

[External] Examination Note on the Saffron Walden NDP

Mon 07/02/2022 18:56

NOTE: HIGHLIGHTED CONSULTATION DATES TO BE UPDATED

Dear Demetria,

I refer to my Note of Interim Findings and the responses to that Note from UDC and the TC. I have prepared another Note (attached) that now moves us to the next stages of the examination given that the TC wishes to proceed with the examination.

In brief this Note outlines my intention to seek comments on the proposed significant modifications. I give a description of the intended modifications and a brief reason for them in the Notes.

Moving forward, conscious that the examination has taken a long time, I would like to propose the following timetable:

w/c 7 or 14 February - two week publicity period starts on the proposed significant modifications (Lead Action UDC)

7 March - any responses received to be sent to the examiner by close of business (assumes publicity period will start by 17 Feb) (Lead Action UDC)

11 March - any comments on those representations from the TC to be sent to UDC and the examiner (Lead Action TC and UDC)

16 March - examiner issues fact check report to UDC and the TC (Action examiner)

29 March - comments from UDC and the TC are sent to the examiner by close of business (this is a generous period for comments which is usually one week and so I would welcome comments from both parties earlier if possible); please note this is only a fact check stage and not an opportunity to comment more generally on my report (Action TC/UDC)

1 April - final report issued by the examiner (Action examiner)

I hope this suggested timetable will be acceptable to you and the TC.

Whilst writing, I note that the TC in their response to my Note of Interim Findings considers that for example in relation to Policy SW1, sufficient evidence is "held" and that they would want to discuss the matter further. In addition, in relation to Policy SW2, the TC indicate additional work can be undertaken and supplied. Finally, the TC's response indicates that they anticipate by continuing with the examination, my concerns can be addressed with the opportunity for the TC to respond further.

Unfortunately this is not quite right and I think it is important that the TC are aware of this. I have today asked for an additional period of publicity to be carried out on the significant modifications. This of course does give the TC an opportunity to comment further if they so wish.

I have also carefully considered again whether it would be helpful to hold a meeting with the TC and UDC to discuss the issues. Any meetings have to be in public of course and I am mindful of the public purse and resources needed. I have to examine the Plan and the documentation accompanying it as submitted. I have identified serious deficiencies in the evidence supporting the Plan. Some are likely to be caused by the respective timescales of Plan preparation at neighbourhood and District level and are unfortunate timings. However, other evidence is not

provided to support the policies, or does not adequately demonstrate support for them. The only remedy, as I see it, is for substantial additional work to be carried out on the Plan to remedy these deficiencies in the evidence base. These then are not issues that can be resolved through discussion. They can only be remedied through further work being undertaken . If this work is already carried out, then it has not been submitted for consultation and examination. So either way, the only way to address my concerns is to produce a robust evidence base to support the policies and this will take time I imagine and it will be necessary to undergo public consultation. This then is not something that can be done at the time of, or during, the examination.

I am sure that the situation is both disappointing and frustrating for the TC and all involved. I can see much work has been put into the production of the Plan over a long time period; in many ways it is an ambitious and comprehensive document. It has many policies that will guide development in the area and be valuable. However, given that the remedy for its deficiencies is straightforward i.e. more work on the evidence base, I see little point in holding a discussion. I have already indicated in relation to the key deficiencies on the housing supply policies what the key concerns are in my earlier Note and my report will contain my full reasons which will indicate the issues with the policies concerned and therefore by implication will indicate the additional information I would have expected to find to support those policies. I feel sure this is an area that UDC will be looking to support the TC on moving forward and that such support will be beneficial to the TC.

If you have any queries please do let me know,

My assumption is you will pass this email onto the TC without delay and it will of course be a public record.

With best wishes

Ann

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