



UTTLESFORD LOCAL PLAN
SUMMARY OF REPRESENTATIONS ON THE
PROPOSED MODIFICATIONS TO THE DEPOSITED PLAN
AND
THE COUNCIL'S DECISIONS NOT TO ACCEPT
THE INSPECTOR'S RECOMMENDATIONS

PRESENTED TO THE
ENVIRONMENT COMMITTEE
9 NOVEMBER 2004

John Mitchell
Executive Manager Development
Council Offices
London Road
Saffron Walden
Essex
CB11 4ER

INTRODUCTION

The Inspector's report was received in February 2004 following the Local Plan Inquiry held in May/June 2003. The Council considered the Inspector's recommendations and in accordance with the regulations produced three documents outlining its proposed actions in respect of each of the Inspector's recommendations.

The three documents were:

Uttlesford Local Plan – Proposed Modifications to the Deposited Plan
Uttlesford Local Plan – Inspector's Recommendations that the Council does not intend to accept
Uttlesford Local Plan – Statement of Decisions Relating to the Inspector's Report into Objections to the Plan

These documents were sent to Consultees and advertised in the Local Press so that interested parties could make comments. The consultation period lasted for six weeks from 22 July until 2 September 2004.

Fifty six representation letters were received making 124 comments in relation to both the proposed modifications and the fact that Council proposed not to accept some of the Inspector's recommendations. There were 78 objections, 37 comments of support and 8 representations that did not relate to a proposed modification or an inspector's recommendation. All the representations are summarised for information together with the Council's response and recommendation in three sections as follows.

Section 1 - The representations relating to proposed modifications as set out in the document Uttlesford Local Plan – Proposed Modifications to the Deposited Plan July 2004.

Section 2 - The representations received in response to the Council's decision not to accept one of the Inspector's recommendations

Section 3 - Representations which were not duly made in response to a proposed modification or the Council's decision not to accept one of the Inspector's recommendations but which are included for information.

Note: In this document new wording is highlighted. Deleted wording is shown with a strikethrough.

SECTION 1

The representations summarised in this section relate to proposed modifications as set out in the document Uttlesford Local Plan – Proposed Modifications to the Deposited Plan July 2004.

THROUGHOUT THE PLAN

Ref. No: 41 Rep.No: 1
Support

Representor: Uttlesford Area Access Group
Agent (if applicable):

Reasons for Objection/Support: The access group notes and welcomes the increased number of comments made throughout the plan relating to social inclusion. The Uttlesford Access Group looks forward to taking an active part in working together with the planning department in the preparation of the Supplementary Planning Guidance for the relevant sections of the Local Plan.

Comments: Support is noted.

Recommendation: No change

MODIFICATION NO 3 - PARAGRAPH 1.4

Ref. No: 13 Rep.No: 1
Objection

Representor: Friends of the Earth
Agent (if applicable):

Reasons for Objection/Support: The Inspector has recommended the insertion of a reference to Stansted Airport as a transport hub. The phrase suggested implies that the access facilities are very good. They are only just adequate at the moment and would not be so for any expansion.

Amendments Sought: We suggest the sentence should be rephrased to say "it is a key transport hub and for the present size of the airport has good quality air, rail and principal road connections.

Ref. No: 18 Rep.No: 1
Objection

Representor: Radwinter Parish Council
Agent (if applicable):

Reasons for Objection/Support: We do not agree that Stansted Airport has good rail connections, especially with the likelihood of 25mppa increasing to 40mppa plus an additional runway.

Comments:

The adequacy of the access facilities in relation to any future growth of the airport will be assessed through transport assessments.

Recommendation: No change

Ref. No: 13 Rep.No: 2
Objection

Representor: Friends of the Earth
Agent (if applicable):

Reasons for Objection/Support: The text in Mod 3 finishes by stating that the forthcoming RPG14 will take the White Paper into account in the policy framework it proposed for Stansted Airport. We suggest that this implies that an extra runway would be acceptable in the local plan. The Inspector in para 2.1.8 states that there is no need for more detail about Stansted Airport development.

Amendments Sought: We suggest that the sentence should be less prescriptive e.g. "The forthcoming RPG14 will consider the White Paper Proposals"

Comments:

The Regional Planning Body is obliged to take into account the full range of EU, central government or central government agency national policies, guidance, research and related material in preparing the draft RSS. The Regional Planning Panel's recommended policies do not support a second runway.

Recommendation: No change

Ref. No: 28 Rep.No: 1
Objection

Representor: House Builders Federation
Agent (if applicable):

Reasons for Objection/Support: Object to the Council's decision not to accept the Inspector's recommendation in relation to Stansted Airport. The Council says that the text accurately describes the justification in RPG9 for the London Stansted

Cambridge Study. The Inspector's recommendation is based on the Government's national airport policy. He concludes that the phrase should be included in order to put the importance of the airport in perspective. The HBF concurs with the Inspector's view and considers that it is wrong for the Council to choose not to acknowledge the economic importance of the airport to not only the district but also the whole region.

Comments:

Studies of the employment effects of a second runway at Stansted commissioned by GO East and EEDA and published since the Air Transport White Paper in 2003 suggest that the economic importance of Stansted is uncertain. This is an issue that needs to be resolved through RSS 14.

Recommendation: No change

MODIFICATION NO 4 - PARAGRAPH 1.6

**Ref. No: 2 Rep.No: 1
Objection**

Representor: Mr Chris Blackman, Cambridgeshire County Council
Agent (if applicable):

Reasons for Objection/Support: Reference to the "London-Peterborough corridor" is misleading since it implies the route of the A1.

Amendments Sought: The phrase "London-Peterborough corridor" should be replaced with the words, "London-Stansted-Cambridge-Peterborough corridor"

Comments: Agree

Recommendation:

Amend para 1.6 to read "A range of sub-regional studies of the London-Stansted-Cambridge-Peterborough corridor will inform the preparation".....

**Ref. No: 18 Rep.No: 7
Support**

Representor: Radwinter Parish Council
Agent (if applicable):

Reasons for Objection/Support: Representation about the M11 corridor - Where will development take place - All of your recommendations are good and show common sense and restraint. However when the office of the deputy prime minister says this is the way it is going to be what is your fall back position or plan B

Comments:

Support is noted - The new Local Development Framework will need to be in conformity with the RSS as approved by the Secretary of State.

Recommendation: No change

MODIFICATION NO 5 - PARAGRAPH 1.10

Ref. No: 18 Rep.No: 9
Objection

Representor: Radwinter Parish Council
Agent (if applicable):

Reasons for Objection/Support: Object to the removal of local environmental aspect most of our comments on environmental plans have a local as well as national implication.

Comments:

The proposed modification simply reflects a change in the form of the plans produced by the Environment Agency.

Recommendation: No change

MODIFICATION NO 6 - PARAGRAPH 1.11

Ref. No: 13 Rep.No: 3
Objection

Representor: Friends of the Earth
Agent (if applicable):

Reasons for Objection/Support: Para 1.11 third bullet point " that encourages walking and cycling" has been deleted

Amendments Sought: Reinstate these words - they give a more positive emphasis. The Inspector has accepted the original wording on page 4 as was first proposed by UDC. Why change it?

Comments:

Reference to encouraging walking and cycling is still included. Two other comments (not formal representations) have been received about the grammatical sense of this bullet point.

Recommendation:

Amend bullet point to read “Reducing car travel by locating housing in places with accessible to public transport or where walking and cycling would be encouraged rather than driving by car or where the potential for shorter car journeys to work would be increased.

MODIFICATION NO 7 - PARAGRAPH 1.13

Ref. No: 34 Rep.No: 1

Objection

Representor: Green Park Land Company

Agent (if applicable):

Reasons for Objection/Support: We object to the list of objections in the Introduction to the plan on the basis of an omission. This part of the plan does not refer to the Planning & Compulsory Purchase Act 2004 and, in particular the requirement on local planning authorities to publish Local Development Frameworks (LDF) The new statutory requirements imposed by the 2004 Act will limit the time horizon of the Uttlesford Local Plan

Amendments Sought: We recommend that the plan is amended to clarify its time horizon and, in broad terms what measures will be taken to move rapidly to an LDF. This will ensure that the status of the plan remains clear.

Comments:

The Local Development Scheme, which the Council is obliged to prepare within six months of the enactment of the Act will give details of the proposed timetable for the replacement of the current plan.

Recommendation: No change

Ref. No: 18 Rep.No: 8

Objection

Representor: Radwinter Parish Council

Agent (if applicable):

Reasons for Objection/Support: We consider far too much time and taxpayers money is spent chasing in realistic ideals in both community plan and quality of life corporate plan. A lot of the elements would only be achievable in an ideal world

which does not and will never exist. Especially modification 9 which is a stating of the obvious.

Comments:

The elements listed set down the aims for the plan, which are set down in Government guidance and locally determined priorities.

Recommendation: No change

MODIFICATION NO 8 - PARAGRAPH 1.14

Ref. No: 13 Rep.No: 4
Objection

Representor: Friends of the Earth
Agent (if applicable):

Reasons for Objection/Support: Stansted Airport is a major employment site but not necessarily for Uttlesford Residents. It attracts labour from many areas outside the district.

Amendments Sought: We suggest "local" is deleted.

Comments: Agree

Recommendation:

Amend 4th sentence to read:
It has a growing network of domestic and international air services through Stansted Airport, which is a major local employment site in its own right.

MODIFICATION NO 17 - POLICY S6 – METROPOLITAN GREEN BELT

Ref. No: 14 Rep.No: 2
Support

Representor: Thames Water Property Services
Agent (if applicable):

Reasons for Objection/Support: The modification reflects the representations of Thames water to the LP review that the need for operational development in the Green Belt at both the Bishops Stortford and Stansted Sewage Treatment Works should be recognised and facilitated in the plan, with each STW identified as a Major Developed Site in the Green Belt.

Comments: Support is noted.

Recommendation: No change

MODIFICATION NO 21 - PARAGRAPH 3.3

Ref. No: 18 Rep.No: 6
Support

Representor: Radwinter Parish Council
Agent (if applicable):

Reasons for Objection/Support: Recent experience shows that solar panels cannot be put on listed properties Why? If the fabric is not materially altered.

Comments:

Support is noted – The issue with solar panels on Listed Buildings is the visual impact and consequential effect on its character. In such circumstances other options can be investigated e.g. siting the panels on a non-listed outbuilding or on a frame.

Recommendation: No change

MODIFICATION NO 22 - PARAGRAPH 3.4

Ref. No: 3 Rep.No: 1
Support

Representor: Environment Agency
Agent (if applicable):

Reasons for Objection/Support: We support the proposed addition of the "including biodiversity"

Comments: Support is noted.

Recommendation: No change.

Ref. No: 15 Rep.No: 3
Support

Representor: R.S.P.B.
Agent (if applicable):

Reasons for Objection/Support: RSPB welcome this proposed modification as it highlights the essential relationship between biodiversity and nature conservation

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 23 - ACCESS

Ref. No: 21 **Rep.No:** 1
Support

Representor: Mrs C. Brown,
Agent (if applicable):

Reasons for Objection/Support: I support the general statement that rural transport is in great need of improvement and should favour those who use public transport rather than cars. If you are serious about improving local transport you will enable us to walk/cycle to Audley End Station without further delay as was proposed in a plan by 1 July 2004.

Comments:

The Quality of Life Corporate Plan is currently being reviewed and it is likely that there will be a new target date for the Audley End cycleway taking into account the relevant recent history.

Recommendation: No change.

MODIFICATION NO 28 - PARAGRAPH 3.5 - DESIGN

Ref. No: 3 **Rep.No:** 2
Support

Representor: Environment Agency
Agent (if applicable):

Reasons for Objection/Support: We support the requirement for development to include sustainable design measures as detailed in proposed SPD's to cover waste minimisation, recycling minimisation water consumption (including through re-use of grey water) and promotion of sustainable drainage measures.

Comments: Support is noted.

Recommendation: No change

MODIFICATION NO 29 - POLICY GEN2 - DESIGN

Ref. No: 18 **Rep.No:** 5

Support

Representor: Radwinter Parish Council

Agent (if applicable): ,

Reasons for Objection/Support: We support your ideas on design standards - however how do you intend to enforce them. Your record on enforcement in this parish is less than competent. There is no point in a detailed set of rules and standards if they are not enforced.

Comments:

Support is noted. The Council deals with enforcement matters on a site by site basis as they arise.

Recommendation: No change

**Ref. No: 19 Rep.No: 1
Objection**

Representor: GO-East

Agent (if applicable):

Reasons for Objection/Support: It appears there has been a grammatical error in Policy GEN2 criteria i). We consider that this should read, "It would not have a materially adverse effect on the reasonable occupation."

Amendments Sought: GEN 2 should be amended to include the word "not".

**Ref. No: 13 Rep.No: 5
Objection**

Representor: Patricia Dale, Friends of the Earth

Agent (if applicable): ,

Reasons for Objection/Support: Policy GEN2 is not clear

Amendments Sought: It would be clearer if the word "not" is inserted to read "it would not have a materially adverse effect on the reasonable occupation....."

Comments:

Agree – this is an error, which needs to be corrected.

Recommendation:

Amend criteria i) to read: It would not have a materially adverse effect on the reasonable occupation and enjoyment of a residential or other sensitive property, as a result of loss of privacy, loss of daylight, overbearing impact or overshadowing.

MODIFICATION NO 31 - PARAGRAPH 3.8

Ref. No: 3 Rep.No: 3
Support

Representor: Environment Agency
Agent (if applicable):

Reasons for Objection/Support: We support the proposed additions to para 3.8 regarding surface water drainage.

Comments: Support is noted.

Recommendation: No change.

Ref. No: 14 Rep.No: 1
Support

Representor: Thames Water Property Services
Agent (if applicable):

Reasons for Objection/Support: The modification reflects the representations of Thames Water to the LP Review

Comments: Support is noted

Recommendation: No change.

MODIFICATION NO 32 - POLICY GEN3 – FLOOD PROTECTION

Ref. No: 19 Rep.No: 2
Objection

Representor: GO-East
Agent (if applicable):

Reasons for Objection/Support: The 4th sentence of Policy GEN3 Flood Protection should be extended to include the wording "and there is no increased risk of flooding elsewhere" We also consider paragraph 2 should apply to development within flood risk areas as well as outside. These changes are to reflect PPG25 paras 40 and 56.

Amendments Sought: Amend policy GEN3 to include the wording "and there is no increased risk of flooding elsewhere" Para 2 should be amended to apply to development within flood risk areas.

**Ref. No: 3 Rep.No: 4
Objection**

Representor: Mr Martin Barrell, Environment Agency
Agent (if applicable):

Reasons for Objection/Support: Support in part the changes proposed for this policy, namely the inclusion of reference to surface water drainage and SuDs as requested. However the policy proposed does not include the reference made in our representation on the revised deposit to flood risk areas outside settlement boundaries as highlighted in our letter dated 15/7/03.

Amendments Sought: For completeness the following paragraph should be added after the first paragraph of the policy. "Within areas of the floodplain beyond the settlement boundary, commercial industrial and new residential development will generally not be permitted. Other developments that exceptionally need to be located there will be permitted subject to the outcome of a Flood Risk Assessment.

Comments: Agree

Recommendation:

Amend Policy GEN3 as follows:

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

Within areas of flood risk, within the settlement boundary development will normally be permitted where the conclusions of a flood risk assessment demonstrate an adequate standard of flood protection and there is no increased risk of flooding elsewhere.

Within areas of the floodplain beyond the settlement boundary, commercial industrial and new residential development will generally not be permitted. Other developments that exceptionally need to be located there will be permitted subject to the outcome of a flood risk assessment.

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

For all areas where development will be exposed to or may lead to an increase in the risk of flooding applications will be accompanied by a full Flood Risk

Assessment (FRA) which sets out the level of risk associated with the proposed development. The FRA will show that the preoposed development can be provided with the appropriate minimum standard of protection throughout it's lifetime and will demonstrate the effectiveness of flood mitigation measures proposed.

MODIFICATION NO 36 - PARAGRAPH 3.11

Ref. No: 10 Rep.No: 2
Support

Representor: Sport England
Agent (if applicable):

Reasons for Objection/Support: The Council's intention to adopt SPD setting out the basis for assessments and contributions in relation to community infrastructure to support new development is supported. The Council is requested to ensure that such SPD's cover sport and recreation provision particularly in relation to residential development. In view of the level of detail that would be needed it is recommended that a separate SPD on this issue be produced. Sport England has recently developed a number of tools to assist LPA's. Sport England would like to be consulted on SPD.

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 37 - POLICY GEN7 – NATURE CONSERVATION

Ref. No: 20 Rep.No: 2
Support

Representor: English Nature
Agent (if applicable):

Reasons for Objection/Support: The crucial need to enhance biodiversity as well as protect it reflects principles set out under the Convention of Biological Diversity and later in the Countryside and Rights of Way Act 2000. The DEFRA document "working with the grain of nature" provides more information (see chapter 3). Against this background English Nature welcomes clear reference in mod 37 to enhancement of biodiversity under Policy GEN7 - Nature Conservation

Comments: Support is noted.

Recommendation: No change.

Ref. No: 15 Rep.No: 1
Support

Representor: R.S.P.B.
Agent (if applicable):

Reasons for Objection/Support: The RSPB welcomes this proposed modification to Policy GEN 7 as it improved the policy and thereby it's protection of nature.

Comments: Support is noted.

Recommendation: No change.

Ref. No: 3 Rep.No: 5
Support

Representor: Environment Agency
Agent (if applicable): ,

Reasons for Objection/Support: The proposed addition to policy GEN7 regarding biodiversity is supported by the Agency

Comments: Support is noted.

Recommendation: No change.

MODIFICATION 43 - PARAGRAPH 4.9
MODIFICATION NO 46 - POLICY E1 - DISTRIBUTION OF EMPLOYMENT LAND

Ref. No: 31 Rep.No: 1 & 2
Objection

Representor: Mr Brian Christian, Representing the Moralee & Christian Families
Agent (if applicable):

Reasons for Objection/Support: The village has a housing need which the plan makes no provision for. The village is being provided with industrial land it has not demonstrated a need for and situated in the centre of a residential area. There is an oversupply of industrial land both in the village and the wider Uttlesford District. The Local Plan text does not offer any explanation why there is no housing allocation within the next ten year plan for this key village which has needs against a large housing waiting list, no allocation since 1995 and no small housing built for 20 years in the village. The site could easily lend itself to affordable and low cost housing. Given the character of the area it would be easy to obtain a reasonably high density

to accommodate the required affordable housing element and to ensure that the rest was a low cost element. The village has a number of services.

Comments:

The Inspector states in his report that in land use terms the site would be suitable for either housing or employment but considers on balance on the evidence available that the located would be better suited for employment use. No new evidence is submitted that would justify departing from the Inspector's recommendation.

Recommendation: No change

MODIFICATION NO 50 - POLICY E4 – RE-USE OF RURAL BUILDINGS

**Ref. No: 20 Rep.No: 1
Support**

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

Reasons for Objection/Support: The proposed modification strengthens the existing text so as to encourage proposals of a higher quality with regard to countryside character, amenity and biodiversity. English nature welcomes this modification for the additional strength it provides where proposals for re-use of rural buildings are submitted.

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 52 - PARAGRAPH 5.1

**Ref. No: 3 Rep.No: 6
Support**

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

Reasons for Objection/Support: The change to "abstraction" as requested is supported.

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 57 - POLICY ENV# ANCIENT MONUMENTS AND SITES OF ARCHAEOLOGICAL IMPORTANCE

Ref. No: 19 Rep.No: 3
Objection

Representor: GO-East
Agent (if applicable):

Reasons for Objection/Support: We are not clear whether the areas and sites to which ENV# applies are defined on the proposals map. These should be (para 15 of PPG16)

Amendments Sought: Include Ancient Monuments and Sites of Archaeological Importance on the Proposals Map.

Comments:

Agree to include the Scheduled Ancient Monuments on the proposals maps. The number of sites of archaeological importance means that mapping them all to any meaningful scale would be a major and costly exercise which would not be practical.

Recommendation:

Amend the proposals map to include the Scheduled Ancient Monuments.

Amend the 1st sentence of para 5.8 to read:

Within Uttlesford District, approximately 3000 sites of archaeological interest are recorded on the Heritage Conservation Record (EHCR) maintained by Essex County Council. These sites are not shown on the proposals map and inquiries should be made to the County Archaeologist. Scheduled Ancient Monuments of which there are 73 in the District (December 2001) are shown on the proposals map.

MODIFICATION NO 59 - PARAGRAPH 5.15

Ref. No: 15 Rep.No: 2
Support

Representor: R.S.P.B.
Agent (if applicable):

Reasons for Objection/Support: R.S.P.B. welcome the proposed modification

Ref. No: 20 Rep.No: 3
Support

Representor: English Nature
Agent (if applicable):

Reasons for Objection/Support: The proposed modification helps to clarify the authority's requirements i.e. it adds that, where the need for a development proposal outweighs the nature conservation value of a designated site and that development would cause damage to the site, appropriate mitigation measures will be sought to compensate for loss of biodiversity

Ref. No: 3 **Rep.No:** 7
Support

Representor: Environment Agency
Agent (if applicable):

Reasons for Objection/Support: Support the proposed changes to this section

Comments:

Support from English Nature, the Environment Agency and the R.S.P.B. is noted

Recommendation: No change.

MODIFICATION NO 70 - PARAGRAPH 5.25 CONTAMINATED LAND

Ref. No: 3 **Rep.No:** 8

Support

Representor: Environment Agency
Agent (if applicable):

Reasons for Objection/Support: The proposed change to para 5.25 is supported

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 71 - POLICY ENV## - CONTAMINATED LAND

Ref. No: 3 **Rep.No:** 9
Support

Representor: Environment Agency

Agent (if applicable):

Reasons for Objection/Support: The proposed changes to the Contaminated Land policy are supported.

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 72 - RENEWABLE ENERGY

Ref. No: 18 Rep.No: 3
Support

Representor: Radwinter Parish Council
Agent (if applicable):

Reasons for Objection/Support: We support the concept of renewable energy, however the provision of wind turbines will adversely affect the character of the landscape - but when the alternative methods of power generation dry up there will be no option - get on with it now. Policy needs firming up and more positive.

Ref. No: 13 Rep.No: 6
Support

Representor: Friends of the Earth
Agent (if applicable):

Reasons for Objection/Support: Strongly support this new policy

Ref. No: 20 Rep.No: 4
Support

Representor: English Nature
Agent (if applicable):

Reasons for Objection/Support: English Nature welcomes this new policy - we attach a copy of our position statement on renewable energy for reference.

Comments:

Support from Radwinter Parish Council, Friends of the Earth and English Nature is noted.

Recommendation: No change.

MODIFICATIONS 75-86 - PARAGRAPH 6.3 – HOUSING DEVELOPMENT

Ref. No: 29 Rep.No: 1
Objection

Representor: Martin Grant Homes (UK) Ltd
Agent (if applicable): Mr Alex Anderson, Pegasus Planning Group

Reasons for Objection/Support: A 10% allowance should be applied to the calculations underpinning the local plan as proposed to be modified. In that way we believe the number of completions assigned to Uttlesford in the Structure Plan will be achieved within the plan period. We believe the appropriate calculations will indicate the need to identify further housing land allocations to ensure that the anticipated level of completions is actually achieved on the ground. We continue to doubt the perception that all the previously developed sites within the urban areas as proposed to be modified can be built out by 2011. Insufficient information is available on the calculations undertaken by the Council to arrive at the allocations for housing purposes described in the plan.

Amendments Sought: The plan when adopted should as a minimum apply a 10% discount rate to the present list of planning permissions in order to properly acknowledge the fact that the proposed development will not arise by 2011 on all of the land that currently has planning permission. 10% allowance should be added to the figures relating to sites with the benefit of outline planning permission and those sites with full planning permission where development has yet to commence.

Comments:

This issue was considered by the Inspector in paragraph 6.1.21 of his report. He concluded that under Plan, Monitor and Manage such a contingency was not necessary if there are sufficient sites identified in the plan and reserve sites, which can be released to allow more land to be brought forward as required. The Council has allocated sufficient land and additional land has been identified as a reserve housing site.

Recommendation: No change

MODIFICATION NO 82 - POLICY H1 – CRITERIA b)

Ref. No: 33 Rep.No: 1
Support

Representor: Countryside Strategic Projects
Agent (if applicable): Mr John Felgate, John Felgate Planning Consultants

Reasons for Objection/Support: The increase in capacity at Prior's Green makes better use of the land and accords with the Inspector's recommendation.

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 84 – POLICY H1 – CRITERIA b)

Ref. No: 30 **Rep.No:** 1

Objection

Representor: Old Road Securities, Audley End Estates

Agent (if applicable): Mr David Maxwell, Andrew Martin Associates

Reasons for Objection/Support: The overall site shown in the mods doc is 5.4ha of which 1ha is identified for employment. 2.2ha are notated as a reserve housing site. In order to comply with the policy guidance of PPG1, emerging PPS1 and PPG3 it would be most appropriate for the overall development to be the subject of a master plan setting out the juxtaposition of uses together with the proposed phasing and boundary between the initial allocation and reserve housing land. In the context of PPG3 which encourages higher densities in terms of making the best and most efficient use of land the capacity of both phase 1 and the reserve phase could exceed 75 dwellings respectively.

Amendments Sought: The emerging local plan should provide for a minimum of 75 dwellings on the first phase of 2.2ha land prior to 2011. The relevant bullet point to Policy H1 should be amended to state: Ashdon Road, Saffron Walden (minimum of 75 dwellings).

Comments:

There could be some flexibility in considering a planning application depending on the capacity of the site in relation to advice from the Health and Safety Executive etc Further details of the phasing and development of the site will be contained in SPD for the site. It is not appropriate to make allowance for additional dwellings in the policy at this stage.

Recommendation: No change

MODIFICATION NO 88 - COMMUNITY LED PLANS AND VILLAGE HOUSING

Ref. No: 34 **Rep.No:** 2

Objection

Representor: Green Park Land Company

Agent (if applicable):

Reasons for Objection/Support: The policy should also make reference to the role of landowners and developers. These parties play a pivotal role in the delivery of development schemes generally, but we feel this role is even more important for

village scale development because the landowner must be willing to release his land, developers can employ architects, engineers etc. Also the choice of developer may influence the PC's support. Question whether Community Led Plans need to be adopted by Uttlesford's Policy and/or planning committee. This part of the new policy seems at odds with the intention of devolving decision making to the level of each parish council. It is therefore unnecessary e.g if a parish council supports a particular development scheme then it seems inequitable and inappropriate for the District Council to raise objections. There is a possible role for the District Council in guiding and facilitating the production of community led plans.

Amendments Sought: Minor Amendments to the text of the new policy.

Comments

Parish Plans are essentially community-led plans where the Parish Council and the Local Community develop a consensus about their village. For Parish Plans to become Supplementary Planning Documents they would have to be subject to public consultation in accordance with the published Statement of Community Involvement. Land owners and developers would have the opportunity to be involved at the consultation stage

Recommendation: No change

Ref. No: 13 Rep.No: 7

Support

Representor: Patricia Dale, Friends of the Earth

Agent (if applicable):

Reasons for Objection/Support: Strongly support these proposals

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 93 - PARAGRAPH 6.20

Ref. No: 28 Rep.No: 2

Objection

Representor: House Builders Federation

Agent (if applicable):

Reasons for Objection/Support: Rather than amend the policy to bring it in line with the statement in Para 6.20 and the Inspector's recommendation the Council is seeking to delete the text in para 6.20. The HBF considers that this is a fundamental alteration which would significantly alter the nature of the implementation of the policy. It would do so in a manner which has not been properly considered at the

public inquiry. The statement that 40% affordable housing will be negotiated implies that the specific % will be expected or delivered regardless of circumstances.

Amendments Sought: The text should be amended to "up to 40% affordable housing will be negotiated"

Ref. No: 19 **Rep.No:** 4
Objection

Representor: GO-East
Agent (if applicable):

Reasons for Objection/Support: Circular 6/98 para 10 c) states that where LA's are seeking to adopt a lower threshold for sites in settlements of 3,000 or fewer the lower threshold must be set out and justified through the Local Plan process. The lower threshold should be included in the local plan for certainty. Circular 6/98 is also clear that the provision of affordable housing should be through negotiation.

Amendments Sought: Para 6.20 should be amended in line with the Inspector's recommendation and to provide a sufficient basis for negotiation the words "up to " should be included before 40% in the policy and justification.

Ref. No: 9 **Rep.No:** 2
Objection

Representor: Enodis Property Developments
Agent (if applicable): GL Hearn

Reasons for Objection/Support: By removing the reference to "up to" the Council have removed the intended flexibility of his recommended policy wording. Such an approach is inconsistent with national policy guidance. Given the huge variation in costs of bringing sites forward for residential development such an inflexible approach is inappropriate. There should be a clear indication of flexibility within the terms of Policy H8 which requires the Inspector's suggested wording for the policy to be accepted in full.

Amendments Sought: The words "up to" should be reinstated before the figure of 40% in para 6.20 (7th line of text in proposed mods)

Comments:

The wording of the explanatory text gives enough flexibility to take into account the circumstances of individual sites.

Recommendation: No change

MODIFICATION NO 95 - POLICY H8 – AFFORDABLE HOUSING

Ref. No: 18 **Rep.No:** 4

Support

Representor: Radwinter Parish Council

Agent (if applicable):

Reasons for Objection/Support: We entirely agree on your 40% affordable housing - a great idea. However your current policy is to put affordable housing just outside the development limits. We have made proposals for other sites in the village and you tell us you are not prepared to put them "in the middle of nowhere". But in rural areas 2 or 4 houses in a small hamlet not enveloped is exactly where they ought to be.

Comments: Representations of support are noted.

Ref. No: 22 Rep.No: 1

Objection

Representor: Fairview New Homes

Agent (if applicable): Ms Paula Carney, RPS Plc

Reasons for Objection/Support: Fairview New Homes wish to support the Inspector's recommendation to amend Policy H8 (Affordable housing) in line with Government guidance and the Council's decision to modify the plan in accordance with the Inspector's recommendation.

Ref. No: 11 Rep.No: 1

Objection

Representor: , Essex County Council - Property Services

Agent (if applicable): Mr Richard Mabb, Andrew Martin Associates

Reasons for Objection/Support: The supporting text to H8 acknowledges that a blanket 40% requirement may not be appropriate due to special considerations that may apply. The term "will seek to negotiate" is therefore endorsed. However the previous wording of "The Council will negotiate to secure up to 40%" is more appropriate than the proposed change. The supporting text should be clear and unambiguous in allowing the precise proportion of affordable housing to be determined by negotiation on a site by site basis.

Amendments Sought: The word "of" in Mod 95 should be changed back to "up to".

Ref. No: 29 Rep.No: 2

Objection

Representor: Martin Grant Homes (UK) Ltd

Agent (if applicable): Mr Alex Anderson, Pegasus Planning Group

Reasons for Objection/Support: Whilst the Inspector clearly stated that the original working of the policy was too restrictive and should be amended to read "up to 40%" the local plan as proposed to be modified will not be taking this aspect of the

Inspector's recommendation into account. The inclusion of "site to site basis" "appropriate sites" and "having regard to market and site considerations" do not mitigate a potential scenario for developers unreasonably having to provide 40% affordable housing on their sites.

Amendments Sought: Policy H8 as proposed to be modified is considered to be too vague and therefore needs to be further amended so that the Inspector's recommendation of "up to 40%" is accommodated within the policy.

Ref. No: 28 Rep.No: 3
Objection

Representor: House Builders Federation
Agent (if applicable):

Reasons for Objection/Support: Rather than amend the policy to bring it in line with the statement in Para 6.20 and the Inspector's recommendation the Council is seeking to delete the text in para 6.20. The HBF considers that this is a fundamental alteration which would significantly alter the nature of the implementation of the

policy. It would do so in a manner which has not been properly considered at the public inquiry. The statement that 40% affordable housing will be negotiated implies that the specific % will be expected or delivered regardless of circumstances.

Ref. No: 26 Rep.No: 1
Objection

Representor: Croudace Limited
Agent (if applicable): Mr W.A. Charles, Charles Planning Associates

Reasons for Objection/Support: Proposed modification 95 does not properly reflect the Inspector's recommendations at Para 6.13 of his report that the wording of the policy should say "up to 40%".

Ref. No: 30 Rep.No: 2
Objection

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

Reasons for Objection/Support: Unrealistic and unjustified for the Council to specify 40% as the element of affordable housing to be brought forward at all appropriate allocated and windfall sites. The Inspector's report makes frequent reference to government guidance and makes clear that the Council must provide scope for negotiation to allow consideration of other issues e.g. unusually high contamination remediation costs and infrastructure costs etc. Previous policy wording to policy H9 provided for up to 40% affordable housing. The words up to are appropriate and consistent with national guidance contained in 6/98 affordable housing. The words up to provide scope for negotiation where other considerations need to be taken into account.

Amendments Sought: Amend policy to read : The Council will seek to negotiate on a site by site basis an element of affordable housing of up to 40% of the total provision of housing on appropriate allocated and windfall sites, having regard to the up to date housing need survey market and site considerations.

Ref. No: 9 Rep.No: 1
Objection

Representor: Enodis Property Developments
Agent (if applicable): GL Hearn

Reasons for Objection/Support: By removing the reference to "up to" the Council have removed the intended flexibility of his recommended policy wording. Such an approach is inconsistent with national policy guidance. Given the huge variation in costs of bringing sites forward for residential development such an inflexible approach is inappropriate. There should be a clear indication of flexibility within the terms of Policy H8 which requires the Inspector's suggested wording for the policy to be accepted in full

Amendments Sought: The words "up to" should be reinstated before the figure of 40% in the policy

Comments:

The 40% gives an appropriate starting point for negotiation and the wording of the policy and the explanatory text gives sufficient flexibility to take into account the circumstances of individual sites.

Recommendation: No change

MODIFICATION NO 96 - POLICY H9 – HOUSING MIX

Ref. No: 29 Rep.No: 3
Objection

Representor: Martin Grant Homes
Agent (if applicable): Mr Alex Anderson, Pegasus Planning Group

Reasons for Objection/Support: Object to the imprecise wording in Policy H9. There is no information within the Deposit Draft or the proposed mods that provides developers with an indication of the scale envisaged by the term "significant proportion". We accept in the light of the guidance to be found in PPG3 that there is a need to ensure a balanced mix of housing within each development. However that housing mix can only be properly judged on the basis of each development proposal within the context of the settlement in which the site is located. It is inappropriate in policy terms to seek to secure a vague notion of a "significant proportion of market housing comprising small properties"

Amendments Sought:

Comments:

Advice from the housing needs survey indicates that there is an imbalance in the number of 2/3 bed houses being provided and the wording of Policy H9 allows for this to be redressed on a site by site basis taking into account the character and location of the site etc.

Recommendation: No Change

MODIFICATION NO 101 - ACCESS TO LEISURE AND CULTURAL FACILITIES

Ref. No: 10 Rep.No: 3
Support

Representor: Sport England
Agent (if applicable):

Reasons for Objection/Support: The new policy seeks to promote equality of access to sports facilities that would accord with Sport England's policy on equality of access to facilities. (Policy Objective 3 in Sport England's Land Use Planning Policy Statement November 1999)

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 102 - LAND WEST OF LITTLE WALDEN ROAD, SAFFRON WALDEN

Ref. No: 30 Rep.No: 3
Objection

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

Reasons for Objection/Support: Both the text and policy LC## should include reference to provision of informal open space, cycle and vehicular access, car parking, structural landscaping and affordable housing in addition to the community centre and playing fields. A site west of Little Walden Road, Saffron Walden, close to the town centre has been identified to provide a mixed development consisting of a community centre, playing fields, informal open space, structural landscaping, car parking and affordable housing. A master plan will be prepared in consultation with the Town Council, residents and local sports clubs to identify the juxtaposition of uses and the type of playing fields needed.

Amendments Sought: LC## should be amended to state "a site west of Little Walden Road, Saffron Walden has been identified to provide a community centre, playing fields, informal open space, structural landscaping, car parking and affordable housing as part of a mixed development scheme as proposed by Policy SW###. Also amend explanatory text as indicated above.

Ref. No: 3 **Rep.No:** 10

Objection

Representor: Environment Agency

Agent (if applicable):

Reasons for Objection/Support: Land to the west of Little Walden Road - there is an area of high flood risk associated with The Slade watercourse close to the western boundary of the site. We do not object to the allocation at this stage but any built development should not be located in the flood risk area and developers must have regard to the principles of PPG25. This should be stated within the policy.

Comments:

The Inspector recommended that there should be policies in relation to this site in both the Leisure and Cultural section and the Saffron Walden Inset. The policy in the Leisure section deals with that part of the development while the SW### policy deals with the more detailed site specific issues. It would be more appropriate to include the additional wording in the Saffron Walden Inset. Make reference to flood risk in Policy SW###.

Recommendation:

Amend Policy SW### and supporting text to read:

A shortfall of playing fields has been identified in the town. There is also a need for a community/arts centre. A site has been identified at Little Walden Road to provide a mixed development consisting of a community centre, playing fields and associated car parking. The site will also accommodate an element of affordable housing associated with the development of the Ashdon Road housing site. There is an area of high flood risk associated with the Slade Watercourse on the western boundary of the site. No built development should be located within the flood risk area and development must be in accordance with advice in PPG25 and in discussion with the Environment Agency.

Policy SW### Land at Little Walden Road

Land at Little Walden Road identified on the proposals map (5.2ha) is allocated for a community centre playing fields and up to 15 units of affordable housing. Development of the site will be subject to the approval of a Master Plan setting out the location of the various uses and Flood Risk and Traffic Impact Assessments.

Ref. No: 10 Rep.No: 4
Support

Representor: Sport England

Agent (if applicable):

Reasons for Objection/Support: The new policy identifies a site for new playing fields in Saffron Walden to address existing deficiencies in provision. The proposal would accord with Sport England's policy which relates to supporting the development of new sports facilities that will secure opportunities to take part in sport. (Policy Objective in Sport England's Land Use Planning Policy Statement, November 1999)

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 110 - POLICY T4 – TELECOMMUNICATIONS EQUIPMENT

Ref. No: 27 Rep.No: 1
Support

Representor: Mobile Operators Association

Agent (if applicable): Mr Norman Gillan, Mono Consultants Limited

Reasons for Objection/Support: Design is as integral as location to any potential impacts of telecommunications apparatus and the change to criterion c) now reflects this. Criterion d) in its previous form was worded in a rather ambiguous way and hence we support it's deletion. PPG8 sets out how the planning system should deal with health effects and concerns about them and hence we support the replacement criterion d) which confirms that proposals should comply with ICNIRP guidelines as this is fully in line with the advice in PPG8.

Comments: Support is noted.

Recommendation: No change.

Ref. No: 23 Rep.No: 1
Objection

Representor: BT Plc

Agent (if applicable): Ms Paula Carney, RPS Plc

Reasons for Objection/Support: BT object to text being added to require compliance with ICNIRP safety requirements as a pre-requisite to telecoms

equipment being permitted. Paragraphs 29-31 of PPG8 deal specifically with health considerations relating to telecoms developments. It is important to note that there is no policy requirement that a particular development has to meet ICNIRP guidelines. If it does not meet these guidelines then health may be a material consideration.

Amendments Sought: BT consider that the policy must not completely rule out development which does not comply with ICNIRP guidelines but add the comment that health maybe a material consideration if it does not.

Comments:

Advice in PPG8 is that all new mobile phone base stations are expected to meet ICNIRP guidelines. Experience is that it would be very unusual to receive an application for telecoms development that did not comply with ICNIRP guidelines. It is considered a reasonable requirement.

Recommendation: No change

MODIFICATION NO 112 - GREAT CHESTERFORD VILLAGE INSET

Ref. No: 31 Rep.No: 3

Objection

Representor: Mr Brian Christian, Representing the Moralee & Christian Families
Agent (if applicable):

Reasons for Objection/Support: The village has a housing need which the plan makes no provision for. The village is being provided with industrial land it has not demonstrated a need for and situated in the centre of a residential area. There is an oversupply of industrial land both in villages and the wider Uttlesford District. The Local Plan text does not offer any explanation why there is no housing allocation within the next ten year plan for this key village which has needs against a large housing waiting list, no allocation since 1995 and no small housing built for 20 years in the village. The site could easily lend itself to affordable and low cost housing. Given the character of the area it would be easy to obtain a reasonably high density to accommodate the required affordable housing element and to ensure the rest was a low cost element. The village has a number of services.

Comments:

The Inspector states in his report that in land use terms the site would be suitable for either housing or employment but considers on balance on the evidence available that the located would be better suited for employment use. No new evidence is submitted that would justify departing from the Inspector's recommendation.

Recommendation: No change

MODIFICATION NO 120 - GREAT DUNMOW INSET – CIVIC AMENITY SITE

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

Representor: Highways Agency
Agent (if applicable):

Reasons for Objection/Support: We are content with the modifications proposed in respect of Policy GD## - Civic Amenity Site and Depot and Start Hill Policy 1 and consider that they meet the representations we submitted at the formal deposit stage.

Comments: Support is noted.

Recommendation: No change.

Ref. No: 16 **Rep.No:** 1
Objection

Representor: Mr and Mrs Purkiss,
Agent (if applicable): Mr A Wipperman,

Reasons for Objection/Support: Local plan should create certainty of land use and land development policy. The lack of a traffic impact assessment is an approach which compounds the distress and unfairness to the objectors as occupiers. The Council have given no reason or justification for their approach contrary to the Inspector's recommendation. The approach is contrary to Government advice, legal precedent and the statutory duty of the planning authority. Not possible to confirm with certainty whether the necessary road improvements can be provided or whether there is any impact from the A120.

Amendments Sought: The policy should be deleted

Comments:

The Inspector did not consider that this site was unsuitable for the proposed use on amenity and sustainability grounds. His only concern was in relation to the capacity of the road network and it is considered that this can be addressed by the additional requirement that any application must be supported by a Traffic Impact Assessment.

Recommendation: No change

MODIFICATION NO 129 - SAFFRON WALDEN INSET – LAND TO THE SOUTH OF ASHDON ROAD

Ref. No: 30 Rep.No: 4

Objection

Representor: Old Road Securities, Audley End Estates

Agent (if applicable): Mr David Maxwell, Andrew Martin Associates

Reasons for Objection/Support: Amendments below should be made In order to comply with the policy guidance of PPG1, emerging PPS1 and PPG3 which encourages higher densities in terms of making the best and most efficient use of land. To provide a framework and logical sequence for developing the site to a high standard and where the master plan would establish key development principles and parameters for detailed design.

To allow for some flexibility in the juxtapositioning of land uses.

To satisfy any requirements of the health and safety executive

Amendments Sought:

Explanatory text should be revised as follows:

The land to the south of Ashdon Road as shown on the proposals map – Saffron Walden Inset comprises a total of 5.4ha of which 1.0ha is identified for employment under the provisions of Policy SW##, 2.2ha are notated as housing land in the context of Policy H1 and the remaining 2.2ha is identified as a Reserve Housing site under Policy SW##. Development of a minimum of 75 dwellings will only be permitted if monitoring of the residential land supply identifies a shortfall of housing land to meet the requirements set out in Policy H1. The juxtaposition of the land uses comprising employment, housing, open space, landscaping and access together with phasing boundaries for the whole 5.4ha and layout of dwellings will be the subject of a master plan. This will take into consideration any requirements to maintain a buffer zone between the housing and Ashdon Road Fuel Storage Site in consultation with the Health and Safety Executive

If the above wording is accepted that it may require consequential minor revisions to para 15.8 as follows.

This plan identifies 1.0ha of employment land on land south of Ashdon Road and east of Saffron Business Park, Elizabeth Close. It is proposed that the precise location shall be determined by a master plan for the whole 5.4ha site as defined on the Proposals Map inset. It is proposed as a site for further development to accommodate businesses falling in Class B1 light industrial, offices or research and development facilities.

Comments:

There could be some flexibility in considering a planning application depending on the capacity of the site in relation to advice from the Health and Safety Executive etc Further details of the phasing and development of the site will be contained in SPD for the site.

Recommendation: No change

MODIFICATION NO 130 - POLICY SW# - LAND SOUTH OF ASHDON ROAD

Ref. No: 30 Rep.No: 5
Objection

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

Reasons for Objection/Support: For reasons given in relation to our objections to proposed modifications 84 and 129 (to comply with PPG1, emerging PPS1 and PPG3 which encourage higher densities in terms of making best and most efficient use of land) the Local Plan should not specify the precise number of dwellings to be permitted at Ashdon Road during the period 2000 to 2011.

Amendments Sought: Amend policy to read: "A site of 4.4 hectares to the south of Ashdon Road identified on the proposals map for residential development of a minimum of 150 units. The reserve housing element of a minimum of 75 units will only be permitted in accordance with Policy H#

Comments: The housing strategy for the District has been examined and with the amendments suggested by the Inspector is considered to be robust and defensible. Any requirements for additional housing will be addressed through the preparation of the new LDF

Recommendation: No change

MODIFICATION NO 131 - COMMUNITY FACILITIES – SAFFRON WALDEN

Ref. No: 10 Rep.No: 1
Support

Representor: Sport England
Agent (if applicable):

Reasons for Objection/Support: Sport England supports this modification as the new policy identifies a site for new playing fields in Saffron Walden to address existing deficiencies in provision. The proposal would accord with Sport England's policy which relates to supporting development of new sports facilities which will secure opportunities to take part in sport. Sport England would wish to be consulted on the Master Plan that is proposed to be prepared for the site as advice can be provided on the design and layout of the playing fields and ancillary facilities.

Comments: Support is noted.

Recommendation: No change.

Ref. No: 13 Rep.No: 8

Objection

Representor: Friends of the Earth

Agent (if applicable):

Reasons for Objection/Support: The text states that the site "will also accommodate an element of affordable housing associated with the development of the Ashdon Road housing site " This suggests that the Ashdon Road site will not be subject to the new policy H8 on affordable housing. No such suggestion is made in the text in mod 130 policy SW#.

Amendments Sought: This situation with regard to affordable housing associated with the development of the Ashdon Road housing site should be clarified.

Ref. No: 30 Rep.No: 6

Objection

Representor: Old Road Securities, Audley End Estates

Agent (if applicable): Mr David Maxwell, Andrew Martin Associates

Reasons for Objection/Support: SW### provides for only 15 affordable housing units. This is not considered to be economically viable or deliverable. The location is in proximity to the main centre of Saffron Walden with it's shops, community and leisure facilities. This is ideally suited to those on lower incomes in need for affordable housing. The site is also of sufficient size to accommodate a larger number of units without loss of the other sports, leisure and community facilities identified. The policy should be worded to recognise that the affordable housing units provided at this site are likely to represent a "transfer" of affordable housing provision at the allocated residential site at Ashdon Road. The policy should also include words to reflect the range of uses to be accommodated on this site.

Amendments Sought: Amend policy by deleting the words "up to 15 units of affordable housing".

Comments:

The site at Ashdon Road will be subject to requirement to provide affordable housing in accordance with Policy H8. Para 22 of circular 6/98 allows for requirements arising from one site to be met on another site but it would not be appropriate in the interests of producing a balanced development to allow all the affordable housing related to the Ashdon Road site to be provided at Little Walden Road. The policy therefore makes provision for up to 15 at Little Walden Road – the remainder will be provided at Ashdon Road.

Recommendation: No change

Ref. No: 3 Rep.No: 11

Objection

Representor: Environment Agency

Agent (if applicable):

Reasons for Objection/Support: Land to the west of Little Walden Road - there is an area of high flood risk associated with The Slade watercourse close to the western boundary of the site. We do not object to the allocation at this stage but any built development should not be located in the flood risk area and developers must have regard to the principles of PPG25. This should be stated within the policy.

Comments: Any development proposal will be subject to the criteria set out in Policy GEN3 – Flood Protection.

Recommendation: No change

MODIFICATION NO 144 - PARAGRAPH 19.3 – PRIORS GREEN

Ref. No: 33 **Rep.No:** 2

Support

Representor: Countryside Strategic Projects

Agent (if applicable): Mr John Felgate

Reasons for Objection/Support: The increase in capacity at Prior's Green makes better use of the land and accords with the Inspector's recommendation.

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 146 - TAKELEY/LITTLE CANFIELD LOCAL POLICY 3 – PRIORS GREEN

Ref. No: 33 **Rep.No:** 4

Support

Representor: Countryside Strategic Projects

Agent (if applicable): Mr John Felgate

Reasons for Objection/Support: We are supporting the increase in proposed dwelling numbers on the Prior's Green site as it makes better use of the land.

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 147 - TAKELEY/LITTLE CANFIELD LOCAL POLICY 3 – PRIORS GREEN

Ref. No: 33 Rep.No: 5
Objection

Representor: Countryside Strategic Projects
Agent (if applicable): Mr John Felgate

Reasons for Objection/Support: We object to the inclusion of the wording "a health facility" since this is not included in the Inspector's Report. There is no reference to a health facility in the corresponding wording in either the deposit draft or the revised deposit plan. The inspector's report contains no discussion on this issue and makes no recommendation on it. The inspector's recommendation following para 20.6.12 accepts only those changes which are highlighted in the preceding text on p 316. Those changes make no reference to a health facility. In any event a S106 agreement has been negotiated and is awaiting only the landowner's final signature and the local plan cannot introduce this proposed additional wording at this stage in the process.

Comments:

The Inspector in para 20.3.1 recommends that the policy makes reference to a health facility if it is included in the master plan. The approved master plan does make reference to a health facility within the local centre The S106 requires the provision of community facilities defined as "local retail and commercial facilities together with health facility and/or day nursery".

Recommendation: No Change

MODIFICATION NO 150 - THAXTED LOCAL POLICY 2 – LAND ADJACENT TO SAMPFORD ROAD

Ref. No: 5 Rep.No: 1
Support

Representor: Woodhall Estates
Agent (if applicable): Mr C Knight, FPD Savills

Reasons for Objection/Support: Support the proposed modifications to the Uttlesford Local Plan as recommended by the Inspector and as set out in your report deposited for consultation. The Inspector's recommendation which will allow the development of the whole of this site for home/work units should allow this development to proceed without the handicap of the unmarketable industrial units.

Comments: Support is noted.

Recommendation: No change.

MODIFICATION NO 153 - ARKESDEN INSET MAP

Ref. No: 8 Rep.No: 1
Objection

Representor: Ms Diane Kiff,
Agent (if applicable): Mr M.D. Pinn, Heckford Norton

Ref. No: 7 Rep.No: 1
Objection

Representor: Mr J Edmans,
Agent (if applicable): Mr M.D. Pinn, Heckford Norton

Reasons for Objection/Support: Concerned that the inspector has not taken account of the land to the r/o of Tallis Cottage forming part of our clients builders yard. They point out that the land in question has never formed part of agricultural land and has always been part of the village, once forming part of the entire garden of Tallis Cottage. The land has frontage to the road and it would be possible to develop without creating backland development. Questions such as whether or not neighbouring properties would be overlooked can be dealt with in a planning application.

Amendments Sought: Amend the settlement boundary to be re-drawn along the field hedge behind Tallis Cottage to Orchard House

Comments:

The Inspector considered this matter at the Inquiry. No new evidence has been presented.

Recommendation: No change

MODIFICATION NO 156 - GREAT CHESTERFORD INSET MAP

Ref. No: 31 Rep.No: 4
Objection

Representor: Mr Brian Christian, Representing the Moralee & Christian Families
Agent (if applicable):

Reasons for Objection/Support: The village has a housing need which the plan makes no provision for. The village is being provided with industrial land it has not demonstrated a need for and situated in the centre of a residential area. There is an

over supply of industrial land both in the village and the wider Uttlesford District. The Local Plan text does not offer any explanation why there is no housing allocation within the next ten year plan for this key village which has needs against a large housing waiting list, no allocation since 1995 and no small housing built for 20 years in the village. The site could easily lend itself to affordable and low cost housing. Given the character of the area it would be easy to obtain a reasonably high density to accommodate the required affordable housing element and to ensure the rest was a low cost element. The village has a number of services

Amendments Sought: Change the allocation of this site from industry to residential.

Comments:

The Inspector states in his report that in land use terms the site would be suitable for either housing or employment but considers on balance on the evidence available that the located would be better suited for employment use. No new evidence is submitted that would justify departing from the Inspector's recommendation.

Recommendation: No change

MODIFICATION NO 161 - GREAT SAMPFORD INSET MAP

Ref. No: 17 Rep.No: 1
Objection

Representor: Mr J. Curtis,
Agent (if applicable): Teresa Jackson, John Martin and Associates

Reasons for Objection/Support: The whereabouts of the proposed settlement boundary are objected to by our clients. The Council has chosen to show the boundary confined to housing on the south side of the B1053 when neither the Local Plan inspector or earlier inspector's have supported any differentiation between the form of Moor End on the north and south side of this road. Permission has recently been granted at appeal for two further dwellings to replace the cottages currently on this land. It is our view that it would be sensible to include these properties in the settlement boundary.

Amendments Sought: Amend the settlement boundary as shown in representation.

Comments:

It is considered that the boundary line as shown is appropriately drawn. The suggested boundary line would include land with the potential to provide a significant number of additional dwellings. This would be inappropriate in this rural village with limited facilities.

Recommendation: No change

MODIFICATION NO 163 - LITTLE HALLINGBURY (NORTH) INSET MAP

Ref. No: 3 Rep.No: 12

Objection

Representor: Environment Agency

Agent (if applicable):

Reasons for Objection/Support: Object to proposal to include land at Little Hallingbury within the settlement boundary. The site falls within a medium to low flood risk area. While development is not being proposed directly the changes are likely to lead to built development taking place in these areas. The changes will have the effect of altering the classification under PPG25 of these sites from high risk sparsely developed to high risk developed. PPG 25 requires LA to consider the sequential test when making allocations – it has not been demonstrated that equivalent sites are not available at lower risk.

Comments:

Any application would be considered in relation to relevant policies in the plan including policy GEN3.

Recommendation: No change

Ref. No: 34 Rep.No: 4

Objection

Representor: Green Park Land Company

Agent (if applicable):

Reasons for Objection/Support: We accept that there is a case for amending the settlement boundary in Little Hallingbury. We also accept that exceptional circumstances (per PPG2) exist to remove land from the Green Belt. However we question the limited extent of the proposed change to the Inset Map, not least because the amendment excludes the core part of the village, including the school and the church.

Amendments Sought: We recommend that the village development limits are extended so that the school and church are included in the southern part of the defined developed area (ie village development limits).

Comments:

There is no justification for including additional land within the settlement boundary in this rural location.

Recommendation: No change

MODIFICATION NO 164 - NEWPORT INSET MAP

Ref. No: 3 Rep.No: 13

Objection

Representor: Environment Agency

Agent (if applicable):

Reasons for Objection/Support: Object to proposal to include land at Newport within the settlement boundary. The site contains areas of high flood risk. While development is not being proposed directly the changes are likely to lead to built development taking place in these areas. The changes will have the effect of altering the classification under PPG25 of these sites from high risk sparsely developed to high risk developed. PPG 25 requires LA to consider the sequential test when making allocations. It has not been shown that equivalent sites are not available at lower risk.

Comments: The area within the proposed settlement boundary that is within the Floodplain is mainly in the vicinity of the depot. No specific land allocations are being made – any proposals submitted for development in this location would be considered in relation to Policy GEN3 for flood risk issues.

Recommendation: No change

MODIFICATION NO 165 - OAKWOOD PARK (FELSTED & LITTLE DUNMOW)
INSET MAP

Ref. No: 9 Rep.No: 3

Objection

Representor: Enodis Property Developments

Agent (if applicable): GL Hearn

Reasons for Objection/Support: We do not object to the principle of amending the proposals map to accord with the approved Master Plan for Oakwood Park. However the proposed definition of the settlement boundary does not appear to accord with latest version of the Master Plan (June 2004), most notably in the vicinity of school and community building and along the Station Road, frontage.

Amendments Sought: The proposals map should be amended to accord with the June 2004 Masterplan.

Comments: Agree proposals map should reflect most recent master plan.

Recommendation:

Amend proposals map if necessary.

MODIFICATION NO 166 - SAFFRON WALDEN INSET MAP, LITTLE WALDEN ROAD

Ref. No: 30 **Rep.No:** 7
Objection

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

Reasons for Objection/Support: The defined policy area for land at Little Walden Road should also incorporate land west of the Slade rivercourse. This additional land could be utilised for a variety of uses, particularly sports and or recreation related.

Amendments Sought: The Saffron Walden inset plan should be amended as shown in rep.

Comments:

The Slade is an appropriate boundary to the policy area. Any built development would be inappropriate on land west of the Slade. The use of the land for outdoor sports and/or recreation does not necessarily depend on it's location within the policy area. This would be considered under Policy LC4.

Recommendation: No change

MODIFICATION NO 167 – SAFFRON WALDEN INSET MAP, LAND SOUTH OF ASHDON ROAD

Ref. No: 30 **Rep.No:** 8
Objection

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

Reasons for Objection/Support: The proposals map should not identify which parts of the Ashdon Road site should be developed for employment or residential. The proposal map should allow for flexibility and detailed consideration of the best location across the site for these uses taking into account all existing and future opportunities and constraints. In particular on-going discussions with the Health and Safety Executive may eventually conclude that the eastern part of the site would be more appropriate for employment than residential due to the proximity to the fuel storage depot further to the east. The precise location of the various uses i.e. housing employment, open space, structural landscaping access and phasing should be determined through a master plan.

Amendments Sought: Saffron Walden Inset Plan should be amended as attached.

Comments: The employment land is specifically zoned in the current location because it was considered that the location adjacent to the existing B1 uses would be logical and appropriate. If it were shown through the Master Plan process and subsequent planning application that a more appropriate site was available in the light of comments from the Health and Safety Executive or other consultees then this could be considered at this stage.

Recommendation: No change

MODIFICATION NO 171 - STANSTED MOUNTFITCHET INSET MAP

Ref. No: 3 Rep.No: 14
Objection

Representor: Environment Agency
Agent (if applicable):

Reasons for Objection/Support: Object to proposal to include land at Stansted Mountfitchet within the settlement boundary. The site contains areas of high flood risk. While development is not being proposed directly the changes are likely to lead to built development taking place in these areas. The changes will have the effect of altering the classification under PPG25 of these sites from high risk sparsely developed to high risk developed. PPG 25 requires LA to consider the sequential test when making allocations – it has not been demonstrated that equivalent sites are not available at lower risk.

Comments:

It is not intended that the railway sidings will be developed. Any development proposals which did come forward would be considered against the criteria in PPG25 and Policy GEN3.

Recommendation: No change

MODIFICATION NO 174 - WENDENS AMBO

Ref. No: 4 Rep.No: 1
Support

Representor: Mr D.R.S. Joslin,
Agent (if applicable): Mr E. Gittins, Edward Gittins and Associates

Reasons for Objection/Support: We wish to register support for this modification and to elaborate on the provision of amenity benefits for the community which would be directly associated with the inclusion of land owned by our clients within the Development Limits. We have contacted the Parish Council offering to discuss ways

in which the land could be used. Suggesting Community Woodland and Nature Reserve.

Ref. No: 47 Rep.No: 1
Objection

Representor: Mrs Jane Morley, The Wendens Ambo Society
Agent (if applicable):

Reasons for Objection/Support: Primary concern is road safety. Extension to the settlement boundary and the inevitable development which would follow would impact on the character of that corner of the village and destroy a valuable area of flora and fauna. It would also add to the problem that some of the residents of Duck Street have with drainage. Concerned that the Inspector's inspection of the area may have led to some misunderstandings e.g. the amount of land available for development and the speed of access to amenities such as the Station. The proposed access is primarily single track roads in both directions - neither has a pavement. Any development would add to the vehicular and pedestrian traffic in both roads increasing the risk of accidents. There is also the question of congestion and safety at the railway crossing. There is only room for 2/3 cars to queue at the crossing without causing a complete blockage and the potential for an accident should a car get blocked whilst on the tracks would be increased.

Amendments Sought: The Wendens Ambo society is concerned to see development within the village which is both in character with the village and which does not destroy the environment.

Ref. No: 1 Rep.No: 1
Objection

Representor: Mr D.J.C. Dunstone,
Agent (if applicable): ,

Reasons for Objection/Support: Object to an extension o the settlement area. Access to Duck Street from Royston Road is already dangerous, Alternative access is over a busy level crossing and a narrow winding road. The villages is already excessively pressed between the M11 and the railway.

Amendments Sought: Extension should be withdrawn

Ref. No: 46 Rep.No: 1
Objection

Representor: Mr & Mrs Chris and Jane Morley,
Agent (if applicable):

Reasons for Objection/Support: Primary concern is road safety. Extension to the settlement boundary and the inevitable development which would follow would

impact on the character of that corner of the village and destroy a valuable area of flora and fauna. It would also add to the problem that some of the residents of Duck Street have with drainage. Concerned that the Inspector's inspection of the area may

have led to some misunderstandings e.g. the amount of land available for development and the speed of access to amenities such as the station. The proposed access is primarily single track roads in both directions - neither has a pavement. Any development would add to the vehicular and pedestrian traffic in both roads increasing the risk of accidents. There is also the question of congestion and safety at the railway crossing. There is only room for 2/3 cars to queue at the crossing without causing a complete blockage and the potential for an accident should a car get blocked whilst on the tracks would be increased.

Ref. No: 52 Rep.No: 1
Objection

Representor: Charles Arnold,
Agent (if applicable):

Reasons for Objection/Support: The station is a 10 min walk from the site. There is not a concrete road to Newport. It is a bridle way for half the distance and the remainder is around the edge of a field. The land is low lying with poor drainage and liable to flooding. There are also underground springs. There is no mains drainage and septic tanks are a problem for some residents of Duck St - there is a health and safety issue. Both access roads - Rookery Lane and Duck Street are single track and narrow. There is no access from Duck Street to the site - it is from a bridleway. Any development would create additional problems in several areas.

Ref. No: 54 Rep.No: 1
Objection

Representor: K.W. Hammond,
Agent (if applicable):

Reasons for Objection/Support: The site is totally unsuitable - there is already a problem when heavy rain washes topsoil from what was farmland down Duck Street. There is already a problem with the water level and sewage disposal. Access will be extremely difficult. Duck Street and Rookery Lane are both extremely narrow and additional traffic will exacerbate what is already a difficult situation.

Ref. No: 55 Rep.No: 1
Objection

Representor: Mr and Mrs K. Wade,
Agent (if applicable):

Reasons for Objection/Support: Inspector has based some recommendations in part on factually incorrect information. The site has appalling drainage often boggy even in summer. Access to the site is very poor and if development were to take place it would create an unsafe level of traffic on already dangerous narrow roads for

motorists and pedestrians. (Many of the latter are children) We see no evidence whatsoever that the site meets any local need and this was something that UDC itself had previously concluded.

Ref. No: 51 Rep.No: 1

Objection

Representor: Mr D.W Kent,

Agent (if applicable):

Reasons for Objection/Support: The plan proposes to build more houses in one development than have been permitted over the last 50 years. Having lived in Duck Street I can advise that the drainage cannot cope. Duck Street floods and it is inundated with underground streams. The housing density in Duck Street is such that it is already unsafe for pedestrians and cyclists. Automation of the level crossing gates has raised the average speed - children are not safe unaccompanied already. To claim the station is 5 mins walk is incompetence as is reference to cycling to Newport. The site is only accessible via a cart track.

Ref. No: 50 Rep.No: 1

Objection

Representor: N.D. Butcher,

Agent (if applicable):

Reasons for Objection/Support: The whole of the site is liable to flooding during periods of sustained wet weather. The water table is very high creating problems of sewage disposal from septic tank weepers. The area has become a haven for wildlife. The level crossing gates regularly block the flow of traffic into the village across this crossing. This means that at all times emergency response vehicles can reliably use only one route into Duck Street and Rookery Lane. This route is also the only option for emergency access to the M11 bridge over the bridle path. Already with present levels of usage Duck Street becomes completely blocked by vehicles servicing premises which cannot readily be moved. When this coincides with the sometimes lengthy closure of the crossing gates traffic is totally denied passage in either direction. Queues of residents vehicles rapidly build up each side of the obstruction. These could not be cleared without delay in the event of an emergency. The lane is narrow and not ideal for anyone but the fittest to negotiate on foot to the Station. Any small increase of vehicular or pedestrian traffic in this area would exacerbate a problem which has already increased in recent years with the development of business premises in Rookery Lane.

Ref. No: 49 Rep.No: 1

Objection

Representor: Mr John Goodger,

Agent (if applicable):

Reasons for Objection/Support: The land fronts Dobsons Lane which is a bridleway not a public road and not Duck Street. Therefore there is no public access

to the site. The site is not 5 minutes from the station and Newport is not a 5 min cycle ride away. The whole area of Duck Street is prone to limited flooding. The site contains various springs which contribute to the areas poor drainage. Development of any significance in the area would not allow naturally draining sewage systems to operate effectively. Duck Street is already a problem area for access - any development would increase this problem. The area is well served by community use woodland. The land offered is totally inappropriate for playing fields and the village is well served by centrally located amenity land without needing new land on the fringe of the community. Any development which increases the possibility of accidents in such a narrow lane as Duck Street is wholly inappropriate. I believe there are restrictive covenants on the site.

Ref. No: 38 Rep.No: 1
Objection

Representor: Jane Noakes,
Agent (if applicable):

Reasons for Objection/Support: There is no mains drainage in Duck Street which proves a problem for many of the existing inhabitants. The increase in the volume of traffic would be quite unsuitable for Duck Street as there is already a danger from the existing traffic.

Ref. No: 36 Rep.No: 1
Objection

Representor: Mr Cliff Snow,
Agent (if applicable):

Reasons for Objection/Support: The level crossing has already been made a danger by the additional traffic coming to and from the Bulse Farm site. The crossing has no adequate passing places to allow passing traffic to cross safely - any more than a single car each side of the crossing causes dwelling on the actual railway, which is entirely unsatisfactory and very very dangerous. The proposed development site would generate more traffic along Rookery Lane and cause unacceptable queuing which could lead to a severe accident happening at the crossing. This is a very real threat. Pedestrians and children currently treat as a country lane. The lack of footpaths and passing places would cause severe danger.

Ref. No: 39 Rep.No: 1
Objection

Representor: Mr & Mrs T. Flint,
Agent (if applicable):

Reasons for Objection/Support: There is already too much traffic along Duck Street - private car and business traffic as it is a lane not a road. The business vehicles travelling to and from Bulse Grange offices have doubled over the past year and these are large delivery lorries travelling far too fast. The lane is already dangerous for children and adult pedestrians and will not take any more traffic. The

septic drainage problem in Duck Street must be well known to the Council. The lane has also flooded many times after heavy snow and rainfall.

Ref. No: 56 Rep.No: 1
Objection

Representor: Mr John Drummond,
Agent (if applicable):

Reasons for Objection/Support: Fully endorse the Parish Council's reasons for rejecting the Inspector's recommendations to extend the settlement boundary. A significant part of the 0.3 hec is not available to be included - this alters the dynamics of the situation. This information should have been available to the Inspector. Certainly the Council's view that this land could support 9-15 dwellings must now be misplaced. Duck Street and Rookery Lane are single track roads and would have difficulty in accommodating safely the substantial increase in traffic such a development would bring. Traffic movements are usually under estimated. The Inspector stresses housing provision to meet local requirements. It is doubtful whether local people could afford to purchase houses in a development on this site.

Ref. No: 40 Rep.No: 1
Objection

Representor: Ms M Arnold, Clerk to Wendens Ambo Parish Council
Agent (if applicable):

Reasons for Objection/Support: The site is a 10 min walk to the station and not less than 5 minutes. The bridleway does not extend to Newport but stops well short so it is a difficult 10 min trip and not an easy 5 min cycle. The site is poorly drained often flooded and subject to flooding. The area has a high water table and a number of springs. This means that naturally drained septic tanks are unlikely to operate or be acceptable. The site is more naturally linked to area planted with trees than land within the settlement boundary. The proposed development site is at the heart of a developing wildlife haven. The site is unsuitable for development because of the poor access via unlit narrow single carriageway with no pavements many poor access sightlines and few passing places. Some of the land is not owned by the objector. The Parish Council do not wish to be responsible for the land offered for community use. It is isolated, next to the M11, sloping and boggy and the Parish Council has limited resources to take on the project.

Ref. No: 53 Rep.No: 1
Objection

Representor: Mr and Mrs J. Grant,
Agent (if applicable):

Reasons for Objection/Support: There has been no consultation with Mr Pike the adjoining owner about the inclusion of his land. Both Duck Street and Rookery Lane are narrow and winding. Services and facilities in Wendens Ambo are poor applications have been refused for this reason. There is no mains sewerage in this

part of Wendens Ambo. Mr Joslin's plot only has access to Dodson's lane, which is not a maintained road - there is no frontage to Duck Street. The journey to the railway station is at least 15 mins. The volume of traffic currently using Duck Street and Rookery Lane is much higher than residents feel is safe. Should there be further development on the proposed area there will be an additional volume of traffic which will be totally unacceptable.

Ref. No: 37 Rep.No: 1

Objection

Representor: Mr and Mrs W. Pike,

Agent (if applicable):

Reasons for Objection/Support: The site is not on Duck Street but Dodson Lane - an unmade bridle path. The Inspector's report contains a number of factual inaccuracies. The Council have said that the site could accommodate 9-15 houses but the site is only 0.243ha and not 0.3ha. 3-4 houses could not be argued to be untenable but 9-15 would place a disastrous burden on Duck Street. Local groups have previously looked at the community land and found it to be unsuitable for sports fields because of access, As a community woodland it would add a little but not much to the extensive woodlands already planted. Duck Street is a single track road and irrespective of the volume issue there is a major road safety problem of introducing so many cars to this narrow road that is home to over 15 young children. The area sits on natural springs and is unsuited to in ground sewage for 15 homes. There is also wildlife on the site.

Amendments Sought: The choice before the Council is either to close the door completely or be sure that proper limits can be imposed that cannot later be overturned by the planning appeal processes.

Ref. No: 45 Rep.No: 1

Objection

Representor: Mr Anthony Law,

Agent (if applicable):

Reasons for Objection/Support: 9-15 Houses is totally unacceptable. Duck Street cannot take additional cars - single track/blind corners/no lighting/children
Environmental impact - the drainage issue seems to have been forgotten. No mains drainage and the existing arrangements are already used to the maximum due to the very high water table. The walk to the station is not possibly in 5 mins - it takes at least 10. The Newport access is only concrete for part of the way the rest is a dirt track. May be possible on a bicycle with a mountain bike and taking 10 minutes at minimum. The land is not free draining but is full of wet springs and subject to flooding.

Ref. No: 35 Rep.No: 1

Objection

Representor: Mrs R.J. Barratt,

Agent (if applicable):

Reasons for Objection/Support: To expect 9-15 dwellings on this site is unrealistic and would destroy the rural atmosphere of the village - create traffic hazards, sewage problems. Only housing governed by a housing association would be acceptable in regard to size and affordability. The site is at least 15 min walk to Audley End Station and a hard 15 min cycle to Newport. Duck Street is a single track lane with no footpath.

Ref. No: 48 **Rep.No:** 1
Objection

Representor: Professor P.D. Smith,
Agent (if applicable):

Reasons for Objection/Support: Audley End station is more than a five minute walk from the proposed development site - it is also unreasonable to expect that people will walk. It is not feasible to cycle to Newport due to the concrete road not being continuous to Water Lane in Newport. The lane is narrow with blind bends and used regularly by children to get to school buses. The existing volume of traffic has reached saturation point and any increase in the volume of traffic resulting from the new development would significantly increase the risk of traffic accident. All the houses in Duck Street are served by Septic tanks. The low lying nature of Duck Street combined with the high water table has caused considerable problems in the past. The site is the site of a number of natural springs which drain into a complex system of ditches and development might result in increased flooding. There is very little use that the village could make of the land that is being offered. It could only be used as woodland. If it were to be used as amenity land this would increase traffic. The area is remote and could pose a safety risk for children playing there. The area is close to the noise and pollution of the M11. The motorway could be widened in the future.

Comments:

The representation of support is noted. In addition the landowner has submitted a unilateral undertaking in relation to the land to be provided for community use.

In relation to the objections the number of houses suggested in the original objection was 3-4 houses. PPG3 would suggest that a larger number should be built but the character of the surrounding development will be an important material consideration and a high density scheme at 30-50/hectare would not be appropriate on this site.

In relation to the Inspector's comments that Audley End Station can be reached within a five minute walk and that Newport is a five minute cycle ride away the objectors argue that both these journeys would take longer. The actual journey time is not a significant new issue. In terms of accessibility and sustainability it is important that the site is within comfortable walking and

cycling distance of the station and other facilities and this is the point that the Inspector was making.

In relation to the flooding the Environment Agency has advised that it would raise no objections to development of the site on flood risk grounds.

Matters such as access, disposal of sewage etc can be dealt with at the planning application stage.

Recommendation: No change

MODIFICATION NO 175 - NEW INSET MAP – ELSENHAM QUALITY FOODS

**Ref. No: 44 Rep.No: 2
Objection**

**Representor: Mr Michael Johnstone,
Agent (if applicable):**

Reasons for Objection/Support: The inspector noted it would be unfortunate "to have a tight boundary around the existing developed part of the site" as there are areas within the site which could possibly be considered for redevelopment. It is possible to widen the boundary to cover this point. With regard to the boundary shown, unfortunately it is not accurate as it excludes the area to the north of HFX car park. It also does not take account of the revised approved boundary line resulting from the new water building development as shown by the enclosed site plan. It also excludes the private road entrance to the west of the site and the south.

Comments:

The aim of the designation is to protect existing employment land rather than identify land for development. In these circumstances it would not be appropriate to include land, that is not currently in employment use. It is accepted however that the policy notation should be extended to take account of the revised approved boundary line resulting from the new water building development.

Recommendation: Amend policy area.

MODIFICATION NO 177 - MAIN PROPOSALS MAP

**Ref. No: 44 Rep.No: 1
Objection**

**Representor: Mr Michael Johnstone, Cheergrey Properties Limited
Agent (if applicable):**

Reasons for Objection/Support: The name of the estate is the Elsenham industrial estate and not Elsenham Quality Foods as shown on the plan.

Comments: Agree

Recommendation: Change reference to Elsenham Quality Foods to the Elsenham Industrial Estate

SECTION 2

The following representations have been received in response to the Council's decision not to accept one of the Inspector's recommendations.

Council's Decision not to accept Inspector's Recommendation Ref 1

Add sentence to para 1.5 to refer to Stansted Airport as an integrated transport hub.

Ref. No: 24 **Rep.No:** 2

Objection

Representor: Proto Ltd

Agent (if applicable): Mr Martin Robeson, Littman & Robeson

Reasons for Objection/Support: The role and contribution of Stansted Airport in the sub regional economy should be described. Reference should be made to Stansted's increasing importance arising from it's potential as an intergrated transport hub as recognised by the Essex Economic Partnership's Economic Strategy.

Amendments Sought: Add to the end of para after Stansted Airport "Which has increasing economic importance particularly through it's potential as an intergrated transport hub"

Comments:

Studies of the employment effects of a second runway at Stansted commissioned by GO East and EEDA and published since the Air Transport White Paper in 2003 suggest that the economic importance of Stansted is uncertain. This is an issue that needs to be resolved through RSS 14.

Recommendation: No change

Council's Decision not to accept Inspector's Recommendation Ref 2

Insert the word "significant" before harmful effect in Policy GEN7

Ref. No: 24 **Rep.No:** 1

Objection

Representor: Proto Limited

Agent (if applicable): Mr Martin Robeson, Littman & Robeson

Reasons for Objection/Support: 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 harmful effects. 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.

Amendments Sought: Delete the policy

Comments:

PPG9 requires that policies relating to nature conservation are included in Local Plans. Developers will be required to demonstrate that the need for the development outweighs any harmful effects.

Recommendation: No change

Council’s Decision not to accept Inspector’s Recommendation Ref 7

Council to reconsider the need for inclusion of Pritchett’s Spring Wood on the Proposals Map

**Ref. No: 25 Rep.No: 1
Objection**

Representor: Mr Chris Butler, Stansted Airport Limited
Agent (if applicable):

Reasons for Objection/Support: Pritchett’s Spring Wood is within the planning permission boundary granted in 1995 and the approved master plan indicated the removal of the wood. It lies within operational land close to the extended centre line of the runway. Comments made by the Inspector and EWT acknowledge the probable removal of the wood. STAL is seeking to maintain and manage the biodiversity of the airport and is required by obligation to submit a scheme to achieve these aims. The application of the notation to the other areas of woodland has had to be removed through their loss, which STAL would consider undermines the intention of the notation.

Amendments Sought: Remove the notation

Comments:

No new evidence has been presented to outweigh the advice from the Essex Wildlife Trust that the woodland notation should be retained until such time as the woodland is lost.

Recommendation: No Change

Council’s Decision not to accept Inspector’s Recommendation Ref 8

Consider the effect of the new runway on the location of the Primary School Site.

**Ref. No: 33 Rep.No: 3
Support**

Representor: Countryside Strategic Projects

Agent (if applicable): Mr John Felgate,

Reasons for Objection/Support: The Master Plan for Prior's Green has now been approved by the Council and there is a resolution to grant planning permission based on this master plan. If there is a need for adjustments to meet changing circumstances these can be addressed by the relevant authorities when they occur. This does not necessitate any change to the local plan.

Comments: Support is noted.

Recommendation: No change.

Council's Decision not to accept Inspector's Recommendation Ref 9

Amend the CPZ to exclude land south of Elsenham enclosed by Stansted Road, the motorway and the railway.

Ref. No: 6 **Rep.No:** 1

Objection

Representor: Westbury Homes & Gleeson Homes

Agent (if applicable): Mr David Lander, Boyer Planning

Reasons for Objection/Support: This is the second time that the LPA has failed to act on the recommendation of the Inspector in relation to this site. The consistency of the findings of the inspectors adds weight to the fact that the CPZ designation is not justified and should be removed. The inspector shares the view of the previous inspector that the land does not need to be protected under S8 and does not read as part of the countryside setting of the airport.

Amendments Sought: The Council should exclude the land in question from the CPZ as recommended by two successive Local Plan Inspectors

Comments:

The Countryside Protection Zone should be drawn consistently in relation to the edge of the built up area of Elsenham, following it closely, especially where there is some intervisibility with the airport from Stansted Road along the northern edge of the area the Inspector has recommended for deletion. Development of this area would contribute to coalescence of the settlement with the airport, which the policy seeks to prevent.

Recommendation: No change

SECTION 3

The following objections were not duly made in response to a proposed modification or the Council's decision not to accept one of the Inspector's recommendations but they are included for information

POLICY ENV9 AND APPENDIX 1

Ref. No: 29 Rep.No: 4

Representor: Martin Grant Homes Ltd

Agent (if applicable): Mr Alex Anderson, Pegasus Planning Group

Reasons for Objection/Support: Continue to support the parking standards at Appendix 1 in respect of residential development. We agree a realistic approach is needed and would accept the Council's perception that Uttlesford communities lack high quality public transport and using the car is the only practical way of going to work, making leisure trips or gaining access to services. Car ownership levels in such an area are inevitably relatively high and consequently it is important to ensure that car parking for new developments is adequate

Comments:

Support is noted – this representation was not duly made since no changes are proposed to Appendix 1.

Recommendation: No change

MODIFICATION NO 97 - AFFORDABLE HOUSING ON EXCEPTION SITES

Ref. No: 34 Rep.No: 3

Objection

Representor: Green Park Land Company

Agent (if applicable):

Reasons for Objection/Support: The proposal to limit development on exception sites to 100% affordable housing overlooks the need to fund (or possibly subsidise) affordable housing. It therefore limits the effectiveness of the policy - specifically the rate at which affordable housing can be supplied and the overall number of units that can be provided during the plan period.

Amendments Sought: We recommend that 100% is either deleted or replaced by predominantly

Comments:

Noted – although there was a proposed modification to the title of the policy it was considered that this representation was not duly made since no amendment was being proposed to the wording of the policy.

Recommendation: No change

INSPECTOR'S REPORT PARA 58.1.7

Ref. No: 39 Rep.No: 2

Representor: Mr and Mrs Flint,
Agent (if applicable):

Reasons for Objection/Support: Support for inclusion of the Lodge as para 58.1.7 in the Inspector's report.

Ref. No: 40 Rep.No: 2

Representor: Wendens Ambo Parish Council
Agent (if applicable):

Reasons for Objection/Support: Support for inclusion of the Lodge within the settlement boundary but not a formal representation by the Inspector

Comments:

Although the Inspector mentioned including The Lodge within the settlement boundary he did not make a formal recommendation to this effect so these two objections were not considered as duly made representations

Recommendation: No change

REQUEST FOR POLICY ON ORCHARDS WITHIN THE LOCAL PLAN

Ref. No: 43 Rep.No: 1

Representor: Robin Cottril, The Essex and Suffolk Dormouse Project
Agent (if applicable):

Reasons for Objection/Support: Old orchards are a very rare and disappearing habitat in Essex and will undoubtedly have a wide diversity of plant and animal life which will be associated particularly with the particular fruit trees of which they consist. This makes orchards and similar BAP sites in my view a very deserving case for protection within the local plan and I would urge that the Local Plan should give a high priority to such protection.

Ref. No: 42 Rep.No: 1

Representor: Ms Deborah Bryce,
Agent (if applicable):

Reasons for Objection/Support: Request specific protection for Essex and UK Bap sites and habitats in the local plan. Although there are currently disparate policies within the Local Plan to protect sites of nature conservation importance these may not always be referred to or they may be over-ridden with robust reasons. It is not often realised that BAP sites have more than ecological importance. Existing local plan policies do not recognise the fact the biodiversity sites can be of historic and landscape character importance equal to their ecological importance. No policy exists that recognises this three sided value of traditional habitats and sites.

Amendments Sought: I hope the Committee will therefore recommend supplementary planning guidance alongside or a new policy within the new local plan to specifically recognise and protect the historic landscape and ecological importance of UK and Essex BAP habitats. Protection starts at the local level and biodiversity is a key test of sustainability. The BAP sites already known about should be shown on the proposals map and a survey of the habitats should be undertaken to identify and add habitats to update the last survey in 1991.

Comments:

These objections relate to need for a new policy to protect Biodiversity Action Plan habitats and sites. Some of the BAP habitats will be included in sites which are already protected. Orchards are specifically mentioned in Policy ENV 7. It would be inappropriate to include new policies at this late stage in the preparation of the plan.

Recommendation: No change

SSSI'S

Ref. No: 18 Rep.No: 2

Representor: Mr John Hardisty, Radwinter Parish Council
Agent (if applicable):

Reasons for Objection/Support: Support the creation of SSSI's provided that the owners of the land are consulted prior to their adoption. We have 2 areas in our parish that are designated SSSI's. (The owner only found out by chance at a later date) Somebody needs to be accountable for their actions.

Comments:

A subsequent conversation with Mr Hardisty clarified that this representation related to the designation of wildlife sites. The Council is reflecting existing designations – it is suggested that the Parish Council should contact Essex Wildlife Trust for further information.

Recommendation: No change

COUNTRYSIDE PROTECTION ZONE

Ref. No: 32 **Rep.No:** 1

Representor: Mr Gary Duncan, Countryside Properties (Special Projects) Ltd
Agent (if applicable):

Reasons for Objection/Support: Concerned at the manner in which the Inspector has formed certain of his opinions particularly in relation to the CPZ. The Inspector makes reference to the rural setting for the road, the possibility of the new road becoming a development boundary, the vulnerability of open areas, coalescence and the pleasant rural periphery of the Airport. What is not clear is the manner in which the Inspector has formed these views. Other than examining plans which may or may not have been placed before him. The Inspector would have faced some difficulty on considering these issues without access to the new road. At the time the new A120 was not open the Inspector would have had to have available information of this specific development proposal together with additional evidence addressing landscaping impact and mitigation. The rural setting of the road could be addressed through a well designed and executed landscaping scheme. The expansion of the airport would have a considerable bearing on what is now the "rural periphery" and indeed on the views that will be seen from the new road. The Inspector has chosen to adhere to existing local plan policy for the area has given inadequate consideration to published expansion profiles for the airport and further has made recommendations which may require fundamental revision through any new format Local Development Document. The rural setting of the airport may not be a valid consideration. The Inspector's reasoning creates circumstances at odds with central themes of emerging policy for the region and the airport.

Comments:

Any changes which result from emerging policy for the region and the airport can be addressed through the new LDF.

Recommendation: No change.
