WeAreResidents.org Response
Uttlesford District Council
Consultation on Additional Housing Numbers and Sites (November 2013)
Published: 13 January 2014

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1 Introduction

PUBLIC CONSULTATION

UTTLESFORD LOCAL PLAN - CONSULTATION ON ADDITIONAL HOUSING NUMBERS AND SITES NOVEMBER 2013 (THE “CONSULTATION”) RESPONSE ON BEHALF OF WEARERESIDENTS.ORG.

1.1 Summary

This response is made by WeAreResidents.org in response to the Council’s November 2013 consultation paper on Additional Housing Numbers and Sites in relation to the UDC draft Local Plan.

1.2 About WeAreResidents.org

Formed in 2011, WeAreResidents.org is the Saffron Walden based independent community group that cares about creating neighbourhoods for living and bringing up families. The group’s members care about many things including sustainable development, air-quality, traffic, creating and living in communities with vitality and verve. The group provides a strong voice for the views of residents of the Saffron Walden area and has recently won the Essex County Council divisional seat in the May 2013 elections, based on their localism advocacy platform and the desire to create and implement long range strategic plans for the area. The group enjoys the strong support of professionals in key and relevant professions.
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### 2 Response to Public Consultation

1. We disagree with both the UDC calculation of housing numbers over the proposed plan period and the sites proposed in the Consultation Paper.

2. More fundamentally, we regard the site consultation as completely invalid as UDC appear to have made no serious effort to prepare a proper housing distribution strategy in light of the greatly increased (near doubling) number of houses now proposed. The Consultation Paper is predicated on the assumption that the housing strategy proposed in June 2012 by UDC, and overwhelmingly rejected by Uttlesford residents, will be implemented unchanged, and that the additional sites will now simply be added onto those June 2012 proposals. We believe that this approach is in clear breach of the NPPF requirements on Plan Making for the following principal reasons:

   a. the June 2012 draft housing strategy was rejected by more than 99% of the more than 3,000 responses, with only 29 responses in support. According to the figures provided by UDC, 3,206 responses rejected the June 2012 draft housing strategy and only 29 were in support. This is an unprecedentedly large response rate and an extraordinarily high rejection of UDC’s strategy, and yet the current consultation assumes that UDC will plough on with it regardless and completely ignore the public responses, priorities and wishes. Paragraph 154 of the NPPF requires that UDC’s Local Plan should reflect the collective vision and agreed priorities of the residents of Uttlesford and be made after early and meaningful engagement. Instead of reviewing the rejected strategy, the current consultation assumes that the June 2012 draft Plan will continue and that the latest 2,680 houses will simply be added to the sites overwhelmingly rejected by the public in the June 2012 consultation. The proposed strategy clearly cannot be said to reflect the collective vision or agreed priorities of residents when it has been so clearly rejected already;

   b. the effect of UDC’s current proposals would be to increase the number of sites for new houses to be identified in the Plan from 3,300 new homes in June 2012 by a further 2,680 new homes. Under the NPPF, UDC should now be revisiting its entire housing strategy to identify the most sustainable solution for Uttlesford given the increased housing numbers. This clearly has not been done. The new homes can’t properly just be bolted on to the previous, discredited strategy, as UDC are now proposing;

   c. paragraphs 158 and 182 of the NPPF require that the Plan should reflect the most sustainable solution based on a proportionate evidence base. There is no evidence that UDC have done so, and indeed no sign that the proposed overall housing strategy is evidence-based at all. On 5 September 2013, in response to a Freedom of Information request, John Mitchell, the chief executive of UDC, confirmed that UDC was not even working on the current plan. We do not believe that UDC could possibly have properly considered and compared all reasonable strategic options in the one month between that date and the announcement of UDC’s current proposals on 9 October 2013. We have seen no updating of the evidence base since the June 2012 consultation, and indeed such new evidence as has been produced, such as the ECC Assessments of Saffron Walden highways and air pollution, show that the current proposals are clearly not sustainable;

   d. paragraph 158 of the NPPF also requires that the strategies for housing, employment and other uses are integrated – instead UDC’s housing strategy proposes to build yet more houses away from the areas identified for growth in UDC’s employment assessment;
e. Not only that, but no comparative sustainability analysis has been performed of the current proposals when set against any reasonable alternatives, and indeed no reasonable alternatives have even been considered. Between 2007 and 2010, UDC concluded that the most sustainable solution based on a housing requirement of around 4,000 new homes was to build a new settlement to take the great majority of the housing requirement. That strategy in 2012 was dropped because UDC claimed that there were not enough houses to justify a single settlement and that public opinion was against a single settlement. In fact, the consultation responses show that that claim was untrue – the UDC feedback summary shows that more respondents favoured a new single settlement based strategy than favoured a dispersed strategy of the kind now proposed. The housing numbers proposed are now vastly greater than the 4,000 contemplated from 2007 to the June 2012 consultation. Accordingly, the best and most sustainable solution for Uttlesford must be to revert to a single settlement based strategy. Even though UDC recently rejected a new settlement at Elsenham (see below), there are other new settlement options that are being promoted and deliverable, including one that would deliver all of the required infrastructure, such as Secondary and Primary Schools before the housing. It is unclear to the public why UDC has dismissed these other options;

f. paragraphs 162 and 177 of the NPPF require that proper assessments of infrastructure requirements are made and that these are realistically deliverable in the Plan – there is absolutely no sign of this having been done in relation to the UDC draft Local Plan, either in relation to the June 2012 draft, the March 2013 Position Statement update, or the draft as now greatly expanded and being consulted on;

g. a cornerstone of the current proposal is to build more than 2,000 new homes in Elsenham. Yet on 20 November 2013, the UDC Planning Committee rejected an application to build 800 new homes on the same site as unsustainable. The various arms of UDC appear to have no idea as to what the others are doing. We find it impossible to see how UDC can simultaneously propose the same site as an appropriate site for new housing development in this consultation whilst at the same time rejecting it as inappropriate and unsustainable. This contradiction seems to encapsulate the chaos surrounding the draft Local Plan. As the head of UDC planning confirmed in 2012, the June 2012 housing strategy was politically led and not evidence-based, and the planning department were left trying to make the evidence fit the political decision which had been made. The fact that the housing allocation strategy was a political decision was also confirmed by the UDC Leader in 2012. Additionally this seems to be reinforced by the councillor mix on the Local Development Framework (LDF) working group, which includes as disproportionate number of UDC Cabinet members, the authors and promoters of the strategy. The Elsenham fiasco graphically demonstrates the problems caused by this politically driven approach and by UDC unilaterally ignoring the NPPF and failing to develop an evidence-based and sustainable solution.

3. The current consultation is therefore based on an entirely inappropriate starting point, which we reject. It should be stopped immediately until UDC has prepared a proper housing strategy in accordance with the NPPF requirements. That strategy should be sustainable, evidence-based and the best available strategy for Uttlesford. There is no sign that UDC’s current proposals satisfy any of those criteria.

4. We attach to this response a copy of the submission we made in relation to the June 2012 consultation and March 2013 Local Plan update, which we incorporate by reference in this response. All of the points made in those submissions remain valid, and indeed we have seen nothing in the officers’ reports on the June 2012 consultation which seriously considers them or takes account of them. Indeed the increases in
the housing numbers now proposed make our submission in response to the June 2012 consultation even more valid.

5. In relation to the specific site allocations, we object to the proposal to include in the site allocations an additional 167 new homes at the Ridgeons site, Saffron Walden in addition to the minimum of 880 proposed in the June 2012 consultation. Our grounds for objecting to this proposal are set out in greater detail in our response to planning application UDC/13/2423/OP, which we attach and incorporate by reference into this consultation response. The proposed site is unsustainable for the reasons given in that response, and particularly so when it is aggregated with the proposals to build at the June 2012 Policy Areas SWPA1 and SWPA2. To summarise the reasons that we have given for objecting in the previous responses to the June 2012 consultation and the Ridgeons application - all of the major sites are on the wrong side of Saffron Walden for sustainable access to jobs, the railway, main roads and the motorway, which are to the West; ECC Highways have shown that the Saffron Walden road system cannot cope with the numbers proposed, and their proposed new one-way system would lead to an unacceptable increase in traffic through the town centre, where air pollution which already exceeds legal limits, and an increase in air pollution in the town centre, the proposal is not employment led, does not provide the required new infrastructure and is not sustainable.

6. In relation to the proposed Ashdon Road site allocation, Q3 asks how the policy should be changed. For the avoidance of doubt, it should not be changed but should be rejected in its entirety. We note that this site has previously been rejected by UDC as being unsustainable in preparing its June 2012 draft plan, and nothing has changed to make it sustainable. It is worth noting that there is only one AQMA in Uttlesford; it is the centre of Saffron Walden. We find it hard to comprehend why UDC would want to build more than 1,000 new homes, including the 167 on the Ridgeon site, on the east of town right next to this AQMA and force the all the traffic through the AQMA to the west to access the railway station, motorway, major roads and High School. It is completely unsustainable and against all guidelines;

7. We make no comment on the specific sites and proposals for Great Dunmow and Elsenham. Both sites should however be rejected until a proper housing strategy, complying with the NPPF, has been formulated by UDC, and we reject them both on that basis, for the reasons set above.

8. We object to the numbers that UDC are using. UDC’s proposed housing number basis has moved around continually, from trying to choose the minimum number of houses, to now trying to choose the maximum number of houses the district could possibly be required to build, to any number of points in between. From the evidence that we have seen from other councils, we do not believe that UDC need to move away from the Economic-scenario based number, and certainly not to the base now proposed. Given the pressure on local resources, and UDC’s often-repeated statements that UDC should be building the minimum number of houses required by the NPPF, we do not believe that choosing the maximum number of any reasonable scenario is sustainable. The annual new housing requirement should be reconsidered, and properly investigated. On 5 September 2013, the Chief Executive of UDC, Mr John Mitchell, confirmed in response to a Freedom of Information request that UDC were not working on the basis of any housing scenario other than the economic-scenario based number. We have seen no sign of there being any evidence to justify UDC’s move from that position either before or after 5 September 2013, or to move to the current proposal rather than any intermediate position.

9. We object to all of the other proposals made in the Consultation for the reasons set out above.
10. We support UDC choosing now to comply with their legal obligations and adopting a 15 year plan, but deplore the waste of resources in terms of both time and tax-payer money, that UDC has spent over the last 18 months in pursuing their unlawful proposal to shorten the plan period to less than 15 years.

11. We request that the entirety of this consultation response, including the documents incorporated by reference, be noted against each of the questions posed in the Consultation.
3 Appendices

12. The following documents are referenced in the response above and so included for completeness and for the avoidance of doubt.

   a. WeAreResidents.org Response, Objections and Concerns about UDC Planning Application UTT/13/2423/OP (Ridgeons site, Ashdon Rd, Saffron Walden). Published: 7th October 2013

   b. WeAreResidents.org Response to draft Local Plan – Position Statement issued by Uttlesford District Council on 22 March 2013. Published: 11 June 2013

   c. WeAreResidents.org formal response to the Uttlesford District Council July 2012 Consultation on Proposals for a draft Local Plan. Published: 22nd July 2012
WeAreResidents.org Response, Objections and Concerns about UDC Planning Application UTT/13/2423/OP (Ridgeons site, Ashdon Rd, Saffron Walden)

Published: 7th October 2013

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1 Introduction

PLANNING APPLICATION UTT/13/2423/OP

APPLICATION BY RIDGEONS LIMITED (THE “APPLICANTS”) FOR PLANNING PERMISSION FOR THE REDEVELOPMENT OF LAND NORTH OF ASHDON ROAD, SAFFRON WALDEN, ESSEX FOR INTER ALIA BUSINESS, INDUSTRIAL AND RETAIL USE AND UP TO 167 DWELLINGS AND ASSOCIATED DEVELOPMENT (THE “APPLICATION”)

STATEMENT OF CONCERNS AND OBJECTIONS ON BEHALF OF WEARERESIDENTS.ORG.

1.1 Introduction

1. This Statement of Concerns and Objections is submitted on behalf of WeAreResidents.org. We generally support the intent of the proposals but object to certain aspects of the Application for the reasons set out in this document.

a. All of the major 2013 Planning Applications for new homes in Saffron Walden have a number of significant issues, primarily to do with unsustainable locations on the inaccessible east of the town. Some applications are worse than others: the Kilns site trades jobs for houses; the Willis & Gambier housing development has zero affordable homes; and Kier delivers almost nothing in terms of incrementally tangible benefits to the town in the way of jobs, classrooms, traffic reduction or air quality improvement. None of these bring any real benefits to the existing residents of the town – in fact they make it much worse;

b. The Ridgeons application (UTT/13/2423/OP) is better than the others, because of the integration of housing and employment and we’d like to support the effort to bring an under-used employment site into greater use;

c. We therefore support the development of office and other proposed employment uses;

d. We can't support the removal of the playing field / open space provision that is there currently, but might support the application if it was retained, and the proposed housing was scaled back accordingly, and the other issues could be addressed;

e. We would like to be able to support the remainder of the development but:

   i. We don't see how the additional traffic can be accommodated on the Ashdon and Radwinter Roads particularly, or on the rest of the Saffron Walden road network without meaningful mitigation, and it is not clear how this can be provided; and

   ii. Given the location of the site on the east of Saffron Walden, we don't see how this application would not lead to a material increase in the existing air pollution levels, and a worsening of the existing unlawful pollution levels; and
iii. There is no meaningful provision for sustainable transport, or any likelihood of a meaningful increase in its usage that the development will bring; and

iv. We need to see the infrastructure demands of the development, particularly education, properly provided for.

2. In summary we believe that the Application is in breach of the relevant Local Plan provisions, and is unsustainable for the purposes of the NPPF, and should therefore be rejected in its current form. We would however like to be able to support development on this site if an amended application were made that could properly address the issues set out in this document. Our principal reasons for concern and objection are as follows:

a. The Application is in breach of the adopted Local Plan provisions, and should therefore only be approved if it accords with the NPPF principles of sustainable development. As we show in this submission, it does not as it stands;

b. The Applicant site forms part of Policy Area SW6, and is specifically identified as key employment land to be safeguarded from change of use. The Application would involve a huge diminution in the available employment land, from 12.83ha to 3.28ha, just a quarter of the existing employment land. This proposed loss of employment land would follow the loss of the safe-guarded employment land at the Kilns site and the proposed loss of the Willis & Gambier site (previously the SIACo factory);

c. Paragraph 15.11 of the Local Plan provides that Policy E2 applies to the Applicant land as it falls within the areas identified under Policy SW6. Policy E2 and paragraph 4.11 note the pressures on employment land from the greater profits to be made from residential development, and specifically provide that the Applicant site should be protected from such pressures so that there continue to be employment opportunities available locally;

d. Policy SW6 identifies some 32.2ha of protected employment land within Saffron Walden. Of that, all of the 2.1ha of supposedly safe-guarded employment land on the Thaxted Road has been given consent for other uses; the 3.00ha Willis & Gambier/SIACo factory site (121 Radwinter Road) is identified by UDC for housing land; significant sections of the Shire Hill Industrial Estate have been given consent for other uses, such as church or retail and now the Application proposes that 9.55ha of this, safeguarded employment land be lost. In addition a large part of the employment land identified in Policy SW5 is now retail rather than employment land. If this Application were to be passed, it would result in an aggregate loss of more than half of the designated employment land in Saffron Walden – this is plainly unsustainable and will cause even more cross-town traffic as residents travel to jobs outside the town. Moreover, there is absolutely no sign that the proposed 6ha of employment land identified in the June 2012 draft Local Plan is likely to become available in the foreseeable future;

e. The Applicants’ Marketing Statement claims that there is a shortage of available office space in Saffron Walden, that rentals have risen significantly in the last few years and that they expect continued strong demand. If this is true, then it would be absurd for UDC to agree for a change of use for most of the site to residential use. We have no objection to the Application for change of use to use classes B1(a), (b) or (c), but this represents only 0.87ha of the 12.83ha site. If, as the Applicants clearly state, there is an identified high demand need for employment land falling within these use classes, then the change of use for other purposes, including residential use, should be
refused until it has been proven that there is only demand for 3.28ha of office space in the town over the next Local Plan 15-year period;

f. The Applicants base their whole case for the proposed change of use of a large part of the Applicant site from industrial / employment use to housing use on the basis that the employment use is uneconomic and needs to be subsidised by the windfall profits from the housing development (Section 6 of their Planning Statement). This makes no sense however – if it is uneconomic to construct the new employment premises, we cannot see why the Applicant would do so once it has been given the windfall of the housing development profits, and if it is economic to do so, then we can't see why they shouldn't do so for the whole site. UDC obviously has no power to force the Applicant to construct any employment premises or to use the housing windfall profit in any other way;

g. Both the ELR and the draft policy EMP2 clearly spell out the requirements for a change of use from designated employment land; these clearly have not been satisfied as the Applicant states that there is strong demand for office and other employment land;

h. The site has never been identified by UDC as a suitable site for non-employment development and, although UDC admit that the emerging 2012 Local Plan carries little weight, was rejected as a potential site in the 2012 preferred sites consultation;

i. The Application makes no mention at all of the fact that the Applicant site currently contains a large area of open space, which is roughly the size of two football pitches at the front. This is in regular use, but the Applicants propose instead to convert it into housing land. Saffron Walden is generally short of playing fields, particularly in this area of the town, and yet the Application doesn’t even refer to the proposed removal of a regularly used football pitch. The Application would entail the loss of open space and valuable local sports field provision, in direct contravention of paragraph 74 of the NPPF;

j. The Applicant’s case for development rests to a great extent on the June 2012 draft Local Plan, and its proposal to build a minimum of 880 new homes in Saffron Walden, but this draft is now obsolete following the finalisation of the Edge Analytics demographic forecasts. The sole reason for moving to a dispersed from a single-settlement based housing strategy in the June 2012 draft plan was because UDC were of the opinion that the reduction in the required level of housing from 4,000 to 3,400 new homes over the 15 year plan period meant that a single settlement based strategy was no longer the optimum strategy. The revised demographic forecasts completely remove this sole justification for the June 2012 draft housing strategy, as, with an additional 1,155 new homes required, the 15 year housing requirement is now in excess of 4,500 new homes. The UDC comparative sustainability appraisal concluded that 250 new homes in Saffron Walden is the sustainable target. Together with other applications approved or proposed, this number would be significantly exceeded;

k. The 2012 draft of the Local Plan and subsequent Position Statement update should anyway be disregarded. At the 25 September 2013 UDC Planning Committee meeting, UDC Planning Officer Nigel Brown guided the members that these documents carried little weight and the Local Plan adopted in 2005 was the one by which planning applications should be judged. In the subsequent Planning Committee meeting of 2 October 2013, the UDC Assistant Director of Planning and Building Control, Andrew Taylor, went further when he advised members that the 2012 draft Local
Plan also had little weight because of the strength of opposition (the dispersed strategy was rejected by 99% of respondents during the public consultation). We agree with these analyses.

l. The February 2010 draft Local Plan was the last properly evidence-based plan and the last draft to be based on a 4,000 plus new home requirement. Both the February 2010 draft Local Plan and the accompanying January 2010 comparative sustainability analysis show clearly that the level of development in Saffron Walden is unsustainable taking into account this proposal and other applications approved or now proposed;

m. Not only is the development unsustainable, but the Applicant site is in one of the worst possible locations for development. It is situated in the inaccessible south-east corner of Saffron Walden whilst all major transport routes are to the west. It is also remote from the town centre, the County High School and all essential facilities. Given its remoteness from facilities, it will inevitably encourage even more car-based travel (from the 220+ new cars generated by the new homes), in breach of the specific NPPF requirements and the general sustainability principles. The only access roads to it are Ashdon Road and Elizabeth Way / Radwinter Road, both of which are already heavily congested, and forecast to be even more so within the next few years, even in the absence of any further planning approvals. There are insufficient mitigation measures in the Application to address the highways impact across the town;

n. No education provision is even contemplated by the Application. We assume that the Applicant proposes to make the required ECC education contribution of approximately £1.4 million, although this isn’t even referred to in its Planning Statement. The Application is completely silent on the question of school provision. The Saffron Walden County High School is over capacity and the Saffron Walden primary schools are or will be full based just on existing approved developments. ECC calculations are that each new home gives rise to roughly 0.09 pre-school, 0.2 secondary school and 0.3 primary school age children. 167 new homes would be expected therefore to give rise to the need for an additional 15 pre-school places, 37 secondary school places, 8 6th-Form places, and 55 primary school places. Until proper provision for education has been planned, the proposed development is clearly unsustainable from an education perspective as well as for all the other reasons set out below. As the ECC Education responses to other applications state clearly, there is no capacity at either pre-school, primary school or secondary school levels. The recent planning applications (Kilns 50 homes, Willis & Gambier 52 homes, Kier 300 homes) coupled with the current Application (167 homes) would bring a total requirement for 51 pre-school, 171 primary school and 114 secondary school places, and yet absolutely no new education provision is planned as part of any of the developments. As further evidence of the dire state of classroom places in the town, ECC has recently started contacting the primary schools in adjacent villages to plan places for future town children, and that is without allowing for any of the new proposed developments listed above. From an education perspective, the Application is unsustainable individually and when assessed cumulatively with the other applications, and a financial contribution is insufficient, a new primary school is needed. The application should be amended to include these provisions;

o. The Applicant’s Transport Assessment fails to contain any queuing length or junction capacity forecasts for any of the main Saffron Walden junctions. The Kier Application TA shows the catastrophic forecasts for Saffron Walden’s road network, with traffic queues 100 cars long forecast at the London Road / Debden Road junction, and more than 70 cars long at the Thaxted Road / Radwinter Road junction even after the proposed minimal junction improvements, and without even taking account of the additional traffic from the Application. The Transport Assessment is not
fit for purpose for the reasons we set out below, and the Application should be refused until a realistic Transport Assessment has been submitted. Even if it were fit for purpose, the traffic and queuing levels predicted are unsustainable;

p. UDC has been clear that a link/relief road between Radwinter Road and Thaxted Road is an essential component of any significant development on the south-east of Saffron Walden. There is no evidence of any likelihood of this road being built. The Application should be refused unless and until there is a firm obligation for the whole of this relief road to be built;

q. There is frequently traffic congestion on both Ashdon and Radwinter Roads. Ashdon Rd will be particularly affected by this development due particularly to the large increase in residential traffic. On-street parking is already difficult on Ashdon Rd due to a number of homes with limited abilities for off-road parking and narrow Mill Lane that contains almost no on or off-street parking. As a consequence many residents park on Ashdon Rd and Shepherds Way, both of which have no more street parking left. UDC and the Essex Parking Partnership have proposed that on-street parking be removed from Ashdon Rd and it be designated an urban clearway to allow traffic to flow freely. This is wholly unacceptable to residents as there is nowhere else to park. We also have concerns that creating an urban clearway would make the Ashdon Road even more unappealing to pedestrians and cyclists, in direct breach of the NPPF - if there are proposals to change the way that Ashdon Road operates, they should be primarily aimed at facilitating sustainable forms of transport, such as encouraging pedestrians and introducing cycle lanes, not at encouraging residents to drive. To do otherwise would be in direct breach of the NPPF sustainability aims and the Local Plan core aim to change radically the carbon footprint of Uttlesford. As part of the traffic mitigation measures required for the Application, residents would like to see a commitment to maintaining residents parking on Ashdon Road and other, non urban clearway schemes adopted to improve flow;

r. Essex County Council’s air quality assessment of Saffron Walden predicts that air quality will continue to worsen, and the additional traffic from the proposed development will worsen it further, in breach of the NPPF requirements. The Applicant’s Air Quality Assessment does not comply with current Defra requirements and is not fit for purpose, and the Application should be refused until a realistic air quality assessment has been submitted. Even if a proper air quality assessment is lodged by the Applicant, the Application should be refused as it will generate material additional car movements through junctions which already exceed legal pollution levels. The Application clearly also fails to comply with the NPPF paragraph 124 requirement to contribute to reductions in air pollution to try to ensure compliance with EU limit values. Because of the significant cross-town traffic and associated pollution that this development will bring, it should only be accepted with amendments to bring air-quality at all affected junctions, including the Thaxted/Radwinter Rd and Bridge St/Castle St junctions inside legal limits;

s. The Applicant gives no regard to the overall impact of the proposed development on Saffron Walden generally. It is clear from the February 2010 draft local plan that an important consideration should be the impact of large-scale development on the historic core of Saffron Walden, and yet absolutely no attention is paid to it, and it’s not even included in the Applicant’s transport assessment.

3. We note also that the continued refusal by UDC to release the draft ECC Highway Impact Assessment of the Draft Local Plan allocations (the “ECC Highways Assessment”) makes it impossible to comment properly on the application. We note that:
a. Publication of the draft ECC Highways Assessment has been requested under the Environmental Impact Regulations but refused by UDC;

b. At the South Area Forum on 25 June 2013 Cllr Susan Barker confirmed that the draft ECC Highways Assessment had been received by UDC in December 2012;

c. At the North Area Forum on 26 June 2013 Cllr Ketteridge confirmed that the draft ECC Highways Assessment was complete insofar as it relates to Saffron Walden and the draft Local Plan proposals;

d. There is therefore no reason why the draft ECC Highways Assessment should not be released publicly.

4. We believe that the draft ECC Highways Assessment is being withheld in bad faith in order to prevent the public from becoming aware of the conclusions reached by ECC, and the likely impact of the Application and the other developments proposed by UDC in the June 2012 draft Local Plan. We believe that it is impossible therefore for us to comment fully on the Application, and UDC should defer consideration of the Application unless and until the ECC Highways Assessment has been published and the public have had a proper opportunity to read it and comment on the Application in light of it.

5. As an example, if it is needed, to demonstrate the importance of the ECC Highways Assessment is to compare the Applicant’s Air Quality Assessment with the Air Quality Assessment for Saffron Walden produced by ECC – the Applicant’s claimed forecast results are completely different from those shown by the ECC model, and clearly demonstrate the need to use independent third party evidence rather than rely on the Applicant’s claims.

1.2 About WeAreResidents.org

Formed in 2011, WeAreResidents.org is the Saffron Walden based independent community group that cares about creating neighbourhoods for living and bringing up families. The group’s members care about many things including sustainable development, air-quality, traffic, creating and living in communities with vitality and verve. The group provides a strong voice for the views of residents of the Saffron Walden area and has recently won the Essex County Council divisional seat in the May 2013 elections, based on their localism advocacy platform and the desire to create and implement long range strategic plans for the area. The group enjoys the strong support of professionals in key and relevant professions.
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2 Applicable Planning Policies

2.1 Introduction and background

6. We set out below a detailed summary of the principal applicable planning policies relevant to the development.

7. The local development strategy is contained in the saved policies of the UDC Local Plan (the “Local Plan”). This is due to be replaced by a new local plan, although the schedule for adoption of a revised local plan appears to keep slipping. Although out of date, the Local Plan forms the primary basis for determining the Application, subject to the provisions of the NPPF.

8. By virtue of paragraphs 13 and 215 of the NPPF, the NPPF is a material consideration in considering applications, but the existing Local Plan provisions should also be given due weight to the extent not inconsistent with the NPPF. As paragraph 215 states “due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).” The study recently performed for Uttlesford District Council by Ann Skippers Planning and dated July 2012 of the consistency between the Local Plan and the NPPF does not identify any material inconsistencies with the NPPF in relation to the Local Plan policies referred to below, save for the absence of a 5 year housing supply, on which we comment below. They should therefore all be given great weight.

9. Both the Local Plan provisions and the NPPF provisions referred to above are therefore material considerations in determining this Application, and indeed are the principal planning policies relevant to the Application.

10. The June 2012 further LDF consultation identified a number of sites for potential new homes in Saffron Walden. The consultation document was in contravention of the previous evidence base assembled by UDC on the location of housing for Uttlesford and the scale of housing to be built in Saffron Walden, and was comprehensively rejected by 99% of respondents.

11. Under paragraph 216 of the NPPF, regard may be given to any of the draft Local Plans produced by UDC, subject to the stipulations of paragraph 216. Paragraph 216 provides that:

"From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

- 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

- The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given)."
2.2 Weight to be given to draft Local Plans

12. UDC has produced three draft Local Plans since adoption of the Local Plan, as follows:

   a. Uttlesford Core Strategy – Preferred Options Consultation, November 2007 – published in November 2007, contemplating submission in spring 2008, and an end date of 2024. The housing strategy was based on a 15 year housing target of 4,200 new homes;

   b. Uttlesford Core Strategy – Further Consultation on Preferred Options, February 2010 – published in February 2010, contemplating adoption in 2011 and an end date of 2026. The housing strategy was based on a 15 year housing target of 4,000 new homes;

   c. Public Participation on Development Plan Document, Consultation on Proposals for a draft Local Plan, and June 2012 – published in June 2012, contemplating adoption in 2013 and an end date of 2028. The housing strategy was based on a 15 year housing target of 3,300 new homes.

13. In addition, in March 2013, UDC produced a “Position Statement” claiming that it was designed to give clarification on the developing Local Plan. It gave no contemplated date of adoption for the Local Plan, but proposed an end date of 2026. Given that the earliest date for adoption of the Local Plan would be 2014; this would mean that the Position Statement was based on a 12 year housing target. The Position Statement did not re-state the housing target to which UDC are working.

14. The February 2010 draft Core Strategy was clearly a development of the November 2007 draft, and clearly superseded it. The February 2010 draft proposed that the required 4,000 new homes should be primarily sited in a new settlement near Elsenham, with a maximum of 250 new homes sited in Saffron Walden. The accompanying January 2010 comparative sustainability appraisal makes clear that on the evidence based assembled by UDC this is the most sustainable housing strategy. A majority of the responses to the consultation were in favour of a new settlement-based housing strategy, although a majority was against the proposed Elsenham site.

15. The June 2012 draft Local Plan proposed a completely different housing strategy, based on a much lower number of houses. On the basis of a 3,300 home target, the more sustainable new settlement proposal was deemed to allow insufficient new homes for the existing settlements and was therefore rejected, and a dispersed strategy which proposed greater development in Saffron Walden, including the Applicant development, was proposed. The June 2012 draft Plan was overwhelmingly rejected, with 99% of respondents opposing it.

16. It is also worth noting that the June 2012 draft Local Plan housing strategy was not evidence-based. At the Sustainable Uttlesford meeting on 17 July 2012 in relation to the reasons for the fundamental change to the Spatial and Housing Strategy, Mr Taylor, head of planning at UDC, confirmed that there was no new evidence to justify the change in strategy, but that the change in strategy was essentially a political decision and it was the officers’ job to try to implement that political decision. This is of course precisely the opposite of an evidence-led planning strategy which is required by the NPPF. We are informed that a similar comment was made when Messrs Mitchell, Harborough and Taylor gave a similar presentation on the 2012 draft Local Plan to Saffron Walden Town Council on 19 July 2012.

17. In October 2012, revised demographic forecasts were received by UDC, which showed that the housing forecasts to which UDC should work were much higher than those forming the basis of the June 2012 plan.
The June 2012 draft was based on an annual need for 338 new homes on UDC’s preferred economic scenario; the revised demographic forecasts showed that UDC should instead be planning for 415 new homes annually, a difference of 77 homes annually, or 1,155 over the 15 year plan period. Added to the 3,300 in the June 2012 draft, this would mean a need to plan for some 4,600 new homes over the 15 year plan period.

18. No new draft Plan has been produced in line with the October 2012 demographic forecasts. Following receipt of these forecasts, a UDC Cabinet briefing paper proposed reducing the plan length to 13 years to avoid having to change the housing numbers. The Planning Inspectorate has confirmed that a 13 year plan would breach the NPPF requirements in the absence of “compelling reasons” to the contrary. A copy of the Planning Inspectorate letter is attached to this submission. Despite a number of requests to clarify the situation, no-one at UDC has ever suggested that there are any compelling reasons to adopt a 13 year plan, and Councillor Barker has confirmed that the reason for proposing to shorten the plan period was to avoid having to increase the housing numbers to be planned for. This is of course a wholly illegitimate reason.

19. In our view, in accordance with paragraph 216 of the NPPF, weight can be given to the February 2010 draft local plan despite its age for the following reasons:

   a. It was evidence-based;

   b. It was based on a housing target similar to that now required by the current UDC demographic forecasts;

   c. It was substantially complete;

   d. It is compliant with the NPPF requirements;

   e. The single-settlement housing strategy on which it was based was approved by a majority of respondents.

20. We do not see that paragraph 216 of the NPPF allows any weight to be given to the housing or spatial strategies contained in the June 2012 draft plan for the following reasons:

   a. The head of planning at UDC has confirmed that it was not evidence-based, even on the basis of the demographic forecasts then proposed;

   b. It was overwhelmingly rejected, with only 39 responses in favour and 3,348 against;

   c. The demographic forecasts on which the June 2012 draft plan was based have now been superseded, so that the housing numbers on which the June 2012 housing strategy is based are 1,155 too low. The June 2012 draft plan does not therefore comply with the NPPF requirements to be based on up to date demographic forecasts;

   d. The proposal to shorten the plan period to allow UDC to retain a lower housing number is both illegitimate and in breach of paragraph 157 of the NPPF, which requires that a 15 year plan period be adopted, as UDC has always previously proposed;

   e. It is not sustainable – the January 2010 comparative sustainability assessment showed clearly that for a 4,000 plus new home requirement, a new settlement based strategy was clearly the most
sustainable housing strategy. It is therefore in breach of the core NPPF sustainability “golden thread”;

f. There are therefore both huge unresolved objections to the June 2012 draft plan and the housing and spatial strategy contained in it is fundamentally completely inconsistent with the NPPF requirements.

21. Weight may be given to some of the other policies contained in the June 2012 draft local plan depending on their degree of completeness, acceptability and compliance with the NPPF, and we deal with the relevant provisions on a case by case basis in the following paragraphs of this submission. However, at the 25 September 2013 UDC Planning Committee meeting, UDC Planning Officer Nigel Brown guided the members that the 2012 draft Local Plan and 2013 Position Statements carried little weight and the 2005 Local Plan was the one by which planning applications should be judged. In the subsequent Planning Committee meeting of 2 October 2013, the UDC Assistant Director of Planning and Building Control, Andrew Taylor, went further when he advised members that the 2012 draft Local Plan also had little weight because of the strength of opposition (the dispersed strategy was rejected by 99% of respondents during the public consultation). We agree with these analyses.

2.3 The Uttlesford Local Plan

22. Section 2 of the Local Plan sets out the overall strategic development policies and section 6 of the Local Plan sets out the housing policies. The Applicant site is not a site proposed for Housing Development under either Policy H1 or H2. Instead, it is an employment site, to be safeguarded from change of use.

23. Section 3 of the Local Plan sets out UDC’s General Planning Policies, Section 6 sets out its policy on housing and Section 9 sets out its policy on transport. Of particular relevance to the Application are:

a. The Saffron Walden Local Policies, and the Saffron Walden Inset Map show clearly that the Applicant site falls within Policy Area SW6;

b. The supporting commentary to Policy E2 specifically recognises the need to preserve this land from change of use and to preserve it as employment land;

c. Local Plan Policy GEN1 which says that development will only be permitted if it encourages movement other than by means of a car;

d. paragraph 3.5 which sets out UDC’s general objectives on access “The objectives in this Plan are to locate high trip generating activity in areas well served by public transport; to increase the proportion of journeys made by rail and bus, on foot and by cycle; to reduce the number and length of motor vehicle trips by the location of development”;

e. Policy H9 which sets out UDC’s policy on affordable housing; and

f. Paragraph 9.4 which notes that the Local Plan policies aim to locate new sites to encourage modes of transport other than the car.

24. The Application fails all of these requirements. Because of its location it does not encourage movement other than by car, and the Applicant site is not well served by public transport. The Applicant site is on the
far side of Saffron Walden from the railway station, 6km away even from the site entrance by the Applicants’ own admission (paragraph 3.1.2 of the Applicants’ Transport Assessment), so rail travel will not be encouraged; it is too far away from the Saffron Walden town centre for many people to walk and it is also remote from day to day facilities such as schools and doctors. The Applicants’ Transport Assessment notes that the nearest entrance of the site is some 1.5km from the edge of the town centre and doesn’t even consider distances to the nearest schools. The entrance to the site is about 2km from the nearest primary school (St Mary’s) and some 4km from the County High School. The nearest doctor’s surgery isn’t even noted, but is some 2km away.

25. The Applicants note the Government’s wish that journeys of up to 2km should be made on foot, but in practice this clearly doesn’t happen, as our attached survey of journey modes from Rylstone Way and adjoining roads shows. The great majority of journeys were by private motor car, with a total of 86% of journeys by private motor vehicle. Of those pedestrians, almost all were County High School pupils or RA Butler School pupils. Compared to Rylstone Way, the proposed development is roughly twice as far from the County High School and 50% further to the nearest primary school, and the proportion of pedestrians can be expected to be even smaller.

26. We also note the findings of the Ridgeons’ survey of methods of travel to work set out at paragraph 5.3.1 of the Applicants’ Transport Assessment, that 94% of staff drive to work, or are passengers, 6% cycle and none of them walk. Those responses further demonstrate the inaccessibility of the Applicant site.

27. The location of the proposed development is clearly such that it will increase independence on the private motor car, in direct contradiction of Policy GEN1. The breach of Policy GEN1 is exacerbated by the complete lack of facilities such as healthcare or education at the proposed development and the nature of the Ashdon Road, which is an unpleasant road to walk down given existing traffic volumes.

2.4 Preservation of Employment Land

28. We note the policy requirement in policy E2 to preserve the Applicant site as employment land, and the identification of the site as key employment land to be safeguarded.

29. We also note the conclusions of the January 2012 Employment Land Review, that all significant existing employment sites, save for the two specifically identified, should continue to be safeguarded.

30. Finally, we note the current draft development policy on employment, in the June 2012 draft local plan, which provides for safeguarding of the site at Policies EMP1 and EMP2.

31. All existing and proposed policies therefore require that the site be safeguarded for employment use.

2.5 June 2012 draft Local Plan target to reduce Uttlesford’s ecological footprint

32. Paragraph 4.8 of the June 2012 draft Local Plan notes that “Uttlesford has an ecological footprint of 5.8 global hectares per person, which is above the Essex and England averages and is substantially higher than the sustainable level. There will thus need to be a step change in the way that the District uses resources in future.” This mirrors the similar requirement in paragraph 17 of the NPPF. For the reasons set out below, the Application is in direct breach of these requirements. Although no weight can be given to the housing
strategy in the June 2012 draft local plan, weight can and should be given to this provision, as in fundamental compliance with the NPPF.

### 2.6 Uttlesford developing policy

33. We refer above to UDC’s developing policy. For the reasons given before, no weight can be given to the housing or spatial strategy contained in the June 2012 draft plan or the March 2013 Position Statement.

34. The housing strategy set out in the February 2010 draft Local Plan is the most relevant statement of developing policy in Uttlesford for the number of new homes now required. The Application should also be considered in light of the prior conclusions reached by UDC on the lack of sustainability in large-scale development of the type proposed by existing settlements.

35. UDC has commissioned two comparative sustainability assessments, in November 2007 and January 2010, and both of these were clear that a new settlement was the most sustainable option.

36. The November 2007 Comparative Sustainability Appraisal was the first comparative sustainability appraisal commissioned by UDC on the new draft Local Plan. It concluded clearly that Option 4 (i.e. a new settlement) was the most sustainable. We note the statements made in it, such as the following, at pp90/91:

> “The SA process therefore identifies the most sustainable and environmentally acceptable development solution, from the Options provided, for future growth within the District.

> A holistic assessment of all of these considerations, as set out in Table 4, lends itself to the selection of Option 4 as the recommended Preferred Growth Option. Growth Option 4 proposes the development of a new settlement to the North East of Elsenham. The option to develop a new settlement to the North East of Elsenham, in itself, scores comparatively highly (positively) against the sustainability objectives. This option is reinforced by its direct contribution to reducing the extent of development within the existing towns and villages of the district which would otherwise occur. Therefore both facets of Option 4 score comparatively highly against the objectives against alternative Growth Options 1, 2 and 3.

> Table 4 demonstrates that opting to expand the existing settlements leads to a greater number of negative socio-economic and environmental impacts and highlights a defined difficulty in mitigating against these negative impacts. This is largely due to the difficulty of providing appropriate facilities and infrastructure (i.e. sports facilities, schools, primary health care etc.) that increased development inherently demands of each existing settlement area. Conversely, development of a new settlement to the North East of Elsenham alleviates this issue as it allows facilities and infrastructure to be appropriately designed into the development plan from concept. Furthermore, many of the existing settlements, in particular the large towns in the District, already have considerable development committed to them and a new settlement near Elsenham will provide greater protection to key aspects in relation to this, such as historic importance and the intrinsic character of the existing towns and villages.”

37. We note that the November 2007 assessment identifies both significant positive benefits of the new settlement route and also the significant negative impacts on the existing settlements which would occur if significant new development, such as that the subject of the Application, were to be directed there.
38. The findings of the November 2007 applied generically to a new settlement and the advantage of a new settlement was not linked to the particular site at Elsenham (although at that stage it was the only such site identified). As the November 2007 Preferred Option Consultation said (at paragraphs 6.51 – 6.63):

a. (at paragraph 6.56 on p.48), “The sustainability appraisal has been undertaken to predict the effects of implementation and to identify appropriate and practicable recommendations for mitigating significant negative outcomes and maximising the positive outcomes under each option. The Sustainability Appraisal process therefore identifies the most sustainable and environmentally acceptable development solutions for future growth within the District.”

b. (At paragraph 6.57 on p.48), “Growth Option 4: one new settlement with minimal expansion to existing settlements, compared to the other three options, is the most sustainable solution.”

39. We also note the overall conclusion of the November 2007 Comparative Sustainability Appraisal, that: “The detailed assessment presented in Table 4 has demonstrated that an overall greater positive outcome and reduced negative outcome is reached selecting Growth Option 4 and as a result this is viewed as the most sustainable option for the District”.

40. The evidence in favour of Option 4 was confirmed in the January 2010 Comparative Sustainability Assessment, which reached exactly the same conclusions. We note Section 12 of that assessment, which sets out the Overall Conclusions, and in particular:

a. the comparative scoring system adopted by UDC and summarised at Table 12.1 shows that Option 2 (on which the Spatial Strategy set out in the June 2012 draft plan is based, and which is the sole justification for the Application) is the worst of all the main 4 Options considered. We note the comparative scores as follows:

   i. Option 1, 25;
   ii. Option 2, 24;
   iii. Option 3, 24; and
   iv. Option 4, 32 for Elsenham, 29 for Great Chesterford and 27-28 for the other sites which the December 2011 Strategic Housing Land Allocation Assessment has now found to be unsuitable;

b. We recognise that the scoring system adopted by UDC is a blunt instrument and has been criticized – its conclusions do however reflect the overall conclusions of UDC that a housing strategy based around a single settlement rather than on large scale building in the existing settlements of the kind proposed in the Application is the most sustainable strategy;

c. Opting to expand existing settlements leads to a greater number of negative socio-economic and environmental impacts and highlights a difficulty in mitigating against these negative impacts (para 12.3);

d. Option 4 is supported by key consultees like English Heritage and Natural England. The extent of English Heritage’s concerns is reflected in the précis of their comments at paragraph 4.4 of the January 2010 Comparative Sustainability Assessment: “English Heritage in their representations has
expressed concern about the potential impact of additional development on Great Dunmow and Saffron Walden. They advise that both settlements have a high sensitivity to change having already been subject to considerable recent expansion. English Heritage’s view is that recent development on the edge of Great Dunmow has not been well integrated or designed to respect the character of the town and the capacity of Saffron Walden is also constrained due to its historic character and street pattern. English Heritage concludes that the concentration of development is likely to offer the best option in terms of preserving the rural character of the district overall and supports the preferred option”; and

e. A new settlement would benefit from economies of scale in incorporating renewable and low carbon technologies.

41. The Emerging Spatial Strategy in the February 2010 Consultation was clear that significant development of the existing centres, of the kind proposed by the Application was not sustainable, and therefore the Emerging Spatial Strategy focussed on a new settlement. The evidence compiled by UDC shows that Saffron Walden is unsuitable for significant future development, and the sustainability of continued expansion of Great Dunmow is restricted by its lack of a railway station. As the February 2010 Consultation said:

a. (at paragraph 4.3 on p.26 in relation to Saffron Walden) “Because the services and facilities, particularly the secondary school are at capacity and there is poor air quality at key road junctions opportunities for new residential development are limited”;

b. (at paragraph 4.7 on p.27) “Because of the constraints identified in the existing settlements in Uttlesford, the chief focus for growth in the District will be the creation of a new market town based on the expansion of the key service centre at Elsenham.”

42. It is clear therefore that the emerging local policy to the extent applicable to the Application concludes that development of the kind proposed by the Application is unsustainable. It should also be noted that the spatial strategy did not look at individual sites, but drew its conclusions based on development anywhere in Saffron Walden, even in more sustainable locations – the Applicant site is one of the worst locations for Saffron Walden because of its position on the south-east side of the town, on the wrong side for access and remote from facilities.

43. The Development Management Policies set out in the June 2012 consultation plan and the non-spatial strategy policies represent the most up to date status of these policies. The policies of relevance to the Application are:

a. Policy EN6, which provides that: “Development within or affecting air quality management areas will be expected to contribute to a reduction in levels of air pollution and include an air quality assessment detailing the impact of the new development and a mitigation strategy which shows how these impacts will be mitigated.” The Applicants’ air quality assessment shows that in fact it will worsen air pollution at all key areas, even on the basis that it has been prepared, and the Application is therefore in breach of this emerging policy;

b. Policy SP15 on Access, which provides in particular that “New development should be accessible by public transport and be linked to services and facilities and the wider footpath and cycle network by
safe, well designed pedestrian and cycle routes". There are no proposals in the Application to link the development to services or facilities by safe, well designed pedestrian and cycle routes.

2.7 The National Planning Policy Framework

44. The national planning policies contained within the NPPF which are most relevant to the Application are as follows:

a. The principle that development should be encouraged if it is “sustainable”, and should not be permitted if it is not sustainable which is inherent in the NPPF, as enshrined in for example paragraph 6 of the NPPF. For the reasons set out below, we believe that the development comprised in the Application is not sustainable;

b. Paragraph 7 of the NPPF states clearly that sustainable for the purposes of the NPPF means sustainable economically, socially and environmentally, and that all three limbs are important. As paragraph 8 of the NPPF says, “to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously”. In relation to each of these roles, paragraph 7 requires that:

i. The “economic role” is satisfied 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”. We look at this provision below in the context of sustainable development generally, but the Applicants fails this test as there is no co-ordination of infrastructure, and the development is in the wrong place to be close to likely sources of employment;

ii. The “social role” is satisfied by “supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and 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”. Again we look at this below, but note now the lack of accessibility for local services given the location of the development;

iii. The “environmental role” is satisfied by “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.” Instead the Applicant site would be right at the edge of Saffron Walden, divorced from local services within reasonable walking distance, with inadequate bus services and distant from the railway station, and with the likely sources of employment at either end of Uttlesford, leading to increased reliance on the private motor car, and showing no sign of adaptation to climate change or a low carbon economy.

c. Paragraphs 14 and 15 emphasise the “golden thread” of sustainability and the requirement for it in development, and note a presumption in favour of sustainable development (but not for unsustainable development);
d. Paragraph 17 contains the core planning principles. In the context of the Application, it is worth noting that planning policy should:

i. “Support the transition to a low carbon future in a changing climate”. For the reasons we set out in Section 3 below, the location of the Applicant site, with no new provision for sustainable transport and in an unsustainable location, is in direct breach of this core requirement;

ii. “Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”. For the reasons we set out below, the location of the Applicant site is not and cannot easily be made sustainable – certainly, there is no commitment by the Applicants for any new infrastructure for public transport, walking or cycling, outside the site and no binding commitments to do so. The site location is inherently unsustainable;

iii. “Take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs.” Instead, as we say below, the Application contains no provision for the improvement of health or education;

e. Paragraphs 18-21 stress the need to plan for sustainable economic growth and a robust economy. Instead the Applicants are proposing to change the use of 75% of the site from employment use, which all relevant local plans designate as to be safe-guarded for employment use;

f. Paragraph 30 requires that “local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport”. For the reasons given above and below, the Applicant site fails this requirement;

g. Paragraph 34 requires that “decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximized”. The Applicants’ Transport Assessment shows that the Application fails this requirement, as we discuss below;

h. Paragraph 36 requires that all significant developments should be accompanied by a Travel Plan. The Applicants’ Travel Plan provides no firm measures however and contributes nothing to realistic pedestrian or cycling infrastructure;

i. Paragraph 38 requires that “planning policies should promote a mix of uses in order to provide opportunities to undertake day-to-day activities including work on site. Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties”; there is no intention or proposal to site local facilities within reasonable walking distance of most properties;

j. Paragraph 47 requires that councils should use their evidence base to ensure that housing demand is met and should maintain a 5-year housing land supply. We recognise that UDC does not have a 5-year housing land supply currently, and under paragraph 49 there is therefore a presumption in favour of sustainable housing development – that does not mean that unsustainable development of the kind proposed should be permitted however;
k. Paragraph 70 emphasises the need to build and maintain sustainable communities, and requires that in plan making and decision-taking, authorities should plan positively for the provision of community facilities, including sports venues and guard against their loss. Instead the Applicant is proposing to remove the playing field on the site which represents a valued local facility, and provide no replacement;

l. Paragraph 74 specifically provides that: “Existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless: an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.” The Applicant site currently includes a large area of open space which is regularly used by sports teams. The Applicants propose to build on this as part of the Application, in direct contravention of paragraph 74. No assessment has been undertaken to show that it is surplus to requirements and there is no proposal to replace its loss with another facility. The Application should be rejected on this basis alone;

m. Paragraph 93 notes that “Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change” and that this plays a key part in the three limbs of sustainability. In the context of the Application and this requirement, it is important to note the huge contribution of private motor vehicles to carbon emissions in Uttlesford. As we say elsewhere in relation to the requirement for environmental sustainability, the Application clearly fails this requirement;

n. Paragraph 109 requires that new development should be prevented from contributing to, amongst other things, unacceptable levels of air pollution. The Application will undoubtedly increase air pollution at the key Saffron Walden road junctions, and the ECC AQA shows that levels of NO2 pollution will remain at above legal limits at all of the main junctions for the foreseeable future; the Applicants’ AQA is not prepared in accordance with up to date Government guidelines, and therefore reaches a different conclusion. We look at air pollution in Section 4 below, but the Application is clearly in breach of these requirements;

o. Paragraph 124 which provides that “Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.” For the same reason, the proposed development is clearly in breach of these requirements.

45. In the context of the NPPF requirements, it is important also to note the underlying NPPF requirement for development to be sustainable. For the reasons we set out in Section 3, the Application is not sustainable.
3 Sustainable Development Criteria and Policy and NPPF

3.1 Introduction and background

46. In this Section 3 we analyse the Application against the Government’s sustainable development criteria as set out in the NPPF (National Planning Policy Framework).

47. We have set out in Section 2 above the key provisions of the NPPF relevant to the Application. Paragraph 7 of the NPPF sets out the Government’s interpretation of “sustainable development”. It reiterates the requirement that sustainable development must have an economic, social and environmental role, and paragraph 8 of the NPPF emphasises that the three roles cannot be taken in isolation but are mutually dependent. To be sustainable therefore, any development must satisfy all three criteria. The Application is contrary to each of these three key principles for the reasons set out in this Section 3. We consider each of the three sustainability criteria below.

3.2 UDC’s sustainability assessments

48. UDC has refused to answer questions regarding the number of homes for which they are currently preparing a draft plan and the period for which that plan is to cover. Prior to November 2012, the draft replacement Local Plans prepared by UDC in November 2007, February 2010 and June 2012 were all prepared on the basis of a 15 year plan period. The November 2007 plan was based on an annual need for 430 new homes and an outstanding housing requirement of some 4,200 new homes over the plan period; the February 2010 plan was based on 430 new homes annually and some 4,000 new homes over the plan period and the June 2012 plan was based on 338 new homes annually and some 3,400 new homes over the 15 year plan period. In October 2012, UDC received updated demographic forecasts from Edge Analytics, which were commissioned to form the demographic evidence for the new Local Plan, and showed a need for 415 new homes annually on UDC’s preferred measure. This is 77 new homes per year more than UDC were planning for in June 2012, or 1,155 over the 15 year plan period, giving a total requirement of some 4,600 new homes in total.

49. In November 2012, UDC said that they intended to adopt a 13 year forward-looking plan period, to expire in 2026. This would have the effect of reducing the required housing number by 830 houses. At the 2013 Area Forums UDC Cabinet member Cllr Barker confirmed that the reason for this was to limit the number of new homes for UDC to plan under the new Local Plan. This is a wholly illegitimate reason. The Planning Inspectorate has confirmed that save in exceptional circumstances a local plan should be of 15 years forward-looking duration from adoption. UDC have never suggested that there are any such circumstances and has refused to answer questions as to what if any such circumstances exist.

50. UDC have not produced a new draft Local Plan since the Edge Analytics forecasts were received setting out a new housing allocation based on the evidence based assembled by UDC and the revised housing requirement. Based on the June 2012 draft Local Plan, the Edge Analytics report and the comments made by Cllr Rolfe at various times during the last year publicly, we understand that the housing requirement for Uttlesford under a local plan which would be compliant with the NPPF would be some 4,600 new homes, assuming the plan was adopted in 2013. We understand that it is highly unlikely that a new plan would in fact be adopted until 2014, so the housing number is likely to be higher. To be conservative, we have assumed that the local plan would be adopted in 2013 – the sustainability evidence in favour of a new
settlement-centred local plan rather than a dispersed strategy becomes even more compelling if one assumes that the local plan were adopted in 2014 because of the requirement for a further 415 new homes.

51. UDC have not produced a comparative sustainability assessment which assesses the most sustainable development for Uttlesford for 4,000 or more homes since the January 2010 Comparative Sustainability Assessment. Both the 2007 draft plan and the 2010 assessment and sustainability assessment state clearly that development of the scale proposed is unsustainable. We set out below the statements made by UDC in these reports on the unsustainability of developments of the kind the subject of the Application:

52. The 2007 Preferred Options consultation states that:

   a. the level of development proposed is not sustainable (paragraph 5.11): “Saffron Walden is the largest town in the District with a range of retail and other facilities but there is little capacity to accommodate significant new greenfield development on the edge of the town, due to impact on the historic character, the lack of capacity at the secondary school, sewerage disposal and the poor air quality in parts of the central area as a result of existing traffic congestion. The Council is therefore suggesting that the preferred strategy to provide the new housing should be to develop a new settlement to the north east of Elsenham of sufficient scale to support a new secondary school (approx. 3,000 homes) with the balance being provided mainly in the towns and villages.”

   b. A new settlement option is a more sustainable proposal (paragraph 6.57): “Growth Option 4: one new settlement with minimal expansion to existing settlements, compared to the other three options, is the most sustainable solution.”

   c. Expansion of Saffron Walden and the other existing settlements is not sustainable (paragraph 6.58): “The Sustainability Appraisal demonstrates that Options 1 to 3 lead to a greater number of negative social, economic and environmental impacts as opposed to the option of developing a new settlement to the north east of Elsenham. The appraisal highlights the difficulty in mitigating against the negative impacts of expanding existing settlements.”

53. The 2010 Comparative Sustainability Appraisal states that:

   a. Saffron Walden is highly sensitive to development (paragraph 4.4): “English Heritage in their representations have expressed concern about the potential impact of additional development on Great Dunmow and Saffron Walden. They advise that both settlements have a high sensitivity to change having already been subject to considerable recent expansion. English Heritage’s view is that recent development on the edge of Great Dunmow has not been well integrated or designed to respect the character of the town and the capacity of Saffron Walden is also constrained due to its historic character and street pattern. English Heritage concludes that the concentration of development is likely to offer the best option in terms of preserving the rural character of the district overall and supports the preferred option [i.e. Option 4].”

   b. Additional major development will threaten Saffron Walden (paragraph 4.20): “Options 1-3 and 5 perform less well than option 4 in meeting objective 3 to conserve the historic built environment. The impact of additional transport demands associated with the increased development is highlighted as a potential threat to the historic built environment. Significant development has already occurred and is planned at Saffron Walden and Great Dunmow and a new settlement will provide greater protection
to key aspects such as historic importance and the intrinsic character of the existing towns and villages. No difference is identified between the new settlement proposals."

c. Major residential development at Saffron Walden is not economically sustainable (paragraph 5.11): "The White Young Green appraisal shows that all options perform less well than Option 4 in terms of meeting objective 22 – the potential to develop socially and environmentally responsible business growth. The development of a new settlement, especially if it has high environmental and sustainability credentials will be a focal point for sustainable and environmental technologies and businesses. The location of the site at Great Chesterford within the Cambridge Sub-region will make this site particularly attractive to businesses."

d. The Saffron Walden County High School is already full and cannot be expanded further (paragraph 6.9): "One of the key constraints in relation to making any sustainable spatial strategy work for Uttlesford is the issue of secondary school provision. Saffron Walden County High School could not accommodate, or be expanded to accommodate additional pupils on the current site. It is already one of the largest schools in Essex and further expansion is unlikely to be an option."

e. Additional traffic in Saffron Walden will make air quality even worse (paragraph 8.12), as the ECC AQA has forecast: "Development which results in additional traffic queuing at the air quality management areas in Saffron Walden will result in increased levels of pollution at the junctions which are already subject to poor air quality."

f. Development at Saffron Walden would be the most remote from the strategic road network (paragraphs 11.23 and 11.24): "A transport assessment summarising the options has been undertaken by Essex County Council. The assessment shows that Option 4 Elsenham and development at Saffron Walden (Options 1, 2 & 3) are the most remote from the strategic road network."

54. The February 2010 Preferred Options document states that: Saffron Walden and its roads and schools can’t cope with major new residential development (paragraph 4.3):

"Saffron Walden’s town centre "is of the highest environmental quality". "The strategy is to maintain and where possible enhance these historic features and ensure a new development creates a safe, inclusive and accessible environment. " "Because the services and facilities, particularly the secondary school, are at capacity and there is poor air quality at key road junctions opportunities for new residential development are limited."

55. The 2011 Strategic Housing Land Allocation Assessment raised similar issues in relation to the Applicant site:

"Highways capacity and air quality are highlighted as important issues for all the large Saffron Walden sites. A transport assessment would be required at an early stage to provide more information on trip generation etc. Highways were concerned that the proposed relief road would not help with the traffic issues since it could not provide a route out of Saffron Walden northwards to Cambridge etc. The signals at the Thaxted Road/Radwinter Road are already at capacity. The route westwards via the Debden Road/Borough Lane junction is also constrained and there are physical land constraints to improving junction capacity in both these locations. Secondary School capacity was also highlighted as an issue. CH
advised that County High was likely to reach capacity in 2012 and discussions were on-going with the school and other parties about possible solutions.”

56. The March 2013 Position Statement again repeats the unsustainability of further housing on the eastern side of Saffron Walden from a transport and air quality perspective. Although the issues raised in the Position Statement relate specifically to the preferred Saffron Walden sites, and the Applicant site has been rejected as a preferred site for housing development, the following points are all applicable to the Application given the site’s location on the eastern-most extremity of the town:

“The Highway Impact Assessment the Council commissioned from Essex Highways is subject to further work and review, but initial assessment of 10 key junctions suggests that the potential increase in traffic which would result from the proposals for additional development in Saffron Walden could be accommodated by the road network with mitigating measures. The link road associated with development east of Thaxted Road would be an essential mitigating measure. [our highlighting] Further sensitivity testing of work on the air quality implications of this scale and location of development has still to be completed. The inclusion of the above policies with the proposed amendments is therefore dependent on the following:

• Validation of air quality monitoring data for 2012 and its input into the model in place of 2011 data.

• Consideration of how many low-emission vehicles there will be in the predicted traffic flows in Saffron Walden during the latter part of the plan period.

• Consideration of how likely air quality objectives will be met beyond 2018.

• The rate of progress in identifying more specific primary health care capacity proposals with the NHS.”

57. The Highway Impact Assessment has still not been made public, and even if the Saffron Walden road network could cope with the additional traffic, the result is still totally unsustainable, as the sustainability assessments referred to above make clear.

58. We do not believe that there is any realistic prospect of the suggested link road between Radwinter Road and Thaxted Road being built. Certainly, there is absolutely no proposal for it to be built in its entirety, and the Application must therefore be assessed on the basis that it will not be built.

3.3 “Economic Sustainability”

59. The Applicant site is unsustainable for housing development from an economic perspective. The NPPF paragraphs 30-38 and 70 require that residential development should be planned to minimise travel to work, amongst other facilities. As the 2011 UDC Employment Land Review (the “ELR”) makes clear, Saffron Walden is unattractive to employers because of its cost and difficulty of access, with more than half of the existing industrial premises in Saffron Walden being empty. Even without the current Application however, a large part of the available employment land in Saffron Walden has already been given, or is identified for, change of use from employment land. It makes no sense to build further houses in Saffron Walden if job creation is likely to be difficult and the available employment land is diminishing.
60. The ELR notes that development in the north of Uttlesford should support the Cambridge Sub-Region objectives, but should only be located in Saffron Walden if demonstrably sustainable (paragraph 5.29):

"It is envisaged that these would be fully in accordance with regard to what the Council is looking to achieve within the district. Any proposed growth at Saffron Walden would, however, need to be demonstrably sustainable. This would mean that no excessive adverse impact upon its character and environment and that the existing infrastructure capacity problems are not exacerbated."

61. The Applicants’ Marketing Statement claims that there is a significant demand however for B1(a), (b) and (c) premises, but the Application instead proposes that the vast majority of the site is converted to residential use. We fully support the Application insofar as it proposes these uses, but it is not sustainable then to convert the rest of the site to housing development. If there is a demand for these classes of employment property, as the Applicants say there is, then the site should be preserved for them, not converted into residential use. As it is, the Application contemplates only 3,741sq.m of such space. The ELR predicts a much greater demand for warehousing and use class B1(a) and (b) premises, with a requirement for 5.7ha and 5.0ha respectively identified.

62. Although the ELR shows that Saffron Walden is unattractive for businesses expansion, it recommends that all existing employment sites, including the Applicant site be fully safe-guarded. From an economic perspective, it is unsustainable to build more residential properties in Saffron Walden whilst at the same time dramatically reducing the employment land provision.

63. The proposed development is therefore in breach of both the specific NPPF requirements at paragraphs 30-38 and 70 of the NPPF and the overall economic sustainability requirement.

3.4 “Social sustainability”

64. Social sustainability requires that the “social role” is satisfied by “supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and 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”.

65. The Application fails this requirement for the reasons set out below.

66. First, there is no attempt in the Application to build a “strong, vibrant or healthy” community. Instead, all that is proposed is a large housing estate isolated from the rest of Saffron Walden, set off a busy main road with no provision of any new local services and with all existing essential services a considerable distance from the proposed development.

67. Second, appears to be no public infrastructure contribution proposed at all save for the obligatory education provision. For example ECC requires that there are obligations for infrastructure items such as: Library, Adult Learning, Youth Services, Archive, Adult Social Care and Waste Management. These are estimated at £340k for this site, yet they are not mentioned in the Application.

68. The Applicants’ Transport Statement shows how divorced the Applicant site is from existing community facilities – even the site entrance is some 2km from the nearest school or doctor, and 1.5km from the town centre, 4km from the County High School and 6km from the railway station.
69. We note that there is no intention to provide further education facilities at any level despite the additional capacity that the proposed development will require, and absolutely no discussion of what provision might be provided. Nor is there any proposal for additional school facilities for Saffron Walden at pre-school, primary or secondary school level in UDC’s draft local plan now that they have been removed following the March 2013 Position Statement.

70. ECC calculations show that this level of development would bring a need for an additional 15 pre-school, 37 secondary school (plus sixth form provision) and 55 primary school places, and yet absolutely no provision is planned. We note the contents of the ECC Education letter of objection to the Kier Application of 30 August 2013 and their request that the Application be deferred until proper provision for education can be made and that the Application should provide for pre-school and junior school provision. The same applies to the current Application.

71. We also note the ECC statements in relation to the Kier Homes application and the lack of education capacity in Saffron Walden:

"With regard to early years and childcare provision I am informed by Essex County Council’s Area Commissioner for West Essex Early Years and Childcare that there are two full day care provisions in the locality one of which is full and the other is close to capacity. The only other childcare capacity is two childminders one of which is currently full. It is therefore clear that there is insufficient pre-school provision to meet the needs of the proposed development.

At primary school level, the development falls within the primary admissions area of R A Butler Infant and Junior Schools. The infant school has a net permanent capacity of 225 places and according to the latest data available to Essex County Council the school is forecast to have 245 children on roll by 2017. The junior school has a net capacity of 300 places and is forecast to have 333 children on roll by 2017. Looking at the wider area, there is forecast to be a shortfall of 38 places across primary schools in Saffron Walden.

With regard to secondary education, Saffron Walden County High School has a net capacity of 1,882 places. The latest data shows, before new housing is taken into account, that there is likely to be demand for 2,050 places by 2017 and that once new housing is taken into account 2,111 places will be required. These pupil forecasts do not include demand from the proposal under consideration"

72. Despite the existing lack of school provision, there is absolutely no plan as to the provision of education places for the children living in the proposed development. The Application should be refused until there is a clear and deliverable plan for the provision of new school places within the timescale that the proposed new homes will be built.

73. The same consideration applies to health facilities. The February 2010 draft local plan notes, at paragraph 2.30, that any new development in Saffron Walden should provide a new health centre, but yet none is proposed, and no suggestion as to where one might be funded and built. Again, the Application should be rejected unless and until there is a clear and deliverable plan for the provision of new healthcare facilities.

3.5 Environmental Sustainability

74. From an environmental perspective, the proposed residential development and the removal of employment land is inherently unsustainable because of the location of the Applicant site. As paragraph 7
of the NPPF says, environmental sustainability requires that the “environmental role” is satisfied by “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.”

75. There is no suggestion that the proposed development will achieve any of these aims, and indeed the inherent car dependence of the Applicant site will lead to exactly the opposite effect. As Paragraph 4.8 of the June 2012 draft Local Plan states: “Uttlesford has an ecological footprint of 5.8 global hectares per person, which is above the Essex and England averages and is substantially higher than the sustainable level. There will thus need to be a step change in the way that the District uses resources in future.” One of the biggest contributors to Uttlesford’s ecological footprint is transport emissions yet the location of the Applicant site means that residents will be heavily dependent on the use of the private motor car.

76. The biggest factor for travel use is site location and proximity to facilities and services. Yet the Applicant site is remote from all local services and facilities. Almost all day to day facilities are at least 1.5-2km away from the nearest access to the site, and the degree of pedestrian and cycle access will inevitably be small. As our attached survey shows, the existing pedestrian and cycle use is very small at housing developments not even as far from key facilities.

77. Moreover, the Application has absolutely no realistic proposals to increase public transport provision or to increase pedestrian or cycling provision from the Applicant site to facilities and services. The only sustainable transport provision planned is an unspecified contribution to the proposed cycle path from Saffron Walden to Audley End station, which should have been completed long before any s.106 obligation from the proposed development would become due, and the proposed obligation is therefore meaningless. As the Applicant says, it is envisaged that the path would be built in 2014, so would have to be funded other than from the Application. The Applicants’ own Transport Assessment shows that the railway station is 6km away, beyond even the optimistic recommended 5km range for cycling, and the site is therefore unlikely to generate any significant cycle traffic to the station. The proposed cycle path would be 4km away from the Applicant site, so its provision is unlikely to make cycling from the Applicant site significantly more attractive.

78. In order to make a contribution to sustainable transport, the Applicants would need to provide a network of cycle and pedestrian ways from the Applicant site to the local facilities such as schools and the town centre, yet nothing is proposed. As the Applicants’ Travel Plan and Transport Assessment show, public transport provision past the Applicant site is limited, and yet again nothing is proposed to increase it or reduce dependence on the private motor car.

79. The Applicants’ Travel Plan is almost useless – there are no provisions for any infrastructure for any sustainable transport, no bus improvements, no new cycle ways and no new pedestrian paths, and no suggestion as to how residents will reach essential facilities by sustainable transport. The Travel Plan notes that ECC committed to increasing cycle routes in and around Saffron Walden in the 2005 Local Plan, but omits to mention that absolutely nothing has been done to implement any cycle routes around Saffron Walden since then. The only foreseeable cycle route improvement is the cycle / pedestrian route to Audley End Station, but the implementation of that will be entirely independent of the Application – its target implementation date is years in advance of the implementation of the proposed development, and it is completely misleading of the Applicants to try to claim a link between the two, as they do in paragraph 6.2.3 of their Travel Plan.
80. The Travel Plan claims at paragraph 6.1 that “The main site access and secondary pedestrian/cycle access will ensure a high level of pedestrian and cycle accessibility between the site and Ashdon Road and thereafter the Town Centre.” This is completely untrue, as the extremely low figures for cycling or walking to the site by Ridgeons employees currently show. The reality is that the site is extremely poorly connected to the town centre or any day to day facilities such as schools, shops and health facilities, and the Applicants are proposing no infrastructure improvements outside the boundaries of the Applicant site.

81. The only measures proposed by the Applicants in their Travel Plan are extremely soft measures, such as access to websites and proposed monitoring to try to ensure that the car generation from the site at morning and evening peak times is no worse than predicted, but there are no penalties whatsoever if it fails. There is no sign whatsoever of the Applicant development complying with an obligation to move to a low carbon development, and no commitment to any contribution to green infrastructure. We do not see any realistic prospect of the development or the Travel Plan contributing to any modal shift away from the existing heavy dependency on car usage.

3.6 Promoting healthy communities (NPPF paragraphs 69-78) and proposed loss of sports field / open space

82. As paragraph 69 states, “The planning system can play an important role in facilitating social interaction and creating healthy, inclusive communities”. Paragraph 69 goes on to state that planning policies and decisions should aim to achieve places which promote social interaction between differing members of the community.

83. We have set out above the provisions of paragraph 74 of the NPPF which safeguards existing sports provision and open space. There is a large area of open space to the front of the Applicant site; the Google Maps aerial view (http://tinyurl.com/oszvuab) clearly shows a football pitch marked out and shows that the total green space is more than twice as large as the football pitch. Paragraph 74 specifically provides for the retention of this space unless it can be shown that it is either unneeded or that replacement provision is provided. Neither is proposed – indeed we cannot find a single mention of this open space in the Application. Neither is any additional green space proposed for the residents of the proposed new housing. The Application should be rejected for breach of paragraph 74.

84. We also note the Sports England objection letter of 25 September 2013, and agree with its objection to the loss of this facility.

3.7 Sustainability Appraisal for the Local Development Framework

85. Finally, we note the provisions of the Scoping Report for the UDC Local Development Framework, Sustainability Appraisal and Strategic Environmental Assessment, and in particular the Sustainability Appraisal Objectives set out in chapter 6 on pp 31-34. The sustainability objectives set out below are particularly relevant to a consideration of the potential sustainability or not of the Application.

86. Objective 3 is to reduce climate change contributions and notes “High private vehicle usage” as one of the key sustainability issues. As the Applicants’ Transport Assessment shows (see Section 5 below), the Application would lead to a significant increase in private vehicle mileage.
87. Objective 4 is to reduce and control pollution, and the high levels of NO2 and the AQMAs are identified as particular issues. By creating more traffic, the Application is likely to lead to a significant increase in NO2 pollution at the most polluted junctions in Saffron Walden.

88. Objective 6 is to promote and encourage the use of sustainable methods of travel, and the key sustainability issues are to reduce the need to travel and combat high private vehicle usage. The Application will do the opposite. We note also the current formulation in the 2006 Scoping Report “to concentrate development and facilities in town centres”.

89. Objective 7 is to promote accessibility. As Section 5 shows, the Application would do the opposite.

90. Objective 8 is to improve the population’s health and promote social inclusion, and “Access to facilities on foot or by bicycle” is identified as a key issue. The Applicant site is not realistically accessible on foot or bicycle as we show in Section 5 below.

91. Objective 9 is to support sustainable employment provision and economic growth. Again, the Application is contrary to this core objective, as it would involve the loss of a large part of the key employment land in Saffron Walden.
4 Safeguarding of Employment Land

4.1 Introduction and background

92. In this Section 4 we analyse the Application against the applicable policy requirements concerning employment land.

93. We note that:

a. The Applicant site forms part of Policy Area SW6, and is specifically identified as key employment land to be safeguarded from change of use. The Application would involve a huge diminution in the available employment land, from 12.83ha to 3.28ha, just a quarter of the existing employment land. This proposed loss of employment land would follow the loss of the safe-guarded employment land at the Kilns site and the proposed loss of the Willis & Gambier site (previously the SIACo factory);

b. Paragraph 15.11 of the Local Plan provides that Policy E2 applies to the Applicant land as it falls within the areas identified under Policy SW6. Policy E2 and paragraph 4.11 note the pressures on employment land from the greater profits to be made from residential development, and specifically provide that the Applicant site should be protected from such pressures so that there continue to be employment opportunities available locally;

c. Policy SW6 identifies some 32.2ha of protected employment land within Saffron Walden. Of that, all of the 2.1ha of supposedly safe-guarded employment land on the Thaxted Road has been given consent for other uses; the 3.00ha SIACo factory site (121 Radwinter Road) is identified by UDC for housing land; significant sections of the Shire Hill Industrial Estate have been given consent for other uses, such as church or retail and now the Application proposes that 9.55ha of this, safeguarded employment land be lost. In addition a large part of the employment land identified in Policy SW5 is now retail rather than employment land. If this Application were to be passed, it would result in an aggregate loss of more than half of the designated employment land in Saffron Walden – this is plainly unsustainable. Moreover, there is absolutely no sign that the proposed 6ha of employment land identified in the June 2012 draft Local Plan is likely to become available in the foreseeable future;

d. The Applicants’ Marketing Statement claims that there is a shortage of available office space in Saffron Walden, that rentals have risen significantly in the last few years and that they expect continued strong demand. If this is true, then it would be absurd for UDC to agree for a change of use of most of the site for residential and associated uses and other non-employment purposes. We have no objection to the Application for change of use to use classes B1(a), (b) or (c), but this represents only 0.87ha of the 12.83ha site. If, as the Applicants clearly state, there is an identified need for employment land falling within these use classes, then the change of use for other purposes, including residential use, should be refused;

e. Both the ELR and the draft policy EMP2 clearly spell out the requirements for a change of use from designated employment land; these clearly have not been satisfied as the Applicant states that there is a need for office and other employment land;

f. The Applicants base their whole case for the proposed change of use of a large part of the Applicant site from industrial / employment use to housing use on the basis that the employment use is
uneconomic and needs to be subsidised by the windfall profits from the housing development (Section 6 of their Planning Statement). This makes no sense however – if it is uneconomic to construct the new employment premises, we cannot see why the Applicant would do so once it has been given the windfall of the housing development profits, and if it is economic to do so, then we can't see why they shouldn't do so for the whole site. UDC obviously has no power to force the Applicant to construct any employment premises or to use the housing windfall profit in any other way;

g. The Application envisages a material diminution in existing employment against the hope of potentially attracting new employers for the new facilities if they can be built cost effectively and the Applicant decides to go ahead with them. Although the Applicants omit to mention the loss of existing employment in their Planning Statement, the Transport Assessment assumes that Ridgeons will produce 25% less traffic than at present, which implies the new store would be 25% smaller than at present, and their Air Quality Assessment assumes that Acrow Galvanising will have been forced to quit the site. This appears to be in direct conflict with the NPPF requirements to foster sustainable economic growth.

4.2 Proposed loss of employment land in current use and other employment land

94. We note that the Application proposes the loss of employment land which is currently in use, which will presumably cause a resultant loss of jobs.

95. In particular, we note that:

a. The Applicants propose that the new Ridgeons builders merchants would be 25% smaller than the existing one. The Applicants appear to have chosen not to highlight this in their Planning Statement. However, as the Applicants say at paragraph 5.3.1 of their Transport Assessment:

“A new Ridgeons Builders Merchants store forms a key part of the proposal. The new store will be significantly smaller than the existing Ridgeons store and trip generation associated with the business is therefore anticipated to reduce. The new store is expected to generate 25% fewer trips compared to the existing store operations”

b. The Applicants propose that Acrow Galvanising will be forced to vacate their premises on the Applicant site (paragraph 4.2 of the Applicants' AQA), presumably with a resultant loss of jobs. Again, there is no mention of this anywhere in the Planning Statement;

c. The Planning Statement refers to other occupiers of the Applicant site, who will presumably also be displaced, but does not provide further details.

d. The Application will therefore clearly lead to a loss of local jobs. The Applicants claim that the redevelopment would lead to a large number of new jobs, although we believe that their claims as to job creation are unlikely, and are of course wholly speculative.

96. The Applicants claim that there is demand for employment premises in particular use classes, and this is supported by the ELR. Instead however they propose that less than 10% of the site is devoted to those
identified needs and the rest converted to non-employment uses or other employment uses. Allowing this seems to be wholly unsustainable and against all relevant policies. If there is an identified need, it would be perverse then to permit a change of use of 75% of the Applicant site to non-employment purposes.

### 4.3 Claimed need to subsidise employment uses by housing developments

97. The Applicants claim that the housing development is necessary to subsidise the redevelopment of the rest of the site. We do not accept this however:

a. If it is uneconomic to build the proposed employment premises without a subsidy from the housing development profits, we do not see why the Applicants would do so. UDC has no powers to force redevelopment, and once the principle of residential development were to be accepted it would be very difficult for UDC to resist further extension of the residential component. It seems highly improbable that any developer would build industrial premises which are uneconomic;

b. Alternatively, if it is economic to build new industrial premises, then there is no reason why the Applicant also needs to receive a large windfall gain from housing development.

98. In either scenario, we do not see that the residential portion of the Application is justified, and the claimed new employment premises, on just 25% of the site, appear to be just a fig leaf for housing development and associated landscaping on the vast majority of the site.

99. Allowing the Application would also send a clear signal to the few remaining employment sites in Saffron Walden that they should expect to be allowed to let their premises decay to the extent that occupiers do not wish to use them, at which point they will then be allowed to convert them into residential use. That is precisely what the Local Plan policy E2 and proposed policies EMP1 and EMP2 are designed to prevent.

### 4.4 Improbable job creation figures compared to Transport Assessment traffic claims

100. We note that the Planning Statement sets out the Applicants’ claims for the job creation capacity of the proposed developments. These are contained in paragraphs 6.21 – 6.33.

101. We do not have the expertise to say whether or not these claims are likely to be in any way accurate. However they are completely at odds with the Applicants’ claimed predicted travel movements contained in Section 5.3 of the Transport Assessment. Fuller details of the contradictions are set out in Section 5 below in relation to the Applicants’ traffic claims. By way of example however, the Applicant claims at Table 6 in paragraph 6.31 that the proposed development would reasonably generate 169 jobs in the B1 offices and 243 jobs in the B1, B2 and B8 space. In contradiction however, its Transport Assessment assumes, at Table 5-8 that only 59 people arrive for work in the B1 offices during morning peak hours and, at Table 5-10, only 97 people arrive for work in the B1, B2 and B8 space during morning peak hours. Unless 60% of employees are expected to arrive for work outside the normal morning peak times, which seems highly unlikely, the Transport Assessment and the Planning Statement claims are completely at odds with each other.
5 Accessibility & Transport Planning Policy/Effect of Increase in Traffic & Car Use

5.1 Introduction

102. In this Section 5, we look at:

   a. The location of the Applicant site and its remoteness from the Saffron Walden town centre;
   b. The existing traffic congestion in Saffron Walden;
   c. The impracticality of access to the proposed development other than by private motor car;
   d. The increases in traffic modelled by the Applicants on Saffron Walden roads;
   e. The defects and omissions in the Applicants’ Transport Assessment;
   f. Other transport implications of the Application; and
   
   g. The Applicants’ predicted traffic increases against the relevant transport planning policies, particularly the NPPF, and the policy objectives, contained in the Local Plan and the NPPF, to reduce the need to travel, particularly by motor car.

103. As an initial point, for the reasons set out below, we cannot see that the Applicants’ Transport Assessment provides a reasonable basis on which to assess the Application, and it needs to be considerably revised to provide a reasonable assessment of the likely effect of the proposed development. The Application cannot be assessed properly on the basis of the existing Transport Assessment.

104. The significant increases in road traffic predicted by the Applicants could also be expected to have significant adverse effects on air quality. This would be particularly significant for the Saffron Walden junctions where air pollution is already way above legal limits. We address this below.

105. We also note that our understanding from the application submitted is that the Applicants are intending to make no improvements to any local bus services and are offering no improvements to any existing road networks or junctions (other than the proposed changes to the junction directly serving the proposed development and a possible contribution to the Thaxted Road / Radwinter Road junction). Our comments are made on that understanding. Given that a large number of developments have based their Transport Assessments on contributions to the Thaxted Road / Radwinter Road junction, and have assumed all of the benefit for their own scheme, we do not see that it can be considered as a material benefit of the Application.

5.2 Use of low future traffic growth factors

106. We have compared the traffic growth factors used by the Applicants against those used in the recent Tesco, Aldi and Sainsbury’s planning applications. For this purposes, we have utilised the growth rates set out by the Applicants in paragraph 6.9 of their Transport Assessment and compared them with the growth factors used by Tesco (set out at paragraph 2.15 on p.7 of their Transport Assessment dated 12 October 2009 in relation to planning application UTT/1323/09/FUL), Sainsbury’s (set out at Table 6.1 of their
Transport Assessment dated April 2011 in relation to the second Sainsbury’s Application, UTT/0787/11/FUL) and Aldi (set at in their Transport Assessment). UDC have all of these transport assessments, so we have not attached the relevant pages for reference, but please let us know if they would be helpful. The principal differences that can be seen are:

a. Tesco used future growth rates of 1.1440 (Friday peak) and 1.1534 (Saturday peak) for the 7 year period 2009 – 2016, equating to annual growth of roughly 2%;

b. Sainsbury’s used future growth rates of 1.163 (Friday) and 1.166 (Saturday) for the 9 year period 2009 – 2018, equating to annual growth of 1.7%;

c. By comparison, the Applicants use even lower rates, of 1.1025 (AM Peak) and 1.1065 (PM Peak) for the 8 year period 2012 - 2020, equating to annual growth of 1.2%

107. We made the same objection to the Aldi application, although there is no evidence that any note was taken of our objection. The Applicants use the lowest annual growth rate, and one which is much lower than Sainsbury’s or Tesco.

108. We believe accordingly that the growth rates used by the Applicants are likely to be materially too low, and should be revised.

5.3 Other defects and omissions in the Applicants’ Transport Assessment

109. The Applicants’ Transport Assessment takes account only of the committed developments south of the Ashdon Road (referred to in paragraph 3.6). For whatever reason, no account is taken of the following committed but not yet completed developments which will impact on the junctions considered:

a. The permitted major extension to Tesco;

b. The permitted major extension to Waitrose;

c. The Granite park proposal on Thaxted Road;

d. 74 homes still to be completed at the Friends School development;

e. Up to 64 homes still to be completed and sold at the time of the traffic count at the Bell College development;

f. 31 homes on Lodge Farm, Radwinter Road

g. 15 homes on Little Walden Road in the course of construction;

h. The 52 homes approved at the Kilns development on Thaxted Road on 25 September 2013;

i. The other developments on Radwinter Road and Thaxted Road.

110. In addition, no account has been taken of any of the planning applications currently pending for large retail developments in Saffron Walden, including the Willis & Gambier site and the Kier application on Thaxted Road, all of which will have a particular impact on the Thaxted Road / Radwinter Road junction,
and a cumulative assessment should be performed if there is any possibility that more than one of these applications would be approved. All of these developments are close to each other and their primary impact will be on the Ashdon, Radwinter and Thaxted Roads, and they will also have a major impact on all other parts of the Saffron Walden road network.

111. The Transport Assessment quotes the DCLG guidance “Guidance on Transport Assessment” at paragraph 5.2.2 and notes that a base traffic condition should be assumed on the basis that the permitted development would be generating the traffic levels which might reasonably be generated by any permitted use. It then fails to apply this to the other vacant properties in Saffron Walden in assessing the base traffic conditions in Saffron Walden. There are a number of vacant premises in Saffron Walden, including parts of Shire Hill and the whole of the Willis & Gambier site – the permitted traffic levels from these have been completely ignored.

112. The TA accordingly needs to be redrawn to take account of all the approved developments referred to above and any other permitted developments affecting Saffron Walden which are currently vacant.

113. The modelled effect of the one Committed Development Traffic Flows shown in Appendix E seems to be highly unrealistic. This Committed Development represents 150 new homes and 2,130sqm of B1 office space. Our traffic survey of Rylstone Way and associated streets indicates a peak flow of 70 vehicles out and 20 vehicles in at the peak 7.45-8.45am hour for 165 houses. This would imply 64 vehicles leaving and 18 vehicles arriving at the site attributable to the 150 new homes. The Applicants’ Appendix E flow chart however shows only a total of 61 vehicles arriving in the morning peak hour, which implies that the 2,130sq.m office development generate only 43 vehicle arrivals. According to the Applicants’ Planning Statement (paragraph 6.31), 2,021sq.m of B1 office space on the Applicant site would be expected to create 169 new jobs. This claim may or may not be true, but assuming it is, the Committed Development would be expected to create 178 new jobs. According to the Applicants’ Transport Assessment, 76% of Ridgeons employees drive on their own and 17% share cars, so there would be car movements equal to between 76 and 93% of the total employee numbers arriving and leaving at the AM and PM peak times; if the same percentages applied to the Committed Development employees, the Committed Development would generate between 135 and 166 arrivals each morning, of which most would be expected to be during the 7.45-8.45am peak hour. Instead, the Applicants’ Appendix E implies only 43 vehicle arrivals. We assume that the Applicant is overstating the likely job creation, but even allowing for this, the number of new trips attributable to the Committed Development appears to be only half of what it should be.

114. The same applies to the Applicants’ assessment of the vehicular movements to be generated by its own proposed office development. It claims that its office development would lead to 169 new jobs. On the basis of the Ridgeons travel to work survey in its Transport Assessment, this would indicate between 128 and 157 (i.e. between 76% and 93% of 169) separate car journeys bringing employees in and out. The Applicants’ Transport Assessment however claims at Table 5-8 in paragraph 5.3.2 that in fact only 59 employees will arrive during the morning peak hour and they would use only 41 vehicles between them. It is not obvious when the other 110 employees that the Applicant claims to be creating jobs for would arrive, or why car use would be so much lower than for the existing Ridgeons employees. It appears to us that both the Transport Assessment and the Applicants’ job creation claims are completely wrong – certainly they can’t both be true.

115. A similar analysis also applies to the Applicants’ claims as to job creation and traffic generation for the employees proposed to be attributable to the B1, B2 and/or B8 facilities. According to Table 6 of paragraph 6.31 of the Applicants’ Planning Statement, the proposed facilities would be expected to give rise to 243
new jobs (108 plus 135). According to Table 5-10 of the Applicants’ Transport Assessment however only 97 of them are expected to arrive at work during peak hours on any given day, and in total they would come in 78 vehicles overall. Again, it is not obvious what is happening to the proposed 146 new employees who don’t arrive at work during the morning peak. On the basis of the Ridgeons travel to work survey, 243 new employees should generate between 185 and 226 vehicle movements arriving at work, and one would expect most of these to be during the peak hour. Instead the Applicants claim only 78 AM peak vehicle movements. Again, it appears to us that both the Transport Assessment and the Planning Statement are wrong, and again they can’t both be true.

116. Similarly, we do not believe that there is any credibility to their transport generation claims for their proposed Retail store. We do not see how a retail store could survive with a catchment area of just 167 houses and the proposed employment facilities, and it is inevitable that there will be traffic to it from surrounding houses. The Applicants have assumed (paragraph 5.3.4 of their TA) that it will generate zero external trips – we do not believe that this is credible.

117. The Transport Assessment uses TRIP rate data to claim likely modal travel patterns, as set out in Table 5-14, which gives an assumption that 22% of trips will be on foot (321 out of a total of 1,447). This is significantly more than the 19.8% which the Kier Homes application says is already achieved for the existing Saffron Walden residents. Not only this, but the location of the proposed development is far less sustainable than that of the existing Saffron Walden homes, being much further from the town centre and day to day destinations than the average existing Saffron Walden residence. The proportion of trips on foot is therefore likely to be significantly less than the existing average of 19.8% quoted by Kier and much less than the 22% used by the Applicants. Our survey showed a 12% rate for Rylstone Way, which is considerably closer to day to day facilities. The Transport Assessment should be amended accordingly.

118. In relation to car use, Table 5-14 assumes that 737 out of a total of 1,447 journeys, or just over 50% of journeys, will be by car, and that only 37% (52 out of 141) peak departures will be by car. By contrast the Kier Homes Transport Assessment notes that existing Saffron Walden car use is 63.5%. Our survey shows the number should in fact be more like 85%. The figures used by the Applicants appear to be highly improbable and significantly under-estimate the volume of cars which the residential development would produce. The TRICS rates they use are obviously not appropriate for this type of site location. They also greatly overstate the likely percentage of residents using sustainable transport methods – from a transport perspective, we believe that the location of the proposed development means that it will be highly unsustainable.

119. The effect of these omissions is to understate the level of road traffic likely to be generated by the Applicant development, understate the cumulative increases in road traffic as a result of other developments, and therefore understate the background level of traffic and junction congestion, and completely misstate the likely traffic flows from the proposed development. For the reasons given above we do not believe that the figures used by the Applicants and summarised in Section 5.4 of their TA are credible.

5.4 Even the Applicants’ figures show significant traffic increases

120. For all the reasons given above, we do not believe that the Applicants’ Transport Assessment provides a valid base from which to assess the traffic impact of the proposed development. However, even if one
ignored all of the criticisms we have raised above, the Applicants figures show that there would be significant traffic increases at key junctions and on key roads.

121. The Transport Assessment is incomplete also as it fails to give any queuing data, other than on the site entrance and the Elizabeth Road junctions, so we do not see how it can give a proper assessment of the impact of the proposed development. We note however the predicted base queues in the Kier Transport Assessment. All of the Committed Development transport as well as the transport attributable to the proposed development will of course be addition. The location of the Applicant site means that the much congested junctions in Saffron Walden, including the High Street, Thaxted Road / Radwinter Road and London Road / Debden Road will inevitably be heavily impacted by the additional traffic generated.

122. Because the base figures in the Transport Assessment are so deficient, and because of the lack of queuing information we cannot comment on the effect of the Application on traffic. We hope that UDC will require the Applicant to produce a proper Transport Assessment with full and accurate information so that a proper appraisal of the transport impacts can be made.

123. The base Kier figures show that further car-dependent development is simply not sustainable unless and until there are major changes to the traffic situation in Saffron Walden.

124. The Applicants also fail to include any proper consideration of the impact particularly of the Persimmon homes development and the Application on Ashdon Road. Together they will bring a huge amount of additional traffic onto the Ashdon Road, a road which is almost impassable at peak times currently already. Paragraph 6.5.5 of the Transport Assessment gives a completely misleading picture of Ashdon Road, which permits parking along one side or other for most of its length, with very limited passing spaces. Traffic conditions at peak times are already chaotic. The Applicant fails to mention that the passing spaces are extremely restricted, and cars regularly mount the southern pavement to pass vehicles coming from the other direction. The extent of the permitted parking can be seen from the Applicants’ drawings 10 and 11.

125. Beyond a few statements about enforcing parking restrictions and suggestions for additional signage and possibly speed restrictions, the Applicant has no proposals as to how to mitigate the impact of the proposed developments on the Ashdon Road. In any case, signage and speed restrictions will do absolutely nothing to assist traffic flow, which is the main problem. Paragraph 6.5.5 of the Transport Assessment completely fails to include any assessment of the impact on the Ashdon Road, and the Application should be rejected until a proper assessment has been performed.

126. There have been proposals from UDC and the Essex Parking Partnership to remove on-street parking from Ashdon Road and turn it into an urban clearway. This is unacceptable for local residents who have nowhere else to park as all the adjoin roads are already full. We also have concerns that creating an urban clearway would make the Ashdon Road even more unappealing to pedestrians and cyclists, in direct breach of the NPPF - if there are proposals to change the way that Ashdon Road operates, they should be primarily aimed at facilitating sustainable forms of transport, such as encouraging pedestrians and introducing cycle lanes, not at encouraging residents to drive. To do otherwise would be in direct breach of the NPPF sustainability aims and the Local Plan core aim to change radically the carbon footprint of Uttlesford.

5.5 Location of the Applicant Site and its Remoteness from facilities / impracticality of access other than by private motor vehicle
127. The Transport Assessment contains some distances from the Applicant site to mass-user facilities. It should be noted that all of these distances given by the Applicants are from the site itself, and not from the proposed houses – given the size of the site, the distances from the proposed houses to the facilities will be much greater. It does not therefore give a remotely realistic assessment of the travel distances from the proposed new homes to facilities.

128. Even ignoring this defect however, Table 3.1 shows how remote the proposed development is from essential facilities – it is 2km from the nearest school (St Mary’s), 1.5km from the nearest point of the town centre, 5km to the County High School and 6km to the Audley End railway station.

129. These distances show how unsustainable the proposed development is. At the inquiry into the proposed Sainsbury’s development on the Thaxted Road, the inspector concluded without any doubt that it was completely unrealistic to assume that more than a tiny proportion of residents would walk to that proposed development, which was essentially the same distance from Saffron Walden facilities as the Applicant site. The same applies to the Applicant site. Whilst the Applicants have stated the Government’s wish that journeys of up to 2km are undertaken on foot, the reality is completely different. Empirical evidence shows that people simply do not walk or cycle these distances in any numbers, despite policy wishes, and it should therefore be assumed that in practice these facilities are only readily accessible by motor car. The Applicants have produced no evidence to show that there is any reason to believe that people will in fact walk or cycle these distances, particularly when they do not currently. The old PPS4 provided a more realistic assessment, and assumed that 300m was “easy walking distance”, and the 300m limit is reflected in the NPPF definition of “edge of centre”. Access to the proposed development will inevitably be overwhelmingly by private motor vehicle given the remoteness of the site and the poor level of public transport service. The site is inherently unsustainable.

130. The position is even worse for the young, the sick, the elderly and the disabled, who would be expected to walk at least 1-2km to even the nearest school, shop or health facility. Even if they had the inclination to walk, most residents are not able-bodied – some 30% of the Uttlesford population is over 55 and 22.6% of the Uttlesford adult population is classified as obese (figures taken from the Essex Joint Strategic Needs Assessment 2008 – Uttlesford chapter) even without taking account of those who are disabled or taking young children. The Applicant site is effectively inaccessible by foot to the old, the young (or those with young children) and the disabled.

131. The poor site location is exacerbated by the complete lack of facilities proposed by the Applicants – no schools, health or sports facilities. As paragraph 38 of the NPPF provides “Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.” – the Application runs completely contrary to this requirement.

132. Similarly, paragraph 34 of the NPPF requires that “Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.” – again, the location of the Applicant site is completely contrary to this requirement.

5.6 Comparison of the transport implications of the proposed developments against relevant planning policies and the need to reduce use of the motor car
133. The Applicant site is in a location which is remote from day to day essential facilities, and means that it is highly unlikely that significant numbers of residents will travel other than by private motor vehicle. The survey conducted by the Applicants of the travel modes used by Ridgeons employees confirms how unsustainable the site is, with no employees walking and 93% of them travelling to work by private motor vehicle.

134. Section 3 of the Local Plan sets out UDC’s General Planning Policies and Section 9 sets out its policy on transport. Of particular relevance to the Application are:

a. Local Plan Policy GEN1 which says that development will only be permitted if it encourages movement other than by means of a car;

b. Paragraph 3.5 which sets out UDC’s general objectives on access “The objectives in this Plan are to locate high trip generating activity in areas well served by public transport; to increase the proportion of journeys made by rail and bus, on foot and by cycle; to reduce the number and length of motor vehicle trips by the location of development”; and

c. Paragraph 9.4 which notes that the Local Plan policies aim to locate new sites to encourage modes of transport other than the car.

135. Similar policies are set out in the NPPF. Of particular relevance to the Application are:

a. Paragraph 17 contains the core planning principles. In the context of the Application, it is worth noting that planning policy should: “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”;

b. Paragraph 30 requires that “local planning authorities should therefore support a pattern of development which, where reasonable to do so, facilitates the use of sustainable modes of transport”;

c. Paragraph 38 provides “Where practical, particularly within large-scale developments, key facilities such as primary schools and local shops should be located within walking distance of most properties.”;

d. Paragraph 34 requires that “Plans and decisions should ensure developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised.”; and

e. Paragraph 70 emphasises the need to build and maintain sustainable communities, and requires that in plan making and decision-taking, authorities should ensure “an integrated approach to considering the location of housing, economic uses and community facilities and services.”

136. Similar policies have been contained in each of the draft Local Plans published by UDC prior to June 2012. The June 2012 draft does not include any relevant policies but provides as Objective 6: “Sustainable transport: To reduce the need to travel by car promoting realistic alternatives to the car and locating new developments so that journeys can be reduced and residents and employees can access public transport, cycle and footpath networks but recognising the continuing role that the car has in meeting transport and accessibility needs in this rural area”.
137. The site location will increase the need to travel, in direct contravention of all of these policies, and the Application should therefore be refused.

138. We note also the findings of the ECC Consultation Scoping Report for UDC’s Local Development Framework Sustainability Appraisal and Strategic Environmental Assessment that:

   a. Road transport is the biggest source of CO2 emissions in Uttlesford, producing 36.3% of total CO2 emissions;

   b. Residents of Uttlesford are responsible for more CO2 emissions per capita than anywhere else in Essex, including the highest per capita CO2 emissions from road transport; and

   c. Since the 2005 baseline, the Uttlesford per capita CO2 emissions have decreased at a much lower rate (4.4%) than the Essex average (7.2%).

139. To limit CO2 emissions, and provide resilience to climate change, Uttlesford therefore needs to decrease rather than increase private motor vehicle usage. Paragraph 4.8 of the June 2012 draft Local Plan makes this clear: “Uttlesford has an ecological footprint of 5.8 global hectares per person, which is above the Essex and England averages and is substantially higher than the sustainable level. There will thus need to be a step change in the way that the District uses resources in future.” The Application would do exactly the opposite, and should therefore be refused.
6 Air Pollution

140. In this Section 6, we look at:

   a. The background and the fact that air pollution in Saffron Walden is a major problem, with the whole of the centre of Saffron Walden designated as an AQMA;

   b. The defects in the Applicants’ AQA;

   c. The fact that the proposed development would lead to a significant increase in traffic.

   d. The huge differences between the Applicants’ Air Quality Assessments modelled by the Applicants and the ECC 2012 Saffron Walden NO2 Assessment (the “ECC AQA”);

   e. The assumptions made by the Applicants in their AQA of the impact of the development; and

   f. The potential air quality impacts of the proposed development.

141. As a preliminary point we do not believe that the Air Quality Assessment submitted by the Applicants is fit for its purpose, for the reasons set out below, and therefore no conclusions can be drawn from it.

6.1 Defects in the Applicants’ AQA

142. For the reasons given in Section 5 above, we believe that the Applicants’ Transport Assessment significantly misstates the likely traffic flows resulting from the proposed development. Unless the Traffic Assessment provides a reliable base, the Air Quality Assessment cannot be relied upon. The AQA should be reissued once a correct Transport Assessment has been submitted.

143. The Applicants’ AQA is not prepared on the correct basis. Since November 2012, there has been a requirement that air quality assessments are prepared in accordance with Defra Interim Advice Note 170/12. The Interim Advice 170/12 is immediately applicable – as it says at paragraph 1.1: “This guidance should be used forthwith on relevant projects in England, where air quality assessments are undertaken and where such projects have yet to submitted for statutory process”. The Applicants’ AQA has not been, and the Application should be rejected until it has. As the ECC AQA makes clear, and as can be seen from the Applicants’ AQA, the use of the previous modelling greatly under-estimates future air pollution. It may or may not be the case that the “sensitivity test” used by the Applicants complies with IAN 170/12, but nowhere is this confirmed, so we assume that the two are not the same.

144. The Applicants’ modelled results of the existing NO2 air pollution levels in Saffron Walden have been based on those measured by UDC in 2011. The 2011 air pollution results are markedly lower than either 2012 and from any of the preceding years for no explained reason. Use of these numbers without correction is likely to lead to defects in the forecasting of future air pollution, as can be seen in the Applicants’ AQA. Given the time that has elapsed between the publication by UDC of the 2012 air pollution results and the production of the Applicants’ AQA, we do not see why the AQA is not based on 2012, or at least has a comparison with the actual 2012 readings.

145. Inherent in the Applicants’ AQA, because of their refusal to adopt the required Defra 170/12 guidance is an assumption that there have been and will continue to be major decreases in traffic-related air pollution
when both the UDC monitoring results and the Defra research shows that this is not happening in reality. As the ECC AQA says: “The consequence of the conclusions of Defra’s advice on long term trends is that there is now a gap between current projected vehicle emission reductions and projections on the annual rate of improvements in ambient air quality, which are built into the vehicles emission factors, the projected background maps and the NOx to NO2 calculator.”

146. The Applicants state in paragraph 4.10 of the AQA that they have assumed diminishing background NO2 levels “with the official reductions in vehicle emissions factors” – yet the Defra recommendations say exactly the opposite. Paragraph 3 of Interim Advice Note 12/170 says “The air quality modelling should continue to be completed in accordance with the assessment methodology set out in HA207/07 and with reference to Defra’s LAQM.TG(09) guidance where applicable. The following steps (covered in Sections 3.1 to 3.3) should be undertaken to adjust the verified modelled NO2 concentrations to account for the long term NO2 profiles.” No such adjustment has been made by the Applicants, and the AQA should therefore be rejected until it has. The same misstatement is made in paragraph 8.2 of the AQA.

147. A similarly misleading picture is given in paragraphs 5.9-5.13 of the AQA, which purports to consider the likely future trends in NO2 concentrations, but omits even to mention IAN 12/170. The Applicants claim that “it is forecast that there will be a roughly 85-95% penetration of Euro VI HDVs and a roughly 50-55% penetration of Euro 6 LDVs” by 2020. Significantly however they give no justification for this claim or source for the forecast. In contrast however, the NO2 Assessment Report prepared for ECC in 2013 has a very different assessment, with the expected penetration rates up to the 2018 date considered being low. The ECC Report also notes that the Highways Agency advice is that the IAN 12/170 methodology should be used for all future years unless and until it can be shown that the new vehicles are having a material impact on emissions.

148. The AQA appears to have taken no account of the other committed developments in the 2020 forecasts. At paragraph 4.7, the Applicants say they have used only the 2012 traffic data and the Applicants’ Transport Assessment forecast of development related traffic. No other development traffic has been factored in, and therefore the 2020 figures with and without development will be even further out. We have set out above a list of the committed developments which have not been included in the Applicants’ Transport Assessment.

149. The effect of these defects can be seen by comparing the AQA’s modelled outputs with the ECC AQA forecasts prepared both in accordance with IAN 12/170 and baseline without the IAN 12/170 adjustment, (for 2018 in the case of the ECC AQA and 2020 in the case of the AQA) (each in annual mean in microg/m3) – as set out below, the Applicants’ forecasts are significantly different from those of ECC under either basis. It should also be noted that the Applicants have chosen not to model any of their receptors at the exact locations of the UDC diffusion tubes. They should be requested to do so in order that a proper comparison can be made. As the Applicants have not modelled for 2018, it is not possible also to make a direct comparison with the ECC AQA; however, as the ECC AQA predicts a continuing increase in NO2 levels under the required IAN 12/170 methodology even without any further developments, one would expect the ECC AQA figures for 2020 to be even greater.

150. The Applicants’ Transport Assessment contains no queuing, or other flow, information for any of the principal Saffron Walden junctions where air pollution levels are currently above the legal maximum values. Given that traffic queues in particular are such a major contributor to the existing unlawful pollution levels, we do not see how the AQA can give a realistic assessment of the air quality impact of the proposed development.
151. Because of this, and for the other reasons set out below, we do not believe that the Applicants’ AQA allows one to formulate any reasonable view as to the likely impacts of the proposed developments on air quality in Saffron Walden.

6.2 Background - applicable planning policies

152. We note that in relation to air pollution, the NPPF provides as follows: “Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.” – paragraph 124.

6.3 Differences between the forecast pollution levels modelled by the Applicants and the ECC AQA

153. The air pollution concentrations modelled by the Applicants differ hugely from those prepared by ECC in the ECC AQA. There is no reason to doubt the ECC AQA, certainly compared with the Applicants’ AQA, which has been prepared for the sole purpose of supporting the Application. The differences can be seen below:

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<tr>
<td>R17 / UT5 Thaxted Rd / Radwinter Road junction</td>
<td>18.2</td>
<td>25.7</td>
<td>37.4</td>
<td>50.9</td>
</tr>
<tr>
<td>R11 / UT19 Debden Rd / London Rd</td>
<td>29.0</td>
<td>44.2</td>
<td>31.5</td>
<td>43.9</td>
</tr>
<tr>
<td>R7 (35 High St) / UT1 PO 41-45 High St</td>
<td>22.4</td>
<td>36.1</td>
<td>42.5</td>
<td>58.9</td>
</tr>
<tr>
<td>R7 (35 High St) / UT11 – 33 High St</td>
<td>22.4</td>
<td>36.1</td>
<td>25.4</td>
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154. The Applicants’ forecasts are markedly different from the ECC AQA forecasts, particularly around the worst affected areas, the Thaxted Road / Radwinter Road junction and the High Street. The same is the case whether or not the Applicants’ “sensitivity” analysis is used. The Applicants’ conclusion than there is no air quality issue as the predicted pollution levels are claimed by them to be below the legal limits clearly can’t stand up to any scrutiny. Pollution levels are forecast by ECC to stay well above legal limit values.

155. It should also be noted that these are just the forecast non-development levels; these levels would be considerably worse if the already committed developments and the Applicants’ development were also to be factored in.

156. It should also be noted that the ECC AQA forecasts are that NO2 levels at the High Street would be at 58.9 microg by 2018, only marginally below the 60 microg level at which it is likely that the one-hour mean figure for NO2 pollution will be exceeded. As can be seen, the Applicants’ claimed figures at the nearest receptors are completely different.

6.4 Potential air quality impacts of the proposed development

157. Unfortunately we do not have the ability or the resources to run an air quality model of the Saffron Walden roads which will be most affected by the proposed developments to demonstrate their likely effect on local air quality if assumptions in line with the traffic and air pollution inputs actually measured by UDC and ECC.

158. As we say above, it is clear that the Applicants’ AQA does not provide a reliable basis on which to base an assessment of the likely air quality impact of the proposed development.

159. We believe however that there must be at the very least a material risk that the proposed developments would give rise to a significant increase in air pollution, particularly at the Thaxted Road / Radwinter Road junction, the High St / George St junction and the London Road / Debden Road junction, which will be key routes for new residents travelling to work and which are already the most heavily polluted junctions in Saffron Walden.

6.5 The Application is in breach of the NPPF requirements for air pollution

160. The Applicant site is fundamentally unsuitable for a development of the kind proposed. It is too far removed from the town centre and day to day facilities. It is on the wrong side of town for all major transport connections, so that traffic must travel through streets which are already heavily congested and polluted, and there is very little employment in Saffron Walden, thus increasing the need to travel. The Applicants’ Transport Assessment shows how few Saffron Walden residents travel east or south of Saffron Walden to work (see their Appendix F). The effects on air pollution are obvious, and the Application should be refused.

161. The evidence base compiled by UDC on sustainability comes to exactly the same conclusion. As the February 2010 draft Local Plan (which was the last evidence-based plan) says, at paragraph 2.30: “The problems of placing significant development in Saffron Walden are the pressures it would place on existing green infrastructure, the secondary school, primary care, the impact on the road network/air quality and the work required to the sewage network.” Similarly at paragraph 4.3 it said: “Because the services and facilities, particularly the secondary school are at capacity and there is poor air quality at key road junctions opportunities for new residential development are limited.”
162. We believe that the 2009 AQMA Action Plan is the latest plan produced by UDC. We note its key aim (at paragraph 3): “The Council’s aim is to achieve a reduction in nitrogen dioxide levels to below the annual mean value of 40μg/m³ in each of the 3 AQMAs as soon as possible. In the early 2000s it seemed that improvements in road vehicle engine technology would bring the annual mean value to below the objective without any specific intervention at a local level, however the results of monitoring have shown a levelling off in this effect, due in part to increases in traffic and to other factors such as an increase in the primary amount of NO₂ emitted from vehicle exhausts”.

163. We also note again the requirements of paragraph 124 of the NPPF that planning decisions should aim to reduce air pollution to below limit values and that “Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.” Air pollution at each of the Radwinter Road / Thaxted Road junction, the Debden Road / London Road junction and the main High Street junction is above legal limit values already, and for the reasons given above the effect of the Application will be to worsen air pollution thereby increasing traffic flows and queuing at the junction. Paragraph 124 also requires that the cumulative impact of individual developments is taken into account, but this has been completely ignored by the Applicants, whose AQA focuses purely on the impact of the Application.

164. The Applicants’ AQA claims at paragraph 8.8 that the proposed development is consistent with the NPPF, but fails to give any justification for this claim, and the Applicants’ Transport Assessment and AQA show that the claim is clearly wrong.

165. Far from achieving compliance with the Air Quality Action Plan, the proposed development will do exactly the opposite, increasing traffic and pollution levels. The Application is therefore in breach of both of the NPPF requirements, to reduce pollution to below limit values and to ensure that development is consistent with the local air quality action plan. It will increase pollution and it is inconsistent with the local air quality action plan.
7 Lack of Any Education Provision

166. We have referred to the lack of education provision above in the context of the unsustainability of the Application, but set out our objections in more detail here.

167. We note that there is no intention to provide further education facilities despite the additional capacity that the proposed development will require, and absolutely no discussion of what provision might be provided. Nor is there any proposal for additional school facilities for Saffron Walden at either primary or secondary school level in UDC's draft local plan now that they have been removed following the March 2013 Position Statement.

168. ECC calculations show that this level of development would bring a need for an additional 15 pre-school, 37 non-sixth form secondary school and 55 primary school places, and yet absolutely no provision is planned. We note the contents of the ECC Education letter of objection to the Kier Application of 30 August 2013 and their request that the Application be deferred until proper provision for education can be made and that the Application should provide for pre-school and junior school provision. The same factors also apply to this application.

169. We also note the ECC statements in relation to the Kier Homes application in relation to the lack of education capacity in Saffron Walden:

"With regard to early years and childcare provision I am informed by Essex County Council’s Area Commissioner for West Essex Early Years and Childcare that there are two full day care provisions in the locality one of which is full and the other is close to capacity. The only other childcare capacity is two childminders one of which is currently full. It is therefore clear that there is insufficient pre-school provision to meet the needs of the proposed development.

At primary school level, the development falls within the primary admissions area of RA Butler Infant and Junior Schools. The infant school has a net permanent capacity of 225 places and according to the latest data available to Essex County Council the school is forecast to have 245 children on roll by 2017. The junior school has a net capacity of 300 places and is forecast to have 333 children on roll by 2017. Looking at the wider area, there is forecast to be a shortfall of 38 places across primary schools in Saffron Walden.

With regard to secondary education, Saffron Walden County High School has a net capacity of 1,882 places. The latest data shows, before new housing is taken into account, that there is likely to be demand for 2,050 places by 2017 and that once new housing is taken into account 2,111 places will be required. These pupil forecasts do not include demand from the proposal under consideration”

170. Despite the existing lack of school provision, there is absolutely no plan as to the provision of education places for the children living in the proposed development. The Application should be refused until there is a clear and deliverable plan for the provision of new school places within the timescale that the proposed new homes will be built. This should be the case at pre-school, primary and secondary levels.
8 Appendix - Traffic Survey of Rylstone Way and Associated Streets

171. Appendix content follows on next page.
Rylstone Way and Associated Streets – Traffic Survey 26 September 2013

Vehicles leaving / arriving at Rylstone Way from / to the South (ie from / to Thaxted / Peaslands Road)

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Key: C = car; V = van or bigger; B = bike; P = pedestrian

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Rylstone Way and Associated Streets – Traffic Survey 26 September 2013

Vehicles leaving / arriving at Rylstone Way from / to the North (ie from / to Saffron Walden)

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Key: C = car; V = van or bigger; B = bike; P = pedestrian
Response from WeAreResidents.org to draft Local Plan - Position Statement issued by Uttlesford District Council on 22 March 2013

Published: 11 June 2013

Dan Starr, Chair, WeAreResidents.org
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danstarr@weareresidents.org
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1 Introduction

1. This response is made on behalf of WeAreResidents.org in response to the position statement published by UDC on 22 March 2013 in relation to the draft Uttlesford Local Plan (the “Position Statement”).

2. We note that the Position Statement has not been published with a view to public consultation. We feel however that it is important that we respond to it, as there appears to be no justification for its production and its contents appear to be in breach of both the NPPF requirements for the production of a local plan and UDC’s own Statement of Community Involvement. The Position Statement also takes no account at all of the consultation responses submitted in response to the June / July 2012 consultation on the then draft local plan, including that submitted by WeAreResidents.org. We therefore wish to restate all of the comments made in our response to that consultation, which apply equally to the minor changes proposed by the Position Statement.

1.1 About WeAreResidents.org

Formed in 2011, WeAreResidents.org is the Saffron Walden based independent community group that cares about creating neighbourhoods for living and bringing up families. The group’s members care about many things including sustainable development, air-quality, traffic, creating and living in communities with vitality and verve. The group provides a strong voice for the views of residents of the Saffron Walden area and has recently won the Essex County Council divisional seat in the May 2013 elections, based on their localism advocacy platform and the desire to create and implement long range strategic plans for the area. The group enjoys the strong support of professionals in key and relevant professions.
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2 Detailed Response

2.1 NPPF Requirements

1. As a preliminary point, we note three of the key NPPF requirements for the production of a Local Plan, under paragraphs 155, 158 and 182 of the NPPF.

2. First, paragraph 155 of the NPPF requires that “Early and meaningful engagement and collaboration with neighbourhoods, local organisations and businesses is essential. A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made.”

3. Second, paragraph 158 of the NPPF requires that “Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.”

4. Finally, paragraph 182 of the NPPF requires that plans should be “Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;”

5. Each of these requirements seems to have been ignored or breached in the Position Statement, for the reasons we set out briefly below.

2.2 Statement of Community Involvement

6. Similarly, the current SCI has certain provisions that are relevant to the Position Statement, but which appear to have been ignored or breached. In particular:

   a. Paragraph 15.1 states that “The information and comments we obtain through participation and consultation with the community and stakeholders will be used to inform the Council’s decisions and shape any documents produced.”

   b. Paragraph 15.5 states that “At the end of statutory consultation periods the Officers will produce documents summarising the representations received, officer comments and recommended changes, with a justification for those changes. These reports will be considered by members of the Environment Committee who will make a decision on the recommendations. Members’ decisions will be reported in minutes of Council meetings.”

   c. Paragraphs 13 and 14 of the SCI contain more general consultation requirements, and seem to envisage that changes of the kind proposed in the Position Statement would be the subject of consultation, formal or informal – so far as we are aware this did not happen.

7. We note also that all of these provisions are replicated in the draft Statement of Community Involvement, the public consultation period in respect of which has recently closed. These are clearly on-going provisions of relevance. As we said in our formal response to the consultation on the proposed new SCI, we have concerns that the provisions of the existing SCI are not being observed.

8. It is also entirely unclear to us what status the Position Statement has, and what approval process, if any, it has been through. We have reviewed the minutes of the LDF Working Group, which we assume is the committee which should have had responsibility for supervising and approving the Position Statement, but we can find no mention of the Position Statement even being presented to it, let alone being considered by it or approved by it. This appears to be in breach of paragraphs 15.3 and 15.4 of the current SCI. We note that the Position Statement was added to the papers for the Cabinet meeting on 26 March late, giving very little time for any public in-put – again we are not aware of any justification for this. We also note that the
minutes of that meeting noted the Position Statement but did not approve it, and the Position Statement was not approved, or even noted, at any full Council meeting. The Position Statement therefore appears not to have been approved by any committee of the Council or by the Council itself.

### 2.3 Failure to consider responses to June / July 2012 public consultation

9. The Position Statement totally ignores the feedback from the June / July 2012 public consultation. At paragraph 2, the Position Statement says that "The LDF Working Group still has to consider the representations received regarding the Strategic Housing Allocations and the Site Allocations". We find it incredible that 8 months after the consultation finished, UDC have not even bothered to consider the public responses. It is even more incredible that UDC have decided therefore simply to ignore them and publish the Position Statement.

10. This failure to consider the public consultation is clearly in breach of the SCI (including the provisions of the draft proposed replacement SCI), and the provisions of paragraph 155 of the NPPF as set out above.

### 2.4 Continued lack of evidence

11. The Position Statement has been published with a complete disregard for the underlying reports and evidence necessary to substantiate the current proposed housing allocations. We are not aware of any evidence that has been produced to substantiate the draft Local Plan issued for consultation in June 2012 or to justify that it is represents a sustainable option for Uttlesford. The evidence base prepared by UDC prior to June 2012 shows very clearly that a plan based around housing Option 4 is the most sustainable option for Uttlesford, and no evidence of which we are aware has been prepared to show otherwise.

12. We note that there is still no plan for education, primary or secondary, and no highways or air-quality assessment or report. We note that the Position Statement says that:

3. The Highway Impact Assessment the Council commissioned from Essex Highways is subject to further work and review, but initial assessment of 10 key junctions suggests that the potential increase in traffic which would result from the proposals for additional development in Saffron Walden could be accommodated by the road network with mitigating measures. The link road associated with development east of Thaxted Road would be an essential mitigating measure. Further sensitivity testing of work on the air quality implications of this scale and location of development has still to be completed.

4. The inclusion of the above policies with the proposed amendments is therefore dependent on the following:
   - Validation of air quality monitoring data for 2012 and its input into the model in place of 2011 data.
   - Consideration of how many low-emission vehicles there will be in the predicted traffic flows in Saffron Walden during the latter part of the plan period.
   - Consideration of how likely air quality objectives will be met beyond 2018.
   - The rate of progress in identifying more specific primary health care capacity proposals with the NHS.”

13. As with the June 2012 Consultation, the Position Statement has therefore been produced without the necessary supporting evidence, in clear breach of paragraphs 158 and 182 of the NPPF.

14. We also note the Inspector’s conclusions in the Melton Borough Core Strategy Public Examination (a copy of which we attach), and in particular his comments that:
a. "the strategy is unjustified as the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence." (para 18 - 2nd conclusion); and
b. "It is also worth recording three other matters: (i) the Core Strategy attracted significant opposition at the public consultation stage with a 2,500 signature petition submitted against the preferred option (ii) when serious shortcomings were identified in the SA, at the Pre Hearing Meeting held in December 2012, this again attracted a significant number of fundamental objections from local residents, and (iii) the plan is seeking to deal with an extremely complicated situation but fails to deal properly and comprehensively with circumstances which are likely to arise." (para 19).

15. In our view, this decision sets a benchmark against which other plans should be assessed. In particular, we expect UDC (1) to justify their proposed strategy as the most appropriate when considered against reasonable alternatives, based on proportionate evidence and (2) to take note of the weight attached by the Inspector to the fact that that the Melton Borough Council Plan attracted significant opposition both at the public consultation stage and subsequently, when serious shortcomings had been identified. There are currently no signs of which we are aware that the UDC Cabinet appear to be intending to pay any regard to the 99% opposition to their last draft Local Plan received in the June / July 2012 consultation.

2.5 The Position Statement proposes a 13 year not a 15 year plan

16. The Position Statement formally states that the end date of the housing strategy has been moved back from 2028 to 2026 – we do not believe that there is any possible justification for this. This lack of a 15 year forward horizon is in direct breach of s.157 of the NPPF.

17. The only material change since the documents showing that Option 4 was the best alternative is that UDC have unilaterally decided to back-date the plan by 2 years, and therefore effectively adopt a 13 year plan rather than a 15 year plan. This runs completely counter to the NPPF requirements, and we cannot see any possible justification for the UDC Cabinet having taken the position they have, and we intend to make a separate formal complaint about this. We note in the meantime the inspector’s report following the Melton Borough Core Strategy Public Examination which states clearly that the back-dating of plans is not legitimate and that 15 years forward-looking is the minimum requirement.

18. We note in this regard the contents of the letter issued by Councillor Rolfe to the Saffron Walden Reporter of 23 May 2013 in which he states clearly that Option 4 is the best option for Uttlesford to accommodate a 4,300 housing requirement over 15 years. His letter further says that Uttlesford have a 3,400 housing requirement over the next 13 years; adding in the continued EDGE 3 growth of 415 new homes per annum would give a further 830 homes if a 15 year plan were adopted, and a total of 4,230, the same as that originally contemplated. The current proposals are therefore in breach of paragraph 182 of the NPPF.

19. We believe that in pursuing the 13 year Plan UDC is acting unlawfully, in the sense that we do not believe that any reasonable district council, acting properly, would be pursuing such a plan. We also believe that it is doing so for an improper purpose – there has been no suggestion that there is any proper purpose in pursuing a 13 year term, and our belief is that it is being pursued by UDC purely as a device to pretend that the number of homes required in Uttlesford is less than the threshold they have self imposed to justify Option 4. The Position Statement should be viewed against this background.

2.6 Justification for the Position Statement

20. We do not understand the justification for the production of the Position Statement. The only material change to the proposals contained in it relate to a reduction in the housing requirement for Newport. This
Response to Draft Local Plan - Position Statement
issued by UDC on 22 March 2013 | 7

does not seem remotely like a justification for producing the statement, particularly as there is so much supporting evidence still not ready.

21. We note that the Position Statement was published just one week before the opening of polls for the local elections, and that Newport was the only district to have a by-election for their district councillor. We can see no proper purpose for the issue of the Position Statement, and have concerns therefore that it was issued for an improper purpose, namely to attempt to influence the by-election.

2.7 Response to the June / July 2012 consultation

22. Finally, we note again that the responses to the June / July 2012 consultation have not yet been considered, and that the Position Statement does not take account of any of the responses we made. We therefore wish to record that our consultation response applies equally to the Position Statement.

23. We note also the absence of any comment in the Position Statement on the status of the proposed Spatial Strategy. We maintain our objections to the proposed Spatial Strategy and note the continued lack of any evidence-based justification for the proposed Spatial Strategy as set out in para 7.2 of the draft Plan or any analysis of reasonable alternatives.

24. To the extent that UDC may be considering giving any weight to the draft Plan, or to the Position Statement, in accordance with paragraph 216 of the NPPF, in relation to any specific plans for development before its formal adoption, we maintain that this would be entirely inappropriate in view of the extent of material unresolved objections to the draft Plan.

2.8 Lack of proper authority in publishing the Position Statement

25. It is entirely unclear to us what status the Position Statement has, and what approval process, if any, it has been through. We have reviewed the minutes of the LDF Working Group, which we assume is the committee which should have had responsibility for supervising and approving the Position Statement, but we can find no mention of the Position Statement even being presented to it, let alone being considered by it or approved by it. We understand that in fact the LDF Working Group had indeed never been consulted on the Position Statement. This appears to be in breach of paragraphs 15.3 and 15.4 of the current SCI. The Position Statement was added to the papers for the Cabinet meeting on 26 March late, giving very little time for any public input – again we are not aware of any justification for this. The only time pressure of which we are aware for rushing out the Position Statement was the impending local elections, which commenced on 26 March 2013. This is obviously not a permissible reason, but we are aware of no other. The minutes of that meeting noted the Position Statement but did not approve it, and the Position Statement was not approved, or even noted, at any full Council meeting. The Position Statement therefore appears not to have been approved by any committee of the Council or by the Council itself, and it is unclear therefore who had the authority to publish it.

WeAreResidents.org

June 2013
WeAreResidents.org formal response to the Uttlesford District Council July 2012 Consultation on Proposals for a draft Local Plan

Published: 22\textsuperscript{nd} July 2012

Contact: Dan Starr
udcplan@weareresidents.org
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1 Introduction

WeAreResidents.org strongly object to the proposed July 2012 draft of the Uttlesford District Council (UDC) Local Plan because of poor sustainability, lack of required local job creation, traffic and emission impacts as well as other issues. WeAreResidents.org cannot understand why UDC are proposing a Spatial Strategy which is so clearly contradicted by the evidence base that they have spent the last five years compiling.

UDC’s evidence shows that Saffron Walden, Great Dunmow and Newport cannot sustain the level of development now proposed; WeAreResidents.org urge UDC review the information presented in this document, along with the more than 3,100 individual opposition letters collected in Saffron Walden, and revert to the UDC’s long-held and evidence-supported position of primary development in a new settlement.

The following document provides the detailed and formal response from WeAreResidents.org to UDC as part of UDC’s public consultation process that ends on 23rd July 2012. It references the draft UDC Local Plan and other supporting documentation provided by UDC on its website at http://www.uttlesford.gov.uk/main.cfm?Type=DU&MenuId=1256.

1.1 About WeAreResidents.org

Formed in 2011, WeAreResidents.org is an independent community action group of like-minded individuals that care about creating neighbourhoods for living and bringing up families. The group’s members care about sustainable development, air-quality, traffic and living in communities with vitality and verve.
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WeAreResidents.org formal response to the Uttlesford District Council July 2012 Consultation on Proposals for a draft Local Plan | 3
Appendix: A summary of UDC’s previous statements on the advantages of a new settlement (Option 4) compared to distributing housing across the district (Options 1-3)

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2 Formal Response

2.1 District Profile

1. We note the statement in the District Profile that “Because of the rural nature of the district car ownership levels are high and public transport is limited.” This is true to an extent, but is not the only reason that car ownership levels are high. Much of the Uttlesford population lives in towns. Far more could be - and should have been – done by UDC to increase sustainable travel, whether by public transport, or by increasing walking and cycling.

2. The reason that car ownership is high in the district is in part due to its rural nature, but in great part due to UDC’s continued failure to promote sustainable travel modes in the district, and to plan for patterns of development that will reduce the need to travel. This failure is perpetuated in the Spatial Strategy now proposed by UDC in the draft Local Plan. Instead of following their own evidence base and planning to site most of the necessary housing development via a new settlement in a sustainable location where the need for travel, generally and particularly by car, can be reduced and sustainable transport optimised, UDC is now proposing that the vast majority of Uttlesford’s housing need be built either in Great Dunmow, which does not even have a nearby rail station or on the furthest side of Saffron Walden from its nearest railway station. The nearest railway station to Saffron Walden, Audley End station, is of course not even in Saffron Walden, but in Wendens Ambo - some 3 miles away from the proposed new development sites.

3. We note the complete failure by UDC to implement the April 1999 “Uttlesford Cycle Network Plan”; according to the existing Local Plan, adopted in 2005, this should have been long since adopted. Instead, we are not aware that a single part of it has been implemented anywhere in Uttlesford, notwithstanding the clear benefits identified.

4. We believe that this statement is therefore misleading as it stands and should be amended – it disguises the real nature of the transport issues in Uttlesford, and UDC’s failure to plan sustainably for transport. We do not see how the revised Local Plan can be properly sustainable unless it recognises this.

2.2 District Vision

5. We note that the District Vision to 2028 is considerably less sustainable than the district vision to 2021 which had been held by UDC in the five years prior to the publication of the Local Plan.

6. The most recent previous statement of the district vision is the draft Local Plan put out for consultation in February 2010. The February 2010 District Vision exactly reflected the November 2007 District Vision – as the February 2010 District Vision says on p.31: “The Council is not suggesting any changes to the vision in this consultation”. Both the November 2007 and the February 2010 drafts were the subject of extensive public consultation and we are aware of nothing, whether in UDC’s evidence base or the consultation responses, that justifies UDC’s sudden change of approach. There was no suggestion in the January 2012 DPD Consultation that there would be any change to the District Vision, and we are unaware of any previous consultation on these changes; moreover, the current consultation contains no justification or explanation of the changes.

7. Not only can we see no reason for this change, but it is in direct contradiction of the core aim of the National Planning Policy Framework (“NPPF”), that development control should above all focus on
sustainability. In particular, all of the following provisions have been discarded from the current draft Local Plan:

- a network of footpaths and cycleways will exist throughout the District;
- our countryside, its habitats, agricultural, cultural and visual qualities will be protected and accessible to all;
- the district’s high quality natural and historic environment and richness in biodiversity will have been maintained and environments requiring improvements will have been enhanced;
- all development will be as close to carbon neutral as possible;
- water supplies and demand will have been managed to a sustainable balance;
- there will be accessible, high quality health services and effective promotion of healthy living will mean that healthy lifestyles are available to all.

8. We can see no justification for dropping these Vision statements. They go to the heart of environmental and social sustainability, and their omission further reflects UDC’s general disregard for sustainability, particularly environmentally and in travel policy.

9. If one considers just the first aspect of the District Vision which has been discarded, as set out above, that “a network of footpaths and cycleways will exist throughout the District”:

   a. there are currently just two cyclepaths serving the whole of Uttlesford. One of those, at the edge of Saffron Walden stretches barely 200m – Uttlesford is in desperate need of cyclepaths;

   b. promoting travel by foot and cycle would inevitably have an impact on promoting healthy lifestyles and is therefore both environmentally and socially sustainable, two of the three pillars of the NPPF. If done properly, a network of footpaths and cycle paths should also retain residents in Uttlesford, who would otherwise have to travel to South Cambridge district for cycle facilities, and attract leisure tourism, and should therefore be economically sustainable as well;

   c. we note again UDC’s complete failure to implement any of the provisions of the 1998 Uttlesford Cycle Network Plan, although it was expressly a part of the 2005 Local Plan. We also note the cycling objectives and the benefits, economic, environmental and social, identified in Section 1 of that Plan. All of those remain just as valid – and in fact even more so – now than they did 14 years ago when the Plan was published. We can see no reason for UDC’s continued refusal to implement any cycle-related improvements anywhere in Uttlesford – its stance is completely contrary to the Government’s sustainability requirements; and

   d. the Essex County Council Local Transport Plan 2011 identifies six travel Priorities for the West Essex local centres, including Great Dunmow and Saffron Walden. These include “Improving cycling and walking routes and promoting their greater use”. The changes made in the latest District Vision directly contradict this Priority.

10. The February 2010 District Vision also included an aspiration that “the houses and facilities people need will be available and affordable locally”. We can understand that in isolation this is unrealistic, but there should be an aspiration to achieve this insofar as reasonable practical or realistic. This again has been discarded.

11. We note also that the District Vision in relation to new housing development has changed completely from the February 2010 consultation. We disagree with this change, and address it below under “The Spatial Strategy” and “Strategic Policies SP5-SP7 – Housing Strategy”. Those comments should be reflected in
relation to the District Vision, and we believe that there are no reasonable grounds for UDC to have moved to the new housing strategy suddenly proposed in January 2012. As we say below we are aware of no evidence which justifies such a change.

12. The changes to the District Vision are in direct opposition to the key requirement for sustainability which runs through the NPPF. We do not believe that as now drafted the sustainability, or rather the lack of sustainability, of the Local Plan provisions is in overall compliance with the NPPF.

13. To be sustainable, the District Vision should therefore revert to the form in which it existed from at least November 2007 until the current consultation.

2.3 ‘‘Objectives’’

14. We note that the Local Plan Objectives have now suddenly changed materially from those previously included in all previous consultation documents. The November 2007 and February 2010 consultations set out the Local Plan’s objectives and, save for a minor change in relation to Stansted Airport, there was no change between them. The Objectives were then repeated almost verbatim in paragraph 3.6 of the January 2012 DPD Consultation on the Development Management Policies, and were specifically stated to form the basis for the Development Management Policies which were then being consulted on. There was not even a hint in that Consultation that any change to the Objectives would be proposed, and the changes now being proposed presumably invalidate the January 2012 Consultation.

15. The Local Plan Objectives had therefore existed in a largely settled form for almost 5 years prior to the current draft Local Plan. No reason for the sudden change of approach has been given by UDC, and all of the changes are, as with the changes to the District Vision, in direct conflict with the overriding NPPF requirement for sustainability. We find it astonishing that UDC can now propose such material changes to the key objectives at this 11th hour stage, and after such a consistent approach for five years over three sets of previous consultations.

16. In particular, we note that the following Objectives, which were included in all previous drafts, have now been omitted in the current Consultation:

- to protect and improve existing cycling routes and footpaths. To provide new routes as part of new development which will improve network connectivity making it easier for people to walk and cycle;
- to protect and enhance the natural environment, including its biodiversity and the historic environment through positive improvement;
- to minimise the impact of poor air quality on local biodiversity, in particular on Hatfield Forest and SSSI’s;
- to support the well-being of Uttlesford residents by delivering safe, attractive and healthy places to live and making sure health facilities and other community facilities e.g. for sport are provided to meet current need and the additional requirements from any new development.

17. We note also that none of the responses made by Saffron Walden & District Friends of the Earth in relation to the Objectives in response to the January 2012 Consultation have been reflected in the revised Objectives.
18. All of the objectives now omitted go to sustainability, and the sustainability of the current draft is greatly reduced without them. As we say above, the overriding principle of the NPPF is sustainability, environmental, economic and social. We wish therefore to see the previous Objectives set out above reincorporated in the Local Plan, and the changes requested in the Saffron Walden & District Friends of the Earth response to the January 2012 Consultation made. For ease of reference, we have set these out again below:

1. “Objective 3 – whilst we recognise that the nature of Uttlesford means that travelling is inevitable, there is much that could be done to reduce it. We would like Objective 3 to be amended so that its aim is to reduce the need to travel generally, and particularly by car. We note the comments made previously in relation to more outlying development, but do not believe that this change should constrain properly sustainable development in more remote areas;

2. Objective 12 – we would like to see this objective also specifically referring to protecting the vitality and viability of the town centres and clarification that “their” in the third line refers to the town centres rather than Saffron Walden and Great Dunmow as a whole. We also believe that as currently expressed, Objective 11 is in breach of PPS4. To accord with the objectives of PPS4, growth should only be supported if it satisfies the objectives set out in paragraph 10 of PPS4, in particular that it is both sustainable and it promotes the vitality and viability of the towns. See also policies EC1 to EC6 of PPS4. We believe that this is equally relevant to the NPPF in its current form;

3. Objective 18 – we would like to see this amended to include a commitment to improving air quality and particularly in Saffron Walden to reducing air pollution to below legal maximum limits. Objective 18 should be rephrased in more positive terms, that the Council will take steps to improve the air quality etc of the area, and will resist developments which might materially worsen air quality or where legal limits would be or are already breached. We also note in this regard the expectations that the House of Commons Environmental Audit Committee have for local authorities in this regard as expressed in their March 2010 report and the existing DEFRA guidance.”

19. We would also like to see the previous Objective 4 (“to protect and improve existing cycle routes and footpaths”) expanded to bring it in line with the District Vision as previously stated. Given that the District Vision envisaged a network of footpaths and cycle paths existing throughout Uttlesford, and that there is currently only one cycle path of any significance in the whole of Uttlesford, this Objective should be to expand the network of cycle routes and footpaths in Uttlesford.

20. We would also like to see Objective 6 in the current draft Local Plan amended by deleting “but recognising the continuing role that the car has in meeting transport and accessibility needs in this rural area”. We can see no need to make this statement, and the continued emphasis on car use goes against all key sustainability principles and indeed the title of Objective 6 “Sustainable travel”. The amendment is suggested to try to make the Core Strategy sustainable, which we do not believe it currently is.

2.4 “The Spatial Strategy”

21. We disagree with the revised Spatial Strategy as now contained in the June 2012 Consultation documents. The revised Spatial Strategy is not sustainable, and the evidence base prepared by UDC since 2006 shows this clearly. Councillor Barker has reported to the Scrutiny Committee that the revised Spatial Strategy is effectively a variant of the Option 2 previously considered and dismissed by UDC. Given that Option 2 received the lowest score of the four main Options in UDC’s last Comparative Sustainability Appraisal, in
January 2010, and given the core requirement for sustainability in the NPPF, this seems to us to be perverse in the extreme.

22. Since 2006, UDC has devoted a considerable amount of resource to the development of its Spatial Strategy, and the consideration of the potential alternatives for growth. The principal four growth Options (Options 1 – 4), and their variants, have been assessed on a number of occasions. On each occasion, Option 4 (i.e. a growth strategy founded around a new settlement) has been shown to be clearly the best option. UDC has commissioned two comparative sustainability assessments, in November 2007 and January 2010, and both of these were clear that a new settlement was the most sustainable option.

23. The November 2007 Comparative Sustainability Appraisal was the first comparative sustainability appraisal commissioned by UDC on the new draft Local Plan. It concluded clearly that Option 4 (i.e. a new settlement) was the most sustainable. We note the statements made in it, such as the following, at pp 90/91:

“The SA process therefore identifies the most sustainable and environmentally acceptable development solution, from the Options provided, for future growth within the District.

A holistic assessment of all of these considerations, as set out in Table 4, lends itself to the selection of Option 4 as the recommended Preferred Growth Option. Growth Option 4 proposes the development of a new settlement to the North East of Elsenham. The option to develop a new settlement to the North East of Elsenham, in itself, scores comparatively highly (positively) against the sustainability objectives. This option is reinforced by its direct contribution to reducing the extent of development within the existing towns and villages of the district which would otherwise occur. Therefore both facets of Option 4 score comparatively highly against the objectives against alternative Growth Options 1, 2 and 3.

Table 4 demonstrates that opting to expand the existing settlements leads to a greater number of negative socio-economic and environmental impacts and highlights a defined difficulty in mitigating against these negative impacts. This is largely due to the difficulty of providing appropriate facilities and infrastructure (i.e. sports facilities, schools, primary health care etc.) that increased development inherently demands of each existing settlement area. Conversely, development of a new settlement to the North East of Elsenham alleviates this issue as it allows facilities and infrastructure to be appropriately designed into the development plan from concept. Furthermore, many of the existing settlements, in particular the large towns in the District, already have considerable development committed to them and a new settlement near Elsenham will provide greater protection to key aspects in relation to this, such as historic importance and the intrinsic character of the existing towns and villages.”

24. We note that the November 2007 assessment identifies both significant positive benefits of the new settlement route and also the significant negative impacts on the existing settlements which would occur if significant new development were to be directed there. Yet this is exactly what UDC is now proposing. All of these significant negative impacts have now been ignored by UDC in proposing their new Spatial Strategy.

25. We note also that the findings of the November 2007 applied generically to a new settlement and that the advantage of a new settlement was not linked to the particular site at Elsenham (although at that stage it was the only such site identified). As the November 2007 Preferred Option Consultation said (at paragraphs 6.51 – 6.63):
a. (at paragraph 6.56 on p.48), “The sustainability appraisal has been undertaken to predict the effects of implementation and to identify appropriate and practicable recommendations for mitigating significant negative outcomes and maximising the positive outcomes under each option. The Sustainability Appraisal process therefore identifies the most sustainable and environmentally acceptable development solutions for future growth within the District.”

b. (at paragraph 6.57 on p.48), “Growth Option 4: one new settlement with minimal expansion to existing settlements, compared to the other three options, is the most sustainable solution.”

26. Finally, we note the overall conclusion of the November 2007 Comparative Sustainability Appraisal, that: “The detailed assessment presented in Table 4 has demonstrated than overall greater positive outcome and reduced negative outcome is reached selecting Growth Option 4 and as a result this is viewed as the most sustainable option for the District”.

27. The evidence in favour of Option 4 was confirmed in the January 2010 Comparative Sustainability Assessment, which reached exactly the same conclusions. We note Section 12 of that assessment, which sets out the Overall Conclusions, and in particular:

a. the comparative scoring system adopted by UDC and summarised at Table 12.1 shows that Option 2 (on which the now proposed Spatial Strategy is based) is the worst of all the main 4 Options considered. We note the comparative scores as follows:

i. Option 1, 25;
ii. Option 2, 24;
iii. Option 3, 24; and
iv. Option 4, 32 for Elsenham, 29 for Great Chesterford and 27-28 for the other sites which the December 2011 Strategic Housing Land Allocation Assessment has now found to be unsuitable;

b. we recognise that the scoring system adopted by UDC is a blunt instrument and has been criticised – its conclusions do however reflect the overall conclusions of UDC stated elsewhere;

c. opting to expand existing settlements leads to a greater number of negative socio-economic and environmental impacts and highlights a difficulty in mitigating against these negative impacts (para 12.3);

d. Option 4 is supported by key consultees like English Heritage and Natural England. The extent of English Heritage’s concerns is reflected in the précis of their comments at paragraph 4.4 of the January 2010 Comparative Sustainability Assessment: “English Heritage in their representations have expressed concern about the potential impact of additional development on Great Dunmow and Saffron Walden. They advise that both settlements have a high sensitivity to change having already been subject to considerable recent expansion. English Heritage’s view is that recent development on the edge of Great Dunmow has not been well integrated or designed to respect the character of the town and the capacity of Saffron Walden is also constrained due to its historic character and street pattern. English Heritage concludes that the concentration of development is likely to offer the best option in terms of preserving the rural character of the district overall and supports the preferred option”; and

e. a new settlement would benefit from economies of scale in incorporating renewable and low carbon technologies.
28. The Emerging Spatial Strategy in the February 2010 Consultation was clear that significant development of the existing centres was not sustainable, and therefore the Emerging Spatial Strategy focussed on a new settlement. The evidence compiled by UDC shows that Saffron Walden is unsuitable for significant future development, and the sustainability of continued expansion of Great Dunmow is restricted by its lack of a railway station. As the February 2010 Consultation said:

a. (at paragraph 4.3 on p.26 in relation to Saffron Walden) “Because the services and facilities, particularly the secondary school are at capacity and there is poor air quality at key road junctions opportunities for new residential development are limited”;

b. (at paragraph 4.7 on p.27) “Because of the constraints identified in the existing settlements in Uttlesford, the chief focus for growth in the District will be the creation of a new market town based on the expansion of the key service centre at Elsenham.”

The sudden change in UDC’s Spatial Strategy is directly contrary to these findings.

29. The December 2011 SHLAA found that both of the preferred sites for a new Option 4 settlement (at Elsenham and Great Chesterford) were suitable and available and both were potentially achievable.

30. We note that the January 2012 consultations on The Role of Settlements and Site Allocations and on Development Management Policies were specifically not consultations on the Core Strategy, and that UDC made clear that at that time Option 4 remained its preferred strategy. It was reasonable therefore to infer that the Role of Settlements and Site Allocations consultation was primarily for the purpose of allocating the residual housing need after the new settlement housing allocation had been made. We also note that notwithstanding that the January 2012 consultations were explicitly not on the Spatial or Housing Strategies, and indeed that a majority of responses were against the proposed strategies, UDC appear to have tried to use the responses to those consultations as support for the Spatial and Housing Strategies now proposed.

31. The Spatial Strategy now proposed represents a dramatic change of approach from the steadily evolving spatial strategy which had hitherto been presented by UDC at all times prior to June 2012. The Spatial Strategy as now proposed is unsupported by any evidence and is in direct conflict with all of the previous sustainability assessments compiled by UDC. The brief summaries of Saffron Walden and Great Dunmow contained in the Spatial Strategy section completely gloss over the major negative issues associated with the Spatial Strategy now proposed (“significant negative outcomes” as the 2007 Preferred Option consultation termed them):

a. no mention is made of the negative impacts of large scale developments on the towns which have been identified in the previous consultations;

b. the Saffron Walden paragraph mentions the poor air quality at key road junctions, but completely ignores the findings of the December 2011 SHLAA in relation to the sites proposed (at Appendices 7 and 8 to the SHLAA) that the proposed link road is unlikely to provide a solution, or the fact that ECC Highways and UDC have been trying and failing for a number of years to reduce air pollution at these junctions;

c. the Saffron Walden paragraph similarly glosses over all of the issues associated with the County High school being at capacity which have been raised in the previous assessments and consultation documents. No consideration has been given to whether expansion of the County High School is achievable or to the social effects of a new secondary school if it is not. The strategy refers to a potential extension to the County High School, but we find this highly questionable. The County
High School is already one of the largest schools in the country, with more than 2,000 pupils and 10 forms in each year group, and it is highly unlikely that it would wish to expand materially; neither do we believe that there is any prospect of it wishing to separate its hugely successful 6th form from the rest of the school to create extra space. We are not aware of any public proposals or discussions with the County High School to address this issue – certainly there has never been any consultation on it or any thought through solution suggested. This appears to be yet another example of how abrupt and ill-thought through the new Spatial Strategy is;

d. no mention is made of the fact that the Saffron Walden proposed sites are on the most inaccessible side of town, remote from the nearest railway station and access to the major link roads. Their locations are clearly unsustainable in transport terms; and

e. Great Dunmow has no railway station, and therefore starts from an unsustainable transport situation. It is a nonsense to suppose that its bus connections to Stansted Airport’s train service will compensate to any material extent.

32. We note also that the Spatial Strategy summary of the “Key Villages” says that “limited additional development” is proposed in Newport, but that the Strategy itself envisages that a large development of 375 new homes will be built in Newport – the statement and the proposal appear to be inconsistent. 375 new homes is a 40% increase in Newport, hardly limited.

33. As far as we are aware, no evidence has been produced to justify the new dramatically changed Spatial Strategy or to provide any sort of comparative sustainability assessment to the previous Emerging Spatial Strategy, which has always been preferred. We understand that the single reason put forward by UDC for the change of strategy is that their calculation of the number of new homes required in Uttlesford in the 15 year plan period is now 9,870, compared to the previous requirement of 10,150 (a difference of only 280 homes, or 3% of the total requirement), and that taking account of existing permissions this reduces the number of homes still to be built in the plan period from 3,917 to 3,314 (603 or a 15% reduction). UDC has therefore said that Option 4 is no longer sustainable because the 3,000 homes required for a new settlement would leave insufficient homes for development elsewhere. No comparative analysis has however been performed, and no comparative sustainability appraisal published, and so UDC have no evidence on which to assess their new strategy against Option 4. Given that Option 4 has so clearly and consistently been shown by UDC to be the most sustainable strategy, we believe that an unsupported change of strategy of this magnitude is perverse.

34. Moreover, we do not accept the underlying rationale for the change of strategy:

a. the changes in the numbers of homes required are incredibly small differences to justify such a change, as the percentages we have cited above show;

b. the calculation of new homes performed by UDC and adopted for the purposes of the revised Spatial Strategy is the lowest number of houses permissible – most other bases of calculation prepared by UDC show more houses would be needed, as can be seen in Table 4 of the June 2012 Consultation, and therefore the 3,314 should be seen as very much a minimum. Not only that, but paragraph 12.19 of the draft Local Plan specifically says that the 9,870 is a minimum (although that is not mentioned elsewhere), and therefore even UDC sees the 3,314 as a minimum figure;

c. the model adopted by UDC to calculate the need for 3,314 more homes in the plan period shows that there will be a continued requirement for 338 homes per year after the plan period. If the plan period was extended from 15 to 17 years, the number of homes required would be back at the 4,000
level which has underpinned the UDC strategy since 2007, and the requirement would have increased to an additional 5,000 homes by 2030, the end of the period used by UDC;

d. previously (as paragraph 5.11 of the November 2007 Preferred Options consultation says) UDC has made a 10% allowance for sites not coming forward – this now appears to have been discarded. Given that circumstances have changed since the 10% allowance was dropped in the February 2010 consultation, we are concerned as to whether not having any such allowance is reasonable;

e. nowhere in any of the previous consultation or strategy documents published by UDC can we find any reference to any material concerns about the sustainability impacts of home building in any of the existing settlements being too low – the 2007 and 2010 Comparative Sustainability Assessments do not identify it as a significant issue anywhere and it is not highlighted as a basis for choosing between the Options 4(i)-(vi) in 2010. The UDC focus has always been on too much housing in any settlement. We certainly do not believe that it is an issue which is sufficiently material to justify the strategy change which has been made;

f. no proper comparative appraisal has been made, and no assessment has been made of the number and location of new homes built or permitted since 2007 to assess whether they would address any such issue;

g. in any case, the obvious strategy solution if the 3,314 outstanding homes target is too small, and if it cannot be accommodated by extending the plan period by two years, is to increase it. As we have said, the differences between the old and new requirements are not high – and in any case the calculations are only broad estimates and cannot be as precise as UDC’s approach would suggest. Nowhere have we seen any calculation by UDC of what number of homes they consider is needed to support the Emerging Spatial Strategy as consistently supported by UDC prior to January 2012. If required, increasing the homes target slightly would of course also be directly in line with the NPPF and national Government strategy;

h. whilst it is acknowledged that the new settlement would need key elements of infrastructure to be provided in advance such that the development of houses, schools etc. could not come on-stream immediately, it is considered that this need not inhibit the need, identified in the NPPF, for the Council to have “.....a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements.....”. This is on the basis that the ‘Other Residential Allocations’ will contribute to this (with the exception of Woodlands Park which is being developed much more slowly than was originally envisaged) as will any previously-developed sites which come forward in the short term either through the plan or on a ‘windfall’ basis. The effective programming of such sites has the potential to demonstrate compliance with this requirement of the NPPF;

i. the current consultation takes no account of the need to identify sites for on-going development after 2028. As can be seen on p.34 of the June 2012 consultation document 2,394 homes had been granted planning permission at 2011 but are not yet built. There will always be a time lag between granting planning permission and building the required housing. Because of the need to keep planning for the future, the housing need at 2028 will need to provide both for the number of homes to be built by 2028 and also for the number of planning permissions which will need to have been granted at that time for development after 2028. At the moment, UDC is planning only on the basis of the number of houses to be built by 2028. They are ignoring the need to identify locations for housing for which planning permissions will be granted but not implemented at the end of 2028, which cannot be correct; and
j. no consideration is given to the future either in that the new Spatial Strategy has no ability to expand or adapt for on-going housing need after the current plan period. In 5 years’ time, UDC will be required to update their future housing requirement, and the necessary increase at that stage will further exacerbate all of the negative impacts associated with concentrating development in the existing settlements. A strategy based around a new settlement would be able to provide for expansion of the new settlement as well as sustainable expansion of existing settlements.

35. The only attempt by UDC to justify the change in strategy of which we are aware is the 10 May 2012 briefing paper prepared by Councillor Barker to the Cabinet. This attempt to compare the now proposed Option 2 variant strategy now proposed with the Option 4 strategy centred on a new settlement at Elsenham. It makes no attempt at all to compare the new strategy with a new settlement north-east of Great Chesterford – given that the 2010 Comparative Sustainability Analysis had shown clearly that both Great Chesterford and Elsenham were much better than an Option 2 proposal, and the December 2011 SHLAA had shown that the site to the north-east of Great Chesterford was preferable to Elsenham, we find this astonishing, and question why no proper comparison was performed.

36. The 10 May 2012 note is extremely limited and perfunctory, draws unsustainable conclusions, ignores the evidence base previously compiled by UDC and referred to in this submission, and is contradicted by much of that evidence base, including in particular the previous 2007 and 2010 Comparative Sustainability Appraisals. Councillor Barker in the 10 May 2012 note attempts to perform her own comparative sustainability assessment of Option 4 and the new option, and comes to a completely different conclusion from the previous Appraisals, but on the basis of no new evidence, and indeed despite the more recent evidence, such as the ELR (referred to below) pointing in favour of Option 4 and against development in Saffron Walden particularly.

37. The 10 May 2012 note cannot possibly form a reasonable basis on which to base a new strategy. For example, quite apart from the issues referred to above, in her note (at paragraph14), Councillor Barker claims that the key differences between Options 2 and 4 are limited to air quality, water cycle, school provision, delivery of housing, provision and delivery of affordable housing and community engagement. No mention is made of transport, employment (including access) and overall sustainability, all of which strongly favour a new settlement near Great Chesterford, for the reasons given elsewhere in this submission, but which can be summarised as follows:

   a. the proposed new site at Great Chesterford is close to the strategic road network and very close to a rail station, within easy walking and cycling distance. Great Dunmow is not close to any rail stations, and Audley End station is about 3 miles from the developments contemplated by the new Spatial Strategy. Saffron Walden is remote from the strategic road network, and the sites contemplated are on the most remote side of Saffron Walden;

   b. the ELR, as set out below, notes how poor Saffron Walden is as an employment location, with access to the M11 being the main issue. Great Chesterford is of course much closer than either Saffron Walden or Great Dunmow to the M11;

   c. the 2010 Comparative Sustainability Appraisal is clear that a new settlement can be planned and made much more sustainable than add-on developments to existing settlements.

38. We also note that whilst the Barker note of 10 May 2012 briefly refers to the 2010 consultation responses and the opposition, it completely ignores the fact that the majority of the opposition was because of the well organised Elsenham and Henham group; they and their members are of course entitled to be heard, but it is ridiculous not to take the nature of their campaign into account in assessing the responses.
39. There has been a complete lack of public consultation over the new policies and strategy. They come as a complete surprise and complete change of direction given the consistent approach previously adopted by UDC, and no evidence has been presented to justify them. Moreover, they have been made with no alternative proposals suggested as previously and right at the end of the Local Plan process, making it very difficult to react, and are directly opposed to the content of all previous public consultations. As recently as the January 2012 consultation, there was no statement of the proposed change of strategy or of the dramatic changes in the Plan objectives and policies. Indeed at the time of the January 2012 consultation both UDC generally and Andrew Taylor specifically were clear that there was no consultation on any strategy change and that “Option 4 was still the Council’s preferred option”. The slowness with which UDC have progressed the Local Plan, and the dramatic change of strategy, makes it very difficult to consider properly all of the implications in the time available.

40. For all of these reasons, we believe that the Spatial Strategy as now formulated is perverse, is contradicted by the evidence base compiled by UDC, and is unsustainable. It should be discarded and the previous Spatial Strategy formulated from 2007 to at least January 2012 should be readopted. If the site for a new settlement at Elsenham is no longer the preferred site, and the site at Great Chesterford appears to be recognised by UDC as the best and most sustainable location – which the evidence that UDC has published shows - then Option 4 based on the Great Chesterford site should be adopted. The evidence base compiled by UDC over the last 5 years shows without a shadow of a doubt that that would be a far more sustainable Strategy than the one now proposed.

41. We have annexed to this submission a schedule detailing all of the material statements of which we are aware which have been made by UDC in its consultation documents issued during the last 5 years and which analyse the comparative sustainability of the various strategic options. As can be seen, these consistently state that Option 4 is the best option, and they show that the Great Chesterford GrCHE7 site is the best site for the new development.

42. As far as compliance with the requirements with the National Planning Policy Framework is concerned, we believe that the draft Local Plan fails to comply with the requirements of paragraphs 150-182 of the NPPF, and most particularly we do not believe that the draft Local Plan is “sound” within the meaning of paragraph 181 of the NPPF:

a. The Plan is clearly not “justified” in that the evidence base compiled by UDC contradicts rather than supports it;

b. For the reasons set out elsewhere, we do not believe that it is consistent with national policy requirements.

43. Finally we note in particular the statements made by Mr Taylor of UDC to the Sustainable Uttlesford meeting on 17 July 2012 in relation to the reasons for the fundamental change to the Spatial and Housing Strategy. In that meeting, Mr Taylor confirmed that there was no new evidence to justify the change in strategy, but that the change in strategy was essentially a political decision and it was the officers’ job to try to implement that political decision. This confirmation fits exactly with the lack of evidence and the contradictions set out above, but is of course precisely the opposite of an evidence-led planning strategy. We understand that a similar comment was made when Messrs Mitchell, Harborough and Taylor gave a presentation on the draft Local Plan to Saffron Walden Town Council on 19 July 2012.

2.5 Strategic Policy SP1 - Development within Development Limits
44. We disagree with this policy, and do not understand what has given rise to it. As far as we are aware, it has not been included in previous consultations or previously proposed. It appears to pay no regard to sustainability principles. A development could easily satisfy all of the criteria identified, but be unsustainable, for example because it is polluting or would cause significant adverse air quality or traffic impacts or does not comply with renewable energy or climate change requirements. We agree with the constraints contained in this policy in general, but the constraints do not go nearly far enough, and it is not clear why these constraints but no others have been included. For example, development should not be permitted if it would result in significant additional road traffic, if it would negatively affect air quality or if it would conflict with any of the other policies contained within the Local Plan.

45. We also note the opening sentence of paragraph 9.1, and are unaware of any evidence to support this claim or what it is intended to mean. For the last five years for example UDC have found that the most sustainable place to build most of the required homes is a new settlement, which is obviously directly contrary to this sentence. It should be amended to reflect the previous findings that a new settlement is more sustainable.

2.6 Strategic Policies SP2 and SP3 - Employment

46. We agree in principle with the plan’s recognition of the need to find employment sites for future job growth. We disagree however with the strategy for doing so. As the Employment Strategy confirms, there is currently a significant oversupply of industrial premises in Saffron Walden, although the surplus is much greater than the Employment Strategy indicates. As can be seen from the Saffron Walden Town Profile (January 2012) produced by UDC, the majority of Saffron Walden’s employment sites are vacant or showing significant vacancies - parts of Shire Hill are empty, and significant parts used for non-employment purposes (e.g. a church, retail premises, a snooker club, a children’s nursery etc.), the Ashdon Road Commercial Centre has high vacancy rates the Willis & Gambier site has been vacant for a considerable period, and is now proposed to be turned over for housing and the Granite Park site has been vacant and undeveloped for even longer.

47. The Employment Strategy attributes this situation partly to the recession and partly to the difficulty of access to the M11. This is not however what the Saffron Walden Town Profile says on p.8, where the issue is primarily ascribed to the difficulty of M11 access and the fact that all of the industrial sites / estates are situated on the eastern side of Saffron Walden, and therefore can only be accessed by HGV’s driving through the town centre of via residential roads. Similarly the Employment Land Review (April 2011) commissioned by UDC (the “ELR”) is clear that lack of M11 access is the major issue. As the ELR makes clear:

a. (at paragraph 6.60): “The commercial property market in Saffron Walden is currently slow with little or no churn. This is in marked contrast to Great Dunmow and is for the following reasons:

• difficulty in gaining access to/from the M11 as the nearest junctions to the north and south are 9 and 13 miles away respectively. A low bridge to the south of the town (at Newport) results in high vehicles either having to find an alternative, roundabout route or go to the northern junction (at Duxford) in order to travel south towards the M25 and London;
• all of the industrial sites/estates (i.e. Shire Hill, Ashdon Road, Printpack and Willis and Gambier) are situated on the eastern side of the town (see map 6), the structure of which is such that HGV traffic heading to the M11 has to travel either through the town centre or via a predominantly residential route around it; and

• 75 – 80% of the industrial stock is 20 or more years old and no longer fit for purpose.”;

b. (at paragraph 6.94): “there is a current surplus of B1(c), B2 and particularly B8 units in Saffron Walden resulting from a combination of the recession and, more importantly, the town’s relative remoteness from access to the M11”;

c. (at paragraph 6.96): “The Council can influence the levels of development and redevelopment and the occupancy of commercial floor space through the LDF by the extent to which it does the following:-

1. allocates land for commercial development which:

• readily accessible from the M11 and/or A120 (in terms of both distance and the availability or future provision of infrastructure)".

48. For whatever reason, this clear attribution to the lack of M11 access being the main reason for Saffron Walden’s employment vacancies has not been made clear in the Local Plan, and we believe that the Local Plan is misleading in this respect. We also note that the ELR specifically identifies the problem of the main industrial estates being on the wrong side of Saffron Walden (i.e. the east). Despite these two clearly identified issues, the Site Allocations for Saffron Walden (Section 17) propose that the only new employment land will also be built on the wrong side of Saffron Walden – i.e. it will be located as part of the huge new housing allocation to the east of Saffron Walden. The existing employment land is in the wrong part of Saffron Walden; rather than trying to remedy this by ensuring that future employment land is to the west of Saffron Walden and has good rail and road access, the Local Plan proposes exactly the opposite, and proposes that all of the extra employment land should also be built in the worst place possible.

49. We find it hard to believe that any competent Local Plan could propose allocating more employment land to the east of Saffron Walden given the clear findings of the ELR.

50. To demonstrate the perversity of the employment strategy, the Spatial Strategy proposes that the Willis & Gambier premises should now be used for housing, because there is no demand for them, but the Saffron Walden Spatial Strategy says that there is a need for employment land in Saffron Walden, which will be built in a location which is in an even less accessible location than the Willis & Gambier site.

51. We do not therefore see how any reasonable Local Plan can sensibly allocate further employment land to the east of Saffron Walden. It is not where businesses need to be, and the location is completely unsustainable. No need for it is identified in the ELR. We note that in relation to the proposed new housing settlement at Elsenham, the ELR says (in the Conclusions at paragraph 6.94) “the development of the new settlement at Elsenham would result in access problems, particularly for HGV’s. This must be a major consideration given the importance that is attributed to having ready access to the M11.” Exactly the same concern applies to locating land to the east of Saffron Walden, yet nowhere is this problem referred to in the draft Local Plan, and nowhere is any consideration given to it. The Employment Strategy claims to address the issues identified (see paragraph 10.7), but in fact does completely the opposite insofar as Saffron Walden warehousing and industrial unit capacity is concerned.
52. We note also that the ELR has been predicated on the basis that a new settlement at Elsenham remains UDC’s preferred housing option. We comment below on UDC’s new housing strategy, but note here that the sudden change of housing strategy means that the ELR does not support it, and also that it is difficult to comment fully on the proposed new Employment Strategy when the evidence base prepared by UDC does not support it. We do, however, note that the Council’s report entitled ‘Implications of reduced housing allocation upon amount of employment growth and associated land allocations’, of April 2011, concludes that “...... the policies relating to the provision of employment uses in the emerging LDF need not be influenced by a reduction in the proposed amount of housing on the scale proposed. The only real potential linkage between the housing allocation and employment land provision would stem from a concentration of the former in the form of what is effectively a new settlement. Such an allocation may be expected to warrant an employment allocation as part of the settlement. However, whatever that provision was need not influence the overall level of allocation, and hence job growth, across the district.”

53. We note also the comments made in the ELR regarding the proposed Great Dunmow Business Park and the ELR’s recommendation to abandon it because of the lack of interest and the failure for it to be developed. Despite this lack of interest by companies and employers in locating in Great Dunmow, we note that the new housing strategy contemplates a huge increase in housing in Great Dunmow – putting housing where employers do not wish to be must again be completely unsustainable (although it is acknowledged that there may be specific local factors, such as landowner aspiration, which have influenced the lack of take up).

54. In addition, we understand that UDC has commissioned an employment review which will not be available until autumn 2012. Without this review, the Employment Strategy must be incomplete, and we are unable to comment fully. We understand however that employment in Saffron Walden has been declining for a number of years, with a number of major employers such as Willis & Gambier and Pedley’s closing and not being replaced. We understand that Saffron Walden is relatively unattractive to businesses because of its poor communications and relatively high costs. It is therefore very difficult to see that major new employment will be created in Saffron Walden; it appears to us therefore to make no sense – and to be clearly unsustainable – to locate large amounts of new housing in Saffron Walden when there appears to be no significant prospect of new jobs being created there.

55. We disagree with the proposed change of employment strategy concerning Stansted Airport and believe that employment uses there should be restricted to airport related ones. We have seen the arguments raised by Stop Stansted Expansion and support them.

56. We also note that Policy SP3 is completely meaningless, and cannot see how it can possibly be interpreted in any reasonable way or applied in practice. How can one possibly judge what would or would not be permissible on the basis of this policy? On the face of it, it appears to permit virtually any development whatsoever as long as the structure is not too prominent, and the policy appears to bear no relationship to the preceding wording. As well as the obvious point as to what it is intended to permit or prevent, this also means that it fails the NPPF test to be clear as to its purpose. Policy SP3 should be reformulated in a way that allows anyone to understand what it is intended to achieve and what is and is not permitted under it; at the moment it does not do this.

2.7 Strategic Policy SP4– Retail Strategy

57. In principle we largely support the Retail Strategy as drafted insofar as it goes, although subject to the comments set out below and the fact that we believe that it does not comply with the NPPF requirements.
However we have concerns about the commentary to the proposed Policies and the wording of the Policies themselves. We have been unable to locate the “Proposals Map” referred to in the consultation paper. We have assumed that the town and local centres for this purpose cover only the centres of Saffron Walden, Great Dunmow and other towns and villages, and that there are no local centres which are not also town or village centres. If this is not the case then we would have great concerns about locating retail development in any non-town or village centres.

58. In terms of the Retail Strategy itself as set out in the text before the Policies, we have the following comments, as we believe that some of the statements are false and that others do not reflect the evidence base, including the January 2012 Retail Capacity Study.

59. In the paragraph on Saffron Walden, there is a statement that, in relation to convenience goods, “The Council’s view is that it is reasonable to plan for an 80% retention rate because Saffron Walden is currently underperforming in relation to other centres and to reduce unnecessary travel.”:

a. this is not true however - there is no evidence to support this claim that Saffron Walden is underperforming in relation to other centres so far as convenience goods are concerned. We have reviewed the 2005 Hepher Dixon District Retail Study and the Savills January 2012 Retail Capacity Study together with all material information presented to the recent Sainsbury’s appeal hearing. Nowhere is any comparative information of Saffron Walden’s relative convenience goods performance presented, and we do not believe that any such assessment has been made. If Saffron Walden was underperforming, we can be sure that Sainsbury’s would have presented the evidence to the appeal hearing, but they did not. Indeed the contrary situation is in fact the case; both the 2005 and 2012 Retail Studies state that Saffron Walden’s convenience retention rate is relatively high;

b. there is also no evidence to show that a higher retention rate would lead to less travel. The catchment area for the purposes of the 72% retention rate includes areas which are as close or closer to other large settlements such as Haverhill, Bishops Stortford and Cambridge. The evidence to the Sainsbury’s appeal hearing was that very few Saffron Walden residents (just over 1%) travel to neighbouring Sainsbury’s stores, and there is no reason to suppose the travel patterns to other supermarkets would be any different. Saffron Walden also currently attracts a considerable amount of convenience goods custom from outside Zone 1 (as defined in the January 2012 Retail Study referred to below). If the retention rate is increased, one would expect there to be more travel into Saffron Walden from outside Zone 1, which would offset any travel saving from an increased retention rate. No evidence has been produced to show the likely net effect of the two; and

c. these statements should therefore be removed.

60. We also do not believe that there is any reasonable basis on which to plan for an increase in the retention rate from 72% to 80%. The current retention rate reflects an increasing move to internet and other SFT shopping, and more especially a very mobile population in Uttlesford and surrounding areas, and as we say above has also been recognised as high anyway. In the evidence produced to the Sainsbury’s inquiry, UDC’s retail advisers, Savills, said that an increase of 5% in the retention rate was “highly problematic”, and this was on the basis of a proposed huge Sainsbury’s development to achieve it. The officers’ report on each of the permitted Waitrose and Tesco extensions concluded that those extensions would have a very limited effect on retention rates, in line with the Savills’ advice. Now however UDC is suggesting that an increase in the retention rate of 8% is reasonable on the basis that just a very small supermarket of up to 790sq.m would be built, which would do little or nothing to increase the retention rate itself. The increase in
retention rate from 72% to 80% is just not remotely tenable when set against the evidence produced to the Sainsbury’s inquiry. UDC says it is reasonable to assume that it is, but have published no evidence to support this claim. This aspect of the retail strategy should be changed therefore.

61. We believe that although UDC may aspire to increase the convenience goods retention rate they should plan on the basis that it will not change materially, as that is the over-riding likelihood. Any increased convenience goods capacity would inevitably primarily have the effect of competing with the existing convenience goods stores and secondarily of increasing the retention rate. It is obviously unsustainable, as the NPPF makes clear, for retail capacity and spend to be diverted from the town centre to any less central site, and the Retail Strategy is clear that the town centre need, given limited site availability, is for more comparison goods capacity.

62. The Retail Strategy should also note that the potential floor space increases are completely dependent on the future retail growth assumptions, and that these are completely unreliable for the period envisaged, as the January 2012 Retail Capacity Study makes clear (see para 6.2 of the Study). As the Study says, the figures used should be used only as a very broad indication of floor space need and not used in the way that they have been in this Section. The Section also says that “additional convenience floor space capacity will need to be identified in the latter part of the plan period up to 2028”. As the January 2012 Study says, this is simply not true - the latter part of the period is too far removed for any firm decision to be made. It would be correct to say that “additional floor space capacity may need to be identified”, but even this is entirely dependent on the unsustainable assumption that the retention rate will increase dramatically to 80%. If one assumes the convenience goods retention rate remains at the current level, there is no need for any convenience goods capacity within the Plan Period, and the Retail Strategy should be redrafted on this basis.

63. The Retail Strategy Policy SP4 does not comply with the National Planning Policy Guidance requirements. The comments set out below relate both to strategy and policy and to the extent that they relate more to policy matters should be read as applying to the DPD Policies RET1 and RET2 – we do not know where the divide should lie:

a. Paragraph 23 of the NPPF says that identified retail needs should be met in full, and appropriate sites identified. It is not clear what the identified comparison goods retail needs are or how they are planned to be met, and on what basis the 10,200sq.m of need has been calculated. It does not appear however that appropriate sites have been identified;

b. Paragraph 23 of the NPPF requires that Local Plans should set policies for the consideration of main town centre uses which cannot be accommodated in or adjacent to town centres. We do not know whether such policies should be in the Strategy or the DPD part of the Local Plan but currently they are in neither, and one or both should therefore be amended. Currently there appears to be a Policy SP4 Retail Strategy to expand Saffron Walden’s retail retention rates and future turnover, but no potential sites identified, whether within or outside the town centre and no policies concerning any such development. In our opinion, both the Strategy SP4 and the Retail Policies needs to be rewritten to set out a clear strategy and then to include policies for its implementation;

c. Paragraph 23 of the NPPF requires that in drawing up Local Plans local authorities should aim to “promote competitive town centres that provide customer choice and a diverse retail offer and which reflect the individuality of town centres”. We can see nothing in the draft Local Plan that reflects this requirement, or the similar one on protecting and enhancing markets. Given the plethora of cafes and chain coffee shops in Saffron Walden, we believe that the Local Plan should contain a
restriction on change of use from A1 to any other Class A uses, and further restrictions to the extent permissible, in an effort to retain Saffron Walden’s diverse retail offer and individuality;

d. There is no consideration of how the NPPF paragraph 24 requirements should be applied in practice, just a very brief reference to the policy – we believe that a policy for their application should be included;

e. Paragraph 26 of the NPPF envisages that a locally set threshold for impact assessments should be included, or a default of 2,500sq.m will be applied before an assessment is required. No such threshold is included in the draft Local Plan, and we find this extraordinary given the small size of Saffron Walden. Major retail developments which would be expected to have a significant impact on Saffron Walden could fall well below the 2,500sq.m, and the impact assessment level should be set at a much lower figure. We believe that an impact assessment should be required for any retail development of 1,000sq.m or more.

2.8 Strategic Policies SP5-SP7 - Housing Strategy

64. We disagree completely with the new housing strategy set out in draft Policies SP5 – SP7. It represents a dramatic and fundamental change from the housing strategy which UDC has been consistently formulating and promoting since 2006. It is contradicted by the evidence base assembled by UDC over the last 5-6 years and it is unsustainable. We refer to the comments we have made above in relation to Spatial Strategy as well as the comments below in relation to Strategic Policies SP5-SP7.

65. All of the previous studies and consultations prepared by UDC since 2006 have confirmed that large scale development in the existing settlements of the kind now envisaged is unsustainable and that the sustainable option is to locate the bulk of the new housing need in a new settlement. We refer to the 2007 and 2010 consultation papers and comparative sustainability appraisals published by UDC. They are clear that Option 4 (a new settlement) is much the best option, and that Option 2 is the joint worst option. UDC had a clear and consistent policy based on Option 4 until the start of 2012, and the sudden switch to an Option 2 variant is completely wrong and is unsustainable.

66. In this regard, we note the following reports produced by UDC since 2007:

   a. the November 2007 Preferred Option Consultation is clear in its sustainability appraisal summary at paragraphs 6.51 – 6.63 that:

   i. (at paragraph 6.56 on p.48), “The sustainability appraisal has been undertaken to predict the effects of implementation and to identify appropriate and practicable recommendations for mitigating significant negative outcomes and maximising the positive outcomes under each option. The Sustainability Appraisal process therefore identifies the most sustainable and environmentally acceptable development solutions for future growth within the District.”

   ii. (at paragraph 6.57 on p.48), “Growth Option 4: one new settlement with minimal expansion to existing settlements, compared to the other three options, is the most sustainable solution.”

   b. in November 2007, UDC published their “Sustainability Appraisal of Preferred Options“, prepared by White Young Green. The conclusions section (set out under the heading “Recommended Growth Option” on pp90 and 91) states clearly that the most sustainable option for UDC’s housing strategy
is a single new settlement, and at that stage Elsenham was the only site considered. As that Sustainability Appraisal says:

“The SA process therefore identifies the most sustainable and environmentally acceptable development solution, from the Options provided, for future growth within the District.

A holistic assessment of all of these considerations, as set out in Table 4, lends itself to the selection of Option 4 as the recommended Preferred Growth Option. Growth Option 4 proposes the development of a new settlement to the North East of Elsenham. The option to develop a new settlement to the North East of Elsenham, in itself, scores comparatively highly (positively) against the sustainability objectives. This option is reinforced by its direct contribution to reducing the extent of development within the existing towns and villages of the district which would otherwise occur. Therefore both facets of Option 4 score comparatively highly against the objectives against alternative Growth Options 1, 2 and 3.

Table 4 demonstrates that opting to expand the existing settlements leads to a greater number of negative socio-economic and environmental impacts and highlights a defined difficulty in mitigating against these negative impacts. This is largely due to the difficulty of providing appropriate facilities and infrastructure (i.e. sports facilities, schools, primary health care etc.) that increased development inherently demands of each existing settlement area. Conversely, development of a new settlement to the North East of Elsenham alleviates this issue as it allows facilities and infrastructure to be appropriately designed into the development plan from concept. Furthermore, many of the existing settlements, in particular the large towns in the District, already have considerable development committed to them and a new settlement near Elsenham will provide greater protection to key aspects in relation to this, such as historic importance and the intrinsic character of the existing towns and villages.”

c. in November 2007, UDC was clear therefore that a single new settlement was the best option, and that significant development of the existing towns and villages, as now proposed in the current draft Housing Strategy, would have significant negative impacts;

d. in January 2010, UDC published a further comparative sustainability appraisal which assessed the 4 main Options for housing development, and also assessed the different sites for the Option 4 development. This produced the following scores:
   i. Option 1: 25;
   ii. Option 2: 24;
   iii. Option 3: 24;
   iv. Option 4 based on a site near to Elsenham: 32;
   v. Option 4 based on a site north-east of Great Chesterford: 29;

e. as we say later, and as we said in our response to the February 2010 consultation, we could not see why Great Chesterford did not score more highly than Elsenham given its better transport links and proximity to likely employment. However, this comparative sustainability assessment reinforces
the clear advantage of an Option 4 new settlement. We note that in her May 2012 briefing note Councillor Barker states that the current Housing Strategy is effectively a variant on Option 2; we further note that Option 2 is one of the two lowest ranking options on this comparative sustainability analysis;

f. The January 2010 Sustainability Appraisal (see the Overall Conclusions at pp 95-101) also notes that:

   i. expanding the existing settlements, as UDC are now proposing, leads to a greater number of socio-economic and environmental impacts than a new settlement (para 12.3); and

   ii. “Option 4 is supported by key consultees like English Heritage and Natural England who consider that a new settlement is likely to offer the most sustainable option in terms of preserving the rural character of the district overall.”

g. the Uttlesford Core Strategy – Further Consultation on Preferred Options, February 2010 reiterated the conclusion that Option 4 is the most sustainable housing strategy solution, and we note the statements set out in paragraphs 2.4 – 2.11, and the conclusion in paragraph 2.11, that “The findings of the CSA therefore provides the justification to progress with the Core Strategy for further consultation with land to the north east of Elsenham as the key element of the housing strategy”;

h. the February 2010 consultation noted the problems associated with large scale development in Saffron Walden, particularly the pressures on green infrastructure, the secondary school, primary care, the impact on the road network/air quality and the work required to the sewage network (paragraph 2.30), and these issues were quite apart from the impact on the historic environment of Saffron Walden. It therefore rejected the proposal to site 750 houses in Saffron Walden;

i. paragraph 4.3 of the February 2010 consultation notes that Saffron Walden’s town centre “is of the highest environmental quality”. “The strategy is to maintain and where possible enhance these historic features and ensure a new development creates a safe, inclusive and accessible environment.” “Because the services and facilities, particularly the secondary school, are at capacity and there is poor air quality at key road junctions opportunities for new residential development are limited.” All of these concerns are now being completely ignored in the new Housing Strategy.

67. The evidence base assembled by UDC over the last 6 years has clearly shown that the new Housing Strategy now proposed is unsustainable and the wrong strategy for Uttlesford. In June 2012, UDC made an abrupt departure from the strategy which they had steadily pursued since 2006 and published the Housing Strategy now proposed. As we say above, no evidence has been produced to support the new strategy, no comparative sustainability assessment has been commissioned and the strategy contradicts the evidence which has been amassed over the last 6 years. There is absolutely no evidence base for the Housing Strategy as set out in the current consultation. UDC have clearly concluded on all previous occasions that the required housing allocation can only sustainably be catered for by means of a new settlement, and the existing settlements cannot sustainably accommodate the level of housing development proposed.

68. Not only are the proposed town and village allocations unsustainable but the site locations themselves are not sustainable. We do not have sufficient knowledge of sites outside Saffron Walden, but the Saffron Walden site proposed for the 880 house development is in a completely unsustainable location. We have commented above on the unsuitability, and unsustainability, of developing employment sites on the east of Saffron Walden, and exactly the same issues apply to housing development to the east of Saffron Walden. All of the main trip generators, including the Audley End railway station, the County High School and access to the M11, Cambridge, Stansted Airport, Bishops Stortford and any other employment sites, lie to the
west of Saffron Walden. Nothing is being proposed to change this and, as the ELR referred to above notes, the only access routes are through the town centre or through residential sites, where there is already significant congestion and air pollution near or above legal maximum levels. It is not possible to change these linkages, and no consideration has been given by UDC to any significant proposals for mitigation. The current Housing Strategy has absolutely no consideration as to how these extra traffic flows can be accommodated. A number of studies have been carried out by Essex County Council, and the reality is that the historic layout of Saffron Walden and the levels of congestion mean that virtually nothing can be done, whether by trying to change junctions or by trying to change signalisation. There is nothing in the Housing Strategy or the brief papers underlying the new strategy that gives any indication of any material mitigation or solution, and this is hardly surprising – a solution has been sought many times, and none found, to the problems that exist, and UDC’s housing strategy volte face from Option 4 was done so abruptly, that there has been no time to find any solution.

69. In relation to the Saffron Walden sites proposed for the 880 houses, we note the concerns raised in the Strategic Housing Land Allocation Assessment, December 2011, (Appendix B) that: “Highways capacity and air quality are highlighted as important issues for all the large Saffron Walden sites. A transport assessment would be required at an early stage to provide more information on trip generation etc. Highways were concerned that the proposed relief road would not help with the traffic issues since it could not provide a route out of Saffron Walden northwards to Cambridge etc. The signals at the Thaxted Road/Radwinter Road are already at capacity. The route westward via the Debden Road/Borough Lane junction is also constrained and there are physical land constraints to improving junction capacity in both these locations. Secondary School capacity was also highlighted as an issue. CH advised that County High was likely to reach capacity in 2012 and discussions were on-going with the school and other parties about possible solutions.”

70. As far as we are aware, none of these issues has been addressed and no traffic assessment provided, or even any realistic potential solutions publicly aired. We note that the proposed link road referred to by UDC in the current consultation is the relief road referred to above; as it is only inside the new development estate proposed it does nothing to address any of the issues identified by UDC above. Similarly, we are not aware of any discussions with the County High School or any possible solutions to the County High School capacity issue having been reached – none are even hinted at in the current consultation, and there has been no public consultation on any. As we say above, it is almost inconceivable that the County High School would wish to expand, and we are not aware of any other solutions.

71. As we say above, we understand from the Councillor Barker 6 May 2012 briefing note that the only justification for the abrupt change in housing strategy is the change in the number of new homes which UDC have calculated will need be built in the Plan Period from 10,150 to 9,870, leaving a balance of houses which are not yet permitted, from 3,916 (in the 2010 Consultation) to 3,314. On this basis Cllr Barker claims that there are insufficient houses to build a new settlement and to build sufficient houses elsewhere. It seems to us that these changes are extremely small, and are completely insufficient to justify a change of strategy from one which has been consistently endorsed as the most sustainable strategy for 5 years to one that is ranked as the least sustainable. Yet again, we note that absolutely no evidence base has been prepared to justify the change. It may be that Cllr Barker is correct in her reasoning, although we strongly doubt it, but the obvious answer would be to revert to the original 10,150 instead of moving to 9,870 houses – the difference between the two figures is only 280 houses, or less than 3% of the total number. This difference is completely immaterial in the context of the overall housing strategy and cannot possibly be sufficient to justify the change in strategy. We find Cllr Barker’s explanation for the change of strategy utterly implausible.
72. We note that the Housing Strategy refers just to 9,870 homes to be built in the plan period. As paragraph 12.19 makes clear however, the 9,870 is derived from the need to deliver 4,800 homes to 2012 and a minimum (our emphasis) of 5,070 during the Plan Period. Although the Housing Strategy refers to the need to build 9,870 homes, it should correctly discuss the need to build a minimum of 9,870 homes. Given this, the outstanding need identified by UDC is not just to build 3,316 homes, but is to build a minimum of 3,316 homes in addition to those already built or given planning permission. We believe that the Housing Strategy is misleading in not making this clear – the paragraph 12.19 reference is the only reference in the Housing Strategy to the fact that the numbers projected are minimum requirements. The fact that the 3,316 homes is a minimum figure rather than the actual need makes UDC’s move away from an Option 4 housing strategy to that currently proposed even more perverse.

73. We also note the following:

a. Cllr Barker’s claim rests on the assumption that 3,000 homes are needed for a new settlement. We have no way of telling whether or not that is correct, so we have assumed it is for the purposes of this submission. We are not however aware of any evidence being produced by UDC to support this assumption. In the 2010 Consultation, this left a figure of 916 homes to be built in the Plan Period in the existing settlements and towns in Uttlesford. Nowhere in any of the consultation documents that we have seen published by UDC is there any suggestion that the number of homes to be built in any existing settlement was too small, and nowhere in the 2007 or 2010 consultations is this identified as a material concern, or that there is any minimum figure necessary. We are therefore extremely sceptical as to the validity or materiality of this claim. Even if it were true, it is just one factor in the whole comparative sustainability assessment. Rather than balancing it against all other relevant factors, it has been used as an excuse to switch from Option 4 to Option 2. We do not believe that this lack of a proper balanced assessment is either remotely legitimate or sustainable;

b. the total number of homes now envisaged to be built during the Plan Period is now forecast at 9,870, a difference as we say above, of only 280 homes from the original forecast of 10,150, and the total number envisaged to be permitted and built has fallen from 3,916 to 3,314, a difference of only 602. The difference of 322 between the 602 and the 280 must represent planning permissions being granted at faster than replacement rates – whether or not there are sufficient homes left to satisfy housing needs after deducting the 3,000 for the new settlement must take account of the planning permissions granted since the 2010 Consultation, and their distribution. We have seen no published evidence from UDC that any such exercise has been performed;

c. the preferred UDC Option 4 in the 2010 Consultation was to build 1,000 homes which would be spread between Saffron Walden, Great Dunmow and the smaller villages, of which 500 would be built in Great Dunmow, 250 in Saffron Walden, 160 split amongst Great Chesterford, Newport, Stansted Mountfichet, Takeley and Thaxted (equating to 30 per village), with an average of 5 homes per village in the 18 other smaller villages with primary schools. In the context of the Housing Strategy, the numbers of houses proposed to be built in each village was immaterial. The only significant developments are proposed in Saffron Walden and Great Dunmow. The Town and Village profiles published by UDC in January 2012 show that both towns have expanded greatly since the 2001 base level. In 2001, there were 6,297 homes in Saffron Walden and 2,976 in Great Dunmow; since then 843 homes have been built or given planning permission in Saffron Walden (an increase of 13%), and 1,881 in Great Dunmow (an increase of 63%). There appears to be no shortage of new housing in Great Dunmow particularly, and if it is necessary to reduce the 2010 Consultation target of 916 new homes in existing settlements to 330, then the 500 proposed in
Great Dunmow under the 2010 Consultation Strategy could easily be reduced significantly without having any material effect – at least without any effect identified in any of the documents produced by UDC;

d. against the background of a 63% increase in Great Dunmow housing (built or approved) since 2001, UDC cannot seriously claim that there is any need for new housing in Great Dunmow. If the 500 houses allocated to Great Dunmow under Option 4 are removed, the previous Option 4 would have a need for 3,500 homes, to be allocated as to 3,000 to a new settlement, 250 to Saffron Walden and 250 to the major villages. This is barely different from the current 3,314 homes, and it is inconceivable that there is a material difference between the two figures. We find it implausible that there is a material shortfall of homes for the existing towns and villages by building 300 rather than 500 homes in them, but if there is UDC could easily raise the housing requirement by an additional 200 homes. This would be in accordance with Government policy and again we find it implausible that this would have any material adverse effect on the sustainability of the Housing Strategy;

e. we also note the inconsistency in UDC’s approach to the housing requirement – in 2010, the requirement was rounded up from 3,927 to 4,000; for consistency, the 3,314 now proposed should have been rounded up to 3,400 rather than down to 3,314. We can see no reason why UDC have taken this inconsistent approach, and rounded down the revised housing need, save possibly to minimise the housing requirement to try to support their abrupt change of strategy and their claim that there are now insufficient houses for a new settlement?

f. the Housing Strategy is completely dependent on the number of new homes projected to be built. We note the various scenarios posited by UDC in Table 4 at paragraph 12.11. Four of the seven scenarios shown would lead to a greater requirement than the one adopted by UDC – if anything therefore UDC should be erring on the side of caution and being prepared to build more rather than fewer houses, particularly given the Government emphasis on housing expansion. It also appears to ignore the recommended Government 10% allowance for sites failing to come forward;

g. the housing need will not end at the end of the Plan Period. The Table 4 scenarios envisage on-going growth until 2033 at a steady rate. The 616 homes difference on which UDC are basing their whole change in housing strategy is equivalent to less than 2 years’ supply, or equivalent to a Plan Period to 2030 rather than 2028. Once again, this appears to us to be immaterial – if UDC genuinely has a concern, we do not understand why they do not extend the Plan Period to 2030, as we understand they are entitled to do;

h. the June 2012 consultation takes no account of the need to identify sites for on-going development after 2028. As can be seen in paragraph 12.20 of the consultation document 2,394 homes had been granted planning permission at 2011 but are not yet built. There will always be a time lag between granting planning permission and building the required housing. Because of the need to keep planning for the future, the housing need at 2028 will need to provide both for the number of homes to be built by 2028 and also for the number of planning permissions which will need to have been granted at that time for development after 2028. At the moment, UDC is planning only on the basis of the number of houses to be built by 2028. They are ignoring the need to identify locations for housing for which planning permissions will be granted but not implemented at the end of 2028, which again we believe cannot be correct;

i. the future needs also favour Option 4. Any new settlement can be designed to expand sustainably for future growth after the Plan Period. As the UDC evidence base shows, the existing settlements
cannot even expand sustainably under the current proposed Housing Strategy, let alone any housing needs thereafter.

74. In summary therefore, we believe that the Housing Strategy is unsustainable. It is contradicted by the evidence base compiled by UDC, which shows clearly that Option 4 is the best option. We believe that the change of Housing Strategy in 2012 is unsupported by any evidence, is perverse and is unsustainable.

75. We also find perverse UDC’s continued failure to progress further the potential development site for a new settlement north of Great Chesterford. Each recent comparative sustainability assessment has shown the two best options as the key to UDC’s Housing Strategy as being Elsenham and Great Chesterford. Now that the transport issues at Elsenham have been recognised, the December 2012 SHLAA indicates that Great Chesterford should be the preferred site. As the SHLAA makes clear, both in the body of the assessment and Appendix 7, the site at Great Chesterford is suitable, available and apparently achievable, yet UDC appear to have done nothing to bring it forward quickly – this seems extraordinary to us.

76. The evidence base compiled by UDC therefore strongly indicates that the most sustainable Housing Strategy is the Option 4 which has always been promoted by UDC with the new settlement at Great Chesterford. We cannot comprehend why UDC has not adopted this Housing Strategy, and we believe that it should.

77. Finally, we note that the proposed Housing Strategy is in breach of at least 6 of the 10 Plan Objectives:

a. **Objective 1 – District Character:** “To preserve, conserve and where possible enhance the locally distinctive and historic character of the market towns and rural settlements”. The proposed Housing Strategy will instead concentrate large scale housing development in the market towns and many of the larger rural settlements, and the scale of development proposed will do exactly the opposite of preserving, conserving and enhancing distinctive and historic character, particularly at Great Dunmow, Saffron Walden and Newport;

b. **Objective 3 - Function of the Market Towns:** “To preserve and enhance the historic nature of the town centres of Saffron Walden and Great Dunmow”. Again, the scale of housing development will do exactly the opposite. In Saffron Walden the scale issue is exacerbated by the proposal to site the developments in the least accessible location so that access for the new houses to many services will be through the town centre. Listed buildings are already suffering foundation and environmental damage from traffic. Knowingly building over 800 homes on the east of Saffron Walden and forcing cars to cross through the town centre is almost tantamount to heritage vandalism;

c. **Objective 4 – Housing Need:** “to make sure that the housing being provided creates balanced communities by delivering sustainable, safe and attractive places to live.” Dumping large add-on housing estates on the scale proposed will again do exactly the opposite. In Saffron Walden, the proposed developments will be remote from the town centre and completely unintegrated with it, the opposite of social sustainability. The distance of the housing from the town centre would inevitably mean that it would be almost impossible for anyone to walk into town – notwithstanding the Government’s target for walking for journeys under 2 miles, the reality is that people are not prepared to do this. UDC’s own sustainability assessments have already shown that the sustainable solution is a new settlement where new housing, services and facilities can be properly integrated;

d. **Objective 5 – Employment Growth:** “providing enough land and premises of the right type and in sustainable locations that will meet the anticipated needs and aspirations of businesses.” As we say in relation to Policy SP2, the Spatial Strategy will do exactly the opposite so far as Saffron Walden is
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concerned – the new employment land would largely be concentrated on the east side of Saffron Walden, remote from the M11, when lack of access to the M11 is the main cause of industrial premises vacancies currently;

e. **Objective 6 – Sustainable transport:** “To reduce the need to travel by car” “locating new development so that journeys can be reduced”. Building on the east side of Saffron Walden is the wrong side for both jobs and leisure and access to the transport network. Saffron Walden is already remote from the Audley End station, and the proposed developments would be still further away. Building houses at such a distance from the town centre and the main facilities as well as in the wrong place must inevitably increase journeys generally and car travel in particular. Instead, a new settlement sited near to jobs, a rail station and the road network and designed with sustainable access and transport in mind should be built, as UDC have previously advocated;

f. **Objective 10 – Air Noise, Ground Noise and Air Quality:** “The Council will seek to minimise the impact of air noise, ground noise and air pollution on the health and amenity of local communities and the historic environment”. Saffron Walden has the worst air pollution in Uttlesford and some of the worst in Essex, with 3 AQMAs, soon to be turned into one large AQMA covering the whole of the town centre and surrounding area. The air pollution is almost exclusively due to vehicle pollution. Rather than doing anything to minimise or reduce air pollution, the proposed Saffron Walden Spatial Strategy will do exactly the opposite, putting many more car journeys through the same areas which already have unlawful pollution levels.

2.9 Policy SP7 - Phasing and Delivery of Housing

78. We support this policy. We note the response Saffron Walden & District Friends of the Earth made in relation to the 2010 Consultation, which has not been reflected in the current policy, and request that it is: “We believe that the policy should be strengthened so that housing cannot be built until the necessary infrastructure is in place, and where necessary infrastructure should be front-loaded – we are concerned that the use of “co-ordinated” gives too much latitude, and we are aware of issues in Uttlesford previously where necessary infrastructure has not been properly provided when house sales have slowed. This includes not just sewage and waste water treatment works but also community facilities, green spaces, bus services etc.”

2.10 Policy SP8 - Environmental Protection

79. We note that this policy contains no reference to air quality, which seems astonishing to us given the air pollution levels in Saffron Walden and the fact that the whole of the town centre will shortly be declared as an AQMA.

80. We note paragraph 124 of the NPPF, which provides that “Planning policies should sustain compliance with and contribute towards EU limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and the cumulative impacts on air quality from individual sites in local areas. Planning decisions should ensure that any new development in Air Quality Management Areas is consistent with the local air quality action plan.”. The proposed policies will do the opposite. EU limit values for NO2 levels are consistently breached in a number of locations in Saffron Walden and are close to being breached in others. There is no strategic policy which aims to implement paragraph 124 of the NPPF, and the proposed Spatial Strategy, particularly the Housing Strategy, will have exactly the opposite effect.
81. No air quality modelling has been published by UDC, nor so far as we are aware has any been done, to show the effects of the proposed developments in Saffron Walden. Given that the only travel routes will be through the existing AQMAs however, the new developments will inevitably mean EU limit values will be exceeded still further. Even though the proposed link road between Radwinter Road and Thaxted Road may have some benefit on the level of pollution on the AQMA at their junction (although even this cannot be counted on given the nature of the intra-estate road proposed), the sheer scale of development proposed and the associated traffic that it will generate will inevitably serve to worsen the overall level of air quality across the whole of the town centre.

2.11 Policy SP10 - Natural Resources

82. We agree with this policy in general. We believe however that the provisions should not be limited to the design of developments but also their locations, so that the effects of location are also taken into account in the assessment of the overall use of natural resources. We believe that the “Where feasible and practicable” in the first sentence should be removed – it was not considered necessary in the 2010 Consultation draft and we cannot see any need for its inclusion now.

83. We note also that the 2010 Consultation equivalent policy required that “all development should be sustainable” and that development should “minimise pollution – the impacts of noise, light, smell, dust, electro-magnetic radiation or exposure to pollutants must be taken into account in locating development, during construction and in use and appropriate mitigation measures included”. We do not see why these provisions have been removed and would wish to see them reinstated.

2.12 Policy SP12 - Protecting the Countryside

84. Policy SP12 has been watered down from the draft policy DC5 in the 2010 Consultation, particularly the requirement that greenfield site development would only be considered after relevant factors have been taken into account and discounted; now this is only a consideration. We cannot see a good reason for the change; it is an unsustainable change and we would like to see the 2010 Consultation language reinstated.

2.13 Policy SP13 - Protecting the Historic Environment

85. We note the provisions of paragraphs 126 and 128 of the NPPF, and that Policy SP13 does not appear to reflect the requirements of these paragraphs, or indeed to reflect the relevant UDC Objective. We note also that paragraph 157 of the NPPF requires that Local Plans should “contain a clear strategy for enhancing the natural, built and historic environment”. The draft Local Plan does not appear to comply with this requirement.

86. We have read and endorse the comments of Essex Wildlife Trust in respect of Policy SP13.

2.14 Policy SP14 - Protecting the Natural Environment
87. The equivalent 2010 Consultation policy, DC10, had requirements that “New development should not result in a reduction of the biodiversity value of sites or the priority habitats defined in the BAP” and that “Development will be required to contribute to a network of biodiversity sites, green infrastructure and open spaces which link communities”. No explanation is given as to why these provisions have been removed, and we believe they should be reinstated.

2.15 Policy SP15 - Accessible Development

88. The provisions of draft policy SP15 are considerably less sustainable than the equivalent 2010 Consultation provisions in policy GA1. Given the issues facing Uttlesford of traffic congestion, poor air quality and much higher than average per capita CO2 emissions, we do not believe that any of these changes can be justified, and we do not believe that the policy SP15 is sustainable as drafted. In particular it should be amended:

a. by deleting the phrase “while accepting the rural nature of the District” – we do not see that this is necessary, and can be used as an excuse for non-compliance with the core requirements of policy SP15;

b. Policy GA1 had a requirement that “Development should be located where it is most accessible and will encourage people to use other modes of travel apart from the car”. This requirement is an absolutely key sustainability requirement, yet it has been discarded in the current draft policy. We can see no justification for this, and it should be reinstated. The effects of it can be seen in the draft Housing Strategy, which has been prepared on the basis that new housing will be located in areas where it is not most accessible and will not encourage non-car use. The deletion is also in direct opposition to the NPPF paragraph 17 requirement that planning should “actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable”; and

c. Policy GA1 had a requirement that new development should be “linked with high quality pedestrian and cycle links to services and facilities”, which has now been deleted, again without any justification that we can see. UDC has an abysmal record as far as pedestrian and particularly cycle links are concerned, and has taken virtually no steps to try to encourage their use, reduce car use or improve air quality. This change of policy reflects UDC’s lack of commitment to sustainable transport generally and the 2010 Consultation language should be reinstated.

2.16 Site Allocations

89. We disagree with the proposed site allocations generally for the reasons given above in relation to the Spatial Strategy generally and the Housing Strategy specifically. Most of the site allocations proposed would not be required if UDC were to revert to the Option 4 based policy instead of the currently proposed housing strategy. In relation to the specific Saffron Walden site allocations which have been identified:

a. the large area of land proposed for development under Saffron Walden Local Policy 1 is clearly unsustainable as set out above, and should be removed from the housing allocations. We note again the comments made in Appendix 8 to the December 2012 SHLAA which we have set above;

b. we note also the comments made above which apply to the criteria set out in the bullet points in relation to retail and employment provision, that the employment premises would clearly be in the
wrong place, and that retail provision, unless small scale and community scale in provision, would compete with the town centre retail provision, in direct contradiction of the NPPF requirements to promote town centres and their retail provision;

c. we note that no Transport Assessment or Air Quality Assessment has yet been prepared for the proposed site allocations. In view of the obvious transport and air quality issues associated with the site, as highlighted above, we find it astonishing that the Saffron Walden Local Policy 1 site can possibly have been suggested without proper Transport and Air Quality Assessments in advance. The lack of these assessments further demonstrates the complete absence of any sensible evidence base for the currently proposed Housing Strategy;

d. we note that the Saffron Walden Local Policy 1 site envisages the development of additional land next to the Saffron Walden County High School or the development of a new on-site secondary school as part of the site. However no indication is given as to the sustainability or feasibility of further development of the County High, and we are not aware of any discussions which have been progressed with the County High to indicate whether or not expansion of the County High is realistic. We do not believe that expansion of the County High is remotely likely, and that this is not a realistic option. Again, this demonstrates that the current Housing Strategy is both based on a non-existent evidence base and contains insufficient information to form the basis for a proper consultation. We repeat again the comments made above in this regard, further note the concerns raised in Appendix 8 to the December 2012 SHLAA regarding the County High issues, and further note the transport issues raised by siting the proposed level of development on the opposite side of town to the County High;

e. we note that as the County High School is an academy it has a huge amount of freedom, and ECC have effectively no control over it, and it seems to us therefore that these proposals are even more fanciful;

f. we also note the suggestion that secondary school development could be made on the Local Policy 1 site and note that no sustainability appraisal of such a possibility has been made, and no assessment of the social implications for Saffron Walden of moving to two secondary schools serving – or dividing – the town has been made. We believe that having one secondary school serving the entire town is a hugely cohesive force, and that a second secondary school would have a huge negative impact on Saffron Walden;

g. we note that the Local Policy 2 site is also on the wrong side of Saffron Walden and in an unsustainable location for housing, although clearly it would be a smaller site. We note that no Air Quality Assessment is proposed for this site, although its biggest effect would be on the Radwinter Road / Thaxted Road junction, which currently has the worst air quality in Saffron Walden and that an AQA should be required. We note that the conditions require a contribution to improvements at this junction, but that these are already provided for in the Ashdon Road permitted housing development and the Tesco extension, and are concerned about duplication and loss of s.106 benefits;

h. in relation to both of the Local Policy 1 and 2 sites, we note that the proposals provide for a contribution to the proposed cycle/footway to Audley End station, which is clearly desirable, but may well be funded in other ways, so again this s.106 benefit may be lost. However, they do not envisage any form of cyclepath to connect the new developments to anywhere. We note that the unimplemented April 1999 Uttlesford Cycle Network Plan envisages a network of cycle paths in Saffron Walden, including along the Radwinter and Thaxted Roads; the development of any
material site should also be contingent on the funding of these paths. The lack of any such proposal again seems to demonstrate UDC’s apparent antipathy to cycling. It is also in breach of Objective 6, in that development should both be better sited and sited so that residents can access cycle and footpaths, and Strategic Policy SP6, which envisages that the infrastructure associated with new housing developments should include highway improvements and cycle / foot paths.

90. We do not have sufficient knowledge of the Policy Areas outside Saffron Walden. We repeat however the comments we have made previously in relation to the Spatial Strategy and Housing Strategy. Given that the evidence base compiled by UDC shows that the level of housing development now proposed for Great Dunmow, Newport and Takeley is unsustainable, it follows that the Policy Areas identified in those settlements are also unsustainable.

91. We note the Policy Areas around Stansted Airport, and note again our comments above in relation to non-airport related development of Stansted Airport Local Policy Areas 1 and 2.

2.17 Policies EMP1 and EMP2

92. We support these policies. There needs to be a clear protection of employment sites to avoid landowners creating deliberate vacancies in the knowledge that they may later be able to obtain a change of use for housing development.

2.18 Policies RET1 - RET3

93. We support these policies subject to the following comments:
   a. as referred to above, we believe that Policy RET1 should also prohibit change of use from Class A1 use to other Class A uses. There is a clearly identified potential need for comparison goods retail space and a difficulty in expanding town centre provision, so retail space should be preserved, in Saffron Walden in particular; and
   b. we are extremely surprised at the lack of other Retail Policies, particularly those dealing with applications for out of centre retail development and those necessary to implement the NPPF requirements. We refer to our comments under Retail Strategy above – specific policies should be included to reflect these comments.

2.19 Policies EN1-EN6

94. We believe that there should be a policy in EN1 applying to developments of fewer than five homes; otherwise extensions to homes are caught by the policy but not new builds.

95. We believe that policy EN1 does not go far enough. We understand from the UDC Energy Efficiency Officer that new builds can be built to Passivhaus standards more cheaply than using traditional new build techniques. This policy should therefore require Passivhaus standards unless there is a clear and demonstrable significant increase in cost from a Code 4 approach.

96. We believe that Policy EN6 should be strengthened, in line with NPPF paragraph 124. Development should not be permitted which would lead to air pollution levels exceeding EU limit values or, where pollution
already exceeds EU limit values, further increasing pollution. Any mitigation strategy ought to be on a basis approved by UDC and using the most up-to-date traffic information available which accords with the latest ECC or UDC monitoring information.

2.20 Policy HE4

97. This draft policy falls short of the requirements of the NPPF, paragraphs 109 et seq., which require that “The Planning System should contribute to and enhance the natural and local environment”. We refer to our comments above in relation to Strategic Policy SP17, and repeat those comments in respect of Policy HE4 also – the same changes should be made to Policy HE4.
Appendix: A summary of UDC’s previous statements on the advantages of a new settlement (Option 4) compared to distributing housing across the district (Options 1-3)

3.1 Introduction

1. A summary of UDC’s previous statements on the advantages of a new settlement (Option 4) as compared to distributing housing across Saffron Walden, Great Dunmow and the villages of Uttlesford (Options 1-3).

This document summarises briefly the key elements of the evidence base that has been compiled by UDC to underpin their Spatial and Housing Strategies, and the principal findings as to the comparative advantages and disadvantages of each of Options 1-4 as published by UDC.

3.2 November 2007 Preferred Options Consultation

2. Saffron Walden can’t cope with significant new development (paragraph 5.11):

“Saffron Walden is the largest town in the District with a range of retail and other facilities but there is little capacity to accommodate significant new greenfield development on the edge of the town, due to impact on the historic character, the lack of capacity at the secondary school, sewerage disposal and the poor air quality in parts of the central area as a result of existing traffic congestion. The Council is therefore suggesting that the preferred strategy to provide the new housing should be to develop a new settlement to the north east of Elsenham of sufficient scale to support a new secondary school (approx. 3,000 homes) with the balance being provided mainly in the towns and villages.”

3. Option 4 (i.e. a new settlement) is the preferred option (paragraph 6.41)

“Option 4 involves the creation of a new settlement to the north east of Elsenham with more limited development in the towns and villages. This is the Council’s preferred option and reflects the resolution made by the Environment Committee on 4 September 2007”

4. Option 4 is preferred because of the limitations of the existing settlements to accept future development in addition to that already committed (paragraph 6.42):

“The objective of option 4 is to take Option 3 a step further. Rather than directing development to existing communities, some of which have significant development committed and require existing infrastructure to be improved, it establishes a new settlement which can be developed in a sustainable manner and incorporate the necessary infrastructure. Some small scale development would be suitable in the towns and villages to allow for organic growth.”
5. Option 4 is the most sustainable solution (paragraph 6.57):

“Growth Option 4: one new settlement with minimal expansion to existing settlements, compared to the other three options, is the most sustainable solution.”

6. Option 4 has the fewest negative impacts (paragraph 6.58):

“The Sustainability Appraisal demonstrates that Options 1 to 3 lead to a greater number of negative social, economic and environmental impacts as opposed to the option of developing a new settlement to the north east of Elsenham. The appraisal highlights the difficulty in mitigating against the negative impacts of expanding existing settlements.”

7. There is already significant development in Saffron Walden, Great Dunmow and a number of the villages and Option 4 provides them with greater protection from further change (paragraph 6.59):

“It is also of note that many of the existing settlements already have considerable development committed and option 4 provides greater protection to the historic importance and intrinsic character of these existing towns and villages which are currently undergoing change.”

8. Option 4 is the best solution (paragraph 6.63):

“In summary, the detailed assessment of the Sustainability Appraisal demonstrates a greater positive outcome for Option 4. It provides the most robust choice for the overall sustainable quality of the District and is therefore viewed as the most sustainable option.”

3.3 November 2007 Sustainability Appraisal of Preferred Options Document

9. A new settlement allows better designed infrastructure and avoids negative impacts on the existing towns and villages (Recommended Growth Option, pp 90/91):

“The SA process therefore identifies the most sustainable and environmentally acceptable development solution, from the Options provided, for future growth within the District.

A holistic assessment of all of these considerations, as set out in Table 4, lends itself to the selection of Option 4 as the recommended Preferred Growth Option. Growth Option 4 proposes the development of a new settlement to the North East of Elsenham.

The option to develop a new settlement to the North East of Elsenham, in itself, scores comparatively highly (positively) against the sustainability objectives. This option is reinforced by its direct contribution to reducing the extent of development within the existing towns and villages of the district which would otherwise occur. Therefore
both facets of Option 4 score comparatively highly against the objectives against alternative Growth Options 1, 2 and 3.

Table 4 demonstrates that opting to expand the existing settlements leads to a greater number of negative socio-economic and environmental impacts and highlights a defined difficulty in mitigating against these negative impacts. This is largely due to the difficulty of providing appropriate facilities and infrastructure (i.e. sports facilities, schools, primary health care etc.) that increased development inherently demands of each existing settlement area. Conversely, development of a new settlement to the North East of Elsenham alleviates this issue as it allows facilities and infrastructure to be appropriately designed into the development plan from concept. Furthermore, many of the existing settlements, in particular the large towns in the District, already have considerable development committed to them and a new settlement near Elsenham will provide greater protection to key aspects in relation to this, such as historic importance and the intrinsic character of the existing towns and villages.

It is also of value to note that all new development is going to incorporate renewable and low carbon technologies and a new settlement will benefit from economies of scale in incorporating this technology.”

10. A new settlement is the best option (p.91):
“Table 4 has demonstrated that overall greater positive outcome and reduced negative outcome is reached selecting Growth Option 4 and as a result this is viewed as the most sustainable option for the District”.

3.4 January 2010 Comparative Sustainability Assessment

11. English Heritage expresses concerns about the high sensitivity to change of Saffron Walden and Great Dunmow, and supports Option 4 (paragraph 4.4):

“English Heritage in their representations have expressed concern about the potential impact of additional development on Great Dunmow and Saffron Walden. They advise that both settlements have a high sensitivity to change having already been subject to considerable recent expansion. English Heritage’s view is that recent development on the edge of Great Dunmow has not been well integrated or designed to respect the character of the town and the capacity of Saffron Walden is also constrained due to its historic character and street pattern. English Heritage concludes that the concentration of development is likely to offer the best option in terms of preserving the rural character of the district overall and supports the preferred option [i.e. Option 4].”

12. Natural England also supports Option 4 (paragraph 4.6):

“Natural England supports Option 4 as the most sustainable of the four solutions”

13. Building a new settlement gives greater potential to mitigate against negative environmental impacts (paragraph 4.16):
“The environmental impacts arising from all five of the preferred options appear to be largely consistent with each other. However there is greater potential to appropriately mitigate against negative impacts with a new settlement where greater control is more manageable over one site as opposed to many because the scope for management arrangements is related to the scale of development.”

14. Option 4 is the best option to protect the existing towns and villages (paragraph 4.20):

“Options 1-3 and 5 perform less well than option 4 in meeting objective 3 to conserve the historic built environment. The impact of additional transport demands associated with the increased development is highlighted as a potential threat to the historic built environment. Significant development has already occurred and is planned at Saffron Walden and Great Dunmow and a new settlement will provide greater protection to key aspects such as historic importance and the intrinsic character of the existing towns and villages. No difference is identified between the new settlement proposals.”

15. Option 4 is better for sustainable business growth (paragraph 5.11)

“The White Young Green appraisal shows that all options perform less well than Option 4 in terms of meeting objective 22 – the potential to develop socially and environmentally responsible business growth. The development of a new settlement, especially if it has high environmental and sustainability credentials will be a focal point for sustainable and environmental technologies and businesses. The location of the site at Great Chesterford within the Cambridge Sub-region will make this site particularly attractive to businesses.”

16. The Saffron Walden County High School is full, is already one of the largest schools in Essex and cannot be expanded further (paragraph 6.9):

“One of the key constraints in relation to making any sustainable spatial strategy work for Uttlesford is the issue of secondary school provision. Saffron Walden County High School could not accommodate, or be expanded to accommodate additional pupils on the current site. It is already one of the largest schools in Essex and further expansion is unlikely to be an option.”

17. Option 4 provides a much better long term secondary school solution (paragraph 6.13):

“In relation to option 4 - the minimum size of settlement required to deliver a new secondary school is 3,000 family homes. All the new settlements are therefore capable of providing a secondary school and providing the site is large enough to allow for expansion this could cater for future growth demands beyond 2024”.

18. A new settlement would reduce overall noise impacts (paragraph 8.9):
“Overall noise impacts are likely to be comparatively reduced under Option 4 as development in this option will take place away from immediate noise sensitive uses such as homes, schools, community buildings etc.”

19. Additional traffic in Saffron Walden will make air quality worse (paragraph 8.12):

Development which results in additional traffic queuing at the air quality management areas in Saffron Walden will result in increased levels of pollution at the junctions which are already subject to poor air quality.”

20. A new settlement can better provide services such as education and health, and utilities (paragraph 9.25):

“The conclusion from the White Young Green Sustainability Appraisal is that in terms of delivering services and facilities a new settlement has advantages because it would allow facilities and infrastructure to be designed into the development plan from the beginning. Further detailed discussions with service providers like the PCT and County Education would seem to confirm that this assessment is consistent with service delivery aspirations.”

21. Any proposed development in Saffron Walden is in the wrong location for the sewerage works and would require major upgrades. A new settlement at Great Chesterford provides the best option for wastewater (paragraphs 9.32 and 9.34):

“Options 1, 2 and 3 would require similar extensive new and upgraded sewers because the locations of potential development sites in Saffron Walden, Stansted Mountfitchet, Newport and Thaxted are on the opposite side of the settlement to the treatment works.”

“The potential new settlement location at Great Chesterford is less than 1km from WwTW allowing direct connection to the treatment works. However, increases in treatment capacity and discharge consent would be required. Of all the new settlement locations, Great Chesterford appears to have the least constraints in relation to wastewater.”

22. Development at Saffron Walden would be the most remote from the strategic road network (paragraph 11.23 and 11.24):

“A transport assessment summarising the options has been undertaken by Essex County Council. The assessment shows that Option 4 Elsenham and development at Saffron Walden (Options 1, 2 & 3) are the most remote from the strategic road network.”

23. A new settlement would have fewer negative impacts than development in the existing settlements (paragraphs 12.3 and 12.4):
“Opting to expand existing settlements leads to a greater number of negative socio-economic and environmental impacts and highlights a difficulty in mitigating against these negative impacts. This is largely due to the problems of providing appropriate facilities and infrastructure i.e. sports facilities, schools, primary health care etc. that increased development demands in each existing settlement area.”

“Development of a new settlement alleviates this issue as it allows facilities and infrastructure to be appropriately designed into the development plan from concept. The new settlement option provides a practical solution to one of the key issues - that of making provision for secondary education. A number of existing settlements, namely Stansted Mountfitchet, Takeley, Great Dunmow, Little Dunmow/Felsted and Saffron Walden already have considerable development committed to them. A new settlement will provide greater protection to key aspects in relation to this such as protecting the historic importance and the intrinsic character of the existing towns and villages. Option 4 is supported by key consultees like English Heritage and Natural England who consider that a new settlement is likely to offer the most sustainable option in terms of preserving the rural character of the district overall. In addition, all new development is going to incorporate renewable and local carbon technologies and a new settlement will benefit from economies of scale in incorporating this technology. Overall noise impacts are likely to be comparatively reduced under Option 4 as development in this option will take place away from immediate noise sensitive receptors.”

3.5 February 2010 Further Consultation on Preferred Options

24. A new settlement remains the best option (paragraph 2.11):
“The findings of the CSA therefore provides the justification to progress with the Core Strategy for further consultation with land to the north east of Elsenham as the key element of the housing strategy”

25. Saffron Walden and its roads and schools can't cope with major new residential development (paragraph 4.3):
Saffron Walden’s town centre “is of the highest environmental quality”. “The strategy is to maintain and where possible enhance these historic features and ensure a new development creates a safe, inclusive and accessible environment.” “Because the services and facilities, particularly the secondary school, are at capacity and there is poor air quality at key road junctions opportunities for new residential development are limited.”

26. A new settlement is the best option (paragraph 4.7)
“Because of the constraints identified in the existing settlements in Uttlesford, the chief focus for growth in the District will be the creation of a new market town based on the expansion of the key service centre at Elsenham
3.6 Summary of Responses to February 2010 Consultation on Preferred Options

27. The UDC Further Consultation on Preferred Options: Summary of Comments, September 2010 notes that:
   a. there were 2,249 responses, of which 1,435 were objections and 764 were supportive of the new settlement at Elsenham’
   b. 61% of the objections were from the Elsenham and Henham and surrounding area.

28. If one stripped out the objections from Elsenham and Henham, where a well-organised campaign of opposition was conducted, there would be some 500 objections and 764 responses in favour of the Elsenham settlement.

3.7 Strategic Housing Land Availability Assessment December 2011

29. Each of the proposed new settlement sites at Elsenham and Great Chesterford (Executive Summary, paragraph (e)) are available and achievable (other than Elsenham); Great Chesterford and Elsenham are the most suitable:

   “In addition six sites for new settlements have been considered in the assessment with the following capacities and estimated build rates. The assessment found all the sites available and achievable apart from ELS8 where the road capacity was questioned but it found GtCHE7 and ELS8 to be the most suitable locations.”

30. The GtCHE7 site would provide a very good site for the Option 4 settlement (Appendix 8):
   “Great Chesterford: Despite the potential difficulties with this site and the scale of the development it was acknowledged that the location was very good, being close to Cambridge with good access to the M11 and the railway station. A village of 3,000-6,000 homes could work well and there were examples of such villages in Cambridge which also supported village colleges.”

31. Significant issues are highlighted with development at the sites identified in Saffron Walden for the development of 880 homes (Appendix 8):
   “Highways capacity and air quality are highlighted as important issues for all the large Saffron Walden sites. A transport assessment would be required at an early stage to provide more information on trip generation etc. Highways were concerned that the proposed relief road would not help with the traffic issues since it could not provide a route out of Saffron Walden northwards to Cambridge etc. The signals at the Thaxted Road/Radwinter Road are already at capacity. The route westwards via the Debden Road/Borough Lane junction is also constrained and there are physical land constraints to improving junction capacity in both these locations. Secondary School capacity was also highlighted as an issue. CH advised that County High was likely to reach capacity in 2012 and discussions were on-going with the school and other parties about possible solutions.”

3.8 Employment Land Review April 2011
32. Development in the north of Uttlesford should support the Cambridge Sub-Region objectives, but should only be located in Saffron Walden if demonstrably sustainable (paragraph 5.29):

“It is envisaged that these would be fully in accordance with regard to what the Council is looking to achieve within the district. Any proposed growth at Saffron Walden would, however, need to be demonstrably sustainable. This would mean that no excessive adverse impact upon its character and environment and that the existing infrastructure capacity problems are not exacerbated.”

33. For businesses, access to the M11 and wider transport network is key, and Saffron Walden is therefore unattractive (paragraphs 6.22 – 6.25):

“Given the relatively small population of the district and the size and location of towns and cities elsewhere in the region and further afield, ready access to the motorway and trunk road network is crucial. Hence, the M11, A120 and A14 are vital to the economic wellbeing of many of the district’s businesses. Whilst the district is not particularly well served by public transport, it does have a number of railway stations which provide rapid links to Cambridge, Harlow and London and hence wide population catchments. Interestingly, proximity to the airport did not emerge as a consideration for non-airport related businesses.

This therefore means that those areas of the district which are readily accessible to heavy goods vehicles from the M11 and/or A120 are Stansted Airport, Takeley and Great Dunmow. These locations are therefore potentially attractive to businesses dependent upon HGVs whereas those which are relatively distant from a motorway junction, notably Saffron Walden, are, by contrast, much less attractive. For existing businesses looking to relocate into the district, ready access to the main road network, and not merely proximity to it, may well be a crucial determining factor. This is exemplified by a number of international logistics companies who are believed to have a desire to be located close to Junction 8 on the M11.

Market evidence illustrates that a distribution company looking to relocate out of Harlow to further north along the M11 corridor sought premises in Uttlesford but eventually acquired premises in Haverhill, Suffolk. This was as a consequence of the availability of suitable premises and their ready accessibility to both the road network and a cheaper labour supply. There is also market evidence, by way of a distribution firm relocating out of Saffron Walden to new, more expensive premises in Huntingdon, to suggest that rental values are not the determining factor in this respect. That is not to say that finance is not a consideration. It clearly is, but in the context of running a business which is more efficient and therefore cost-effective.

One other consideration to emerge which is crucial, and which may therefore have major implications to the planning of future development in the district, is the poor road access to the proposed new settlement at Elsenham. If the settlement is progressed, accessibility will be an important factor in decisions as to whether to locate B1/B2/B8 uses there particularly in the form of large units.”

34. Businesses don’t want to locate in Saffron Walden because it is too difficult to access the M11 (paragraphs 6.60, 6.94 and 6.96):
(at paragraph 6.60): “The commercial property market in Saffron Walden is currently slow with little or no churn. This is in marked contrast to Great Dunmow and is for the following reasons:

- Difficulty in gaining access to/from the M11 as the nearest junctions to the north and south are 9 and 13 miles away respectively. A low bridge to the south of the town (at Newport) results in high vehicles either having to find an alternative, roundabout route or go to the northern junction (at Duxford) in order to travel south towards the M25 and London;
- All of the industrial sites/estates (i.e. Shire Hill, Ashdon Road, Printpack and Willis and Gambier) are situated on the eastern side of the town (see map 6), the structure of which is such that HGV traffic heading to the M11 has to travel either through the town centre or via a predominantly residential route around it; and
- 75 – 80% of the industrial stock is 20 or more years old and no longer fit for purpose.”;

(at paragraph 6.94): “there is a current surplus of B1(c), B2 and particularly B8 units in Saffron Walden resulting from a combination of the recession and, more importantly, the town’s relative remoteness from access to the M11”;

(at paragraph 6.96): “The Council can influence the levels of development and redevelopment and the occupancy of commercial floor space through the LDF by the extent to which it does the following:-

1. allocates land for commercial development which is:

   - readily accessible from the M11 and/or A120 (in terms of both distance and the availability or future provision of infrastructure)”.

3.9 January 2012 Consultation on Development Management Policies

35. The Core Strategy must be built on a sound evidence base (paragraph 3.7):

“All the planning documents being prepared by the Council have to be supported by evidence. A significant amount of work has been done on a range of subjects by the Council and its consultants. This forms the evidence base for the Core Strategy and the other documents and reference is made to relevant studies in this document. All the study work is available on the Council’s website.”

3.10 January 2012 Consultation on the Role of Settlements and Site Allocations

36. In January 2012, UDC issued a consultation document on the Role of Settlements and Site Allocations and noted that it was reviewing the Core Strategy. The January 2012 Consultation specifically stated however that UDC residents were not being consulted on the Spatial or Housing Strategy (paragraph 4.2), but just on the role of settlements and possible sites for development:

“These changes give the Council an opportunity to consider its strategy. This will be subject to further consultation on the Core Strategy in June. The Council is not asking for views on this strategy through this consultation but is seeking your views on the roles of the settlements and possible sites for development generally.”
### 3.11 Reports of Public Participation in January 2012 Consultations

37. The Report issued by UDC on Public Participation on the January 2012 Consultations: Report One Comments made at Public Exhibitions etc. noted that Option 4 remained UDC’s preferred option as at 1 March 2012 (see Andrew Taylor response to question from Mr Herbert at the North Area Forum on 1 March 2012, on p.31):

> “Andrew Taylor: The council is consulting on the Core Strategy at present and its preferred option remains option 4. When all the documents are brought together in June there will be opportunity for further comment.”

38. The Report issued by UDC on Public Participation on the Role of Settlements and Site Allocations Consultation (Report Two) noted the following:

a. 1,602 responses were received from consultees;
b. there was public concern at the nature of the consultation in that it appeared to contemplate a change of the Core Strategy, but gave no indication of what any such change might be and was expressly not a consultation on the Core Strategy (Question 1 – General comments):

> “One of the key issues which has been raised is that the consultation is flawed because the decision on the number of new dwellings needed has not been made yet and people feel it is not possible to comment on the locations for new development when there is no indication of numbers or the period of the plan. They also felt it was difficult to give a realistic comment on sites without details of the development.”

c. the consultation was not intended to be a consultation on the Core Strategy, and Option 4 remained the preferred option: (Question 1 – Officer Comments):

> “The Council was not asking for views on a different strategy but was seeking views on the roles of settlements and possible sites for development generally. At the time of the consultation Option 4 was still the Council’s preferred option. Subsequently the Council has reviewed the findings of the Council’s evidence base against a single settlement strategy and two variations of a dispersed strategy. On two occasions in 2007 and again in 2010 the Council has consulted on different strategies.”

d. the Officer’s comments however on the responses appear to indicate that UDC were intending to try to use the responses to justify a change to their Core Strategy, even though no consultation had been conducted on it.