

PPWG - 20 November, 2018
Comments on behalf of Great Chesterford Parish Council

In April 2016 Great Chesterford Parish Council, following publication by UDC of its assessment of responses to the Call for Sites, sent detailed criticisms of the site at Great Chesterford now selected for the new NUGC settlement. Today, at the point at which UDC is about to submit its draft Local Plan to the Planning Inspector, we learn that the obligatory Sustainability Assessment, legally required prior to adoption of a Local Plan, is non-compliant with the Regulations, and as drafted is significantly unclear; we further have confirmation that there has been failure to consult on working documents relied on as evidence. AECOM goes so far as to describe the SA process as having a “fundamental flaw” (paras 3.79 and 3.99).

As regards the Garden Communities, the Report states: **“It is not clear why there is a need for three new GCs in light of the alternatives. There are also concerns around the objectivity of the appraisal of these GC options, which relies heavily on what was being proposed by the promoters of the sites in 2016/2017”** (para 4.5).

In order to reduce the risk of legal challenge, as regards the Garden Communities UDC is advised (I quote): **“to undertake a fresh, objective and comparative appraisal of GC options based on a range of different sizes as well as the merits of the sites, not what is being promoted by developers... the same process should be carried out for any strategic urban extensions that came forward through the SLAA process.”** (para 5.10(6)). This last criticism goes to the heart of UDC’s proposals regarding NUGC.

AECOM has advised that in order to achieve least risk of legal challenge, UDC should address the identified issues regarding its appraisal and the development of reasonable alternatives. UDC is also advised by its QC that if the updated SA indicates that the Local Plan as proposed is “not the most appropriate strategy to deliver its objectives”, further representations (known to the outside world as “consultation”) should be sought on what will be inevitably be a markedly different set of proposals.

The stated intention of UDC being to submit the Local Plan to the Inspector by 24 January, 2019, it is self-evident that any Plan submitted in its present form, being based on a highly flawed SA, will be defective. It is equally evident that there is no way in which there can be proper consultation in the time available on any Plan reflecting changes required by the revised SA. Either way, the way forward proposed by UDC will expose it

to legal challenge. The situation is in no way resolved by the amended SA produced by Place Services in October 2018 in relation to the current Addendum of Focussed Changes review.

A final comment. It has been suggested that UDC should seek recovery from Place Services of all or part of the £48,000 UDC has paid for a clearly defective work-product. By parity of reasoning, my Parish Council will be looking for reimbursement from UDC of the £20,000 plus it has had to pay its own consultants to challenge a clearly deficient, and inadequately prepared, draft Local Plan.

November, 2018

Cllr D F Hall