

UTTLESFORD DISTRICT COUNCIL

SAFFRON WALDEN NEIGHBOURHOOD PLAN - DECISION STATEMENT PROCEEDING TO REFERENDUM

Summary

1.1 Following an Independent Examination, Uttlesford District Council has recommended that the Saffron Walden Neighbourhood Plan proceeds to Neighbourhood Planning Referendum subject to the modifications set out in Appendix 2 below. The outcome of the Examination was reported to Cabinet on 7 July 2022 where it was confirmed (see Appendix 1) that the Saffron Walden Neighbourhood Plan, as revised according to the modifications set out below, complies with the legal requirements and Basic Conditions set out in the Localism Act 2011 and with the provision made by or under section 38A and 38B of the Planning and Compulsory Purchase Act 2004. The Plan (Appendix 3) can therefore proceed to referendum.

1.2 This decision statement can be viewed online at:

[Saffron Walden Neighbourhood Plan - Uttlesford District Council](#)

OR

<https://saffronwalden.gov.uk/>

2. Background

2.1 On 13 December 2012 Saffron Walden Town Council, as the qualifying body, applied to Uttlesford District Council for a designation of a Neighbourhood Plan Area for the purpose of preparing a neighbourhood plan for the whole Saffron Walden Parish Council area. The Neighbourhood Area application was approved by Uttlesford District Council on 13 December 2012 in accordance with the Neighbourhood Planning (General) Regulations (2012).

2.2 The Council in agreement with Saffron Walden Town Council, appointed an independent examiner, Ms Ann Skippers on 28 January 2020, to review whether the Plan met the Basic Conditions required by legislation and should proceed to referendum.

2.3 Following the submission of the Draft Saffron Walden Neighbourhood Plan to the Council, the Plan was publicised, and representations were invited. The six -week consultation period was from 15 February to 12 April 2021.

2.4 The Plan was submitted to the Examiner on 20 May 2021. With the publication of the NPPF 20 July 2021, the Examiner considered it reasonable to provide the community with an opportunity to make representations in light of the latest NPPF 2021 against

which the Neighbourhood Plan would be assessed against. The Focussed Consultation was held from 9 August to 23 August 2021.

- 2.5 The Examiner recommended a further Focussed Consultation on Significant Modifications after identifying a number of matters requiring modifications which would, significantly change the Saffron Walden Neighbourhood Plan (the Plan) as submitted. The Consultation was held from 1 March to 21 March 2022.
- 2.6 The Examiner's Report concludes that, subject to making the modifications proposed by the Examiner, the Neighbourhood Plan meets the Basic Conditions set out in the legislation and should proceed to a Neighbourhood Planning referendum.

3. Decision and Reasons

- 3.1 The District Council received the Examiner's Report on 28 April 2022. Having considered the Examiner's report and recommendations the District Council decided on 07 July 2022 that for the reasons set out in Appendix 1 of the Decision Statement, that the Examiner's recommendations should be accepted and that the Saffron Walden Neighbourhood Plan (as modified) should proceed to referendum.

- 3.2 Therefore to meet the requirements of the Localism Act 2011 a referendum which poses the following question:

“Do you want Uttlesford District Council to use the Neighbourhood Plan for Saffron Walden to help it decide planning applications in the neighbourhood area?”

will be held in the Parish of Saffron Walden.

- 3.3 The Referendum is scheduled for **Thursday, 15 September 2022.**

APPENDIX 1: Cabinet Resolution in respect of Saffron Neighbourhood Plan

Published on 8 July 2022

RECORD OF DECISIONS - CABINET THURSDAY, 7 JULY 2022

<p>Non-Key</p>	<p>8 - Corporate Plan Delivery Plan 2021/22 Quarter 4 Progress Report</p> <p>RESOLVED to note progress against the Corporate Plan Delivery Plan.</p>	<p>Reasons: The Delivery Plan underpins the Corporate Plan and places key activities against the priorities of the Corporate Plan. The report considered detailed progress on the Delivery Plan between January 2022 and March 2022 (Quarter 4 2021/22).</p> <p>Other Options considered: None.</p> <p>Any interest declared by any member of Cabinet: None.</p> <p>In respect of any conflict of interest declared, whether dispensation is in existence for that interest: N/A.</p>
<p>RECORD OF DECISIONS - CABINET THURSDAY, 7 JULY 2022</p>		
<p>Non-Key</p>	<p>9 - Saffron Walden Neighbourhood Plan</p> <p>RESOLVED to:</p> <ol style="list-style-type: none"> I. Accept the Independent Examiner's recommended modifications to the Saffron Walden Neighbourhood Plan in full as set out in the Schedule at Appendix 2 and note the recommendation that the amended Saffron Walden Neighbourhood Plan should proceed to a Referendum of voters within the Parish of Saffron 	<p>Reasons: The Saffron Walden Neighbourhood Plan has been successful at examination. The Examiner's Report received on 28 April 2022 recommends that the Saffron Neighbourhood Plan</p> <p>Options considered: None.</p> <p>Any interest declared by any member of Cabinet: None.</p>

	<p>Walden to establish whether the plan should form part of the Development Plan for Uttlesford District Council.</p> <p>II. Approves the holding of a referendum relating to the Saffron Walden Neighbourhood Plan and, that it will include all the registered electors in Saffron Walden Parish.</p>	
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A decision will come into force and may be implemented on the expiry of five working days after the date of publication unless either the Chairman or any three members of the Scrutiny Committee objects and calls it in. To check the call in status of any of the above decisions, please refer to the Decisions page of the website, where you can use search options to find information regarding decisions taken.

*** Date set for the Saffron Walden Neighbourhood Plan Referendum is Thursday, 15 September 2022.**

APPENDIX 2

Saffron Walden Neighbourhood Plan – Schedule of Examiner’s Recommendations

DOCUMENT PAGE/POLICY	EXAMINER’S RECOMMENDATION	EXAMINER’S REASON/S	OFFICER RECOMMENDATION AND REASON
Saffron Walden NP: Page 4			
Examiner’s Report: Page :9 Compliance with matters other than the basic conditions	Insert a clearer, more easily discernible map of the Plan area on page 4 of the Plan	The Plan area is shown on page 4 of the Plan, but I did not find the map to be clear. Therefore, I recommend a new, clearer map be substituted.	Agree The Plan Area needs to be clearly shown for the reader to clearly identify and understand the area covered by the neighbourhood plan.
Saffron Walden NP: Pages 25 -33			
Examiner’s Report: Pages 17 - 21: Policy SWNP Site Allocations	Delete Policy SW1 and its supporting section 4.1, paragraphs 4.1.1 to 4.1.8 Inclusive	The site allocations were based on the withdrawn Local Plan and no standalone site selection assessment or review was carried out to check the continued validity of the sites in terms of availability, suitability and likely economic viability. The housing requirement is stated as 1,460 new dwellings for the period	Agree No site assessment was undertaken to demonstrate that the proposed allocations are suitable, available and achievable and meet the housing requirement, vision and draft objectives of the neighbourhood plan. The allocations are not based on proportionate robust evidence as directed by the Planning Policy Guidance (para 040). This policy does not meet basic conditions. There is no clarity on the housing requirement for Saffron Walden for the plan period 2021

		<p>2011 –2033 whilst the Neighbourhood plan period is 2021 –2036. Not clear what the housing requirement is for the Saffron Walden.</p> <p>No indicative figure was sought from UDC and therefore no way to test any figure as required by Planning Policy Guidance (PPG)</p>	<p>– 2036 because the 1,460 dwelling requirement was based on the now withdrawn emerging Local Plan. An appropriate housing needs assessment need was not undertaken for the Neighbourhood Plan.</p> <p>NPPF Paragraph 67 requires the Local Planning Authority to provide an indicative figure if requested to do so by the neighbourhood planning body. No indicative figure was requested by the neighbourhood planning body. Since no indicative figure was requested, the onus was on the neighbourhood plan body to carry out a housing need assessment and this was not undertaken.</p>
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	Consequential amendments will be needed including the deletion of Appendix 9.	Delete Appendix 9	Agree Appendix 9 is unnecessary and meaningless because the emerging Local Plan was withdrawn in May 2020.
		Development Limits for both Saffron Walden and Little Walden were not reviewed despite the considerable amount of proposed development.	Agree Saffron Walden and Little Walden Development Limits should have been reviewed to confirm whether the Developments Limits were still viable despite the considerable amount of development.
Saffron Walden NP: Pages 29 – 30			
Examiner’s Report: Pages 18 Policy SAF 1	Delete Policy SW1 and its supporting section 4.1, paragraphs 4.1.1 to 4.1.8 Inclusive.	Location of site not clear even on maps on page 27 of the Neighbourhood Plan No number of dwellings is set out and lack of evidence or explanation for key requirements e.g. no evidence to support 5% older persons housing	Agree The map on page 27 is an excerpt from the withdrawn plan and at such a small scale that the location of site SAF1 is not clear. Agree The Plan does not provide any evidence to support the requirement of 5% older person housing. Such a requirement has been supported by a robust evidence for a policy criterion. This policy does not meet basic conditions.

Saffron Walden NP: Pages 30 – 31			
Examiner’s Report: Page 18 Page 18: Policy SAF 3 – Land at Viceroy Coaches	The negative impacts on the site including heritage. Fluvial flood risk and surface water could have been identified had a site assessment been carried out.	The site is in a sensitive location as it falls within a Conservation Area, is adjacent to a registered park and garden and falls within the Air Quality Management Area. I	Agree The criteria pertinent to this site could have been included in this policy had an appropriate site assessment been undertaken during plan preparation. The policy as drafted would not support sustainable development.
Saffron Walden NP: Pages 31 - 33			
Examiner’s Report: Pages 18 - 19 Page 18: Policy SAF 4 - Jossaumes	No clarity of where or what the site is. Clarity provided in response to Note of Interim Findings	The policy refers to SAF 4; again it is not clear to me where or what this site is (although from subsequent correspondence to my Note of Interim Findings this is Jossaumes).	Agree Policy SAF 4 as presented is very confusing in that it comprises two different i.e. Jossaumes and Land at Shire Hill. This policy should be deleted as there are two sites within a single policy and there is no clarity in the policy.
Examiner’s Report: Pages 18 Page 18 - 19: Land at Shire Hill	The site has extant planning permission and Neighbourhood Plan does not provide evidence why evidence for an extant planning permission can be relied on.	The policy then refers to land north of Shire Hill. In relation to land north of Shire Hill, subject of planning application reference UTT/17/2832/OP, the Plan explains that a spine road was an essential part of the development. The supporting text to the policy states that any subsequent application would need to demonstrate it would not have any adverse	The extant planning permission still stands, and the plan provides no evidence on why this permission cannot be relied on. Also, no evidence is provided to support the Policy’s additional requirements (criteria).

		impacts and “...must not rely on evidence provided in support of UTT/17/2832/OP.” It is not clear to me why the evidence for an extant planning permission cannot be relied upon. Again, there is no explanation of some of the key requirements.	
Saffron Walden NP: Pages 34 - 39			
Examiner’s Report: Pages 21 - 22: Policy SW2 - Protection of Views	Delete Policy SW2 and its supporting section 4.1, paragraphs 4.1.9 to unnumbered on page 39 inclusive	The site comprises two policies setting out different development requirements. No site plan is provided and a requirement for a mixed development is set out without criteria for the requirement.	<p style="text-align: center;">Agree</p> <p>This policy does not have the required clarity and also deals with issues outside the site boundary.</p> <p>The supporting text contains requirements which cannot be achieved through the planning system such as residents parking permits costs.</p> <p>This policy does not meet basic conditions.</p>
Saffron Walden NP: Page 41			
Examiner’s Report: Page 22: Policy SW3 - Site Allocation – Land at Viceroy Coaches to rear of 10 – 12 Bridge Street	Delete Policy SW3 and its supporting text paragraphs 4.1.10 to 4.1.13 inclusive	The site comprises two policies setting out different development requirements. No site plan is provided and a requirement for a mixed development is set out without criteria for the requirement.	<p style="text-align: center;">Agree</p> <p>This means the policy does not have the required clarity and also deals with issues outside the site boundary.</p>

			Furthermore, the supporting text contains requirements which cannot be achieved through the planning system such as residents parking permits costs.
Saffron Walden NP: Pages 42 - 48			
Examiner's Report: Page 22 - 23: Policy SW4 - Housing Mix on New Developments	Reword the policy to read: 1. All residential development proposals should include a mix of sizes which reflects local needs but also provides for balanced and vibrant neighbourhoods. The specific mix should be based on up-to-date local evidence of need and take account of local circumstances and the nature of the surrounding area.	This policy encourages a wide range of housing to meet local needs. It refers to a number of different evidence sources in the supporting text. The policy sets out the percentage proportion of house sizes sought, but these which do not appear to reflect the evidence set out in the Plan.	Agree Although the policy relies on up-to-date evidence it has an inbuilt inflexibility and does not have supporting evidence of the percentage requirement.
	2. The housing mix of affordable homes is to be determined by local housing need and policies set out by the planning authority	Criterion renumbered	For accuracy. Criterion renumbered to avoid duplication in numbering.
	3. Developments may not be subdivided into smaller parcels to avoid the housing mix policy."	Criterion renumbered	Renumbered for accuracy
	• Delete the words "Noting that people in receipt of LHA should be no different to people not in receipt of	The first is in the interests of ensuring language used is inclusive.	Agree

	LHA, other than the fact they have lower household incomes” from paragraph 4.2.9 on page 43 of the Plan		All policy wording should be inclusive.
	<ul style="list-style-type: none"> Delete the last sentence of paragraph 4.2.15 on page 45 of the Plan which begins “This the 2015 SHMA...” 	The second relates to a comment on UDC’s Strategic Housing Market Assessment which seems to be without foundation given these types of assessment are carried out to the same standards nationwide	<p style="text-align: center;">Agree</p> <p>The statement no foundation because the assessments are standardised.</p>
	<ul style="list-style-type: none"> Delete the last sentence of paragraph 4.2.21 on page 47 of the Plan which begins “In order to use...” 	The issue about charities not raising their rents or selling properties in the future; this is not something which can be controlled through planning.	<p style="text-align: center;">Agree</p> <p>This issue is not about development and use of land and cannot be controlled through planning.</p>
Saffron Walden NP: Pages 48 - 51			
Examiner’s Report: Page 24: Policy SW5 Affordable Housing	<ul style="list-style-type: none"> Amend criterion 1. of the policy to read: “Development on sites which provide for 10 dwellings or more, or the site has an area of 0.5 hectares or more will be required...” 	The policy recognises a dwelling number threshold but sets this at 11 or more and then introduces a residential floor space threshold in the policy and I am not sure how this has been derived.	<p style="text-align: center;">Agree</p> <p>The Policy is modified to correct the dwelling number threshold and to add a site size threshold in line with the NPPF. This modification ensures that this criteria meets the basic conditions.</p>
	<ul style="list-style-type: none"> “Delete the words “...strongly meets all the other objectives in the SWNP” from criterion 6. and replace with “...meets the objectives of the SWNP and complies with all relevant development plan policies 		<p style="text-align: center;">Agree</p> <p>This modification ensures that this criteria meets the basic conditions by ensuring that the criterion complies with all relevant development plan policies.</p>

Saffron Walden NP: Pages 52			
Examiner's Report: Page 25: Policy SW6 Housing Density	<ul style="list-style-type: none"> Delete Policy SW6 and its supporting text [paragraphs 4.4.1 – 4.4.4] 	<p>Policy seeks to distinguish between types of development without foundation as it is not based on the availability and capacity of infrastructure or services, location in terms of sustainable travel modes or the area's prevailing character or setting.</p> <p>Therefore, without sufficient or satisfactory evidence, the policy should be deleted as it does not meet the basic conditions; particularly it does not have sufficient regard to the NPPF and will not help to achieve sustainable development.</p>	<p>Agree</p> <p>NPPF factors required for consideration of setting densities have not been considered in this policy. This policy does not have regard to the NPPF and Planning Policy Guidance.</p> <p>This policy as drafted does not meet basic conditions and should be deleted.</p>
Saffron Walden NP: Pages 53 - 58			
Examiner's Report: Pages 25 – 26: Town Layout and Design	<ul style="list-style-type: none"> Paragraph 5.1.1 on page 53; paragraph 124 of the NPPF has now changed to paragraph 126 and the quote is different and so needs updating 	<p>This section contains a number of references to the NPPF which has now been replaced by the one published in July 2021. I include a list of necessary modifications to bring this section up to date.</p>	<p>Agree</p> <p>This is necessary for accuracy to reflect latest NPPF issued July 2021.</p>
	<ul style="list-style-type: none"> Paragraph 5.1.3 on page 53; paragraph 130 is now 134 and the contents have changed so this needs updating 	<p>Paragraph 130 is now 134 and the contents have changed so this needs updating.</p>	<p>Agree</p> <p>This is necessary for accuracy to reflect latest and correct paragraph contents according to the NPPF July 2021.</p>

	<ul style="list-style-type: none"> Delete the words "...which must be preserved in its current form." from paragraph 5.2.7 on page 56 	This does not meet the guidance in the NPPF or indeed the statutory provisions for Conservation Areas.	<p>Agree</p> <p>This modification ensures that this paragraph is accurate and had regard to the NPPF and statutory provisions for Conservation Areas.</p>
	<ul style="list-style-type: none"> Update the date in paragraph 5.2.16 on page 58 from "2017" to "2020" 		<p>Agree</p> <p>For the sake of accuracy. Correction of a wrong date.</p>
	<ul style="list-style-type: none"> Add "and Public Health England" to the list of endorsements in paragraph 5.2.17 	Add "and Public Health England" to the list of endorsements	<p>Agree</p> <p>Additional information relevant to supporting text.</p>
Saffron Walden NP: Page 59 - 61			
Examiner's Report: Pages 26 – 28: Policy SW7 Design	<ul style="list-style-type: none"> Change the word "Following" in criterion 2. of the policy to "Adherence" 	Change the wording of criterion 2. To ensure there is clarity.	<p>Agree</p> <p>Modification is to ensure clarity.</p>
	<ul style="list-style-type: none"> Delete criterion 4. h) 	The Government introduced national technical standards for housing in 2015. A Written Ministerial Statement (WMS)56 explains that neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. I also note the WMS states that neighbourhood plans should not be used to apply the national technical standard. This is echoed in PPG.	<p>Agree</p> <p>Deletion ensures removes a criterion that is not in accordance with PPG as well as Written Ministerial Statement Neighbourhood plans should not set additional technical standards or requirements.</p>

	<ul style="list-style-type: none"> • Change the first “and” in criterion 5e) of the policy to “or” 	<p>Criterion 5e); at present it requires infill development to preserve and enhance heritage assets and their setting. This is a high bar to set; higher than the statutory protection for Conservation Areas</p>	<p>Agree The modification is made to make the policy more flexible and in line with national policy and guidance.</p>
	<ul style="list-style-type: none"> • Add the word “major” before “...developments...” in criterion 6. of the policy and delete the words “...which have a relatively large footprint...” 	<p>Criterion 6 currently refers to “relatively large footprint” and whilst I understand the intention of this phrase it is open to interpretation.</p>	<p>Agree The modification is made to provide clarity to the criterion.</p>
	<ul style="list-style-type: none"> • Reword criterion 10. to read: “There should be a hierarchy of street types to ensure developments are legible with clear signage at decision points.” 	<p>Alter the reference to street naming to the language used in the RTP1’s Dementia and Town Planning Practice Note so there is additional clarity in criterion 10.</p>	<p>Agree The modification is made to provide clarity to the criterion.</p>
	<ul style="list-style-type: none"> • Add a new criterion that reads: “include tree-lined streets unless in specific cases there are clear, justifiable and compelling reasons why this would be inappropriate and include trees elsewhere within developments where the opportunity arises.” 	<p>A criterion about trees is added to ensure the policy has regard to the new NPPF which makes it clear that it is the Government’s intention that all new streets include trees unless this would be inappropriate.</p>	<p>Agree This addition ensures that the policy has regard to the NPPF July 2021.</p>
Saffron Walden NP: Pages 61 - 63			
Examiner’s Report: Pages 28 – 29: Policy SW8 Parking on New Developments	<ul style="list-style-type: none"> • Add the words “and UDC’s local parking standard for 4+ bedroomed dwellings.” at the end of criterion 2. 	<p>Due to nature of the District, local parking standards have been adopted in addition to the Parking Standards Design and Good Practice for dwellings of 4 or more bedrooms. Reference should be made to this in the policy.</p>	<p>Agree The local parking standard is important to reflect the district’s high reliance on private car use due to its rural nature.</p>

	<ul style="list-style-type: none"> •Revise criterion 3. to read: “All dwellings will make provision for electric vehicle (EV) charging points.” 	<p>I raised a query on the details and asked for the rationale and evidence behind the details. The TC referred me to the NPPF, but unfortunately, did not point me in the direction of any further detailed rationale.</p>	<p>Agree Modification ensures that reference to provision of electric vehicles is retained in the policy without the unsubstantiated details.</p>
	<ul style="list-style-type: none"> •Amend the words “...must provide...” in paragraph 5.3.10 on page 63 of the Plan to “make provision for” 	<p>A modification is also made to the supporting text to help future proof the requirements.</p>	<p>Agree Modification ensures flexibility in policy wording.</p>
Saffron Walden NP: Pages 64 - 67			
<p>Examiner’s Report: Pages 29: Policy SW9 Energy Efficient and Sustainable Design</p>	<ul style="list-style-type: none"> •Delete Policy SW9 and its supporting text 	<p>The WMS explains that neighbourhood plans should not set out any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings and should not be used to apply the national technical standard. This is echoed in PPG.</p> <p>The Plan acknowledges the position set out above. However, the supporting text to the policy explains that the Plan sets out a non-binding policy on construction standards viewed as desirable.</p> <p>I do not consider that this position meets the stance of the WMS; even if it were to be successfully argued that it does then having a</p>	<p>Agree Contrary to the Written Ministerial Statement dated 25 March 2015 and the PPG this policy sets additional technical standards which does not meet basic conditions.</p> <p>Deletion of this non-binding policy provides clarity and certainty to the Plan.</p>

		non-binding policy within a development plan seems to me to create a lack of clarity and certainty within the Plan document.	
Saffron Walden NP: Pages 68 – 70			
Examiner’s Report: Pages 29 – 30: Policy SW10 Accessible and Adaptable Homes	<ul style="list-style-type: none"> •Delete Policy SW10 and its supporting text [paragraphs 5.5.1 – 5.5.10, but note wrong sequencing of paragraph numbers] 	There is much to commend this approach, but, similar to the previous policy, the WMS does not allow neighbourhood plans to set such standards. I consider that the inclusion of a “non-binding” policy within the Plan is too confusing.	<p style="text-align: center;">Agree</p> <p>The WMS does not allow neighbourhood plans to set such standards.</p> <p>The deletion of this “non-binding” policy removes confusion and provides clarity to the plan.</p>
Saffron Walden NP: Pages 71 - 77			
Examiner’s Report: Pages 30: 6. Commercial Premises	<ul style="list-style-type: none"> •Paragraph 6.3.6 on page 75; paragraph 182 is now 187 	Paragraph 182 is now 187	<p style="text-align: center;">Agree</p> <p>For accuracy to reflect the correct paragraphs in the NPPF July 2021.</p>
	<ul style="list-style-type: none"> •Remove the asterix to the fourth column of the table in paragraph 6.3.8 on page 77 of the Plan for professional and financial services 	Professional and financial services are not included in the NPPF’s definition (despite now being in the same Use Class)	<p style="text-align: center;">Agree</p> <p>For accuracy to reflect the new Use Classes Order 2020.</p>
	<ul style="list-style-type: none"> •Add an asterix to hotels to the fourth column of the table in paragraph 6.3.8 	Hotels are specifically included in the NPPF’s definition.	<p style="text-align: center;">Agree</p> <p>For accuracy to reflect the new Use Classes Order 2020.</p>
	<ul style="list-style-type: none"> •Delete the penultimate sentence of paragraph 6.1.5 on page 72 of the Plan which begins “This may change...” and replace with a new sentence to read: “It should be noted that the emerging Local Plan has now been withdrawn 	There is also a reference to garden villages; this needs to be updated given the emerging Local Plan has now been withdrawn.	<p style="text-align: center;">Agree</p> <p>Updating required given that the emerging local plan refencing garden villages was withdrawn in 2020.</p>

	along with the concept of garden villages.”		
	<ul style="list-style-type: none"> • Update paragraph 6.1.9 on page 72 by replacing “...has been granted planning permission.” with “...has been constructed.” 		<p style="text-align: center;">Agree</p> <p>Updating required since the Premier Inn has been constructed.</p>
Saffron Walden NP: Page78			
Examiner’s Report: Pages 30 - 31: Policy SW11 Town Centre Uses	<ul style="list-style-type: none"> • Delete Policy SW11 	<p>The policy seeks to restrict ground floor uses in these frontages to the main town centre uses defined in the NPPF. This differs to the Use Classes Order brought in on 1 August 2021 which permits change to Use Class C3 (dwelling houses) subject to various criteria.</p> <p>I appreciate that the policy was devised before the new Use Classes Order came about. The Plan rightly points out that Saffron Walden has a compact and vibrant town centre and I can understand why there is a desire to retain retail and other more commercial town centre uses in it. However, as far as I am aware, the only way to remove all or some permitted development rights (which are devised by the Government) is through an Article 4 direction of the Town and Country Planning (General Permitted</p>	<p style="text-align: center;">Agree</p> <p>The permitted development rights can only be removed by Article 4 directions and therefore this policy is redundant and should be deleted.</p>

		Development) (England) Order 2015. The second element of the policy is redundant given the first element is to be deleted.	
	<ul style="list-style-type: none"> Delete the second sentence of paragraph 6.3.1; all of paragraph 6.3.3; the associated map and the fourth sentence of paragraph 6.3.4 to end 	This policy identifies primary and secondary frontages in the town centre which are shown on a map in paragraph 6.3.1. I am not clear how these frontages have been identified although, from my site visit, they have been defined logically and appropriately bearing in mind what I saw on the ground.	<p style="text-align: center;">Agree</p> <p>No evidence has been provided to support the slight increase of primary and decrease of secondary frontages shown on the map.</p> <p>Deletion of the Policy will ensure the Plan meets basic conditions.</p>
Saffron Walden NP: Page 78			
Examiner's Report: Pages 32: Policy SW12 Convenience Stores in Residential Neighbourhoods	No modifications are recommended.	This policy supports the NPPF's aim of providing the facilities and services communities need and help to achieve sustainable development. The policy meets the basic conditions and no modifications are recommended.	<p style="text-align: center;">Agree</p> <p>The policy meets the basic conditions.</p>
Saffron Walden NP: Page 79			
Examiner's Report: Pages 32: Policy SW13 17 Market Hill & 29-31 Church Street	<ul style="list-style-type: none"> Reword the policy to read: "Any future uses of the building must be compatible with and sustain and enhance the historic significance of the building and be viable consistent with the building's conservation and enhancement. Substantial harm to or 	This policy relates to a Grade I listed building and gives guidelines for its potential reuse. I have taken the wording of the policy to signal a concern about the compatibility of future uses in this historic building.	<p style="text-align: center;">Agree</p> <p>Recommended modifications ensure that the policy meets the basic conditions, in particular have regard to the NPPF and to help achieve sustainable development.</p>

	<p>loss of the building should be wholly exceptional.”</p> <ul style="list-style-type: none"> • 		
Saffron Walden NP: Page 80			
Examiner’s Report: Pages 33: Policy SW14 Shopfront Design	<ul style="list-style-type: none"> •Change criterion 2. of the policy to read: “Uttlesford District Council sets out guidance for shopfront design in its document Shopfront Design Guide February 2022 and (1) above should be read in conjunction with this document or any successor document and must be taken into account in developing and determining such proposals.” 	<p>One modification to make to ensure that the recently endorsed Design Guide referred to is taken into account rather than just considered in relation to this policy. This modification will strengthen the link between the policy and the document.</p>	<p>Agree</p> <p>With this modification, this policy will meet the basic conditions by having regard to the NPPF, being in general conformity with LP 2005 and Policy GEN2 in particular and helping to achieve sustainable development.</p>
Saffron Walden NP: Pages 80 - 82			
Examiner’s Report: Pages 33 - 34: Policy SW15 Development of 56 High Street	<p>Delete Policy SW15 and paragraph 6.5.4</p>	<p>This policy prevents the redevelopment of this site until a suitable replacement for the scout hall on the site is found. A representation on behalf of the landowner made at the time of the significant modifications consultation states that the scout hall is not within the same ownership. This means that the first element of the policy is not relevant and should be deleted along with references to this desire in the supporting text.</p>	<p>Agree</p> <p>The lack of clarity in the policy which means it does not have regard to national policy and guidance and therefore does not meet the basic conditions.</p>
		<p>The second element of the policy refers to the comprehensive development of the whole site</p>	

		which is of course desirable, but I cannot find a plan or map of the area referred to in the Plan. I note that the next policy includes a desire for the possibility of a comprehensive scheme for the regeneration of George Street which could, at least in part, include this site.	
Saffron Walden NP: Page 83			
Examiner’s Report: Page 34: Policy SW16 Regeneration of George Street	<ul style="list-style-type: none"> •Reword the first sentence of the policy to read: “Proposals to regenerate George Street will be supported where the following criteria are met:” •Add the word “residential” before “...accommodation...” in criterion a) •Move criterion c) to become a separate sentence at the end of the policy adding the words “...would be welcomed.” 	This policy supports the regeneration of Nos 2-18 George Street setting out various criteria. The principle of the policy is acceptable, but its wording is not clear enough.	<p style="text-align: center;">Agree</p> <p>With the recommended modifications, the policy will meet the basic conditions by taking account of the NPPF’s stance on promoting clear visions and strategies to allow regeneration in building a strong and competitive economy and creating high quality, beautiful and sustainable buildings and places.</p>
Saffron Walden NP: Page 83			
Examiner’s Report: Pages 34 – 35: Policy SW17 Development of New and Existing Commercial Spaces	<ul style="list-style-type: none"> •Add the words “Otherwise acceptable” at the start of criteria 1., 2. and 3. 	I have some concern about how the policy is worded. At present, it supports proposals which, as an example, result in additional employment in respect of farm diversification, but this would give a carte blanche to all such proposals regardless of any other impacts they might have. In	<p style="text-align: center;">Agree</p> <p>The recommended policy modification ensures that only proposals with the desired impacts will be supported.</p>
	<ul style="list-style-type: none"> •Add the word “particularly” before “...supported.” in criteria 1. and 2. 		<p style="text-align: center;">Agree</p> <p>Addition of the word particularly will indicate that these two</p>

		addition, it may be hard to quantify employment and this is not a common test of the acceptability of farm diversification however desirable this might be in this locality.	policies will be received and supported favourable.
	<ul style="list-style-type: none"> Amend criterion 4. to read: “New and renovated commercial buildings must be constructed from appropriate and suitably coloured materials that enables them to blend into the surrounding countryside.” 	The last criterion which refers to cladding and is therefore too restrictive given that other materials might well be as suitable.	<p style="text-align: center;">Agree</p> <p>The modification provides flexibility to the criterion policy which is currently too restrictive and would not meet basic conditions.</p>
	<ul style="list-style-type: none"> Move section 6.6 on page 83 of the Plan to a separate section or appendix of the Plan called “Community Aspirations” ensuring that the reference to Policy SW11 is deleted 	A section, 6.6 on page 83 of the Plan which contains a number of statements of support for various initiatives. In themselves these read well and are appropriate. However, some could be interpreted as policy statements and therefore it is important that their status is clear. They should be moved to a separate section of the Plan and clearly denoted as community aspirations. Some consequential amendments to the text will be needed.	<p style="text-align: center;">Agree</p> <p>These initiatives have been moved to the Appendices in consultation with Saffron Walden Town Council (Qualifying Body).</p>
Saffron Walden NP: Page 85			
Examiner’s Report: Pages 35 -36 Policy SW18 High Quality Communications Infrastructure	No modifications are therefore recommended.	The NPPF continues that planning policies should support the expansion of electronic communications networks, including next generation mobile	<p style="text-align: center;">Agree</p> <p>This policy meets the basic conditions, particularly having regard to the NPPF and helping to achieve sustainable development.</p>

		technology (such as 5G) and full fibre broadband connections.	
Saffron Walden NP: Pages 86 – 88			
Examiner’s Report: Page 36 – 37. Ecology	<ul style="list-style-type: none"> • Move paragraphs 8.3 and 8.6 on page 86 of the Plan to a separate section or appendix of the Plan called “Community Aspirations” 	Paragraph 8.3 on page 86 refers to public planting. I consider this to be a community aspiration and it should be moved to a separate section.	Agree Public planting is a community aspiration and should be moved to the Community Aspirations section in the Appendices section.
		The second issue relates to ownership of the land in relation to Sustainable Drainage Systems (SuDs) in paragraph 8.6. This is not a development and use of land matter and so again should be placed in a separate community aspiration section.	Agree Ownership of land is not a development and use of land matter and should be moved to the Community Aspirations section in the Appendices section.
Examiner’s Report: Page 36 – 37: Policy SW19 Ecological Requirements for All New Domestic and Commercial Developments	<ul style="list-style-type: none"> • Delete criterion 1. from the policy 	The policy and supporting text refers to TCPA Garden City Standards for the 21 st Century and in particular guide 7 planning for green and prosperous places. My reading of these guides is that they apply to new garden communities. It may well be that the guidance would be applicable to Saffron Walden, but this needs consideration and explanation. As it stands, the references in the policy or supporting text are not relevant and therefore should be removed.	Agree The TCPA Garden City Standards for the 21 st Century and in particular guide 7 planning is not applicable to Saffron and criterion 1 should be deleted.

	<ul style="list-style-type: none"> •Add the word “major” before “...developments...” in criterion 2. and the words “unless there is clear evidence that this would be inappropriate” after “...developments...” in the same criterion 	The policy requires SuDs on all developments. Although I note Anglian Water supports this stance, this position is contrary to current Government guidance which explains that SuDs should be incorporated in major developments unless there is clear evidence that this would be inappropriate. ⁷⁶	<p>Agree</p> <p>The modification ensures that the policy takes account of national policy and guidance.</p>
	<ul style="list-style-type: none"> •Delete criterion 4. from the policy 	Criterion 4. refers to the ownership of land which is not a development and use of land matter.	<p>Agree</p> <p>A modification is therefore made to remove this criterion from the policy.</p>
	<ul style="list-style-type: none"> •Change criterion 6. to read: “It is the preferred option that foul drainage for all new development is connected to the mains sewerage system.” 	Anglian Water has suggested a modification to criterion 6. which I consider is appropriate given this would ensure that the foul drainage hierarchy is followed to be consistent with national policy and guidance.	<p>Agree</p> <p>Modification will ensure that the foul drainage hierarchy is followed to be consistent with national policy and guidance.</p>
	<ul style="list-style-type: none"> •Delete paragraphs 8.8 and 8.9 on page 87 of the Plan 	Paragraphs 8.8 and 8.9	<p>Agree</p> <p>These paragraphs should be deleted as they cause confusion as the SWNP adopts a policy and targets without the appropriate assessments.</p>
	<ul style="list-style-type: none"> •Change the words “...published in 2016...” in paragraph 8.7 on page 87 to “...published in 2015...” 	Correction of publication date.	<p>Agree</p> <p>Publication date corrected for accuracy.</p>
Saffron Walden NP: Pages 89 - 90			
9. Infrastructure Delivery Examiner’s Report: Pages 37	<ul style="list-style-type: none"> •Change the reference to paragraphs 91 and 92 of the NPPF in paragraph 9.2 	Correction of paragraphs	<p>Agree</p>

	on page 89 to paragraphs 92 and 93 respectively		References should be updated to reflect the paragraphs in the NPPF July 2021.
	<ul style="list-style-type: none"> Delete action 7) under paragraph 10.1.12 on page 98 of the Plan 	This should be deleted.	<p style="text-align: center;">Agree</p> <p>The action is not related to development and land use except for the desire to resist further significant development in the east of the town.</p>
	<ul style="list-style-type: none"> Move paragraph 10.1.12 on page 98 of the Plan to a separate section or appendix of the Plan called "Community Aspirations" 	This should be moved to a separate community actions section of the Plan (except for Action 7).	<p style="text-align: center;">Agree</p> <p>These actions (apart from action 7 should be moved to a separate community actions section of the Plan.</p>
Saffron Walden NP: Pages- 91 - 102			
10. Transport Infrastructure Examiner's Report: Pages 38	<ul style="list-style-type: none"> Ensure that the map on page 94 of the Plan is clear and clearly shows the roads marked 1 -4 referred to on page 95 of the Plan 	A modification is therefore made to assist with clarity.	<p style="text-align: center;">Agree</p> <p>A clearer map will provide clarity.</p>
Examiner's Report: Pages 38 – 39 Policy SW20 Promoting Walking and Cycling	<ul style="list-style-type: none"> Change the first sentence of the policy to read: "development proposals which retain, enhance or incorporate safe, attractive and direct walking and cycling routes on site as appropriate and which..." 	However, some of the detail of the policy is problematic. Firstly, it seeks the retention of routes on site rather than the enhancement. This may well adversely affect the achievement of sustainable development. A modification is made to address this.	<p style="text-align: center;">Agree</p> <p>The proposed modification will ensure retention and enhancement will achieve sustainable development as well.</p>
	<ul style="list-style-type: none"> Delete criterion 2. a) 	Secondly, the next part of the policy seeks to protect existing footpaths and pedestrian cut throughs through town. This may	<p style="text-align: center;">Agree</p> <p>The deletion of criterion may encourage both improvements and enhancements of existing</p>

		not always be possible, but it also and more importantly may prevent improvements and enhancements coming forward. This element is then recommended for deletion.	footpaths and pedestrian cut-throughs.
	<ul style="list-style-type: none"> Update the reference in 2. d) to Secured by Design to “Homes 2019, Version 2,2019” 	Secure by Design needs updating.	<p style="text-align: center;">Agree</p> <p>For accuracy this should be updated to Homes 2019, Version2, 2019.</p>
	<ul style="list-style-type: none"> Change criterion 3. a) to read: “The scheme design will conform to the hierarchy outlined in the NPPF which is to give priority to pedestrian and cycle movement first, then facilitate access to high quality public transport as far as possible including catchment areas and facilities to encourage such use and private vehicles last.” 	Reference is made in criterion 3. to DFT user hierarchy guidelines, but these do not reflect the hierarchy outlined in the NPPF.	<p style="text-align: center;">Agree</p> <p>A modification is required to be made to ensure that the NPPF’s hierarchy is substituted for the DFT user hierarchy guidelines.</p>
	<ul style="list-style-type: none"> Delete criterion 4 	There is a blanket requirement for all new streets in the Plan area to be designed to keep vehicles speeds at or below 20mph. Whilst reference is made in the Plan to the Manual for Streets and the Essex Design Guide, there is little specific or local justification for such a requirement.	<p style="text-align: center;">Agree</p> <p>This criterion should be deleted as there is insufficient evidence put forward in the Plan.</p>
Saffron Walden NP: Pages 101 - 102			
Examiner’s Report: Pages 39 – 40 Policy SW21 Travel Planning	<ul style="list-style-type: none"> Add a sentence at the beginning of the policy before the three [existing] criteria that reads: “Where 	Policy SW21 does not distinguish between the types of development which may require	<p style="text-align: center;">Agree</p> <p>Modifications recommended ensure that the policy will meet</p>

	developments will or are likely to generate significant amounts of movement and are required to provide a travel plan, it is expected that the travel plan will:"	travel plans. It instead focuses on measurable objectives, provision for funding and delivery of sustainable initiatives and the involvement of the Town Council.	the basic conditions, by ensuring that the policy relates to the development and use of land in line with NPPF guidance.
	•Change criterion 1. to read: "include provision, where appropriate, for the funding and delivery of necessary, sustainable travel initiatives."	Policy SW21 does not distinguish between the types of development which may require travel plans.	Agree Modification introduces flexibility in the policy wording.
	•Delete criterion 2. and move if desired to a separate section or appendix of the Plan called "Community Aspirations"	Focuses on measurable objectives, provision for funding and delivery of sustainable initiatives and the involvement of the Town Council	Agree This criterion does not deal with development or use of land should be deleted or moved to a Community Aspiration Section of the Appendices.
	•Consequential amendments will be needed	Consequential amendments will be needed	Agree Amendments required to renumbering of criteria to reflect deletion of criterion 2.
Saffron Walden NP: Pages 102 - 103			
Examiner's Report: Page 40 Policy SW22 Improving Provision of Public Transport	•Reword the policy to read: "Where appropriate, developers will be expected to take every available opportunity to promote the use of public transport including identifying and protecting routes and delivering services and infrastructure to widen transport choice and accessibility to key destinations from the location of the site."	Whilst I accept the desirability of this, the reality is that only obligations necessary to make the development acceptable in planning terms, directly related to the development and fairly and reasonably related in scale and kind to the development can be sought. A blanket requirement is not appropriate or	Agree Modification ensures that the policy is flexible and helps to achieve sustainable development.

		feasible and may adversely affect the ability of the Plan to help to achieve sustainable development.	
Saffron Walden NP: Pages 104 – 105			
Examiner’s Report: Pages 40 – 41 Policy SW23 Vehicular Transport	<ul style="list-style-type: none"> •Delete the word “...will...” and replace it with “...may, if necessary and appropriate,...” and delete the words “the timing of ...” in criterion 2. 	The second element refers to HGV movements and conditions restricting the timing of those movements. The NPPF is clear that the imposition of planning conditions should only occur where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.	Agree Modifications introduce flexibility into the policy and ensures that planning conditions are necessary and relevant to the development and can meet the basic conditions.
	<ul style="list-style-type: none"> •Add at the end of criterion 3. “across all development types.” 	The third element supports the provision of electric charging points. I note Highways England supports such an initiative, but UDC asks for further clarity. A modification is made to address this.	Agree This addition to the criterion 3 provides clarity so that this requirement is applied to all types of development.
Saffron Walden NP: Pages 106 - 107			
Examiner’s Report: Page 41 Open Space, Sports and Recreation	<ul style="list-style-type: none"> •Add the words “...and can deliver wider benefits for nature and support efforts to address climate change.” after the word “...communities...” in paragraph 11.1.1 on page 106 of the Plan 	A quotation from the NPPF which needs to be updated given the publication of the new NPPF. Other references to the NPPF also require correction in the interests of accuracy and updating.	Agree For the sake of accuracy and updating to reflect latest NNPF.

	<ul style="list-style-type: none"> •Change the reference to NPPF paragraph 96 in paragraph 11.1.3 to NPPF paragraph 98 	<p>A quotation from the NPPF which needs to be updated given the publication of the new NPPF. Other references to the NPPF also require correction in the interests of accuracy and updating.</p>	<p>Agree For the sake of accuracy and updating to reflect latest NNPF.</p>
	<ul style="list-style-type: none"> •Change the reference to paragraph 100 in paragraph 11.1.3 to paragraph 101 and substitute the word “Identifying” at the start of the second sentence with “Designating” 	<p>A quotation from the NPPF which needs to be updated given the publication of the new NPPF. Other references to the NPPF also require correction in the interests of accuracy and updating.</p>	<p>Agree For the sake of accuracy and updating to reflect latest NNPF.</p>
	<ul style="list-style-type: none"> •Change the references to paragraphs 101 and 102 of the NPPF in paragraph 11.1.3 to paragraphs 102 and 103 respectively 	<p>A quotation from the NPPF which needs to be updated given the publication of the new NPPF. Other references to the NPPF also require correction in the interests of accuracy and updating.</p>	<p>Agree For the sake of accuracy and updating to reflect latest NNPF.</p>
Saffron Walden NP Pages 108 - 109			
Examiner’s Report: Pages 41 - 43 Policy SW24 Allotments	<ul style="list-style-type: none"> •Delete Policy SW24 and its supporting text (paragraphs 11.2.1 to 11.2.8 inclusive) and the associated appendices (appendices 5 and 6) 	<p>The Plan points out that Saffron Walden exceeds the amount of allotment space based on the UDC Open Space Assessment Report dated 2019. It is then difficult to justify this requirement without further evidence.</p> <p>The policy clearly states that the allotments will be protected from development “unless accessible,</p>	<p>Agree Deletion of policy and supporting text is supported because no satisfactory evidence has been provided either identify the proposed spaces clearly or to demonstrate how the proposed spaces meet the criteria in the NPPF satisfactorily.</p>

		<p>enhanced compensatory provision is made". This then means it would be possible for these spaces to be lost within the Plan period subject to their satisfactory replacement.</p> <p>I suspect the policy has muddled the designation of LGSs with a desire to protect the amount of allotment land available.</p>	
	<ul style="list-style-type: none"> •Change the reference to paragraph 97 of the NPPF in paragraph 11.3.1 to paragraph 99 	Reference to the NPPF require correction in the interests of accuracy and updating.	<p style="text-align: center;">Agree</p> <p>For the sake of accuracy and updating to reflect latest NNPF.</p>
Saffron Walden NP: Pages 110 - 114			
Examiner's Report: Pages 43 Policy SW25 Playing Fields and Sports Halls	<ul style="list-style-type: none"> •The policy meets the basic conditions, and no modifications are recommended.. 	This policy meets basic conditions.	<p style="text-align: center;">Agree</p> <p>This policy as drafted meets the basic conditions hence no modification.</p>
Saffron Walden NP: Page 115 - 116			
Examiner's Report: Pages 43 - 44 Policy SW26 Community Halls and Centres	<ul style="list-style-type: none"> •Delete Policy SW26 and its supporting text (paragraphs 11.4.1 to 11.4.5 inclusive) 	<p>Whilst the NPPF supports the positive planning of social, recreational and cultural facilities, there must be some basis for setting such a standard in this Plan.</p> <p>Planning obligations can only be sought where they are necessary to make the development acceptable in planning terms, directly related to</p>	<p style="text-align: center;">Agree</p> <p>Evidence for setting a standard is not provided and requirement of contributions not in line with NNP criteria.</p>

		the development and are fairly and reasonably related in scale and kind to the development.	
Saffron Walden NP: Page 117 - 120			
Examiner's Report: Pages 44 - 46 Policy SW27 Open Space for Informal Recreation	Delete criterion 1.	This policy seeks to achieve a number of things; it firstly sets out a standard for informal recreation based on per head of population. Like the previous policy, there is little information on deliverability or viability.	Agree No information or provided to support deliverability or viability.
	<ul style="list-style-type: none"> Delete the first and second sentences of criterion 2. and change the [existing] last sentence of this criterion to read: "<i>Play areas</i> must be in locations central to the development, <i>be</i> well-overlooked and built-in durable materials." 	There is no evidence to support the requirement and it would be impractical for all sites to be agreed with the TC when they are not the determining body. Nevertheless, some elements of this requirement can be retained as they set out good planning principles.	Agree No information or provided to support the requirement. However, location of new play areas should be retained as it is a good planning principle.
	<ul style="list-style-type: none"> Change criterion 3. to read: "<i>The provision of amenity green space</i> must be in a single..." [retain as existing to end] 	There is no evidence for the requirement in the first part of the criterion.	Agree Deletion of the open space is supported as there is no evidence provided to demonstrate the requirement. However, the location of the of open space is retained as it is a good planning principle.
	<ul style="list-style-type: none"> Delete [existing] criterion 6., any associated supporting text [including paragraph 11.5.15] and appendices 5 and 6 [note both appendices are recommended for deletion in an 	The last element of the policy (criterion 6.) seeks to designate the amenity green space identified in the UDC Open Space Strategy and	Agree Deletion of criterion 6 and Appendices 5 & 6 is supported because there is no evidence

	earlier modification in relation to Policy SW24]	additional spaces identified as part of work on the Plan as LGSs.	provided to demonstrate the requirement.
	<ul style="list-style-type: none"> Change the second sentence of paragraph 11.5.11 on page 118 of the Plan to read: “This <i>is to be avoided</i> in future developments.” 	This is a policy statement which appears in the supporting text and should be modified.	<p style="text-align: center;">Agree</p> Modification provides clarity by removing policy statement from supporting text.
	<ul style="list-style-type: none"> Move paragraph 11.5.13 on page 118 of the Plan to a separate section or appendix of the Plan called “Community Aspirations” 	This is not a development and use of land matter.	<p style="text-align: center;">Agree</p> The plan should only be limited to development and use of land mater otherwise such statements should be in a clearly labelled Community Aspirations section.
Saffron Walden NP: Page 121 - 123			
Examiner’s Report: Pages 46 - 47 Policy SW28 Public Rights of Way	<ul style="list-style-type: none"> Delete criterion 1. of the policy 	The policy wording effectively restricts development.	<p style="text-align: center;">Agree</p> The plan should not restrict development and does not meet basic conditions.
	<ul style="list-style-type: none"> Change the last sentence in paragraph 11.5.21 on page 123 of the Plan to read: “Any development along or adjacent to this route must be carefully considered in relation to the amenity value of the route.” 	This is a statement of policy and should be amended to ensure that the Plan has clarity.	<p style="text-align: center;">Agree</p> Modification provides clarity.
	<ul style="list-style-type: none"> Change the third sentence in [the first numbered] paragraph 11.5.22 on page 123 of the Plan to read: “Development should consider the mitigation of any adverse effect on the amenity value of 	A modification is made to this statement in the interests of clarity.	<p style="text-align: center;">Agree</p> Modification provides clarity.

	a footpath which could include the provision of landscaping for example.” and delete the next sentence which begins “Substantial” ...”		
	•Consequential amendments will be needed [for example criteria numbering]		Agree Criteria renumbering required for accuracy.
Saffron Walden NP: Page 123 - 124			
Examiner’s Report: Pages 47 - 48 Policy SW29 Land of Value to the Natural Environment	Delete criterion 1. of the policy and Appendix 8	There is no list of the areas and no evidence to demonstrate how they meet the criteria in the NPPF for LGSs. The wording of the policy then only permits development which would enhance the value of these sites and /or increases the overall area of the sites. This again does not reflect the stance of the NPPF on LGSs. As a result, this element of the policy does not meet the basic conditions and is recommended for deletion.	Agree Criterion one does not meet the NPPF criteria for Local Green Space designation and should be deleted together with the corresponding Appendix 8.
	•Move paragraph 11.5.23 on page 124 of the Plan to a separate section or appendix of the Plan called “Community Aspirations”	Paragraph 11.5.23 refers to conservation covenants; the support given in the Plan amounts to a community aspiration and should be moved to a separate section of the Plan.	Agree Paragraph 11.5.23 reflects the community’s aspirations for the future and does not relate to the development and use of land and should be included in the Plan in a separate section of the

			<p>plan clearly <u>identified as Community Aspirations</u></p> <p>Retention of paragraph 11.5.23 ensures that community aspirations are taken seriously and reflected in the Neighbourhood Plan</p>
	<ul style="list-style-type: none"> •Consequential amendments will be needed including the deletion of [the second numbered] paragraph 11.5.22 on page 123 of the Plan 	<p>Amendments will be needed including the deletion of [the second numbered] paragraph 11.5.22 on page 123 of the Plan</p>	<p>Agree</p> <p>Renumbering and deletion of paragraphs is essential for correct sequential numbering and accuracy in the final document.</p>
Saffron Walden NP: Pages 125 - 127			
<p>Examiner’s Report: Pages 48 - 49</p> <p>Policy SW30 Arts and Cultural Facilities</p>	<ul style="list-style-type: none"> •Delete criteria 1. and 3. from the policy 	<p>Criterion 1 lacks clarity in that no criteria or indications have been provided as what might be site - specific considerations and this would be of limited value as a development management tool. Criterion 3 -does not meet the requisite criteria for seeking developer contributions.</p>	<p>Agree</p> <p>Criteria 1 and 3 do not lack clarity in that: Criterion 1 has limited value for a development management decision maker: and Criterion 3 –The following criteria for seeking developer contributions have not been met:</p> <ul style="list-style-type: none"> • necessary to make the development acceptable in planning terms; • directly related to the development; and

			<ul style="list-style-type: none"> • fairly and reasonably related in scale and kind to the development. <p>Criteria 1 and 3 do not therefore meet basic conditions.</p>
	<ul style="list-style-type: none"> • Change “June” in paragraph 12.3 on page 125 of the Plan to “July” 	The All-Party Parliamentary Group Arts, Health and Wellbeing Inquiry document date is wrong	<p>Agree: Correction of date for the sake of accuracy.</p>
	<ul style="list-style-type: none"> • Delete the last sentence in paragraph 12.15 on page 127 of the Plan which begins “Applications for change of use...” 	The Use Classes changed, and the use classes referred to are out of date.	<p>Agree: The Use Classes changed and came into force on 1st September 2020 and the classes referred to are outdated.</p>
Saffron Walden NP: Pages 128 - 129			
Examiner’s Report: Pages 49 - 50 Policy SW31 Education	<ul style="list-style-type: none"> • Delete Policy SW31 and its supporting text (paragraphs 13.1 to 13.11 inclusive) 	Blanket support for early years provision may lead to unacceptable development. Policy wording does not accurately reflect a signed S106 agreement to retain land for educational purposes for a period of 10 years. Blanket resistance to and changes of use to the Library does not meet basic conditions. Blanket resistance for an extension of a sixth form college with co criteria indicating suitable sites or locations might result in unacceptable development and hinder sustainable achievement.	<p>Agree Policy lacks clarity and flexibility and may potentially hinder the achievement of sustainable development. The policy does not meet basic conditions.</p>
Saffron Walden NP: Page130			

<p>Examiner’s Report: Pages 50 - 51 Policy SW32 Healthcare</p>	<ul style="list-style-type: none"> •The policy meets the relevant basic conditions, and no modifications are recommended. 		<p style="text-align: center;">Agree</p> <p>Policy SW32 has regard to the NPPF paragraph 93 which supports the delivery of local strategies to improve health, social and cultural wellbeing of the community. The Policy meets the relevant basic conditions and does not require any modification.</p>
<p>Saffron Walden NP: Pages 131 - 157</p>			
<p>Examiner’s Report: Page- 51 APPENDICES</p>	<ul style="list-style-type: none"> •Appendix 1 is a list of strategic policies in the LP 2005. 	<p>Retain</p>	<p style="text-align: center;">Agree</p> <p>This is an accurate list of the Local Plan 2005 Strategic Policies as provided by Uttlesford District Council Planning Policy Department.</p>
	<ul style="list-style-type: none"> •Appendix 2 contains information about the air quality management area. This is referred to in various parts of the Plan. 	<p>This is referred to in various parts of the Plan.</p>	<p style="text-align: center;">Agree</p> <p>Information is provided by the District Council.</p>
	<ul style="list-style-type: none"> •Appendix 3 is a transport “wish list”. This is referred to in section 10.2 of the Plan. 	<p>This is referred to in section 10.2 of the Plan</p> <p>Sometimes neighbourhood plans contain aspirational policies or projects that signal the community’s priorities for the future of their local area but are not related to the development and use of land. If I consider a policy or proposal to fall within this</p>	<p style="text-align: center;">Agree</p> <p>Clearly differentiated as Community Aspirations.</p>

		category, I will recommend it be clearly differentiated.	
	<ul style="list-style-type: none"> Appendix 4 contains information about SuDs. 	Retain	<p style="text-align: center;">Agree</p> <p>Contains factual information on SuDs</p>
	<ul style="list-style-type: none"> Appendix 5 is the open spaces audit. Deletion recommended. 	Although Appendix 5 is referenced, it is not clear to me from the Plan where these spaces are given they are included in a long list of open spaces, and they are not mapped clearly in the appendix given there is no key to the maps and again other types of spaces are shown on the maps. The maps are also at a very small-scale making accuracy as to the boundaries of the spaces difficult.	<p style="text-align: center;">Agree</p> <p>Appendix 5 should be deleted because it does not clearly identify the spaces and other types of spaces are also shown. Like the supporting text Appendix 5 does not provide any evidence to support designation of the allotments.</p>
	<ul style="list-style-type: none"> Appendix 6 contains proposed LGSs. Deletion recommended. 	Appendix 6 seems to identify a further 12 areas for designation. There is a table on page 148 of the Plan which sets out the areas against the criteria for designation in the NPPF. There is insufficient information to justify the designations even if these were clear. For example, in seeking to meet the demonstrably special to the local community and local significance criteria, the table indicates “well used” for many of the proposed LGSs.	<p style="text-align: center;">Agree</p> <p>There is insufficient evidence to justify LGS designations.</p>

	<ul style="list-style-type: none"> •Appendix 7 contains community centre survey responses and is useful to retain. 	Retain because appendix contains resident's responses to the community centre survey.	<p>Agree</p> <p>Important to retain because the response in the Appendix reflects residents' views on community centre</p>
	<ul style="list-style-type: none"> •Appendix 8 is land of environmental value. I have recommended deletion of this appendix. 	The areas designated as Local Green Spaces mapped in Appendix 8 are not clear, no list of the areas is provided. The wording of the policy does not reflect the NPPF stance on LGS. NPPF criteria for LGS designation not met.	<p>Agree</p> <p>No evidence is provided to demonstrate how the areas identified as Land of Value to the Natural Environment meets the NPPF criteria. And basic conditions..</p>
	<ul style="list-style-type: none"> •Appendix 9 contains extracts of policies in the now withdrawn ELP and the policy which this appendix sits alongside has been recommended for deletion. 	The now withdrawn ELP and the policy which this appendix sits alongside has been recommended for deletion and therefore Appendix 9 is redundant.	<p>Agree</p> <p>The Emerging Local Plan was withdrawn in 2020 and the allocations and polices have no relevance to this Neighbourhood plan.</p>
Saffron Walden NP: Page 158			
Examiner's Report: Page 51: Plan Monitoring and Delivery	Whilst monitoring and review is not currently a requirement for neighbourhood planning, the measures contained in this section are to be welcomed.	The measures contained in this section are to be welcomed.	<p>Agree</p> <p>Plan Monitoring and Review is good practice for a Plan and important for any future reviews of the plan.</p>

APPENDIX 3 – Saffron Walden Neighbourhood Plan 2021 – 2036 (Referendum Plan Version)

[Saffron Walden Neighbourhood Plan 2021 – 2036 \(Referendum Version\)](#)