

### 3.GENERAL PLANNING POLICIES

#### Paragraph 3.2

**3.2 The objective of the policies in this section of the Plan is:**

- **To ensure that development contributes to the achievement of social progress which recognises the needs of everyone, effective protection of the environment and prudent use of natural resources.**

#### Representation of Objection

**Ref.No: 119 Rep.No: 12**

**Representor:** Proto Limited **Agent (if applicable):** Littman and Robeson

**Amendment(s) Sought:** Add after "achievement of " local economic growth

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:**

*Managing the economy is one of the Councils Strategic Objectives but within the format of the Plan it is not an objective of this chapter but of chapter 4.*

**Recommendation**

*No Change*

---

#### Paragraph 3.3

**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: 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 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.**

#### Representations of Objection

**Ref.No: 219 Rep.No: 6**

**Representor:** Fletcher, English Heritage **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** We welcome the various references in the plan to the principles in the Government's Strategy for Sustainable development. The

UK strategy recognises the important role of the historic environment in contributing to quality of life.

---

**Ref.No: 208 Rep.No: 2**

**Representor:** Muller, English Nature **Agent (if applicable):**

**Amendment(s) Sought:** 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 .....}

**Reason(s) for Amendment(s) Sought:** 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.

---

**Ref.No: 206 Rep.No: 5**

**Representor:** Walker, Uttlesford LA21 Group2 **Agent (if applicable):**

**Amendment(s) Sought:** Insert the word 'appropriate' between 'planting' and 'windbreaks' in the third sentence.

**Reason(s) for Amendment(s) Sought:** 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.

---

**Ref.No: 208 Rep.No: 3**

**Representor:** Muller, English Nature **Agent (if applicable):**

**Amendment(s) Sought:**

**Reason(s) for Amendment(s) Sought:** 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]

---

**Ref.No: 218 Rep.No: 13**

**Representor:** Dale, Saffron Walden Friends of the Earth **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:**

---

**Comments:**

*It is considered appropriate to amend paragraph 3.3 to include reference to protection of historic environment; promoting biodiversity; and planting appropriate windbreaks. Other minor wording changes proposed are not considered appropriate. The paragraph is clear (Ref No 208 Rep 3). It must be recognised that the most relevant issues will vary from case to case depending on the proposal. This section aims to ensure that all quality of life issues are considered.*

---

**Recommendation:** *Amend text to include protection of historic environment; promoting biodiversity; and planting appropriate windbreaks as issues for consideration*

---

**Paragraph 3.4**

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

- **Access**
- **Community safety**
- **Design**
- **Flood protection**
- **Good neighbourliness**
- **Light pollution**
- **Mitigation of impacts**
- **Nature conservation**
- **Reinforcing countryside character**
- **Vehicle parking standards**

**Representation of Support**

**Ref.No: 221 Rep.No: 3**

**Representor:** Porter, Friends of the Earth **Agent (if applicable):**

Under Planning Development "access" is of prime importance because of traffic generated in the surrounding network.

**Objections**

**Ref.No: 224 Rep.No: 2**

**Representor:** Wilcock, **Agent (if applicable):**

**Amendment(s) Sought:**

**Reason(s) for Amendment(s) Sought:** 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 Home, 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 measure 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 encourage a culture for service providers to actively overcome those problems and allow more disabled people to lead independent lives

**Comments:**

*Appropriate changes to policy and text are recommended.*

---

**Ref.No: 212 Rep.No: 1**

**Representor:** Locke, Uttlesford Area Access Group **Agent (if applicable):**

**Amendment(s) Sought:** Add to 3.4 "specific supplementary planning guidance having regard to social inclusion"

**Reason(s) for Amendment(s) Sought:** The Group felt that a further statement should be included as there is insufficient coverage of social inclusion

**Comments:**

*It is agreed that the plan should include more references to promoting social inclusion through the design of development.*

---

**Ref.No: 12 Rep.No: 1**

**Representor:** Hills, Architectural Liaison Officer - Essex Police **Agent (if applicable):**

**Amendment(s) Sought:**

**Reason(s) for Amendment(s) Sought:** 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 of 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.

**Comments:**

*This issue is covered by Policy GEN2(d), but the plan should include some additional text as sought..*

---

**Ref.No: 227 Rep.No: 2**

**Representor:** Barrell, Environment Agency **Agent (if applicable):**

**Amendment(s) Sought:** Inclusion of 'water resource management' as a bullet point in the list of local quality of life issues.

**Reason(s) for Amendment(s) Sought:** Need to make reference to water resource management

**Comments:**

*This issue is covered by GEN2(e), but more text could be included on design measures aimed at saving water.*

---

3.4

**Ref.No: 208 Rep.No: 4**

**Representor:** Muller, English Nature **Agent (if applicable):**

**Amendment(s) Sought:** In light of comments made on paragraph 3.3 recommend that the words 'nature conservation' under 3.4 be amended to 'biodiversity'

**Reason(s) for Amendment(s) Sought:**

**Comments:**

*The amendment sought is noted, however, the term Nature Conservation as the title of the policy makes it immediately clear to the reader what the policy is about.*

---

**Recommendation:** *Move Para 3.5 to precede Policy GEN1 and expand to state: "Further Supplementary Planning Guidance will be prepared on design issues. This will encourage development to be designed so that it meet the needs of those with physical and sensory impairment, encourage Lifetime Homes, promote secure by design certification, encourage design measures aimed at saving water and other aspects of sustainable development design."*

---

### Representations of Support

**Ref.No: 213 Rep.No: 4**

**Representor:** Herrman, CPREssex **Agent (if applicable):**

CPREssex Supports these policies and their grouping together into a single chapter.

POLICY GEN1 – ACCESS

Deposit Policy

**Development will only be permitted if it has 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 and people whose mobility is impaired.**

REPRESENTATIONS RECEIVED

## Objections

### GEN1

**Ref.No: 15 Rep.No: 3**

**Representor:** Swindlehurst **Agent (if applicable):**

**Amendment(s) Sought:** 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).

**Reason(s) for Amendment(s) Sought:** 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 disadvantages sections of society.

**Comments:**

*It is proposed to remove the term 'access' from part (c) of the policy so that it is clear that it is the design of the whole site that should take into account the needs of cyclists etc. A new part (e) will require the development to encourage means of movement other than by car.*

---

### GEN1

**Ref.No: 119 Rep.No: 13**

**Representor:** Proto Limited **Agent (if applicable):** Littman and Robeson

**Amendment(s) Sought:** 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

**Reason(s) for Amendment(s) Sought:** "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, an as such may properly be modified in appropriate circumstances without fear of being found to be contrary to the development plan

**Comments:** *Compliance with the criteria determines whether the access is satisfactory.*

---

### GEN1

**Ref.No: 120 Rep.No: 1**

**Representor:** , Laing Strategic Land Ltd **Agent (if applicable):** Sellwood Planning

**Amendment(s) Sought:** Development will only be permitted if it has a satisfactory means of access or a satisfactory access can be achieved.

**Reason(s) for Amendment(s) Sought:** 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)

**Comments:**

*This is the intention of the policy and it is therefore proposed to clarify the point by amending the policy to refer to development only being permitted "if it would have a satisfactory means of access."*

---

**GEN1**

**Ref.No: 156 Rep.No: 3**

**Representor:** White, Saffron Walden Town Council **Agent (if applicable):**

**Amendment(s) Sought:** Add the words "and in particular should not cause undue congestion" should be added to the end of section b) of this policy.

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:**

*It is considered that this is implied in the term 'being accommodated' and no amendment is necessary. Policy GEN6 deals with the need for infrastructure improvements that result from development.*

---

**GEN1**

**Ref.No: 163 Rep.No: 4**

**Representor:** Baker, Mantle Estates Limited **Agent (if applicable):** FPD Savills

**Amendment(s) Sought:** 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

**Reason(s) for Amendment(s) Sought:** 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

**Comments:**

*Compliance with the criteria determines whether the access would be satisfactory.*

---

**GEN1**

**Ref.No: 164 Rep.No: 2**

**Representor:** , Bellway Homes **Agent (if applicable):** FPD Savills

**Amendment(s) Sought:** Delete policy GEN1

**Reason(s) for Amendment(s) Sought:** The wording of GEN1 relating to access is far too detailed. It is worded in such a manner that 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.

**Comments:**

*It is appropriate to have a standard policy covering the issue of access, which is relevant to all development proposals. It is proposed to add reference in the policy to the needs of public transport users and supporting text to the Transport chapter on promoting other modes of transport.*

---

**GEN1**

**Ref.No: 204 Rep.No: 2**

**Representor:** Burchell, Essex County Council **Agent (if applicable):**

**Amendment(s) Sought:** Delete policy GEN1

**Reason(s) for Amendment(s) Sought:** Policy GEN1 duplicates Replacement Structure Plan Policy T3, but only partially, and therefore weakens it.

**Comments:**

*It is not considered that the policy compromises Policy T3.*

---

**GEN1**

**Ref.No: 210 Rep.No: 1**

**Representor:** Wadey, British Horse Society **Agent (if applicable):**

**Amendment(s) Sought:** Recommended change to GEN1 c) Please change "cyclists pedestrians and" to "cyclists, pedestrians, equestrians and"

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:**

*Agree to include the term 'horse riders' (in the pursuit of plain English!)*

---

**GEN1**

**Ref.No: 212 Rep.No: 2**

**Representor:** Locke, Uttlesford Area Access Group **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** 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"

**Comments:**

*Proposed amendment d) is more appropriate to the Uttlesford Transport Strategy. It is agreed to amend the policy to take on board proposed amendment e)*

---

**GEN1**

**Ref.No: 218 Rep.No: 14**

**Representor:** Dale, Saffron Walden Friends of the Earth **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:**

**Comments:**

*Road safety involves taking into account the safety of these other 'road' users*

---

**Recommendations:**

*Amend policy to read*

**Development will only be permitted if it 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 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.**

---

**POLICY GEN2 – DESIGN**

**Deposit Policy**

**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;
- 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.

### Paragraph 3.5

**3.5 The Essex Design Guide for Residential and Mixed Use Areas has been adopted as supplementary planning guidance.**

#### REPRESENTATIONS RECEIVED

##### Representations of Support

**Ref.No: 156 Rep.No: 4**

**Representor:** White, Saffron Walden Town Council **Agent (if applicable):**

The town council supports these proposals

**Ref.No: 159 Rep.No: 4**

**Representor:** Robson, Widdington Parish Council **Agent (if applicable):**

This plan should be firmly supported providing it is fully implemented which does not always seem to be the case. Will village design plans really support this policy

##### Objections

**GEN2**

**Ref.No: 71 Rep.No: 5**

**Representor:** Walford **Agent (if applicable):**

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

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:**

*A successful design should not need screening and other measures.*

---

**GEN2**

**Ref.No: 119 Rep.No: 14**

**Representor:** , Proto Limited **Agent (if applicable):** Littman and Robeson

**Amendment(s) Sought:** 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

**Reason(s) for Amendment(s) Sought:** It is not appropriate to have a policy that requires all these criteria to be met. It will stifle creative design. Words such as respects are difficult to interpret in terms of the development plan decision making. Continued economic will mean that it is frequently not appropriate for new development to necessarily have the same scale form layout appearance and materials as surrounding existing buildings. Whilst the safeguarding of important environmental features and their retention is a valid aim, planning decisions often need to be weighed against a number of factors, safeguarding implies a lack of reasonable and necessary flexibility. 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.

**Comments:**

*It is considered that the policy is not so prescriptive that it would stifle design. It is appropriate to have a standard policy covering all aspects of design as it is relevant to all development proposals.*

---

GEN 2 Design

**Ref.No: 212 Rep.No: 3**

**Representor:** Locke, Uttlesford Area Access Group **Agent (if applicable):**

**Amendment(s) Sought:** Add new criteria c) "it provides environments which are socially inclusive to meet the needs of everyone"

**Reason(s) for Amendment(s) Sought:** Although there is some provision in the current criteria the Group felt that the suggested replacement statement was preferred.

**Comments:**

*Agree in principle.*

---

**GEN2**

**Ref.No: 218 Rep.No: 15**

**Representor:** Dale, Saffron Walden Friends of the Earth **Agent (if applicable):**

**Amendment(s) Sought:** 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"

**Reason(s) for Amendment(s) Sought:**

**Comments:**

*As no reason for the amendment it given the current wording is considered appropriate.*

---

**Ref.No: 218 Rep.No: 16**

**Representor:** Dale, Saffron Walden Friends of the Earth **Agent (if applicable):**

**Amendment(s) Sought:** Insert date of publication of Essex Design Guide. Add to end of Para “and will be taken into account in assessing proposals.

**Reason(s) for Amendment(s) Sought:**

**Comments:**

*Part f) of policy GEN2 ensures the design guidance is taken into account.*

---

**GEN2**

**Ref.No: 222 Rep.No: 2**

**Representor:** Young, Go-East **Agent (if applicable):**

**Amendment(s) Sought:**

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:**

*This level of detail is more appropriate to Supplementary Design Guidance.*

---

**Ref.No: 227 Rep.No: 1**

**Representor:** Barrell, Environment Agency **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:**

**Comments:**

*This level of detail is more appropriate to the Environment Chapter and Supplementary Design Guidance.*

---

**Recommendations:**

*Amend Policy to read*

*c) it provides environments which recognise the reasonable needs of all potential users.*

---

POLICY GEN3 – FLOOD PROTECTION

Deposit Policy

**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.**

**Paragraph 3.7**

**3.7 All the urban extensions and settlement expansions proposed in this Plan are on land above flood plains. The arrangements for surface water run off disposal will need to take the implications for flood risk elsewhere fully into account.**

REPRESENTATIONS RECEIVED

**Representations of Support**

Gen3

**Ref.No: 156 Rep.No: 4 Objection: 0 Support: 1**

**Representor:** White, Saffron Walden Town Council **Agent (if applicable):**

The town council supports these proposals

**Representations of Objection**

**GEN3**

**Ref.No: 119 Rep.No: 15**

**Representor:** , Proto Limited **Agent (if applicable):** Littman and Robeson

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** 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.

---

**GEN3**

**Ref.No: 149 Rep.No: 1**

**Representor:** Wilson, Great Dunmow Town Council **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** The statement that residential, commercial and industrial development will not be permitted in areas with a high potential risk of flooding unless a particular location is essential is not acceptable. 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.

---

3.7

**Ref.No: 149 Rep.No: 9**

**Representor:** Wilson, Great Dunmow Town Council **Agent (if applicable):**

**Amendment(s) Sought:**

**Reason(s) for Amendment(s) Sought:** 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.

---

**GEN3**

**Ref.No: 208 Rep.No: 5**

**Representor:** Muller, English Nature **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:**

---

**GEN3**

**Ref.No: 227 Rep.No: 8**

**Representor:** Barrell, Environment Agency **Agent (if applicable):**

**Amendment(s) Sought:** Suggested addition to existing surface water run off section of the existing Policy set out in full in representation.

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:**

---

**GEN3**

**Ref.No: 227 Rep.No: 7**

**Representor:** Barrell, Environment Agency **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:**

---

**GEN3**

**Ref.No: 229 Rep.No: 1**

**Representor:** MacBride, Chelmsford Borough Council **Agent (if applicable):**

**Amendment(s) Sought:** Identify flood plains or areas of flood risk in Plan.

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:**

*Paragraph 3.6 defines high potential risk, which accords with Environment Agency advice. Areas of flood risk will be identified in Supplementary Planning Guidance.*

*Policy area GD4 does not lie within the 1999 indicative floodplain.*

*It is proposed to amend the policy to reflect recent national guidance and the advice of the Environment Agency.*

*The detail of Sustainable Urban Drainage systems is more suitable to Supplementary Planning Guidance.*

---

**Recommendations:**

*Delete Policy GEN3 and substitute New Policy:*

*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.*

*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 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.*

*Consequential supporting text.*

**POLICY GEN4 – GOOD NEIGHBOURLINESS**

**Deposit Policy**

**Development will not be permitted if it would adversely affect 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, electro magnetic radiation, exposure to other pollutants;**
- b) loss of privacy, loss of daylight, overbearing impact or overshadowing.**

**REPRESENTATIONS RECEIVED**

**Representations of Support**

**GEN4 - GEN8**

**Ref.No: 156 Rep.No: 6 Objection: 0 Support: 1**

**Representor: White, Saffron Walden Town Council Agent (if applicable):**

The Town Council supports these proposals

**GEN4**

**Ref.No: 118 Rep.No: 3 Objection: 0 Support: 1**

**Representor: , Bryant Projects Agent (if applicable): DLP Consultants Ltd**

GEN4 provides a simple test of standards intended to ensure that dwellings are compatible with their neighbours whether residential or in other land uses. Support is dependent on interpretation which is flexible and which judges each proposal on its own merits. Adherence to rigid standards may often be inapplicable for a particular form of development in a particular location. We welcome a policy which recognises that the desirability of more intensive urban uses is likely to lead to greater potential conflicts but that the desirability of concentrating development within urban areas and maximising the use of available land may often outweigh the desire for ever higher standards of privacy and protection.



## Representations of Objection

**Ref.No: 100 Rep.No: 1**

**Representor:** , Mark Liell and Son LLP **Agent (if applicable):**

**Amendment(s) Sought:** 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 on extended.

**Reason(s) for Amendment(s) Sought:** 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.

---

**Ref.No: 101 Rep.No: 1**

**Representor:** Coleby, **Agent (if applicable):**

**Amendment(s) Sought:** 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 on extended.

**Reason(s) for Amendment(s) Sought:** 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. 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.

**Comments:**

*It is considered that the existing policies are adequate when considered any such proposals.*

---

**GEN4**

**Ref.No: 119 Rep.No: 16**

**Representor:** , Proto Limited **Agent (if applicable):** Littman and Robeson

**Amendment(s) Sought:** Delete policy

**Reason(s) for Amendment(s) Sought:** 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

**Comments:**

*Such a policy is considered important in protecting residential and environmental amenity.*

---

**GEN4**

**Ref.No: 156 Rep.No: 5**

**Representor:** White, Saffron Walden Town Council **Agent (if applicable):**

**Amendment(s) Sought:** A third clause should be added c) the proximity to boundary fences should be a material consideration in providing extensions

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:**

*This issue is covered by reference to overbearing impact and Policy GEN2 Design requiring development to respect the form and layout of surrounding buildings..*

---

**Recommendation:**

*Amend the policy to say ‘...would have a materially adverse affect ...’ and include “fumes” in part a).*

---

**POLICY GEN5 – LIGHT POLLUTION**

**Deposit Policy**

**Development that includes a lighting scheme will not be permitted unless:**

- a) **The level of lighting is the minimum necessary to achieve its purpose, and**
- b) **Glare and light spillage from the site is minimised.**

**Paragraph 3.8**

**3.8 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, but there may be circumstances where, for example, the importance of facilities to sport development is judged to outweigh the effect on the countryside.**

**REPRESENTATIONS RECEIVED**

**Representations of support**

**GEN5**

**Ref.No: 118 Rep.No: 2 Objection: 0 Support: 1**

**Representor:** , Bryant Projects **Agent (if applicable):** DLP Consultants Ltd

We welcome Policy GEN5 so far as it seeks to minimise the impact of lighting schemes improve standards of design in outdoor lighting and minimise energy consumption.

**GEN5**

**Ref.No: 191 Rep.No: 1 Objection: 0 Support: 1**

**Representor:** Warren, East of England Tourist Board **Agent (if applicable):**

EETB supports the policy to minimise light pollution as this can erode the rural character that attracts visitors.

**Objections**

**GEN5**

**Ref.No: 10 Rep.No: 4**

**Representor:** Turner, National Trust **Agent (if applicable):** Community and Regional Planning Services

**Amendment(s) Sought:** Para 3.8 should end with the words “.....by careful specification”

**Reason(s) for Amendment(s) Sought:** 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

**Comments:**

*The Council wishes to balance protection of the environment against access to sports facilities, and other relevant objectives in situations where lighting is a functional requirement..*

---

**Ref.No: 119 Rep.No: 17**

**Representor:** Proto Limited **Agent (if applicable):** Littman and Robeson

**Amendment(s) Sought:** Delete Policy

**Reason(s) for Amendment(s) Sought:** 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.

---

**Ref.No: 164 Rep.No: 3**

**Representor:** Bellway Homes **Agent (if applicable):** FPD Savills

**Amendment(s) Sought:** The Policy should be deleted.

**Reason(s) for Amendment(s) Sought:** 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 (eg. the highway authority), which have ultimate responsibility for such matters.

**Comments:**

*This is considered to be a valid issue to be considered against all developments to ensure protection of the environment yet promote appropriate schemes.*

---

**Ref.No: 218 Rep.No: 17**

**Representor:** Dale, Saffron Walden Friends of the Earth **Agent (if applicable):**

**Amendment(s) Sought:** Amend the first sentence of the policy to read major development will be conditioned to ensure that any lighting scheme meets the following criteria.

**Reason(s) for Amendment(s) Sought:**

**Comments:**

*It is considered appropriate to apply this policy to all forms of development.*

---

3.8

**Ref.No: 218 Rep.No: 18**

**Representor:** Dale, Saffron Walden Friends of the Earth **Agent (if applicable):**

**Amendment(s) Sought:** Amend Para from 3<sup>rd</sup> 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

**Reason(s) for Amendment(s) Sought:**

**Comments:**

*Specification of the lighting is required in order to show that the policy criteria can be met. Conditions may be imposed, depending on the circumstances of each case*

---

**GEN5**

**Ref.No: 219 Rep.No: 3**

**Representor:** Fletcher, English Heritage **Agent (if applicable):**

**Amendment(s) Sought:** Add C)The lighting does not detract visually from the character of the historic building or conservation area.

**Reason(s) for Amendment(s) Sought:**

**Comments:**

*This issue is covered by ENV2*

---

**Recommendations:**

*No Change*

---

POLICY GEN6 – MITIGATION OF IMPACTS

Deposit Policy

Policy GEN6 – Mitigation of Impacts

**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.**

**Paragraph 3.9**

**3.9 This will be relatively straightforward where a development such as new housing directly creates a need for new facilities to serve its residents. It is important that in these cases the facilities are provided as soon as they are required. However, in the urban areas where new development is concentrated, even small scale development will cumulatively impact on service provision. It is intended that the scale of development shown in this Plan will form the basis for assessments of impacts on infrastructure and the identification of costed proposals that may be necessary. The Council will then seek to reach agreement with a developer over an appropriate contribution that fairly reflects the level of demand its scheme would generate. Contributions may be applied to specific proposed projects or held in reserve for a reasonable period and used to address impacts arising after the development has been occupied.**

REPRESENTATIONS RECEIVED

**Objections**

**Ref.No: 15 Rep.No: 4**

**Representor:** Swindlehurst, **Agent (if applicable):**

**Amendment(s) Sought:** Insert after "transportation provision" in line 3 the words "including walking and cycling"

**Reason(s) for Amendment(s) Sought:** 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.

**Ref.No: 93 Rep.No: 3**

**Representor:** , Hastoe Housing Association/Springboard HA **Agent (if applicable):** Oldfield King Planning

**Amendment(s) Sought:** Affordable housing should not be subject to this policy. Affordable housing should be included in the list of requirements.

**Reason(s) for Amendment(s) Sought:** 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.

---

**Ref.No: 118 Rep.No: 1**

**Representor:** Bryant Projects **Agent (if applicable):** DLP Consultants Ltd

**Amendment(s) Sought:** 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...."

**Reason(s) for Amendment(s) Sought:** 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.

---

**Ref.No: 119 Rep.No: 18**

**Representor:** Proto Limited **Agent (if applicable):** Littman and Robeson

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** 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)

---

**Ref.No: 164 Rep.No: 4**

**Representor:** Bellway Homes **Agent (if applicable):** FPD Savills

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** The thrust behind the policy is the contents of Circular 1/97 on planning obligations. The policy as written lists a number of matters which could be planning obligations in the context of legal agreement.

However 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.

**GEN6**

**Ref.No: 204 Rep.No: 3**

**Representor:** Burchell, Essex County Council **Agent (if applicable):**

**Amendment(s) Sought:** 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

**Reason(s) for Amendment(s) Sought:** 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.

**Ref.No: 208 Rep.No: 6**

**Representor:** Muller, English Nature **Agent (if applicable):**

**Amendment(s) Sought:** Suggest that the subject matter (service or infrastructure provision) needs to be reflected in the policy's title.

**Reason(s) for Amendment(s) Sought:** 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.

**Ref.No: 214 Rep.No: 2**

**Representor:** Wilson, Thames Water Property **Agent (if applicable):**

**Amendment(s) Sought:** Proposed new policy "In considering proposals for development the Council will take into account the availability of infrastructure and necessary utilities and the impact of development proposals on them. Where necessary the Council will seek improvement to utility infrastructure related and appropriate to the development". Further proposed new policy "The development of new utility infrastructure including an extension to facilities or works will be permitted if: a) the proposal is an environmentally acceptable way of achieving the purpose of the development b) the amenity of nearby occupiers are not harmed and c) measures to ameliorate detrimental environmental impact of the development are incorporated in the proposal.

**Reason(s) for Amendment(s) Sought:** 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. Thames Water consider that Draft Local Plan does not properly address the development needs of the utilities which could arise during the plan period as a result of having to satisfy demand arising from new development, general increases in demand, modernisation or responding to statutory requirements for improvements to work. A key objective for the review of the development plan should be for new development to be co-

ordinated with the infrastructure it demands and to take into account the capacity of existing infrastructure.

---

**Ref.No: 218 Rep.No: 20**

**Representor:** Dale, Saffron Walden Friends of the Earth **Agent (if applicable):**

**Amendment(s) Sought:** 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 etcAdd "in accordance with national guidance" after period in the final sentence of para 3.9.

**Reason(s) for Amendment(s) Sought:**

---

**Ref.No: 227 Rep.No: 12**

**Representor:** Barrell, Environment Agency **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:**

---

**Ref.No: 229 Rep.No: 2**

**Representor:** MacBride, Chelmsford Borough Council **Agent (if applicable):**

**Amendment(s) Sought:** Include reference to sustainable urban drainage systems (SuDS).

**Reason(s) for Amendment(s) Sought:** Environment Agency are anxious to promote sustainable urban drainage systems (SuDS)

---

**Ref.No: 220 Rep.No: 1**

**Representor:** Parker, Essex County Council, Learning Services **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:**

---

**Comments:**

*The policy is broadly written and therefore does encompass many of the aspects considered missing by the above objections. The Council will prepare Supplementary Planning Guidance on the mitigation measures contained in the policy.*



---

**Recommendation:**

*Retitle the policy "Infrastructure provision to support development"*

---

POLICY GEN7 – NATURE CONSERVATION

Deposit Policy

**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 habitats suitable for protected species, a nature conservation survey may be required. Measures to mitigate the potential impacts of development, secured by planning obligation or condition, will be required.**

REPRESENTATIONS RECEIVED

**Representations of Support**

**GEN7**

**Ref.No: 10 Rep.No: 5 Objection: 0 Support: 1**

**Representor:** Turner, National Trust **Agent (if applicable):** Community and Regional Planning Services

The National Trust strongly supports Policy GEN7 and associated para 3.10

**GEN7**

**Ref.No: 206 Rep.No: 6 Objection: 0 Support: 1**

**Representor:** Walker, Uttlesford LA21 Group2 **Agent (if applicable):**

The Farming, Wildlife & Countryside Group of Uttlesford Local Agenda 21 UK supports this policy as drawn.

**Objections**

**GEN7**

**Ref.No: 93 Rep.No: 4**

**Representor:** , Hastoe Housing Association/Springboard HA **Agent (if applicable):** Oldfield King Planning

**Amendment(s) Sought:**

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:**

*It is important to balance to the district's biodiversity and need for housing.*

---

**GEN7**

**Ref.No: 119 Rep.No: 19**

**Representor:** , Proto Limited **Agent (if applicable):** Littman and Robeson

**Amendment(s) Sought:** Delete policy

**Reason(s) for Amendment(s) Sought:** 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.

---

**GEN7**

**Ref.No: 120 Rep.No: 2**

**Representor:** , Laing Strategic Land Ltd **Agent (if applicable):** Sellwood Planning

**Amendment(s) Sought:** "Development that would have a significant adverse impact on ....."

**Reason(s) for Amendment(s) Sought:** The phrase "harmful effect" is too vague and could be applied to almost any development. The test should be "significant adverse impact on....."

---

**GEN7**

**Ref.No: 164 Rep.No: 5**

**Representor:** , Bellway Homes **Agent (if applicable):** FPD Savills

**Amendment(s) Sought:** Mitigation measures are a fundamental basis for addressing nature conservation interests and this issue needs to be more appropriately addressed within Policy GEN7

**Reason(s) for Amendment(s) Sought:** 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.

---

**GEN7**

**Ref.No: 208 Rep.No: 7**

**Representor:** Muller, English Nature **Agent (if applicable):**

**Amendment(s) Sought:** (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.

**Reason(s) for Amendment(s) Sought:** (1) Mitigation measures will not always provide a satisfactory outcome for the protected species in question, especially where for eg, as a 1st 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]

---

GEN7 GEN2 ENV6 ENV7

**Ref.No: 222 Rep.No: 4**

**Representor:** Young, Go-East **Agent (if applicable):**

**Amendment(s) Sought:**

**Reason(s) for Amendment(s) Sought:** 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

---

**GEN7**

**Ref.No: 227 Rep.No: 13**

**Representor:** Barrell, Environment Agency **Agent (if applicable):**

**Amendment(s) Sought:** 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 ....."

**Reason(s) for Amendment(s) Sought:**

---

**Comments:**

*The policy provides an appropriate basis for considering all developments. As with all policies it has to be applied in a reasonable way. It is needed to ensure the protection of the District's biodiversity. It should however be amended as recommended by English Nature, and also to make reference to the creation of new habitats.*

---

**Recommendations:**

*Amend policy to read:*

*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 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 where appropriate.*

*Consequent amendments to the supporting text.*

---

POLICY GEN8 – REINFORCING COUNTRYSIDE CHARACTER

Deposit Policy

Policy GEN8 – Reinforcing countryside character

**Development in or having a visual impact on the countryside will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set.**

### Paragraph 3.11

**3.11 The nature of countryside character changes from one area of Uttlesford to another. The particular character comes from the relationship between historic settlements and groups of buildings, ancient woodlands, historic lanes, field boundaries, historic parks, geology, indigenous tree and hedge species, river systems and so on. Different character areas have a greater or lesser capacity to accommodate development. Open elevated areas with long views to ancient woodland, typical of parts of Uttlesford, are particularly sensitive.**

#### REPRESENTATIONS RECEIVED

##### Representations of Support

##### **GEN4 - GEN8**

**Ref.No: 156 Rep.No: 6 Objection: 0 Support: 1**

**Representor:** White, Saffron Walden Town Council **Agent (if applicable):**

The Town Council supports these proposals

##### **GEN8**

**Ref.No: 10 Rep.No: 6 Objection: 0 Support: 1**

**Representor:** Turner, National Trust **Agent (if applicable):** Community and Regional Planning Services

The National Trust supports Policy GEN8

##### **GEN8**

**Ref.No: 103 Rep.No: 6 Objection: 0 Support: 1**

**Representor:** Curtis, **Agent (if applicable):** John Martin & Associates

Policy is a useful component in seeking to prevent development that has no regard to the rural character of its surrounding. General principles are therefore supported but on the basis that it sets out no embargo upon development in countryside.

**Ref.No: 206 Rep.No: 7 Objection: 0 Support: 1**

**Representor:** Walker, Uttlesford LA21 Group2 **Agent (if applicable):**

The Farming, Wildlife & Countryside Group of Uttlesford Local Agenda 21 UK supports this policy as drawn.

#### Objections

##### **GEN8**

**Ref.No: 93 Rep.No: 5**

**Representor:** , Hastoe Housing Association/Springboard HA **Agent (if applicable):** Oldfield King Planning

#### **Amendment(s) Sought:**

**Reason(s) for Amendment(s) Sought:** Policy is too rigid. The test must be whether or not harm is caused.

**GEN8**

**Ref.No: 119 Rep.No: 20**

**Representor:** , Proto Limited **Agent (if applicable):** Littman and Robeson

**Amendment(s) Sought:** Delete policy

**Reason(s) for Amendment(s) Sought:** The policy 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 made 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

---

**GEN8**

**Ref.No: 159 Rep.No: 3**

**Representor:** Robson, Widdington Parish Council **Agent (if applicable):**

**Amendment(s) Sought:** There are too many unnesses. The Countryside should be protected full stop ie development having a visual impact on the countryside should not be permitted.

**Reason(s) for Amendment(s) Sought:** This does not go far enough

---

3.11

**Ref.No: 191 Rep.No: 3**

**Representor:** Warren, East of England Tourist Board **Agent (if applicable):**

**Amendment(s) Sought:** Inclusion of a paragraph recognising landscape character with reference to the Countryside Agency's Zones would address the concerns stated

**Reason(s) for Amendment(s) Sought:** EETB considers that the plan should also make reference to the countryside agency's landscape character area to ensure that Uttlesford's distinctive characteristics are retained.

**Comments:** *Character assessments are in preparation as an input to the review of the structure plan. These are consistent with the Countryside Agency's national framework.*

---

Environment, The Quality of the Countryside GEN8

**Ref.No: 213 Rep.No: 10**

**Representor:** Herrman, CPREssex **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** 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. In the light of the Essex Structure Plan Policy NR4 we would expect ASLV notations to be retained in this Deposit Draft Plan. Coupled with the fact that the Draft also gives no information about landscape character assessments within

Uttlesford nor when they may come into force. We feel that general protection given by the Adopted Plan Policy C2 has been withdrawn and we therefore object to its omission.

**Comments:** *It was not the intention in the structure plan that "Areas of Special Landscape Value" would be carried forward into new local plans.*

---

**Recommendations:**

*No change*

---

**POLICY GEN9 – VEHICLE PARKING STANDARDS**

Deposit Policy

**Development will not be permitted unless the number of vehicle parking spaces proposed is adequate for the location, as set out in Appendix 1 to this Plan.**

**REPRESENTATIONS RECEIVED**

**Representations of Support**

GEN9

**Ref.No: 20 Rep.No: 4 Objection: 0 Support: 1**

**Representor:** Wilson, Martin Grant Homes (UK) Ltd **Agent (if applicable):** RPS Chapman Warren

Support standards. Agree realistic approach is needed. Accept the Councils perception that Uttlesford's communities lack high quality public transport and, using the car as the only practical way of going to work, leisure trips or gaining access to services. Car ownership levels in such an area are inevitably relatively high and it is important to ensure that car parking for new development is adequate.

GEN9

**Ref.No: 118 Rep.No: 5 Objection: 0 Support: 1**

**Representor:** , Bryant Projects **Agent (if applicable):** DLP Consultants Ltd  
Support policy GEN9 and the provision in Appendix 1 indicated for Class 3 residential development. We note that it is Government Policy to seek to encourage reduced levels of motor car use , however it is not Government Policy to discourage car ownership. We consider that the density of motor car ownership is likely to increase over the plan period and that this is irrespective of the success of transport policies in encouraging modal shift towards more sustainable means for the majority of trips. Therefore we consider that residential properties should be provided with adequate car parking spaces for the number of vehicles potentially likely to be owned by the household. It is appropriate for the standard to take into account the needs of visitors and that good design should discourage on street parking which is likely to cause congestions danger to pedestrians and has a deleterious visual impact on the design and appearance of new residential development.

**Objections**

GEN9

**Ref.No: 92 Rep.No: 5**

**Representor:** Old Road Securities, Audley End Estates **Agent (if applicable):** Andrew Martin Associates

**Amendment(s) Sought:** Policy GEN9 should be updated in line with PPG13 and the Essex Planning Officers Association Vehicle Parking Standards.

**Reason(s) for Amendment(s) Sought:** Policy GEN9 should be updated in line with PPG13 Transport March 2001 and the Essex Planning Officers Association Vehicle Parking Standards August 2001 providing different parking standards for different size dwellings

---

GEN9

**Ref.No: 93 Rep.No: 6**

**Representor:** , Hastoe Housing Association/Springboard HA **Agent (if applicable):** Oldfield King Planning

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** 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.

---

GEN9

**Ref.No: 119 Rep.No: 21**

**Representor:** , Proto Limited **Agent (if applicable):** Littman and Robeson

**Amendment(s) Sought:** Amend B1/B2/B8 cycle standards to 1 per 200m<sup>2</sup> for staff with no additional provision for visitors

**Reason(s) for Amendment(s) Sought:** 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

---

GEN9

**Ref.No: 122 Rep.No: 1**

**Representor:** , Sainsbury's Supermarkets Ltd **Agent (if applicable):** White Young Green

**Amendment(s) Sought:** Seek more flexible standard

**Reason(s) for Amendment(s) Sought:** PPG13 Annex D: Maximum Parking Standards proposes 1 space per 14m<sup>2</sup> for stores of 1,000m<sup>2</sup> 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 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)

---

GEN9

**Ref.No: 156 Rep.No: 7**

**Representor:** White, Saffron Walden Town Council **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** The Town Council supports this policy but are concerned at the wording at the preamble at 3.12. 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 carpark provision.

---

GEN9 & Appendix 1 Vehicle Parking Standards

**Ref.No: 204 Rep.No: 4**

**Representor:** Burchell, Essex County Council **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** 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.

---

Parking Standards Appendix 1

**Ref.No: 207 Rep.No: 3**

**Representor:** Wilkinson, Uttlesford Primary Care Trust (PCT) **Agent (if applicable):**

**Amendment(s) Sought:** Vehicle space and cycle space standards for medical centres amended to include reference to counselling rooms and treatment rooms (ie vehicle spaces section to read "1 space for full time staff and 2 spaces per consulting room, treatment room, and counselling room".

**Reason(s) for Amendment(s) Sought:** 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 do not necessarily visit the consulting rooms.

---

GEN9

**Ref.No: 212 Rep.No: 4**

**Representor:** Locke, Uttlesford Area Access Group **Agent (if applicable):**

**Amendment(s) Sought:** 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 of 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

**Reason(s) for Amendment(s) Sought:** The group were surprised that no specific criteria had been set out here. As a result the Group requires the following criterion to be included. There is no reference in Appendix 1 to this plan for Disabled Parking.

GEN9

**Ref.No: 217 Rep.No: 2**

**Representor:** , Pelham Homes Limited **Agent (if applicable):** Barton Willmore Planning Partnership

**Amendment(s) Sought:** An appropriate justification needs to be given in view of the guidance in PPG3 which appears to be absent at present.

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:** *The plan needs to use the same standards as those adopted as supplementary planning guidance to the structure plan. These include disabled parking standards.*

**Recommendations:**

*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. Include disabled parking standards.*

**New General Planning Policy - Community Gain**

**Ref.No: 71 Rep.No: 1**

**Representor:** Walford, **Agent (if applicable):**

**Amendment(s) Sought:** Addition of new policy GEN10. 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, practice, technology or materials means that such measures could bring significant improvements in amenity for neighbouring property.

**Reason(s) for Amendment(s) Sought:** There should be a policy on community gain. Concepts of what is reasonable or acceptable have moved on e.g. in relation to lighting schemes. Light spill used to be just an unfortunate consequence of a development but the technology has moved on so far that it should now be possible to impose conditions in relation to lighting schemes so that there is minimal impact on neighbours.

**Comments:** *This issue is covered by Policies GEN5 and GEN6.*

**Recommendations:** *No new policy*

---

### **New General Planning Policy – Habitat Creation**

**Ref.No: 206 Rep.No: 8**

**Representor:** Walker, Uttlesford LA21 Group2 **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** Proposed nature conservation policies do not comply with para 15 of PPG9.

**Comments:** *This is covered by the recommended amendment to Policy GEN7*

**Recommendations:** *No new policy*

---

### **New General Planning Policy - Water efficiency**

**Ref.No: 227 Rep.No: 3**

**Representor:** Barrell, Environment Agency **Agent (if applicable):**

**Amendment(s) Sought:** 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.

**Reason(s) for Amendment(s) Sought:** 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.

**Comments:** *This can be addressed by supplementary planning guidance on design, as recommended.*

**Recommendations:**

---