

## Great Dunmow Neighbourhood Plan – Submission Consultation Responses

Montagu Evans on Behalf of Siemens Benefits Scheme and Kier Living

### Policy DS3:

The justification for policy DS3 identifies that the strategic allocation relates to “enabling” residential development in connection with the provision of a new secondary school with playing fields and a medical centre. SBS/Kier anticipate that there is unlikely to be sufficient funds generated from the sale of the school site and developer contributions from housing sites within the catchment area to fund the new school site and buildings. As enabling development for the school (and the medical centre) it may be possible to contribute to any shortfall in funding from housing development at the SBS/Kier site by reducing the requirement for other obligations. For instance a reduced affordable housing requirement will enable revenue from higher value market housing to be allocated towards delivery of the school site and buildings.

Accordingly SBS/Kier considers that such acknowledgement should be made within the justification for Policy DS3. The following additional wording is suggested:

***“It may be necessary to reduce the requirement for other community benefits in terms of affordable housing etc to enable delivery of the school site and buildings and the medical centre.”***

The proposed policy states that the site is allocated for 400 dwellings. SBS/Kier consider that the site would be able to deliver this amount of housing assuming a density of 30 dwellings per hectare and having regard to provision of the medical centre, open space and landscaping, a landscaped buffer with the Flich Way and allowing for site access, estate roads, drainage and services. Further to the detailed design process, a greater number of houses may be achievable in the interests of exceeding the strategic housing requirement making most effective use of the site. Accordingly, Policy DS3 should not limit future development to 400 homes.

The policy states that land and the provision of a new Heath Centre of approximately 1,800sqm floorspace with parking and an ambulance pick up/drop off point should be provided. SBS/Kier are supportive of this in principle. However, funding from housing development on the wider site will enable delivery of the land and buildings for the medical facility. Therefore it should be acknowledged within the policy that it may be necessary to reduce other developer contributions, such as affordable

housing, to facilitate the medical centre.

The policy sets out a requirement for a substantial strategic landscape buffer with the boundary of the Flitch Way County Park. The extent of this buffer will be assessed and established at the planning application stage and SBS/Kier consider that this should be stated within the policy.

Furthermore, the policy seeks require a certain proportion of accommodation for older persons and 1 and 2 bedroom bungalows. SBS/Kier do not object to such provision in principle. However, accommodation for older people can be provided in a range for formats including small houses, maisonettes and flats. This should be reflected within the policy.

Finally, it would be useful, for clarity to cross refer to Figures 17 and 18 within the policy text. This will ensure that the policy/site allocations can be easily understood and precise.

On the basis of the above comments, SBS/Kier consider that the policy should be amended as follows:

*“The site is allocated for a mixed use development of 14ha of land for secondary school (**Figure 18**), a **minimum** of 400 residential units and a health centre (**Figure 17**).*

*The following criteria must be met:*

*Provision of **around** 14 hectares of land as indicated on the plan for secondary education use;*

*The development provides for a mixed and balanced community to include at least 5% older person’s accommodation **and 1 and 2 bed bungalows** across tenure;*

*It provides land and the provision of a new Health Centre of approximately 1800m<sup>2</sup> floorspace together with parking and an ambulance pick up / drop off point (and in accordance with NP policy HE11);*

*It provides for the provision of cycleways / footpath links from the development to the primary and secondary schools, the Town Centre, and the Flitch Way (in accordance with NP policy GA2);*

*It provides for open space within the development including informal recreation areas, the provision of children’s play spaces (LEAPs and NEAPs) and a substantial strategic landscape buffer to the south along the boundary of the Flitch Way Country Park **the extent of which will be established at the planning application stage.***

	<p><i>The development is designed to mitigate adverse effects upon existing residential and community interests and may be required by legal obligation, to provide or contribute towards wider and longer term planning benefits reasonably associated with the alleviation of any such impact. <b>The nature of such contributions may need to be weighted appropriately to enable delivery of site and buildings associated with the above medical centre and the new secondary school on the site adjacent to Buttleys Lane.</b></i></p> <p><b>CONCLUSION</b></p> <p>Having regard to the above considerations and earlier representation, the SBS/Kier sites are appropriate for the proposed allocation within Policy DS3 of the GDNP. The sites present deliverable, suitable and sustainable opportunities to facilitate the envisaged growth to the west of Great Dunmow.</p>
<p>Strutt and Parker on behalf of The Helena Romanes School</p>	<p><b><u>The Plan as a Whole –</u></b></p> <p>Strutt &amp; Parker are providing these representations on behalf of The Helena Romanes School (HRS). The School has a pivotal role in the success of Great Dunmow, being the main location for secondary education for young people in the area.</p> <p>Our clients’ interest is to support pupils by providing a high quality education environment that encourages learning. We welcome the preparation of a Neighbourhood Plan (NP) for Great Dunmow and the recognition of the School’s role in the town’s future.</p> <p>HRS are reassured that the Neighbourhood Plan seeks to allocate land for a replacement secondary school and enabling development to fund the modernisation and long-term future of this essential facility. The NP, via the Parish Council, highlights that the expansion of the school is necessary to meet the needs of local children over the next decade, and onwards, and we welcome the foresight of the Parish to address this within the NP before capacity becomes an acute concern. HRS are conscious that the school does not only meet the education needs of young people in Great Dunmow, but it is also anticipating to assist with demand from neighbouring areas. As such, HRS is aware that secondary school capacity is projected to result in demand for almost 1,320 unmet pupil places across the wider area by 2025, as evidenced by the Essex Commissioning School Places 2014-19. HRS is in an ideal position to provide a new high quality learning environment and meet some of this projected demand, where supported by the Policies of this NP. Against this background, HRS are encouraged that the NP identifies land and a method of delivery for a new school, with value realised in the existing site. In addition, HRS would request that the Council recognise</p>

the pressing need for school places in the wider area and assist with bringing forward any new school in the early period of the plan.

We would also recommend that the cross-boundary issue of secondary school capacity should be referenced in the Strategic Environmental Assessment – Annex B - Baseline Information, section 12.1. While there is a clear and welcome acknowledgement of the need to expand secondary school provision over the plan period, the demand in neighbouring areas is considered to make the immediate need more critical than it would appear from the SEA evidence.

While HRS are in general support of the NP, there are some concerns that policies relating to the allocation of the existing school site are too restrictive to accord with National Planning Policy. The policy is also considered to be insufficiently flexible to allow the school to fully realise the value of the existing site or allow for alternative layouts for development on the site following the detailed site considerations that necessarily follow from the planning application process. The Policy may therefore unnecessarily limit the opportunities on the site, being in conflict with National Policy and potentially fail to contribute towards achieving sustainable development. This situation can be resolved and we set out below how we consider this can be achieved under the Development and Standards section of this submission, set out below.

As a general matter which is not critical to the overall content of the Plan, we recommend changes are made to Paragraph 10 of the NP regarding the provision of a new school. We confirm in this submission that HRS are committed to pursuing the delivery of a new school and sports facility, with a current preference for the general location identified as Land adjacent to Buttleys Lane (Land South of Stortford Road) in Figure. 18 of the NP. As part explanation for recent uncertainty, HRS have been fully engaged with the Local Plan process with Uttlesford District Council (UDC) for a number of years and have consistently represented the site through the Local Plan, including the most recent Call for Sites in December 2015. Following the collapse of the Local Plan in 2014, HRS were uncertain how the school might be delivered in the absence of Local Plan policies. This is anticipated to be resolved by the adoption of the NP, where those policies are sufficient to secure a new education site, funding for the new school, and delivery of residential development on the exiting school site.

**Development and Standards –**

HRS are interested in the delivery of a new secondary school and sports facilities to achieve the aim of providing a high quality learning environment that meets the growing needs of Great Dunmow and the surrounding area. Funding for the new school would be largely secured through contributions towards secondary education from developments in Great Dunmow and the realisation of value from the existing school site.

HRS therefore provide the following comments in relation to the policies relevant to the achievement of this aim, being DS2 – The Existing HRS Site and DS3 – Land South of Stortford Road and Land Adjacent to Buttleys Lane. HRS trust these comments will be fully considered in the examination of the Neighbourhood Plan, including the suggested changes.

We recommend the following amendments to ensure the Policy would be compatible with the Basic Conditions, which we list below under headings for ease of reference:

**The Site Area, Figure 16 (The HRS Site) and Landscaping**

We generally welcome the site area identified in the Policy which includes the school buildings and the majority of the playing fields.

However, Policy DS2 includes reference to a 1.8ha landscaped buffer to the north and west of the site and these areas are specified on the Site Plan, figure 16 of the NP.

It is noted that the Policy is not supported by explanatory text in the NP. Such text would be helpful in relating the Policy to evidence to justify the requirements outlined in the policy.

We recommend that the text should be amended to remove reference to a requirement for a precise 1.8ha of landscaped buffer to the north and west of the site and that figure 16 should be amended to incorporate the green spaces identified into the developable area.

This recommendation is made on the basis that there is no clear reference in the evidence base to such a requirement and therefore it is unclear why this landscaping has been identified so specifically in the Plan for a 1.8ha buffer to the north and north west of the site.

As part of the promotional process of understanding the site, HRS have assessed the habitats and environmental quality of the site and agree that the northwest of the site, alongside Frederick's Spring, is likely to contain some benefits and could be enhanced as part of any site delivery. However, the protection of the Woodland (Frederick's Spring) is identified in Policy NE1 of the NP which states that:

*'These sites and their settings are to be protected, and any development which impacts upon them must contribute to rather than detract from their biodiversity and setting value'*

It is therefore unnecessary to exceed the considerations set out in Policy NE1 within Policy DS2.

It is also our recommendation that the retention of the land to the north of the site (as distinct from northwest) is not clearly beneficial to wildlife, habitat creation or the effective use of land for development. HRS consider the evidence prepared to date indicates that this area would be suitable for development. We consider it to be unproven that the retention of the areas shown in figure 16 of the NP are necessary to achieve sustainable development on this site and should be included in the site allocation.

Briefing Paper 10 – Open Space Sports and Recreation indicates that Dunmow North has a surplus of over 2ha of playing space than required by the standards, a surplus of more than 3ha of outdoor sports space and a deficit of 1 childrens' play space. Overall, the need for the 1.8ha of landscaping, whether as a buffer from the surrounding landscape or for recreation, is not clearly demonstrated by the evidence. In addition, the inclusion of the entire site within the Policy would better achieve the aims of successfully integrating development with the surrounding landscape.

As set out above, we are not aware of any evidence to support the exclusion of the two landscape areas from the development site and their exclusion may therefore frustrate the achievement of sustainable development. The areas are not subject to specific environmental designations that would justify their exclusion and therefore the appropriate mechanism for determining the retention of features within the site is through the planning application process.

A full assessment of the site would be undertaken as part of any planning application, which would determine the most appropriate areas for retention and enhancement. Any habitats could best be enhanced if they are included in the development area, otherwise they would likely be left dormant and any opportunity to improve the condition of the land would be lost.

#### **Dwelling Numbers**

The Neighbourhood Plan needs to ensure it is prepared in accordance with its evidence base and meets the Basic Conditions for Neighbourhood Plans, including:

- Having appropriate regard to national policy
- Contribute to the achievement of sustainable development

We draw the Parish Council's attention to the Tattenhall NP which sought to restrict sites to no more than 30 units per site. While a High Court decision considered the Policy in that case to be in accordance with the Basic Conditions, this was proven by a robust interpretation of the

available evidence. It was also confirmed that if the emerging Local Plan provided a different position as a result of greater scrutiny of LP policies compared to NP examinations, the more recent plan would take precedent. It is noted that the GDNP is being prepared without the benefit of the strategic policies of a District LP and that if the NP limitations are not supported by clear evidence, they may be superseded by the District LP.

On this same matter, we would highlight the decision of the Secretary of State in regards to an appeal at Land North of Bishops Lane, Ringmer (APP/P1425/W/14/3001077). This decision considered that the development limitation set out in the Ringmer Neighbourhood Plan should be considered a minimum and that in spite of conflict with the NP, the application should be approved as the Policy should be considered a minimum quantum for development and not a maximum.

We highlight these cases to encourage the Parish Council to amend Policy DS2: TDA: The Existing HRS Site of the NP and the site plan in Figure 16 of the NP.

Taking account of the legal decisions set out above for Neighbourhood Plans, it is recommended that the Policy wording should be altered to either remove reference to the number of dwellings to be delivered on the site, or changed to release the site for development of a minimum number of dwellings.

Evidence submitted for the preparation of the Local Plan and more recent Call for Sites demonstrates that the site is capable of accommodating at least 150 dwellings with landscaping and an attractive layout for predominantly family housing. There is no evidence to substantiate the lower delivery indication in the policy of 100 dwellings. We would submit that the lower housing numbers would not make best use of this brownfield site and artificially limit the delivery of this site, which is in a sustainable location for residential housing. It would also return lower contributions to the development of a new school, which is an important facility to meet the future requirements of young people in Great Dunmow.

The evidence prepared for the Neighbourhood Plan does not suggest that a limitation on the capacity of the site would be required in order to achieve sustainable development. Our own evidence indicates that the site is capable of delivering at least 150 dwellings in an attractive layout with sensitive appreciation of the context.

#### **Footpaths/ Cycleways**

The Policy makes reference to a north-south footpath within the site. While permeability and links to the surrounding area are supported, we consider that this reference should relate to

Policy GA2 and not Policy GA1. The reference to a north-south footpath-cycleway is not consistent with Policy GA1 – *Core Footpath and Bridleway Network*, particularly in relation to Figure 11 – *Existing Footpath Network* and Figure 40 – *Core Footpath and Bridleway Network for Upgrade*, including the updated diagram. Neither of these diagrams indicate the existence of, or desire for, a new footpath north-south through the HRS site. However, in relation to Policy GA2 – Integrating Developments – it is agreed that development should be supported that are integrated and linked to the surrounding footpath and bridleway network and it would be appropriate to reference this Policy in Policy DS2.

#### **Planning Gain**

We welcome that the policy includes reference to Planning Gain being required to relocate the school.

#### **Conservation Area**

The site adjoins, but is not within, the Great Dunmow Conservation Area, which is the subject of an Article 4 directive. Accordingly, any development on the site where it borders the Conservation Area would be expected to harmonise with the Conservation Area.

With regards to the evidence supporting the NP, this is provided by Briefing Paper 6 – Historic Environment Character Assessment.

The Parsonage Downs Character Area is identified as Area 8.5 in the Paper, while the School site is within Area 8.9. There is therefore a distinct separation between the characteristics of these two Areas, which is marked by the boundary of the School site along Parsonage Downs. The separation of the two areas along this boundary indicates a clear difference in the relationship of the School Site with the Parsonage Downs Character Area. Within the Paper, Parsonage Downs is considered to be sensitive to change (score of 3 out of 5), while only the parkland around Newton Hall in area 8.9 is considered to be sensitive to change (score of 2 out of 5). It is therefore difficult to understand the requirement for the delivery of this site to be specifically required to consider the views of those representing the Conservation Area, beyond the usual consultations required due to its geographical position. Any application would be subject to public and stakeholder consultation. However, it is considered that the requirement for development of the site to be carried out in consultation with the parsonage Downs Conservation Group places undue weight on seeking agreement from the Group in relation to the design and layout of development of a site that is outside of the conservation area. This expectation, while not onerous in its expectation to consult the Group, could be interpreted as needing to gain approval of the Conservation Group, which

may not fulfil the Basic Conditions and be disproportionate to the sites' location.

#### **Shielding existing properties from new development**

Bullet Point 4 of the Policy concerns the provision of a landscape buffer along the boundary with parsonage Downs. While the changes made to this policy made by the SEA are welcome, it is considered that this remains an unnecessary requirement that seeks to provide considerable separation between new development and the residents of Parsonage Downs which is not supported by evidence.

Any new development will need to provide suitable separation in accordance with development control policies. In addition, the Conservation Area status will require sensitive application of design along this boundary.

The requirement for a landscaped buffer between the development and the existing residential properties, including any use of this route for informal walking or a pedestrian link, should be a matter for a detailed planning application in terms of layout and landscaping of a detailed scheme.

Bullet Point 6 seeks to protect the setting of a listed building and the Conservation Area. This is supported and considered to be appropriate and sufficient within the Policy to secure the sensitive treatment of the relationship between new and existing development.

#### **Arrangement of Dwellings Within the Site**

Bullet Point 5 of the Policy concerns the arrangement of dwellings to centre on open green spaces which connect to a green strip pathway around the perimeter.

It is considered that this is not supported by evidence of the need for this specific arrangement, or a perimeter pathway, and that this requirement should be removed to allow for a flexible layout that may better achieve the aims of the NP.

The need for a perimeter pathway may result in a scheme that appears to be isolated, rather than integrated with the existing townscape. This would conflict with the aim of achieving social sustainability through good design and may fail to make effective and efficient use of the site, as required by national policy.

The specific arrangement of dwellings and the environment in which they are placed should be the subject of a detailed planning application. This is particularly the case where there is no evidence to support securing a specific type of layout in the Policy. There does not appear to be any reference to this necessity with the Briefing Papers that supported the development of the Plan.

A more flexible policy would be capable of providing an attractive development that would meet the design principles set out in the NP and National Policy, and be capable of providing for contemporary needs and market demands. It is recommended that the Policy should not reference a particular type of layout in order to ensure any development is sustainable and in accordance with national policy.

#### **Wider Impacts**

The final bullet point in Policy DS2 is considered to be too vague in regards to which adverse effects may require mitigation and any such impacts would appropriately be considered through the submission of a planning application.

#### **Masterplan**

The last paragraph of the Policy makes reference to the implementation of 'the masterplan' to be regulated by a legal obligation. No masterplan is referenced elsewhere in the Policy and this statement should be amended to refer to a planning application or removed in order to avoid confusion.

We trust the above recommendations are helpful in ensuring that Policy DS2 is able to deliver an effective development that is flexible and able to respond to local expectations, national policy, and the aim of achieving sustainable development.

#### **DS3: Land Adjacent to Buttleys Lane (Figure 18)**

HRS welcome the identification of land adjacent to Buttleys Lane, South of Stortford Road, as an appropriate site for the delivery of a new school and sports fields. HRS support this allocation and recommend it is considered to accord with the Basic Conditions.

In addition, it is considered that land to the north of Stortford Road, directly adjacent to the school, may also be suitable for outdoor sports and recreation and may provide a long-term solution for these needs. Given the deficits for open space identified in the Briefing Papers supporting the Neighbourhood Plan, it is recommended that the Parish Council consider inclusion of land to the north of Stortford Road for recreation and sports purposes related to education and community uses, alongside the allocation of the school site.

#### **Getting Around –**

We would comment on Policy GA1, which makes reference to the submission of a 'pedestrian, cycle and equestrian audit' for strategic sites.

We are uncertain whether such an audit would be useful in the determination of planning applications and recommend that a Transport Statement / Assessment would typically provide full details of sustainable travel enhancements including the matters that would presumably be assessed within such an audit.

The need for a separate audit is therefore considered to be disproportionate and unnecessary to achieve sustainable development. Reference should instead be made to a Transport Statement / Assessment that should include clear considerations for pedestrian, cycle and equestrian modes of travel.

### **Healthcare, Education and Infrastructure**

HRS support the inclusion of policies relating to the delivery of high quality educational environments in Great Dunmow. As the towns' secondary education provider, HRS remains committed to providing a modern environment that encourages learning.

HRS generally support with the principles set out in Policy HE12 – Secondary School Provision for site criteria, which are anticipated to result in the successful identification of suitable sites and development to support learning and integrate with Great Dunmow.

We have some concerns for point 8 of the Policy and the unqualified need to replace any sports fields lost through necessity, and to realise maximum community use of any replacement facilities.

It is considered that this should be qualified by reference to a quantum of land required to provide appropriate sports facilities, such as those prepared by Sport England, to ensure the Policy does not artificially restrict temporary or appropriate enlargements to the school where playing fields may not be required.

With regards to community use, while this is encouraged and welcome as an ambition, it is considered that for facilities to be shared between education and public use, there can often be compatibility issues, particularly around availability times and days, and safeguarding of children and young people, that must be considered. It is therefore considered that this ambition should not form part of the policy criteria but could be retained as a desirable benefit for any facilities.

### **Other Comments**

HRS support the aims of the Neighbourhood Plan and the recognition of the importance of the secondary school and sixth form facility, including the sports facilities, in the Plan.

With the recommendations set out above, it is considered that the Plan would comply with the

	<p>Basic Conditions for Neighbourhood Planning and achieve the aims of the policies relating to education provision and be capable of delivering the high quality learning environment that would meet the ambitions of young people in Great Dunmow.</p>
<p>Mr Brooker</p>	<p>I write in response to the Great Dunmow Neighbourhood Plan consultation. I regret that this being a busy time of year for work, I have not had the time to study the document as much as I would like and do not have the time to comment in depth. Furthermore, I have often felt that comments made both by myself and other residents have been ignored and so I find my enthusiasm to comment on these consultations has diminished somewhat.</p> <p>Nevertheless, I would make the following comments;</p> <ol style="list-style-type: none"> <li>1. I have consistently objected to a number of the proposed areas for development around Great Dunmow, the worst being Land to the West of Woodside Way. Indeed I referred to this in my e-mail dated 29th October last, and I have often accused Uttlesford District Council of 'lazy' thinking when it comes to proposing this site for development. Furthermore, the consultation document states one of its aims is to protect the rural setting of Great Dunmow, but including Land to West of Woodside Way and Land South of Stortford Road and adjoining Buttleys Lane fail spectacularly in this regard. To my way of thinking these areas represent urban sprawl and definitely detract from the rural nature of Great Dunmow. Furthermore, the Land at the West of Woodside Way appears to be under two wildlife corridors.</li> <li>2. Comments regarding the inclusion of land to the north and south of Ongar Road are noted. It is a shame these areas have to be included. I was surprised to see that policy LSC2 specifically relates to preserving the view across the land on the south side of Ongar Road and yet the site has planning consent for development. Again, the development fails the required policy.</li> <li>3. Woodside Way now provides a 'barrier' to the west of the town and so all development should keep to the east of this road. Whilst I have reservations about some of the proposed development in this area, it would at least go some way towards preserving the rural nature of the town.</li> <li>4. Similar comments apply to Smiths Farm where the new A120 has created an artificial barrier.</li> </ol>

	<p>I believe I have been consistent in my comments on proposed areas for development both with the Town Council and Uttlesford District Council, and I would refer you to my e-mail dated 29th October last. I trust these comments can be taken into consideration going forward. I firmly believe the land to the west of Woodside Way and south of Stortford Road should not be developed.</p>
<p>Strutt and Parker on behalf of Mr Thompson</p>	<p><b><u>The Plan as a Whole –</u></b></p> <p>Strutt &amp; Parker LLP act on behalf of Mr. David Thompson, the owner of land at Oaklands, south of Ongar Road, Great Dunmow as shown edged red on Plan 1 attached. These representations set out our comments and objections to the Submission Great Dunmow Neighbourhood Plan (NP) in so far as it affects his land interests.</p> <p>Our principal concerns are that the PSNP proposes a Town Development Area (TDA) shown at Figure 15 of NP which excludes our clients land and that the accompanying policy, DS1, is not in accordance with the National Planning Policy Framework or reflect the approach that was being taken forward by Uttlesford District Council (UDC). Our representations propose that Policy DS1 should be reworded and that the TDA should be redrawn to include our client's land: -</p> <ol style="list-style-type: none"> <li>a. To reflect the proposed boundary that was shown in UDC's Draft Local Plan.</li> <li>b. To reflect other planned developments planned in the locality of Ongar Road and now included in the NP</li> <li>c. To provide for a more logical and defensible boundary for the TDA to reflect the character of the area.</li> <li>d. To provide for an opportunity to bring forward a sensitive, sustainable development to assist meet housing requirements.</li> </ol> <p><b><u>Vision, Statement and Core Objectives</u></b></p> <p>We would have expected the Vision Statement to make clear reference to its relationship to the development plan or even the emerging Local Plan having regard to para. 16 of the National Planning Policy Framework.</p> <p>Clearly the new Local Plan is at an early stage in preparation but it is clear from the Issues and Options consultation carried out in October-December 2015 that there are likely to be strategic development needs across the District and at Great Dunmow given its major role as a market town within the Settlement Hierarchy (as provided for in the Submission Local Plan 2014), not</p>

least those relating to housing which will have implications for the NP.

We acknowledge that the NP is coming forward in advance of the new Local Plan and that it is possible for this to happen. However this presents some difficulties and is of concern that, for the purposes of these representations, it appears to be reliant on the approach of the 2005 Uttlesford Local Plan which is out of date with a proposed Town Development Area that is reflective of the Settlement Boundary shown in that Plan to bring about a clear restriction on development.

The NP is also selective in responding to only those sites that were identified in the withdrawn Local Plan for development and has simply acknowledged the planning permissions that have been granted on those sites in establishing the areas anticipated for development. We would argue that this does not fully respond to the requirements of paragraph 16 of the NPPF which requires NPs to plan positively to support local development.

Indeed this requirement is not fully reflected elsewhere in the Vision, Statement and Core Objectives for the NP.

#### **Introduction to objective Justifications and Policies –**

We welcome the acknowledgement at page 45 of the NP of the requirement for local plans to follow the presumption in favour of sustainable development set out in paragraph 15 of the NPPF.

Paragraph 16 of the NPPF then goes on to state that the application of the presumption will have implications for neighbourhood planning in that neighbourhoods should:

- *develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development*
- *plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan.*

Furthermore, paragraph 184 confirms that:

*Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out*

*clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible.*

*Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.*

Having regard to the above, it is considered that the withdrawal of UDC's District Local Plan in January 2015 has presented some difficulties for the NP process in terms of timing with a new Local Plan for the District. The Uttlesford Local Plan is at an early stage of preparation and the strategic development needs of the Local Plan have yet to be agreed. It is clear, however that the new Local Plan will need to take forward a development strategy for the District to address the identified needs for growth as set out in the Issues and Options consultation carried out between October and December 2015. The consultation set out a range of housing requirements and areas of search for growth.

Paragraph 3.4 showed possible areas of search at Great Dunmow and the land the subject of these representations is included within area of search 12e at Figure 4 of that consultation. It also includes Areas 5 and 6 now shown in Figure 3 of the submission NP as existing permissions.

Given its status in the Settlement Hierarchy Great Dunmow could be expected to be a natural focus for additional growth for additional housing. However there is no agreed or adopted objectively assessed housing need across the UDC area as a whole or housing target at this stage of the process. Whilst it is acknowledged that the NP could go forward for Examination in advance of the Local Plan, the Issues and Options Consultation at 3.4 confirms that "it is necessary to ensure that all the options are properly considered and any relevant evidence will be shared with the Town Council to

enable them to ensure that the Town Plan is robust". There is no clear evidence that this process is reflected in the submission NP. The Indeed, as far as our clients' land is concerned, there are conflicts with the District Local Plan, the last and most recent iteration of UDC' policy for the reasons set out in our answers to the section on sustainability and deliverability below.

As a consequence, in the absence of a local plan that sets strategic policies for growth and where there is no up to date local plan, the question arises as to whether the NP can and should contain policies that set a clear restriction on development as evidenced by Policy DS1 TDA: Development Limits. Moreover, it is considered that the NP does not plan positively to support development as required by paragraph 16

of the NPPF

**Sustainability and Deliverability –**

As indicated in our response to our response under the heading The Plan as a Whole our representation relate principally to the land south of Ongar Road shown on Plan1 and our concerns that the NP excludes the land from the Town Development Area (TDA).

In the current development plan, the Uttlesford Local Plan (2005), the land is shown outside the development limits for Great Dunmow where there is a presumption against development. However, those limits were fixed having regard

to : -

- The need to accommodate housing development planned over that plan period to 2011.
- The planned housing requirements of the now revoked East of England Plan (2008).

Logically, now and post 2011, the boundary has the effect of constraining development. It is out of date and does not reflect UDC's necessary consideration of the need to meet housing requirements for the period to 2033. This is discussed further in our response above.

The DLP, to replace the 2005 Plan, was submitted for Examination in July 2014. Included with Plan was an Inset Map for Great Dunmow (ULP101C). An extract from that Plan appears at Plan 2. It will be noted that in the area of the site the Map provides for:

- Inclusion of our client's land within the Development Limits.
- The allocation of two strategic sites for housing development : -
  - GD7 – Land south of Ongar Road immediately to the east of this site for 100 dwellings.
  - GD8 – Land to the north of Ongar Road and opposite this site for 73 dwellings.

The DLP was of course subject to a full sustainability appraisal process which reviewed the proposed Development Limits, Policy SP2 applying to the limits (copied with these representations) and allocations in the area of Ongar Road.

Whilst we are aware that there were local objections regarding the proposed allocations of GD7 and GD8 as part of the DLP process, we are not aware that the proposed Development Limit boundary shown was the subject of specific objections.

Following the Examination and the Inspector's conclusions that the DLP would be considered unsound because of issues with the planned housing requirement and deliverability of the

Elsenham strategic allocation, the Plan was withdrawn by UDC on 21st January 2015. The Inspector made no comments regarding the proposed Development Limits submitted as part of the Examination. We therefore raise objections to the Submission NP at DS1 and at Figure 15 on the basis that it fails to reflect : -

- The presumption in favour of sustainable development required by the NPPF and as previously reflected in Policy SP2 of the DLP.
- The Draft ULP's Town Development Boundary shown at Plan 2.

We note that the submission NP now belatedly acknowledges the position at page 51 that sites 5 and 6 at Ongar Road are now shown within the TDA because of existing planning consents. It is noted that the NP makes reference to The Town Council's lack of agreement with the principle of these two sites being included due to the residential amenity issues relating to noise.

Fundamentally, as far as our clients land and that immediately to the west and up to the bypass is concerned, the permissions and carrying out of these developments at Ongar Road would fundamentally alter the character of the area from countryside/semi-rural to extensions to the built up area of Great Dunmow.

As a consequence, it follows that the TDA limits should be redrawn to include my clients land and extend to the A120 bypass to reflect the proposed limits shown in the DLP and that Policy DS1 relating to the Town Development Area and the NP is not the most appropriate strategy. The Planning Practice Guidance accompanying the NPPF confirms that NPs should support development. It is acknowledged that Policy DS1 provides for the direction of development to being within defined TDA. However it only refers to housing growth in line with allocations in the NP. This approach is considered entirely contrary to the presumption in favour of sustainable development required by the NPPF and that plans and decisions need to take local circumstances into account so that they respond to the opportunities for achieving sustainable development in different areas (Para 10).

Development limits are a planning policy tool, which delineate, in plan form, coherent and established built up areas and the basis for considering proposals for development within and outside those limits. Furthermore, The limits should enable opportunities to provide for development to take place within a clearly defined settlement which, if properly designed in terms of layout, appearance to take account of site features and any other constraints would not be incongruous.

With the NP It is noted that the defined criteria on how the TDA has been drawn up makes reference to the 2005 UDC Local Plan and subsequent planning permissions, views to the town and wildlife corridors. In the GDNP response to our previous objections on these matters in the Consultation Statement accompanying the NP, a justification (where it may be considered relevant to this land) is made at pages 32 and 33, to the 2005 plan, residential amenity issues relating to noise, the TDA contributing to the achievement of sustainable development, protecting the countryside and landscape, flooding protecting against sprawl, being well connected to the town and facilities can cater for development. As consequence it is considered the TDA and the policy relating to it is not justified in relation to the land the subject of these representations is not justified for the following reasons:

- As indicated elsewhere in these representations the 2005 limits are now out of date because of the NPPF and work on the housing requirements by UDC for the DLP and continuing for the new Local Plan. The TDA should to take account of changes since first drafted and not rely on the 2005 version of an out of date Local Plan).It should take into account local environmental considerations and opportunities for sustainable development as required by paragraph 55 of the NPPF.
- Policy DS 1 does not reflect the objectives for sustainable development as required by the NPPF which were more closely expressed in Policy SP2 of the DLP as attached to these representations. Such an approach would also ensure that any development proposals within the TDA are subject to assessment against criteria to be acceptable.

In so far as Ongar Road is concerned the TDA should take into account of the following:

The need to consider opportunities for small scale development: the land at Oaklands represents an opportunity for a more modest, low density, development to that anticipated at area 6. The existing landscape features can provide an appropriate setting for such an approach to ensure that “the sensitive approach to the town” referred to at Character Area 6, Southern Area at page 26 of the NP can be maintained.

- The TDA can be logically extended without harm to the countryside or wider landscape. Indeed, in this area the A1210 provides a logical, physical, urban defensible boundary to the built up area. Contrary to the view expressed in the Consultation Statement there is a district change in character to the south and west of the bypass with the countryside and its openness beyond.
- Development can be accommodated and subject to the application of the criteria as set out at DLP Policy SP2 in a revised policy DS1, development would be compatible with the form and character of the settlement.

- Given the area of land suggested for inclusion is relatively modest, should proposals come forward it is anticipated that the services necessary to support it could be dealt with in accordance with detailed criteria contained elsewhere in the NP and as required by UDC.
- Land immediately to the east of the bypass including the site is characterised by the existing trees and generous grass verges to the highway. The opportunity exists to ensure that these features are retained and taken into account in accordance with detailed criteria contained elsewhere in the NP and UDC's planning policies.

### **Suggested Amendments**

For the reasons set out in these representations and on behalf of our client, we therefore object to the Submission NP. We would suggest that the NP should be amended by : -

- Changing the proposed development limit at Ongar Road to include the land indicated at Plan 3. This change would incorporate our client's site, neighbouring land to the west and to the A120 bypass edge and relate to the now accepted sites at 5 and 6 at Ongar Road.

This change would ensure that the TDA in this location is credible in its aims and reflect that which was proposed in the DLP.

- A rewording of Policy DS1 to reflect the approach proposed for Policy SP2 of the DLP.

### **Landscape, Setting and Character –**

As far as our clients' interests are concerned as expressed elsewhere in these representations we note that Policy LSC 2 makes reference to land south of Ongar Road being an important view as a view of rural landscape, requiring a Visual Landscape Assessment and, by Policy LSC2, criteria against which development proposals would be assessed.

As far as our clients land is concerned we recognise the importance of the existing trees and generous grass verges which give character to the locality. The opportunity exists to ensure that these features are retained and taken into account in accordance with detailed criteria with a modest low density development which would retain these features and assist in assimilating development in the landscape. We therefore have no objections and support the policies set out in the NP on this basis.

Natural England	<p><b><u>The Plan as a Whole –</u></b></p> <p>Natural England is generally supportive of the plan as a whole. The plan appears to be well evidenced and its policies demonstrate a good balance between local aspirations and the requirements of the NPPF</p> <p><b><u>Other Comments</u></b></p> <p>In the Strategic Environmental Assessment (SEA), there is a minor factual error in the first bullet point under section 2.3.6 ‘Biodiversity and Nature Conservation’ which includes a statement that there are no National Nature Reserves in Uttlesford. Hales Wood (part of the Hales and Shadwell Woods SSSI) is a NNR. However, this site is some distance from Great Dunmow, and this error does not in any way affect the conclusions of the SEA.</p>
Paul Brady	<p>I have read through this document and it has made no mention or taken no consideration of my property that is in fact a grade 2 listed one its Highwood Barn a grade 2 listed building dating back to 1766 next to Highwood Farm on Butleys Lane. The whole design of the frontage has been done with a view of open fields not Astro Turf and flood lights. The character of the building would be ruined if directly opposite there are flood lights etc etc.</p> <p>Could you please take this e mail as notice that I wish to contest this plan as its not correct in detail as it makes no mention of my property. The town plan considered the listed building ay the HRS site why has my property not been so.</p>
Highways England	<p>That you for consulting us on your plan received on the 1 March 2016. Highways England has reviewed the neighbourhood plan and has no comments to make at this time.</p>
C Watson	<p>I note that on page 80 of the Great Dunmow Neighbourhood Plan there is a list of Important Views which are designated for protection. The note regarding View 7 (Land south of Ongar road) is out of date and should be removed/amended, because as far as I know the judicial review has been and gone and full planning permission has now been granted for development on that site.</p>
Uttlesford DC	<p><b><u>The Plan as a Whole</u></b></p> <p>The Council have worked closely with the Great Dunmow Neighbourhood Plan group and are generally supportive of the Neighbourhood Plan. However, there are a few areas of concern and these are detailed below.</p> <p><b><u>Policy DS9 Building for Life –</u></b></p>

	<p>The Council supports the aspirational part of this policy, paragraph 1. However, the last paragraph is insisting on building for life self-assessments to be submitted with planning applications. The Council does not support this approach as it is not a national requirement or part of local requirements. This information is not necessary to determine planning applications.</p> <p>The Council suggests that the aspirational part of this policy is retained but the requirement element is deleted.</p> <p><b><u>Policy DS15 Local Housing Needs -</u></b></p> <p>The figures which make up this policy have been drawn from the latest SHMA 2015 figures (figure 76: Market and affordable housing mix by LA) for the type and size of properties required. The policy has amalgamated the figures for market housing need and affordable housing need, thus removing the Councils opportunity and ability to request affordable housing at different sizes judged on a site by site basis.</p> <p>There is also a requirement in this policy for 5% bungalows on schemes of 20+ units. The Council require 5% on schemes of 10+ dwellings, there is no evidence to support a different policy approach.</p> <p>The Council suggest that the policy is deleted.</p> <p><b>Policy SOS2 Sporting Infrastructure Requirements:</b></p> <p>There is no evidence to support the inclusion of this policy and it is not clear where the 30 unit threshold has come from. Developer contributions can only be collected in relation to designated schemes and then a maximum of 5 contributions per scheme. There is no guidance on the criteria that should be used for the calculation of contributions.</p> <p>This policy is contrary to national legislation with regards to pooling S106 obligations.</p>
Mrs Davies	I have recently moved into New Street Great Dunmow, and am finding it a very pleasant and

friendly place to love. I have just received your letter about the Great Dunmow Neighbourhood Plan, but have not seen the plans as I do not have a computer.

However, I would like to make a representation with regard to the parking facilities in New Street. This is the one aspect of my life here which I find quite difficult and stressful. There is a small car park here, which I do use whenever I can, otherwise it is a real battle to find a roadside parking space in the evening. Also, recently, the free time allowed in the car park overnight has been cut by an hour. People visiting the surgery and the health clinic also have difficulty.

One solution that I have thought could make matters easier, would be to move the dustbin lorry park to a site more on the edge of Dunmow, and converting the space to additional parking area – it would be immediately next to the existing car park. The relocation of the dustbin lorries would certainly benefit a lot of residents in other ways especially those very closely adjacent to the area. The lorries are also very large to be negotiating New Street and cars are frequently forced to back to allow them to pass.

I wonder if the planners have considered this option?

I am writing an additional letter to you having posted one earlier today, concerning the parking facilities in New Street Great Dunmow. I would be glad if you could add it to my previous representation to the Great Dunmow Neighbourhood Plan.

As I went out this morning to post the previous letter, I discovered an elderly man lying in the gutter. As I rushed to help him, two other people also came to his assistance. We managed to get him up on his feet, though he was very unsteady. I then supported him to the doctors surgery where he had been going. His wife drove him to the surgery and put him down on the pavement whilst she had found a parking space, unfortunately the car park was full and all available space on the road also taken. In the end she parked in a private area in desperation and then came to the surgery where I met her. I think this incident illustrates how very acute the parking problem is here and I hope that the planners will give it their serious attention.