



**Planning Application for 220 dwellings by Gladman**

**Site North of Bedwell Road, Henham**

**Application ref UTT/19/2266/0P**

**Objection on behalf of the Henham, Ugley and Elsenham Parish Councils (v2)**

<b>Project reference</b>	GP 064	<b>Date</b>	19 November 2019
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## 1.0 INTRODUCTION

- 1.1 Gardner Planning Ltd (**GPL**) is instructed by Henham, Ugley and Elsenham Parish Councils (**the Joint Parish Councils - JPC**) to assess and make representations on this application. After examining and assessing the proposals, this **Report** submits several serious objections to the application. The Railton Report (**RR**)<sup>1</sup> contains the detailed objection on transport sustainability, impact on Ugley Green and other matters. It is appended to this Report and should be read in full, although key findings and conclusions are included in this Report.
- 1.2 The Report focusses on the 'policy framework' which includes the National Planning Policy Framework (**NPPF**), the Adopted Local Plan (2005) (**ALP**), the Emerging Local Plan (ELP) a previous Elsenham planning appeal, and other matters. A separate report on highways and transportation has been produced by Railton TPC Ltd (Bruce Bamber) and is attached.
- 1.3 The site is located to the north of the village of Elsenham, between that village and the hamlet around Old Mead Lane to the north. It is within the Parishes of Henham and Ugley, between the M11 and the railway line (London to Cambridge). It lies beyond the settlement boundary of Elsenham and is in open countryside in agricultural use<sup>2</sup>.
- 1.4 This is an outline application with all matters reserved, except access, for up to 220 dwellings. The proposed access is<sup>3</sup> shown as a detailed design for a single road access to Bedwell Road, very close to the eastern abutments for the M11 bridge.
- 1.5 An outline of the objection is as follows:
- i. The proposals should be considered against the relevant policies of the development plan unless material considerations indicate otherwise in

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<sup>1</sup> RR Appendix 1 to this Report

<sup>2</sup> application form

<sup>3</sup> shown on the Stirling Maynard drawing 1703-16-02

accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004. The proposed development is contrary to the policies of the Adopted Local Plan (ALP). It is also contrary to the Policies of the Emerging Local Plan (ELP) to which moderate weight should be given. It is contrary to the former Local Plan 2014 Inspector's Report and contrary to the Secretary of State's 2016 appeal decision (APP/C1570/A/14/2219018, UTT/13/0808/OP).

- ii. Whilst the NPPF para 11 'tilted balance' is engaged, significant and demonstrable harm would be caused which outweighs any benefit.
- iii. Further development at Elsenham would be contrary to the spatial strategies of the ALP and ELP. The latter also identifies sites which would collectively meet the housing need, of which the application site is not one. Elsenham and Henham have already accommodated a significant and excessive quantum of housing development within the Emerging Plan period which is well above that envisaged in the spatial strategy up to 2033. New development on such a scale as proposed should be plan-led.
- iv. Elsenham is an unsustainable settlement to accommodate this major new development. The site fails to meet the transportation sustainability tests of the Development Plan and NPPF. Traffic from the site would substantially access from the west passing through Ugley Green, which is wholly unsuitable and would cause harm.
- v. The development would be contrary to policy and cause harm to the countryside.
- vi. The development would cause the loss of BMV agricultural land, and the application has failed to carry out the site searching exercise required in the Development Plan and NPPF.

1.6 The focus of the Railton Report is the unsustainability of the location in transportation terms including the unsuitability of the road system. Access to Elsenham and its main facilities by walking or cycling is an excessive distance. The availability of the railway station is of little benefit and accounts for only a small number of existing trips.



1.7 The Joint Parish Councils made representations on the 2014 UDC Local Plan, specifically objecting to the over-provision of housing and the inclusion of the large site at North East Elsenham (Elsenham Policy 1). This proposal was rejected by the LP Inspector and UDC subsequently withdrew its LP. Whilst the application is for a smaller site with lower housing numbers, the same principles (which resulted in the rejection) apply.

## **2.0 HOUSING LAND SUPPLY**

- 2.1 A frequent example of 'material considerations indicate otherwise' is the position on the 5-year housing land supply. This is the basis of the main justification put forward by the Applicants to support the proposals.
- 2.2 UDC cannot demonstrate a 5-year housing land supply, which means that new NPPF paragraph 11 d) ii is engaged such that justification for refusal of planning permission for housing must show that the adverse impacts, which are significant and demonstrable, outweigh the benefit of providing housing. Such impacts need not be tightly defined on site specific matters (such as poor access or design) but can be policy based on other parts of the NPPF or the development plan. Overall, the first test (before engaging in the 'balancing exercise') is whether the development is 'sustainable'.
- 2.3 Lack of a 5-year supply does not mean that all housing proposals must automatically receive planning permission. NPPF para 11 effectively indicates in this circumstance that any benefit of extra housing will be outweighed if the impacts are significant and demonstrable, which they are.
- 2.4 In weighing the 'tilted balance' of the then NPPF 2012 para 14 (substantially unaltered in the 2019 para 11 version) the clear judgement and conclusion of the S78 Inspector, endorsed by the SoS, was that even if there were a lack of housing land supply the harm outweighed any benefit that extra housing would bring (see 3.2 below).

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## 3.0 HISTORY

### 2013 Planning Application

- 3.1 The application proposal follows a previous planning application in April 2013 for 800 dwellings on a larger site<sup>4</sup> (UTT/13/0808/OP). That site included part of this application site, albeit for sewage works and a SUD. An appeal against the decision by UDC to refuse planning permission was dismissed by the SoS on 25.8.16, after an Inquiry beginning in September 2014.
- 3.2 Extracts are provided below in order to highlight the objections to that original site. This Report submits that the objections raised by the Inspector are material in consideration of this application which (in any event) is still a major development in a village context. The Inspector's conclusions (extracts below, with emphasis in bold) were endorsed by the SoS (the Appeal B is the Elsenham site):

*15.111 Against the three dimensions in the NPPF, the balance would mean that **neither scheme would amount to sustainable development**. Without a 5 year HLS, more weight should be given to the need for market housing which would tip the balance in favour of Appeal A. **Regardless of the conclusions on HLS, the substantial impact on the surrounding road network would still weigh sufficiently heavily against Appeal B so that the adverse impacts as a whole would significantly and demonstrably outweigh the benefits. Consequently, the Appeal B scheme would not amount to sustainable development in any event.**<sup>5</sup>*

- 3.3 The Secretary of State, in dismissing the appeal, concluded<sup>6</sup> (emphasis in bold):

*The Secretary of State agrees with the Inspector that the **substantial impact on the surrounding road network weighs heavily against the proposal** (IR15.111). He gives **significant weight to the conflict with Policy S7**, and further limited weight to the conflict with Policy ENV5.*

*The Secretary of State concludes, in agreement with the Inspector (IR15.111) that **the adverse impacts of this proposal would significantly and demonstrably outweigh the benefits** when assessed against the policies in the Framework taken*

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<sup>4</sup> Appendix 3 2013 application location plan

<sup>5</sup> SoS and Inspector's Report 25.8.16 para 15.111,

<sup>6</sup> SoS letter 16.8.16 paras 52, 53

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*as a whole (IR 15.111) and as such **the proposal does not amount to sustainable development**. The Secretary of State therefore concludes that the appeal should fail.*

## 2014 Local Plan

3.4 The April 2014 Local Plan proposed an urban extension to north-east Elsenham for some 2,100 dwellings<sup>7</sup>. This also included the current application site and the 2013 application site. The Inspector's Report (19.12.14) was highly critical of the site allocation, amongst other things, and the Plan was withdrawn by UDC in January 2015. The following extracts are provided to illustrate why Elsenham is not a sustainable location for major development, and 220 dwellings remains a major development especially in the context of the village.

3.5 Extracts are as follows (with emphasis in bold)

*2.3 Bearing in mind the siting of the strategic allocation, ULP effectively proposes a major village expansion; the earlier tag 'new settlement' is not really an apt description. Looking at the present context of Elsenham, **other ULP proposals (Elsenham 3-6) are already mostly commitments. These will add about 550 homes to a village which in 2001 (according to EX117) had 922 households.** Adding a further 2,100 homes to a village of perhaps about 1,500 existing and committed homes (on the basis of the above figures) would bring Elsenham to a total of about 3,600 homes. Potential future extension of the allocation to 3,500 homes after 2031 would increase the overall size of the village to as much as 5,000 homes. Expansion on either of these scales would bring major change in Elsenham's place in the hierarchy of Uttlesford's settlements. **Before embarking upon any part of the Elsenham policy 1 proposals it is therefore crucial to ensure that this is an appropriate location for such expansion.***

*2.16 It is therefore **a major disadvantage of the plan's policy for Elsenham that the village lies at some distance from the strategic network in a location embedded within a network of rural roads acknowledged as currently unfit to serve expansion on the scale proposed.** Public transport is available and can be improved to some degree and the planned growth of local facilities would help to reduce transport demands. Benefits of the latter point would increase with the scale of the planned development. Nonetheless, **the development would place substantial increased pressures upon existing unsuitable rural routes.** Various proposed mitigation measures and solutions have been proposed for overcoming this disadvantage but these have not been shown either to be clearly able to secure*

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<sup>7</sup> Appendix 2 2014 Local Plan extract

***their objectives or to be deliverable. My overall conclusion on the evidence is that there are severe doubts that Elsenham could overcome the connectivity disadvantages of its location sufficiently to be regarded as consistent with national policy or effective in being able to secure sustainable development.***

- 3.6 The application Planning Statement makes little reference to the dismissed appeal, and no reference to the withdrawn Local Plan Inspector's Report.
- 3.7 The relevant points that are applicable to the current application from the decision on the previous appeal scheme (800 dwellings) and the more general assessment of the location in the Local Plan Report are summarised as follows,
- Elsenham and the site are not sustainable locations for new development. Access is a particular problem.
  - Development in this area would 'cause harm to both the landscape and to views across it' and be contrary to ALP Policy S7, which should be accorded 'significant weight'.
  - Regardless of the position on housing land supply, adverse impacts *significantly and demonstrably* outweigh any benefits.
- 3.8 **Other planning applications are pending** to the east and west of Elsenham (as shown in Appendix 4).
- 3.9 Fairfield submitted an application in December 2017 (UTT/17/3573) for 350 dwellings at the southern section of the 2016 dismissed site. The JPC has lodged objections.
- 3.10 Wallace submitted an application for 99 dwellings in October 2019 (UTT/19/2470) for 99 dwellings.
- 3.11 **Collectively there are undetermined applications for 669 dwellings at Elsenham. Although submitted by different developers at different times it is essential that UDC must consider their cumulative impact before determining the individual applications.**
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## 4.0 POLICY

- 4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the application falls to be considered against the relevant policies of the development plan unless material considerations indicate otherwise.
- 4.2 The Development Plan comprises the saved policies of the UDC Local Plan 2005 (**ALP**). There is also an Essex County Council Minerals Plan (original 1997, new 2014) but this is not of relevance to the consideration of the application.
- 4.3 Other material considerations in the decision process include the guidance given in the National Planning Policy Framework (**NPPF**) and Planning Practice Guidance (**PPG**).
- 4.4 The Emerging Local Plan (**ELP**) reached the stage of 'Regulation 22 Submission' on 18 January 2019 and Examination Hearings took place in July 2019. It allocates sites including those to accommodate the updated required number of new homes, and contains similar policies on the same topics as in the ALP, with relevant policies referred to in Section 5 below.
- 4.5 It is unrealistic not to recognise that things have moved on. Plan making both sets out constraints (such as the countryside), but also has a primary purpose to match the supply of allocated sites to satisfy housing need.
- 4.6 NPPF para 48 is relevant:

*Local planning authorities may give weight to relevant policies in emerging plans according to:*

- a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);*
- b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);*  
*and*
- c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)*

4.7 The ELP is a material consideration and can be given moderate weight because it has reached the sixth stage (out of 8) of preparation - the stage of 'Regulation 24 Examination'. Examination Hearings were held in July 2019.

4.8 The Inspector in the recent Newport Countryside appeal decision 30.8.19<sup>8</sup> confirmed this level of weight (my emphasis in bold):

*25. Although not referred to in the reasons for the refusal of planning permission, the Council is currently preparing a new local plan. This emerging local plan (ELP) was submitted to the Secretary of State on 19 January 2019 for examination. The Planning SoCG confirms that there are objections to the ELP on many topics which need to be resolved. Notwithstanding these objections, the ELP has reached a relatively advanced stage in the plan making process. **Taking into account the requirements of paragraph 48 of the Framework, I have attached moderate weight to the policies contained therein.***

4.9 The ELP significantly increases the housing requirements of Uttlesford and allocates sites including those to accommodate the required number of new homes, but proposes no changes which are relevant to the determination of the application. It also contains similar policies on the same topics as in the ALP.

4.10 The importance of attaching weight to the ELP is that:

- it has essentially re-established the spatial strategy of the ALP (whilst adding 'new settlements')
- it identifies the higher scale of growth now required and identifies locations according to the spatial strategy

4.11 Having been now submitted and examined, the ELP should be accorded 'moderate weight' in the decision making process in accordance with NPPF para 48.

4.12 The Elsenham and Newport appeal decisions are also material considerations.

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<sup>8</sup> APP/C1570/W/3209655 30.8.19 para 25



### **National Planning Policy Framework (NPPF)**

4.13 The current NPPF was published in February 2019, relevant paragraph references are given in Section 5 below.



## 5.0 PLANNING OBJECTIONS TO THE APPLICATION

5.1 This Report presents the planning objections on behalf of the Joint Parish Councils, and cross refers to the highways and transport objections contained in the Railton Report attached.

### The Development Plan and NPPF

5.2 The starting point is that UDC must make a decision based on Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that the application is in conformity with the relevant policies of the development plan, unless material considerations indicate otherwise.

5.3 Whilst the Adopted Plan (2005) remains as the 'Development Plan' (ALP), UDC has submitted a Regulation 22 Emerging Local Plan (ELP) in January 2019 which has been the subject of Examination in July 2019 (Regulation 24). The ELP is a 'material consideration', which in a recent appeal decision<sup>9</sup> "*has reached a relatively advanced stage in the plan making process. Taking into account the requirements of paragraph 48 of the Framework, I have attached **moderate weight** to the policies contained therein.*" (my emphasis)

5.4 The new National Planning Policy Framework (NPPF) was published by Government in February 2019.

### Housing Land Supply

5.5 One of these 'material considerations' is the position on the 5-year housing land supply.

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<sup>9</sup> Newport appeal decision 30.8.19 Appeal Ref: APP/C1570/W/18/3209655 Land south of Wicken Road, Newport, Saffron Walden

- 5.6 It is known that UDC cannot demonstrate a 5-year housing land supply which means that new NPPF paragraph 11 d) ii is engaged such that justification for refusal of planning permission for housing must show that the adverse impacts, which are significant and demonstrable, outweigh the benefit of providing housing. Such impacts need not be tightly defined on site specific matters (such as poor access or design) but can be policy based on other parts of the NPPF or the development plan. Overall, the first test (before engaging in the 'balancing exercise') is whether the development is 'sustainable'.
- 5.7 **The 'benefit' of additional housing needs to be weighed in the balance. The harms identified in this Report are 'significant and demonstrable' so outweighing any benefit.**

### **Spatial Strategy**

- 5.8 In the ALP the strategy is to locate new development in the the existing main settlements of Great Dunmow, Saffron Walden and Stansted Mountfitchet, along the A120 corridor and in selected rural settlements (para 2.2.1 - 2.2.3). Elsenham is a 'key rural settlement' where '*some further limited employment or residential development is proposed*'<sup>10</sup>.
- 5.9 ALP Policy S3 (Other Development Limits) requires that new development should be confined to the identified settlement boundaries, and be compatible with the settlement's character and countryside setting. Clearly, as a matter of fact, the site is outside the identified limits and proposals are contrary to S3.
- 5.10 ALP Policy H1 (Housing Development) indicates the pattern and location of development which reflects the spatial strategy but development of the site is clearly not in accordance with the spatial strategy or hierarchy of settlements.

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<sup>10</sup> ALP para 2.2.3

5.11 ALP Policy H3 (Houses within Development limits) not only applies to settlements with Development Limits, but also includes criteria which are applicable to all 'windfall sites' (such as the application site) and requires such sites to meet **all** of the following criteria:

- a) The site comprises previously developed land;*
- b) The site has reasonable accessibility to jobs, shops and services by modes other than the car, or there is potential for improving such accessibility;*
- c) Existing infrastructure has the capacity to absorb further development, or there is potential for its capacity to be increased as necessary;*
- d) Development would support local services and facilities; and*
- e) The site is not a key employment site.*
- f) Avoid development which makes inefficient use of land.*

5.12 There can be no dispute that the application proposal is not 'within the development limits' nor 'infilling'. If it is categorised as 'windfall' then it meets few of these criteria, when 'all' must be met to satisfy the policy.

5.13 The **ELP's Spatial Strategy** is expressed in Policy SP2 and is to reinforce the role of the main settlements (Saffron Walden and Gt Dunmow), and there is provision for 'new garden settlements'. Lower down the hierarchy, Key Villages have a minor role.

5.14 UDC has calculated housing need over the plan period of 2011 - 2033, and proposed allocations to meet that need. ELP Policy SP3 then demonstrates how this provision will be made, including provision for 170 additional dwellings on 2 sites in Elsenham between 2017 and 2033 (ELS1, ELS2), plus a third site of 20 (ELS3) which was permitted in 2016, making 190 houses in total allocated in the ELP. However, the Rush Lane site (40 dwellings) was refused planning permission (UTT/19/0437/OP) on 6.11.19 so that the net contribution by ELP allocations to additional housing at Elsenham is currently 150 dwellings. Clearly that would increase if the Rush Lane site were to be permitted.

5.15 Significantly the application site is not allocated.

5.16 Elsenham is already making a significant contribution to the ELP's housing land supply. In addition to the net 150 houses in the ELP allocations, other non-allocated

sites in Elsenham have been permitted (and mostly already completed) in the Plan period (2011 - 2033), amounting to some 450 dwellings - so 600 additional dwellings in total at Elsenham. This substantial contribution by Elsenham to the District's housing supply certainly eases the pressure on this Key Village to accommodate more, and illustrates why Elsenham is already considered to be at the limit, and unable to accept more housing. The Table of unallocated, but permitted, sites is as follows:

site	planning permission	housing numbers
Orchard Crescent	UTT/1500/09/OP 25.11.12	53
Hailes Wood	UTT/13/2917 1.7.14 UTT/15/1121 8.12.15	35
Elsenham Nurseries	UTT/14/2991/OP	42
Land North of Stansted Road	UTT/14/3279 1.5.15	155
Land South of Stansted Road	UTT/13/1790 23.12.13	165
	TOTAL	450

5.17 **Although the site is close to Elsenham, it is actually in the Parishes of Henham and Ugley. Henham has also accommodated new housing since 2011** (the beginning of the ELP plan period) on a scale well above its status in the ALP and ELP.

5.18 Henham is identified in the ALP in Policy H3 as a village with a development limit, and also defined in the ALP as one of the 'other villages'<sup>11</sup> where '*There is some limited potential within these boundaries on small previously developed sites ...*

5.19 In the ELP Henham is a Type A village<sup>12</sup>. The spatial strategy is set out in ELP Policy SP2 which states for Type A and B villages that development will be limited.

5.20 ELP Policy SP3 shows where the required housing numbers are to be located. The Policy indicates that only 134 dwellings<sup>13</sup> will be provided in the 19 Type A and 23 Type B Villages in the plan period (2011-2033) but it also states that for Type B

<sup>11</sup> ALP para 2.2.4

<sup>12</sup> ELP para 3.38 table

<sup>13</sup> ELP para 3.67 and Table

villages there will be no new allocations for housing<sup>14</sup>. So the 19 Type A villages would accommodate an average of 10 new dwellings each.

5.21 Planning permission has actually been give for 88 dwellings in Henham since September 2012, thus Henham has already made a material (and over-proportionate) contribution to Uttlesford's housing needs.

5.22 **The proposals are contrary to the spatial strategy for Uttlesford and contrary to ALP policies S3, H1 and H4, and ELP Policies SP2 and SP3. Development on the application site would cause significant and demonstrable harm which outweighs any benefits of the development.**

### **Sustainable Development**

5.23 The NPPF provides “*three dimensions to sustainable development*”<sup>15</sup>, as below (emphasis added), followed by this Statement’s comment on an assessment whether the proposals meet these tests:

- *an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that **sufficient land of the right type is available in the right places and at the right time to support growth and innovation**; and by identifying and coordinating development requirements, including the provision of infrastructure;*

**Comment:** the site is unsustainable, a greenfield site on the edge of Elsenham located in the countryside and between the M11 and a mainline railway, not what would be described as ‘*the right type in the right place*’.

- *a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and*

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<sup>14</sup> ELP para 3.39

<sup>15</sup> The NPPF para 8



*by creating a high quality built environment, **with accessible local services that reflect the community's needs and support its health, social and cultural well-being;***

**Comment:** the location does not have accessible local services (e.g. retailing, secondary schools, any significant employment)

- *an environmental role – contributing to **protecting and enhancing our natural, built and historic environment**; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and **adapt to climate change including moving to a low carbon economy***

**Comment:** the site involves development of a greenfield site in the countryside where car travel in and out will be the realistic norm.

5.24 The Railton Report (Appendix 1 to this Report) assesses the sustainability of the site in terms of accessibility for sustainable transport.

5.25 NPPF para 15 says that 'the planning system should be genuinely plan-led'. This opportunistic planning application is the opposite of that principle.

5.26 **In summary, the site is not a sustainable location for development and new residents would be reliant on private car travel contrary to ALP Policy GEN1 and NPPF paras 108, 110.**

## **Transportation Sustainability and Impact**

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5.27 These topics are covered by the Railton Report (**RR**)<sup>16</sup> but the key findings and conclusions are included in this Report for convenience.

5.28 The **Conclusion on Sustainable Access** are summarised in the RR at para 2.26

*Contrary to the assertion in the TA that states, 'this is clearly a sustainable development', a fair and reasonable assessment of the opportunities for sustainable travel show the site to offer extremely limited opportunities to walk, cycle or use the bus and the station offers limited benefit due to its distance from the site and the cost and lack of flexibility of train travel.*

5.29 Acceptable **walking distances** from the centre of the site are wrongly described in Section 5 of the submitted Transport Assessment to be up to 2km. However the Manual for Streets uses 'up to about 800m' as the acceptable limit. The TA uses 'crow fly' distances whereas the actual distances by footway are longer, compounded by the access to the site at its south-west corner which is the furthest from facilities. This location means that walk distances of all site residents to facilities would be higher than all existing Elsenham residents. The walking distance to the primary school is 2km in reality, not 1.2km. Indeed, the majority of local facilities are beyond the maximum walking distance. RR Fig 1 shows walking distances.

5.30 **Cycling** to the nearest settlement with more facilities, Stansted Mountfitchet, involves a distance of 4 - 5km, but the route along local roads is unsafe for cyclists so would deter all but the most experienced and determined. Less than 1% of Elsenham residents currently cycle to work (2011 Census).

5.31 The TA says that the nearest **bus stop** is approximately 600m away, but is actually 990m from the centre of the site - the Essex Design Guide says that no dwelling should be more than 400m from a bus stop. The service (7/7A) is hourly only, and none to Bishops Stortford between 8 and 9 am, and ends by early or mid-evening so useless for work or leisure travel.

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<sup>16</sup> Appendix 1 of this Report

5.32 The **train station** is not 550m from the site access (TA) it is 570m, but the nearest dwelling is 800m from the station and others on the site 1,150m. Walking is unlikely. The SoS, dismissing the appeal on the larger site in 2016, agreed with the Inspector's findings *'In particular, he did not give significant weight to the train station as few journeys are undertaken by train, public transport connectivity and journey times to facilities are poor, and the line itself is an obstacle to integration'*.<sup>17</sup>

5.33 RR Appendix 1 shows 2011 Census results of 'Method of Travel to Work' e.g. by train 12.9%, bus 1.3%, bicycle 0.9%, car 79.7%.

5.34 The RR conclusion on the **impact on Ugley Green** (the adjoining village to the west) is

*If the Transport Chapter of the ES were undertaken in accordance with relevant guidance, the route through Ugley Green would have been identified as a sensitive route and as such subject to more stringent standards of assessment (i.e. lower magnitudes of impact will lead to a higher significance of impact). The failure in the methodology employed invalidates the conclusion that there would be no significant adverse impact resulting from the additional traffic generated by the development.*

5.35 The TA indicates that 78.2% of development traffic will travel to and from the west requiring it to pass through Ugley Green, 133 movements in the AM peak hour (62% increase) and 136 PM peak hour (57% increase). The route comprises a narrow country lane (typically 4.5m wide, but 4m in places). In Ugley Green there is only 1 narrow footpath along the route to the B1383, elsewhere pedestrians must walk on the carriageway.

5.36 The TA assigns all traffic to Pound Lane to access the B1383 whereas for traffic from/to the south the route via Snakes Lane and Alsa Street is 50% shorter, and these roads are of a very low standard and even more unsuitable.

5.37 The RR also finds

*The environmental impact of the very significant increase in traffic through Ugley Green is dismissed as insignificant on the basis that 'the overall level of flow is very*

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<sup>17</sup> SoS and Inspector's Report 25.8.16 para 7.42

*modest' (para. 5.5.7 of ES). The author of the Transport Chapter demonstrates a disturbing ignorance of the process of environmental assessment<sup>18</sup> and 'Since the Transport Chapter of the ES fails entirely to consider sensitivity, it cannot provide any meaningful conclusions on the significance of impacts<sup>19</sup>.'*

5.38 On other matters the RR finds:

*It is concluded that **the effect of the Travel Plan would only be marginal at best** and it is in no way reasonable to rely on the Travel Plan to compensate for the inherent transport sustainability deficiencies of the site.<sup>20</sup>*

and

*These suggested hours are significantly longer than would typically be acceptable in sensitive areas such as this. The route of **construction traffic** would take HGVs past Elsenham Primary School and the suggested hours of operation conflict with school opening and closing times.<sup>21</sup>*

5.39 The full conclusions are set out in the RR at paras 5.1 - 5.12, ending '*Overall it is concluded that the transport supporting work is flawed and unreliable. The site has poor transport sustainability and is likely to lead to an adverse impact on Ugley Green.*'

5.40 ALP Policy GEN1 is as follows (emphasis in bold)

*Development **will only be permitted if it meets all of the following criteria:***

- a) *Access to the main road network must be capable of carrying the traffic generated by the development safely.*
- b) ***The traffic generated by the development must be capable of being accommodated on the surrounding transport network.***
- c) *The design of the site must not compromise road safety and **must take account of the needs of cyclists, pedestrians, public transport users, horse riders and people whose mobility is impaired.***
- d) *It must be designed to meet the needs of people with disabilities if it is development to which the general public expect to have access.*
- e) ***The development encourages movement by means other than driving a car.***

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<sup>18</sup> RR para 3.5

<sup>19</sup> RR para 3.7

<sup>20</sup> RR para 4.3

<sup>21</sup> RR para 4.4

#### 5.41 Relevant ELP Policies are:

##### ***Policy TA1 - Accessible Development***

*Development and transport planning will be co-ordinated to reduce the need to travel by car, increase public transport use, cycling and walking and improve accessibility and safety in the District while accepting the rural nature of the District. The overall need to travel (especially by car) to meet the day to day service needs will be minimised. Development proposals will be located in close proximity to services and make use of sustainable forms of travel (walking, cycling and public transport) to fulfil day to day travel needs as a first requirement. To achieve this:*

- 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;*
- Development will be managed so that it improves road safety and takes account of the needs of all users, including mobility impaired users;*
- 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;*
- Existing rights of way, cycling and equestrian routes (designated and non-designated routes and, where there is evidence of regular public usage, informal provision) will be protected and, should diversion prove unavoidable, provide suitable, appealing replacement routes to equal or enhanced standards ensuring provision for the long-term maintenance of any of the above*
- Travel Plans and Transport Assessments/ Statements will be required for specific development proposals to demonstrate how a reduction in car travel will be achieved/sustainable travel behaviour a priority.*
- Appropriate and safe networks will be provided to allow for increasingly independent travel by vulnerable road users to allow such individuals to provide for their own travel needs.*

##### ***Policy TA2 - Sustainable Transport***

*Sustainable modes of transport should be facilitated through new developments to promote accessibility and integration into the wider community and existing networks. Priority should be given to cycle and pedestrian movements and access to public transport. Development proposals should provide appropriate provision to maximise modal shift potential for all the following transport modes:*

- Pedestrian (including disabled persons and those with impaired mobility), through safe, accessible, direct and convenient design and layout of routes within the new development and wider pedestrian network. Safeguarding existing Public Rights of Way and promoting enhancements to the network, where appropriate, to offer multi-user routes for walking, cycling, horse riders and recreational opportunities;*

- *Cycling, through safe design and layout of routes integrated into the new development and contributing towards the development and enhancement of the cycle network and provision of secure cycle parking and where appropriate, changing and shower facilities;*
- *Public transport, through measures that will improve and support public transport and provide new public transport routes;*
- *Community transport, through measures that will promote car pools, car sharing and voluntary community buses, community services and cycle schemes;*
- *Servicing, refuse and emergency vehicles where viable and practical; and*
- *Facilities for charging plug-in and other ultra-low emission vehicles (see Policy SP5 below)*

5.42 These Policies are entirely compatible with the NPPF and the concept that development should be located where it can be best served by sustainable transportation and infrastructure, e.g.

*103. The planning system should actively manage patterns of growth in support of these objectives. Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. ...*

*108. In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:*

- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;*
- b) safe and suitable access to the site can be achieved for all users; and*
- c) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.*

*110. Within this context, applications for development should:*

- a) give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and second – so far as possible – to facilitating access to high quality public transport, with layouts that maximise the catchment area for bus or other public transport services, and appropriate facilities that encourage public transport use;*
- b) address the needs of people with disabilities and reduced mobility in relation to all modes of transport;*
- c) create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards;*

*d) allow for the efficient delivery of goods, and access by service and emergency vehicles; and*

*e) be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.*

- 5.43 **The proposals are contrary to ALP Policy GEN1, ELP Policies TA1 and TA2 and NPPF paras 103, 108 and 110. The development proposals, whilst poorly assessed in the TA, would cause significant and demonstrable harm in terms of lack of sustainability and traffic impact.**

### **Protection of the Countryside**

- 5.44 The site is beyond the settlement limits for Elsenham identified in the relevant maps in both the ALP and ELP. It is thus in the countryside to which ALP Policy S7 and ELP Policy S10 apply. This is a matter of fact which is not disputed, and the PS para 5.3.6 confirms that the proposals are contrary to ALP Policy S7. The setting of villages such as Elsenham in the surrounding countryside is a key feature of their identity. The countryside is a resource which cannot be 'time limited' and is so identified in the NPPF para 170.

*170. Planning policies and decisions should contribute to and enhance the natural and local environment by:*

*b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*

- 5.45 NPPF para 213 states that due weight should be given to DP policies which are consistent with its content, and the position on the 'intrinsic character and beauty of the country-side' (NPPF 170b) is clearly fully supportive of Policy S7 (and ELP SP10).

- 5.46 Policy S7, The Countryside is as follows (emphasis in bold):

***The countryside to which this policy applies is defined as all those parts of the Plan area beyond the Green Belt that are not within the settlement or other site boundaries. In the countryside, which will be protected for its own sake, planning***

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*permission will only be given for development that needs to take place there, or is appropriate to a rural area. This will include infilling in accordance with paragraph 6.13 of the Housing Chapter of the Plan. **There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.***

- 5.47 The ELP includes the following policy which restricts development to within the Development Limit and protect the countryside (my emphasis):

**ELP Policy SP10 - Protection of the Countryside**

*The Countryside is **defined as land outside the development limits ...***

***... The Countryside will be protected for its intrinsic character and beauty ...***

- 5.48 The SoS (my emphasis in bold) in dismissing the Fairfield appeal in 2016 concluded (and note that NPPF March 2012 para 17 is repeated in NPPF February 2019 at para 170):

*“considers that the policy aim of LP Policy S7, to protect the countryside, is consistent with the fifth bullet of Paragraph 17 of the Framework, that indicates the intrinsic character and beauty of the countryside should be recognised, while supporting thriving communities within it. He therefore attaches **significant weight** to this.”<sup>22</sup>*

- 5.49 A recent appeal decision in Newport of 30.8.19<sup>23</sup> also strongly supports ALP Policy S7 (my emphasis in bold):

*Whilst the Framework takes a positive approach, rather than a protective one, to appropriate development in rural areas, Policy S7 is identified by the Council as being the only policy in the ULP that deals with development in the countryside. It seeks to protect and enhance the natural environment, an important part of the environmental dimension of sustainable development in the Framework. Taking into account these factors, I consider that **Policy S7 should be afforded significant weight when considering development proposals in the countryside.***

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<sup>22</sup> SoS letter on appeal para 31

<sup>23</sup> Inspector's decision Appeal Ref: APP/C1570/W/18/3209655 Land south of Wicken Road, Newport, Saffron Walden

- 5.50 **There is strong protection of the countryside from development. The proposals are contrary to ALP Policies S7, ELP Policy SP10, and NPPF para 170 and would cause significant and demonstrable harm to the countryside outweighing any claimed benefit.**

#### **Loss of Best and Most Versatile Agricultural Land (BMV)**

- 5.51 The site is in agricultural use<sup>24</sup> PS confirms that the land is grade 3a<sup>25</sup> which falls within the definition of BMV<sup>26</sup>. A Soils and Agricultural Report is mentioned in the PS, but does not seem to be one of the submitted application documents.
- 5.52 Policy ENV5 seeks to protect ‘best and most versatile’ agricultural land (**BMV**).

*ENV5 Development of the best and most versatile agricultural land will only be permitted where opportunities have been assessed for accommodating development on previously developed sites or within existing development limits. Where development of agricultural land is required, developers should seek to use areas of poorer quality except where other sustainability considerations suggest otherwise.*

- 5.53 Policy ENV5 seeks to protect ‘best and most versatile’ (BMV) agricultural land which is defined in the NPPF as grades 1, 2 and 3a<sup>27</sup>. The Policy requires that developers should first evaluate whether land of lesser quality is available elsewhere. The NPPF states that such land should be protected and where ‘significant’ development is ‘demonstrated to be necessary’ -it should use land of ‘poorer quality’<sup>28</sup>.
- 5.54 **The PS does not take the site's status of BMV land seriously. Neither NPPF para 17 b) footnote 53 or Policy ENV5 are even mentioned, let alone addressed. No evidence is presented in the application documents that “opportunities have been**

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<sup>24</sup> Application form section 6

<sup>25</sup> PS para 3.3.14

<sup>26</sup> NPPF Annex 2

<sup>27</sup> The NPPF Annex 2

<sup>28</sup> NPPF para 170 b) and footnote 53



*assessed for accommodating development on previously developed sites or within existing development limits*<sup>29</sup>.

- 5.55 **The proposals are contrary to Policy ENV5, NPPF para 17 and the loss of BMV land which is in agricultural use would be a serious and demonstrable harm outweighing and benefit from the development.**

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<sup>29</sup> ENV5



## 6.0 EXECUTIVE SUMMARY AND CONCLUSION

6.1 This Report presents the planning objections on behalf of the Joint Parish Councils, and cross refers to the highways and transport objections contained in the Railton Report attached.

### The Development Plan and NPPF

6.2 The starting point is that UDC must make a decision based on Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that the application is in conformity with the relevant policies of the development plan, unless material considerations indicate otherwise.

6.3 As well as the Adopted Local Plan (ALP), the Emerging Local Plan (ELP) is a 'material consideration', which should be given moderate weight.

### Housing Land Supply

6.4 It is known that UDC cannot demonstrate a 5-year housing land supply which means that new NPPF paragraph 11 d) ii is engaged such that justification for refusal of planning permission for housing must show that the adverse impacts, which are significant and demonstrable, outweigh the benefit of providing housing.

6.5 **The 'benefit' of additional housing needs to be weighed in the balance. The harms identified in this Report are 'significant and demonstrable' so outweighing any benefit.**

### Spatial Strategy

6.6 In both the ALP and ELP the strategy is to locate new development in the main settlements or in new settlements. Elsenham is a Key Village or 'key rural settlement' whose role in the location of new development is very (or relatively) minor.

6.7 'Windfall sites' (such as the application site) must meet **all** of the criteria of ALP Policy H3, but the application fails on at least 3 (not brownfield land, does not have

reasonable access to jobs, shops and services, local infrastructure does not have the capacity to absorb it).

- 6.8 ELP Policy SP3 reassesses need for housing in the District and makes provision for 170 additional dwellings in Elsenham up to 2033.
- 6.9 Elsenham is already making a significant contribution to the ELP's housing land supply. In addition to the net ELP allocations of 150 dwellings, other non-allocated sites in Elsenham have been permitted and mostly already completed in the Plan period (2011 - 2033), amounting to some 450 dwellings. At 600 dwellings, Elsenham is already making a substantial (and over proportionate) contribution to housing need.
- 6.10 Although the site is close to Elsenham, it is actually in the Parishes of Henham and Ugley. Ugley does not have a development limit so is in the lowest category in the hierarchy<sup>30</sup>. Henham has also accommodated new housing since 2011 (the beginning of the ELP plan period) on a scale well above its status in the ALP and ELP, Planning permission has actually been given for 88 dwellings in Henham since September 2012.
- 6.11 Henham is identified in the ALP in Policy H3 as a village with a development limit, and also defined in the ALP as one of the 'other villages'<sup>31</sup> where '*There is some limited potential within these boundaries on small previously developed sites ...*
- 6.12 **The proposals are contrary to the spatial strategy for Uttlesford and contrary to ALP policies S3, H1 and H4, and ELP Policies SP2 and SP3. Development on the application site would cause significant and demonstrable harm which outweighs any benefits of the development.**

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<sup>30</sup> ALP para 2.2.4

<sup>31</sup> ALP para 2.2.4

## Sustainable Development

- 6.13 The NPPF provides “*three dimensions to sustainable development*”<sup>32</sup>.
- 6.14 For the 'economic role': the site is unsustainable, a greenfield site on the edge of Elsenham located in the countryside and between the M11 and a mainline railway, not what would be described as ‘*the right type in the right place*’. For the social role: the location does not have accessible local services (e.g. retailing, secondary schools, any significant employment). For the environmental role: the site involves development of a greenfield site in the countryside where car travel in and out will be the realistic norm.
- 6.15 **In summary, the site is not a sustainable location for development and new residents would be reliant on private car travel contrary to ALP Policy GEN1 and NPPF paras 108, 110.**

### Transportation Sustainability and Impact

- 6.16 These topics are covered by the Railton Report (RR)<sup>33</sup> but the key findings and conclusions are included in this Report for convenience.
- 6.17 The Conclusion on Sustainable Access are summarised in the RR at para 2.26
- Contrary to the assertion in the TA that states, ‘this is clearly a sustainable development’, a fair and reasonable assessment of the opportunities for sustainable travel show the site to offer extremely limited opportunities to walk, cycle or use the bus and the station offers limited benefit due to its distance from the site and the cost and lack of flexibility of train travel.*
- 6.18 Walking distances from the centre of the site are in excess of the limit in Government guidance. the walking distance to the primary school is 2km in reality, not 1.2km.
- 6.19 Cycling to the nearest settlement with more facilities, Stansted Mountfitchet, involves a distance of 4 - 5km, but the route along local roads is unsafe for cyclists so would

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<sup>32</sup> The NPPF para 8

<sup>33</sup> Appendix 1 of this Report

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- deter all but the most experienced and determined. Less than 1% of Elsenham residents currently cycle to work (2011 Census).
- 6.20 The nearest bus stop is approximately not 600m away as claimed, but is actually 990m from the centre of the site - the Essex Design Guide says that no dwelling should be more than 400m from a bus stop.
- 6.21 The train station is not 550m from the site access (TA) it is 570m, but the nearest dwelling is 800m from the station and others on the site 1,150m. Walking is unlikely. The SoS, dismissing the appeal on the larger site in 2016, agreed with the Inspector's findings *'did not give significant weight to the train station as few journeys are undertaken by train, public transport connectivity and journey times to facilities are poor'*.<sup>34</sup>
- 6.22 The application indicates that 78.2% of new traffic will travel to and from the west requiring it to pass through Ugley Green which will cause a severe adverse impact on the village
- 6.23 The application assigns all traffic to using Pound Lane to access the B1383 whereas for traffic from/to the south the route via Snakes Lane and Alsa Street is 50% shorter, and these roads are of a low standard and even more unsuitable.
- 6.24 The full conclusions are set out in the RR at paras 5.1 - 5.12, ending *'Overall it is concluded that the transport supporting work is flawed and unreliable. The site has poor transport sustainability and is likely to lead to an adverse impact on Ugley Green.'*
- 6.25 **The proposals are contrary to ALP Policy GEN1, ELP Policies TA1 and TA2 and NPPF paras 103, 108 and 110. The development proposals, whilst poorly assessed in the TA, would cause significant and demonstrable harm in terms of lack of sustainability and traffic impact.**

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<sup>34</sup> SoS and Inspector's Report 25.8.16 para 7.42

## Protection of the Countryside

6.26 The site is beyond the settlement limits for Elsenham identified in the relevant maps in both the ALP and ELP. It is thus in the countryside to which ALP Policy S7 and ELP Policy S10 apply. This is a matter of fact which is not disputed. The setting of villages such as Elsenham in the surrounding countryside is a key feature of their identity. The countryside is a resource which cannot be 'time limited' and is protected in the NPPF at para 170.

6.27 Policy S7, The Countryside includes:

*countryside, which will be protected for its own sake, ... There will be strict control on new building. Development will only be permitted if its appearance protects or enhances the particular character of the part of the countryside within which it is set or there are special reasons why the development in the form proposed needs to be there.*

6.28 ELP Policy SP10 also includes - *The Countryside is defined as land outside the development limits ... The Countryside will be protected for its intrinsic character and beauty ...*

6.29 The SoS in dismissing the Fairfield appeal in 2016 concluded *“considers that the policy aim of LP Policy S7, to protect the countryside, is consistent ... [with the NPPF] therefore attaches significant weight to this.”*<sup>35</sup>

6.30 A recent appeal decision in Newport of 30.8.19<sup>36</sup> also strongly supports ALP Policy S7: *Policy S7 should be afforded significant weight when considering development proposals in the countryside.*

6.31 **There is strong protection of the countryside from development. The proposals are contrary to ALP Policies S7, ELP Policy SP10, and NPPF para 170 and would cause significant and demonstrable harm to the countryside outweighing any claimed benefit.**

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<sup>35</sup> SoS letter on appeal para 31

<sup>36</sup> Inspector's decision Appeal Ref: APP/C1570/W/18/3209655 Land south of Wicken Road, Newport, Saffron Walden

### Loss of Best and Most Versatile Agricultural Land (BMV)

- 6.32 The site is in agricultural use<sup>37</sup> the application confirms that the land is grade 3a<sup>38</sup> which falls within the definition of Best and Most Versatile (BMV)<sup>39</sup>.
- 6.33 Policy ENV5 seeks to protect BMV agricultural land and the NPPF states that such land should be protected and where 'significant' development is 'demonstrated to be necessary' -it should use land of 'poorer quality'<sup>40</sup>.
- 6.34 The PS does not take the site's status of BMV land seriously. Neither NPPF para 17 b) footnote 53 nor Policy ENV5 are even mentioned, let alone addressed. No evidence is presented in the application documents that "*opportunities have been assessed for accommodating development on previously developed sites or within existing development limits*"<sup>41</sup>.
- 6.35 The proposals are contrary to Policy ENV5, NPPF para 17 and the loss of BMV land which is in agricultural use would be a serious and demonstrable harm outweighing and benefit from the development.**

### Conclusion

- 6.36 It has been shown that this application is contrary to ALP S3, S7, H1, H3, H4, GEN1 and ENV5. It is contrary to ELP SP2, SP3, SP10, TA1 and TA2. It is contrary to NPPF paras 11, 17, 103, 108, 110 and 170. It is also contrary to the former Local Plan 2014 Inspector's Report and contrary to the Secretary of State's 2016 appeal decision (APP/C1570/A/14/2219018, UTT/13/0808/OP).
- 6.37 The development is therefore contrary to the Development Plan and the NPPF. Although the lack of a 5-year housing supply means that NPPF para 11 is 'triggered' such that the 'tilted balance' applies, the development is not sustainable and the final

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<sup>37</sup> Application form section 6

<sup>38</sup> PS para 3.3.14

<sup>39</sup> NPPF Annex 2

<sup>40</sup> NPPF para 170 b) and footnote 53

<sup>41</sup> ENV5



test is that the permission for the development should be refused because the *'adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole'*.



**Planning Application for 220 dwellings by Gladman, Site North of Bedwell Road, Henham**

**Application ref UTT/19/2266/0P**

**GPL Appendix:**

1. Railton Report on Transport and Highways



Land North of Bedwell Road, Elsenham  
Objection on Transport and Highways  
Grounds on behalf of Elsenham, Henham  
and Ugley Parish Councils

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Railton TPC Ltd ref:

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Author:

Date:

Land North of Bedwell Road 01C

19/2266

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02/11/2019

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**Figure 1:** Walk Distances

## Appendices

**Appendix 1:** 2011 Census Travel to Work Data

**Appendix 2:** Extract from Essex Design Guide (walk distance to bus stops)

**Appendix 3:** Extract from IEA Guidelines (assessment periods)

**Appendix 4:** Extract from LA 104 Environmental Assessment and Monitoring (DMRB)

## **1. INTRODUCTION**

- 1.1. Railton TPC Ltd is instructed by Elsenham, Henham and Ugley Parish Councils to review the transport work submitted in support of a planning application for up to 220 dwellings on land north of Bedwell Road, Elsenham (Uttlesford District Council (UDC) reference 19/2266). All matters are reserved apart from access.
- 1.2. The following documents have been reviewed:
  - Transport Assessment (TA), Stirling Maynard, June 2019;
  - Framework Travel Plan (FTP), Stirling Maynard, May 2019;
  - Environmental Impact Assessment (EIA), Wardell Armstrong, July 2019 (Chapter 5 Transport).
- 1.3. The key areas of concern identified from a review of the transport supporting work relate to access by sustainable modes, the potential impact on sensitive areas to the west of the site (Ugley Green) and the weakness of the proposed Travel Plan. These concerns are discussed in further detail in the following sections.
- 1.4. A summary of the findings of the review are set out in the final section of this report.

## 2. TRANSPORT SUSTAINABILITY

### Walking

- 2.1 Section 5 of the TA deals with the transport sustainability of the site. This provides a biased and misleading assessment of the site’s accessibility.
- 2.2 It is suggested in Section 5.1 that Section 4.4 of Manual for Streets (MfS) states that a ‘Walkable Neighbourhood’ is defined by walk trips up to 2km in length. The wording from Manual for Streets is the following:

*4.4.1 Walkable neighbourhoods are typically characterised by having a range of facilities within 10 minutes’ (up to about 800 m) walking distance of residential areas which residents may access comfortably on foot.*

- 2.3 The TA goes on to quote MfS that refers to the now withdrawn PPG13 that indicated that, ‘walking offers the greatest potential to replace short car trips, particularly those under 2 km’. It is both misleading and disingenuous to suggest that a 2km walk distance is an acceptable threshold to use when assessing the accessibility of a site on foot. The Institution of Highways and Transportation’s (IHT’s) ‘Guidelines for Providing for Journeys on Foot’ (IHT, 2000) provides the most widely accepted thresholds for assessing the likelihood and convenience of journeys being undertaken on foot. Table 3.2 of the document provides a summary:

*Table 1: Suggested Acceptable Walking Distances*

	Town centres (m)	Commuting/School/Sight-Seeing (m)	Elsewhere (m)
Desirable	200	500	400
Acceptable	400	1,000	800
Preferred Maximum	800	2,000	1,200

**Source:** Table 3.2 of Guidelines for Providing for Journeys on Foot, IHT, 2000

- 2.4 The TA, at Figure 2a provides only crow-fly distances from the centre of the site. This is an unacceptable and unprofessional approach that cannot be relied upon to provide a realistic assessment of the accessibility of local facilities on foot. It is particularly misleading given the site’s lack of pedestrian access points. **Figure 1** attached provides a reliable assessment of walking distances based on the available routes from the centre of the site. Even a cursory comparison with Figure 2a of the TA reveals a very sharp contrast.
- 2.5 Access to local facilities from the site on foot is made difficult for two main reasons. The first is that only one point of pedestrian access is provided and this is located at the site’s south-west corner, the point where the site is furthest from local facilities.

Second, the presence of the railway line introduces a significant barrier to east-west pedestrian movement. A crossing is provided at the railway station but this is of no use in relation to other local facilities. The only other available point to cross the railway is at the High Street. A crow fly distance of 1.2km between the centre of the site and the primary school is thus increased to 2.0km when measured along the most direct available walking route.

- 2.6 The TA provides a list of local facilities and states that these are all within walking distance of the site. The list is reproduced below with an assessment of the degree to which they are accessible on foot from the centre of the site via the most convenient available walking route:

*Table 2: Assessment of Walk Distances*

Facility	Walk Distance	IHT Assessment
Railway Station	1,000m	Within preferred maximum
GP Surgery	1,500m	Over preferred maximum
Post Office/Store	1,700m	Over preferred maximum
Primary School	2,000m	Preferred maximum
Pub	2,100m	Over preferred maximum
Golds Nursery Business Park	900m	Acceptable
Recreation Ground	1,650m	Over preferred maximum

- 2.7 It can be seen that the majority of local facilities are beyond the preferred maximum walking distance (GP surgery, post office/store, pub, recreation ground). The primary school is at the limit of the preferred maximum walking distance, being 2,000m from the centre of the site. The railway station is within the preferred maximum walking distance. Only the Golds Nursery Business Park lies within an acceptable walking distance. There are no facilities that lie within a desirable walking distance of the centre of the site.
- 2.8 The peripheral location of the site and the poor pedestrian access arrangements mean that walk distances for **all** residents within the proposed development to the facilities within the centre of the village will be higher than the walk distances of **all** existing residents within Elsenham.
- 2.9 It is concluded that the site suffers from very poor access on foot.

## Level Crossing

- 2.10 There is currently an uncontrolled pedestrian level crossing linking a public right of way with Old Mead Road approximately 350m north of the railway station. The level crossing is currently (October 2019) closed and has been closed for some time. A sign states that the closure is for safety reasons.
- 2.11 Section 2.0 of the TA states that Network Rail is proposing to close the crossing permanently and that the Inspector's Report following a Public Inquiry dealing with this and other closures is awaited.
- 2.12 If the crossing were to remain open and the proposed development were to be permitted, the crossing would likely constitute an unacceptable safety risk since its use would dramatically increase since it provides a much shorter pedestrian route between the site and many local facilities. The route to the station and any other facilities accessed via Station Road, for example would be around 450m shorter via this crossing than via the pedestrian access on Bedwell Road.
- 2.13 It is concluded that the acceptability of the proposed site is contingent upon the closure of the level crossing. It is noted that the TA does not identify this closure as an essential part of the site access strategy.

## Access by Bicycle

- 2.14 Apart from local facilities within Elsenham, cycling provides theoretical access to Stansted Mountfitchet with a journey distance of between 4km and 5km. The attractiveness of cycling does, however, depend on much more than just distance. There are no designated cycle facilities between the site and Stansted Mountfitchet and local roads are narrow and winding, carrying high traffic flows, including heavy goods vehicles travelling at high speeds in some areas. The road environment between Elsenham and Stansted Mountfitchet is not conducive to cycling and would certainly not be attractive to any but the most experienced and determined cyclists.
- 2.15 All other local service centres (Bishops Stortford, Stansted Airport) lie beyond 5km of the site and thus beyond what is generally considered a convenient cycling distance.
- 2.16 Given the lack of any proposals for additional facilities for cyclists outside the proposed site, it is likely that the level of cycling associated with the site will be very similar to that in the rest of Elsenham. A review of the relevant 2011 Census Data reveals that less than 1% of residents within Elsenham currently cycle to work. The data are attached as **Appendix 1**.

2.17 It is concluded that cycling will not offer a convenient or realistic mode of travel to any more than a tiny minority of residents within the proposed development.

### Access by Bus

2.18 The TA states that the bus stop on Station Road is '*approximately 600 metres away*' (section 5.3). The bus stop, in reality, is 990m from the centre of the site via the only reasonable pedestrian route.

2.19 The Essex Design Guide states that for new residential developments no dwelling should be more than 400m from a bus stop. The relevant extract is attached as **Appendix 2**. The closest bus stop is almost two and half times the maximum distance required by the Essex Design Guide. It should be noted that the distance to bus stop requirement is not just desirable to make buses more convenient but reflects the fact that many people are physically unable to walk significant distances to reach bus stops.

2.20 It is concluded that the proposed development fails to meet relevant standards in terms of distances to bus stops and, by any other standards provides very poor access to local buses.

2.21 The bus service 7/7A provides roughly an hourly service between Bishops Stortford and Stansted Airport although bus departure times are not a constant number of minutes past the hour. An hourly service makes it difficult to use the bus for most appointments and highly inconvenient for many trips that involve a short stay at the destination. There is no service to Bishops Stortford arriving between 08:00 and 09:00 so it is not possible to access most full-time employment in Bishops Stortford by bus. The service ends in the early to mid-evening and is thus useless for many leisure and recreational purposes. There is no service on Sundays. It is concluded that even for those who are prepared to walk the distance to and from the bus stop the service is of limited value.

### Access by Train

2.22 The TA states that the railway station is 550m from the site access. This is incorrect as the station is 570m from the site access. The TA fails to acknowledge that no houses are proposed at or near the site access. The nearest dwelling is another 230m from the site access or 800m from the station. The northern and south-eastern parts of the site are around 1,150m from the station. The station is therefore far less convenient than assumed in the TA. For some people the distance to the station will make walking to or from the station impossible.

- 2.23 As a consequence of lack of pedestrian access, the northern and south-eastern parts of the proposed site are, in terms of distance to the railway station, comparable with the other existing parts of Elsenham that are most distant from the station.
- 2.24 Travel by train is convenient for some journeys but is inconvenient for many since the range of destinations is limited. Train travel is also costly.
- 2.25 It is concluded that the railway station provides limited opportunities for sustainable movement due to its distance from much of the site and the inherent lack of flexibility and cost of train travel.

### Conclusion on Sustainable Access

- 2.26 Contrary to the assertion in the TA that states, 'this is clearly a sustainable development', a fair and reasonable assessment of the opportunities for sustainable travel show the site to offer extremely limited opportunities to walk, cycle or use the bus and the station offers limited benefit due to its distance from the site and the cost and lack of flexibility of train travel.

### 3. IMPACT ON UGLEY GREEN

- 3.1 It is proposed to provide vehicle access onto Bedwell Road immediately east of the M11 overbridge. The TA indicates that 78.2% of development traffic will travel to and from the west via Bedwell Road via Ugley Green (see Figure 23 of TA). This equates to 83 additional two-way vehicle movements in the AM peak hour and 78 additional two-way vehicle movement sin the PM peak hour.
- 3.2 The only traffic flow data provided by the applicant for Bedwell Road west of the site access comprises an automatic traffic count (ATC) undertaken over a week in August 2018. Details are provided in Appendix 3 of the TA. Although the flows cannot be treated as representative, having been undertaken during the school Summer holiday period, they indicate a two-way flow of 133 vehicle movements in the AM peak hour and 136 vehicle movements in the PM peak hour. The development traffic represents an increase of 62% in the AM peak hour ( $83/133 \times 100\%$ ) and an increase of 57% in the PM peak hour ( $78/136 \times 100\%$ ). These are significant increases.
- 3.3 The route through Ugley Green (Bedwell Road and Snakes Lane) comprises a narrow country lane with tight bends with very restricted forward visibility. The route typically has a width of 4.5m and is as low as 4.0m. The whole New Road/Bedwell Road/Snakes Lane/Pound Lane route is subject to a 6' 6" width restriction. The route to the west of the site passes through the centre of the small village of Ugley Green. There is only one short (100m) section of narrow footway along the entire route to the B1383. Pedestrians are obliged to walk in the carriageway through the remainder of the route. The route is also used by equestrians. Riding stables are located some 200m west of the M11 overbridge.
- 3.4 All traffic using the route through Ugley Green has been assigned to Pound Lane to access the B1383. However, for traffic travelling to and from the south, the route via Snakes Lane west and Alsa Street is around 650m shorter (50% shorter from the point of divergence) than the route via Pound Lane. Snakes Lane and Alsa Street are of a very low standard and even more unsuitable to accommodate any significant increase in traffic than Pound Lane. Pedestrians and equestrians also use this section of road. There has been no assessment of the possible impact of the proposed development on this very sensitive area.
- 3.5 The environmental impact of the very significant increase in traffic through Ugley Green is dismissed as insignificant on the basis that '*the overall level of flow is very modest*' (para. 5.5.7 of ES). The author of the Transport Chapter demonstrates a disturbing ignorance of the process of environmental assessment. The Transport

Chapter of the ES refers to the Institution of Environmental Assessment (IEA) Guidelines (see paragraph 5.3.2 of ES) and even quotes 'Rule 1' that requires the assessment of all links where traffic flows will increase by more than 30% (see paragraph 5.3.4 of ES). It is clear that the proposed development will lead to increases in traffic flows through Ugley Green well in excess of the IEA Guidelines threshold.

- 3.6 Paragraphs 3.7 and 3.8 of the IEA Guidelines make it quite clear that it is not sufficient to consider only weekday peak hours when assessing potential transport environmental impacts. The relevant section of the IEA Guidelines is attached as **Appendix 3**. The Transport Chapter fails to acknowledge this and fails to provide anything but a weekday peak hour assessment.
- 3.7 In order to assess the significance of a transport environmental impact it is necessary to identify those people and areas that are sensitive to changes in traffic flow (sensitive receptors). The Transport Chapter of the ES does not even mention the word 'sensitivity' and there is an absolute absence of any evidence of work that has been undertaken to identify those groups that could be adversely affected by changes in traffic flow. The necessity to consider both sensitivity to changes in traffic flow and the magnitude of those changes is clearly explained in the IEA Guidelines but is made more explicit in Design Manual for Roads and Bridges (DMRB) Volume 11. This includes a table showing how sensitivity and magnitude interact to define the level of significance of a change. The relevant extract is attached as **Appendix 4**. Since the Transport Chapter of the ES fails entirely to consider sensitivity, it cannot provide any meaningful conclusions on the significance of impacts.
- 3.8 If the Transport Chapter of the ES were undertaken in accordance with relevant guidance, the route through Ugley Green would have been identified as a sensitive route and as such subject to more stringent standards of assessment (i.e. lower magnitudes of impact will lead to a higher significance of impact). The failure in the methodology employed invalidates the conclusion that there would be no significant adverse impact resulting from the additional traffic generated by the development.

## 4. OTHER MATTERS

### Travel Plan

- 4.1. In relation to the potential of a Travel Plan to compensate for the site's lack of sustainable access it is worth referring to the report of an Inspector in 2014 in relation to a proposed development east of Elsenham (application ref. 13/0808). The proposals were closer to the railway station than the current proposed development. The Inspector stated:

*With regard to modal shift, the sustainability of the site relies on a travel plan (TP). The success of this would be hampered by the limitations of the site location. If the TP is ineffective, little can be done. That is why NPPF 34 addresses location [see para. 103 of current version of NPPF]. Uttlesford residents are more likely to own and use cars for a longer commute than the national average. Travel by train forms a very small percentage of resident commutes. Car ownership in Elsenham is even higher than at the district level and without adequate measures it is likely that there would be a significant increase in traffic on local roads. Coupled with the limited local facilities, the site is not in an inherently sustainable location and this will limit the success of the TP measures. (Inspector's Report, para. 10.25)*

- 4.2. This view is entirely in accordance with the review of the opportunities to use sustainable modes set out above.
- 4.3. It is concluded that the effect of the Travel Plan would only be marginal at best and it is in no way reasonable to rely on the Travel Plan to compensate for the inherent transport sustainability deficiencies of the site.

### Construction Traffic

- 4.4. It is noted that paragraph 5.6.2 of the ES states that during construction normal operational hours for deliveries will be 07:00-19:00 Monday to Friday and 07:00-13:00 Saturday. These suggested hours are significantly longer than would typically be acceptable in sensitive areas such as this. The route of construction traffic would take HGVs past Elsenham Primary School and the suggested hours of operation conflict with school opening and closing times.

## 5. CONCLUSION

- 5.1. This report sets out a review of the transport work that has been submitted in support of the proposed development of 220 dwellings on land north of Bedwell Road, Elsenham (Uttlesford District Council (UDC) reference 19/2266).
- 5.2. The transport supporting work includes errors and misleading and biased assessments and fails to provide the level of supporting evidence that would be expected from transport professionals.
- 5.3. The site suffers from poor pedestrian accessibility. All housing within the new development would be further from the centre than any existing housing within the village. The majority of facilities are in excess of the Institution of Highways and Transportation's preferred maximum walking distance and no facilities lie within a desirable walking distance.
- 5.4. The existing level crossing adjacent to the site would constitute an unacceptable safety hazard should the site be developed. Its closure would need to be a precondition of development.
- 5.5. Although Stansted Mountfitchet is theoretically accessible by bicycle the nature of the local highway network and the lack of any existing or proposed cycle facilities between the site and Stansted Mountfitchet restrict this mode of travel to only a tiny minority of experienced and confident cyclists. Less than 1% of existing residents in Elsenham currently cycle to work.
- 5.6. The nearest bus stop is two and a half times further from the centre of the site (1km) than the maximum distance required by the Essex Design Guide (400m). The site therefore suffers from very poor bus access. Further, bus services would be entirely inaccessible on foot for those with mobility impairments. Even for those who are able and willing to walk to and from bus stops, the level of service is poor and it is not possible to access most full-time employment in Bishops Stortford since there are no buses arriving in Bishops Stortford between 08:00 and 09:00.
- 5.7. The railway station provides limited opportunities for sustainable movement due to its distance from much of the site and the inherent lack of flexibility and cost of train travel.
- 5.8. The overall level of sustainable access is succinctly expressed by an Inspector who was considering a site to the east of the railway line that was slightly more accessible than the current proposal. He stated that, '*the site is not in an inherently sustainable location*'.

- 5.9. Given the lack of sustainable alternatives, any Travel Plan, however well implemented, will inevitably achieve, at best, marginal changes in travel behaviour.
- 5.10. The suggested delivery periods during construction are unacceptable as they fail to avoid conflict between HGVs and vulnerable highway users such as children arriving at and leaving Elsenham Primary School.
- 5.11. The Applicant expects the vast majority (78.2%) of development traffic to travel through Ugley Green, a highly sensitive route. No assessment of the adverse impacts of this traffic has been undertaken in the Transport Assessment. The Transport Chapter of the ES is fundamentally flawed in that it fails to assess any time period other than weekday peak hours and omits any assessment of sensitive receptors making any assessment of the significance of transport environmental impacts impossible. The transport environmental work is fatally flawed for this reason and none of the conclusions set out in the Transport Chapter of the ES are therefore reliable or justifiable.
- 5.12. Overall it is concluded that the transport supporting work is flawed and unreliable. The site has poor transport sustainability and is likely to lead to an adverse impact on Ugley Green.

## Figures



## Appendices

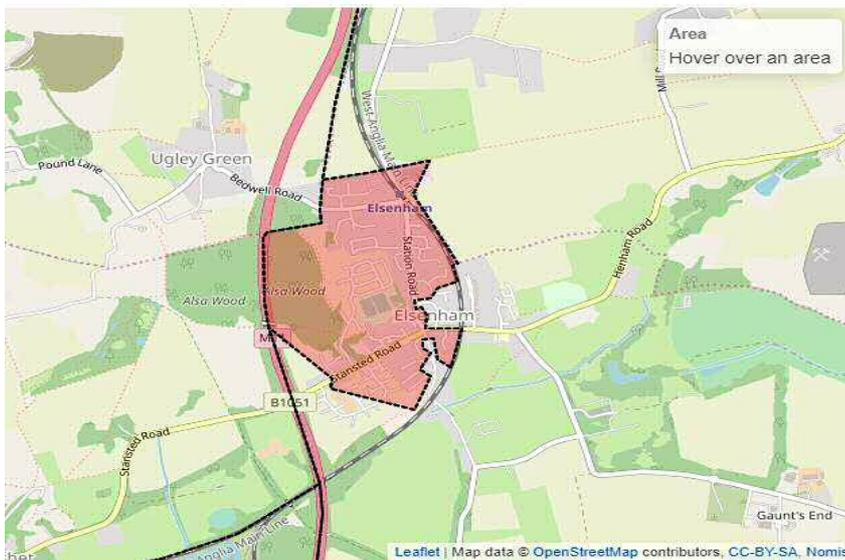
**Appendix 1: 2011 Census Travel to Work Data**

## QS701EW - Method of travel to work

ONS Crown Copyright Reserved [from Nomis on 8 October 2019]

population	All usual residents aged 16 to 74
units	Persons
area type	2011 super output areas - lower layer
area name	E01022063 : Uttlesford 005B
rural urban	Total

Method of Travel to Work	2011	%
Train	101	12.9%
Bus, minibus or coach	10	1.3%
Motorcycle, scooter	6	0.8%
Driving a car or van	591	75.6%
Passenger in a car or van	40	5.1%
Bicycle	7	0.9%
On foot	27	3.5%
	<hr/>	
	782	100.0%



**Appendix 2:** Extract from Essex Design Guide (walk distance to bus stops)

[About](#)[Overarching Themes](#)[Design Details](#)[Supplementary Guidance](#)[Case Studies](#)[Understanding Context](#)[Essex Local Authorities](#)[Home](#) / [Design Details](#) / [Highways Technical Manual](#) / [Bus Stops, Routes and Termini](#)

## In this section

[Street Type Table](#) >[Street Type Description](#) >[Parking Square](#) >[Pedestrian and Cycle Movement](#) >[Bus Stops, Routes and Termini](#) >[One-way Street](#) >[Speed Restraint Within a 20mph Zone](#) >[Junction Types and Design](#) >[Junction Spacing](#) >[Visibility](#) >[Planting in Sight-splays](#) >[Turning Heads](#) >[Vertical Clearance Under Structures](#) >

## Bus Stops, Routes and Termini

To ensure effective passenger pick-up and drop-off, the approach to the bus stop should be kept permanently clear of parked vehicles – which may necessitate the introduction of a bus-stop clear-way road-marking. This in turn may impact access to and parking arrangements for nearby dwellings. **No dwelling should be more than 400m from a bus stop.**

The associated infrastructure should be incorporated as the development progresses. This may include:

- Bus clearway
- Wider footways
- Passenger shelters (at boarding points)
- Disability Discrimination Act (DDA)-compliant 160mm raised kerbs of 3m in length with transition ramps at either end
- Real-time passenger information
- A pedestrian crossing-point in the vicinity of the bus stop

The carriageway of a bus route should not be less than 6.75 metres wide. Typically, 30mph vertical-deflection speed-reducing measures should be avoided on bus routes; where they must be used, they should take the form of table arrangements, with a table in excess of 12m in length.

Bus stops should be located within the overall limits of the carriageway of roads where the traffic speed is 30mph or less. In situations where a bus standing in the carriageway is likely to cause congestion, it may be necessary to consider the provision of a half layby.

It should be noted that a full-size bus requires a turning circle 26m in diameter.

For information on the Design of bus routes and how these can be incorporated into street design please see the relevant section of [Streets and Roads](#).

**Appendix 3:** Extract from IEA Guidelines (assessment periods)

# Guidelines for the Environmental Assessment of Road Traffic

Institute of Environmental Assessment

## 3 Traffic Issues

### Traffic Impact

3.1 The impact of traffic is dependent upon a wide range of factors. These include:

- volume of traffic
- traffic speeds and operational characteristics
- traffic composition (e.g. percentage of heavy goods vehicles).

3.2 The perception of changes in traffic by humans, and the impact of traffic changes on various ecological systems will also vary according to such factors as:

- existing traffic levels
- the location of traffic movements
- the time of day
- temporal and seasonal variation of traffic
- design and layout of the road
- land-use activities adjacent to the route
- ambient conditions of adjacent land-uses.

3.3 Clearly different types of development will attract different levels and types of traffic and, hence, different environmental impacts. The same type of development with the same traffic attraction may, however, produce a different environmental impact in one location from another, dependent upon traffic levels on the affected routes and the adjacent land-uses. This makes the environmental assessment of traffic changes particularly complex, and the development of overly prescriptive methodologies of little use to assessors. This complexity however, should not be an excuse for the production of a Statement that fails to make explicit the methodologies used, nor deal with the inherent uncertainties of the assessment.

3.4 The assessment of the environmental impacts of traffic requires a number of stages, namely:

- determination of existing and forecast traffic levels and characteristics
- determining the time period suitable for assessment
- determining the year of assessment
- identifying the geographical boundaries of assessment

These points are detailed below.

#### Determination of Traffic Levels

3.5 It is not the intention of these Guidelines to set down procedures for the estimation of base-line traffic conditions or the changes in traffic flow that will arise from a new development. Guidance on such procedures is currently being formalised by a Working Party coordinated by the Institution of Highways and Transportation.

3.6 The traffic impact assessment should produce estimates, not only of the traffic being attracted to the development, but also the projection of traffic volumes along key routes leading to the site. Estimates of heavy goods vehicles movements should be provided separately.

3.7 It should be noted, however, that a Traffic Engineer undertaking a traffic impact assessment will frequently concentrate on producing traffic estimates designed to test the ability of key highway intersections to accommodate additional traffic. This may involve the projection of peak hour traffic levels at some time well beyond the commencement of the project. Such values may be insufficient for the environmental assessment which has differing objectives and where it may be important to illustrate periods of "greatest change" rather than "highest impact". (See paragraph 3.8).

## Period of Assessment

3.8 While it may be valuable to know the environmental impact of a development at the peak hour traffic levels, it is likely that the greatest environmental impacts may occur at other times. For instance, where a development attracts a constant volume of traffic throughout the day, the greatest perceived increase in noise is likely to occur when existing traffic is light. Similarly, the greatest impact of traffic on pedestrians may occur when schools close in mid-afternoon. In such circumstances the environmental assessor may need to provide the traffic engineer with a much more specific list of requirements for traffic projections. (See

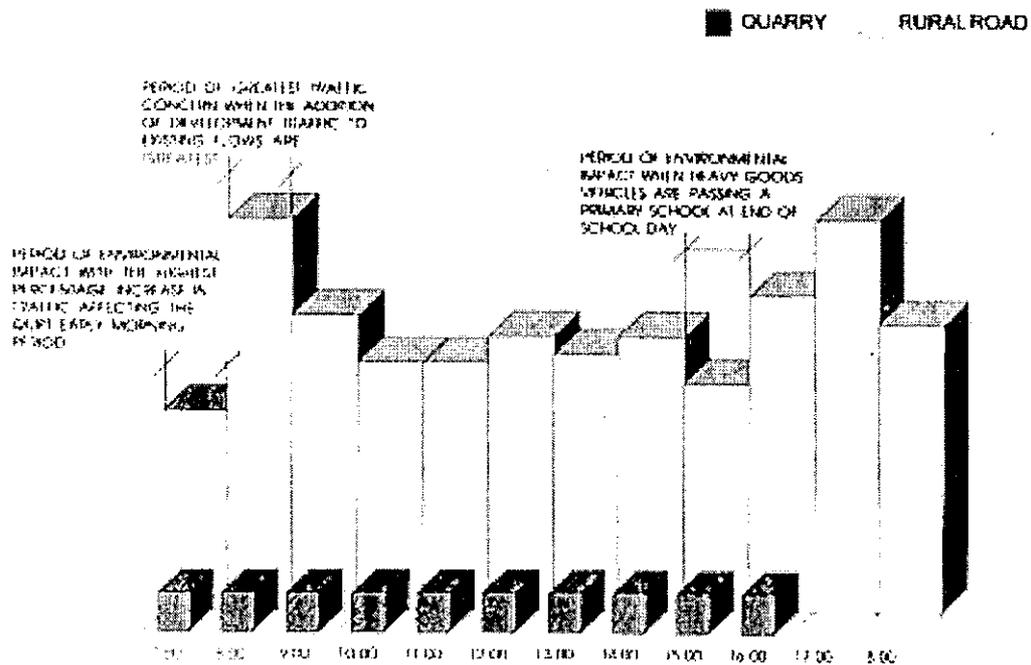
Figures 3.1

and

3.2

).

Example 1 A new quarry generates 20 heavy vehicles an hour along a relatively quiet rural road through a village



**Appendix 4:** Extract from LA 104 Environmental Assessment and Monitoring (DMRB)

## Design Manual for Roads and Bridges



Sustainability & Environment  
Appraisal

# LA 104

## Environmental assessment and monitoring

(formerly HA 205/08, HD 48/08, IAN 125/15, and IAN 133/10)

Revision 1

### Summary

This document sets out the requirements for environmental assessment of projects, including reporting and monitoring of significant adverse environmental effects.

### Application by Overseeing Organisations

Any specific requirements for Overseeing Organisations alternative or supplementary to those given in this document are given in National Application Annexes to this document.

### Feedback and Enquiries

Users of this document are encouraged to raise any enquiries and/or provide feedback on the content and usage of this document to the dedicated Highways England team. The email address for all enquiries and feedback is: [Standards\\_Enquiries@highwaysengland.co.uk](mailto:Standards_Enquiries@highwaysengland.co.uk)

**This is a controlled document.**

**Table 3.4N Magnitude of impact and typical descriptions**

Magnitude of impact (change)		Typical description
Major	Adverse	Loss of resource and/or quality and integrity of resource; severe damage to key characteristics, features or elements.
	Beneficial	Large scale or major improvement of resource quality; extensive restoration; major improvement of attribute quality.
Moderate	Adverse	Loss of resource, but not adversely affecting the integrity; partial loss of/damage to key characteristics, features or elements.
	Beneficial	Benefit to, or addition of, key characteristics, features or elements; improvement of attribute quality.
Minor	Adverse	Some measurable change in attributes, quality or vulnerability; minor loss of, or alteration to, one (maybe more) key characteristics, features or elements.
	Beneficial	Minor benefit to, or addition of, one (maybe more) key characteristics, features or elements; some beneficial impact on attribute or a reduced risk of negative impact occurring.
Negligible	Adverse	Very minor loss or detrimental alteration to one or more characteristics, features or elements.
	Beneficial	Very minor benefit to or positive addition of one or more characteristics, features or elements.
No change		No loss or alteration of characteristics, features or elements; no observable impact in either direction.

### Assigning significance

- 3.5 The significance of effects must be reported within ESs, in accordance with the EIA Directive [Ref 4.N].
- 3.6 The significance of effects shall be reported within non-statutory environmental assessment reports.
- 3.7 The descriptions for significance (as outlined in Table 3.7) shall be applied by the project.

**Table 3.7 Significance categories and typical descriptions**

Significance category	Typical description
Very large	Effects at this level are material in the decision-making process.
Large	Effects at this level are likely to be material in the decision-making process.
Moderate	Effects at this level can be considered to be material decision-making factors.
Slight	Effects at this level are not material in the decision-making process.
Neutral	No effects or those that are beneath levels of perception, within normal bounds of variation or within the margin of forecasting error.

**NOTE 1** *Where relevant, individual environmental factors can set out variations in significance description requirements.*

**NOTE 2** *The approach to assigning significance of effect relies on reasoned argument, the professional judgement of competent experts and using effective consultation to ensure the advice and views of relevant stakeholders are taken into account.*

**NOTE 3** Significant effects typically comprise residual effects that are within the moderate, large or very large categories.

3.8 The approach to deriving effects significance from receptor value and magnitude of impacts shall be based on Table 3.7 and set out in the methodology section of the environmental assessment.

3.8.1 Where Table 3.8.1 includes two significance categories, evidence should be provided to support the reporting of a single significance category.

**Table 3.8.1 Significance Matrix**

	Magnitude of impact (degree of change)					
		No change	Negligible	Minor	Moderate	Major
Environmental value (sensitivity)	Very high	Neutral	Slight	Moderate or large	Large or very large	Very large
	High	Neutral	Slight	Slight or moderate	Moderate or large	Large or very large
	Medium	Neutral	Neutral or slight	Slight	Moderate	Moderate or large
	Low	Neutral	Neutral or slight	Neutral or slight	Slight	Slight or moderate
	Negligible	Neutral	Neutral	Neutral or slight	Neutral or slight	Slight

3.9 The assessment of the significance of environmental effects shall cover the following factors:

- 1) the receptors/resources (natural and human) which would be affected and the pathways for such effects;
- 2) the geographic importance, sensitivity or value of receptors/resources;
- 3) the duration (long or short term); permanence (permanent or temporary) and changes in significance (increase or decrease);
- 4) reversibility - e.g. is the change reversible or irreversible, permanent or temporary;
- 5) environmental and health standards (e.g. local air quality standards) being threatened; and
- 6) feasibility and mechanisms for delivering mitigating measures, e.g. Is there evidence of the ability to legally deliver the environmental assumptions which are the basis for the assessment?

### Defining the baseline scenario

3.10 The baseline environmental conditions must be defined and described without the project in place (baseline scenario) in accordance with the EIA Directive [Ref 4.N].

3.10.1 The baseline scenario should include a description of the site location and the surrounding area as far as environmental effects are anticipated.

3.10.2 The baseline scenario should define existing land-uses and environmental receptors/resources relevant to the environmental factor.

3.10.3 A description should be provided of the likely evolution of the current state of the environment without implementation of the project i.e. 'future baseline scenario', with reasonable effort on the basis of the availability of environmental information and scientific knowledge.

3.10.4 When describing the future baseline scenario, readily available information such as local plans, designated site management plans and climate change scenario data should be utilised to provide a description of the natural changes in the local environment over an appropriate timescale that the datasets support.



**Planning Application for 220 dwellings by Gladman, Site North of Bedwell Road, Henham**

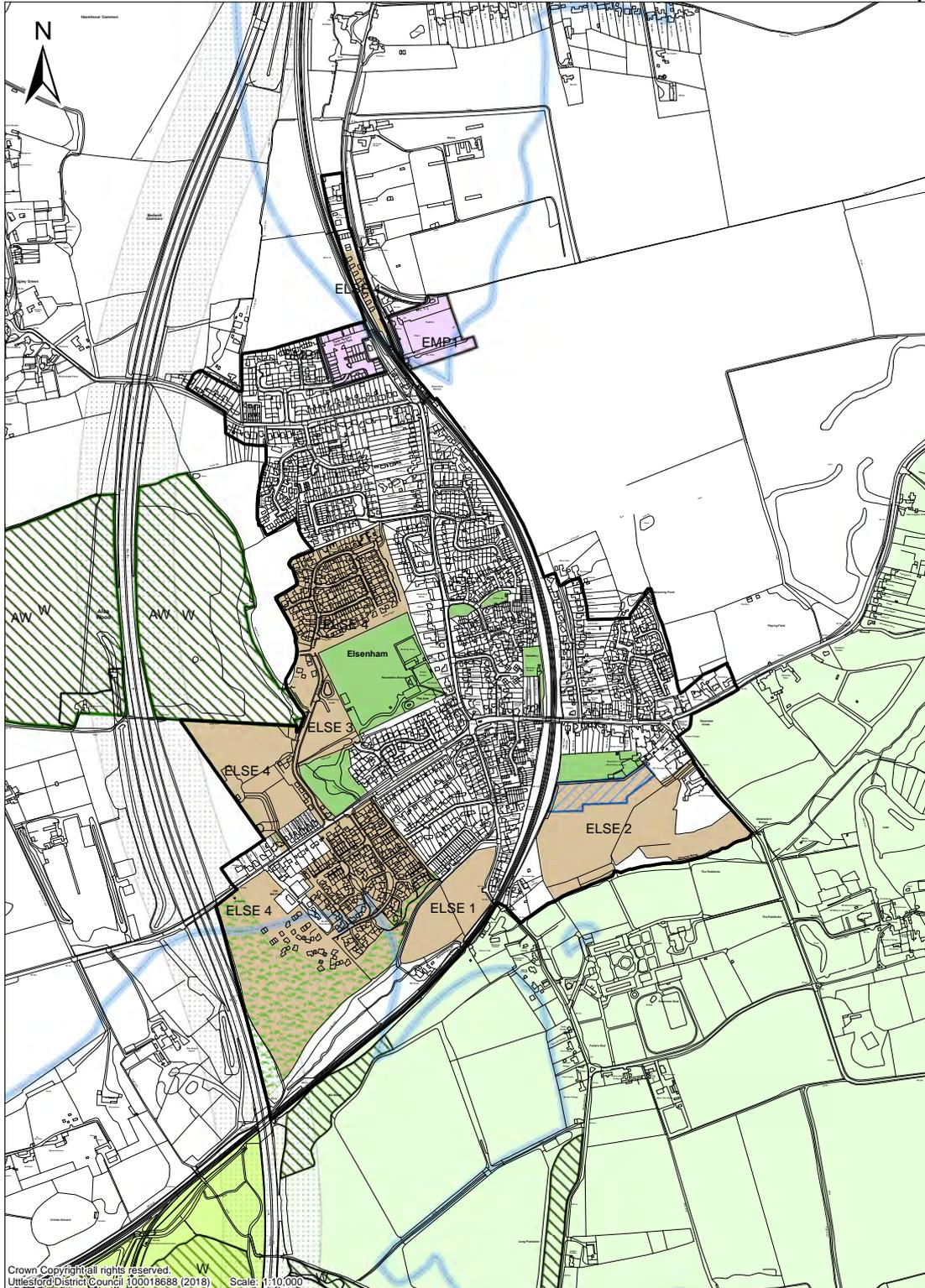
**Application ref UTT/19/2266/0P**

**GPL Appendix:**

**2. Emerging Local Plan Elsenham sites**

# Elsenham 63

Uttlesford Pre-Submission Local Plan 2018  
Elsenham Inset Map



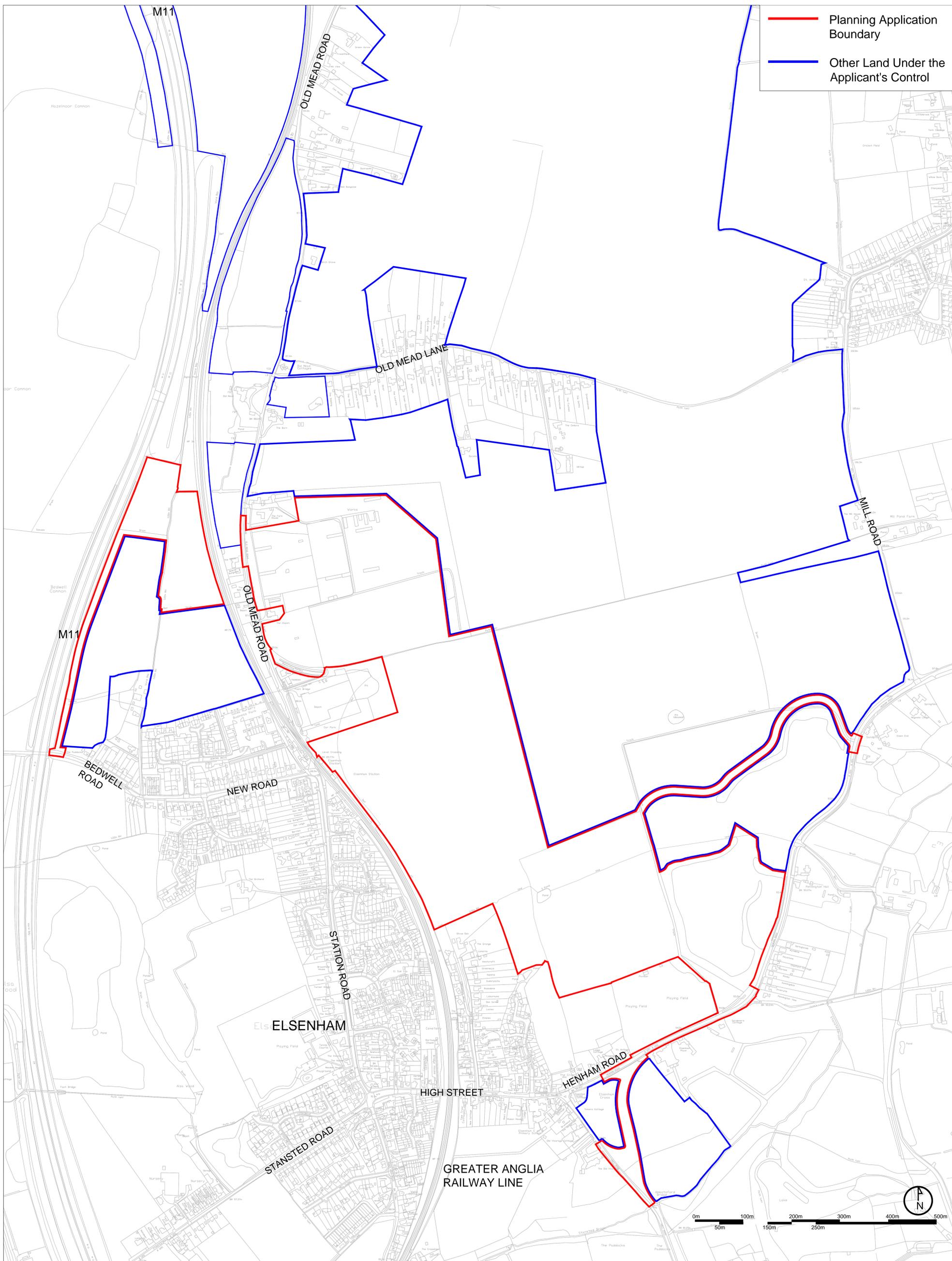


**Planning Application for 220 dwellings by Gladman, Site North of Bedwell Road, Henham**

**Application ref UTT/19/2266/0P**

**GPL Appendix:**

**3. Planning application 800 dwellings UTT/13/0808/OP site plan**



— Planning Application Boundary  
— Other Land Under the Applicant's Control

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FFP012-040-800		

# Land North-East of Elsenham

## SITE LOCATION PLAN



**David Lock Associates**  
 Town Planning and Urban Design



DAVID LOCK ASSOCIATES LIMITED  
 50 NORTH THIRTEENTH STREET, CENTRAL MILTON KEYNES, MK9 3BP  
 TEL : 01908 666276 FAX : 01908 605747 EMAIL : mail@davidlock.com  
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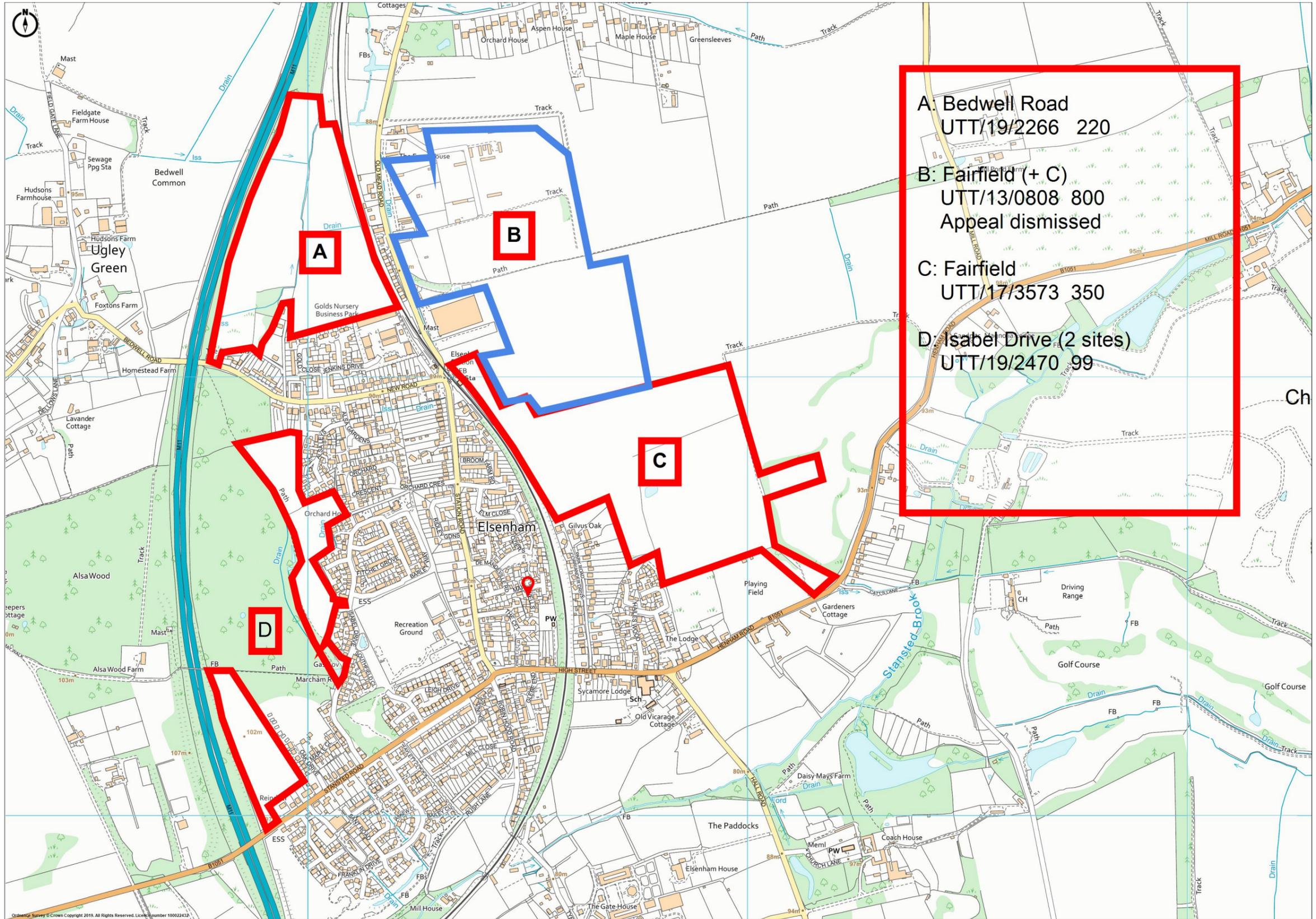


**Planning Application for 220 dwellings by Gladman, Site North of Bedwell Road, Henham**

**Application ref UTT/19/2266/0P**

**GPL Appendix:**

**4. Planning applications around Elsenham**



**A. Bedwell Road**  
 UTT/19/2266 220  
**B. Fairfield (+ C)**  
 UTT/13/0808 800  
 Appeal dismissed  
**C. Fairfield**  
 UTT/17/3573 350  
**D. Isabel Drive (2 sites)**  
 UTT/19/2470 99