

Stansted, 5th August 2013

Mr John Mitchell
Chief Executive, UDC

Dear Mr Mitchell

Thank you for your response of July 30th to our letter of July 29th.

We appreciate the dialogue but also consider that the issues need to be explored further because we are not yet satisfied with your explanations. We are, therefore, through this memorandum, asking you to look again at some of the points raised and to provide explanations where we are now adding to the earlier letter. We are repeating our request for the Bank Holiday meeting date for the three planning applications at Walpole Farm and at Cambridge Road to be changed.

We note that you have been unable to “see any evidence of failure to be transparent or refusal to answer questions”. Yet Cllr Dean has not received an answer from Officers to his question about revised plans at 14 Cambridge Road. Nor has he received a response to his question about why completing the fairly simple application at 10 Cambridge Road is proving so difficult and lengthy. He has also not received a satisfactory explanation why the reports were not completed last month and were not submitted to the planning committee on July 31st.

Additionally, Cllr Dean has not received an explanation about the handling of parking issues at the two Cambridge Road sites. A recommendation by ECC Highways for refusal at 10 Cambridge Road was posted on the UDC website. No one at either UDC or ECC contacted the applicant about this. The applicant’s agent saw the letter on the website and contacted Ms Clare Jenkin at ECC to enquire about the problem. Ms Jenkin asked for more details about customer parking. This was provided and the recommendation for refusal was subsequently withdrawn. The landlord at 10 Cambridge Road met Ms Jenkins on site and asked why ECC had been concerned about on-site parking at 10 Cambridge Road but had raised no concerns about the same matter at 14 Cambridge Road. Parking at this site had been addressed in some detail in a report from Barker Parry Town Planning. In the section of this report headed Parking Provision it is claimed that “prevailing standards... indicate a need for five spaces for the A2 premises and thirteen for the B1 floor space. Just two spaces are..shown behind the shop/office unit on Cambridge Road”. When the applicant’s landlord asked Ms Jenkin why she had not evaluated parking proposals for 14 Cambridge Road, including this apparent 16-space shortfall, but had raised concerns about the adjacent site, Ms Jenkin gave no answer.

It seems to us that there are several issues here that need to be explained. Does ECC have any remit in evaluating on-site parking? If so, why have they not been consistent and transparent about the subject in both these cases? If UDC is the parking expert and ultimately the Local Planning Authority, has it evaluated both sites for parking in an even-handed manner; and if so, how? I understand that there are concerns at Member-level at ECC over the relationship with UDC planners. Is this matter known by you and is it being addressed? You may remember that there was an earlier issue in Stansted at the Lower Street car park over the Hilton Cars/Health Centre application. The chairman of the planning committee claimed that ECC had evaluated car park safety, though this was shown not to be the case. ECC had said that was UDC’s responsibility. There seems to be a continuing demarcation dispute which is disconcerting to planning applicants. Is ECC the accepted parking authority in the way that the Environment Agency is the authority on flooding or is the relationship one in which advice is given and treated on a pick ‘n’ mix basis by UDC and/or ECC?

Cllr Dean acknowledges that there must have been a misunderstanding over whether the reports for Cambridge Road were complete, but his conversation with Maria Tourvas contained no indication that the applications were not destined for the July 31st meeting. In view of the fact that these are relatively modest and straight forward applications, we are left in the dark having to deduce that officers are struggling to reach an agreement on recommendations in view of the history of applications at the 14 Cambridge Road site. As you know, officers first invited the land owner to submit an application for housing on this commercial/employment site. The current applicant has committed to deliver a six- or seven-figure sum of money to the landowner, presumably based on the expectation that UDC would deliver on its original invitation. Housing on the site was refused twice last year by the planning committee.

Is there a planning conflict between continued commercial use of 10 Cambridge Road and change of use to housing at 14 Cambridge Road? If so, the situation of contradictory expectations has been brought about by the council's own actions over its 5-year land supply deficit. All of these events suggest to us that the planning department may not be acting in as straight forward and transparent manner as ought to be expected by both Members and the public; straight answers have not been forthcoming from the planning department.

The target deadline for determining the 14 Cambridge Road application was 4th July 2013. The determination deadline is 8th August, only three days hence from today. The target deadline for determining the 10 Cambridge Road application was 24th July 2013. The determination deadline is 7th August, only two days hence. The delay caused by not taking both these applications to the planning committee last week means that neither will meet its statutory timescale. Therefore, any "strong penalties", which you have argued take priority over school holidays, will be incurred whatever now happens to the timing of the determination of the planning applications. Therefore, your case that a more suitable date cannot be set for the planning committee meeting does not stand up to scrutiny in these instances.

We agree that the council's press statement about the deliberate delay of the Elsenham/Henham major planning application did relate to "certain circumstances" that are special. This application has strategic importance to the future development of those two communities beyond their existing development limits. We consider that the Walpole Farm application is as significant to the future development of Stansted as it breaches development limits and encroaches into vistas that would change the northerly approaches of Stansted forever. Equally, we and the parish council believe that the Cambridge Road applications have the potential to enhance the town centre viability or to undermine it at a time of growing demand for local economic activity, depending on whether one is granted and one is refused.

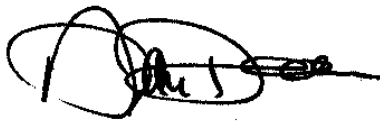
The implication of your response is to suggest that the impacts of the Stansted applications are less significant to our community than is the Fairfield application to our neighbouring villages. All, in their different ways, are relevant to the future direction of the Local Plan. Moreover, you have conceded that the council may incur penalties for moving the Cambridge Road applications from July to August on the initiative of the planning department? So officers have already contravened their own guidelines at Cambridge Road. They are applying their own interpretation of "special circumstances" to suit their own convenience to the timing of the Walpole Farm application without paying due regard to the Stansted community, the impact of the Walpole Farm application on the village and its residents, who wish to have full democratic representation when this application is heard.

Therefore, once again we urge you to move the date for these applications from the August Bank Holiday Week.

We do not regard the reading of a written representation by a committee clerk (as described in last week's Dunmow & Stansted Observer) to be an adequate substitute for a personal presentation.

Both of us leave for holiday between one and two weeks before the meeting planned for August 28th. Regardless of when they are heard, would you please publish all three committee reports during this week, i.e. by August 8th, so that we have time to examine them before we go on holiday?

Yours sincerely

A handwritten signature in black ink, appearing to read 'Alan Dean', with a large, loopy initial 'A'.

Alan Dean

p.p. Iris Evans

Copied to: John Mitchell for action in the absence of Roger Harborough on holiday; Jackie Cheetham, Christina Cant