



FELSTED

PARISH COUNCIL

Mr Christopher Collison
Independent Examiner of Felsted
Neighbourhood Plan

Sent by e-mail

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Dear Mr Collison,

Representations to the Regulation 16 Consultation on the Felsted Neighbourhood Plan

Felsted Parish Council and the Felsted Neighbourhood Plan Steering Group have carefully considered the representations made to you by the Statutory, Developer and Individual consultees.

We have not chosen to address every issue raised by every consultee. However, we wish to make the comments in the attached schedule.

We look forward to receiving your comments on our Plan

Kind Regards

Yours sincerely,

Graham Harvey
Chairman Felsted Parish Council

Felsted Parish Council response to Regulation 16 representations

Rep reference and Name	Consultee responses	Action/Change?
Sport England		No change/action.
National Grid		No change/action.
Anglian Water Services Ltd		No change/action.
Environment Agency		No change/action.
Natural England	<p>We note the inclusion of policy FEL/HN8 which refers to the recreational disturbance impacts felt within the Essex Coast designated sites. Natural England commented on this policy wording within our response reference 281604, however the suggested alterations to this wording do not appear to have been forthcoming.</p> <p>Whilst the aims of this policy are supported, it would be advised, as previously suggested, for this wording to be future-proofed. It would be advised for this to refer to the 'Essex Coast RAMS Zone of Influence', as is detailed in the supporting Essex Coast RAMS 'Habitats Regulations Assessment Strategy Document'. Natural England would recommend this policy wording be amended.</p>	<p>Policy wording has been revised as follows in consultation and agreement with UDC and Natural England.</p> <p>FEL/HN8 All residential development within the zones of influence of European Sites will be required to make a financial contribution towards mitigation measures, as detailed in the Essex Coast RAMS, to avoid adverse in-combination recreational disturbance effects on European sites. In the interim period, before the Essex Coast RAMS is completed, all residential development within the zones of influence will need to deliver all measures identified (including strategic) measures through project level HRAs, or, otherwise, to mitigation and recreational disturbance impacts in compliance with the Habitats Regulations and</p>

	<p>Furthermore Natural England notes that no general biodiversity policy has been included within the plan. Whilst aspects relating to the natural environment have been considered within other policies, Natural England would strongly advise specific biodiversity policy wording considering the protection and enhancement of the natural environment in a strategic manner.</p> <p>We support the aims and intentions of Policy FEL/CW4 relating to Green Infrastructure and in line with our comments above on biodiversity, suggest that this policy could be broadened to include this requirement.</p>	<p>Habitats Directive.</p> <p>Biodiversity policy wording has been added and the policy broadened in consultation and agreement with UDC and Natural England.</p> <p>FEL/CW4</p> <p>Development proposals should protect, and where possible, enhance the natural environment. All proposals should seek to deliver measurable net biodiversity gain, in addition to protecting existing habitats and species. Proposals should seek to avoid any significant impacts on the natural environment. If avoidance isn't possible proposals which significantly affect, or have the potential to significantly affect, the natural environment should demonstrate that impacts on biodiversity, including flora and fauna, and local wildlife (including wildlife habitats), will be adequately mitigated and where this is not possible compensated.</p> <p>Development proposals that meet other NP policies will be supported where they:</p> <ul style="list-style-type: none"> • Protect and enhance existing green spaces and/or create new green/open spaces; • Improve the connectivity between wildlife areas and green spaces through green corridors and/or improvements to the Public, Rights of Way, and cycle and footpath networks; • Enhance the visual characteristics and biodiversity of
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		<p>green spaces in close proximity to the development;</p> <ul style="list-style-type: none"> • Ensure their landscape schemes, layouts, access and public open space provision and other amenity requirements contribute to the connectivity, maintenance and improvement of the GI Network; • Meet the Accessible Natural Greenspace Standards wherever possible and what they can do to address any local deficiency in provision of green space; • Take into consideration the principles of Sustainable Urban Drainage (SUDs) and natural flood management, which will enhance biodiversity and ecosystems; or • Consider the multi-functional use of local green spaces as part of the Green Infrastructure (GI) network. <p>Development proposals which are likely to have a negative impact on biodiversity, flora and fauna and local wildlife(including wildlife habitats) will only be permitted where the benefits of the development clearly outweigh any negative impacts to the nature conservation value of the feature or to its contribution to wider biodiversity objectives. Developments that are likely to have an adverse impact, either alone or in-combination, on a Special Protection Area, Special Area of Conservation, and / or Ramsar site must satisfy the requirements of the Habitats Regulations, determining site specific impacts and avoiding or mitigating against impacts where identified.</p>
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Essex County Council	FEL/HVC3 Royal British Legion Site ECC recommend an additional criterion is added to read: v) addition of public cycle parking for the village centre	Policy wording to be revised as follows: v) addition of public cycle parking for the village centre
	FEL/HVC4 - Additional Car Parking in the Village Centre ECC recommend an additional criterion is added to read: • Includes appropriate cycle parking	Policy wording to be revised as follows: • Includes appropriate cycle parking
	Policy FEL/HVC5 – Managing Congestion at the T Junction in Felsted Village Policy HVC5 of the FNP requires development proposals in the ‘historic village core’ to be accompanied by a ‘traffic impact statement’, which is required to consider matters including proposed site access, parking stress, impact upon highway safety and the free flow of traffic on the local road network. ECC recommend reference to ‘traffic impact statement’ is amended to reflect the appropriate terminology with regards the type of assessment that is required, as set out in the ECC Development Management Policies (2011), Appendix B. For example a Transport Statement is required for between 25 – 50 dwellings, and a Transport Assessment for 50 dwellings and above. Other thresholds are outlined in Appendix B according to land use category, including schools. ECC recommend paragraph 1 is deleted, and replaced	Policy wording to be revised as follows: Paragraph 1 is deleted, and replaced with: <i>‘Proposals must be subject to a Transport Statement/Assessment in accordance with ECC Development Management Policies (2011) to demonstrate how walking, cycling and passenger transport will be maximised and the impact on the existing conditions on the local highway network minimised’</i>

	<p>with:</p> <p><i>‘Proposals must be subject to a Transport Statement/Assessment in accordance with ECC Development Management Policies (2011) to demonstrate how walking, cycling and passenger transport will be maximised and the impact on the existing conditions on the local highway network minimised’</i></p>	
	<p>FEL/SC3 - Felsted School Follyfield Site</p> <p>ECC recommend the policy is re-written to read:</p> <p><i>‘Any scheme to redevelop Felsted School’s Follyfield site (as shown on Map 4) must be subject to a Transport Statement/Assessment and provide a safe and suitable access, and conform with Essex Parking Standards.’</i></p>	<p>Policy to be revised as follows:</p> <p><i>‘Any scheme to redevelop Felsted School’s Follyfield site (as shown on Map 4) must be subject to a Transport Statement/Assessment and provide a safe and suitable access and conform with Essex Parking Standards.’</i></p>
Uttlesford	<p>Contents Page</p> <p>Expanding the Contents Page to show page numbers would facilitate easier reference to Chapters, Policies and text for the reader.</p>	<p>This has been our objective once the final report has been agreed.</p>
	<p>Policy FEL/SC3 (page) –</p> <p>Has the Policy requirement to manage ‘right turns to and from the public highway’ been explored with highways to ascertain feasibility?</p>	<p>This issue has also been raised by ECC and a revised text has now been included (see above).</p>
	<p>Policy FEL/HVA4 (para 5.5.4 page 34)</p> <p>The last sentence about EV charging points appears to be</p>	<p>We agree with this recommendation and wish to include</p>

	<p>a general add on and reads as being directed to all development in Felsted and not specifically to the HVC.</p> <p>Should this requirement not be also included in Policy FEL/ICH1 (page 60)?</p>	<p>the requirement at FEL/ICH1 at page 60</p>
	<p>Policy FEL/VA5 (page 38)</p> <p>This policy should add “or better” after “.....an equivalent...” to read “The change of use of any recreational or play facility will not be supported unless and equivalent or better alternative facility is provided in an acceptable location within the Neighbourhood Area.” This will be in line with NPPF para 97(c)</p>	<p>We agree that this policy should be amended to be in line with NPPF para 97(c). By adding “or better” after “.....an equivalent...” to read:</p> <p><i>“The change of use of any recreational or play facility will not be supported unless and equivalent or better alternative facility is provided in an acceptable location within the Neighbourhood Area.”</i></p>
	<p>Policy FEL/ICH4 (page 61)</p> <p>It should be noted that Development Management has no control over overhead cables but can condition light sources to a certain degree.</p>	<p>Noted</p>
	<p>Policy FEL/HN2 (point v) (page 50) and FEL/HN3</p>	<p>We agree that a paragraph similar to 5.3.47 should be added to the supporting text of both policies.</p> <p><i>‘If the Plan fails to deliver this surgery and the associated enabling housing, the CCG will seek an alternative location for a replacement surgery outside of Felsted. Local health provision would be lost but the housing element of the proposal, which is being promoted through the UDC Local Plan process, would almost certainly go ahead without any significant community benefit for Felsted.’</i></p>

Gladman Rep	<p>Policy FEL/HN5 - Residential development proposals outside the Local Plan Village Development Limits</p> <p>This Policy identifies settlement boundaries for each village in the Parish and states that land outside of this defined area will be treated as countryside, where development will be carefully controlled to those essential for agricultural operations. Gladman object to the use of settlement boundaries if these preclude otherwise sustainable development from coming forward. The Framework is clear that sustainable development should proceed. Use of settlement limits to arbitrarily restrict suitable development from coming forward on the edge of settlements does not accord with the positive approach to growth required by the Framework and is contrary to basic condition (a) and (d). As currently drafted, this is considered to be an overly restrictive approach and provides no flexibility to reflect the circumstances upon which the FNP is being prepared. Greater flexibility is required in this policy and Gladman suggest that additional sites adjacent to the settlement boundary should be considered as appropriate. Gladman recommend that the above policy is modified so that it allows for a degree of flexibility. The following wording is put forward for consideration.</p>	<p>We understand that Gladman make this comment on every NP that proposes settlement boundaries. It is a principle that is also tested at Local Plan examinations.</p> <p>A key point for the FNPSG is that removing settlement boundaries would lead to unwelcome uncertainty for residents, stakeholder and developers. It also would significantly undermine the ability to bring forward rural exception sites (sites on edge of settlement intended to deliver affordable housing for those with local connection) should there be a need identified by the Parish Council through a housing needs survey.</p> <p>Our position in respect of settlement boundaries will not restrict sustainable development from coming forward (i.e. meeting housing numbers).</p>
Springfields on behalf of David Payne	Objection raised regarding the settlement boundary.	<p>Objection raised regarding the settlement boundary.</p> <p>We disagree with this representation on the basis of the information already contained in the submission documents.</p>

		<p>By way of a summary position, the NPSG is concerned that a policy of continually increasing the settlement boundary allows infill development on sites where low density has been a determining factor in the original application. It creates greater risk of coalescence and restricts the creation of rural exception sites.</p> <p>There may also be further complications with regard to increasing the settlement site:</p> <ul style="list-style-type: none"> • Natural England. The HRA for the NP has been undertaken on the basis of including just one site in Felsted Parish which also falls within the zone of influence of the Blackwater Estuary European site. • Community support for the plan. The community in Felsted feels under siege from developers. There is a real fear that the unique and historic nature of the parish with its individual fifteen hamlets/Greens is in danger of being lost through development. Were the NP to support any increase in the settlement limits it would be perceived as a betrayal of the community and contrary to the views expressed through consultations. We fear the Plan would be rejected.
GoHomes	<p>(page 5) Consultation <i>This will be further reviewed against the evidence base. However, it is apparent that at certain junctures the Steering Group have not provided written responses to direct representations made, or indeed failed to follow up</i></p>	<p>We draw specific attention to Chapter 4, page 16 of the Consultation Statement appendix 18 to the Consultation Statement and the site assessment process itself.</p> <p>Go Homes have appended letters between the SG and Gordon Crawford Farms. The SG wrote to three</p>

	<p><i>their own letters for further consultations especially with regard to the potential to deliver their idea of a new community hub.</i></p> <p>And page 11 with reference to the Community Hub section of the Consultation Statement.</p>	<p>landowners including Mr Crawford as a Director of Gordon Crawford Farms (not at the time as a Director of various GoHomes entities) when the SG was considering sites for a 'Community Hub'. In particular the letter from the SG identified the core requirements and invited a response from landowners.</p> <p>However, the site from which Mr Crawford could have derived benefit through development became irrelevant to the SG's discussions when the elements key to creating a Hub could not be assembled. The Memorial Hall decided against moving and the doctors and the CCG failed to support the site.</p>
	<p>Fel/HVC2, Fel/VA2</p> <p>In various places GoHomes refer to the need to undertake a consultation exercise to review opportunities for village shop and post office relocation</p>	<p>The NP does not prevent the PC and stakeholders from continuing to pursue the relocation of the village shop or other amenities outside the NP.</p> <p>In fact paragraph 2.4.1 of the NP includes at the end:</p> <p><i>"The surgery in community ownership will generate a revenue stream for community amenities, which could include the redevelopment of the Memorial Hall and the relocation of the village convenience shop and Post Office."</i></p> <p>To add clarity to this point at paragraph 4.5, we will add;</p> <p><i>"The Felsted PC will continue to work with stakeholders and residents to review opportunities for the village shop and post office relocation".</i></p>

Debra Mitchell (the last page in the document)	1.2.10 We were not given the power to decide where new housing was to be located, at each step the two sites proposed were Sunnybrook Farm and the Bury Fields. Other housing projects have been turned down by the committee.	All known available sites have been carefully assessed. The sites chosen offer very specific community amenity value.
	5.4.34 Another addition, slipped in amongst 68 pages – how will the car park be used as an ‘additional recreation facility’ for the wider community? This development has been given unwavering support by the SG due to the fact that it will alleviate traffic congestion – nothing more than a car park is needed to do this, certainly not recreational facilities (another vague term) for the wider community.	<p>We are concerned that this comment misunderstands the intention of the Plan and propose the following replacement paragraph.</p> <p><i>‘Properly secured to avoid inappropriate use, the site also offers an opportunity for a safe and secure recreational area for use by the primary school. The car park will serve as an additional recreational facility primarily for the children but also for the wider community at school led events. ‘</i></p>