

Planning Inspectorate Reference: S62A/2023/0026

Uttlesford District Council Reference: UTT/23/2622/PINS

**Outline application for the erection of up to 40 dwellings,
Land west of Robin Hood Road, Elsenham**

Address to Planning Inspectorate Hearing, 6 February 2024

6/2/24
HD 1

Good morning, Sir. I am Dr Graham Mott, I have lived in Elsenham for 36 years, I am the Chairman of Elsenham Parish Council and I speak on behalf of the Parish Council. I will make hard copies of this address available to you, Sir, and to the applicants and to the district council. The Parish Council's representations to the Inspectorate are before you, Sir. These have been considered afresh and we see no reason to amend them. What follows, then, is by way of summary and confirmation.

The question of site access is clearly the principle consideration and it is dealt with in detail in Section 1 of our response.

There is pedestrian traffic along Robin Hood Road from three sources: residents of Robin Hood Road, residents of Fuller's End on the further side of the railway pedestrian level crossing, and local walkers. The proposal for a footway on the western side of Robin Hood Road is welcome in itself, but it would lead to a reduction in road width over the northern section of the road, and there must be severe doubts as to the viability of the proposed one-way working over this stretch of road. The narrowness of the carriageway must mean that large vehicles would undoubtedly mount the new footway. There are, surely, real safety concerns regarding pedestrians, both during the construction period and more generally.

It is proposed to utilise the existing turning head at the south of Robin Hood Road in order to provide access to the new site. It would thereby become unavailable to Network Rail personnel, who use the turning head for parking their large vans when there is an issue regarding the adjacent railway and the pedestrian crossing. An arrow on the plan *Site Access Arrangement* points to, and I quote, 'Relocated turning head', but it is not actually shown. There is a large unresolved question as to the applicants' intentions concerning a substitute turning head at the end of Robin Hood Road.

The proposal for access from Robin Hood Road is clearly much inferior to that provided for the approved application with access from Rush Lane. We hold that the deficiencies are sufficient in themselves for this application to be refused, but there are other fatal defects. We appreciate that the application is for outline approval, and that the site layout presented is illustrative only. But there are grave defects in what is presented.

We demonstrate in Section 5 that the applicants are clearly unfamiliar with Uttlesford's parking standards, resulting in an under-supply. They are unfamiliar also with the natural springs on the site, and therefore make no allowance for them, as shown in our Section 9, and the permanent pond proposed is not viable in view of the proximity of Stansted Airport - see our Section 10.

In Section 12, we show that there is nothing to indicate that the applicants have followed guidelines regarding garden sizes. The important question of the closeness of the proposed site access to the pedestrian railway level crossing is discussed in Sections 13 and 14. Apparently the applicants recommend the railway level crossing as a pedestrian route to the primary school and the pub, and - as noted by Uttlesford's Planning Committee - the proximity of the proposed new play area to the crossing must be regarded as a safety issue. Here, as elsewhere, the applicants might well respond that these deficiencies can be addressed in the reserved matters application in due course. But we maintain that an illustrative plan must be presented which shows how 40 dwellings could be accommodated satisfactorily on the site, and this has not been done.

In several respects the applicants show a woeful lack of familiarity with the village, particularly with regard to the vast amount of new housing in recent years. We show in Section 3 that as many as 829 new dwellings have been approved since determination of the application with access off Rush Lane. Uttlesford is ^{now} ~~not~~ able to demonstrate a five-year housing land supply. We show in Section 2 that the peculiar difficulties of road access are well attested in important decisions from as long ago as 2014 and 2016, and are such that the cumulative impact on the road network is already excessive. Impact on landscape cannot be reconciled with UDC Policies S7 and S8, see Section 4, and we demonstrate in Section 6 that there are no social or economic benefits. Sustainability has not been demonstrated, as we discuss in Section 8: estimated times for destinations by bicycle are in error, and bus time-tables have been misread.

We hold, therefore, that the application should not be approved in its present form. Notwithstanding the Parish Council's objections to the application, there are two matters, Sir, which we wish to raise, without prejudice, concerning a draft S106 and Conditions.

The first relates to the Heritage Assets of the Grade II listed Wells Cottages in Robin Hood Road. Nos 2 and 3 date back to the seventeenth century, and nos 1 and 4 are from the eighteenth or early-nineteenth centuries. The cottages are known to have no foundations. As outlined in our Section 11, there is concern at the impact of vibration from heavy construction vehicles. We ask that a survey by independent professionals is carried out before commencement, and again after construction work is completed. There is a duty to preserve these listed buildings, and this is surely a reasonable request.

We also ask that provision should be made in the S106 for a contribution to the new Community Hall in the village. Uttlesford District Council's Planning Committee, in their role as consultees, supported such provision, and it is included in the S106 Heads of Terms in the response from the District Council which is before you. In Section 17 of our representations we give some details of the project. Matters have moved on further since that submission was written. We have progressed to the point where we have received responses to our invitation to tender for architectural services, and these are due to be appraised at a meeting next week. The S106 funds already secured will be insufficient to meet the total cost of the project, such that it will be necessary to secure a Public Works Loan for the balance.

A contribution was included in the decision to approve the other major application which has been made in the village under the S62A provisions, that is, 130 dwellings to the south of Henham Road, Eisenham (S62A/2022/0007; UTT/22/2174/PINS). We suggest that a contribution for the current application should be made *pro rata* the sum for that development, and therefore we request an amount of £95,385, index-linked, to be paid before the first dwelling is occupied.

The new Community Hall is the only provision which has been made to remedy the shortcomings in infrastructure which have arisen - as I said earlier, as many as 829 homes have been approved in major developments since the Rush Lane application was determined. We suggest, Sir, that our request meets your five tests, and that it is indeed necessary, relevant, enforceable, precise and reasonable.

But that, of course applies only in the event that the application is approved, and, just to repeat and summarise, we say there are several reasons why it should be refused.

And just to conclude, Sir, as I mentioned at the start, I have hard copies available. I shall be pleased to answer any questions.

Graham Mott, PhD, MA, BA (Hons), BSc (Hons), PGCE
Chairman, Elsenham Parish Council

6 February 2024