

Committee: Planning Policy Working Group

Agenda Item

Date: 17 October 2017

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Title: Uttlesford Local Plan Regulation 18 Draft
Plan Consultation Responses – Planning
Authorities & other Public Bodies

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Item for decision:
no

Summary

1. This report summarises the responses received to the Regulation 18 Draft Local Plan from other planning authorities and public bodies subject to the duty to cooperate and highlights where further work and consideration is required.

Recommendations

2. That the Planning Policy Working Group notes the responses received to the Regulation 18 Draft Local Plan from other planning authorities and public bodies subject to the duty to co-operate and the key issues for further work and consideration as set in this report.

Financial Implications

3. The preparation of the Plan will be met from the existing planning budget.

Background Papers

4. Uttlesford Regulation 18 Draft Local Plan.

Impact

- 5.

Communication/Consultation	Consultation on the Regulation 18 Draft Local Plan took place between 12 July and 4 September 2017.
Community Safety	This is an underlying theme of the Local Plan.
Equalities	The Regulation 18 Draft Local Plan was subject to an equalities impact assessment and this will be reviewed and updated for the Regulation 19 Submission Plan.

Health and Safety	Health and safety matters are part of the Plan's content and are considered as part of the sustainability appraisal/ strategic environmental assessment of the Plan.
Human Rights/Legal Implications	The Local Plan will need to comply with human rights and planning legislation. Once adopted it will form part of the statutory development plan.
Sustainability	This is an underlying theme of the Local Plan e.g. ensuring homes and jobs are provided near to each other and minimising reliance on the private car. The Plan is subject to sustainability appraisal/ strategic environmental assessment throughout its preparation.
Ward-specific impacts	Some wards may be affected by site specific proposals but the overall spatial strategy for the Plan is a matter for all wards.
Workforce/Workplace	This will involve Councillors, officers from the Planning Policy Team and others as necessary.

Situation

6. Public consultation was held between 12 July and 4 September 2017 on the Regulation 18 Draft Local Plan. Nearly 6,000 representations have been received from around 2,200 individuals and organisations. These responses have all been uploaded onto the Council's consultation portal and are available to read online. All the responses are currently being analysed and will be reported to the next meeting of PPWG on 14 December 2017.
7. This report sets out the key issues raised by the responses received to the Regulation 18 Draft Local Plan from other planning authorities, i.e. borough/ district councils, county councils and the Greater London Authority, and public bodies subject to the duty to cooperate. The key issues have highlighted:
 - areas where further explanation and clarification is required in the Local Plan itself; and
 - areas where further investigation and evidence is required to inform the Council's considerations.
8. The duty to co-operate was created in the Localism Act 2011 and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage

constructively, actively and on an ongoing basis to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters.

9. The duty to cooperate is not a duty to agree. But local planning authorities are required to make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination. Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it has complied with the duty then the Local Plan will not be able to proceed further in examination.
10. Local planning authorities need to satisfy themselves about whether they have complied with the duty. As part of their consideration, local planning authorities will need to bear in mind that the cooperation should produce effective and deliverable policies on strategic cross boundary matters.
11. Responses have been received to the Regulation 18 Draft Local Plan from the following planning authorities:
 - Basildon Borough Council
 - Braintree District Council
 - Cambridgeshire County Council
 - Chelmsford City Council
 - East Hertfordshire District Council
 - Epping Forest District Council
 - Essex County Council
 - Greater London Authority
 - Harlow District Council
 - Hertfordshire County Council
 - North Hertfordshire District Council
 - South Cambridgeshire District Council
12. A summary of the responses received from the planning authorities listed above is set out as Appendix 1 to this report. Due to its length and detail only the committee report of Essex County Council's response is attached as Appendix 2 to this report. Key points highlighted in the responses from the other planning authorities are listed below. Please note that all the responses received from the planning authorities, including detailed wording comments on the Regulation 18 Draft Plan's policy wording, will be presented to PPWG in December along with all the other responses received to the Regulation 18 Draft Plan consultation.

13. The key points highlighted from the planning authorities' responses are:

- Supports the Local Plan and notes that UDC is committed to meeting its housing, employment and gypsies and travellers needs in full within its administrative boundary. (Chelmsford City Council)
- Endorses the positive and proactive approach to ensure housing needs are met across the Plan period and the inclusion of an element of flexibility. (East Herts Council)
- Welcome UDC's commitment to meet its need in full. Recognises the West Essex and East Herts Market Area partnership work. Supports identification of three garden communities providing longer term growth opportunities. Offers a specific conversation with UDC about the scale of these garden communities and the infrastructure requirements they may depend on. (GLA)
- Pleased to note that the strategic policies in the draft Plan reflect the discussions and agreements that have been reached at the Cooperation for Sustainable Development Member Board. The draft Plan is based on the agreed vision for the LSCC Core Area and meets the objectively assessed housing and employment needs identified in the 2015 SHMA and the additional joint work we have undertaken as a group to ascertain the appropriate and deliverable growth around Harlow in the plan period up to 2033. It properly addresses the transport infrastructure requirements that we have identified and included in the Highways and Transportation Infrastructure MOU for the West Essex and East Herts area. We consider that the plan is based on effective joint working on cross boundary strategic priorities. (Epping Forest DC)
- The intention stated in the document to meet your objectively assessed need within your administrative area is supported and the strategy of distributing delivery across a number of different spatial approaches is understood. As a neighbouring authority we have recently signed a Statement of Common Ground which confirms there are no strategic cross boundary issues as a result of the North Hertfordshire Submission Local Plan (2016). (North Herts DC)
- Welcome acknowledgement of longstanding collaborative working with UDC related to strategic matters in the LSCC, particularly in relation to infrastructure requirements and economic development. Joint work has taken place to define the objectively assessed housing need across the West Essex – East Hertfordshire Housing Market Area and joint work is underway regarding the overall scale of employment growth in the Functional Economic Market Area. Welcome commitment to work with Harlow DC, East Herts Council, Herts CC, Essex CCs and the relevant LEPs to bring forward transformational growth. The recognition to achieve the Garden City principles in strategically planned developments is supported. Harlow would be willing to continue to work with UDC to further quantify the employment land required to support strategic housing allocations (Harlow DC)

- Further clarification is needed to ensure that any unmet housing need that may arise in Harlow is properly considered and that such needs are met at sustainable locations. (Harlow DC)
- Unmet need may arise from South Essex Housing Market Area. Noted that Local Plan does not include a mechanism for review in light of such requests. (Basildon BC)
- Garden Communities - Concern that the potential cumulative impact of housing and employment development proposed in the Garden Communities on the highway network is not clear at this point. The uncertainty is increased as the employment allocations are not fully explained in terms of location, scale and type. Additional clarity would provide transparency to developers, stakeholders, remove the risk of possible competition with Harlow's Enterprise Zone and allay possible concerns regarding air quality. (Harlow DC)
- West of Braintree Garden Community - Braintree District Council and UDC are working together on the cross-boundary West of Braintree garden community. The Councils have agreed to produce a joint Development Plan Document (DPD) to cover the whole West of Braintree area and to ensure a co-ordinated and joined up approach on this landmark new community. Regular meetings have taken place to discuss strategic cross boundary issues and these will continue. Joint working on the DPD will mean an even closer working relationship moving forward as work on the garden community progresses. Detailed comments are provided on paragraphs and policies in the draft Plan in relation to the West of Braintree Garden Community - see BDC's full response in Appendix 1 to this report. (Braintree DC)
- North Uttlesford Garden Community: Education (Cambs CC)
 - The proposals for a new garden village at North Uttlesford do not raise significant education concerns for the Council as whilst there is currently no surplus capacity within the adjacent school catchment areas in South Cambridgeshire, it is expected that development of this scale, in Essex, would provide appropriate on-site mitigation to meet the growth in demand resulting from the proposed development. Cambs CC and Essex CC would (as they do already) work together to consider how best to meet any needs that did arise. Any impact on Cambridgeshire infrastructure would need to be fully funded by the development.
- North Uttlesford Garden Community: Transport (Cambs CC)
 - The highway network in this area of South Cambridgeshire already experiences severely congested conditions at peak times, with the A505 between Royston and the A11 one of the most heavily trafficked routes in Cambridgeshire. In addition, many of the junctions in the area are already extremely congested at peak times, particularly around the junction with the A505 and A1301 and at Junction 10 of the M11.
 - Cambs CC officers have welcomed the opportunity of involvement with UDC on its transport evidence base. However, to date, Council officers have not been satisfied with the conclusions drawn from these studies

with regards to improvements to junctions on the A505 in Cambridgeshire and the ability of any development to mitigate its impact in transport terms. Cambs CC (and South Cambs DC) officers jointly share the concern that the development at NUGC is reliant on large-scale improvements to the A505 for which no scheme has been identified and no firm timescales are in place for study work to begin. Cambs CC note that in 2016 the Council bid for funding for a strategic transport study of the A505 corridor but this bid was unsuccessful. Cambs CC would like to work with UDC to take this study forward although there are no timescales for when this work could start. Funding may be available from the Department of Transport.

- Cambs CC wishes to continue dialogue with UDC regarding the proposed cap on development of 3,300 homes until strategic highway improvements are implemented, as well as on the detail of the proposed infrastructure improvements. However, it would seem that even the delivery of these 3,300 homes would remove any 'spare' capacity on the Cambridgeshire highway network close to the Uttlesford border, and officers are already aware of growth aspirations of employment sites in this part of South Cambridgeshire. Cambs CC emphasise that UDC should demonstrate that its impacts on the Cambridgeshire transport network could be mitigated, and all new development proposed should take account of existing congestion issues and aim to promote travel by non-car modes. Assumptions of high self-containment at the site are questioned in the context of Uttlesford's high proportion of travel to work journeys.

- Cambs CC notes that the draft Local Plan states that the A11 and A1307 would form the main route from the proposed site towards Cambridge, and that around 32% of work trips are estimated to be towards Cambridge. The A1307 already experiences congestion at peak times and has a long history of safety issues. The Council requires reassurance that these issues have been taken into consideration and also that liaison has taken place with Suffolk County Council and neighbouring districts regarding growth plans for Haverhill and the surrounding area.

- North Uttlesford Garden Community
 - Transport impact, Landscape impact, Impact on water supply in South Cambridgeshire, Flood risk, Viability, Delivery rate and timing of delivery (South Cambs DC)
- A505 - The majority of the allocations in the emerging Uttlesford Local Plan are unlikely to have any significant impact on North Hertfordshire, however, there are likely to be strategic highways impacts which warrant consideration in relation to the Duty to Cooperate. In particular, the Uttlesford District Transport Study and the South Cambridgeshire Junction Assessments report identifies that there will be notable impacts on the A505 resulting from the proposed developments, including the proposed North Uttlesford Garden Community that lies to the east of North Herts District. Given proposed development in the Luton area, and in the towns of Hitchin, Letchworth, Baldock and Royston within North

Hertfordshire up to 2031 and possibly beyond, it will be critical to ensure that full consideration is given to potential cumulative impacts on the highway network along the A505 corridor. We note that this is mirrored in the South Cambridgeshire Junction Assessments report at paragraph 9.2.15, which recommends that for the longer term a detailed A505 corridor study is undertaken. As such, we would encourage further discussions under the Duty to Cooperate with the District Council, relevant neighbouring authorities including Hertfordshire County Council and other interested parties in the future to address the potential longer term impacts on the A505 corridor as the Plan progresses, and depending on the final strategy taken forward in the Proposed Submission Local Plan. (North Herts DC)

- A120 – Welcome recent discussions between the two authorities with a key point being transport infrastructure and the potential impacts on the A120 and the surrounding road network arising from the proposed new settlements and allocations in Uttlesford, Braintree and Chelmsford. Agreed through recent discussions to continue to share relevant information including highway junction modelling. (Chelmsford City Council)
- Junction 8 of M11 – Need to ensure appropriate and timely mitigation measures to improve the junction capacity in relation to Stansted Airport, particularly in light of proposed non-airport related employment uses at the Northern Ancillary Area, and consider the cumulative impact of these developments along with any strategic warehousing/ distribution depots that come forward with access to Junction 8. (East Herts Council)
- Impact on Highways Network in Herts - Concerned about the cumulative impact of development proposed in and around Great Chesterford on the Hertfordshire network. In particular, the A505 runs to the north of the site providing east west connections to the A10 and A1. Junctions are already operating close to capacity in the Royston area and M11 junction 10 is a constraint. The Easton Park proposal similarly has potential to exacerbate issues on the A120 and Bishops Stortford. Note that the Transport Study identifies the need for further mitigation measures including the implementation of a Smart Motorway for the M11 and major improvements to M11 junction 8 but no clear funding mechanism is identified so deliverability is uncertain at this stage. (Herts CC)
- In relation to Stansted Airport consider that discussion is required in relation to the M11 motorway from south of Junction 8 at Bishop's Stortford to Junction 9/9A at Great Chesterford/ Stump Cross, A120 close to Bishop's Stortford and any B class roads that will impact highway capacity in Hertfordshire. Measures to reduce car travel are supported in relation to small scale development proposed in villages around Hertfordshire's borders, particularly Stansted Mountfitchet which has a strong synergy with Bishop's Stortford. (Herts CC)
- Welcome the principle of maximising potential of under-used land at Stansted Airport but definition of small scale retail and leisure development at the Northern Ancillary Area is needed. (Harlow DC)

- Green Belt - Considers that land to the south of the A120 adjacent to Bishop's Stortford does not meet the purposes of the Green Belt and should be released from the Green Belt and allocated for employment uses (East Herts Council)
- Education – Availability of school places for Stansted Mountfitchet and Takeley may have an impact on school places in Hertfordshire. Would anticipate that primary and secondary school places would be managed and provided as part of Essex CC's school planning strategy as there is no existing or planned available capacity above and beyond meeting Hertfordshire's own needs. (Herts CC)
- Gypsies & Travellers
 - Question robustness of evidence base, clarification of need and how the need will be met particularly in terms of a criteria based approach. (Basildon BC, East Herts Council)
 - Formal request for Uttlesford to consider meeting Basildon's potential unmet need. (Basildon BC)

14. In addition to the responses from planning authorities listed above a late response was received from Suffolk County Council in relation to the impact on the A1307. This is included as Appendix 3 to this report.

15. Responses have also been received to the Regulation 18 Draft Local Plan from the public bodies listed below. Not all public bodies are subject to the duty to cooperate so those that are have been highlighted in the list.

- Anglian Water
- Education & Skills Funding Agency
- Essex Police
- Environment Agency (DTC body)
- Highways England (DTC body)
- Historic England (DTC body)
- Natural England (DTC body)
- Network Rail
- Sport England
- Thames Water
- West Essex Clinical Commissioning Group (DTC body)

16. A summary of the responses received from the public bodies listed above is set out as Appendix 4 to this report. Please note that all the responses received from the public bodies, including detailed wording comments on the Regulation 18 Draft Plan's policy wording, will be presented to PPWG in

December along with all the other responses received to the Regulation 18 Draft Plan consultation.

17. Key issues for further work and consideration highlighted in the responses from the public bodies are listed below:

- Anglian Water
 - AW currently in discussions with UDC and site promoter at Easton Park in relation to sewage treatment and would wish to have further discussions on this issue prior to the Local Plan being finalised. AW has made an initial assessment of the implications for residential and non-residential sites for AW's existing water recycling infrastructure. Detailed wording changes proposed to the Plan including to ensure enhancements to the water recycling centre at Great Chesterford, new connections, network upgrades and reinforcements to the sewerage network is aligned with the phasing of development.
- Education and Skills Funding Agency
 - The next version of the Local Plan should seek to provide further detail about these site specific requirements for schools, based on the latest evidence of identified need and demand in the Infrastructure Delivery Plan and Essex County Council's 10 year plan for meeting the demand for school places. This should include clarifying where possible the requirements for the delivery of new schools, including when they should be delivered to support housing growth (i.e. appropriate trigger points), the minimum site area required (and number of forms of entry needed where this has not already been stated), any preferred site characteristics, and any requirements for safeguarding additional land for future expansion of schools where need and demand indicates this might be necessary.
 - While it is important to provide clarity and certainty to developers, retaining a degree of flexibility about site specific requirements for schools is also necessary given that the need for school places can vary over time due to the many variables affecting it. The ESFA therefore recommend the council consider highlighting in the next version of the local plan that:
 - specific requirements for developer contributions to enlargements to existing schools and the provision of new schools for any particular site will be confirmed at application stage to ensure the latest data on identified need informs delivery; and that
 - requirements to deliver schools on some sites could change in future if it were demonstrated and agreed that the site had become surplus to requirements, and is therefore no longer required for school use.
 - The ESFA would like to be included as early as possible in discussions on potential site allocations, as there could be pipeline school projects in Uttlesford District which may be appropriate for specific designation, and would like to be consulted on the garden community DPDs/ SPDs as well as any update to the IDP.

- In light of the draft site allocations for the three garden communities, emerging ESFA proposals for forward funding schools as part of large residential developments may be of interest to the council. We would be happy to meet to discuss this opportunity at an appropriate time.

- Environment Agency

The main thrust of the EA's response is concerned with the water infrastructure situation which they consider needs careful consideration. Detailed comments are also made on Waste; Vision, Objectives, Policies and Supporting Text; Residential Site Allocations and Other Matters.

Water Infrastructure Situation - The Regulation 18 Local Plan and the IDP have highlighted several issues regarding water infrastructure in the proposed growth plan. The EA generally concurs with the issues raised with regard to water infrastructure, however they consider it is important to reiterate certain points.

Upgrades to water infrastructure will be necessary to accommodate the projected growth in the Local Plan. Provision of suitable infrastructure will be a major factor with regards to the achievable scale, distribution and timing of this plan. EA consider it imperative that these issues are addressed before any of the plans can be fully implemented. In the Hertfordshire and North London area, Thames Water will need to be an active participant in the delivery of the proposed plans.

Elsenham is connected to the Stansted Sewage Treatment Works (STWs). There is single pipe connection which passes underneath the M11. There is a need for the Council and developers to work closely with Thames Water to understand any constraints and/or upgrades required to accommodate the proposed residential allocations in the Elsenham area.

Takeley has its own small STW which discharges into the upper reaches of the Pincey Brook. The dilution capacity of the receiving watercourse is low especially during dry periods of the year. Any changes to the present discharge arrangements will need to be carefully assessed. There will be a need for the Council to understand any constraints on additional demands placed on this treatment works. The EA will work closely with Thames Water to ensure high environmental standards continue to be met.

The figures given in the Local Plan are in line with those used in recent previous documents (e.g. the updated water cycle study and the IDP). However, the WCS was only completed to stage 1 standard. The statements of where upgrades will take place and sewage will be received in Policies SP6, 7 and 8 pre-empt the very necessary stage 2 Water Cycle Study. At this stage, the EA cannot be certain that the necessary upgrades are possible, or that an appropriate revised permit will be granted. Given that the rivers which flow through Uttlesford are only headwaters, the presence of enough dilution to support the proposed WRC extensions is not a given, and the permitted nutrient limits required could be extremely challenging to meet.

Policy SP8 also pre-empts the water cycle study for the North Essex Garden Communities Integrated Water Management Strategy (IWMS)

currently being completed by AECOM (also discussed further on this response). In this study, at stage 1 draft stage, the feasible options for the west of Braintree community also include building an entirely new WRC, with discharge split between the rivers Brain and Blackwater. The EA recommends slightly changing the phrasing of these policies such that upgrading the WRCs mentioned is phrased as an 'option under investigation' or the 'currently preferred option' rather than as a certainty.

Water Resources – The EA broadly supports the policies and statements made in this document. It recognises that the area is one which suffers from water stress and the policies included reflect that.

Water Quality/ Wastewater - In relation to North Uttlesford Graden Community the EA states that although they provided updated datasets they were not consulted on the conclusions of the WCS Update. Little detail is provided regarding the assessments carried out in that WCS Update, but it is their opinion that conveyance of large volumes of foul sewage to Saffron Walden would not likely be a viable option. The environmental capacity is severely constrained in the local watercourse (The Slade) where there is limited dilution available for an increase in sewage discharge volumes.

The WCS Update conclusion goes on to state that “Consultation indicates that both Thames Water and Anglian Water have concerns regarding the level of growth and it is recommended they are engaged by the site promoters as early as possible.”

The EA note that paragraphs 3.1.9 and 3.1.10 of the Uttlesford IDP: Addendum and Summary Paper make the following points:

- Para 3.1.9: Provision of water infrastructure is critical and could be a risk to the spatial distribution of growth in the local plan period. Growth at the proposed new garden communities will place additional burdens on foul water capacity.
- Para 3.1.10: The EA has advised that the level of discharges into water courses is currently at its limit and that additional permits for increased discharges may not be granted.

The EA state that they echo the concern expressed by the water companies, but suggest that further detailed WCS assessments should be carried out in order to properly assess the potential impact of the New Settlement(s) at all locations. The WCS should form part of an evidence base to demonstrate that the quantum of growth proposed in the Local Plan can be delivered sustainably and without causing a breach of environmental legislation. Encouraging site promoters to engage with the water companies is to be encouraged – but this in itself will not prevent a breach of environmental legislation and is not a substitute for a full and proper WCS assessment ahead of the Local Plan being finalised/approved.

As matters stand, the EA consider that in the absence of further detailed WCS assessments, including the outputs of the North Essex Garden Communities IWMS, the evidence base supporting the Uttlesford proposed new settlements does not, in the EA's view, fully engage with National Policy and the National Planning Practice Guidance. The EA consider it is not consistent with the National Policy position and is therefore unsound.

- Highways England

- Recognise that large parts of the district are rural and access to public transport difficult. Parts of the strategic road network running through the district are close to capacity and cannot reasonably cope with large amounts of additional development without significant improvement. The M11 J8 and Galley's Corner in Braintree are giving particular concern with regards to capacity. It has been recognised that the A120 between Braintree and the A12 is nearing capacity, most noticeably at peak times. Essex County Council has been examining the feasibility of upgrading this route to a dual carriageway. With a view to submitting this for inclusion into a future RIS-2. This means careful planning is needed to ensure proposed development is in the most appropriate place with the necessary facilities and infrastructure available at the right time and a steep change both in the provision and take up of public transport, if this development is to be sustainable. These sites are of a size to internalise their trips but there is a danger that there could be an impact on the surrounding network. HE supports the policies in the plan to reduce travel by car.

- Broadly support the proposed developments at Easton Park and West of Braintree although impact upon the A120 and its junctions will need to be thought about, a significant opportunity to link to the airport and access to destinations, locally, nationally and internationally by public transport exists.

- North Uttlesford Garden Community probably has the least impact upon the SRN, although M11 J10 is a site of peak time congestion this is caused by capacity on the A505 and not the junction itself. Support the Council in its requests to improve the A505 particularly between M11 J10 and the service area at the junction of the A1301.

- M11 J8 is sensitive not only to further expansion of Stansted Airport but also to growth in the surrounding villages of Takely, Stansted Mountfitchit, Elsenham Bishops Stortford and surrounding villages in East Herts. There are significant opportunities to link public transport and other infrastructure particularly to the airport and Easton Park which need to be considered in the round.

- Historic England

- Historic England has made detailed comments on the Regulation 18 Draft Local Plan including policy wording, the proposed garden communities, other allocations and the evidence.

Of particular note are the following key points but attention is drawn to all of Historic England's comments which will need to be considered in detail:

- Full Historic Impact Assessments should be undertaken in accordance with our advice note 'Site allocations in Local Plans' for each of the proposed broad locations to determine the appropriateness or otherwise of the locations for development, the extent of the development and therefore potential capacity of the sites, the impacts upon the historic environment (considering each asset and its setting and its significance), impacts of development upon the asset and any potential mitigation measures necessary to accompany the proposals. Appropriate criteria for the protection of heritage assets and their settings need to be included in each of the policies and supporting text for the Garden Communities. It is imperative to have this robust evidence base in place to ensure the soundness of the Plan.
- In relation to the garden communities Historic England considers each in detail and states the following:

In summary further detail is required in relation to the historic environment for the proposed allocations West of Braintree and at Easton Park. The information should provide key evidence which should be used to inform the extent of the site allocation and any mitigation measures required. At present the draft Plan does not take account of the evidence in the supporting documents in terms of the historic environment. The site at North Uttlesford raises fundamental in principle issues and it is unlikely that further work would realistically address our concerns. At this stage an objection is raised to all three garden community allocations in the draft Plan.

- Natural England

Natural England considers that there is much to commend in the draft local plan and that it generally addresses ecological issues well. However, they are concerned that the strategic site at Easton Park and other allocations in the vicinity of Hatfield Forest may have the potential for an adverse effect, in combination, on the Site of Special Scientific Interest (SSSI).

Also, as acknowledged in paragraph 3.38 Natural England, the Conservators of Epping Forest and the West Essex/ East Hertfordshire Housing Market Area Authorities are all signatories to a Memorandum of Understanding (MoU) relating to potential impacts on Epping Forest Special Area of Conservation which is a European Site that is considered in the Habitats Regulations Assessment (HRA) accompanying the plan.

The Draft HRA screens out impacts on Epping Forest SAC. Whilst we acknowledge the distances involved, Natural England advises that until

zones of influence have been established and/or a mitigation package has been agreed its outcome should not be pre-empted. The precautionary principle applies and a likely significant effect should not be screened out.

Natural England has also made detailed comments on policy wording and allocations in the Regulation 18 Draft Plan as well as the Habitats Regulations Assessment.

- Network Rail

- Network Rail would welcome the opportunity to engage with the Local Authority in relation to rail and how this can provide a high quality public transport link to garden communities. Notably Easton Park with Stanstead airport and North Uttlesford with Saffron Walden, Cambridge and Great Chesterford Station's.

- Request policy included in the Local Plan to support level crossing closures. Network Rail are happy to discuss specific level crossings further if this would aid policy formation and justification.

- Sport England

Sport England has made detailed comments on the policy wording in the Regulation 18 Draft Plan and on the evidence base for the Local Plan. Specific comments on sites have also been provided.

Of particular note is Sport England's response to Policy INF2 of the Regulation 18 Draft Plan which states that it is considered that the evidence base for sport is not robust and up to date which could result in the Local Plan being found unsound. Furthermore, if the policy is used for determining planning applications, developers are likely to challenge the evidence base especially in the context of the need to protect existing facilities or provide for sport in new development through planning obligations or CIL.

To address these concerns Sport England requests that the Council prepares an up-to-date sports facility strategy (indoor and outdoor sports) incorporating a comprehensive assessment of needs which will provide the robust evidence to support policies such as INF and INF2 as well as site allocation policies including the Garden Community site policies. In Sport England's view, this approach would be justified to allow the local plan to be consistent with paragraph 73 of the NPPF. As well as meeting the needs of the local plan, the preparation of such strategies may also assist with delivering corporate Council objectives e.g. assisting with the health and well-being agenda, reviewing the future of Council owned assets, sports development, influencing investment on school sites, external funding bids etc. A robust evidence base for sport will also be

needed to support the identification of strategic priority projects in the Council's Infrastructure Delivery Plan if CIL is implemented in due course. This would also apply if the Council continues to use planning obligations to secure developer contributions towards new and enhanced sports facilities instead as set out above.

Following completion of the strategies, policy INF2 and other policies where applicable should be reviewed to add any specific sports facility needs that provision should be made for including site allocations and to review the approach towards securing sports facility provision through new development (i.e. an alternative approach to generic standards).

Sport England would be happy to meet the Council to discuss this response and other representations made on the local plan with a view to reaching a mutually agreeable solution before the local plan examination stage.

- Thames Water

Thames Water notes that a high-level assessment has been undertaken of the proposed growth set out in the Local Plan along with potential expansion of Stansted Airport. This indicates that the levels of growth are expected to have an impact on existing sewage treatment works at Bishops Stortford and Stansted Mountfitchet where upgrades may be required or alternative options such as the provision of a new sewage treatment works may need to be considered.

Thames Water are currently producing their new business plan for the period from 2020-2025 and planning for additional capacity will follow our normal growth process to prioritise which sites need upgrades and when. Given the scale of development coming forward in the region we are keeping a regular review of our sewage treatment works capacity. They are also working closely with local councils on understanding their future growth projections and likely changes in Environment Agency discharge consents. Thames Water are currently assessing current and future capacity of their assets in more detail. Until this work is complete their view on capacity is limited.

In relation to Easton Park Thames Water confirm that they are in discussions with the Council, Environment Agency and site promoters regarding the provision of wastewater infrastructure required to support the proposed garden community at Easton Park Garden Community.

Thames Water supports the content of Policy INF1 which highlights that new development will only be permitted if the necessary on and off-site infrastructure that is required to support it and mitigate its impact is either already in place or there is a reliable mechanism in place to ensure that it will be delivered in a timely manner.

- West Essex Clinical Commissioning Group
 - In developing the final Local Plan document, care should be taken to ensure that emerging policies will not have an adverse impact on healthcare provision within the plan area and over the plan period. In instances where major policies involve the provision of development in locations where healthcare service capacity is insufficient to meet the augmented needs appropriate mitigation will be sought.
 - Policies should be explicit in that contributions towards healthcare provision will be obtained and the Local Planning Authority will consider a development's sustainability with regard to effective healthcare provision. The exact nature and scale of the contribution and the subsequent expenditure by West Essex CCG and NHS England will be calculated at an appropriate time as and when schemes come forward over the plan period to realise the objectives of the draft local plan.
 - Plans and policies should be revised to ensure that they are specific enough in their aims, but are not in any way prescriptive or binding on West Essex or NHS England to carry out certain development within a set timeframe and do not give undue commitment to projects.
 - With regard to the current primary healthcare provision in Uttlesford there are 10 GP practices, 4 branch surgeries and 1 community hospital in Saffron Walden. These are the healthcare services available that the local plan must take into account in formulating future strategies. Growth in terms of housing and employment, is proposed across a wide area and would likely have an impact on future healthcare service provision. Existing GP practices in the area do not have capacity to accommodate significant growth. In terms of optimal space requirements to encourage a full range of primary care services to be delivered with the community there is an overall capacity deficit, based on weighted patient list sizes, within the 10 GP practices providing services in the area.

18. In addition, the late response from Suffolk County Council requests that assessment of the impact of development proposed in the Uttlesford Local Plan on the A1307 should take into account the cumulative growth on the corridor, i.e. existing planned growth from West Suffolk and South Cambridgeshire. It should also be seen in the context of the existing issues on this corridor, including road safety, and full assessment should be made of this, including at the A11/ A1307 junction of Fourwentways. Regard would also need to be given to proposals from the Cambridge City Deal.

19. Responses have been received from Parish Councils which are located nearest to the proposed Garden Communities. A summary of a selection of these Parish Councils' responses as they relate to the nearby Garden Communities is set out in Appendix 5 to this report:

- Great Chesterford Parish Council
- Great Dunmow Town Council

- Little Easton Parish Council
- Stebbing Parish Council

20. At the point of submission to the Secretary of State the Council must be convinced that it considers the draft Local Plan to be sound. The National Planning Policy Framework defines a sound plan, as one that is positively prepared, justified, effective and consistent with national policy¹.

21. If the Council wishes to make any changes to the consultation following regulation 19 consultation, it must re-consult on an amended version of the plan prior to submission. This effectively means that the Council should be satisfied that it considers the Local Plan agreed for the next stage of consultation is a sound plan.

Risk Analysis

1)

Risk	Likelihood	Impact	Mitigating actions
The Council fails to adopt a "sound" Plan	2 – Unlikely..	3 – Will result in the Local Plan being found unsound. Significant impact on planning policy and planning applications.	The Council has an adopted SHMA, undertaken a review of the evidence base, appraised the development scenarios and has undertaken a sustainability appraisal of allocations .Duty to Co-operate discussions are productive.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

¹ NPPF paragraph 182

Appendix 1 – Summary of Responses from Other Planning Authorities

Basildon Borough Council

Strategic Approach to Development and Housing Need:

- In relation to strategic approach to growth set out in the Uttlesford Regulation 18 Draft Local Plan, Basildon Borough Council wishes to offer support to Uttlesford District Council in pursuing the strategic approach to growth involving the extension of existing settlements in accordance with the settlement hierarchy, and in delivering three new garden communities within its area over the period to 2033 and beyond.
- However, Uttlesford District Council is advised that unmet need for housing may arise from the South Essex Housing Market Area (HMA). The Objectively Assessed Housing Need (OAHN) in South Essex is for between 3,750 and 4,000 homes per annum. This equates to between 75,000 and 80,000 homes over a 20 year period. There is currently a concern that there may be insufficient capacity to deliver this quantum of housing in the South Essex HMA, although at this time the full scale of any unmet need has not been quantified. However, as work in South Essex is progressed, any gap between the OAHN and potential supply will become clear, and the need may arise for the South Essex authorities to make a request of other authorities in different HMAs within Essex to assist in meeting that unmet need.
- Basildon Borough Council does not wish to delay Uttlesford District Council in progressing its plans to take into account these concerns. However, it is noted that as currently drafted, the Uttlesford Regulation 18 Draft Local Plan does not include a mechanism for its review in light of any such requests. In order for Uttlesford District Council to be able to consider such requests it is considered that a review mechanism should be introduced within the Local Plan as it is progressed towards Regulation 19 to ensure it is sufficiently flexible and responsive.

Gypsy and Traveller Accommodation:

- It is noted that Uttlesford District Council is proposing to meet its need for gypsy and traveller accommodation through a criteria based policy, on the basis that the emerging evidence in relation to the needs of this group has not identified any need arising from gypsies and travellers which meet the definition of a traveller set out in the Planning Policy for Traveller Sites (PPTS) 2015. However, there are concerns in relation to this approach. Firstly, there is a concern in relation to the high number of travellers that the consultants were unable to interview within Uttlesford District, meaning that some need may have been missed. Secondly, there is a concern that consideration has not been given within the Draft Local Plan to any unmet need for pitches to meet the needs of gypsies and travellers arising from other parts of Essex.
- Historically, Gypsy and Traveller Accommodation Needs Assessments (GTAA's) have been prepared at an Essex wide level, and prior to that at a regional level. They have not been carried out at a Housing Market Area level given different

factors tend to influence the need for Gypsies and Traveller pitches. There is therefore a precedent for considering need at a wider than local level, and indeed the now revoked East of England Plan sought to redistribute provision at a wider than local level recognising pressures in some locations such as Basildon. There is currently no method for distributing such need across Essex, and therefore it is a matter for considering as part of the Duty to Cooperate.

- It is noted that the Essex wide GTAA is still emerging, having been subject to delays arising from the capacity of the consultants. Similarly, the Basildon GTAA, being prepared by the same consultants, has similarly been delayed. However, in both cases, results are now emerging, and it is these emerging results which have informed the Uttlesford Draft Local Plan.
- As has historically been the case, the need for Traveller sites for both those Travellers that meet the definition in the PPTS 2015, and those that do not, but nonetheless require culturally appropriate accommodation within Basildon Borough, is significantly higher than the need seem for most other authorities in Essex, including Uttlesford.
- The emerging work indicates a need within Basildon Borough for up to 73 pitches for those Travellers that meet the definition in the PPTS 2015 and a further 51 pitches for those who do not meet the definition, but nonetheless require culturally appropriate accommodation. This creates a total need for a further 124 pitches on top of those which already have planning consent, or are tolerated in planning terms within Basildon Borough.
- The *Basildon Gypsies, Travellers and Travelling Showpeople Sites Study – Site Provision Study 2015* appraised the suitability and availability of sites for the provision of pitches for Travellers following a call for sites process. This identified a maximum capacity for accommodating such needs in Basildon Borough of 72 pitches. It should however be noted that this work occurred prior to the publication of the PPTS 2015, and many of the sites promoted and found to be suitable were single or small sites within Basildon Borough's Green Belt plotland areas. It is not therefore known if these sites were intended by the promoters for travelling Travellers or Travellers who do not meet the definition in the PPTS 2015, but require culturally appropriate accommodation. Work is underway to update the Site Provision Study in this regard and also to identify if any other potential sites are available, although the initial work was fairly exhaustive in this regard. Therefore, at this time it remains the case that Basildon Borough is unable to meet its full, objectively assessed need for pitches to accommodate Gypsies and Travellers, whether they fall within the definition of the PPTS 2015, or whether they have a requirement for culturally appropriate accommodation. As it currently stands this unmet need is 52 pitches.
- Uttlesford District Council is therefore formally requested to evaluate its evidence to determine whether there is the potential to assist in meeting this unmet need for Traveller pitches prior to progressing their Local Plan to Regulation 19, and Basildon Borough Council would be pleased to meet and engage with Uttlesford District Council in working towards a solution in this regard.
- Uttlesford District Council is advised that this same request has recently been made in response to Braintree District Council, Colchester Borough Council, and Tendring District Council in respect of their Publication Local Plan consultations.

Historically, this request has also been made in respect of the Brentwood, Chelmsford and Epping emerging Local Plans, and was a matter on which the Planning Inspector for the Castle Point New Local Plan Examination in Public found it be unlawful, as reported in his formal report of March 2017 (PINS File Ref: PINS/M1520/429/5).

Ongoing Engagement:

- Basildon Borough Council recognises that the concerns it has raised will challenge Uttlesford District Council in progressing its Local Plan to Regulation 19. As stated earlier in this letter, Basildon Borough Council is prepared to work with Uttlesford District Council to identify solutions to the matters raised prior to the plan being finalised for publication and submission.

Braintree District Council

- As you know Braintree District Council and Uttlesford District Council are working together on a cross boundary garden community known as 'West of Braintree'. The Councils have agreed to produce a joint Development Plan Document to cover the whole West of Braintree area and to ensure a co-ordinated and joined up approach on this landmark new community. Regular meetings have taken place to discuss strategic cross boundary issues and these will continue. Joint working on the DPD will mean an even closer working relationship moving forward as work on the garden community progresses.
- As well as ongoing Duty to Co-operate and joint working BDC have a number of detailed comments on the UDC Local Plan in relation to garden communities which are set out below:

The Spatial Vision

- BDC welcomes the reference to the West of Braintree garden community within this section but notes that within the paragraph on garden communities there is no mention of travel and transport. As this is a key concern of local residents and as a key part of the strategy forming the garden communities, it may be worth referencing here.

Paragraph 3.15

- The total number of homes in the West of Braintree Garden Community is not yet an absolute number which is how it is reflected within this text. At present the BDC Local Plan estimates a range of between 7,000 – 10,000 new homes on the garden community within BDC. The exact number of homes on the site will be refined through the specific development plan document (DPD) and masterplanning which will include setting the red line boundary of the site and examining in more detail the constraints and opportunities which within the site as well as the land take necessary for essential infrastructure and other land uses such as employment and education. As such it is considered a likely range for the delivery of homes in UDC should be set out in the policy and this added to the range in the BDC Local Plan to give an overall range in the garden community.

Policy SP5 – Garden Community Principles

- This section broadly sets out garden community principles which will apply to all three garden communities in the Uttlesford District. It specifies that developments

will be required to meet the TCPA garden community principles. However the criteria within the TCPA principles do not appear to have been covered in sufficient detail and the policy may benefit from expansion. The North Essex authorities have created a Charter which takes the TCPA principles and applies these to the 21st century North Essex context. BDC would be supportive of UDC looking to adopt the same Charter principles across all its garden communities and in particular the garden community to the West of Braintree. The Charter could be referenced within the text and adopted as part of the evidence base. In particular the charter principles of Innovative Delivery Structure and Active Local Stewardship are not covered in either policy SP5 or SP8.

Policy SP8 – West of Braintree Garden Community (See also comments to SP5).

- This policy sets out some broad requirements of the development at West of Braintree. In the introductory paragraph however it notes that the policies here will only apply to the parts of the garden community in Uttlesford. BDC is keen to work with Uttlesford on planning the new garden community as a whole, which is 'boundary blind'. This means that development and land uses should take place on the most suitable parts of the site for those uses and not because of their location on one side or other of a District boundary. As such it is our intention that we work together on the Development Plan Document to produce a single set of policy criteria which will apply across the whole site.
- Compared to policy SP10 of the Braintree District Local Plan, this policy provides much less detail and context for the development. Whilst the overall principles are generally reflected within both policies there is an opportunity here to share a single planning context which would then be reflected within the joint DPD. BDC would be supportive of UDC using the policies already set out in the BDC Local Plan within its Local Plan on the West of Braintree Garden Community.
- If this is not to be the case and taking into account the comments made on policy SP5, BDC welcomes the reference to traffic management in Rayne and Braintree and improvements at Bocking water recycling centre.
- However the policy does not include reference to green buffers which would be within the area of search and which would act as an appropriate buffer between the built development in the garden community and surrounding villages, hamlets or natural or heritage features that require a setting. These areas would be relatively large scale and could be used for a variety of land uses, from being retained agricultural land to useable open space for the development.
- The policy does also not reference the minerals site which is located within the overall site. Whilst not within the UDC appropriate references may be useful in the UDC Plan to take this into account.

Map of West Braintree garden community area of search

- BDC welcomes the reflection of the BDC area of search for the West of Braintree garden community within the map shown within the UDC Local Plan and for the consistency with which the land within UDC is shown on the Plan. At present the area of search within UDC is strictly based upon land submitted during the 'Call for Sites' and this has resulted in effectively two separate triangles of development within UDC. Through the DPD process the area of search will be refined to a red line boundary, however it is considered that the area of search should show the

maximum possible extent of a garden community and the managed buffer. By missing out this central triangle there is a risk that if built development moved either north or south within the BDC area, this could isolate these areas, potentially making them less suitable for development. It should therefore be considered that the area of search be extended within UDC to include the area in the centre of the map which ensures maximum flexibility for the location of the built development within the area of search.

Policy RET1 – Town and Local Centres Strategy

- BDC welcomes the recognition of the West of Braintree garden community has a local retail centre in the policy. However we would welcome clarification if this is related to only the Plan period. Whilst the changing nature of town centres and retail makes future requirements difficult to predict, it is likely that a town the size of the West of Braintree garden community is likely to require a town centre in the long term.

Paragraph 7.15 Modal Shift

- As currently worded the paragraph suggests that a modal shift of between 5 and 10% from single occupancy car use may be possible in the Plan period. However by referencing the garden communities earlier on in the paragraph the assumption may be that a similar modal shift is being targeted. In fact a much more ambitious modal shift is being proposed in the garden communities with the opportunities that they offer and the commitment to active and sustainable transport modes. The wording of the paragraph would therefore benefit from amendments.

Policy TA5 – New Transport infrastructure or Measures

- BDC strongly welcomes the inclusion within this policy of the measures to improve the Braintree branch line which if completed would provide a more regular and reliable service from Braintree and Freeport railway stations. However the wording in the policy indicates that scheme has been approved for control period 6 which BDC do not believe is the current position. However BDC would welcome the support of UDC in moving this scheme forward.

Policy D4 – Development Frameworks and Codes

- This policy sets out when and how development frameworks should be provided for strategic sites. However as a catch all policy for all strategic development sites it is only able to speak in generalities. The approach that will be taken forward for the West of Braintree Garden Community is different to other sites, being driven by the local authorities and not by individual landowners, as such a separate section in this policy may be appropriate which can be built on within the site specific DPD.

Policy D5 – Design Review

- BDC is extremely supportive of the garden community at West of Braintree being of outstanding design. However at this stage it is considered that this policy maybe unduly restrictive as it is too early to specify a specific process and company to undertake a design review. On a scheme of this size and complexity, a site specific solution is likely to be sought to achieve the best results which may not accord with that laid out in this policy.

Policy M1 – Monitoring and Review

- BDC is supportive of criteria d in this policy which sets out the potential opportunity to use Compulsory Purchase Order Powers. However as there is a second policy on the monitoring of major projects it is not clear as to whether this criteria could be applied to the garden community, if it was required.

Policy M2 – Implementation of Monitoring and Major Projects

- As mentioned already within our response, the delivery of the West of Braintree Garden Community may be on a different model to that on other major projects within UDC. As such it may require a bespoke policy which, as it applies across two local authority areas, could be set out in detail within the site specific DPD, with the broad principles set out here.
- Housing delivery within the garden communities is of course very important but BDC are concerned that as currently worded the contingency measures set out in the policy could leave the door open for developers to try and vary planning conditions to reduce the amount of community facilities, infrastructure contributions or land for non-residential uses in the garden community. The timely provision of these facilities, infrastructure and a mix of uses on the site are a key component of the garden community principles and are key to the vision for the new standalone new garden community. We do not believe it is the intention of UDC, but the wording within this section may need to be revised to make this clear.

Appendix 3 – Housing Trajectory

- It may be of benefit to separate out the delivery from the three garden communities in the housing trajectory contained within Appendix 3 for clarity and ease of reference. Part of the work on the joint DPD will be to set out in more detail a housing trajectory and phasing plan for the West of Braintree, particularly focusing on the early stages of delivery.
- We look forward to continuing to work with UDC and further developing our relationship with officers and members as we work together in a joined up way to progress a new garden community at West of Braintree.

Cambridgeshire County Council

- The comments set out below refer specially to the proposed North Uttlesford Garden Community.

EDUCATION

- COMMENT: The proposals for a new garden village at North Uttlesford do not raise significant education concerns for the Council as whilst there is currently no surplus capacity within the adjacent school catchment areas in South Cambridgeshire, it is expected that development of this scale, in Essex, would provide appropriate on-site mitigation to meet the growth in demand resulting from the proposed development.
- COMMENT: As adjacent education authorities, officers already work closely with colleagues from Essex County Council, who are the statutory education authority in this case, in planning for strategic development. If, as part of any Essex County Council review on the impact of the proposed development,

there is a need to give wider consideration to the pattern of provision of Secondary, Post-16 and SEN provision, then Cambridgeshire County Council officers would assess what the implications of any changes would be and consider what patterns of cross border movement may exist, or emerge, and how the two authorities can work together to best meet the needs of children and young people in their areas.

- Any impact on Cambridgeshire infrastructure would need to be fully funded by the development.

TRANSPORT – North Uttlesford Garden Community

- **COMMENT:** The highway network in this area of South Cambridgeshire already experiences severely congested conditions at peak times, with the A505 between Royston and the A11 one of the most heavily trafficked routes in Cambridgeshire. In addition many of the junctions in the area are already extremely congested at peak times, particularly around the junction with the A505 and A1301 and at Junction 10 of the M11. Council officers have welcomed the opportunity of involvement with Uttlesford District Council on its transport evidence base - its Traffic Study and the South Cambridgeshire Junction Assessments work to investigate these issues. However, to date, Council officers have not been satisfied with the conclusions drawn from these studies with regards to improvements to junctions on the A505 in Cambridgeshire and the ability of any development to mitigate its impact in transport terms.
- **OBJECTION:** Cambridgeshire County Council (and South Cambridgeshire District Council) officers jointly share the concern that the development at NUGC is reliant on large-scale improvements to the A505 for which no scheme has been identified and no firm timescales are in place for study work to begin.
- **COMMENT:** The draft Local Plan states that the proposed developer funded highway improvements could accommodate up to 3,300 homes at the proposed development. Development beyond that would depend on strategic highway improvements e.g. upgrading the A505 between the M11 and A11.
- **COMMENT:** The Council wishes to continue dialogue with UDC regarding the proposed cap on development of 3,300 homes until strategic highway improvements are implemented, as well as on the detail of the proposed infrastructure improvements. It would seem that even the delivery of these 3,300 homes would remove any 'spare' capacity on the Cambridgeshire highway network close to the Uttlesford border, and officers are already aware of growth aspirations of employment sites in this part of South Cambridgeshire.
- **COMMENT:** The Council firmly believes that development in Uttlesford should demonstrate that its impacts on the Cambridgeshire transport network could be mitigated, and would urge that all new development proposed should take account of existing congestion issues and aim to promote travel by non-car modes.

- COMMENT: Council officers are keen to continue to work with UDC on the development framework for the North Uttlesford Garden Community and wishes to be consulted on any planning applications under the duty to co-operate, as well as on any travel plans for the proposed site.
- COMMENT: Given the high levels of car ownership in Uttlesford District and a high proportion of travel to work journeys being made by car (around 70%), Council officers would question the assumptions made about the high levels of self-containment anticipated at the site.
- COMMENT: Related to this, the draft Local Plan states that the A11 and A1307 would form the main route from the proposed site towards Cambridge, and that around 32% of work trips are estimated to be towards Cambridge. The A1307 already experiences congestion at peak times and has a long history of safety issues. The Council requires reassurance that these issues have been taken into consideration and also that liaison has taken place with Suffolk County Council and neighbouring districts regarding growth plans for Haverhill and the surrounding area.

A505 Strategic Study

- COMMENT: In 2016 the Council bid for funding for a for a strategic transport study of the A505 corridor. However, the bid was unsuccessful. The Council still intends to undertake a study to look at the A505, however, currently there are no timescales for when this work could start. Officers would like to work with UDC as we take this study forward.
- COMMENT: Recently, the Department for Transport has published proposals for a Major Roads Network. It is possible that the A505 may form part of this network in the future and this may provide access to a national funding pot.
- **Greater Cambridge Partnership - A1307 Scheme Development.**
- COMMENT: As part of the Three Campuses to Cambridge Scheme options are being developed to improve connections along the A1307 between the major employment sites of Granta Park, Babraham Research Campus and the Cambridge Biomedical Campus for bus, cycling and walking journeys and there may be opportunities for any developments bordering Cambridgeshire to contribute to these transport interventions as they develop.
- COMMENT: Officers from Cambridgeshire County Council (and South Cambridgeshire District Council) welcomed the opportunity for early dialogue with the promoters of the NUGC site and their transport consultants at a meeting on 9th August, but do not share the view that relieving pressure on the M11 junction 8 is a good enough justification for development in the north of Uttlesford district, when transport mitigation of this site has not been demonstrated.
- COMMENT: Officers do agree, to an extent, that there are opportunities at the NUGC for improving travel by sustainable modes, with rail stations at Great Chesterford and Whittlesford Parkway and opportunities for bus travel improvements and more local journeys made by foot and bicycle. However, evidence to demonstrate such sustainable travel patterns would be required.

Transport Evidence Background Growth

- COMMENT: The transport evidence has compared growth rates from the industry transport modelling tool 'TEMPRO' with dwelling growth from Uttlesford's own growth assumptions, as set out in its 'uncertainty log' (a record of assumptions made in the model that will affect travel demand and supply). In instances where TEMPRO projects a higher growth rate than the uncertainty log, the evidence has assumed TEMPRO level of growth.
 - For housing, by using TEMPRO, substantially more housing is assumed as committed development across Cambridge and South Cambridgeshire by 2033 than if Objectively Assessed Need as set out in Cambridgeshire local plans (+3,386 in Cambridge, -558 in South Cambridgeshire) was used. This represents a robust future year assessment though has the potential to underestimate the proportional impact from Uttlesford developments.
 - For employment TEMPRO generates a figure for jobs across Cambridge and South Cambridgeshire of 24,042 by 2033 which is 20,058 fewer than the objectively assessed need for jobs from our Local Plans (44,100 extra jobs), which is a significant difference and causes concern to CCC that assumptions regarding background employment growth are not robust.

Chelmsford City Council

- Chelmsford City Council (CCC) welcomes the opportunity to comment on Uttlesford's Draft Local Plan to help influence the emerging document and monitor the key cross-boundary and strategic issues that affect Chelmsford City Council's administrative area.
- The objectively assessed housing need for Uttlesford is 14,100 dwellings – an average annual requirement of 641 dwellings during the plan period (2011-2033), based on 2016 figures. Uttlesford have worked with their Housing Market Area partners (East Herts, Epping Forest and Harlow) to produce the SHMA and have identified allocations which seek to meet the identified need within the administrative boundary of Uttlesford.
- Of interest to Chelmsford is the proposed garden communities at West of Braintree and Easton Park and the potential impacts these may have on Chelmsford. Both these garden communities will provide significant new homes during the plan period and beyond. Easton Park is proposed for 10,000 new homes with 1,800 to be delivered during the plan period. West of Braintree is also proposed for 10,000 new homes with 970 to be delivered during the plan period. This would be delivered as part of the wider proposals for a new garden community in this location which are contained within Braintree District's Local Plan.
- The development proposed at Great Dunmow is also of interest to Chelmsford with an additional 734 new homes and 21,000 square metres of employment use. It is recognised that there are existing committed schemes at Great Dunmow which brings the total number of new homes to 3,263 over the plan period.
- In regards to villages located in close proximity to Chelmsford's administrative boundary, these are classed as either Type A or Type B villages. Of interest to

Chelmsford are Type A villages of Felsted, Flitch Green and Leaden Roding. It is noted that there is limited development proposed for Type A villages in line with Policy SP2, with just 44 new homes allocations across all the Type A Villages. There are no new allocations for housing proposed in Type B villages.

- The Gypsy and Traveller Accommodation Assessment (GTAA) identified that there is a need for one additional pitch and therefore the Local Plan provides a criteria based policy (H9) for assessing any applications. CCC notes that provision for Gypsies and Travellers is also met within the administrative boundary of Uttlesford with reliance placed on the criteria based policy for any new proposals.
- In principle CCC supports the Uttlesford Local Plan and notes that Uttlesford DC is committed to meeting its housing, employment and Gypsy and Traveller needs in full within its administrative boundary.
- Officers welcome recent discussions as part of the Duty to Cooperate (DTC) between the two authorities with a key discussion point raised in regards to transport infrastructure and the potential impacts on the A120 and surrounding road network arising from the proposed new settlements around the Uttlesford, Braintree and Chelmsford borders. These comprise the proposals for the new garden communities along the A120, the CCC proposed site allocation at Great Leighs (Strategic Growth Site 5 Moulsham Hall and North of Great Leighs) in addition to an allocation by Braintree District Council, south of Braintree. Highways junction modelling is currently being undertaken by CCC, with both authorities agreeing to continue to share relevant information to support effective joint working.
- CCC welcomes the wider commitment to continue working with UDC through the duty to cooperate during the Local Plan consultations and subsequent implementation.

East Hertfordshire District Council

- East Herts Council endorses the positive and proactive approach taken in the Uttlesford Local Plan to ensure that the identified housing needs are met across the Plan period. The Plan exceeds the needs identified in the recent SHMA update of July 2017 by some 700 homes, thus building in an element of flexibility.
- Whilst East Herts Council is generally supportive of the Uttlesford Local Plan consultation document, the Council considers that there are a number of areas of the Plan that require amendment, either in order to make the Plan sound or for clarification and robustness purposes:
 - Table 3.4: The Windfall Allowance row is titled incorrectly. It should say 2016-2033 as it is the remaining plan period at 70 per year for 17 years.
 - Paragraph 3.68 to 3.70: The second purpose of the Green Belt is to prevent neighbouring towns merging into one another, not margining. East Herts Council maintains its view that land to the south of the A120 adjacent to Bishop's Stortford does not meet the purposes of the Green Belt, being surrounded by built development and the bypass, and should be released from the Green Belt and allocated for employment uses.

- Paragraph 4.7 and 4.37: East Herts Council consider that the Plan is not clear on its approach towards Gypsies and Travellers and Travelling Showpeople, in that the text does not actually identify clearly what the needs are. The Plan describes the number of people interviewed but does not state what number of plots or pitches the Plan requires nor whether there are sufficient allocations to meet these needs. A criteria based policy is insufficient if there are needs to be met. The Plan does not seek to make provision for those who no longer meet the Planning policy for traveller sites definition i.e. Non-Nomadic Travellers. It is therefore recommended that further evidence is undertaken to clarify the position of the 'unknown' households to ensure that appropriate accommodation options are planned for.
- Policy SP11 – London Stansted Airport: The policy should make specific mention to junction 8 of the M11. The policy references in Airport development Part 9 that proposals should “incorporate suitable road access for vehicles including any necessary improvements required as a result of the development”. However, no mention is made to the strategic highway network. With the proposed easing of the restriction to the use of the Northern Ancillary Area to non-airport related employment uses, in addition to growth at the airport itself, measures will need to be taken to ensure that the necessary junction upgrades are made in a timely fashion. East Herts Council is committed to working with Uttlesford District Council, Hertfordshire County Council, Essex County Council and the Highways Agency to ensuring that the appropriate mitigation measures are delivered.
- Paragraph 5.20: The Plan states there is an aspiration for 'strategic' warehouse and distribution depots in locations with ready access to Junction 8 of the M11. Linked to the comment on Policy SP11, such aspirations will need to take account of the cumulative impacts of growth from residential and airport related development within East Herts and Uttlesford districts on the junction and the need to identify appropriate mitigation measures to improve the capacity of the junction.
- Policy TA3 – Provision of Electric Charging Points for Vehicles: East Herts Council supports the Council's approach to encouraging modal shift and making provision for electric vehicle charging points. However, it is considered that Policy TA3 is confusing and not well-related to the supporting text. The wording in this policy in respect of provision for flats (<50 units) does not correspond with the intentions of the preceding paragraph 7.22, which seeks 10% minimum provision. It is therefore unclear whether Policy TA3 intends that there would only be one charging point space per 50 flats or whether there would be at least 10% provision, to accord with paragraph 7.22, via the “(subject to minimum provision as above)” wording. If the latter is the case then the 10% minimum provision should be spelt out specifically within the policy as a reference to supporting text would not constitute formal policy.
- In order to avoid any other ambiguity in the interpretation of the policy wording it is suggested that 'One parking bay marked out for use by electric vehicles *only*' (which may be taken to imply that there would only be one space provided) be replaced with 'One parking bay marked out *only* for use by electric vehicles' (*emphasis added for identification purposes*).

- Policy TA5 – New Transport Infrastructure or Measures: This policy currently contains a significant amount of wording that would be better placed in supporting text where it relates to measures that have already been implemented. It is suggested that the policy would be better served by splitting out the narrative around these areas to a preceding paragraph and that a more succinct policy, listing only measures yet to be delivered, should be developed.
- Policy INF2: Protection and Provision of Open Spaces, Sports Facilities and Playing Pitches: The Plan is unclear what the requirements are for open space for sport and recreation, including built facilities and outdoor playing pitches. Policy INF2 only sets standards for the provision of amenity green space, provision for children and young people and allotments. There is no standard or requirement for sports facilities including indoor facilities or outdoor playing pitches.
- Policy INF3 – Health Impact Assessments: Whilst East Herts Council commends Policy INF3 on requiring Health Impact Assessments, it is considered that the policy is limited to health facilities and restricting fast food takeaway uses, but omits other aspects such as the use of design tools to enable preventative health and wellbeing measures such as fit trails, formal and informal recreation, green spaces, street trees and priorities for walking and cycling over vehicle use. The Plan is non-committal on community spaces and places for worship apart from within the rural area.
- The Plan contains many policies on design, including on sustainable design, the environment and historic environment, which East Herts Council supports.
- Policy C2 – Re-use of Rural Buildings: The last bullet point of Policy C2 Re-use of Rural Buildings referring to change of use of agricultural land to domestic gardens should be removed as this is covered in Policy C3.
- Policy M1 – Monitoring and Review / Policy M2 – Implementation and Monitoring of Major Projects: East Herts Council supports the Council's proposed approaches to monitoring the delivery of the Local Plan, in particular the delivery of the three proposed new settlements.

Epping Forest District Council

- This Council is pleased to note that the strategic policies in the District Plan reflect the discussions and agreements that we have reached at the Cooperation for Sustainable Development Member Board.
- The Regulation 18 Local Plan is based on the agreed vision for the LSCC Core Area and meets the objectively assessed housing and employment needs identified in the 2015 SHMA and the additional joint work we have undertaken as a group to ascertain the appropriate and deliverable growth around Harlow in the plan period up to 2033. It properly addresses the transport infrastructure requirements that we have identified and included in the Highways and Transportation Infrastructure MOU for the West Essex and East Herts area. We consider that the plan is based on effective joint working on cross boundary strategic priorities and we look forward to ongoing and active cooperation with Uttlesford District Council.

- In relation to specific paragraphs or policies of the Regulation 18 Local Plan Epping Forest District Council has also made the following comments:
 - The Uttlesford Regulation 18 Local Plan contains a number of strategic policies in Chapter 3 of the Plan. This sets out their approach and includes at paragraphs 3.31 – 3.33 the vision for the London Stansted Cambridge Corridor Core Area which is in line with the vision agreed by the Cooperation for Sustainable Development Member Board and is identical to that included in the Epping Forest District Draft Local Plan. It is considered, however, it would make it helpful if in future versions of the emerging Local Plan that this was presented in such a way as to make it clear that this is the agreed vision e.g. by way of including this within a separate text box, rather than within the main body of the document.
 - **Policy SP3 - The Scale and Distribution of Housing Development** provides for a minimum of 14,100 homes in Uttlesford District up to 2033. The minimum number of new homes at 14,100 is more than that identified in the SHMA update using the 2014 ONS and DCLG data undertaken by ORS and reported to the Member Board in 2016 and the figures set out in the signed MoU (i.e. 12,500 new homes). Such an approach enables Uttlesford District to meet all of its identified housing need within its own boundaries. Such an approach is to be welcomed, as it would also make a contribution towards the higher figures for the HMA based on the 2014 ONS and DCLG data. It is also noted that the potential for Uttlesford to take such an approach was identified in the March 2017 MoU. It is also consistent with the most recent work undertaken by ORS in July 2017 (which used the ONS population estimates published in June 2017 and the GLA 2016 based household projections published in July 2017) to support the East Herts Local Plan examination which shows the full objectively assessed need for Uttlesford as 13,332 and an HMA wide need of 51,710 homes.
 - **Policy SP4 - Provision of Jobs** allows for a minimum net increase of 14,630 jobs in the period 2011-2033 to maintain a broad balance between homes and jobs and to maintain a diverse economic base. This is the lower of the 665 - 675 jobs per annum figure set out in Appendix 3 Figure 11 of the March 2017 MoU referred to above. Uttlesford consider that this medium growth option is the most appropriate. The majority of the jobs are indicated as being in non-B use class uses such as retail, education and other services. The B use class jobs (offices, industrial and warehouses) would provide around 10% of the overall jobs growth in the District over the Local Plan period. Uttlesford consider that together the 2015 Joint Economic Report (JER) commissioned by Uttlesford, in partnership with Harlow, East Hertfordshire and Epping Forest District Councils and their own 2017 Employment Land Review provide the most up to date and policy-compliant assessment of employment need across the Functional Economic Market Area for the period 2011-2033. The delivery of Policy SP4 is supported by Policy EMP1 - Employment Strategy.
 - The above policies are in line with the figures identified in the Memorandum of Understanding on Distribution of Objectively Assessed Housing Need across the West Essex/East Hertfordshire HMA (signed March 2017) and are also

compatible with Epping Forest District's Draft Local Plan (October 2016). Therefore, Epping Forest District Council supports the approach to housing need, location and supply set out in the Uttlesford District Council Regulation 18 Local Plan. It is noted that paragraph 3.38 makes reference to three draft MoUs. However, these were all signed in March 2017 i.e. prior to the publication of the Regulation 18 Local Plan. The approach to future jobs and employment provision set out within the Plan is noted and broadly supported. However, it should be noted that Uttlesford, together with Epping Forest District, Harlow and East Herts District Councils are working together to produce updated evidence in relation to employment needs and future distribution across the Functional Economic Market Area. Epping Forest District Council will continue to work with Uttlesford and other partners in order to further consider and agree how and where the future employment needs of the Functional Economic Market Area will be met, and it is assumed that the outcome from this work will be reflected in a Memorandum of Understanding and the next iteration of the Local Plan.

- **Policy SP5 - Garden Community Principles** sets out the approach to be taken in delivering the three identified garden communities. The approach included sets out that prior to any planning applications being considered detailed development frameworks for each of the garden communities will be prepared as development plan or supplementary planning documents and adopted by the local planning authority, demonstrating how the development accords with the garden city principles defined by the Town and Country Planning Association and the wider definition of sustainable development outlined in the National Planning Policy Framework. Epping Forest District Council supports the inclusion of Policy SP5 of the Uttlesford Regulation 18 Local Plan which aligns with the approach set out in the Epping Forest District Draft Local Plan (October 2016).

- **Policy SP6 - Easton Park Garden Community, and Policy SP8 - West of Braintree Garden Community** set out in more detail specific approaches to development of the communities including in respect of strategic transport infrastructure. As such Policy SP6 sets out the need to provide the main vehicular access from the A120, including improvements to the A120 and M11 Junction 8 whilst Policy SP8 includes the reconfiguration of and improvements to junctions on the A120, allowing access in all directions and that contributions will be sought for improving M11 Junction 8. This approach accords with the Memorandum of Understanding on Highways and Transport Infrastructure in the W Essex/East Hertfordshire Housing Market Area signed in March 2017. In addition Policy SP6 sets out the need to provide transport choice, including the delivery of a direct high quality, frequent and fast direct public transport link to London Stansted Airport and Great Dunmow in the early delivery phase of the garden community and a network of safe walking and cycling routes both within the garden community and beyond to other nearby destinations. Policy SP8 sets out that development should provide transport choice, including high quality, frequent and fast public transport services to Great Dunmow and Braintree, and a network of safe walking and cycling routes, including connections with and improvements to the Flitch Way. Epping Forest District Council supports this approach. It would be helpful if

any future supporting text makes reference to the fact that the strategic highways infrastructure requirements are identified in the Memorandum of Understanding on Highways and Transport Infrastructure in the West Essex/East Hertfordshire HMA (signed March 2017).

- **Policy SP11 – London Stansted Airport** sets out support for the growth of London Stansted Airport recognising its importance to the Uttlesford, the sub-regional and national economy. The policy also sets out a range of criteria against which development proposals will be tested including that the necessary public transport infrastructure and service capacity to serve the airport and meet permitted passenger numbers must be maintained and improved to accommodate passenger movements. An integrated approach must be demonstrated within the framework of a surface access strategy. Policy SP11 also sets out the need to incorporate sustainable transportation and surface access measures in particular which minimise use of the private car, maximise the use of sustainable transport modes and seek to meet modal shift targets, all in accordance with the London Stansted Sustainable Development Plan and incorporate suitable road access for vehicles including any necessary improvements required as a result of the development. In addition development would need to demonstrate that it does not result in a significant increase in Air Transport Movements that would adversely affect the amenities of surrounding occupiers or the local environment (in terms of noise, disturbance, air quality and climate change impacts). Epping Forest District Council supports the inclusion of Policy SP11 which is in accordance with the LSCC Vision.

- The Council is therefore pleased to note that the Uttlesford Regulation 18 Local Plan is in line with the agreements reached with EFDC and the other authorities in the Strategic Housing Market Area. We note that reference has been made to the Housing and Transport MoUs. It would be helpful in the interests of completeness if reference was also made to the MoU agreed in March 2017 for managing the impacts of growth within the West Essex/East Hertfordshire HMA on Epping Forest Special Area of Conservation.

Essex County Council

Due to its length and detail the entirety of Essex County Council's response is attached as Appendix 2 to this report.

Greater London Authority

- Uttlesford sits within the London - Stansted - Cambridge - Peterborough Corridor extending from north London through Hertfordshire and Essex. Policy 2.3 of the current London Plan sets out how these corridors can support strategic co-ordination of planning and investment. For the emerging new London Plan a corridor-approach is again being considered, and the borough's involvement in the London Stansted Cambridge Consortium is supported.
- From an economic perspective, we understand the update of the Objectively Assessed Economic Need work is underway. Given the District's location on the

M11 corridor, it may be useful to explore relevant economic linkages including the Council's thoughts on land for industry and logistics and the role this may play for the wider area.

- In terms of housing, the use of longer term historic migration trends in the West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA) is welcomed, and we support the consideration of our latest population and household projections in the latest SHMA update. Our latest projections include consistent outputs for all local authorities in England and will form the basis for housing need in the next London Plan.
- We also welcome the Council's commitment to meet its need in full. We recognise the partnership work within the West Essex and East Hertfordshire Market Area. We also support the identification of three Garden Communities providing longer term growth opportunities. We would like to offer a specific conversation with the Council about the scale of these Garden Communities and infrastructure requirements they may depend on.
- From a transport perspective, Crossrail 2 will help to support improved train services on the West Anglia Mainline potentially benefitting a number of stations in Uttlesford including Great Chesterford. Increased rail capacity will help future growth in the District and increase sustainable travel options.

Harlow District Council

- The acknowledgment of the longstanding collaborative working with Uttlesford Council related to strategic planning matters within the London Stansted Cambridge Corridor, particularly in relation to infrastructure requirements and economic development, is welcomed. Under the Duty to Co-operate there has also been joint work to define OAHN across the West Essex–East Hertfordshire Housing Market Area since 2010 and joint work is also underway regarding the overall scale of employment growth within the Functional Economic Market Area (Paras 3.27 to 3.38).
- The recognition given to the broader regeneration and sustainable growth of Harlow is also welcomed as well as Harlow's role as a key retail centre with Cambridge and Chelmsford. Para. 3.32 could also refer to the Harlow & Gilston Garden Town.
- London Stansted Airport (SP11, SP2) - The Draft Local Plan acknowledges the interdependencies between London Stansted Airport and Harlow, East Hertfordshire and Epping Forest as the airport provides and underpins employment for a pool of workers and businesses from neighbouring local authority areas. Officers also welcome the principle of maximising the potential of unused or under-used land within the Airport which had previously been identified within the Adopted Local Plan specifically for development directly related to or associated with the airport.
- Policy SP11 includes the allocation of 55 hectares of land within the Northern Ancillary Area for B2 and B8 employment uses not restricted to airport-related development and also allows small scale ancillary retail and leisure. It would be helpful to define what is meant by small scale in this regard. The effective management of a wider variety of use classes and the juxtaposition with

established uses within the airport will require careful consideration; the definition of thresholds/ safeguards within the policy may be helpful in the preparation of briefs/ masterplans.

- The West Essex and East Hertfordshire Strategic Housing Market (SHMA) and Functional Economic Market Area (paras 3.28, 3.37, 3.42) - Para. 3.28 could be expanded to include the local authorities in the West Essex - East Hertfordshire Housing Market Area. Para.3.37 could also refer to the latest available joint evidence on FOHN published in July 2017 by ORS. The figure of 14,100 new homes in Para 3.42 is not formally referenced.
- Housing: (Policy SP3, SP6.1, SP7.1, SP8.1, Para 3.61) - The scale and distribution set out matches the OAHN of 14,100 with no buffer for possible under-delivery over the life of the Local Plan. The Garden Communities may be dependent on the implementation of strategic infrastructure projects with long lead-in times. Policy SP6.1 refers to the delivery of 10,000 new dwellings, of which a minimum of 1,800 will be delivered by 2033. The corresponding sentences for SP7 and SP8 do not specify figures as minima. Para. 3.61 refers to a cap of 3,300 new homes for any new allocation at North Uttlesford Garden Community; this has not been referenced in Policy SP7.
- Further the provision of affordable housing is also a key planning consideration, given the needs identified in the joint West Essex and East Hertfordshire Strategic Housing Market Assessment. The specific need set out for Harlow District is particularly challenging given the tight administrative boundaries of the district and wider viability issues. Further clarification will be needed to ensure that any unmet need that may arise in Harlow, are properly considered and that such needs are met at sustainable locations.
- Place shaping (Policy SP4) - The commitment to work with Harlow and East Hertfordshire District Councils and Hertfordshire and Essex County Councils, in partnership with relevant Local Enterprise Partnerships, to bring forward transformational growth for the area is welcomed. The recognition to achieve Garden City principles in strategically planned developments, as set out in Policy SP5, is supported. If there is an aspiration for water neutrality, then it would be helpful to state this.
- Employment (para 3.53, Policy SP4) - Harlow welcomes the authority's recognition of Harlow's role as major location for economic growth and the importance of the Enterprise Zone. Harlow would be willing to continue to work with Uttlesford Council to further quantify the employment land requirement to support strategic housing allocations. Where the number of jobs has been specified, e.g. Policy SP4, land take for employment could be inserted.
- Retail Policy (Para 6.9, Policy RET1, RET2 and RET5) - The recognition given that it is an unrealistic position for settlements in Uttlesford to compete against Harlow's retail sub-regional role is welcome given the largely rural nature of Uttlesford District. Future retail floorspace for each garden community could be linked to the Retail Impact Assessment threshold mentioned in Policy RET2 (1000m²).
- Garden Communities (Para 5.35, SP6, SP7, SP8) - There is concern that the potential cumulative impact of housing and employment development proposed in the Garden Communities on the highway network is not clear at this point. The uncertainty is increased as the employment allocations are not fully explained in

terms of location, scale and type. Appendix 4, Principle 5, does state: “New Garden Cities must provide a full range of employment opportunities, with the aim of no less than one job per new household”. There is a long standing commitment for joint collaboration on economic development and infrastructure requirements between the authorities. Additional clarity would provide transparency to developers, stakeholders, remove the risk of possible competition with Harlow’s Enterprise Zone and allay possible concerns regarding air quality.

- Sustainability Appraisal:
 - There is support for the recommendations set down in Section 9.3 of the Sustainability Appraisal, particularly in respect of the revisions to the spatial objectives. A reference to aspirations relating to water quality and the conservation of high grade soils would be welcomed.
 - The Draft Local Plan refers to high consumption of water at para 10.41. Harlow District is also within the Affinity Water Central Area for water supply. Both districts are within an area of serious water stress. 97% of Uttlesford District is agricultural land and has been acknowledged as a highly productive arable farming area. The water efficiency target of 110 litres/ person/ day within Policy EN13 for new residential development is supported.
- Harlow Council looks forward to further joint working with Uttlesford Council under the Duty to Cooperate. This is primarily to agree a framework for the delivery of sustainable growth which is supported by appropriate infrastructure to the benefit of the residents and businesses in both districts.

Hertfordshire County Council

Hertfordshire County Council’s response on transport matters is set out below:

- **Relationship between Uttlesford and Hertfordshire Networks:**
 - There are several Hertfordshire towns and villages in close proximity to the border including Sawbridgeworth, Bishops Stortford, Much/Little Hadham and Royston.
 - The M11 runs North/South through Uttlesford offering connections into Hertfordshire via A120 and A414 at junctions 7 & 8. The A120 provides an east/west connection through Uttlesford to Stansted Airport and Colchester to the east and on through East Hertfordshire to the west linking to the A10, which is a major route in Hertfordshire connecting Cambridge and London.
 - There are several railways stations in Uttlesford including Elsenham, Stansted Mountfitchet, Great Chestford, Newport and Stansted Airport which offer services to London Liverpool Street and connections with Hertfordshire rail stations including Sawbridgeworth, Bishops Stortford, Broxbourne and Cheshunt.
 - There are bus services that operate from Bishops Stortford in Hertfordshire to towns in Uttlesford including Saffron Waldon as an hourly service Monday to Saturday and Clavering, Monday to Thursday with limited service. Stansted Airport is also served from Bishops Stortford offering an hourly Monday to Saturday service and a limited Sunday service.

- A Draft Memorandum of Understanding (MoU) has been developed with Hertfordshire County Council and Highways England in relation to the provision of strategic highways and transport infrastructure to support the delivery of the strategic housing and economic needs of the wider area.

- **Impact of Uttlesford growth on Hertfordshire:**

- Two of the proposed new Garden Communities are potential of most significance in terms of influence/ impact upon Hertfordshire - Easton Park (west of Great Dunmow) and North Uttlesford (near Great Chesterford).
- The County Council is concerned over the proposed cumulative impact of development in and around Great Chesterford on the Hertfordshire network. In particular, the A505 runs to the north of the site providing east west connections to the A10 and A1. Junctions are already operating close to capacity in the Royston area and M11 junction 10 is a constraint. The Easton Park proposal similarly has potential to exacerbate issues on the A120 and Bishops Stortford.
- The Transport Study accompanying the consultation identifies capacity issues both in the reference case and in all development scenarios on the A120 Bishops Stortford bypass and on the A505 west of the M11. In traffic terms scenario 10, which includes new garden communities west of Great Dunmow and West of Braintree along with smaller scale development spread across the other towns and villages, produces the best results overall. High levels of stress are however evident on the A120 corridor and there is a recognition that the current short – medium term junction improvements proposed at M11 junction 8, A120/A1250 and A120/B1383 will not be sufficient to accommodate the levels of growth proposed. The report identifies the need for further mitigation measures including the implementation of a Smart Motorway on the M11 and major improvements to M11 junction 8. No clear funding mechanism is identified so deliverability is uncertain at this stage. The preferred scenario from the transport study does not include housing growth at Great Chesterford, although employment growth is assumed here. This is shown as leading to increased traffic flow and stress on the A505 west of the M11 (section in South Cambridgeshire which is at capacity). There is no information in the study on the impact at the junctions north of Royston.

- **Stansted Airport**

- With continued airport growth, discussion is required in relation to the M11 motorway from south of Junction 8 at Bishop's Stortford to Junction 9/9A at Great Chesterford/Stump Cross, A120 close to Bishop's Stortford and any B class roads that will impact highway capacity in Hertfordshire.

- **Growth in villages**

- Smaller scale development is proposed in a number of villages around Hertfordshire's borders. Stansted Mountfitchet in particular has a strong synergy with Bishops Stortford and the encouragement for developers to promote sustainable transport infrastructure measures to reduce demand for car travel is supported (particularly given the potential offered by the rail station and the short travel distances involved).

- **Next steps**

- The County Council welcomes reference to working with adjoining authorities on shared transport implications and those generated by proposed growth in Uttlesford and looks forward to that dialogue progressing in due course – particularly in relation to those issues raised above.

Hertfordshire County Council's Property (Development Services) response on behalf of Children's Services is set out below:

- The most relevant residential allocations proposed that may have an impact on school places in Hertfordshire are Stansted Mountfitchet, Takeley, Clavering (Type A village) and Little Hallingbury (Type A village).
- It is suggested in the consultation document that approximately 62 dwellings could be provided in Stansted Mountfitchet and 42 dwellings in Takeley. Both settlements have a relationship with Hertfordshire with children resident in these areas attending schools in Bishops Stortford.
- Primary Schools:
 - At primary level, HCC has in recent years increased capacity on a temporary basis to ensure sufficient reception places have been available to meet local demand. HCC is also proposing to expand St Joseph's Primary School in Bishop's Stortford to 2fe from 2018 which will increase places for local children by 0.5fe. Forecasts are being closely monitored to ensure sufficient capacity exists for the future.
 - HCC is planning new school provision to meet the anticipated yield arising from the new development of around 2,500 homes at Bishops Stortford North. This development will provide additional primary schools and new secondary provision to meet the needs of these new communities.
 - We would anticipate that any increase in demand arising from new housing proposed in Uttlesford is managed in that local area with new school places being provided where required as part of Essex County Council's school planning strategy.
- Secondary Schools:
 - With regard to secondary school places, the six schools in Bishop's Stortford and Sawbridgeworth are all full, and capacity has been increased temporarily in recent years across the town to meet forecast demand from the local community.
 - The County Council is planning new 6fe secondary provision in the heart of the Bishops Stortford North development to meet future needs of both the existing community and the new communities that will move into those new homes.
 - HCC would anticipate that any increase in demand arising from new housing proposed in Uttlesford will be managed locally with new school places being provided where required as part of Essex County Council's school planning strategy.

- This will ensure that sufficient local school places are provided in tandem with the additional housing proposed in those areas to prevent additional pressure being placed on existing schools in Hertfordshire where there are already capacity issues.
- It is also worth noting that The Herts & Essex High School has recently, with the support of the HCC, submitted planning applications to improve the school's facilities. An application to Uttlesford DC (UTT/17/1951/FUL) proposes the construction of grassed playing pitches, drainage works, pedestrian footpath link and other related development at its Bowling Lane site. An application has also been submitted to HCC (PL\0850\17) for the conversion of existing gym building (Warwick Road) to create additional floor space and construction of sports centre (Beldams Lane), all weather pitch, tennis/netball courts, car parking, cycle parking, vehicular access from Beldams Lane, drainage, acoustic fencing and associated development.
- Clavering (Type A village):
 - It is suggested in the consultation document that approximately 13 dwellings could be proposed in Clavering. The nearest settlement with a school in Hertfordshire is Furneux Pelham. Due to the distance between the two settlements, it is considered that the potential development proposed is unlikely to have any significant impact on school places in the administrative boundary of Hertfordshire County Council.
- Little Hallingbury (Type A village):
 - It is suggested from the consultation document that approximately 16 dwellings could be proposed in Little Hallingbury. The nearest settlement with a school is Bishop's Stortford. Due to the number of dwellings proposed, it is considered that it is unlikely to have any significant impact on school places in Bishop's Stortford.

North Hertfordshire District Council

- The intention stated in the document to meet your objectively assessed need within your administrative area is supported and the strategy of distributing delivery across a number of different spatial approaches is understood.
- As a neighbouring authority we have recently signed a Statement of Common Ground which confirms there are no strategic cross boundary issues as a result of the North Hertfordshire Submission Local Plan (2016).
- The majority of the allocations in the emerging Uttlesford Local Plan are unlikely to have any significant impact on North Hertfordshire, however, there are likely to be strategic highways impacts, which warrant consideration in relation to the Duty to Cooperate.
- In particular, the Uttlesford District Transport Study and the South Cambridgeshire Junction Assessments report identifies that there will be notable impacts on the A505 resulting from the proposed developments, including the proposed North Uttlesford Garden Community that lies to the east of our District.
- Given proposed development in the Luton area, and in the towns of Hitchin, Letchworth, Baldock and Royston within North Hertfordshire up to 2031 and possibly beyond, it will be critical to ensure that full consideration is given to

potential cumulative impacts on the highway network along the A505 corridor. We note that this is mirrored in the South Cambridgeshire Junction Assessments report at paragraph 9.2.15, which recommends that for the longer term a detailed A505 corridor study is undertaken.

- As such, we would encourage further discussions under the Duty to Cooperate with the District Council, relevant neighbouring authorities including Hertfordshire County Council and other interested parties in the future to address the potential longer term impacts on the A505 corridor as the Plan progresses, and depending on the final strategy taken forward in the Proposed Submission Local Plan.

South Cambridgeshire District Council

- The main proposal with implications and impacts for South Cambridgeshire is the proposed North Uttlesford Garden Community (NUGC) and comments are focused on that proposal. Engagement has taken place between officers and Members of the two Councils and with Cambridgeshire County Council to seek to understand the emerging proposals and their potential impacts for South Cambridgeshire and the adequacy of the supporting evidence. A number of questions about the evidence and rationale for the proposed NUGC are raised in these representations to ensure the Council has a better understanding of the case for the new settlement. At this stage, the Council is not convinced that the evidence provided clearly supports the proposal and is concerned that there could potentially be negative implications for South Cambridgeshire. However, the Council wishes to continue to engage positively and productively with Uttlesford District Council (UDC) to develop a clear understanding ahead of the next stage in the plan making process. As such, no view has been expressed to date on the principle of the emerging NUGC proposals.
- SCDC has based its comments around the National Planning Policy Framework (NPPF) statement that to be 'sound' a Local Plan should be positively prepared (meeting development needs and infrastructure requirements), justified (the most appropriate strategy compared to reasonable alternatives), effective (the plan is deliverable over the plan period based on effective cross-boundary working on strategic priorities), and consistent with national policy (it will deliver sustainable development as defined in the NPPF).
- The NPPF requires Local Planning Authorities to work collaboratively to ensure that strategic priorities across local boundaries are properly co-ordinated to meet development requirements. Local Planning Authorities are expected to demonstrate evidence of having effectively cooperated to plan for issues with cross-boundary impacts when their Local Plans are submitted for examination. These duties apply to both UDC and SCDC. As stated above, SCDC is engaging at officer and Member level with UDC and will continue to do so.
- A key consideration for SCDC in considering whether the Uttlesford Local Plan is soundly based, is whether it is 'sustainable' in terms of its environmental, social and economic impacts as required by national policy guidance in the NPPF and

whether it is supported by robust evidence. Part of this consideration includes taking a strategic view on whether there are potential advantages for South Cambridgeshire arising from the NUGC proposal as well as any potential disadvantages, and also considering the local impacts and implications of the proposal.

- The NUGC would provide new homes close to existing and planned jobs in regard to the three nearby research institutes and science parks in South Cambridgeshire (Wellcome Genome Campus, Granta Park, and Babraham Institute) and SCDC is aware that they have plans for continued growth. The life sciences cluster extending south from the Cambridge Biomedical Campus is widely recognised as being of international importance and appropriate continued sustainable growth (which the provision of nearby homes could assist), is considered to be important for both the local and national economy, notwithstanding that some emerging proposals are yet to be considered through the planning process. These new homes have potential to contribute to meeting housing needs in the area, providing local supply of market housing and providing choice. The NUGC could also potentially help to reduce pressures for strategic growth south of Cambridge in the context of next Local Plan for Greater Cambridge, to be prepared jointly between SCDC and Cambridge City Council, work on which is due to commence by 2019 as promised in the Greater Cambridge Partnership (formerly the Greater Cambridge City Deal) agreement.
- Alternatively, the Council considers that there is a risk that the NUGC could constrain the future growth of the three nearby research institutes and science parks in South Cambridgeshire by overloading local transport infrastructure, taking up additional capacity that could be created in the local road network in South Cambridgeshire through more local mitigation measures (as opposed to strategic improvements, particularly to the A505 for which there is currently no scheme or committed funding). All of the sites have growth aspirations, for example the Wellcome Trust Genome Campus have published a 25 year vision for growth on land located to the east of the existing campus. Whilst this proposal currently has no planning status, it would be of concern if a NUGC were to constrain proper consideration of this potentially nationally important proposal at the appropriate time. There is also a risk that NUGC could prevent or reduce potential for consideration of whether there are better alternative housing-led options to support the growth of the life sciences cluster south of Cambridge.
- SCDC is of the view that even if the NUGC were demonstrated to have considerable advantages for both districts, it should not be allocated for development unless it can be demonstrated that its allocation in the Uttlesford Local Plan would be both sound and sustainable.

Is the draft Uttlesford Local Plan and the NUGC proposal sound and sustainable?

- National policy considerations place considerable emphasis on the three components of sustainable development (social, environmental and economic). SCDC recognises that the emerging Uttlesford Local Plan is positively prepared in the sense that it seeks to meet objectively assessed development needs, but

considers that questions remain in particular over the transport and landscape implications and impacts of the proposal.

- SCDC has outstanding concerns that the NUGC proposal may not be able to deliver all the necessary transport infrastructure to enable its development, both in relation to the complete 5,000 dwelling garden community or for the 1,900 dwellings proposed by the emerging Uttlesford Local Plan for delivery by 2033.
- It is particularly important that any new settlement is supported by appropriate transport infrastructure and that the impacts of development can be adequately and appropriately mitigated. This view is informed by considerable experience in South Cambridgeshire in planning and delivering new settlements. A number of concerns have been identified with the transport evidence supporting the NUGC which, unless capable of being satisfactorily addressed, would in SCDC's view call into question whether its inclusion in the Local Plan would meet the NPPF tests of being justified or effective. SCDC is involved in ongoing discussions with Uttlesford District Council, and including Cambridgeshire County Council, which aim to fully understand the assumptions made and their potential implications for understanding the transport impacts on South Cambridgeshire.
- SCDC considers it important that transport evidence for the emerging Uttlesford Local Plan takes full account of the fact that the highway network in this area of South Cambridgeshire already experiences severely congested conditions at peak times, with the A505 between Royston and the A11 being one of the most heavily trafficked routes in Cambridgeshire. In addition many of the junctions in the area are already extremely congested at peak times, particularly around the junction with the A505 and A1301 and at Junction 10 of the M11. This congestion already results in rat-running through local villages to avoid the A505 including in the villages of Hinxton, Ickleton and Duxford.
- The transport studies informing the emerging Uttlesford Local Plan should also take full account of growth that is already planned not only in Uttlesford but in the area surrounding the NUGC and potentially affected by it, in order to properly understand the impacts arising from the new community.
- Based on our understanding of the transport evidence, it currently appears to SCDC that the district wide Transport study and the South Cambridgeshire Junction Study have not taken account of the full extent of planned employment growth in Cambridge and South Cambridgeshire. The junction study states that it has taken account of 24,042 new jobs across the two districts, whereas the two Local Plans are planning to provide for the 44,100 jobs forecast by our economic evidence. This means that the transport studies that are intended to support the emerging Uttlesford Local Plan appear not to have taken account of 20,058 planned extra jobs in Cambridge and South Cambridgeshire. SCDC is concerned that this is potentially a significant flaw, especially in the context of the growth aspirations of the three research institutes and Science Parks in the south of the district.

- It seems that the studies have not taken any account of planned growth in West Suffolk at Haverhill on the A1307 for 5,000 homes over the plan period, much of which will rely on the A1307 to access jobs in the Greater Cambridge area and especially at the Cambridge Biomedical Campus. The importance of this link and its inadequate capacity explains its inclusion in the Greater Cambridge Partnership's A1307 project. This is important because the NUGC is also stated to rely on the A1307 for the majority of vehicle journeys to the north towards Cambridge. Those residents who need to access the employment areas to the west and north of Cambridge via the A505 and M11 will add to the pressure on the A505 and lead to additional village rat-running.
- SCDC also notes that the junction study does not seem to take account of planned growth around Royston in North Hertfordshire when it does take account of distant growth in Harlow, Chelmsford and Epping Forest.
- There are therefore a number of technical queries in relation to the transport evidence SCDC wishes to follow up with Uttlesford District Council through continued engagement, which we consider could have implications for the soundness of the evidence and influence our other comments.
- SCDC has also considered the proposed NUGC proposal in the context of the NPPF requirement for Local Plan proposals to be deliverable and viable. The South Cambridgeshire Junction Study states that road mitigations exist to support the delivery of 3,300 homes at the NUGC site, for which it provides initial costings of £7.5m to £11m. However, no mitigations for the full 5,000 home site have been identified which in SCDC's view raises questions about its deliverability and therefore the effectiveness of the Local Plan. It also seems clear that the viability evidence supporting the NUGC site has not taken account of up to £10m of mitigation measures. Setting aside questions about the robustness of these figures, it appears that the viability study has not taken account of a considerable additional expense and SCDC urges UDC to consider carefully whether there is robust evidence to show that the NUGC is deliverable and that the plan including the NUGC is effective.
- The delivery of these 3,300 homes would remove any 'spare' capacity on the Cambridgeshire highway network close to the Uttlesford border, with implications for future growth in this successful and dynamic part of South Cambridgeshire, ahead of considerations of the development strategy looking beyond the current emerging South Cambridgeshire Local Plan time horizon of 2031. The Mayor of the new Greater Cambridge and Greater Peterborough Combined Authority has identified as a priority preparation of a non statutory spatial plan for the area and Cambridge City and South Cambridgeshire District Councils have committed to starting work on a joint Greater Cambridge Local Plan by 2019.
- UDC recognises that for the full NUGC development to come forward it is likely to require a major upgrade to the A505. Upgrading of the A505 is recognised as being an important scheme for the southern part of South Cambridgeshire, but

there is currently no scheme or identified funding and therefore no certainty that major improvements will come forward in the time frame to deliver the full NUGC. Under these circumstances SCDC understands that only a smaller new settlement would be able to be delivered. If this were to be the case, SCDC has questions about the sustainability of a smaller settlement, including whether it would be able to support a secondary school, which the council regards as a fundamental requirement of achieving a sustainable new settlement.

- SCDC acknowledges that the proximity of the NUGC to the station at Great Chesterford is a potential advantage; however the station currently supports only a limited number of stopping services unlike the stations at Whittlesford Parkway and Audley End. SCDC considers that development of NUGC could be expected to add to the pressure on those stations and on the local roads providing access to them.
- The development of the NUGC, according to the evidence supporting the draft Uttlesford Local Plan, would have significant negative impacts on landscape. SCDC does not consider that it has been demonstrated at this stage that these can be appropriately mitigated or that it is possible to develop the new community avoiding ridgelines and elevated valley sides. The Council considers that major development on the site could appear to be an alien and intrusive element in the local landscape which would be visible in long distance views. SCDC has not been able to identify anywhere in the evidence supporting the emerging Uttlesford Local Plan where it has been demonstrated that reasonable alternatives do not exist which would have a reduced impact on the landscape. For SCDC, these points call in question whether a Local Plan including the NUGC would meet the NPPF test of being appropriately justified.
- Turning to other infrastructure issues. There are known downstream flood risks below the NUGC site and potential impacts on the aquifer which underlies the site. Both are matters which are the statutory responsibility of the Environment Agency who will consider both matters in their comments on the Local Plan. The potable water supply for Cambridge and South Cambridgeshire delivered by the Cambridge Water Company is all derived from groundwater supplies and SCDC considers that it must be demonstrated that the NUGC would not jeopardise or reduce this supply. The Council does not yet consider that the consistency of the NUGC proposal with the environmental policies of the NPPF has been demonstrated. The Water Cycle Study reports that a new or extensively upgraded water recycling centre will be required to serve the NUGC but there appears to be no mention of this in the New Settlement Economic Viability Study entry for the NUGC, nor is any allowance made for the cost of supplying potable water to the site.
- A sustainable garden community would have a secondary school at its heart. As referred to above, it is unclear to SCDC whether a development capped at 3,300 homes by the capacity of the local roads would be large enough to support a secondary school or that its provision would be viable and so deliverable. This would be important for the consistency of the NUGC proposal with the social and place making policies of the NPPF to be demonstrated. The timing of delivery and

implications for existing secondary schools in the area, including on South Cambridgeshire is not clear. SCDC is concerned that if a secondary school is not provided early in the NUGC development some children would need to travel to Cambridgeshire Village Colleges in Sawston and Linton (if they have any capacity to accommodate them), adding to the traffic on local roads especially in the morning peak.

- SCDC notes that the Uttlesford Local Plan Housing Trajectory assumes that no more than 175 dwellings a year can be delivered at the NUGC and Easton Park Garden Communities and 150 dwellings on Land West of Braintree. It has been said that these rates are supported by evidence but it remains unclear at this stage what this evidence consists of. The annual delivery rates assumed for large scale developments that will build out beyond the plan period are an important consideration because of their implications for overall housing delivery. NUGC is located in a desirable location and SCDC considers it is worth questioning carefully whether the assumed annual average completion rates are the most appropriate. The site developers state that they can deliver homes at higher annual rates. SCDC's own demonstrable evidence from Cambourne shows that average rates of around 220 homes a year over several economic cycles can be justified for South Cambridgeshire. This evidence was accepted by objectors at the South Cambridgeshire Local Plan Examination who proposed that 250 dwellings a year would be a reasonable assumption in relation to Northstowe, Waterbeach and Bourn Airfield new settlements. It is also noted that the emerging Braintree Local Plan itself allows for 250 completions per year on its portion of the Land West of Braintree garden community site.
- One implication of the build-out rate assumed for NUGC is that NUGC residents will remain dependent for longer upon Saffron Walden and other settlements for access to services and facilities. The Local Plan is unclear on how this impact is proposed to be mitigated.
- SCDC suggests that a reasonable alternative option which could be explored would be to increase the delivery rate at Easton Park to 250 homes a year which could boost delivery by 675 homes by 2033 which in combination with other alternative sites could mean that the NUGC site would not be needed. This may not prove to be the most appropriate strategy for the Uttlesford Local Plan but this has not yet been demonstrated as part of evidence supporting the NUGC proposal. It could also potentially allow for first completions on one or both of the other new settlements proposed for first completions in 2021/2022 to be set back by a number of years to be more realistic and in alignment with evidence from elsewhere on the time taken to get first completions at major new settlements.
- At the earliest, adoption of the Uttlesford Local Plan is not expected until Spring 2019, and it is not clear whether any decision has yet been made whether NUGC policy SP7 will be supplemented by preparation of an Area Action Plan or a Supplementary Planning Document (the preparation of which will take up at least a year). Whilst some time can be saved by twin tracking planning processes there are practical limitations to what can be achieved by doing so. SCDC is also

expecting first completions on new settlements at Bourn Airfield and Waterbeach New Town in 2021/22. However, the South Cambridgeshire Local Plan was submitted for examination in 2014, adoption is expected in Spring 2018, the site promoters have been in place for many years, and SPDs are already in preparation for both sites. SCDC suggests that UDC gives further consideration to these questions and whether it is realistic to depend upon first completions at the NUGC in 2021/2022.

- If the NUGC allocation is retained in the emerging Uttlesford Local Plan moving forward, SCDC proposes that the following changes to Policy SP7 should be considered by UDC:
 - (a) Paragraph 4 - include a requirement for 'reliable and high quality' public transport services and make explicit mention of Granta Park, the Babraham Research Campus and Whittlesford Parkway Station as destinations and employment parks.
 - (b) Paragraph 5 - make explicit reference to junction improvements at junction 10 on the M11, and also to improvements to the junction of the A1307 and A505 that may be required once proper consideration has been given to growth at Haverhill and job growth in Cambridge and South Cambridgeshire. The wording that transport contributions 'will be sought' is also not a clear requirement and should be strengthened. The policy should commit to the development mitigating its impact on these junctions, and also to the provision of mitigation measures in villages all around the site. Paragraph 5 should also be clear it is referring to Babraham Park & Ride.
 - (c) Paragraph 7 – amend to commit to providing sustainable drainage systems which limit downstream runoff to existing greenfield rates as a minimum and to providing appropriate betterment as a planning gain for communities downstream.
 - (d) Paragraph 11 - include a policy requirement to prevent the development of ridgelines and elevated valley sides, given that the NUGC proposal is not supported by evidence which demonstrates that it would have an acceptable impact on the local landscape.
- SCDC intends that the above comments are constructive and helpful to UDC as it moves forward with the emerging Local Plan, and wishes to continue to engage with UDC during the plan making process.

Appendix 2 – Essex County Council Committee Report (n.b. there are two appendices not included here with the full representations)

3. Summary of issue

3.1 UDC submitted a Draft Local Plan to the Secretary of State on 4 July 2014 for an Examination in Public (EiP). Examination hearings were conducted November to December 2014. The Inspector halted the EiP and supplied a report setting out the justification for stopping the EiP, of which the principal grounds were:

a. Objectively assessed housing need (OAHN). The Inspector noted that UDC's housing evidence suggested UDC should consider the need for uplift in the scale of housing development planned within the District of at least 10% of what was included in the Draft Local Plan. The Plan provided an average annual requirement of 523 new homes but should look to provide at least an average of approximately 580 dwellings per annum. (NB: this reflected the housing evidence in 2014)

b. Growth at Elsenham. The Inspector questioned the spatial options site selection process for justifying the Elsenham housing allocation. The Inspector highlighted transportation concerns regarding delivering future growth at Elsenham, including reliance on the rural road network, the division caused by the railway line between new and existing development, and limited opportunities to deliver sustainable travel.

3.2 Following receipt of the Inspector's Final Conclusions Report, UDC formally withdrew their Draft Local Plan in January 2015 and consequently recommenced preparation of a new Local Plan.

3.3 UDC published their Issues and Options Local Plan in the autumn of 2015, and ECC responded to this consultation through a CMA (FP/233/08/15). ECC raised a range of matters and provided a clear steer concerning possible future growth locations for a new settlement within Uttlesford District. In summary, ECC's response:

- indicated that any location for a future settlement should reflect economic growth aspirations and recommended that consideration be given to future settlement growth in the south of the District;
- welcomed further discussions with UDC to assist in shaping the employment strategy and noted the role played by London Stansted Airport and Chesterford Research Park in delivering opportunities for existing and future employment;
- fully appreciated the need to ensure that the West Essex and East Herts strategic housing market area development requirements were evidenced, met and delivered (and highlighted the need to ensure that the ECC Independent Living Programme was also appropriately delivered as an integral component of housing delivery);
- emphasised the need for effective collaborative working and engagement in relation to transportation and highways; and
- emphasised the need to ensure education needs are appropriate and adequately assessed.

3.4 Since the Issues and Options consultation, UDC has been engaged through the Cooperation for Sustainable Development Board (Coop Board) (comprising

elected officials and senior officers from Epping Forest District Council, Harlow Council, East Hertfordshire District Council, ECC and Hertfordshire County Council) and Working Groups (comprising officers). The Coop Board has assisted in delivering some of the joint evidence to inform the new Local Plans being prepared for the 'West Essex' Strategic Housing Market Area (SHMA). Furthermore the Coop Board has assisted in developing three Memoranda of Understanding (MOU) as follows:

- a. Inter-Authority MOU. This over-arching MOU is designed to address the distribution of OAHN as defined by the SHMA. The purpose is to ensure that the West Essex/East Hertfordshire authorities (supported by ECC (in its capacity as Highway Authority), Hertfordshire County Council (HCC) (in its capacity as Highway Authority) and Highways England (HE)), work together to meet in full, the OAHN of the West Essex/East Hertfordshire SHMA, as assessed by the Joint Strategic Housing Market Assessment (2015) (and any update), within the SHMA taking account of availability, viability and deliverability. The signatories for this MOU include UDC, Epping Forest District Council, Harlow Council and East Hertfordshire District Council. ECC does not need to be a signatory to this MOU.
- b. Strategic Transportation MOU. The MOU addresses matters in relation to sustainable communities and the promotion of sustainable transportation. It includes reference to the strategic road infrastructure and other transport matters. The MOU provides information in relation to the assumptions that have been expressed within the transport model, as these are required to ensure that the highway network can sustain the quantum of growth that may be necessary for the SHMA. The MOU outlines the strategic transportation issues for the SHMA, and provides a general consensus. The signatories for the MOU include the four Local Planning Authorities (UDC, Epping Forest District Council, Harlow Council and East Hertfordshire District Council), together with ECC, Hertfordshire County Council and HE. ECC has lead the preparation of this MOU.
- c. Air Quality Investigation regarding Epping Forest Special Area of Conservation (SAC) MOU. The purpose of the MOU is to ensure that growth within the SHMA considers and minimises the effect on the integrity of the Epping Forest SAC, particularly through minimising deteriorating air quality. The MOU highlights the key issues, how air quality is assessed and the mitigation measures that may be appropriate. The signatories for this MOU include UDC, Epping Forest DC, Harlow Council East Hertfordshire DC, City of London Corporation (Conservators of Epping Forest) and Natural England. ECC has assisted with its preparation and is also a signatory. The MOU also considers wider potential impacts on the forest as a SAC (and Site of Special Scientific Interest) and the need to manage these. Those impacts also include effects of recreational visitors to the forest and potential impact on wildlife habitats.

3.5 UDC has now reviewed comments received at the Issues and Options stage and commissioned new evidence to support its Draft Local Plan. ECC has assisted UDC throughout this time by reviewing the transport modelling that UDC's commissioned consultants White Young have undertaken; providing feedback to consultants commissioned to review options for potential Garden Communities and their high level impact on ECC operational infrastructure; and attending regular officer and member meetings reflecting the SHMA authorities and HCC.

Preferred Options (this consultation)

3.6 UDC has prepared a Regulation 18 Local Plan (draft Local Plan) and is undertaking consultation from 12 July to 4 September 2017 inclusive. The aim of consultation at this stage is to give the opportunity to comment on how the new Local Plan is being prepared, and to ensure that UDC is aware of all possible policy options before they proceed to the next and final stage of plan preparation and consultation. The next stage (known as the ‘pre-submission’ or ‘publication’ version’ (regulation 19)) of the plan is intended to be published Winter 2017/18. This will be followed by a further period of consultation and submission to the Government in Spring 2018 for public examination and subsequent adoption in Spring 2019.

Content of the Plan

3.7 Section 1 of the Draft Local Plan provides an introduction to the Local Plan and the Development Plan for UDC. It provides an overview of the strategic context, including the high level national policy, the legal guidelines for the Local Plan and local level policy, for instance the Neighbourhood Plans.

3.8 Section 2 highlights the district profile providing an overview of Uttlesford’s characteristics, the issues that arise from this and lead to the identification of the “Vision and Objectives” for the Draft Local Plan up to 2033. The “Spatial Vision” highlights where UDC wants to be by 2033, and demonstrates the importance of working together for the well-being of the community and to protect and enhance the character of the district. To assist in the delivery of the vision, the Draft Local Plan includes 10 Spatial Objectives; the themes for the objectives are complimentary to the UDC Corporate Plan 2017 – 2021.

3.9 Section 3 outlines the Spatial Strategy and Key Diagram. This section gives an appreciation of “where” and “when” UDC plans to accommodate activity, development and investment over the period to 2033. Reference is made to Uttlesford district’s location within the London-Stansted Cambridge Corridor (LSCC). There are key policies outlined within this section that provide the strategic context for the emerging spatial strategy. Policy SP2 entitled – The Spatial Strategy 2011 – 2033 - defines the existing settlements across Uttlesford district based on an assessment of their facilities, characteristics and functional relationship with their surrounding areas. Each tier of settlement has a different role –

- Market Towns;
- Key Villages;
- Type A Villages; and
- Type B Villages and Hamlets.

3.10 In addition to the existing settlement pattern, the development of three new garden communities are proposed to commence in the Plan Period and will continue beyond 2033. Outside of the existing settlement pattern, the open countryside will be protected by Policy SP10 entitled Protection of the Countryside, the purpose of which is to maintain the undeveloped, countryside nature of the area surrounding London Stansted Airport.

3.11 The scale of future housing growth within the settlements is outlined in Policy SP3. This policy demonstrates that provision has been made for 14,100 net additional dwellings (641 pa) in Uttlesford district throughout the Plan Period (2011 – 2033) to meet their OAHN in full. Of this total 2,468 dwellings have already been built; 1,190 dwellings will be supplied on small unidentified windfall sites between

2016 – 2033; and 4,513 dwellings are identified in outstanding planning permissions at 1 April 2016. The remaining dwellings to be delivered over the Plan Period are 5,926 dwellings, and these will be distributed in the following locations –

Table 1 – Scale and Distribution of Future Housing Growth in Uttlesford district

Settlement Type	Settlement	Dwellings
Market Town	Saffron Walden	240
	Great Dunmow	743
Key Villages	Elsenham	40
	Great Chesterford	31
	Stansted Mountfitchet	62
	Takeley	42
	Thaxted	54
	Type A and Type B Villages	44
Garden Community	Easton Park	1,800
	North Uttlesford	1,900
	West of Braintree	970

(Source (adapted from UDC Draft Local Plan Policy SP3, July 2017)

3.12 Section 3 of the Draft Local Plan also includes policies for three new Garden Communities, London Stansted Airport, the Green Belt and the Countryside Protection Zone.

3.13 Section 3 highlights that within Uttlesford district there is expected to be a minimum net increase of 14,630 jobs in the period 2011 – 2033. There has been a range of studies and evidence collated that has been commissioned to assist UDC and other West Essex Districts in agreeing their future economic strategy for the district. UDC commissioned a Joint Economic Report (JER) with Harlow, Epping Forest and East Hertfordshire councils to consider the Objectively Assessed Economic Need (OAEN) of the Functional Economic Market Area (FEMA) - which was found to be the same area as the SHMA. The JER was published in 2015 and provides an up-to-date and national policy-compliant assessment of employment need over the FEMA for the period 2011-2033.

3.14 An update of this work has been commissioned by the four FEMA authorities to investigate future scenarios for jobs growth across the FEMA and associated implications for the provision of employment land as a result of revised economic forecasts and the latest information on housing needs. However, this work has not yet been concluded but it will be used by UDC to inform their Pre-Submission Local Plan.

3.15 UDC has also commissioned an Employment Land Review (ELR) which was completed in August 2016 and subsequently updated in May 2017. The ELR assessed three potential growth options in relation to jobs growth in Uttlesford District over the Local Plan Period. The ELR assessed three growth –

- Baseline growth – assumes 322 net additional Jobs Per Annum (JPA) in Uttlesford;

- Medium Growth – Based on the historic share of the total SHMA area, equating to 665 net additional JPA in Uttlesford; and
- High Growth – Based on the East of England Forecasting Model projected share of the total SHMA area jobs, equating to 675 net additional JPA in Uttlesford.

3.16 Although the medium and high growth scenarios are extremely similar, UDC has based the Draft Local Plan on the medium scenario which it believes on balance of the evidence, is deliverable. The ELR highlighted that the majority will be non - B use class uses such as retail, education and other services. The B use class jobs (offices, industrial and warehouses) will provide around 10% of the overall jobs growth in the District over the Plan Period.

3.17 The JER and the ELR provide the foundations for the employment and economic policies detailed within the Draft Local Plan. Section 3 includes Policy SP11 – London Stansted Airport which demonstrates that UDC in principle supports growth at the airport. Policy SP11 makes provision for the airport to respond positively to future growth opportunities and continue to make significant sub regional and national contributions to economic development, jobs and wealth creation while setting a clear environment and transport framework with which to regulate future growth. The policy demonstrates the criteria against which any proposal for development at the airport and its operation, together with associated surface access improvements, will be assessed. The North London Stansted Employment Area is included within the Strategic Allocation for a range of use class B employment development (55 hectares). The policy states that future car parking facilities will be accommodated within the Airport Strategic Location and makes reference to landscaping and other environmental matters.

3.18 Sections 4 - 11 set out policy topics that apply to the whole of UDC. These policies are set out under the headings of Housing, Employment, Retail and Tourism, Transport, Infrastructure, Design, the Environment and the Countryside.

3.19 Sections 12 - 13 outline the Site Allocations policies which identify areas for development and include the policies which will determine how these areas should be developed.

3.20 Section 14 includes information with regard to the delivery and monitoring of the Local Plan. The Appendices 1 - 7, provide information of the Replacement Policy Schedule, the Monitoring Framework, Housing Trajectory, Garden Community Principles, Marketing Assessment Information (for where employment uses are proposed to be changed to non-employment uses), Existing Employment Sites and Inset Maps; and the Policies Map of the Local Plan.

Policy objectives

3.21 ECC aims to ensure that local policies and related strategies provide the greatest benefit to deliver a buoyant economy for the existing and future population that lives, works, visits and invests in Essex. As a result ECC is keen to understand, inform, support and help refine the formulation of the development strategy and policies delivered by Local Planning Authorities. Involvement is necessary and beneficial because of ECC's roles as:

- a. a key partner within Greater Essex and West Essex / East Hertfordshire councils, promoting economic development, regeneration, infrastructure delivery and new development throughout the county;

- b. provider and commissioner of a wide range of local government services throughout the county;
- c. the strategic highway and transport authority, including responsibility for the delivery of the Essex Local Transport Plan; Local Education Authority; Minerals and Waste Planning Authority; Lead Local Flood Authority; and lead advisors on public health and adult social care in relation to the securing the right housing mix which takes account of the housing needs of older people, and;
- d. as infrastructure funding partner, that seeks to ensure that the development allocations proposed are realistic and do not place an unnecessary (or unacceptable) cost burden on the public purse, and specifically ECC's Capital Programme.

3.22 ECC's response will ensure the following ECC policy objectives are reflected in UDC's emerging Draft Plan:

- Vision for Essex 2013-2017
- Essex Organisation Strategy, 2017-21
- Economic Plan for Essex (2014)
- Essex Transport Strategy, the Local Transport Plan for Essex (June 2011)
- ECC Independent Living Programme (2016 - current)
- ECC Developers' Guide to Infrastructure Contributions (2016)
- Essex Minerals Local Plan (2014)
- Essex and Southend-on-Sea Waste Local Plan (2017)
- Greater Essex Growth and Infrastructure Framework (2016)
- Commissioning School Places in Essex 2016-2021.

4. Options

4.1 The full ECC response to this stage of consultation is set out in two appendices. Appendix 1 highlights the ECC detailed technical officer comments on the draft Local Plan focusing on the strategic level policies and justification text (sections 1 – 11 of the draft Local Plan). Appendix 2 outlines the ECC technical comments on matters relating to residential and non-residential site allocations. It is recommended that these comments form ECC's written representations on the Draft Local Plan be submitted to UDC. The ECC response identifies where and how UDC need to further engage with ECC to ensure UDC meets its duty to cooperate, and where UDC need to consider additional evidence to further inform and clarify the policies in the Draft Local Plan.

Duty to cooperate including strategic elements and policies of the Local Plan

4.2 ECC recommends that UDC ensures that engagement with ECC officers and members takes place on an active and ongoing basis covering all areas of ECC responsibility to ensure the Local Plan is deliverable and viable. This is crucial given that UDCs timetable for Local Plan preparation indicates its 'Pre Submission' consultation is scheduled for Winter 2017/18 and the Submission Local Plan is anticipated for Spring 2018. It is considered that it is an ambitious timetable to adhere to in view of the ongoing engagement/dialogue needed to address some of the issues that have been identified.

4.3 ECC commends UDC for working collaboratively and on an ongoing basis with ECC as Highway Authority to discuss highways and transportation matters and encourages its continuation. However, this is but one area of infrastructure, and it is crucial that UDC appreciates and engages with the full range of ECC services and functions, particularly those with a statutory role. This covers ECC's role as Local Education Authority, Lead Local Flood Authority, Minerals and Waste Planning Authority, and lead advisors on Public Health and in relation to the housing requirements for older people. ECC seeks detailed discussions with UDC on matters relating to the delivery of social, community and physical infrastructure so that ECC can provide advice to ensure that the evidence supporting the Local Plan is consistent with neighbouring authorities and not deficient in key aspects.

4.4 ECC recommends that UDC ensures that regular meetings are arranged with ECC which embrace the wider infrastructure requirements and works collaboratively, positively and on an ongoing basis to address matters outlined within the ECC response to the Draft Local Plan. This will include seeking to ensure that the Local Plan and the supporting evidence base contain appropriate information concerning the phasing, delivery and funding of infrastructure. Most notably education – primary and secondary schools, early years and child care provision, delivery of sustainable urban drainage, transportation mitigation, and infrastructure required for the Garden Communities.

4.5 ECC requires further discussions with UDC on the deliverability and delivery mechanism of the three proposed Garden Communities. ECC needs clarity on - how UDC intends to effectively deliver all Garden Community principles, particularly the provision and funding of required infrastructure; the role to be played by UDC and ECC in delivery; and what links need to be made to North Essex Garden Communities. ECC needs a clearer understanding of cumulative costs and phasing to ensure effective and timely delivery of infrastructure to encourage high levels of self-containment from the outset. It is noted that there are references to land value capture within the supporting text but not within the policy. Land value capture is an essential element of delivering 'Garden Community principles' and distinguishes this form of development from a large scale housing led development.

4.6 The UDC Draft Local Plan 'West of Braintree' Garden Community adjoins proposals located in Braintree District which seek to deliver 2,500 homes within their Plan Period (2013-2033), as part of an overall total of between 7,000- 10,000 homes, to be delivered beyond 2033. UDC will need to ensure its proposals in this respect are aligned and continue to be aligned with those of Braintree District Council. As it currently stands the UDC Draft Local Plan is inconsistent with the Braintree District Council Draft Publication Local Plan (June 2017). It should be noted that ECC along with Braintree District Council, Colchester Borough Council and Tendring District Council are working together at both an officer and member level through North Essex Garden Communities Ltd (NEGC) to deliver three Garden Communities across these three local authority areas. These proposals have been included in each of the respective local planning authorities Draft Publication Local Plans (June 2017) and are scheduled to be submitted to the Planning Inspectorate in October 2017.

4.7 It is recommended that ECC confirms its support for and involvement with the three MOUs through its continued involvement at the Coop Board and officer meetings.

4.8 ECC as Highway Authority has outlined its support (but as a non-signatory) to a further over-arching MOU, dealing with the overall approach to meeting objectively assessed growth needs for the West Essex/East Hertfordshire HMA (and FEMA) and its overall spatial distribution. The MOUs form part of the supporting material for the current consultation.

4.9 It is recommended that ECC review the UDC Draft Infrastructure Delivery Plan and provide feedback to UDC. This document was not published at the commencement of the Draft Local Plan consultation and ECC officers are currently reviewing its content. Furthermore ECC will continue to assist UDC in identifying requirements arising from its growth proposals as the Draft Local Plan is reviewed following this round of public consultation. It is recommended also that ECC urges UDC to ensure that all its planned developments are designed with infrastructure as a core element. This would be helped by including developments of sufficient scale and form to ensure that the infrastructure required to support growth is viable and deliverable.

Garden Communities

4.10 It is recommended that ECC supports the statement in Policy SP5 of the Garden Communities being 'underpinned by high quality urban design and placemaking principles' and the requirement for 'comprehensive development'. Policy SP5 mentions 'development frameworks' that will include 'phasing, infrastructure and delivery plans...establishing the scale and pace of growth, where development will take place and when'. However, it is recommended that ECC only supports such additional documents if they form part of the statutory are a development plan document, therefore strengthening the adherence to and use. ECC would not support such development frameworks as supplementary planning documents (SPD) and questions whether SPDs are in any event of sufficient weight to reflect the Garden Community classification.

4.11 It is considered that there is a need for more strategic delivery mechanisms for the Garden Communities, other than that of the statutory planning application process. It appears the Garden Communities are being treated as normal large 'strategic' sites within the Draft Local Plan, when it is apparent from the Town and Country Planning Act 1990 Garden City principles (Appendix 4 of the Draft Local Plan) that successful delivery will be predicated on strong political support and leadership, with a clear vision and firm commitment, and the long term stewardship of assets. This commitment should be highlighted and reinforced from as early as possible in the planning process. Having robust planning mechanisms in place is essential, and therefore articulating this vision in a Development Plan Document, supported by an appropriate Garden Community specific governance structure to ensure delivery, is strongly recommended.

4.12 It is recommended UDC prepare an economic strategy for each of the Garden Communities. ECC would be supportive to assist with such work. Garden Communities are much more than 'dormitory' communities, which would not be something ECC would support. Ensuring a detailed holistic approach is undertaken in developing these communities will deliver a sense of place. ECC aims to ensure that the Garden Communities should be as much about employment opportunities as they are about housing; not just quantity but the quality of employment with the Garden Communities, which can provide a real opportunity for economic aspiration. Such a strategy should also ensure that the existing businesses in the area are

encouraged to grow through the opportunities that Garden Communities and the enhanced infrastructure present to them. The economic strategy should identify the ways in which the public sector bodies can begin to assist these businesses with their growth and preparing them to take advantage of the opportunities through business support funding now and in the future. (Note: see the Housing Provision section below concerning ECC views on the spatial distribution of the Garden Communities).

Housing provision (and Specialist Housing)

4.13 It is recommended that ECC acknowledge UDC's work that seeks to meet the currently identified and agreed housing and other development needs in full over the plan period and the joint working of the local planning authorities across the West Essex and East Hertfordshire SHMA.

4.14 The Government released new household projections in July 2016. These figures show that, by 2033, the population of Uttlesford district is likely to be greater than originally expected. Following the release of these figures, further work on the SHMA has shown that the level of housing need in Uttlesford District has increased from 12,500 (report prepared by consultants ORS, 2015, p101) to 14,100 new homes by 2033 (equating to an annual average requirement of 641 dwellings over the Plan Period). The Draft Local Plan provides for the most up-to-date figure of 14,100 and this approach is in accordance with national policy requirements and advice from the Planning Inspectorate and the Department for Communities and Local Government.

4.15 ECC has been supportive of the broad growth strategy for the SHMA. ECC welcomes that future housing growth within Uttlesford district focuses in and around the key employment sites, for instance London Stansted Airport and Chesterford Research Park. ECC acknowledges that there is a need to support future growth at London Stansted Airport, and given there are known to be job vacancies it is recommended that the future spatial strategy seeks to facilitate connectivity to key employment sites, and in particular Stansted Airport. ECC therefore supports future growth within the south of UDC. Similarly, ECC acknowledges the need for future housing growth in close proximity of Little Chesterford, to ensure that new professional and skilled employees have access to local residential properties. North of Uttlesford also benefits from the proximity of the overheating Greater Cambridge economy and those businesses that have location reasons to cluster near to the biomedical and life science businesses in this locality. ECC also recommends that future residential communities have appropriate transportation links to neighbouring district employment hubs e.g. Harlow.

4.16 ECC recommends that more detailed analysis is required to determine whether the simultaneous provision of three Garden Communities is viable, deliverable and cost effective. It is noted that the initial costs for three Garden Communities will be high given the need for timely provision of key physical and social infrastructure e.g. highways and transportation, educational establishments (primary and secondary), early years and childcare and employment. The phasing and delivery of these aspects will be critical to successful place making and rely on an effective and delivery mechanism (see earlier comments). ECC seeks further information and detailed discussions to determine whether two settlements would be more sustainable.

4.17 It is recommended that ECC support UDC's policy approach towards identifying and planning for appropriate types and mixes of new homes and affordable homes. ECC recommends that Chapter 4 Housing and Policy H2

(Housing Mix) explicitly refers to the Independent Living programme (as led by ECC) and further consideration is given to the housing needs of older people which will constitute around 25% of the population by 2036. ECC notes that Policy H10 (Accessible and Adaptable Homes for Older People and Wheelchair Users) contains reference to housing designed specifically for older people. It is noted that necessary supporting evidence and planning/delivery mechanisms are now largely in place. ECC recognises that the monitoring framework does refer to Independent Living, but this needs to be strengthened throughout the draft Local Plan Policy.

Gypsies, Travellers and Travelling Showpeople

4.18 ECC notes that UDC has been working in partnership with Essex local authorities, through jointly commissioning the Gypsy and Traveller Accommodation Assessment (GTAA) (2016) to provide a robust assessment of current and future need for Gypsy and Traveller and Travelling Showpeople families and has used this data to inform how it addresses this in its Draft Local Plan.

4.19 The GTAA identified that in the district there are 39 'unknown' households that may meet the new definition of Gypsy and Traveller and 15 households that do not meet the new planning definition under the Planning Policy for Traveller Sites. The GTAA identifies an additional need for 1 new pitch for those who meet the new planning definition, 10 net pitches arising from those that do not meet the new planning definition and an identified need for 8 net additional pitches for 'unknown' households. There is one Travelling Showperson household identified in the district and details from the interview showed that there is no current or future need. Overall this equates to an identified net need for 1 additional pitch for Gypsy and Travellers meeting the definition and 17 pitches (or equivalent) for those outside the new planning definition (see Figure 5 of the Uttlesford DC GTAA Needs Summary Report June 2017).

4.20 ECC appreciates that UDC recognises that there is commitment to ensure that the housing needs of all its community are addressed. Policy H9 is a criteria based policy and the Draft Local Plan does not allocate land to meet the requirements of Gypsies, Travellers and Travelling Showpeople. UDC should satisfy itself that this approach is sound, deliverable and meets the requirements of national planning policy.

Economic growth

4.21 It is recommended that ECC should welcome proposals to ensure the protection and provision of suitable employment land, together with appropriate uses within town centres. The proposed job numbers outlined in the Draft Local Plan align with housing delivery in accordance with national policy and guidance.

4.22 ECC has provided and will continue to provide assistance for a range of economic and regeneration initiatives to deliver UDC's economic strategy and objectives. ECC will implement the strategic economic vision and objectives contained in Chapter 5 of the Draft Local Plan. ECC, together with its partners, will also implement the economic vision and objectives as outlined in the Economic Plan for Essex (2014) (or any future updated document). This recognises the growth potential and importance of the 'London Stansted Cambridge Corridor core area' as one of the key regional economic growth drivers and gateways in the UK including London Stansted Airport, which is also recognised as a growth corridor in the South East Local Enterprise Partnership's Strategic Economic Plan. The growth

opportunities that this wider area offers are supported and enhanced by the M11. ECC has, alongside the other SHMA authorities and HCC signed a Strategic Transportation MOU, which outlines the key strategic highway and transportation issues for the SHMA, to facilitate economic growth (eg M11 junctions 7, 7a, and 8).

4.23 It is recommended that ECC strongly supports UDC in their stance to support the growth at London Stansted Airport as set out within Policy SP11 (London Stansted Airport). It is noted that reference is given to the Manchester Aviation Group Sustainable Development Plan, but the policy does not explicitly refer to maximum use of the existing runway. ECC is mindful that the planning application for maximum use of the single runway will likely be submitted prior to the next iteration of the Local Plan. ECC will be interested in appreciating how UDC anticipates the submitted planning application will shape emerging policy.

4.24 It is recommended that ECC seek amendment to Policy SP11 to ensure there is reference to the Harlow College. This facility will open Autumn 2018 and will include a 2000m² college building near the main terminal building to accommodate the needs of the curriculum (aviation and business services, engineering, and hospitality and events management) and will provide suitable warehouse type space for aircraft maintenance.

4.25 It is recommended that ECC seek specific reference within the Draft Local Plan to provide for 'grow on space' as part of Policy EMP1 to support the delivery of the ECC 'Grow on Space Feasibility Study' published in 2016. Furthermore it is recommended that UDC review marketing for the change of use of employment sites, and ECC welcomes further discussions to ensure that the appropriate policy requirements are set out in emerging policy.

Skills

4.26 ECC recommends that consideration is given to support effective implementation and delivery of the UDC Local Plan through promoting and enabling the employment opportunities in the construction sector. This will facilitate the delivery of the 14,100 new homes proposed in the Draft Local Plan. In particular this needs to have regard to developer responsibilities within planning (such as S016 agreements), to stimulate new and local employment opportunities through apprenticeships.

4.27 ECC also welcomes working collaboratively with UDC to assist in addressing the lack of Further Education provision throughout Uttlesford district and neighbouring districts. There is an identified need for training in modern methods of construction to take advantage of the local development opportunities.

Transport and Highways

4.28 It is recommended that ECC acknowledge that Garden Communities provide a means of enabling a more sustainable approach to the longer term implications of growth on the highways network on the basis promoted by Government. However, it is recommended that the Garden Communities be taken forward using the same modal split principles as being used in the North Essex Garden Communities to achieve a real step change in sustainable transport (i.e. 40% of trips by sustainable means – walking, cycling, 30% by private vehicle, 30% public transport). Early investment in these measures will be essential to delivering higher levels of sustainable travel but the impacts of the remaining transport modes need to be accounted for. It is also recommended, that developments should consider the wider

picture of passenger transport and ensure links between the Garden Communities and beyond to Stansted, Bishop Stortford and Braintree. ECC welcomes continued ongoing engagement with UDC and White Young Green (UDC's transport consultants) in taking this forward.

4.29 ECC acknowledges that there has been good and ongoing engagement with progressing the transportation element of the Draft Local Plan. It is welcomed that ECC has been in discussions with White Young Green. The issues that ECC are raising relate to a lack of reference to passenger transport throughout the Draft Local Plan and, in particular, in relation to the Garden Communities. It is recommended that ECC work with UDC to provide further information regarding the phasing and funding of the required highways infrastructure, particularly as it relates to the Garden Communities.

4.30 ECC, with HE and Hertfordshire County Council, will continue to progress strategic transport projects serving West Essex and East Hertfordshire District Council and lobby Government for their inclusion in national strategies and plans in order to provide the Local Plan with the necessary degree of certainty for their future implementation and funding. A key example is the need to improve M11 junction 8 and this is of great importance to the growth planned in Uttlesford district. (As already highlighted ECC and UDC are signatories to the Strategic Transportation MOU.)

Sustainable Transport

4.31 It is recommended that ECC supports policy references and requirements for sustainable transport (including Policy TA1 and TA2) and the requirements for developers to prepare Travel Plans, Transport Assessments and Statements.

4.32 It is also recommended that ECC seeks amendment to Policy TA1 to refer to the need to provide safe, direct walking and cycling routes between new developments and schools/other community infrastructure, together with appropriate design for these new facilities that encourages and delivers sustainable travel. ECC also recommends ensuring that new developments are planned to link with existing cycling and walking infrastructure wherever possible, to help promote and deliver sustainable travel.

Primary and Secondary Education

4.33 ECC seeks ongoing discussions and engagement with UDC to ensure that future residential development contains sufficient educational facilities and services. It is recommended that the next iteration of the Draft Local Plan shows an appreciation of the phasing and funding for the delivery of educational facilities. The ECC response to the Draft Local Plan has outlined the education infrastructure requirements on key sites, including the three Garden Communities and other residential site allocations. The ECC comments provide detailed views on the quantum of development proposed and the precise implications for future primary and secondary school provision. It is apparent that given UDC are seeking to deliver three Garden Communities across the district, there will be substantial costs for the delivery of future educational provision throughout the district. Discussions with ECC are therefore vitally important to ensure that this growth is planned, phased, properly funded and delivered in an efficient and coherent manner.

Early Years and Childcare (EYC)

4.34 It is recommended that ECC advises UDC that there is a current lack of EYC facilities across the entire district. Therefore future development will need to ensure contributions (financial and/or land) are made in the next version of the Draft Local Plan to enable the delivery of such facilities arising from new development – both residential and employment uses in accordance with the adopted ECC Developers' Guide to Infrastructure Contributions. It is also recommended that EYC facilities are included as appropriate use within allocated employment areas to reduce the need to travel and provide such facilities near people's workplaces.

Flood risk, Drainage and Surface Water Management

4.35 ECC as Lead Local Flood Authority has provided comments throughout the Draft Local Plan process to ensure the delivery of Sustainable Drainage Systems to provide water quality, amenity and ecological benefits. ECC seeks further discussions with UDC to ensure its Local Plan policies comply with Essex requirements.

High Speed Broadband

4.36 It is recommended that ECC acknowledges the reference to high speed broadband in Policy INF4 that requires all new dwellings and non-residential buildings to be served by a superfast broadband connection, installed on an open access basis. The policy recognises that due to the District's rural nature there will be some properties and areas where it may be uneconomic to provide superfast broadband via fibre to serve small numbers of properties. In these circumstances, alternative technologies to provide broadband such as fixed wireless technology or radio broadband should be provided to be considered.

Minerals

4.37 It is recommended that ECC acknowledges that the Draft Local Plan refers to ECC's role as Minerals Planning Authority, and supports that the Draft Local Plan includes policies in relation to minerals matters. However, ECC is recommending amendments to clarify ECC's role as Minerals Planning Authority and where further information is sought as part of development proposal e.g. mineral resource assessments.

Waste

4.38 ECC recommends that UDC recognises waste development as an employment use. It is noted that 'sui generis' waste uses often share characteristics of light or general industrial development including warehousing. This is in accordance with the Essex and Southend-on-Sea Waste Local Plan.

Public Health

4.39 It is recommended that ECC welcome reference to health and the need to ensure that health and well-being is considered in the delivery of new development. However, ECC is seeking amendments to ensure the Draft Local Plan's vision and overall policies/proposals better integrate public health and well-being considerations and requirements 'across the board' in line with Public Health objectives around healthy communities and individuals. ECC recommends UDC undertakes early engagement with both NHS England and the Community Health Partnership with regards to the planning and delivery of the three Garden Communities. The Draft Local Plan should also refer and reflect the Uttlesford Health and Well-being Strategy.

4.40 It is recommended that ECC fully support Policy INF3 entitled Health Impact Assessment (HIA) promoting improvements in health and healthy lifestyles from the design and construction of new developments, but seeks clarification no how the HIA will be assessed, implemented and monitored.

Natural environment (ecology and biodiversity) and climate change

4.41 ECC proposed comments to UDC are seeking to ensure that a consistent approach is adopted in determining the impacts on the natural environment from neighbouring authorities and their analysis for future development proposals.

Historic Environment

4.42 ECC comments note that there is a need for the assessment of the archaeological remains, and therefore the overall assessment of the historic environment has not been undertaken appropriately within the Draft Local Plan as it stands and will need to be addressed in accordance with national policy and guidance. ECC comments also provide more detailed views on the proposed Garden Communities where further consideration of existing archaeological sites is required, and submit information on the site specific allocations.

Deliverability and Viability

Developer Contributions and Community Infrastructure Levy

4.43 In relation to ensuring the deliverability and viability of the Local Plan which is of critical importance and is positioned to be made as strong as possible, it is recommended that ECC acknowledges the inclusion of Policy INF1 entitled Infrastructure Delivery, which sets out the broad requirements for the delivery of infrastructure to support development. However, it recommended that UDC strengthens its planning policy by using the ECC model policy for Infrastructure Delivery and Impact Mitigation to ensure the full range of infrastructure is considered and that planning permission will only be granted if it can be demonstrated that there is sufficient appropriate infrastructure capacity to support the development or that such capacity will be delivered by the proposal. This approach then accords with ECC's full Council resolution of 11 July 2017. It is also recommended that the policy's supporting text includes reference to the ECC Developers' Guide to Infrastructure Contributions to aid sound delivery.

Open Space and Recreation

4.44 It has been identified by ECC and partners with an interest in sports and recreational facilities that the UDC evidence base for its new Local Plan within this subject area is not sufficiently up-to-date and robust. This could leave the Local Plan open to challenge. To rectify this in the interests of ensuring a sound Local Plan, ECC and Sport England recommend that UDC works with these parties (and others if necessary) to develop a robust and reliable evidence base to support and inform these areas of the Local Plan and its Infrastructure Delivery Plan.

Rural Issues

4.45 Uttlesford is a predominantly rural district with 70% of its population living in rural areas. It is recommended UDC refer to the Essex Rural Strategy 2016-2020, (RCCE 2016) and its successor documents published by the Essex Rural Partnership. This will help promote vibrant, mixed and sustainable rural communities. Furthermore ECC recommends that consideration be given to whether

additional growth may be beneficial within the Type A and Type B villages and welcomes conversations with UDC to identify locations where growth may assist and be beneficial to the maintenance of existing social and community infrastructure.

Site Allocations

4.46 It is recommended that ECC provide a range of comments on the site allocations in the Draft Local Plan covering highways and transportation, education, EYC, and surface water management.

General comments

4.47 A range of general comments to support consistency and clarity are provided for the consideration of UDC as it finalises its new Local Plan.

Appendix 3 – Late Response from Suffolk County Council

Whilst Suffolk County Council is not a neighbouring authority, it appears likely that development proposed by the Uttlesford Local Plan will impact on the A1307, which is an important route between Cambridge and Haverhill in Suffolk. The route is of particular significance to the growth of Haverhill within the Cambridge Sub Region.

The number of trips that seem to be proposed from Uttlesford onto the A1307 appears to be significant, and the County Council would suggest that any assessment of this should take into account the cumulative growth on the corridor, i.e. existing planned growth from West Suffolk and South Cambridgeshire. It should also be seen in the context of the existing issues on this corridor, including road safety, and full assessment should be made of this, including at the A11/ A1307 junction of Fourwentways. Regard would also need to be given to proposals from the Cambridge City Deal.

Appendix 4 – Public Bodies

Anglian Water

Policy SP5 – Garden Community Principles

Reference is made to the proposed development frameworks for the garden communities including phasing, infrastructure and delivery plans. We support this requirement as it is important that proposed garden communities are phased to ensure that they are aligned with Anglian Water's water recycling infrastructure which is required to serve new development.

Policy SP6 – Easton Park Garden Community

Policy SP6 refers to enhancements being made at Great Easton Water Recycling Centre in Anglian Water's ownership to accommodate the foul flows from the Easton Park development. It is important to note that the above site straddles the statutory sewer boundary between Anglian Water and Thames Water.

The water industry operates on five-yearly cycles called Asset Management Plan (AMP) periods. The current asset management plan period (known as AMP6) covers the period 2015 to 2020. Customer charges will be set following submissions from Anglian Water about what it will cost to deliver the business plan.

In general, water recycling centre (previously referred to as sewage or wastewater treatment works) upgrades where required to provide for additional growth are wholly funded by Anglian Water through our Asset Management Plan.

We are currently in the early stages of developing a 25 year growth forecast for our area of responsibility and are developing long term integrated strategies to manage growth. These will be published and consulted on in our new Water Recycling Long Term Plan and as part of the PR19 business planning process (next business plan period). It is expected that this strategy will be published in Summer 2018.

Anglian Water is currently in discussion with Uttlesford District Council and the site promoter in relation to sewage treatment for this site and would wish to have further discussions on this issue prior to the Local Plan being finalised.

Reference is made to connections, networks upgrades and reinforcements being made to the public sewerage network to accommodate the foul flows from this development. Foul network improvements are generally funded/part funded through developer contribution via the relevant sections of the Water Industry Act 1991. The cost and extent of the required network improvements are investigated and determined when we are approached by a developer and an appraisal is carried out.

Reference is made to Sustainable Drainage Systems (SUDs) being incorporated as part of the North Uttlesford Garden Community which is supported. It would be helpful if reference was also made to SUDs being considered at an early stage as part of the design process.

Policy SP7 – North Uttlesford Garden Community

Policy SP7 refers to enhancements being made at Great Chesterford Water Recycling Centre in Anglian Water's ownership to accommodate the foul flows from the North Uttlesford development.

The water industry operates on five-yearly cycles called Asset Management Plan (AMP) periods. The current asset management plan period (known as AMP6) covers the period 2015 to 2020. Customer charges will be set following submissions from Anglian Water about what it will cost to deliver the business plan.

In general, water recycling centre (previously referred to as sewage or wastewater treatment works) upgrades where required to provide for additional growth are wholly funded by Anglian Water through our Asset Management Plan.

We are currently in the early stages of developing a 25 year growth forecast for our area of responsibility and are developing long term integrated strategies to manage growth. These will be published and consulted on in our new Water Recycling Long Term Plan and as part of the PR19 business planning process (next business plan period). It is expected that this strategy will be published in Summer 2018.

It is therefore proposed that Policy SP8 is amended as follows: 'Enhancements to the water recycling centre at Great Chesterford, new connections, network upgrades and reinforcements to the sewerage network to be aligned with the phasing of development and that proposed post 2033.'

Reference is made to connections, networks upgrades and reinforcements being made to the public sewerage network to accommodate the foul flows from this development. Foul network improvements are generally funded/part funded through developer contribution via the relevant sections of the Water Industry Act 1991. The cost and extent of the required network improvements are investigated and determined when we are approached by a developer and an appraisal is carried out.

Reference is made to Sustainable Drainage Systems (SUDs) being incorporated as part of the North Uttlesford Garden Community which is supported. It would be helpful if reference was also made to SUDs being considered at an early stage as part of the design process.

Policy SP8 – West of Braintree Garden Community

Policy SP8 refers to enhancements being made at Bocking Water Recycling Centre in Anglian Water's ownership to accommodate the foul flows from the West of Braintree development. It is important that any required investment at existing water recycling centres would need to be identified as part our business planning process.

The water industry operates on five-yearly cycles called Asset Management Plan (AMP) periods. The current asset management plan period (known as AMP6) covers the period 2015 to 2020. Customer charges will be set following submissions from Anglian Water about what it will cost to deliver the business plan.

In general, water recycling centre (previously referred to as sewage or wastewater treatment works) upgrades where required to provide for additional growth are wholly funded by Anglian Water through our Asset Management Plan.

We are currently in the early stages of developing a 25 year growth forecast for our area of responsibility and are developing long term integrated strategies to manage growth. These will be published and consulted on in our new Water Recycling Long Term Plan and as part of the PR19 business planning process (next business plan period). It is expected that this strategy will be published in Summer 2018.

Reference is made to a development framework for this site to be agreed between Braintree and Uttlesford District Councils for this site as it straddles the administrative boundary. Consideration should also be given to having consistent wording relating to foul drainage and sewage treatment. For example Policy SP10 of the plan for Braintree district refers to 'provision of improvements to waste water treatment'.

Reference is made to connections, networks upgrades and reinforcements being made to the public sewerage network to accommodate the foul flows from this development. Foul network improvements are generally funded/part funded through developer contribution via the relevant sections of the Water Industry Act 1991. The cost and extent of the required network improvements are investigated and determined when we are approached by a developer and an appraisal is carried out.

Reference is made to Sustainable Drainage Systems (SUDs) being incorporated as part of the North Uttlesford Garden Community which is welcomed. It would be helpful if reference was made to SUDs being considered at an early stage as part of the design process.

Policy EN11 – Minimising flood risk

Anglian Water is largely supportive of policy EN11 which is intended to ensure that no increased risk of flooding to existing properties. It is assumed that the intention is that this would encompass the risk of flooding from all sources including sewers. However we would wish to see specific reference made to foul drainage and sewage treatment in Policy EN11.

It is therefore suggested that the following wording should be included in Policy EN11: 'All new development proposals will need to demonstrate that adequate foul water treatment and disposal exists or can be provided in time to serve the development.'

Policy EN12 – Surface water flooding

Policy EN12 requires all new development with a number of limited exceptions to incorporate Sustainable Drainage Systems (SuDS). We support the requirement to use SuDS and that alternative method of surface water disposal will only be considered where it is demonstrated that there are no reasonable alternatives. This is consistent with the surface water hierarchy and would help to ensure that new development does not increase the risk of surface water and sewer flooding.

Policy INF1 Infrastructure Delivery

Anglian Water is supportive of Policy INF1 as it states that planning permission will only be granted if it can be demonstrated that the on and off-site infrastructure is already in place, or there is a reliable mechanism to ensure that it is provided in a timely manner.

12 Residential Site Allocations

Anglian Water has made an initial assessment of the implications for non-residential sites for Anglian Water's existing water recycling infrastructure. Where there is a need for improvements to be made to the existing foul sewerage network to accommodate the allocation site it is suggested that this included in the wording of the relevant policy.

13 Non-Residential Site Allocations

Anglian Water has made an initial assessment of the implications for non-residential sites for Anglian Water's existing water recycling infrastructure. Where there is a need for improvements to be made to the existing foul sewerage network to accommodate the allocation site it is suggested that this included in the wording of the relevant policy.

Education & Skills Funding Agency

The ESFA launched on 1st April 2017, bringing together the existing responsibilities of the Education Funding Agency (EFA) and the Skills Funding Agency (SFA) to create a single funding agency accountable for funding education and training for children, young people and adults. The ESFA are accountable for £61 billion of funding a year for the education and training sector, including support for all state-provided education for 8 million children aged 3 to 16, and 1.6 million young people aged 16 to 19.

Under the provisions of the Education Act 2011 and the Academies Act 2010, all new state schools are now academies/free schools and the ESFA is the delivery body for many of these, rather than local education authorities. As such, we aim to work closely with local authority education departments and planning authorities to meet the demand for new school places and new schools. In this capacity, we would like to offer the following comments in response to the proposals outlined in the above consultation document.

General Comments on the Local Plan Approach to New Schools

The ESFA notes that significant growth in housing stock is expected in the district; the Local Plan confirms the annual housing target of 641 homes per year to the end of the plan period in 2033 (14,100 homes in total). This will place significant pressure on social infrastructure such as education facilities. The Local Plan will need to be

'positively prepared' to meet the objectively assessed development needs and infrastructure requirements.

The ESFA welcomes reference within the plan to the objective (1d) to "...protect and enhance existing local services by: Ensuring that new and enhanced infrastructure is provided in a timely and sustainable manner to enable the needs of people and business to be met in relation to social, physical and green infrastructure including education...".

The ESFA also supports draft policy INF1 Infrastructure Delivery which covers important principles including need, timing of delivery and developer contributions. The policy states that development "...must be supported by the timely delivery of infrastructure, services and facilities necessary to meet the needs arising from the development... New development will only be permitted if the necessary on and off-site infrastructure that is required to support it, and mitigate its impact, is either already in place, or there is a reliable mechanism in place to ensure that it will be delivered in a timely manner... Developers will either make direct provision or contribute towards the provision of infrastructure required by the development either alone or cumulatively with other developments. Planning obligations and phasing conditions will be required where necessary..."

In light of the requirement for all Local Plans to be consistent with national policy, you will have no doubt taken account of key national policies relating to the provision of new school places, but it would be helpful if they were explicitly referenced or signposted within the document. In particular:

- The *National Planning Policy Framework* (NPPF) advises that local planning authorities (LPAs) should take a proactive, positive and collaborative approach to ensuring that a sufficient choice of school places is available to meet the needs of communities and that LPAs should give great weight to the need to create, expand or alter schools to widen choice in education (para 72).
- The ESFA supports the principle of Uttlesford District safeguarding land for the provision of new schools to meet government planning policy objectives as set out in paragraph 72 of the NPPF. When new schools are developed, local authorities should also seek to safeguard land for any future expansion of new schools where demand indicates this might be necessary.
- Uttlesford District should also have regard to the Joint Policy Statement from the Secretary of State for Communities and Local Government and the Secretary of State for Education on '*Planning for Schools Development*'² (2011) which sets out the Government's commitment to support the development of state-funded schools and their delivery through the planning system.

In light of the above and the Duty to Cooperate on strategic priorities such as community infrastructure (NPPF para 156)³, the ESFA encourages close working with local authorities during all stages of planning policy development to help guide the development of new school infrastructure and to meet the predicted demand for

² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/6316/1966097.pdf

³ NPPF paragraph 180 specifies that this collaborative working should include infrastructure providers.

primary and secondary school places. Please add the ESFA to your list of relevant organisations with which you engage in preparation of the plan.

In this respect, the ESFA commends, for example, the approach taken by the London Borough of Ealing in producing a Planning for Schools Development Plan Document (DPD)⁴. The DPD provides policy direction and establishes the Council's approach to providing primary and secondary school places and helps to identify sites which may be suitable for providing them (including, where necessary and justified, on Green Belt/MOL), whether by extension to existing schools or on new sites. The DPD includes site allocations as well as policies to safeguard the sites and assist implementation and was adopted in May 2016 as part of the Local Plan. The DPD may provide useful guidance with respect to an evidence based approach to planning for new schools in the emerging Uttlesford Local Plan, securing site allocations for schools as well as providing example policies to aid delivery through Development Management policies.

Ensuring there is an adequate supply of sites for schools is essential and will ensure that Uttlesford District can swiftly and flexibly respond to the existing and future need for school places to meet the needs of the area over the plan period.

Site Allocations

The emerging Local Plan has set out a clear spatial strategy focusing the majority of development at the towns of Saffron Walden (240 homes in new site allocations, 1269 dwellings in total 2011-2033) and Great Dunmow (743 homes in new site allocations, 3263 dwellings in total 2011-2033) and at three new Garden Communities: Easton Park (minimum 1,800 homes by 2033, with 10,000 homes planned in total), West of Braintree (minimum 970 homes by 2033, with 10,000 homes planned in total) and North Uttlesford (minimum 1,900 homes by 2033, with 5,000 homes planned in total). For each of these settlements a draft site allocation policy sets out further requirements. With specific regard to planning for new schools in the three new garden communities, policies SP6 to SP8 state that developers will need to provide land and financial contributions towards:

- Seven primary schools (2FE) and one secondary school (number of FE unspecified) at Easton Park
- Four primary schools (2FE) and one secondary school (7FE) at North Uttlesford
- Eight primary schools (seven being 2FE and one being 3FE) and one large or two smaller secondary schools to be provided to total for the whole West of Braintree garden community – distribution between Braintree district and Uttlesford to be determined through masterplanning.

In addition, the Local Plan also sets out a series of residential site allocations for smaller sites. These include the following requirements relating to a new secondary school at Great Dunmow:

⁴ https://www.ealing.gov.uk/info/201164/local_plans/1961/planning_for_schools_dpd

- Land West of Chelmsford Road, Great Dunmow – development to provide for or make an appropriate contribution towards the provision of primary education facilities
- Land west and south-west of Great Dunmow - a site of 14 hectares is protected for the development of a new secondary school (including playing fields; number of FE unspecified)
- Land at Helena Romanes School, Great Dunmow - an enabling development, in order to part fund the development of a new secondary school appropriately located to serve the growing population of Great Dunmow. The relocation of the school to a new site provides the opportunity to provide a larger and modern school. *“Permission for the development will not be granted until there is a clear and binding commitment, subject only to funding from the release of this site for development, to the provision of a replacement secondary school.”*

The next version of the Local Plan should seek to provide further detail about these site specific requirements for schools, based on the latest evidence of identified need and demand in the Infrastructure Delivery Plan and Essex County Council’s 10 year plan for meeting the demand for school places⁵. This should include clarifying where possible the requirements for the delivery of new schools, including when they should be delivered to support housing growth (i.e. appropriate trigger points), the minimum site area required (and number of forms of entry needed where this has not already been stated), any preferred site characteristics, and any requirements for safeguarding additional land for future expansion of schools where need and demand indicates this might be necessary. For an example of the latter, see draft policy CC7 in Milton Keynes’s Plan:MK Preferred Option draft from March 2017⁶.

While it is important to provide clarity and certainty to developers, retaining a degree of flexibility about site specific requirements for schools is also necessary given that the need for school places can vary over time due to the many variables affecting it. The ESFA therefore recommend the council consider highlighting in the next version of the local plan that:

- specific requirements for developer contributions to enlargements to existing schools and the provision of new schools for any particular site will be confirmed at application stage to ensure the latest data on identified need informs delivery; and that
- requirements to deliver schools on some sites could change in future if it were demonstrated and agreed that the site had become surplus to requirements, and is therefore no longer required for school use.

The ESFA would like to be included as early as possible in discussions on potential site allocations, as there could be pipeline school projects in Uttlesford District which may be appropriate for specific designation.

⁵ <http://www.essex.gov.uk/Education-Schools/Schools/Delivering-Education-Essex/School-Organisation-Planning/Pages/School-place-planning.aspx> - this includes reference to a potential need for new primary school provision in Saffron Walden and Great Dunmow to given the scale of growth proposed.

⁶ <https://www.milton-keynes.gov.uk/planning-and-building/planning-policy/plan-mk>

Policy SP5 and policy D4 state that detailed development frameworks will be prepared for each of the garden communities as development plan or supplementary planning documents. These will include phasing and infrastructure plans with trigger points for infrastructure delivery; and will specify broad locations for supporting services, including education. Please consult the ESFA on these documents when they are published.

Forward Funding

In light of the draft site allocations for the three garden communities, emerging ESFA proposals for forward funding schools as part of large residential developments may be of interest to the council. We would be happy to meet to discuss this opportunity at an appropriate time.

Evidence Base

The approach to planning for schools should be 'justified' based on proportionate evidence. It would be useful if a Planning for Schools topic/background paper could be produced, expanding on the evidence in the Council's Infrastructure Delivery Plan and Essex County Council's 10 year plan for meeting the demand for school places, setting out clearly how the forecast housing growth at allocated sites has been translated (via an evidence based pupil yield calculation) into an identified need for specific numbers of school places and new schools over the plan period. This would help to demonstrate more clearly that the approach to the planning and delivery of education infrastructure is justified based on proportionate evidence. If required, the ESFA can assist in providing good practice examples of such background documents relevant to this stage of your emerging Plan.

Developer Contributions and CIL

One of the tests of soundness is that a Local Plan is 'effective' i.e. the plan should be deliverable over its period. In this context and with specific regard to planning for schools, there is a need to ensure that education contributions made by developers are sufficient to deliver the additional school places required to meet the increase in demand generated by new developments. The ESFA note that Essex County Council has produced a Developers' Guide to Infrastructure Contributions (revised 2016) that includes an explanation of contributions towards expanding existing schools and creating new schools. It would be helpful and relevant for this document to be referenced within the Local Plan in the section alongside policy INF1 which covers developer contributions.

The ESFA would be particularly interested in responding to any update to the Infrastructure Delivery Plan or review of infrastructure requirements, or any proposal for introducing a Community Infrastructure Levy (CIL). As such, please add the ESFA to the database for future infrastructure/CIL consultations.

Essex Police

Policy D1 – High Quality Design

Consider the policy should be amended to have greater reference to 'secured by design'. Designing Out Crime Officers work with our colleagues within neighbouring policing areas as the Eastern Region Designing Out Crime Officers and as such there is a desire to create uniformity across the counties where possible. Such as

promoting Secured by Design <http://www.securedbydesign.com/> and the National Building Approval <http://www.securedbydesign.com/sbd-national-building-approval/> .

Suggest the policy includes the following criteria for development unless the development provides clear justification for not meeting the standard on the basis of specific circumstances or viability:

- 1) Achieve Silver Secured by Design accreditation as a minimum, and ideally should achieve a Gold SBD accreditation. Features such as gated developments, that invoke a fear of crime, are to be avoided.
- 2) Street lighting should achieve the standard as described in the Secured by Design publication 'Lighting Against Crime' or subsequent documents which explicitly supersede this.

Environment Agency

Uttlesford District Council's area crosses the boundaries of both our Thames Area and East Anglia Area as well as falling within three separate Environment Agency (EA) water management catchments (effectively mirroring the situation of the three water companies). This latter position has led to wide consultation with the three EA Environmental Area Planning teams with responsibility for the respective water management catchments.

The main thrust of the EA's response is concerned with the water infrastructure situation which we consider needs careful consideration.

Comments are also made on waste; Vision, Objectives, Policies and Supporting Text; Residential Site Allocations and Other Matters.

Water Infrastructure Situation

The Regulation 18 Local Plan and the Infrastructure Delivery Plan has highlighted several issues regarding water infrastructure in the proposed growth plan. The Environment Agency generally concurs with the issues raised with regard to water infrastructure, however we do feel it is important to reiterate certain points.

Upgrades to water infrastructure will be necessary to accommodate the projected growth in the local plan. Provision of suitable infrastructure will be a major factor with regards to the achievable scale, distribution and timing of this plan. We consider it imperative that these issues are addressed before any of the plans can be fully implemented. In the Hertfordshire and North London area, Thames Water will need to be an active participant in the delivery of the proposed plans.

Elensham is connected to the Stansted Sewage Treatment Works (STWs). There is single pipe connection which passes underneath the M11. There is a need for the Council and developers to work closely with Thames Water to understand any constraints and/or upgrades required to accommodate the proposed residential allocations in the Elensham area.

Takeley has its own small STW which discharges into the upper reaches of the Pincey Brook. The dilution capacity of the receiving watercourse is low especially during dry periods of the year. Any changes to the present discharge arrangements

will need to be carefully assessed. There will be a need for the Council to understand any constraints on additional demands placed on this treatment works. The Environment Agency will work closely with Thames Water to ensure high environmental standards continue to be met.

The figures given in the Local Plan are in line with those used in recent previous documents (e.g. the updated water cycle study and the IDP). However, the water cycle study was only completed to stage 1 standard. The statements of where upgrades will take place and sewage will be received in Policies SP6, 7 and 8 pre-empt the very necessary stage 2 water cycle study. At this stage, we cannot be certain that the necessary upgrades are possible, or that an appropriate revised permit will be granted. Given that the rivers which flow through Uttlesford are only headwaters, the presence of enough dilution to support the proposed WRC extensions is not a given, and the permitted nutrient limits required could be extremely challenging to meet.

Policy SP8 also pre-empts the water cycle study for the North Essex Garden Communities Integrated Water Management Strategy (IWMS) currently being completed by AECOM (also discussed further on this response). In this study, at stage 1 draft stage, the feasible options for the west of Braintree community also include building an entirely new WRC, with discharge split between the rivers Brain and Blackwater. We would recommend slightly changing the phrasing of these policies such that upgrading the WRCs mentioned is phrased as an 'option under investigation' or the 'currently preferred option' rather than as a certainty.

Water Resources

We would broadly support the policies and statements made in this document. It recognises that the area is one which suffers from water stress and the policies included reflect that.

We note that **Policy SP12 - Sustainable Development Principles** includes promoting development that minimises consumption of and protects natural resources including water. We are in favour of this approach.

We note that **Policy D8: Sustainable Design and Construction** includes systems that reduce water consumption and allow for the reuse of grey water is encouraged. Again we are in favour of this approach.

We note the approach of **Policy EN13 – Protection of Water Resources** which we consider to be comprehensive in its coverage and taken as a whole, the Policy wording is considered to complement our internal water resources policies.

Water Quality/wastewater comments

Paragraph 9.5 Conclusions For New Settlements' on page 61 of the Water Cycle Study (WCS) Update, dated January 2017, suggests that an alternative foul drainage solution for a New Settlement at Great Chesterford could be "... conveyance to Saffron Walden catchment if viable."

Although we provided updated datasets we were not consulted on the conclusions of the WCS Update. Little detail is provided regarding the assessments carried out in that WCS Update, but it is our opinion that conveyance of large volumes of foul sewage to Saffron Walden would not likely be a viable option. The environmental capacity is severely constrained in the local watercourse (The Slade) where there is limited dilution available for an increase in sewage discharge volumes.

The WCS Update conclusion goes on to state that “*Consultation indicates that both Thames Water and Anglian Water have concerns regarding the level of growth and it is recommended they are engaged by the site promoters as early as possible.*”

We note that paragraphs 3.1.9 and 3.1.10 of the Uttlesford IDP: Addendum and Summary Paper make the respective points:

Para 3.1.9: Provision of water infrastructure is critical and could be a risk to the spatial distribution of growth in the local plan period. Growth at the proposed new garden communities will place additional burdens on foul water capacity.

Para 3.1.10: The EA has advised that the level of discharges into water courses is currently at its limit and that additional permits for increased discharges may not be granted.

We echo the concern expressed by the water companies, but suggest that further detailed WCS assessments should be carried out in order to properly assess the potential impact of the New Settlement(s) at all locations. The WCS should form part of an evidence base to demonstrate that the quantum of growth proposed in the Local Plan can be delivered sustainably and without causing a breach of environmental legislation. Encouraging site promoters to engage with the water companies is to be encouraged – but this in itself will not prevent a breach of environmental legislation and is not a substitute for a full and proper WCS assessment ahead of the Local Plan being finalised/approved.

As matters stand, we consider that in the absence of further detailed WCS assessments, including the outputs of the North Essex Garden Communities IWMS, the evidence base supporting the Uttlesford proposed new settlements does not, in our view, fully engage with National Policy and the National Planning Practice Guidance. We consider it is not consistent with the National Policy position and is therefore unsound.

Waste

The Local Plan will be used to inform decisions on planning applications across the District, in conjunction with any local plan documents relating to minerals and waste prepared by Essex County Council (ECC) and any neighbourhood plans prepared by the community. Together these plans comprise the Development Plan for Uttlesford. The supporting Sustainability Appraisal (SA) addresses waste management in a

constructive and positive manner for such a Plan and should be seen as supportive to Policies and Directives on waste. Recycling is mentioned in Policy SP12 - Sustainable Development Principles and Policy D8: Sustainable Design and Construction refers to waste, recycling and storage areas should be provided. The SA also makes reference to emerging waste site allocations and refers to the Waste Local Plan.

Reference is made to the ECC Joint Municipal Waste Management Strategy 2007-2032. Therefore, as noted in the SA "Planning policy and allocations within the Local Plan should have regard to the aims set out in this strategy. Waste management should be included in the Local Plan to identify areas where significant improvements can be achieved, specific to the District of Uttlesford, to assist in the realisation of the aims set out in the ECC Joint Municipal Waste Management Strategy". Developers within the district should be encouraged to design, construct and that occupation of any development should be such that waste is minimised, safely stored and properly recycled or disposed causing no environmental harm.

The waste hierarchy is mentioned in Annex B of the SA, along with information on the local authority collected waste, transfer stations and the replacement Waste Local Plan for Essex and South End on Sea. It is encouraging to also have Anaerobic Digestion plants, Commercial and Industrial Waste and Construction, Demolition and Evacuation Waste referred to. There is also a section on the Links to the Adopted Minerals Local Plan 2014.

Vision, Objectives, Policies and Supporting Text

Vision

We support the thrust of the Vision, in particular that the natural environment will be safeguarded and challenges presented by climate change will be embraced and development located and designed to minimize resource and energy use and risk of flooding reduced.

Objective 1d - infrastructure

We support the thrust of this objective, in particular that new and enhanced infrastructure is provided in a timely and sustainable manner. This is important given the level of growth and proposals for the three garden communities.

Objective 3b – Climate Change and Use of Resources

We endorse this objective.

Policy SP5 – Garden Community Principles

We support the thrust of this policy. We particularly welcome the principle that phasing, infrastructure and delivery plans will form part of the development framework.

We note that there is no reference to the benefits of open space for sustainable drainage and here we consider either the policy or supporting text should make reference to “multifunctional” open space and identifies the provision of flood mitigation and wastewater measures as a principle requirement in place shaping.

Surface water management is likely to be a key factor in the development framework and with this in mind we recommend that opportunities for incorporating natural flood management techniques should be sought. Such techniques could include tree planting as a means of retarding/ retaining water flows both upstream in the catchment and in green infrastructure spaces within each garden community. Tree planting has a number of multiple benefits, not only serving as a natural flood management techniques, but provides additional biodiversity benefits and natural environment enhancements.

We recommend that the following wording be inserted as additional supporting text after paragraph 3.55:

‘Measures to promote environmental sustainability should addressing the provision of appropriate wastewater and flood mitigation measures, including use of open space for sustainable drainage systems. Opportunities to enhance the natural environment should also consider the use of natural flood management techniques, which combined with the creation of green infrastructure can provide multiple benefits in the form of additional biodiversity, more natural forms of surface water managements and improvements to the natural environment through landscape betterment.

You may be aware that AECOM have been commissioned to carry out an integrated water management strategy (IWMS) study of the three garden communities that comprise the North Essex Garden Communities under the auspices of the Braintree, Colchester and Tendring District Councils. The West of Braintree Garden Communities is one of the three garden communities proposed by the aforementioned Councils. Although we provided comments at the Inception Stage 1 Report, we have not, at the time of writing this response, seen the more detailed stage 2 report – this was due for release in late August/ early September 2017.

The executive summary of the Stage 1 Report highlighted that the scale and location of development across the Garden Communities poses significant challenges around provision of water supply, wastewater services and management of flood risk. It goes on to add that the full potential quantum of growth that the garden communities could deliver does not have identified solutions for the treatment of wastewater, provision of water supply and assessment of impact and compliance with water based environmental legislation.

The purpose of the strategy is to identify solutions which we consider should as a matter of course be sustainable. We understand the IWMS Stage 2 will develop a range of delivery option strategies for each garden community based on a series of potential wastewater, water supply, and surface water and flood risk measures. Our expectation is that work on the IWMS Stage 2 will be completed and agreed

sufficiently in advance of the submission of the respective local plans to the Planning Inspectorate for the examination in public. Ideally the IWMS Stage 2, and where considered necessary, an IWMS Stage 3 will provide the necessary evidence to support the development of the respective garden communities without impacting on the environment.

The Inception Stage 1 Report discusses the application of water neutrality but without explaining in specific detail what water neutral actually means and how it can be met in terms of various techniques. It is a little disappointing to note that the principles do not make any references to water infrastructure, notably availability of water resources. We appreciate that there is a reference to water efficiency under Policy EN13, but consider the importance of this aspect should also be directly emphasised in relation to the proposed garden communities in Uttlesford.

Paragraph 154 in the National Planning Policy Framework advises that Local Plans should be aspirational. With this in mind, we recommend that the following short supporting text should be inserted:

Water efficiency – in order to promote water efficiency in new residential developments in the Garden Communities, the optional Building Regulation water efficiency standard of 110 litres per occupier per day will be applied. Non-residential development should adopt BREEAM or similar standard for the application of water efficiency components and water recycling.

Policy SP6 – Easton Park Garden Community

We are generally supportive of the thrust of this policy. However, our earlier comments on water infrastructure apply to this garden community. We consider that the existing Uttlesford Water Cycle Study needs further detailed work to be carried out in relation to this growth area. Item 7 of the policy wording should be reworded so as to emphasize that any enhancements, or new water recycling centres, are in place before any development takes place.

Enhancements to the water recycling centre at Great Easton, or the construction of any new water recycling centre, new connections, network upgrades and reinforcements to the sewerage network must be in place ahead of the occupation of residential development.

Policy SP7 – North Uttlesford Garden Community

We are generally supportive of the thrust of this policy. However, our earlier comments on water infrastructure apply to this garden community. We consider that the existing Uttlesford Water Cycle Study needs further detailed work to be carried out in relation to this growth area.

Item 7 of the policy wording should be reworded so as to emphasize that any enhancements, or new water recycling centres, are in place before any development takes place.

Enhancements to the water recycling centre at Great Chesterford, or the construction of any new water recycling centre, new connections, network upgrades and reinforcements to the sewerage network must be in place ahead of the occupation of residential development.

Policy SP8 – West of Braintree Garden Community

We are generally supportive of the thrust of this policy. However, our earlier comments on water infrastructure apply to this garden community. See above for our comments on the North Essex Garden Communities IWMS which also apply to the West of Braintree Garden Community

Item 7 of the policy wording should be reworded so as to emphasize that any enhancements, or new water recycling centres, are in place before any development takes place.

Enhancements to the water recycling centre at Bocking, or the construction of any new water recycling centre, new connections, network upgrades and reinforcements to the sewerage network must be in place ahead of the occupation of residential development.

Policy SP11 – London Stansted Airport

We are concerned that this policy does not include any specific recognition that further development at the airport, notably through growth in passengers, may potentially have an adverse impact on water resources, both water supply and waste water treatment. The cumulative impact of growth in passenger numbers at the airport and the adjacent Easton Park garden community on water resources has not been adequately assessed. We consider that the policy does not, in our view, fully engage with National Policy and the National Planning Practice Guidance. We consider it is not consistent with the National Policy position and is therefore unsound.

This unsound position could be overcome by inserting under the paragraph heading 'Airport Development' the following sentence as point 10:

No development including growth in passenger numbers will be permitted unless it has been demonstrated that either sufficient water resources infrastructure already exists or additional water resources infrastructure can be provided before development becomes fully operational.

This potentially significant development should be subject to the aforementioned WCS assessment.

Policy SP12 – Sustainable Development Principles

We support the thrust of this policy, particularly bullet points 2, 6, 7, 8, 9 and 10.

Policy H9 – Sites for Gypsies, Travellers, and Travelling Showpeople

We are pleased that the fifth criterion of this policy ensures that these sites should not be located in areas at risk of flooding. In terms of tidal and fluvial flood risk, where they include residential caravans that are considered to be ‘highly vulnerable’ in Table 2 of the Planning Practice Guidance: Flood Risk and Coastal Change, these sites should not be permitted in Flood Zone 3, as demonstrated in Table 3 of this guidance.

We welcome Policy H9 stating that the site is, or can be, connected to physical infrastructure including, among other matter, drainage. It should be noted that a private means of foul effluent disposal is only acceptable when foul mains drainage is not feasible (in terms of cost and/or practicality).

Policy INF1 – Infrastructure Delivery

We support the thrust of this policy. We welcome the requirement under the fourth paragraph for on and off-site infrastructure to be required in order to support and mitigate the impacts of development either already being in place, or a reliable mechanism in place to ensure its delivery in a timely manner.

Policy D4: Development Framework and Codes

We support the thrust of the policy wording, notably the fifth bullet point which sets out a requirement for a green infrastructure plan. There is an opportunity for such a plan to link with the design of surface water management for a development, especially where SuDS in the form of attenuation ponds/ infiltration basins and other methods such as swales, are advocated as the principal form of water drainage. We recommend that this bullet point be amended to read as follows:

‘A green infrastructure plan setting out the network and typology of green spaces, links and areas of ecological importance and opportunities for the creation of sustainable drainage schemes including attenuation ponds/ infiltration basins and swales.’

Policy D8: Sustainable Design and Construction

We support the thrust of this policy especially the third paragraph which requires proposals for new development demonstrating how resource efficiencies and climate change adaptation measures will be incorporated.

Policy EN8 – Protecting the Natural Environment

In line with our duties under the Water Framework Directive and responsibilities for the water environment we are supportive of this general overarching policy.

Policy EN9 – Protecting and Enhancing the Natural Environment

Although we are supportive of the thrust of this policy, there are a number of points we wish to raise here.

We would highlight that ‘harm’ to biodiversity can also arise as a result of development causing invasive species to be introduced. 6% of the water bodies within the Anglian River Basin Management Plan are classified as failing due to invasive species.

We recommend that a biosecurity protocol method statement is required for all development proposals to ensure that an adequate means of preventing the introduction of non-native species is considered and implemented. This should help to prevent the spread of invasive non-native species which have a negative impact on biodiversity and ecosystem functioning. We recommend that this aspect be addressed within the Local Plan by adding the wording below as a fifth bullet point under the second paragraph.

‘A biosecurity protocol method statement is required for all development proposals to ensure the introduction of invasive non-native species is prevented.’

We recommend the inclusion of wording covering the provision of ecological buffer strips along river corridors and seeking opportunities for de-culverting. With this in mind we recommend that the wording given below should be inserted as a new final sentence for Policy EN9.

‘Development proposals with river frontages should make provision for ecological buffer strips with a view to protecting and where appropriate enhancing water dependant habitats and species. Where development proposals will be carried out on land with a watercourse currently culverted, opportunities for de-culverting and restoration to an open watercourse should be sought as a means of creating blue infrastructure and enhancing the development site.’

The provision of ecological buffer zones should not only be sought under the aims of the Anglian River Basin Management Plan to bring about achieving good ecological status through improvements and enhancements, but also for flood risk management purposes.

Policy EN11 – Minimising Flood Risk

We are supportive of the thrust of this policy and supporting text. On the former we would make the point that development opportunities in Flood Zone 3b, the functional flood plain, are restricted irrespective of the developer submitting a flood risk assessment and mitigation measures. We recommend the inclusion of the following wording as an additional sentence forming the fourth paragraph.

'Development in Flood Zone 3b, the functional flood plain, must accord with those categories in Table 3 Flood Risk Vulnerability Classification which are described as appropriate for this Flood Zone.'

With regard to the supporting text, we would point out that contrary to paragraph 10.35, a site-specific flood risk assessment is not directly required under the Environment Agency's Standing Advice, but rather it is a requirement of the National Planning Policy Framework /National Planning Practice Guidance: Flood Risk and Coastal Change.

Policy EN13 – Protection of Water Resources

We are generally supportive of this policy – see our earlier comments above under the heading 'Water Resources'.

Delivery and Monitoring

We are supportive of the general thrust of Policy M1 – Monitoring and Review. We are supportive of the thrust of Policy M2 – Implementation and Monitoring of Major Projects and note applications should include, among other matters, robust information on the expected phasing which should include the timetable and proposed arrangements for...infrastructure delivery.

We are not clear on how Policy INF1 – Infrastructure Delivery will be monitored under Objective 1d – Infrastructure in Appendix 2 – Monitoring Framework.

Residential Site Allocations

Given the substantial number of site allocations set out in the Local Plan and time constraints under this consultation, we have not carried out any specific check against our environmental constraints. We assume that, unless you advise us to the contrary, you have performed this task in relation to those environmental matters within the remit of the Environment Agency.

Other Matters

Appendix 4 – Garden Community Principles

We support Principle 7 Development which enhances the natural environment. We assume the Council will find useful, in helping to inform the development process,

The Town and Country Planning Association's recent published practical guide to garden cities: *The Art of Building a Garden City*.

Appendix 6 – Existing Employment Sites Schedule

We have no particular comments to make on the sites concerned.

Highways England

We have been talking to the District for a long time about aspirations for growth, it is recognised that large parts of the district are rural and access to public transport difficult. Parts of the strategic road network (SRN) running through the district are already close to capacity and cannot reasonably cope with large amounts of additional development without significant improvement. The M11 J8 and although not in the district Galley's Corner at Braintree are giving particular concern with regards to capacity.

It has been recognised that the A120 between Braintree and the A12 is nearing capacity, most noticeably at peak times. Essex County Council has been examining the feasibility of upgrading this route to a dual carriageway. With a view to submitting this for inclusion into a future RIS-2.

Until housing and employment is committed the above schemes can really only deal with existing challenges allowing for a limited amount of growth as the designs are based on previously envisaged growth rates rather the much more ambitious level proposed in these consultations. This means the need careful planning to ensure proposed development is in the most appropriate place with the necessary facilities and infrastructure available at the right time and a steep change both in the provision and take up of public transport, if this level of development is to be sustainable. These sites are of a size to be able to internalise their own trips careful planning and delivery will be required to make sure that services, jobs and infrastructure come forward at the same time as demand is increased by new homes. If not there is a danger that trips will not be captured on site and the impact of the development on the surrounding network could be unsustainable.

We support the policies in the plan aimed at reducing the need to travel by private car, such as improved walking, cycling and public transport infrastructure, and the provision of high speed broadband allowing people to more easily communicate and work remotely reducing the demand for travel.

Turning to specific sites The new Garden Communities will be:

- Easton Park – The whole garden community will comprise 10,000 new dwellings, of which a minimum of 1,800 homes will be built by 2033, and a range of local employment opportunities and services and facilities including schools, health, retail and leisure. This garden community will take advantage of its proximity to London Stansted Airport both for employment and as a

transport hub in the A120 corridor. There are opportunities for sustainable transport links to the Airport.

- We broadly support this proposed development although impact upon the A120 and its junctions will need to be thought about, a significant opportunity to link to the airport and access to destinations, locally, nationally and internationally by public transport exists
- West of Braintree – This garden community straddles the District boundary with Braintree District Council. The whole garden community, within both districts, will comprise 10,000 new dwellings, of which a minimum of 970 homes will be built by 2033, and a range of local employment opportunities and services and facilities including schools, health, retail and leisure. Located close to the A120 this garden community will be conveniently located to Braintree and London Stansted Airport for employment opportunities. The Council will work closely with Braintree District Council to ensure that this garden community is jointly master planned and delivered.
- See the comments above
- North Uttlesford – The whole garden community will comprise 5,000 new dwellings, of which a minimum of 1,900 homes will be built by 2033 and a range of local employment opportunities and services and facilities including schools, health, retail and leisure. This garden community will maximise opportunities for economic linkages with the Wellcome Genome Campus and Chesterford Research Park.
- This site probably has the least impact upon the SRN, although M11 J10 is a site of peak time congestion this is caused by capacity on the A505 and not the junction itself. We support the council in its requests to improve the A505 particularly between M11 J10 and the service area at the junction of the A1301.
- Development in Saffron Walden and Great Dunmow of the scale planned is, on its own unlikely to have a severe affect upon the SRN.

M11 J8 is sensitive not only to further expansion of Stansted Airport but also to growth in the surrounding villages of Takely, Stansted Mountfitchit, Elsenham Bishops Stortford and surrounding villages in East Herts. There are significant opportunities to link public transport and other infrastructure particularly to the airport and Easton Park which need to be considered in the round.

Historic England

Chapter 1: Introduction

Many of the historic environment issues raised will be relevant in a cross-boundary perspective affecting South Cambridgeshire, City of Chelmsford District, and Braintree District Council in particular. Each authority will need to take into account the impact on the conservation and enhancement of the historic environment as one

of their strategic priorities. We welcome the supporting text at paragraph 1.4 which acknowledges the Duty to Cooperate and the need to collaborate with other nearby authorities and organisations at a strategic level.

Chapter 2: Spatial Portrait, Vision and Objectives

The Spatial Vision Historic England welcomes the specific reference to the conservation and enhancement of the historic environment within The Spatial Vision. There is also a helpful reference to maintaining and enhancing the vitality and viability of towns and villages in the district. Paragraph 2.8 of the supporting text usefully outlines the distinctive and historic nature of the District's towns and villages. It is recommended that this paragraph also recognises the irreplaceable nature of the historic environment.

The provision within theme 3 of the Spatial Objectives to conserve and enhance the District's heritage assets and their settings is a clear overarching theme which is welcomed.

It is noted that The Spatial Vision is not itself labelled as a policy.

Chapter 3: Spatial Strategy

Policy SP1 states that the Council will take a positive approach that reflects the presumption in favor of sustainable development contained in the NPPF. Reference back to the meaning of sustainable development as defined by the NPPF is welcomed Paragraph 3.8 advocates a robust approach to the protection of historic and natural assets and lists a range of assets including listed buildings and conservation areas. However, archaeology is notably absent for the list and it is recommended that the wording is altered to include it. In line with paragraph 139 of the NPPF non-designated heritage assets of archaeological interest that are demonstrably of equivalent significance to scheduled monument, should be considered subject to the policies for designated assets. It is also recommended that the text refer to both designated and non-designated heritage assets.

Policy SP2 refers to the need to enhance and maintain the distinctive character and vitality of local rural communities. However, the policy does not refer to the importance of the historic built environment in Uttlesford despite being part of The Spatial Vision. It is requested that the policy is amended to ensure that reference is made to the enhancement and conservation of the historic character of settlements to increase the soundness of your forthcoming plan. In the absence of such an inclusion the Plan lacks a strong strategic emphasis on the historic environment.

Policy SP5 sets out that the proposed developments will follow Town and Country Planning Association (TCPA) Garden City Principles, there is no specific consideration for the historic environment within these principles.

Evidence

The Sustainability Appraisal (SA) outlines concerns with some of the garden community sites in relation to the historic environment. It is essential that the local

plan should contain a framework to guide how the boundaries and extent of the garden communities are determined in the subsequent development plan documents. Historic Impact Assessments (HIA) should be undertaken in accordance with our advice note 'Site allocations in Local Plans' for each of the proposed broad locations to determine the appropriateness or otherwise of the locations for development, the extent of the development and therefore potential capacity of the sites, the impacts upon the historic environment (considering each asset and its setting and its significance), impacts of development upon the asset and any potential mitigation measures necessary to accompany the proposals. Appropriate criteria for the protection of heritage assets and their settings need to be included in each of the policies and supporting text for the Garden Communities.

It is imperative to have this robust evidence base in place to ensure the soundness of the Plan. We recommend that the appraisal approach should avoid merely limiting assessment of impact on a heritage asset to its distance from, or intervisibility with, a potential site. Site allocations which include a heritage asset (for example a site within a Conservation Area) may offer opportunities for enhancement and tackling heritage at risk, while conversely, an allocation at a considerable distance away from a heritage asset may cause harm to its significance, rendering the site unsuitable. Cumulative effects of site options on the historic environment should be considered too. The HIAs should assess the suitability of each area for development and the impact on the historic environment. Should the HIA conclude that development in the area could be acceptable and the site be allocated, the findings of the HIA should inform the Local Plan policy including development criteria and a strategy diagram which expresses the development criteria in diagrammatic form.

Strategic objectives

The purpose of the Garden Communities appears to be housing led rather than considering the landscape and heritage assets and delivering development that has regard to these assets and which would not allow development in certain constrained areas. A positive strategy for the historic environment should be embed throughout the plan, as such it is expected that strategic new settlement policies makes refers to the historic environment and the need for its conservation or enhancement.

In order to help refine which garden community allocations to take forward and their extent, we would suggest that a full Heritage Impact Assessment (HIA) is undertaken of each of these sites. It is noted that brief HIAs have been provided as part of the Plans evidence base but these identify a number of negative impacts and it is recommended that more comprehensive assessments are undertaken.

With all three garden community sites it is difficult to provide detailed comments on the impact of the proposed settlement and the potential harm to heritage assets without precise boundaries being shown, the proposal plans show only abstract notions of development lines and not fixed boundaries.

Policy SP6: Easton Park Garden Community:

Historic environment

Easton Lodge lies just to the north of the A120 Bishop's Stortford to Braintree road, on the west side of the B184 which links Dunmow to Thaxted. The site is bounded to the north by woodland and to the east, west and south by farmland, formerly parkland crossed by carriage drives which are now local lanes and farm access tracks. The formal gardens, laid out from 1902 to designs by Harold Peto for the Countess of Warwick, are set in an area of generally flat, open land with a rural character. The farm land was once a deer park before being altered in the C18 to form park land with formal avenues of trees associated with the Lodge. The trees, many drives and majority of the parkland have since been removed to accommodate a WWII airfield as well as late C20/early C21 gravel workings. Despite the changes which have occurred to the surrounding land overtime it has retained its open undeveloped nature where traces of past uses can still be read.

The area selected for the Easton Park Garden Community contains a number of heritage assets including the Grade II* listed Easton Glebe, the Grade II Registered Park and Gardens (RPG) of Easton Lodge and a number of Grade II listed structures. The Grade II* listed Stone Hall, situated just to the south of the former Easton Lodge parkland was transformed into a folly and gardens by the Countess of Warwick of Easton Lodge. The site is also surrounded by a variety of listed assets and appears to partly fall within the recently designated Little Easton Conservation Area which contains the Grade I listed Church of St Mary the Virgin.

The majority of the site proposed had previously been used as an airfield during WWII (known as Great Dunmow Airfield). We would refer you to two publications which may be of use in assessing this site. The first;

- <https://www.historicengland.org.uk/images-books/publications/nine-thousand-miles-of-concrete/> is essentially an audit of airfields Great Dunmow is mentioned and is rated 1 (low grade) and to that end we would recommend that standard investigation would be needed to establish if any earlier airfield remains lie beneath the surface. We would also highlight the following publication:
- <https://content.historicengland.org.uk/images-books/publications/historic-military-aviation-sites/heag048-historic-military-aviation-sites.pdf/>

Evidence

Historic England raised considerable concerns regarding the allocation of this site in 2015 regarding its impact upon the historic environment. At this point it was advised that further evidence would be required to support the allocation. The only evidence compiled to date has been the Brief Heritage Impact Assessments (HIAs) which identify harm and the need for further work to be undertaken. The relationship between Easton Lodge and Stone Hall requires particular attention, as does the relationship between Easton Lodge and High Wood / the Gatehouse and the archaeological potential of the site.

The Sustainability Appraisal (SA) identifies negative impacts upon heritage assets as a result of this policy proposal, however this is not acknowledged in the policy or the supporting text. Given the presence of heritage assets within or in the vicinity of the identified areas for this garden community it is considered that the Plan should make reference to the need to have appropriate regard to the existence of heritage assets in the areas and the need for proposals to have no unacceptable impact on them. It is considered that the location and design of garden communities should be informed in the first instance by the potential to assimilate the proposals into the landscape without unacceptable detrimental impacts on designated historic and natural assets.

- The Brief HIA concludes the following: “The resulting impact of the development as proposed, upon the setting of heritage assets is considered to be harmful and would compromise their overall significance. This is likely to result in less than substantial harm, and would detract from the open countryside setting of the individual assets, and Little Easton village as a whole”. The Brief HIA recommends that a further full and independent Heritage Impact Assessment is carried out. It should be noted that the Brief HIA makes reference to a masterplan which has not been provided to Historic England for comment as part of this Plan preparation stage and it is not clear if an outline application is also being sought. However it is noted that the Brief HIA recommends that the current masterplan be amended.

The Gatehouse to Easton Lodge is located on the northern side of B1256/Butlers Lane at the southern terminus of ‘The Avenue’ which runs through High Wood, approximately 2.5km south-south east of the RPG at the southern extent of the former parkland. The Brief HIA for this allocation identifies the Grade II listed Easton Lodge gatehouse as being on the Heritage at Risk (HAR) register. The Gatehouse is part of the same fragmented historic landscape, but is geographically removed from the area covered by the RPG designation. And it is indeed ‘At Risk’, but, as it is Grade II, it is not on Historic England’s Heritage At Risk Register for the East of England but rather Uttlesford’s Heritage At Risk Register. The Brief HIA does not identify that the Easton Lodge RPG is included in Historic England’s Heritage At Risk Register for the East of England in its own right. It does not adequately address the setting of either the RPG or the Conservation Area, nor does it include the RPG within the assessment and recommendations for mitigation and/or enhancement.

Impact on the historic environment

There are significant concerns regarding development in such close proximity to the gardens at Easton Lodge as well as to the Little Easton Conservation Area and nearby listed buildings, in particular the Grade II* listed Stone Hall and Easton Glebe, all of which respond to a wider rural setting which contributes positively to their significance. Further encroachments into the setting of the HAR registered park and garden and its associated listed buildings would further erode its significance and relationship with its surroundings, and could potentially limit opportunities to re-establish links between the disparate elements of the former Easton Park estate. The

boundary of the Little Easton Conservation Area is particularly defined by a line of trees which sits within the currently open landscape and there is concern that the impact of the proposed development upon the conservation area would be severe. There is similar concern over potential impacts to the significance of the setting of the registered park at garden, e.g. the early C20 terraces of the Italian Garden and the Treehouse afforded views across open countryside to the north. The open nature of the landscape is of value as it serves to inform the character of nearby listed buildings, the registered garden and the conservation area, including how and why they came to be located where they are, and their historic function and purpose.

Policy SP6 makes no provision for the consideration of the historic environment and does not refer to the presence of listed buildings, conservation areas, registered parks and gardens or archaeology. Part 12 requires development at the site to “incorporate measures to enhance Easton Lodge Park and Garden”; however there is no requirement to preserve or enhance the historic environment as a whole within the policy itself or within the supporting text. The Plan makes no mention of the significance or condition of Easton Lodge, its setting or its status on the HAR register. The evidence base draws attention to some of these issues but the policy has not adequately addressed the findings. The policy and supporting text should be amended to provide more comment on the significance and condition of Easton Lodge and its setting. The supporting text and policy make no reference to the adjacent Little Easton Conservation Area or to the listed buildings. The policy contains no indication as to how the extent of the garden communities will be determined, although policies D4 and D5 will require a Development Framework to be prepared and a Design Review process.

Some development of the site may be acceptable in terms of the historic environment, but not in the form proposed by the draft Plan and not given the lack of evidence to support this conclusion. Therefore, Historic England raises an objection to the extent of the site allocation and its proximity to heritage assets in the absence of any policy consideration for the status and presence of nearby and on-site heritage assets as well as any robust evidence to justify the proposal. The proposed site allocation would result in irreversible harm to the setting of Easton Lodge registered park and garden and its associated listed buildings, the Little Easton Conservation Area and to the other nearby listed buildings. Whilst the Brief HIA compiled is useful it is recommended that a full HIA is carried out; the findings of which should demonstrably inform the extent of the site allocation and its associated Local Plan policy. The use of mitigation measures such as buffer zones should be considered in the allocation policy and the policy should be illustrated with a strategy diagram which broadly establishes the development criteria/mitigation measures for the site. The Brief HIA does outline a number of ways in which harm could be mitigated but again the policy does not appear to have been informed by these findings.

Policy SP7: North Uttlesford Garden Community (Great Chesterford)

Historic environment

The proposed site allocation adjoins the existing settlement and conservation area of Great Chesterford. The conservation area covers a large part of the settlement and contains over 65 listed buildings including the Grade I listed Church of All Saints and Grade II* Old Vicarage. There is also a large scheduled monument to the west of Great Chesterford adjoining the river, which contains a Roman fort, Roman town and Roman and Anglo-Saxon cemeteries. Another scheduled monument is also situated to the east of the settlement just outside the area of search and contains a Romano-Celtic temple (both monuments are on Historic England's Heritage at Risk Register). There is a third scheduled monument on the south-east edge of the area of search consisting of a moated site in Paddock Wood. Given the presence and scale of these scheduled monuments, it is conceivable that the area of search will contain further sites of archaeological interest that are of regional and/or national importance (the Essex Historic Environment Record may be able to provide further information). Finally, the Grade II listed Park Farmhouse lies within the site. The supporting text of policy SP7 makes no mention of these heritage assets.

Impact of development

Unlike the site at Easton Park, the North Uttlesford site is an entirely green field site which is prominently located in a wide undulating landscape. Long views of the site can be achieved from beyond the M11 and the train line and from as far away as Duxford IWM given its elevated and open position. A Brief Heritage Impact Assessment (HIA) has been undertaken for this site allocation which is welcomed. The Brief HIA finds that the immediate and wider setting of the heritage assets identified inform and contribute to their significance. The landscape informs important aspects of the heritage assets' character, their historical context and their setting as well as being an important historic landscape in its own right which has a role in containing and defining the extent of built form in the area. The proposed site allocation would result in the formation of a settlement many times the size of Great Chesterford itself, and even with planting and landscaping would result in the coalescence of this historic settlement into the new development preventing its original form to be appreciated. The introduction of such a heavily developed settlement into what is currently open land would have irreversible, wide reaching detrimental effects on the character and appearance of the area.

The Sustainability Appraisal (SA) identifies negative impacts associated with this policy proposal, stating that it is uncertain at this stage whether suitable mitigation could be provided without affecting the developable area whilst still adhering to wider Garden City principles. Point 11 of policy SP7 does acknowledge the need for development to respond to the landscape and historic value of the location but does not require development to conserve or enhance the historic environment of the settings of heritage assets. Additionally, the policy contains no indication as to how the extent of the garden communities will be determined. The requirement for a Heritage Impact Assessment is welcomed in principle but it must be acknowledged

that The Brief HIA (2017) already compiled indicates that the proposed site could not be developed without causing significant harm to the significance of the numerous heritage assets detailed, a more detailed HIA is unlikely to result in a different outcome. A site allocation in this location would result in severe harm to the character and historic significance of the area and would irreversibly impact upon the setting of nearby heritage assets. It is unlikely that this can be satisfactorily mitigated given the scale, extent and position of the allocation.

Policy SP8: West of Braintree Garden Community

Historic environment

This site would be located next to the site of a Government identified Garden Town in the adjoining Local Authority of Braintree District Council. Concerns regarding the potential detrimental impacts of a Garden Town development upon the setting of nearby listed buildings and the Registered Park and Garden of Salling Grove have been highlighted to Braintree District Council. The Rayne Conservation Area and Great Saling Conservation Area within Braintree may also be adversely affected. There are a number of listed buildings, a scheduled monument (Porters Hall moated site) and the Stebbing Conservation Area which could be affected within Uttlesford. The draft policy makes no mention of any of these heritage assets or their settings, and contains no provisions to secure their conservation or enhancement. A comprehensive and collaborative approach to the historic environment between the two Councils is encouraged.

Impact of development

The policy makes no reference to how the two settlements would be linked and contains no indication as to how the extent of the garden communities will be determined. The policy states only the number of homes to be delivered signaling that the new settlement would be housing led rather than considering landscape and heritage assets and delivering development that has regard to these assets and which would not allow development in certain constrained areas. The cumulative impacts of potential development will be integral to understanding the impacts upon the historic environment. The need for a joint development framework between the two Councils is welcomed but it is not clear what the delivery mechanisms will be and no comprehensive plan has been provided in support of the policy which indicates the remit of the proposed settlement in its entirety.

As above a Brief Heritage Impact Assessment (HIA) has been undertaken which identifies harm to a number of nearby heritage assets including a variety of listed buildings and a scheduled monument, concluding that a full HIA is strongly recommended. We agree with the findings of the Brief HIA which is that further work needs to be undertaken in order to justify the proposed site allocation. The use of mitigation measures such as buffer zones should be considered in the allocation policy and the policy should be illustrated with a strategy diagram which broadly establishes the development criteria/mitigation measures for the site.

Summary of Garden Community allocations:

In summary further detail is required in relation to the historic environment for the proposed allocations West of Braintree and at Easton Park. The information should provide key evidence which should be used to inform the extent of the site allocation and any mitigation measures required. At present the draft Plan does not take account of the evidence in the supporting documents in terms of the historic environment. The site at North Uttlesford raises fundamental in principle issues and it is unlikely that further work would realistically address our concerns. At this stage an objection is raised to all three garden community allocations in the draft Plan.

Policy SP9: Development within Development Limits

We request that this policy is amended to require development to have regard to the conservation and enhancement of the historic environment and its setting.

Policy SP10: Protection of the Countryside

We welcome the requirement for development to protect and enhance the countryside and landscape character.

Policy SP12: Sustainable Development Principles

The supporting text for this policy refers predominantly to climate change rather than to the multifaceted nature of sustainable development defined by the NPPF.

The fourth point of the policy refers to the retention and enhancement of areas, settlements or buildings worthy of protection. We would recommend that this is amended to make use of the term historic environment. The historic environment is considered the most appropriate term to use as a topic heading as it encompasses all aspects of heritage, for example the tangible heritage assets and less tangible cultural heritage. This applies throughout the Plan.

Chapter 4: Housing

The capacity for the area to accommodate new housing development whilst maintaining its historic environment should be a key consideration, so that the quality and character of neighbourhoods, towns and villages is conserved. Integrating consideration of the historic environment into plan making alongside other considerations is a key principle of sustainable development. Where less successful neighbourhoods are proposed for redevelopment opportunities for enhancement should be a priority.

Policy H5: Residential Development in Settlements without Development Limits

The requirement for development to have regard to the historic environment and setting of buildings is welcomed.

Policy H9: Sites for Gypsies, Travellers and Travelling Showpeople

We welcome reference to protecting the natural, built and historic environment.

Chapter 5: Employment

Paragraph 5.45 identifies the role that built heritage has to play in the tourism industry, this is welcomed.

Policy EMP4: Rural Economy

We welcome the requirements within this policy for development proposals to respect landscape character. We request that a similar level of protection is added for the wider historic environment.

The policy seeks to encourage tourism and therefore it would be pertinent to refer to the potential that developments of tourist and leisure facilities may have in enhancing, better revealing and providing access to the historic environment.

The policy also identifies the role that the re-use of rural buildings has to play in supporting the local rural economy. The reuse of traditional buildings and finding viable uses for vacant or derelict historic buildings can help support a vibrant rural economy provided the reuse of the building is commensurate with its conservation.

Chapter 7: Transport

Policy TA5: New Transport Infrastructure or Measures

All proposed infrastructure schemes should take into consideration their impacts on heritage assets and their setting alongside archaeological potential of route options.

Chapter 8: Infrastructure

All proposed infrastructure schemes should take into consideration their impacts on heritage assets and their setting, as well as archaeological potential.

Chapter 9: Design

Policy D1: High Quality Design

We welcome the principle in the first point that all new development should respond positively to local character and context in order to create high quality places. It is again recommended that the second paragraph of the policy make use of the term "historic environment" rather than heritage assets.

Policy D3: Small Scale Development/Householder Extensions

We welcome the need for development to be responsive and to relate to the surrounding areas and existing buildings. We seek a specific requirement for consideration of the historic environment within the design policies of the local plan which should seek to draw on opportunities offered by the historic environment and reflect local character and distinctiveness. This should not stymie contemporary development but should require an appreciation of the significance and character of the historic environment in producing a high standard of design.

Policy D4: Development Frameworks and Codes

We welcome a policy which requires a development framework to be prepared for strategic developments. We request that this policy include reference to historic environment and how it is a key consideration in good place making.

Policy D8: Sustainable Design and Construction

We welcome the inclusion of a policy for sustainable construction and renewable energy. However, as currently drafted the policy makes no specific reference to the historic environment or to visual impact and setting. This policy is likely to refer to new build developments only, but that is not clear and could be interpreted as applying to all developments of all scales. The use of modern construction techniques on a listed building for example, may detrimentally affect existing historic fabric elsewhere in the building therefore risking damage to the heritage asset contrary to the objective of the NPPF to conserve and enhance the historic environment. It is recommended that the policy is clarified as at this stage as it's remit is unclear to prospective applicants and decision makers.

Policy D9: Minimising Carbon Dioxide Emissions

We welcome the inclusion of a policy for low carbon energy. However, as currently drafted the policy makes no specific reference to the historic environment or to visual impact and setting.

We invite a specific policy relating to the inclusion of renewable technologies within Conservation Areas and with regard to historic buildings and the wider historic landscape. A sustainable approach should secure a balance between the benefits that such development delivers and the environmental costs it incurs. The policy should seek to limit and mitigate any such cost to the historic environment.

Listed buildings, buildings in conservation areas and scheduled monuments are exempted from the need to comply with energy efficiency requirements of the Building Regulations where compliance would unacceptably alter their character and appearance. Special considerations under Part L are also given to locally listed buildings, buildings of architectural and historic interest within registered parks and gardens and the curtilages of scheduled monuments, and buildings of traditional construction with permeable fabric that both absorbs and readily allows the evaporation of moisture.

In developing policy covering this area you may find the Historic England guidance Energy Efficiency and Historic Buildings - Application of Part L of the Building Regulations to historically and traditionally constructed buildings.

- <https://historicengland.org.uk/images-books/publications/energy-efficiency-historic-buildings-ptl/> to be helpful in understanding these special considerations.

Chapter 10: Environment

Policy EN1: Protecting the Historic Environment

We support the inclusion of a separate policy on the historic environment. The supporting text usefully recognises the historic environment as an irreplaceable resource and outlines the diverse and varied nature of the District's heritage. As noted above, the policy should make use of the term historic environment in place of heritage asset.

The policy provision to specifically address the matter of Heritage at Risk is welcomed. The policy could be strengthened by outlining a positive and proactive approach to addressing Heritage at Risk (including those assets on the national and local Heritage at Risk Registers), where necessary using statutory powers to issue undertake enforcement action urgent works and repair notices where there is identified harm, immediate threat or serious risk to the preservation of a heritage asset.

It is very important that the policy is consistent with the wording in the NPPF and legislation and doesn't contradict, add to or take away from the National Planning Policy Framework or legislation. Please check each section very carefully to ensure this is the case.

For example, for substantial harm, the test is whether public benefits outweigh that harm or loss, whereas for less than substantial harm, this harm should be weighed against the public benefits of the proposal. These nuances in the wording are important as it is crucial that Local Plan policy does not re-interpret national policy.

We suggest a policy relating to historic landscape characterisation is included in the Plan. In addition, the Plan does not contain a policy which relates to shopfronts in either this chapter or the Design chapter. The retention of original/historic or significant shopfront elements is often integral to the character of these buildings and that of the wider street scene. Therefore a development management policy should be place in order to manage their change successfully.

Policy EN2: Design of Development within Conservation Areas

The fifth bullet point of the policy requires new development to make a positive contribution to local character and distinctiveness; this should result in benefits to the historic environment and is welcomed.

We recommend that the word "essential" is removed from the first sentence. The inclusion of this word implies a less stringent test than that required by the obligatory considerations of the statutory provisions, and as such provides an unrealistic expectation. The character or appearance of the conservation area should be considered irrespective of whether or not it is considered to be essential. Likewise, the word "overall" in bullet point three should be removed.

We encourage that the local plan process provides a basis for the continued update and management of Conservation Management Plans, identifying each conservation area's local identity and distinctiveness. These should identify features that typify and contribute to this special distinctiveness as well as allow for less tangible judgments of character, quality of place and special distinctiveness. The plan will be more robust

where it directs future development to take account of the special and distinctive character of Conservation Areas, emphasising that this is a cumulative result of built form, materials, spaces and street patterns, uses and relationships to surrounding features such as the surviving historic buildings and street patterns.

We would also welcome provision for any future designation of conservation areas within Uttlesford as well as specific provision for the landscape setting of different parts of the area.

Policy EN3: Protecting the Significance of Conservation Areas

The inclusion of a specific standalone policy relating to the setting of Conservation Areas is welcomed.

Policy EN4: Development affecting Listed Buildings

The draft policy appears to prioritise renewable energy provision over the protection and enhancement of the historic environment by seeking to apply a less stringent test than what would otherwise be considered acceptable under the statutory provisions i.e. having special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses (sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990). Paragraph 132 of the NPPF states that when considering the impact of a development on the significance of a designated asset then great weight should be given to that asset's conservation. The policy in its current form is affording greater weight to the provision of renewable energy equipment and as such conflicts with the NPPF in this respect. It is requested that the entire third paragraph and its associated bullet points are removed from the policy.

An objection is raised to the content of paragraphs 10.13 and 10.14 of the supporting text. Paragraph 10.13 states that, "*some measures to improve the energy efficiency of a listed building can be undertaken without the need for consent*". It is important to reiterate here that any works which would affect the special architectural or historic interest of a listed building would require consent, and that this is a judgement that depends on the specifics of the buildings and the extent of works proposed. For examples, some energy efficiency measures such as installing heavy curtains or the like for like replacement of a boiler (without altered service runs) are unlikely to require consent. However it is unlikely that more invasive energy efficiency measures could be implemented without the need for listed building consent even if planning permission is not required. The text goes on to say that, "*the policy identifies the criteria which needs to be met to make sure there is no loss of the special interest of the listed building*". This is an extremely worrying and misleading statement as the criteria outlined in the policy are not what determine whether or not special interest is preserved and again conflicts with the statutory obligations. Many historic buildings are exempt from Part L of the Building Regulations where compliance would unacceptably alter their character and appearance.

Paragraph 10.14 is misleading to readers as it states that *“applications for development affecting a listed building need to refer to its historic or architectural importance and explain how the proposed development does not lessen the reasons why the building or structure was listed”*. Development needs to consider whether the special architectural or historic interest of a listed building would be affected as part of the statutory test, and decisions should be taken on whether or not that special interest is harmed. Why a building was listed can be helpful information in terms of defining aspects its significance but it is not conclusive. The wording should be amended to require applications to explain the significance of the building or structure in line with paragraph 128 of the NPPF rather than why it was listed.

Policy EN5: Scheduled Monuments and Sites of Archaeological Importance

We welcome the provision of a separate policy to address scheduled monuments and sites of archaeological interest. We also welcome the consideration of both designated and non-designated assets and their setting. However, it would be more appropriate, to change the title of this policy to simply “archaeology” to reflect its wider reaching scope.

The policy states that, *“the Council will seek the preservation in situ of archaeological assets unless the need for the development outweighs the importance of the asset”*. The policy requirement to seek preservation in situ in the first instance is supported. This would be strengthened if the supporting text referred to how this could be realised, for example, through modification of design, layout, drainage, landscaping or the siting and location of foundations. There is however an objection to the second part of the sentence. There are no terms of reference with regards to what would constitute a need that would outweigh the importance of the asset. Paragraph 132 of the NPPF states that when considering the impact of a development on the significance of a designated asset then great weight should be given to that asset’s conservation. The policy seems to be seeking to replicate the test embodied in paragraphs 132-135 of the NPPF but in an inaccurate way. The draft policy as written does not accord with the NPPF in this respect as great weight is not being afforded to the conservation of the asset. If harm to a heritage asset is identified then the test within paragraphs 131-135 of the NPPF should be applied. The NPPF facilitates a balancing exercise based on the merits of a scheme and the specific public benefits it may bring; it is therefore not necessary and not appropriate for a lesser version of this test to be included within a local plan policy.

Notwithstanding the above, the objective of first paragraph of the policy is not entirely clear. For instance, the policy could be interpreted to say that even if preservation in situ is possible it will not be necessary in cases where the development is considered to outweigh the importance of the asset.

The policy should encourage potential applicants and developers to consider archaeological potential or remains on site at an early stage in the planning process. The second paragraph of the policy does attempt to make this provision however we would object to the wording *“in situations where there are grounds for believing that*

historic assets or their settings would be affected ...". Paragraph 128 of the NPPF requires applicants to describe the significance of any heritage assets affected, including any contribution made by their setting. Whether or not a heritage asset or its setting will be affected by a development should be based on evidence and appropriate expertise where necessary. It is recommended that the wording "*in situations where there are grounds for believing that historic assets or their settings would be affected ...*" is amended to read "*in situations where there is evidence to suggest that historic assets or their settings would be affected ...*".

The draft policy goes on to state that where preservation in situ is not possible or feasible "*development will not be permitted until a satisfactory provision has been made for a programme of excavation and recording before development starts*". This wording does not actually require any of the excavation, investigation and recording to occur, only that a provision for it is to be made. This distinction is hugely important and we request that the policy is amended accordingly. In addition, the supporting text and the policy should advise how this would be secured, most likely this will be by the imposition of a suitably worded condition or perhaps a legal agreement. The inclusion of this will not only ensure that the work will actually occur but also outlines the Council's expectations from the outset for prospective applicants, therefore creating more certainty in the planning process whilst better securing the conservation of heritage assets. We encourage clear guidance on expectations for archaeological recording and the submission of records with an appropriate public record (eg: Historic Environment Records) for archaeological remains that are not to be retained in situ in line with paragraph 141 of the NPPF.

We have considerable objections to the last part of the policy relating to the installation of renewable energy equipment within scheduled monuments. The draft policy appears to prioritise renewable energy provision over the protection and enhancement of the historic environment by seeking to apply a less stringent test than what would otherwise be considered acceptable. Irrespective of the policy, Scheduled Monument Consent (SMC) would still be required for such works; a local plan policy cannot bypass a process which is required by law as embodied within the Ancient Monuments and Archaeological Areas Act 1979. It is recognised that the draft policy is not directly seeking to circumvent the need for SMC but it remains nonetheless problematic as the particulars of the policy do conflict with the obligatory considerations of the statutory provisions, and as such provides an unrealistic expectation. Scheduled Monument Consent is necessarily assessed on a case by case basis and therefore may not be forthcoming. With the exception of fourth bullet point in the criteria list ("there is no loss of special interest or significance"), compliance with the specified criteria could still result in refusal of SMC.

The specific caveat that there is no loss of special interest or significance should be applied in any case and for any development proposals, not only those associated with the installation of renewable energy equipment. It is expected that the requirement for development to preserve or enhance special interest or significance

is a fundamental requirement of the policy. Again there is a direct conflict with paragraphs 131-135 of the NPPF.

The supporting text contains no reasoned justification for the inclusion of a renewable energy provision regarding scheduled monuments and sites of archaeological importance. The lack explanatory text further impedes interpretation of the policy and how it is to be applied. It is requested that the entire fourth paragraph and its associated bullet points are removed from the policy.

Whilst the inclusion of a standalone policy for scheduled monuments and archaeology is welcomed, we have strong objections to the policy in its current form. The policy at present not only fails to secure the conservation and protection of scheduled monuments and archaeology but if applied could potentially allow for harm to occur to these valuable and finite assets.

Policy EN6: Historic Parks and Gardens

A specific policy regarding the conservation of historic parks and gardens is welcomed, it is however requested that the policy is amended to also refer to their settings.

Historic Parks and Gardens are designated heritage assets alongside listed building, conservation areas and scheduled monuments, and as such are subject to the same NPPF considerations. The policy states that development will be permitted provided that no material harm is caused to the special interest of the Historic Parks and Gardens. As outlined above, if harm is identified the test of the NPPF is triggered. The reference to “material harm” is therefore concerning. The policy should seek to conserve and, where appropriate, enhance the design, character, appearance and historic significance of the District’s registered parks and gardens,

Policy EN7: Non-designated Heritage Assets of Local Importance

We very much welcome a separate policy for non-designated heritage assets. The policy is clear and accords with the NPPF. It would be helpful to state that non-designated assets of archaeological interest and parks and gardens are considered under policy EN7.

Policy EN10: Traditional Open Spaces

We welcome the inclusion of this policy and the requirement to maintain traditional open spaces and trees. The open spaces described, such as village greens and commons, are often historic places which may form important aspects of an area’s townscape, it is recommended however that the policy be expanded to refer to this.

Chapter 11: Countryside

Policy C1: Protection of Landscape Character

We welcome the inclusion of this policy and the supporting text which refers to the role the historic environment has to play in understanding the landscape. Many

tracks, green lanes, field boundaries and settlement patterns are remnants of past use and provide evidence of how the landscape has evolved over time.

The policy itself, however does not seek landscape enhancements and refers to “material harm”, we would recommend changing this wording. The objective of protecting and enhancing the landscape and recognition of its links to cultural heritage can help improve how the historic environment is experienced and enjoyed.

Policy C2: Re-use of Rural Buildings

We welcome the requirement for the re-use of rural buildings to protect or enhance the character of the countryside. This will help to protect heritage assets and their settings. There is an opportunity here to identify the role that the re-use of rural buildings has to play in supporting the local rural economy.

Policy C3: Change of Use of Agricultural Land to Domestic Garden

We welcome the reference in the policy to preserve the character and appearance of the surrounding countryside.

Policy C4: New Community Facilities within the Countryside

We request that this policy is amended to require development to have regard to the historic environment and its setting. Development of this kind should be considered in the context of a Landscape Character Assessment, it is recommended that the policy be amended to require this upon application.

Site allocations

We would make the following general comments on the site allocation process and also drafting of site specific policies before making a number of site specific comments

In assessing sites, we would advise that you refer to the advice in our Advice Note 3 - site allocations in local plans: <https://historicengland.org.uk/images-books/publications/historic-environment-and-site-allocations-in-local-plans/>. This provides a helpful methodology for site selection.

In essence, it is important that you

- a) Identify any heritage assets that may be affected by the potential site allocation.
- b) Understand what contribution the site makes to the significance of the asset
- c) Identify what impact the allocation might have on that significance
- d) Consider maximising enhancements and avoiding harm
- e) Determine whether the proposed allocation is appropriate in light of the NPPFs tests of soundness

In assessing sites it is important to identify those sites which are inappropriate for development and also to assess the potential capacity of the site in the light of any historic environment (and other) factors.

If a site is allocated, we would expect to see reference in the policy and supporting text to the need to protect and enhance the on-site or nearby heritage assets and their setting, the need for high quality design and any other factors relevant to the historic environment and the site in question. Many of the sites will abut to join together with other proposed allocations, some of which already benefit from an extant permission. Therefore the cumulative impacts of the site allocations upon the historic environment must be considered. It is recommended that a plan is provided which shows site allocations which are clustered together along with any designated assets so the overall scope of development can be readily appreciated.

Paragraph 157 of the National Planning Policy Framework requires Local Plans to provide detail with site allocations where appropriate (fifth bullet point), with the Planning Practice Guidance stating “where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers, local communities and other interests about the nature and scale of development (addressing the ‘what, where, when and how’ questions)” (PPG Reference ID: 12-010-20140306 (last revised 06/03/2014)). Paragraph 154 of the NPPF also states that only policies that provide a clear indication of how a decision maker should react to a development proposal should be included in the plan. Conservation of the historic environment is a core planning principle (Paragraph 17) and Local Plans should set out a positive strategy in this respect (Paragraph 126).

Historic England has provided detailed comments on the proposed allocations.

Chapter 14: Delivery and Monitoring

We recommend that the plan should include indicators to measure how successful historic environment policies are. These can include preparation of a local list, completion of conservation area action plans and management plans. It is noted that a target which seeks a reduction in the number of assets that are classified as heritage at risk is provided which is welcomed.

Other Comments

Historic England has provided detailed comments on the glossary, the evidence base and the Sustainability Appraisal.

Conclusion

In preparation of the forthcoming Local Plan we encourage you to draw on the knowledge of local conservation officers, the county archaeologist and local heritage groups.

Please note that absence of a comment on an allocation or document in this letter does not mean that Historic England is content that the allocation or document forms part of a positive strategy for the conservation and enjoyment of the historic environment or is devoid of historic environment issues. Where there are various options proposed for a settlement, identification of heritage issues for a particular

allocation does not automatically correspond to the support for inclusion of the alternative sites, given we have not been able to assess all of the sites.

Finally, we should like to stress that this opinion is based on the information provided by the Council in its consultation. To avoid any doubt, this does not affect our obligation to provide further advice and, potentially, object to specific proposals, which may subsequently arise where we consider that these would have an adverse effect upon the historic environment. We hope that the above comments of assistance.

Natural England

Natural England considers that there is much to commend in the draft local plan and that it generally addresses ecological issues well. However we are concerned that the strategic site at Easton Park and other allocations in the vicinity of Hatfield Forest may have the potential for an adverse effect, in combination, on the Site of Special Scientific Interest (SSSI).

Also, as acknowledged in paragraph 3.38 Natural England, the Conservators of Epping Forest and the West Essex/ East Hertfordshire Housing Market Area Authorities are all signatories to a Memorandum of Understanding (MoU) relating to potential impacts on Epping Forest Special Area of Conservation which is a European Site that is considered in the Habitats Regulations Assessment (HRA) accompanying the plan.

The Draft HRA screens out impacts on Epping Forest SAC. Whilst we acknowledge the distances involved, Natural England advises that until zones of influence have been established and/or a mitigation package has been agreed its outcome should not be pre-empted. The precautionary principle applies and a likely significant effect should not be screened out.

Vision and objectives

Natural England is pleased to see the safeguarding of the natural environment included in the Spatial Vision, however the plan should seek to achieve enhancement in line with your aspiration for the historic environment. The National Planning Policy Framework (NPPF) instructs that the planning system should seek to deliver *'environmental gains'* and a move from a *'net loss of bio- diversity to achieving net gains for nature.'*¹

Natural England is encouraged to see Green Infrastructure (GI) included as an infrastructure requirement under 'Objective 1d'.

Policy SP2 - The Spatial Strategy 2011-2033, Policy SP3 - The Scale and Distribution of Housing Development, Policy SP6 - Easton Park Garden Community and the Site Allocations in general

Our comments on specific sites will follow but Natural England considers that the most likely impacts on any nationally or internationally designated sites are indirect (notably through recreational pressure or air pollution) and in combination.

Natural England refers you to our comments above regarding Epping Forest SAC and to our comments below relating to the HRA.

A number of the allocations are within close proximity to Hatfield Forest SSSI. Both Natural England and the National Trust (who own and manage the Hatfield Forest) are growing increasingly concerned about the impacts of increasing visitor pressure on the SSSI which is considered to be linked to nearby residential development. Recreational impacts are particularly prevalent in the northern areas including those which are easily accessible from the Flich Way.

This increased visitor pressure, particularly during the wetter winter months, has resulted in increased trampling of the rides and paths, parts of which have become very muddy. This in turn leads to visitors attempting to detour around these areas; thereby widening the paths and trampling important ride-edge vegetation. The National Trust have been forced to close some of the affected rides and paths on a rotational basis in order to allow them to recover sufficiently to be able to withstand further visitor pressure.

The strategic site at Easton Park and allocations at Great Dunmow, Stanstead Mountfitchet, Takeley and surrounding areas have the potential to significantly increase recreational pressure on the SSSI. Consideration needs to be given potential adverse effects on the SSSI and this will need to be reflected in the Sustainability Appraisal (SA). Natural England has already raised this concern with a number of development management consultations and the local plan process provides an appropriate mechanism for resolving this issue.

To be found sound we would expect the plan to demonstrate that the housing allocation proposed can be delivered without impact on the SSSI. This will likely require the identification of a zone of influence and the proposal of a mitigation package agreed with both Natural England and the National Trust. Natural England is keen to engage further with your authority regarding this matter.

Note that where appropriate allocations should also consider in combination effects on High Woods, Dunmow and Elsenham Woods SSSIs. Any mitigation required should be enshrined in policy.

Policy SP7 - North Uttlesford Garden Community

Given the scale of development proposed in this area we would expect to see consideration of impacts on Hildersham Woods and other nearby SSSIs and for avoidance/mitigation measures to be included in the policy as recommended in the SA.

Policy SP8 - West of Braintree Garden Community

Natural England commends the commitment to the protection and enhancement of Boxted Ancient Woodland.

Policy SP9 - Development within Development Limits

Natural England feels that this paragraph should reference impacts on the natural environment or at least specify a requirement to accord with policies elsewhere in the plan to avoid ambiguity.

Policy SP10 - Protection of the Countryside

Natural England is pleased to see a recognition of the importance of best and most versatile agricultural land however the sentence as a whole is currently unclear. It would make sense to split the reference to biodiversity into a separate bullet point.

Policy SP11 - London Stansted Airport

Natural England recognises the strategic importance of Stansted Airport to the local area. However it is important that existing and future proposals for expansion are properly assessed for impacts on the environment, in particular on nearby Hatfield Forest SSSI. Natural England welcomes the 4th criteria for assessment of proposals but would like to see specific mention of safeguarding and enhancing the SSSI within the policy.

Policy SP12 - Sustainable Development Principles

Natural England commends the inclusion of safeguards for the natural environment in this policy but would also like to see reference to 'enhancement'.

Policy EMP1 - Employment Strategy

See comments relating to SP11.

Policy INF1 - Infrastructure Delivery

Natural England is pleased to see GI included on the list of infrastructure requirements.

Policy EN8 - Protecting the Natural Environment

This policy states that '*Policy NE1 sets out the criteria against which proposals for any development within or affecting such sites will be considered.*' Natural England has been unable to locate that policy within the plan.

As it stands the policy and supporting text 10.24 do not demonstrate a distinction between the hierarchy of sites as required by paragraph 113 of the NPPF. Note that although there may be no international sites within Uttlesford itself these should still be afforded the highest level of protection.

Natural England would like to see more detail in this strategic policy as to how the council intends to '*optimise conditions for wildlife and habitats to improve biodiversity and tackle habitat loss and fragmentation.*' In its current form, Natural England advises that this policy is unlikely to be considered 'sound'.

Green Infrastructure

Natural England is pleased to see that Policy D4: Development Frameworks and Codes requires a GI plan to be prepared for the strategic sites. We feel, however, that there is a need for a GI policy that applies generally to development to be included within the document.

Habitats Regulations Assessment

Given that Natural England is currently engaging with Uttlesford District Council through a memorandum of understanding relating to Epping Forest SAC, we are surprised to see that there is no mention of it within the HRA.

Increased Recreational Use

Natural England does not consider the use of our Assess to Natural Greenspace Standard (ANGSt) here to be appropriate. ANGSt is to be considered a guide to recommended provision of greenspace – it should not be read to imply that the maximum distance that the residence of new development are likely to travel. Natural England is aware that people do travel further than the ANGSt standards might imply in order to find suitable areas for recreation. Natural England does, however, recognise the distances involved.

The potential for a recreational impact on the Epping Forest SAC is being considered through the MoU process. Information thus far provided has indicated that the zone of influence is likely to be 4/5km but since this data is considered to be unreliable and further work is ongoing we would expect future iterations of the HRA to take into account the finding of additional survey work.

Atmospheric Pollution

It is insufficient to say that 'as there are no European Sites within 200m of any of the roads in the District, and as any new roads linking the new settlements with the existing road network will also be over 200m of any European site, NOx emission resulting from vehicle movement associated with the new settlement allocations need not be considered further.'

The HRA needs to consider roads outside of the district. Air Quality impacts on Epping Forest SAC are being considered under a memorandum of understanding to which both Uttlesford District Council and Natural England are signatories.

Natural England advises that until a zone of influence has been established and/or a mitigation package has been agreed its outcome should not be pre-empted. A likely significant effect should not be screened out at this stage.

Water Resources

Natural England agrees that an impact on any European Site is considered unlikely but advises that the opinion of water and sewerage undertakers should be sought.

In combination Assessment

As stated above Natural England is surprised to see no reference here to the memorandum of understanding where recreational and air quality impacts are being considered in combination with other authorities.

Conclusion

For the reasons stated above Natural England does not currently agree with the conclusion that a likely significant effect can be screened out.

Network Rail

As you may already be aware, the purpose of the Network Rail's Anglia Route Study (2016) is to provide an evidence base that will inform funders when considering rail industry investment choices for the future. The current strategy looks to forecast growth to identify key areas for improvement for the next ten years to enable the network to meet the future needs of passengers and freight hauliers up to 2043. Further information can be found via the following link: <https://www.networkrail.co.uk/running-the-railway/long-term-planning/>

Garden Communities

In regard to Chapter 3 'Spatial Strategy', Network Rail would welcome the opportunity to engage with the Local Authority in relation to rail and how this can provide a high quality public transport link to garden communities. Notably Easton Park with Stanstead airport and North Uttlesford with Saffron Walden, Cambridge and Great Chesterford Station's.

It is welcoming that reference has been made to the West Anglia Mainline and Braintree Branch Line improvements, however it is important to clarify a few aspects of Chapter 7 on Transport as follows:

Policy TA2 - Sustainable Transport

Network Rail is in full support of increasing rail patronage as a function of 'sustainable transport use'. However, the Local Authority should engage with Network Rail at the earliest possible opportunity to develop railway solutions efficiently and through the right processes. Investment in the railway will always be subject to business case development and value for money so it is therefore important to work together to achieve this for Uttlesford District Council.

Policy TA5 - New Transport Infrastructure or Measures

1. Improvements are proposed along the whole route and not limited from Cambridge to Stansted.
2. The Train Operating Company is Abellio Greater Anglia (rather than Abellio Western Anglia). Abellio Greater Anglia's franchise commitments are for full renewal of rolling stock and an attendant new timetable, to and from London, Cambridge and Norwich.

3. Long term it is envisaged that Crossrail 2 will link up with the West Anglia Mainline to provide greater connectivity to and from the local area.
4. Braintree Branch Line – The ‘Braintree Branchline Capacity Increase’ project is still in early development and a solution to increase the service from 1 to 2 trains per hour has yet to be finalised. It is worth noting that funding has not been guaranteed for this scheme from the Department for Transport.
5. There are two dynamic loops identified as needed north of Witham for enhancement, these are also not funded for delivery. We would therefore welcome support and funding for further development and delivery.

Level Crossings

In general, the need to close level crossings should be considered where any development is likely to increase or change the nature of usage at a crossing. Closure of level crossings will help improve safety, reduce the number of accidents and also help to increase capacity of the network and maintain a robust railway timetable.

It is widely acknowledged that closure of level crossings is the most effective way to remove the risk to safety. It is therefore Network Rail policy to close level crossings where possible, and this is set out in the document Transforming Level Crossings 2015–2040 (attached). It is Office of Rail and Road (ORR) policy that Network Rail must work to reduce level crossing risk by 25% by 2018, including through closure of crossings.

As a result, to aid in achieving the Government’s targets of level crossing closures Network Rail would welcome a policy to support level crossing closures within the Local Plan. We are happy to discuss specific level crossings further if this would aid policy formation and justification.

Sport England

Paragraph 2.19 (Support)

Support is offered for including a strategic objective (1d) which seeks to protect and enhance local services by ensuring that new infrastructure including sports facilities are provided to meet the needs of people and business. This recognises the role that sports facilities play in meeting this objective.

Support is offered for including a strategic objective (1e) that seeks to achieve high quality design that provides a healthy place for residents, visitors and businesses. This recognises the role that design can play in achieving healthy and active environments.

Policy SP6 Easton Park Garden Community (Comment)

The proposal in criterion (9) to provide leisure and recreation in this proposed Garden Community is welcomed as it would provide the policy basis for ensuring that adequate provision is made for community sports facilities within the Garden

Community. However, regard should be had to separate comments made on policy INF2 about the Council's evidence base for sport and the proposal to use standards for informing and justifying provision within new development. Addressing these comments would help ensure that the Council has a robust basis for ensuring that these developments make adequate provision for sport.

Policy SP7 - North Uttlesford Garden Community (Comment)

The proposal in criterion (9) to provide leisure and recreation in this proposed Garden Community is welcomed as it would provide the policy basis for ensuring that adequate provision is made for community sports facilities within the Garden Community. However, regard should be had to separate comments made on policy INF2 about the Council's evidence base for sport and the proposal to use standards for informing and justifying provision within new development. Addressing these comments would help ensure that the Council has a robust basis for ensuring that these developments make adequate provision for sport.

Policy SP8 West of Braintree Garden Community (Comment)

The proposal in criterion (9) to provide leisure and recreation in this proposed Garden Community is welcomed as it would provide the policy basis for ensuring that adequate provision is made for community sports facilities within the Garden Community. However, regard should be had to separate comments made on policy INF2 about the Council's evidence base for sport and the proposal to use standards for informing and justifying provision within new development. Addressing these comments would help ensure that the Council has a robust basis for ensuring that these developments make adequate provision for sport. Braintree District Council has recently completed its evidence base for sports facilities which is considered to be acceptable. The collective evidence base documents should be used for informing how this development makes provision for sport.

Policy INF1 - Infrastructure Delivery (Comment)

The policy is welcomed in principle as it intends to ensure that new development makes appropriate infrastructure provision including community sports facilities. The policy proposes to use the Council's evidence base including the Playing Pitch Strategy for identifying infrastructure needs. While using the evidence base to inform needs is the appropriate approach in principle which would accord with paragraph 73 of the NPPF in relation to sports facilities, regard should be had to separate comments made on policy INF2 about the robustness of the Council's evidence base for sport. It is considered necessary for these comments to be addressed to ensure that policy INF1 can be implemented as a robust evidence base is required for informing and justifying sports facility needs.

Policy INF2 – Protection and Provision of Open Space, Sports Facilities and Playing Pitches (Object)

The intentions and content of the policy are broadly supported as it represents an appropriate approach to securing sports facility provision required to meet the needs

generated by new development as well as safeguarding existing sports facilities that are required for meeting community needs. However, the separate representation made on this policy relating to the evidence base that supports it requires consideration. Furthermore, the following specific comments are made on the policy:

- *Criterion b* - The wording of criterion b of the policy is not consistent with paragraph 74 of the NPPF or Sport England's playing fields policy that is applied as a statutory consultee to planning applications affecting playing fields <https://www.sportengland.org/facilities-planning/planning-for-sport/planning-applications/playing-field-land/>. The policy appears to (or is likely to be interpreted to) support 'enabling development' i.e. non-sports development involving the loss of sports facilities that would fund the provision of new or improved sports facilities. Enabling development would not accord with Government policy and should therefore not be provided for in this policy. Paragraph 74 of the NPPF does allow for "development for alternative sports and recreational provision, the needs for which clearly outweigh the loss". This allows the principle of sports facilities to be developed directly on existing sport/recreation facility sites where it can be demonstrated that the need for them outweigh the impact on the facilities affected. This is similar to exception E5 of Sport England's playing fields policy. For example, the construction of a sports hall on a playing field could potentially accord with this policy approach. However enabling residential development on a playing field for instance that would fund a new sports facility would not accord with this approach. To address this concern it is requested that criterion (b) be replaced with wording that is consistent with the criteria in paragraph 74 of the NPPF.
- *Green Space Standards* - The policy requires green spaces to be provided in accordance with the standards identified in the policy. However, the list of standards only applies to a few types of open space categories and there is no standards or alternative approach for assessing how development (outside specific requirements in site allocation policies) should make provision for indoor or outdoor sports facilities which policy INF2 covers.
- A more strategic concern is that even if the policy was amended to include standards for sports facilities, the use of generic standards for sports facilities would be inappropriate for the following reasons:
 - 1) The use of generic standards for securing provision in new development would not fully satisfy the CIL Regulation 122 tests. Sport England has prepared an advice note on this matter which can be made available which provides detailed advice on the issues associated with using such standards in relation to compliance with the CIL Regulations which is based on legal advice and recent case law. Consequently, there is potential for the use of the standard to be challenged in practice by developers.
 - 2) A potential generic standard such as 'outdoor sports' or 'playing pitches does not allow the needs of individual sports to be distinguished and would not

necessarily result in new development making a proportionate amount of provision for the individual sports.

- 3) A generic standard would not consider the use of Sport England's Playing Pitch Calculator which is a new tool that is now being widely used by local authorities to calculate the additional playing pitch needs generated by a new development (where an up-to-date and robust playing pitch strategy is in place) and identify the costs associated with meeting this need which can then be used as a basis for developer contributions.

To address this concern, it would be appropriate to set out how new development should make provision for indoor and outdoor sports facilities having regard to the above advice and the separate representations made about the Council's evidence base, which, if satisfactorily addressed would provide an alternative approach to standards to address this matter.

Policy INF2 – Protection and Provision of Open Space, Sports Facilities and Playing Pitches (Object)

Policy INF2 and other key policies in the plan such as INF1 and the policies applying to the proposed Garden Communities will be informed and justified by the Council's evidence base for sport which consists of the Open Space, Sport Facility and Playing Pitch Strategy (2012) and the subsequent Sports Facilities Development Strategy (2016).

In response to the Issues and Options consultation in 2015 and in response to the Council's consultation on the 2016 strategy (in consultation responses dated 1 June 2015 and 16 October 2015 and at a meeting on 13 August 2015) concerns have been raised regarding the Sports Facilities Development Strategy. While the detail of the concerns are set out in the above correspondence (which Sport England can share with the Council again), in summary the strategy (and the preceding 2012 strategy) is not considered to represent a robust and up to date evidence base, as required by paragraph 73 of the NPPF for a range of reasons. It is not considered that it would be possible to retrospectively address these issues through amendments being made to the existing evidence base as many of the issues relate to the methodology for preparing the evidence.

Without the issues raised in previous correspondence being addressed, the evidence base to justify policies such as INF2 which seek to protect existing facilities, support proposals for new/enhanced facilities or secure provision through development could be subject to challenge.

Detailed guidance on the importance of having robust and up-to-date assessments of sports facility needs for underpinning local plan policies is set out in Sport England's 'Planning for Sport – Forward Planning Guide' (2013) which can be downloaded from www.sportengland.org/facilities-planning/planning-for-sport/forward-planning/. This guidance advises that without a robust and up-to date evidence base for sport, local plans can be found unsound and explains the importance of having the evidence

base in place for meeting the various tests of soundness. Sport England's recent experience has shown that where local plans have not been supported by up-to-date and robust assessments of need for sports facilities, Inspectors have requested that this be an issue that requires discussion at the public examination of the plans. I would advise that most local planning authorities have prepared (or are preparing) up-to-date sports facility strategies (incorporating needs assessments) in advance of plans being considered at examination in order to ensure that the plans are sound. Furthermore, if the policy is used for determining planning applications, developers are likely to challenge the evidence base especially in the context of the need to protect existing facilities or provide for sport in new development through planning obligations or CIL.

To address these concerns, it is requested that the Council prepares an up-to-date sports facility strategy (indoor and outdoor sports) incorporating a comprehensive assessment of needs which will provide the robust evidence to support policies such as INF and INF2 as well as site allocation policies including the Garden Community site policies. In Sport England's view, this approach would be justified to allow the local plan to be consistent with paragraph 73 of the NPPF. As well as meeting the needs of the local plan, the preparation of such strategies may also assist with delivering corporate Council objectives e.g. assisting with the health and well-being agenda, reviewing the future of Council owned assets, sports development, influencing investment on school sites, external funding bids etc. A robust evidence base for sport will also be needed to support the identification of strategic priority projects in the Council's Infrastructure Delivery Plan if CIL is implemented in due course. This would also apply if the Council continues to use planning obligations to secure developer contributions towards new and enhanced sports facilities instead as set out above.

Following completion of the strategies, policy INF2 and other policies where applicable should be reviewed to add any specific sports facility needs that provision should be made for including site allocations and to review the approach towards securing sports facility provision through new development (i.e. an alternative approach to generic standards).

Detailed advice on the preparation of sports facility strategies/assessments can be found on Sport England's website at www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/ and further advice can be provided upon request. Sport England would be happy to meet the Council to discuss this response and other representations made on the local plan with a view to reaching a mutually agreeable solution before the local plan examination stage.

Without prejudice to our position on the evidence base that supports the policy, separate comments have been made on the content of Policy INF2.

Policy INF3 - Health Impact Assessments (Comment)

The principle of this policy is welcomed but the policy and/or the supporting text should recognise that HIAs should include an assessment of how developments have been designed to provide environments that encourage physical activity.

Sport England & Public Health England's 'Active Design' guidance (2015) <http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/> sets out Government endorsed guidance on how the design and layout of new developments can be planned to provide the opportunity to make communities more active and healthier and aligns with Government planning policy in section 8 of the NPPF. The guidance includes 10 design principles that promote activity, health and stronger communities through design. Sport England is currently working with stakeholders such as local planning authorities to activate the guidance in practice through seeking to embed these principles into planning policy and design documents at the local level to help provide a framework for informing and assessing the design of proposals through the development management process. Of particular relevance in the local context is that Sport England is working closely with Essex County Council and the Essex districts/boroughs (including Uttlesford DC) through the Essex Planning Officers Association on the review of the Essex Design Guide (EDG) and is part funding the EDG review. The Active Design principles will be embedded into the EDG review which will provide advice on how the principles can be practically applied in a range of residential environments. In this context, it is considered important that HIAs for major developments give consideration to how design can encourage activity as this will assist with alignment with the EDG review as well as helping to deliver the wider activity and healthy lifestyle outcomes through new development in Uttlesford district.

Policy D1: High Quality Design (Comment)

In view of the importance attached to health and 8.15 of the local plan) and the importance attached to this in various local plan policies, the policy should be amended to include an additional design principle along the lines that developments should ensure that they promote healthy and active lifestyles through providing the opportunity for encouraging physical activity in the design of developments. The supporting text to the policy should refer to Sport England's and Public Health England's 'Active Design' guidance

<http://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/active-design/> which provides Government endorsed guidance on how the design and layout of new developments can be planned to make communities more active and healthier e.g. principles relating to walkable communities, co-location of facilities, multi-functional open space, active buildings etc.

Of particular relevance in the local context is that Sport England is working closely with Essex County Council and the Essex districts/boroughs (including Uttlesford DC) through the Essex Planning Officers Association on the review of the Essex Design Guide (EDG) and is part funding the EDG review. The Active Design principles will be embedded into the EDG review which will provide advice on how the principles can

be practically applied in a range of residential environments. In this context, it is considered important that policy D1 addresses how design can encourage activity as this will assist with alignment with the EDG review as well as helping to deliver the wider activity and healthy lifestyle outcomes through the design of new development in Uttlesford district.

Policy D2: Car Parking (Comment)

The policy should also provide advice about how cycle parking should be designed in residential environments to help encourage cycling as an alternative to the car to promote activity. The review of the Essex Design Guide will be considering this in residential environments so it may be appropriate to refer to this in the supporting text. It is recommended that the policy refers to the importance of adequate cycle parking being provided and that it is sited in a prominent location on the frontage of new homes with secure and covered storage facilities.

Policy D4: Development Frameworks and Codes (Comment)

The principle of development frameworks for major developments is welcomed. It is recommended that linked to the green infrastructure plans that major developments (the Garden Communities) at least should be required to provide a sports facility plan/ strategy as this would consider how both indoor and outdoor sports facilities are to be strategically provided. Green infrastructure plans often do not fully consider the specific requirements of sports facilities. Experience from other strategic scale developments suggest that the provision of a sports facility plan/ strategy is helpful to all stakeholders in the masterplanning process.

Policy C4 - New Community Facilities within the Countryside (Support)

The policy is welcomed as it recognises that in principle outdoor sports facilities may be justified in the countryside beyond development limits of settlements. This is important because many outdoor sports facilities such as playing fields and facilities that require access to natural resources have land take or locational requirements which prevent needs from being met within urban areas.

Specific comments on sites have also provided.

Non Residential Allocations (Object)

Linked to separate representations made about the Council's evidence for sports facilities, consideration needs to be given to whether there is a case for allocating new sites for meeting indoor and outdoor sports facility needs that cannot be met on existing sites or through major development allocations. For example, notwithstanding the issues raised about the robustness of the evidence base, the Sports Facilities Development Strategy has identified a need for additional 3G artificial grass pitches and has recommended that a feasibility study to identify a

football hub site be completed. If this identifies that a new site is required, a site allocation may be necessary to ensure that the site is safeguarded for such a use.

It is recommended that in line with separate representations on Policy INF2, a review of the Council's evidence base for sport is undertaken and that this is used to inform and justify the need for additional site allocations for meeting community sports facility requirements.

Thames Water

Thames Water is the statutory sewerage undertaker for parts of the southwestern area of the district.

General Comments:

- A high-level assessment has been undertaken of the proposed growth set out in the Local Plan along with potential expansion of Stansted Airport. This indicates that the levels of growth are expected to have an impact on existing sewage treatment works at Bishops Stortford and Stansted Mountfitchet where upgrades may be required or alternative options such as the provision of a new sewage treatment works may need to be considered.
- Thames Water are currently producing their new business plan for the period from 2020-2025 and planning for additional capacity will follow our normal growth process to prioritise which sites need upgrades and when.
- Given the scale of development coming forward in the region we are keeping a regular review of our sewage treatment works capacity. We are also working closely with local councils on understanding their future growth projections and likely changes in Environment Agency discharge consents.
- We are currently assessing current and future capacity of our assets in more detail. Until this work is complete our view on capacity is limited. However, we will have an updated position statement by mid-September.

Policy SP6 – Easton Park Garden Community

- The policy relates to the provision of a new garden community at Easton Park which would provide 10,000 new dwellings in total with 1,800 of these being provided during the plan period to 2033. The policy indicates that there will be enhancements to the water recycling centre at Great Easton, new connections, network upgrades and reinforcements to the sewerage network.
- The site lies across the boundary between Thames Water and Anglian Water although the majority of the housing development proposed lies within the region covered by Thames Water.
- Thames Water are in discussions with the Council, Environment Agency and site promoters regarding the provision of wastewater infrastructure required to support the proposed garden community.

Policy INF1 – Infrastructure Delivery

- Thames Water support the content of Policy INF1 which highlights that new development will only be permitted if the necessary on and off-site infrastructure that is required to support it and mitigate its impact is either already in place or there is a reliable mechanism in place to ensure that it will be delivered in a timely manner.
- In relation to wastewater infrastructure delivery such a policy is required to ensure that there is adequate capacity both on and off the site to serve the development and that it would not lead to adverse amenity impacts for existing or future users in the form of internal and external sewer flooding or pollution of land and water courses.
- In some circumstances this may make it necessary for developers to carry out appropriate appraisals and reports to ascertain whether the proposed development will lead to overloading of existing water and/or waste water infrastructure. Where there is a capacity constraint the Local Planning Authority should require the developer to provide a detailed drainage strategy informing what infrastructure is required, where, when and how it will be delivered.
- Thames Water has limited powers under the Water Industry Act 1991 to prevent connection to its network ahead of infrastructure upgrades. As such Thames Water relies heavily on the planning system to ensure infrastructure upgrades are provided ahead of development. Planning mechanisms to ensure the timely delivery of any upgrades alongside development may include the use of conditions to phase development or ‘Grampian’ style conditions to ensure that any necessary upgrades to the wastewater network are delivered in advance of the occupation of development.

Pre-application discussions

- In order to ensure that drainage requirements of development proposals are understood and that any upgrade requirements are identified, all developers should be encouraged to contact Thames Water Developer Services in advance of the submission of planning applications. Thames Water recommend that developers engage with them at the earliest opportunity to establish the following:
 - The developments demand for wastewater infrastructure both on and off site and can it be met; and
 - The surface water drainage requirements and flood risk of the development both on and off site and can it be met.

Information for Developers on water/wastewater infrastructure can be found on Thames Water’s website at: <http://www.thameswater.co.uk/developers/1319.htm>.

West Essex Clinical Commissioning Group

Comment One:

- In developing the final Local Plan document, care should be taken to ensure that emerging policies will not have an adverse impact on healthcare provision within the plan area and over the plan period. In instances where major policies involve the provision of development in locations where healthcare service capacity is insufficient to meet the augmented needs appropriate mitigation will be sought.
- Policies should be explicit in that contributions towards healthcare provision will be obtained and the Local Planning Authority will consider a development's sustainability with regard to effective healthcare provision. The exact nature and scale of the contribution and the subsequent expenditure by West Essex CCG and NHS England will be calculated at an appropriate time as and when schemes come forward over the plan period to realise the objectives of the draft local plan.
- Plans and policies should be revised to ensure that they are specific enough in their aims, but are not in any way prescriptive or binding on West Essex or NHS England to carry out certain development within a set timeframe and do not give undue commitment to projects.

Comment Two:

- With regard to the current primary healthcare provision in Uttlesford there are 10 GP practices, 4 branch surgeries and 1 community hospital in Saffron Walden. These are the healthcare services available that this district council local plan must take into account in formulating future strategies. Growth in terms of housing and employment, is proposed across a wide area and would likely have an impact on future healthcare service provision. Existing GP practices in the area do not have capacity to accommodate significant growth. In terms of optimal space requirements to encourage a full range of primary care services to be delivered with the community there is an overall capacity deficit, based on weighted patient list sizes, within the 10 GP practices providing services in the area.
- West Essex CCG have begun to address capacity issues in the area and there are a number of proposals in the pipeline:
 - Great Dunmow is being considered for options to integrate a 'hub' type facility.
 - A new facility has recently opened in Stansted Mountfitchet with some room for growth but the Elsenham growth and capacity needs to be understood.
 - A feasibility study has been completed for Saffron Walden, highlighting options for the GP practices and the potential use of the Community Hospital site.
 - Thaxted surgery is being developed to increase capacity with a double floor extension planned.
 - Hatfield Heath capacity requires consideration with regard to any local development.
- Optimal space standards for primary care are set for planning purposes only. This allows us to review the space we have available and identify the impact

development growth will have in terms of capacity and service delivery. Space capacity deficit does not prevent a practice from increasing its list size, however it may impact on the level and type of services the practice is able to deliver.

- West Essex CCG and NHS England are currently working together to help plan and develop new ways of working with our primary care facilities, in line with the Five Year Forward View, to increase capacity in ways other than increasing physical space.
- Existing health infrastructure will require further investment and improvement in order to meet the needs of the planned growth shown in this local plan. The developments contained within would have an impact on healthcare provision in the area and its implications, if unmitigated, would be unsustainable in the area and over the plan period. In instances where major policies involve the provision of development in locations where healthcare service capacity is insufficient to meet the augmented needs appropriate mitigation will be sought.
- Policies should be explicit in that contributions towards healthcare provision will be obtained and the Local Planning Authority will consider a development's sustainability with regard to effective healthcare provision. The exact nature and scale of the contribution and the subsequent expenditure by West Essex CCG and NHS England will be calculated at an appropriate time as and when schemes come forward over the plan period to realise the objectives of the draft local plan.
- Plans and policies should be revised to ensure that they are specific enough in their aims, but are not in any way prescriptive or binding on West Essex or NHS England to carry out certain development within a set timeframe and do not give undue commitment to projects.

Appendix 5 – Parish Councils located nearest to the proposed Garden Communities

Great Chesterford Parish Council Policies SP5 and SP7

Vision and Development Strategy

Policy SP5 Garden Community Principles

"Land value capture for the benefit of the community"

Land value capture has been discussed in our representations. Alarming, Bidwells and UDC's view appears to be that this means "s106". It does not. Section 106 (and the viability arguments that always come with them, weakening the package) is about seeking to mitigate the impact of the development and making it acceptable in planning terms. That patently is not happening here, as no amount of s106 monies could make this development acceptable in planning terms. The amount paid for the land will be critical to the success of any s106 package, as the viability arguments always run on the basis of the amount paid for the land counter-balancing the s106 package and usually resulting in a below policy level of affordable housing.

Further, this is about "land value capture". i.e., the value of the land uplift must be captured. The amount paid for the land must not be more than 1.5 times current land value. As set out below, the land should be sold to UDC, not a private developer.

"Strong vision, leadership and community engagement;"

Absolutely zero evidence of this to date. We are being rail-roaded, totally against Garden Village Principles.

"Development that enhances the natural environment, providing net biodiversity gains and using zero-carbon and energy-positive technology to ensure climate resilience;"

Given the incredible detrimental transport implications of the proposed NUGC, and the devastating impact on the landscape, any suggestion that this will be a "green" development is frankly laughable.

"Integrated and accessible transport systems, with walking, cycling and public transport designed to be the most attractive forms of local transport."

This cannot and will not happen in this location. It has been chosen because it is near the junction of the M11. There is no ability to walk or cycle to Cambridge or Saffron Walden, or to any centres of employment. It would be too far to walk to any of the local railway stations and too far to cycle anywhere other than Great Chesterford (which has no cycle parking).

(See Rep on Chapter 19 Appendix 4 – Garden City Principles)

GCPC objects any reference to NUGC in policy and requests deletion of and reference in both Policy and supporting text

GCPC regards SP5 as aspirational since no evidence to support deliverability

Policy SP7 North Uttlesford Garden Community

Policy SP7(k) "Positively respond to the landscape and historic value of this location, with proposals accompanied and influenced by landscape/ visual and heritage impact assessments."

GCPC Comments: This is simply unachievable. See GCPC landscape and historic environment / heritage assessments. Mitigation of a scheme which is entirely incongruous with the landscape, settlement type, history, impact on heritage assets and wider impact on the Cam Valley simply cannot be achieved, and UDC has provided no evidence at all that it could.

SP7(e) "An access strategy that connects with the A11, A1301 and the Cambridge Park & Ride (on the A1307), with the A11 being the preferred route for northbound travel. Contributions towards capacity improvements along the A505 and junction of the A505 and A1301 will be sought, requiring cross boundary discussion with SouthCambridgeshire."

GCPC Comment: We see no evidence of this access strategy. There is no evidence of it being realistic and no direct access onto the A11. No link is proposed north to the A11 and Granta Park, which would in our view be essential to the strategy of delivering the housing needs of South

Cambridgeshire. "Contributions" towards A505 and A1301 is farcical. No studies have been carried out as to impact, cost, timing and analysis with the proposed hugely significant developments at the Genome Campus and Smithson Hill. "Contributions" will be huge, but delivery is far from certain. This work must be undertaken now, before NUGC can be given the go-ahead, not afterwards, leaving everything completely uncertain as to what might be proposed and when, and how effective that might be.

Policy SP7(d) "Provide transport choice, including high quality, frequent and fast public transport services to Saffron Walden, Cambridge, Great Chesterford Rail Station and nearby employment parks (including the Wellcome Genome Campus and Chesterford Research Park). A network of safe walking and cycling routes will also be provided, including cycle routes connecting with the employment parks."

GCPC Comment: This is undeliverable. Fast high quality transport links to Saffron Walden will consist of vehicle journeys, whether by bus or car. There is simply no other option. Busses and car journeys into Saffron Walden will exacerbate the already significant traffic and pollution problems in Saffron Walden.

Public transport links to Great Chesterford Station needs to be dropped straight-away. Great Chesterford has no parking, no ability for busses to turn around and no space to expand. Trains do not all stop at Great Chesterford and there is no access

to north-bound platform other than via a steep footbridge including many steps. Any transport links will need to be to either Audley End or Whittlesford to overcome this.

Whilst we would welcome cycle access to Chesterford Research Park and to the Genome Campus, the reality of commuting (NUGC is clearly a very large bespoke commuter town) is that most will use a car.

Policy SP7(c) "Include a new local centre incorporating a mix of retail, business and community uses (including A1, A2, A3, A4, A5, B1(a), D1 and D2 uses). Land and financial contributions towards four primary schools (two form entry) and one secondary school (seven form entry) will be provided. Early years and childcare facilities, health care facilities, community and youth centres will also be provided."

GCPG Comment:

This will in our experience of other major developments in East Anglia and wider afield not detract from the overwhelming truth that Saffron Walden will be the destination for retail trips from NUGC. These trips will overwhelmingly be made by car.

As set out elsewhere, school delivery cannot be solely left to s106 to sort out. Land value capture (and the lack therefore of a huge land purchase cost to the developer) is the only way such infrastructure will be provided before such facilities are required. All schools in this area are at, or over, capacity.

Policy SP7 "(b) Deliver a range of local employment opportunities with a particular focus on maximising economic links to the Wellcome Genome Campus and Chesterford Research Park"

GCPG Comment: There is no evidence that this is realistic or deliverable. In fact, given both the Wellcome Campus and Chesterford Research Park have expansion plans of their own, it is highly likely that they will not support such a venture. As set out elsewhere, sustainable transport links to both of these establishments are likely to only consist of motor vehicles (including buses).

Analysis of modal shift presented by UDC is inadequate and highly questionable.

Policy SP7 "Permission will be granted for a new garden community in North Uttlesford following approval of a detailed development framework. The new garden community in North Uttlesford will:

a. Deliver 5,000 new dwellings, of which 1,900 will be delivered by 2033. A mix of housing sizes and types of housing will be delivered in accordance with housing needs including affordable homes and homes for older people. Specific provision will be made for self and custom build housing."

GCPG Comment: There is no evidence that Uttlesford's Housing needs can or will be met by a 5,000 house development in this location. The employment needs of Uttlesford are centred around Stansted Airport, and NUGC will simply serve as a dormitory town for Stansted, with people commuting, by car, through Saffron Walden

or down the M11. There is no direct train link from Great Chesterford to Stansted Airport and given the nature of shift working there, the vast majority of journeys will not be made by train.

Statements associating the development with the biotech centres in South Cambridgeshire make it self-evident that NUGC is being designed to cater for South Cambs' housing need, yet there has been no meaningful co-operation between South Cambs and Uttlesford and as far as we are aware, South Cambs have not expressed an interest in NUGC going ahead and indeed have reservations as to the benefits vs the clear negative impacts of it.

- GCPC objects to Policy SP 7 in its entirety
- Allocation of site not adequately justified
- Site considered unsustainable therefore in conflict with national policy
- Policy should be deleted from the Plan
- Policy noted as not passing test of soundness

PRINCIPAL SUBSTANTIVE ISSUES TO SUPPORT OBJECTION

Transport (See Appendix 2)

Landscape (See Appendix 3)

Heritage (See Appendix 4)

Transport (See ATTACHED APPENDIX 2)

Capacity issues identified by WYG (on behalf of UDC) not adequately addressed;

Justification of allocation based on significantly smaller development at NUGC;

No evidence demonstrating or indicating testing of relevant mitigation of arising impacts;

UDC's evidence shows considerable stress of routes around Great Chesterford by 2033 without the planned settlement;

Failure to factor in emerging schemes in South Cambridgeshire;

Capacity noted to be at critical conditions whilst NUGC is delivering;

Noted that some junction improvements costed but no identification of measures for route corridor improvements;

SCDC noted concerns on NUGC scheme viability;

Transport statement notes lack of evidence to support 10% modal shift;

Reality of modal shift or costs of facilitation not tested;

Noted NUGC's severe transport impacts on environmental, economic and social impacts on village and wider area not tested and mitigation measures not adequately developed.

Landscape (See ATTACHED APPENDIX 3) SP7

Noted that absence of mitigation scheme regarding ecology landscape or heritage and therefore full impacts cannot be properly taken into account;

GCPC's objection on landscape impact

UDC's assessment noted high sensitivity in landscape terms

Size of NUGC out of keeping with the character

SCDC raised concerns about landscape impact

Noted that UDC's SA considers no landscape impact

Heritage (See ATTACHED APPENDIX 4)

GCPC concludes that UDC's heritage evidence is of poor quality and lacks sufficient detail

Noted that UDC has not yet carried out further recommended work

NUGC located within heritage rich environment on-site and surrounding area

Noted that evidence on heritage assets not adequately consulted on

Noted that SEA objective 5 (heritage) conclusion of no impact in short to medium term and unknown in long term not justified and no alternative considered

GCPC notes that heritage not appropriately assessed in SA

ADDITIONAL SUBSTANTIVE ISSUES TO SUPPORT OBJECTION

Flooding and Drainage Issues GCPC identified flooding as area of concern

GCPC notes Environment Agency identified parts of Great Chesterford as at risk of flooding

Noted that significant work required to ensure that impact on Great Chesterford and surrounding villages fully understood and effects fully mitigated

Employment Issues (SP7)

Noted that significant number of NUGC residents will be expected to commute farther afield

Notes NUGC to be a dormitory/commuter town for South Cambridgeshire

Inadequate Account of Impact on Neighbouring Developments (SP 7)

Noted UDC has failed to take account of developments across the border e.g. Welcome Genome Campus, development at Sawston Trade Park etc.

Noted UDC failure to take account of considerable cost of requisite road mitigation measures in viability study

Infrastructure Issues

Noted considerable strain on limited infrastructure of Great Chesterford e.g. schools, parking, rail capacity

No indication of timing of service provision in NUGC

Not clear whether financial contributions could be achieved to provided required services

ADVERSE IMPACTS

Existing facilities, infrastructure and services currently at capacity and increased demand whilst NUGC is delivering will overwhelm current overstretched provision

Assessment of likely impacts hampered by lack of NUGC masterplan

Great Dunmow Town Council Policies SP5 and SP6

Policy SP5 Garden Community Principles

Easton Park cannot meet the criteria set in this policy, and therefore SP5 is in conflict with SP6.

Policy SP6 Easton Park

Introduction

1. Great Dunmow Town Council (GDTC) objects to SP6 and the Reg 18 draft local plan. SP6 is unsound on the basis that the inclusion of the Easton Park Garden Settlement (SP6) is not justified, effective nor consistent with the NPPF. Other local parish councils raise similar objections which are set out in a joint letter from GDTC and the following parish councils: Little Easton, Great Easton, Broxted, Takeley and Thaxted. This is not surprising: the Land Securities (LS) site at Easton Park has consistently been judged by UDC as unsuitable (going as far back as 1993) and as recently as 2014.

2. In summary GDTC's objections include:

1. Unsustainable location due to lack of sustainable transport, high landscape impacts and adverse heritage harm
2. Physical and operational constraints – north, south, east and west of the site
3. Inadequate transport and access arrangements
4. Proximity to the safeguarded land at Stansted airport
5. Airport noise from Stansted operations
6. Adverse landscape impacts
7. Adverse harm to designated heritage assets
8. Impact on Great Dunmow residents

Evidence lodged in support of this objection

3. The GDTC objection is supported by three professional assessments and three appendices of supporting evidence:

- a) The SHLAA evidence is at Appendix 1.
- b) Easton Park Heritage Assessment relating to the historic registered park and garden, Easton Park (Beacon Planning - Appendix 2)
- c) Easton Park Landscape and Coalescence Assessment (Helen Thompson - Appendix 3)
- d) Stansted Airport Impact Assessment (Martin Peachey - Appendix 4)
- e) Constraints map - Appendix 5
- f) Great Dunmow housing allocation – Appendix 6
- g) Transport: GDTC intends to instruct a professional transport and traffic consultant to comment on the access arrangements. At present the evidence base relied on by the promoter of SP6 is materially deficient. When updated accurate information is available on the traffic and transport issues GDTC will submit an expert assessment.

Mitigation measures

4. The final section of this objection sets out recommendations to mitigate the adverse environmental effects of SP6 in the event the allocation is carried forward to the submission draft stage. These recommendations are made on a without prejudice basis in light of the strong objection to inclusion of SP6 in the UDC proposed plan. For the avoidance of doubt, they would improve the policy (making it less unsound),

but the policy would remain unsound even if all the mitigation measures were included.

Background to GDTC's objection to SP6

5. In December 2014 Examination Inspector Roy Foster adjourned the Examination in Public of what was then the UDC 2014 submission Draft Local Plan. Central to the 2014 submission draft plan was a large new housing settlement at Elsenham. In the run-up to the 2014 submission draft, LS put forward its land at Easton Park. However, UDC determined the Easton Park site unsound on sustainability grounds in repeated SHLAAs (see Appendix 1), relating inter alia to the proximity to safeguarded land for expansion at Stansted Airport, serious access issues through the rural road network and lack of capacity at the junction with the A120.

6. Furthermore, there was recognition that the site was (and continues to be) undeliverable due to on-going works at the gravel extraction site at High Wood Quarry, which forms a large part of the site. Nothing has changed since the initial assessment that large housing growth at Easton Park would be unsound as it is not a sustainable location. The fact that Mr Foster found the Elsenham allocation unsustainable leaving a gaping hole in the UDC housing land supply cannot justify a proposed large so-called Garden Settlement on the same site at Easton Park three years later as nothing has changed to overcome the sustainability objections that made the site unsuitable in 2014.

7. In addition, the proposed development of 700+ dwellings on the adjoining site, also held by LS, was dismissed in 2016 on appeal inter alia on the basis of landscape harm. In light of the consistent objective assessment of the site's unsuitability for a large housing allocation, there is no audit trail of how it has now become suitable as a new settlement for 10,000 homes, other than the fact that UDC needs a replacement site after the proposed housing allocation Elsenham was found to be unsustainable in December 2014. The passage of time does not cure the defects and the proposed allocation of Easton Park breaches the same NPPF policies as the proposed allocation at Elsenham was found to breach in 2014. It is illogical and unacceptable to replace an unsustainable Elsenham site with an unsustainable Easton Park proposal.

Easton Park location is unsustainable

8. The Easton Park location is unsustainable and therefore inconsistent with national planning policy in the NPPF. For this reason, it is not "consistent with national policy" as it would not "enable the delivery of sustainable development in accordance with the policies in the Framework": see paragraph 182 of the NPPF

9. Investigations into the suitability of the site for housing growth as far back as 1991-1993 were reported to the Inquiry into objections to the UDC District Plan for Deposit in 1991. In 1993, Inspector AC Pickering's view of UDC's promotion of 2,500 homes at Easton Park was that "there is no doubt at all that the Council is promoting the wrong answer to Airport-related Housing". From that time, UDC consistently reported that the site at Easton Park was unsuitable.

10. In 2008 the UDC SHLAA assessment for Easton Park concluded: "This is another of the strategic sites known as Easton Park. The panel felt that this was a unique area with very poor transport links which should not be considered. The panel was also concerned about the proximity of the site to the airport and the possible impact of the second runway, if this were to be granted planning permission".

11. Little Easton Parish Council agreed with UDC in 2008, and in 2012 said that the site was "unsuitable and development on this scale is considered inappropriate".

12. In 2014 the previous Draft Local Plan failed because Mr Foster, the Local Plan Inspector, found the Elsenham allocation to be unsustainable. At that time, he also commented on the low scoring of Easton Park in SHLAA assessments.

13. UDC's Report to the Inspector on soundness says at para 17.4 "The methodology did however refer to the other New Settlement/Village sites which did not 'score well' in the SHLAA... Easton Park... had not 'scored well'... due to their remote locations, unrelated to existing settlements."

14. Although the subjective facts relating to the location of Easton Park have not changed, in 2015, UDC changed its comment on the SHLAA assessment to "The suitability of the site will depend on the Council's approach to strategic sites." GDTC and Little Easton questioned UDC's change in stance at the time and continue to do so in light of the evidence base to support a finding that the site was suitable. The fact that the Council believes that an allocation of the site is necessary to meet its housing need, cannot, in of itself, mean that the site has changed from being "unsuitable" for development, to becoming "suitable".

15. Easton Park is an equally unsuitable site as Elsenham for a Garden Settlement. People will have to get in their cars to drive and therefore the application breaches paragraph 34 of the NPPF which seeks to promote housing growth in sustainable locations where reliance on the private car can be minimised.

16. In addition, the local road network is unsuitable for housing growth on this scale. The proposal by LS is to simply block off any potential access to the north of their site, even though their first phase is in the northern sector of their site. The constraint on opening up an access from Park Road, Little Easton, was brought about on the opening day of the Land West of Great Dunmow Appeal Inquiry (APP/C1570/A/14/2213025), Inspector David Nicholson allowed a minor amendment to the planning application, which sought to "overcome... objections to the scheme, including the degree of connectivity of the site and the effect of additional traffic on Park Road".

17. The failure of the proposed allocation to deliver a safe access means that it is contrary to paragraph 32 of the NPPF, as it does not provide "safe and suitable access to the site" for "all people".

18. The Uttelford's Transport Study June 2017 Assessment was presented as key evidence in selecting the garden settlement sites to include in the Local Plan. However other sites were rejected as areas of search for reasons that also apply to Easton Park. As recorded in the UDC presentation slide 'Rejected Areas of Search':

“Elsenham – rejected at appeal, adverse impacts on local roads”, “Little Dunmow – less accessible, needs new junction onto A120” and “North of Takeley – requires new junction onto A120”. When considering the factors covered in Transport and Access (below) there is no clear evidence to suggest that Easton Park is more deliverable or sustainable than other sites in the areas of search.

Constraints on housing delivery within the plan period

19. There are physical and operational delivery constraints to the north, south, east and west of the Easton Park land, which threaten housing delivery within the plan period (see our Appendix 5 map). As detailed on the constraints map:

(1) to the North to avoid heritage assets, safeguarding for a strategic gap on a listed garden and large areas of ancient woodland;

(2) to the South gravel extraction site, high status Roman remains site, ancient woodland and a Grade II* heritage asset;

(3) to the East High Wood SSSI;

(4) to the West Stansted Airport, site for airport expansion and Countryside Protection Zone.

20. More details on these constraints are set out below and in the consultants’ Heritage, Landscape and Airport operations reports on each topic.

Poor historical delivery in Great Dunmow

21. There is a history of poor housing delivery in Great Dunmow based on historical delivery rates. Woodlands Park is a site with a single landowner and has taken over 20 years so far and the site remains less than half-built with a maximum forecast build rate of 50 pa.

22. A separate site, West of Woodside Way (790 dwellings), is owned by a single landowner and was planned in close consultation with the Town Council over a 7-year period. It took 3 years from a formal planning application to outline approval in 2016 and development has not yet commenced on site. There is a similar scenario with other sites. Currently, there are permissions for over 2,000 homes which have not been started. This is objective evidence of lack of demand for new housing in Great Dunmow.

23. Each of the new settlements will require long-term stewardship and financial management. Three new settlements are proposed in the plan period to provide housing land. Where is the evidence that UDC can resource and control infrastructure delivery? What will happen if 1,800 homes are built at the remote and unsustainable Easton Lodge area of Easton Park within the plan period and then fails to deliver the 8,200 in future plan periods through lack of demand and competition with the other new towns?

24. This failure means that the policy is not “effective” because it is not “deliverable over [the plan] period”: see paragraph 182 of the NPPF.

Legal constraints arising from restrictive covenants

25. LS has failed to disclose that there is a 1939 restrictive legal covenant on title to the land at Easton Park Estate. The covenant restricts future housing development of the land to 10 houses. The beneficiaries are households on the Easton Park Estate. UDC is also a party to the covenant. As a consequence, there is a risk of possible legal action through the lands tribunal against LS to enforce the covenant which could delay delivery within the plan period. GDTC/Little Easton residents are considering legal advice in connection with the restrictive covenants.

26. Again, this failure means that the policy is not “effective” because it is not “deliverable over [the plan] period”: see paragraph 182 of the NPPF.

MOD land at Carver Barracks coming available

27. UDC has failed to account for the fact that the MoD announced in November 2016 that Carver Barracks in Wimbish would close in 2031 towards the end of the plan period. The MoD site at Wimbish is a suitable brownfield site for housing growth in the district. This fact is widely known in the district and by UDC yet there is no proposed allocation of housing on this land. This is despite the fact that due to quarry operations the large majority of the Little Easton site will not be available until after 2031. The simple point is that with Wimbish land becoming available there will be no need for the remaining 8,200 houses out of 10,000 to be allocated to Little Easton.

28. This is a material change of circumstances which has not been reflected in the plan’s sustainability appraisal. Failure to consider whether the promoted strategy remains the most sustainable strategy in the light of changed circumstances means that the plan has not been soundly prepared, and it would be unlawful to adopt the plan: see *Save Historic Newmarket v Forest Heath District Council* [2011] JPL 1233. This failure also means that the policy is not “justified” as it is not “the most appropriate strategy, when considered against the reasonable alternatives”: see paragraph 182 of the NPPF.

Transport and Access

29. The evidence base submitted by LS in relation to transport and traffic impacts for SP6 is materially deficient. The Easton Park Garden Settlement proposal must provide evidence of how it will deliver sufficient external infrastructure as stated in the emerging policy ENV1.

30. Although GDTC accept that in principle a second access point on the A120 would reduce the cumulative traffic impacts and improve connectivity to the north, the area with the prospect of greatest employment growth, there is no conclusive evidence that this second A120 junction will be provided.

31. Given the lack of credible information on transport infrastructure to support SP6, and until more details emerge, the summary objections under the topic of transport and traffic are as follows:

(1) § 34 of the NPPF requires that “Plans.... should ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes will be maximised.” There are extremely limited public transport options to serve the site. There is no train station for London/Cambridge commuters, with the nearest station located at Stansted Airport. It is inevitable that all new residents will therefore rely on their car for all daily commuting and higher order shopping, education, recreation and leisure travel.

(2) The indicative so-called “fast bus route” shown in the LS 2017 presentation to UDC is the only information on how LS proposes to overcome the NPPF 34 requirements to locate new housing in sustainable locations. This proposal does not take into account the delivery constraints of the quarry (see below at 4). Further it cannot be delivered without approval from the landowner, Stansted Airport, and that consent is unlikely to be forthcoming as the bus route land and is safeguarded land for airport expansion and operations.

(3) There is no evidence of how a bus service can be delivered during the plan period as the slides in the Garden Settlement presentation to UDC were not updated. On evidence in the public domain, the site would not be able to provide adequate public transport links to be sustainable and will breach the NPPF criteria.

(4) Junction 8 of the M11 already needs investment to cope with current capacity, so significant delays would be expected. The sole access onto the A120 junction to Great Dunmow will cause major severe traffic impacts. This is the main access point for Great Dunmow town and the main route to the M11 and M25 for the parishes of Little and Great Easton and Thaxted. Local village roads surrounding Easton Park were discounted as unsustainable and unsuitable during the public inquiry process for 700 homes at Land West of Great Dunmow, for reasons explained above.

(5) Taken in conjunction with major development proposals along the A120 corridor, including garden communities West of Braintree, Marks Tey and Colchester, and the current Stansted Airport application to almost double its passenger numbers, there will be significant demands on the A120 and M11. In its scoping report to UDC on Stansted Airport’s application to expand to 44.5mppa, Stop Stansted Expansion estimates that road traffic increase from 44.5mppa is estimated at 80%. External infrastructure improvements must be proposed by the Easton Park promoter as part of the Regulation 19 Local Plan consultation if the site is to be considered for inclusion in the Local Plan.

(6) There are operational constraints associated with the working quarry and all construction vehicles would share the access. GDTC contacted UDC in January 2017 questioning constraints of the working quarry. Following UDC meetings with the County Council and LS, some of the LS supporting information has been updated to show mineral extraction constraints. However, the proposed alternative has separate constraints.

32. The proposed alternative is shown on land at Canfield Spring situated between the A120 and the quarry where there is an extant Roman archaeological site recorded on Defra maps (comprised of high-status Roman farmstead) (see the Beacon Heritage report 4.01 on page 10 and illustrated on page 29) (Appendix 2). This heritage constraint means the route around the quarry cannot be diverted to avoid the quarry without running straight through this important Roman site.

33. The associated employment land is approximately two miles from where homes can be built near Easton Lodge, with proposed access via a farm bridge with limited weight capacity and it is not in LS's ownership. If the access proves unsuitable, the aim of keeping journeys within the site will not be achieved and will impact sustainability.

34. For the above reasons, the policy is not "consistent with national planning policy", in particular, paragraphs 32 and 34, and is therefore unsound: see paragraph 182 of the NPPF.

Proximity to Safeguarded Land at Stansted Airport

35. Martin Peachey's report (Appendix 4) explains why the close proximity to Stansted Airport impacts on the Easton Park settlement. There is evidence in previous SHLAA that LS would address the location of the airport boundary and noise contours for a second runway in its Eco Town Prospectus but these concerns are ignored in the current proposals.

36. In 2014, the Uttlesford Local Plan Inspector, Mr Foster, referred to findings of the NE Elsenham appeal dismissal. In § 2.15 of his report, Mr Foster commented on the impact of a road running through the Airport Countryside Protection Zone and "a long-standing special policy in Uttlesford's successive local plans aimed at maintaining Stansted as an 'airport in the countryside'. The aim is to restrict development which could cause coalescence between the airport and surrounding development".

37. Easton Park proposes housing right up to the countryside protection zone risking encroachment and introducing a new community under an established Stansted Airport flight path – in direct conflict with the findings of Mr Foster in 2014.

38. The site of a second runway crosses the north-westerly section of the allocation site. Safeguarding for an extended countryside protection zone for a second runway should be considered in SP11 to prevent development in an area that would have significant noise and disturbance from airport expansion and give flexibility for the airport to expand in the future.

39. For these reasons, the plan is not "effective", as the allocation proposed in the policy is not deliverable over the plan period.

Airport Noise

40. Housing at Easton Park would be located 1.5km from operations at Stansted Airport and would be affected by noise and pollution from the airport at its current

size of 24mppa. In at least one recent appeal decision in July 2016 involving housing growth adjacent to Manchester Airport (APP/R0660/W/15/3027388) the Inspector dismissed the appeal on the basis that “adverse impacts from noise are overriding notwithstanding that noise is only one of the factors to be weighed in the planning balance.”

41. In addition, Stansted is set to expand, which will exacerbate the noise issues. As UDC knows, the airport operator is applying for expansion to 44.5mppa - an increase of 20mppa - along with the public intention of applying for an additional runway in the future. Martin Peachey’s assessment of airport impacts (see appendix 4) identifies the potential for adverse noise impacts of the existing operations and from the planned expansion and operational growth.

“This initial assessment indicates that aircraft noise at present is a material consideration at the Easton Park site.”

Current noise disturbance at Easton Park “indicates that World Health Organisation Guidelines given in paragraph 3.2 could be exceeded.”

The implications of expansion to 45mppa would be “an aircraft overflying during daytime hours from the current average of a plane every 2¼ minutes, to a plane every 85 seconds.”

Mr Peachey raises a particular concern about locating primary schools on Easton Park. Additionally, safeguarding for future airport expansion, “Based upon this previous application, a proportion of Easton Park would lie under a second runway and the Phase 1 development would be adjacent to the airport perimeter fence.”

42. For these reasons, the plan is not “effective”, as the allocation proposed in the policy is not deliverable over the plan period. It is therefore unsound: see paragraph 182 of the NPPF.

Adverse Landscape Impacts

43. There are numerous objections on landscape grounds:

(1) There will be a significant loss of valuable countryside, harm to the landscape, ancient woodlands (including High Wood SSSI) and wildlife habitats, as well as loss of high-grade agricultural land.

(2) The phased timing of the development (due to on-going quarry works in the southern part of the site) means the developer is unable to deliver a large swathe of the development site until after the 2031 plan period. The consequence is that the most sensitive part of the site, to the north, in close proximity to the designated heritage assets (see below) and the part of the site with the highest sensitivity to landscape change, will need to be developed first.

(3) The Landscape Assessment (Appendix 3) concludes that the new settlement proposal is not compliant with NPPF 17 (5th bullet point) and is not consistent with the Great Dunmow Neighbourhood Plan, with key aims to be surrounded by

countryside and wildlife corridors and the avoidance of urban sprawl. The Easton Park settlement is separated from the Great Dunmow allocation site West of Woodside Way by a mere 100 yards of woodland.

(4) As landscape mitigation, LS has provisionally offered GDTC a large site east of the Easton Park proposed policy area as mitigation against coalescing. This land is where a previous application was refused permission on appeal for 700 houses West of Great Dunmow (APP/C1570/A/14/2213025) (the mitigation land).

(5) Locally, an appeal inspector made coalescence a reason for appeal dismissal, relating specifically to the gap between Great Dunmow and Little Easton. In August 2011, the appeal inspector JO Head stated “This gap is important in providing some physical and visual separation between the built-up areas of the two settlements and preventing an impression of them merging together” (APP/C1570/A/11/2146338).

(6) GDTC accept that transfer of the mitigation land to GDTC (or Essex County Council) would improve the proposed allocation, particularly if it provided a new country park to benefit the wider community; however, it would not completely remove the landscape harm due to coalescence of the new development with Great Dunmow town.

(7) To the north of the site, coalescence with Little Easton would be unavoidable and result in a loss of identity as the Little Easton Conservation Area is adjacent to the boundary and the Easton Lodge area of the parish would eventually integrate with the new town. Later phases of the new settlement would eventually populate the parish of Broxted, creating urban sprawl between Great Dunmow and Stansted Airport.

44. For the above reasons, the policy is not “consistent with national planning policy”, in particular, paragraphs 109 and 110, and is therefore unsound: see paragraph 182 of the NPPF.

Heritage Impact

45. From the known archaeological finds in the locality there is evidence of human settlement dating back to at least the Iron Age period and there is a known high status Roman farmstead being located within the allocation area of SP6. Beacon Planning has undertaken a heritage assessment of the present historic Elizabethan landscape at Easton Park (Appendix 2) and the following section are extracted from the report

46. The deer park associated with Elizabethan Easton Lodge was established in 1302 when a licence was granted for two deer parks in the locality – the larger park associated with Easton Lodge and a smaller deer park associated with Easton Manor. It is the larger deer park which would potentially be affected by the proposed allocation. It was following the granting of the estate to Sir Henry Maynard in 1588 that a substantial mansion was developed on the Easton Lodge site.

47. In the early C18, the landscape of the park was modelled into formal avenues focused on the Easton Lodge site with other key buildings at the end of the avenues

of trees to the perimeter of the deer park. The site of Easton Lodge is at the highpoint of the larger deer park close to the 100m contour. These avenues survived until the formation of the World War II airfield on the site. However, notwithstanding the loss of the trees the historic extent of the deer park is still legible in the landscape today, and this is confirmed in the Helen Thompson landscape report (Appendix 3).

48. The Elizabethan Easton Lodge was destroyed by fire in 1847 but was rebuilt only to be subject to a second fire in 1918 so that only the west wing of Easton Lodge survives today within the setting of the Historic Park and Garden. However, the deer park provides the wider setting of the Lodge and the boundaries and informs the significance and historic inter-relationship of the majority of the other heritage assets in the locality. The historic landscape and the buildings are therefore strongly inter-related.

“At this location the historical importance of the various assets and their respective settings combine to form a unique historic landscape, which is material when considering the potential impact on the heritage significance of the locality. The historic deer park of Easton Lodge to the northern part of the site, despite the lack of statutory designation is considered to be important as a historic landscape and a central element to the former Maynard estate. The deer park has influenced the location of development within this currently very rural area. The deer park is therefore the key element in the understanding of a large number of the designated heritage assets in the area. The provisions of Policy ENV9 of the adopted Local Plan (2005) seek to protect such historic landscapes. The omission of a similar replacement policy in the emerging Local Plan gives cause of great concern with regard to the approach of the Local Planning Authority to such finite and precious resources.

The combination of the Easton Lodge deer park and the buildings associated with the former Maynard Estate (in particular the influence of the Countess of Warwick in the late C19-early C20) has given rise to a unique rural area which has survived with very little change over the last 100 years apart from the impact of the airfield which has added a further layer of history to the area. In terms of the historic timespan in which the park has existed, this was a very short episode which has not eroded the spatial form and understanding of the deer park.”

49. Beacon conclusions in relation to the Deer Park are at 7.04 “Development within the historic deer park will lead to the irreplaceable loss of a historic landscape. This landscape is considered to be essential to the understanding and significance of the majority of the identified designated heritage assets within and surrounding the parkland.

50. And more generally in relation to the wider heritage landscape Beacon concludes at 7.05

“The heritage assets in the locality are considered to have significant group value. This collective synergy has not been identified or acknowledged in any of the reports reviewed in this document. The loss of the historic landscape would result in substantial harm to the historic landscape. It is considered that on the basis of the areas currently identified for development that the level of harm resulting from the

development on the allocation site would fall within the less than substantial harm category but to the upper end of this spectrum.”

51. Until detailed proposals are available, including any mitigation measures proposed, a more detailed assessment of the potential impact of the proposals on the setting of the assets cannot be made. However, given the relationship between assets within the five neighbouring parishes as part of the former Maynard estate, the cumulative impact will be a major consideration. The potential to harm views and vistas within, to and from the park will also be an important consideration.

52. This assessment has identified a number of areas where further research is required and where consideration for both local and national designation should be undertaken. The NPPF stresses that heritage assets are an irreplaceable resource and the current assessment made by UDC has not properly assessed or understood the significance of the historic landscape which currently exists here.

53. For the above reasons, the policy is not “consistent with national planning policy”, in particular, paragraph 126, and is therefore unsound: see paragraph 182 of the NPPF.

Impact on Great Dunmow

54. The reasons above explain why the plan is unsound; however, there are also impacts on Great Dunmow which will be harmful to the sustainability of Great Dunmow as a town, and render the Local Plan unsound. In 2014 the Local Plan inspector Mr Foster made the following observation which holds true today:

“[T]here may well be limits to how far relatively small towns with the characters of Saffron Walden and Great Dunmow grow sustainably, attractively, and in an integrated way through successive phases of peripheral expansion”.

55. The strategy of choosing to provide housing numbers through garden settlements was intended to relieve the pressure on existing settlements, not least Uttlesford’s second largest town, Great Dunmow. Easton Park would not fulfil the fundamental criteria of the Council’s strategy.

56. By choosing to allocate Easton Park, there will be considerable need for services and amenities that will not be provided by the new settlement for the duration of the plan period. If demand and other constraints result in the settlement never reaching the critical mass required for it to be self-sustaining, Easton Park would be, in effect, an extension to the town of Great Dunmow.

57. Approved growth of the town with 2,000 homes still to build (see allocations marked blue on Appendix 6) which, added to new allocations (see sites marked in red on Appendix 6) will total an expectation to deliver 3,000 homes in the plan period. This will virtually double the size of the town of Great Dunmow with little in the way of infrastructure delivery and no road improvements.

58. Easton Park would be built on the western edge of the town and is intended to grow to 10,000 homes, with its only access onto the Great Dunmow exit of the A120.

If Easton Park is only partially delivered, with development ceasing after 1,800 homes or less, Easton Park would be unsustainable and dependent on Great Dunmow for all amenities and services.

59. Compliance with policy SP5 must be evidenced in the Regulation 19 consultation because failure to do so risks UDC including sites that will not deliver homes within the plan period, because no planning consent can be granted if the sites cannot deliver land value capture or if they cannot prove they are separate and independent settlements. These factors are particularly important where they impact on the town of Great Dunmow, so inclusion of a Masterplan and details of long-term stewardship must be included in the Regulation 19 documentation.

Measures to mitigate environmental harm (SP6)

60. Should the SP6 allocation continue to be part of the Local Plan, GDTC proposes changes to the policy wording in order to introduce mitigation measures that would aim to protect the character, sustainability and prosperity of the town during the plan period and beyond. These include:

(1) The policy should require the adoption of a SPD/DPD Masterplan to guide the development in the plan period which should be annexed to the local plan policy SP6 in the Reg 19 consultation. The Masterplan needs to address broad areas of growth, new road access and buffering areas, and identify heritage and landscape mitigation measures to inform housing growth. Heritage buffering measures and the outline of the proposed Country Park on the mitigation land (see above) should be shown on the Masterplan, along with ancient woodland protection.

(2) The policy should require the transfer of the mitigation land to safeguard a gap to reduce coalescence, which would require in SP6 that the site refused for 700 homes West of Great Dunmow will not be developed and draft Heads of Terms should be drawn up so that the transfer can be formalised at the point when the plan is approved.

(3) The policy should make clear that employment land use must not compete with industrial estates in Great Dunmow

(4) The policy should make clear that for employment land, no airport-related use must be written into the policy.

(5) The policy should require a new access junction with the A120 to address traffic impacts and the necessary development infrastructure should be brought forward and resourced by the Garden Settlement Company.

(6) The policy should require that a regular dedicated direct bus link be provided between Great Dunmow, the new settlement and Stansted Airport.

(7) The policy should require existing road improvements and a new car park should be provided within Great Dunmow so that Easton Park residents will have access to services and amenities in the town.

Conclusion

61. For reasons stated above, GDTC strongly objects to the Easton Park Garden Community Allocation in policy SP6 and considers the Draft Local Plan to be unsound. We ask that UDC considers the planning reasons given in our submission and in our consultants' reports on heritage, landscape and airport impacts, along with reasons above which threaten the delivery of houses at Easton Park in the Draft Local Plan.

Little Easton Parish Council Policy SP6

Little Easton Parish Council (LEPC) wish to formally record their opposition to Uttlesford District Councils (UDC) Local Plan proposals to allocate a new garden community at Easton Park for up to 10,000 houses (Policy SP6 in the Local Plan).

We have consulted with local residents who attended the UDC exhibition of the Local Plan on the 26th July 2017 and 98% of Little Easton residents who attended the exhibition registered their opposition to the Local Plan proposals.

The background to the current proposal is that the site was proposed in 1991 as a new town and was rejected by the examiner considering the allocation. Land Securities now own the land and have put forward successive proposals for development with similar masterplans. A planning application for 700 houses on land adjacent to the proposed Easton Park site was refused by UDC and the appeal by Land Securities was dismissed by the Secretary of State in August 2016 on grounds of inter alia landscape harm.

The whole Easton Park area has, until this past year, scored low on UDC's SHLAA assessments and has always been considered unsuitable for development due to its unique landscape area and abundance of heritage assets, the remote location, proximity to the airport and poor transport links.

In the Land Securities response of May 2015 to the UDC Call for Sites, Easton Park is promoted on the grounds of its proximity to Stansted Airport, Great Dunmow, the A120 and the M11. We believe that all of the reasons that development proposals for Easton Park have been rejected in the past are still valid and that the fact that Land Securities now own all of the land does not invalidate the sound reasons why development proposals have been consistently refused over a number of years.

We summarise our objections under the following main topics:-

- Heritage
- Coalescence
- Proximity to Stansted Airport, Health & Noise
- Environment and Landscape Harm
- Transport

- Employment
- Economic Strategy
- Deficiencies in the UDC process

1. HERITAGE

Great Dunmow Town Council and Little Easton Parish Council (LEPC) have commissioned an extensive heritage appraisal from Beacon Planning (a copy of which is contained in the LEPC e mail and paper submissions). This report confirms that the proposed allocation of 10,000 houses in Easton Park would destroy an ancient deer park with exceptional heritage. LEPC adopt this conclusion and object to the allocation on heritage grounds on the basis that the loss of the ancient deer park is unacceptable heritage harm.

It is a fundamental flaw of the draft Local Plan in that it fails to recognise Easton Park for what it is, one of the great heritage assets of the Uttlesford District and of the County of Essex. There are no references in the Plan to either its history, its amenity value (current and potential), or the fact that it is an integral part of the surrounding area which comprises 19 listed buildings, a Conservation Area, the listed Gardens of Easton Lodge, the SSSI woodlands of High Wood and the other woods that surround it. It is Easton Park that is at the heart of this constellation of assets and although the heritage significance of the deer park has not to date been recognised by any formal classification, it is a heritage asset of vital importance to the local area.

The history of Easton Lodge as one of the major estates of Essex is a key part of the history of the Uttlesford District second only to that of Audley End and hence a key heritage asset for UDC. Easton Park is an integral part of that heritage and the fact that it lost its trees and avenues to make way for a US bomber squadron in World War II in no way detracts from its essence or importance. Easton Park remains whole and entire just as it has been for many hundreds of years.

Early references to Easton Park date back to 1302, over 700 years ago. It was first mapped in 1594 by Ralph Agas of Stoke-by-Nayland following the grant of the surrounding lands to Sir Henry Maynard in 1588 by Elizabeth I. In the early 1700's William Maynard laid out a formal park with radiating avenues from Easton Lodge in the style known as 'patte d'oie' (goose foot). This is recorded in an engraving of 1756 by Skynner and Canot and the map by Chapman & Andre of 1777, the first showing the layout and the second the area covered.

The Park remained in substantially the same form until 1942, as evidenced by the Ordinance Survey maps of that time. Immediately thereafter, 10,000 trees were destroyed to build an airfield for one of the US bomber squadrons, the USAAF 386th BG (M) known as The Crusaders. JM Hunter in an article for Essex Archaeology & History described this destruction as "the saddest loss to the historic environment of Essex" during the war. The Crusaders arrived in September 1943 but remained for just nine months before being moved ahead following the D Day landings of June 1944.

Sadly, it has not been in the interests of the owners, current or former, to replace the trees and the avenues but the land has been carefully recovered and tended to create 1,700 acres of high grade arable land and the Deer Park remains exactly as it has been for hundreds of years with its outlines clearly identifiable, bordered to the east by the conservation area of Little Easton; to the north by the Grade II listed gardens, the Gardens of Easton Lodge; and to the south by the SSSI woodland, High Wood, and the listed arch on the B1256 that was the main entrance; and interspersed with listed buildings. The area benefits from the rich history of Easton Lodge brought by colourful characters including The Countess of Warwick, the Prince of Wales and the Marlborough Set, HG Wells and the intellectuals of his day and Ellen Terry and the theatrical set of that time as detailed in the Beacon Planning Heritage Report paragraph 4.04.

So, Easton Park was, and remains, one of the great designed parks of Essex alongside Audley End, Hylands, Braxted Park, Layer Marney and Wivenhoe. It cannot be seen as separate from its historic surroundings. It is a prime asset and a jewel of Essex of enormous heritage value and huge potential. Its structure remains complete and its essence as a quiet oasis and a haven for wildlife and the environment is widely enjoyed by walkers, runners, horse riders, bird watchers and environmentalists. This asset should be conserved and developed as a leisure amenity for the benefit of Uttlesford and Essex.

2. COALESCENCE

The adoption of Easton Park would be directly contrary to The Spatial Vision, Theme 3, Objective 3a of the draft Local Plan – “Conserving and enhancing the market towns and rural settlements and their setting with Uttlesford and retaining the separation between settlements.”

At the closest point the Easton Park allocation lies just 280 metres from the extended Great Dunmow so cannot be seen as separate or indeed anything other than an urban extension of Great Dunmow (See Proximity Map in Appendix B). This coalescence should be seen in the context of the fact that, under separate proposals, Great Dunmow will double in size by 2033 from 3800 to 7000 homes (an increase of 185%) even without the Easton Park development. Adding the proposed 10,000 houses of Easton Park would lead to an increase in size of 450% which would fundamentally alter the nature of Great Dunmow as a market town and its rural setting.

Furthermore, the new residents of Easton Park would be completely dependent on the facilities of Great Dunmow in the early stages of its development for key infrastructure including schools, shops, transport, medical facilities, library and leisure facilities. There is already immense pressure on school places and doctors and dentists waiting lists which will be further impacted by the early phases of a development at Easton Park. Even if the Easton Park development were to stop after the initial 1800 homes had been built, the impact on the market town of Great Dunmow would remain and would be substantial.

The Easton Park site adjoins Little Easton and so must be seen as part of Little Easton as well as bordering Broxton in the north western part of the site.

Development on the scale proposed will mean that the small villages of Little Easton and Broxted will coalesce into one large urbanisation.

The site also stands some 1.5km from the extended Takeley and Little Canfield developments which have seen significant development over recent years and just 1.1 kms from Stansted Airport. The adoption of Easton Park as an allocated site for a new town will inevitably lead to urban sprawl from the west of Bishops Stortford to the east of Great Dunmow.

Great Dunmow Town Council and Little Easton Parish Council have commissioned a landscape report by Helen Thompson to review the Landscape Evidence Base for Easton Park (a copy of which is contained in the LEPC e mail and paper submissions). This report confirms that “To the north of the site, coalescence with Little Easton would be unavoidable and result in the loss of identity as the Little Easton Conservation Area is adjacent to the boundary and the Easton Lodge area of the parish would eventually integrate with the new town. Later phases of the new settlement would eventually populate the parish of Broxted, creating urban sprawl between Great Dunmow and Stansted Airport”.

The proposed development would also be contrary to proposed policy SP5 – Garden Community Principles – “...demonstrating how the development accords with the garden city principles defined by the Town and Country Planning Association (or subsequent updated guidance) and wider definition of sustainable development outlined in the National Planning Policy Framework.”

The Department for Communities and Local Government (DCLG) paper on Locally Led Garden Villages, Towns and Cities (March 2016), categorises new settlements of between 1500 and 10,000 homes as being a “Garden Village”. The eligibility criteria for a Garden Village states in paragraph 14 that “The garden village must be a new discrete settlement, and not an extension of an existing town or village”. The proposed allocation at Easton Park cannot by any definition be seen as a new discrete settlement as on the east side it is just 280 metres from an extended Great Dunmow (See map in Appendix B), The north of the site wraps around the village of Little Easton and abuts the Conservation Area and the west of the site is next to Broxted village.

3. PROXIMITY TO STANSTED AIRPORT

In the view of LEPC, it is unacceptable to embark on the building of a major new town of 10,000 houses (with up to an estimated 30,000 people) in such close proximity to a major and expanding airport.

At its closest, the Easton Park site lies at a distance of 1.1 km from Stansted Airport and 2.6 km from the runway. In addition, Easton Park lies downwind from the prevailing south westerly wind which will blow both noise and pollution directly onto the new housing. The site lies directly adjacent to one of the major departure routes, Clacton, and under one of the key night flight routes, Detling. The proposal would therefore seem to directly contradict the intent underlying proposed policies Policy INF3 – Health Impact Assessments and Policy EN16 – Air Quality.

The British Medical Journal in an article dated 5 September 2013, highlighted a study to investigate whether exposure to aircraft noise increases the risk of hospitalization for cardiovascular diseases in older people (≥65 years) residing near airports. This study concluded that despite limitations related to potential misclassification of exposure, a statistically significant association between exposure to aircraft noise and risk of hospitalization for cardiovascular diseases among older people living near airports was found.

Other studies have been made of the effects on residents suffering regular exposure to pollution. Housing near to other major airports has these health and noise problems which should not be unnecessarily replicated at Easton Park.

Stansted is also a designated airport for dealing with hijacks and major security alerts and flights are regularly diverted to Stansted when there is an emergency situation. Siting a major new housing development in close proximity to Stansted Airport gives rise to a number of safety risks, none of which have been addressed in the Local Plan proposal. In light of these risks, Easton Park is an unsuitable location for housing development.

4. ENVIRONMENT AND LANDSCAPE HARM

Historic Environment

UDC acknowledge in the Local Plan that the historic environment within Uttlesford is a rich, complex and irreplaceable resource.

The proposal to develop the Easton Park site is in direct contravention of proposed Policy EN3 in that it will have a significant detrimental impact on the character, appearance and significance of the Little Easton Conservation Area, including the listed buildings contained therein and will damage views in and out of the conservation area, resulting in a loss of overall character and historic significance of the Conservation Area. The proposal also contravenes Policy EN4 as it will adversely affect the setting of a number of Grade II* and Grade II listed buildings, as well as the Grade II listed Gardens of Easton Lodge.

Landscape Harm

The Landscape and Visual Appraisal commissioned by UDC concluded that the landscape sensitivity and visual sensitivity to a new settlement within the site would be moderate to high, with the highest sensitivity to development in the northern part of the Site (source: UDC evidence base: UDC Landscape and Visual Assessment – Land at Easton Park – C Blandford & Associates June 17). The proposed development contravenes proposed Policy C1, Protection of Landscape Character, in that it causes material harm to the historic settlement pattern, the landscape pattern and diminishes the views across the landscape and impacts on the panoramic views to and from historic buildings and landmarks – in particular the views of the Grade II listed Water Tower at Easton Lodge, The Registered Gardens of Easton Lodge and the Grade I listed Little Easton Church within the Little Easton Conservation Area.

Great Dunmow Town Council has subsequently commissioned a landscape report by Helen Thompson to review the Landscape Evidence Base for Easton Park and this has been shared with LEPC. This report confirms that “Easton Park is considered to be a valued landscape within the meaning of NPPF 109. The amount of harm development would do is substantial. There would be a loss of valuable countryside and harm to the landscape, ancient woodland and wildlife habitats as well as loss of high grade agricultural land.”

Loss of Agricultural Land

LEPC object to the proposal which will lead to the destruction of 1,700 acres of Best and Most Versatile (BMV) prime arable land and wide areas of habitat for wildlife in contravention of policies EN8, EN9 and EN10.

The Easton Park Site is currently an intrinsic dark landscape as per proposed policy EN19 and NPPF clause 125. The light pollution from 10,000 new houses and street lighting will mean that the intrinsically dark landscape will be lost forever and contravenes Policy EN19. No assessments have been carried out by UDC as to whether there will be any associated impact on wildlife.

Proximity to Working Gravel Pit

The site is in close proximity to a working gravel pit. There will be safety issues which will impact users of the access road which will be shared between gravel lorries, development traffic and residents. This is a significant risk factor and has not been addressed in the Local Plan document.

The mining and crushing of gravel creates and releases fine Crystalline Silica dust particles into the air. Wind can carry these fine particles over great distance towards homes and schools. Crystalline Silica is a known carcinogen (cancer causing agent), which has been found to cause lung cancer, silicosis, tuberculosis and increases lung irritation. Dust is cumulative and once particles enter the lungs, the body has no means to expel them and the closer you are, the higher the concentration.

These highly significant risk factors highlight imminent dangers to anyone working or living close to the pit and this has not been addressed in the Local Plan document.

There are already local concerns as to the impact on the water table of the quarry and the effect on the water feed to the ponds in the Little Easton Conservation Area. A large scale development could have a further detrimental impact on the water levels. No impact assessment has been undertaken to date by UDC.

Biodiversity Harm

Easton Park has a long history of fallow deer herds that migrate to the area from Hatfield Forest. A large development on the scale of the proposed garden community will have an impact on the migration paths of the herds of deer that frequently roam across the fields.

Animals that try to cross between two areas of habitat, can become road-kill statistics. Construction of corridors is often ineffectual as they are built close to human areas where animals would be fearful to go. Other potential risks to our local protected or priority species (grass snakes, daubenton bats, brown trout & crested newts), will result in loss or damage of breeding sites or resting places, loss or damage of foraging habitat, loss of habitat connectivity, injury or killing of individual animals during construction and physiological stress due to displacement in an area that has remained virtually unchanged for the last eighty years.

Development is largely to blame for the fall in bird numbers in the British countryside due to the removal of trees, shrubs and hedgerows, which has a detrimental effect on our protected bird species during the breeding season. In the Easton Park development zone and surrounding area there are several such positively identified protected species including Barn Owls and Kingfishers. There are also a number priority species that appear on the red, amber and Biodiversity Action Plan (UK BAP) lists including Cuckoo, Dunnock, House Sparrow, Kestrels, Yellowhammer, Skylark, Starlings, Lesser Spotted Woodpecker, Tawny Owl amongst others.

The ancient woodland to the South of the site (High Wood – designated as of Special Scientific Interest (SSSI), an Ancient & Important Woodland and a Country Wildlife site will be largely surrounded by houses and roads (given that the Barretts development will also be present), which means that wildlife access in all likelihood, will be permanently cut off and they will lose the large space required to roam around freely. The wood will become a virtual island. Due to the close proximity to houses, the wildlife population will also be significantly threatened. This habitat plays a vitally important role in the biodiversity of this region.

All animal species require certain habitat features to survive and special measures need be considered to species identified as being of 'great importance.' Under section 40 of the Natural Environment and Rural Communities (NERC) Act 2006, local planning authorities must have regard to purpose of conserving biodiversity. Section 41 requires the Secretary of State to maintain and publish statutory lists of species and types of habitats which are regarded by Natural England to be of "principle importance". These lists require local authority decision-makers to legally identify the presence of any principal species or principal habitat when planning process on land is considered for development.

No study has been carried out into the wild life that would be affected with the 10,000 houses occupying this land. Easton Park clearly has very important habitat with rare fauna/grasses, ancient woodland and thriving ponds/lakes.

5. TRANSPORT

Road Transport

The Uttlesford Local Plan Transport Study (December 2016) identifies that 76% of Uttlesford residents travel to work by car. Uttlesford is a rural district and the study states that "for many residents, the car is the only feasible mode of transport". 38% of households have at least 2 cars. The study also finds that 58% of residents travel to work outside the district with the highest destinations being London (16.5%) and East

Herts (9.6%). It is therefore critical that the road infrastructure is capable of coping with the increased stress of new developments along the A120 corridor at Easton Park and West of Braintree.

The A120, B184, B1256 and the M11 are currently heavily congested at peak times, with major delays at the Birchanger Roundabout at Junction 8 occurring on a regular basis. The Transport Study reveals that Junction 8 of the M11 already experiences congestion at peak times and although the Local Plan has aspirational objectives for improvements at Junction 8, these are not detailed in the plan and will remain outside the control of UDC. Table 23 on page 79 of the study details the road links that are forecast to exceed capacity by the end of the plan period (2033). Using a scale of 100% equalling “Critically over Capacity”, the most critical stretches of road are:

M11 South of Junction 7 – 128%

M11 Junctions 7-8 – 101%

A120 Junction 8 to Stansted – 155%

There are no details within the Local Plan to specify how these impacts are going to be mitigated. There is nothing to suggest that the developments at Easton Park and West of Braintree will be anything other than more commuter towns housing a majority of residents who commute out of the district to work, heading south on the A120 and M11 to London and other centres of employment.

The road with by far the greatest critical over capacity factor detailed in the Study is the B1256 to the West of Great Dunmow at a factor of 169%. This can only be due to the direct impact of the proposed development at Easton Park and there is no policy mitigation statement or any objectives in the Local Plan for any changes or improvements to this stretch of road. This level of over capacity will have a significant detrimental impact on the car journeys of local residents – particularly at peak times.

The proposed access road from the B1256 onto the Easton Park site will be shared with quarry traffic from the gravel pit as well as the development traffic for the site. This is an inadequate solution which will result in additional congestion to the B1256 and inherently contains a number of safety risks to residents and members of the public. A second access point from the site to the A120 is required.

The UDC IDP Addendum & Summary paper (Troy Planning & Design – July 2017) identifies the single access point planned for Easton Park as “a risk to scheme delivery”. The report goes on to say that a new community of 10,000 will require a minimum of two access points to the strategic highway (A120).

Accommodating a further 20 to 40 thousand additional inhabitants will require upgrades costing many millions of pounds and disruption over many years and there are only aspirational statements for delivery of the improvements in the plan. Consequently the policy statement TA1 that “The capacity of the access to the main road network and the capacity of the road network itself must be capable of accommodating the development safely and without causing severe congestion” is unrealistic, unsustainable and cannot be achieved in the short to medium term.

Rail Transport

Section 7.3 on page 89 of the Transport Study confirms that the dominant mode of transport is the car and suggests that there will be a modal shift from the car to alternative modes of transport. To believe that this is achievable is both naïve and unrealistic as the paucity of alternative transport links in the vicinity of Easton Park will not enable this modal shift to occur and the majority of people will still choose to travel by car due to the flexibility and independence of car ownership.

Policy TA1 states that “New development should be located where it can be linked to services and facilities by a range of transport options including safe and well-designed footpaths and cycle networks, public transport and the private car”. Great Dunmow has no railway station and the only rail option is to use Stansted Airport, Bishops Stortford or Elsenham.

The nearest railway station is at Stansted Airport. Travel to the airport is difficult and will normally be by car. Parking at the

Airport on a daily basis is unaffordable for most people. Local buses, where they exist, are unreliable and subject to cuts in line with County Council budget reductions, and any initial subsidies will be applicable only in the short term. Cycling to these destinations in all weathers is not a practical option.

The UDC transport study highlights a capacity gap for the rail line into Liverpool Street of 1,000 passengers by 2023.

To support the forecast demand the study identifies that capacity can be increased in the short term by train lengthening. However in the longer term the study confirms that a significant intervention such as Crossrail 2 will be required to meet connectivity and capacity outputs, together with additional track capacity (i.e. four tracks), additional platform capacity and additional services on the West Anglia Main Line corridor (paragraph 3.7.19).

This requirement is not detailed anywhere in Policy TA5 in the Local Plan.

LEPC would contend that based on past performance, the deliverability of such major rail infrastructure change is unlikely within the plan period and therefore it is very likely that unsustainable stress will be placed on the rail infrastructure between Stansted Airport and London Liverpool Street.

Stansted Airport

The Transport Study details the current capacity at Stansted Airport and identifies that the airport will be approaching its current planning capacity of 35mppa within the next 10 years. No mention is made of the ambition of Manchester Airport Group to increase passenger numbers to 44.5 million which will inevitably generate more road traffic and rail journeys. A visit to the airport at peak time would confirm that the current infrastructure is already at breaking point with considerable delays for travellers to the airport by both road and rail frequently resulting in missed flights.

Transport Risks

The need for such major infrastructure delivery for both road and rail networks builds in substantial dependencies to the successful delivery of the proposals in the Local Plan. The plan does not contain any assessments of the risks of such dependencies failing to be delivered.

There needs to be a risk assessment contained within the plan which examines the risks of each element of transport infrastructure failing to be delivered and details:

- The likelihood of each risk occurring (i.e. High/Medium/Low)
- The impact (High/Medium/Low) for each risk of any element of infrastructure improvement not being delivered

Failure to deliver any element of the proposed required transport infrastructure improvements would have a catastrophic impact on local roads and the strategic rail infrastructure. Past performance of delivery in these areas by the appropriate bodies is very poor. UDC needs to show that it understands the risks associated with delivering these levels of development and has a robust contingency plan in place.

6. EMPLOYMENT & HOUSING NEED

Employment

There is no independent assessment of employment opportunities and constraints. No guidance is given on the business sectors to be promoted nor on the relationship with other business clusters. An economic strategy covering these areas is essential.

LEPC contend that employment assumptions for Stansted Airport have been exaggerated by using incorrect assumptions. The 2011 total employment figures for Stansted was 10,000 and has only risen to a current figure of 11,600. The housing need assessments by 4 SHMA districts used consultant figures of an additional 10,000 jobs based upon a usage figure of 45 million passengers a year whereas the current figure is only 24 million. Manchester Airports Group themselves only calculate an increase of 5,000 jobs and we would therefore contend that the Local Plan assumptions are invalid.

Housing Need

The proposed increase of dwellings within Uttlesford over the plan period is 43%. This is one of the very highest figures in the country and considerably higher than any of its neighbouring districts which average 28%.

UDC have consistently been questioned as to why this figure is so high, how the figures were calculated and for the evidence that backs up the assumptions. UDC have also been asked why the housing need figure for the four SHMA districts was increased by 20% in respect of "market signals".

To date, no audit trail has been provided by UDC as to how the extremely high housing need requirement figures have been calculated and this throws the entire basis of the Local Plan calculations into question.

LEPC call on UDC to publish the assumptions, calculations and evidence base for the housing need figures so that local communities can understand why their district is planning to build more houses than any of our neighbours and more than most districts in the country.

7. ECONOMIC STRATEGY

There is no evidence in the draft Plan that UDC has undertaken, either itself or through consultants, an economic analysis to support its Plan and provide the base for setting strategic objectives. An economic analysis should cover housing, employment, transportation, communication, commercial and retail aspects and support the formulation of a strategy to attract required funding. The analysis should also cover the relationship of proposed developments, notably the new settlements, with existing centres.

UDC do not set out their strategic objectives and so do not evidence a robust position for subsequent negotiations with developers.

The draft Plan depicts an emerging partnership between UDC and Land Securities and in various aspects, including the use of consultants, the Plan indicates significant influence from Land Securities as the owner and developer of Easton Park, as for instance in the use of Landscape and Visual Impact Assessments produced by the promoters of the site. Best practice directs that UDC should have undertaken this work themselves or commissioned an independent consultant.

The Plan makes no provision for capturing the uplift in value that would arise on adoption of the Local Plan. This might enable a developer to sell on at a significant premium without UDC being able to capture part of that premium.

Equally, there is no detail on how the Easton Park project would be managed in future years; no detail on the formation of a development corporation, its shareholders and stakeholders; nor on its governance, the funding of primary and secondary infrastructure, affordable housing or financial arrangements.

To date, LEPC has had limited stakeholder involvement in the detailed discussions between UDC and Land Securities and has not had access to the various proposals developed since Land Securities initial response in May 2015 to the call for sites. LEPC is vulnerable and cautious of this coalition of interests.

8. DEFICIENCIES IN THE UDC PROCESS

In addition to the specific concerns addressed above, LEPC also rejects the draft Local Plan on the grounds of process in respect of the following areas of concern:

SHMA Figures

The Plan is based on the premise of an allocation of 14,100 houses for UDC for the period of the Plan (para 3.43). Assuming three inhabitants per house, this gives an increase in population over the 15 year period of 42,300 as against a current population of 85,100 or 50%. By any standards, this is an absurdly high percentage which, if implemented, would place an enormous strain on both UDC and this rural community which neither is fit to cope with.

The basis for this calculation has been repeatedly queried by both residents and Councillors but the request for an audit trail has been persistently rejected by UDC.

Carver Barracks

With the announcement in November 2016 that the Ministry of Defence is proposing to vacate Carver Barracks by 2031, there is a strong possibility that a well-located brown-field site suitable for a new town development will become available in the near future. The fact that this opportunity is not factored into the strategy for the development of the District or even referred to in the Plan is again reason to reject the Plan.

Call for Sites Process

The selection of sites for development results from UDC's Call for Sites in April 2015. Given the scale of development envisaged and the focus on new towns, it is highly doubtful that a Call for Sites is the right approach to take since it limits the options available to UDC. We contend that Easton Park and other sites for new towns have been selected because the landowners are prepared to sell the land – not because the sites are the most appropriate locations for new developments. The Easton Park site is owned by Land Securities, a property development company who continue to press for their site to be developed, irrespective of whether it is the most appropriate solution.

Site Selection Criteria

The selection of sites for the proposed new towns seems somewhat arbitrary given that Chelmer Mead and Takeley were rejected on the grounds of the cost of procuring the necessary access to the A120. Conversely, Easton Park has been included on the basis that a single point of access will be sufficient for a planned town of 10,000 houses which is highly impractical. This inconsistency has not been explained.

The UDC IDP Addendum & Summary paper (Troy Planning & Design – July 2017) states that "The current scheme being promoted [Easton Park] only shows a single point of access to serve a new community of 10,000 homes. As a minimum two access points will be required which will help ensure network resilience. Unless an additional access point onto the strategic highway network can be identified and delivered, Easton Park is a risk to scheme delivery".

Delivery of two access points will mean that the existing junction will need major infrastructure development and this requirement should have been taken into

consideration when assessing the junction development costs against the Chelmer Mead and Takeley sites.

Lack of Masterplan

The fact that the Plan does not include any form of outline Masterplan for the new settlements is a major failing. No detail for the new settlements is available so it is not possible to form a view as to their suitability. Whilst there have been copious discussions between UDC and the various promoters of the new settlements, no detail has been made available.

Garden City Principles

The Draft Local Plan is the first formal opportunity available to the public to comment on how their community will evolve as a result of the Plan over the next two decades. It is therefore very surprising (given the overwhelming thrust is geared towards the development of Garden Communities) that the Plan is so short on detail regarding the implementation of the TCPA's Garden City Principles.

The negotiation of development frameworks for three new settlements will place exceptional demands on UDC and there needs to be certainty that the Garden Community Principles will be adhered to, that there will be adequate Land Value Capture and that the long-term stewardship of assets will be appropriate. The Land Securities initial response to the Call for Sites indicated an intention to sell on to house builders and housing associations (see Land Securities May 2015 response to Call for Sites, Section 7, paragraphs 7.2 and 7.3). This gives rise to considerable concern for LEPC and although the Land Securities position may have changed since then, UDC will need to ensure that any development proposals adhere to Garden Community Principles.

Proposed Policy SP5 (Garden Community Principles) explicitly states that development of the three proposed three garden communities must be in accordance with the TCPA's Garden City Principles. The first of those Principles (and arguably the most important) relates to Land Value Capture ("LVC").

Given the importance of LVC to the success of development and thus adoption of the Plan it is unacceptable that there is so little information available for public consideration and comment.

There are only two references to LVC in the draft Plan. The first is a reprint of the TCPA Garden City Principles. The second reference is a very brief and highly generalised explanation of what LVC is. This very important principle has thus been largely ignored by UDC and leads to a concern that UDC do not fully comprehend the ramifications of their focus on Garden Communities and a supposition that UDC do not have the experienced resources to manage the project and consequent infrastructure.

This lack of information is particularly emphasised by the omission of the financial implications of development and the impact on UDC and the community. The following points are specific to Easton Park:

1.The Local Plan needs to contain specific policy statements as to how UDC plans to capture and contain the value of Easton Park that will arise to Land Securities following agreement to allow development. For transparency there needs to be a cash flow forecast covering the Plan period for the Easton Park development. The lack of a forecast raises a question as to the on-going financial viability of the development.

2.The forecast needs to include the value that will be retained by Land Securities that will limit the financial viability of the scheme to potential house builders. An understanding of the remaining value will enable an assessment of whether UDC would have to concede previously agreed s106 benefits in order to meet Plan delivery targets.

3.The forecast should make it clear exactly how much of their own funds UDC are prepared to inject into development. With a total of three schemes UDC would almost certainly be looking for capital in addition to money raised through LVC. This will affect residents in the community with regard to their council tax.

It would appear that as land owners, Land Securities are being positioned as the master developer. For transparency this needs to be documented and the issue of whether this gives rise to a conflict of interest resolved.

If it is UDC's intention that Land Securities will be the Master Developer and manage the project plus the consequent infrastructure over the next several decades then this should also be stated in the Plan. Managed correctly, positive infrastructure cash flows well in excess of £20m per annum could eventually be expected. We need to understand who will benefit from this value. This is a fundamental point that the public have a right to know at this stage – not after the allocation is confirmed through the Local Plan process.

If the proposal is to be developed in line with Garden City principles, it is crucial that UDC ensure that the Land Value Capture proceeds are retained for the benefit of the community. Land Securities admit to paying little more than the agricultural value of 697 hectares of Easton Park. The land will be worth at least £1.75bn, maybe in excess of £2bn – dwarfing the original purchase costs. It is therefore extremely relevant to the public for UDC to state their policy re ensuring that the profits resulting from the aforementioned uplift in value from a change of use flow to the community rather than the fortunate land owner. UDC need to make a policy statement to this effect in the Local Plan.

Assuming the intention is to convert the captured land value into long term infrastructure projects benefiting the community rather than Land Securities (as per TCPA Principles) UDC needs to be clear as to how the projects will be managed.

The TCPA refers to a Strategic Land and Infrastructure Contract (“SLIC”) and alternatively a development corporation as two methods to ensure delivery of housing and infrastructure is well managed. Whichever delivery vehicle is adopted, the management of the project is critical. UDC could outsource responsibility to a master developer, a third-party or take the burden in-house.

Our observation would again be that as land owner and master developer, Land Securities are conflicted and their experience as master developer at Ebbsfleet has faced a range of criticisms. UDC need to confirm that they have undertaken due diligence on the proposed delivery mechanisms and the outline results of this should be published in the Plan. The creation of one Garden Community is a massive undertaking. Development of three consecutively is an even bigger challenge with significant risks for the district council and the district.

It is concerning that in the ten pages devoted to Delivery & Monitoring (Section 14) at the end of the Plan, the Plan states in a generalised way the importance of delivery, the challenge in ensuring delivery, identifying and defining indicators to monitor delivery, but there is nothing of consequence about how all this is to be applied in practice.

The detailed performance measures are contained in Appendix 2. However there are no performance measures articulated that are specific to the Garden Community developments. Given the size and scale of the three developments, the plan should contain specific key performance indicators for the Garden Community developments.

Paragraph 14.27 states: "In addition to public funds, developer contributions will be sought to deliver the essential infrastructure required to support new development. Section 8 of this Local Plan sets out the approach to developer contribution." The only reference to developer contribution in Section 8 is Para 8.4: "Infrastructure will be funded through developer contributions payable by developers towards on and off-site infrastructure provision and through other funding sources including service providers and Government funding, where available." There is no mention of probably the most important aspect of funding for Easton Park – that of the aforementioned Land Value Capture.

Lack of Information

There is a lack of detailed information in the Local Plan document with respect to the Easton Park proposal. We are aware that UDC has held detailed discussions with Land Securities in recent months but no further details have been released. We were advised at the meeting of 11 August that further details will be released as part of the Regulation 18 Consultation. It is not acceptable that this detail was not made available for the Regulation 18 Consultation since this precludes comment until the Regulation 19 stage.

Contingency Planning

No contingency planning principles have been included in the Local Plan. What would happen to the SP3 Spatial Strategy policy should one of the three Garden Community proposals be rejected by the planning inspector? The original Local Plan (which did not include North Uttlesford) was withdrawn in 2016 and the latest version now includes North Uttlesford (much to the surprise of the residents of Great Chesterford).

LEPC contend that there has not been a level playing field in assessing the Easton Park site against the North Uttlesford site (evidence contained elsewhere in this consultation response) and would not be surprised North Uttlesford were to be rejected by the planning inspector, leaving all of the new town development sites in the south of the district with associated impacts to the infrastructure and the communities.

The Local Plan has no contingency policy as to whether the spatial strategy would then raise the number of homes to be developed on the other two sites during the plan period or whether a new site will be sought in the north of the district. The Local Plan should specify contingency policy to specify what would happen in the scenario of one (or more) of the proposed garden community sites being rejected during the Local Plan process.

Retail Strategy

There is no independent assessment of retail opportunities and necessary constraints. This is particularly important in respect of Easton Park since the development of a retail centre at Easton Park will inevitably impact significantly on the Great Dunmow given the immediate proximity of the Dunmow High Street. There is no clarity in the draft Plan which opens the way to tensions between the two centres. A retail strategy is essential.

The following section details the themes, objectives and policies of the draft Local Plan that would be contravened if Easton Park were to be included in the final plan:

- The Spatial Vision – “The diversity and quality of Uttlesford’s countryside and natural environment will be safeguarded and the historic environment conserved.”
- Theme 3 – Protect and Enhance Heritage and Character, Objective 3a – Safeguarding Uttlesford’s distinctive Character and Environment: “Conserving and enhancing the District’s heritage assets and their settings”.
- SP2 – The Spatial Strategy 2011-2033, para 3.8 – “The strategy provides for a robust approach to the protection of historic and natural assets and a range of development management policies are included to protect listed buildings, conservation areas and SSSIs”.
- SP9 – Development within Development Limits – “...compatible with the character of the settlement...and its countryside setting”; “protects the setting of existing buildings and the character of the area”; “...does not result in unacceptable loss of amenity space”; “would not have an over-bearing effect on neighbouring properties”.
- SP10 – Protection of the Countryside – “The Countryside will be protected for its intrinsic character and beauty, for its value as productive agricultural land, recreational land and for biodiversity”; “Protect the best and most versatile agricultural land and which support biodiversity”.

•SP12 – Sustainable Development Principles – “Retaining and enhancing the character, appearance and setting of those areas, settlements or buildings that are worthy of protection”.

•EN1 – Protecting the Historic Environment – “Development will be supported where it protects and enhances the significance of any heritage asset and makes a positive contribution to the street scene and/or landscape.”

•EN2 – Design of Development within Conservation Areas – “Development will be permitted where it conserves or enhances the character and appearance of the essential features of a Conservation Area”. “Development will be permitted ifIt does not damage key views in, out or within the Conservation Area...”

•EN3 – Protecting the Significance of Conservation Areas – “Development outside of the conservation area which might otherwise affect its setting will only be permitted where it is not detrimental to the character, appearance or significance of the Conservation Area and does not adversely affect listed buildings”.

•EN4 – Development affecting Listed Buildings – “...development proposals that adversely affect the setting, or alterations impair the special architectural or historic interest of a Listed Building will not be permitted”.

•EN6 – Historic Parks and Gardens – “Development will be permitted provided that no material harm is caused to the special interest of Historic Parks and Gardens such as their principal or associated buildings and structures, formal and informal open spaces, ornamental gardens, kitchen gardens, plantations and water features”.

•EN7 – Non-Designated Heritage Assets of Local Importance – “The planning authority will seek to ensure the retention, and viable use of heritage assets of local interest”. “Development proposals which would have an adverse impact upon the character, form and fabric of the heritage asset of Local interest and/or would have a detrimental impact on the setting of the asset will be resisted”.

•EN8 – Protecting the Natural Environment – “The Council will seek to optimise conditions for wildlife and habitats to improve biodiversity and tackle habitat loss and fragmentation.”

•EN9 – Protecting and Enhancing the Natural Environment – “Development will be permitted where it does not result in a reduction of the biodiversity or geodiversity value”. Para 10.27 – “SSSIs and NNRs have the maximum degree of protection from development”

•EN10 – Traditional Open Spaces and Tree – “Development must not result in any net loss of traditional open space and tree specimens and should seek to provide net gains”.

•EN16 – Air Quality – Where a development is a sensitive end-use, that there will not be any significant adverse effects on health, the environment or amenity arising from existing poor air quality, as set by national objectives, targets and emissions limits for pollutants, or sources of significant odour.”

•EN18 – Noise Sensitive Development – “The future occupants of noise sensitive development would experience adverse levels of noise and/or vibration disturbance ...”

•EN19 – Light Pollution - “There is no harm to local ecology, intrinsically dark landscapes and/or heritage assets.”

•C1 – Protection of Landscape Character – “Panoramic views of the plateaux and uplands are maintained especially open views to historic buildings and landmarks such as churches”.

•TA1 – Accessible Development – “The capacity of the access to the main road network and the capacity of the road network itself must be capable of accommodating the development safely and without causing severe congestion.”

Policy SP6 for Easton Park Garden Community needs to have a policy requirement that matches with paragraph 11 of SP7 for North Uttlesford Garden Community.

Evidence:

Policy SP7 – North Uttlesford Garden Community section 11 states*:

“Positively respond to the landscape and historic value of this location, with proposals accompanied and influenced by landscape/visual and heritage impact assessments. Careful consideration will be given to the siting and design of development, the use of building and landscaping materials, the improvement and restoration of degraded landscape features, and new woodland/ tree belt and structural planting within and around the site. The sense of tranquillity within the site should be maintained”.

Given that the Easton Park site has at least a similar if not greater historic value, has 23 listed buildings impacted by the development (compared to 5 in North Uttlesford) including a Grade II* listed property and Grade II listed Registered Park & Gardens at Easton Lodge and the site has a boundary with a conservation area (which North Uttlesford does not) there should be a policy statement at least as strong as the statement above in Policy SP6 for Easton Park.

(Sources: UDC Brief Heritage Impact Assessments & Heritage England)

The SP6 policy needs to be amended to include such a statement.

Furthermore Policy SP6 needs to be strengthened to embed within the policy the concept of a wide buffer containing landscaping, new woodland and tree planting (at least 400 metres wide) between the development and the heritage assets, particularly those situated to the northern side of the site.

(*Source: Uttlesford Local Plan Policy SP7)

The proposed site area and phasing for SP6 Easton Park within the Local Plan needs to be reassessed to take into account the impact upon the heritage assets and their

settings in the northern part of the site with the proposed development of 1800 homes sited towards the southern part of the site.

Evidence:

The evidence base for the Impact Assessment of Heritage Assets underpinning SP6 Easton Park Garden Community is fundamentally flawed as it has not been carried out in accordance with paragraph 128 of the National Planning Policy Framework (NPPF). The NPPF states that the significance of any heritage assets should be described, including any contribution made by their setting. For the other two sites in the local plan each heritage asset is assessed separately detailing the setting, the contribution to significance, the impact of development on the significance of each asset and an assessment as to whether the impact of development would be harmful or not*.

The Easton Park Heritage Impact Assessment does not detail each asset separately and therefore does not properly assess the impact of development upon each asset, its setting, the contribution to its significance or whether the impact of development is harmful to each individual asset.

The different approach followed by UDC to the Heritage Assets impacted by the Easton Park site has significantly underplayed the number of heritage assets and their settings that will be impacted by any development and has resulted in the boundaries of the proposed site being drawn in areas that will cause substantial harm to the settings of a large number of listed buildings, including Grade II* properties, a Grade II listed Registered Park & Garden at Easton Lodge and the Little Easton Conservation Area.

This approach is also not in line with Historic England's "Historic Environment Good Practice Advice in Planning 3" (Source: Historic England : "Historic Environment Good Practice Advice in Planning 3" d.d. March 2015)

This objection is ratified by UDC's commissioned "Landscape and Visual Appraisal"*** which states:

"Given the proximity of the Conservation Area to the Site, there is potential for development within the Site to affect the setting of the Conservation Area and therefore consideration should be given to the potential siting of development to maintain the setting of the Conservation Area, and heritage advice sought". (2.2.9)

and

"Registered Parks and Gardens and Conservation Areas: Proposals should have due regard to the setting of the Little Easton Conservation Area. There is a RPG in the northern part of the Site. The setting of this feature and its approach should be maintained and heritage advice sought with any proposals". (5.2.1)

and a summary which states:

“Overall, this Appraisal finds that land at Easton Park is of moderate to high landscape and visual sensitivity, varying across the Site, and concludes that there is potential for part of the Site to accommodate development, subject to appropriate mitigation developed in accordance with published landscape character guidelines, planning policy and the opportunities and constraints identified in this Appraisal. The Appraisal finds that the northern part of the Site is the most sensitive part of the Site and therefore it is desirable for development in this location to be limited on landscape and visual grounds. The southern part of the Site is of lesser sensitivity to development, given the range of land uses which include an aggregate quarry, the A120 and Stortford Road, all of which reduce the sense of tranquillity and landscape quality in this area”. (6.4.1).

(A list of impacted heritage assets can be found in Appendix A at the end of this document)

* (source: UDC evidence base, Brief Heritage Impact Assessments Easton Park, North Uttlesford & Andrews Field)

** (source: UDC evidence base: UDC Landscape and Visual Assessment – Land at Easton Park – C Blandford & Associates June 17)

Policy SP6 paragraph 12 states “Incorporate Measures to enhance Easton Lodge Park & Garden”

This policy needs to go further and be more specific. The policy needs to state how the Grade II Listed Registered Park and Garden heritage asset and its setting will be protected and give more detail as to what enhancements are intended so that they can be enshrined in the policy and the masterplan.

Evidence:

National Planning Policy Framework (NPPF) clauses 132, 133, 134

The NPPF clause 132 states:

When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification.

Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

The Local Plan Policy SP6 (Easton Park Garden Community) needs to specify a requirement that there should be no development to the northern part of the site and specify policy as to how the Conservation Area will be protected.

Evidence:

The Easton Park site falls partly within the Little Easton Park Conservation area*. Allowing development in the northern part of the site contravenes Policy EN2 as it will damage views in and out of the conservation area and will result in a loss of overall character and historic significance of the Conservation Area.

* (source: UDC evidence base, Brief Heritage Impact Assessment-Easton Park)

The Local Plan Policy SP6 (Easton Park Garden Community) needs to specify that there should be no development to the northern part of the site and specify policy as to how the Conservation Area will be protected.

Evidence:

Allowing development in the northern part of the Easton Park site contravenes Policy EN3 as it will be detrimental to the character and appearance and significance of the Little Easton Conservation Area, including the listed buildings contained therein and will damage views in and out of the conservation area, resulting in a loss of overall character and historic significance of the Conservation Area.

The Local Plan Policy SP6 (Easton Park Garden Community) needs to specify that there should be no development to the northern part of the site and specify policy as to how the Listed buildings within the site and in close proximity to the site will be protected.

Evidence:

Allowing development in the northern part of the Easton Park site contravenes Policy EN4 as it will adversely affect the setting of a number of Grade II* and Grade II listed buildings, as well as the Grade II listed Gardens of Easton Lodge.

The proposed development contravenes Policy C1, Protection of Landscape Character, in that it causes material harm to the historic settlement pattern, the landscape pattern and diminishes the views across the landscape and impacts on the panoramic views to and from historic buildings and landmarks – in particular the views of the Grade II listed Water Tower at Easton Lodge*, The Gardens of Easton Lodge and Little Easton Church within the Conservation Area. No minimisation or mitigation policies are set out within any of the Local Plan policies.

Figure EP 3 in the Easton Park Landscape and Visual Assessment details the zone of higher sensitivity and the zone of lesser sensitivity within the site. Further Policy statements need to be added to Policy SP6 in response to the findings in the report to specify the high level requirements to ensure that any development plan ensures the protection of the areas of high sensitivity and mandates development towards the southern end of the site.

Evidence:

The findings of the Landscape and Visual Assessment of Easton Park have not been incorporated into any of the policies within the Local Plan. Policy statements need to be added to SP6 Easton Park Garden Community and other relevant policies in respect of the following findings**:

- Protecting and enhancing the integrity of the existing PROW network
- Protecting and enhancing the setting and approach to Easton Lodge, a Registered Park and Garden in the northern part of the site and seeking heritage advice.
- Protecting the listed buildings and their settings within and adjoining the Site.
- The need to take into consideration the nucleated settlement pattern within the vicinity of the Site within any new settlement form, and ensure that new development is set below the wooded skyline

*(Source: UDC evidence base: UDC Landscape and Visual Assessment – Land at Easton Park – Chris Blandford & Associates June 17 Section 6.2.3)

** (Source: UDC evidence base: UDC Landscape and Visual Assessment – Land at Easton Park – C Blandford & Associates June 17 Section 6.3.1)

The Easton Park Site is currently an intrinsic dark landscape as per policy EN19 and NPPF clause 125. There are no specific policies within SP6 that detail how any development is going to minimise the impact of the light pollution that will inevitably be caused.

A policy statement is required to ensure that design and planning policy decisions impact the impact of light pollution from artificial light on what is currently an intrinsic dark landscape.

Evidence:

NPPF clause 125 states:

“By encouraging good design, planning policies and decisions should limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation”

Stebbing Parish Council Policy SP8

6 Assessment of the West of Braintree Garden Community

6.1 Policy SP8 in the draft Local Plan has been assessed in the Sustainability Appraisal that accompanies the Local Plan and it is pertinent to note some of the conclusions that have been reached in the Environmental Report – June 2017 produced by Essex Place Services. In its report consideration is given as to how the West of Braintree proposal affects specific objectives.

To conserve and enhance water quality and resources and help achieve the objectives of the Water Framework Directive (Table 86, p.192)

“Development at this location has the potential to impact on flows entering Stebbing Brook and River Ter. There are multiple water bodies on the site but the size of the site means there is the potential to mitigate against any negative impacts. The site is not within any groundwater protection zones”.

6.2 Stebbing Parish Council considers that the extensive amount of water bodies present could result in residential development being more challenging thereby undermining the delivery of the proposals

To conserve and enhance the District’s landscape character and townscapes (Table 86, p.193)

“The landscape of the majority of the area has a moderate to relatively high sensitivity to change; the western part of the area having a higher sensitivity to change in association with the River Chelmer. Development in the area could see the coalescence of Stebbing in the north and Flitch Green in the south, although it should be noted that the presence of the A120 running through the area would act as a means of separation. A Landscape Assessment undertaken for the site acknowledges that the development proposal will alter the characteristics of Landscape Character Areas B13 (Rayne Farmland Plateau) and A12 (Pods Brook River Valley (Para 8.3) however the scale of the proposal is such that mitigation can be incorporated through effective masterplanning”.

6.3 In November 2016, Stebbing Parish Council, via its Neighbourhood Plan Steering Committee, commissioned The Landscape Partnership to undertake a Landscape Sensitivity and Capacity Appraisal of the parish of Stebbing to determine the sensitivity of the various landscapes within the parish to change and their capacity to accommodate new development. The study has been produced to assist the Parish Council in making informed decisions as to whether any future development could be absorbed into the landscape, and if so, what scale of development would be appropriate and what mitigation measures might be required to ensure that there would be no unacceptable residual effects on the landscape.

6.4 The Landscape Appraisal refers to the fact that the preferred options Braintree Local Plan 2016 proposed in draft Policy SP10 a West of Braintree New Garden Community, which is a new settlement of between 10,000 to 13,000 homes to the west of Braintree that could potentially be extended into the parish of Stebbing. The broad area of search included Andrewsfield, Bosted Wood and land to the west of Stebbing Green. Although the area of search for the proposed development is largely within the neighbouring parishes of Great Saling and Rayne it does extend into the south-eastern part of Stebbing parish. As such, it has the potential to have major impact on the area and adversely affect the setting of the village, and particularly the hamlet of Stebbing Green. Consequently, the report analyses the essential area of minimum separation between Stebbing and the proposed new garden settlement.

6.5 Stebbing Parish Council strongly urges the District Council to take the findings reached by The Landscape Partnership fully into account should it ultimately decide

to proceed with the West of Braintree Garden Community notwithstanding its fundamental objection to the proposals. It is essential that an extensive good quality landscape buffer be provided to separate Stebbing from any West of Braintree settlement.

To conserve and enhance soil and contribute to the sustainable use of land (Table 86, p.194)

“The site is predominantly a mixture of Grade 3 and Grade 2 Agricultural Land”.

6.6 The District Council should be seeking to maximise development on brownfield land before developing agricultural land. It needs to demonstrate that it has sought to maximise SHLAA and Brownfield Register opportunities. Stebbing Parish Council does not consider there is currently sufficient evidence available to demonstrate that this has occurred.

To maintain and enhance the district’s cultural heritage assets and their settings (Table 86, p.196)

“There are a number of Listed Buildings on site at Parkes Farm and a Protected Lane bisecting the entire site from north to south along two stretches in the eastern part of the site. There are also two registered Parks and Gardens, one Scheduled Monument and a number of designated woodlands within proximity to the site. The Landscape Assessment undertaken for the site raises the possibility that the setting of these two Registered Parks and Gardens (most notably Saling Grove) may be altered as a result of the proposals, as well as the wider setting of the Listed Buildings both on and in close proximity to the site. The Scheduled Monument is however unlikely to be affected as a consequence of the development. The site abuts the conservation area of Great Saling on its northern boundary.

Further assessment also highlights elements of the WWII airfield that also survive. Below ground, there is also a known Roman villa site within the site in the area of Boxted Wood and the potential for earthworks within the Ancient Woodland. Despite this, these considerations can be factored into the proposal in adherence to Garden City principles. This is also the case for the Conservation Area and the Registered Parks and Garden at Great Saling bordering the site boundary in the north, subject to further assessment. In line with the findings of the Landscape Assessment undertaken, it will be crucial that enhancement is sought to any heritage assets and their settings that may be affected, and the historic environment, as part of any masterplanning”.

6.7 It is apparent that the land identified for the construction of the garden community possesses several important heritage assets which could potentially suffer harm.

Reduce and Control Pollution (Table 86, p.198)

“A Contamination Report recognises that a quarter of the site can be classed as Brownfield due to its historic WWII uses. A tenth of the site has been classed as a Medium Risk due to facilities associated with its WWII use, including bomb storage area and Petrol Storage area. The remaining nine tenths of the site have been

categorised as a 'Low Risk' area. Regarding remediation, it is possible that a degree of remediation work may be required in proportion of the medium risk areas, to improve land quality prior to constructing housing/school/attendant infrastructure. The nature of any remediation work is likely to be of small scale and relatively quick to implement. The southern parts of the site are within an area susceptible to poor air quality due to its proximity with a junction of the A120; however, the majority of the site is not within an area of poor air quality and the size and scale of the proposals would allow effective and appropriate mitigation. The site is within 250m of Clarkes waste facility; however again, the size of the site is such to allow any medical or educational uses to be located more than 250m from this facility to avoid any possible significant negative impacts”.

6.8 The fact that a tenth of the land has been classed as a Medium Risk due to its former

WWII use, including the presence of bomb and fuel storage areas which might require remediation is important as it could potentially cause delay in the overall delivery of the project and significantly add to overall development costs.

6.9 What is of more importance is the acknowledgement that the southern parts of the proposed garden community are located within an area already susceptible to poor air quality due to its proximity with a junction of the A120. This is a further serious cause of concern particularly given the increased level of traffic likely to be using the A120, not just resulting from the West of Braintree proposals but also from other garden settlements along its route, as well as from other traffic.

To reduce the risk of flooding (Table 86, p.200)

“There is an area of high fluvial flood risk through the centre of the area and to the east but this is confined to a narrow floodplain by topography. The eastern boundary of the site falls within Flood Risk Zones 2 and 3 following the Pods Brook Channel however the proposals indicate that this area of Flood Risk would be retained as a vegetated/ woodland area; a Flood Risk Assessment undertaken states that this could be used to mitigate fluvial flood risk, which the assessment deems to be low risk. In regards to Surface Water Flood Risk, the report states that parts of the North West corner of the site and along the Pods Channel Brook are at a medium to high risk of surface water flooding. For the north-west corner of the site, SuDS could be used to reduce surface run off and reduce the risk. The Call for Sites assessment states that the southern-most portion of the site includes a strip of the River Ter and so is partly within Flood Zone 2 and 3, but that this would be remediated within the design proposals”.

6.10 It is not apparent how precisely the southern-most portion of the garden community which includes a strip of the River Ter and is partly within Flood Zone 2 and 3, could be remediated within the design proposals.

To promote and encourage the use of sustainable methods of travel (Table 86, p.202)

“The area is well related to public transport from Braintree and Great Dunmow and there is the potential for modal shift with public transport links into town (and along B1256/A120) and to for high quality bus services to rail links in Braintree or Braintree Freeport or possible Notley. There are currently relatively good existing bus links. The existing Flitch Way also offers a direct route to Stansted and Braintree for cycling and walking; in addition, the proposal includes the provision of a network of new and improved pedestrian and cycle connections, integrated within the existing routes, and also an express bus service between Braintree and Stansted as part of the West of Braintree new settlement”.

6.11 Stebbing Parish Council considers that whilst there may be opportunities to utilise bus services to and from Dunmow and Braintree, neither of these two towns are of a sufficient scale and size in terms of facilities and services, to mean that a high proportion of future inhabitants of a West of Braintree community are likely to utilise them. Furthermore, both Braintree and Uttlesford itself suffer from a serious commuter outflow. Consequently, it seems likely that the vast bulk of journeys undertaken by future habitants of a garden community would be by private vehicles.

To ensure accessibility to services (Table 86, p. 203-204)

“The site benefits from good accessibility to the strategic road network in its southern and central parts and is reasonably well related to Great Dunmow and Braintree. The site is located on the A120 corridor and as such is well suited to employment development/ Stansted related growth; although it could be argued that such links would see a rise in car use. The Transport Assessment sets out a number of transport improvements that would be made as a result of the development, including Improvements to the existing B1256 Dunmow Road/ A120 eastbound on-slip roundabout, upgrade to the B1417/B1256 junction from priority to roundabout, improvements to the Blake End Road/ A120 Junction/ link and the implementation of a new roundabout before the B1256/ Stebbing Green Junction. The Call for Sites form states that access to the site will be via two points on the existing B1256, and also via the road to Great Saling on the east of the site. Access to the A120 will be via the east facing slip roads. These infrastructure requirements are likely to increase the viability of car use; however the development of high frequency bus links to Braintree rail services and the utilisation of the Flitch Way for walking and cycling is similarly likely to increase inclusive access by sustainable means”.

6.12 Stebbing Parish Council agrees that the location on the proposed garden community on the A120 corridor would make it suited to employment development/Stansted related growth. It does however consider that such links would inevitably see a rise in car use. Significant additional vehicular traffic accessing and departing the A120 in this location, also has the potential to adversely affect traffic flow along this busy east - west route to the Haven ports.

To improve the population’s health and promote social inclusion (Table 86, p.206)

“Although the main employment, housing and related infrastructure (including employment, retail, community or educational land) will be in Braintree this should not be a criticism or barrier to its allocation in the Uttlesford Local Plan. The site is more than 800m from a GP surgery and any significant shopping facilities however the

proposal includes new healthcare facilities and two new district centres containing shopping facilities. The proposal includes a country park, formal and informal green spaces, neighbourhood play areas and allotments, and it should additionally be noted that more than 50% of the site meets Natural England's ANGSt criteria".

6.13 Stebbing Parish Council is concerned that a large new settlement being located near to the A120, where air quality concerns already exist, is only likely to exacerbate matters. Air quality issues have moved significantly higher up the political agenda as a result of recent legal judgments and the District Council will need to ensure that appropriate health concerns are properly taken on board and addressed within Local Plan allocations.

To provide appropriate housing and accommodation to meet existing and future needs (Table 86, p.208) "The proposal indicates that there will be 3,500 homes in total in the district as part of a larger cross-boundary scheme of approximately 10,000 new homes in Uttlesford and Braintree administrative areas. The proposal supports the North Essex Authorities (BDC, CBC, TDC) Section One Strategy of meeting needs through West of Braintree Garden Community and as such is in line with NPPF regards positively contributing to cross-boundary issues by meeting growth needs. Despite this, the majority of the scheme will be in a different Housing Market Area. The main employment, housing and related infrastructure will be in Braintree with additionally no employment, retail, community, or educational land shown in Uttlesford. There will be some cross-boundary housing implications of the AoS which may affect the proportion of the dwelling yield that can contribute to the District's housing target. The yield will contribute affordable housing units however it is unclear how many of these units will be located within the district. The location of the development will support some of the wider existing housing needs of the district, however these are limited in terms of location and the cross-boundary nature of the proposal".

6.14 Stebbing Parish Council considers that there is a lack of clarity regarding the intended scale of the proposed West Braintree Garden Community. The draft Local Plan refers to potentially 3,500 dwellings in Uttlesford out of approximately 10,000 dwellings with the remainder being in Braintree. Policy SP7 'Development and Delivery of New Garden Communities in North Essex' in the Braintree Publication Draft Local Plan (2017) however refers to an overall total of between 7,000 – 10,000 dwellings. If the West of Braintree Garden Settlement might only be 7,000 dwellings in size, it would not seem necessary for it to stretch across into Uttlesford.

To promote the efficient use of resources and ensure the necessary infrastructure to support sustainable development (Table 86, p.210)

West of Braintree – The main employment, housing and related infrastructure will be in Braintree with no employment, retail, community, or educational land shown in Uttlesford. Although part of the same scheme, the provision of infrastructure in Uttlesford is unknown at this stage however this will not affect the sustainability of the proposal. Despite this, the location of the site is such that there would not be the same level of wider benefits for existing communities in Uttlesford as other options. The implications of utility provision are unknown at this stage however it is anticipated that the issues will be generally similar to other options.

6.15 Given that there would be no employment, retail, community or educational provision located within Uttlesford, Stebbing Parish Council fails to see how the proposed West Braintree Garden Community will promote the efficient use of resources or ensure the necessary infrastructure to support sustainable development within Uttlesford District.

To improve the education and skills of the population (Table 86, p.211)

West of Braintree – Five new primary schools are proposed as part of this development. A new secondary school is also included in this proposal.

6.16 As already mentioned immediately above, the proposed West Braintree Garden Community would not result in any provision of primary or secondary school facilities within Uttlesford District. Consequently, Stebbing Parish Council does not consider that the education and skills of the Uttlesford population would be enhanced.

Whereas other housing provision proposals that are better related to Uttlesford's existing settlements and hierarchy would be far more capable of improving the education and skills of Uttlesford's population.

To ensure sustainable employment provision and economic growth (Table 86, p. 212-213)

West of Braintree – The site is in close proximity to employment in the town of Braintree and accessible to the city of Chelmsford. The proposal will also deliver up to 75,000 sq m employment however this will also be located within Braintree. The proposal would therefore meet the employment strategy of Braintree District Council to avoid leakage of jobs to other jobs centres, such as those in Uttlesford such as Stansted Airport. A Viability Report has allowed the following; 32,000sq.m employment space, 6,500sq.m Retail Foodstore space and 6,500sq.m for other Retail/ Leisure Space.

6.17 Stebbing Parish Council believes that reiterates that employment provision proposed will be to the benefit of Braintree resident's rather than Uttlesford residents. It considers that an alternative spatial strategy should be pursued, which would be of more benefit to Uttlesford's existing settlements and communities.

Recommendations made through the SA (Paragraph 9.3, p.221)

Policy SP8 – West of Braintree Garden Community - It is recommended that the Policy is expanded to include requirements for a Heritage Impact Assessment to explore the impacts of proposals on the historic environment. It is also recommended that the policy is expanded to specifically address landscape implications. It is further recommended in relation to this point, that updated landscape evidence work is prepared to inform future iterations of the Policy and Plan, or otherwise to inform the development framework / masterplan for this Garden Community.

6.18 Stebbing Parish Council has significant concerns regarding the potential heritage and landscape impacts that could accrue should the West of Braintree Garden Settlement go ahead.

Appraisal of the Garden Community Permutations / Options (Table 88, p.228)

“The following table appraises the above 12 options. Please note that for the purposes of this assessment, West of Braintree has also been considered a constant component in so far as it is a preferred site within Part 1 of the Braintree District Council Local Plan (within a different Housing Market Area) and is therefore largely outside the scope of this work. Where relevant, cumulative impacts of this site have been considered in the below appraisal, however in some instances it has been considered pertinent to omit it from consideration in order to focus the SA”.

6.19 Stebbing Parish Council is concerned that the Sustainability Appraisal has taken the West of Braintree Garden Settlement as a ‘given’ and that there has been inadequate scrutiny of its potential impacts.

6.20 In the light of the findings contained within the Sustainability Appraisal Stebbing Parish Council has serious misgivings about the suitability of the area identified for the construction of a new garden community. Inadequate regard has been had to the potential heritage and landscape impacts of the proposal upon Stebbing Parish.

6.21 Furthermore, the Parish Council considers that the focus of the proposed Garden

Settlement is upon addressing Braintree’s needs, and that inadequate regard has been given to addressing the housing, employment and retail needs of Uttlesford in as sustainable manner as possible. Accordingly, the proposed strategy will not provide Uttlesford with the key infrastructure it requires.

7 Braintree Local Plan

7.1 It is quite evident that West of Braintree Garden Community is an integral component of the Braintree Local Plan which is due to be submitted for Examination in Autumn 2017. Stebbing Parish Council submitted representations to the recent public consultation in respect of that Local Plan which are appended to this representation (please see Appendix 1).

7.2 For identical reasons given in that representation, Stebbing Parish Council strongly objects to the proposals contained within the Draft Uttlesford Local Plan for the construction of a new Garden Community to the West of Braintree.