

Saffron Walden Neighbourhood Plan Examination

Note from the Examiner to the Town Council and Uttlesford District Council

I wrote to the Town Council and Uttlesford District Council (UDC) on 5 October 2021. This was called “Note of Interim Findings”. This explained that I had found a number of matters requiring modification which would, in my view, significantly change the Saffron Walden Neighbourhood Plan (the Plan) as submitted. I outlined a number of options in terms of a way forward which included the withdrawal of the Plan from examination to allow those deficiencies to be addressed.

The Town Council confirmed on 10 November that they wished to continue with the examination.

The Note of Interim Findings referred to NPIERS Guidance to Service Users and Examiners. This states: “Examiners will not generally refer back to parties on these detailed revisions. But where the modification may necessitate a change which in the opinion of an examiner would be significant, there is a reasonable expectation that a description of the intended modification will be publicised on the local planning authority’s website, seeking comments, prior to recommending the change. Significant changes may typically require further work to be undertaken, particularly in relation to Strategic Environmental Assessment.” (paragraph 2.12.6 of the NPIERS Guidance to Service Users and Examiners).

In my view I will be making a number of modifications to the Plan which can be regarded as significant.

The significant modifications I propose are the deletion of the following proposed Policies:

- SW1 Site Allocations (lack of satisfactory evidence and clarity)
- SW2 Protection of Views (lack of satisfactory evidence and clarity)
- SW3 Site Allocation (as per Policy SW1)
- SW6 Housing Density (lack of satisfactory evidence)
- SW9 Energy Efficient and Sustainable Design (presented as a non-binding policy so lack of clarity as to status and acceptable elements cannot be retained as it has not been consulted upon as policy)
- SW10 Accessible and Adaptable Homes (as per Policy SW09)
- SW11 Town Centre Uses (lack of clarity and satisfactory evidence)
- SW24 Allotments (lack of clarity and satisfactory evidence)
- SW26 Community Halls and Centres (lack of satisfactory evidence on viability and deliverability)
- SW31 Education (lack of clarity/would not achieve sustainable development)

Individually with the exception of Policies SW1 and SW3, none of the other policies to be deleted might be regarded as significant modifications by themselves. The proposed deletion of Policies SW1 and SW3 are significant, as these two policies together constitute the housing supply and site allocations. However, taken

cumulatively and alongside the number of proposed policy deletions, even bearing in mind this is a complex and ambitious Plan, means that the Plan put forward for referendum will be significantly different to that put forward by the Town Council and the community at submission stage.

The description of the intended modification alongside brief reasons for these significant changes are outlined in my Note of Interim Findings and summarised above. A number of other policies are also proposed to be modified.

In accordance with guidance to examiners in paragraph 2.12.6 in Part 2 of the NPIERS Guidance to Service Users and Examiners, I now intend to seek comments on these proposed significant modifications to the Plan.

The guidance states that in these circumstances there is a reasonable expectation that a description of the intended modifications (which I have provided above) will be publicised on UDC's website, seeking comments, prior to recommending the changes. There is no requirement for any further publicity, but I am happy for both Councils to publicise this matter further if they wish to do so. However, this should not mean a delay in publicity. A period of two weeks should be allowed for comments. Please can this publicity period start as soon as possible. I have included, in separate correspondence, a suggested timetable to ensure there is no further delay to the examination.

I will only accept comments on these significant modifications and will accept no other correspondence on any other aspects of the Neighbourhood Plan. During this consultation period, both Councils are welcome to make comments on these proposed significant modifications if they wish to do so.

Ann Skippers
Independent Examiner
7 February 2022