

Examination of Uttlesford Local Plan (ULP)

Statement by Cllr Alan Dean

Member for Stansted South of Uttlesford District Council

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Introduction

I am pleased to submit this submission to the examination. I will conclude that the submission plan is not sound.

Matter 3 Settlement classifications (Local Plan paras 7.1-7.8)

As a member of Uttlesford District Council for 27 years I am unaware of any consistent, well rehearsed strategy for classifying towns and villages against their potential for future development. Whilst access to the main road network is an important criterion, the existence or non-existence of amenities and services is another. The district has at least one village whose primary school is threatened with closure through lack of pupils in part owing to minimal growth in population over many years. We have villages with shops whose long-term existence will be weakened unless there is local population increase. Yet the overall thrust of the council's approach has been to "protect" these villages more through benign neglect rather than by having a clear and transparent strategy to enhance their sustainability. The ultimate outcome will be to reduce their sustainability, distort the demographic balance and force more travel to places where services do exist. The Local Plan proposal for the North-east Elsenham new settlement has resulted in part from this narrow attitude. The housing and population growth rate in Uttlesford may not warrant a new settlement, especially one which is inaccessible by road. The ultimate effect will be that most future growth will have to be sucked into this proposed new settlement to achieve an acceptable level of sustainability there whilst many other existing settlements will be preserved in comparative aspic and will decline in relative terms as viable communities. The Local Plan should address these issues before it can be deemed to be sound. In essence, the plan lacks a coherent bottom up strategy for classification of settlements.

Matter 5 Employment Strategy (Local Plan part 9, including part 42 of the plan, in particular Stansted Mountfitchet policy 9: land north east of Bury Lane)

The local plan is not sound because it concentrates future housing growth in the south of the district and largely neglects the economic driver of Greater Cambridge. This could be a source of employment for new residents in the vicinity of Junction 9 on the M11, which is less loaded than Junction 8. Great Chesterford has a railway station. Employment growth at and in the vicinity of Chesterford Research Park would benefit from housing growth in the same vicinity. This area includes the Genome Centre just across the county boundary in Cambridgeshire. It is likely that employment in this area will grow in coming years and would be served by residential development either side of the county boundary. Housing development could be in the form of a new settlement at least partly in Uttlesford near M11 Junction 9. The local plan lacks coherence between its employment

elements and its housing elements and fails to provide a long-term view. For instance, there is little logic in supporting a new settlement at an inaccessible location such as Elsenham, especially when a new settlement may currently not be needed at all (see Matter 3), when it may be clear at the first review of the local plan that the vicinity of M11 Junction 9 may be the better location for long-term employment and housing growth. The current local plan fails to address this strategy.

Matter 5, issue1

Hence, the employment strategy is not founded on convincing evidence? The issues identified at para 9.9 lack a wide, long-term vision, aspects of which I have mentioned above. Whilst para 9.16 recognizes Chesterford Research Park as an employment location, the plan fails to place this employment site in the wider context of the Greater Cambridge economy and the plan's related housing proposals.

Matter 5, issue 2

Major non-airport related development at Stansted Airport has been resisted in the past to avoid land being demanded in future outside the airport perimeter because on-site land has been used for other purposes. This is addressed in para 9.29. Stansted Mountfitchet Policy 9 must be tested against this principle. Para 9.28 provides no quantified evidence that the release of the land from airport-only use will not give rise to a deficit of land for airport purposes as the main airport expands towards 35 million passengers per annum or the then full capacity of one runway and the private airline business at the airport's north-side also expands. This factor must be tested rigorously.

Bury Lodge Lane is narrow and winding. It is a route to and from Stansted Mountfitchet, including the hamlet of Burton End, for local traffic. It is not suitable for major commercial and industrial traffic. Any regeneration of the north-side of the airport must be accompanied by improvements to Bury Lodge Lane south of any access to the proposed employment area and by measures to deter commercial and industrial traffic using Bury Lodge Lane northwards through Stansted Mountfitchet. A weight limit excluding buses would be one such measure.

Matter 7 Housing strategy (Local Plan part 11)

Matter 7A The relevant Housing Market Area (HMA)

Matter 7A, issue 1

Matter 7C The housing strategy

I attempted to pursue this matter at the council's local plan working group on September 15th 2014. I said that I did not agree with the council's response to this matter. It is minuted that I challenged the assumption that the proposed location of a new settlement (at Elsenham) does not appear to be justified by any analysis of long-term local demand. In particular, I am not aware of any quantitative analysis of the impact of the Cambridge economy on the housing market within Uttlesford and, therefore, what the balance should be between housing growth in the north of the district compared with the south of the district. At the September meeting, as minuted, "officers replied that the new developments were distributed in such a way that there would be provision in all the travel to work areas which look toward Harlow, Chelmsford and Cambridge". I do not accept that explanation. It may be the case in simple terms, but it is only by default rather than design. There is no evidence of any strategic design. Travel to work by road on a major scale from Elsenham will be relatively poor quality owing to the poor local road network and the barriers to an acceptable solution which I will address later.

At the same meeting I said that the methodology for considering alternative sites had not been not considered at a public meeting. A paper was presented to a private meeting of the working group on November 1st 2013 but it was not discussed in public at the cabinet meeting later on the same day. I disagree with the report's statement that all potential sites had been considered because planning agents Bidwell's had been refused a meeting with officers to discuss the site north of Great Chesterford.

Evidence that a landowner's planning agent was prevented from entering into effective dialogue with the council at the end of 2013 over one site that could accommodate a significant number of homes with better access to the strategic road network at M11 Junction 9 suggests to me that there has been an unspoken agenda within the council to resist development in this northern part of the district within the Cambridge travel to work area and that is influenced by the Greater Cambridge economy.

The council has not demonstrated openness in its completion of the plan in the past 12 months. It should have called for proposals to meet its higher housing projections at the time it decided to increase annual projections because there was a strategic change of direction by the introduction of a new settlement. It should be able to demonstrate that it treats all landowners and their agents in an even-handed manner. It does not seem to be able to do so. Moreover, its failure first to consult on the principle of a new settlement and to invite alternative proposals seems to have led to a biased outcome.

The council has failed for many years to ignore the needs for growth of many of the district's smaller villages. These are at risk of being preserved in aspic for reasons of party political prejudice so that they will eventually become wealthy middle class enclaves with distorted population profiles. The council should stand back and examine which villages need more housing. It should also examine sites along the A120 corridor which have good access. If it really can justify a new settlement, it should carry out a comparability study of locations which have better access than Elsenham, such as Great Chesterford. Only by doing this can the council regain any credibility for its Local Plan with the people of Uttlesford District.

The approach of the council described above raises significant doubts about the soundness of the local plan?

Matter 7B Objectively-assessed housing need

Matter 7B, issue 1

The council belatedly at the end of 2013 acknowledged that it needed to plan for growth that accommodates people who move to Uttlesford but who may work elsewhere. At that time failed when questioned to justify the actual annual total chosen. At that time it seemed to most council members to have taken a too simplistic approach without much rationale to take into account the local context. Members of the cabinet claimed in summer 2013 that they had achieved a reduction in housing numbers when the reality was they had attempted to reduce the plan period and hence the plan period housing total. The decisions in late 2013 to choose the annual total of 2013 homes seemed like an ill-considered panic measures. The bolting on of an additional 2,680 homes without an in depth review of the plan before bolting onto to the former draft plan several additional sites including a new settlement added to the discomfort that this phase of the plan's development was a rapid response that was not adequately aired.

I offer no opinion on what an objectively-assessed housing need is because I possess no expertise in the matter, but I welcome this aspect of the plan being scrutinised.

Matter 13 Infrastructure (ULP part 17)

To the best of my knowledge, the council do not possess an inventory of infrastructure deficiencies that it would wish to address through the infrastructure levy (CIL) or S.106 agreements. This is one of the reasons why it has not yet adopted the CIL.

Matter 15 Strategic allocations

Matter 15G (Elsenham 1: land north east of Elsenham)

Issue 15G/1, Issue 15G/3,

This proposal represents the nadir of a failed local plan process. Two planning applications for 800 homes at this location have recently been rejected by Uttlesford's own planning committee. It originally was part of a political administration proposal put forward as being necessary to accommodate an annual housing total around 430. At the time no planning justification was given for a new settlement being needed. The annual housing target was subsequently reduced to around 330 and the Option 4 new settlement at Elsenham was deleted from the plan. It remained excluded from the plan when the council subsequently resumed using an annual target of around 430 homes but attempted to understate the total required over the whole plan period by reducing that plan period to 12 years. Throughout 2013 the council leadership refused to discuss its flawed approach despite wide public discontent. The proposals in the current local plan to include the reinstatement of a new settlement at Elsenham/Henham, which the council was misleadingly calling a village extension, is a knee-jerk reaction to a dishonourable process driven more by party politics than by good planning principles. The process has not been sound and the outcome is not sound for the reasons that follow.

At the September 2014 meeting of the local plan working group I raised the following points which are still valid.

- i) An explanation of the strategy behind the improvements to the M11 junction 8 are needed.
- ii) The plan says that there was route capacity south of Elsenham but this is not the most direct and convenient route for residents so in reality it was unlikely to be used. I will address this in greater depth later.
- iii) I asked about the current status of the western link road.
- iv) I questioned the traffic modelling for more than 800 homes on the Elsenham site and the mitigation measures that would be required. I

believe that this information should be available at this stage.

The response I received concluded that the allocations which would have a material impact on M11 J8 were those in Elsenham and the employment land allocation North East of Bury Lodge Lane, Stansted and in East Herts around Bishop's Stortford North. The allocations were sound because mitigation measures had been identified which would ensure that J8 continued to operate within capacity up to the mid-2020s with these developments.

It was said that the delivery of more than 800 homes on the Fairfield site at Elsenham was profiled from 2024/25, which was considered adequate time for highway scheme development and the preparation of business cases underpinned by the required level of modelling to enable appropriate mitigation to be provided.

It was stated that the western link road would probably not be pursued as the cost for the junction 8 improvement short/medium term measures would be considerably less. It was not possible to have a detailed plan to the end of the plan period before detailed traffic assessments had been carried out.

These responses are not satisfactory. I do not accept that a plan should be deemed to be sound on the off-chance that a solution to road congestion can be worked out sometime in the next 10 years. Not only have traffic assessments not been carried out, but, naturally, nothing has been costed because there is no solution available to cost.

The suggestion in the previous paragraph that improvements to M11 Junction 8 are a substitute for traffic congestion in Stansted Mountfitchet is not credible. Traffic has to transit Stansted Mountfitchet to reach the motorway junction.

Even if the council has accepted that a bypass at Stansted Mountfitchet were required, the draft suggestion of a half bypass from Elsenham Road, Stansted to Cambridge Road, Stansted would do no more than transfer the congestion from Lower Street to Cambridge Road.

Essex County Council said in its pre-submission response to Uttlesford DC dated April 2014:

"ECC is also concerned about impacts future growth at Elsenham will have on the primary road link to Stansted Mountfitchet. The Highways Impact Assessment demonstrates that this primary road link between Elsenham and Stansted Mountfitchet is already congested and has little scope to make improvements necessary to cater for demand arising from secondary school based journeys, irrespective of whether these are in Stansted Mountfitchet or Elsenham. The Highway Impact Assessment highlights that journey to work trips to Stansted Mountfitchet or locations further west are likely to impact either on the link between Elsenham and Stansted Mountfitchet or potentially divert to the minor road network resulting in capacity issues. It is also considered that traffic will divert to other routes increasing traffic within neighbouring villages and hamlets. "To alleviate some of the capacity issues arising from the proposed growth at Elsenham ECC recommends –

- Defining the road hierarchy from Elsenham to the key strategic road system. It should be noted that this may require clarity from Manchester Airports Group (MAG) owners of Stansted airport as this may involve; the highway authority adopting a road currently owned and operated by MAG or securing agreement that this road will remain open to all traffic unless a suitable alternative be provided.
- Further detail is required regarding connectivity of Elsenham to the strategic road network and prioritisation and timing (in terms of linkages to development packages) of road improvements."

The local highways authority is not satisfied with UDC's approach to leave all these outstanding matters for 10 years hence. Nor am I satisfied.

I submit further evidence about the inaccessibility of North-east Elsenham in my submissions to the planning inquiry in October 2014 on Fairfield's refusal of 800 homes at the same location. This is appended.

In summary:

- Fairfield has made claims that if Stansted Mountfitchet is congested at a route to Bishop's Stortford and the motorway, drivers will travel via Takeley or Stansted Airport's road network.
- The appended evidence shows that the route via Takeley is x miles longer and is estimated to take y minutes longer in fair traffic conditions.
- Fairfield has produced data which measures journey times to the the A1250/B1383 junction on the eastern edge of Bishop's Stortford town centre.
- This is a badly congested junction with traffic lights. Whilst traffic via Takeley would have to transit the lights and be subject to delays, traffic to Bishop's Stortford town centre via Stansted Mountfitchet would avoid this junction and travel into town via either the B1004 or the undesignated road from Stansted Mountfitchet called Gypsy Lane.
- Fairfield said at the inquiry that they had discarded travel data where journeys had "exceptional queuing".
- Fairfield's data also includes journey times via the Cooper's End roundabout at the airport boundary and the private airport road network. I believe that the airport owner does not wish major developments in the Elsenham area to rely on its private roads. The company has the option to close the access at Cooper's End at any time if it so wishes.

I conclude that the plan is not sound because the most significant housing proposal in it, at NE Elsenham Policy 1, cannot effectively be delivered owing to highway access congestion in Stansted Mountfitchet and without as yet uncommitted improvements at Junction 8 of the M11.

Overall conclusion: I conclude that the plan has not been positively prepared and is not sound.

Appendix 1

SPOKEN REPRESENTATION TO THE PLANNING APPEAL HEARING ON 8TH OCTOBER, 2014 RE:

Appeal reference: APP/C1570/A/14/2219018

Appellant's name: Fairfield (Elsenham) Ltd

Good morning

1. I am Alan Dean. I have been a resident of Stansted Mountfitchet since 1971 and have been a Member of Uttlesford District Council for Stansted continuously for the past 27 years. I am speaking today in that role on behalf of my constituents.
2. I welcome change, including much needed housing, provided it is the right form of change in the correct location. I recognize and support the need for new housing in this district, but it must be accessible and have an overall positive and sustainable impact on surrounding communities.
3. This appeal matters greatly to my constituents because the development would bring unacceptable damage to the community of Stansted Mountfitchet some two miles distant.
4. Stansted has been undergoing considerable growth and consequential change. It has expanded by some 700 homes to the south over the past six years. There are plans for several hundred extra homes in coming years. We will absorb and integrate them; not without some difficulty, of course.
5. Until recently Uttlesford District Council was playing a crude numbers game. Provided the future housing numbers added up, the appropriateness of the location and the long-term damage that might be inflicted on the sustainability of the affected community seemed to many people to be of little consequence.
6. Just two weeks ago today I spoke at an appeal in the centre of Stansted which, if upheld, will damage irrevocably, the vitality of the commercial and retail centre of town. At that appeal, it was acknowledged that the earlier planning officers' recommendation for approval was mistaken. At the time it was simply a crude numbers game.

7. Thankfully, planning committee members took a longer-term view and refused that application. We await a decision on whether 14 extra homes crammed into a town centre are better or worse than more jobs and services for a growing population.
8. I suggest that it is important to understand the local context in which many recent planning decisions have been made. Other speakers will likely describe it more clearly than I can do. All I will say is that poor leadership resulted in a period of denial of the need for housing and a resistance to evidence-based planning. This was followed by a period of panic in which some inappropriate approvals were given and there was an effective free-for-all by the development industry.
9. The council now has a housing land supply well in excess of five years and Stansted has contributed to that total. In my opinion, the application which is the subject of this appeal is one such speculative application and one which should, in my opinion, be dismissed. Let me say why.
10. In 1983 Graham Eyre QC wrote in his famous report on the Stansted Airport Inquiry about: "...the deleterious effect of additional traffic....in particular, in the heart of Stansted Mountfitchet. Evidence persuaded me that a by-pass would be expensive and difficult to locate..". Of course, since then traffic volumes have mushroomed.
11. I live, as do many other people, near Chapel Hill in Stansted. Mr Bamber made reference yesterday to Chapel Hill on a number of occasions. It is heavily parked because the residents have nowhere else to put their cars. It is heavily congested because the traffic flow has to alternate up and down the hill to pass the parked vehicles.
12. Yesterday morning it took me several minutes to escape from my own side road off Chapel Hill, dodging cars coming behind me down the hill in this direction and towards me up the hill at the same time. It was an exercise in obstacle avoidance. On my return home yesterday a lady on the very narrow pavement in Chapel Hill had to perch her wheeled shopping bag at the edge of the road whilst we negotiated a safe passage for everyone.
13. Nearby Cambridge Road is a nightmare throughout most of the day. A Co-operative convenience store and a Tesco convenience store will soon be joined by one of Sainsbury's convenience stores. Traffic congestion and parking are poor. Cambridge Road is at the top of Chapel Hill.

14. The bottom of Chapel Hill where it meets Lower Street is soon due to become host to a large building which will house apartments, a health centre and yet another convenience store. This development will act as a magnet for even more traffic.
15. The bottlenecks in Grove Hill, followed by Lower Street and then Chapel Hill were known to Graham Eyre QC in 1983. They comprise the shortest semi-effective route from the appeal site to Stansted's services and to Bishop's Stortford. Why should we in Stansted be the guinea pigs who have to suffer aggravated gridlock in order to prove the appellant's theory that a fraction of potential residents of this appeal site will be forced to take alternative but much longer routes to get out of their proposed development?
16. In the report from Essex Highways published in the spring of this year, the county highways authority says: "The nature of the road network in Stansted Mountfitchet means that there is little that can be done within the village centre to facilitate more free-flowing traffic conditions, particularly in the Grove Hill, Lower Street and Chapel Hill areas".
17. This is part of a belated recognition of the need for a housing strategy based on long-term strategic direction rather than on short-term, tactical expedients such as the subject of this appeal.
18. It is 4.9 miles from The Crown in Elsenham to Waitrose in Bishop's Stortford via Stansted Mountfitchet. It is 10 miles via Hall Road and The Four Ashes in Takeley.
19. It needs to be remembered that Fairfield originally said that Hall Road, Elsenham would connect with a spine road to be built alongside extra runways at Stansted Airport. That is a now a dead option. Then Fairfield and the district council planners naively said cars and trucks would still use Hall Road all the way to the Four Ashes traffic lights at Takeley to get to Bishop's Stortford and the M11.

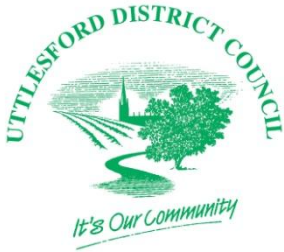
20. Essex Highways has now recognized that drivers will not add extra miles to their journey to avoid Grove Hill and the congested centre of Stansted Mountfitchet. They say in a report published in the spring of this year *“....it may be possible to provide a link road through from the B1051 Stansted Road to the west of Elsenham, across the north of Stansted Mountfitchet, to the B1383 in the vicinity of High Lane.....a more suitable route (sic) for traffic to reach Bishop’s Stortford etc.”*
21. I challenge the idea that the bypass route would be “more suitable”. Stansted’s congestion problem would simply be transferred from Grove Hill and Lower Street to Cambridge Road; a shopping street already chaotically congested, as I have already described.
22. But no such bypass is on offer. It does not even feature in the deposit local plan. It is simply an idea. It is an afterthought with no chance of being delivered.
23. It should be noted that the only proposed road “improvements” (and I do not use the word “improvement” to endorse them) are all in Elsenham. I think this demonstrates the narrow, self-interest of the appellant.
24. What I have just described means that the appeal site is supported by a deposited local plan which is untested and which does not even address such strategic matters as how traffic will access and egress the most significant site allocated in the plan.
25. I believe that the local plan is unsound. If the local plan is unsound - and it certainly has not yet been found to be sound - then the appealed proposal is undeliverable without unacceptable damage being caused to Stansted Mountfitchet as well as to other villages.
26. It is a recipe for many rat-runs. Ugley Green was mentioned yesterday. Unwelcome traffic through Ugley Green that is south-bound traffic would end up battling along Cambridge Road, Stansted. The Tye Green rat run will impact on the hamlet of Burton End, which is part of Stansted.
27. The council has mistakenly relied on traffic routes via Stansted Mountfitchet and Takeley, yet these are deemed unsuitable in the Essex Highways' assessment dated March 2014.
28. The appealed application is simply a mini Trojan Horse for a much bigger application at North-east Elsenham. Access to the larger scheme is deeply flawed and not deliverable without major additions to the local road network and improvements to the strategic road network at M11 Jcn. 8.
29. I just described this appeal for 800 homes as a mini Trojan Horse because I believe that the real Trojan Horse is the 2,100 home proposal in the deposit

local plan. The local plan is silent on a road solution for North-east Elsenham because I believe that it will take much more extensive urbanisation of the south-west corner of Uttlesford to support the necessary infrastructure to access the Elsenham area. No one is admitting to that concept.

30. Without a clear and deliverable strategy, I believe that this appeal should be dismissed as opportunist, premature, unsustainable and undeliverable. The damage it will do to just one neighbouring community - Stansted Mountfitchet - along with several others would be an unacceptable result of bad planning.
31. Developments of this scale should take place adjacent to local transport corridors and with good connections to the strategic transport network. The appealed application will create a remote, soulless commuter housing estate that could become a bad neighbour for many, especially for Stansted Mountfitchet.
32. I urge you, sir, to dismiss this appeal.

Cllr Alan Dean
Member for Stansted South, Uttlesford District Council
8TH September 2014

Appendix 1: Addendum to Appendix 1



UTTLESFORD DISTRICT COUNCIL

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Member for Stansted South: Councillor Alan Dean



Please reply to home address: 49 Recreation Ground, Stansted, Essex, CM24 8BD

9 October 2014

Your ref: APP/C1570/A/14/2219018

Our ref: AD09101401

Telephone: 01279 813 579
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Mr D R Nicholson
Inspector, Fairfield (Elsenham) Appeal

Dear Mr Nicholson

I was asked at the inquiry on Wednesday (yesterday) to verify the source of my information contained at paragraph 18 of my submission about distances between The Crown public house in Elsenham and the Waitrose supermarket in Bishop's Stortford.

That source was Google Maps. I have attached the relevant printout from Google.

This shows the distance and timing via Stansted Mountfitchet as 4.9 miles and 11 minutes.

It shows on two pages the distance and timing via The Four Ashes traffic lights at Takeley as $4.5 + 5.1 = 9.6$ miles and about 20 minutes.

Yesterday I checked the distances in my own car. I travelled between 2.45 p.m. and 3.30 p.m. I encountered little congestion at that time apart from in Chapel Hill, Stansted.

My distance and timing via Stansted Mountfitchet were 5.2 miles and 14 minutes.

My distance and timing via The Four Ashes traffic lights at Takeley were 9.6 miles and 22 minutes.

My journey through the traffic lights at Hockerill in Bishop's Stortford was, unusually, totally unimpeded, whilst this route in and out of Bishop's Stortford at many times throughout the day can be very congested. In reality, a local person with experience of traffic conditions at Hockerill might choose to use the A120 Bishop's Stortford bypass from the M11 and then take the B1383 and B1004 into Bishop's Stortford. This adds 1.2 miles to the journey but is normally far less frustrating than using the Dunmow Road/B1256 route via the Hockerill lights. I attach relevant printouts.

I have noticed that Google Maps will give small variants on the route depending on traffic conditions and road works pertaining at the time of search. This may explain the small variations in web-sourced data.

This information reinforces my opinion that few people will willingly choose the route via Takeley.

Yours sincerely

Alan Dean