate the need to identify further housing land allocations to ensure that the anticipated level of completions is actually achieved "on the ground".

28.1 Broadford

There is allotment land in the District which has been laying derelict for years and should be included in the Draft Plan for development it will help to keep the places alive.

73.1 HBF

The Council need to demonstrate how they will ensure that sufficient houses can be actually completed to meet the Structure Plan requirement, if necessary by identifying additional sites. The HBF is not convinced that the Structure Plan requirement will be met as a result of the Plan's proposals. There is heavy reliance on existing commitments and small sites, yet recent annual completion rates for the District are well below what is required to meet the residual requirement of 4620 houses by 2011. There is also apparently no degree of flexibility provided in the proposals and housing figures to allow for delays in delivery or non-implementation.

78.2 Kier Lane

Allocation of land at Ashdon Road for reserve housing site is made on the basis of purported lack of interest for employment uses. Two planning applications have recently been submitted for employment uses at Thaxted Road. These illustrate that there is interest in developing sites in Saffron Walden for employment uses

86.2 Bucknell

Urban capacity study should be carried out again to consider as many sources as possible. The capacity study should include Saling Airfield. Details should be set out in Policy H1 or the supporting text to explain the number of dwellings that are assumed to come forward over the plan period. The plan should include some "reserved" sites for longer term residential development. Andrewsfield should be identified as a reserve site. The draft plan provides an inappropriate distribution of housing throughout the District including too much emphasis upon intensive development of urban areas. Too much emphasis is attached to assumed development of unspecified windfall sites within the existing urban areas. The Rochford Nuseries site is unsuitable for 600 dwellings. Insufficient precision is related to re-use of existing buildings and previously developed land outside urban areas. It

is understood that the figure of 575 has been assumed based upon previous housing developments of this nature over recent years.

92.9 Old Road Securities, Audley End Estates

The draft plan provides inappropriate distribution of housing throughout the District including too much emphasis upon intensive development of urban extensions rather than maximising use of land within existing urban areas. Too much emphasis is attached to assumed development of unspecified windfall sites within the existing urban areas. Urban capacity study is not comprehensive and in accordance with government advice it does not consider as many sources of capacity as possible. The urban capacity study fails to address potential reallocation of employment land such as the Ashdon Road Business Centre. Deposit Plan does not make reference to the monitoring or managing of the release of land for housing. No provision is made for a pool of allocated sites to enable reserve sites to be brought forward in the event that anticipated windfalls of allocated sites are not forthcoming.. Details should be set out to explain the number of dwellings that are assumed to come forward and how these assumptions have been made. Land at Rochford Nurseries should be allocated for 400 dwellings with reduced land take by increasing density to PPG3 requirements. The emerging local plan should provide scope for mixed use developments within the main urban areas.

93.9 Hastoe Housing Association/Springboard HA

Concerned that policy gives insufficient recognition of links between provision of general housing and affordable housing needs. Useful to know how many of the units with permission as secured as affordable. Figures indicate that consideration should be given to identifying and targetting more sites for affordable housing and reducing the threshold below 15 dwellings in the larger settlements. Note affordability criteria and suggest a simpler approach would be to use the Housing Corporation benchmark rents

94.3 Saxon Developments Ltd

The figures at a) should be reduced significantly particularly the provision for Saffron Walden in the light of our objection to Policy SW2. Supply from a) appears to have been derived from crudely doubling the "minimum capacity" of the sites proposed for residential development at policies GD4, SW2 and SM2. These figures have not been justified while three of the sites proposed for housing at Policy SW2 appear to be unsuitable. The figures for Rochford Nurseries and Priors Green at b) should also be reduced in the light of our objections to policies SM4/BIR1 and S2 respectively. To contribute to making up the resultant deficit against the District's Structure Plan housing requirement "Ongar Road, Great Dunmow" should be identified at b) with the number of dwellings allocated here reflecting the extent of the deficit arising from the objection. The figure at c) should be reduced significantly. Govt Planning Policy does not generally prioritise significant development outside urban areas ahead of urban extensions one of which (Ongar Road, Great Dunmow) is currently omitted from the Plan.

115.1 Prowting Projects and Gleeson Homes

Policy H1 should be amended and its supporting paragraphs.. A more detailed explanation within the Written Statement of the sources of housing supply from previously-developed land on which the strategy relies in order that they may be properly tested through the Local Plan process. Housing provision strategy is insufficient to ensure with adequate certainty that the Structure Plan housing requirement will be met. It is customary for local plan housing strategies to incorporate

and element of theoretical over provision. We are concerned to note that this approach has not been followed in the Draft Plan which is based on a precise match between residual requirement and supply. We propose a 10% flexibility allowance to the residual requirement so that the plan contains provisions equivalent to 5,082. As indicated above this will not result in over provision in practise because of the applications of a managed release mechanism. The build rate of 420 per annum required to meet the Structure Plan requirement will require the allocation of additional greenfield sites.

118.8 Bryant Projects

Policy H1 should be revised to address a more realistic strategy to ensure that there will be an adequate supply of housing land available at all times. Enable the orderly development of housing schemes with suitable contingencies to enable the monitoring of implementation to lead to appropriate management of supply. Reduce the expected reliance on windfall housing provision in the rural areas away from the principal towns. It would be helpful to include within the text supporting Policy H1 or an Appendix to the Plan a more detailed breakdown of housing commitments. Question whether the four principal urban extensions are likely to be fully implemented within the remaining period of this local plan.. There is an insufficient range of housing sites available as the best means of ensuring the provision of a genuine range and choice of housing types, tenures and location. The limited number of housing sites will also have an adverse effect on the need to increase the overall rate of completions in the District. In Dunmow we question whether the concentration of development in one single major urban expansion area is desirable or advisable.. Consider that the allowance for brownfield sites outside the built up areas is excessive.

119.35 Proto Limited

Urgently review the need for other sites to make up the shortfall in locations that are accessible to employment and transport hubs
Object to part (b) as it is not appropriate to release only a limited number of large sites to substantially meet the Structure plan requirement when there is a real risk that some of these may not come forward. With regard to Oakwood Park, Little Dunmow, planning permission was granted in 1997 and this should therefore be left as a commitment rather than a local plan allocation. The Rochford Nurseries, Birchanger and Stansted Mountfitchet allocation is too extensive and has poor regard to environmental, economic and traffic factors.

120.3 Laing Strategic Land Ltd

Add a new category to Policy H1 "(E) green field housing allocations"
The components of land supply are too optimistic and will not achieve the Structure Plan housing provision to 2011.

139.1 CWS Pension Fund Trustees Ltd

Redistribute the allocations in Policy H1 and in particular the allowance in part (d) of the policy to enable appropriate extension of settlements such as those listed under Policy H2. Part (d) of policy H1 is insufficient in relation to the contribution that could come from appropriate small scale extensions to villages. Policy H2 of the adopted Structure Plan acknowledges in the sequential approach that small scale housing provision may be provided in small towns and villages. Policy H2 of the Deposit plan allows infilling. If one dwelling were permitted in each of the villages listed it would effectively use up the allocation of H1(d). There is no allowance for appropriate

extension of settlements listed in H2 and no indication in text as to whether consideration has been given to meeting local community needs in this way.

141.2 Persimmon Homes (Essex) Ltd

A 10% allowance should be applied to the calculations underpinning the deposit Draft. The appropriate calculations will indicate the need to identify further housing land allocations to ensure that the anticipated level of completions is actually achieved 'on the ground'. Policy H1 fails to make adequate provision for appropriate levels of residential development in the rural settlements. It is not apparent whether it is reasonable to judge that all land with permission will be developed. Also raise objection to the perception that all previously developed sites within the urban areas, described in Policy H1, can be built out by 2011.

142.2 Wickford Development Co Ltd

Policy H1 should be amended to take into account an accurate discounting figure. The number of dwellings estimated to be derived from a) and c) in H1 could be an over estimate because all the figures may not have been discounted at the appropriate rates in accordance with government guidance. There could be a demonstrable shortfall in the number of dwellings that can be brought forward. Obvious location to meet shortfall is Sector 3 (i) Woodlands Park. Site has infrastructure available, accessible to Dunmow and airport, already allocated for residential use. Site has capacity of 17 dwellings at density of 30d/ha

144.6 Bryant Homes Limited

Policy H1 should be amended to distinguish between airport related housing sites and general housing sites and to include reference to longer term development at north west Takeley. The contribution of existing buildings and previously developed land towards meeting the plan's housing requirements should be reviewed. Land at North west Takeley should be identified as an "area of special reserve" for longer term development needs. We also object on the grounds that the Plan (and the associated Urban Capacity Study) over estimates the contribution that existing buildings and previously developed land within the settlement boundaries of the main urban areas and outside the main urban areas will make towards the Districts housing provision. The contribution from the rural areas is particularly high.

150.1 Birchanger Parish Council

Council object to the increase in numbers on the Rochford Nursery Site from 400 to 600 for three reasons. The increased density will lead to more pressure being exerted on the green belt. Insufficient information available concerning availability of infrastructure particularly the road system to cope with vastly increased volume of traffic. No increase should be considered until the question of further airport expansion is decided.

156.12 Saffron Walden Town Council

In general terms the Town Council support this proposal to limit additional housing within the town to approximately 420 dwellings. Notwithstanding this however the Town Council would accept some modest additional development but only in return for the provision by Section 106 agreement of free, substantial adequate and suitable public open space.

186.4 Siemens Pension Fund

Policy H1 should be amended to include land at Folly Farm, Great Dunmow with an indicative provision of 1,200 dwellings identified

188.3 (Objection withdrawn) Sport England

This policy should be amended or a separate policy introduced which refers to the need for new large-scale housing developments to provide sufficient open space to meet the needs of the population based on a specified criteria/formula.

198.1 Baker and Metson

Land to the north west of Oakwood Park should be included as an housing allocation. H1 - c) will result in sporadic development in the open countryside. Support the re-use of urban land for peripheral development to form new urban extensions, however 575 dwellings in the open countryside using redundant farm buildings will not create sustainable patterns of development. Additions to smaller settlements e.g. Oakwood Park would provide a sustainable opportunity for housing growth albeit on a small scale and provide for the much needed improvement to existing facilities.

201.4 Countryside Properties PLC

Delete all capacity figures from policy H1 pending further assessment. Make provision for additional housing as necessary to meet the structure plan requirement, plus contingency provision. The numbers of dwellings at each of the settlements significantly exceeds the aggregate number for dwellings identified in the respective area policies for these towns. Concern that the methodology conceals the size of the overall windfall contribution which leads to the greenfield requirement being underestimated. Object to the capacity figures indicated for Oakwood Park, Rochford Nursery and Woodlands Park all of which require re-assessment on a consistent and objective basis.

203.1 Croudace Ltd

The Rochford Nurseries site should be identified as having a capacity of about 710 dwellings, in order to more properly reflect the advice at paras 57 and 58 of PPG3 Housing March 2000.

205.3 Enodis Property Developments

Amend policy H1 by increasing figure of 650 for Oakwood Part to 820. Greenfield allocations should be reduced by some 170 dwellings. Consequent changes to paragraph 6.3 should be made. The Plan fails to take into account the increased capacity of Oakwood Park resulting improvement to the Felsted Sewage Treatment Works, thus reducing the extent of the cordon sanitaire. Making full use of the capacity of the Oakwood Park site, which is brownfield land, would avoid the need to make greenfield allocations elsewhere.

208.13 English Nature

Whilst EN has no objection to the principle of redeveloping brown field sites, this policy must be set in the context of our comments in objections 2(201.1) and 9 (208.9) ie that all development proposals (whether for brown field sites or elsewhere) need to be assessed against a set of sustainable development criteria including biodiversity.

211.1 South Cambridgeshire District Council

Consideration should be given to allocating land for housing development in Great Chesterford to meet this sub regional need. Consequential amendments to H1 and the Great Chesterford Inset Map. Great Chesterford is the largest village in close proximity to Hinxtton Hall, part of the cluster of R and D companies that are the

Cambridge Phenomenon. Regional planning guidance for East Anglia supports the further growth of the economy of Cambridge Sub-Region which extends out to the ring of market towns including Saffron Walden and Great Chesterford. There is currently an imbalance between homes and jobs in this southern part of South Cambridgeshire District but there are limited opportunities in sustainable locations in close proximity to Hinxton Hall within South Cambs to provide new residential development of a scale that would impact on this, because of the rural character of the area and small scale of local villages with limited services and public transport. Given sustainability objectives Gt Chesterford represents an opportunity to provide new homes in a larger village close to Hinxton Hall. It is identified as one of Uttlesford's larger villages and key settlements

216.1 Hertfordshire County Council

The County Council's main interest is the Plan's relation to Stansted Airport. No mention is made of the progress in meeting the "airport related" housing requirement of earlier plans. It is assumed that the major housing sites allocated in the District are considered sufficient to meet any outstanding Stansted related demand.

217.8 Pelham Homes Limited

Delete the number of 600 dwellings in relation to Rochford Nurseries and replace with 720 dwellings. The number of dwellings proposed to be completed at the Rochford Nurseries Site is underestimating the potential of the site. It is important to base any housing supply estimate on the PPG3 net developable areas of the sites. We believe a more detailed assessment of densities in line with PPG3 is needed in connection with potential housing supply on the four major sites. The land at Rochford has a net developable area of 20.59 hectares. At a density of 35 dwellings per hectare this would translate as 720.65 dwellings across the entire site. A figure of 35-40 dph would fulfill the requirements of PPG3 and lessen the impact in many cases of necessary developments. Therefore in applying a density of 35 dph a figure more appropriate to the local environment of 720 dwellings is proposed for Rochford.

217.5 Pelham Homes Limited

In accordance with PPG3 the following sequential order of development locations will be appropriate: (v) on previously developed land within the main urban areas of Great Dunmow, Saffron Walden and Stansted Mountfitchet as defined on the Proposals Map (vi) on land identified as urban extensions to the main urban areas of Great Dunmow, Saffron Walden, and Stansted Mountfitchet as defined by the proposed settlement boundaries for these areas. (vii) on land identified as major additions to the settlements of Takeley and Felsted as defined by the proposed settlement boundaries for these areas. (viii) as settlement expansion schemes in the settlements of Elsenham, Great Chesterford, Takeley and Thaxted as defined by the proposed settlement boundaries. The 750 dwelling completions proposed in H1 (a) does not reflect the lack of availability of some development sites. Para 6.1 does not make reference to the principles of sequential test order outlined in PPG3 para 30. We propose the same sequential order for the location of new development as proposed in Policy S1.

217.4 Pelham Homes Limited

The 750 dwellings completions proposed in H1 (a) should be reduced by 20% or 150 dwellings. The urban extension at Rochford Nurseries should be increased in capacity to 720 dwellings. The estimate of 575 dwellings should be reduced by 20% -

115 dwellings: other contributions H1(d) should either be clearly identified or excluded from the land supply and accounted for in windfall expectations. The estimate of 575 dwellings does not reflect land not available for development. Other contributions H1(d) should either be clearly identified or excluded from land supply and accounted for in windfall expectations.

220.14 Essex County Council, Learning Services

As you do not indicate in the deposit draft local plan where the extra units might be located within these three towns to make up the numbers listed on page 25 I reserve the right to come back to you on possible developer contributions once this information is available. Where we have indicated that we will require developer contributions for primary and/or secondary school places there will be based upon the Department for Education and Skill cost multiplier which for the 2001/2002 financial year is £4,798 per primary school age pupil and £6,383 per secondary age pupil.

230.2 (Objection withdrawn) Local Agenda 21 Built Environment Working Group

Clarification of figure required. It is not possible to relate the figure of 420 dwellings for Saffron Walden to the inset because of the small site remainder.

UDC Proposed Changes to Policy H1 and New Policy H#

Policy H1 – Housing Development

The local plan proposes the development of ~~4,620~~ 4,648 dwellings for the period 2000 to 2011 by the following means:

- a) **The re-use of existing buildings and previously developed land, and the use of unused land, within the settlement boundaries of the main urban areas:**
 - **Great Dunmow (~~230~~ 228 dwellings);**
 - **Saffron Walden (~~420~~ 355 dwellings); and**
 - **Stansted Mountfitchet (~~100~~ 121 dwellings)**

- b) **Urban extensions to two of the main urban areas, and settlement expansions:**
 - **Oakwood Park, Little Dunmow (650 dwellings);**
 - **Rochford Nurseries, Birchanger and Stansted Mountfitchet (600 dwellings);**
 - **Takeley and Priors Green (825 ~~825~~ 849 dwellings); and**
 - **Woodlands Park, Great Dunmow (~~1175~~ 1200 dwellings).**

- c) **Re-use of existing buildings and previously developed land outside urban areas (~~575~~ 600 dwellings).**

- d) **Other contributions to supply, including development with outstanding planning permission not included in the above categories (~~45~~ dwellings).**
 - **Bellrope Meadow Thaxted (18 dwellings)**
 - **Brocks Mead Great Dunmow (20 dwellings)**
 - **Hassobury (7 dwellings).**

Policy H#- Reserve Housing Provision

The following urban extension site will only be developed before 2011 if monitoring of housing supply indicates that the total proposed provision of 4,620 dwellings between 2000 and 2011 as set out in Policy H1 is unlikely to be achieved. Supplementary planning guidance will be prepared enabling the release of the site if its development should prove necessary before 2011:

- **Land south of Ashdon Road Saffron Walden (150 dwellings).**

Objections in Relation to Proposed Changes

143.6 David Wilson Estates

There is insufficient flexibility in terms of the proposed sites coming forward to meet SP requirements. It is sensible to identify a reserve site although consider that the site selected is not the most appropriate.

236.1 Pickford Builders Ltd

It is wrong to allocate one reserve site in Saffron Walden. The need may arise elsewhere in the District. Generally if there is to be a reserve housing provision it should be flexible so as to enable it to meet local needs and a further mix of sites may be necessary. There is within para 6.3 extensive new text explaining the principles applied in identifying sites for housing and justification provided for an entirely new policy providing for reserved housing. Whilst not necessarily objecting to the principles applied there is a strong objection to how they have been applied in practice. There are preferable sites both for the housing provision and the reserve. Land at Church End Dunmow should have been an identified site.

143.7 David Wilson Estates

Principle of a reserved housing site is supported. Previously identified land at Elsenham is a superior location for the identification of a reserve housing site and should be identified as a reserve site in addition to the site at Ashdon Road. Additional flexibility is required by identifying a larger site or combination of sites to provide flexibility in the region of 10% of total provision.

201.12 Countryside Properties Plc

Delete reserve housing site at Ashdon Road, Saffron Walden

The site is badly located in relation to major employment centres, including Stansted Airport

125.6 Cala Homes (South) Ltd

Cala Homes objects to the omission of Bury Water Nursery, Newport from this reserve housing provision policy in the event that the site is not allocated within Policy H1.

186.12 Siemens Pension Fund

Land South of Ashdon Road should be deleted from Policy H# .

In our objections to the Deposit we rehearsed the merits of allocating land at Folly Farm for residential based mixed use development

202.7 (Objection withdrawn) Countryside Strategic Projects

Include Dunmow Park as reserve housing site. Do not object to the principle of reserve housing sites. Consider that if these are to be included then land at Dunmow Park should be added to this policy. PPG3 and Planning to Deliver stress the

importance of providing a range and choice of sites to meet strategic housing requirements

233.2 Carter Jonas

Remove H# and the allocation of land south of Ashdon Road as a reserve housing site since there are other more suitable sites in Saffron Walden with better transport links and services which should replace it. Some of the alternatives may involve the removal of employment uses but in many cases and in particular the SIA site where the existing employment use is no longer viable.

94.9 Saxon Developments Ltd

The principle of “Reserve Housing Provision is supported but the site at Saffron Walden is unsuited to residential use being surrounded by employment uses and other non-residential development. If the allocation for housing of the site at Ongar Road is not considered to be justified this site should substitute for land south of Ashdon Road, Saffron Walden in Policy H# with an appropriate amendment to the proposals map and the addition of Policy GD# along the lines of Policy SW#. The employment land allocation should be reinstated for the SW site with appropriate amendments to Policy E1 and the proposals map the reinstatement of Policy SW3 the deletion of 15.7 and both policies SW#. The completion of the A120 will increase the appropriateness of this site.

120.10 (Objection withdrawn) Laing Strategic Land Ltd

The former Saffron Walden Business Park site is inappropriate in view of the consequential adverse impact on employment land supply. Site should be deleted and replaced with land to the east of Newport County Primary School.

Inspector’s Reasoning and Conclusions

Introduction

- 6.1.1 Before I deal with individual objections there are a number of matters which I will comment on related to Policy H1 – Housing Development - which was the most controversial of the policies in the Plan. My report here does overlap with a number of objections raised above.
- 6.1.2 Three issues were raised at Inquiry on a number of occasions two related to strategy and the other to the description of settlement boundaries.
- 6.1.3 Some objectors consider that the planning circumstances have changed significantly since the Deposit Draft Plan was first published in 2001.
- 6.1.4 At the time of the Inquiry the government had put forward a number of options for airport growth in the South East and East. One of these envisaged a significant expansion of Stansted Airport, and the objectors consider that the Council should attempt to allocate further land or include proposals to recognise this in the present Plan. Since the Inquiry and following the writing of much of my report The Future of Air Transport White Paper has been issued which advises that Stansted Airport will be the first to expand by the provision of a new runway and terminal facilities by 2011-1012. I comment on this as such expansion was one of the scenarios in the evidence to Inquiry.

- 6.1.5 Although BAA can now draw up detailed plans for expansion at Stansted in my view the White Paper only takes away part of the uncertainty about the future of the area near the airport. There remains the necessity for a major public inquiry to be held. About 100 properties would need to be demolished to make way for the new runway, including two scheduled ancient monuments and 29 listed buildings. Local residents are preparing a legal challenge against the new runway and I have also read that BA have threatened to take action against what it describes as a cross subsidy for its budget airline rivals. I understand that The Local Government Association and the Confederation of British Industry are also considering action. In my view the way forward is fraught with obstacles and I consider that the issue is at a too early a stage for the Council to take any meaningful steps to plan for it at a local level up to 2011. Revised Regional Spatial Strategy taking into account the extent of any airport expansion would be necessary to provide regional guidance for future development. It seems to me that the RSS would need to be a comprehensive document dealing with employment and population growth in the region and where it should be directed and also would need to describe how the improved infrastructure would be provided, programmed and financed to support such development.
- 6.1.6 Even with recently approved increased throughput, without runway expansion the latest report The Stansted-M11 Corridor Development Study does not envisage the need for new houses “beyond those already anticipated”. In my view this supports the Council’s approach that it is the relationship between housing and employment which is the key issue, not throughput of passengers. For example Air Berlin has increased throughput but as a German company it does not have staff home base overheads at Stansted. Other European companies may operate in a similar way at Stansted in the future.
- 6.1.7 The panel dealing with the Replacement Structure Plan concluded that “although Stansted will be a major factor in economic regeneration of parts of Essex and Hertfordshire ...*further allocations for business, industry and warehousing are not needed at Stansted, (other than that covered by Policy BIW6), or in the attractive and tranquil countryside surrounding it.*” The Panel saw opportunities to develop Harlow further for business that require an international airport at a reasonable distance.” In my view these comments of the panel could equally well apply to a further expanded Stansted airport.

* * *

- 6.1.8 The second issue raised was the government’s allocation of funding for growth in the M11 corridor from London to Cambridge. Some objectors consider that Uttlesford would have to accommodate some of this development and this should be recognised in the present Plan. I disagree. Without a revised Regional Spatial Strategy, which might concentrate resources in the Cambridge, Harlow or the Lea Valley areas, it would not be possible for the Council to assess the impact on Uttlesford. Even if there is an ultimate effect on Uttlesford, it seems to me that with the limited resources which are likely to be available for transport infrastructure which might be concentrated elsewhere in the region, any impact on Uttlesford will be long term and sufficiently long to enable the Council to review its present Plan

under the new arrangements by the preparation of a Local Development Document. I understand that at the time of writing this report the Regional Planning Strategy for the East of England is some way off and in my view may well be delayed further by the issue of the White Paper on airports

* * *

6.1.9 Outside of the main urban areas it became clear from the evidence and from my site visits that often the major part of a settlement was outside of the defined settlement boundary. The boundaries on the Inset Maps actually define areas within which development compatible with the settlement’s character will be permitted. See Policy S3. Areas outside of such boundaries are treated as countryside as they have a loosely knit character but they are often an integral part of the village. I share the concern of the objectors that the term “settlement boundary” is a misnomer and confusing. The defined boundary is a development limit, not a settlement limit, and this should be reflected in the title. I assume that the term “settlement boundary” was used because it would cover both town and village. However, I consider that the term used previously in the Adopted Local Plan of Village Development Limit is far more appropriate for villages in that it means what it says.

* * *

6.1.10 Another issue which came to light at Inquiry was that the Council, in quite rightly adopting the sequential approach to the selection of sites to meet Structure Plan requirements, had not considered whether there were suitable sites in villages which were required to meet local needs. This approach is advised in paragraph 71 of Planning Policy Guidance No. 3 and is reflected in Structure Plan Policy H2 which states “small scale housing provision may be provided in small towns and *villages* at a scale consistent with local community needs as identified in local plans.” There is, therefore, no inherent objection to “small scale” development in villages. However, apart from existing commitments in villages identified in Policy H1 (d) the Plan makes no provision for other settlement expansions. This has resulted in a number of objections about omission sites in or on the edge of villages.

6.1.11 Many of the omission sites were large and I had to consider them against Structure Plan requirements. Some of these were well located in relation to the village and a smaller area might meet local needs, if such needs exist. Other sites, because of their scale and location, were obviously insignificant in strategic terms but could serve a local need. These I had to deal with on an ad hoc basis on the merits of the arguments put forward.

6.1.12 The problem with relying on the sequential approach is that medium and smaller villages would not be looked at strategically because they are not likely to be as sustainable as urban areas and larger villages, They can then also be overlooked in so far as local needs housing is concerned. I believe that the Council should, in conjunction with the Parishes, identify villages where there is a local need for limited development and if a suitable site can be found to include it within the development limits., This should ensure that there is adequate market and affordable housing provision in rural areas to meet the needs of local people,

* * *

- 6.1.13 The Council has produced Position Statement No 1 (CD/2.01) The Distribution of Housing – which explains the figures set out in revised Policy H1 and a supplementary note indicating other ways in which the Structure Plan requirements could be met. .
- 6.1.14 Provision is made in the Revised Deposit Draft for 4648 dwellings between April 2000 and March 2011 following a sequential approach starting with the re-use of previously developed land in urban areas identified in the urban capacity study. Only about 15% of housing requirements can be met in this way. This reflects the small scale of the main settlements in the district and their limited capacity. Most of the provision is on sites within the A120 corridor and urban extension, which account for around 71%. There are two major settlement expansions one on previously developed land and the other mainly greenfield. The remainder is provided through the re-use of existing buildings (13%) and previously developed land outside of urban areas. There is an outstanding commitment figure of 1%.
- 6.1.15 Policy H1 (a) revised above states that the re-use of existing buildings and previously developed land and unused land within the settlement boundaries of the main urban areas is expected to produce the number of dwellings shown above. Policy H1(b) also revised similarly provides details of urban extensions and settlement expansions. Objectors are concerned that on past house building performance and completion rates and because a number of the identified housing sites have specific problems and peculiarities not enough land has been allocated for housing during the Plan period. They also consider that too great a reliance has been given to the “deliverability” of some urban sites, and windfalls coming forward especially outside of urban areas.
- 6.1.16 Objections have also been made about the over-concentration of housing on four large sites because this will have an adverse effect on flexibility to increase the overall rate of completions. According to Policy H1 these four locations are intended to contribute 3299 houses during the Plan period but proposals have been received to increase this figure. Woodland Park, Great Dunmow has consistently under performed. I have dealt with this when considering proposals to extend the site into Sectors 3 (l) and 4 below. Oakwood Park seems to be performing at a normal rate and it is proposed that the density of the site be increased to accommodate some 170 additional dwellings. Rochford’s Nursery site and Priors Green have no planning permission but I understood from Inquiry that Section 106 agreements were imminent on both sites and the consultants for the developers did not envisage further delay. Objectors, however, consider that there is considerable doubt about allocated sites coming forward in their entirety during the Plan period and propose that alternative and additional sites should be considered, both in the urban areas and in the villages.
- 6.1.17 I have dealt with allocated sites and objections relating to alternative or additional sites elsewhere in this report, some in this chapter and others when considering a specific policy objection.

- 6.1.18 I comment here about two aspects raised by the Council and objectors. The first is in the context of national advice that suggests a local plan need only allocate sites for the first five years. Without a range of reserve sites and a programme for development I do not consider this would be an effective approach. However, as the Council considers that its proposals meet the full requirements of the plan period the argument about a five year allocation period is somewhat academic. Completion rates have been consistently below the required annual rate of required to meet the per annum figures in the plan, and in recent housing boom years has declined even further. A higher rate of building will be required over the remainder of the period to make up the numbers. I have dealt with the evidence of the developers concerned with the four main sites and their ability to meet the targets below. I note that the Council proposes to monitor progress by reviewing outcomes by 2005 and the reserve site can be released if necessary. I accept that in principle this should ensure an adequate supply of land to meet Structure Plan requirements, if the Council’s assumptions on land supply are correct.
- 6.1.19 However, from my visits to the urban and rural areas of the district I am concerned about the Council’s windfall assessment. Although only about 18% of future housing requirements is expected from windfalls, in urban areas (Paragraph 14 of Position Statement No 1 (CD/2.01), having regard to the historic nature and character of the urban areas, I question the proportion of housing which might come forward from redevelopment and intensification, particularly with the long established principle of giving priority to such brownfield development and competing uses in urban areas. The small sites are normally of no interest to the volume house builders and rely on small builders to find the financial resources to assemble the land and develop them. With high land values if assembly is necessary this puts a substantial burden on the finances of small companies. Because of the above and the dwindling supply of small sites I believe less reliance should be placed upon them in the future. (90.3)(125.7)
- 6.1.20 Having regard to the rural character of the district I am also concerned about the 13% of windfalls expected from the re-use of buildings and the redevelopment of previously developed land outside of urban areas. The Council bases its assumption in rural areas on historic trends and considers that it is inevitable land will come forward because of high housing demand. In looking at settlement boundaries, which were drawn tightly I saw very few opportunities for redevelopment that would contribute significantly to housing provision, although I have recommended some changes which might encourage some redevelopment. In my view one of reasons the settlement boundaries have been drawn tightly is to discourage any intensive rural development which would not be sustainable. The conversion of barns and other rural buildings is also based on historic rates which I consider are not likely to continue, particularly having regard to the strict control of such residential conversions under Policy H5.(89.5)
- 6.1.21 A 10% or 20% non-implementation figure is proposed by some objectors to allow for flexibility in case there is a residual housing requirement. Under Plan, Monitor and Manage I do not believe such a contingency is necessary. if there are sufficient sites identified in the Plan and reserve sites which can be readily released to allow more land to be brought forward as required.

- 6.1.22 I have dealt with the need to make full and efficient use of committed sites by increasing densities, and the rates of building on them, when considering objections to particular allocated sites below
- 6.1.23 It seemed to me from Inquiry that each consultant considered that his own clients would be able to provide the necessary houses over the Plan period but their competitors would not.
- 6.1.24 In my view it is very unusual for a 100% completion rate to be adhered to and unforeseen hiccups occur to frustrate development. Although 20% of dwellings allocated in the urban areas have already been built I believe that overall there is a considerable degree of optimism about the delivery of the number of houses to meet Structure Plan requirements. There is a similar optimism about small sites coming forward and windfalls in both urban and windfalls and conversions in rural areas. I doubt that all previously developed sites in urban areas are likely to be built on by 2011.
- 6.1.25 Densities have been increased, or recommended for increase by me later in this report, which in my view would in numerical terms more than make up for the shortfall in windfall sites in urban and rural areas, and rural conversions. However, my basic concern is that development will not come forward as quickly as envisaged, particularly at Takeley, for the reasons I have mentioned when dealing with Priors Green. This is confirmed by evidence from local surveyors and estate agents.
- 6.1.26 From the evidence of the developers and their advisers I do not consider that with the increase in densities the shortfall will be great. I conclude that to allow for flexibility and a wider choice of sites about half the reserve site at Ashdown Road, Saffron Walden, which could accommodate about 75 homes, and should be sufficient to trigger other planning needs in the town, should be allocated and the remainder held in reserve. Together with increased densities this should be sufficient to meet Structure Plan requirements and would also make an important proactive contribution by facilitating other community development, which the Town Council has been attempting to provide for some time. The remainder of Ashdon Road could readily be released if development is further delayed on any of the allocated sites.
- 6.1.27 I do not consider it necessary to allocate additional reserve sites during the Plan period. Once some definite government regional guidance is available I am sure the Council will embark on a review under the new local plan procedures.

RECOMMENDATION

Allocate half of the Ashdon Road reserve site for housing during the Plan period.

* * *

Woodlands Park, Great Dunmow

- 6.1.28 I have given more detailed consideration to Woodland Park below when dealing with proposals to extend the site into part of Sector 3 and Sector 4. The rate of development on this site over the past few years has caused the most concern to objectors and I can understand this as only 54 dwellings were produced in the first two years of the Plan. However, from my visit I saw that most of the infrastructure is now in place to serve the development of the remainder of the site. I would expect building to speed up considerably as at the time of Inquiry an application for the affordable housing element of Sector 2 and part of Sector 3 had been submitted for 156 dwellings. Regardless of past history I do not believe that there is any practical reason why development cannot proceed at the rate required.
- 6.1.29 Sector 3 (I) is a small area of land of some .58 hectares in area. From my visit I saw that it is contained by woodlands to the north west and the wooded grounds of Newton Hall to the east. There will be housing to the south and the new by pass road with its landscaping to the west. Sector 3 (I.) has previously been allocated for housing, and to my mind is an integral part of the development site. It is suitable for housing development and does not appear to have been “de-allocated” for land use reasons but as part of a numerical assessment of housing requirements. The site could accommodate about 17 houses and in my view would have little impact on the overall housing strategy for the district. It would also be logical for this site to be developed as part of a continuous building operation with the adjoining land. I consider it should be allocated in the Plan.
- 6.1.30 Sector 4 comprises about 5.85 hectares of land stretching north from the settlement boundary adjoining the north west by pass now under construction. The site could accommodate at least 175 dwellings
- 6.1.31 The objector considers the site would be a logical extension of Great Dunmow, that housing here would round off the settlement, and form the final phase of development for Woodlands Park.
- 6.1.32 I found from my visits Sector 4 to be a promontory of land remote from the remainder of the development and from the town. The new by pass is under construction and I was able to assess the impact of any development from the line of the road. Although because of the slopes of the land I believe parts of the development would be less conspicuous from the road than originally envisaged, overall the impact of intensive housing would be a substantial intrusion into the countryside. At present there is a pleasant distant view up to the school which should be retained. Although the north west by pass is, of itself, an intrusion into the countryside this will be mitigated by a landscape margin and I do not consider that the alignment of the northern section of the new road would be a sustainable settlement boundary for Great Dunmow.
- 6.1.33 I have already concluded above how Structure Plan housing needs should be met during the Plan period. No additional allocations are required.

RECOMMENDATION

Modify the Plan by allocating Sector 3 (I) for housing.

* * *

Priors Green, Takeley/Little Canfield

6.1.34 At the time of Inquiry no planning permission existed for this site but I was told that a Section 106 agreement had been concluded and that planning permission was imminent. I have also dealt with an objection proposing an increased density for this site. Although it can be done in less, in my experience with large sites it takes about two years for the first house to be built following the date of planning permission. There is also an additional factor hanging over this site. Objectors consider there may be delay while government policy on the Future Development of Air Transport is determined. As a White Paper on the future of airports in the south east has now been issued, I do not consider the publication, of itself, would cause delay because much of the development in Takeley is phased to relate to the completion of the new A120. This section of the road is not expected to open until early 2004.

6.1.35 However, I do consider that Takeley and the site at Priors Green would be seen by those living in the area and those considering moving to the area to be significantly affected by the proposed new runway which would eliminate Bambers Green to the north east of Takeley. In my view concern about blight and house sales could delay development of this site and others in Takeley. A new runway could also affect the location of previously agreed future school sites.

Rochfords Nursery, Stansted Mountfitchet

6.1.36 This site is at present expected to produce 600 dwellings but an objection has been lodged to increase the density, which I have dealt with elsewhere. At the time of Inquiry no planning permission had been granted but I was told a Section 106 agreement has been concluded and planning permission was imminent. Development is expected to commence in September/ October 2004 with 600 dwellings to be completed by October 2008. Although concern has been expressed by the Parish Council about development jumping over on to land on the south of Forest Hill Road I am satisfied that the with the recommendations I have made the Council has allocated sufficient land to meet the housing needs of the district during the Plan period (150.1)

* * *

6.1.37 To provide a balanced community the Council has to assess a range of needs, one of which is allotment provision. Unused allotment land can be

considered for alternative uses under policies of the Plan such as Policy LC1 if the need for the facility no longer exists. Whether allotment land is suitable for housing would depend on how well it is integrated into the settlement and the scale of the development. (28.1)

- 6.1.38 I have dealt with affordable housing when considering Policies H8, H9 and H10 later in this report. (93.9)
- 6.1.39 I have considered the figures put forward and the allocated sites and have concluded that even with increases in density that are proposed and which the Council or I have recommended, uncertainty will prevent houses coming forward at Takeley as quickly as anticipated. See GD4, SW2 and SM2 (94.3)
- 6.1.40 I have recommended that part of the reserve site be brought forward as an allocation site to provide greater flexibility. Although Oakwood Park is under construction a substantial part of the site is not yet developed. It will be providing houses during the Plan period to meet Structure Plan requirements and I consider it should remain an allocation rather than a commitment. (119.35)
- 6.1.41 At the time of Inquiry the Council had already granted permission for 600 dwellings on the Rochford Nursery site, in accordance with government advice to make best use of allocated land, subject to the signing of a Section 106 agreement. There is a further proposal by an objector to increase the density to 720 dwellings. (150.1)
- 6.1.42 I have dealt with this objection to include Folly Farm, Great Dunmow as a housing site at Paragraph 14.18 of the Plan (186.4)(186.12)
- 6.1.43 As I have said when dealing with arguments about the need for additional housing, with the tight settlement boundaries and the need to encourage sustainable development 600 is a large number of dwellings to accommodate outside of urban areas. (198.1)
- 6.1.44 Biodiversity issues have been dealt with elsewhere in the Plan but I understand that the Plan has been the subject of a sustainability appraisal including biodiversity objectives (208.13)
- 6.1.45 I have also dealt with objections in respect of Great Chesterford when dealing with the Great Chesterford Village Inset. Previously developed land in Great Chesterford has already been allocated for housing. I have also recommended that a reserve site in Saffron Walden, which is within the settlement boundary and is in the Cambridge sub region be partially brought forward and allocated for development during the Plan period. I would, however, expect specialised R and D development to draw labour from an extensive catchment area. (211.1).
- 6.1.46 The concept of airport related housing which was part of the earlier Plans is no longer considered appropriate. Monitoring has shown that throughput of the airport is not the key factor. Employment growth has been the key to housing and has had a far more modest impact on housing than was originally envisaged. The allocations proposed together with my recommendation that part of a reserve site be brought forward should

adequately provide for housing demands from the airport or otherwise during the Plan period. (216.1)

- 6.1.47 The Council accepts that developer contributions for primary or secondary school places will be the subject of negotiation as part of the planning application procedure (220.14)
- 6.1.48 Position Statement 1 – The Distribution of Housing - contains the calculations on which the housing figures are based (230.2)

Land at The Broadway, Church End, Great Dunmow

- 6.1.49 I have dealt with the arguments about the need for more allocated sites to meet Structure Plan requirements and local needs above. .Apart from recommending the bringing forward of part of the reserve site I am satisfied that sufficient land has been allocated for housing during the Plan period.
- 6.1.50 The site is a self contained plot surrounded by hedges and is of rural character. It has blended into the landscape and no longer is regarded by the Council as falling within the definition of Previously Developed Land. Because of the slope of the land development on it would be prominent from The Broadway. The site is 1km from the centre and is within walking distance, albeit uphill.
- 6.1.51 There used to be a two storey dwelling on the site which was demolished in 1980. There is a now a pile of rubble. Permissions were granted in 1981 and in 1983 for housing but no development occurred. The Council considered that the site had a capacity for 12 to 19 units and that it was assessed as not contributing to supply until post 2011
- 6.1.52 It seems to me that as I have not identified additional needs that cannot be met, there is no need for this site to be allocated or reserved to meet Structure Plan requirements during the Plan period. On the basis of the sequential approach in the Structure Plan this small site does badly against other sites of higher density.
- 6.1.53 In the future the Council would no doubt again consider housing need and balance that against the impact of the development in the countryside.(236.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

* * *

- 6.1.54 I have recommended that part of the reserve site at Ashdon Road, Saffron Walden be brought forward as an allocated site to provide choice and flexibility. The site is already within the settlement boundary and was previously allocated for employment use, and part of it will be retained for that purpose. As a housing site it is well related to an employment centre and is

less likely to cause traffic disruption and nuisance from heavy vehicles than the industrial uses previously envisaged (201.12)(233.2)

6.1.55 I have dealt with the objections in respect of site at Elsenham, at Dunmow Park and Ongar Road, Great Dunmow later in my report when dealing with the individual objections to omission sites. (94.9)(143.7)(202.6)

6.1.56 There are a wide variety of forms of development in the rural areas. In my view infilling outside of settlement boundaries would need to be dealt with on its own merits on the basis of Policy S7 and advice in the supporting text at paragraph 6.5, which reflects advice in Planning Policy Guidance No. 7. The Plan uses similar words, that sensitive infilling of small gaps within small groups of houses may be acceptable depending on the character of the surroundings.(103.7)(235.1)(151.3)

RECOMMENDATION

- a) **Modify the Plan by substituting “*Village Development Limits*” for “Settlement Boundaries” when referring to villages.**
 - b) **Council to consider whether additional local needs housing is required in villages.**
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6.2 PARAGRAPH 6.2 & 6.3

The Objections

9.1 Cambridgeshire County Council

The Plan does not make reference to the Cambridge Sub Region Study which included the Saffron Walden area within its boundaries and involved the participation of your authority. I would, therefore have expected to see a clear acknowledgement of the Cambridge Sub Region Study and an indication of how the Plan responds to the sphere of influence exerted by Cambridge.

164.10 Bellway Homes

Suggest policy - applications for renewal of planning consents for residential development on greenfield sites will only be permitted where there is an identifiable need to meet the District's housing requirement and there is no more sustainable site available which better meets the criteria in para 31 of PPG3

To this end we would suggest that the plan would benefit from an upper case policy or even lower case text to ensure that the renewal of planning permissions will not be granted automatically but they will be reassessed in line with case law and against the relevant and appropriate planning policies and guidance such as that contained within PPG3.

119.36 Proto Limited

An amendment is sought to the final sentence such that village characteristics are described without determining on that basis alone whether it rules out further development. Delete in final sentence "a characteristic that must be retained"

UDC Proposed a change to Para 6.3

- 6.3. It is important to strike a balance between making effective use of developed land within settlement boundaries and protecting their character. Uttlesford’s urban areas are relatively small and the opportunities for development in them limited by relatively few potential sites. This is why 70% of the housing provision is proposed in urban extensions and two major settlement expansions. Much of this land already has planning permission, but this plan seeks to make effective use of these large sites, acknowledging that outstanding commitments may constrain what can be achieved on a specific site. Elsewhere, the opportunities for development in a linear loose settlement sensitive to its character may be different from those in a village where historically buildings have been more clustered. Proposals will also need to respect the character of village approaches. Some have an abrupt break between settlement and countryside. Others have a more gradual transition with well spaced out properties, a characteristic that must be retained.

Additional Paragraphs Proposed by UDC

Windfall sites are expected to contribute 18% of supply. This is a realistic figure taking into account the rural nature of the district.

The allocation of sites has taken into account:

- **The availability of previously developed land;**
- **The location and accessibility of sites;**
- **The capacity of existing and potential infrastructure;**
- **The ability to build communities**
- **Constraints such as flood risk.**

A search sequence has been followed, starting with the re-use of previously developed land in urban areas identified in an urban capacity study, then urban extensions and finally two other key sites within the A120 transport corridor, with its potential to support public transport.

There are seven strategic sites, that is those with a capacity of more than 50 dwellings. Three of these are on previously developed land. Development of the Oakwood Park site commenced in 1999 and is expected to be completed in 2006/7 taking into account the limit of 305 occupations prior to the new A120. Development of the Printpack site, Radwinter Road, Saffron Walden started in 2001/2 and will be completed in 2002/3. Development of the Thaxted Road Saffron Walden site is expected to start in 2003/4. A substantial part of the largest site, the Woodlands Park green field site at Great Dunmow had planning permission at the beginning of the plan period and its development is expected to extend throughout the plan’s duration with completion in 2010/11. The Rochford Nurseries greenfield development in Birchanger/ Stansted is expected to be supplying houses in 2003/4 following off site infrastructure works. The greenfield site in Takeley village is also expected to be supplying houses in 2003/4 with the final phase of 20 being occupied in 2004/5 after completion of the new A120. The larger Priors Green greenfield development will be phased so that first occupations are also in 2004/5 after the new A120 opens. Implementation of this extensive site is likely to extend throughout the remainder of the Plans’ duration with completion in 2010/11. A combination of a strong housing market and site specific factors will mean that the objective of securing

housing on previously developed land before taking green field sites will be achieved in the district. This outcome is one of the effects of phasing development selectively in relation to off site highway infrastructure.

An eighth strategic site may be required if windfall sites do not materialise as expected. This is a greenfield site, which would be an urban extension to Saffron Walden south of Ashdon Road. In order to ensure that no more greenfield land is released than necessary, it will only be developed if monitoring of housing supply indicates that there will be a significant shortfall against the structure plan housing requirement.

Objections received in relation to new paragraphs

89.5 Keith Clement Associates

The Council considers that windfall sites will provide 18% of total housing supply and this is seen to be unrealistic. Due to the long established principle of developing brownfield sites the realistic chance of such sites being brought forward is ever diminishing. Competing land use requirements for retail, employment and leisure further compounds the likelihood of windfall sites within urban areas being released for housing development and leisure uses.

90.3 RMJ & WRA Drown

The Council considers that windfall sites will provide 18% of total housing supply and this is seen to be unrealistic. Due to the long established principle of developing brownfield sites the realistic chance of such sites being brought forward is ever diminishing. Competing land use requirements for retail, employment and leisure further compounds the likelihood of windfall sites within urban areas being released for housing development and leisure uses.

92.20 Old Road Securities on behalf of Audley End

The Council's assessment of windfall sites providing 18% of total housing supply is unrealistic. The principle of development brownfield sites and other sites within development boundaries is long established and thus the realistic chance of such sites being brought forward is ever diminishing. Competing land use requirements for retail, employment and leisure further compounds the likelihood of windfall sites within urban areas being released for housing development and leisure uses.

125.7 Cala Homes (South) Ltd

There is a need to provide greater certainty in housing land provision. The admission that 18% of supply is expected to come from windfall opportunities is of concern. Reliance on a small number of sites also reduces flexibility and ability of the plan to react to unforeseen circumstances and its ability to meet one of the pivotal policy requirements of the plan. There is a strong need to reduce these uncertainties

139.6 CWS Pension Trustees Ltd

Redistribute allocations in H1, in particular (c) and (d) with an increase in category (d) enable appropriate extension of settlements such as those listed under H2. Delete references in (d) to Bellrope Meadow, Brocks Mead, Great Dunmow and Hassobury and their associated dwellings numbers. Reduce the dwelling allocation under category (c), unless it can be demonstrated that housing provided in these locations is more sustainable than that associated with the expansion of smaller settlements. H1 has become more prescriptive . It is not clear how the windfall figure of 18% is distributed through the categories of H1. In particular (c) relating to the re-use of

existing buildings and previously developed urban land outside urban areas has been increased to 600 dwellings. It is assumed that this must constitute an element of the windfall supply but the balance must come from elsewhere.

166.7 Woodhall Estates (UK) Ltd

The five bullet points on p29 do not include a review of land previously allocated for employment land as set out in Government advice. This should be one of the factors to be taken into account.

186.13 Siemens Pension Fund

Introduction to the chapter has been revised to make reference to the need for urban extensions and potentially a further strategic site, south of Ashdon Road. This underlines the opportunities for residential development in existing urban areas are limited and that urban extensions could be acceptable after the re-use of previously developed land.

218.60 Friends of the Earth

Remove the Ashdon Road site from the housing designation.

Why is it stated that development of the Thaxted Road site in Saffron Walden is expected to begin in 2003/04. No planning permission has yet been granted. The eighth strategic site is adjacent to oil storage depot and is unsuitable for housing

Inspector’s Reasoning and Conclusions

- 6.2.1 I understood that Saffron Walden was included within the Cambridge Sub Region and that the Study was prepared in response to RPG6. If this is the case I consider it should be mentioned in paragraph 1.10. I have no detailed evidence before me on this matter so I am not aware whether further supporting text is necessary to explain the influence of Cambridge on the town. (9.1)
- 6.2.2 From the evidence on housing supply and progress on implementation of permissions I do not consider the renewal of planning permission on greenfield sites will become an issue. In the unlikely event that it does no doubt the Council will take into account advice in Planning Policy Guidance No. 3. I see no need for a separate policy. It could be mentioned in the supporting text, but I do not feel strongly that it is necessary. (164.10)
- 6.2.3 The phrase in paragraph 6.3 has been deleted as suggested by the objectors (119.36)
- 6.2.4 I have taken up the concern about Policy H1 (c) above. Although relatively small numbers those sites in category d) are contributors to meeting the Structure Plan figures. I see no reason to delete them from the Plan, nor do I understand how the list could be expanded, except to include Bellrope Meadow, Thaxted where I have recommended change. (139.6).
- 6.2.5 The bullet points on page 29 do indirectly refer to some employment land that was previously developed. However, although I am satisfied from the evidence that Council has taken into account a review of employment land allocations and has, in fact, changed them, I agree that I would be helpful to add to the list “A review of land allocated for employment use” (166.7)

- 6.2.6 Although Ashdon Road, Saffron Walden is a greenfield site, it is, within the settlement boundary and has been for some time. It was previously allocated for employment use. The Council has met the Structure Plan figures for employment land without the whole of this site being allocated for business use. The site is physically contained by development on three sides. It is close to employment uses and an out of centre large food store. In my view it is a logical site for housing. I have dealt with the merits of this site elsewhere in my report but briefly consider that the major part of the site is more suited to housing than as a business park because of the impact of heavy goods vehicles on the road network from the latter use. At Inquiry both the District Council and the Town Council expressed concern about the amount and type of traffic which would emanate from a business use and considered that housing development would generate significantly less peak hour traffic movements than the business park previously proposed. The oil storage depot adjoining would impose a buffer zone on the site and this could reduce the capacity for housing depending upon the final juxtaposition between new housing and new industry.
- 6.2.7 From the plans I saw at Inquiry the Council had resolved that planning permission should be issued for 72 dwellings on land east of Thaxted Road, subject to a Section 106 agreement. This leaves just over 1ha of land consisting of Jossaume Depot and Paxton Depot. It seems to me that these sites are suitable for both business use and housing and it is for the Council to determine the priority of use. The sites are within walking distance of the town, are sustainable for housing and are in accordance with government advice to give priority to previously developed land within the urban area, particularly underused and vacant employment land.
- 6.2.8 I agree that because of their location the sites are sustainable for local industry in an expanding town. Out commuting is a problem for the district but I have no convincing evidence before me to indicate that the Council has not allocated sufficient land for employment uses locally during the Plan period.
- 6.2.9 Objectors are concerned about traffic at the junction of Thaxted and Radwinter Road but it seems to me from my visits that if the two depots were used to their fullest potential for employment generating uses that the number of traffic movements would probably be greater than those created by housing development. (186.13)(218.60)

RECOMMENDATION

- a) **Council to consider whether to mention renewal of planning permissions on greenfield sites in supporting text**
 - b) **Add to the bullet points on page 29 “ a review of land allocated for employment use”**
-

6.3 REVISED DEPOSIT - PARAGRAPH 6.5

There is no specific policy on infilling outside settlement boundaries This is because there are few gaps left in otherwise built up frontages small enough to be appropriate for development. Any infill proposals will be considered in the context of Policy S7 because any infill proposals will be considered in the context of Policy S7. This says that development will be strictly controlled. It means that isolated houses will need exceptional justification. However, if there are opportunities for sensitive infilling of small gaps in small groups of houses outside settlement boundaries but close to settlements these will be acceptable if development would be in character with the surroundings and have limited impact on the countryside in the context of existing development.

Objections Received in relation to the Proposed Change

103.7 J. Curtis

Pleased to note that the contradiction in this para has been addressed and that provision for sensitive infilling of small gaps within small groups of houses beyond settlement boundaries is supported. This is not reflected in any policy and on this basis the weight, which could be afforded to it, cannot be assured.

235.1 Hempstead Parish Council

We are concerned over the policy of infilling outside settlement areas. The proposals appear to relent over permitting some development which we feel could open up areas which have hitherto been strictly controlled

151.3 Little Dunmow Parish Council

Little Dunmow Settlement Boundary was not re-instated despite request. Only protection against development lies in para 6.5 therefore we require tighter restriction than "sensitive infilling of small gaps" what is sensitive infilling - what are small gaps. Infilling should be limited to single dwellings or perhaps a semi.

Inspector’s Reasoning and Conclusions

6.3.1 There are a wide variety of forms of development in the rural areas. In my view infilling outside of settlement boundaries would need to be dealt with on its own merits on the basis of Policy S7 and advice in the supporting text at paragraph 6.5, which reflects advice in Planning Policy Guidance No. 7. The Plan uses similar words to national advice that sensitive infilling of small gaps within small groups of houses may be acceptable depending on the character of the surroundings.(103.7)(235.1)(151.3)

RECOMMENDATION

Make no modification to the Plan in response to these objections

6.4 POLICY H2 – INFILLING WITH NEW HOUSES

The Objections

18.2 Parker

Policy should not be too restrictive to merely allow infilling, where other larger sites may exist for development within a settlement. There are a number of settlements listed in Policy H2 which are subject to estate -scale development allocations. Delete the word "infilling with" from the policy wording

76.2 PJ Rayner and Co

Adopted Plan policy H6 should be retained to allow development of infill sites beyond settlement boundaries. To change the wording of draft policy S7 and H2 and the development limits of the other villages inset maps to allow for minor sites to be developed for housing. Retain the village inset maps for villages removed in the draft deposit plan

125.4 Cala Homes (South) Ltd

CALA Homes objects to Policy H2 because it only allows for infill forms of development within the boundaries of the settlements.

139.2 CWS Pension Fund Trustees Ltd

Consider whether the settlements listed within the policy could accommodate appropriate small scale extension to meet community needs. Where appropriate amend settlement boundaries to identify opportunities for small scale extensions to meet community needs. Include within the policy criteria which proposals for small scale extensions in addition to infilling will be permitted.

The boundaries of the settlements, including Stebbing for example are drawn in such a manner that it would be difficult to promote sites which are away from road frontage, as a small scale extensions to meet community needs. In context of objections to policy H1 consideration should be given to including within this policy criteria against which proposals for appropriate small scale extensions should be considered. This may also require review of the settlement boundaries.

218.30 (Objection conditionally withdrawn) Saffron Walden Friends of the Earth

Delete "elsewhere the opportunities for development in a linear loose settlement sensitive to its character may be different to those in a village where historically buildings have been more clustered." Add to policy H2 "development would be compatible with other policies of the development plan, the character of the settlement" etc.

UDC Proposed Changes to Policy H2

Policy H2 – Infilling with New Houses **New Houses within Settlement Boundaries**

Infilling with new houses will be permitted on land in each of the following settlements if the development would be compatible with the character of the settlement and, in addition, for sites on the edge of the built up area, depending on the location of the site its countryside setting. This will be in addition to the sites specifically allocated as urban extensions and settlement expansions. Windfall sites will be permitted if they meet all the following criteria:

- a) **The site comprises previously developed land;**

- b) The site has reasonable accessibility to jobs, shops and services by modes other than the car, or there is potential for improving such accessibility;
- c) Existing infrastructure has the capacity to absorb further development, or there is potential for its capacity to be increased as necessary;
- d) Development would support local services and facilities; and
- e) The site is not a key employment site.

The list of settlements is:

Arkesden	Henham
Ashdon (Incl Church End)	High Easter
Barnston	High Roding
Berden	Leaden Roding
Birchanger and Parsonage Farm	Little Easton (Duck Street)
Chrishall	Little Hallingbury (north & south)
Clavering (incl. Hill Green)	Littlebury
Debden	Manuden
Elmdon	Newport
Elsenham	<i>Quendon & Rickling Green</i>
Felsted (incl Causeway End, Watch House Green/ Bannister Green)	Radwinter
Great Chesterford	Saffron Walden
Great Dunmow	Sewards End
Great Easton	<i>Stansted Mountfitchet</i>
Great Hallingbury (incl Bedlars Green)	Start Hill
Great Sampford	Stebbing
Hadstock	Takeley
Hatfield Broad Oak	Takeley Street
Hatfield Heath (West & East)	Thaxted
Hempstead	Wendens Ambo
	White Roding
	Wicken Bonhunt
	<i>Widdington</i>

The boundary of each settlement for the purposes of this policy is defined on the Proposals Map.

Objections Received in Relation to the Proposed Changes

139.7 CWS Pension Trustees Ltd

There should be no requirement that any small scale extension should only take place on brownfield land. The policy should be amended to refer to both infilling and small extensions with criteria set out for both.

The changes to policy H2 make it even more onerous and it fails to reflect the advice in PPG3 and Structure Plan policy H2. There is no requirement in PPG3 that additional development within villages should only take place on brownfield sites although the ability to support local services is an important consideration.

166.5 Woodhall Estates (UK) Ltd

Delete "all" from the penultimate line on page 31. Cross reference from sub para (e) at the top of page 32 making it clear that the Bellrope Meadows site at Thaxted is not a key employment site.

Considered that the requirement for all the criteria to be met is unduly restrictive and potentially in conflict with government policies on sustainability. It is not necessary for the land to be previously developed - other sites may meet all the other criteria. There may also be small sites which would not meet (b) and (d) but which could provide 2/3 houses and contribute to housing need within settlement boundaries. Criteria (e) is unacceptable since there may be sites which are no longer suitable for employment and should be reviewed

205.7 Enodis

Add new criteria (f) avoid development which make inefficient use of land (those of less than 30 dwellings per ha net) and (g) encourage housing development which makes more efficient use of land (between 30 and 50 dwellings per ha net)

205.6 Enodis

Add Oakwood Park, Little Dunmow to the list of settlements in Policy H2
Reps made in the context of the recent appeal decision. Policy should differentiate between infill and windfall sites. The Inspector at the Inquiry said it is hard to see why Oakwood Park should not be described as an urban area for planning purposes. Oakwood Park should be included in the list of settlements to which a policy on infilling should relate.

103.8 J. Curtis

The policy should include some flexibility for circumstances where one of the criteria could not be met, precluding an otherwise sound site being brought forward which is contrary to the provisions of PPG3 and making best use of land. The final line of the policy should be amended to read "windfall sites will be expected to normally meet all of the following criteria if they are to be considered acceptable.

Consider that the set of criteria introduced conflicts with the unchanged policy S3 which provides over-arching support for development within the settlement boundaries subject to compatibility with character and countryside setting. In addition a number of the criteria introduced would be bound to be met in the locations which the Council has already assessed as containing the relevant attributes to be recognised as settlements.

Inspector’s Reasoning and Conclusions

- 6.4.1 Policy H2 has been reworded and re-titled to accept that not only infilling but also windfalls might be appropriate if they meet the criteria listed (18.2)(125.2)
- 6.4.2 I have dealt with concerns about rural housing generally earlier in this chapter and have concluded that some boundaries are too tightly drawn and there is a need to look further at local needs. However, I share the view of the Council that there are a number of villages where the potential for development is very limited and proposals would need to be dealt with on their own merits having regard to Policy S7, or as exceptions for affordable housing.
- 6.4.3 From my visits to the villages it seems to me that windfall development is likely to be redevelopment or at least development on previously developed land such as large gardens. I saw few opportunities for development on greenfield land within settlement boundaries other than on important areas of open space. Although I have expressed concern earlier in the chapter about meeting local needs in the rural areas I do not consider the criteria in Policy H2 are too restrictive, if taken individually. However, because of the rural

nature of many of the villages listed there could be conflict between criterion (b) and (d). Even if the housing were to meet local needs and support local services there might not be a satisfactory means of public transport serving the village, and a small infilling development would not be likely to result in an improvement to such a service.

- 6.4.4 I believe that criterion (e) is of itself acceptable although the Council would need to keep employment sites under review to assess their continuing suitability for employment.
- 6.4.5 I consider that (b) is a reasonable criterion to apply to larger sites but not to small infilling sites in villages. The objector has suggested removing the word “all” from “all the following criteria” but there would be then be argument about whether the word “all” is implied or not. I would prefer to add “**relevant**” between “following” and “criteria.” This would give the flexibility to deal with small infilling proposals differently from larger scale proposals and enable the Council to determine the relevancy of each criterion in a particular case. (76.2)(139.7)(166.5)(103.8)(18.2)
- 6.4.6 I have dealt with concern about housing to meet local needs earlier in this chapter (139.2)
- 6.4.7 As the Plan is to be read as a whole there is no need to refer to other policies in the Plan. Paragraph 6.3 has merely recognised that there is a difference between the character of certain types of villages, linear and clustered. This would be a factor to be considered under Policy GEN2. (218.30)
- 6.4.8 From the mixture of settlements of different character I saw from my visits I am of the view that a criterion specifying higher densities might not always be appropriate for small scale development in individual villages. A new criterion which states “avoid development which makes inefficient use of land” might be a reasonable addition to the list but I do not feel strongly about its inclusion as the matter is covered by government guidance. (205.7)
- 6.4.9 Although I agree that Oakwood Park, Little Dunmow is a clearly defined settlement I am not sure what including it within the list in Policy H2 would achieve. As the development of Oakwood Park is based on an approved Master Plan, it is unlikely that there would be sites available for infilling. (205.6)

RECOMMENDATION

- a) **Insert the word “*relevant*” between “following” and “criteria” in Policy H2**
- b) **Council to consider adding to the list of criteria in Policy H2 “*avoid development which makes inefficient use of land*”**
-

6.5 PARAGRAPH 6.4 – BACKLAND DEVELOPMENT

218.31 Saffron Walden Friends of the Earth

Amend 6.4 to read "the development of sites without a road frontage and the conversion of existing large residential properties into smaller apartments for example may be acceptable subject to safeguards such as ensuring the layout will deter crime as set out in the development plan.

Inspector’s Reasoning and Conclusions

6.5.1 Criterion d) of Policy GEN2, which states that development will not be permitted unless its design meets the criterion of helping to reduce the potential for crime, covers all forms of development including infilling. (218.31)

RECOMMENDATION

Make no modification to the Plan in response to this objection

6.6.POLICY H3 – BACKLAND DEVELOPMENT

The Objections

55.1 Sutton

Policy H3 does not make it clear that backland development outside settlement boundaries will not be permitted. Add further criterion to Policy H3 - (e) the site lies wholly within the settlement boundary where applicable.

155.1 High Easter Parish Council

A further criterion needs to be added. e) Development would be wholly within the boundary of the settlement, where applicable, as shown on the proposals map. The policy does not make it clear that backland development outside settlement boundaries will not be permitted as it stands provided criteria a), b), c), and d) are met backland development outside settlement boundaries would be unacceptable.

204.6 (Objection conditionally withdrawn) Essex County Council

Add sub section e) The existing public rights of way network is taken into account. If a public right of way is affected, the impact of the development on the public's use of this route must be considered.

213.18 CPREssex

CPREssex wishes to draw the Council's attention to a potential conflict between policies H3 and ENV5. It seems to us that permission could be sought and very properly granted for a change of use of agricultural land to domestic garden lying behind one or more properties in a settlement. Notwithstanding any removal of permitted development rights on that land, at a later date application could be made for backland development on it complying with all the criteria listed under H3 and therefore difficult to refuse. We ask that additional criteria be included in one or other or both these policies to ensure that application should not be made for backland development on land which has previously been granted a change of use from agricultural land to garden land.

213.19 CPREssex

Criterion (d) to read "Access would not cause disturbance to nearby properties and would comply in all respects with Policy GEN1

CPREssex feels that in this instance there should be a cross-reference to the Council's Policy GEN1 in order to make it clear that the excellent requirements laid down in that policy will apply equally to access to backland development

213.17 (Objection withdrawn) CPREssex

If the omission is deliberate we ask that the word all be inserted after "if".

We note that unusually the opening sentence does not require that all the listed criteria are met. We hope this is just a typing error

218.32 (Objection withdrawn) Saffron Walden Friends of the Earth

Development of a parcel of the land that does not have a road frontage will only be permitted if all the following criteria are met (a) the wildlife conservation interest of the site would not be compromised.c) add "and" to the end of the criteria.

219.18 English Heritage

The rear elevations of some buildings, especially listed buildings are sometimes as important as their front facades and historic plot boundaries are part of settlement character. The openings created to gain access to backland often has a detrimental effect on streetscape in conservation areas. The policy is too open ended, and needs to include additional criteria on these matters.

221.5 Porter

Backland Development - It is very important that "access would not cause disturbance to nearby properties" e.g. on Thaxted Road.

UDC Proposed Change to Policy H3

Policy H3 – Backland Development

Development of a parcel of land that does not have a road frontage will be permitted, if all the following criteria are met:

- a) There is significant under-use of land and development would make more effective use of it;**
- b) There would be no material overlooking or overshadowing of nearby properties;**
- c) Development would not have an overbearing effect on neighbouring properties;**
- d) Access would not cause disturbance to nearby properties.**

Inspector’s Reasoning and Conclusions

6.6.1 It seems to me that as there are a number of villages or hamlets which do not have a defined settlement boundary, that there may be some limited opportunities for backland development within them. However, I did not gather this to be the objector’s main concern which I interpreted to be, where there is a settlement boundary then backland development should not jump that boundary. In my view although suggested criterion e) might be one way of dealing with that situation, Policy S7 already provides the means of resisting incursions into the countryside. (55.1)

- 6.6.2 The Structure Plan and the Local Plan constitute the development Plan for the area and Policy LRT5 of the Structure Plan already safeguards Public Rights of Way. (204.6)
- 6.6.3 The objector considers there is potential conflict between Policy H3 and Policy ENV5. Although there might be a few proposals to use rear garden land which has previously been agricultural land for backland development Policy S7 is worded firmly enough to deal with such development outside of settlement boundaries. Within settlement boundaries the criteria in Policy H3 would need to be met prior to planning permission being granted. (213.18)
- 6.6.4 The Council has modified paragraph 3.1 to make it clear that the general planning policies apply to all forms of development. There is, therefore, no need to cross reference Policy H3 with Policy GEN2. (213.19)
- 6.6.5 There are detailed policies in the Environment, Built and Natural Chapter of the Plan which, in addition to the general policies of the Plan, safeguard listed buildings and their setting. See Policy ENV2. Conservation Areas are given similar protection under Policy ENV1 (219.18)
- 6.6.6 Criterion d) of Policy H3 specifically deals with access and the disturbance it might cause to nearby properties. (221.5)

RECOMMENDATION

Modify paragraph 3.1 in accordance with suggested amendment highlighted above to clarify that the GEN policies will apply to all development.

6.7 PARAGRAPH 6.5 AND 6.6

The Objections

145.2 Priors Hall Limited

Adopted policy H6. Infilling - be retained to allow infill beyond settlement boundaries, change the wording of draft policy S7 and H2 and the development limits of other villages inset maps to allow for minor sites to be developed for housing. Retain the village inset map for villages removed in the draft deposit plan.

213.20 CPREssex

“Some settlements are not included in any boundary.” - though not entirely clear we assume this sentence refers to the Council's decision to remove settlement boundaries from 12 very small settlements and, for those that do not have conservation areas, to omit any reference to them either in the text of the deposit plan or on any map.. Although we recognize that all settlements-without-boundaries will be covered by the Countryside policy (S7) and, we hope by an additional policy protecting the landscape for its own sake, we feel that the impression given to the user of the Plan will be that those settlements have ceased to exist. We therefore suggest that para 6.5 be extended to explain more fully the Council's decision to omit

certain settlement development boundaries to list those settlements by name and to give an indication by cross references to other policies of the protection they will continue to enjoy.

151.1 Little Dunmow Parish Council

Little Dunmow should be included on the list of settlements at H2 for which a settlement boundary is defined and that the settlement boundary be identical to the previous village development limit. The Parish Council believes that withdrawing the settlement boundary from Little Dunmow removes positive protection from the village. Even if that is not the case it is certainly how it would be perceived by village residents.

103.3 Curtis

Delete para 6.6 and replace with new policy " HOUSING DEVELOPMENT BEYOND SETTLEMENT BOUNDARIES There will be a general presumption against housing development beyond settlement boundaries, unless for the purposes identified in Policy S7. However, within existing groups of buildings that include a minimum of 20 dwellings, infill development as defined in policy H2 will be permissible where no environmental or other harm would result." Alternatively acceptance of clients objections to Policies S3, H2 and the settlement boundary for Great Sampford/Moor End would overcome objection to para 6.6.

Paragraph is contradictory. On the one hand it states that although few in number, there will be gaps beyond settlement boundaries that are appropriate for infill. At the same time it defers to Policy S7 which appears to set out an embargo on development. There can be no harm in permitting the erection of dwellings in those gaps beyond settlement boundaries still considered appropriate for development by the Council. PPG3 para 69 refers to infill or peripheral expansion.

3.7 Brian Christian Building Surveyor

Retain adopted infill policy outside settlement limits.

Infilling is appropriate in many areas outside settlement limits, the Adopted policy H6 has been successful since its introduction (in accordance with wider government policy) and contributed to many innocuous windfall sites with obvious benefits.

218.33 Saffron Walden Friends of the Earth

Infilling outside settlement boundaries and conversion of rural buildings to homes are not appropriate because locations are usually unsustainable and only to be considered to ensure retention of listed buildings.

Inspector’s Reasoning and Conclusions

- 6.7.1 Paragraph 6.5 has been reworded to give further advice on infilling outside of settlement boundaries and reflects advice in government guidance
- 6.7.2 I have commented on the wording of Policy H2 above and recommended a revision to provide for greater flexibility when the Council considers development within settlement boundaries. I have also recommended that a further look be given at local needs housing in the villages.
- 6.7.3 When I was dealing with specific objections related to some of the villages with no settlement boundary, I saw from my visits that generally they were either tightly knit with limited opportunity for infilling, or were loosely knit and to encourage infilling would change the form and character of the village.

Although it would be an option I do not favour a specific infilling policy for land outside of settlement boundaries as such proposals tend to be “one off” and related to the form and character of the group of dwellings. An infilling policy based on the number of dwellings within a group could in the case of loosely knit development lead to argument as to how far the group should extend.

- 6.7.4 However, I do share the concern of the objector that Policy S7 does not give any indication that infilling might be acceptable. Although I do not normally favour cross referencing in the Plan, now that paragraph 6.5 has been amended in my view Policy S7 should refer to infilling as there is no other policy reference. I am recommending that a new third sentence be added to Policy S7 **“This would include “infilling” as described in paragraph 6.5 of the Housing Chapter of the Plan”** (145.2)(103.3)(3.7)
- 6.7.5 Paragraph 6.4 describes why some settlements no longer have a defined boundary. In my view Policy S7 provides greater protection to a village in the countryside than would be the case if a village had a defined settlement boundary. (213.20) (151.1)
- 6.7.6 Apart from listed buildings the conversion of rural buildings into homes is not encouraged by Policy H5 without other uses being first investigated, nor is it acceptable on isolated unsustainable sites in open countryside. See revised paragraph 6.13. (218.33)

RECOMMENDATION

See my recommendation at Policy S7.

6.8 POLICY H5 – CONVERSION OF RURAL BUILDINGS TO RESIDENTIAL USE

The Objections

19.1 British Telecom

Criterion B should be deleted from the policy. It goes beyond the requirement of any development within the rural area or Conservation Areas by inferring that such conversions will only be allowed where buildings enhance the character and appearance of the rural area. It also goes beyond the guidance in PPG7. The existing criterion a,c and d provide sufficient protection of the character and appearance of the rural area for any such proposals to be assessed.

34.5 Ovenden

This ignores the stance in ESP and PPG which both promote business use in preference to residential conversion. Residential conversion very often destroys the character of the building which it is proposed to retain - due to the renewal of roofs,walls and structure to make it habitable and internal/external changes and alterations to the setting eg manicured gardens and garaging etc. Not clear whether presumption against extensions is limited to initial conversion or in perpetuity. Policy should require applicants to have made clear efforts to see re-use of buildings for non residential uses prior to applying for conversion to residential uses and explain

why it was not possible. Consideration should be given to requiring applicants to provide a specification of works with the application to identify what will be retained.

71.3 Walford

Object to this proposal because it needs to be strengthened. It permits too much conversion of rural buildings. Suggest a policy similar to that in West Sussex which requires that only genuinely redundant agricultural buildings may be the subject of conversion. This would prevent farmers becoming property developers, except where it is genuinely reasonable for such a development to take place.

Addition of new sub paragraph (e) as follows: They are genuinely not required for agricultural or other rural uses.

99.1 Buckland

The conversion of a barn used for employment/ business purposes to residential shall be permitted if: 1) There is reduced traffic movements, 2) The residential use would be consistent with the surrounding environment 3) the alterations to the external appearance would enhance or be no less in keeping than previously. 4) the need for the permitted business can be shown to have reduced or become uneconomic. Failure to address the scope to convert barns used for employment/business purposes for residential where no significant physical alterations would take place and demand for continuing use as a business is no longer in existence/economic.

183.11 Sworders Agricultural

The building does not need to be listed to be suitable for conversion to residential use. In addition there should be more flexibility given to the subdivision of large buildings.

204.7 (Objection conditionally withdrawn) Essex County Council

Add extra criterion: e) The site is not an isolated location away from existing settlements.

H5 is a policy which contains conflict with Structure Plan Policy RE2 without explanatory cross reference. RE2 contains a presumption against isolated new houses in the countryside. This reflects advice in PPG7, and is increasingly important bearing in mind the need for sustainable provision of services and social inclusion.

208.14 (Objection withdrawn) English Nature

Rural buildings provide roost sites for protected species like bats. In addition both bats and barn owls may roost in traditional agricultural barns. These species benefit from strong legal protection which should be referred to in the plan.[see also 208.7 on GEN7 & 208.8 on E4

213.22 (Objection withdrawn) CPREssex

CPREssex considers this policy would be further strengthened by the addition of the last paragraph in the Essex Structure Plan policy RE2 and suggest the addition of a final sentence reading: The residential conversion of listed farm buildings and the re-use of other farm buildings for residential use on isolated sites within the countryside located well away from existing settlements will not be permitted.

215.3 Countryside Agency

The Countryside Agency promotes the diversification of the rural economy and more sustainable rural communities. We would like to see planning authorities adopting a sequential approach to the conversion of rural buildings which firstly favours

employment generating uses. In cases where employment generating uses are inappropriate or have been considered and properly discounted we next favour consideration of community uses or affordable housing. Only then should an open market residential option be considered.

219.19 English Heritage

The plan should give priority to employment use of historic barns. The potential of such structures for employment use has greatly increased as remote working has become possible. Paragraph 6.8 refers to employment as the optimum uses and this should be followed through in the policy. The conclusion from para 6.9 is that the most historic structures will be allowed to be converted for residential purposes despite this being the least compatible new use. We suggest further thought is given to this. The availability of European Funding, or funding from EEDA, may help make business use possible.

222.9 Go-East

Policy ENV5 (and Policy H5) states that planning permission may be subject to conditions regulating development rights. Permitted development rights should only be removed in exceptional circumstances where there is a real and specific threat to an interest of acknowledged importance and DOE circular 11/95 advises that conditions withdrawing such rights should themselves only be imposed exceptionally. We consider that some clarification is needed as to the type of development that might warrant such restrictive action.

UDC Proposed Amendments to Policy H5

Policy H5 - Conversion of Rural Buildings to Residential Use

The conversion of rural buildings to dwellings will be permitted if all the following criteria apply:

- a) **It can be demonstrated that there is no significant demand for business uses, small scale retail outlets, tourist accommodation or community uses**
- b) **They are in sound structural condition;**
- c) **Their historic, traditional or vernacular form enhances the character and appearance of the rural area;**
- d) **The conversion works respect and conserve the characteristics of the building;**
- e) **Private garden areas can be provided unobtrusively.**

Substantial building reconstruction or extensions will not be permitted. Conversion will not be permitted to residential uses on isolated sites in the open countryside located well away from existing settlements. Conditions regulating land use or development rights associated with proposals may be necessary.

Inspector’s Reasoning and Conclusions

- 6.8.1 Criterion c (formerly b) reflects paragraph 6.13 of the supporting text that permission for the conversion of rural barns into dwellings will not be permitted if the buildings have no environmental qualities. The justification for conversion would be that otherwise the barn would fall into disrepair. I believe that the criterion makes it clear that not all barns are suitable for conversion and that if they fell into disrepair their loss to

the countryside would be accepted. Criterion c) relates only to residential conversions and is a statement about the attributes of the existing building. In my view it cannot be compared with how proposals are dealt with in conservation areas. Criterion d) (formerly c) is not a duplication of c) in that the characteristics of the building may not be worthy of retention. (19.1)

- 6.8.2 It seems to me that the suggestions made by the objector although more detailed than those proposed by the Council essentially cover the same matters, which have now been incorporated into Policy H5. I do not consider there is ambiguity without the word “only” in the first sentence. It also seems to me that as the policy is only concerned with the conversion of rural buildings to residential use, that the statement “substantial building reconstruction and extensions” can only relate to the conversion proposed. In my view the supporting text adequately introduces the policy and describes the approach to be taken when the Council considers the conversion of rural buildings. (34.5)
- 6.8.3 Advice in Planning Policy Guidance No. 7 no longer requires a rural building to be redundant prior to its change of use. This is reflected in the Structure Plan. The new criteria proposed by the objector would be contrary to government policy. (71.3)
- 6.8.4 New criterion a) to Policy H5 addresses the issue where there is no demand for business use subject to other criteria also being complied with. See also paragraph 6.8.1 above. (99.1)
- 6.8.5 There is no requirement in the policy that a barn needs to be listed to be acceptable for conversion, only that it must firstly be of environmental merit and secondly comply with the criteria in Policy H5. If the sub division of larger non-residential buildings is proposed this would be dealt with under Policy H5. Criterion a) is of concern to the objector but in my view whether priority is given to rural employment or not, other business and community uses, particularly uses related to tourism should be looked at first prior to a building being accepted for conversion to residential use. (183.11)
- 6.8.6 The Council has proposed the amendment to the policy (shown highlighted above) to deal with buildings in an isolated location. This would reflect Structure Plan Policy RE2. (204.7)
- 6.8.7 New criterion a), in effect, introduces a sequential approach to conversions by giving priority to employment generating uses, and to community uses. (215.3)(219.19)
- 6.8.8 The Council only states that some control over permitted rights may be necessary. This control would no doubt be used sparingly in accordance with national advice. (222.9)

RECOMMENDATION

Make no further modifications to the Plan in response to these objections but modify in accordance with amendments shown highlighted above.

6.9 REVISED DEPOSIT PARAGRAPH 6.17 (NO CHANGE)

121.26 Stansted Airport Ltd

Consequential amendment from Policy H1- 4620 homes in Para 6.17 to read "4648"

U.D.C. proposing change to Para 6.17

First sentence to read:

Over 40% of the 4,620 homes proposed in total already had planning permission in April 2000.

Inspector’s Reasoning and Conclusions

6.9.1 The objection has now been incorporated into first sentence of paragraph 6.17.

RECOMMENDATION

Modify the Plan in accordance with UDC Proposed Change above.

6.10 POLICY H6 – REPLACEMENT DWELLINGS

The Objections

3.6 Brian Christian Building Surveyor

Wording is too subjective - retain current adopted policy unaltered or set size parameters

34.6 Ovenden

The first sentence should start with 'within settlement boundaries'. The second sentence should include reference to being on the same footprint and limiting the size of dwelling in order to avoid some of the dreadful replacement dwellings permitted in the last 15 years. It should include tighter restrictions in the MGB/CPZ. This loosens the already loose wording in the current policy. The proposed tests for schemes outside settlement boundaries are too vague. It does not make any reference to size or location of the existing dwelling. It says nothing about tighter restrictions in the MGB/CPZ.

183.12 Sworders Agricultural

This policy should be supported as it would reduce the need for new development, however, this should not be limited to within defined settlement boundaries. Derelict/substandard properties should not be required to be maintained where the site could be used for a suitable replacement dwelling. This is supported by Planning Policy Guidance Note 7 para 3.18.

Inspector’s Reasoning and Conclusions

- 6.10.1 I do not consider that a policy based on size parameters is an effective planning tool in that it would be arbitrary and would not take into account the impact of individual buildings in the countryside. In my view Policy H6 reflects the problems identified in paragraph 6.14. The policy will be enlarged upon in Supplementary Planning Guidance. (3.6)
- 6.10.2 As the objector has said in his evidence a new dwelling would normally be permitted within a settlement boundary even if there were not one to replace. For this reason it would not be controversial subject to a satisfactory design and scale and could be dealt with under general policies of the Plan. Part of the suggestion made about replacement dwellings outside of settlement boundaries could be included in Supplementary Planning Guidance, but it would need to be further amended. It seems to me the statement that a new dwelling outside the Green Belt should be in “proportion to the size of the existing dwelling” is not that different from saying, “in the Green Belt a replacement dwelling shall not be materially larger than the dwelling it replaces.” There appears to be an inference that it is only within the Green Belt that a larger replacement dwelling would not be permitted. This could be misleading in that the same restriction might also apply to sensitive areas of countryside outside of the Green Belt. (34.6)
- 6.10.3 Paragraph 6.14 makes it clear that the policy does not just relate to development within settlement boundaries and that subject to safeguards replacement dwellings may be permitted in the countryside. Supplementary Planning Guidance is being produced to support this policy. (183.12)

RECOMMENDATION

Make no modification to the Plan in response to these objections.

6.11 POLICY H7 – HOUSE EXTENSIONS

The Objections

159.5 Widdington Parish Council

There is no guidance to protect areas from serial applications. This problem could be addressed by the planning department being empowered to maintain conditions put on applications when serial applications are made. Perhaps a percentage increase in the size of the original building as a max would be helpful

204.8 (Objection withdrawn) Essex County Council

Add sub section e) The existing public rights of way network is taken into account.

208.15 (Objection conditionally withdrawn) English Nature

Bats benefit from strong legal protection which should be referred to in the plan. Both modern and traditional homes can provide suitable habitat for bats to roost. Where extensions and/or loft conversions are proposed the potential presence of bats must be considered. If in doubt English Nature should be contacted for advice.[see also 208.7 on GEN7 & 208.8 on E4 & 208.14 on H5]

218.34 (Objection withdrawn) Saffron Walden Friends of the Earth

Delete criteria (d) from the policy

Inspector’s Reasoning and Conclusions

6.11.1 As every application for development needs to be dealt with on its own merits having regard to the policies of the Plan I consider it would be unreasonable to protect areas from serial applications. I do not favour an arbitrary percentage to control the size of extensions. Such policies are easy to administer but have little to do with the planning merits of a proposal (159.5)

6.11.2 The general policies of the Plan which apply to all development deal with the issue of protected species (208.15)

RECOMMENDATION

Make no modification to the Plan in response to these objections

6.12 PARAGRAPHS 6.16 TO 6.22

The Objections

93.18 Hastoe Housing Association/Springboard HA

Plan omits reference to policy stating that cash in-lieu will only be accepted under exceptional circumstances.

93.17 Hastoe Housing Association/Springboard HA

Plan should provide consideration of producing Supplementary Planning Guidance on the implementation of affordable housing policies.

204.9 Essex County Council

Add explanation of Housing Needs Survey, with particular reference to Stansted Airport.

164.11 Bellway Homes

Council should consider contents of para. 6.18-6.21 to allow for the greatest scope possible in regard to the delivery of affordable housing.

The statement that low cost market housing is unlikely to address housing need in Uttlesford is a very narrow view. There are companies which are capable of providing genuine low cost housing in perpetuity through appropriately worded legal agreement. 6.19 puts forward an affordability test. It applies an onerous requirement which would stifle the delivery of affordable housing. Furthermore it seems to be skewed towards the most needy which in effect may penalise the delivery of housing for the greater majority identified within the Council's 40% requirement. Points raised in relation to 6.19 also apply to 6.20. The indication that housing mix will have to reflect the particular needs of registered social landlords places too much importance of the role of such organisations in the delivery of affordable housing. Other organisations can make significant contributions. Small market homes should be included in the affordable housing definition.

142.3 Wickford Development Co Ltd

Rewrite para 6.20 to give more explicit reference to 6/98 in respect of the need to set individual targets for suitable sites having regard to the particular conditions which may apply. Para 6.20 of the Deposit Draft fails to reflect the guidance in paras 9 and 10 in circular 6/98. Subject to proper justification being given there is no objection in principle to an appropriate upper limit and which would provide sufficient scope to allow the special circumstances of individual sites to be taken into account in determining the actual amount of affordable housing to be provided. Where there are other costs involved in site development e.g. contributions towards community facilities etc then a smaller percentage of affordable housing may be appropriate. The Plan should provide a degree of flexibility to allow for site specific considerations. The blanket figure of 40% is regarded as unsatisfactory because it does not follow Government guidance.

149.2 Great Dunmow Town Council

Policy should state % of dwellings that should be affordable. Make provision for low cost affordable housing over and above that already allocated.

6.20 states that the percentage and type of affordable housing will be subject to negotiation at the time of submission of a planning application. This does not go far enough. The policy should stipulate the exact percentage of affordable houses so that developers are aware of what they have to provide prior to any planning application being submitted. Furthermore there should be a policy which stipulates that low cost/affordable housing should not be grouped at one location but properly intergrated into small pockets throughout a development as set out in National Advice. There is no provision in the plan for low cost affordable housing over and above that already allocated..

185.7 Hatfield Regis Grange Farm

The target of 40% of dwellings to be affordable is regarded as unrealistic and unachievable. It is not supported by any logical analysis and is certainly not regarded as "What the housing industry can reasonably be expected to provide" It is also completely unrealistic to require that all developments on sites of three or more dwellings must include an element of 2/3 bed homes. The advice on the provision of affordable homes provides a site threshold much greater. The Council states that new build low cost housing is unlikely to address the housing need in Uttlesford - therefore the plan is contradictory. The summary table at 6.22 is unacceptable.

137.5 Coxeter

No changes are required to the paragraph provided the interpretation in respect of High Roding as adduced in other objections can be accommodated.

The target of 40% of dwellings to be affordable is regarded as unrealistic and unachievable. It is not supported by any logical analysis and is certainly not regarded as what the housing industry can reasonably be expected to provide. It is also completely unrealistic to require all developments on sites of three or more dwellings to include an element of 2 and 3 bed homes. The advice on the provision of affordable housing provides a site threshold size much greater than suggested in Para 6.21. The Council in its own words at 6.18 comments that "new build low cost market housing is unlikely to address housing need in Uttlesford. The Council is being contradictory in its own plan and is ignoring the realities of the way in which the construction industry works, especially in respect of small sites which are likely to be developed by small local companies. The summary table at 6.22 is unacceptable.

218.35 Saffron Walden Friends of the Earth

Para 6.20: add "on each residential development" after dwellings. Para 6.22: amend site size to 0.25 hectares to 5 dwellings. Delete "target of". Amend 3-15 dwellings to 3-5 . Amend site size 3,000 and above in or 5 dwellings in H8

120.6 Laing Strategic Land Ltd

Para 6.21 states that a requirement for a significant proportion of smaller dwellings will be an additional requirement to affordable housing. Since Housing Departments often seek larger family sized affordable dwellings to meet assessed needs this can lead to a situation where the affordable dwellings escape the "small units" requirement of H9 but the market housing does not. This is inequitable and the paragraph 6.21 should make it clear that the small units requirement applies to both affordable housing and market housing.

142.5 (Objection withdrawn) Wickford Development Co Ltd

Para 6.21 is unduly biased towards the provision of small dwellings and gives insufficient emphasis to catering for the larger property for which there is a recognised demand in the Uttlesford Area.

203.5 Croudace Ltd

Delete paragraph 6.22 and replace with words referring to the use of the thresholds set out in Circular 6/98 at paragraph 10. The case for adopting lower thresholds is not properly made and is not accepted.

UDC proposed change to paragraph 6.20

The percentage and type of affordable housing on any given site will be subject to negotiation at the time of a planning application, so as to allow for issues of viability and mix to be considered. **Where appropriate consideration will also be given to the provision of housing to meet special needs.** On sites in settlements with a population of less than 3,000 the housing mix will have to reflect the particular needs of the village concerned and of registered social landlords. This Plan sets a target of 40% of dwellings to be affordable housing, meeting the weekly outgoing on housing costs and availability tests above. This represents a compromise between the proportion justified by the scale of need and what the housing industry can reasonably be expected to provide.

Inspector’s reasoning and conclusions

- 6.12.1 As stated in paragraph 6.20 the percentage and type of affordable housing *on any given site* will be the subject of negotiation. The Council seeks to provide affordable housing on all appropriate sites so I see no need for a specific policy dealing with exceptions. The Council will also need to take into account changing national guidance on affordable housing provision. (93.18)
- 6.12.2 As national guidance is becoming more detailed on the subject, I am not sure how Supplementary Planning Guidance would help with the implementation of affordable housing policy locally. Unless there is some particular aspect of affordable housing which needs to be covered and which I am not aware of from the evidence I consider it would be likely be a repetition of national guidance. (93.17)

- 6.12.3 I believe it would be helpful to include reference to the updated information on housing as it relates to Stansted Airport in the supporting text.(204.9)
- 6.12.4 The Housing Needs Survey reflects what I have found throughout parts of the South East that low cost market housing is *unlikely* to address “affordable” housing need unless it is provided through a shared equity scheme. As national guidance states, the objective should be to ensure that the affordable housing secured will contribute to satisfying local housing needs as demonstrated by rigorous assessment. (164.11)
- 6.12.5 I have dealt with these objections when considering affordable housing generally at Policy H8 when I discuss the Council’s policies based on its Position Statement 3 on Affordable Housing and the Housing Needs Survey 2002. (142.3)(149.2)(185.7)(137.5)(218.35)(203.5)
- 6.12.6 Paragraph 6.21 already states that *all* developments on a site of 3 or more homes must include small homes. In my experience most affordable home schemes have included mainly small units and according to the Housing Needs Survey 2002 this would also be the need in Uttlesford. (120.6)

RECOMMENDATION

- a) **Add reference to Housing Needs Survey update in supporting text**
- b) **See my recommendation at Policy H8 below**

6.13 POLICY H8 – AFFORDABLE HOUSING

The Objections

16.3 (Objection withdrawn) The Fairfield Partnership

The thresholds and proportions detailed in Policy H8 be reconsidered. Plan has not demonstrated exceptional local constraints to justify the minimum threshold considered appropriate by the Secretary of State (ie 0.5 ha and above or 15 dwgs or more). Likewise, in the case of settlements less than 3,000, the threshold at which affordable housing is required is excessively low (ie 0.17 ha and above or 5 or more dwellings) and has not been sufficiently justified.

19.2 British Telecom

Guidance in circular 6/98 clearly states that policies for affordable housing should set "indicative" targets for specific sites. The target of 40% goes beyond national policy guidance and should be deleted.

20.2 Martin Grant Homes (UK) Ltd

The level of provision should be set at a lower ratio. Para 6.18 should be reworded to ensure that the contribution of low cost market housing to the provision of affordable accommodation is appropriately recognised with the context provided in 6/98. The target of 40% is too high and would not allow for flexibility and should be deleted. Deposit Draft does not provide adequate information regarding the assessment of local need. The District Council have not put forward an acceptable explanation for their intention to secure such a high level of affordable housing. Circular 6/98 clearly

includes the concept of low cost market housing within the definition of affordable accommodation. Object to the comment by the District Council that low cost market housing is unlikely to address the issue of affordability.

47.2 PJ Hamilton and Associates

Delete the 40% requirement from the policy. The 40% target for affordable housing as indicated in the table is too prescriptive . Need will have to be established in each location and on each site and then a % if needed applied.

89.4 Keith Clements Associates

The Council should set out a more flexible approach. A 40% target for affordable housing for all new residential development over the threshold set out in the policy is unreasonably high and likely to make more developments unviable. In turn this will impact on the release of windfall and allocated sites, strengthen the need to allocate further sites for residential development. In addition it is submitted that there should be rural exceptions to the policy to enable the authority to grant planning permission for small sites, within and adjoining existing villages that would not otherwise be released for housing.

90.2 Drown

Council should set out a more flexible approach than has been set out in Policy H8. A 40% target for affordable housing for all new residential development over the threshold set out in the policy is unreasonably high and likely to make more developments unviable. In turn this will impact upon the release of windfall and allocated sites, strengthen the need to allocate further sites for residential development. In addition it is submitted that there should be rural exceptions to the policy to enable the permission for small sites, within and adjoining existing villages that would not otherwise be released for housing.

91.2 TD Ridley and Sons Ltd

Policy H8 should be amended to allow for flexibility.

A 40% target for affordable housing for all new residential development over the threshold set out in the policy is unreasonably high and likely to make more developments unviable. In turn this will impact upon the release of windfall and allocated sites, strengthen the need to allocate further sites for residential development. In addition it is submitted that there should be rural exceptions to the policy to enable the authority to grant planning permission for small sites, within and adjoining existing villages that would otherwise be released for housing.

92.10 Old Road Securities on behalf of Audley End Estates

Make policy more flexible 40% target for all new residential developments is unjustified in terms of need, is unrealistic and unreasonably high and likely to make most developments unviable. The policy requirement is not deliverable. This will in turn impact upon the release of windfall and allocated sites, further exacerbating the need to monitor and manage deliverance of housing within the District and strengthen the need to allocate reserve sites for new residential development.

118.9 Bryant Projects

The target of 40% is unreasonable and reflects an untenable over-emphasis upon making up the shortfall of previous years from the relatively small number of houses yet to be committed. The issue of affordability and the shortfall in affordable housing provision arising from existing commitments is a factor of the limited overall strategic housing requirement. It is also reflective of the concentration of development on a

limited number of larger housing allocations. The achievement of a high percentage of affordable dwellings is likely to be a significant deterrent on the realisation of urban and brownfield development opportunities and therefore future provision is likely to be concentrated principally on the four major urban extensions. Consequently the actual percentage needing to be achieved from these large schemes will be considerably in excess of 40%

119.37 Proto Limited

Delete policy pending an urgent review of housing needs on which an appropriate policy can be developed. Whilst the discussion at paragraphs 6.16 to 6.20 seeks to suggest that the 40% target for affordable housing is appropriate an objection to this policy is being made pending a more detailed assessment of housing needs being available against which a more certain determination of levels of affordable housing can be made.

120.4 Laing Strategic Land Ltd

The policy is too prescriptive in stating that all sites should provide 40% affordable housing. Circular 6/98 states that each site should be assessed in its own context. This should be reflected in the Policy. Additionally 40% is an unjustifiably high figure.

125.5 Cala Homes (South) Ltd

It is suggested that policy H8 is amended by reducing the target figure to 30%. This target is more achievable and will result in more sites coming forward. The target to provide 40% of all dwellings on a site as affordable is too high. It will effect the viability of many schemes resulting in sites not being developed.

137.3 Coxeter

Amend policy H8 by the deletion of the line "less than 3000" and by the reduction of the 40% target to 25%. The Council's target of 40% affordable dwellings on the basis set out in this policy is unrealistic and unreasonable. The proposed less than 3000 population settlement threshold is completely impractical and is not supported by any analysis of the facts.

138.2 St John's College

Council reverts to its original policy which is in line with Government guidance. Threshold of 15 dwellings is unduly low and should be raised in accordance with government guidance. This guidance has a higher threshold and we consider that there are no sound planning reason to depart from that figure. There does not appear to be a Housing Needs study carried out or any overriding need for affordable housing in the District. In addition the percentage of affordable housing sought is unduly high.

139.3 CWS Pension Fund Trustees Ltd

1. Justify the target figure of 40% affordable housing with reference to a housing needs survey or other evidence. 2. Amend the first sentence of the policy to include the words 'a target of' after the word 'secure'. 3. Include within supporting text if appropriate, information on whether commuted sums to provide affordable housing on an alternative site will be acceptable.

It is not clear whether the estimate of 40% arises from a housing needs survey, and if it does then reference should be included in the supporting text. If it does not then there should be an explanation as to how the level of need has been identified. There is an inconsistency between the first sentence of the policy and the right hand column of the table in the policy. The latter refers to a target of 40% but the first

sentence of the policy is more definitive in stating the Council's intention to ‘negotiate to secure 40% of the dwellings to be affordable housing’.

141.4 Persimmon Homes (Essex) Ltd

The provision of affordable housing described in Policy H8 is unreasonably high.. Para 6.18 of the Plan should be reworded in order to ensure that the contribution of low market housing to the provision of affordable accommodation is appropriately recognised within the context provided in C6/98.

Plan does not provide adequate information regarding the assessment of local housing needs and, accordingly, we would contend that the Council have not put forward an acceptable explanation for their intention to secure a high level of affordable housing as described at Policy H8. Plan does not provide assessment of what is considered affordable in the area in terms of relationship between local incomes levels and house prices or rents for different types of households (para15 PPG3). Concerned that the Plan does not consider low cost market housing as having a role in affordable accommodation.

142.4 Wickford Development Co Ltd

Amend policy H8 as follows - The Council will negotiate to secure up to *% of the dwellings to be affordable having regard to any special circumstances that may apply to an individual site and in accordance with the following table. Settlement population 3000 and above 0.5 hectares and above or 15 dwellings or more *% / Less than 3000 0.17 hectares and above or 5 or more dwellings *% (* appropriate indicative target to be inserted in due course).

Para 6.20 of the Deposit Draft fails to reflect the guidance in paras 9 and 10 in circular 6/98. Subject to proper justification being given there is no objection in principle to an appropriate upper limit and which would provide sufficient scope to allow the special circumstances of individual sites to be taken into account in determining the actual amount of affordable housing to be provided. Where there are other costs involved in site development e.g. contributions towards community facilities etc then a smaller percentage of affordable housing may be appropriate. The Plan should provide a degree of flexibility to allow for site specific considerations. The blanket figure of 40% is regarded as unsatisfactory because it does not follow Government guidance.

144.7 Bryant Homes Limited

The number and proportion of affordable housing units could be justified before the specific requirements are made. Unless this can be carried the policy should be amended to delete a specific proportion and be replaced with text to say that an appropriate level of provision will be sought. The thresholds should reflect the guidance ie 3000 dwellings and above 1.0ha and above or 25 dw or more. Less than 3,000 - 0.5ha and above or 15 dw or more

The plan states the number of affordable housing units that are required each year, but does not contain any information or evidence to justify how this figure was arrived at. The 40% would be excessive. The thresholds are considerably lower than those suggested in Circular 6/98. The Circular suggests that the threshold for settlements over 3000 dwellings should be approx 25 dw or 0.1ha. It suggests that LPA's may adopt their own threshold for settlements of 3000 or less but indicates that the threshold for Inner London which is implied to be a high requirement area is 15 dw or 0.5 ha. No justification is given for the even lower thresholds.

164.12 Bellway Homes

Amend policy H8 to reflect the Government advice as set out in 6/98

The site size reference within the policy to settlement populations of less than 3,000 is questioned. As written the policy will require 40% of affordable housing provision on the sites of 0.17 hectares and above or 5 or more dwellings. The particular reference to this threshold and its relevance to published affordable housing guidance is questioned and to that extent it is our view that the more appropriate threshold for provision of affordable housing in settlements of less than 3,000 is that contained in Circular 6/98

159.2 Widdington Parish Council

More attractive sheltered housing is needed also small bungalows within present communities. This would also release accommodation for larger families
This policy does not address the needs of the elderly for suitable accommodation

185.2 (Objection conditionally withdrawn) Hatfield Regis Grange Farm

Amend policy H8 by the deletion of the whole line "less than 3000 and by the reduction of the 40% target to 25% in the remaining line for 3000 and above settlements. The Council's target of 40% affordable dwellings on the basis set out in this policy is unrealistic and unreasonable. The proposed less than 3000 population settlement threshold is completely impractical and is not supported by any analysis of the facts.

186.1 Siemens Pension Fund

Policy H8 should be amended to reflect National Policy Guidance as set out in PPG3

201.5 Countryside Strategic Projects

Reduction in the overall percentage target to a figure which can be justified by a more rigorous and objective examination of the data available; incorporation of specific provision for a range of affordable housing tenure and redrafting to acknowledge the need for genuine negotiation and flexibility on all sides.

There is inadequate evidence to justify the target of 40% it is not accepted that the Council's housing needs survey provides either a reliable or an intelligible picture of genuine local needs. Secondly the policy should acknowledge that there is a role for all types and tenures of affordable housing as set out in circular 6/98. The policy should also acknowledge that affordable housing should be a matter for negotiation.

202.1 Countryside Strategic Projects

The Council should set out a more flexible approach than has been set out in Policy H8. The Council must make balanced policy judgements and carry out housing needs assessment and consider all possible housing solutions to seek to meet the need. In accordance with circular 6/98 it is recognised that it can be more appropriate for a financial contribution to be made so that affordable housing can be provided off site. A target of 40% for affordable housing for all new residential development over the threshold set out in the policy is unreasonably high and likely to make more development unviable H8 should read "On sites which are acceptable for housing in accordance with other policies of this plan and which are large enough to accommodate a reasonable mix of types, tenures and sizes of housing the Council will seek, by negotiation with developers to secure an element of affordable housing. In assessing the suitability of such sites for the provision of an element of affordable housing the Council will take into account (i) Site size, suitability and the economics of provision. (ii) the need to achieve a successful housing development (iii) The size, tenure and type of dwellings provided shall reflect the needs of those households requiring affordable housing.

203.4 Croudace Ltd

Deletion of a % quota from H8 and replace it with words stating that the Local Planning Authority will seek to negotiate an appropriate element of Affordable Housing on a site by site basis. Delete the proposed 'thresholds' from the Policy and instead include a reference in the supporting text to the use of the 'thresholds' set out in Circular 6/98 at paragraph 10. The case for a 40% quota, and for its inclusion in the policy wording is not acceptable. In addition the case for adopting lower thresholds than those (normally) recommended in Circular 6/98 has not been properly justified and is not accepted.

205.4 Enodis Property Developments

Amend paragraph 6.22 and Policy H8 to refer to 'target of up to 40%'
The policy is ambiguous as to whether the 40% target will be the maximum sought and is not clear as to whether less than 40% provision may be acceptable.

209.4 Three Valleys Water Plc

Para 6.22 amend site sizes to read 1 hectare and above or 25 dwellings or more and reflect this in policy H8. Para 6.22 - amend housing mix to read 20% dwellings to be affordable. Reflect this in the policy. Para 6.20 amend 40% to read 20% of dwellings to be affordable. The proposed policy and supporting written statement should be amended to accord with guidance set out in Circular 6/98, namely the requirement for affordable housing on suitable sites should only apply to housing development of 25 or more dwellings or residential developments of 1 hectare or more irrespective of the number of dwellings. The Council has not sought to demonstrate exceptional local need to justify Government advice being overturned. A target of 40% is too onerous and could serve to further reduce the number of good housing opportunities being promoted by landowners within the urban area. A target of 20% would be a far more equitable level of affordable housing on suitable sites taking into account material factors such as on site development costs, sustainability, other planning benefits and marketability.

217.7 Pelham Homes Limited

Delete any reference to 40% in the policy and rely on a policy which seeks a reasonable proportion of affordable housing on sites which can contribute as follows. H8 - The LPA will seek to negotiate a proportion of affordable housing on larger housing sites in accordance with the scale of the site, its economic characteristics, suitability and location.

The plan makes no reference to and includes no analysis of a recent Housing Needs Survey. We object to the use of the word "target" in relation to percentages sought for affordable housing. Circular 6/98 shows that any policies for aff housing must be based on a rigorous and realistic assessment of need. A high level of need does not in itself justify a high % figure in the policy. The LPA are seeking to impose an unfair burden on developers LPA have not accounted for the other elements of affordable housing provisions which are identified in their housing strategy statement.

218.35 Saffron Walden Friends of the Earth

Para 6.20: add "on each residential development" after dwellings. Para 6.22: amend site size to 0.25 hectares to 5 dwellings. Delete "target of". Amend 3-15 dwellings to 3-5 . Amend site size 3,000 and above in or 5 dwellings in H8

231.1 Fairview New Homes Ltd

The grounds for objection are that the 40% target is outside the parameters established by circular 6/98 and no evidence has been put forward in terms of an up to date Housing Needs Survey to justify an exception to circular guidance. Furthermore the policy will act as a disincentive to house-builders, discouraging the development of housing sites and adding to the general problem of lack of housing in the District.

Inspector’s Reasoning and Conclusions

- 6.13.1 Fordham Research carried out an affordable needs survey in 1998 and a further survey was carried out by David Couttie Associates in 2002 to ensure that the Council’s housing, planning and care strategies were based on a full understanding of housing needs up to 2011.
- 6.13.2 This second survey identified an acute shortfall of 488 affordable units net and in the Council’s view supported the need for a 40% target of the housing provision to be affordable homes in the present plan. Position Statement No 3 on Affordable Housing (CD/2.04) identified that of a total housing supply of 4818 units between 2000 and 2011, 770 dwellings or 16% would be affordable housing. The Council’s policy up to the present has been to seek 25% affordable housing on sites of 1 ha or more or on developments of more than 25 dwellings. The Council accepts that another 100 units could be supplied on rural exception sites under Policy H10, making a total of 870 affordable houses. This total does not compare favourably with the Council’s identified need to provide some 488 additional affordable homes a year for 5 years.
- 6.13.3 The Council proposes to lower the site size threshold to 15 units or 0.5 ha in larger settlements of over 3000 population and to 5 or more dwellings on small rural windfall sites.
- 6.13.4 Objectors do not dispute the need for affordable housing in principle but consider that there are two fundamental objections to the policy proposed having regard to national guidance in Planning Policy Guidance No. 3 and Circular 6/98.
- 6.13.5 The first objection relates to the statement in the policy that the Council will negotiate to secure 40% of dwellings to be affordable. The second is in regard to the threshold imposed that in settlements with a population of less than 3000 affordable housing will be negotiated if a site exceeds 0.17 ha or 5 or more dwellings. The Council considers its policies represent a compromise between the proportion justified by the scale of the need and what the housing industry can be expected to provide.

- 6.13.6 I consider firstly whether the Council in seeking to stipulate a minimum 40% affordable housing provision as expressed in Policy H8 would be acting in accordance with national advice in Circular 6/98 and Planning Policy Guidance No. 3- Housing.
- 6.13.7 As stated in national guidance a community’s need for a mix of housing types, including affordable housing, is a material planning consideration which should be taken into account in formulating development plan policies and in deciding planning applications involving housing. The government wishes to optimise the contribution that the planning system can make to the overall supply of affordable housing. Where there is a demonstrable lack of affordable housing to meet local needs – as assessed by up to date surveys and other information – plans should include a policy for seeking affordable housing *in suitable housing development*. Planning policy should not be expressed in favour of any tenure. National guidance also advises that it will be inappropriate to seek affordable housing on *some* sites. In practise to my mind this means that a policy on affordable housing should only apply to suitable sites and/or in suitable housing developments.
- 6.13.8 On the basis of the identified affordable housing needs for the area I see no reason why the Council should not have an overall target or aim of 40% providing that it is achieved by negotiation based on firm but flexible policies. However, because affordable housing provision is negotiable I do not consider it would be appropriate to include a fixed percentage in the policy, or not in the form of Policy H8 as written. It is so firmly worded that it can only be interpreted as negotiating to secure 40% affordable housing, not any less a figure. It does not reflect paragraph 6.20 of the supporting text, which states, “The *percentage* and type of affordable housing will be subject to negotiation.... “
- 6.13.9 I believe any policy in the Plan should indicate a genuine attempt to negotiate with developers for the inclusion of affordable housing and not be too prescriptive. A policy must be flexible enough to allow other material factors to be taken into account. It might be possible at the outset for the Council to determine with some certainty a percentage requirement on an allocated site. The Housing Needs Study recognises this where it states “A target for each site taking into account existing supply, survey demand and other planning and sustainability factors.”
- 6.13.10 However, to my mind on windfall sites in urban and rural areas if affordable housing is appropriate, its scale may well vary from site to site, depending on its location, its character, size and market conditions. I believe my concern is reflected in advice in Planning Policy Guidance No. 3 which clearly advises that suitable areas and sites and the amount of provision should be *identified*. Until a windfall site comes forward it is unlikely to be identified. Windfall sites require a flexible policy to reflect the factors mentioned in paragraph 10 of Circular 6/98. David Coultie recommended”and should set a “target” for *each* site taking into account existing supply, survey demand and *other planning sustainability and economic factors*. Again these factors are not known until a site is identified.
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6.13.11 Local Housing Needs Assessment – A Guide to Good Practice - also contains advice about affordable housing targets in local plans. Apart from listing factors to be taken into account local authorities should make assessments of the viability of affordable housing provision on specific sites, and for typical or average sites in their area. Viability should be considered under *different assumptions* about subsidy availability and the prospect of housing grant. This again requires flexibility in any policy over the Plan period.

6.13.12 For the above reasons I do not consider a uniform target should be imposed on all sites regardless of size.

6.13.13 I am also concerned about the threshold imposed on settlements with a population of less than 3000 which requires a 40% target provision on sites of 0.17 and above or where 5 or more dwellings are involved. National guidance states that a lower threshold than that advised in the Circular may be appropriate. There is a caveat that with the exception of *settlements in rural areas with populations of 3000 or fewer* it would not be appropriate to seek to adopt thresholds below the lower level of 15 dwellings or 0.5 of a ha. Although a lower threshold can be adopted in rural areas under paragraph 10 i) c) the following factors need to be taken into account. Site size, suitability and economics of provision, and that it will be inappropriate to seek *any* affordable housing on some sites.

6.13.14 In my view small sites in rural areas villages may vary so much in character that some might not be appropriate for affordable housing at all. Others may be appropriate in principle, but to provide an odd one or two affordable homes in a small village with limited facilities would add little to the number of affordable houses built to meet the needs identified for the district. It could also involve a fragmented and costly management system of unsustainable development. There would be considerable risks that sites may not come forward as quickly as they otherwise would as in my view there are doubts about the viability of a mixed housing development on a site of only 5 dwellings.

6.13.15 In rural areas the Council has Policy H10 which enables affordable housing to be provided as an exception and I understand from Inquiry that this approach has been successful in providing groups of houses to meet the needs of the area. I believe it to be more practical to provide groups of affordable housing in this way or to allocate sites solely for affordable housing in perpetuity rather than to adopt a policy which because of the small size of sites would involve a fragmented approach to rural affordable housing.

6.13.16 I do not, therefore, consider that there is justification for a such a prescriptive percentage approach to affordable housing on sites as small as 0.17 of an ha or where only 5 or more dwellings are to be built.

- 6.13.17 I conclude that policy H8 should be more flexible to reflect the approach advised in national guidance.
- 6.13.18 Note: Since I started this report the Consultation Paper on a Proposed Change to Planning Policy Guidance Note 3 Housing has been issued. It is stated that without a change in planning policy as part of wider Government policies and initiatives there is a risk of continuing shortfalls of affordable homes. I find nothing in paragraphs 8 to 11 to indicate that the views I have expressed above are not in accordance with the tenure of emerging guidance.
- 6.13.19 Paragraph 8 requires that sites be identified and the amount of affordable housing sought be indicated. Paragraph 9 clearly states that the affordable housing provision sought should not make development unviable. This indicates to me that until a site is identified the criteria listed in the bullet points cannot be assessed in conjunction with a prospective developer and consequently any policy on affordable housing should be flexible.
- 6.13.20 Paragraph 10 states that affordable housing should not normally be sought on sites of less than 0.5 ha or developments of less than 15 dwellings, and where sought on smaller sites should be justified having regard to
- The size and type of sites likely to come forward for development derived from an *urban housing capacity study, or other assessments*;
- The criterion refers to urban housing capacity or other assessment. The other assessment is not defined but I would presume it to be an alternative to an urban capacity study. So I do not consider paragraph 10 is referring to village development. Paragraph 16 deals with planning for mixed communities in rural areas and to the contribution to be made from small sites of less than 0.5 ha or developments of less than 15 dwellings. This I have considered above.
- 6.13.21 I conclude that the policy itself should be flexible enough to recognise the need to negotiate the amount of affordable housing on any given site at the time of the planning application. The supporting text should provide details of the approach the Council will take on affordable housing provision in urban and rural areas. There are a number of ways the policy could be written.
- 6.13.22 The simplest way would be to modify Policy H8 by inserting “up to” before “40%” as suggested by some objectors. An alternative would be to have a policy as recommended below and rely on the supporting text at paragraph 6.20 to describe the process to be followed.

RECOMMENDATION

- Delete the “less than 3000” requirement from Policy H8**
- Replace “40% target” with “up to 40%” or reword policy as follows “The Council will seek to negotiate on a site to site basis an element of affordable housing of up to 40% of the total provision of housing on appropriate allocated**

and windfall sites, having regard to the up to date Housing Needs Survey, market and site considerations.”

6.14 POLICY H9 – HOUSING MIX

The Objections

20.3 Martin Grant Homes (UK) Ltd

Object to the imprecise wording in Policy H9. Accept there is a need to ensure a balanced mix of housing within each development. The housing mix can only be judged within the context of the settlement in which the site is situated. It is inappropriate, in policy terms, to seek a vague notion of what a "significant proportion of market housing comprising small properties"

47.1 PJ Hamilton and Associates

The mix of development to be decided on a site specific basis applying tests like character and style of the surrounding properties and design
Policy is too prescriptive - some sites are not suited to small properties. The character of the surrounding area and design must be taken into account.

119.38 Proto Limited

Delete policy pending an urgent review of housing needs on which an appropriate policy can be developed. Lack of detailed housing needs assessment to back up policy. There is also a concern about the uncertainty of the word significant in qualifying the proportion of market housing (small properties) sought.

120.5 Laing Strategic Land Ltd

Policy H9 should be amended to acknowledge that this policy should be applied flexibly to reflect site and market conditions. The policy is unacceptably inflexible and prescriptive. Whilst the policy objective of more, smaller dwellings is acceptable the precise mix on any particular site should also reflect site constraints and characteristics as well as market demand. The policy should acknowledge this.

137.4 Coxeter

Delete policy H9 completely.

This policy is wholly unworkable because of the very low threshold set for applicability. It will have serious effects on small site developers and is an attempt to interfere with the normal operation of a housing market.

139.4 CWS Pension Fund Trustees Ltd

Delete policy H9. Supporting text provides no information as to what constitutes a 'significant proportion', nor does it clarify whether there may be circumstances where such provision is inappropriate. The plan refers to small market priced homes being additional to affordable housing. Central government guidance in C6/98 and PPG3 makes it clear that the term affordable housing includes low cost market housing. Given the level of affordable housing being sought under Policy H8 the requirement for an additional significant proportion of small properties is considered unreasonable. The provision can be met under the terms of Policy H8

141.5 Persimmon Homes (Essex) Ltd

The policy should be reworded in order to make the intentions clearer. If it is considered difficult to identify an appropriate wording for the policy itself, para 6.21 of the Plan should provide guidance with regard to the terminology employed in H9. There is no definition which provides developers with an indication of the scale envisaged by the term 'significant proportion'. However housing mix can only be properly judged on the basis of each development proposal within the context of the settlement in which the site is located. It is inappropriate in policy terms to seek to secure a vague notion of a 'significant proportion of market housing comprising small properties

142.6 (Objection withdrawn) Wickford Development Co Ltd

Amend H9 as follows "On larger sites, provision should be made for a range of size and type of dwellings to meet all sections of the housing market and to secure mixed and inclusive communities. H9 is wholly devoted to the provision of small market sector housing. This is unacceptable given the Government’s aims set out in PPG3 and acknowledged local shortfall of larger dwellings. The policy, should therefore seek to achieve an appropriate mix of dwellings within residential developments.

144.8 Bryant Homes Limited

The policy is too restrictive. It should be amended to take account of other factors in determining the housing mix.

164.14 Bellway Homes

We believe the requirement to include a significant proportion of market housing comprising small properties is a far too detailed approach taken in the circumstances where a housing mix is appropriate. We would point out that there is no definition of “significant” nor is there any definition of “small” properties which clearly makes a proper assessment and application of this policy to a particular development, very difficult. Reference to an adequate mix of housing over and above any provision of affordable housing is sufficient description for any local plan policy which in any case will be driven by the developers to provide a range of styles in order to sell the scheme. Para 6.23 which supports H9 refers to the need to retain mixed and balanced communities. The imposition upon the developer to provide small properties cannot be taken carte blanche as an appropriate measure since every settlement is different

185.4 Hatfield Regis Grange Farm

Delete Policy H9 completely. The policy is wholly unworkable because of the very low threshold set for applicability. It will have serious effects on small site developers and is an attempt to interfere with the normal operation of a housing market on very small sites without adequate justification.

186.6 Siemens Pension Fund

H9 should be amended to reflect National Policy Guidance as set out in PPG3.

201.6 Countryside Properties PLC

Policy should be deleted. The type and size of accommodation to be provided should be a matter for the developer and his prospective customers, subject to general compliance with other relevant policies including those in PPG3 with regard to densities and making the best use of urban land and the creation of balanced communities. The policy is also imprecise as to give no meaningful guidance and will

simply generate even lengthier negotiations over planning applications for no clear cut benefit.

209.5 Three Valleys Water Plc

Delete policy H9. Additional requirement of small houses on sites of 0.1 hectares and above or 3 or more dwellings is too onerous on top of affordable housing requirement. It does not accord with government advice as set out in circular 6/98. The application of over zealous affordable housing and low cost market housing standards would serve to significantly reduce the number of suitable housing opportunities from coming forward within the urban area. This would have the regrettable effect of putting further pressure on large green field sites to deliver the district's housing needs.

217.3 Pelham Homes Limited

Delete policy H9. We object to the policy on the grounds that it is not adequately supported by survey material which would demonstrate the need for such a policy. In addition we believe the policy restricts housing opportunities by placing an additional burden on the developer. If the policy is retained we object to the imprecise nature of the wording "significant proportion" We believe that the only reason for requesting all schemes over 0.1ha to provide a significant proportion of 2/3 beds in para 6.21 is to achieve mixed and balanced communities. The LPA are in a position to define mix in respect of affordable housing because mix can be defined by the outcomes of the needs survey.

218.36 Saffron Walden Friends of the Earth

Define small properties as 1-3 bed roomed

73.2 HBF

The policies and text should be amended to comply with current government guidance. The Council's proposals for affordable housing provision are contrary to government advice in circular 6/98 and PPG3. No explanation is provided of the justification for these policies i.e. a robust housing needs assessment. The definition of affordable housing excludes low cost market housing and is defined by reference to specific weekly housing costs. The target is expressed as a District wide percentage rather than numerically or as site specific targets taking full account of site specific considerations. The proposed threshold of 15 dwellings is below that recommended by the circular and has not been justified by exceptional local circumstances. The requirement for a "significant proportion of small market housing" in addition to affordable housing is unjustified.

98.1 (Objection withdrawn) Hatfield Development Ltd

Removal of affordable housing requirement on all sites under 1.5 acres and reduction of quantum % to 20% on those above, subject to locational characteristics. Removal of any insistence on mixed unit size composition 40% is too high a % to adopt as a target for affordable housing units as a % of the whole scheme. Housing mix should be dependent on site environment and surroundings. Should not be a blanket requirement for high density/smaller property elements in all schemes

143.4 David Wilson Estates

Affordable housing policy not in line with Government Advice in terms of tenure and viability issues. Housing mix policy is unnecessary in light of PPG3.

Inspector’s Reasoning and Conclusions

- 6.14.1 Because of the high numbers of large detached houses in the district and the need for smaller dwellings I can understand why the Council has proposed Policy H9 on Housing Mix. The Housing Needs Study confirmed the requirement for 2 and 3 bedroom accommodation. I do not believe the policy should be deleted as there is an identifiable need to ensure that appropriate market housing to meet the needs of the district is provided.
- 6.14.2 Although the threshold is low as “small properties” includes, in this context, 3 bedroom houses referred to in paragraph 6.21, I accept the view of the Council that it is unlikely that sites in the district would not be suitable for “small properties” of some kind. On the one hand objectors are concerned that the policy would be too restrictive and others are concerned about what “significant proportion” means. In my view if the policy were to be yet more precise and include a percentage requirement the mix on each site would be arbitrary and not take into account the character of particular sites or settlements.
- 6.14.3 However, it seems to me that the wording of the policy could be misconstrued because paragraph 6.22 of the supporting text quite rightly makes no mention of affordable housing when referring to housing mix on sites of between 0.1 ha to 0.5 hectares.
- 6.14.4 As Policy H9 refers to “all developments on sites of. 01 ha and above or of 3 or more dwellings” requiring a significant proportion of *market* housing comprising small properties I see no need to mention affordable housing in this policy at all. Paragraph 6.21 explains that there may be an affordable housing requirement. In my view the policy would be clearer if it concentrated on mix and the last sentence of the policy were deleted. ...

RECOMMENDATION

Delete the last sentence of Policy H9

6.15 PARAGRAPH 6.24

The Objection

110.2 (Objection conditionally withdrawn) Cory-Wright

Amend last sentence of 6.24 to read "it is essential that a registered landlord is involved to achieve control over future occupancy. The exception to this will be in cases where the nature of the occupation provided is such that it will provide a continuing supply of affordable housing. Such circumstances will occur for instance with accommodation provided at mobile home park where the dwellings provided will always have a value well below the normal conventional housing "Suggested changes to Policy H10 Sections a) - d) See letter. The policy as worded fails to recognise that there is potential to provide affordable housing in other limited circumstances. Mobile Home Parks are a suitable way of providing open market affordable housing.

Inspector’s Reasoning and Conclusions

6.15.1 Mobile homes are only a solution to low cost market housing on specific sites. There is one identified at Takeley Park and specifically referred to in Takeley Local Policy 4. It would be helpful to mention in paragraph 19.6 the contribution which mobile homes make to low cost market housing.

RECOMMENDATION

Make no modification to Policy H10 or supporting text but amend paragraph 19.6 on Takeley Local Policy 4 to mention the contribution which mobile homes make to low cost housing.

6.16 PARAGRAPH 6.25

The Objection

218.37 (Objection withdrawn) Saffron Walden Friends of the Earth

Add “affordable housing schemes to the beginning of 6.25 and delete “larger” in front of communities.

Inspector’s Reasoning and Conclusions

6.16.1 Withdrawn

RECOMMENDATION

None

6.17 POLICY H10 – AFFORDABLE HOUSING ON EXCEPTION SITES

The Objections

164.13 Bellway Homes

The final para of 6.24 should be deleted in addition to the last part of Criteria (a) under policy H10. In our view it is not essential that a registered social landlord is involved in providing low cost housing. The Council should accept that as the housing need in their area is so great creative alternative options should be considered. Companies exist which are not registered yet never the less provide affordable houses to the public in perpetuity through legal agreements which are appropriately worded to the satisfaction of the local authority. This is, in effect the same as the operations undertaken by a registered social landlord but without the need for any public subsidy to be used in the scheme.

218.38 Saffron Walden Friends of the Earth

Amend criteria (d) to read "The site adjoins the settlement and is within easy walking distance of transport links and public transport is available to link the development with schools."

UDC proposed change to policy H10

Policy H10 – ~~Affordable Housing on “Exception Sites”~~ **Village Needs Housing Development of affordable housing will be permitted outside settlements on a site where housing would not normally be permitted, if it would meet all the following criteria:**

- a) **100% of the dwellings are to be affordable and provided through a Registered Social Landlord;**
- b) **The development will meet a particular local need that cannot be met in any other way;**
- c) **The development is of a scale appropriate to the size, facilities and character of the settlement; and**
- d) **The site adjoins the settlement.**

Objections to Proposed Change

73.3 HBF

The change to Village Needs Housing would clearly not encompass the criteria set out in the existing affordable housing policy. The HBF agree with the modification of this policy, but the content should be adapted so as to relate specifically to Village Needs Housing, e.g. Providing Village Needs Housing could include a diversity of tenures required in the village to alleviate insufficient housing numbers whereas the previous policy can only be implemented to provide Affordable Housing in Rural Exception Sites

Inspector’s Reasoning and Conclusions

- 6.17.1 I have dealt with the objection to paragraph 2.2 here as it refers to Policy H10 and its supporting text.
- 6.17.2 Housing Associations are reporting that it is becoming increasingly difficult to find landowners who are willing to dispose of sites at a price where an exception scheme of affordable housing would be viable. In Uttlesford I am told such sites are still coming forward, albeit more slowly.
- 6.17.3 The objector’s proposal to allow up to 20% of market housing to create an incentive for affordable housing development is at present contrary to government guidance in paragraph 2 of Annex B of Planning Policy Guidance No. 3.
- 6.17.4 In my view the concern of the objector should be approached in the manner I have discussed in Policy H1. The Council should identify local needs and allocate and/or modify the settlement boundaries accordingly. By this method the Council will be proactive by planning for both market housing and affordable housing at the local level. If the Council does not identify a local need for market housing then it has the alternative of allocating sites solely for affordable housing.
- 6.17.5 I believe this to be a “second best” option because if the Council does not identify a village as being in need of some local housing provision it is questionable whether a number of rural villages would be suitable locations for affordable housing on sustainability and management grounds. Also under the Consultation Paper provisions local planning authorities should

identify sites on which affordable housing will be expected *as part of residential or mixed-use development, taking account of rural as well as urban needs.*

- 6.17.6 The suggested amended criteria are linked to the views I have expressed at 6.17.5 above and would be a sustainable approach. However, I noted that even some of the larger villages do not have good bus services, but because of their range of facilities would be suitable for some affordable housing. Also links with some schools are by private, not public transport. On balance I do not consider the additional wording should be added to criterion d) (218.38)
- 6.17.7 It is the title that appears to be in dispute “Village Needs Housing” which in Policy H10 means exception sites for affordable housing. I believe the title is misleading in that there may be a need for housing in a village to support local services in addition to affordable housing. I consider the previous title Affordable Housing on Exception Sites is more appropriate for Policy H10. (73.3)
- 6.17.8 Although I have known of companies providing affordable housing in perpetuity in other parts of the country where market prices for housing is considerably lower, I question whether in Uttlesford, such housing would be accessible to those in need, unless a system of joint equity were adopted. National guidance advises that affordable housing should not normally be defined by reference to tenure. However, the guidance does accept that there are circumstances where an identified housing need would not be met by other types of “affordable” housing. (164.13)

RECOMMENDATION

Modify the plan by reverting back to the title “Affordable Housing on “Exception Sites”

6.18 PARAGRAPH 6.28

The Objection

218.39 (Objection withdrawn) Saffron Walden Friends of the Earth

Amend 1st two sentences to read “such dwellings may be exceptionally permitted in open countryside only because of the needs of the enterprise. In these cases dwellings will normally be modest in size etc.

Inspector’s Reasoning and Conclusions

6.18.1 Objection withdrawn. This amendment has already been made.

RECOMMENDATION

None

6.19 POLICY H12 - REMOVAL OF AGRICULTURAL OCCUPANCY

The Objections

218.40 Saffron Walden Friends of the Earth

Amend the timescale in criterion (b) from 6 to 12 months

Inspector’s Reasoning and Conclusions

6.19.1 From the evidence I am not aware that a six month period of continuous advertising would not be sufficient. The criterion does say “at least six months”

RECOMMENDATION

Make no modification to the Plan in response to this objection

6.20 NEW POLICY – NEW HOUSES IN THE COUNTRYSIDE

The Objection

183.2 Sworders Agricultural

A Policy “New Houses in the Countryside” must be included within the Local Plan. This policy should fully reflect National Policy. Consideration should be given to the reference in PPG7 (March 2001) paragraph 3.21.

Inspector’s Reasoning and Conclusions

6.20.1 New house building in the country is already covered by policies in the Plan. I presume the objection mainly refers to an isolated house sometimes being justified if it is of highest quality. There are so few of these “one off” cases that I do not consider a separate policy is justified as such proposals are covered by national guidance. In any event I understand that these isolated dwellings in the countryside are now considered to be an anomaly and reference to them may well be deleted from future national guidance. (183.2

RECOMMENDATION

Make no modification to the Plan in response to this objection

6.21 NEW POLICY – SPECIAL HOUSING NEEDS

The Objection

93.16 Hastoe Housing Association/Springboard HA

Plan should provide assessment of the needs of those requiring supported or special needs housing and a positive policy to meet those needs.

Inspector’s Reasoning and Conclusions

6.21.1 I do not consider that the present local Plan is a vehicle in which Special Housing Needs should be explored. The Housing Needs Survey has assessed the issue but it is part of the Council’s corporate housing strategy. From its local knowledge the Council is better able to assess this than I am but from previous experience it seems to me that such needs cannot be readily transposed into an effective land use policy for housing in the Plan. (93.16)

RECOMMENDATION

Make no modification to the Plan in response to this objection

6.22 NEW POLICY – KEY WORKERS

The Objection

93.15 Hastoe Housing Association/Springboard HA

Plan should provide assessment on the needs of key workers and a policy aimed to meet those needs

Inspector’s Reasoning and Conclusions

6.22.1 Again my views are similar to those at paragraph 6.21.1 above. Key workers are among a range of persons who may require affordable housing, equity share housing or low cost housing. They are not a unique category requiring a specific policy and would be dealt with under the Council’s corporate housing strategy. (93.15)

RECOMMENDATION

Make no modification to the Plan in response to this objection.

6.23 NEW POLICY – RECYCLABLES

The Objection

227.4 (Objection conditionally withdrawn) Environment Agency

New policy "To enable the reduction, re-use and recycling of household waste, housing developments, should be designed with space for intensive bring systems; provide space for composting at individual households; provide space for composting at individual households; provide space for storage of recyclables." The provision of collection points for recycling household materials should also be encouraged for existing householders (eg increase the density of bring banks). Could either be a general planning policy or as part of the Housing Chapter.

The plan should include a policy relating to development being designed to include ease of collection of recyclables, to assist the District in reaching its targets outlined in its Best Value Indicators.

Inspector’s Reasoning and Conclusions

- 6.23.1 Detailed matters concerning ease of recycling in housing developments should be addressed through Supplementary Guidance and not in the Plan itself (227.4)

RECOMMENDATION

Make no modification to the Plan in response to this objection

6.24 NEW POLICY – LIFETIME HOMES

The Objection

212.8 Uttlesford Area Access Group

There is no specific inclusion for "Lifetime homes". Add new policy H13 - Lifetime Homes "The Council will seek to ensure that in new residential developments all dwellings are constructed to "Lifetime Homes" standards such that structurally they are capable of adaptation without undue difficulty for continued occupation by residents who develop or acquire a physical or sensory impairment. B) The District Council will seek to negotiate in all new housing schemes an element, based on the established current needs of the community, of housing designed to full mobility standards. Such dwellings should be spread evenly throughout the development. In each case the site location and topography will be taken into consideration.

UDC proposed no new policy in relation to this objection but addition to lower case to refer to Lifetime Homes in supplementary planning guidance

Inspector’s Reasoning and Conclusions

- 6.24.1 I have dealt with access and “Lifetime Homes” in Chapter 3. Although I consider Lifetimes Homes to be important the concept is one of detailed

requirements and these can best be dealt with in Supplementary Planning Guidance as proposed by the Council. This has now been mentioned in the supporting text.

RECOMMENDATION

Make no further modification to the Plan in response to this objection.

6.25 CHAPTERS 10-19

The Objection

93.13 Hastoe Housing Association/Springboard HA

Argued for the identification & targeting of more sites for affordable housing and these should be included within these chapters. In relation to the sites identified and the related policies in Chapter 10-19, targets for affordable housing should be added.

Inspector’s Reasoning and Conclusions

6.25.1 I have dealt with affordable housing policy at Policy H8 above. I have also recommended that the Council look again at local needs housing in the villages at Policy H1. This may identify further sites for affordable housing but only time will tell. (93.13)

RECOMMENDATION

Make no modification to the Plan in response to this objection

7. CHAPTER 7 - LEISURE AND CULTURAL PROVISION

7.1 PARAGRAPH 7.1

The Objections

183.3 Sworders Agricultural

A policy covering tourism in the countryside must be included within the plan. This policy should reflect national policy and government encouragement for farm diversification.

218.41 (Objection withdrawn) Saffron Walden Friends of the Earth

Add extra objective to 7.1 - to improve access to leisure and cultural facilities

212.9 Uttlesford Area Access Group

Add to para 7.1 "To ensure that all leisure and cultural provision is accessible for the benefit of the whole community to ensure social inclusion."

The group felt that a further statement should be included under 7.1 as there is insufficient coverage for social inclusion

204.10 Essex County Council

Add additional bullet point " Protect and enhance the public rights of way network." As an essential recreational and transportational resource, public rights of way must feature as a specific objective.

UDC Proposed change to paragraph 7.1

The policies in this section have the following objectives:

- To safeguard existing open space within towns and villages for either formal or informal recreation
- To enable the provision of community facilities in villages, which would accommodate activities central to village life, even where development would not normally be permitted;
- To develop sport and leisure facilities at key sites and enable outdoor recreation in the countryside whilst protecting its character and amenities
- To ensure that play facilities are included in developments where appropriate
- To support tourism in Uttlesford within the capacity of its towns and countryside to accommodate visitors.
- **To improve access to leisure and cultural facilities**

Objections to the proposed change

60.5 Leeming

The addition falls short of my request that the plan put some detail into how Saffron Walden could move towards the provision of good multi cultural provision for cinema/music/drama etc.

Inspector’s Reasoning and Conclusions

- 7.1.1 In the past a number of Plans have included a general policy on tourism but these have been more declarations of intent than effective policies to guide or direct development. Policy LRT 10 of the Structure Plan provides the framework for tourist accommodation and Policy E4 of the Plan already lays down criteria for the re-use of rural buildings for tourist accommodation. Policy LC6 also provides for new building and changes of use to provide tourist accommodation. Tourism makes an increasing contribution to the rural economy and the labour market in many areas and it might be possible to recognise this by formulating a policy saying that permission will be granted for new tourist attractions in the countryside subject to certain criteria. However, these projects tend to be either small scale proposals which can be dealt with on the basis of other policies in the Plan, or larger “one off” schemes which are difficult to plan for in the form of a meaningful policy. On balance I do not favour a general policy on tourism. (183.3)
- 7.1.2 I have dealt with the need to avoid social exclusion when considering a number of objections to policies throughout the Plan. From the advice in Planning and Access for Disabled People: A Good Practice Guide that access policies should be included at all levels of the development plan and in respect of each relevant topic I believe the wording suggested by the objector should be added to the last bullet point of paragraph 7.1 (212.9)
- 7.1.3 Paragraph 7.1 merely describes the objectives of the policies listed. There is no specific policy on rights of way. Because of this it would be confusing to add to the bullet points in the manner suggested. (204.10)
- 7.1.4 It was evident from the Inquiry that the Saffron Walden Town Council supported objectors who put forward proposals that would enable a multi-use community facility to be built in the town. If my recommendation in respect of that development is accepted the Council will no doubt change the plan accordingly. (60.5)

RECOMMENDATION

- a) **Add to the last bullet point in paragraph 7.1 “*and to ensure that all leisure and cultural provision is accessible for the benefit of the whole community to ensure social inclusion.*”**
- b) **See my report on community facilities and other enabling development in Saffron Walden where I deal with the objection to the omission site at Little Walden Road.**

7.2 POLICY LC1 – LOSS OF SPORTS FIELDS AND RECREATIONAL FACILITIES

The Objections

93.12 Hastoe Housing Association/Springboard HA

Given the scale of need for affordable housing it would be appropriate to include the provision of affordable housing as a further exception to this policy.

188.2 (Objection withdrawn) Sport England

Sport England considers that the wording of this policy is imprecise and could be open to misinterpretation. Policy should more closely reflect Sport England’s own policy on loss of playing fields. Specified exceptions should be tightened up. Criteria a) this should be reworded to match as closely as possible exception E4 of Sport England’s policy on Playing Fields (see copy submitted). Criteria b): this should be reworded to match as closely as possible exception E1 of Sport England’s policy on playing fields.

UDC proposed amendments to paragraph 7.2

As there is already a deficiency in the number of playing pitches, policy LC1 is concerned with total or partial loss of playing fields, open space and allotments. It applies whether the facilities are still in active use or whether through ownership, for example, this is now prevented. It also applies to development that would prejudice the use of land as playing fields, open space or allotments. It is not intended to prevent the provision of facilities such as changing rooms, pavilions and club houses. If replacement facilities are proposed these must be at least as good as those lost in terms of location, quantity, quality, and management arrangements. They must also be made available before development of the existing site begins. An assessment of current and future needs will need to be submitted demonstrating that there is an excess of playing fields in a locality and the catchment of the facility, or that the site has no special significance to sport or recreation, if planning permission is to be granted for development under exception b).

Objection to Proposed Change

218.61 Saffron Walden Friends of the Earth

The aims of para 7.2 are fully supported but recommend supplementary planning guidance is used.

Inspector’s Reasoning and Conclusions

- 7.2.1 It seems to me that as there are recommended minimum standards for open space that these should be applied to all forms of housing development. Excluding affordable housing would create an imbalance between housing and open space and put greater demands on other forms of development to make up the shortfall (93.12)
- 7.2.2 Although I consider the aim of the objector reflects the Council’s encouragement to use means of transport other than the private car, from my visits I found that many village halls and schools are not accessible by public transport in the evenings. As they serve a local need such facilities can be accessed on foot or by cycle although it seems to me that there will always be a need for those who live elsewhere in the parish remote from the village to use a car. (218.61)

RECOMMENDATION

Make no modification to the Plan in response to these objections

7.3 POLICY LC2 – RURAL COMMUNITY FACILITIES

The Objections

106.1 Poulter and Francis

The plan makes no provision for places of worship. PPG 12 states that Development Plans should consider the relationship of planning policies and proposals to social needs and problems including their likely impact on different groups including religious groups and also plans should make provision for places of worship. Local Plan should be amended to incorporate the above mentioned recommendations of PPG12.

156.15 Saffron Walden Town Council

The Council would prefer to see Section 7.3 and policy LC2 amended to remove the work "rural" as the Council does not believe such a policy should only apply in rural areas. Saffron Walden is particularly low in the provision of playing pitches and it would be unfortunate if the use of the word "rural" were to prevent the town from gaining further facilities.

218.42 Saffron Walden Friends of the Earth

7.3 add the following to the end of 7.3 "and will produce supplementary guidance setting out the needs for open space provision and methods of securing funding where appropriate from developers. Add criteria to policy LC2 (D) the site is easily accessible to the community it serves by means other than the private car

UDC Proposed changes to policy LC2

Policy LC2 – ~~Rural~~ Community Facilities

Community facilities will be permitted on a site outside settlements if all the following criteria are met:

- a) **The need for the facility can be demonstrated;**
- b) **The need cannot be met on a site within the boundaries;**
- c) **The site is well related to a settlement.**

Inspector’s Reasoning and Conclusions

7.3.1 The word “rural” has been deleted from the heading of Policy LC2. The policy now applies to both urban and rural areas. In my view there cannot be any doubt that a church or place of worship is an important “community facility” and does not have to be identified specifically in the policy (106.1)(156.15)

7.3.2 Although the amendment suggested would be reasonable for a community facility in an urban area my views on this matter are as expressed in paragraph 7.2.2 above. Supplementary Planning Guidance may be necessary to secure open space and funding but I have no evidence from the Council on the form the guidance needs to take. (218.42)(218.61)

RECOMMENDATION

Make no modification to the Plan in response to these objections

7.4 POLICY LC3 – EXTENSIONS AND ADDITIONS TO FACILITIES

The Objection

218.43 (Objection withdrawn) Saffron Walden Friends of the Earth

Add to the end of the Policy LC3 “with provisos (a) and (d) above (LC2)

Inspectors Reasoning and Conclusions

7.4.1 Objection withdrawn

RECOMMENDATION

None

7.5 REVISED DEPOSIT - PARAGRAPH 7.4

The Objections

92.23 Old Road Securities on behalf of Audley End

The plan should, at a minimum refer to known deficiencies of leisure, cultural and community facilities provision. The plan should identify suitable sites where such uses may be brought forward outside the existing settlement boundaries but where very well related to existing urban areas and transport provision. Land at Little Walden Road could provide an arts centre etc. The site is well connected by public footpaths and well screened on all boundaries. Development represents a logical extension to Saffron Walden.

218.61 Saffron Walden Friends of the Earth

Add "provided they are accessible by alternative methods of transport"

Para 7.4 - additional facilities outside settlements should be accessible by methods of transport other than the private car.

Inspector’s Reasoning and Conclusions

7.5.1 I dealt with the need for community and recreational facilities for Saffron Walden at Inquiry. My report on the omission site at Little Walden Road refers. (92.23)

7.5.2 See paragraph 7.2.2 and 7.3.2 above

RECOMMENDATION

Make no modification to the Plan in response to these objections

7.6 REVISED DEPOSIT - PARAGRAPH 7.5

The Objections

212.16 Uttlesford Area Access Group

The group is pleased that supplementary planning guidance is to be prepared on this issue. The group, however requires the addition to the wording " for inclusive play facilities associated with development"

Inspector’s Reasoning and Conclusions

7.6.1 The Council will need to consider the advice in Planning and Access for Disabled People: A Good Practice Guide and include an access policy in each relevant topic. I have dealt with this matter in principle and have advised the Council to comply. (212.16)

RECOMMENDATION

Council to consider including an access policy in each relevant topic.

7.7 POLICY LC4 - PROVISION OF OUTDOOR SPORT AND RECREATIONAL FACILITIES BEYOND SETTLEMENT BOUNDARIES

The Objections

71.4 Walford

The policy does not appear to give any thought to issues of night time lighting and the effects on neighbours. It needs to include provisions which will ensure that light spill is minimised given the appalling effect of the lights at Newport.

92.11 Old Road Securities on behalf of Audley End Estates

Land at Sheds Lane and also adjacent to Herberts Farm should be allocated for potential use for sports pitches/recreational facilities. Schematic plans for both these sites submitted. Saffron Walden has a shortage of playing fields with insufficient pitches for local teams. Land at Sheds Lane identified for sports pitches through SW12 of the Adopted Local Plan should be retained. In addition land adjacent of Herberts Farm is ideally suitable for sports pitches by extending the existing neighbouring playing fields thus creating economies of scale.

188.5 (Objection withdrawn) Sport England

Policy needs to be expanded to relate to the provision of outdoor sport and recreation facilities in new housing developments.

219.20 English Heritage

This policy is too permissive and should include criteria relating to environmental considerations especially landscape character. Golf courses for instance can have a significant suburbanising effect on the landscape. They can also result in the destruction of archaeological remains and damage to historic parks and gardens. The need for such facilities should be assessed and a more targeted policy included.

Inspector’s Reasoning and Conclusions

- 7.7.1 I accept that this policy merely encourages the provision of outdoor sports and recreational facilities but does not lay down detailed criteria. However, I do not consider this to be necessary as there is a general policy that already deals with light pollution from all forms of development. Policy GEN5 and supporting paragraph 3.10 explain the balance to be struck. (71.4)
- 7.7.2 The need for additional playing fields and pitches in Saffron Walden was dealt with at Inquiry when the omission site at Little Walden Road was considered. See my recommendation in respect of that development for community purposes. (92.11)
- 7.7.3 Golf courses tend to be one off proposals. Although they can sometimes have an unfortunate impact on the rural character of the open countryside I consider that there are enough safeguards in the plan, from general to specific environmental policies, to deal with the concern of the objectors (219.20)

RECOMMENDATION

See my recommendation on the Omission Site at Little Walden Road.

7.8 PARAGRAPH 7.6

The Objection

218.44 (Objection conditionally withdrawn) Saffron Walden Friends of the Earth

Replace sufficient with more than 3. Add to end "where provision cannot be made on site commuted payments will be sought to improve existing nearby facilities. The figure of 4% in LC5 should be explained in the supporting text, what is it based on? What provision is required for older children? National standards for kick about space should be applied. Likewise neighbourhood parks should be secured with major developments.

UDC Proposed deletion of paragraph and policy and reference to supplementary planning guidance.

Inspector’s Reasoning and Conclusions

- 7.8.1 Policy LC5 has been deleted. Such detailed requirements can better be dealt with in Supplementary Planning Guidance. (218.44)

RECOMMENDATION

Make no further modifications to the Plan in response to this objection

7.9 POLICY LC5 – PLAY FACILITIES

119.39 Proto Limited

Delete Policy. This policy relates to planning standards and ought to be the subject of supplementary planning guidance rather than a development plan policy

156.16 Saffron Walden Town Council

First line of the policy should read " on sites of 0.5 hectares and over not less than 4% as a single unit of a site area. The Town Council believe that play space is important and are concerned that this policy as drafted would allow a developer to provide a large number of small areas to make up the required 4%. In addition the Council are concerned at the use of the words up to 4% as this would allow a developer to provide a much smaller amount.

164.15 Bellway Homes

Whilst Bellway Homes are totally committed to the appropriate provision of such facilities for residential sites, concern is expressed as to how such provision can be required without the following a) details of the proposed scheme e.g. how the policy is applied to developments for sheltered housing. b) information as to how much provision is already in place in close proximity to the site. LA should not seek to impose a rigid formula for play facility provision. Seeking to maximise play space, whilst laudable in its intent should also have regard to the guidance contained within PPG3 which seeks to encourage the best use of available land.

212.10 Uttlesford Area Access Group

Add new criterion to LC5 "In addition there should be provision for inclusive play areas within the district to provide, promote and encourage social integration for children with disabilities. The guidelines set down by ROSPA for such areas will need to be adhered to.

UDC Proposed deletion of paragraph and policy and reference to supplementary planning guidance.

Objection to proposed amendment

213.46 CPRE

Retain policy LC5 to read "play facilities should be provided in accordance with the requirements of the Council's Supplementary Planning Guidance on the subject" CPRE objects to the deletion of a policy on the provision of play facilities unless it is replaced by a policy requiring developers to follow the intentions of the SPG.

Inspector’s Reasoning and Conclusions

7.9.1 The Council has deleted Policy LC5 from the Plan. In my view such detailed requirements should be dealt with in Supplementary Planning Guidance where the advice can provide a flexible approach to play space provision. Paragraph 7.5 has been amended to refer to SPG.
(119.39)(156.16)(164.15)(212.10)(213.46)

RECOMMENDATION

Make no further modification to the Plan in response to this objection

7.10 PARAGRAPH 7.7

The Objection

191.4 East of England Tourist Board

Reference should be made to the leisure and cultural strategy and relevant objectives/actions quoted. Whilst agreeing with the content of the Para. EETB considers that it should be linked to the objectives and actions of the Tourism section of Uttlesford DC's leisure and culture strategy

Inspector’s Reasoning and Conclusions

7.10.1 Chapter 1 - The Role and Purpose of the Plan - contains reference to all strategies including Leisure and Cultural. As the Plan is to be read as a whole in conjunction with other relevant adopted documents I see no reason to refer specifically to strategy in paragraph 7.7, as Policy LC6 lays down clearly defined non strategic criteria controlling development (191.4)

RECOMMENDATION

Make no modification to the Plan in response to this objection

7.11 POLICY LC6 – HOTELS AND BED AND BREAKFAST ACCOMMODATION

The Objections

95.1 Chartwell Land PLC

The policy should be altered to allow for development of hotels close to the airport and with easy access to both the M11 and the airport.

There is only limited capacity for hotels within the existing Airport Boundary and there is a need for additional hotels which can not be accommodated within it. Hotels are an important facility for airports and evidence from other airports of a similar scale demonstrates that the number of hotels at Stansted is very low. Hotels in close proximity to the airport serve the needs of passengers who have flights either leaving early or arriving late in the day, Driving while tired is increasingly seen as dangerous and overnight accommodation close to the airport is essential.

119.40 Proto Limited

Delete policy. Urgently review the need for hotel and conference facilities to meet existing business needs and growth. Make appropriate provision as a consequence. The plan fails to assess the need, or to make appropriate provision for hotel and conference development. Policy LC6 is written in a limiting manner and relates only to assessment against potential harm to the character or amenities of the surrounding area.

142.11 (Objection withdrawn) Wickford Development Co Ltd

Encouragement to provide hotel accommodation should not be restricted to sites within Settlement boundaries because this may inhibit such development coming

forward. Support should be given to the construction of new hotels on appropriate greenfield sites elsewhere within the District such as those close to Stansted Airport and the main road network.

191.5 East of England Tourist Board

Policies should be developed for each of the main sectors listed. EETB considers that the inclusion of only one policy addressing the tourism development is insufficient in providing guidance. For example the policy does not address issues relating to holiday park, self catering accommodation of visitor attractions. EETB is also concerned that no tourism accommodation involving new building would be permitted.

218.45 (Objection withdrawn) Saffron Walden Friends of the Earth

Add “of architectural merit” to the end of criteria (a)

Inspector’s Reasoning and Conclusions

7.11.1 The current Structure Plan strategy is to focus new development within existing towns to protect the countryside. As the area around Stansted Airport is particularly vulnerable to pressures for development I do not consider it appropriate to encourage hotel development outside the airport unless it is in one of the towns or larger villages. I have no detailed evidence before me about the current need for hotel and conference accommodation to specifically serve the airport. If there is such a need I would expect the Council to identify it and give an indication where it could be accommodated. (95.1)(119.40)

7.11.2 Policies LRT9 and LRT10 of the Structure Plan lay down criteria for large scale tourist development and tourist accommodation. As the development plan for the area is the Structure Plan and the Local Plan combined there is no need for these policies to be repeated unless refinement of them is required to meet local circumstances. Policy E4 of the Local Plan provides for the re use of rural buildings for tourism accommodation. Criterion 2 of Policy LRT10 of the Structure Plan directs most new development to sites within settlement boundaries to protect the countryside from further intrusion and this is reflected in the Local Plan. (191.5)

RECOMMENDATION

Make no modification to the Plan in response to this objection

7.12 NEW POLICY - PROVISION OF PLAYING FIELDS

The Objection

156.14 Saffron Walden Town Council

Introduce new policy towards the provision of playing fields.

The town council supports these proposals but has for many years been concerned about the lack of playing fields in the town. The Council wish to see a positive policy towards the provision of playing fields.

Inspector’s Reasoning and Conclusions

7.12.1 I consider that Policy LC4 is sufficient to encourage playing fields outside of settlement boundaries unless a specific site can be identified for future use. My report on the omission site at Little Walden Road makes recommendations on this matter which if accepted by the Council would result in a change to the Plan, as a specific site for playing fields would be identified. (156.14)

RECOMMENDATION

Modify the Plan having regard to my recommendations on the omission site at Little Walden Road, Saffron Walden

7.13 NEW POLICY – PROTECTION OF RECREATION AND OPEN SPACE

The Objection

10.18 National Trust

Omission from Chapter 7 of the draft plan. The Trust seeks a policy which would protect existing provision of informal recreation and access land such as country parks, and increase provision whether by extending existing sites or by the identification of new ones as the population of Uttlesford and of nearby settlements outside the District grows.

Inspector’s Reasoning and Conclusion

7.13.1 There are a number of policies in the Plan and particularly in the Environment, Built and Natural Chapter which safeguard the quality of the countryside, informal recreation and access. A statement of intent that new facilities will be supported would not be helpful as it appears that County resources are to be directed elsewhere and the district has no funding to secure the provision of strategic informal recreation during the Plan period. (10.18)

RECOMMENDATION

Make no modification to the Plan in response to this objection

7.14 NEW POLICY - FOOTPATHS AND BRIDLEWAYS

The Objection

210.4 British Horse Society

The society is pleased to see the Council's objective of supporting sports and leisure facilities and enabling outdoor recreation in the countryside whilst protecting its character and amenities. The society notes, however that informal recreation is cheaper to provide for residents than new sports pitches and swimming pools and

recommends that a policy supporting the development of informal recreation networks be added.

New para and policy as follows: 7.8 Footpaths and bridleways allow informal outdoor recreation which is good for health and free at the point of use. The provision of additional paths to complete networks is cost effective in terms of the benefits to the public. Add new policy LC7 - Footpaths and Bridleways. The District Council will support the County Council, neighbouring Districts, organisations and groups in the preservation, improvement and extension of the public rights of way network for recreation and leisure.

UDC Proposed no amendments in relation to this objection

Inspector’s Reasoning and Conclusions

7.14.1 The Development Plan for the area consists of the Structure Plan and the Local Plan. I am satisfied that as the County Council is primarily responsible for footpaths and bridle ways. Policy LRT5, which provides for safeguarding the existing network and promoting new routes, does not need to be repeated in the Local Plan. In my view a policy which merely indicates general support for public rights of way carries very little weight.

RECOMMENDATION

Make no modification to the Plan in response to this objection

7.15 NEW POLICY – NATIONAL CYCLE NETWORK AND NATIONAL BRIDLEROUTE NETWORK

The Objection

210.5 British Horse Society

The society is pleased to see the Council's objective of supporting sustainable tourism in par 7.1. It notes, however that two of the most sustainable tourism activities are completely omitted from this chapter. Uttlesford is within the East of England region which the Tourist Board is proclaiming as "England's Cycling Country" The development of the National Cycle Network and the National Bridleway network will encourage these forms of leisure to the benefit of the local communities.

Addition to chapter Para 7.9 The development of good walking, riding and cycling routes encourages take up of the public path network as a recreational asset and engenders sustainable tourism, Include new policy LC8 - National Cycle Network and National Bridleroute Network. The District Council supports the completion of circular routes, connected by strategic links that are the basis for cycling and riding networks and will support the completion of circuits and important linear routes where possible.

Inspector’s Reasoning and Conclusions

7.15.1 Although I consider the expansion of the public right of way network to be important I do not consider it appropriate to insert a policy into the Plan which merely indicates support for the expansion of such a network. The County is

the highway authority and Policy LRT5 of the Structure Plan states that new footpaths, bridle ways and cycle routes will be created as opportunities and resources permit. Unless the District are able to add detail to this I do not consider a further policy is necessary. (210.5)

RECOMMENDATION

Make no modification to the Plan in response to this objection

8. CHAPTER 8 RETAILING AND SERVICES

8.1 POLICY RS1- TOWN AND LOCAL CENTRES

The Objections

122.2 (Objection withdrawn) Sainsbury’s Supermarkets Ltd

RS1 should include important criteria relating to Retail Need and the sequential approach to site selection. The retail chapter has not been prepared in the light of independent specialist retail advice based on population change, economic growth or decline, retail floorspace, shop counts, expenditure patterns accessibility, pedestrian flows and consumer attitudes. Clearly if a need exists then site(s) should be identified and allocated, even if in principle. However, if the Council only wish to proceed by way of a general non-site specific policy such as RS1 it must first be fundamentally revised. RS1 is out of tune with PPG6 and recent guidance by failing to include important criteria relating to retail need and the sequential approach to site selection

122.3 (Objection withdrawn) Sainsbury’s Supermarkets Ltd

Annex B of PPG6 clearly states that plan should be based on up to date information (see objection 2). Until this essential background information is completed or further evidence included with the emerging Local Plan and what works have been completed if that is the case we remain unconvinced that the new Local Plan will be able to maintain an efficient, competitive and innovative retail sector

212.11 Uttlesford Area Access Group

Add new criteria f) it has regard to the need of social inclusion including accessible public toilets.

Inspector’s Reasoning and Conclusions

8.1.1 See my recommendations on Planning and Access for Disabled People: A Good Practice Guide - earlier in my report. I believe this topic should contain a statement about social inclusion and access but it might be more appropriate for the Council to include it as an objective at paragraph 8.1 instead of just linking it to one policy in the chapter. (212.11)

RECOMMENDATION

Modify the Plan to incorporate recommendations in Planning and Access for Disabled People – A Good Practice Guide.

8.2 PARAGRAPH 8.2

The Objections

219.21 English Heritage

While we welcome the recognition that large stores are inappropriate because of the lack of suitable sites the point should also be made that out-of-town and edge of town development is inappropriate to the settlements in the district by virtue of their small size and the need to support the traditional town centres.

218.46 Saffron Walden Friends of the Earth

Para 8.2 add town centre after existing in 3rd sentence. Para 8.3 Delete “subject to circumstances” in 2nd sentence

Inspector’s Reasoning and Conclusions

8.2.1 The supporting text in paragraph 8.2 already advises that there is an absence of suitable sites for large stores in edge of centre locations and that retail and other town centre uses attracting large numbers of people should be located in town centres. If there were pressures for retail development out of town or in edge of town locations these would be dealt with in accordance with national guidance.(219.21)

8.2.2 Paragraph 8.2 as a whole and also this sentence covers local centres as well as town centres. I do not consider it would be appropriate to limit extensions to shops in town centres when such extensions might also need to be encouraged in local centres. The phrase “subject to circumstances” in paragraph 8.3 does not seem necessary as it adds nothing to the sentence.

RECOMMENDATION

Delete “subject to circumstances” from paragraph 8.3, 2nd sentence

8.3 PARA 8.3

The Objection

191.6 East of England Tourist Board

Whilst supporting the paragraphs content it could be enhanced by recognising the role that local services play as part of the rural tourism infrastructure and the potential for visitor spending to help retain the services

UDC Proposed change to Paragraph 8.3

Local facilities in the villages are vital to many residents and are an important feature of rural life **and they also contribute to the tourism economy**. The planning process cannot ensure that a business stays open but, subject to circumstances, it can provide a framework for considering proposals to change the use of a shop or pub to a dwelling, for example. It is important that communities make good use of local facilities to make a sound case for refusing changes of use and **the Council will encourage community run schemes**.

Inspector’s Reasoning and Conclusions

8.3.1 The contribution has now been recognised in the proposed change.

RECOMMENDATION

Modify in accordance with Proposed Change shown highlighted above.

8.4 POLICY RS2 – RETENTION OF RETAIL AND OTHER SERVICES IN RURAL AREAS

The Objections

213.24 (Objection conditionally withdrawn) CPREssex

We suggest that the policy be altered to read: Change of use of a shop, post office, public house or garage in a rural community will not be permitted if local evidence indicates that it meets a significant community need.

CPREssex objects to the inclusion of criteria (b). With respect, and with full understanding of the reasons for drafting this criterion we consider that financial viability - or the lack of it- is not a land use planning matter. We fear that its inclusion here may have the unfortunate effect of reducing or even negating the impact of the Council's excellent intention to help the retention of services in rural areas.

215.4 Countryside Agency

Replace the existing wording with: “Proposals which through conversion of development would result in the loss of a community facility (village shops, post offices, public houses, garages, doctors/dentists surgeries and village halls) will only be permitted where it can be demonstrated that the facility is no longer financially viable or there is no significant demand for the facility within that locality of equivalent facilities in terms of their nature and accessibility are available or would be made available nearby.” The policy should be supported by text defining what the Council mean by financial viability including the information that may be required of an applicant in order to arrive at a decision. The marketing test is a frequently used tool with a number of plans deeming an advertising period of 12 months as a reasonable time to determine the marketability of the enterprise.

218.47 (Objection withdrawn) Saffron Walden Friends of the Earth

Amend policy- change of use involving the loss of a shop, post office, public house or garage in a rural community will only be permitted if both the following criteria apply (a) there is no significant community need for the facility and (b) the use is not viable.

UDC Proposed new paragraph 8.4 and change to Policy RS2

The property is required to have been advertised for sale at a realistic price for a minimum of 12 months. A ‘realistic price’ is one at which the property might be expected to sell if it were to continue in its present use (and without the benefit or prospect of permission for a change of use to some other purpose, such as private dwelling).

Policy RS2 – Retention of Retail and other Services in Rural Areas

~~**Change of use of a shop, post office, public house or garage in a rural community will not be permitted if both the following criteria apply:**~~

- ~~**a) It meets a significant community need;**~~
- ~~**b) The use is viable financially.**~~

Change of use of community facilities such as shop, post office, public house, garage, doctors/dentist surgeries and village halls will only be permitted where it can be demonstrated that:

- a) The facility is no longer financially viable**

- b) **There is no significant demand for the facility within that locality or;**
- c) **Equivalent facilities in terms of their nature and accessibility are available or would be made available nearby**

Objection to the Proposed change

213.47 CPRE

CPRE considers that criterion (a) is not necessary and will in practice be contained in criteria (b). We therefore request that criterion (a) be deleted.

Inspector’s Reasoning and Conclusions

8.4.1 Financial viability is already a factor taken into account when for example, a village “pub” is the subject of a change of use proposal. Although Policy RS2 has been rewritten to meet some objections raised I do not believe reference to financial viability should be deleted. (213.24)

8.4.2 The Council has amended the policy to accord with suggestions of the Countryside Agency. I consider the policy would now cover the retention of retail and other services more comprehensively. (215.4)

RECOMMENDATION

Modify paragraph 8.3 and Policy RS2 in accordance with Proposed Changes shown highlighted above.

8.5 NEW POLICY – LARGE SCALE RETAIL DEVELOPMENT

The Objection

156.18 Saffron Walden Town Council

Town council is concerned at the effect of out of town shopping on the viability of the town centre. A new policy should be introduced to read "large scale retail development on the edge of town will not be permitted".

Inspector’s Reasoning and Conclusions

8.5.1 I believe the present guidance from the government on the sequential approach is clear and needs to be followed. Paragraph 8.22 recognises the character of the district and how shopping needs should be met within the towns. Both Policy RS1 and the supporting text require their role as retail centres to be maintained or enhanced. I do not consider a further negative policy is required to control edge of centre retail developments.

RECOMMENDATION

Make no modification to the Plan in response to this objection

9. CHAPTER 9 - TRANSPORT AND TELECOMMUNICATIONS

9.1 GENERAL

The Objection

218.5 Saffron Walden Friends of the Earth

Chapter on transport and telecommunications should be separated into two chapters. There is no connection between them

Inspector's reasoning and conclusions

9.1.1 Although transport and communications could be separated the communications element of the chapter is so small that it would not justify a chapter of its own. There is more than a tenuous link between the two as traditionally, particularly in the military "communication" not only included the sending of messages but also the transporting of troops and supplies. (218.5)

RECOMMENDATION

Make no modification to the Plan in response to this objection

9.2 PARAGRAPH 9.1

The Objections

210.6 British Horse Society

Recommended addition to 9.1 "to support and aid the provision of non-motorised modes of transport" The society regrets that the whole of the transport aspects of Chapter 9 are related to motorised transport. The society seeks policies supporting the retention and development of the (mainly) non-motorised network (footpaths, bridleways, byways)

191.7 East of England Tourist Board

Policies should be developed for transport provision other than for cars drawing on the Essex LTP. Although the LTP is referred to in Para 9.2 it would be useful to be more explicit. It is surprising that the objectives do not look at more strategic goals such as easing the movement of people or goods within the District or improving alternatives to the car - indeed no reference is made to walking, cycling or public transport provision.

119.41 Proto Limited

Amend the second objective to read to accommodate transport and telecommunications development to meet economic growth and social needs whilst minimising harm to the character of the countryside.
The second objective fails to have regard to the balance between transport as a driver of social and economic growth and managing its environmental consequences

The District Council proposed no changes in relation to these objections

Inspector's reasoning and conclusions

- 9.2.1 The Plan lacks reference to means of transport other than the car. Policy GEN1 was amended at the Revised Deposit Stage. The Council states that it is proposing amendments to Chapter 9 and to Policy GEN1 because the supporting text lacks recognition of modes of transport other than the car. I have not seen the detailed wording proposed (210.6)(191.7)
- 9.2.2 The first objective facilitates improvement to the transport and telecommunications network. I doubt that such improvements would take place without some social or economic need. I believe the two objectives are complementary to one another, the first facilitates the development, the second protects the countryside. I do not consider additional words should be added to the second objective. (119.41)

RECOMMENDATION

Amend Policy GEN1 and supporting text in chapter 9 as suggested by the Council to give greater emphasis to other modes of transport than the car.

9.3 REVISED DEPOSIT PARAGRAPH 9.2 - NO PROPOSED CHANGE

The Objection

121.27 Stansted Airport Ltd

The M11 slip roads have now been completed and reference to them should be deleted.

U.D.C is proposing a change to the Forward in response to this objection

Add additional sentence to the end of the first paragraph :

Key cross references are identified in this Plan. Please note that some development proposed in this plan may have been completed.

Inspector's reasoning and conclusions

- 9.3.1 Reference to the M11 slip roads at junction 8 could be deleted. However, as the Plan period is from 2001 to 2011 I believe the statement to the effect that some development proposals in the Plan may have been completed as proposed by the Council would cover the situation and other similar completions in the early years of the Plan (121.27)

RECOMMENDATION

Modify the Plan in accordance with the Proposed Change highlighted above.

9.4 REVISED DEPOSIT - NEW PARAGRAPH 9.3

The Objection

218.62 Saffron Walden Friends of the Earth

Add "new developments will not be permitted that are not in accord with the Uttlesford Transport Strategy, generate excessive traffic and do not provide adequate access for pedestrians and cyclists." 2) add routes between main settlements. 4) Traffic calming on old A120 should be actively pursued. 5) Developments that lead to an increase in lorry traffic in quiet country lanes will not normally be allowed 9) School travel plans will be encouraged. 10) noise and air pollution will be monitored and management plans introduced

This paragraph includes no guidance concerning the generation of traffic by new developments. Also too little direction in the phrasing of the guidance in bullet points.

200.3 Railtrack Property

The plan should contain an aim to support rail freight objectives where they are operationally, technically and commercially viable. When considering Stansted Airport in para 9.3 this could also include encouragement for a freight link for the movement of goods. In response to Railtrack's objection to the omission of a freight policy the Council said that this was a matter for other documents but supporting text would expand on transport matters and freight. Para 9.3 makes ref to the key issues from the Uttlesford Transport Strategy but there is still no mention of freight. Railtrack wish to draw the Council's attention to para 45 of PPG13, which encourages authorities to promote rail freight in development.

Inspector's Reasoning and Conclusions

- 9.4.1 Government advice in Planning Policy Guidance No. 12 – Development Plans - makes it clear that a development plan is rarely a single document. The statutory development plan for Uttlesford consists of the Structure Plan the Local Plan and the Minerals and Waste Local Plan. All of the policies in the Structure Plan referred to by the objector T3, T6, T8, T10, T11, T12, T13 and BE7 are taken into account when planning applications are considered as well as those contained in the Local Plan.
- 9.4.2 It is stated in paragraph 1.8 of the Plan that "*This plan complements, rather than duplicates the Structure Plan.*" The role of these plans is also mentioned in paragraph 3.1 of the Local Plan which states "*All the policies in this Plan and the Structure Plan have to be considered in determining any planning application*" I see no need to mention this specifically in the Transport Chapter as such consideration applies to all policies not those just related to transport issues.
- 9.4.3 I consider the Structure Plan has a comprehensive range of transport policies that do not need to be repeated in the Local Plan. If the Council wishes to adopt more detailed policies on a particular topic it can or it can rely on the wider criteria based policies. Apart from GEN1 which deals with access, other policies deal with transport as an element of other criteria and are included in the General Chapter. In my view Policies GEN1, GEN2, GEN4, GEN6 and GEN9 combined with the Structure Plan policies referred to above provide a firm basis for planning decisions on highway and traffic matters.
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- 9.4.4 A particular concern of objectors is the cumulative effect of smaller developments and because of a build up of traffic their ultimate effect on the quality of life of residents, visitors and workers. However, I find this to be an implementation issue not a weakness in the policies themselves. In my view with 3 documents dealing with strategy, the Structure Plan, the Essex Local Transport Plan and the Uttlesford Transport Strategy, problems that need to be solved have been identified. The ELTP certainly states that Saffron Walden would benefit from an integrated transport programme but the present form of Local Plan would not be the appropriate document to administer it, as such a programme extends beyond the range of policies which can be included in a development plan.
- 9.4.5 When new development is proposed policies in development plans can only provide a framework for decisions. The County Council is the highway authority and the District Council looks to that authority for highway advice and recommendations. There might be an odd occasion when the District Council is unhappy about a recommendation and seeks its own independent advice but generally the two councils work together on highway issues.
- 9.4.6 The new policies and amendments to the supporting text suggested raise important issues, but they are issues which in my view are already adequately covered, albeit some in a different form, by extant Structure Plan policies and do not need to be repeated. The Castle Street Residents Association raises similar objections about the cumulative effect of development but in my view criterion b) of Policy GEN1 and the range of Structure Plan policies provide the necessary safeguards. Again it appears to be the implementation of policies which is of concern.
- 9.4.7 Government advice states that the Structure Plan and the Local Plan provide the primary basis for decision making but these decisions must also take into account other material considerations, including national and regional guidance, and *material representations from interested parties*. Therefore, regardless how concise a Plan may be, other material representations always need to be taken into account. The government recognises that excessive detail should be avoided and supplementary guidance in some form should set out more detailed guidance on the way in which policies will be applied.
- 9.4.8 An example of this is the opportunity for traffic calming measures on the old A120. This detail can best be pursued through the strategy group, not the Local Plan. (218.62)
- 9.4.9 While I recognise the importance of railfreight facilities particularly at Stansted Airport, this facility has already been planned for and land safeguarded as part of the planning application to expand the throughput of the airport to 25mpps. I doubt that there would be a freight demand at the other small settlements served by the main line but I have no detailed evidence on this matter (200.3)

RECOMMENDATION

Make no modification to the Plan in response to this objection. See Policy GEN1

9.5 POLICY T1 – TRANSPORT IMPROVEMENTS

The Objections

142.10 (Objection conditionally withdrawn) Wickford Development Co Ltd

Amend the line of the north west relief road on the Great Dunmow Inset Map the safeguarded line of the north west relief road does not accord with the route approved under application Ref No UTT/0084/01

153.1 Thaxted Parish Council

The Great Dunmow north west perimeter road should be completed no later than the completion of the new A120 notwithstanding how many houses have been built on the Woodlands Park site. This is to reduce rat running through Thaxted and Broxted by vehicles heading for the airport, Harlow and the M11.

186.2 Siemens Pension Fund

Policy T1 be amended to reflect the down-grading of the existing A120

222.8 Go-East

We question the need for policy T1 which refers to road improvements which are for the Highways Agency or Essex County Council not the District Council

UDC Proposed to amend the proposals map to reflect 142.10

Inspector's reasoning and conclusions

- 9.5.1 The line of the north west relief road is to be amended on the Great Dunmow Inset Map to accord with the approved route. (142.10)
- 9.5.2 The north west perimeter road which I saw on my visit is under construction. It is the subject of a legal agreement related to the timing of development. There is no need for details of the agreement to be included in the Plan. (153.1)
- 9.5.3 Policy T1 deals only with the three major transport improvements in the district. The downgrading of the existing A120 is a separate issue not related to Policy T1. (186.2)
- 9.5.4 There is a scarcity of text on transport matters. The Council is including more supporting text and I have also recommended further text. Policy T1 regarding County Council road improvements is helpful but not necessary. (222.8)

RECOMMENDATION

Amend Inset Map for Great Dunmow to reflect approved route

9.6 POLICY T2 – ROADSIDE SERVICES AND THE NEW A120

The Objections

10.16 National Trust

Support Policy T2 but the words "unless there is an overriding need on the part of the road users" is woolly. We suggest either omitting these qualifying words or at least tightening up the conditions which would apply.

105.1 Clarke

Alter para 9.3 to acknowledge that there is a need for roadside services on the new A120. Alter policy T2 either to state " Planning permission will be granted for a roadside service area on the route of the new A120" or to identify the objectors land at Highwood Farm as part of a site for a roadside service area. Site west of Dunmow is suitable for use as roadside services. The Council should re-consider the need for services. If a site were approved now by the Council it may be preferable to one being imposed at appeal later. There is a compelling argument for further roadside services to be built on the eastbound alignment of the new A120 between Birchanger and Braintree.

124.1 Trembath

Land to the south of the A120, west of Strood Hall should be allocated for the provision of roadside services. There is demonstrable need due to the lack of facilities on this stretch of the A120. Change in character of the local area as a result of the highway improvements and provision of a new junction eg introduction of lighting and overall effect of increased traffic flows.. Adequate space with the potential to provide for the full range of services. Satisfactory means of access is achievable.

165.6 (Objection withdrawn) Riverbrook Estates Limited

Policy T2 to read "A site is identified specifically for the roadside service area as shown on the Great Dunmow Inset Map at the Great Dunmow south junction of the A130 and new A120 roads. Further services on the new A120 alignment will not be permitted unless there is an overriding need on the part of road users."

There is an over-riding need for a service area to provide for road users on the new A120 and this need will be exacerbated by the opening of the M11/A120 slip roads which will divert 50% of the A120 flow away from Birchanger Green and 100% of the flow from existing petrol filling stations and restaurants on the old A120 unless a new site is allocated in the plan.

186.7 Siemens Pension Fund

Policy T2 (Roadside services and the new A120) be amended to identify the potential for roadside services on the new A120 in association with the proposed rest area.

213.25 CPREssex

CPREssex strongly objects to this policy and considers that it will be totally unworkable. Suggest that if it is to be retained the policy should be reduced to read simply "roadside services on the new A120 alignment will not be permitted".

Inspector's Reasoning and Conclusion

- 9.6.1 If the qualifying words were deleted from the policy there would be an embargo on any roadside services on the new A120. There is a 15 mile distance between the Birchanger Services and Braintree which is not excessive having regard to national guidance. However, it seems to me that as the traffic flows are projected to increase there may well be a need for another hotel along the A120, or just off it, in the future.
- 9.6.2 If the need for an additional facility can be proven then the policy as written is flexible enough to provide for it.
- 9.6.3 Sites have been suggested on the A120 but I have no detailed evidence before me to compare them or to be certain that they would meet an identifiable need for an allocation to be made during the Plan period. I do, however, share the view of one objector that if the Council becomes convinced of a need it would be preferable for a site to be identified and allocated for the purpose, rather than rely on the development control process to attempt to obtain the best site. (10.16)(105.1)(124.1) (186.7)(213.25)

RECOMMENDATION

Make no modification to the Plan in response to this objection unless the Council is satisfied that there is a need during the Plan period and a site can be identified.

9.7 POLICY T3 – CAR PARKING ASSOCIATED WITH STANSTED AIRPORT

The Objections

36.1 Rickford

Paragraph 9.4 and policy T3 should be deleted. The Council seeks to abdicate its proper responsibility for considering applications for car parking to the "multi agency airport forum" which it does not control and which is not answerable/responsible to local electorate. Policy is an absolute fetter on the Council's discretion which is unlawful. Policy would negate section 54 of the 1990 Town and Country Planning Act as material considerations have no chance to prevail. The policy effectively grants BAA a monopoly contrary to UK and EU policy (Treaty of Rome) .

119.42 Proto Limited

Redraft policy to read "proposals for car parking directly related to a use at Stansted Airport will be permitted within the airport boundaries as defined in the Stansted Airport Inset Map. The text should refer to "directly related to a use" rather than "associated with any use". The policy can then be written in a positive style relating to activity within the airport. To the extent that proposals might occur elsewhere, these would need to be assessed against other relevant policies and considerations.

222.8 Go-East

Policy T3 refers to car parking associated with Stansted Airport but we suggest that the policy covering parking for development elsewhere with a cross reference to the

standards in Appendix 1 and PPG13 would be better located here rather than in Chapter 3 (GEN 9).

Inspector's Reasoning and Conclusions

- 9.7.1 The objector considers that the proposed policy is without substantive basis or justification. I do not share this view. Structure Plan Policy BIW7 makes it clear that all direct and associated airport activities are to be located on the airport site and the local plan policy reflects this. The extensive airport site is large enough "to consume its own smoke" by ensuring that all direct and associated airport activities take place within the airport (thus protecting the adjoining open countryside from development) and that commercial or industrial development not so related are not permitted within the airport.
- 9.7.2 Other policies of the Local Plan encourage commercial and industrial development in appropriate locations throughout the district and some of these, as the York report states, are closely linked to the airport. This is inevitable as most firms moving into existing commercial or industrial premises, either in the district or outside, would need no planning permission to do so. Those I saw from my site visits did not have the kind of impact on the countryside that car parking compounds would have.
- 9.7.3 It would be naïve to presume that the multi -storey car park, or other buildings and activities at the airport would not have some visual impact on the countryside but this is inevitable from a major airport. This does not alter the fact that such development is contained and that those living outside the airport know that their countryside will be protected from commercial and industrial intrusion. There is fly parking outside of the airport at Bishops Stortford and Stansted but this is not because of limited car parking capacity at the airport. It is because people are avoiding car parking charges to the detriment of the amenities enjoyed by local residents. (36.1)
- 9.7.4 The policy could be positively worded as suggested by the objector but I do not feel strongly that it needs to be. If it is, the Council's wording should be also retained to make it clear that the countryside around the airport will be protected from the impact of parking compounds. As adequate space exists within the airport boundary for passengers to park their cars I find no need for a flexible approach which would invite applications for car parking compounds outside the airport. It is not a question of land ownership but of effective land use. Existing Policy T4 is similarly worded and has been supported on appeal to avoid an airport-related car parking use spilling out from the defined limits of the airport. This restrictive policy is not unique to Uttlesford. (119.42)
- 9.7.5 As vehicle parking standards are related to a range of different forms of development I do not consider the General Chapter is an inappropriate place for them. I accept that to include them in the Transport Chapter instead would also be a logical approach. I do not consider that the provision of car parking at the airport has any particular relationship with general parking standards such that they need to be together in Chapter 9. (222.8)

RECOMMENDATION

Make no modification to the Plan in response to these objections

9.8 POLICY T4- TELECOMMUNICATIONS EQUIPMENT

The Objection

19.3 British Telecom

Reword policy T4 to have regard to technical and operational considerations as set out in PPG8. This should relate to telecommunications development both within the built up area and outside settlement boundaries

70.1 One 2 One Personal Communications Ltd

Phrase "outside settlement boundaries" in the first line of the policy should be omitted and no distinction made between masts located either within or outwith built up areas. The policy should be straightforward and list criteria relative to national planning policy guidance concerning all proposed telecommunications apparatus. Suggest that a distinction is made between mast sharing and site sharing.

The diverse nature of telecommunications development dictates a more flexible approach to assessment of applications, based on the presumption in favour of development subject to assessment of material considerations, Government Guidance and technological requirements. There will be occasions where masts and other telecommunications development will be required in a built up area and technical or operational constraints may dictate that this is the best option. Instances where site sharing as opposed to mast sharing may be appropriate. Locating town masts close together and therefore minimising the height the structure needs to be is sometimes a more suitable option than locating on an existing mast which often requires to be upgraded and the height increased to accommodate additional equipment. For clarity the policy should make a distinction between these two options.

80.1 Wiperman

New policy proposed as set out in representation. Policy inadequate in protecting residential and visual amenity and is based upon an incorrect premise that telecommunications equipment should be permitted outside settlement boundaries when it should be drafted to consider whether it is an appropriate site, having regard to sensitive locations and issues of acknowledged importance. Operator need and sequential assessment should then follow after such an assessment. Furthermore the Council has not dealt with generic applications and notifications properly.

108.1 Crown Castle Uk Ltd

Policy T4 fails to provide an appropriate or adequate local planning policy framework to satisfactorily accommodate future developments for telecommunications. Include on the proposals map all large telecommunications installations and areas suitable for accommodating such installations. Amend policy T4. Telecommunications equipment will be permitted subject to the following criteria a) mast sharing and site sharing have been thoroughly investigated and have proven to be unacceptable from either environmental or technical perspectives. b) there is a justified technical requirement for the proposal. c) the proposal is of a suitable design and location that it minimises any potential detrimental visual impact. Development within areas designated for their historic or environmental importance will be permitted providing the applicant has demonstrated that the proposal has been minimised so as to reduce perceived visual effects. The policy as worded fails to acknowledge the

importance of telecommunications to the local and national economy and makes no provision for its growth as one would for other forms of infrastructure. The policy is negative and does not identify locations where major telecommunications installations could take place. T4 is particularly lacking in guiding larger requirements such as for control sites that need many dishes, towards existing sites.

210.9 British Horse Society

The society notes that in some parts of the region, telecommunications companies have sited masts such that they can only be reached by using motor vehicles on public rights of way. The society considers that this is inappropriate use of footpaths and bridleways and so seeks the following addition to Policy T4 -
Add to the end "permission will not be given where the only means of access to the site is by "footpath or bridleway" The Society would be pleased to discuss the precise wording with the Council in order that it fits in with the rest of the policy suitably

218.48 Saffron Walden Friends of the Earth

Transfer telecommunications policy to new chapter. Consequential amendments. Amend policy T4 (b) There is a technical requirement for the equipment.c) the design of the equipment minimises its visual impact. (d) the equipment is located so as to reduce its impact as far as possible. (e) it will not be sited adjacent to houses or schools

UDC Proposed new policy in relation to objections

Policy T4 – Telecommunications Equipment

Telecommunications equipment will be permitted outside settlement boundaries if the following criteria are all met:

- a) **There are no practical alternatives such as mast sharing;**
- b) **There is a technical requirement for the equipment that outweighs its visual impact;**
- c) **The equipment is located so as to reduce its impact as far as possible;**
- d) **There would be no material harm to the amenities of residential areas or community facilities.**

~~Development will not be permitted within a built up area if it would harm the amenities or character of the area.~~

Objections Received in relation to proposed change

19.5 British Telecom

BT support the minor rewording of Policy T4 to include telecommunications development both within the built up area and outside settlement boundaries. However the policy should be further re-worded for clarification and to have regard as stated in PPG8 to technical and operational considerations.

70.2 T-Mobile (UK) Ltd

Omit criteria (d) and amend criteria (b) to read "there is a technical requirement for the equipment that outweighs any impact on visual amenity" and new criteria (d) to read "the proposal complies with the safety requirements of the International Commission on Non-Ionising Radiation Protection (ICNIRP)
Criteria (d) would seem superfluous as any impact upon amenity should be weighed against the technical constraints of our client and their licence requirements. If it is the Council's desire to introduce perceived health concerns we would suggest a new

criteria (d) is added. This would bring the plan in line with government guidance as set out in PPG8. The diverse nature of telecoms development dictates a more flexible approach to assessment of applications.

80.2 Mr A. Wipperman

Revise wording to be more positive

Criteria on residential amenity is inadequate and ill defined. The onus should be on applicant to prove no demonstrable harm

239.1 Orange PCS Ltd

Criteria (d) should be deleted or reworded "Evidence has been submitted to demonstrate that the proposal will be ICNIRP compliant"

The wording of criteria (d) has to be more specific to be of any benefit e.g. what the LPA considers will constitute material harm. The same also applies to amenities. If it is visual amenity then this criteria is not necessary as complying with criterias a-c will ensure that visual amenity would have been previously considered. If the LPA is trying to refer to the perceived health risk this criteria should be reworded to comply with PPG8

U.D.C. is proposing a further change to Policy T4

Add additional criteria (e)

The proposal complies with the safety requirements of the International Commission on Non-ionising Radiation Protection (ICNIRP)

Inspector's reasoning and conclusions

- 9.8.1 Because of operational constraints I agree with the objectors that there is no need to differentiate in the policy between urban and rural areas. The Council has amended the policy accordingly (19.3)(70.1)(19.5)
- 9.8.2 Additional criteria have been added at d) to protect residential amenity and community facilities and at e) as highlighted above to deal with safety requirements. However, it is not clear to me what amenities of residents or community facilities are meant to be safeguarded by criterion d). Criterion e) now deals with safety and c) deals with visual impact" The Council should clarify what other residential amenities are likely to be affected.
- 9.8.3 A sequential approach could be taken but I do not feel strongly about this as the criteria taken into account would be the same as those listed and national guidance advises that criteria should be flexible enough to allow for the efficient development of the network and the demands imposed by the technology. I have looked at the policies in other plans which have been put forward as an alternative approach. It seems to me that there is little difference in approach except that Uttlesford has a range of general and specific policies elsewhere in the Plan which offer protection from all forms of development. For conciseness these have not been repeated in Policy T4 (80.1)(80.2)(19.5)
- 9.8.4 Once constructed the masts require little maintenance and few visits by motor vehicles. A satisfactory access to any development is a matter for the

Council to consider under Policy GEN 1. I do not consider access to masts by means of rights of way should arbitrarily be excluded. (210.9)

- 9.8.5 The Proposals Map is not an existing land use map and from the evidence no specific areas have been identified for future installations to include on the Proposals Map. I understand the Council keeps a register of all installations. The wording suggested by the objector is similar to that of the Council with the exception of c) which also refers to design. I consider that "**designed and**" should be added to criterion c) (108.1)

RECOMMENDATION

- a) **Add "*designed and*" before "is located" in criterion c)**
- b) **Clarify what other residential amenities are likely to be affected having regard to criteria b) and c) now that criterion d) has been added.**

9.9 NEW POLICY – GENERAL AVIATION

The Objection

8.1 General Aviation Awareness Council

A safeguarding policy should be included. The number of GA aircraft represents a growing proportion of the total aircraft on the UK register. GA tends to be viewed as primarily being a leisure based activity, but 70% of flights have some business or safety connotation including pipeline worktraffic surveys etc. It also provides an opportunity for people to train as pilots etc. PPG13 advises LA's to consider the needs of small airports and airfields. This advice endorses the inclusion of an appropriate development plan policy. The Local Plan should include a policy which acknowledges the need for safeguarding of airspace around operational aerodromes. The CAA publish airspace standards which establish "obstacle limitation surfaces" around an aerodrome in the interests of air safety. Circular 2/92 recommends that aerodrome operators take steps to protect their locations from the effects of possible adverse development by establishing an agreed consultation procedure with the LA. The inclusion of safeguarded zones is encouraged by the CAA

Inspector's Reasoning and Conclusions

- 9.9.1 The development plan for the area consists of the Structure Plan and the Local Plan. I consider the issue of airfields to be more than a district matter. It is a strategic issue, which should be dealt with in the Structure Plan. I note that Structure Plan Policy BIW9 lays down appropriate guidance.

RECOMMENDATION

Make no modification to the Plan in response to this objection

9.10 NEW TEXT – RAIL FREIGHT AND INTERGRATED TRANSPORT

The Objection

200.1 Railtrack Property Agent

Railtrack object to the fact there are no specific policies on railfreight. The Council will need to devise policies which will reflect and promote the implementation of both the Government's and the SRA's aspirations for railfreight and intergrated transport. Both the Government and the Strategic Rail Authority have actively promoted the increased use of railfreight and the safeguarding of approropriate sites for such use. This is contained in "A New Deal for Transport". There are sidings at Great Chesterford, Stansted and Elsenham. There are a number of opportunities for railfreight use in the Distrct.

Inspector's Reasoning and Conclusions

9.10.1 I accept the importance of the increased use of rail freight, and the need to safeguard appropriate sites. However, the only evidence I have before me is that there is at present no demand for rail freight services to the rather small settlements served by the West Anglia main line. I understand that at Stansted Airport the safeguarding of land for rail freight has already taken place.

RECOMMENDATION

Make no modification to the Plan in response to this objection

9.11 NEW POLICY – CYCLING

The Objection

210.7 British Horse Society

Additional Policies T5 and T6 suggested along with lower case text to promote cycling.

Inspector's Reasoning and Conclusions

9.11.1 The Council is expanding supporting text on transport matters and I have recommended that further additions to the text be made to introduce Policy GEN1. However, it is clear from the Essex Local Transport Plan that the District has limited powers on transport matters and these are basically related to traffic management. I do not consider it necessary for the Council to introduce policies that merely support the Structure Plan policies on cycle routes and bridle ways when it only has no means of implementation.

9.11.2 The protection of existing routes and the need to take into account public transport users, cyclists and horse riders will take place through the development control process having regard to the Structure Plan policies and the General Policies of the Local Plan.

RECOMMENDATION

Make no modification to the Plan in response to this objection

9.12 NEW POLICY – PROTECTION OF EQUESTRIAN ROUTES

The Objection

210.8 British Horse Society

Recommended addition to chapter - Uttlesford has a significant horse riding population and a fragmented bridleway network. New developments can encroach on the minor roads used by riders. In consideration of a sustainable and integrated transport system the Council will seek to retain minor roads and verges of busier roads for use by riders or will require alternative facilities to be provided.

New Policy T7 - Protection of Equestrian Routes. The needs of horseriders will be taken into account whenever development would affect routes used by riders or where the creation of new paths along strategic routes would be jeopardised. Suitable replacement paths will be required when routes used by riders will no longer be suitable for continued use, as a result of other changes to the road network or new development.

Inspector's Reasoning and Conclusions

9.12.1 Rights of Way are protected by Structure Plan policy. LRT5 Criterion c) of Policy GEN 1 has been amended to take into account the needs of horse riders. I consider that because of the way the Plan is written, with emphasis given to general policies, it would be helpful to include supporting text either before Policy GEN1, or in the Transport Chapter which could include reference to the needs of horse riders. Although I do not favour cross referencing between chapters I believe it would be necessary to do so in this case.

RECOMMENDATION

Modify the supporting text either before Policy GEN1 or in the Transport Chapter by including reference to horse riders. Cross refer the two chapters.

9.13 ADDITIONAL POLICIES – PEDESTRIAN CYCLE & BUS ROUTES AND CAR PARKING

The Objection

218.6 Saffron Walden Friends of the Earth

New Para's 9.1 and 9.5 New policies T6 - Pedestrian and cycle accessibility, T7 Car Parking, T8 Major Developments and Bus Links. See Rep for detailed wording. Additional policies are required to strengthen the requirement to develop a more sustainable transport system and reduce dependence on the private car.

Inspector's Reasoning and Conclusions

- 9.13.1 Government advice in Planning Policy Guidance No. 12 – Development Plans - makes it clear that a development plan is rarely a single document. The statutory development plan for Uttlesford consists of the Structure Plan the Local Plan and the Minerals and Waste Local Plan. All of the policies in the Structure Plan referred to by the objector T3, T6, T8, T10, T11, T12, T13 and BE7 are taken into account when planning applications are considered as well as those contained in the Local Plan.
- 9.13.2 It is stated in paragraph 1.8 of the Plan that “This plan complements, rather than duplicates the Structure Plan. “The role of the these plans is mentioned in paragraph 3.1 of the Local Plan which states “All the policies in this Plan and the Structure Plan have to be considered in determining any planning application” I see no need to mention this specifically in the Transport Chapter as such consideration applies to all policies not those just related to transport issues.
- 9.13.3 I consider the Structure Plan has a comprehensive range of transport policies that do not need to be repeated in the Local Plan. If the Council wishes to adopt more detailed policies on a particular topic it can or it can rely on the wider criteria based policies. Apart from GEN1 which deals with access, other policies deal with issues related to transport as an element of other criteria and are included in the General Chapter. In my view Policies GEN1, GEN2, GEN4, GEN6 and GEN9 combined with the Structure Plan policies referred to above provide a firm basis for planning decisions on highway and traffic matters.
- 9.13.4 A particular concern of objectors is the cumulative effect of smaller developments and their ultimate effect on the quality of life of residents, visitors and workers. (I do not consider that the new policies suggested by the Castle Street Residents Association which raises similar objections would provide any greater control over the cumulative effect of development than criterion b) of Policy GEN1.)
- 9.13.5 I do believe the suggested policies about the Impact on Traffic Systems and Environmental Impact have some merit but they are already covered by Structure Plan Policies CS4 and BE5, reinforced by Local Plan Policy GEN6. However, it would be helpful if the Council inserted some supporting text before Policy GEN1 describing the link between development and transport and stating how development proposals will be assessed. This supporting text would normally be found in the Transport Chapter of a Plan but in this Plan only Transport Strategy and Improvements are mentioned there. Those highway issues relating to development are contained in the General Chapter. I find this approach unusual but acceptable as it results in a concise grouping

of policies which I believe avoids unnecessary repetition, although it has been confusing for some objectors who have looked to the Transport Chapter for access and parking policies.

9.13.6 Some objectors consider there should be more policies on transport issues but having regard to the comprehensive coverage in the Structure Plan and the complementary policies in the Local Plan it is not clear to me from the evidence what they would cover.

9.13.7 I understand that there are no specific proposals say for pedestrian priority areas, traffic calming, additions to footpaths, cycle ways or bridle ways which could be shown on the Proposals Map. The Council could consider transforming some key issues from the Uttlesford Transport Strategy into policies such as School Travel plans along the A120 and the Uttlesford Cycling Strategy, which are at present referred to in the supporting text, but I have no detailed evidence that there are specific proposals which could be formulated into a meaningful policy.

RECOMMENDATION

Insert supporting text before Policy GEN1 incorporating the suggestions of the Castle Street Residents' Association

9.14 ADDITIONAL POLICIES ON TRANSPORT MATTERS

The Objection

222.8 Go-East

There is a disappointing absence of policies on transport matters. There are no policies relating to traffic reduction, cycling, walking, public transport and freight and no indication of how the transport strategy set out in the Essex and Southend on Sea Replacement Structure Plan is to be implemented in the district. In addition there is no reference to the Essex Local Transport Plan which should complement the Local Plan.

Inspector's Reasoning and Conclusions

9.14.1 The Council has added to the supporting text in paragraph 9.3 by referring to elements of the Uttlesford Transport Strategy including cycling and public transport. Reference to the Essex Local Transport Plan is also required.

..

9.14.2 As the transport schemes involve the safeguarding of land shown on the Proposals Map it is common practice to include a policy on transport schemes in a Local Plan. The Plan covers from 2001 to 2011 and early projects may well be completed prior to the adoption of the Plan.

9.14.3 There is a scarcity of policies on transport matters in the transport chapter but this is mainly because of the way the Plan is laid out and because the Structure Plan contains a range of detailed policies. A number of transport issues are dealt with elsewhere as general policies in the Local Plan, or as part of general policies.

9.14.4 In paragraph 9.1 it is stated that the policies in this chapter have only two objectives. I believe there are a number of other transport objectives which need to be mentioned somewhere in the Plan to recognise action to be taken through the Uttlesford Transport Strategy and the Essex Local Transport Plan.

9.14.5 I identify a number of objectives.

- To locate high trip generating activity in areas well served by public transport
- To increase the proportion of journeys made on foot and by cycle
- To reduce the number and length of motor vehicles trips by the location of development
- To minimise the adverse effects of traffic on residential and shopping areas by traffic management measures.

9.14.6 The Structure Plan contains a comprehensive range of transport policies some of which are detailed in their criteria. These do not need to be repeated in the Local Plan. Also the Council has few powers on transport, they are limited to traffic management measures and supporting the implementation of the Local Transport Plan. Because of this it is not clear to me from the evidence, apart from where I deal with specific suggestions for particular new policies elsewhere in this chapter, what detailed transport policies could be included in the Plan which would not duplicate the Structure Plan.

9.14.7 I do, however, consider it would be helpful to include supporting text before Policy GEN1 listing objectives like those suggested above. Although I do not generally agree with the need to cross refer, a cross reference should be made to the Transport Chapter where the main issues of the Uttlesford Transport Strategy are mentioned. It would also be helpful to include a precis of the Council's future involvement in the Local Transport Plan.

RECOMMENDATION

Modify the Plan by including appropriate objectives in the supporting text before Policy GEN1 and cross reference to the Transport chapter.

9.15 NEW POLICY – SAFE ROUTES TO SCHOOLS

The Objection

220.2 Essex County Council, Learning Services

There is no general policy about any new development having a bearing upon safe routes to schools. As you will know both central government and the LEA is promoting that children should be encouraged to walk/cycle to school to minimise the number of car journeys each day and to reduce congestion outside schools.

Inspector's Reasoning and Conclusions

9.15.1 The Council has added supporting text dealing with cycling, walking, public transport and traffic reduction and the implementation of the Local Transport Plan. I do not see how the Council could introduce an effective general policy on safe routes to schools as the District has limited powers in the matter. The traffic impacts of development schemes, and presumably their effect on schools, is considered by the County Council as highway authority.

9.15.2 I consider that Implementation policies are more appropriately contained in the Local Transport Plan and the Uttlesford Transport Strategy and the implementation of transport schemes in the Structure Plan as much of the power to implement rests in the hands of the County Council. (220.2)

RECOMMENDATION

Make no modification to the Plan in response to this objection

9.16 ADDITIONAL POLICIES – TRAFFIC MANAGEMENT

The Objection

230.1 Local Agenda 21 Built Environment Working Group

Need plans for traffic management which can be implemented as and when land use options arise.

Chapter 9 lacking in transport policies. Traffic considerations need to be given greater consideration in relation to housing. There is no provision to link the Printpack development to Shire Hill and provide an alternative route to Thaxted Road, relieving the intense pressure at the Radwinter Rd/ Thaxted Rd junction.

Inspector's Reasoning and Conclusions

9.16.1 The objectives of policies on traffic management are to enable people to travel safely by means that minimise the harm to their surroundings, and may include improvements to public transport, limiting the impact of traffic, improving facilities for cycling and walking and managing access by car. None of these can be directly transformed into a policy linking traffic with housing.

9.16.2 Before a site is allocated in the Plan the transport and traffic implications are assessed by both the District and the County, the highway authority. When individual proposals are submitted by means of a planning application these are similarly assessed against policies in the Structure Plan and Policy GEN1 of the Local Plan – Access. I believe this policy lays down comprehensive

criteria which should ensure that full consideration is given to the traffic implications of housing development.

9.16.3 It seemed to me from Inquiry that much of the concern related to the implementation of the policy, in that the objectors did not consider that sufficient weight was given to traffic issues when proposals for housing were considered. However, no transport or traffic management policy can ever guarantee that the highway authority or the local planning authority will take the same view as local residents on the traffic impact of a scheme.

9.16.4 The District Council is not the highway authority and does not have the ultimate say in highway matters although it has from time to time taken independent advice on highway issues. The Council is also actively involved in the Essex Local Transport Plan and the Uttlesford Transport Strategy which identify local issues and the action taken to deal with them..

9.16.5 The Council confirmed at Inquiry that there is no link proposed between Radwinter Road and Shire Hill in either the Essex Local Transport Plan or the Uttlesford Transport Strategy. The independent study of the eastern sector considered that the link would have limited benefit and the Council accepted this view. (230.1)

RECOMMENDATION

Make no modifications to the Plan in response to these objections.

9.17 NEW POLICY – PROVISION FOR A PRISON

The Objection

11.1 HM Prison Service

The Prison Service is undertaking an ongoing exercise to identify areas of future need for additional prison accommodation throughout England and Wales. As part of this exercise it has identified the broad area within which your authority is located as one of strategic importance for additional prison places to serve the Greater London area.

Inspector's Reasoning and Conclusions

9.17.1 I have no detailed evidence before me about the requirements for a prison other than the statement that one is required in London or the South East and that Uttlesford is well located strategically for the purpose. In the small scale landscape of Uttlesford I doubt that there are many suitable sites of around 16 hectares. A brownfield site is preferable according to the circular, and any brownfield site of this size in an urban area would already be allocated for some use. A site in the countryside would be likely to be greenfield and subject to the green belt and countryside policies of the Plan. I understand that the Council has not been able to suggest a site, and that it

has already been attempting to find a similar site for an asylum seekers removal centre in the district.

- 9.17.2 Unless a specific site can be identified by the Council in conjunction with the HM Prison Service, which would lead to an allocation now, I do not consider a general policy on the provision of a prison would be helpful. It would merely be a declaration of intent, which could be misleading if a prison site is eventually found in another part of the search area during the Plan period. (11.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

10. SELECTED AREAS – GENERAL

10.1 PARAGRAPHS 10.1-19.3

The Objections

213.26 CPREssex

Within each section of the Selected Areas entries we consider it would be helpful to include cross references to relevant policies in the general and topic chapters. The title page (p.41) for selected areas leads the reader to expect the text for each area to refer to all the relevant policies in the general and topic sections of the plan. We found it confusing that some were not mentioned.

67.1 Bennett

Reinstate text for the individual village insets

The previous plan's text insets often gave the reasoning behind where Conservation Area or Development Limits were drawn. In our own village this was used by objectors to development to support their case. Protection of our village is very much weakened by the omission of this supporting text, when it is specifically written for each village.

226.3 North West Essex & East Herts Preservation Assoc

It would be particularly helpful to Parish Councils and their residents if all inset maps could again be accompanied by a narrative showing the application of the policies to the respective areas.

Inspector's Reasoning and Conclusions

- 10.1.1 As the Plan is to be read as a whole it is not necessary to cross reference policies. The title page does only refer to topic chapters but without some explanation in the Plan I agree that the general policies might not be referred to. The Council has now revised paragraph 3.1 to make it clear that general policies will apply to all development. (213.26)
- 10.1.2 One of the government criticisms of older style local plans is that they were too detailed and it was difficult to identify areas of change. They contained

too many elements of land use and this directed the focus away from proposals. Such issues as the reasoning behind the designation of Conservation Areas and design statements for particular villages are matters of considerable detail and should be included in Supplementary Planning Guidance and not in the Plan itself. (67.1)(226.3)

RECOMMENDATION

Modify paragraph 3.1 to make it clear that general policies will apply to all development.

11. CHESTERFORD PARK RESEARCH STATION INSET STATEMENT AND MAP (CHAPTER 10)

11.1 CHESTERFORD PARK LOCAL POLICY 1

The Objections

72.3 (Objection conditionally withdrawn) Norwich Union Life and Pensions

Wording of criterion (e) should read "the transport needs of the development can be accommodated whilst maintaining or improving road safety and the surrounding environmental conditions for the local community with a minimum of impact on the countryside".

92.12 (Objection withdrawn) Old Road Securities on behalf of Audley End

Permitted uses at Chesterford Park should be widened to incorporate all uses falling within Use Class B1, B2, and B8.

The Chesterford Park Research Station is considered to be an ideal site for research and development due to its significant natural screening, security and highly accessible location close to the M11 connecting to Cambridge, London and the national motorway network. For the above reasons it is also submitted that the site would be ideal for all light industrial general industrial and storage and distribution uses.

204.11 (Objection withdrawn) Essex County Council

Currently there are no public paths across the estate - this has already been raised as an issue in the context of the relevant planning application relating to vehicular access. Add to criteria b) "and improving public access for pedestrians, horse riders and cyclists through the park; Amend criteria e) to readimproving road safety for motorised and non-motorised users (horse riders, cyclists and pedestrians) and the surrounding

218.49 & 50 Saffron Walden Friends of the Earth

Add to the end of para 10.1 "although good public transport links will need to be established" Add criterion (d) - Developers will be required to contribute to any public transport required to/from work.

219.23 Fletcher, English Heritage

Criteria c) should refer to protection of context or settings.

3.3 Christian, Brian Christian Building Surveyor

Amend policy boundary to exclude undeveloped areas of land.

The development limit is too wide ranging including large tracts of green and arable land unnecessarily earmarked for development.

72.4 (Objection withdrawn) Norwich Union Life and Pensions

Realignment of the boundary to the existing fence line would be appropriate to the north west and north east of Emmanuel Cottage.

The development boundary shown on the inset map is proposed to be amended from the existing Local Plan to reflect the location of some later development and to reduce the extent of the land within the development boundary. The proposed new alignment also excludes land which has historically been part of the operational part of the park and which is separated from cultivated agricultural land by existing fence line. The new boundary would create an irregular boundary line and an irregular development zone. Consider that the parkland setting can be best maintained and enhanced by ensuring that the necessary car parking is generally located to the rear of buildings in landscaped groves. Amending this line would enable more land adjacent to the internal access road to remain open. Land to the north east of Emmanuel Cottage should also be included within the settlement boundary.

UDC Proposed change to Policy Great Chesterford Local Policy 1

Chesterford Park Local Policy 1

A Development Zone of 15.59 hectares is identified on the inset map.

Facilities for research and development will be permitted within the zone if all the following criteria apply:

- a) **They are compatible with its rural parkland setting;**
- b) **The proposals include a comprehensive landscaping scheme to help assimilate development into the park setting;**
- c) **The Mansion, The Garden House and Emanuel Cottage and their settings are conserved;**
- d) **A comprehensive traffic impact assessment of the full development potential demonstrates that the movement likely to be generated can be properly accommodated on the surrounding transport network and that measures are proposed to ensure that as high a proportion of journeys as is reasonably feasible in the context of the site will be by modes other than the private car;**
- e) **The transport needs of the development can be accommodated whilst maintaining or improving road safety and the surrounding environmental conditions for the local community without the need for engineering measures that would detract from the countryside character of the area. with a minimum of impact on the countryside.**

Developers will be required to prepare a comprehensive master plan for the site to indicate how specific proposals, which may be implemented on a phased basis, relate to an overall design concept for the site. It will also indicate the full development potential of the site as constrained by the development zone boundary. The master plan will be subject to public consultation. Development will need to be implemented in accordance with such a master plan approved by the Council.

Inspector's Reasoning and Conclusion

- 11.1.1 Criterion e) has been revised to accord with the objection, which has been conditionally withdrawn. This introduces the necessary balance in assessing transport proposals. (72.3)
- 11.1.2 I share the view of the Council and the objector that the character of the site with its parkland setting is well suited to Research and Development type uses. From my visits there appeared to be few sites in the district suitable solely for research functions. I have no detailed evidence before me about the demand for Research and Development facilities but consider it would be unfortunate to limit the potential of the site for the purpose. I accept that Class B1 uses are unlikely to infringe the criteria mentioned in the policy and the supporting text but again Class B1 sites are easier to find than sites suitable for Research and Development, which to my mind should be given highest priority on this site. Because of its location I do not consider heavy vehicles should be encouraged. There are other sites in the district more directly related to the major road network which could be used for general industrial, storage and distribution uses if required.
- 11.1.3 I believe that transport policies in both the Structure Plan and criterion d) of Chesterford Park Local Policy 1 of the Local Plan put considerable emphasis on a package of measures ensuring an alternative means of transport to the private car. Good "public" transport links would only be one option to serve the specialised uses on this site. Company transport might be another. The measures referred to in Criterion d) could include the option of subsidising public transport (218.49)(218.50)
- 11.1.4 The Council has added to criterion c) of the policy. This extends protection to the setting of the 3 buildings. (219.23)
- 11.1.5 I consider the balance between a degree of growth by developing the potential of the site but at the same time retaining the important parkland setting has been reasonably struck. As I understand it the Council approved a Master Plan for the site prior to this local plan Inquiry (3.3)

RECOMMENDATION

Modify the Plan in accordance with Proposed Changes shown highlighted above

12. ELSENHAM VILLAGE INSET STATEMENT AND MAP (CHAPTER 11)

12.1 ELSENHAM LOCAL POLICY 1

The Objections

109.1 & 2 Willis Gambier Ltd

Elsenham Local Policy 1 should be amended by adding the following text:

“Sympathetic consideration will be given to proposals to expand the employment site at Old Mead Road within the development area shown on the inset map, subject to the provision of suitable landscaping and screening to minimise the effect of development on the adjoining countryside” Amend policy area

The allocation of land at Old Mead Road for employment purposes is supported in principal. The extent of the policy could be widened from simple protection of the existing area to encouragement for additional floorspace. The site is shown inaccurately on the Inset Map and should be amended to reflect planning permissions. Elsenham is located in a strategically convenient position in the District. It has good road and rail access and it quite rightly referred to as a key rural settlement. The identification of Old Mead Road as a key employment area should therefore allow for expansion of employment on the site, and this should be referred to in the policy. The ability to service the site in a sustainable way is greatly enhanced by the proximity of the railway station as a means of transporting workers to the site who are not resident in the village.

UDC proposed amendment to Local Policy 1 area to reflect the permitted extension and change notation colour shown on the map to show safeguarded employment land.

Inspector's Reasoning and Conclusions

- 12.1.1 Elsenham is identified in the Plan as a key rural settlement. Apart from the unattractive industrial site west of the railway, which has no opportunity for expansion, the only other designated site is the Old Mead Road site east of the railway. This is recognised as a key employment site under Policy E2.
- 12.1.2 I have little evidence before me about the need for additional employment land in Elsenham but it seems from the proposed amendment above that the original allocated area is now proposed to be expanded to recognise a planning permission granted in 1999 for an extension to the existing warehouse. The site has good road and rail access but is divided by the railway from the village. This appears to be an operational advantage but also means that any further expansion would involve incursion into the open countryside
- 12.1.3 Although a key rural settlement where some further limited employment development is foreseen to encourage people to work locally, without substantial evidence of local need for additional industry I do not consider it would be appropriate to allocate further employment land in Elsenham (109.1)(109.2).

RECOMMENDATION

Make no further modification to the Plan in response to this objection but amend the Proposals Map to reflect the planning permission granted

12.2 SITE: ESSEX AUTO SPRAYS, THE GABLES, STANSTED ROAD, ELSENHAM

The Objections

5.1 & 2 Essex Autosprays

Include site within Settlement Boundary. In view of the long established industrial and commercial uses which continue to exist on this site (TL5326) it's character is alien to a rural area and its visual contribution to the same is of no merit. If the site were included within the settlement boundary it would be ideally suited for a limited number of affordable housing units. This would satisfy a local need and at the same time improve the appearance of the site and its surroundings by removing the industrial uses and the vehicle haulage depot.

Inspector's Reasoning and Conclusion

- 12.2.1 Although this site is brownfield it does not read visually as part of the village from which it is separated by public open space. The site, although deeper than those adjoining, is also part of a tight ribbon of development not well related to the village. In my view if the Council accepts that general needs or affordable housing is required in this key settlement, which from its evidence at inquiry it does not, there are other sites better integrated with the village more suited for housing. Also if the Council did consider the objection site

suitable for affordable housing this could be dealt with as an exception without altering the settlement boundary. (5.1)(5.2)

RECOMMENDATION

Make no modifications to the Plan in response to these objections

12.3 SITE: LAND WEST OF STATION ROAD, ELSENHAM

The Objections

143.3 & 5 David Wilson Estates

Identify land west of Elsenham for residential development - it is an appropriate location for development. Site is contained by existing development, woodland, M11 and Stansted Road. It is accessible to village services. Concern over lack of flexibility in housing figures, over emphasis of capacity of previously developed land and the belief that supply is insufficient to meet the housing requirement in the plan period.

Inspector's Reasoning and Conclusion

12.3.1 I have dealt with the arguments about the need for additional land allocation for housing in the Housing Chapter of the Plan at Policy H1. To my mind regardless of my conclusions on the housing figures, development of the omission site would involve a massive expansion of this key village on to a greenfield site which at present contributes to the open setting of the village. The existing boundary of the village is well defined along most of its western edge. In my view the development of the omission site would be out of scale with the village and out of character in this rural location. If development is required to meet the local needs of Elsenham a smaller site better integrated with the village could be found. (143.5)

RECOMMENDATION

Make no modification to the Plan in response to this objection.

12.4 SITE: THE ORCHARD, TO THE SOUTH OF ALSA GARDENS, ELSENHAM

The Objection

29.1 Fairhall Properties

The curtilage of The Orchard, Station Road, Elsenham should be included within the defined settlement boundary of Elsenham. The site constitutes previously developed land. Redevelopment would reduce the pressure for the release of greenfield sites. The site forms part of the settlement of Elsenham. It is well defined and relates more to the village to the north-east and west than the area of open countryside to the south. The settlement boundary has been arbitrarily drawn from a map without proper consideration on the ground of the relationship between the surrounding development and the orchard site's building and features.

Inspector's Reasoning and Conclusion

- 12.4.1 Elsenham is defined as a key settlement. It has a wide range of services and is a location where either some further limited employment or residential development is proposed or key existing employment sites will be safeguarded. The village is also served by both bus and rail services linking the village with Cambridge, London, Bishops Stortford and Stansted.
- 12.4.2 The omission site is some 1.6 ha in area and comprises a bungalow, The Orchard, in the centre of the plot. To the south west and west of the bungalow within the omission site is an area used for the storage of caravans. There is no limit on the number of vans which can be stored and about 130 are at present on site. This site has the benefit of a Certificate of Lawful use. To the north west of the bungalow, again within the omission site is an area of rough ground which adjoins housing development to the north and west. To the north east of the bungalow is the remains of an old orchard which adjoins housing development fronting on Station Road. Access to the site is from Station Road and passes to the rear of houses in Ridley Gardens and to the flank of houses fronting the main road. Oakdene on the corner of the access to the north is included within the omission site.
- 12.4.3 I have dealt with argument about additional housing to meet local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1. I have recommended that Council look again at local needs in villages in accordance with advice in paragraph 71 of Planning Policy Guidance No. 3.
- 12.4.4 The Council considers that it would be inappropriate to make ad hoc amendments to village settlement boundaries in response to individual objections. Although I accept that development in villages should be plan led it is for me to consider the merits of individual objections and this on occasions may result in a recommendation that a settlement boundary should be changed.
- 12.4.5 In the present case the site is not greenfield but is previously developed land. It is well related to the village and now has an improved means of access. The previous Inspector who dismissed an appeal for four dwellings on this site in 1996 considered that the character of the area derives partly from the residential development to the north and east and partly from the open land to the south and west. He considered at that time that it relates more closely to the open land than to the urban development.
- 12.4.6 I believe that the site itself acts as a transition between the built up area of the village and the open countryside beyond, but from my visit I do not consider the site has dominant rural characteristics. With that part of the site nearest to open countryside used for the storage of an unlimited number of caravans I consider this intensive lawful use has created a pocket of urban development on this backland site. However, the remainder of the site apart from the bungalow is open land.

- 12.4.7 I agree with the objector that the development of the omission site would not create a precedent for the development of adjoining land. The omission site is previously developed land, which has some degree of priority for development in the sequential test whereas adjoining land is greenfield land in open countryside.
- 12.4.8 However, it seems to me that the settlement boundary proposed by the Council is clearly defined by urban development and is defensible, and that the proposed boundary of the omission site would not, of itself, form a better settlement limit. Moreover, because of the size of the site I do not consider that it can be looked at as a minor change to the village boundary to provide for local needs.
- 12.4.9 Although there was discussion about school capacity there was no detailed evidence on local need at Inquiry and the Parish Council does not support more housing because of the impact on infrastructure. The capacity of the site and the character of development of housing adjoining would in my view dictate a density range between 30 to 50 dwellings per hectare. Although the objector is not seeking an allocation, but a revision to the settlement boundary, with the capacity to build in excess of 60 dwellings on site I believe it has to be looked at on the basis of Structure Plan requirements, and such requirements have been met elsewhere.
- 12.4.10 I conclude that although the site has advantages over other omission sites put forward for housing development in the village, and that Elsenham is a key settlement with sustainable transport links a change to the settlement boundary could not be justified on the basis of evidence on housing need

RECOMMENDATION

Make no modification to the Plan in response to this objection

12.5 SITE: LAND ADJACENT TO WOODVIEW, ELSENHAM

The Objection

178.1 Hedges

The area of land (0.04 ha) between Woodview and the railway line should be included within the village boundary for infill development and excluded from the MGB [note: site not in MGB but is in CPZ]

The village boundary of Elsenham does not take into account small infill plots available on the edge of the village which would provide small number of dwellings without affecting the character of the settlement.

Inspector's Reasoning and Conclusion

- 12.5.1 From my visits to the village I consider the settlement boundary at the southern end of the village to be practically drawn. In my view it would not be appropriate to extend the settlement boundary to include the sporadic

development east of the railway. As the concern of the objector is about infilling the Council would assess such a proposal on its merits, by determining whether the development would be appropriate to a rural area in accordance with Policy S7 and supporting text in paragraph 6.5 (178.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

12.6 SITE: LAND TO THE NORTH OF ELSENHAM

The Objection

16.1 (Objection withdrawn) The Fairfield Partnership

Amend settlement boundary to incorporate site for residential development together with associated public open space, structural landscaping and other community facilities. Land bounded by the northern edge of Elsenham, the M11 and the rail line is excluded from the Settlement Boundary. Elsenham satisfies the requirements for settlement expansion set out in the Adopted Structure Plan and represents an ideal location for further housing growth. Although identified as a key rural settlement no allocation is proposed.

Inspector's Reasoning and Conclusion

12.6.1 I have dealt with the need for significant further housing provision in the Housing Chapter of the Plan. However, this objection has now been withdrawn.

RECOMMENDATION

Make no modification to the Plan in response to this objection

12.7 SITE: LAND BETWEEN MILL CLOSE AND OLD MILL FARM, ELSENHAM

The Objection

115.2 & 3 Prowting Projects and Gleeson Homes

Include land between Mill Close and Old Mill Farm House within the Settlement Boundary and include reference to the site in Para 11.1

Object to the settlement boundary for Elsenham in conjunction with our proposal for the allocation at Stansted Road for housing. Land at Stansted Road Elsenham is proposed for housing and associated development. The site has a capacity of approx 150 dwellings and is suitable for a phased release. This proposal is consistent with the recognition of Elsenham as one of the District's larger villages defined as a key rural settlement in the Local Plan. It is appropriate for housing development on the scale proposed having regard to the range of local facilities which it contains, including local employment and rail and bus based public transport

Inspector's Reasoning and Conclusion

- 12.7.1 Having regard to the size of Elsenham the development of this site for housing would involve a major incursion into the countryside and a major expansion of the village. In my view such an expansion would be out of scale with local housing needs and would intrude into the open setting of the village. The openness of the omission site is reflected on the opposite side of road by public open space which together separate the village proper from the isolated ribbons of development extending out from the village. To avoid coalescence between the village and the ribbons of development to the west the Council has included this site within the Countryside Protection Zone.
- 12.7.2 I have dealt with the need to allocate more housing land in the Housing Chapter of the Plan. If there is a need for limited housing land in this key settlement, which the Council considers there is not, from my visit I consider other sites are better integrated with the village. (115.2 and 115.3)

RECOMMENDATION

Make no modification to the Plan in response to this objection.

13. GREAT CHESTERFORD STATEMENT AND INSET MAP (CHAPTER 12)

13.0 GREAT CHESTERFORD INSET MAP

The Objection

147.4 Great Chesterford Parish Council

The Parish Council would object to any change of use of the Green sites in the village e.g. Horse River Green, Coronation Green and the school playing fields to the rear of Carmen Street

Inspector's Reasoning and Conclusions

- 13.0.1 From my visit I noted that Horse River Green is outside the settlement and would have countryside protection. The school playing fields are already protected in the Plan. Coronation Green is one of many diverse sites in settlements mentioned in paragraph 5.5 of the Plan and Policy ENV3. It is not practical to identify them individually in the Plan.

RECOMMENDATION

Make no modification to the Plan in response to this objection

13.1 SITE: LAND AT ASH GREEN

The Objection

147.5 Great Chesterford Parish Council

Amend the line to exclude land at Ash Green. The Parish Council favours the line of the settlement boundary shown in the previous plan. It is an important open space and should remain outside the line.

UDC proposed amendment to identify land at Ash Green as protected open space of environmental value.

Inspector's Reasoning and Conclusions

13.1.1 From its location I see no reason to exclude it from the settlement but the Plan has been amended to identify the site as a Protected Open Space.

RECOMMENDATION

Modify the Plan to include the site as Protected Open Space as highlighted above.

13.2 GREAT CHESTERFORD LOCAL POLICY 2 – LONDON ROAD EMPLOYMENT SITE

The Objections

3.4 Brian Christian Building Surveyor

Area has no need for further employment. Retain for existing business expansion or retain as housing. Village has housing need, further employment will fuel more need.

119.43 Proto Limited

Delete policy - whilst this is a small site (0.89ha) it is one of the four set out at policy E1 - Distribution of employment land. Further employment development seems inappropriate here with existing residential development on three sides and the policy itself seeking development only within Class B1 and it being compatible with the adjoining residential development.

UDC Proposed change in allocation of site from employment to residential

Objections to the proposed change

62.3 Mrs Fox & Miss Robinson

The residential allocation should be deleted and the site returned to employment land. This site should remain in employment use as this area of London Road represents the employment centre of the settlement. The erosion of employment land in Great Chesterford would reduce the balance between housing and employment.

147.6 Mrs M Cookson, Great Chesterford Parish Council

The Parish Council objects to the proposal for residential development. The existing permission is for a couple of units only. The infrastructure in the village cannot support this number of units at this location at the present time. The school is full to capacity

and experience has shown that even if places could be found for these children, parents would not walk the children to school as the road junction is too dangerous. The area outside the school and the surrounding streets are congested.

Inspector's Reasoning and Conclusions

13.2.1. I have no detailed evidence before me about the need for additional employment land in Great Chesterford or the balance between housing and employment. However, I note that the need for housing to meet the Structure Plan totals no longer applies to this site. If there is an employment need, I consider that because of its relationship with other employment sites and its separation from the main part of the village by the busy road, the London Road site should be retained for new industry or the expansion of existing.

13.2.2. According to the Council the site would have a minimum capacity of 30 housing units. The site is within walking distance of the station and the school but children would have to cross the busy road, and if cars were used for school journeys the streets near the school are already congested. I do not believe that the capacity of the Primary School should preclude housing because, depending on the form of housing, developer contributions would be expected to fund extra school places.

13.2.3. From my visit I consider that in land use terms the site to be suitable for either housing or employment use within B1 but on balance of the evidence available I conclude its location to be better suited for employment use (3.4)(119.43)(62.2)(62.3)(147.6)

RECOMMENDATION

Reinstate the London Road site at Local Policy 2 as an employment site

13.3 SITE; LAND AT THE RAILWAY SIDINGS, GREAT CHESTERFORD

The Objection

3.2 Brian Christian Building Surveyor

Extend Great Chesterford settlement boundary to include former railway sidings which are useless for any other purpose than development by industry.

Inspector's Reasoning and Conclusions

13.3.1 On Plan this seems a logical suggestion but there is the practical difficulty of differing levels of the site in relation to the adjoining land. However, I accept the site is wasted in its present state and could with adaptation be put to industrial or ancillary use. On balance I consider the site should be included within the settlement boundary.

RECOMMENDATION

Modify the Plan by including this site within the settlement boundary.

13.4 SITE: LAND NORTH OF POPLAR LODGE, NEWMARKET ROAD, GREAT CHESTERFORD

The Objection

3.1 Brian Christian Building Surveyor

Extend Settlement Boundary at Great Chesterford along west side of Newmarket Road to include worked out gravel pit for housing. It has no other use nor potential

Inspector's Reasoning and Conclusion

13.4.1 This would merely be an unacceptable extension of ribbon development involving the coalescence of sporadic development to the north and the existing ribbon to the south. Regardless of its previous use as a gravel pit it would be an intrusion into the open countryside

RECOMMENDATION

Make no modification to the Plan in response to this objection

13.5 SITE: LAND TO THE SOUTH OF FOUR ACRES AND THE ELMS, GREAT CHESTERFORD

The Objection

62.1 Robinson

Amend the settlement boundary to include land north of the High Street and South of the Elms and allocate for housing. Great Chesterford is identified as a Key Rural Settlement. The site forms part of the area of 20th Century development to the north east of the Conservation Area. Great Chesterford village and parish have an abundance of jobs both within the village and nearby at the Chesterford Park research station, reinforced by the large research facility at Hinxton nearby. The village has a school and other local services and facilities which, in part underpin its designation as a key village. Uniquely in the key villages no housing allocations are made. The land in question has housing on three sides and a road on the fourth. It forms part of the built up area of the village with little affinity to the countryside around it. A housing allocation here would logically round off the built form of the village, would help to support local services, help to address the imbalance of jobs in the parish and provide much needed housing in this key village.

Inspector's Reasoning and Conclusion

13.5.1 I have dealt with the arguments about the need for additional housing sites in the Housing Chapter of the Plan at Policy H1. I have concluded that Structure Plan requirements can be met on larger sites elsewhere in the district but have recommended that the Council looks again at rural settlements to ensure there is adequate housing to meet the needs of local people, including affordable housing in accordance with Planning Policy Guidance No. 3

13.5.2 Although I agree with the previous Inspector that the land forms a pleasant open interval with amenity value, I also take the view as the land is surrounded on three sides by housing development it is open land which forms an integral part of the village. Great Chesterford is one of the larger villages in the district and is shown as a key rural settlement. It has a range of facilities to support housing and employment. In my view part of the omission site would be a reasonable location to meet local housing needs, if such needs are identified.

RECOMMENDATION

See my recommendation about meeting local housing needs in the Housing Chapter of the Plan at Policy H1.

13.6 SITE: LAND TO THE REAR OF FOXBOROUGH

The Objection

63.1 Puttock

Amend settlement boundary to include land to the rear of Foxborough. The new line should follow the hedgeline and the boundary of the Conservation Area. Due to plan scales and line thickness it is not easy to define the area exactly and the existing hedgeline would provide more clarity and better agree with our understanding of the development area.

UDC proposed change to settlement boundary

Inspector's Reasoning and Conclusion

13.6.1 This is a logical change which the Council has incorporated into the Plan

RECOMMENDATION

Modify the settlement boundary in accordance with the Council's proposed change

14. GREAT DUNMOW INSET STATEMENT AND MAP (CHAPTER 13)

14.1 GREAT DUNMOW INSET MAP

The Objections

57.1 Lowe

Reintroduce a landscape protection designation for the Chelmer Valley and introduce some text into the Dunmow statement to the effect that the Chelmer Valley will be protected from development. Policy H10 allows for development of affordable housing on exception sites. The area of special landscape value designation in the adopted plan gave additional protection and this should be reinstated. The text from the adopted plan which mentioned the protection of the valley should also be reinstated.

41.3 Beedle

Chelmer Valley from Braintree Road to Church End be added to Protected Open Space for Informal Recreation

Inspector's Reasoning and Conclusion

- 14.1.1 Important open spaces outside of settlement boundaries are not designated. They cover large swathes of land and are protected by general, strategic and environment policies in the Plan. I see no need for specific designation. Although affordable housing can be permitted as an exception outside of settlement boundaries there are enough safeguards in the Plan to enable the Council to resist inappropriate development. (41.3)(57.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

RETAILING AND COMMERCE IN THE TOWN CENTRE

14.2 POLICY GD1 – SHOPPING CENTRE

218.51 Saffron Walden Friends of the Earth

Amend the time scale in criterion (b) from 6 to 12 months

Inspector's Reasoning and Conclusions

- 14.2.1 I have seen both 6 month and 12 month periods used in local plans. The period chosen would depend on experience locally and I have no detailed evidence before me that 6 months would not be a reasonable time scale. The criterion does say "at least 6 months". It seems to me that as both the criteria a) and b) have to be met that there are adequate safeguards, as a) specifically requires the existing use to be surplus to current and foreseen future requirements. (218.51)

RECOMMENDATION

Make no modification to the Plan in response to this objection

14.3 POLICY GD2 – LAND TO THE REAR OF 37-75 HIGH STREET

The Objection

219.24 English Heritage

We consider that the policy should include criteria relating to the need to: safeguard the settings of the listed buildings fronting the High Street, respect the grain of the historic plots and be of the highest quality design appropriate to its context. The site should also be assessed for its archaeological interest in accordance with PPG16. This is an extremely sensitive site. A number of modern developments in the town are conspicuous for their poor quality - for instance the buildings on the prominent corner site at the Chelmsford Road roundabout. In other cases listed buildings have been insensitively hemmed in by modern development. The achievement of a high quality scheme must be a priority on this site.

UDC Proposed amendment to paragraph 13.3

Policy RS1 will apply to the shopping **town** centre. A site has been identified on the proposals map inset at the southern end of the High Street on the east side where

there is an area of mixed uses. This 0.62 **0.75** hectare site has potential for a mixed-use scheme with new homes, community and commercial uses. Development **should be of the highest quality design and** will need to ~~protect or enhance the Conservation Area and~~ **safeguard the setting of the listed buildings fronting the High Street, respect the grain of the historic plots and should** be generally restricted to two storeys. **An archaeological assessment may be required** #. **Development** should also provide for improved access to White Street and the town's main car park. This will enable the High Street/White Street junction to be closed to vehicular traffic adjacent to the Boars Head Public House. This could significantly assist the revitalisation of Great Dunmow town centre.

Objections to the Amended Policy GD2

94.10 Saxon Developments Ltd

50 residential units is excessive as a "minimum capacity" for this site, given the range of 31-75 units specified for the site in the Urban Capacity Study. The conservation concerns expressed by English Heritage at the initial Deposit Stage reinforce the need to reduce the site's capacity. The capacity should be reduced to 30.

220.21 Essex County Council Learning Services

A developer contribution is likely to be sought in respect of the residential element of this development to contribute towards the cost of re-locating and expanding the two schools for primary aged pupils in the town into two 420 place primary schools and expanding Helena Romanes, the secondary school serving the area.

Inspector's Reasoning and Conclusions

- 14.3.1 The additional safeguards required by the objector have now been included in paragraph 13.3 above. (219.24)
- 14.3.2 I understood at Inquiry that late last year planning permission was granted for a mixed use scheme which incorporated 71 dwellings (94.10)(220.21)

RECOMMENDATION

Modify paragraph 13.3 in accordance with the changes highlighted above.

RESIDENTIAL DEVELOPMENT

14.4 PARAGRAPH 13.5.3

25.1 Hicks

Restricted or no parking on Flich Lane (this road is only wide enough for 2 cars to pass). Although the development has been completed, it has caused a great deal of on street parking in Flich Lane. I understood that all houses in Harris Green had off street parking, however almost all residents along Flich Lane park in front of their houses. This is particularly dangerous in front of Normansfield as it forces a driver

on to the wrong side of the road. It could also obstruct emergency vehicles accessing Normansfield.

Inspector's Reasoning and Conclusions

14.4.1 Although of considerable local concern this indiscriminate parking is not a matter that can be dealt with in policies of the local plan. It is for the County Council to consider under its highway authority powers. (25.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

14.5 POLICY GD4 – RESIDENTIAL DEVELOPMENT WITHIN GREAT DUNMOW'S BUILT UP AREA.

The Objections

ECC DEPOT, HASLERS LANE

24.1 Longstaff

To ensure development respects the adjoining conservation area the proposed housing should be in a style and materials in keeping with adjoining development, existing properties should not be overlooked by multi storey flats or housing built too close to the boundary. The mature Horse Chestnut trees on edge of the land should be protected. Vehicle congestion on New Street should not be increased and parking allocation retained.

LAND OFF RIVERSIDE

149.3 Great Dunmow Town Council

Land off Riverside is contrary to policy GEN3 and is totally unsuitable for development.

33.1 (Objection withdrawn) Grayson

The site off Riverside continues to enjoy planning permission for the erection of the remaining 5 of the 13 dwellings approved because a start was made with the construction of the road. The erection of 8 dwellings would conflict with policy GEN2 (a) because it would not respect the form and layout of surrounding buildings, in particular the density would be much higher and the garden sizes smaller than properties to the north and south. 8 dwellings would conflict with policy GEN4 because it would result in overlooking and an overbearing effect on neighbouring properties. Also conflict with GEN3 because it would mean one property in the southwestern corner of the site which has flooded twice during the last 13 months.

UDC proposed new para 13.5.2

Off Riverside

This is a small green-field site. Development had commenced at April 2000, although no houses had been completed. It has since been partly completed and these 13 homes are now known as Warder Close. The remainder of the site, which does not have planning permission, has capacity for **8** dwellings.

ADDITIONAL SITE – NEWTON WORKS

116.1 (Objection withdrawn) Essex County Council - Property Services

Inclusion of the 1.97ha Essex County Council owned land east of Tesco Superstore Great Dunmow within policy GD4 as a proposed site for residential development. The site was originally acquired to house a new magistrates court and police station but both proposals have now been abandoned. The site lies within the settlement boundary of Great Dunmow where Policy S1 confirms a presumption in favour of development. With the development of Woodlands Park the site will be bordered on two sides by housing development and could make a valuable contribution to Uttlesford meeting its structure plan housing requirement if adopted in the Plan as a Policy GD4 housing proposal.

GENERAL COMMENTS

118.10 Bryant Projects

Welcome the addition of sites identified under Policy GD4 as an appropriate balance between making the best use of available urban land without compromising the strong established character of the town through slavish identification of sites which would over intensify urban use, or which are unlikely to be genuinely available to contribute to development needs in the Plan Period. We question why land off Riverside and south of Springfields have not been implemented to date or are not subject to planning consent. We consider that where there is no apparent reason for precluding the implementation of such sites, these sites should be subject to monitoring and management to address the event that they do not come forward for development during the plan period.

144.9 (Objection conditionally withdrawn) Bryant Homes Limited

The capacities of the sites set out in the table should be adjusted to omit completions and existing dwellings on the sites to avoid double counting

149.4 Great Dunmow Town Council

Alternative wording is suggested "these will be supplemented by other sites which will be small in scale and within the main settlement boundaries." These sites which will generally be small in scale and are not specifically identified on the proposals map" is weak and a licence for developers to build wherever they like. There is no point in identifying specific sites and areas where development may be permitted if you then add the above "rider". This needs to be more concise.

220.3 Essex County Council, Learning Services

Assuming that the five sites do not include any social /affordable housing units we would need to seek a developer contribution for the following additional school places. Land off Godfrey Way - 3 primary and 3 secondary pupils. Land off Riverside 5 primary and 4 secondary. Flicht Lane - 11 primary and 9 secondary, ECC Depot, Haslers Lane, - 4 primary and 3 secondary. South of Springfields 6 primary and 5 secondary.

UDC proposed change to Policy GD4

Policy GD4 - Residential Development within Great Dunmow's Built Up Area
The following sites, identified on the proposals map, are proposed for residential development.

Site	Site area (ha)	Minimum capacity
Off Godfrey Way	0.37	11
Off Riverside	0.8	21 18
Fritch Lane	0.99	44
ECC depot Haslers Lane	0.34	17
South of Springfields	0.71	23

These will be supplemented by other sites, within the settlement boundary, which will generally be small in scale and are not specifically identified on the proposals map inset.

Inspector's Reasoning and Conclusions

- 14.5.1 All of the matters raised would be covered by general and environment policies in the Plan. In addition the Council could consider whether the mature horse chestnut should be protected under a Tree Preservation Order (24.1)
- 14.5.2 I understood from the evidence that the site already has the benefit of planning permission for 18 dwellings outside of the flood plain. Paragraph 13.5.2 has been revised to 5 dwellings (149.3)
- 14.5.3 Monitor and Manage is part of the routine of determining whether a site is likely to come forward during the Plan period. (118.10)
- 14.5.4 This objection has been conditionally withdrawn as the Table in Policy GD4 should only include the outstanding dwellings at the base date (144.9)
- 14.5.5 The phrase suggested by the objector has been added. This clarifies that the "other sites" will be contained within the settlement boundary. (149.4)
- 14.5.6 The Council has included in the general policies of the Plan at Policy GEN6 a requirement that development makes provision for an increase in school capacity. Detailed negotiations, if appropriate, would take place at the planning application stage when the types of housing units proposed would be known. (220.3)

RECOMMENDATION

Modify Policy GD4 in accordance with proposed changes highlighted above

14.6 POLICY GD5 – WOODLANDS PARK

The Objections

142.8 (Objection conditionally withdrawn) Wickford Development Co Ltd

Para 13.6. Should be enlarged to make reference to the comprehensive development at Woodlands Park. Reference should be made in 13.7 to the approved master plan for Sectors 1 and 2. Details should be given of the capacity and number of dwellings completed in each of these sectors. Policy GD5 should be amended to reflect the fact that development is in progress at Woodlands Park and has reached a different stage in each sector and the fact that a master plan has been produced and approved for Sectors 1 and 2 (see rep for details of stages which should be included in the policy)

144.10 (Objection conditionally withdrawn) Bryant Homes Limited

Amend the policy - this allocation is essentially the same allocation as that identified in the current adopted plan for 625 dwellings for post 8 mppa Stansted Airport related housing. The policy should be amended to relate the 625 dwelling element of the site to airport related growth. This would leave the site with a capacity of 550 additional dwellings for non-airport related houses for this plan period. Notwithstanding these comments we have doubts as to whether the suggested number of dwellings can be provided within the plan period.

149.5 Great Dunmow Town Council

Para e) is unclear and required to be re-written. Why has the number of houses on Woodlands Park been reduced, particularly as it is contrary to Government guidance which states that housing needs should be met by increasing density on sites. It should be increased. Every effort should be made to find a suitable solution to allow the early completion of the north west by pass.

UDC proposed amendments to para 13.6

Planning permission existed in April 2000 for 671 dwellings to be built at Woodlands Park on the western edge of the town. The approved Master Plan shows additional residential development in that part of the site accessed off Emblems. This will provide about 105 dwellings. This is in addition to ~~these~~ **the 200 dwellings** that have already been built.

201.13 Countryside Properties Plc

Increased number of dwellings cannot be relied on in view of the slow rate of development at this site in the past.

47.3 Peter Hamilton and Associates

The proposed number of dwellings is very unlikely to be provided within the local plan period. Smaller sites with a greater chance of coming forward at an early time should be identified.

201.7 Countryside Properties PLC

Housing allocation at Woodlands Park, Great Dunmow, be reduced to around 600 dwellings in the present plan period, to reflect outstanding planning permissions only. The rate of progress on this site has been extremely slow within only around 300 houses having been built in well over 10 years. The north western relief road has never been built and there is no realistic prospect of advancing the timing of this road through the local plan process. Other planning and community benefits which were envisaged have also not been realised. The developers of the site have made it clear

that they do not wish to integrate affordable housing into the scheme. It has also apparently proved impossible to agree an overall master plan for the whole development. This very disappointing track record gives no grounds for optimism that the continued allocation of land for housing at Woodlands Park will produce the required number of houses within the plan period. No further land should be allocated for development in the period of the present draft plan beyond these existing permissions.

213.27 CPREssex

We suggest that the criterion be enlarged to read: c) it provides specifically for the construction of a north-west relief road to be completed before the dwellings in the north west phase of the development are built.

Whilst strongly supporting the principle involved CPREssex objects to the wording of this criterion considering that is not strong enough to ensure the construction of the relief road before the dwellings are completed.

219.25 English Heritage

The development should include a buffer of woodland on this boundary to safeguard the setting of the listed Newton Hall. Any pressure for development to the north of the proposed allocation should be resisted. The plan should also indicate that growth to the west of the new road will be resisted due to the high quality of the landscape. The large scale of this development is extremely hard to assimilate in the context of a small historic town. The housing completed thus far is of poor quality design incorporating UPVC windows and small detached dwellings arranged in street patterns common to house builder developments. We would strongly urge that the design requirements for this development are reassessed and that more appropriate development reflecting local distinctiveness local materials and traditional layout is required. The local plan policy should refer to higher quality design being a key requirement. The allocation also impinges on the setting of Newton Hall to the north.

220.4 Essex County Council, Learning Services

There is already in existence a S106 agreement for a site for a new primary school on this development. However, discussions have recently taken place with Wickford Development with a view to the new primary school being located on the Newton Works Site which is owned by ECC plus adjoining land fronting on to Woodlands Park Drive which Wickford Development will release to ECC. Provided that Wickford Development pays ECC the value for the Newton Works sites and associated costs with an access from the A120 then with the agreement of UDC the present S106 can be relinquished.

UDC proposed reference to new school site in new Policy GD#

Policy GD#- The Former Newton Works

Land at the former Newton Works is proposed for employment uses which will be within class B1(a) office use. The balance of the site 1.94 hectares is safeguarded for a primary school. Developers will be required to prepare a master plan to indicate how adjoining non-employment uses will be protected and how the site will be landscaped. Development will need to be implemented in accordance with such a master plan approved by the Council. A traffic impact assessment will be required. In the event that land is not required for a school that part

of the site that does not have planning permission for housing is proposed for additional Class B1 employment uses.

Inspector's Reasoning and Conclusions

- 14.6.1 I believe that paragraphs 13.6 to 13.9 as revised encapsulate the progress made and the need for a Master Plan for Sector 3 at Woodlands Park. I do not consider more detail on progress is necessary as this is fleeting information that soon changes. (142.8)
- 14.6.2 As I understood at Inquiry that the term "airport related" no longer applied as there was no specific need for housing which would be related to employment growth at the airport, the policy should not be amended. (144.10).
- 14.6.3 There has been no reduction in numbers at Woodlands Park. The Plan merely takes into account that some dwellings have already been completed See revised paragraphs 13.6 –13.9 and revised Policy GD5. (149.5)
- 14.6.4 I have dealt with the slow rate of progress of sites coming forward for housing development in the Housing Chapter of the Plan. However, Woodlands Park has its infrastructure in place and is a long term commitment for housing. I do not consider the change should be deleted. (201.13)(47.3)(201.7)
- 14.6.5 As the construction of the link road is an integral part of the phasing of the development I believe criterion c) of Policy GD5 to be reasonably worded. (213.27)
- 14.6.6 Although the housing so far is detached I understood from the Inquiry that other sectors would contain diverse development in accordance with advice in Planning Policy Guidance No. 3. Protection of existing features will either be incorporated into the Master Plan, or dealt with as an integral part of the design when reserve matters are considered. (219.25)
- 14.6.7 A new policy has been included dealing with an employment allocation and a school on the Newton Works site which I understood at Inquiry was under review. (220.4)

RECOMMENDATION

I am unable to make a firm recommendation in respect of the Newton Works as it may all be required for a school and its expansion. See also paragraph 14.9 below.

14.7 PARAGRAPHS 13.10 - 13.12

The Objection

149.7 Great Dunmow Town Council

Plans should be formulated now to provide future industrial development perhaps including land to the south of Smiths Farm. The possibility of using the Ongar Road Trading Estate for housing development should be explored with the industrial units being transferred to another site on the periphery of the town with better access. Industrial employment must be encouraged and increased to try and maintain a manufacturing base in the town and provide work for the local population and school leavers in particular. Efforts should be made to persuade a major manufacturer to come to the town, particularly with the better communications to be afforded by the new A120.

Inspector's reasoning and conclusions

14.7.1 The allocation of land is a balance between competing uses. Although it is surrounded by housing I am not aware from the evidence or my visits that the Ongar Road site use causes any particular nuisance. It is well established and in accordance with advice in the Structure Plan is the type of site which should be retained for industry because the necessary infrastructure is in place. To remove these sites which are well integrated with the town and use them for housing merely creates a need to allocate more greenfield sites on the edge of the town for employment use. I have dealt with the argument about the need for further housing land to meet Structure Plan requirements in the Housing Chapter of the Plan at Policy H1.

RECOMMENDATION

Make no modification to the Plan in response to this objection

14.8 POLICY GD6 – GREAT DUNMOW BUSINESS PARK

The Objections

119.44 Proto Limited

Delete policy - this site has already been referred to in the context of objections to Policy E1 - Distribution of Employment Land. It fails to provide land of an adequate quality.

Inspector's reasoning and conclusions

14.8.1 From my visit I found this site to be well related to the town and to other industrial uses. It is large and has the necessary infrastructure to facilitate its development and is in a location where access would be readily available to the A120 without direct access through the town or housing areas. I see no reason to delete the policy. Also see my views at Policy E1.

RECOMMENDATION

Make no modifications to the Plan in response to this objection

14.9 REVISED DEPOSIT POLICY GD# - THE FORMER NEWTON WORKS

The Objections

119.58 Proto Limited

The former Newton Works should be deleted. It will not effectively meet modern business needs. The site fails to adequately meet the criteria for securing economic and employment growth.

186.10 Siemens Pension Fund

Question the suitability of the site for a primary school particularly given the potential conflict with proposed employment uses and the existing adjoining Tesco Food Store.

237.2 & 3 Cllr R. Copping

It would seem inappropriate to allocate an adjacent eminently suitable site for school expansion to business use. The reference to an access to the school site from Woodlands Park Drive seems inappropriate bearing in mind the difficulties experienced in similar circumstances in High Stile.

240.22 Essex Wildlife Trust

In the policy wording there is no reference to the opportunity to add value to the site through (say) habitat creation.

220.19 ECC Learning Services

The education authority is closely monitoring the children arising from the new housing developments in Dunmow and would wish the option of acquiring more land for the school if more accommodation was needed to meet a sustained growth in pupil numbers. It would therefore be helpful if the Class B1 office use classification could be removed and the site reclassified for possible future educational use. If it were redesignated as suggested there would be no need for the landscape buffer.

Inspector's reasoning and conclusions

14.9.1 The former Newton Works is, according to the Plan, to be used in part for the erection of a primary school, and the remainder of the site may be available for B1 uses. The site is small but well located, in relation to the settlement and the main road network, and I see no reason why it should not provide for limited local employment needs. (119.58)

14.9.2 If land at Newton Works becomes available for business use, that business use would be B1, which in my view would be compatible with a school. The only point of issue would be the access and this would be a matter for detailed consideration. (186.10)

14.9.3 As I understand it the Council is considering whether it will be necessary to retain the remainder of the site for school expansion purposes. If this were to

be the case, then the business allocation in the Plan would be deleted. However, I have no details before me on the actual education needs in respect of this site, so this will be a matter for the Council to determine before they adopt the Plan. (237.2)(237.3)(220.19)

14.9.4 Depending upon what the Council determines about the area required for a primary school Policy GD# may well be rewritten. However, regardless of this I consider the general policies of the Plan together with individual policies in the environment chapter provide adequate safeguards regarding nature conservation and habitat creation. In particular Policies GEN7, ENV6 and ENV7 apply. (240.22)

RECOMMENDATION

I am unable to make any detailed recommendation on the above objections as it appears that Policy GD# may be rewritten having regard to local education needs. The site is well located for school use.

14.10 CIVIC AMENITY SITE (POLICY GD##)

The Objections

40.1 Hockley

Policy E1 to be amended to include land required for employment use for relocation of HGV depots and for recycling and amenity centre and defined on the inset map if required in the plan period with appropriate environmental requirements and obligations. Policy GD6 to be amended and the settlement boundary to be amended. The plan identifies the ECC depot off Haslers Lane as suitable for residential development but no site is identified for its relocation. Clients have objected to planning application proposing heavy goods vehicle depot and civic amenity and recycling centre on land rear of Brook Cottage. The Plan does not give proper consideration to the relocation of these facilities nor make the appropriate policies and allocations.

189.4 Exors of D Cock

Include land south of Great Dunmow, adjoining Hoblongs Ind Estate, within settlement boundary and identify as being suitable for employment purposes. Additional land needs to be allocated for Great Dunmow to take into account growing needs of A120/M11 corridor as well as the airport. Site has good access to new A120 as well as providing a strong visual identity as you enter the town from the new A120. It would not create additional traffic movements in Dunmow town centre or surrounding villages.

UDC proposed new policy and supporting text

Civic Amenity Site

A need has been identified for a civic amenity site to serve the southern part of the district. The current Council depot site in New Street suffers from poor access as the vehicles have to use the narrow residential New Street.

Policy GD## – Civic Amenity Site and Depot
A 1.83 hectare site to the south of the Hoblongs industrial estate is proposed for a civic amenity site and depot. Proposals should include landscaping adjacent to the neighbouring properties and the A120 bypass.

Objections to the proposed changes

244.1 Mr & Mrs Waterman

If there is a requirement for a civic amenity site and depot it should have been in the first draft plan. If this is a new requirement it should be shown how and why the site has been chosen and why the Newton Works sites is not suitable as it is understood to be contaminated land whereas the land at Hoblongs is greenfield. If there is a need for employment land it should be located at Hoblongs. The proposal conflicts with a number of policies in the plan e.g. GEN1,2,4,7, E1 and ENV10

40.2 Mr & Mrs J. Hockley

If there is a requirement for a civic amenity site and depot it should have been in the first draft plan. If this is a new requirement it should be shown how and why the site has been chosen and why the Newton Site is not suitable as it is understood to be contaminated land whereas the land at Hoblongs is greenfield. If there is a need for employment land it should be located at Hoblongs The proposal conflicts with a number of policies in the plan I.e. GEN1,2,4,7, E1 and ENV10

243.1 Mr & Mrs Purkiss

If there is a requirement for a civic amenity site and depot it should have been in the first draft plan. If this a new requirement it should be shown how and why the site has been chosen and why the Newton Site is not suitable as it is understood to be contaminated land whereas the land at Hoblongs is greenfield. If there is a need for employment land it should be located at Hoblongs. The proposal conflicts with a number of policies in the plan e.g. GEN1,2,4,7, E1 and ENV10

163.15 Mantle Estates

Proposed allocation should be deleted from the plan and an alternative site, elsewhere be allocated for this purpose. Location is entirely unsuitable for a civic amenity and recycling centre as the site will be visible from the A120 and require much screening. It will adversely affect residential property. The proposed use will hinder the success of the adjacent business park. The use is unsuitable for location in the vicinity of high quality employment development. Insufficient consideration has been given to the potential of other sites within the District for the purposes of recycling and the day to day activity of a civic amenity centre.

232.2 Highways Agency

Agency needs to be satisfied through the production of a Transport Assessment that traffic generated by the proposal would not be detrimental to the safe and free flow of traffic on the A120. The point where development related traffic first accesses the trunk road must be sufficient to accommodate all traffic 15 years after the development opens, otherwise highway improvements funded by the developer will be required. Access for new development will be most severely restricted in the cases of motorways and other high standard roads of key strategic importance of the

core network. This principle also applies to cases where it is proposed that extra traffic caused by new development will meet the trunk road network by way of an existing access.

240.23 Essex Wildlife Trust

Add "and habitat creation" after "landscaping" in line 3

EWT would welcome a proactive approach to habitat creation to offset part of the loss imposed by the adjacent new A120

189.5 David Cock Foundation

Object to the allocation of land south of Hoblongs for a civic amenity site and suggest that a more logical site is sought away from the main A120 link road from Stansted to Braintree. This additional land will be needed for employment purposes during the plan period and it would be inappropriate to allocate this site for a civic amenity site and depot. It is also one of the key entrances to the town. The site should be allocated for employment use.

Inspector's Reasoning and Conclusions

- 14.10.1 These objections are to the allocation of 1.83ha to the south of Hoblongs Industrial Estate for a civic amenity site and depot. This new policy was introduced after the first deposit of the Plan. It followed a proposal by the County Council as waste authority. Great Dunmow is some 8 miles from the nearest civic amenity and recycling facility and about 11 miles from others
- 14.10.2 The site is greenfield and is located between the new A120, the Holblongs estate on which a hotel has been agreed, and land allocated under Policy GD6 for the Great Dunmow Business Park.
- 14.10.3 The civic amenity element of the proposal would include a compactor unit and reinforced concrete areas for container storage, a store for equipment, and a soil improver. A peak flow of 1000 vehicles is assessed for the busiest day of the year, with a maximum short-term flow of 100 vehicles in a half hour. A maximum of 16 loads of household waste per day would be removed at times of peak demand, with an average of 4 loads per day throughout the year. Up to 30 stationary vehicles could be accommodated within the site at any one time. Opening hours during winter would normally be from 0800 hours to 1600 hours but from February to October 0800 hours to 1700 hours. From May to August there would be late night opening on Tuesday evening until 2000 hours.
- 14.10.4 The Council depot would require a vehicle maintenance workshop, a store and mess room with washroom facilities and open storage for vehicles. Hours of operation would be from 0700 hours to 1700 hours. Except at Bank Holidays when Saturday opening during the same hours would occur, the depot would be closed on Saturday and Sunday. 5 persons are likely to be employed on site with another 30 collecting vehicles from the depot for refuse collection and recycling services. Vehicles would normally leave between 0700 and 0800 in the morning and return in the afternoon between 1400 and 1700 hours.

- 14.10.5 To serve the needs of Dunmow in a sustainable way both of the facilities, the Civic Amenity site and the Council depot should be either within or closely related to the town for convenience of use. Although they do not have to be linked, it would be logical to do so if the site is acceptable. A site has to be found convenient to the town to enable the County and the District to carry out their statutory functions.
- 14.10.6 From the correspondence and the Council reports there is obviously a traffic capacity issue at the road junction with the A120. I agree with the objector that a Traffic Impact Assessment would be necessary. I do find it surprising that the proposal to allocate this land as a Civic Amenity site by the County Council, a use which would obviously involve significant traffic movements and would be otherwise controversial; which might affect the operation of the ambulance station, and would also have a major impact on the A120 and its junction with the Chelmsford Road, has not already been the subject of a Transport Assessment to ensure that what is being proposed in the local plan is a practical proposition. Otherwise it is causing considerable distress to local residents to no purpose.
- 14.10.7 Since the new policy was suggested I would have thought there has been adequate time for the highway issues to be evaluated to determine whether the proposed site is acceptable in highway terms. I consider that without this knowledge the designation of the site for civic amenity use combined with a Council depot would be premature, as policies in the Plan are intended to create certainty for the local community. There is as yet no certainty that the development would be acceptable.
- 14.10.8 Although there are other objections on amenity grounds, unlike the highway issue, I do not consider them to be fundamental to the principle of development. The objector has suggested that the site could be allocated for employment uses with amenity safeguards. These safeguards could similarly be applied to the uses proposed. I accept that regardless of the mitigation measures there would be an impact on the amenities of the residents, particularly from the early morning use of the Council depot, and the increased use of the access. However, the three dwellings here are isolated from other housing by commercial uses and as the Council states in its evidence the impact of the development would be limited to a small number of dwellings. With careful siting of buildings to act as a buffer to vehicle noise and adequate planting or bunding, on balance, I consider the uses to be acceptable both in relationship with the existing dwellings and in the countryside against the backdrop of the industrial estate.
- 14.10.9 The site now has no viable use. On the basis of other land use designations and its location on the edge of the settlement and its close proximity to the new A120 I consider that in principle its location would be a logical one for the type of uses proposed.
- 14.10.10 The objectors have suggested that the site should be allocated for employment use but it seems to me that the same question would arise about traffic impact. Can the A120 and its junction with the Chelmsford Road take the additional traffic flows with or without major adaptation ?. It appears from correspondence that significant improvements would be required.

- 14.10.11 Also from the Council's evidence I consider that from the Structure Plan figures on employment, the necessary provision of industrial sites within the district would be met during the Plan period. In my view there would be no good reason to allocate this extensive area of additional land. The only reason to designate the site would be to meet an exceptional need which has to be met on edge of Dunmow, a need which would override other planning objections.
- 14.10.12 Objectors have suggested other sites. I saw most of them on my visits. The Newton Works site is in a residential area and is now I understand likely to be required as a school site and not for B1 development. Because of its location and relationship with the adjoining housing area it is far more appropriate for an educational use than industrial. The Crumps Farm site is remote from the town and would draw all traffic out to it. This would not be sustainable. The existing Highways Depot close to the town centre is too small and in the wrong place. A business park might be suitable to accommodate the depot but not the civic amenity site and I consider linking the two uses a practical approach. There is no ideal site for the uses proposed but on amenity grounds and sustainability I consider the proposed site to be as good as any.
- 14.10.13 From the evidence it appears that the owners of the site would not wish to dispose of the site for civic amenity use. This does not surprise me as owners of other sites considered by the Council also took the same view. I doubt that any owner who considers there might be an alternative acceptable use of land would voluntarily dispose of it to the Council for civic amenity purposes. This reluctance, of itself, however, does not indicate that the site is unsuitable for the purpose.

RECOMMENDATION

Until it is determined by a Traffic Assessment that the site is acceptable for the two uses proposed, and the measures required to improve the junction are known and can be included in the Plan, if required, I do not consider the land should be allocated in the local plan as a Civic Amenity or Council depot site.

14.11 POLICY GD7 – SAFEGUARDING OF EXISTING EMPLOYMENT AREAS

The Objections

41.2 Beedle

Is the Ongar Road site also approved for residential development in the existing plan?

119.45 Proto Limited

Of the key employment sites within Great Dunmow it is perhaps surprising that the Ongar Road Estate is safeguarded bearing in mind it is totally surrounded by residential property - delete reference to the Ongar Road Estate.

Inspector's Reasoning and Conclusions

14.11.1 See my report at paragraph 14.7.1 above

RECOMMENDATION

See 14.7.1 above

14.12 SITE: LAND AT TIGGERS, ONGAR ROAD, GREAT DUNMOW

The Objection

2.1 Kendle,

That the Town Development Limit be moved to the new A120, being the natural barrier to any creeping building in the area indicated on the enclosed map
And that the demarcation line stops on the north of Ongar Road, ignoring the property on the south side.

Inspector's Reasoning and Conclusion

14.12.1 I have dealt with the principle of including the land between the existing development and the A120 along the Ongar Road in considering objections to omission sites.

RECOMMENDATION

Make no modification to the Plan in response to this objection.

14.13 SITE: LAND AT THE JUNCTION OF ST EDMUNDS LANE AND THE BROADWAY

The Objection

41.1 Beedle

Should not Bardfield house site at the junction of St Edmunds Lane/ The Broadway be included within Settlement Boundary as an approved site for 11 dwellings

Inspector's Reasoning and Conclusion

14.13.1 I have dealt with the arguments about reinstating this site for housing when considering objection 236.1 by Pickford Builders Ltd.

RECOMMENDATION

See my report on objection 236.1

14.14 SITE: DUNMOW PARK, BRAINTREE ROAD, GREAT DUNMOW

202.2 Countryside Strategic Projects

Extend the defined settlement boundary to include land at Dunmow Park, it's immediate curtilage and the parkland between the house and Braintree Road.

Inspector's Reasoning and Conclusion

14.14.1 I have dealt with future housing needs of the district in the Housing Chapter at Policy H1 and apart from concluding that part of the reserve site should be brought forward I do not consider any additional allocations are required during the Plan period. Ashdon Road is greenfield but has been allocated for development within the settlement boundary for some time.

14.14.2 The objector considers that the omission site should be seen as a good opportunity to provide additional housing on the edge of the existing main settlement of Great Dunmow to help provide for the housing needs of the district as a whole. I accept that the site is close to all facilities and its development would be sustainable. However, I consider this site to be a particularly sensitive swathe of open parkland within the Chelmer valley. This 10.5ha site could take in excess of 300 dwellings and its development would significantly change the setting of the town. In my view the development of this site would be an unacceptable intrusion into the countryside. (202.2)

RECOMMENDATION

Make no modification to the Plan in response to this objection

14.15 SITE: LAND ADJACENT TO 71 THE CAUSEWAY, GREAT DUNMOW

The Objection

50.1 McBride

Include no 71 the Causeway and buildings to the north within the Great Dunmow settlement boundary. To the south of 71 The Causeway lies a substantial housing estate beyond which is established residential development. The area of open land on the southern boundary is allocated for development in the emerging plan and it is understood that this land has planning permission. The objection site is closely encompassed by residential development on all sides. As such it has no direct connection with the open countryside and should not be designated as such. The two listed houses, the converted stable block and the new house to its north equally comprise an urban area. Although the objector does not own them, they should be included within the settlement boundary for the same reasons as the objection site. The site and land to the north is within a Conservation Area. Policies for this and listed buildings provide adequate protection for the built environment of the locality without having to include it within the open countryside.

Inspector's Reasoning and Conclusion

14.15.1 This is an area of sporadic development of low density which adjoins a ribbon of detached housing to the north. Nevertheless, unlike the ribbon I consider that the omission site reads as an integral part of the urban area and could be included within the settlement boundary. As the site contains listed buildings and is within a conservation area its character would be protected from inappropriate development by various policies of the Plan.

RECOMMENDATION

Modify the Plan by including the omission site within the settlement boundary of Great Dunmow

14.16 SITE: LAND AT BRICK KILN FARM, ST EDMUNDS LANE, GREAT DUNMOW

The Objection

142.1 (Objection withdrawn) Wickford Development Co Ltd

Settlement boundary is redrawn to include Land at Brick Kiln farm, St Edmunds Lane, Gt Dunmow. Settlement Boundary at Church End excludes an area of 0.9ha located to south of St Edmunds Lane. Land comprised former farm yard, stables and 3 dwellings. Site is closely related to existing services, it would redevelop derelict and unattractive farm buildings, it is a logical extension to the settlement boundary, it would create a better urban edge without reducing open space. Land can be developed without significant adverse visual affects on landscape. Current boundary is illogical .

Inspector's Reasoning and Conclusion

14.16.1 Objection withdrawn

RECOMMENDATION

None

14.17 SITE: LAND OFF ONGAR ROAD, GREAT DUNMOW

The Objection

118.4 & 14 Bryant Projects

Alter the definition of the settlement boundary for Great Dunmow to include a 3.98 ha site at Ongar Road and Clapton Hall Lane and add site with a capacity of 120 dwellings to the Table within Policy GD4. Support the principle of S1 and the wording and intentions underlying the policy. In respect of land at Ongar Road, Great Dunmow we object to Policy S1 insofar as it excludes the land from the settlement

envelope. The site comprises an open field bounded to the north by Ongar Road and to the east and south by Clapton Hall Lane. In the alternative the land should be identified as an Area of special restraint capable of being brought forward in the event that monitoring of the Plan indicates an expected shortfall of supply. The site is 1000m south of the town centre. Ongar Road is a public transport route and there are provisions for bus stops convenient to the site. All of the site lies within 300m of a bus stop. In addition to Town Centre Facilities and access to extensive and varied areas of existing and committed employment there are also other local facilities within easy walking distance.

Inspector's Reasoning and Conclusion

- 14.17.1 I believe that it is important to maintain a green wedge between the new A120 and the existing developed area of the town. The omission site is elevated agricultural land and together with land on the opposite side of the Ongar Road provides a swathe of open countryside as a rural setting to the town which should not be lost to development without good reason. I have dealt with arguments about the need for further allocations of housing land and reserve sites in the Housing Chapter of the Plan at Policy H1. (118.4 &14)

RECOMMENDATION

Make no modification to the Plan in response to this objection

14.18 SITE: LAND SOUTH AND WEST OF GREAT DUNMOW

The Objection

186.3 Siemens Pension Fund

The boundary for Great Dunmow should be extended to include the representation site at Folly Farm. The boundary should follow the line of the proposed A120. The site represents a unique opportunity to make a significant contribution to meeting the projected housing land requirements and likely employment growth for the area in the most sustainable manner. Urban extensions are the most suitable option after "brownfield land" for new housing, providing the site is developed in a sustainable manner

Inspector's Reasoning and Conclusion

- 14.18.1 This is an attractive area of prominent open countryside to the west of Great Dunmow. It is large enough to accommodate in excess of 1000 dwellings and also employment and business uses. It would involve the creation of a complete new neighbourhood.

- 14.18.2 The eastern part of the site would be well related to the existing built up area but the western part would be a promontory projecting well out into the countryside unrelated to the form of the town. It is presumably merely defined by ownership.
- 14.18.3 Although the new A120 will create a well defined line and a change in the countryside pattern I do not consider these changes of themselves are sufficient argument that the settlement boundary should be changed by including land up to the new road. The proposal would not only be a massive intrusion into the rural setting of the town it would also destroy the green wedge which the Council wish to retain between the built up area of the town and the new A120.
- 14.18.4 I have considered the arguments about future housing needs and the allocation of more land during the Plan period in the Housing Chapter of the Plan at Policy H1 and have not repeated those arguments here, other than to state that subject to my recommendations I do not consider there is a need for further allocations during the Plan period.

RECOMMENDATION

Make no modification to the Plan in response to this objection

14.19 SITE: LAND TO THE SOUTH OF THE A120 AND ADJ TO THE FLITCH INDUSTRIAL ESTATE

The Objection

82.1 Whirledge and Nott on behalf of Landowners

Include land within the settlement boundary for residential or other development. Land to the west of the Flitch Industrial Estate should be zoned for housing. Site is about 1.75 hectares adjacent to a main road within significant road frontage. The site is presently under utilised. Its location provides an opportunity to allocate residential development close to the existing town centre. This site would be within walking distance of the High Street. It is also close to main roads providing easy links to Stansted Airport where there are employment opportunities.

Inspector's Reasoning and Conclusion

- 14.19.1 From my visit I consider the settlement boundary has been properly drawn to coincide with the A120 at this point and I do not believe it would be appropriate to jump the highway to create a narrow ribbon of development in the countryside. I have dealt with the argument about the need for further housing allocations in the Housing Chapter of the Plan at Policy H1. (82.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

14.20 SITE: LAND AT WOODLANDS PARK

The Objection

142.7 (Objection conditionally withdrawn) Wickford Development Co Ltd

Amend the settlement boundary - it should be drawn further to the north to provide additional land in compensation for the shortfall. Omit reference to master plan for Sectors 1 and 2 in last sentence.

The settlement boundary in relation to sector 3 does not relate to features on the ground. Incorporate access to Sector 3 from the proposed north west by-pass approved by the Council under planning permission ref.no. 0084/01. The area of Sector 3 has been measured from a topographical survey of the site and allowing provision for a landscape margin to the north west relief road, the retention of landscape buffer/strips to separate Sectors 2 and 3 and land sterilised because of drainage. It is calculated that the net amount of land available for development is over 11 ha. At an overall average density of 30 dph this will accommodate up to 350 dwellings a deficiency of 50 units. Therefore the settlement boundary should be drawn further to the north to provide additional land in compensation for the shortfall.

UDC Proposed amendment to mapping.

Inspector's Reasoning and Conclusions

- 14.20.1 The Council is proposing to amend the Proposals Map to incorporate within the settlement boundary the access to Sector 3. This is to reflect the planning permission granted. This objection has been conditionally withdrawn

RECOMMENDATION

Modify the settlement boundary to incorporate the additional land as proposed by the Council

14.21 WOODLANDS PARK (SETTLEMENT BOUNDARY)

142.9 (Objection conditionally withdrawn) Wickford Development Co Ltd

The settlement boundary should be redrawn in relation to the edge of the open space in Sector 1. It should follow the development line on the approved Master Plan for Sectors 1 and 2.

UDC Proposed change to mapping

Inspector's Reasoning and Conclusions

- 14.21.1 The settlement boundary shown is not correct and has been amended to agree with the Master Plan.

RECOMMENDATION

Modify the settlement boundary to accord with the Master Plan for Sectors 1 and 2.

14.22 SITE: LAND NORTH OF ONGAR ROAD, GREAT DUNMOW

The Objection

94.1 Saxon Developments Ltd

The settlement boundary for Great Dunmow at Ongar Road should be realigned to run along the north eastern edge of the poor air quality zone along the new A120. The land within this new settlement boundary should be allocated for residential development as an urban extension to Great Dunmow. Depending on the extent of the deficit against the District's Structure Plan housing requirement arising from objections to policies S2, H1, SW2 and SM4/BIR1 the re-alignment of the settlement boundary could also enclose land within the new A120 to the south of Ongar Road. The areas close proximity to a range of key existing and proposed employment areas and ready accessibility to the town centre ensures that car-borne travel from development here would be minimised. The new A120 provides a defensible boundary to such development as would a southwesterly extension of the tongue of Olives Wood that forms part of the area's north-western boundary.

Inspector's Reasoning and Conclusion

14.22.1 I have dealt with the arguments about the need for more housing allocations in the Housing Chapter of the Plan at Policy H1. I have also dealt with this objection under Policy S1.

RECOMMENDATION

Make no modification to the Plan in response to this objection

15. OAKWOOD PARK (FELSTED & LITTLE DUNMOW) INSET STATEMENT AND MAP (CHAPTER 14)

15.1 PARAGRAPHS 14.1, 14.2

The Objection

205.5 Enodis Property Developments

Amend final sentence para 14.1 to 'The approved Masterplan defines sites with a total net area of 20 ha for 650 dwellings taking into account the character of the site its setting and the need for a 350m cordon sanitaire from the Felsted sewage treatment works'. Replace Para 14.2 with 'This plan provides the number of dwellings to be increased from 650 to 820. The revised Masterplan should respect the principles established in approved Masterplan.' Amend '650' to '820' in Local Policy 1. Reinstate Inset as per adopted District Plan 1995. If allocation remains at 650 amend para 14.1 and Inset Map as described above, no change to 14.2. Delete and replace Local Policy 1 as set out in full in representation. The plan fails to take into account the ability to improve the Felsted Sewage Treatment works, thereby significantly reducing the need for a "cordon sanitaire" in

comparison with the current adopted Local Plan. This significant change should be reflected in the revisions to the Local Plan

Inspector's Reasoning and Conclusion

15.1.1 As I understand it the Position Statement submitted on behalf of Enodis Property Developments dated 1 May 2003 accurately represents the Council's position. I find no fault in the policy as written and see no reason to mention that alterations to the Master Plan will be considered on their own merits. It seems to me that the policy and Inset Map merely need to reflect the revised Master Plan.

RECOMMENDATION

Modify the policy and Inset Map to accord with the revised Master Plan.

15.2 OAKWOOD PARK LOCAL POLICY 1

The Objections

119.46 Proto Limited

Delete Policy - the site should be a commitment rather than an allocation

144.11 Bryant Homes Limited

This allocation is essentially the same allocation as that identified in the current adopted local plan for 650 dwellings for post 8mppa Stansted Airport related housing. The policy should be amended to relate the site to airport related growth. Notwithstanding these comments we have doubts as to whether the suggested number of dwellings can be provided within the plan period.

207.1 Uttlesford Primary Care Trust (PCT)

No reference is made in the list of 'criteria to be met' to the potential provision of a health facility as part of the new housing development.

220.5 Essex County Council Learning Services

A site for a new primary school has been agreed under a S106 Agreement for 650 new dwellings. We have now agreed an alternative location for the new primary school. If the application to increase the density is approved the Developers have agreed to give the County Council the extra land that would be required to meet the increased size of the school plus a financial contribution of £200,000 under a revised S106 Agreement.

205.2 Enodis Property Developments

The settlement boundary set for Oakwood Park artificially limits the development capacity. As a consequence the Local Plan fails to make best use of previously developed land. The Oakwood Park Settlement boundary should be reinstated as per the adopted Uttlesford District Local Plan 1995.

UDC Proposed amendments to the mapping

Inspector's Reasoning and Conclusions

- 15.2.1 As I understand the position from Inquiry not all of the phases at that time had full planning permission. If this continues to be the case then the policy should remain to guide development. If permission is granted before adoption of the Plan the Council can remove the allocation. (119.46)
- 15.2.2 The link between passenger output at Stansted and housing was found to be artificial and was dropped. All housing allocations are now intended to meet the needs of the district as a whole. (144.11)
- 15.2.3 Policy Oakwood Park Local Policy 1 refers to the implementation of the Master Plan. The revised Master Plan approved earlier this year (2003) includes provision for a doctors' surgery. (207.1)
- 15.2.4 Criterion b) requires a new primary school to be provided. Any detailed requirements will presumably be dealt with through the planning application procedure by Section 106 agreement. (220.5)
- 15.2.5 I was told at Inquiry that a revised Master Plan had been approved for the site and that there is not expected to be a need for any significant reconfiguration of it. I would expect the Master Plan boundary to be reflected in the settlement boundary and Policy area on the Inset Map. The Council has confirmed this to be the case. This objection is to the boundary and not to the wording of the policy itself. (205.2)

RECOMMENDATION

Make no further modifications to the Plan in response to these objections but revise the settlement boundary and Inset Map to reflect the Master Plan area.

16. SAFFRON WALDEN INSET STATEMENT AND MAP (CHAPTER 15)

16.1 PARAGRAPH 15.2

15.5 (Objection withdrawn) Swindlehurst,

Insert at the end "Measures to encourage walking and to develop pedestrian networks would ease the traffic congestion". There is absence of attention in the Plan to the role of walking in the proposed policies. Journeys on foot relieve traffic congestion; increase social contacts, breaking down segregation & make towns more attractive to live in & have significant health benefits. Walking is important to household without cars and include the poorest and most disadvantages sections of society.

64.1 Riding

UDC should appoint a senior officer as the single point of responsibility for the urgent implementation of a strategic transport plan for Saffron Walden and Uttlesford working closely with ECC and other relevant organisations. Any new residential or employment developments in Saffron Walden currently increase the amount of traffic passing through the town centre. A comprehensive

transport strategy is needed. This does not appear in the Uttlesford Transport Strategy.

65.1 Castle Street Resident's Association

Castle Street residents association has prepared a Transport Strategy for SW with short, medium and long term measures. A comprehensive transport plan should be developed for SW. Recommends that UDC appoints a senior officer as the single point of responsibility for the urgent implementation of a strategic transport plan for SW & Uttlesford working closely with the CC and other organisations. Failing this the quality of life in SW will worsen each year because of unresolved traffic problems. "Further traffic management measures are envisaged" is not specific enough and makes no mention of a comprehensive transport strategy for Saffron Walden.

219.22 English Heritage

Saffron Walden has significant traffic problems which are highlighted in para 15.2. The local plan should address these more fully since this is the only document which considers land use and transport together.

218.52 (Objection withdrawn) Saffron Walden Friends of the Earth

Delete "without delays" in 2nd sentence. Add "causing delay to vehicles and a poor environment for pedestrians and occupants of buildings close to the roads affected" after "during the day"

UDC Proposed change to para 15.2

Traffic in Saffron Walden is a significant problem with its historic street pattern, restricted carriageway widths and junction geometry. ~~The capacity of the existing road system is unable to cope with the number of vehicle trips being made without delays at various times during the day.~~ **At various times during the day the existing road system is unable to cope with the number of trips being made. This can result in delays, disturbance to the occupants of buildings close to the affected roads and a reduction in the quality of the environment for pedestrians.** Further traffic management measures are envisaged during the plan period, to be identified through the Essex Local Transport Plan and Uttlesford Transport Strategy. **These will include facilities for pedestrians, cyclists and users of public transport.**

Objections received in response to proposed change

60.6 I Leeming

The re-wording here weakens rather than strengthens the problems presented by the inadequacies of the road system in Saffron Walden. No mention is made of the almost universal unsuitability of its roads for heavy goods vehicles.

92.24 Old Road Securities on behalf of Audley End

Add the following text to the end of Para 15.2: A new cycle route between Audley End station and Saffron Walden town centre will be supported and facilitated where possible"

The addition of the final sentence is supported. However additional text should be added to recognise the benefits in providing a dedicated cycle route between Audley End station and the town centre. Existing provision for cycle and pedestrian routes between Audley End and Saffron Walden are deficient. Existing provision is unsafe,

unlit and discourages use of the railway and cycling/walking between the station and Saffron Walden. The existing situation does not support sustainable transport.

U.D.C is proposing a further change to paragraph 15.2

Amend first sentence to read:

Traffic in Saffron is a significant problem with it's historic street pattern, restricted carriageway widths and junction geometry posing particular problems for heavy goods vehicles.

Inspector's Reasoning and Conclusions

- 16.1.1 Specific mention has now been made by the Council in paragraph 15.2 of the Traffic section of the Saffron Walden Inset of the need to provide facilities for pedestrians, cyclists and users of public transport. This recognises that walking would not only ease traffic congestion but that pedestrian networks would provide safer and more convenient routes for pedestrians.
- 16.1.2 As I have stated elsewhere in my report the Development Plan for Uttlesford consists of the Structure Plan and the Local Plan and policies in both documents carry equal weight. Policies in the Structure Plan do not have to be repeated in the Local Plan but can be refined to provide more detail if required.
- 16.1.3 Structure Plan policies CS1, CS4 and CS5 all require an integrated approach to development and transport and are based on principles of sustainability. Both Policies CS4 and CS5 contain detailed criteria on infrastructure and sustainability and Structure Plan Policy T3 requires a Traffic Impact Assessment for all major developments. Policy BE5 on planning obligations also requires improvements to transport and infrastructure. Structure Plan policies are reinforced by Local Plan Policies GEN1 and GEN6.
- 16.1.4 In my view there are sufficient firmly worded policies in the Development Plan to effectively control development and to ensure that traffic and transport matters are taken into account. It seems to me that it is not the lack of planning policies which gives cause for concern locally, but the implementation of those policies having regard to the cumulative effects of development. In my view the wording suggested by the objector is already covered in Structure Plan and Local Plan policies.
- 16.1.5 How a planning authority organises its staff is not a matter for the Local Plan. However, as the County Council is the transport authority I would not expect this function to be duplicated at district level, other than by the occasional use of consultants, if required, to deal with local issues. (64.1 and 65.1)
- 16.1.6 I agree that from the evidence at Inquiry Saffron Walden has highway problems. However, they can only partially be addressed in the Local Plan. Detailed transport schemes and traffic management proposals should be identified in the Uttlesford Transport Strategy and the Local Transport Plan. The importance of these sub regional and local strategies is recognised in the Plan at paragraphs 1.10 and 1.11. Also see my comments on objection 64.1 above

16.1.7 The Council has recognised in paragraph 15.2 the problems created by heavy goods vehicles using the historic street pattern and has amended the wording accordingly (60.6)

16.1.8 From my visit this appears to be a most important link and I am sure that both the objector and the Council agree that there is a need for a new cycle route between Audley End station and Saffron Walden. However, from the evidence before me it seems the Council has not made progress towards its provision. If progress is made prior to the adoption of the Plan I consider the route should be specifically included, if not, the Council will have to assess whether it is likely that the route will be provided during the Plan period. (92.24)

RECOMMENDATION

- a) **Modify paragraph 15.2 in accordance with proposed further change highlighted above.**
- b) **Include specific reference to the cycle route between Audley End Station and Saffron Walden if progress is made towards its provision.**

16.2 POLICY SW1 – SHOPPING CENTRE

The Objection

138.3 St John's College

Amend policy to include reference to residential uses above shops, or possibly by the removal of backland retail units which are not viable within the secondary location, without the need to advertise the retail unit for 6 months.

Policy is unduly prescriptive and does not allow flexibility for residential uses to come forward. In keeping with the area, the policy should permit some residential uses to complement the existing retail, but not in prime frontages. Residential development could contribute to the vitality and viability. There are potential sites available for residential development which struggle as retail units. A policy preventing changes of use could be counter productive. The need to advertise any retail uses for 6 months is not justified. If the shopping centre is the most important in the district then some small losses ought to be possible without affecting the overall vitality and viability.

UDC Proposed amendment to Policy SW1 and paragraph 15.4

Shops are concentrated in parts of the historic core, particularly King Street, the northern and western sides of Market Place and the central sections of High Street, George Street and Hill Street. Retail uses are generally accommodated in nineteenth and twentieth century buildings and older Listed Buildings. In view of the fragility of the centre's retail health and the strength of the local housing market, a policy is needed to protect retail uses. **In order to maintain the vitality of the centre, conversion of upper floors to residential use will be supported.**

Policy SW1 - Shopping **Town** Centre

The shopping town centre is defined on the proposals map inset.

Change of use of the ground floor of existing shops, restaurants, public

houses and hot food take aways to residential uses will not be permitted, unless both the following criteria are met:

- a) **The existing use is surplus to current and foreseen future requirements; and**
- b) **The property has been widely advertised for at least six months on terms reflecting its use.**

Objections to the proposed change

138.5 St John's College

Proposed change should be removed from Policy SW1 to ensure flexibility in the location of residential uses within the town centre.

In particular we object to the inclusion of the words "ground floor". We feel that this makes the policy prescriptive and we believe that more flexibility should be given to encourage residential uses to come forward. The change to the policy does not allow for certain circumstances such as where a backland (ground floor) retail unit not located on the main frontage may not be viable but it could provide a suitable location for a residential property.

Inspector's Reasoning and Conclusions

16.2.1 I consider that residential uses should be encouraged in appropriate locations in the town centre. The Council has recognised this by including additional wording in paragraph 15.4 supporting conversion of upper floors to residential. Otherwise, the town centre shopping area is tightly knit and I believe the criteria in Policy SW1 Town Centre is flexible enough to permit residential use, including on backland sites, where shopping uses are surplus to requirements. (138.5)(156.20)

RECOMMENDATION

Modify Policy SW1 -Town Centre and paragraph 15.4 in accordance with amended wording shown highlighted above.

16.3 PARAGRAPH 15.6

The Objection

218.53 Saffron Walden Friends of the Earth

Delete 15.6 and replace with "Residential development sites in the town are:

UDC proposed amendment to para 15.6

There are a number of opportunities for the redevelopment of sites for housing within the built up area of the town. **sites within the built up area of the town that have potential for redevelopment as housing.**

Inspector's Reasoning and Conclusions

16.3.1 This objection has been met and withdrawn.

RECOMMENDATION

Modify paragraph 15.6 in accordance with proposed amendment highlighted above.

16.4 PARA 15.6.3 – LAND EAST OF THAXTED ROAD

The Objections

15.6 Swindlehurst

Prefix last sentence with the word "some", add "Convenient access for cyclists, pedestrians and people with impaired mobility will be needed.

Absence of attention in the Plan to the role of walking in the proposed policies.

Journeys on foot relieve traffic congestion; increase social contacts, breaking down segregation & make towns more attractive to live in & have significant health benefits. Walking important to household without cars and include the poorest and most disadvantaged sections of society.

221.7 Porter

Account must be taken of "traffic congestion " and 3.4 access and included in all development applications.

218.3 Saffron Walden Friends of the Earth

The site is unsuitable for housing development of any significant size because of traffic problems. It is partly owned by the District Council and this area should either be retained for allotments or used for development of a smaller number of affordable homes. The site should be kept for employment uses perhaps high tech or sunrise industries unless the land is needed for 100% affordable housing or recreational use in which case employment land provision should be expanded elsewhere in the town.

UDC Proposed no amendments

Inspector's Reasoning and Conclusions

- 16.4.1 I was told that planning permission has already been granted for this development subject to a Section 106 agreement. A condition of the permission requires a footpath and cycleway link to Radwinter Road. In my view the provision of a proper means of access, required by other policies of the Plan, includes the needs of pedestrians and cyclists. Unless there is a specific need identified in relation to a particular site I do not believe it necessary to spell out detailed access requirements in a policy.
- 16.4.2 I have recommended that access for those with impaired mobility be dealt with on the basis of advice in Planning and Access for Disabled People: A Good Practice Guide (15.6)
- 16.4.3 I agree that traffic congestion is one of the factors the Council would need to take into account. However, a satisfactory means of access to all sites is a matter covered by Policy GEN1, and the detailed criteria within it. Whether part of the site is used for affordable housing would be a matter for negotiation under Policy H8 of the Plan. (221.7)(218.3)

RECOMMENDATION

Make no modification to the Plan in response to these objections

16.5 PARA 15.6.4 – SITES IN WEST ROAD AND TUDOR WORKS DEBDEN ROAD

The Objections

218.4 (Objection withdrawn) Saffron Walden Friends of the Earth

Delete para - opposed to the loss of employment land in this part of the town. Encouraging these firms to move to another site will either lose good employment opportunities for local people or will increase the distances that the employees living near home have to travel to work.

218.55 Saffron Walden Friends of the Earth

Add new para 15.6.7 - Further residential locations are dependent on the outcome of a transport assessment for the whole town

UDC proposed amendments to Para 15.6.4

*Sites in **Land at West Road and Tudor Works, Debden Road***

~~Industrial and commercial uses generate~~ **This commercial site generates** traffic in this ~~a~~ part of ~~the~~ town where tight junction geometry poses problems for heavy goods vehicles. The ~~general industrial uses are~~ **commercial use is an** inappropriate neighbour to adjoining houses and residential development ~~Their~~ **and** relocation would represent a planning gain. It is proposed that the net housing density should be at least 30 dwellings per hectare.

Inspector's Reasoning and Conclusions

16.5.1 The West Road site already has the benefit of planning permission for housing and the Tudor Works site has now been deleted.

RECOMMENDATION

Make no further modification to the Plan in response to these objections

16.6 POLICY SW2 – RESIDENTIAL DEVELOPMENT WITHIN SAFFRON WALDEN'S BUILT UP AREA

The Objections

BELL COLLEGE

17.1 The British and Foreign School Society

The housing allocation SW2 should be extended to cover the PF notation and the buildings of the Bell College and the notation changed to SW2/PF. Table relating to SW2 should be amended to 5.1 hectares and 134 dwellings. Consequential amendments to H1 - existing allocations are effectively demoted in the search sequence when compared to the proposed allocation.

BFSS supports the principle of the housing allocation in respect to land at Bell College, but objection is made to the extent of the land currently identified. This should be extended to cover a site of 5.1 hectares with a minimum capacity of 134 dwellings. PPG3 advises sites to be allocated for housing in Local Plans should follow a search sequence which gives priority to the reuse of previously developed land and buildings then urban extensions then new development around roads and good public transport corridors. Land adjoining Peaslands Road falls within the urban area and its potential for redevelopment should take priority over built extensions to the urban areas in the District.

52.1 Smith

Remove the designation of residential land from the playing fields at the Bell College, Saffron Walden. Object to the change of the designation of land at Bell College from protected open space to land for residential development. Do not accept that the designation should be changed to reflect the planning permission. Should the development not commence the land should revert to its former designation as protected open space and any future planning application be decided on its merits and subject to any appeal process. Council should defend this land against any future development and use every opportunity to preserve it as open space. There is strong local opposition to further development within the town without any corresponding increase in local infrastructure. No provision has been made for additional schools that will become essential due to the current oversubscribing of all the schools within the town. There is no environmental gain to the development of this land. It is not a brownfield site. It should be protected as a green space within the town boundary.

58.1 Rice

Delete the housing land notation. Object to the proposed change in the designation of land at Bell College from protected open space to land for residential development. While planning permission has been granted this is only for a limited period. It does not imply that any future housing development should automatically be allowed. I think that if permission expires without work being commenced the land should revert to its former designation as protected open space. Open space and sports facilities are short, traffic congestion is a serious problem to which there is no solution and school capacity is virtually full. To invite housing development to the site would be unwise.

LAND EAST OF THAXTED ROAD

92.13 (Objection withdrawn) Old Road Securities on behalf of Audley End Estates.

Remove land east of Thaxted Road from Policy SW2. Reconsider land available within Saffron Walden urban area through a new urban capacity study. Add land at Ashdon Road to the table as the site already falls within the settlement boundary. Land east of Thaxted Road includes a number of existing and established employment uses with multiple land ownership and tenure. These uses contribute

towards a wide mixture of uses within the urban environment providing the opportunity for people to live and work close to one another. The likelihood of this site being brought forward for residential development must therefore be questioned. Furthermore in the event that this land is developed for residential it will be necessary to find alternative suitable accommodation for the displaced employment uses.

94.4 Saxon Developments Ltd

Land east of Thaxted Road, West Road and Tudor Works. Debden Road sites should be deleted from policy SW2 as should their corresponding notations from the Saffron Walden Inset Map. The dwellings proposed for these three sites should be accommodated in an urban extension to Great Dunmow at Ongar Road.

Three sites are inappropriately proposed for residential development under the terms of this policy. Land east of Thaxted Road, West Road, and Tudor Works, Debden Road. All three sites include existing employment uses and provide job opportunities within walking distance of existing residential communities. Relocating these uses to the employment site at Thaxted Road would remove these benefits. Such a relocation would represent a net loss in sustainability terms. Additionally it is by no means evident that the allotments forming part of the land east of Thaxted Road can be readily replaced on a site convenient to this part of the town. The deliverability of this proposal is therefore questionable while none of the sites appear to have planning permission for residential use thereby casting further doubt on the deliverability of these three proposals.

218.54 Saffron Walden Friends of the Earth

Delete land east of Thaxted Road, West Road and Tudor Works, Debden Road, from Table.

156.21 Saffron Walden Town Council

The Town Council is concerned to note the suggestion that access to the 1.9 ha site to the East of Thaxted Road could be secured through the adjoining Harris' Yard site" The Council believes a Master Plan for the development of this site should be produced and in particular should show how the developers could overcome the access problems. Whilst noting that minimum capacities are shown nonetheless the Town Council are concerned at the suggested capacity for the Thaxted Road site. An application covering approx 1/3 of the site is currently being considered for 70 units. The Town Council believe a more realistic figure should be shown.

OTHER SUGGESTED SITES

81.1 (Objection conditionally withdrawn) Saffron Walden Laundry

Include the laundry site within SW2 as a site identified for residential development. The site which could be regarded as a non-conforming site, is physically and in locational terms, entirely appropriate for residential use on redevelopment. The listed building on the site frontage could be converted back to a house with the rest being redeveloped for housing. The laundry is currently engaged in active negotiations to relocate to an industrial site within Saffron Walden. The site is similar in many ways to other sites listed in SW2.

138.1 St John's College

Identify land between King Street and Church Street for residential /and retail development. Request that land between King Street and Church Street is allocated for residential development. The land at present consists of a variety of uses predominantly single storey retail. It would be possible to accommodate a small

residential development of about 20+ units within the area possibly with some retail uses.

209.1 Three Valleys Water Plc

Add the site Debden Road to the table in policy SW2 - site area 0.25 minimum capacity 12. New para 15.6.7 This site comprises pumping station and depot use. In taking account of the Pumping Station's continued operation, the remaining depot use would be suitable for redevelopment to provide between 12-15 houses/flats at a density of 50 dph.

220.6 Essex County Council

We do not intend to ask for any developer contributions for additional primary school places for any of these small sites in Saffron Walden as there is sufficient school provision in permanent accommodation to take the children from these new developments, However we will need developer contributions for additional secondary school places as follows. Raynhams - 2, Braybrooke Gardens - 7, Harris Yard -3, Land east of Thaxted Road - 13, West Road - 3, Tudor Works - 3, Printpak - 16, Bell College - 5

UDC proposed amendments to Policy SW2

Policy SW2 - Residential Development within Saffron Walden's Built Up Area
The following sites, identified on the proposals map, are proposed for residential development.

<i>Site</i>	<i>Site area</i>	<i>Minimum capacity</i>
Raynham's, High Street	0.26	12
Braybrooke Gardens and Jordan Close, Station Street	1.07	34
Harris Yard, Thaxted Road	0.22ha	14
Land east of Thaxted Road	1.9 ha	67
West Road	0.48 ha	17
Tudor Works, Debden Road	0.46 ha	14
Land at Printpack site, Radwinter Road	1.25 ha	80
Land at Bell College	1.4 ha	23

These will be supplemented by other sites, within the settlement boundary which will be generally small in scale and are not specifically identified on the Proposals Map.

Inspector's Reasoning and Conclusions

BELL COLLEGE

16.6.1 The omission site of 2.113 ha is part of a site leased to the Bell Educational Trust by the objector. The lease expires in 2007. The site fronts on Peaslands Road and adjoins a site which has been released for housing to the east and the remainder of the college to the west.

16.6.2 The Trust, an educational charity, provides language education, mainly in English, for both adult students and young learners, and also trains teachers.

I was told the college has between 150 and 260 students although it could have more and had a staff of 98 in May 2003. About 80% live in Saffron Walden. The college provides a range of local employment.

- 16.6.3 Butler Hall, within the omission site, is a 4 storey building with 101 study bedrooms. 171 students can be housed on the site. This includes accommodation for 70 in the main college buildings outside of the omission site fronting South Road. and about 50 are housed with local families.
- 16.6.4 Although I did not find Butler Hall to be a building of any particular merit it appears that it is a key element in college life. It is a versatile building which can provide segregation and supervision for Young Learner Courses.
- 16.6.5 In my view the loss of Butler Hall could have severe implications for the college. If this facility is as fundamental to the running of the college as it appears it would have to be replaced on the remainder of the site which is tightly developed. There would be an inevitable loss of student capacity, which might put the college at risk.
- 16.6.6 I agree with the objector that the omission site would be in a sustainable location. It is surrounded by housing and is only about 800m from the eastern end of the High Street. It is also more conveniently located than the Ashdon Road site, which is about 1.7 km from the town centre. Having regard to the existing character of buildings on site it could partially be developed in the higher density range. Also with the shortage of public open space in the town, provision could be made within the development for public open space.
- 16.6.7 I accept too that the omission site is better located than other allocated sites. It is within the largest town in the district and closer to a wider range of facilities. These other main sites have, however, all been allocated for some time and have the benefit of permission to develop. Some have already commenced.
- 16.6.8 However, I am concerned about the traffic implications of further housing development in this area. At various sessions of the Inquiry concern was expressed about the cumulative effects on traffic and traffic patterns of apparent ad hoc decisions on housing. In my view, housing development at a higher density commensurate with advice in Planning Policy Guidance No. 3, would lead to a significant increase in commuter and school trip movements. I believe a Traffic Assessment Study would be necessary to ensure that not only Peasland Road could take the additional traffic, but also that junctions elsewhere in the town would not exceed reserve capacity.
- 16.6.9 Also one of the fundamental principles in the Employment Chapter of the Plan is to safeguard key existing employment land. In my view Bell College is at present a key employment site for Saffron Walden and it should not be lost to the more profitable housing market without the implications of the loss being robustly investigated.
- 16.6.10 I have commented on the future needs of the district in the Housing Chapter of the Plan at Policy H1 and have also concluded that if my recommendations are met there will be sufficient land to meet Structure Plan requirements during the Plan period.
-

- 16.6.11 For the reasons stated above I do not consider there is sufficient justification to re-allocate the omission site for housing. If it comes forward as a windfall during the period of the Plan because the college chooses, or is forced by circumstances, to move elsewhere, the Council will need to assess the employment loss and the traffic implications of any such proposal at that time.(17.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

* * *

- 16.6.12 As the allocation for housing reflects a planning permission already granted to meet Structure Plan requirements it would be illogical to ignore this in the designation. As I understand it there does appear to be some environmental gain in that recreational facilities form an integral part of the scheme. (52.1)(58.1)
- 16.6.13 At Inquiry I saw a layout for the site which had the benefit of planning permission, subject to a Section 106 agreement, which also showed the relationship of the development with adjoining land. I accept that purely in density terms a higher figure could be included as this would better reflect what has already been permitted. However, I understood that there may be traffic implications with increased densities which the Council would need to take into account. I consider the Council should review the figures in Policy SW2. I agree with the objectors that the Thaxted Road site is conveniently located for industry but it is similarly well located for housing and as the Council has granted permission for the main part of the site the remaining area would not in my view be suited for modern industry. (92.13)(218.54)(156.21)
- 16.6.14 The .48 ha at West Road already has a planning permission for housing and the allocation reflects this. The Tudor Works site has been deleted in the Revised Deposit Draft. See above regarding land at Thaxted Road (94.4)
- 16.6.15 From my visit I found the Saffron Walden Laundry to be located on the edge of the town centre and in a location suited to residential development. The Council has accepted this and now proposes that the premises be excluded from the town centre designation. (81.1)
- 16.6.16 I found the land between King Street and Church Street to be an integral part of the town centre and I do not consider it would be appropriate to exclude it from the town centre designation. There may well, however, be opportunities for residential development on the site as part of a mixed use scheme. (138.1)
- 16.6.17 As this is a small site within a residential area there is no need for it to be specifically allocated for housing. If surplus to requirements the site could come forward as a windfall in accordance with the revised wording of

Policy SW2 "These will be supplemented by other sites within the settlement boundary which will be generally small in scale and are not specifically identified on the Proposals Map." The Council has allocated some small sites but this is where a fundamental change to the area would occur. (209.1)

16.6.18 Any negotiations for contributions for additional school places would be on the basis of Policy GEN6. Detailed requirements for each school would not be included in the Plan.(220.6)

RECOMMENDATION

- a) **Review the density figure for the Thaxted Road sites.**
 - b) **Modify Policy SW2 in accordance with proposed amendments highlighted above.**
-

16.7 REVISED DEPOSIT - NEW PARAGRAPH 15.7 AND POLICY SW#

The Objections

218.63 Friends of the Earth

Retention of this land for business purposes. Removal of para 15.7 and policy SW# We object to the loss of 4.4ha of employment land. There is a shortage of land for small businesses in Saffron Walden (50% of residents out-commute). Unsuitable for housing - next to oil storage depot.

220.22 ECC Learning Services

If the land to the south of Ashdon Road identified as a reserve housing site is required for residential development then this is likely to result in a request for a developer contribution to increase secondary school provision for the additional pupils that will arise from this development. Saffron Walden High School is currently operating at capacity.

119. 59 Proto Ltd,

Delete proposed allocation and delete text. The former Newton Works at Great Dunmow and land adjoining the Saffron Walden Business Centre should be deleted as they will not effectively meet modern business needs. These sites fail to adequately meet the criteria for securing economic and employment growth.

120. 9 Laing Strategic Land Ltd

Re-instate First Deposit Policy SW3. The Saffron Walden business park is the largest employment land allocation in Saffron Walden. The plan provides no economic justification for its deletion and no replacement sites in Saffron Walden are proposed. Given the limited range of sites in the town and the difficulty in finding new sites the deletion of Policy SW3 undermines the ability of Saffron Walden to flexibly respond to employment requirements in the period to 2011.

186.8 Siemens Pension Fund

Policy should be deleted - Land at Folly Farm should be identified as a reserve housing site instead of land south of Ashdon Road

233.1 (Objection withdrawn) Carter Jonas

Remove SW# and allocation of land south of Ashdon Road as a reserve housing site. We object to this policy and allocation as there are other more suitable locations in Saffron Walden for housing sites. These sites are located on superior transport corridors with better levels of service provision. There are also large brownfield sites which, in accordance with PPG3 should be considered for housing development before Green Field sites. Allocation of some of these alternative sites would involve removal of employment uses or allocations but in the case of SIA the site is no longer viable.

Inspector's reasoning and conclusions

16.7.1 The increase in secondary school provision at Saffron Walden High School if the Ashdon Road reserve site were to be developed would be dealt with under Policy GEN6. (220.2)

16.7.2 Not all existing sites can meet modern business needs, but this does not mean they will not contribute to local employment opportunities in convenient locations. (119.59)

16.7.3 I have dealt with the merits of the Ashdon Road as a housing site in the Housing Chapter of the Plan and Folly Farm, Great Dunmow as an omission site. In principle Folly Farm, a green field site, should not take precedence over Ashdon Road which is a long standing allocation within the settlement boundary, albeit previously allocated for a different use. (120.9)(186.8)(218.63)

RECOMMENDATION

Make no modification to the Plan in response to this objection

16.8 PARAGRAPH 15.8

The Objection

218.56 Saffron Walden Friends of the Earth

A statement about the need to protect local employment should be made in this para.

UDC proposed no amendment to paragraph 15.8

Inspector's Reasoning and Conclusions

16.8.1 As the Plan is to be read as a whole I see no need to repeat the key objectives and policies in Chapter 4 of the Plan which includes the safeguarding of local employment uses. (218.56)

RECOMMENDATION

Make no modification to the Plan in response to this objection

16.9 PARAGRAPH 15.9

The Objection

218.57 Saffron Walden Friends of the Earth

Delete "heavy" in last sentence and replace with "extensive forest scale trees and landscaping"

UDC Proposed amendment to para 15.9

~~This Plan identifies 5.4 hectares of employment land between Saffron Walden Hospital and Ashdon Road. This land is allocated in order to provide scope for high quality Class B1 development in a landscaped setting. Neither the Shire Hill Industrial Estate nor the Ashdon Road Commercial Centre offers the potential for this type of scheme, and a 'business park' would provide accommodation of a type not presently available in the town.~~ **This Plan identifies 1.0 hectares of employment land adjoining Saffron Business Park, Elizabeth Close. It is proposed as a site for further development to accommodate businesses falling in Class B1, light industrial, offices or research and development facilities.**

Objection to proposed change

218.64 Friends of the Earth

Restore the original policy SW3 Eliminate policy SW#

The whole site originally identified as suitable for a business park should be retained. 1 hectare is too small for an adequate development

Inspector's reasoning and conclusions

16.9.1 Because the Council has changed the allocation paragraph 15.10 has been deleted (218.57)

16.9.2 I have dealt with the merits of Ashdon Road for development in the Housing Chapter of the Plan. The Council has agreed that much of the employment allocation should be deleted and the land should be a reserve site for housing Nature Conservation would be dealt with under Policy GEN7 and Policy ENV7 (218.63) (218.64)(1.1)(60.3)(148.1)(221.9)(92.14)(119.47)

RECOMMENDATION

Modify the Plan in accordance with the proposed amendment to paragraph 15.9 highlighted above

16.10 POLICY SW3 – SAFFRON WALDEN BUSINESS PARK

The Objections

1.1 Morton

The policy should be deleted. A new policy should identify the meadow grassland as a County Wildlife Site. The site is served by narrow and congested roads and most commercial traffic will also have to navigate the congested town centre. The draft policy acknowledges the issue but tries to defer proper consideration to a later 'traffic impact assessment'. This is an admission that the problem has not been quantified and that no solution is feasible. This is not a suitable location for a commercial area. There is no need for land to be allocated for commercial or industrial development. Part of the site to the rear of ambulance station/hospital is an area of semi natural unimproved grassland which is rare in Saffron Walden & Uttlesford. Bee orchids, which are uncommon in Uttlesford are found on site. The field should be protected from development and managed for benefit of biodiversity.

60.3 Leeming

I have major reservations about the proposed business park to the south of Ashdon Road. The traffic on Ashdon Road and Radwinter Road is already horrendous and it would clearly be undesirable to provide access anywhere near Saffron Walden hospital for which a future does seem to be envisaged.

148.1 Ashdon Parish Council

Ashdon Parish Council notes the intention to develop the above 5.4 hectares between the Ashdon and Radwinter Roads as a business park and trusts that a full traffic impact assessment will be carried out prior to any permissions being granted: furthermore that no extra traffic will be routed or allowed to be routed through the village of Ashdon.

221.9 Porter

In Saffron Walden for instance in proposed Business Development south of Ashdon Road a traffic impact assessment will be required. There are serious road haulage implications through the town centre of very large trucks through the narrow medieval streets.

92.14 (Objection withdrawn) Old Road Securities on behalf of Audley End Estates

Re-allocate land at Ashdon Road for an element of light industrial uses, some live-work units, public open space, market and affordable housing. There are more appropriate sites within Uttlesford for the development of a "business park" and specifically a high quality B1 development. These include Chesterford Park and land to the north east of Wendens Ambo. A comprehensive urban capacity study would have identified this site as an existing employment site that could be reallocated for residential

119.47 Proto Limited

Delete policy - None of the sites identified meet the criteria for securing economic and employment growth. They will fail to meet the Structure Plan requirement because of their qualitative limitations

156.22 Saffron Walden Town Council

The site has been included in the present plan and has shown no sign of being developed. The Town Council believes this site is on the wrong side of town and that access for industrial vehicles is difficult and undesirable. The proposals for Chesterford Park should be reallocated in such a way to ensure that the replacement designation would allow for a substantial amount of public open space.

219.26 English Heritage

Given the extremely difficult traffic problems in Saffron Walden we consider further thought is needed as to how these are to be addressed before allocation is made.

UDC Proposed deletion of Policy SW3 and replacement with policy SW#

**Policy SW# Land adjoining the Saffron Business Centre
A 1.0 hectare site identified on the proposals map inset is proposed as an employment site for uses falling within Class B1. Development will be permitted if it includes appropriate measures for landscaping and amenity protection.**

Inspector's Reasoning and Conclusions

16.10.1 I have dealt with the merits of Ashdon Road for development in the Housing Chapter of the Plan. The Council has agreed that much of the employment allocation should be deleted and that the major part of the land should be a reserve housing site. Nature Conservation would be dealt with under Policy GEN7 and Policy ENV7 (218.63) (218.64)(1.1)(60.3)(148.1)(221.9)(92.14)(119.47)(156.22)(219.26)

RECOMMENDATION

Modify by deleting Policy SW3 and replacing with Policy SW# highlighted above.

16.11 POLICY SW4 - THAXTED ROAD EMPLOYMENT SITE

The Objections

119.48 Proto Limited

Delete policy - None of the sites identified meet the criteria for securing economic and employment growth. They will fail to meet the Structure Plan requirement because of their qualitative limitations.

156.23 Saffron Walden Town Council

Add the following wording to the end of the policy "including existing public rights of way". Whilst supporting this proposal the Council are keen to protect a well used and attractive public right of way. They suggest an addition to the policy

UDC Proposed change to Policy SW4

Policy SW4 – Thaxted Road Employment Site

A 3.76 hectare site at Thaxted Road is proposed for employment uses. Development will be permitted if it includes appropriate measures for landscape and amenity protection including existing public rights of way.

Inspector's Reasoning and Conclusions

16.11.1 I have reported on employment sites in the Employment Chapter of the Plan. From my visit I found SW4 to be well related to existing employment sites, separated, but not too far, from extensive housing areas and on a main public transport route. In my view it is a logical allocation to serve local employment needs. (119.48)

16.11.2 The Council has now included the wording suggested by the objector to safeguard existing rights of way (156.23)

RECOMMENDATION

Modify Policy SW4 in accordance with proposed change highlighted above.

16.12 POLICY SW5 – SAFEGUARDING OF EXISTING EMPLOYMENT AREAS

The Objections

129.1 SIA Abrasives Limited

The SIA site should be zoned for residential use. It is within the town boundary, close to amenities. The site has been zoned for its current use rather than what is most suitable to the site and its location. Intensification of the industrial use would cause both environmental and traffic issues for the surrounding area. Radwinter Road is inappropriate for industrial uses due to the residential neighbourhoods of the converted hospital, and Fairview's development. The road capacity is not sufficient for HGV's of any description serving the subject site due to the restricted road width, the on street parking and the pedestrian and car flow to both the residential areas and the Tesco Superstore. The site is unsuitable for industrial use due to be historic nature of the buildings and the lack of underlying industrial demand. As an industrial site it would be uneconomic and unsuitable for redevelopment. There is a lack of suitable employees.

162.1 (Objection withdrawn) Carter Jonas

SIA factory should be excluded from SW5 and included for residential development in policy SW2. The SIA site is more suitable for residential development

Inspector's Reasoning and Conclusions

16.12. It is necessary to balance the needs of employment and housing. Existing large employment sites within settlement boundaries are scarce and once lost to housing, at present a far more profitable use, they are gone for ever. The site is on the edge of town but located close to public transport routes. Policy SW5 merely safeguards an existing key employment site for that purpose, it does not give any indication of the type of industrial development which might be acceptable on the site in the future. The Council acknowledges there is a traffic problem in the north east of the town, this is one of a number of reasons the Ashdon Road site was re allocated for housing. Future development will need to take traffic considerations into account. I have referred to this when dealing with objections to housing proposals in the town. (129.1)

RECOMMENDATION

Make no modifications to the Plan in response to these objections

16.13 NEW POLICY - ARTS CENTRE

The Objections

60.1 Leeming,

Make some reference in the plan to the need for an arts/cultural facility in Saffron Walden. Section 7 in the plan - Leisure and Cultural Provision contains nothing about cultural provision. There is a clearly expressed view in Saffron Walden that the town badly needs an Arts Centre and a group has been formed to promote the idea The first step could be some recognition in the plan that there is a need with suggestions on land/building allocation. Surely UDC as a planning authority can recognise that good multi cultural provision can have huge direct and indirect economic benefits for a town.

156.25 Saffron Walden Town Council

The District Council should identify a suitable site in Saffron Walden for an Arts Centre and suggest the following policy" provision is made for x hectares of land at y specifically for the provision of an all purpose Arts Centre for the Uttlesford District" The recent loss of the Arts Centre in the Town Centre has meant that the District has no Arts Centre at all. The town council notes that the recent feasibility study undertaken by the District Council identified Saffron Walden as the most suitable location for an arts centre.

Inspector's reasoning and conclusions

16.13.1 I have no doubt from the evidence at Inquiry that the Town Council has for some time been trying to find a site for such a facility. Since these objections were written I have considered a positive proposal at Inquiry supported by the Town Council.

RECOMMENDATION

See my recommendation at paragraph 16.16.1 below

16.14 NEW POLICY - CAR PARKING

The Objection

156.27 Saffron Walden Town Council

Add new policy " Provision is made for x hectares of land at y specifically for the provision of public car parking.

The town council believes that Saffron Walden has two major problems in respect of transport; congestion and car parking. As a medieval town with narrow streets and listed buildings there is a limit to what can be done in terms of highway engineering. Nonetheless the Town Council believes that as part of the Uttlesford Transport Strategy, Uttlesford District Council should invite consultants to arrange a traffic study for Saffron Walden. The town Council recognises the need for additional car parking. However for the same reasons as above identifying new and viable car park sites is very difficult. The Town Council believes this requires imaginative and creative thinking to adopt new practices and would ask that the District Council carry out this exercise and identify and zone new sites for car parking. Because of the importance that the car must play in a rural area the Town Council consider additional car parking must be provided.

Inspector's Reasoning and Conclusions

16.14.1 I have dealt with the arguments about community facilities and additional car parking in the town when considering the package of proposals at paragraph 16.16.1 below. At the time of Inquiry a traffic survey had been carried out by the District Council but awaited analysis by the County Council as highway authority.

RECOMMENDATION

See my report at paragraph 16.6.1 below

16.15 SITE: THAXTED ROAD, SAFFRON WALDEN

The Objection

78.1 Kier Land Ltd

Amend the settlement boundary to include (i) land south of Rystone Way; (ii) north east of the civic amenity site; and (iii) south of the Leisure Centre and Winstanley Road, and identify the site for residential/employment development

There will be a requirement for housing and employment development to take place at the periphery of Saffron Walden. Land for employment at Thaxted Road has already been identified. There is limited scope to utilise brownfield land within the town. Question the reliability of the Housing Capacity Study and the assumed level of housing that will be delivered. Urban extensions are the next most suitable option of new housing and employment growth. Sites in Thaxted road are capable of

providing a sustainable urban extension with a mixture of uses and transport options. This will help to ensure that a planned urban extension is delivered as and when the need arises.

Inspector's Reasoning and Conclusion

- 16.15.1 The 3 sites proposed would total around 20 ha and their development would involve significant expansion into open countryside. The capacity of the sites is such that they would provide for more than purely local need. Such a release in my view could only be justified to meet Structure Plan housing requirements. I have dealt with the argument about the need for additional housing land allocations in the Housing Chapter of the Plan at Policy H1. (78.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection.

16.16 SITE: LAND WEST OF LITTLE WALDEN ROAD, SAFFRON WALDEN

The Objection

92.2 Old Road Securities, Audley End Estates

Amend the settlement boundary of Saffron Walden (as identified) on the attached plan) to provide for mixed uses including a new arts centre, additional town centre car parking, recreational open space of a town/country park, public open space, sheltered housing/affordable housing, a chiropractice and a reserve area for new housing. There is a pressing and identifiable need within Saffron Walden for a variety of community facilities including a new arts centre, additionally town centre car parking, recreational open space, sheltered housing, a chiropractice. There is an ideal site at Audley End Road which could be utilised to assist deliverance of all these community facilities. The site is close to the town centre and surrounded on all sides by existing footpaths. The site is served by suitable vehicular access from Catons Lane. The site would provide an ideal "reserve" site for residential development in the event that other allocated sites are not brought forward, windfall sites do not emerge as anticipated or if housing requirements are discovered

Inspector's Reasoning and Conclusion

- 16.16.1 Saffron Walden Town Council is very concerned that the town has lost the Arts and Community Centre facility provided within the Town Library in the old Corn Exchange. In the face of expanding library requirements the County Council has taken the decision to exclude Arts and Community usage in the library. The desire of the Town Council to provide an independent Arts and Community facility has existed for some time and was the subject of independent research in 1998. Both the Town Council and the County Council have shown commitment to the proposals.
- 16.16.2 The Town Hall was built in 1879, for a town which at that time had a population of 3000, and although well used is restricted to about 125

for sit down events. It is a listed building, which restricts alterations both physically and financially. It has limited lift facilities, poor toilet provision, and stage and changing facilities are very restricted. There is limited public car parking in the market square and loading and unloading takes place from the highway.

- 16.16.3 A further long standing problem identified by the Town Council is that for years the town has suffered inadequate provision of playing fields by reference to National Playing Fields Association standards. Existing publicly available playing fields extend to about 15.75 ha, which is assessed by the Town Council at about 43% of the recommended provision. The Town Council has been attempting to acquire the omission site at Little Walden Road for some years, and in previous plans in 1964 and 1981 local plans allocated the site as open space.
- 16.16.4 The Town Council has also identified car parking problems to the northern part of the town. I noted that the public car park at Catons Lane rarely has spare capacity during the day and there is extensive on street parking in the area. The Swan Meadow car park to the west of the town centre does have some spare capacity but is in a less convenient location.
- 16.16.5 Because of the needs identified by the Town Council and following support from group political leaders, negotiations have taken place with The Audley End Estate, the owners of extensive land holdings throughout Saffron Walden. Such ownership includes the omission site at Little Walden Road, currently in agricultural use, and also the reserve site for housing at Ashdon Road under Policy H1.
- 16.16.6 Since March 2003, when objections were confined to the promotion of land at Little Walden Road as a housing site and support for the Ashdon Road reserve site, negotiations have taken place to promote a package of development proposals for the two sites, including a number of community benefits.
- 16.16.7 As a result of these negotiations the Town Council now supports the early release of land at Ashdon Road as a specific allocation for housing under Policy H1 with an element of mixed use, instead of retaining it as a reserve site. This would enable playing fields and a site for an arts and community centre with a car park attached, to be provided together with some affordable housing on the Little Walden Road site. Because of its close proximity to the town centre a Housing Group have expressed an interest in developing Affordable Housing on the Little Walden Road site.
- 16.16.8 Illustrative proposals have been prepared showing a layout comprising 62 units of affordable housing which represents 40% of the requirement that would be generated by the development of the Ashdon Road site for all market housing. (This 40% requirement has, however, been objected to elsewhere in the Plan. See my report on Affordable Housing provision.). The scheme also shows an indicative layout for pitches, a cycle track, the community centre and

parking. I consider that the juxtaposition of uses would need to be improved but the drawings are only illustrative showing how the uses could be accommodated on the site.

- 16.16.9 The Council considers that an Arts and Community Centre could be assessed under Policy LC2 which allows for the provision of community facilities outside development limits if certain criteria are met. It seems to me from the evidence at Inquiry that the need for the facility can be demonstrated, the need cannot be met on a site within the settlement boundaries, and the site is well related to the settlement. Because of this the proposal could be dealt with under Policy LC2. The same argument would also apply to the provision of various open space uses and pitches.
- 16.16.10 The District Council has not identified a particular need for additional public car parking but in my view it would be logical to accept that car parking spaces provided for the benefit of the Arts and Community Centre could also be used to supplement public car parking. From my visit to the site and surrounding area and subject to satisfactory design I consider the impact of the proposal on the character of the area would be acceptable. Also because of its location adjacent to existing development access would be convenient for pedestrians and cyclists as well as cars. Wherever community facilities are provided there will be some change to the pattern of traffic but in my view in this location the effect on the historic core would not be significant.
- 16.16.11 As advised in Circular 06/98 decisions about what affordable housing types to build should reflect local needs and individual site suitability. It seems to me that because of its location the Little Walden Road site is a sustainable location for some affordable housing because of its proximity to the town centre and a wide range of facilities. I see no reason in principle why some affordable housing should not be provided on the site as it would be in accordance with advice in paragraph 22 of the Circular which allows for financial or *other contribution* to be made *on another site*. I do share the view of the Council, however, that it would be undesirable to meet the whole of the affordable housing allocation on the omission site, and that part of the affordable housing element should be met at Ashdon Road to create a balanced community. The Council considers that any affordable housing element on the omission site could be dealt with under Policy H10 and there is no need to specifically allocate land for the purpose.
- 16.16.12 However, although it would be possible to deal with the various proposals as exceptions through the planning application procedure to my mind a site specific proposal in the local plan would provide a positive lead for development and help create certainty both for developers and the local community. With the mixture of uses and facilities to be provided on the omission site I consider a pro-active approach is required by inserting a specific policy in the Leisure and Cultural Provision Chapter. This would either lay down clearly those elements acceptable on the site and their location, or alternatively

provide criteria on which a detailed planning brief could be based. For consistency of approach a supplementary policy in the Saffron Walden Inset Chapter would also be required.

- 16.16.13 I have dealt with the allocation of land for housing, including Ashdon Road in Policy H1 and have concluded that half of that site should be brought forward as an allocation during the Plan period..

RECOMMENDATION

That the Plan be modified by

- (a) inserting a new policy in the Leisure and Cultural Provisions Chapter allocating the omission site at Little Walden Road for a mixture of community uses with some affordable housing:**
- (b) altering the Proposals Map accordingly, and**
- (c) inserting a supplementary policy in Saffron Walden Inset Chapter. (I am unable to suggest detailed criteria as the illustrative plans will need revision having regard to the juxtaposition of uses, a reduction in housing numbers and the amount of car parking to be provided).**

16.17 SITE: LAND AT HERBERTS FARM, SAFFRON WALDEN

The Objection

48.1 Frogmore Investments Ltd

Amend settlement boundary to include land at Herberts Farm and designate site on proposals map for housing and public open space.

Land at Herberts Farm is promoted for housing and public open space as an extension to Saffron Walden to which it is well related, thus representing a sustainable location for such development

Inspector's Reasoning and Conclusion

- 16.17.1 Herberts Farm is an irregular shaped area of land having no clearly defined relationship with the built up area of the town or the road. It would involve an island of development intruding prominently into the agricultural landscape. The 17ha site could take in excess of 500 dwellings, more than is necessary to meet local needs. From my visit I found this omission site to be far less appropriate for housing to meet the requirements of the Structure Plan than other sites I saw in the district. See my report in the Housing Chapter of the Plan at Policy H1.

RECOMMENDATION

Make no modification to the Plan in response to this objection

16.18 NEW POLICY - SEWARDS END

The Objection

156.26 Saffron Walden Town Council

New policy SWTC5 - Swards End Playing Fields - Provisions is made for x hectares of land at y specifically for the provision of public playing fields.

As with Saffron Walden itself there is inadequate playing field space in Swards End. Local sports clubs have to play outside of the village and there is a demand for play facilities for younger children

Inspector's Reasoning and Conclusion

16.18.1 As playing fields are acceptable outside of settlement boundary limits there may be a choice of such sites where provision could be made if the resources are available. Unless the Council has a specific site in mind which could be allocated and would be developed during the Plan period any such proposals would need to be dealt with under paragraph 7.3 and Policy LC2.

RECOMMENDATION

Make no modification to the Plan in response to this objection

17. STANSTED AIRPORT INSET AND MAP (CHAPTER 16)

17.1 GENERAL

The Objections

228.10 Stansted Parish Council

There can be no commitment to further development at Stansted Airport unless a proper independent assessment of the environmental impact is made; The economic cost of air transport is assessed and likely future demand calculated; a review of air space is undertaken to ensure safety; other options are seriously reviewed in considering the long term airport policy. A public inquiry must be convened. The reasons surrounding aviation policy and the specific concerns relating to more than

doubling the size of Stansted Airport make it inappropriate for the latter to be decided through a planning application. The Parish Council consider that 25 mppa plus cargo cannot be accommodated whilst retaining the rural character of the surrounding area. As such, the minimum requirement is for all of these issues and concerns to be analysed and examined at a public inquiry.

226.2 North West Essex & East Herts Preservation Assoc

The Local Plan should contain a copy of the area map specifically showing the 57dB(A) Leq contour, the flight paths and their swathes and the positions of the noise monitors at either end of the Stansted runway. It would be helpful to have an explanation as to why the Safeguarded Areas to the north and east of the airport do not reappear in Deposit Plan.

229.3 Chelmsford Borough Council

It is considered unhelpful that the Local Plan, which covers the period up to 2011, fails to provide any realistic guidance on the expansion needs of the airport beyond 15 mppa, not only in the context of the submitted planning application, but also in recognition of the fact that much of this expansion is expected to occur during the Plan period. This could place further unplanned development pressures on Chelmsford. Plan should recognise this situation, or have contingencies in place to address the infrastructure and other development requirements should this expansion be accepted.

Inspector's Reasoning and Conclusions

- 17.1.1 The future of Stansted Airport, which I consider is unlikely to materially affect this Plan up to 2010, will be considered in the context of government policy on the Future Development of Air Transport in the UK and the new Regional Planning Guidance for the East of England. Planning permission has already been granted for an increase in throughput to 25mppa. (228.10)
- 17.1.2 The Local Plan provides a framework for planning decisions and includes policies to guide development and detailed proposals for specific sites. The Stansted Airport Inset deals with specific development zones within the airport and the noise contour maps showing flight paths and their swathes are not related to this land use development. There is a complex range of information in detailed reports on Stansted Airport which can be referred to if required. Noise sensitive developments are dealt with in the Environment Chapter of the Plan. (226.2)
- 17.1.3 I have dealt with the implications of the permitted expansion of throughput at the airport to 25mppa when considering future housing and employment requirements for the district.(229.3)(119.49)

RECOMMENDATION

Make no modification to the Plan in response to these objections

17.2 PARAGRAPHS 16.2 & 16.3

The Objection

119.49 Proto Limited

Recast following urgent review of likely future needs and the travel, economic and social consequences of accommodating less related or associated activities within the airport boundary

Policies AIR1 to AIR5 set out a range of activities for which each of the five sites is "principally reserved for " This paragraph makes it clear that those uses/activities are not intended to be definitive or exclusive. There could be an attempt to make the relevant policies more definitive and thus clearly and easily understood. It is noted that there is the reference to an hotel within policy AIR1 and scope for considerable flexibility as to the uses within the policy AIR2 area. Offices for a very wide variety of support functions are permitted within the AIR3 area and the northern ancillary area can be used for similar support functions as in policy AIR3. If the reviews of airport policy suggest that Stansted should accommodate additional traffic and the current application is permitted then the extent to which the airport site can accommodate associated or indirect activity is questionable. Many of the associated activities may be more appropriately accommodated off airport.

Inspector's Reasoning and Conclusions

17.2.1 Since the Revised Deposit Draft was adopted planning permission has been granted to increase the throughput of the airport to 25mppa by 2010. That application included those extensions to existing facilities needed to provide for increased throughput, including the passenger terminal, transit shed, maintenance facilities, increased parking, internal road network, increased bus coach and rail capacity and office extensions. I found no indication that the airport would not be able to accommodate all of its requirements during the Plan period and beyond. Various plans have been produced for BAA showing how development might evolve in accordance with Structure Plan Policy B1W7.

RECOMMENDATION

Make no modification to the Plan in response to this objection

17.3 POLICY AIR1 – DEVELOPMENT IN THE TERMINAL SUPPORT AREA

The Objections

119.50 Proto Limited

Delete "principally" in line 2 and "an hotel and associated parking" in Line 5. The policy should be clear and concise in terms of the uses to be accommodated and exclude those activities that are not closely related to the airport.

146.1 (Objection withdrawn) Copping

Insert in policy AIR 1 at the end of the first para " to support up to and not beyond 15 mppa" Add a policy as "AIR 8" stating that no further runway development will be permitted beyond the existing operational runway and the authorised stand-by runway. Policy AIR 1 does not state the Council's policy on expansion at the airport -

which is limited to 15 mppa. Furthermore Chapter 16 of the Plan does not refer to any potential changes in the area of and around the operational runways and taxi ways and neither does the inset map.

Inspector's Reasoning and Conclusions

17.3.1 The local Plan must be in conformity with the Structure Plan Policy BIW7. The uses listed in Policies AIR1 to AIR5 accord with the Structure Plan as does the statement in paragraph 16.3. If the lists in the policies were intended to be exclusive then the word "principally" would not be required. I understand from the Council's evidence and the wording of paragraph 16.2 that it is not the case and the word gives some flexibility to accept other appropriate uses at the airport. Some updating is required to recognise the recent planning permission to increase the capacity up to 25mppa. See also paragraph 17.2.1 above. (119.50)(119.51)(119.52)(119.53)

RECOMMENDATION

Modify the Plan by updating to taken into account the recent planning permission to increase the airport capacity to 25mppa.

17.4 POLICY AIR2 - CARGO HANDLING /AIRCRAFT MAINTENANCE

The Objection

119.51 Proto Limited

Delete " principally" in line 2. Delete associated with in lines 3 and 4 and replace with FOR. The policy should be clear and concise in terms of the uses to be accommodated and exclude those activities that are not closely related to the airport (see also reasoning to representations to paras 16.2 and 16.3)

Inspector's Reasoning and Conclusions

17.4.1 See paragraph 17.3.1 above

RECOMMENDATION

Make no modification to the Plan in response to this objection

17.5 POLICY AIR3 – DEVELOPMENT IN THE SOUTHERN ANCILLARY ZONE

The Objections

119.52 Proto Limited

Delete "principally" in Line 2. Delete from "offices in the line 4 to "centres" in line 8. This policy should be clear and concise in terms of the uses to be accommodated and exclude those activities that are not closely related to the airport

165.4 (Objection withdrawn) Riverbrook Estates Limited

Add before the final sentence "development involving the provision of a Motorway or roadside Service Area will not be permitted within Policy Area AIR 3.
Fully support this policy but would suggest the additional sentence.

Inspector's Reasoning and Conclusions

17.5.1 See 17.3.1 above

RECOMMENDATION

Make no modification to the Plan in response to this objection

17.6 POLICY AIR4 – DEVELOPMENT IN THE NORTHERN ANCILLARY AREA

The Objection

119.53 Proto Limited

Delete "ancillary" in the title to the policy. Delete principally in line 2. Amend list of activities acceptable arising from policy AIR3.
This policy should be clear and concise in terms of the uses to be accommodated and exclude those activities that are not closely related to the airport.

Inspector's Reasoning and Conclusions

17.6.1 See 17.3.1 above

RECOMMENDATION

Make no modification to the Plan in response to this objection

17.7 AIR5 – THE LONG TERM CAR PARK

The Objection

226.4 North West Essex & East Herts Preservation Association

Reference in policy to the need for underground car parking facilities at the airport.
Need to avoid the adverse visual impact of large scale external car parking areas or any multi storey buildings which may be proposed.

Inspector's Reasoning and Conclusions

17.7.1 I do not consider it would be appropriate to prejudge whether an underground car park would be necessary on visual amenity grounds (226.4)

RECOMMENDATION

Make no modification to the Plan in response to this objection

17.8 POLICY AIR6 – STRATEGIC LANDSCAPE AREAS

The Objection

165.5 (Objection withdrawn) Riverbrook Estates Limited

Policy AIR6 to read " Development, particularly Motorway or Roadside Service Area or related development will not be permitted within those areas identified as strategic landscape areas on the Inset Map"

Inspector's Reasoning and Conclusions

17.8.1 Objection withdrawn

RECOMMENDATION

No recommendation

17.9 POLICY AIR7 – PUBLIC SAFETY ZONES

The Objections

121.11 Stansted Airport Limited

Amend to reflect the advice from the Government Aviation Policy Division Draft policy may not reflect emerging Government Guidance. General objective that there should be no significant increase in the number of people living, working or congregating in PSZ's remains unchanged. To achieve this there is a general presumption against new or replacement development or changes of use within the PSZ unless allowable as permitted development. It is understood that consideration is being given to certain types of new development which might be permissible because of the low density of people working or congregating as a result of that development.

121.31 Stansted Airport Limited

The Start Hill Inset Map should show the 1,10,000 risk contour in addition to the 1:100,000 contour.

10.19 National Trust

We object to the omission from Chapter 16 of any policy controlling aircraft movements or passenger throughput at Stansted Airport or levels of noise emissions from it. Such policies are essential against which to judge any further applications for development or for variations to existing planning conditions at the Airport.

UDC is proposing further changes to paragraph 16.12 and Policy AIR7

Aircraft can off from and land on Stansted's single runway in either direction. At each runway threshold the Department of the Environment Transport and the Regions maintains a Public Safety Zone. ~~In this zone it is Government advice that planning permission should be refused for any development likely to increase the number of people residing, working or congregating in it. Public Safety Zone policy was most recently reviewed in 2000 when the zones were defined to reflect the 1:100,000 risk contours, that is the area where the theoretical risk of an individual residing permanently being killed by an aircraft crash is greater than 1:100,000.~~ The policy in relation to the Zones is set out in the Department for Transport Circular 1.2002. Two risk contours are shown on the proposals maps based on forecasts about the numbers and types of aircraft movements in 2015. The 1:100,000 contour reflects the zone where the theoretical risk of an individual residing permanently being killed by an aircraft is greater than 1:100,000. Within the 1:10,000 contour this theoretical risk is increased and very few uses involving a very low density of people coming and going within it will be acceptable.

Policy AIR7 – Public Safety Zones

~~Uses resulting in an increase in the number of people residing, working or congregating will not be permitted within the Public Safety Zones identified on the inset map.~~

Within the 1:10,000 risk contour no residential or employment use will be permitted.

Within the 1,100,000 risk contour permission will only be granted for extensions or changes of use or low density development

Inspector's Reasoning and Conclusions

17.9.1 The Council has accepted the need for updating and has amended the supporting text and the policy accordingly (121.11)(121.31)

17.9.2 The Environment Chapter already has policies on noise emissions. They do not need to be repeated in Chapter 16 which refers to specific land uses within the airport boundaries (10.19)

RECOMMENDATION

Modify the supporting text and Policy AIR7 in accordance with further changes highlighted above.

17.10 STANSTED AIRPORT INSET MAP

The Objections

121.13 (Objection conditionally withdrawn) Stansted Airport Limited

Notation has been applied to Pidgeon Wood and Green Street Spring Wood which are habitats lost to development permitted by UTT/1320/98/DFO. Pritchetts Wood is within the airside operational area of the airport. None of the sites were previously identified in the 1995 Plan. Remove notations from the Inset Map

95.2 Chartwell Land PLC

Extend the Stansted Airport Boundary to the south of the A120 to allow development needs associated with Stansted Airport.

The Stansted Airport Boundary should be extended to the south of the A120 at least up to the line of the railway to allow development needs associated with Stansted Airport. The area available for development within the boundary is insufficient for the economic activity associated with the growth of the airport. There is a need for further development land associated with the airport. The current limitation also means that there is no alternative land available for airport related development other than that controlled by BAA who therefore have a virtual monopoly of airport related development which is unfair practise. It is more sustainable to have economic activity generated by the airport as close to it as possible. The airport uses already impact upon the environment surrounding the airport. It is more appropriate to protect countryside farther away and to use land around the airport for development.

121.29 Stansted Airport Ltd

Areas comprising developed long term car parking included in AIR6 - these should be deleted. Proposal to include land currently without AIR designation within the AIR6 notation to be deleted.

Failure of Proposed Designations to take account of built development Designation of area as AIR6 thus reducing flexibility and continuity of development. Provision of grassland area would provide improved habitat.

121.30 Stansted Airport Ltd

Objection to the inclusion of the County Wildlife Site - Pritchett's Wood within the airside operational areas of the airport. The overall layout of the operational area of the airport has been established for a considerable time. Area lies close to the extended centre line of the runway.

168.1 Ash

Area of land (2ha) bounded by Southern Ancillary Area and new A120 should be excluded from the CPZ. The area indicated as the CPZ does not take into account the A120 bypass at Takeley which is currently under construction. The new road will create a natural boundary to the airport and therefore small parcels of land divided by the new road on the airport side should be excluded from the CPZ.

UDC proposed to remove the wildlife site notation from Pidgeon Wood and Green Street Spring Wood but not Pritchetts Wood.

Inspector's Reasoning and Conclusions

- 17.10.1 The notation will be removed from Pidgeon Wood and Green Street Spring Wood as the habitats have been lost to development (121.13)
- 17.10.2 Since the Revised Deposit Draft was adopted planning permission has been granted to increase the throughput of the airport to 25mppa by 2010. That application included those extensions to existing

facilities needed to provide for increased throughput, including the passenger terminal, transit shed, maintenance facilities, increased parking, internal road network, increased bus coach and rail capacity and office extensions. I found no indication that the airport would not be able to accommodate all of its requirements during the Plan period and beyond. Various plans have been produced for BAA showing how development might evolve in accordance with Structure Plan Policy B1W7.

- 17.10.3 The disputed areas appear to be between Bury Lodge Lane and the motorway. The hay meadow is to be retained as such.
- 17.10.4 I am puzzled by some of the evidence and its relationship to the range of Plans which have been submitted. It seems to me it should be possible for the Council to agree a Master Plan for the airport related to a throughput of 25mppa, and identify those developments and road improvements, which are programmed during the Plan period. These could then be included on the inset map thus avoiding further controversy.
- 17.10.5 It has been suggested elsewhere in the Plan that more policies are required for Stansted Airport to deal with its growth up to 25mppa.
- 17.10.6 The York Consulting report estimated that all of the new job opportunities would be filled by in-commuters or by local recruitment. As I have commented in the introduction to Policy H1 in the Housing Chapter, even with increased throughput the Stansted-M11 Corridor Development Study does not envisage the need for new houses *beyond those already anticipated in the Plan.*
- 17.10.7 Also the Transport Assessment showed that the main effect of airport expansion to 25mppa would be:
- On the M11 between junctions 7 and 8 and such increase in traffic would be well within the capacity of the motorway
- On the M11 to the north of junction 8 and on the A120 to the east and west traffic would be within link capacities.
- On the B1383 and B1051 routes to the airport there would be relatively modest projected growth unlikely to have a significant impact on these minor roads.
- On airport road improvements have also been identified.
(95.2)(121.29)
- 17.10.8 Pritchett's Spring Wood is not designated by Uttlesford District Council. If, as appears to be the case the implementation of the permission involving the felling of 25 trees constituting the wood will take place in 2006 it seems illogical to include the wood in the plan. However, as long as the site remains a county wildlife site the district should include it on the Proposals Map regardless of its location within the airport boundary. I believe the Council should investigate

further the need for this continued notation. I understand there is a planning obligation requiring the submission of a scheme for the management and maintenance of biodiversity at the Airport which should provide adequate safeguards. (121.30)

- 17.10.9 Although the CPZ may not have been drawn up to specifically recognise the alignment of the new A120 the purpose of the CPZ is to resist the coalescence of settlements. These small parcels of land are important transition areas separating the Airport from the new A120. (168.1)

RECOMMENDATION

Council to reconsider the need for inclusion of Pritchett's Spring Wood on the Proposals Map

17.11 STANSTED INSET - THREMHALL PRIORY SITE

The Objection

121.12 Bush, Stansted Airport Limited

Specify policy applicable to identified site.

Policy indication of site notated as airport related not provided

U.D.C is proposing that the Thremhall Priory site should be deleted from the inset map as there is no policy relating to this site.

Inspector's Reasoning and Conclusions

- 17.11.1 The Council accepts that as there is no policy the Priory should be deleted from the inset map. (121.12)

RECOMMENDATION

Modify the Plan by deleting Thremhall Priory from the Inset Map in accordance with proposal as shown highlighted above.

18. STANSTED MOUNTFITCHET STATEMENT AND INSET MAP (CHAPTER 17)

18.1 GENERAL

228.2 Stansted Parish Council

1) No change or addition to industrial sites is proposed other than to consider a reordering and possibly some extension of Parsonage Farm estate in its existing location, and the possible development of the old quarry north of the village.2). The growth of non-industrial commercial activities should be supported, provided that new locations are able to meet parking requirements on site. 3) Shops cannot be forced to open or remain open, but the Council would request that planning policies seek to encourage the maintenance or enhancement or the opportunities for retailers to flourish if their service is desired.

Inspector's reasoning and conclusions

18.1.1 The old quarry to the north is remote from the village and would be inappropriate for sustainable industrial development. Otherwise the objections relate to the implementation of policies in the Plan and are not concerns about inherent deficiencies in the policies themselves.

RECOMMENDATION

Make no modification to the Plan in response to this objection

18.2 PARAGRAPH 17.3

The Objections

228.3 Stansted Parish Council

The only possible exception to this policy which should be considered is where there is an overwhelming public gain to compensate for development. No additional housing development should be permitted. Assuming the development of Rochfords, then no additional development should be permitted outside the development limit. There should be no further breach of the Green Belt. There should be no infilling, especially in the area of Woodfields and Stoney common.

228.6 & 7 Stansted Parish Council

The plan needs to incorporate growth to handle increased demand. An expanding population requires an increase in facilities. The local doctors' practice is operating from premises that are too small and active consideration is being given to finding a site on which a new centre, possibly incorporating the baby clinic may be developed. Four sites are under consideration - the lower street car park; Crafton Green (subject to relocation of Parish Council Offices), land on High Lane beyond the new Catholic Church, and the Rochfords development. The latter two sites are not favoured by the Parish Council given their location on the edge of the village. Expansion in Stansted Mountfitchet, the surrounding area and the potential growth of Stansted Airport point to sustained pressure on already inadequate hospital facilities.

184.1 (Objection Withdrawn) The Mrs JM Waynes Discretionary Settlement

Land at Stansted Park defined on the Inset Map is proposed for a comprehensive scheme of restoration with subsequent public access and a small enabling residential scheme. Stansted Park is a large area of badly degraded parkland. It is well located to serve this large village where there has long since been a serious shortage of public open space. This is an opportunity to restore this historic parkland and at the same time provide a valuable open space resource. In order to achieve this objective a scheme of enabling development will take place on land in the vicinity of Elms Farm.

225.1 Clifford

The plan ignores or at best gives inadequate emphasis to the serious shortage of public open space in many settlements particularly Stansted Mountfitchet. There is the possibility of securing about 216 acres of the former Repton Parkland at Stansted Park subject to planning consent for limited enabling development to provide

compensation to the existing agricultural tenant, a trust to finance the restoration and long term future maintenance of the parkland in perpetuity and compensation for the loss of rental income

228.8 Stansted Parish Council

Open space has been and remains in serious short supply and any proposal which might bring Stansted Park into public ownership, with adequate funding for restoration and maintenance should be considered. This may be a development which could be an exception to policy in relation to MGB and Settlement Boundary. A number of possible sites have been identified by the Parish Council, but consideration should be given to land adjacent to The Mountfitchet High School and the new Sports and Leisure facilities, with the latter providing changing rooms.

228.9 (Objection Conditionally Withdrawn) Stansted Parish Council

The disastrous situation in the Stoney Common/West Rd area, as a result of unwise and unfettered development, should be alleviated if at all possible. A new road through Brook View and the Rochfords development would ease pressures and allow the unsatisfactory road through Old Bell Close to be eliminated.

Inspector's Reasoning and Conclusions

- 18.2.1 With the development of Rochfords Nursery site to meet the housing needs of the district as a whole there are no further successful proposals to my knowledge which would involve other than a minor loss of land from the Green Belt. Sites on the Proposals Map for housing are listed in paragraph 17.3 and Policy SM2. Other development within the settlement boundary in the form of "windfall" sites will be dealt with on their own merits having regard to policies in the Plan and other material considerations. Both Policies GEN1 and GEN9 require local circumstances to be taken into account when considering proposals for development. As areas evolve over the years a total embargo on development would not be a reasonable planning approach within Woodfields. (228.3)
- 18.2.2 Stansted Park is in the Green Belt and its use as public open space would be consistent with that designation. I have concluded that, apart from the reserve site at Saffron Walden, there is no need to bring forward more land to meet Structure Plan housing requirements during the Plan period. Any release of Green Belt land for housing, or other development, during the Plan period would have to be on the basis of exceptional circumstances. The enabling development in this proposal would intrude into the belt of countryside around the village and would not preserve the openness of the Green Belt.
- 18.2.3 I have no detailed evidence before me to give any indication of the cost of restoration of the park and of bringing it into public ownership and what this would equate to in development terms. Without such information I am unable to make an assessment on the impact of enabling development in the countryside. (225.1)(228.8)
- 18.2.4 The Rochford Nursery development has the benefit of planning permission subject to a Section 106 agreement. There is, therefore, no opportunity to consider a road link through to Stony Common. However, I understand from

the Council's evidence that this was considered at the application stage and rejected because of the likelihood of increased use of the network of substandard roads in the area. There will be a pedestrian and cycle link to Stoney Common and the link road between Old Bell Close and Stoney Common has been completed. (228.9)

18.2.5 The provision of suitable community facilities is encouraged in the Plan. In my experience it is not normally the planning system which makes such provision difficult, it is finding suitable available land in a sustainable location suitable for the purpose. (228.6 and 7)

RECOMMENDATION

Make no modification to the Plan in response to these objections

18.3 POLICY SM2 – RESIDENTIAL DEVELOPMENT WITHIN STANSTED MOUNTFITCHET'S BUILT UP AREA

The Objection

220.7 Essex County Council, Learning Services

Assuming that the three sites do not include any social/affordable units we would need to seek a developer contribution for the following additional school places. Land south of Old Bell Close - 4 primary and 3 secondary. 10-20 Silver Street 3 primary and 3 secondary. St Theresa's Church - 4 primary and 3 secondary.

Inspector's Reasoning and Conclusions

18.3.1 Policy GEN6 of the Plan requires appropriate contributions to be made for primary and secondary school places. Details of the contributions would be subject to agreement at the planning application stage. (220.7)

RECOMMENDATION

Make no modification to the Plan in response to this objection

18.4 POLICY SM3 – SITE ON CORNER OF LOWER STREET AND CHURCH ROAD

The Objection

220.8 Essex County Council, Learning Services

Reserve the right to come to you on any possible developer contribution for education provision once the number of dwellings is known.

Inspector's Reasoning and Conclusions

18.4.1 See paragraph 18.3.1 above.

RECOMMENDATION

Make no modification to the Plan in response to this objection.

18.5 POLICY SM4/BIR1 – ROCHFORD NURSERIES

The Objections

16.5 (Objection withdrawn) The Fairfield Partnership

More appropriate locations for residential development be considered as an alternative to the whole, or part of this site.

This is an inappropriate site - there are more suitable locations to be found elsewhere in the District. The size of the site is excessive given its surrounding and characteristics and may result in a detrimental impact on the setting and landscape of the surrounding area. In addition it is understood that there are potential difficulties regarding delivery of development on the site, despite the approved Master Plan and current application for outline planning permission.

92.15 (Objection Withdrawn) Old Road Securities on behalf of Audley End Estates

Land at Rochford Nurseries should be allocated for up to 400 dwellings. The greenfield land take should be reduced by increasing density to the requirements of PPG3. In the event that the site is retained for up to 600 dwellings the sensitivity of the site and the significance of predicted impacts should be tested and addressed through an environmental impact assessment

94.5 Saxon Developments Ltd

The references to 600 dwellings in Policy SM4/BIR1 and paragraph 17.4 should be amended to 400 dwellings and consequential amendments made to this policy and its supporting text.

The increase in the number of dwellings proposed on this site from 400 to 600 is inappropriate and is neither explained nor justified in the context of the existence of an approved master plan for 400 dwellings.

102.1 Laing Homes

Alternative provision for residential development should be made for Stansted (no alternative site suggested). The Rochford Nursery site failed to come forward for development within the last plan period despite its allocation for residential use. We consider it unlikely that it is capable of delivering the 600 dwellings identified within this plan period. Alternative provision should be sought.

118.12 Bryant Projects

Question whether this site is likely to be fully implemented within the Plan period. The need to obtain a satisfactory planning consent including a suitable S106 agreement, carry out necessary infrastructure works and commence implementation makes it possible that first completions may not arise until the end of 2003. This assumes that the Council are in a position to determine the applications during 2002, are minded to grant consent in advance of the conclusion of the local plan review and that the site is not subject to any Direction issued by the Secretary of State. Taking into account that major developments rarely come fully on stream from the start we consider that some caution is warranted in over reliance on the implementation of 600 dwellings on this scheme.

144.12 (Objection withdrawn) Bryant Homes Limited

Amend policy - this allocation is essentially the same allocation as that identified in the current adopted local plan for 400 dwellings for post 8mppa Stansted Airport related growth. The policy should be amended to relate the site to airport related growth. Notwithstanding these comments we have doubts as to whether the suggested number of dwellings can be provided within the plan period.

201.9 (Objection withdrawn) Countryside Properties PLC

Reduce site capacity to 400 dwellings, as in the adopted local plan, amend policy to require an environmental statement

The Rochford Nurseries site was allocated in the 1995 plan for 400 dwellings following the recommendation of the Inspector who had evidence before him of potential impacts. It has not been demonstrated that a greater number of dwellings can be satisfactorily accommodated, either in terms of traffic and other infrastructure or in terms of an environmental impact assessment. In addition the site is split between two separate major ownerships and it has not been demonstrated that an integrated master plan for the whole development can be achieved. Object to the proposed increase from 400 to 600 dwellings on this site. The policy ought to also require the submission of a full environmental statement consistent with the approach taken by the Council in the case of the proposed development at Priors Green Takeley.

203.2 & 3 Croudace Ltd

Amend policy to refer to a site capacity of about 710 dwellings.
in order to more properly reflect the advice at Paragraphs 57 and 58 of PPG3:Housing March 2000.

217.6 Pelham Homes Limited

Change 600 to 720 dwellings. Delete (b) and replace with "it provides on or off site for a primary school, a primary health care centre, community facilities, suitable shopping and satisfactory open space and arrangements for sport and recreation
"Delete c) and replace with " It provides good layout, design and landscaping in accordance with PPG3 - Better Places to Live" Guidance"

Although we support the policy in principle the wording of the policy is misleading. We object to the number of dwellings listed for the development - 600 dwellings is too low. In addition we object to the wording of (b) as it does not specify the location of the planning benefits of the site. We also object to c) as it does not make reference to or comply with PPG3. The number of dwellings listed as 600 does not comply with PPG3, underestimating the densities appropriate for the site. Section (b) does not specify the location of planning benefits of the site and implies that all planning benefits would be located on site. This would not be satisfactory as not all the benefits listed may be accommodated on site. Section c) does not make reference to PPG3 or PPG3 - Better Places to Live guidance and therefore will not take into account design as stated in PPG3. Landscaping should be an integral part of new development and opportunities should be taken the retention of trees etc

218.58 Saffron Walden Friends of the Earth

Add new criteria (e) - It conforms to the Transport Policies of the Plan

219.27 Fletcher, English Heritage

The policy should seek high standards of design in the new development. The scale of this allocation makes this particularly important.

220.9 Essex County Council, Learning Services

We have agreed with Pelham Homes that they will provide a free school site for a new primary school with the option of ECC acquiring additional land at market value if the new school was to serve a wider area. We are still in discussion with both Pelham Homes and Croudace Homes about meeting the construction cost of this new primary school provision. If the amount of dwellings increased from 600 to 770 we have agreed with Pelham Homes that the site area they will provide on the development would be sufficient for a 240 place primary school.

228.4 Stansted Parish Council

A primary school must be constructed with adequate playing fields on the Rochfords site. This must be undertaken early and not late in the development

Inspector's Reasoning and Conclusions

- 18.5.1 As planning permission has been granted for 600 dwellings subject to the signing of a legal agreement this should be reflected in Policy SM4/BIR1. I am told that a minimum of three developers will be involved on site. They should comfortably be able to complete an average of 150 dwellings a year. The programme shows that infrastructure work will commence on Pesterford Bridge in January 2004 and the first housing phase will commence in about October 2004. From the evidence before me I have no reason to suppose that the programme cannot be met.
- 18.5.2 I have dealt with the arguments about the need for further allocations in the Housing Chapter of the Plan at Policy H1. I conclude that part of the reserve site should be brought forward but otherwise that there is a sufficient allocation to meet Structure Plan requirements during the Plan period. (94.5)(102.1)(118.12)
- 18.5.3 Before considering the evidence on highway matters related to the objection to increase the density of the site from 600 to 720 dwellings I believe the proposals for the site need to be assessed on their planning merits as these will reflect on the weight given to particular highway evidence.
- 18.5.4 Rochford Nurseries is one of the four sites originally allocated to meet airport related housing needs. However, it has become clear over the years that the throughput of passengers has only a tenuous link with housing provision. The site is, therefore, allocated for housing to meet Structure Plan requirements during the Plan period.
- 18.5.5 The site is within walking distance of the village centre, with its range of local shops, and the railway station with its links to Cambridge, Liverpool Street, Saffron Walden, Harlow and Bishops Stortford. It is close to bus routes and will be even closer as buses are intended to enter the site. It is or will be within walking distance of a Secondary and Primary school. The proposal envisages an additional retail outlet and a primary health care facility. I have no doubt that the development would be well integrated into the village and that its facilities would be readily accessible on foot and cycle.
- 18.5.6 However, there are other aspects of sustainability which also need to be considered. In my view the most important of these is employment. From the

Plan there will be few opportunities for employment in the village. The closest employment will be at Stansted Airport some 2km away. The improved bus service 333 and a new minibus are intended to provide a 30min service during daytime peak periods between the new development and the airport and elsewhere. BAA (Stansted) is currently identifying new opportunities to use bus services to assist access for airport staff and passengers. There will also be a cycleway to the airport. Walking to and from the airport is possible but not likely.

- 18.5.7 The airport would provide potential employment but as mentioned above there was an over assessment of airport related housing need in the past and from recent employment figures many employees have chosen not to live in the district but to commute from outside. The airport will provide potential employment and access to the airport would be via Church Road. I am not convinced employment will occur in any significant numbers. Evidence shows that even with an increase in through put of the airport to 25mppa there is no need to allocate further housing land other than that already envisaged, and that any new jobs will be filled by in commuters or by local recruitment. From the York Consulting Report (CD/6.03), the percentage of the workforce employed at the airport and living in Uttlesford is 5.4%. The study also shows that patterns of employment at the airport are well established and the labour market will remain tight.
- 18.5.8 There will be some opportunities for employment in Bishops Stortford and other smaller settlements. Bishops Stortford can be reached by public transport, other settlements have a negligible bus service. Although Bishops Stortford can also be reached by cycle the present route is not inviting. Apart from Stansted Airport Bishops Stortford would provide the majority of local employment opportunities. Trips would be via the B1383 through the Foresthall Junction.
- 18.5.9 Day to day shopping needs could be met in the village but the nearest major retail food outlet is about 4km away at Bishops Stortford.
- 18.5.10 One of the reasons Stansted Mountfitchet is a popular housing location is because of its close proximity to the M11 and to a lesser extent the A120, two important north/south and east/west routes. Trips to either of these routes would also involve the use of the B1383/ Foresthall Road. Some traffic for the A120 eastbound might use Church Road. The major of the two routes, B1383/Church Road is the B1383 and I would expect this route to take the majority of trips leaving the objection site. Also from the evidence I am inclined to the view that there is likely to be a significant reassignment from the Cambridge Road/Chapel Hill junction to the B1383/Foresthall Road junction to avoid queuing.
- 18.5.11 Concern has been expressed by the Council, supported by the Birchanger Parish Council about the increased used of Tot Lane. Tot Lane is a historic protected lane. I saw from my visit it is already used to an extent as a "rat run." It will be the shortest route to the M11 from the new development and although narrow with passing places the incentive to use it will be delay or major queuing at the B1383/Foresthall Junction. I do not believe encouragement should be given to use Tot Lane as a through route,

not only because of the historic importance and state of the lane itself but also because the route through Birchanger Village is poor.

- 18.5.12 The East of England “Regional Economic and Strategic Analysis” indicates that out commuting from the sub area around Stansted has increased. Also the last modal split for Essex showed a 47% car usage and a 3% bus usage, (which is lower than the national figure of 6%) and a 4% train usage. Although the County are attempting to reduce reliance on the private car and encourage public transport, it is starting from a poor position and I do not consider the improvement is likely to be significant.
- 18.5.13 I believe it likely that a number of persons looking to this site for housing will already have jobs and work outside the village and if skilled are unlikely to change job because of their move. They will consider the close proximity to the two main routes, or the station, to be the main advantages of this housing site and will be out commuters.
- 18.5.14 I identified from the evidence at Inquiry that there were basically three areas of disagreement. The first was the morning peak hour trip rates. The second was the distribution of morning departure traffic, and the third, the appropriate assessment year.
- 18.5.15 The morning peak hour trip rate has been assessed by the objectors at 0.5, and this figure was agreed by the County Council as highway authority and its consultant Mouchel. It seems to me that this figure is based on a number of assumptions. The sustainability of the site for development, the bus improvements and the assumption of the numbers of people who will use the buses, the close proximity of schools, and the reduction in car parking provision on site in accordance with current government guidance. The improvements to the bus services appear to be the same as they were for 400 dwellings, therefore there would be no change. The secondary school has been in existence for some years and presumably would have been taken into account when the previous TIA was taken. On car parking, although I do not consider the restrictions to be of particular importance to trip generation levels the standard of 1.5 spaces per dwelling cannot reasonably be equated to car ownership, particularly if there are no kerbside parking restrictions.
- 18.5.16 On the other hand the Council's consultants have also based their trip rates on interrogating TRICS and other surveys backed up by local data at The Spinney close to the objection site, and have concluded that a figure of .07-.08 trips per dwelling is the appropriate figure.
- 18.5.17 A count was taken on behalf of the Council at The Spinney, which is a little closer to the station and the village centre, is within walking distance of both primary and secondary education, but is not quite as close to a bus route. This is a site of only 32 dwellings, with a mix of houses and maisonettes, and although it gives an indication of local conditions I am concerned that it is only a small sample. The arrivals and departures during the AM peak equate to 0.75 trips per dwelling and with a reduction because the schools are within walking distance, a trip rate of 0.675 per dwelling.

- 18.5.18 Secondly, as I have said in paragraph 18.5.10 above, I consider the distribution of morning departure traffic should be weighted more in favour of the B1383.
- 18.5.19 Thirdly, I am surprised that the final assessment year was 2005 for AM Peak base flows. I share the view of the Council that the year of the opening is the minimum to provide a meaningful figure and the year 2010 is preferable.
- 18.5.20 It seems to me that even with the proposed improvements to the bus services that for the reasons I have expressed above about travel modes, employment at Stansted Airport, and the high level of out commuting, that the traffic flows from the development using the B1383 have been underestimated by the objectors. I take the view that even with the junction improvements and the speed restrictions, the risk of over capacity of the B1383 /Foresthall Road junction, the resultant queuing, and increased usage of Tot Lane from a density of development of 770 units would be unacceptable.
- 18.5.21 However, the proposal is for 720 units. This is some 6.5% less than the 770 dwellings tested in the Transport Assessment. In my view this reduction would be sufficient to counter the concerns I have expressed above and I conclude on balance that the increase in density can be accommodated in transport terms
- 18.5.22 Evidence was given about the merits of a higher density having regard to national guidance. However, I did not find there was any real disagreement about the principle of higher density as such. The Council accepts the arguments that a net housing density for the site as a whole of either 30 dwellings a hectare or 36 dwellings a hectare would be consistent with both the Master Plan and Design Guide and Planning Policy Guidance No. 3. I agree that as this site is allocated for housing it would be preferable to make best use of it to help avoid the future need for housing to be met on further greenfield sites.
- 18.5.23 The Plan is intended to be read as a whole and there is no need to cross reference to other policies of the Plan. (218.58)
- 18.5.24 Design issues are covered elsewhere in the Plan and in particular Policy GEN2. (219.27)
- 18.5.25 I understand that an agreement has been reached to provide for a 240 place primary school in connection with the development. No objection is raised by the Council to the revised wording suggested by the objector about an "on or off site" primary school although I was told the current thinking of the education authority is that it should be provided on site. I see no particular reason to include the new suggested criterion c) as matters of design and landscaping are already covered by other policies in the Plan. Also I consider that if a reference to a good practice document is to be made this can be better be done in Supplementary Planning Guidance (217.6) (220.9)(228.4)

RECOMMENDATION

- a) **Modify the Plan by including after “It provides” the words “*on or off site*” in criterion b)**
 - b) **Modify Policy SM4/BIR1 by deleting 600 and inserting 720 dwellings**
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18.6 STANSTED CENTRAL/ INDUSTRIAL SITE – HIGH LANE

The Objection

225.2 Clifford

I consider that as the site is isolated in a predominantly residential area the site might be better designated for redevelopment for domestic housing. Hopefully future light industrial and commercial businesses could be encouraged to develop on the Parsonage Farm Industrial Estate in Forest Hall Road, particularly with the imminent development of housing on the former Rochford Nursery site.

Inspector's Reasoning and Conclusion

18.6.1 I accept that the site would be suitable for housing. At the present time housing land tends to be far more valuable than industrial land and the latter is being lost to housing. There has to be a balance between one use and another and the present business use appears to be well established. This is a small site not required to meet housing requirements of the Structure Plan during the Plan period. However, if the site were no longer required for employment use it could be treated as a windfall housing site within the framework of policies in the Plan.

RECOMMENDATION

Make no modification to the Plan in response to this objection

18.7 POLICY SM5 – PARSONAGE FARM

The Objections

123.1 & 2 WRC Morton and Co Ltd

Support the principal of the policy area but consider that the southern policy area should be realigned to form an enlarged site area. There are special circumstances to justify the proposed realignment and enlargement of the policy area to secure, improved facilities for commercial and industrial businesses. The replacement of the existing agricultural buildings with purpose built accommodation in a landscaped environment and substantial landscaping improvements and other environmental benefits.

204.12 (Objection Withdrawn) Essex County Council

Add sub-section c) The safety and enjoyment of horse riders, cyclists and pedestrians using Parsonage Lane (Bridleway 27 Stansted Mountfitchet) must be fully considered as part of the redevelopment of Parsonage Farm.

Inspector's Reasoning and Conclusions

18.7.1 Green Belt boundaries should only be altered in exceptional circumstances. Improved facilities and rebuilding could take place within the existing site in accordance with the criteria in Policy SM5 without extending the site area. From the evidence at Inquiry sufficient land has been allocated for employment uses to meet Structure Plan requirements for the district. (123.1)

RECOMMENDATION

Make no modification to the Plan in response to these objections.

18.8 SITE: LAND AT THE STABLES, HIGH LANE, STANSTED MOUNTFITCHET

The Objection

130.1 Foreman Limited

That part of the Stables, High Lane, should be included within the village development area for future residential use. There is development on the opposite side of the road and the area lies within walking distance of the village amenities.

Inspector's Reasoning and Conclusion

18.8.1 The Stables are part of a small area of sporadic development on the eastern side of High Lane. They read as part of the open countryside and not with the housing on the opposite side of the road. Development here would involve an unacceptable intrusion into the rural setting of the village. I have dealt with the argument about the need for more housing in the Housing Chapter. (130.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

18.9 SITE: LAND ADJACENT TO CROFT COTTAGE, HIGH LANE, STANSTED MOUNTFITCHET

The Objection

131.1 Orpin

Land adjoining Croft Cottage should be included within the settlement boundary of the village as there is development on the opposite side of the road and the area is within walking distance of the village facilities

Inspector's Reasoning and Conclusion

18.9.1 There is only a small element of sporadic development on the eastern side of High Lane. The land reads as an integral part of the open countryside and not with the housing opposite. Development here would involve and unacceptable urban intrusion into the rural setting of the village. I have dealt with the argument about the need for more housing in the Housing Chapter of the Plan at Policy H1. (131.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection.

18.10 SITE: THE RAILWAY SIDINGS, LOWER STREET, STANSTED MOUNTFITCHET

The Objection

228.1 Stansted Parish Council

The settlement boundary should remain unchanged apart from the whole of the former railway sidings should be included within the Settlement Boundary.

Inspector's Reasoning and Conclusion

18.10.1 Although the Council is concerned that if the railway sidings were included within the settlement boundary development would intrude into the countryside, from my visit I consider that subject to satisfactory design a building here, particularly at the western end, would not have an unacceptable impact on the countryside. No more so than the parking of coaches. The site is obviously previously developed land beside the railway, between it and the Stansted Castle and Bailey. I have no strong feelings about the inclusion of the site within the settlement boundary but neither do I have any good reason for supporting its exclusion. On balance it should be included. (228.1)

RECOMMENDATION

Modify the Plan to include the railway sidings within the settlement boundary

18.11 SITE LAND AT PINES HILL, STANSTED MOUNTFITCHET

The Objection

126.1 Dziedzic, Longley and Polley,

Extend the settlement boundary to include this site and exclude it from the Metropolitan Green Belt. Land to the south has been developed for office purposes. The projected re-routing of traffic from Stoney Common through Old Bell Close will change the character of the area. The site should be zoned for future residential purposes. A much improved access could be provided to the site through Pines Hill. Part of the site is used for engineering and this brown field portion is more suitable for residential purposes. The site already contains four dwellings.

Inspector's Reasoning and Conclusion

18.11.1 The site is in the Green Belt the boundary of which should only be altered in exceptional circumstances. However, such boundaries do need reviewing from time to time. From my visit I found this site on the edge of the village to read as part of the settlement and if there were a need for more housing I consider that subject to a satisfactory access the site would be suitable for the purpose. However, unless the Council identifies a local need I am otherwise satisfied with what I have recommended that sufficient land will come forward for development during the Plan period

RECOMMENDATION

Make no modification to the Plan in response to this objection

18.12 SITE: LAND NORTH OF STANSTED MOUNTFITCHET

The Objection

225.3 Clifford

The triangle of land outside development limits following development of the new Roman Catholic church, presbytery and hall to the intersection of High Lane with the B1383 may be worthy of consideration during the present review.

Inspector's Reasoning and Conclusion

18.12.1 Now that the Church, presbytery and hall have been built I consider that they form a positive stop to development at the north end of the village. The triangle of land remaining is of rural character and acts as an important visual transition between the village and the countryside beyond.

RECOMMENDATION

Make no modification to the Plan in response to this objection

19. START HILL INSET STATEMENT AND MAP (CHAPTER 18)

19.1 START HILL EMPLOYMENT SITE

The Objection

163. 1, 2, & 6 Mantle Estates Limited

The site should be indicated as an employment site under Policy E1 and subject to Local Policy 1. The S3 settlement boundary does not reflect the existing boundary in the adopted UDC plan. Introduce suggested new text and new policy

UDC proposed new paragraph 18.1 and new policy Start Hill Local Policy 1

START HILL INSET

This plan identifies 2.1 hectares of employment land as an extension to the existing Stansted Distribution Centre. This land is allocated in order to provide scope for employment uses falling mainly within Class B1 light industrial, offices or research and development facilities and Class B8, warehousing. Landscaping will be required to protect the amenity of the neighbouring residential properties. Access to the site should be gained through the existing estate.

START HILL LOCAL POLICY 1

A 2.1 hectare site identified on the proposals map inset is proposed as an employment site for uses falling within classes B1 and B8. Access to the development should be through the existing distribution centre and there should be a landscaped buffer zone between the new development and the rear gardens of adjoining residential properties.

Objections to the proposed changes

119.60 Proto Ltd

Provide a detailed analysis and justification of the benefits of further development in the A120 corridor and review all other relevant sites. The SDC extension has not been justified as part of a thorough review of the economic benefits from releasing land near the airport.

232.1 Highways Agency

Agency needs to be satisfied through the production of a Transport Assessment that traffic generated by the proposed development would not be detrimental to the safe and free flow of traffic on the M11.

U.D.C. is proposing further change to paragraph 18.1 and Start Hill Local Policy 1

Add additional sentence to paragraph 18.1 to read

“In accordance with Highways Agency requirements access to the site will be subject to a Transport Assessment”

Amend Policy to read:

A 2.1 hectare site identified on the proposals map inset is proposed as an employment site for uses falling within classes B1 and B8. Access to the development should be through the existing distribution centre. ~~And~~ A Transport Assessment will be required. There should be a landscaped buffer zone between the new development and the rear gardens of adjoining residential properties.

Inspector's Reasoning and Conclusions

19.1.1 The policies on economic activity in Chapter 4 of the Plan have among others the objectives of enabling the expansion of existing firms and to ensure that

alternative employment exists other than in the concentration on the airport at Stansted. This site is outside the CPZ, a zone to prevent the coalescence of settlements. As the site is in part previously developed land, adjoins the existing Stansted Distribution Centre from which access could be gained and is well related to the strategic highway network and public transport I consider this modest expansion would be appropriate.(119.60)

- 19.1.2 The Council has now included in the policy a requirement for a transport assessment to ensure that the traffic generated by the development would not be detrimental to the safe and free flow of traffic on the M11.(232.1)

RECOMMENDATION

Modify paragraph 18.1 and START HILL LOCAL POLICY 1 in accordance with proposed changes and additional amendment shown highlighted above.

19.2 SITE: WHITE COTTAGE START HILL

The Objection

169.1 Thwaites

White Cottage, including the area of land (0.1 ha) at Old Cottage, White Cottage and land to east, should be included within the village boundary. Start Hill settlement boundary does not fully account for the residential settlement line by excluding the property known as White Cottage. In doing so it excludes small infill plots

Inspector's Reasoning and Conclusion

- 19.2.1 From my visit I consider the cottages to be sporadic development outside of the settlement of Start Hill. To include them and adjacent land within the settlement boundary would encourage an extension of ribbon development along the A120. This would not be infilling, as such, which is defined as the development of small gaps between existing groups of houses. (169.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

20. TAKELEY VILLAGE & PRIORS GREEN (TAKELEY & LITTLE CANFIELD) INSET STATEMENT AND MAP (CHAPTER 19)

20.1 PARAGRAPH 18.3

The Objection

185.8 (Objection Conditionally Withdrawn) Hatfield Regis Grange Farm

Elsewhere in representations on behalf of this landowner it has been acknowledged that the land holding of this land owner has a useful and important contribution to make to the overall Priors Green Development. Para 18.3 insufficiently describes the component areas of Priors Green. Suggest inclusion in the sentence commencing " the Priors Green Site comprises ..."Established very untidy scrap recycling businesses.

UDC Proposed amendment to paragraph 18.3

The Priors Green site to the east of Takeley, partly in Little Canfield parish, is proposed for comprehensive residential development of ~~700~~ **725** homes and associated facilities. The Priors Green site comprises Takeley Nurseries, land in need of environmental improvement, **including an established scrap recycling business**, under utilised land where existing development has no coherent form and some adjoining farmland north of Dunmow Road.

Objections to the revised Paragraph 19.3 (para no changed in Revised Deposit)

117.3 KJ Cass Ltd

To include the land within the Takeley/Little Canfield settlement boundary and so better accord with Government Policy and Strategy. The additional 25 houses at Priors Green Land could be found by allowing representations made by KJ Cass limited to be approved by allowing for infill development of land between the Flitchway and the A120

Inspector's Reasoning and Conclusions

20.1.1 Paragraph 19.3 is proposed for amendment to recognise the established scrap recycling business. The objection is conditionally withdrawn (185.8)

20.1.2 Land to the south of the A120 is a mixture of ribbon and sporadic development. Parts of it have a rural quality and although there might be some opportunities for infilling I believe to include it within the settlement boundary would lead to an intensification and urbanisation of an area of semi rural quality which is detached from the main part of the village. Although land to the north of the A120 has been allocated for housing and its development will have an impact on the rural character of the area I do not consider there is any need for further allocations in Takeley during the Plan period. I have dealt with the argument about the need for additional land allocations in the Housing Chapter of the Plan at Policy H1.

RECOMMENDATION

Modify paragraph 19.3 to include reference to the scrap recycling business in accordance with proposed amendment highlighted above.

20.2 PARAGRAPH 18.4

The Objection

185.5 (Objection conditionally withdrawn) Hatfield Regis Grange Farm

Insert new sentence "of the sites and their setting. Some land included in the Priors Green allocation is not covered by the approved master plan. It will be expected that such land will be developed residentially in a form which is compatible with the approved master plan". The Priors Green site....."

In respect of Priors Green it is important that this paragraph recognises that there is land beyond the approved masterplan but within the allocation site.

UDC proposed amendment to Paragraph 18.4

~~Master Plans for this site and the land off Brewers End have been approved. A~~
Master Plan has been approved for part of this site, taking into account the character of the sites and its setting. The remaining area includes pockets of existing housing. There may be potential for some infill development in these locations which would make a contribution to the total number of dwellings. Development of these locations will need to respect the provision of the approved Master Plan. Appropriate facilities and services to serve the developments need to be provided in the right place at the right time. ~~The approved master plans define sites for up to 800 dwellings, taking into account the character of the sites and their setting.~~ **The development should utilise existing access ways and those in the approved master plan.** ~~The Priors Green site includes pockets of existing housing. The master plan indicates how they will relate to new development.~~ Jacks Lane will need to be protected by its retention within a linear open space. The woodland in Broadfield Road will need to be retained for its nature conservation interest. Structural landscaping will be required to provide a framework for development. The disposition and extent of open spaces, structural landscaping and the location of other facilities has been resolved in the master plan.

Objections to the revised Paragraph 19.4 (para no changed in revised deposit)

220.23 ECC Learning Services

Further developer contributions are likely to be sought in respect of additional primary and secondary school provision over and above the 650 homes already approved for this site. If a second runway were approved at Stansted then ECC would be concerned about the location of the new primary school planned for Takeley. The new school would be very close to the end of the runway. It would be seriously affected by aircraft noise and possibly air pollution. There might also be health and safety concerns.

Inspector's Reasoning and Conclusions

20.2.1 The Council has included the additional wording to reflect that land outside of the Master Plan area has the potential for some development. I understand that Supplementary Planning Guidance approved earlier this year, confirms that development will be acceptable in principle. (185.5)

20.2.2 The Council will no doubt take these concerns into consideration now that the government has decided that a further runway should be provided at Stansted Airport. (220.23)

RECOMMENDATION

- a) **Modify paragraph 18.4 in accordance with proposed amendment highlighted above.**
-

b) Consider the effect of the new runway on the location of the primary school site

20.3 PARAGRAPH 18.5

207.2 Uttlesford Primary Care Trust (PCT)

No reference is made in the list of 'criteria to be met' to the potential provision of a health facility as part of the new housing development. This is despite correspondence, meetings and discussions between the District Council's Planning Department, the PCT and local GP's to clearly indicate the need for such a facility to be included within the Master Plan.

Inspector's Reasoning and Conclusions

20.3.1 Criterion b) of the policy refers to the need for community facilities. This would include a health facility. If there is an agreed Master plan which includes a health facility it could be specifically mentioned in criterion b)

RECOMMENDATION

If the agreed Master Plan shows a health facility mention in criterion b)

20.4 TAKELEY LOCAL POLICY 1 – LAND WEST OF HAWTHORN CLOSE

The Objections

144.13 (Objection withdrawn) Bryant Homes Limited

This allocation is the same allocation as that identified in the current adopted local plan for 100 dwellings for post 8mppa Stansted Airport related housing. The policy should be amended to relate the site to airport related growth.

220.10 Essex County Council, Learning Services

We have already agreed under a S106 agreement for a developer contribution for primary school provision in the Takeley Area to meet the needs of this development

Inspector's Reasoning and Conclusions

20.4.1 Noted

RECOMMENDATION

No recommendation

20.5 TAKELEY LOCAL POLICY 2 – LAND OFF ST VALERY

The Objections

144.14 Bryant Homes Limited

213.29 CPREssex Agent

Amend map to read local policy 2 - there is a typographical error on the Takeley Inset Map, which incorrectly identifies the site as Local Policy 3

220.11 Essex County Council, Learning Services

If it is not too late we would like to seek a developer contribution in relation to a likely pupil product of 5 primary age children from this new housing.

UDC proposed amendment to inset map but no change to policy.

Inspector's reasoning and conclusions

20.5.1 The map will be amended to read Local Policy 2 (144.14)(213.29)

20.5.2 Planning permission has already been granted for this development. The Council advises that there is no opportunity to secure a developer contribution towards additional school places.

RECOMMENDATION

Modify the Inset Map to state Local Policy 2.

20.6 TAKELEY LOCAL POLICY 3 – PRIORS GREEN

The Objections

202.3 Countryside Strategic Projects

The housing and employment provisions of this plan extend to 2011. The concurrent review of the Structure Plan and other strategic studies are likely to impact upon development requirements post 2011. The Council does need to consider its potential long term development strategy and the role that key settlements are likely to play. In view of its strategic location etc the Council recognises that further development at Takeley is an option that will need to be considered. Conclusion in para. 1.6 is that new regional guidance, structure plan review, SERAS and London to Cambridge studies etc are a matter for the review of the Local Plan and cannot be addressed at this stage. This conclusion is inappropriate. The information will be largely available by the time this plan proceeds to Inquiry and the short term incremental and largely reactive approach to future development that characterises much of the strategic planning in the County is harmful to the pursuit of a more sustainable pattern of development.

185.9 Hatfield Regis Grange Farm

The land subject of this representation is substantially previously developed land and as such is a very scarce resource in Uttlesford District. The form and nature of the development of this land would in any circumstances suggest that there would be

benefit in its redevelopment and it is probably some of the most suitable and relevant land in the whole of the Priors Green allocation area for residential development

16.4 (Objection withdrawn) The Fairfield Partnership

This is an inappropriate site and there are more suitable locations to be found elsewhere in the District. The size of the site is excessive given its surrounding and characteristics and may result in a detrimental impact on the setting and landscape of the surrounding area. In addition it is understood that there are potential difficulties regarding delivery of development on the site, despite the approved Master Plan and current application for outline planning permission on the site.

118.13 Bryant Projects

We question whether this development is likely to be fully implemented within the period of the plan. It is possible that first completions may not arise until 2004. This assumes that the Council are in a position to entertain an application during 2002, are minded to grant consent in advance of the conclusion of the Local Plan Review and that the site is not subject to any Direction issued by the Secretary of State. This would leave seven years in which to implement the scheme, requiring an average completion rate of 100 dwellings per annum.

144.15 (Objection conditionally withdrawn) Bryant Homes Limited

Amend the policy - this allocation is essentially the same as that identified in the current adopted local plan for 700 dwellings for post 8mppa Stansted Airport related housing. The policy should be amended to relate the site to airport related growth. We would also point out that the land at north west Takeley is a more sustainable location for residential development than Priors Green, being located close to Stansted Airport thereby allowing shorter journeys and encouraging more sustainable modes of transport (as the site is within walking and cycling distance of the airport and closer to existing facilities in the village). Notwithstanding these comments we have doubts as to whether the suggested number of dwellings can be provided within the plan period.

185.3 Hatfield Regis Grange Farm

Amend Local Policy 3 in the final paragraph to read "development will need to be implemented substantially in accordance with a master plan approved by the Council. This will indicate....."

For the most part the objector supports what is set out in the Takeley/Little Canfield Local Policy 3. However it will be plain from other representations on behalf of these landowners that their land although within the allocation is not subject to the approved master plan. Takeley Local Policy 3, as it is written would not permit the development of these objectors land as part of the overall Priors Green allocation.. Very minor modifications to the policy would allow their land to make the important contribution it has to offer whilst at the same time being compatible with the aims of the local plan policy.

201.10 Countryside Properties PLC

Delete 700 dwellings, replace with 750-850 dwellings: reword Criteria b) c) and d) Support the identification of Priors Green as a site for a comprehensive development. Support the current boundaries of the site, which are almost identical to the adopted local plan except for the exclusion of the woodland at Broadfield Road. In broad terms we support the criteria in the policy with the following reservations. The adopted plan refers to the provision of a "primary school site" and it would more appropriate if the Draft Plan were to continue to use the same terminology.

Countryside Properties is willing to seek to co-ordinate the timing and nature of the benefits arising from Priors Green and Hawthorn Close, however the sites are in separate ownership and the policy should not assume greater co-ordination than can realistically be achieved by the developer.

94.2 Saxon Developments Ltd

The settlement boundary for Priors Green should run along the track extending eastwards from Jacks Lane with the land excluded from the new settlement boundary to the north of this track re-designated as part of the Countryside Protection Zone. Consequential amendments should be made to the Takeley/Little Canfield Local Policy 3 and the supporting text to this policy. These consequential amendments should include a significant reduction of the number of dwellings proposed at Priors Green to reflect the reduced site area suggested above.

The inclusion within the settlement boundary for Priors Green of land north of the track extending eastwards from Jacks Lane is inappropriate. This area of undeveloped farmland is of a different character to that to the south of Jacks Lane and this track where the nurseries, scattered development and under-utilised land predominate. The latter is appropriately included within the Settlement Boundary for Priors Green. The former is not. Jacks Lane and the track extending eastwards provides a defensible boundary for the Priors Green development.

204.13 Essex County Council

In sub section d) add as follows: Improved bridleway links between Jacks Lane and the Flitch Way Country Park should be provided within the development. Reference should be made to improving links to the Flitch Way Country Park.

219.28 English Heritage

This proposed development should be the subject of an archaeological assessment and the capacity of the site assessed in the light of the findings. The policy should include an additional qualification relating to the preservation of archaeological remains.

220.12 Essex County Council, Learning Services

We have agreed with Countryside Properties a free school site for a new primary school on this development, although we have yet to formalise the S106 Agreement. As you will know we are not happy about the location and orientation of the new school as shown on the Master Plan but have agreed with Countryside that they will discuss further with ECC where the school could best be situated after the planning permission has been granted.

UDC proposed changes to paragraphs 18.1 to 18.3 and Takeley Local Policy 3

The Priors Green site to the east of Takeley, partly in Little Canfield parish, is proposed for comprehensive residential development of 700 **725** homes and associated facilities. The Priors Green site comprises Takeley Nurseries, land in need of environmental improvement, **including an established scrap recycling business**, under utilised land where existing development has no coherent form and some adjoining farmland north of Dunmow Road.

~~Master Plans for this site and the land off Brewers End have been approved. A~~
Master Plan has been approved for part of this site, taking into account the character of the sites and its setting. The remaining area includes pockets of existing housing. There may be potential for some infill development in these

locations which would make a contribution to the total number of dwellings. Development of these locations will need to respect the provision of the approved Master Plan. Appropriate facilities and services to serve the developments need to be provided in the right place at the right time. ~~The approved master plans define sites for up to 800 dwellings, taking into account the character of the sites and their setting.~~ **The development should utilise existing access ways and those in the approved master plan.** The Priors Green site includes pockets of existing housing. The master plan indicates how they will relate to new development. Jacks Lane will need to be protected by its retention within a linear open space. The woodland in Broadfield Road will need to be retained for its nature conservation interest. Structural landscaping will be required to provide a framework for development. The disposition and extent of open spaces, structural landscaping and the location of other facilities has been resolved in the master plan.

Access to the Priors Green site will be from Dunmow Road. There will be no vehicular access to the development from Smiths Green. Traffic calming measures will be sought along Dunmow Road in order to discourage traffic from the development passing through Takeley once the new A120 is open. These, and other appropriate measures, will take account of the desirability of promoting public transport, cycling and walking as alternatives to the private car. Links for pedestrians and cyclists will need to be considered between the development site and the existing village.

Takeley/ Little Canfield Local Policy 3 – Priors Green

The Priors Green site to the east of Takeley defined on the Inset Map is proposed for comprehensive residential and associated development of 700 ~~725~~ dwellings.

The following criteria must be met:

- a) It provides for a mixed and balanced community;
- b) It provides for a local centre incorporating community facilities and suitable shopping, a primary school and satisfactory open space and arrangements for sport and recreation.
- c) It provides for substantial landscaping within the development boundaries to complement the layout and arrangement of buildings and may be required, by legal agreement, to provide off site landscaping.
- d) It is designed to mitigate adverse effects upon existing residential and community interests and may be required, by legal agreement, to provide or contribute towards wider and longer term planning benefits reasonably associated with the alleviation of any such impact. Development will need to provide for appropriate sport and recreation facilities, and long-term traffic calming measures for Dunmow Road.
- e) It provides for the management of the nature conservation interests of woodland in Broadfield Road;
- f) The provision of these and other relevant planning benefits are co-ordinated with the development of the site to the east ~~west~~ of Hawthorn Close.

Development will need to be implemented in accordance with a master plan approved by the Council. This will indicate how specific proposals, which may be implemented on a phased basis, will relate to an overall design concept for the site.

Inspector's Reasoning and Conclusions

- 20.6.1 See my report at paragraph 20.2.1 above.(185.9)
- 20.6.2 As the site is a long standing commitment, with the benefit of planning permission subject to legal agreements, and remains included to help meet the Structure Plan requirements it should not be deleted. The boundaries are drawn to reflect the permission, including the land to the north of the track extending eastwards from Jacks Lane, which is proposed for more open development. I have dealt with the arguments about land coming forward during the Plan period and the need for further land to be allocated in the Housing Chapter of the Plan at Policy H1. (202.3)(16.4)
(118.13)(144.15)(94.2)
- 20.6.3 See my report at paragraph 20.2.1 above (185.3)
- 20.6.4 National guidance advises that policies that place unduly restrictive ceilings on the amount of housing that can be accommodated on a site should be avoided.
- 20.6.5 I noted that in accordance with this advice a report to Committee on the 10 April 2002 shows that Council Officers recommended an increase in density to 800 dwellings at Priors Green. The reason given was to take account the potential contribution of parcels of land which are within the policy area but outside the Countryside Properties application. Officers considered this to be the best site to provide extra housing capacity. Their recommendation was not accepted and a maximum of 725 dwellings was imposed and included in the policy.
- 20.6.6 From my visits to the area and consideration of the agreed Master Plan it seems to me that the area for development is large enough, and the layout varied enough, to assimilate a higher density without significant impact on the character of the area. Although the development will adjoin existing residential areas, which is at various densities, much of the site will be self-contained where pockets of higher density would form part of an overall pattern of housing. Having regard to Policy H3 I do not believe increasing the density, as such, would affect the identity or setting of Takeley and it may help to further subsidise a public transport package for the A120.
- 20.6.7 However, the question is by how much should the density be increased. Takeley is not an urban area although once development of Local Policy 3 is completed it will be ostensibly suburban. I agree with the Council that Takeley is a large, generally unattractive village, and with the previous Inspector who said that the village has few important intrinsic qualities that need to be safeguarded.
- 20.6.8 There are, however, a number of pockets where I do not consider increased density would be appropriate, either because of the more open character which already exists, e.g. the need to protect and enhance the setting of Smith's Green and the character of the island sites. There is also a need to provide a mixed form of development with individual areas having a separate identity to encourage social inclusion.

20.6.9 On balance I consider the Council Officers original recommendation of around 800 dwellings to be a realistic figure. At a density of around 34 dph, which in my view is about the maximum the area can take, some 815 dwellings could be accommodated on the three sites, the main site, the site south of the nursery and The Laurels. (201.10)

RECOMMENDATION

Modify the policy by deleting 725 and inserting a total of 815 dwellings.

* * *

20.6.10 I understand that the Master Plan has already been approved and did not include a requirement to improve links through to the Flich Way Country Park. It cannot be included now and must rely on negotiation between the parties. (204.13)

20.6.11 A Master Plan has already been approved for this site and I understand from the Council that an archaeology assessment is being carried out. (219.28)

20.6.12 The actual location of the new school would be a matter for the Master Plan discussions and there is no need to specify any location in the Takeley/Local Policy 3 (220.12)

RECOMMENDATION

Make no further modification to the Plan in response to these objections but modify paragraphs 19.3 to 19.5 (formerly 18.1 to 18.3) of the supporting text and Policy 3 in accordance with proposed changes highlighted above.

20.7 TAKELEY LOCAL POLICY 4 – THE MOBILE HOME PARK

The Objections

110.1 (Objection Conditionally Withdrawn) Cory-Wright,

Omit the last sentence of para 18.6 and the last sentence of Takeley Local Policy 4. There should be an addition to the policy to state that permission will be granted for additional park homes at the site within the undeveloped area. Because of the inherent affordability of the homes there is no need to include any restrictions on occupancy or ownership and no conflict with the Council's policy for affordable housing on exception sites, policy H10. This is an opportunity to provide affordable market housing in a location close to the village.

UDC Proposed change to paragraph 18.6 and Takeley Local Policy 4

Planning permission for the mobile home park site was granted in association with the approval of the development at Stansted Airport, so as to facilitate the relocation of a number of mobile homes that existed on the Airport site at that time. In granting

planning permission, the Secretary of State considered that the site was outside the clear and well-defined limits of the built-up part of the village and that 'the granting of planning permission indicates no general weakening of support for established policies for the control of development in this part of Essex'. The site has not been included in the settlement boundary for these reasons. Its redevelopment for more conventional forms of housing will not be permitted. ~~The existing layout and quality of landscaping does not allow for further intensification either.~~ **Any additional mobile homes must respect the existing layout, open space provision and quality of landscaping. Areas of open space to be protected are identified on the inset map.**

Takeley Local Policy 4 - The Mobile Home Park
Redevelopment of the Takeley Mobile Home Park as defined on the Inset Map for conventional residential or other development proposals will not be permitted. Any additional mobile homes must respect the existing layout, open space provision and quality of landscaping. Permission will not be granted for any additional mobile homes on the site.

Inspector's Reasoning and Conclusions

20.7.1 The Council has met this objection by deleting the last sentence of the policy. This will enable additional mobile homes to be provided on the site to help meet affordable housing needs. (110.1)

RECOMMENDATION

Modify the supporting text in paragraph 19.6 (formerly 18.6) and Local Policy Plan 4 in accordance with proposed changes highlighted above.

20.8 SITE: LAND AT OLD HOUSE BUSINESS YARD, TAKELEY

The Objection

107.3 (Objection Withdrawn) Rosper Estates Limited

It is requested that the site edged red on the attached plan be proposed for Class B1 office redevelopment within the plan/proposals map. The proposal should make it clear that the Grade II listed building should be retained. The site known as Old House Business Yard represents an excellent opportunity for redevelopment for B1 purposes.

Inspector's Reasoning and Conclusion

20.8.1 Objection withdrawn

RECOMMENDATION

None

20.9 SITE: LAND TO THE SOUTH OF THE A120, PRIORS GREEN, TAKELEY

The Objection

117.2 KJ Cass Limited

Include land to the south of the A120 within Settlement Boundary

The new Essex Structure Plan requires new development land to be made available for housing and employment uses. The subject land area is potentially being made available for more intensive uses and so offers windfall housing opportunities. It should therefore be properly included within the Takeley development limits, as it is clearly a sustainable location with urban services. It already has an essentially urban mixed use character which will become much more pronounced as further development takes place.

Inspector's Reasoning and Conclusions

20.9.1 See my report on paragraph 19.3.

RECOMMENDATION

Make no modification to the Plan in response to this objection.

20.10 SITE: TAKELEY CRICKET CLUB, NORTH WEST OF TAKELEY FOUR ASHES CROSSROADS, TAKELEY

The Objection

196.2 Diocese of Chelmsford

Look at the issue of Takeley and its growth potential, including the relocation of the cricket club, a sustainable location for future housing growth rather than allocating sporadic development in the open countryside.

The existing cricket ground in Takeley could be replaced by a new facility as part of the residential development planned to the east of the village.

Inspector's Reasoning and Conclusion

20.10.1 I have dealt with the argument about the need to allocate additional land for housing during the Plan period in the Housing Chapter of the Plan at Policy H8. It seems to me that Takeley and its environs have more than adequate allocations to meet Structure Plan requirements and local needs and there would be no good reason to release a further greenfield site to provide more housing.

20.10.2 From my visit I noted that this site is in recreational use and is well related to the village. It is close to village facilities, enclosed by housing on more than two sides and well located for housing development. However, there are two issues here. The first is whether the Council agree that the cricket ground could be satisfactorily relocated elsewhere to the east of the village, and the second is whether during the Plan period there is a need to find more greenfield sites for housing in Takeley. On the second I have concluded there is not. Therefore, whether the cricket ground moves is a separate

issue and unconnected with the provision of additional housing during the Plan period. (196.2)

RECOMMENDATION

Make no modification to the Plan in response to this objection

20.11 SITE: LAND TO THE NORTH WEST OF TAKELEY

The Objection

144.1 & 2 Bryant Homes Limited

Policy S2 should be amended to include reference to development at north west Takeley and the proposals map/inset maps amended to include the site within the settlement boundary

Land to the north west of Takeley should be identified as an "area of special reserve" for longer term development needs and the settlement boundary drawn to reflect this.

Inspector's Reasoning and Conclusion

20.11.1 For a small village Takeley is taking a substantial amount of development. The development of the omission site would involve a massive intrusion into the vulnerable countryside between the Airport and the village contrary to Policy S8. If a further reserve site is needed I believe there are better located sites elsewhere in the district. I have commented on the argument about the need for additional allocations and reserve sites in the Housing Chapter of the Plan at Policy H1.

RECOMMENDATION

Make no modification to the Plan in response to this objection

20.12 SITE: LAND ADJOINING THE WHITE HOUSE, TAKELEY

The Objection

135.1 Collins

Include land adjoining the White House, Dunmow Road, Takeley within the Settlement Boundary.

Land adjoining the White House, Dunmow Road, Takeley should be included within the development area. The site could be serviced from the development to the west on St Valery. Since the new A120 road is being constructed there is every reason to

suppose that a new access may be available on the existing road frontage once this route is detrunked

Inspector's Reasoning and Conclusion

20.12.1 From my visit I do not consider the site reads with the village but as an integral part of its setting in the countryside. Takeley is already well served by development sites during the Plan period. I have considered the argument about the need for additional land to serve Structure Plan requirements and local needs in the Housing Chapter of the Plan at Policy H1. (135.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

21. THAXTED STATEMENT AND INSET MAP (CHAPTER 20)

21.1 THAXTED LOCAL POLICY 2 – LAND ADJACENT TO SAMPFORD ROAD

The Objection

153.4 Thaxted Parish Council

Policy should read "a 1.42 ha site adjoining the Sampford Road is proposed for employment uses including a maximum of 18 home/work units"

166.3 Woodhall Estates (UK) Ltd

Policy should read "a 1.42 hectare site adjoining Sampford Road is proposed for a mixed use scheme combining employment uses and homes specifically designed for home working"

Policy wording does not accurately describe the development which has the benefit of planning permission

Note

A revision to the representation has since been submitted seeking to amend the allocation to be wholly for housing on the basis that the site has proved impossible to market in either industrial use or its current permission for over 20 years. In line with the advice in PPG3 the site should now be released for housing.

219.29 English Heritage

We note that the land adjacent to Sampford Road already has planning permission. The policy should be expanded to refer to the land bordering the road as safeguarded from development.

220.13 Essex County Council Learning Services

Reserve the right on any possible developer contribution for education provision once I know the number of dwellings involved.

220.24 Essex County Council Learning Services

Developer contributions are likely to be sought in respect of additional primary and secondary school places from the residential element planned for the site adjoining Sampford Road. Thaxted Primary School and Helena Romanes are both currently operating at their respective capacities.

Inspector's Reasoning and Conclusion

21.1.1 I have dealt with the objections as a whole as the issue at Inquiry was whether the site should be allocated for housing instead of employment uses. Land adjoining would be safeguarded by countryside policies of the Plan. Contributions in respect of school provision would be sought through the development control process once the number of housing units is known.

RECOMMENDATION

I have recommended elsewhere in my report that this site should be retained for home/work units.

21.2 THAXTED LOCAL POLICY 3 – SAFEGUARDING OF EMPLOYMENT AREAS

The Objection

166.4 Woodhall Estates (UK) Ltd

Delete the Sampford Road site from this policy.

The Sampford Road site should not be included in this category

Inspector's Reasoning and Conclusions

21.2.1 See my report at 21.1 above.

RECOMMENDATION

Modify paragraph 20.2 to recognise the recommended change to home/work units.

21.3 THAXTED - NEW POLICY

The Objection

153.6 Thaxted Parish Council

A new policy to be introduced Local Policy 4; " A stringent presumption against further development in this area which would inevitably result in a significant increase in traffic through the Tanyard and Bell Lane and an increase in surface water run off to an already flood prone location will be applied. No relaxation of the Settlement Boundary will be permitted.

Inspector's Reasoning and Conclusions

21.3.1 Thaxted is shown as a Key Rural Settlement. It is a large village and as would be expected of a settlement of this size has a defined settlement boundary. This is tightly drawn to the north-east. Because the boundary is clearly defined there is no need for a policy which says that no relaxation of that boundary will be permitted. Any development proposed outside or straddling the boundary would be dealt with on the basis of Policy S7 under which new building in the country would be strictly controlled.

21.3.2 No policy would be reasonable if it imposed a complete embargo on development within a settlement, particularly one as large as Thaxted,. Villages evolve over time and proposals within them need to be considered on their own merits against a range of policies in the Plan. There are policies that deal with flood protection and access, and others with character and amenity. Any proposals for development would be assessed by the Council against all relevant policies in the Development Plan (The Structure Plan and the Local Plan) and any other material considerations prior to a decision being made.

RECOMMENDATION

Make no modification to the Plan in response to this objection

21.4 SITE: LAND R/O 23-25 TOWN STREET, THAXTED

The Objection

153.7 Thaxted Parish Council

Introduce new policy "that open-space Conservation Areas - natural gardens at Clarence House, rear of Nos. 23 and 25 Town Street and the Primary School Playing Field will be protected.

Introduce new policy to protect open space and conservation area.

23.1 Hunter

Redraw Settlement Boundary to exclude rear of Nos. 23 and 25 Town Street
Large gardens give space for the growth of tall and spreading trees, add to the townscape of the village and contribute to the variety and texture of the overall scene, they are of nature conservation value.

Inspector's Reasoning and Conclusions

21.4.1 As the Plan is to be read as a whole in my view there is no need to repeat policies which are contained elsewhere in the Plan which protect important open spaces. There are General and Environment Policies included in the Plan which together protect all types of important open spaces. (153.7)(23.1)

Recommendation

Make no modification to the Plan in response to these objections

21.5 SITE: LAND OFF WEDOW ROAD, THAXTED

The Objection

164.9 Bellway Homes

Land off Wedow Road should be included within H1. The Thaxted Inset Map should be amended to show the site allocated for housing and included within the settlement boundary. Thaxted has been identified as a key rural settlement this is recognition that the settlement has a particular role to play within the District. We believe that a site off Wedow Road could accommodate 60-75 dwellings of which up to 50% will be affordable. Site approximately 1.98 hectares (4.9 acres)

Inspector's reasoning and conclusions

21.5.1 Although Thaxted is a key rural settlement the development of this omission site would involve a significant incursion into open country on to a large greenfield site. I have dealt with arguments about the need for additional allocations to meet Structure Plan requirements, and future local needs in the Housing Chapter of the Plan at Policy H1. (164.9)

RECOMMENDATION

Make no modification to the Plan in response to this objection

21.6 SITE: LAND AT BOLFORD STREET, THAXTED

The Objection

175.1 Latham

The area of land (0.2ha) rear of 28 Bolford Street, should be included within the village boundary for infill development. The Village Boundary does not take into account small infill backland plots available on the edge of the village which would provide small number of dwellings without affecting the character of the settlement.

Inspector's Reasoning and Conclusion

21.6.1 I found from my visit that this isolated backland site is remote from any other development in depth and would be a spur of housing intruding into open countryside. This would not be infill development, which is defined as the development of small gaps within groups of houses. It would be backland development unrelated to the form and character of development in this part of Thaxted. (175.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection.

21.7 SITE: LAND WEST OF GUELPHS LANE, THAXTED

The Objection

116.2 Essex County Council - Property Services

Include land adjacent to and to the west of Guelph's Lane and the mead within the Thaxted Settlement boundary. Essex CC own a 1.72 ha that was originally acquired to provide for a replacement primary school. The western segment is well located on the urban fringe of Thaxted and could be developed to provide for future local housing needs without significant intrusion into the open countryside. The impact of built development of the western segment of the site will have substantially less impact than the ribbon development approved for the site adjoining Sampford Road. This is a logical housing site whilst respecting the urban form of Thaxted and providing a defensible and sharply defined boundary between town and countryside.

Inspector's Reasoning and Conclusion

21.7.1 I have dealt with arguments about additional land to meet Structure Plan requirements and local needs in the Housing Chapter of the Plan at Policy H1. From my visit I consider the site to be an integral part of the countryside and the rural setting of Thaxted. Development here would be a significant intrusion on to a greenfield site and without particular justification there is no good reason to allocate this site to meet housing needs. (116.2)

RECOMMENDATION

Make no modification to the Plan in response to this objection

22. ARKESDEN INSET MAP

22.1 SITE: LAND SOUTH OF STOCKS MEAD, WICKEN ROAD, ARKESDEN

The Objection

21.1 Newland

Extend boundary settlement line to include land south of Stocks Mead, Wicken Road.

Inspector's Reasoning and Conclusions

22.1.1 Arkesden consists mainly of linear development with a loose grouping of housing near the church. From my visit I consider that to include this site within the settlement boundary would invite the unacceptable extension of a loose ribbon of development along the south western side of Wicken Road.

RECOMMENDATION

Make no to the Plan in response to this objection

22.2 SITE: LAND R/O TALLIS COTTAGE, ORCHARD HOUSE, HAMPIT ROAD
ARKESDEN

The Objection

22.1 (Objection conditionally withdrawn) Edmans

Settlement Boundary to be redrawn along field hedge, behind Tallis Cottage to Orchard House. The boundary does not follow original garden boundary and excludes buildings previously part of Tallis Cottage.

UDC Proposed amendment to the settlement boundary

Objections to proposed change

241.1 Mrs L. Latham on behalf of local residents

Revert the development limits for Arkesden back to their original and adopted line. The site is not suitable for development. Its small size renders any development harmful in terms of the effect on residential amenity. The location of the site would render any development intrusive and out of character with the existing character of the village which is of frontage housing either side of the road.

245.1 Mr Gary Green

Track that leads to the land in question can only be used at the moment at certain times. I do not see why this should be changed. At the moment it seems unclear how wide the track should be.

247.1 Arkesden Parish Council

Return the settlement boundary to the line on the original local plan. Only part of the additional area within the settlement boundary should be considered. The remaining area represents a very small plot with a narrow entrance that is currently used for storing building materials. Any residential development of this remaining area would, the Parish Council considers fall into the category of backland development and as such there are no exceptional circumstances that require it to be developed. None of the criteria in Policy H3 are met.

248.1 Mr & Mrs C & G Parker

Delete the proposed change in the settlement boundary. The garden of Orchard House is not suitable for development - there is no vehicular access. Development would constitute backland development and would not meet the criteria set out in Policy H3 and GEN 1

Inspector's reasoning and conclusions

- 22.2.1 Following an objection at the first deposit stage the Council revised the settlement boundary to follow the original garden boundary and field hedge which they considered to be a logical and defensible boundary. This was subsequently objected to by the Parish Council and local residents.
- 22.2.2 The boundary chosen by the Council in the Deposit Plan followed the rear garden boundaries of four dwellings then crossed the access and joined up with the rear boundary of Tallis Cottage and Victoria Cottage.
- 22.2.3 I can understand why the Council decided to include the site within the settlement boundary because it formed part of the original rear garden of Orchard House. However, in my view the land reads as part of the agricultural land to the west and does not form an integral part of the built up area of the village. The meandering agricultural hedge does form a natural boundary but is only related to the village for a short part of its length.
- 22.2.4 As the settlement boundary defines an area within which development is likely to be acceptable, to include the land would give the misleading impression that the land is suitable for some form of backland development. In my view backland development here would be contrary to the form and character of the village and would be an intrusion into its open setting.
- 22.2.5 I believe the settlement boundary should as far as possible reflect the frontage development which exists, by following the rear boundaries of the adjoining houses and should be tightly drawn around the settlement. Any development proposals for the objection site should be dealt with under Policy S7.

RECOMMENDATION

Modify the Plan by reverting back to the boundary shown in the Deposit Draft.

22.3 SITE: LAND AT HILL FARM, ARKESDEN

The Objection

195.1 Payne

Amend H1, Part (c) to take account of smaller settlements such as Arkesden which do have an opportunity to provide limited housing growth in a more sustainable manner. Allocate land at Hill Farm for housing. The allocation would contribute to the range of new housing required in the district in a location which could assist in supporting the rural community as a whole. While Arkesden does not directly provide

a good range of local services including schools, public houses and community facilities it is located within reach of a good quality principal bus route and therefore would provide an alternative to sporadic development in the open countryside.

Inspector's Reasoning and Conclusions

22.3.1 I have dealt with arguments about the need to provide land in the rural area for local housing in the Housing Chapter of the Plan at Policy H1. Arkesden is a small village with limited facilities and in my view should not have priority to meet the district's overall need for housing. There might be a particular identified limited local need, such as affordable housing, which could be dealt with as an exception under Policy H10. Although it is suggested that the site would provide a reasonable alternative to sporadic development I am not aware from the objections raised in writing or at Inquiry that the Council is allocating land for sporadic development in the country to meet local housing needs. The omission site is poorly related to the village and is separated from the proposed settlement boundary by sporadic development.

RECOMMENDATION

Make no modification to the Plan in response to this objection

23. ASHDON INSET MAP

23.1 SITE CLAYS ACRE CHUCH HILL ASHDON

The Objection

27.1 Bowles

Amend the settlement boundary to include that part of Clays Acre which was previously within the Development Limits or alternatively include the whole of the curtilage within the settlement boundary.

Inspector's Reasoning and Conclusion

23.1.1 Existing housing to the west side of the road on the edge of the settlement is loosely knit and consists of The Beeches and Clays Acre which are both shown to be outside of the settlement boundary. To the north the development is to a higher density. To include the omission site within the settlement boundary would in my view encourage the change from sporadic development to a ribbon of housing by an intensification of frontage development. Such proposals would be detrimental to the character of the established housing in this vicinity and would not preserve or enhance the character or appearance of the designated conservation area.(27.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

24. BARNSTON INSET MAP

24.1 SITE: LAND ADJ TO BROADGROVES, HIGH EASTER ROAD, BARNSTON

The Objection

37.1 (Objection withdrawn) Smith

Include site within settlement boundary and identify as being suitable for residential development. The Settlement Boundary is illogical in its exclusion of an area of land at the junction of High Easter Road and Chelmsford Road. The site is well contained and separated from open countryside by hedges and trees, it adjoins Broadgroves and converted barns.

Inspector's Reasoning and Conclusion

24.1.1 I understand from the Council that this objection is withdrawn

RECOMMENDATION

No recommendation

24.2 SITE: LAND TO THE SOUTH EAST OF BARNSTON

The Objection

194.1 Hamilton

Land of 4.76 acres to the south east of Barnston is currently outside the settlement boundary which is tightly drawn. There is an opportunity to provide limited housing growth in this sustainable location. Barnston has a limited range of local facilities and there is some employment. Barnston is also on an extremely well used and well served public transport corridor.

Inspector's Reasoning and Conclusion

24.2.1 Barnston is a tightly knit settlement with a clearly defined settlement boundary. The proposal would involve a significant expansion of housing into the open countryside. In my view it would be intrusive and out of scale and character with the village. I have dealt with the argument about the allocation of more land to meet Structure Plan requirements and local needs in the Housing Chapter of the Plan at Policy H1. If there are particular local needs identified to meet affordable housing requirements, they can be dealt with as an exception under Policy H10.

RECOMMENDATION

Make no modification to the Plan in response to this objection

25. BERDEN INSET MAP

25.1 SITE: LAND TO THE NORTH OF THE VILLAGE - WHITE HOUSE FARM

The Objection

54.1 Sachev

The settlement boundary is drawn too tightly.

Amend settlement boundary to include the properties around White House Farm etc.

Inspector's Reasoning and Conclusion

25.1.1 From my visit I consider that existing development around White House Farm does form an integral part of the village. However, it is development of a particular rural character and I believe to include the whole of the omission site within the settlement boundary could encourage development or redevelopment of a scale and character inappropriate in this location. Although perhaps some of the frontage development could be included within the settlement boundary it would be difficult to define a defensible limit. On balance I consider it should remain outside of the settlement boundary. See my report on settlement boundaries in the Housing Chapter of the Plan at H1.

RECOMMENDATION

Make no modification to the Plan in response to this objection

26. BIRCHANGER AND PARSONAGE FARM INSET MAP

26.1 SITE: LAND BETWEEN 331 AND 351, BIRCHANGER LANE, BIRCHANGER

The Objection

56.1 Clayden

Include within the settlement boundary, and exclude from the Green Belt, the northern part of the site between 331 and 351 Birchanger Lane. Village is tightly constrained and there is little room for organic growth or for affordable housing. By developing only part of the field this will avoid a continuous built up frontage

Inspector's Reasoning and Conclusion

26.1.1 The proposal would involve the incursion of housing on to part of an open field in the green belt. A green belt boundary should only be altered in exceptional circumstances. If there is a proven need for local affordable housing it can be dealt with as an exception under Policy H10 and Policy S6 of the Plan. I have dealt with the argument about the need for local housing in the Housing Chapter of the Plan at Policy H1. (56.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection.

27. CLAVERING INSET MAP

27.1 SITE: LAND ADJACENT TO ROSSIE, COLEHILL LANE, CLAVERING

The Objection

26.1 Doherty

Land adj to Rossie should be included within the settlement boundary for housing. Clavering as a village has facilities to support additional development. Site is brownfield immediately adjoining established residential areas. No other significant provision has been made within the village for residential development.

Inspector's Reasoning and Conclusion

27.1.1 Although this site has development to the east, housing to the west is sporadic and the omission site reads as part of the open countryside. Its development would involve a significant expansion to the village. I have dealt with arguments about the need to allocate more land to meet local needs in the Housing Chapter of the Plan at Policy H1. There is no identified local need before me for additional housing in Clavering and if affordable housing is required it can be dealt with as an exception under Policy H10.

RECOMMENDATION

Make no modification to the Plan in response to this objection

28. CLAVERING (HILL GREEN) INSET MAP

28.1 SITE: LAND ADJ TO HILBERRY, HILL GREEN, CLAVERING

The Objection

176.1 Hitchcock

The area of land (0.48 ha) on the south eastern edge of Hill Green, offers potential for infill development and as such it should be included within the settlement boundary for small scale infill development. The village boundary of Clavering does not take into account small infill plots available on the edge of the village which would provide small number of dwellings without affecting the character of the settlement.

Inspector's Reasoning and Conclusion

28.1.1 Clavering is a large village with a range of facilities. Existing development on the south side of the road consists of a ribbon of five dwellings. Although there is a gap between these dwellings and an isolated dwelling to the east I do not consider the proposal would be infilling, which is defined as a small gap between a small group of houses. The omission site is only partially between houses but mainly to the rear of the existing ribbon. In my view development of this site in depth would be out of keeping with the form and character of the village and be an unacceptable intrusion into open countryside. A proposal for the infilling of the small gap in the frontage would be dealt with under Policy S7 and under advice in paragraph 6.5 of the Plan.

RECOMMENDATION

Make no modification to the Plan in response to this objection

28.2 SITE: LAND ADJACENT TO HILL GREEN FARM, HILL GREEN, CLAVERING

The Objection

176.2 Hitchcock

The area of land (0.29 ha) at Hill Green Farm, is a redundant farmyard and as such offers potential for its reuse for residential development and should be included within the settlement boundary for small scale development. The site offers the potential for housing mix and open space,

Inspector's Reasoning and Conclusion

28.2.1 Development on the west side of the road is a loosely knit ribbon and the omission site is separated from existing industrial development to the north by undeveloped land and the road. I do not consider the proposal would be infilling, which is defined as a small gap between a small group of houses.

28.2.2 I have recommended in the Housing Chapter of the plan at Policy H1 that the Council, in conjunction with Parish Council's considers whether there is a local need for housing in villages.

RECOMMENDATION

Make no modification to the Plan in response to this objection

29. DEBDEN INSET MAP

29.1 SITE: LAND AT ASHVALE HOUSE, ROOK END, DEBDEN

The Objection

44.1 Wilson

Amend the settlement boundary to include land at Rook End. The reason for this is, over the last 10 years various barns have been converted into dwellings and farm buildings into homes, making this area an integral part of the community.

Inspector's Reasoning and Conclusion

29.1.1 This is an island site clearly separated from the main development area of the village. It is part of loose sporadic development where additional housing would not be appropriate. (44.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

30. DUDDENHOE END INSET MAP

30.1 SETTLEMENT BOUNDARY

The Objection

30.1 Camerson

Define a settlement Boundary for Duddenhoe End. Plan makes no reference either by text or plans to Duddenhoe End

Inspector's Reasoning and Conclusion

30.1.1 This is a small settlement with little potential for development. From my visit it does not justify a settlement boundary. Any development proposals would be dealt with under Policy S7 of the Plan. (30.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

31. ELMDON INSET MAP

31.1 SITE: LAND TO THE NORTH EAST OF WHITEHALL COTTAGES, HEYDON LANE, ELMDON

The Objection

53.1 Bond

Amend the settlement boundary to include the site.

Object to the village plan for Elmdon since it precludes development on land to the east of Whitehall Cottages.

Inspector's Reasoning and Conclusion

31.1.1 The settlement boundary is unchanged from the Adopted District Plan and the site is isolated from the more intensively developed part of the village. It is on the edge of the Conservation Area. This consists of a core of loosely knit development with no identifiable form.

31.1.2 A similar objection was raised in 1993 when the Inspector considered that as a matter of planning policy it would be quite inappropriate to draw a detached village development limit around this open field at the extremity of the built up part of the settlement. This situation is unchanged. Although the site has development around it this is sporadic and does not create a pattern that could readily be followed. In my view development of the site would be detrimental to the open character prevalent in Heydon Lane. I accept that over time changes have occurred but from the evidence these have been on

the basis of replacement and alterations to existing buildings and have not involved building on open land.

- 31.1.3 The Council considers that to make best use of the site it would have to be developed to a higher density. I consider that the character of the area would dictate otherwise. Nevertheless, if the Council identified a need for housing in the village, I believe there are other sites, better related to the settlement boundary for housing than the omission site.

RECOMMENDATION

Make no modification to the Plan in response to this objection

31.2 SITE: LAND OFF HOLLOW ROAD, ELMDON

The Objection

61.1 Stubbs

We would like the settlement boundary that runs along the bottom of the gardens in Hollow Road to continue NNW and embrace our property and its associated grounds marked on the plan.

Inspector's Reasoning and Conclusion

- 31.2.1 Elmdon is a village of two parts. The loosely knit development to the north and south of the church and forming the conservation area, and the more tightly knit ribbon stretching north eastwards which is included within the settlement boundary. Much of the development is on the south side of the road and I consider to extend the settlement boundary to include an isolated dwelling on the north side of the road would not provide a logical defensible boundary within which development might be permitted. (61.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

32. FELSTED INSET MAP

32.1 SITE: CHELMSFORD ROAD, FELSTED

The Objection

74.1 Gordon Crawford Farms

Amend the settlement boundary and include allocation of the site for housing. The small extension of the Felsted settlement boundary and allocation of housing on the site proposed on the Felsted inset map will provide a few private dwellings of medium density on an existing village street location to give people the option and choice of residing in a new non-estate dwelling. The development abuts the existing settlement boundary and is set in a built residential street scene both sides. The development can be carried out without any significant affect on the area and would not be detrimental to the landscape or intrude into open countryside.

Inspector's Reasoning and Conclusion

32.1.1 From my visit I consider that although the site abuts existing housing the development of this site would be an unacceptable extension of ribbon development into open countryside. I have dealt with the argument about additional allocations to meet local needs and Structure Plan figures in the Housing Chapter of the Plan at Policy H1.

RECOMMENDATION

Make no modification to the Plan in response to this objection.

32.2 SITE: LAND AT THE VICARAGE, STATION ROAD AND TIDINGS, MILL ROAD, FELSTED

The Objection

152.1 Felsted Parish Council

Amend settlement boundary to exclude (i) land at the vicarage garden and (ii) the garden of Tidings from the settlement boundary. The Parish Council considers minor changes to the outline are needed to safeguard against future development claims in the vicarage garden and the garden of Tidings in Mill Road.

Inspector's Reasoning and Conclusion

32.2.1 As far as possible boundaries should follow definite features on the ground and in these cases the boundaries chosen by the Council are clearly identifiable on site as the boundary of the two properties. In my view, as they are logically within the settlement boundary and the Council would need to look at any development proposals on the basis of other policies of the Plan to protect areas from inappropriate development.

RECOMMENDATION

Make no modification to the Plan in response to this objection

32.3 SITE: LAND ADJACENT TO MONTAGUE HOUSE, MILL ROAD, FELSTED

The Objection

193.1 Balson

Land adjacent to Montague House, Mill Road, Felsted should be included within the settlement boundary and allocated within H1. Facilities are available in the village and the site is served by public transport. This is a more appropriate location for housing growth than sporadic development in the open countryside which would amount from Policy H1(c)

Inspector's Reasoning and Conclusion

32.3.1 I have dealt with argument about the need for additional housing in villages for local needs and to meet Structure Plan requirements in the Housing Chapter of the Plan at Policy H1. Although there is development opposite the omission site I consider the proposal would involve an unacceptable extension of ribbon development into open countryside. (193.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

33. FELSTED (CAUSEWAY END) INSET MAP

33.1 SITE: LAND AT BEAZLEYS, CHELMSFORD ROAD, FELSTED

The Objection

152.2 Felsted Parish Council

Land at Beazleys, Chelmsford Road should be excluded from the settlement boundary. The boundary line should be the garden of Beazleys in Chelmsford Road to exclude the lane, used as a field entrance to avoid future development claims.

UDC Proposed a change to settlement boundary

Inspector's Reasoning and Conclusions

33.1.1 The Council proposes to change the boundary to the more logical boundary.

RECOMMENDATION

Modify the Plan in accordance with proposed change

34. FELSTED (WATCH HOUSE GREEN) INSET MAP

34.1 SITE: LAND TO THE NORTH EAST OF WATCH HOUSE GREEN

The Objection

87.1 Payne

Extend settlement boundary of Watch House Green to include Watch House Farm, Cromwells, The Watch House and the Watch House Farm industrial estate. Since the existing uses and development are lawful, it is a matter of fact that this land is a developed part of the settlement. There are potential benefits to arise from including the land within the settlement boundary by virtue of provision of new housing, employment, recreational facilities, or community facilities.

Inspector's Reasoning and Conclusion

34.1.1 Although from my visit I saw that the omission site to the east of the highway is of different character to that on the west and is surrounded by open countryside I consider that this industrial and housing development reads as part of the settlement. I accept that any redevelopment proposals could be dealt with in the context of other relevant policies of the Plan but, in my view, this group of established development is well integrated with the remainder of the settlement. I believe that consolidation, of itself, if carefully designed and sited need not be out of keeping with its surroundings.

RECOMMENDATION

Modify the Plan by including the omission sites within the settlement boundary.

35. FELSTED (GRANSMORE GREEN) INSET MAP

35.1 SETTLEMENT BOUNDARY

The Objection

111.1 Alexander

Define a settlement boundary for Gransmore Green which is a settlement with naturally defined boundaries. Within the settlement there is an established pattern of developed land, outside of which is open rolling countryside. New development has been permitted within the settlement.

Inspector's Reasoning and Conclusion

35.1.1 From my visit I found Gransmore Green to be loosely knit and difficult to define. In my view a settlement boundary would be likely to encourage an intensified form of development out of keeping with the character of the area.

RECOMMENDATION

Make no modification to the Plan in response to this objection

36. GREAT EASTON INSET MAP

36.1 SITE; LAND AT PETERSFIELD, THE ENDWAY, GREAT EASTON

The Objection

39.1 Barltrop

Include land at Petersfield within settlement boundary and identify as being suitable for residential development.

Inspector's Reasoning and Conclusion

36.1.1 The omission site is within an area of the village, which consists of loosely knit development in, and on the edge, of the conservation area. It is an isolated plot well outside of the defined settlement boundary and it would be illogical or put a further settlement boundary around an individual plot.

RECOMMENDATION

Make no modification to the Plan in response to this objection

37. GREAT HALLINGBURY INSET MAP

37.1 SITE: LAND NORTH OF BEDLARS GREEN

170.3 Streeter

The area of land (0.15 ha) north of Bedlars green, should be included within the village boundary for infill development. The settlement boundary should include the area of the 1995 local plan and extend to the edge of the existing residential development to include infill sites. This area would not extend into the CPZ. The development limits of Great Hallingbury (Bedlars Green) appear to have been restricted in the draft local plan from the current 1995 local plan.

Inspector's Reasoning and Conclusion

37.1.1 From my visit I found this to be an area of sporadic development outside of the main settlement and different in character from it. In my view it is not an area suitable for redevelopment or intensification into a ribbon of housing and should remain outside of the settlement boundary.

RECOMMENDATION

Make no modification to the Plan in response to this objection

38. GREAT SAMPFORD INSET MAP

38.1 SITE: LAND AT MOOR END, GREAT SAMPFORD

The Objection

103.1 & 2 Curtis

Define a Settlement Boundary for Moor End, Great Sampford

The Plan defines boundaries for smaller collections of dwellings elsewhere and which are more remote from the main settlement. Moor End is a compact area of development within the wider landscape. Policy H2 should set out a clear definition of the type of infill development which would be allowed.

Inspector's Reasoning and Conclusion

38.1.1 From my visit I found that although Moor End is separated from the main settlement by open land that it is close enough to the village to be considered an integral part of the community. It is a large area of cohesive development well defined and in my view should have a settlement boundary. The definition of infilling is now mentioned in paragraph 6.5, although in the context of development outside of settlement boundaries. Infilling is also defined in government guidance. Criteria have now been listed in Policy H2 to deal with windfalls within settlement boundaries.

RECOMMENDATION

Modify the Plan by including a settlement boundary for Moor End

38.2 SITE: LAND ADJACENT TO SNOWDROP COTTAGE, GREAT SAMPFORD

The Objection

173.1 Radbourne

Great Sampford Village Boundary does not take into account small infill plots available on the edge of the village which would provide small number of dwellings without affecting the character of the settlement.

An area of land (0.45 ha) on the east of the village, opposite Sadlestone Hatch, should be included within the village boundary for small scale development. The site offers the potential for housing mix and open space.

Inspector's Reasoning and Conclusion

38.2.1 From my visit I do not consider this land to be an infill plot. Infilling is the development of a small gap between groups of houses. The omission site is a field separated from the village by other open land. Its development would involve a significant incursion into open countryside and a substantial expansion of the village. I have dealt with the argument about the need for more local housing in the Housing Chapter of the Plan at Policy H1. (173.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

39. HADSTOCK INSET MAP

39.1 SETTLEMENT BOUNDARY

The Objection

67.2 Bennett

The area to the west of Bardsfield was the subject of a planning application for a new house. Although it was refused perhaps an enlargement of the Conservation Area would discourage future applications. The suggested new line omits the two dwellings in Sargent's Lane as there is presumably a reason why they were omitted in the first place.

Inspector's Reasoning and Conclusion

39.1.1 The development of a site is not refused because it is within a conservation area. Such designation is to ensure that any proposal preserves or enhances the character or appearance of the area, not to prevent development. However the site of concern is well outside the village boundary and there are policies in the Plan such as S7 against which any proposal would be assessed. (67.2)

RECOMMENDATION

Make no modification to the Plan in response to this objection

40. HATFIELD BROAD OAK INSET MAP

40.1 SITE: LAND AT GREAT CHALKS & BURY HOUSE – ENVIRONMENTAL DESIGNATION

The Objection

96.1 Crook

Removal of the entire ENV designation currently placed on Great Chalks, Bury House and the rear private land, situated within the village of Hatfield Broad Oak. The property comprises 2 privately owned substandard old detached residences together with formal gardens a large meadow and an orchard which is significant in size and located within the built up envelope. It is surrounded by rear gardens on all four sides. Part of the area is subject to an area TPO. An arborocologists report has been prepared which identifies a large number of poor quality and diseased trees in addition to good quality specimens.

Inspector's Reasoning and Conclusion

40.1.1 The land to the rear of the two houses is an important open space within the village. Although in private ownership I consider it to be a site worthy of protection under Policy ENV3. However, in my view the two houses on the frontage, Great Chalks and Bury House are an integral part of the street scene and the village and I do not believe the ENV notation should cover them. (96.1)

RECOMMENDATION

Modify the Plan by revising the boundary of the ENV notation to exclude Great Chalks and Bury House

40.2 SITE: LAND SOUTH OF CANNONS LANE

The Objection

179.1 Broad,

The village boundary of Hatfield Broad Oak does not take into account small infill plots available on the edge of the village which would provide a small number of dwellings without affecting the character of the settlement. The area of land (2.2 ha) south of Cannons Lane should be included within the village boundary for small scale development. The site offers the potential for housing mix and open space.

Inspector's Reasoning and Conclusion

40.2.1 The omission site is an area of some 2.2ha the development of which would extend the village southwards into open countryside. The proposal would involve a significant addition to housing in the village and could not be described as an infill, which is defined as infilling of small gaps within small groups of houses, nor could it be defined as a minor extension to an existing group. I consider the settlement boundary is clearly defined to the south as shown on the Inset Map. I have dealt with the argument about the need for additional local housing in the Housing Chapter of the Plan at Policy H1 (179.1).

RECOMMENDATION

Make no modification to the Plan in response to this objection

41. HATFIELD HEATH INSET MAP

41.1 SITE: LAND SOUTH OF CHELMSFORD ROAD, INCLUDING MANDEL AND KATALBA, HATFIELD HEATH

The Objection

112.1 Maryon, Eeles, Benzin & Warrel

MGB Boundary should be redrawn to exclude the properties of Mandel and Katalba and the land to the west. (Note amendments to settlement boundary will be consequential). This proposed amendment to boundary will not cause merging of

Bishop's Stortford and Stansted and current boundary does not follow recognisable features on the ground. Majority of site is already residential curtilage and is not a 'greenfield site'. Development or redevelopment as a site for a few new homes on the edge of a small village (with good services) would be consistent with sequential approach set out in Councils 'Your community, Your Voice, Use it!'.

Inspector's Reasoning and Conclusion

41.1.1 I have dealt with the argument about the need for additional housing land to meet Structure Plan requirements and local needs in the Housing Chapter of the Plan at Policy H1. Development of the omission site would involve a significant expansion to the village. Green belt boundaries should only be altered in exceptional circumstances and although I accept they should be reviewed from time to time, I do not consider that it would be appropriate to include within the settlement boundary this loosely knit development which reads as part of the rural scene. (112.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

41.2 SITE: LAND AT STORTFORD ROAD

The Objection

172.2 Roberts

The area of land (1.2 ha) on the south west side of Stortford Road, should be included within the village boundary as small scale infill and excluded from the MGB. The boundary of Hatfield Heath does not take into account small infill plots available on the edge of the village which would provide a small number of dwellings without affecting the character of the settlement and the MGB.

Inspector's Reasoning and Conclusion

41.2.1 Although there is housing on the opposite side of the road In my view this proposal would involve the unacceptable extension of a short ribbon of development into a long ribbon of housing in open countryside outside of the settlement boundary. The site is within the Green Belt and I find no exceptional circumstances why it should not remain so. (172.2)

RECOMMENDATION

Make no modification to the Plan in response to this objection

41.3 SITE: LAND SOUTH OF BLAISDON LODGE, AND LAND NORTH WEST OF BLAISDON LODGE SOUTH OF THE B183, HATFIELD HEATH

The Objections

179.3 Broad, - Land south of Blaisdon Lodge

179.2 Broad, – Land north west of Blaisdon Lodge

The area of land (0.9 ha) south of the B183, south of Blaisdon Lodge, should be included within the village boundary as small scale infill and excluded from the MGB. The area of land (0.19 ha) south of B183 adjacent Laurels should be included within the village boundary and excluded from the MGB.

The village boundary of Hatfield Heath does not take into account small redevelopment plots available on the edge of the village which would provide a small number of dwellings without affecting the character of the settlement and the MGB.

Inspector's Reasoning and Conclusion

41.3.1 The site is within an area of sporadic development outside of the core of the village. Because of the loosely knit nature of the development it is well outside the defined settlement boundary and within the Green Belt. I see no logical argument for including an isolated plot within a separate settlement boundary remote from the main part of the village. I have dealt with the need for additional housing to meet local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1. (179.2)

RECOMMENDATION

Make no modification to the Plan in response to this objection

41.4 SITE: LAND AT ST GEORGE'S COTTAGES, ARDLEY END, HATFIELD HEATH

The Objection

171.1 Scantlebury

The area of land (0.15) ha at St Georges Cottages, Ardley End, should be included within the village boundary as infill development and excluded from the MGB. The boundary of Hatfield Heath does not take into account small backland infill plots available on the edge of the village.

Inspector's Reasoning and Conclusion

41.4.1 See my report at paragraph 41.3.1 above

RECOMMENDATION

Make no modification to the Plan in response to this objection

41.5 SITE: LAND NORTH OF SAWBRIDGEWORTH ROAD, HATFIELD HEATH

The Objection

172.1 Roberts,

The area of land (4.2 ha), north of Sawbridgeworth Road, should be included within the village boundary as small scale development and excluded from the MGB. The site offers the potential for housing mix and open space.

The Boundary of Hatfield Heath does not take into account small infill plots available on the edge of the village.

Inspector's Reasoning and Conclusion

41.5.1 Although the settlement boundary recognises the ribbon of development to the south of the village the omission site is a spur of land projecting out into the Green Belt. The development of this backland site would not be in keeping with the linear form of this part of the village. I have no evidence before me that there are exceptional circumstances why the land should not remain within Green Belt. (172.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

42. HEMPSTEAD INSET MAP

42.1 SITE: LAND SOUTH OF LONGCROFT, WEST OF HIGH STREET, HEMPSTEAD

The Objection

199.1 Haylock

Policy H1 – (c) should be amended to take account of smaller settlements such as Hempstead which do have an opportunity to provide limited housing growth. Include land adj to Longcrofts within the settlement boundary.

There are more suitable locations for development rather than sporadic development throughout the rural area. Land adjacent to Longcroft is a suitable location for future housing growth within the settlement of Hempstead and would amount to village infill.

Inspector's Reasoning and Conclusion

42.1.1 I have dealt with the argument about the need for more local housing and to meet Structure Plan requirements in the Housing Chapter of the Plan at Policy H1. Hempstead is a mainly linear settlement with the sporadic development forming part of the Conservation Area to the east.

42.1.2 The proposal would involve a major expansion of the settlement extending the mainly linear form yet further into the open countryside remote from the core of the village. The capacity of the site would also be far more than is necessary to meet local needs, if such needs are identified.

RECOMMENDATION

Make no modification to the Plan in response to this objection

42.2 SITE: LAND TO THE NORTH WEST OF HARVEY WAY, HEMPSTEAD

The Objection

199.2 Haylock

Include land to the north of Harvey Way within the Settlement boundary and allocate for housing. Suggest the additional growth in locations such as Hempstead which can sustain additional housing as part of the villages vitality and viability. The site to the north of Harvey Way is an appropriate location for additional housing. It is highly appropriate to allocate land such as this in settlements including Hempstead as they have the ability to provide basic facilities. The site is served by public transport.

Inspector's Reasoning and Conclusion

42.2.1 I have dealt with the argument about the need for additional housing land to serve local needs in the Housing Chapter of the Plan at Policy H1. Hempstead is a mainly linear village with more sporadic development in the conservation area to the east. The omission site is to the north west of a ribbon of development which forms the northern boundary of the settlement, and the proposal would extend the village in to the open countryside remote from the village core. In my view it would involve a form and character of development unrelated to this part of the village. (199.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

43. HENHAM INSET MAP

43.1 SITE: LAND WEST OF LODGE COTTAGE, CHICKNEY ROAD, HENHAM

The Objection

75.1 Smith and Smith

Amend the settlement boundary to include land at Chickney Road Henham and to include site as allocation for housing

The extension of the settlement boundary will provide a housing scheme of medium density development to allow private housing to be available in the village to help meet the needs of the area for the next 10 years. The development adjoins the settlement boundary and the substantial built up part of the residential approach to

Henham. The development can be carried out without any major detrimental affect on the surrounding landscape and countryside.

Inspector's Reasoning and Conclusion

43.1.1 I have dealt with the argument about the need for additional housing in the villages to meet local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy at H1. The omission site would involve a significant expansion of the ribbon of housing to the north of the village spreading development on to a site which reads as part of the open countryside. I do not consider the site is well related to the rest of the village and development here would not integrate well with it. (75.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

43.2 SITE: OLD MEAD ROAD

The Objection

128.1 McDonald,

That some consideration should be given to the outskirts of village sites such as this site in Old Mead Lane. It is surrounded by residential property. A small settlement on the southern outskirts of Henham village could easily accommodate a number of houses without having any serious impact on the local environment. The site lies in close proximity to Elsenham Station and the facilities of both Henham and Elsenham

Inspector's Reasoning and Conclusion

43.2.1 This site is located in a rural area and not closely related to either the village of Elsenham or Henham. It is to the south of an established ribbon of detached housing. There are no facilities locally and although there is a station in reasonable proximity I do not consider development here would be sustainable. In my view the site could accommodate far more dwellings than would be necessary to meet local needs. I doubt, however, whether there are such needs as they can be met in larger villages with a range of facilities and amenities (128.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

43.3 SITE: LAND SOUTH AND EAST OF VERNON'S CLOSE, HENHAM

The Objection

141.1, 3 & 6 Persimmon Homes (Essex) Ltd

The settlement boundary for Henham should be amended to identify land off Vernon's Close as a housing site in association with land for recreational use at the southern boundary of the Primary school. Part of the proposed housing area is presently leased to ECC and used as part of the school curtilage. Appropriate recreation facilities will be gifted to the school in perpetuity should land at the southern boundary of the school be laid out for playing field use in conjunction with the housing development. The recreational land will be larger than the site presently leased.. Land off Vernon's Close is physically part of the built up area of the settlement and should be included within the boundary. As site lies outside boundary we object to the fact that the policy constraints implicit in Policy S7 are to be applied to the land concerned.

Inspector's Reasoning and Conclusion

43.3.1 I have dealt with the argument about the need to provide additional housing in the villages to meet local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1. From my visit I did not find the land off Vernons Close to be physically a part of the built up area of the village, it reads as part of the open countryside and rural setting of the village. I accept that because of its location the development of the site would have little impact on the character of the village as such. However, the proposed site is capable of providing in excess of 30 houses, more than local needs housing and because of this I believe it has to be considered against Structure Plan requirements, and the implication of taking further greenfield sites. This I have done at Policy H1. Although the settlement boundary is tightly drawn from my visits I consider Henham to be a village where local housing could be provided, if such a need is identified. (141.3).

RECOMMENDATION

Make no modification to the Plan in response to this objection

43.4 SITE: LAND SOUTH OF GERNEL, WOODEND GREEN, HENHAM

The Objection

174.1 Mascaux

0.13 ha between Gernel and Badgers Cottage, Woodend Green, should be included within the village boundary for infill development between existing residential development. Village boundary does not take into account small infill plots available on the edge of the village. The development limits of Henham appear to be severely restricted in the Draft Local Plan.

Inspector's Reasoning and Conclusion

43.4.1 The settlement boundary for the village does not include any of the properties in Wood End, which because of its character is included within the designated conservation area. It would be illogical to create a settlement boundary around this plot without including a large area of sporadic development of

particular character. I accept from my visit that the site would fall within the definition of an infill plot but it would be for the Council to determine its suitability on the basis of guidance in paragraph 6.5 of the supporting text of the Plan and Policy S7. (174.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

43.5 SITE: LAND BETWEEN HALL CLOSE AND CARTERS LANE, HENHAM

The Objection

196.1 Diocese of Chelmsford

Land between Hall Close and Carters Lane should be included within the settlement boundary. It is considered that the extension to Henham is preferable to new sporadic development taking place on land within the open countryside. Policy H1 - c) states that there is an opportunity for infill in some of the villages. Access from Hall Road would be a suitable alternative. The proposal of 575 dwgs for the re-use of redundant farm buildings and rural sites is too high. It would be far more sustainable to allow small scale housing growth in one or more suitable smaller settlements.

Inspector's Reasoning and Conclusion

43.5.1 I have dealt with the argument about the need for additional housing to meet both local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1. The omission site is some 3.8 ha and could accommodate housing well in excess of 100 dwellings. This would provide for far more than local needs housing. The site is prominent and open but is well related to the village and its facilities. (196.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

44. HIGH EASTER INSET MAP

44.1 SITE: LAND AT HIGH EASTERBURY, HIGH EASTER

The Objection

192.1 Luckin

The site should be included within the settlement boundary and designated in Part (c) of housing policy H1. Land at High Easterbury lies beyond the boundary of the village of High Easter. There are no scheduled monuments or listed structures on the site. The site is defined as garden land/orchard and is adjoined by existing residential properties. The site is currently underused. Government guidance in PPG3 continually emphasises the need to maximise the use of under used land and we would suggest that this is a suitable location for further expansion in the village. High Easter does not directly provide a high range of local services but it is located within

easy reach of a principal bus route which offers a local service serving the larger settlements in the District.

Inspector's Reasoning and Conclusion

44.1.1 From my visit I consider the garden/orchard land to be a transition site between the established frontage development and the countryside beyond. To develop it for one or two houses would extend the built up frontage out of the village on the south side of the road and be a visual intrusion into the setting of the village and the conservation area. (192.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

44.2 SITE: CHAPEL FIELD HOUSE, NORTH OF THE STREET, HIGH EASTER

The Objection

90.1 Drown

The principle of defining settlement boundaries within a village is supported but reviews to these boundaries should be considered at each local plan to enable new sites to be brought forward for development. Land adjoining Chapel Field House, High Easter to the side and the rear is suitable for residential development. The site should be seen as an opportunity to provide a small group of housing units in the heart of the village close to village facilities. A sensible, logical and defensible amendment to the development limits would be to follow the rear boundary line of the substantial hedge to the north of the sites which follows the alignment of the neighbouring properties rear boundaries including the Berkeley Homes development. The proposed change to the settlement boundary will incorporate the entire grounds and outbuildings of Chapel Field House and facilitate the opportunity for residential development on previously developed land.

Inspector's Reasoning and Conclusion

44.2.1 I have dealt with the argument about the need to provide additional houses to meet local housing needs and the requirements of the Structure Plan in the Housing Chapter of the Plan at Policy H1. The omission site is greenfield in a small village and could accommodate about 30 dwellings. This is more than would be necessary to meet purely local need. An appeal for two houses on the frontage was dismissed on grounds of layout, loss of trees and failure to preserve or enhance the character or appearance of the Conservation Area. I share the view of the Inspector who dealt with the appeal that roadside development is a characteristic of the area. Development of the omission site would involve development in depth access to which would involve the provision of a route through the frontage which could create a gap and the loss of enclosure which should be an important feature of development in The Street. (90.1).

RECOMMENDATION

Make no modification to the Plan in response to this objection

45. HIGH RODING INSET MAP

45.1 SITE: LAND AT THE MUSHROOM FARM, HIGH RODING

The Objection

137.6 Coxeter

Amend High Roding Inset Map to include land at the old Mushroom Farm, High Roding. The boundary shown on the inset map reflects the arbitrary boundary drawn following the previous local plan inspector's recommendations. Since that time circumstances and policy regarding development have altered. This objectors site is plainly substantially previously developed on an intensive basis due to its former use. The most intensively developed part of the site is excluded from the village limit.

Inspector's Reasoning and Conclusion

- 45.1.1 The site lies on the eastern side of the B184 and comprises a large detached house and grounds "Meadow House," and the adjacent mushroom farm complex of buildings consisting of 18 former mushroom growing buildings and 2 large agricultural buildings. The northern part of the site is intensively developed. Part of the objection site was included within the settlement boundary by the Inspector following the inquiry into the 1995 District Plan.
- 45.1.2 The objector considers that the High Roding Inset Map should be amended to include the mushroom farm in the settlement boundary. Illustrative plans show some 25 dwellings could be accommodated on the site. However, I note that the layout of the housing would leave a large area of undeveloped land within the settlement boundary, development of which would be difficult to resist.
- 45.1.3 High Roding is a village with very few facilities. It is not a key rural settlement where substantial development would be sustainable. Although the site is now brownfield, it provides for rural employment in existing agricultural buildings, and is a site of rural character which would be a long way down the sequential approach to allocating land for housing in PPG3. I do not consider that the existence of former agricultural buildings, now used for storage, is sufficient reason to amend the settlement boundary, which although arbitrary, will restrict the development of the village to a scale compatible with this small rural settlement.
- 45.1.4 It was not demonstrated to me that additional housing is required to support local services, which would become unviable without some modest growth, or that additional houses are needed to meet local needs. If there is a need for a small amount of affordable housing in this village with its few facilities they could be provided through the exception policy H10.

RECOMMENDATION

Make no modification to the Plan in response to this objection.

46. LEADON RODING INSET MAP

46.1 SITE: (I) LAND TO THE NORTH AND EAST OF LEADEN RODING, (II) LAND TO THE SOUTH OF LEADEN RODING

The Objections

85.1 Whirledge and Nott

Consider that this land should be designated as suitable for housing development. Two sites totalling 67 acres lie north and south of the village with significant road frontage. Although part of the land is currently zoned Green Belt, its location provides an opportunity to allocate residential development close to existing houses within reasonable access to Chelmsford, Harlow, Bishop's Stortford with retail and amenity facilities and employment opportunities, including Stansted Airport; and therefore meets sustainability objectives.

Inspector's Reasoning and Conclusion

46.1.1 The two omission sites are to the north and south of the village. The site to the north is poorly related to the form of the village. It is so large that the size of the village would be doubled. The land to the south is open land in the Green Belt the boundaries of which should only be altered in exceptional circumstances. About a quarter of the south site is well related to the form of the village. Both sites, which between them at recommended densities could accommodate about a 1000 houses would involve a totally unacceptable encroachment into open countryside.

46.1.2 The development of either site would provide far more land than is necessary to meet any local need. I have dealt with the argument about additional housing to serve local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1. However, if development of this magnitude were contemplated it should not be located on the edge of a small village with few facilities. It should be concentrated within the main urban areas or key settlements where such development would be sustainable.

RECOMMENDATION

Make no modification to the Plan in response to this objection

46.2 SITE: LAND TO THE SOUTH WEST OF LEADEN RODING

The Objection

83.1 Whirledge and Nott of behalf of Landowners

Land west of the crossroads should be included in Settlement Boundary and taken out of Metropolitan Green Belt. Site extends to about 8 acres and would provide an

opportunity to infill between properties. It is adjacent to a main road with significant road frontage and has the benefit of good access to communication and services. Development of the site would assist in the continuation and sustainability of existing community services such as the primary school, shop and village hall. There are also a number of employment sites locally. Although the land is zoned as Green Belt its location provides an opportunity to allocate residential development close to existing houses within reasonable access to Chelmsford, Harlow, Bishops Stortford with retail and amenity facilities and employment opportunities.

Inspector's Reasoning and Conclusion

- 46.2.1 Leaden Roding is a small sprawling village along the B184 and A414. Unlike many of the smaller villages it has a reasonable bus service to Great Dunmow, Harlow and Chelmsford. The omission site is some 3.4 ha and fronts on the Stortford Road which is on the bus routes. Apart from important hedgerows around the edge of the site it is open uncultivated land with no particular features.
- 46.2.2 Although there are two pairs of semi detached houses to the west I do not consider the development of the site could be described as infilling which is referred to in the Plan "as the filling of a small gap within a small group of houses." This is a very wide gap and to make best use of land any development of the site would have to be estate development in depth as shown on the sketch layout produced for the objector.
- 46.2.3 The site is an integral part of the village but is located in the Green Belt the boundary of which should only be changed in exceptional circumstances. Although I share the view of the objector that the site does not meet most of the purposes of including land within the Green Belt, I consider that although not used for agriculture its character is clearly that of open countryside, and its present designation assists in safeguarding the countryside from encroachment.
- 46.2.4 The site could accommodate between 102-170 dwellings which would be a massive expansion of a small village. Housing and flats in these numbers would be far more than required to meet purely local needs. The objector considers that the development of the site represents an opportunity to create a more mixed and inclusive community, offering a choice of housing types and tenure. I accept that it would but this has to be considered in the context of identifiable Structure Plan and local needs. I have dealt with the argument about additional land to meet these needs in the Housing Chapter of the Plan at Policy H1.
- 46.2.5 I have recommended that the Council look at villages again to determine in conjunction with parish councils whether there is an identifiable need for local housing. However, in Leaden Roding It appears from the Council's evidence that new housing is not required to maintain the school, or to provide a mix of housing.
- 46.2.6 I have recommended that part of a reserve site be brought forward but consider that otherwise the Council has allocated sufficient land to meet Structure Plan requirements and additional large sites are not required.

There is, therefore, no present justification for considering this greenfield site in the Green Belt for housing.

RECOMMENDATION

Make no modification to the Plan in response to this objection

47. LITTLE DUNMOW INSET MAP

47.1 SETTLEMENT BOUNDARY

The Objection

151.1 Little Dunmow Parish Council

Little Dunmow should be included on the list of settlements at H2 and that the settlement boundary be identical to the previous village development limit. A visible limit on where infilling with new houses would be permitted has been removed. The Parish Council believes that no settlement boundary removes positive protection from the village.

Inspector's Reasoning and Conclusion

47.1.1 Although the objector considers that by removing the settlement boundary from the village there will be less positive protection, in my view the opposite would be the case as the village would be treated as countryside wherein there is strict control over all new building. Whether a settlement boundary is required will depend upon local housing needs, if any, and whether these could be met as an exception under Policy H10 (151.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

48.2 SITE: LAND ADJOINING THE IVY HOUSE

The Objection

187.1 Metson

Include the site within the settlement boundary and identify site for housing development.

Land adjoining Ivy House is beyond Settlement Boundary. Cannot support part (c) of the policy which will lead to sporadic development in the open countryside. It is considered that additions to smaller settlements such as Little Dunmow would provide a sustainable opportunity growth albeit on a small scale.

Inspector's Reasoning and Conclusion

48.2.1 The omission site is part of a large field in agricultural use. Its development would link an isolated ribbon of housing remote from the village to the east to The Ivy House to the west, the only dwelling on the south side of the road, by consolidating development along the road frontage. If there were a local

need, which I have considered under Policy H1 in the Housing Chapter of the Plan, from my site visits I believe there is other land better related to the form and character of the village than the omission site. (187.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

48.3 SITE: LAND OPPOSITE THE FLITCH OF BACON, THE STREET, LITTLE DUNMOW

The Objection

151.2 Little Dunmow Parish Council

That the conservation area be extended to include the triangle of land opposite the Flitch of Bacon public house. Since the village by pass was built this area together with the pond has become visually important open space within the village.

113.1 (Objection withdrawn) Persimmon Strategic Land

Amend settlement boundary to include land opposite Flitch of Bacon PH and identify for residential development and open space and removal of countryside notation from land within that settlement boundary. Pending better explanation of component H1(a), object to assumed contribution from this source and absence of reserve housing land. Consider land at Little Dunmow should be identified to assist in making good shortfall.

91.1 TD Ridley and Sons Ltd

Reinstate the defined settlement boundary of Little Dunmow and increase the settlement boundary to include land adjacent to the Flitch of Bacon Public House and allocate the site for residential development. There does not appear to be any justification for the removal of Little Dunmow's settlement boundary. In addition the boundary should be extended to include the land adjacent to the Flitch of Bacon Public House. This would act to consolidate the settlement and provide an opportunity for residential development in the centre of the village. In accordance with Government advice the release of this site would ensure that land is available within existing villages to enable local requirements to be met. A sensible, logical and defensible amendment to the development limits would be to follow the boundary line shown on the attached plan.

Inspector's Reasoning and Conclusion

48.3.1 From my visit I do not consider the open triangular area of land opposite the Flitch of Bacon Public house is of such historic interest that it would be appropriate to include it within the Conservation Area boundary. There are other policies in the Plan which control development in the countryside and protect important open spaces which the Council could use to resist unacceptable development. (151.2)

48.3.2 I have dealt with arguments about the need to provide for additional local housing and housing to meet Structure Plan requirements in the Housing

Chapter of the Plan at Policy H1. I have no detailed evidence before me about the future local needs of Little Dunmow. With its limited facilities and size I do not consider it would be an appropriate settlement to meet Structure Plan housing requirements.

48.3.3 The northern part of this site forms an important transitional open area between the village and the road and provides an attractive setting to the village. The southern part of the site is less important visually and relates well to existing housing in the village. I have no strong feelings about whether there should be a defined settlement boundary or not. This will depend on whether the Council identifies a local need for housing which has to be met in Little Dunmow, and which requires an identified site. (91.1)

RECOMMENDATION

Make no specific modification to the Plan in response to these objections but see my recommendation at Policy H1 of the Plan

48.4 SITE: LAND ADJACENT TO PRIORY PLACE, LITTLE DUNMOW

The Objection

187.2 Metson

Include land adjacent to Priory Place within Settlement Boundary and allocate for housing. Policy H1(c) should be amended to take account of smaller settlements such as Little Dunmow which do have an opportunity to provide limited housing growth but in a more sustainable manner. Land adjoining Priory Place would be a suitable location for future housing. It would provide a range of housing required and assist in supporting the rural community.

Inspector's Reasoning and Conclusion

48.3.4 This site is well related to the form of the village but development of the land, which is an important open space within the village, would involve the loss of an attractive open view into the countryside. I cannot add more to what I have said at paragraph 48.3.2 and 48.3.3 above and in the Housing Chapter of the Plan. (187.2)

RECOMMENDATION

Make no modification to the Plan in response to this objection

48.5 SITE: LAND TO THE NORTH EAST OF ST MARY'S CHURCH, LITTLE DUNMOW

The Objection

197.1 Metson

Summary: Concerned that the LPA have removed the settlement boundary and suggest that it should be re-instated. Consider allocating the site for housing development. Suggest additional growth in locations such as the settlement of Little Dunmow which can sustain additional housing as part of the villages make up. Land in the centre of Little Dunmow abutting Brook Street is an appropriate location for additional housing. The site is served by public transport therefore reducing reliance on the private motor car.

Inspector's Reasoning and Conclusion

48.5.1 See above paragraphs 48.3.2 and 48.3.3 and the Housing Chapter of the Plan. Although well related to the form of the village the omission site is an important open space providing an open setting for the church. This part of the village consists of small groups of sporadic housing separated by open areas and development of the omission site would completely change that character by linking such housing together. The site would need to be fairly densely developed and this would add a significant number of dwellings to this small village, changing its open character. (197.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

49. LITTLE EASTON (DUCK ST) INSET MAP

49.1 SITE: LAND ADJACENT TO THE STAG, PUBLIC HOUSE, DUCK STREET, LITTLE EASTON

The Objection

88.1 & 2 TD Ridley and Sons Ltd

Extend the settlement boundary to include land adjacent to The 'Stag' Public House. Inclusion of the site would act to consolidate the village and in accordance with Government advice the release of this site would help to ensure that sufficient land is available within existing village to enable local requirements to be met. Site relates well to existing pattern of development; there are adequate local facilities to accommodate additional housing; and there are no overriding planning infrastructure constraints.

Inspector's Reasoning and Conclusion

49.1.1 The development of the omission site at a reasonable density would involve a major expansion of a small village, in excess of 100 dwellings and far more than would be necessary to meet any local needs. I have dealt with the argument about the need for additional land to meet local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1. (88.1 & 2)

RECOMMENDATION

Make no modification to the Plan in response to this objection.

49.2 SITE: LAND ADJACENT TO THE OLD STAG, DUCK STREET, LITTLE EASTON

The Objection

132.1 Trustees of the James Shand Will Trust

Amend the settlement limits to include land at the Old Stag – it should be included within the settlement boundary since there are houses on the opposite side of the road and further to the east. There are no other opportunities to provide housing within Little Easton/Duck Street and further opportunities should be provided. In general no thought has been given to future expansion of Little Easton - an entirely artificial situation since the village has grown over the last few hundred years on a very gradual basis and this should be allowed to continue within reason.

Inspector's Reasoning and Conclusion

49.2.1 Although there is sporadic development to the east it is so far from the village that it does not read with it. However, because of the housing which wraps itself around the bend on the other side of the road the omission site bears a reasonable relationship to the settlement and could be developed without undue impact on the approach to the village. The proposal would extend development into the countryside and this would only be justified in such a small village if it were to meet local need. See my report in the Housing Chapter of the Plan at Policy H1 when I consider the argument about additional housing to meet local needs and Structure Plan requirements.

RECOMMENDATION

See my recommendation at Policy H1 of the Plan on local needs housing in villages

50. LITTLE HALLINGBURY (NORTH) INSET MAP

50.1 SITE: LAND BETWEEN WYCHWOOD AND KINGS CREST, ON THE A160, LITTLE HALLINGBURY

The Objection

167.2 Padfield

Area of Land (0.8 ha) on the A160 between Wychwod and Kings Crest, which is an area of scrub should be included within the village boundary as infill and excluded from the MGB. This area of land is a natural infill between developments as shown on the proposal plans. The boundary of Little Hallingbury does not take into account small infill plots available on the edge of the village which would provide small number of dwellings without affecting the character of the settlement and the MGB

Inspector's Reasoning and Conclusion

50.1.1 Although this site is overgrown and within the Green Belt and separates two areas of the village which have settlement boundaries, from my visit I found that it is too narrow to contribute in any meaningful way to open space or separation. It reads as an integral part of the village and in my view is suitable as an infilling plot to accommodate development in character with the linear form of the village. It could be dealt with as an infilling plot under paragraph 6.5 but in my view regardless of its Green Belt status at present it should be included within the village boundary.

RECOMMENDATION

Modify the Plan by including this plot with the settlement boundary

50.2 SITE: LAND SOUTH OF GREEN CORNERS, GEORGE GREEN, LITTLE HALLINGBURY

The Objection

167.3 Padfield

Area of land (1.0 Ha) east of George Green should be included within the village boundary as small scale infill and excluded from the MGB. This area of land is a natural infill between developments as shown on the proposals plans.

Inspector's Reasoning and Conclusion

50.2.1 I do not consider this to be a small gap between small groups of houses and it would not fall within the definition of infilling in the Plan. I found this to be an important open space within the village and this is reflected in its inclusion within the Green Belt. Green Belt boundaries should only be altered exceptionally and I have no such evidence before me that there is need for more housing in this location which would justify such a change. (167.3)

RECOMMENDATION

Make no modification to the Plan in response to this objection.

50.3 SITE: LAND OFF NEW BARN LANE, LITTLE HALLINGBURY

The Objection

180.1 Choles

Amend the settlement boundary to include redundant waste land off New Barn Lane. This would provide small number of dwellings without affecting the character of the settlement and the metropolitan green belt.

Inspector's Reasoning and Conclusion

50.3.1 This is not an infill plot. It is a site on edge of the village with no development nearby to the east. The proposal would extend the village into the Green Belt. I have dealt with the argument about additional housing to meet local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1. I have no evidence before me that there is a specific local need that has to be met by extending development into this stretch of open countryside. (180.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

51. LITTLE HALLINGBURY (SOUTH) INSET MAP

51.1 SITE: LAND NORTH OF WRIGHTS GREEN, LITTLE HALLINGBURY

The Objection

167.1 Padfield

The area of land (0.9 ha) north of Wrights Green , Little Hallingbury (rear of Monks Acres and Pipers) should be included within the village boundary as small scale infill and excluded from the MGB. The boundary of Little Hallingbury does not take into account small infill plots available on the edge of the village which would provide small number of dwellings without affecting the character of the settlement and the MGB

Inspector's Reasoning and Conclusion

51.1.1 This is not an infill plot. Its development would involve an expansion of the village into open countryside within the Green Belt beyond the northern limits of the village, to an arbitrary boundary on agricultural land. I have dealt with argument about additional housing to meet local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1. There is no evidence before me of exceptional circumstances locally which would lead me to the view that there is a need to alter the Green Belt boundary in this location. (167.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection.

51.2 SITE: LAND EAST OF WRIGHTS GREEN, LITTLE HALLINGBURY

The Objection

170.1 Streeter

The area of land (0.51 ha) east of Wrights Green, adjacent the M11, should be included within the village boundary as infill development and excluded from the MGB. The boundary of Little Hallingbury does not take into account small infill plots available on the edge of the village which would provide a small number of dwellings without affecting the character of the settlement and the MGB.

Inspector's Reasoning and Conclusion

51.2.1 This is an unusual site in that it is an odd plot at the end of the village between the settlement and the M11 motorway. Its Green Belt significance is negligible as is its impact in the countryside. However, the site is within the poor air quality zone because of the effects of the motorway adjoining and I do not consider it to be suitable for development. It can merely act as a transition site between the village and motorway beyond. (170.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

51.3 SITE: LAND TO THE SOUTH WEST OF WRIGHTS GREEN

The Objection

170.2 Streeter

The area of land (3.75 ha) south of Wrights Green, should be included within the village boundary as small scale development and excluded from the MGB. The site offers the potential for a housing mix and open space.

The Boundary of Little Hallingbury does not take into account small infill plots available in the edge of the village which would provide a small number of dwellings without affecting the character of the settlement and the MGB

Inspector's Reasoning and Conclusion

51.3.1 This is a site of some 3.75ha located in the Green Belt and the proposal would involve a large expansion of the village on to open land rising from the road into the Green Belt. It could accommodate in excess of 100 dwellings. This is far more than to serve a local need. I have dealt with the argument about additional housing to meet local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1. (170.2)

RECOMMENDATION

Make no modification to the Plan in response to this objection

52. MANUDEN INSET MAP

52.1 INSET MAP HEADING

The Objection

213.28 CPREssex

Correct the map heading from Maunden to Manuden
The heading for the Map of Manuden has been mis-spelt

UDC proposed this amendment

Inspector's Reasoning and Conclusion

52.1.1 The Council is correcting this error in spelling

RECOMMENDATION

Correct spelling of Manuden in map heading.

53 NEWPORT INSET MAP

53.1 SITE: THE CARNATION NURSERIES, CAMBRIDGE ROAD, NEWPORT

The Objections

68.1 New Chelmsford Estates Ltd

Amend the settlement boundary on the north eastern boundary of Newport to include the nurseries. Object to the settlement boundary line being drawn without due regard to adjacent land which has previously been developed.

79.1 & 2 Vidal & Fraguera

Northern half frontage already developed for housing and southern half currently being built up with housing. This leaves land to the rear which is currently glasshouses. Site is ideal for residential being a brownfield site. The settlement boundary would not have to be extended along the road frontage. There are adequate shopping, schooling, amenity and transport facilities in Newport to cope with development.

Inspector's Reasoning and Conclusion

- 53.1.1 Because of its size, location and facilities Newport is an important village in the district. I have recommended elsewhere that the settlement boundary should be extended and that Newport should be designated as a key rural settlement
- 53.1.2 Although it is located at the northern end of the village, in my view, the development of this site would have less impact on the countryside than other sites proposed. My initial thought was that it could contribute in a small way to local housing need on an outdated previously developed nursery site, if such a need is identified. However, the site is at risk from flooding and a flood risk assessment would be required under Policy GEN3 of the Plan. Without flood clearance and an identified local need I do not consider the settlement boundary should be changed. (79.1 & 2)

RECOMMENDATION

Make no modification to the Plan in response to this objection.

53.2 SITE: LAND ADJOINING THE POTTERIES, NEWPORT

The Objection

133.1 McNaughton

Include land at the Potteries within the Settlement Boundary.

Our client objects to the proposals in the draft plan since the development of the area of Newport has not been allowed to expand to provide more housing. While some of the areas have been subject to flooding in the past there is no reason why the ground levels should not be raised in that area to ensure that houses were not affected. The area is never likely to be used for agricultural purposes. To the north east the railway line provides a natural boundary.

Inspector's Reasoning and Conclusion

- 53.2.1 I have dealt with the argument about the need for additional housing land to meet local and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1.
- 53.2.2 Because of its size, location and facilities Newport is an important village in the district. I have recommended elsewhere that the settlement boundary should be extended and that Newport should be designated as a key rural settlement. However, I found this omission site to be poorly related to the village. It is a greenfield site and part of an open wedge extending outwards from The Common, which separates it from the main part of the village. It is also entirely within the floodplain and unsuitable for development under national guidance and Policy GEN3 of the Plan. (133.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

53.3 SITE: LAND WEST OF SCHOOL LANE, NEWPORT

The Objection

177.1 Hill

The area of land (2.5 ha) between Wicken Road and Wicken Water, should be included within the village boundary for small scale development. The site offers the potential for housing mix and open space.

The village boundary of Newport does not take into account small plots available on the edge of the village.

Inspector's Reasoning and Conclusion

53.3.1 Because of its size, location and facilities Newport is an important village in the district. I have recommended elsewhere that the settlement boundary should be extended and that Newport should be designated as a key rural settlement.

53.3.2 Although described as a site suitable for a small number of dwellings the omission site is not small, it is some 2.5 ha, and is a prominent greenfield site in open countryside. It is far larger than would be necessary to meet local need. I have dealt with the argument about additional housing to meet local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1.

RECOMMENDATION

Make no modification to the Plan in response to this objection

53.4 SITE: WYDHAMS CROFT, WHITEDITCH LANE, NEWPORT

The Objection

134.1 Hammali

Include land at Wydhams Croft, Whiteditch Lane, within the Settlement Boundary. The main objection is the lack of further residential building opportunities within Newport village which has numerous facilities including a mainline station, but there appears no future expansion of the village. Lack of controlled expansion is somewhat artificial as most villages have been allowed to expand slowly for the last 600 years. The site owned by clients extending to approx 7.5 acres has been spoilt considerably by the new sports pavilion and floodlighting which has changed the environment from a rural situation into something of a more urban character. It is believed this site could contribute a further residential sector to the village.

Inspector's Reasoning and Conclusion

53.4.1 Because of its size, location and facilities Newport is an important village in the district. I have recommended elsewhere that the settlement boundary should be extended and that Newport should be designated as a key rural settlement.

53.4.2 However, I do not consider the omission site to be well related to the main part of the village. It is separated by loosely knit sporadic development and housing on this site would be a major intrusion into open countryside. This site of some 3.0 ha could accommodate about 100 dwellings and these would be served off an attractive but sub standard rural lane. I consider this greenfield site to be an integral part of the countryside and even with the sporadic development to the north it is important to the rural setting of Newport.

53.4.3 I have dealt with the argument about the additional need for local housing and to meet Structure Plan requirements in the Housing Chapter of the Plan at Policy H1 (134.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

53.5 SITE: LAND WEST OF BRAESIDE, LONDON ROAD, NEWPORT

The Objection

127.1 Exors of Barnard Deceased

Land adjacent to Braeside, London Road should be included within the settlement boundary. The area concerned could easily accommodate one dwelling.

Inspector's Reasoning and Conclusion

53.5.1 It may well be that the site adjacent to Braeside could physically accommodate one dwelling but not without materially affecting the open character and setting of the existing dwelling. If this land were to be included within the settlement boundary the logical defensible boundary would be the curtilage of Braeside. However, to include Braeside could create a precedent for the inclusion of the land opposite, the development of which would involve the further sharing of a sub standard access to the main highway.

RECOMMENDATION

Make no modification to the Plan in response to this objection

53.6 SITE: BURY WATER NURSERY, BURY WATER LANE, NEWPORT

The Objection

125.3 Cala Homes (South) Ltd

Policy H1 should be amended to include smaller allocated sites in other larger settlements such as Newport and in particular the Burywater Nursery.

H1 does not take into account the potential contribution that development at Burywater Nursery would make to the district housing requirement. Burywater Nursery is a site of approx 2.2 ha and it can accommodate some 60 dwellings. The site is available for development and can provide the dwellings within the plan period. CALA homes objects to the over reliance on the large releases as identified in H1 as it does not take into account the possibility that these sites will not be completed within the Plan Period. A residential development at the nursery would not harm the character of the village or the countryside as it would still be contained within the existing linear pattern of development within the village. Nor will it harm the amenities of neighbours.

116.3 Essex County Council

Re-alignment of the settlement boundary to include the depot and neighbouring properties similarly excluded within the settlement of Newport. The above depot in Essex Council ownership is let to the County's highways maintenance contractors and comprises a 0.46ha yard with a number of industrial storage buildings situated on the northern fringe of Newport. The depot is situated within a primarily residential area with residential properties adjoining the depot boundaries with the exception of the southwestern boundary which adjoins the open countryside. Arbitrary exclusion of the depot and neighbouring properties from the settlement boundary may prejudice future operation of the site which is properly part of the urban area but will be restricted by planning policies designed to protect the countryside.

Inspector's Reasoning and Conclusion

53.6.1 I have dealt with the argument about additional housing to meet Structure Plan requirements and local needs earlier in this chapter. I have concluded that with the revisions I have recommended there will be adequate housing land allocated or reserved during the plan period and there is no need to allocate further land for strategic purposes in Newport.

53.6.2 However, from my various visits to Newport I consider it has the characteristics of a key rural settlement. It has a mainline railway station with direct services to Cambridge, Stansted and Bishops Stortford to the north and Harlow and London to the south. It is on a principal bus route linking with Bishops Stortford, Stansted and Harlow to the south and Saffron Walden and Bury St Edmunds to the north. The village benefits from a primary and a secondary grammar school, it has a number of fragmented employment uses and a wide range of shops and community facilities. The Council does not dispute that Newport is of an appropriate scale and has adequate facilities to be a key rural settlement but considers there are no suitable sites for development and that as the village does not have key employment sites either that the village should not be reclassified.

53.6.3 From my visits I consider that the built up area of the school and the ribbon of frontage development, including the County Depot site on the north side of Bury Water Lane are an integral part of the village and read as such when viewed from the lane.

53.6.4 I am, therefore, of the view that because of its size, location and facilities, Newport should be identified as a key rural settlement and that the settlement boundary should be revised to take in the school and frontage properties, including the County Depot, on the north side of Bury Water Lane.

53.6.5 Although I share the view of the objector that Newport is a sustainable settlement and that the settlement boundary should be revised I do not consider that Bury Water Nursery is well integrated with the village. It is a promontory of land extending away from the extreme north west of the village and is not well related to its form and setting. It is an extensively developed site but does not read as part of the built up area. These are rural buildings on the periphery of the village and act as a transition between the urban development to the south and the countryside to the north. As they are rural buildings I am of the view that if they become surplus to nursery requirements any future use of them should be considered on the basis of rural policies.

53.6.6 The site could accommodate about 57 units which are more than would be required to meet local village needs, and as I have said above I find no need to allocate or reserve more land to meet Structure Plan requirements.

RECOMMENDATION

Make no modification to the Plan in response to this objection

53.7 SITE: LAND WEST OF LONDON ROAD AND SOUTH OF FRAMBURY LANE, NEWPORT

The Objection

120.8 Laing Strategic Land Ltd

Amend Settlement Boundary at Newport to include land adjacent to London Road..

Inspector's Reasoning and Conclusion

53.7.1 In understand that this objection was withdrawn on the 7th July 2003

RECOMMENDATION

No recommendation

54. QUENDON & RICKLING INSET MAP

54.1 SITE: LAND BETWEEN STREET FARM AND THE NORDEN, CAMBRIDGE ROAD, QUENDON

The Objection

190.1 Pegasi Ltd

Identify site between Street Farm and The Nordon for housing.

Object to part H1(c) which will lead to sporadic development in the open countryside. Additions to smaller settlements such as Quendon & Rickling would provide a sustainable opportunity for housing growth albeit on a small scale. The site between Street Farm and The Nordon would amount to village infill. Site is within existing street scene and therefore would have no wider impact on the open countryside.

Inspector's Reasoning and Conclusion

54.1.1 Although this site is in part within and in part adjacent to the conservation area it is well outside of the defined settlement limit. The settlement limit is restricted to the southern part of the settlement at Rickling Green where the development is more closely knit. Quendon is a mixture of larger properties in large plots with some smaller dwellings. To include this area as a whole within the settlement boundary would encourage an intensification of development inappropriate to the character of the village, and to include an isolated plot within the settlement boundary would be illogical. As far as the omission site is concerned the Council would consider any proposal for its development on its own merits against other policies of the Plan. (190.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

54.2 SITE: LAND ADJ TO MILL COTTAGES, CAMBRIDGE ROAD, QUENDON

The Objection

104.1 Small

Site adj to Mill Cottages is considered suitable for housing development. One is not aware of it being open. It's development would not result in all open spaces being lost to development because such sites would contribute to the character and appearance of the village and conservation area. Development of the site would be appropriate in the context of the more concentrated pattern of development in the northern part of the village.. There is a lack of previously developed sites within Quendon. Development would provide much needed smaller housing at the lower end of the market and would contribute towards sustaining the village community. There are no known physical constraints to the development of the site. Development would satisfy the criteria in PPG3.

Inspector's Reasoning and Conclusion

54.2.1. Although this site is within the conservation area it is well outside of the defined settlement limit. The settlement limit is restricted to the southern part of the settlement at Rickling Green where the development is more closely knit. Quendon is a mixture of larger properties in large plots with some smaller dwellings. To include this area as a whole within the settlement boundary would encourage an intensification of development inappropriate to the character of the village, and to include an isolated plot within the settlement boundary would be illogical. As far as the omission site is concerned I consider it could be developed under the definition of infilling and the Council would no doubt consider any proposal for such proposal on its own merits against advice in paragraph 6.5 of the Plan.

RECOMMENDATION

Make no modification to the Plan in response to this objection

54.3 SITE: LAND BETWEEN THE CHURCH AND THE RECTORY, QUENDON

The Objection

196.3 Diocese of Chelmsford

Take this site into account in preparing the second deposit plan looking at the key issues of infill, sustainability and development which can help to sustain existing village facilities. Object to policy H1- C) - we cannot support a policy that will result in sporadic development in the open countryside. We wholly support the re-use of urban land for peripheral development to form new urban extensions, however 575 dwellings in the open countryside by the means of using redundant farm buildings will not create sustainable patterns of development. Additions to smaller settlements such as Quendon and Rickling would provide a sustainable opportunity for housing growth, albeit on a small scale. Land between the Church and the Rectory provides a development opportunity within the settlement of Quendon which would be a suitable location for future housing growth. There would be no wider impact on the open countryside.

Inspector's Reasoning and Conclusion

54.3.1 I have dealt with the argument about additional housing to meet local needs in the Housing Chapter of the Plan at Policy H1. Quendon village is a mixture of loosely knit housing in large grounds with some smaller groups of dwellings. The Council has not defined it with a settlement boundary because of its mixed but open character. In my view a settlement boundary around the village would encourage an intensification of development inappropriate to its character. However, the Council is able to consider proposals for infilling against other policies of the Plan. Although there would be no wider impact on the open countryside if the site were to be developed, from my visit I found the omission site to be an important open space within the village. Its importance as an open space would need to be balanced against any identified local housing requirement to support local facilities. Affordable Housing could be dealt with as an exception under Policy H10. (196.3)

RECOMMENDATION

Make no modification to the Plan in response to this objection

54.4 SITE: LAND AT FOXLEY HOUSE, RICKLING

The Objection

35.1 Rich

Include site within settlement boundaries and identify as being suitable for housing development. Settlement boundary excludes the area between the development to the east of the B1383 (which includes the bowling green and club house) Ventor Lodge, the School and the last remaining public house, Red Star Garage and Foxley House. The village has good facilities (school, public transport, drainage) yet because the village envelope has not been extended in the past the shop has closed, post office facilities are limited and no new services have opened. No low cost housing in village and there is a shortage of middle range housing.

Inspector's Reasoning and Conclusion

- 54.4.1 I have dealt with the argument about additional housing to meet local needs in the Housing Chapter of the Plan at Policy H1.
- 54.4.2 I can understand the predicament of the objector. Mrs Rich is willing to make land available to provide local needs housing, including affordable housing, but does not wish the siting of such development to be too tightly related to her own dwelling which at present overlooks open land to the east. However, if housing were to be sited further south in my view it would not have a satisfactory relationship with the developed area of the village and would intrude into open countryside. From my visit I do not consider the land reads as part of the village. With the playing fields it is part of the open setting of the village to the south along the B1383.
- 54.4.3 The District Council is both the planning and the housing authority. I have recommended that it look again at local needs housing. If an affordable housing need is identified in the village and is sustainable it can be met on exception sites which do not have to be within the settlement boundary. Affordable Housing and how it should be provided is defined in national guidance and does not have to be repeated in detail in the Plan.
- 54.4.4 If a need for other forms of housing were identified in my view any such proposal would have to be balanced against the facilities available in the village and the need to support them. In my experience villages often require a significant amount of housing to provide any effective support for local facilities and such scale of development may not be in character with the village. If acceptable a site would have to be included within the settlement boundary.
- 54.4.5 As the objector has stated on the basis of its Plan policy the Council gives priority to housing, including affordable housing, within key rural settlements that have a wide range of facilities available, including frequent public transport. This sustainable approach is advised in national guidance. From its range of facilities I do not consider that Quendon could reasonably be defined as a key rural settlement.
- 54.4.6 From the evidence at Inquiry and in writing no suitable site for housing has so far been identified by the Council. I am unable to help in this regard as I can only deal with objections put before me, such as this and other omission sites.

RECOMMENDATION

Make no modification to the Plan in response to this objection

55. RADWINTER INSET MAP

55.1 SITE: LAND THE THE EAST OF EAST VIEW CLOSE, RADWINTER

The Objection

18.3 Parker

Include land to the east of East View Close within the settlement boundary. Site of 1.216 ha off Eastview Close should be included and allocated for housing. The site is not subject to specific landscape protection policies and is outside the Conservation Area and is within easy walking distance to the primary school, village hall and post office. Opportunity arises to provide an element of public open space adjoining the brook enabling access via an improved public footpath.

Inspector's Reasoning and Conclusion

55.1.1 I accept that only part of the site could be developed because the remainder is in the floodplain. This would enable an element of open space to be provided down by the brook. However, from my site visit I consider the land to be an integral part of the countryside and the open setting for the village. Any development of the site would only be justified on the basis of identified local need. I have dealt with the argument about additional land to provide for local needs in the Housing Chapter of the Plan at Policy H1.

RECOMMENDATION

Make no modification to the Plan in response to this objection but see Housing Chapter of the Plan Policy H1.

56. STEBBING INSET MAP

56.1 SITE: LAND SOUTH OF GARDEN FIELDS

The Objection

139.5 CWS Pension Fund Trustees Ltd

1. Allocate the site for housing development. 2. Amend the settlement boundary of Stebbing to include the allocated site.

In context of our objections to Policies H1 & H2 it is considered that the settlement boundary for Stebbing should be amended to allow a small scale village extension. The site lies close the the existing school and is centrally located within the village. It is separated from the Conservation Area and the listed buildings within the area by the school playing fields and existing development. It is considered that allocation of

this site for housing would provide the opportunity to sustain and enhance existing facilities within the settlement, thus meeting community needs.

Inspector's Reasoning and Conclusion

56.1.1 I have dealt with argument about additional housing to meet local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1.

56.1.2 Although the omission site is located between the school and housing from a site visit it reads as a whole as part of the open countryside. Its development at a reasonable density would involve a significant expansion of this small village.

56.1.3 I accept that the western part of the site is more integral to the village but this is a greenfield site and its release for housing would depend upon proven local or strategic need. I do not consider the latter would be appropriate for this fairly small village. I have no evidence before me whether local facilities such as the school are in need of a boost from modest development to serve local needs (139.5)

RECOMMENDATION

Make no modification to the Plan in response to this objection

56.2 SITE: STEBBING CRICKET CLUB, EAST OF THE HIGH STREET, STEBBING

The Objection

89.1 & 2 Keith Clements Associates

Extension of the defined settlement boundary to include land at Stebbing Cricket Ground. The development of the cricket ground would be an opportunity to provide a small group of housing in the heart of the village close to all main facilities. In accordance with Government advice the release of this site would help to ensure that land is available within existing villages to enable local requirements to be met. A sensible, logical and defensible amendment to the development limits would be to follow the boundary line of the cricket ground

Inspector's Reasoning and Conclusion

56.2.1 The omission site, the Stebbing Cricket Ground, is of some 2 ha and could at a reasonable density accommodate in excess of 60 dwellings. This would be a major expansion for this fairly small village. I have dealt with the argument about additional housing to meet local and Structure Plan needs in the Housing Chapter of the Plan at Policy H1.

56.2.2 The cricket grounds reads as part of the open countryside but is well related to the village and its facilities. Although within a conservation area this would not necessarily inhibit development as long as such development preserved or enhanced the character or appearance of the area. From my consideration of Policy H1 I do not believe the land is needed to meet Structure Plan

requirements. I have no detailed evidence before me about a local need for new dwellings to support facilities in the village or to provide affordable housing. The latter could in any event be dealt with as an exception under Policy H10. (89.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

56.3 SITE: LAND REAR OF TOWN FARM, HIGH STREET, STEBBING

The Objection

49.1 Lodge and Sons (Builders) Ltd

Object to the exclusion of land to the rear of Town Farm, High Street. The site is previously developed land, and benefits from a certificate of Lawfulness. The land is in active use as a builders yard. Application of restrictive countryside policies is frustrating the lawful use of the site.. It is illogical to exclude the rear part of the original curtilage from the defined settlement boundary. There is a distinct change in character between all the land which comprised the original curtilage of Town Farm and the open countryside to the east.

Inspector's Reasoning and Conclusion

56.3.1 This backland site to the rear of and adjacent to Town Farm is in use as a builders yard. This is previously developed land and does not read as part of the countryside. A recent planning permission for a permanent office building to replace two portacabins has been granted.

56.3.2 This is the type of site which would normally be considered in preference to greenfield sites to meet local housing needs. However, as the settlement boundary is, in effect, a boundary within which development would be likely to be permitted, in my view to include this backland site would imply not only that the omission site would be suitable for development, but that adjoining land and premises would similarly be suitable. Because of the form and character of development along the High Street frontage I do not consider that development of this backland would be in keeping with the area. Other than the existing use I do not believe development should be encouraged by the inclusion of the land within the settlement boundary.

56.3.3 It is not clear to me how the exclusion of the site from the defined settlement boundary, of itself, would frustrate the *lawful* use of the site. There are numerous industrial uses operating outside of settlement limits and as in the case of this site extensions and alterations to them are dealt with on their own merits. In my view whether the site is within or without the settlement boundary similar amenity considerations would apply. (49.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

56.4 SITE: LAND AT HORNSEA FARM, BRAN END, STEBBING

The Objection

181.2 Hills

The area of land (0.19 ha) at Hornsea Farm should be included within the village boundary for small scale infill development. The village boundary does not take into account small infill plots available on the edge of the village

Inspector's Reasoning and Conclusion

56.4.1 I have dealt with the argument about additional housing to provide for local need in the Housing Chapter of the Plan at Policy H1

56.4.2 I do not consider this to be an infill plot. It is remote from the village proper and is separated from it by an isolated ribbon of housing and open land. The proposal would extend a poorly located existing ribbon further into the countryside. (181.2).

RECOMMENDATION

Make no modification to the Plan in response to this objection

56.5 SITE: LAND NORTH OF BRICK KILN LANE, STEBBING

The Objection

181.1 Hills

The area of land (0.5 ha) north of Brick Kiln Lane, should be included within the village boundary for small scale development. The village boundary does not take into account small infill plots available on the edge of the village,

Inspector's Reasoning and Conclusion

56.4.3 I have dealt with the argument about additional housing to provide for local need in the Housing Chapter of the Plan at Policy H1.

56.4.4 I do not consider this to be an infill plot. There is very low density housing to the south outside of the village limits. To the west is existing development but to the east the sporadic development is remote. The proposal would involve frontage development on a large gap in open countryside. It would create an unacceptable ribbon of housing along Brick Kiln Lane. (181.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

56.6 AREA OF SPECIAL LANDSCAPE VALUE

The Objection

161.4 The Stebbing Society

Define Area of Special Landscape Value - the Essex and Southend on Sea Replacement Structure Plan (NR4) states that these areas should be included in Local Plans.

Inspector's Reasoning and Conclusion

56.6.1 Although blanket notations were used in the past the current approach is for landscape character assessments to be carried out to ensure that only those specific areas of merit are identified as such. (161.4)

RECOMMENDATION

Make no modification to the Plan in response to this objection

56.7 PROTECTED LANES

The Objection

161.5 The Stebbing Society

Stebbing has more than one protected lane in its vicinity. Protected Lanes should be continued to be identified and thereby protected by the Local Plan.

Inspector's Reasoning and Conclusions

56.7.1 I understand that there are two protected lanes locally but both are outside the boundaries of the Inset Map. (161.5)

RECOMMENDATION

Make no modification to the Plan in response to this objection

57. TAKELEY STREET INSET MAP

57.1 SITE: LAND AT TAKELEY STREET

The Objection

31.1 Watson and Rolfe

Include the land at Takeley street within the Settlement Limit.
Land to the south of the A120 at Takeley Street should be included within the settlement boundary. The inclusion of this relatively small area of infill development would be in accordance with the Council's strategy which seeks to direct the main housing allocations to the key settlements but allows for infill in other settlements

including Takeley Street. A120 corridor is identified as a development location, Takeley Street has the same locational advantages as the sites in Takeley and Priors Green. It is ideally located to meet housing needs associated with Stansted Airport. The site should be included because the land adjoins existing development on three sides and relates more to the village than the countryside. The Flitch Way forms an effective southern boundary.

Inspector's Reasoning and Conclusion

57.1.1 Takeley Street is a linear settlement on the A120 which is currently in the process of being by-passed. It consists of a dense ribbon of development on either side of the road interspersed with pockets of less dense housing. It has few facilities. The omission sites consists of 4 plots making a total of 1.39 ha. bounded by the A120 to the north, the Flitch Way footpath to the south, along the route of the former railway line.

57.1.2 The objectors consider that the proposal would involve a small area of infill development in accordance with the Council's policy. In my view the proposal would not be infilling by any recognised definition, which is the filling of a small gap within small groups of houses or a minor extension to a group. I do not consider the development of a 1.39 ha site to a reasonable density, which would probably involve in excess of 40 dwellings to make best use of the land, would be either.

57.1.3 I accept that the sites are within the A120 corridor where development is being encouraged close to the airport. However, as I have stated in the Housing Chapter of the Plan with the recommendations I have made I am satisfied that there will be sufficient land to meet the housing needs of the district during the Plan period. Other longer term needs cannot yet be reasonably assessed without constructive government guidance.

57.1.4 The site is not open countryside in its widest sense. It is not agricultural land and is not covered by any protective designations. In my view its development would not be an encroachment into open countryside. However, the site is an important oasis of green in an otherwise densely developed area and not all open spaces should be lost to development. It is a substantially green area, divided into four plots used in part for the parking of vehicles and domestic storage. From my visit I found the site overall to be a "no mans land" but visually separate from the tight ribbon of development to the east.

57.1.5 There was little evidence at inquiry about the need for public open space and I saw from my visit that Hatfield Forest is near by. If there is an open space need, bearing in mind that Takeley Street, has few facilities, it might be appropriate to use the major part of the site as open space with some development on the remainder to achieve this end. However, with four separate owners this may not be possible. This is a matter for the Council and the Parish Council to consider further as I do not have sufficient evidence to make any recommendation on the matter.

RECOMMENDATION

Make no modification to the Plan in response to this objection

57.2 SITE: LAND ADJ TO GRANSMERE, TAKELEY STREET

The Objection

45.1 Bolden

Land to south of A120 at Takeley Street, adjacent to Gransmere should be included within the settlement boundary. Over the last 10 years various parcels of land like this have been granted planning permission. The resulting properties have greatly enhanced the overall appearance of Takeley Street. There are already residential properties either side of the land and Taylor's Farm is opposite. The meadow is overgrown and untidy and is now unsuitable for agricultural use.

Inspector's Reasoning and Conclusion

57.2.1 The omission site is an overgrown meadow and is separated from the built up area of Takeley Street within the settlement boundary by other open land. The proposal would involve the unacceptable extension of ribbon development along the A120 and would also create a precedent for the adjoining site to the east to be similarly developed. As I have stated in the Housing Chapter of the Plan at Policy H1, apart from bringing forward a reserve site I consider the Council has allocated sufficient housing land during the plan period to meet Structure Plan requirements and no further greenfield sites are required. (45.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

58. WENDONS AMBO INSET MAP

58.1 SITE: LAND AT DUCK STREET, WENDENS AMBO

The Objection

66.1 Joslin

Land at Duck Street should be included within the settlement boundary as a housing site. The site is approx 0.3 hectares. The site represents rounding off and would not extend development into the open countryside. The site is small but would accommodate 3/4 additional dwellings - a scale of development appropriate for a small village. The site has strong defensible boundaries, A limited release is justified to underpin rural services. The village is well related to the railway station.

Inspector's Reasoning and Conclusion

58.1.1 One of the weaknesses I identified in considering Policy H1 is that the Council in following the sequential approach to housing development in PPG3 did not consider it needed to look to the villages for development. I accept that to meet the Structure Plan housing requirements there was no need to. However, in my view PPG3 does

not just require a sequential approach to be taken. This approach does not take into account advice in paragraph 71 of PPG3 that there should be adequate housing provision in rural areas to meet the needs of local people and planning authorities should make sufficient land available either within or adjoining existing villages to enable local requirements to be met. This approach is reflected in Structure Plan Policy H2. This states "small scale housing provision may be provided in small towns and villages at a scale consistent with local community needs as identified in local plans."

- 58.1.2 There is therefore, no inherent, objection to "small scale" development in villages. However, apart from existing commitments in villages identified in Policy H1 (d), the Plan makes no provision for any other settlement expansions.
- 58.1.3 The Council's sequential approach has resulted in a number of omission site objections on rural housing because it is the only way objectors have been able to draw attention to the characteristics of villages and the merits of particular sites.
- 58.1.4 The specific proposal in this case is to extend the settlement boundary to include Bulse Green Cottages which would enable limited frontage development to take place between the cottages and existing frontage development in Duck Street. To the rear of the frontage plot of some .3 ha is land of 1.0 ha which would be made available for community purposes for either a community woodland and nature reserve, playing fields and playground or a pocket park. In bringing this land into community ownership, access would be safeguarded from Duck Street and measures to mitigate motorway noise would be taken into consideration. Immediately to the south and west is the elevated motorway M11 with a substantial boundary fence.
- 58.1.5 I can understand why the Council excluded the site from the settlement limits because boundaries have been drawn tightly and have excluded open land. However, now that an objection has been made the site needs to be considered on its own merits.
- 58.1.6 From my visit to the village I found Duck Street to be an attractive single track consisting of mainly large houses with large gardens. Although an overgrown field with trees along the boundaries I did not find that on the ground the omission site read in any way with the open countryside. It is more closely linked to the existing development on the west side of Duck Street, which is now contained by the M11 motorway, rather than the more open aspect to the east of Duck Street.
- 58.1.7 Firstly, a matter raised by the objector. I cannot see the reason for leaving The Lodge opposite outside of the settlement boundary. It may at some time have been occupied as an agricultural dwelling but physically it is an integral part of the village and I recommend that it be included.

- 58.1.8 Secondly, the Council considers that the Position Statement No 2 (CD/2.03) on Housing Supply April 2002 demonstrates that sufficient sites have been granted planning permission or allocated to meet the Structure Plan requirement. If the land were to be included within the settlement limits the Council believes it would be bound to make the most efficient use of land, and would expect the site to be developed with 9 –15 dwellings.
- 58.1.9 I do not believe that the omission site is of strategic housing importance or would have any material impact on housing figures. If allocated, I would expect it to be developed in character with the area. The development of the omission site would have no environmental impact on the historic character of the village or its internal structure. Its development would fall within the category of small-scale development in a village as envisaged in Policy H2 of the Structure Plan and would not be contrary to advice in paragraph 70 of PPG3, because the development would not be a significant addition to housing within the village.
- 58.1.10 In my view there are also additional arguments on sustainability grounds in favour of the inclusion of the omission site. Residents of Wendens Ambo can walk to Audley End Station with its service to Cambridge, London and Stansted in less than 5 minutes. Newport village, a key settlement with a wide range of facilities, including Newport Grammar School and all weather sports facilities, is close by and there is a concrete bridle way from Duck Street to the north end of Newport village, a 5 minute cycle ride away.
- 58.1.11 I conclude that a case has been made to include this site within the settlement boundary of Wendens Ambo. How the site should be developed to provide the form of housing which is needed in the village, and what kind of community use could be accommodated on the adjoining land to the rear, would be a matter for the local planning authority in consultation with the parish council, and subject to future agreement between the parties.

RECOMMENDATION

That the plan be modified to include the omission site within the Settlement Boundary of the village

58.2 SITE: LAND NORTH EAST OF WENDENS AMBO

The Objections

92.3 (Objection withdrawn) Old Road Securities, Audley End Estates

Amend the settlement boundary for Wendens Ambo.

Land to the north east of Wendens Ambo is within easy walking distance of the Audley End railway. The site is well screened from views from the existing built up area of Wendens Ambo as from the land to the north and west of the site. The boundary should be extended to the north-east providing potential release of land for

modern offices. Site would provide ideal space for high tech business uses close to the railway line and the surrounding road network.

Inspector's Reasoning and Conclusion

58.2.1 I have been notified by the Council this objection has been withdrawn.

RECOMMENDATION

No recommendation

59. WICKEN BONHUNT INSET MAP

59.1 SITE: LAND WEST OF GREEN ACRES, WICKEN BONHUNT

The Objection

77.1 Heard

Extend settlement boundary to include land south of main road opposite New Cottages and west of Green Acres. Cottages previously stood in the current gap between Brick House and Green Acres. Site not subject to flooding. As a site of previous houses it is not a 'traditional Open Space' (ENV3). Development would be consistent with H1 "reuse of ...previously developed land outside urban areas".

136.1 The Trustees of W Heard 1990 Guernsey Settlement

Include land opposite new cottages within the settlement boundary
The proposed local plan has once again divided Wicken Bonhunt into two separate developed areas. Historically this is incorrect. It has always been one village and part of the frontage of the site used to contain a number of cottages which were demolished in the 60's. The frontage of this site could be included within the settlement boundary for residential purposes. The site is always likely to remain derelict as it is impossible for it to be used for agricultural purposes and it has little amenity value to any adjoining properties. The site has never been flooded. There are houses on the opposite side of the road too there would be little ill effect on the village street scene. There is good visibility for access purposes. There is no opportunity for infilling or any other form of development within the village.

Inspector's Reasoning and Conclusion

59.9.1 Although historically there were small cottages on a narrow strip of land along the frontage, with a very limited garden area, they did not intrude into the major part of the omission site, which slopes up from the road to the rear. Nor in my view did the cottages form an essential or important integral part of the village. On the south side of the road there was only very loose sporadic development which over the years was intensified into a ribbon of detached properties to the east of the omission site.

59.9.2 From my visits I consider there is a definite break between the modern development to the west of the village and the more intensive development around the public house and the church to the east. There is no development

on the south side of the road apart from Brick House and its environs, and on the north side of the road, apart from the buildings at Howland Farm, there is one dwelling which stands out from the other more densely grouped houses to the east.

- 59.9.3 The objector is concerned about emphasising the present “division” of the two parts of the village, but from my visits I believe the two parts are already clearly separated. I agree with the objector that the omission site is not a traditional open space but it is a visually important one, which reads as part of the rural scene. It is a greenfield site which because of its visual importance would be protected under Policy ENV3.
- 59.9.4 The Council considers that if the principle of development is accepted that to make efficient use of the site a density range of between 30 and 50 dwellings per hectare would be required. I accept that best use should be made of land but consider that any density of development would need to be in keeping with the form and character of the village and this would dictate a far lower density than that envisaged by the Council. In any event I consider the development of the site would involve a significant intensification of housing in this small village
- 59.9.5 As far as local need is concerned I have recommended in the Housing Chapter of the Plan that the Council looks again at the villages in conjunction with the parish councils to identify whether some local housing should be provided. If a need is identified in the smaller villages like Wicken Bonhunt the Council would no doubt look to sites which are close to the centre of the village to meet that need.

RECOMMENDATION

Make no modification to the Plan in response to these objections

59.2 SITE: LAND AT HOWLANDS FARM, WICKEN BONHUNT

The Objection

190.2 Pegasi Ltd

Policy H1c) should be altered to identify Howlands Farm, Wicken Bonhunt as a suitable location for housing/commercial redevelopment as part of the wider housing policy for the re use of existing buildings and previously developed land. It would provide much needed housing growth in the village well served by public transport.

Inspector's Reasoning and Conclusion

- 59.2.1 I have dealt with the argument about additional housing to meet local needs in the Housing Chapter of the Plan at Policy H1.
- 59.2.2 The farm does not read as part of the built up area of the settlement, but is part of an important open gap between the two more densely developed areas of the village. Because of its open and rural character I do not consider the farm should be linked to or be included within the settlement boundary. If there are opportunities to diversify the farm these can be dealt with under

other policies which have been specifically included in the Housing and Employment Chapters of the Plan for the purpose. (190.2)

RECOMMENDATION

Make no modification to the Plan in response to this objection

59.3 SITE: LAND AT NEW COTTAGES, WICKEN BONHUNT

The Objection

190.3 Pegasi Ltd

Policy H1c) does not specifically state the preferred locations for the re use of existing building and previously developed land. It is considered appropriate to include Wicken Bonhunt in H1 c) as this would be a more suitable location than sporadic development. The site adjacent New Cottages is a suitable infill plot which would have no adverse impact on the wider open countryside

Inspector's Reasoning and Conclusion

59.3.1 I have recommended in the Housing Chapter that the Council look again at local needs housing in the villages. There is only one dwelling on the frontage on the north side of the road located between the two parts of the village with settlement boundaries. This omission site forms part of an important rural visual break between the older and more modern parts of the village. I do not consider it should be included within the settlement boundary. The Council could consider the merit of infilling under Policy S7 and paragraph 6.5 of the Plan.

RECOMMENDATION

Make no modification to the Plan in response to this objection

60. MAIN PROPOSALS MAP REQUESTS FOR SETTLEMENT BOUNDARIES

60.1 SETTLEMENT BOUNDARY – LANGLEY UPPER GREEN

The Objection

140.1 (Objection withdrawn) Barrett,

Define a Settlement Boundary for Langley Upper Green.
By defining a Settlement Boundary for the settlement this would prohibit 'backfill', keeping vistas open and ensuring housing will not spread

Inspector's Reasoning and Conclusion

60.1.1 Objection withdrawn

RECOMMENDATION

No recommendation

60.2 SETTLEMENT BOUNDARY PLEDGDON GREEN, HENHAM

The Objection

97.1 (Objection Withdrawn) Malins,

Seek the addition of Pledgdon Green to the list of settlements contained in Policy H2 or a widening of the general policy to allow positive consideration of infilling in smaller villages/hamlets.

Inspector's Reasoning and Conclusions

60.2.1 I understand from the Council that this objection has been withdrawn

RECOMMENDATION

No recommendation

60.3 SITE: LAND TO THE WEST OF THE SLADES, LINDSELL

The Objection

145.1 Priors Hall Limited

We proposed the reinstatement of the development limits/settlement boundary for Lindsell in the District Plan and to be extended to include land to the west of the Slades to allow for minor additional housing provision. There will be no further infilling in villages which previously had Development Limits but which do not have them in the Deposit Plan, due to the wording of the restrictive policy S7, H2 and the loss of Policy H6. No development will be allowed now in these villages without notation and we recommend that the development limits be left as the adopted plan or preferably altered and extended as described below to allow these village settlements to thrive. The site is low grade agricultural land which is prone to hold surface water and is unviable to tend. The site could accommodate 2 small dwellings, is infilling between and opposite existing housing and is part of the built street scene.

Inspector's Reasoning and Conclusion

60.3.1 I have dealt with the argument about additional land to meet local need in the Housing Chapter of the Plan at Policy H1. I have recommended that, in accordance with national guidance, the Council looks again at villages in conjunction with parish councils to identify whether local housing should be provided during the Plan period. Amended paragraph 6.5 of the Plan now accepts infilling in appropriate circumstances outside of settlement boundaries so I do not consider that the lack of a settlement boundary, of itself, would preclude infilling development.

60.3.2 From my visit I found that Lindsell to be a mixture of pockets of denser development interspersed with sporadic housing and areas of open space. I do not consider that it lends itself to a defensible defined settlement boundary. It would either be so tight as to preclude further development or would be so loose that it would encourage intensifying development detrimental to the open sporadic character of parts of the village.

60.3.3 In my view any development of the omission site should be considered by the Council under advice in paragraph 6.5 of the supporting text of the Plan.

RECOMMENDATION

Make no modification to the Plan in response to this objection

60.4 SETTLEMENT BOUNDARY – TYE GREEN, WIMBISH

The Objections

3.5 Brian Christian Building Surveyor

Tye Green, Wimbish should be included within settlements having a defined development limit.

3.8 Brian Christian Building Surveyor

Include Wimbish within policy H2 (need for settlement boundary).

Wimbish should be added to the villages suitable for infilling. It has plenty of gaps and a falling school roll

209.6 Three Valleys Water Plc

Amend policy H2 to include the settlement of Tye Green/Wimbish and show the settlement boundary on the Proposals Map.

The Water Company consider that the development boundary for the rural settlement of Wimbish/Tye Green should be shown on the proposals map/inset maps. In so doing it should include the Water Company's Wimbish Water tower within the settlement boundary. The Wimbish water tower is a substantial built structure plus it has an area of land which forms an important landmark within the area. It is clearly related to the built settlement rather than the surrounding open countryside and if it became surplus to requirements would be suitable for residential development

Inspector's reasoning and conclusions

60.4.1 I consider the water tower is an important local feature and reads as a part of Tye Green. However, I have mixed feelings about including Wimbish/Tye Green within a settlement boundary. Apart from the water tower site I have no detailed evidence before me that there are possibilities for development, and from my visits to the various parts of Wimbish I believe development opportunities are minimal Paragraph 6.5 now clarifies how infilling would be dealt with outside of settlement boundaries, if such opportunities arose during the Plan period.

60.4.2 I have recommended in the Housing Chapter of the Plan at Policy H1 that the Council looks again at local needs housing in villages.

RECOMMENDATION

Make no modification to the Plan in response to these objections

61. HOUSING PROPOSALS OUTSIDE INSET AREAS

61.1 SITE: THE FORGE, KEERES GREEN, AYTHORPE RODING

The Objection

84.1 Whirledge and Nott

Consider that this land should be designated as suitable for housing development (note - suggested allocation for H2 site - not specifically requested to be included within Settlement Boundary)

The Forge Keeres Green, Aythorpe Roding is suitable for residential development. It is part of a small hamlet in open attractive countryside. Site is poorly maintained, untidy and in need of investment. It has defendable boundaries and provides an opportunity to allocated residential development on a previously developed site. It will tidy up the site and help sustain local community services.

Inspector’s Reasoning and Conclusions

61.1.1 From my visit I consider the omission site to be part of an area of sporadic rural development, a mixture of housing and employment uses in the countryside. The character of the area and the omission site is predominantly rural and if sustainable development were required to support facilities in Leaden and Aythorpe Roding such housing could best be located within those villages, rather than in a hamlet with no facilities.

RECOMMENDATION

Make no modification to the Plan in response to this objection

61.2 SITE: BELL MEADOW, CHURCH END, BROXTED

The Objection

154.1 Broxted Parish Council

At Church End, Broxted there is a four acre field known as Bell Meadow at present being used as a small holding. The Parish Council has been approached with a plan to build one dwelling on the field with some or all of the remaining land being given to the village as recreational space. There is no public recreational space in Broxted and this is something the Parish Council is trying to rectify. The general view of members is that they would support an application for one dwelling on this field.

Inspector’s Reasoning and Conclusions

61.2.1 As recreational uses on large areas of land can only normally be accommodated outside of settlement boundaries I see little difficulty in principle about providing for public recreational use outside of Broxted under Policy LC4. It would not, however, be logical or appropriate to surround a

single plot with a settlement boundary. Whether or not a single dwelling would be acceptable at Church End would depend on its compliance with other policies of the Plan which control development in the countryside. (154.1)

RECOMMENDATION

Make no modification to the Plan in response to this objection

61.3 SITE: SALING AIRFIELD

The Objection

86.2 Bucknell,

Urban capacity study should be carried out again to consider as many sources as possible. The capacity study should include Saling Airfield. Details should be set out in Policy H1 or the supporting text to explain the number of dwellings that are assumed to come forward over the plan period. The plan should include some "reserved" sites for longer term residential development Andrewsfield should be identified as a reserve site.

The draft plan provides an inappropriate distribution of housing throughout the District including too much emphasis upon intensive development of urban areas. No provision is made for a pool of allocated sites to enable reserve sites to be brought forward in the event that anticipated windfalls, or allocated sites are not forthcoming. The Rochford Nurseries site is unsuitable for 600 dwellings. Insufficient precision is related to re-use of existing buildings and previously developed land outside urban areas. It is understood that the figure of 575 has been assumed based upon previous housing developments of this nature over recent years.

Inspector’s Reasoning and Conclusions

61.3.1 I have dealt with the argument about additional housing to meet local needs and Structure Plan requirements in the Housing Chapter of the Plan at Policy H1.

61.3.2 The Council has an up to date urban capacity study but as its name implies it looked at urban areas. This study did not indicate that there was a need for a free standing new settlement outside the towns and I have no contrary detailed evidence before me that such a settlement is necessary to meet Structure Plan requirements. I do not believe it would be an acceptable alternative to what is proposed by the Council and other objectors and considered by me in the Housing Chapter. (86.2)

RECOMMENDATIONS

Make no modification to the Plan in response to this objection

61.4 SITE: LITTLE CANFIELD

114.1 (Objection withdrawn) RMC (UK)

Amend policy H1 and provide an additional housing allocation of 1,035 dwellings - Land owned by RMC at Little Canfield should be allocated for an appropriate mixed used development in conjunction within the proposed Prior Green development. An increased rate of 420 dwellings per annum is needed. In order to achieve this increased rate it is particularly important to provide a range of housing opportunities. The plan indicates that there is limited scope for such development in Uttlesford and reliance will continue to be placed on greenfield release. The contribution from Previously Developed Land remains a significant component of the Deposit Plan housing supply and it is important to be clear that such sites can be delivered.

Inspector’s reasoning and Conclusions

61.4.1 I understand from the Council that this objection has been withdrawn

RECOMMENDATION

No recommendation

62. MAIN PROPOSALS MAP

62.1 COUNTY WILDLIFE SITE

7.1 National Grid

The National Grid would like to see the County Wildlife Site designation removed from within its landholding boundary. National Grid has a policy to minimise the effects of its proposals and to consult with the LA and other consultees at an early stage. Careful consideration is given in line routing proposals to mitigate effects upon landscape, flora, fauna, etc. The National Grid landholding at Pelham has two County Wildlife Site designations immediately adjacent to the east of the site and one designation within National Grid's landholding boundary.

Inspector’s Reasoning and Conclusions

62.1.1 The designations referred to are non-statutory and identify the value of particular sites to biodiversity. They are designations by local Wildlife Trusts. The Council has taken into consideration the need for development to be balanced against nature conservation interests in Policy ENV7 of the Plan, and revised paragraph 5.15 emphasises this. Criterion a) of the policy accepts that development will be permitted if its need outweighs landscape elements. Utility development on a sub station site to meet statutory requirements would in my view carry tangible weight.

RECOMMENDATION

Make no further modification to the Plan in response to this objection

62.2 MAIN PROPOSALS MAP - DELINIATION OF NOISE CONTOURS AND PSZ'S

121.14 Stansted Airport Limited

STAL is of the opinion that irrespective of arguments about the noise contour to be chosen that the alignment of the contour defined on the Proposals map needs to be checked. Noise contour boundary differs from those held by STAL. PSZ boundary does not accord with STAL's understanding. The PSZ's indicated on the Proposal and Inset Maps are based on risk contours generated by likely aircraft movements for year 2105. They represent Stansted operating at far more than 15mppa and greater than 25mppa.

UDC proposed amendments to the mapping in response to this objection

Inspector’s Reasoning and Conclusions

62.2.1 I have also dealt with this objection when dealing with objection 121.28 and 121.31. The Council has said that it will look at any inaccuracies in mapping when it includes up dated information on the expansion of the airport up to 25mppa.

RECOMMENDATION

Provide updated information

64. CHAPTER 21: INDICATORS, TARGETS AND MONITORING

The Objection

93.14 Hastoe Housing Association/Springboard HA

Believe the indicators should be widened so that 'social progress' can be measured. In respect of meeting housing need, counting the number of units is only part of the monitoring. Measuring how many households have been housed from the waiting list is more important yardstick.

221.6 Porter

There is nothing on air quality as a planning objective as under Housing "access" is not mentioned. This is particularly important in Saffron Walden.

Inspector’s Reasoning and Conclusions

- 64.1.1 The performance indicators in the Plan are merely a check on the effectiveness of policies that have numerical targets. The length and content of a housing waiting list are affected by other than the planning process and it would not be appropriate to include them in a land-use plan. Details of social progress would presumably be available through the Housing Department’s monitoring process. (93.14)
- 64.1.2 As the evidence from the annual mean value data does not indicate that air quality is a particular problem for Saffron Walden it is not clear to me what performance indicator could be generally adopted to monitor it. It would be possible to monitor parts of the town where localised traffic congestion might create poor air quality from time to time under adverse weather conditions but I doubt this could be effectively linked to policies in the Plan.

RECOMMENDATION

Make no modification to the Plan in response to this objection

65. APPENDICES

65.1 APPENDIX 1 – CAR PARKING STANDARDS

UDC proposed amendments to Appendix 1

The Objection

212.15 Uttlesford Area Access Group

Within this provision there should be appropriate access for people with disabilities.

207.3 Uttlesford Primary Care Trust (PCT)

Vehicle space and cycle space standards for medical centres amended to include reference to counselling rooms and treatment rooms (ie vehilce spaces sertion to read "1 space for full time staff and 2 spaces per consulting room, treatment room, and counselling room".

The parking standard for Medical Centres is the provision of 2 spaces per consulting room for vehicle spaces and the provision of 1 space per consulting room for cycle spaces. This is inadequate and does not reflect the fact that in medical centres, patients are also seen in counselling rooms and treatment rooms and no not necessarily visit the consulting rooms.

Inspector’s Reasoning and Conclusions

65.1.1 The Council has revised the text to include parking standards for those with disabilities (212.15)

65.1.2 I have had this point made to me on other Plans and tend to agree that there has been a general underestimate of parking requirements for Medical Centres, which are now providing a wide range of medical and allied services. The difficulty I have is that there is a county wide adopted standard included in Supplementary Planning Guidance and the Local Plan should reflect those standards. However, I will recommend that the standard be looked at again as the parking provided should be practical and not just arbitrary. (207.3)

RECOMMENDATION

Consider with the County Council the appropriateness of the county wide adopted standard for Medical Centres.
