

KEEP CLAVERING RURAL

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10th April 2024

Dear Sir,

PINS S62A Planning Application ref: S62A/2023/0030
Land west of The Cricketers, Clatterbury Lane, Clavering, Essex
Outline application with all matters reserved, except access for up to 28 dwellings
(Class C3) including public open space, sustainable drainage systems, landscaping
and associated infrastructure

Keep Clavering Rural (“**KCR**”) requests that the Planning Inspectorate (“**PINS**”) treats this letter as KCR’s comments on the Applicant’s response (“**Applicant’s response**”) dated 20th March 2024 to the letter from Essex County Council (Highways and Transportation) dated 13th February 2024. That letter assessed the Applicant’s S62A application, including its Transport Statement and concluded that the highway authority was not currently in a position to support the application.

We assume that PINS will be giving Essex County Council as Highways Authority, an opportunity to comment on the Applicant’s response.

KCR’s comments are as follows:

Paragraph 7 of the Applicant’s response states that the bus services can be used by the general public. While this might be so it does not, of itself, convert a school bus service into a public bus service for the following reasons:

- The bus timetables are geared to school days, **not** business days, **nor** to the times when shops will be open in the morning.
- The bus services run between the villages and the schools and are **not** geared to providing services to and from business or shopping centres.
- The bus services only run during term times with no services at all during school holiday periods.

Accordingly, any ability of the public to board school buses is a theoretical rather than an actual, benefit. Furthermore, paragraph 116(b) of the NPPF requires that applications for development should:

“address the needs of people with disabilities and reduced mobility in relation to all modes of transport” (our emphasis).

The needs of people with disabilities and reduced mobility will not be properly addressed by bus services that only run during term times and are geared only to school days and school locations.

Paragraph 8 of the Applicant’s response suggests that it is expected that some residents of the site would be able to walk the significant distance to the village centre. Indeed, those who are fit, in good health, unaccompanied by children, and not elderly, may be able to do so. However, paragraph 114(b) of the NPPF requires that:

“safe and suitable access to the site can be achieved for all users” (our emphasis).

Accordingly, developing on a site this distance from the village centre would not fulfil the requirements of paragraph 114(b).

Paragraph 8 of the Applicant’s response refers to a proposed new footway provision and improved crossing facilities as part of the development. However, these proposals only relate to the immediate vicinity of the application site. They do not address the inadequacies of the footway provision in the High Street generally, neither can they ever alter the distance from the site to the village centre. As we have previously pointed out, the High Street footway is narrow and uneven in places, narrowing down to 28 inches in parts and in one part to as little as 27 inches, too narrow for many children’s buggies and any mobility scooter. The High Street itself is narrow, particularly at the point where the footway narrows and larger vehicles often have difficulty in passing each other, resulting in vehicles skimming the footway kerb with obvious danger to pedestrians.

Paragraph 116(c) of the NPPF requires that applications for development should:

“create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles...”

Placing a development at a distance from the village centre, thus forcing pedestrians to use the High Street footway (particularly those with children or the elderly using mobility scooters) fails to minimise the conflict between pedestrians and vehicles.

Indeed, in the very recent Appeal decision in the case of land rear of Eldridge Close, Clavering (PINS ref: S62A/2023/0025), the Inspector stated that this was:

“a footway which is very narrow in places and which is not lit for significant stretches. For these reasons future occupiers would be unlikely to access them (i.e. the facilities in the village centre) on foot, particularly in the darker winter months.” (See Paragraph 30).

Paragraph 9 of the Applicant’s response maintains that not only the village centre, but also Newport and Audley End railway stations and Saffron Walden, are all within a reasonable cycling distance.

So far as cycling is concerned, a December 2016 document entitled “Uttlesford Local Plan Transport Study” offers an explanation as to why cycling is a less-than-attractive travel option. In paragraph 3.9.9 it states that Uttlesford’s lower levels of cycling to work:

“....could be a characteristic of the lack of formal cycling facilities on the road network within Uttlesford, as well as the rural nature of the district which means cycle distances are often considerable. It’s possibly also influenced by the local hilly topography within the larger settlements”

This lack of formal cycling facilities, the distances involved, and the hilly topography (two significant hills between Clavering and Newport and one between Clavering and Audley End) militates against the Applicant’s statement that future residents could choose cycling as a viable option to a private car. **In theory** they could choose the cycling option, but **in practice** they are unlikely to do so, even in the light of the proposed cycle voucher.

Paragraph 10 of the Applicant’s response maintains that the number of vehicles likely to be generated from the development would be minimal and would have a “negligible impact” on the surrounding highway network. This is an understatement because:

- 28 dwellings will produce between 28 and 56 additional cars with many of the dwellings having two cars and some only one. With cars having to be used for work in view of limited local employment opportunities, that is likely to result in between 56

and 112 additional car movements each day. In addition, the development will generate its own requirements for delivery and service vehicles, plus residents' visitors.

- These are all vehicle movements into and from Stickling Green Road which is a narrow country lane and in that light, they are **not** "negligible".

Paragraph 12 of the Applicant's response refers to the requirement of paragraph 83 of the NPPF that housing should be located where it will enhance or maintain the vitality of rural communities.

This might have been a relevant position to take were Clavering a struggling community with a struggling village shop, but as it is, the shop is by far the biggest and most successful village shop in the Uttlesford area, the Fox and Hounds pub thrives on current local support while the Cricketers pub is possibly the most well-known pub in Essex with its previous connections to television chef Jamie Oliver. In addition, the village has numerous thriving local clubs and societies. Not that many years ago, Clavering won the Essex village of the year award which is largely based on the vitality and viability of the village. In short, there is no proven need for the development in terms of contributing to the economic and social vitality of the village.

Paragraph 13 of the Applicant's response contains the oft-quoted section from paragraph 109 of the NPPF regarding the differing transport needs of rural versus urban communities. However, this is simply a question of fact. It is not, a positive encouragement by the NPPF to build houses in non-sustainable rural locations where there is no viable public transport solution.

Paragraph 14 of the Applicant's response argues that there have been a number of recent planning decisions within the wider village where reliance on vehicles has been found to be acceptable, irrespective of specific location. However, no specific examples have been put forward by the Applicant and so it is impossible to examine the merits or otherwise of these arguments. In addition, the Applicant maintains:

"...the availability of buses and their regularity is common for all [such] sites"

This is despite the important limitations of these bus services presented above in our response to Paragraph 7.

For these and the other reasons detailed in KCR's objections letter dated 12th February 2024, the development should be **REFUSED**

Yours faithfully,

Frank Woods
Deputy Chair
Keep Clavering Rural

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