



## UTTLESFORD DISTRICT COUNCIL

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*Steering Group responses are set out in italics*

Dear Sir/Madam

### **Re: Newport Quendon & Rickling Development Plan Regulation 14 Consultation**

Thank you for consulting Uttlesford District Council on Newport Quendon and Rickling's pre-submission Neighbourhood Draft Plan. We welcome the opportunity to comment on the draft Neighbourhood Plan. We have now had the opportunity to review the Draft Plan and can now provide the following response.

#### **Introduction**

This response to the Neighbourhood Plan does address, in places, some individual policies and projects. However, the District Council considers that there are a series of additional steps required which may involve amending the Neighbourhood Plan. It is recommended that these tasks are undertaken prior to a more detailed response being made to the Plan and individual policies within it.

#### **General Points**

The following general observations are made:

#### **Relationship to the Local Plan:**

Policies in the Neighbourhood Plan should not seek to repeat existing Policy, but rather strengthen that, make it more locally specific, or provide new policy where the existing framework is silent on a particularly local matter.

One of the 'Basic Conditions' of neighbourhood planning is to demonstrate general conformity with the development plan. For Newport Quendon & Rickling (NQR), this means the currently adopted Local Plan (adopted 2005). However, with a new Local Plan emerging, the neighbourhood plan should make use of the new evidence prepared in support of the Local Plan, representing the most up-to-date position, and thus ensuring a longer 'life' for the neighbourhood plan.

The Neighbourhood Plan is being prepared in parallel to the new Local Plan. The Regulation  
1 | Page

14 version of the Neighbourhood Plan includes references from the previous consultation

version (Reg 18 in particular) of the Local Plan. Work on the Local Plan has since progressed and submission for examination purposes is imminent (and thus those references to earlier versions of the Plan will soon be out-of-date). The Neighbourhood Plan should not repeat nor 'adopt' policies from the draft Local Plan and any other such documents. Once 'made', policies in the Neighbourhood Plan will form part of the suite of policies used to determine applications in the area. Government guidance advises that Neighbourhood Plan policies should not duplicate Local Plan policies. Those Neighbourhood Plan policies which duplicate the Local Plan should be removed.

*No policies have been duplicated from the adopted LP.*

*The earliest the new plan now at Reg 19 could be in place is Autumn 2019 according to the chief executive at the June 2018 council meeting. As noted in the NhP, UDC has had a previous Reg 19 plan turned down at Inspection. The Steering Group considers that the current Reg 19 has very significant evidence missing (including unconvincing housing numbers – eg 500 care home rooms counted as 'houses', no financial viability assessment, no air quality assessment, no sports strategy and finance arrangement, omits Stansted Airport expansion, omits to say where extra water will come from, and in June 2018 a section of it for Braintree, c 1000 houses, was sent back by the Inspector for further work. And other issues mentioned later in the Steering Group response*

*We believe therefore there is significant risk of further delay*

*Had there been a valid LP there would have been no need for this Plan to incorporate policy wordings or extracts of wordings. However, there are some excellent new policies in Reg 19 and we wish to get them into effect as soon as we can and we consider it 'belt and braces' to include them in the NhP where particularly relevant. We have also added to some of the Reg 19 wordings for matters specific to NQR and so the LP policy wordings would have needed to be included anyway.*

*We consider the current circumstances exceptional. If the LP is adopted before the NhP the duplicated text can be removed easily*

*At a meeting of members of the Steering Group with UDC officers on 25<sup>th</sup> July 2018 it was agreed that in the absence of a Local Plan it was reasonable to include wordings from reg 19 but advisable not to reference as such in case of minor changes in final LP*

All policies in the plan should be land-use or development related. Where they are not, and instead refer to projects or recommendations that the Parish would like to see implemented, these should be clearly labelled as such. Recommendations should not be given Policy Numbers e.g. Recommendation EN7 – Wicken Water Marsh Local Wildlife; Recommendation HE1 – Consider Article 4 Protections for Quendon & Rickling, TR6 Recommendation – Speeding and Crossing the Road; SCL5 Recommendation – Improve the facilities at Newport Recreation Ground. They could be moved to a separate section of the Plan or, if felt important to keep within the main body of the Plan as part of its narrative, then included within different coloured boxes and labelled as such. It is noted that some projects are flagged as Recommendations but this should apply to all.

*All the Recommendations have this clearly stated. To further differentiate, the Policy boxes will be background coloured and the Recommendations left white*

*Those recommendations which relate to policy topics are placed at the end of each section, or where they do not easily relate they are in a separate section. It makes a more logical read if all related matter is together*

*We consider it appropriate to give them references and easier to work with than quoting the full title. It also distinguishes from general comment eg Newport bypass which is neither policy nor recommendation*

***Policies:***

If the Neighbourhood Plan is successfully 'made' it will form part of the suite of planning policies used by Uttlesford District Council to determine planning applications. To avoid any confusion, policy numbers should avoid replicating those within the current and emerging Local Plans, and any other Neighbourhood Plans within Uttlesford. We recommend prefacing every policy in the neighbourhood plan with the letters 'NQR'. Neighbourhood Plan 'Policy BL1' for example would then read 'Policy NQR BL1'.

*Agreed, this will be done*

The Parish should be confident that policies in the Neighbourhood Plan are not interpreted as being either too restrictive or onerous. Good advice on drafting planning policies can be found via the Locality / My Community Neighbourhood Planning website.  
See: <https://mycommunity.org.uk/resources/writing-planning-policies/>

All policy sections of the Neighbourhood Plan should include a summary of the issue being addressed and the evidence supporting that. A summary of messages from consultation exercises is helpful and informs the narrative of the Plan. However, this should not be solely relied upon as the evidence for the policies: it will be questioned and challenged if not backed up by supporting data. Each section would benefit from a short introduction

*Each section already has a Background, which is the introduction*

***Presentation and Referencing***

All maps, plans, images, charts and tables should be accompanied by a caption and associated figure / table number, which can be cross-referenced in the text. This will help avoid any ambiguity. Plans, images and data repeated in the Plan should be sourced (for example, where is the plan of electric charging points on page 26 taken from?)

*This will be done*

The Contents page should show the page numbers for each Chapter to make for easier reading of the report.

*Page numbers will be added.*

Equally, it would be helpful if the report included clear chapter numbers. Sub-heading numbers of paragraph numbers should also be used. Again, this will help both the applicant and decision-maker to use the Plan in the most effective way. We

note that some paragraphs in the Policies & Proposals section of the Plan are numbered, but not all. The Plan should seek consistency of style.

*This will be dealt with in the final version*

It would be helpful if all statistical information was sourced, as this forms evidence to the Plan and the rationale for why you have prepared certain policies. The last section on page 13 for example suggests that, by 2021, there may be 1,865 homes in the Plan area. Where is this from? And, given that the proposed timeframe for the Plan extends to 2033, it might be helpful to set out what the proposed / likely scale of growth over the entire Plan period will be.

*The 2021 projection does not inform any policies and will be removed*

Interpretation of sources should be accurate e.g. page 14 “As at 2017 December 2017 there are over 500 neighbourhood plans that have been adopted nationwide .....”. However, the source states that in December 2017 there had been 500 successful neighbourhood planning referendums (source: Notes on Neighbourhood Planning Edition 20, March 2018 <https://www.gov.uk/government/publications/notes-on-neighbourhood-planning-edition-20>)

*It is reasonable to assume that all Plans with successful referendums are then adopted. The exact figure is not important, this is just background information*

### **Objectives and structure:**

The Plan includes, on page 17, ten Objectives. Some of these appear to overlap, or address very similar themes. It would be helpful if the Objectives could be reordered (and perhaps even amalgamated in some instances), and the following policy chapters then reordered to follow the numbering of the Objectives. For example, the first chapter following the Objectives commences with policies that address Objective 10: it would be better to start with policies that address Objective 1 and then run chronologically. In terms of the Objectives themselves, Objectives 2, 5 and 9 all relate to local character and identity. Could these be amalgamated or reordered to follow one after the other? It might be helpful if the key themes the Plan is seeking to address could be drawn out and the Objectives reordered around these.

*Each objective is different, their sequence is not important and they fit neatly on one page (a minor consideration, but as noted elsewhere presentation is important). The policies are arranged in alphabetical order and we see no problem in say objective 10 informing the first block of policies*

*As some policies address more than one objective, and some objectives are covered in more than one policy it is not possible to line up objectives and policies*

*The way it is laid out follows how the plan was created ie. Agree the objectives first and then write the policies to address the objectives*

*They were also heavily publicised at earlier stages of consultation, in village magazines and on facebook as the core of the Plan. So there would need to be very strong reasons to change them now*

### **Essex Design Guide:**

Reference is made to the Essex Design Guide within the introduction to the Neighbourhood Plan. To avoid any confusion, particularly for those preparing applications, a link should be provided to the most recent version of the Plan. This is:

<https://www.essexdesignguide.co.uk/>.

The District Council recognises the importance of design and includes new policies in the emerging Local Plan that seek high quality design in new development. References to the Essex Design Guide are included within the emerging Local Plan. The Neighbourhood Plan should be amended to reflect this.

*The link will be included. The adoption of the EDG was included following a Newport planning appeal hearing where UDCs failure to adopt was highlighted and meant the EDG carried little weight. The Steering Gp is pleased that reg 19 adopts the EDG*

*However we have found the 2018 online guide (we think it is not available as a pdf) not easy to use as it is subdivided and the search facility not as good as word search on a pdf. Also some useful elements of the 2005 guide appear to have been removed. So we still rely on some parts of the 2005 guide which we consider relevant*

### ***Policies and Proposals – Business and Local Economy***

Paragraph 2 opens by referring to the number of new homes that are likely to be built in the next ten years. This should be sourced and referenced (as should other similar statements).

*This will be removed as not greatly relevant to the historical displacement and reworded to highlight the possibility of future conversion. Something on the lines of ‘if the trend continues..’ will be inserted*

The formatting of paragraph 4 wraps around the inserted Plan. This should be resolved and a caption added to the Plan for cross-referencing in the text.

*The final version layout will be professionally done. The cost of this was not justified at the reg 14 stage*

References are made in paragraph 7 to the draft Local Plan. The District Council is currently working on what is known as the ‘Regulation 19’ Local Plan. This will be published shortly for submission, commencing the examination process. Before the neighbourhood plan reaches submission stage, references to the draft Regulation 19 Local Plan should be checked to ensure that the quotes and other references remain the same, or are updated as necessary.

*The Plan will be updated for reg 19 and the new NPPF*

This section includes a table summarising feedback from consultation. Whilst it is useful to refer to consultation in the main Plan (and which helps 'tell the story' of the Plan), it is not necessary to include a breakdown of survey results in this. Rather, these can be included within the associated Consultation Statement which will need to be submitted alongside the Neighbourhood Plan ahead of the examination stage. This applies to all subsequent sections of the Neighbourhood Plan.

*Our inclusion of consultation (and conformity) is based on the adopted Plan for Stanwick which has it in the Plan. Larger plans like Dunmow (142 pages) have it all elsewhere. Our intention therefore at the moment is to leave it in. In the final artworked version the tables will look much neater and smaller. If the Inspector wants it moved then of course no problem in stripping out*

Policy BL1 includes reference to an existing core business area. This needs to be clearly mapped and cross-referenced, with the extent of the core area clearly demarcated and, ideally, different land uses illustrated.

*Neither village has a single 'core business area'. Para 6 describes the zones which are mixed residential and business. There are not clear demarcations, which is why for example the Plan says LP RET3 Town centres and Shopping frontages does not apply, but this Plan takes some wording from that policy and adjusts it to suit this location*

*These mixed areas (which add significantly to the character and functions of the village) are marked on the plan on p19 which is beneath para 6 which explains the picture*

*BL1 makes reference to the map and the policy will be clarified to ensure there is no doubt which map is referred to, even though there is only one map*

Policy BL1 'adopts' policies from the draft Local Plan. This is not needed and unnecessary. UDC Policies EMP3 and RET4 in BL1 should be deleted as this is an unnecessary duplication. The Neighbourhood Plan will sit alongside the Local Plan and should not repeat policies in that.

*The reasoning for this has been covered above*

The phrasing of Policy BL2 should be reviewed: As currently worded, is the intention that it allows current business space on upper storeys to be converted to residential? Or is the idea that vacant and currently unused space above ground floor business activities should be converted? The Policy should provide clarity, as it could potentially lead to further loss of business space, which does not appear to be the intention of the Plan.

*This is an extension to the wording of UDC RET3 which permits this but only for A1. So it is not open to this Plan to restrict what RET3 permits. This is merely to allow it in this plan for all types of ground floor business use. The intention is that if upper floor rental keeps ground floor business viable that is a good objective.*

*The group will consider if the wording should also say that the viability test should include consideration of partial residential conversion to maintain viability of the business part*

Policy BL3 might be better phrased to say that where businesses propose new parking space, this should be provided in line with existing parking standards (See Essex County

Council guidance).

*The suggested phrasing appears to be a statement of existing Essex and UDC policy?*

*The wording will be amended to clarify that 'proposals' does not just mean applications adjacent to the business areas. It includes putting in parking restrictions to facilitate proposed or permitted development anywhere in the district which would feed traffic onto the B1383.*

*This will also be put in Recommendation TR6 where it is noted that parked cars keep speeds down and improve safety*

### **Policies and Proposals – Air Quality**

The section relating to key issues influencing development of the plan includes consideration of the local environment, part of which is air quality. Air quality is a material consideration when determining the location and extent of development, and this section supports the inclusion in the plan of policies aimed at controlling the impacts from development. Some of the supporting statements are however disputed, and the following comments are made in relation to those statements:

**Page 15 NP states:** *“Newport has NO<sub>2</sub> concentrations at the Wicken Rd – High Street junction at illegal levels. This may be the case elsewhere but that is currently the only central location with a monitor. A monitor underneath the M11 on Wicken Rd has also shown illegal NO<sub>2</sub> levels.”*

**UDC Response:** There is currently insufficient monitoring data to substantiate this comment. UDC has deployed a diffusion tube to monitor levels of nitrogen dioxide (NO<sub>2</sub>) levels at a receptor close to the junction the Wicken Road/High Street junction since September 2017. The results obtained so far can only be indicative, and it is too early to draw any definite conclusions about the annual mean as calculated over the calendar year. The mean for the four months to the end of December is 38.05 ug/m<sup>3</sup>. Lower NO<sub>2</sub> levels normally prevail in the summer months producing an annual mean lower than measurements gathered during the winter months alone. In addition, diffusion tube results are always adjusted against more accurate automatic station data. In the last 7 years, this has resulted in a further lowering.



The monitor near the M11 is sited close to a residential receptor, rather than underneath the M11, and the maximum annual mean recorded at the site to date is 31 ug/m<sup>3</sup>. It is incorrect to state it has shown illegal levels. The national health based objective is 40 ug/m<sup>3</sup>. Levels consistently above this level are a trigger for a local authority to take action to reduce levels of emissions impacting on sensitive receptors to below the objective.

*The M11 comment will be removed. It is just outside the Plan area so not hugely relevant.*

*The group is aware of the adjustments to be made to the raw data. As more results are now available this section has been reworded. It is only a national convention that readings are audited on a calendar year basis and valid results can be obtained from any 12 month period. A projection and calculation of the annual mean including the adjustments has been done in response to a planning application and confirms that levels will exceed the legal minimum.*

**NP Page 20: para 9** *“Parking is an important factor for many existing businesses and some depend on day time parking along main roads. In Newport parking along the road is perceived as a nuisance by those travelling through. However, as well as being important for village businesses, it has a very significant calming effect on traffic, which improves safety for everyone and allows people working at and using the businesses to more easily cross the road.”*

**UDC Response:** Parking is a significant factor in the causes of congestion in the village by restricting passage to single file. Idling and stop/start engine use raises levels of emissions considerably in relation to slow even travel.

*The UDC response concerning emissions is only valid if parking is the sole cause of queuing traffic, which is not the case. If the consequence is to move vehicles more quickly to the pinch point queues such as junctions, the three pedestrian crossings and the turning into the village shop. the effect would be to move the pollution to the already most polluted areas, not reduce it in total.*

*In addition, significant adjustments (eg in the UDC report of 2016 results) are made for distance from monitor to receptor. Parking pushes vehicles further out into the road away from receptors, so the assertion that parking restrictions improve air quality would need research specific to the location and therefore could not be included in the Plan as lacking evidence*

*Responding to congestion, if yellow lines were installed where currently business parking takes place there is nowhere else for it to go. The result would likely be closures, as noted in consultation responses from businesses. Then the property owners would ask for change of use to residential, which if policy is followed would be refused for non compliance with parking requirements. The consequence could be a degraded High St with empty unviable properties and an unpleasant urban clearway not consistent with the centre of a medieval village and Conservation Area*

**NP Page 25 para 8:** *“ Now that it is known that Newport has a similar if not worse pollution problem to Saffron Walden, which already has an AQMA, the Newport parish council would like monitoring to be extended to other locations along the B1383, in particular the Station*

*Rd/Cambridge Rd/Frambury Lane cross roads. The UDC Environmental Health officer confirmed in April 2018 that investigation work for this will be done, and is in possession of the Essex Highways traffic survey nearby done in 2016”.*

**UDC Response:** The indications from monitoring to date suggest that there are local hotspots in Newport where air quality needs to be addressed. The geography and extent of the local road network within the centre of Saffron Walden where poor air quality is an issue is not comparable to Newport.

*The modelling done for the Plan compared the Walden High St Post Office recordings with Newport. Both are building ‘canyons’, in the bottom of shallow valleys and have queuing traffic. They have similar readings. Any AQMA for Newport would obviously be smaller than Saffron Walden, so it is accepted that in extent they are not the same, but in layouts, height of buildings and traffic type they are comparable. In a further month there will 12 months data for the Wicken Rd tube so modeling on Saffron Walden is no longer needed. However, the two new monitoring points, started July 2018, will still need consideration*

**NP Page 25, para 8** refers to known Air Quality issues in Newport. The source of the information needs to be provided.

*This will be cross referenced to the data on p 27 (which is to be updated)*

**NP Page 25 para 10:** “Ann Lee-Moore (Environmental Health Officer at Uttlesford District Council) says: ‘An annual mean over about 35 at a residential location is cause for concern’. This is 87.5% of the legal limit. Applying the same percentage to the hourly limit of 200 indicates a cause for concern at 175 µg m<sup>3</sup>.”

**UDC Response:** A level in excess of 35 µg/m<sup>3</sup> recorded over at least one calendar year would trigger further investigation into the extent of the area affected by raised levels of NO<sub>2</sub> to determine the action required.

The hourly limit applies to exposure of pedestrians and other short term exposure. The short term objective states that 200 µg/m<sup>3</sup> when measured as an hourly mean, should not be exceeded more than 18 times each year. Research has shown that the hourly objective is unlikely to be exceeded where the annual mean is less than 60 µg/m<sup>3</sup>. Monitored levels at a key congested junction to date indicate the annual mean will be substantially less than this.

*As there is no monitoring equipment located to record real time it will not be known what the hourly figures are. This has been reworded to note that there is a further hourly legal limit as comments have been made (not in the consultation) on the lines of ‘what’s the point of an annual average when the children are there at the time when all the traffic is there and not at 3am?’*

It is recommended that the Neighbourhood Plan does not name specific people, unless they are happy to be named: para 10 names the Environmental Health Officer for example. This

might be better rephrased along the following lines: Advice from the Environmental Health officer at UDC has suggested that.

*This has been altered*

**NP Page 26 :para 12:** “ No research could be found on whether provision of charging points makes a material difference to take up of electric vehicles. The provision in this area is scarce”

**UDC Response:** Research carried out by the Office of Low Emission Vehicles administered by the Energy Savings Trust suggests that the provision of charges points is a barrier to the uptake of electric vehicles, along with battery range and upfront purchase costs. UDC has provided points on land owned by the Council and is looking to extend the provision on its own land and encouraging the provision on private land.

*This was searched <https://www.gov.uk/government/organisations/office-for-low-emission-vehicles>, but no evidence found. Please could the document referred to be referenced?*

The requirement to install electric vehicle charging points at new dwellings, commercial development and parking spaces is applied to development approvals where appropriate, in accordance with Policies GEN1 and ENV13 of the Uttlesford Local Plan (adopted 2005). The government has committed to an “Automated and Electric Vehicles Bill” which will require the installation of charge points at existing motorway services and fuel stations.

**NP Page 27:** “Recordings of NO<sub>2</sub> at the Wicken Road B1038 – High Street B1383 junction are averaging at the legal limit, and individual monthly recordings are breaching the annual average limit, which is 40 µg m<sup>3</sup> Readings for the seven months September 2017 to March 2018 averaged 40.7 µg m<sup>3</sup>. The highest reading was 45.1 µg m<sup>3</sup> in March 2018. (Source UDC Environmental Health officer). The readings showed a consistent pattern.

*The traffic assessment for a major planning application shows that the traffic at this junction will increase by at least 28% by 2021 (UTT/17/2868/OP – Transport report from Markides)*  
**Assuming that most NO<sub>2</sub> pollution is from vehicles, this means that the annual average will reach about 52 µg m<sup>3</sup> in the area around the junction”**

**UDC Response:** It is not appropriate to average monthly data from different calendar years to obtain an annual mean, nor is it appropriate to quote readings from a single month as an annual mean. The reading for April 2018 is 39.4 µg m<sup>3</sup>. A pattern of falling monthly readings over summer months is consistent with normal patterns.

Applying a lineal increase to diffusion tube readings to extrapolate an annual mean due to traffic increases is inappropriate. A recognised dispersion model must be used for this purpose, using a ratified annual mean, and taking account of many other factors including background NO<sub>2</sub> levels, fleet make up and future vehicle emissions.

*As noted, this section has been altered, but as previously noted the calendar year basis is a convention only and any consecutive 12 months will incorporate winter summer/variance*

**NP Page 29:** “Markides Transport Assessment for UTT/17/2868/OP (150 houses): ‘With regards to NO<sub>2</sub>, it should be noted that the predicted future baseline concentrations in 2021 show concentrations approaching or exceeding the relevant air quality objectives without any additional development in the village. These occur at the junction between the B1038 Wicken Road and B1383 High Street, where the combined traffic flows are greatest and

*there is relevant exposure close to the modelled roads.”*

**UDC Response:** Reference is made to Table 14 of the Air Quality Assessment Report ref S481-04 dated February 2018 supporting the above planning application. The table shows the maximum future level at a receptor with the proposal and committed development is predicted to be 34.1 µg m<sup>3</sup>, ie. objective levels are not predicted to be approached or exceeded.

*The Markides first quote is taken from their main Traffic and Air Quality assessment. The follow up report from Markides was in the group’s opinion, produced as a panic measure by the applicant when it was realised that the breach of limits was being highlighted. It was a pure computer model calculation and was ‘validated’ against the M11 readings (now referred to as Newport M11 in the UDC report), which is 1km away from the village centre and so an irrelevant comparison for validation. In a phone conversation at the time with the UDC Environmental health officer we understand this point was agreed.*

*Markides offered no reason as to why they had produced two different figures, made no reference to the available readings from central Newport, and if they were to do modeling should in our opinion have validated against a similar location, as was done for the Plan. They did not say exactly where the calculated receptors were located.*

*The group is reluctant to carry on an argument relating to an application, but the applicant was ruthless in its approach to the matter of traffic and pollution. They for example invented non-existent bus and train services and their initial attempt to minimize traffic volume predictions was stopped by Essex Highways. They were still permitted to use a PICADY model of a type which could not be validated against the photographic count and succeeded in claiming there are no peak time queues in Newport.*

*The quoted first Markides submission is consistent with the UDC readings and Plan calculations thereon. Their second submission appears to be false science, a matter raised with the Director of Public Services in response to a UDC statement, and which has not been refuted. We therefore consider their second report contradicting their first one is an attempt to evade air quality issues and should be given no credence*

**NP Page 30 :“Policy EN1 Air quality monitoring and remediation** Extending the NO2 monitoring to other locations in the Neighbourhood Plan area including the Station Rd / High Street junction will be strongly supported.

*If the results show levels above 35 µg m<sup>3</sup> annual mean, or 175 µg m<sup>3</sup> 1 hour mean on more than 18 times a year, an Air Quality Management Area (AQMA) should be designated and an Action Plan produced and will be strongly supported*

*As the current figures show that the AQMA trigger level is already exceeded and the professional assessments show that there will be significant breach by 2021, the provisions of the NPPF and UDC regulation 18 EN16, and 2005 UDC Policy ENV13 will apply immediately as far as planning applications are concerned.”*

**UDC Response:** Monitoring will be extended to other parts of the B1383 commencing in July 2018. Further data will assist in determining whether the criteria for declaration of an AQMA has been met. The process of declaration would be supported by quality assured monitoring data collected over a minimum of one calendar year from the existing diffusion tube at the High St /Wicken Road junction, and indicative data from the further sites collected from July 2018 to December 2018. The data will support definition of an area, with an acceptable level of confidence, where exceedances are demonstrated to exist or are likely to occur.

*The Group is pleased that monitoring has been extended and will note this in the Plan*

In the meantime, Newport and the wider district will benefit from the measures contained in the Saffron Walden Air Quality Action Plan, and development control intervention measures will be utilised where appropriate to do so.

Policy EN1 is not a land use or development related policy, and as such, is more of a project, recommendation or aspiration. It should be clearly labelled as such.

*This will be re written*

Policy EN2 appears to replicate Local Plan policy and is thus not needed in the Neighbourhood Plan.

*The final sentence of EN2 is not in the LP – that remediation actions will need to show evidence that they are effective (see paras 11 and 12)*

### **Policies and Proposals – Flooding**

Policy EN3 is a repeat of Local and National policy, seeking to divert development from areas at risk from flooding. This policy is not needed in the Neighbourhood Plan.

*This policy was included following specific issues in Newport. The key point is ‘reducing the beneficial function of flood plains’. The developments themselves are not on flood plains, but previously/currently the sites drain onto flood plains, which fulfill their function and flood. The developments now have/ are proposed to have Suds systems piped direct into watercourses. The output from a Suds in total will be the same as before development, it just slows down the release. And in the case of the one already built, evidence from residents is that the delay is very brief. There was no reason why these systems could not have been released onto the existing flood plains.*

*This would also have maintained the floodplain ecology instead of drying it out*

Policy EN4 refers to discharges into watercourses and needs to be backed up by evidence to support inclusion of such a policy. The Environment Agency has a duty to review such matters, and has been engaging with the Council through production of the new Local Plan and supporting evidence. The District Council's Strategic Flood Risk Assessment and updated Water Cycle Study include information with regard to flooding and discharge and should be reviewed and referenced as appropriate in the Neighbourhood Plan.

*We consider the policy self evident and complementary to other guidance. This was included as one of the developments mentioned above has installed road drains direct into the Wicken Water which are a new flow and not part of Suds. Substantial areas of hard surfaces are now draining into a watercourse immediately above a flood area at a road junction, and with downstream properties being flooded in 2014 and earlier. There is another application pending at the same location and this policy is to ensure consideration of the matter there and at any other locations*

Policy EN5 – Residents can submit information/comments on an application. However more material weight cannot be given to local residents over a statutory agency such as the Environment Agency. This should be included in the text rather than as a policy.

*The policy requests full consideration of local evidence, not more weight. This is in response to the development on a flood plain (Granta Mead Close) where the parish council submission that it flooded was ignored and EA acquiescence was accepted. The site flooded from overtopping from the Cam after outline permission was given and although the committee was minded to refuse at the reserved matters point they were told they could not do so. And at an appeal for a Newport site clear evidence of flooding presented by a district councilor was swept aside on grounds that he was not a qualified water engineer. Finally, at a meeting between parish and district councilors and the EA, the EA accepted that their models may not be accurate, in particular as one Newport location has repeatedly had flooding considered '1 in a 100' and a '1 in a 1000' year by the EA.*

*Our experience is that evidence submitted by residents is given little credence. This policy is to ensure that due weight is given to it. A Neighbourhood plan is about local circumstances, and evidence*

*It is a general theme throughout our NhP that councilors and residents have seen weaknesses and failures relating to applications, to the cost of the villages and the district, and the Plan seeks to fill the gaps which have been witnessed*

## **Policies and Proposals – Footpaths and access to the countryside**

Paragraph 4 on page 35 (Footpaths, bridleways and byways) needs expanding and explaining. For example, what is meant by ‘constructions’, what is the relevance of the 50m distance, and why would this be a concern?

*‘Constructions’ is used as a generic term for anything man-made and not there previously. It could be an earth mound blocking views, a ditch, a 6 foot fence, a building, a sewage pump, a road. It covers everything. Re the 50m the plan could have said ‘near to’. But having witnessed lawyers arguing over everything it was considered wise to give guidance of what ‘near to’ might mean. The wording avoids saying beyond 50m is fine.*

*An example of the concern is Rose Lane in Gt Chesterford where a very pleasant footpath between trees (similar to the Harcamlow Way in Newport on p37) is now degraded by having a very high solid wooden fence along it*

In policy EN6, landmarks and key views will need to be identified. Does adverse impact also relate to the quality of the footpath and or diversion of the route? This should be clarified if so.

*Reference to the Liz Lake Landscape Assessment 2007 which covers some specific views will be included. However we consider the wording specific enough to be functional. Objections raised to UTT/18/1026/OP illustrate this, see UDC website. Newport and Rickling churches are visible from almost 360 degrees around the villages and from many locations within. There is a risk that specifying a small number of views opens up the challenge that a particular application does not block a view noted in the Plan.*

*Examples of views will be included but made clear that these are not an exhaustive list*

*Again ‘an adverse impact’ covers all.*

*The policy will be amended to note that diversions will need to be of equivalent quality*

Recommendation EN7 is clearly marked as such and therefore no comments are provided in relation to this – other than to say that all other recommendations should also be clearly identified as such.

*Just to note, we have been informed that Ellis only own the east side of Wicken Water Marsh. This will be noted in the Plan*

## **Policies and Proposals – Education and Health Policies**

It should be noted that, through the review of the Local Plan, the District Council is in the process of liaising with the full range of infrastructure service providers and preparing an associated Infrastructure Delivery Plan that will establish the future infrastructure requirements for the District associated with the level of growth being planned for. This information will also inform the District Council’s Whole Plan Viability Assessment and Section 106 Agreements and Community Infrastructure Levy once adopted. We encourage the Parish to review the information emerging through that process and to note the different roles and responsibilities that the service providers have.

The Clinical Commissioning Group, as well as Essex County Council (as local education authority) has been involved in production of the Infrastructure Delivery Plan.

## Policy EH1 - General Practice

The first part of Policy EH1 is supported as a positive statement, encouraging expansion and support of the Surgery.

The second part of Policy EH1 requires the District Council to notify the Surgery of all new applications in the Plan area in excess of five units. The Surgery will have the opportunity to comment on all applications in the same way as the wider public. This is not a land-use or development related policy, rather a process matter, and should be removed from the Policy.

*It requires notification of permissions, not applications. The surgery does not in practice have opportunity to comment on applications (other than any close to their building as a neighbour) because they are not aware of them. The partners do not live in the village. Although it should be a matter of process for WECCG to inform them, we are told by the surgery they do not.*

*Provision of services to support development is in our opinion a key part of the Plan, Objective 1, and ensuring that they are aware of permissions supports that objective*

*The same applies to the primary school, who at a governors meeting attended by a Steering Gp member were unaware of the full scale of expansion in demand*

*EH1 will be altered to a Recommendation*

## Policy EH2 - Primary School Places:

As noted above, the District Council's Infrastructure Delivery Plan has been informed by Essex County Council as local education authority. The scale and distribution of new housing and population growth across the district has been assessed, and need for new school places, costs and 'trigger points' for delivery of these places identified. The Parish should review this information and reflect this in the Neighbourhood Plan.

Any conditions related to school provision should reflect that set out in guidance established by Essex County Council in their Developer Contributions guide. Any conditions within the policy should not unduly restrict development.

*The parish looked at the IDP and found it unconvincing. It excludes provision of anything at all for houses already built or permitted since 2011 (7,129 houses per table 3.4 reg 19)*

*As concerns primary schools it claims a new half form entry expansion will open in Newport in 2021. The school are unaware of this, it is not in the Essex 10 year plan, and the Cabinet member for Education said it would be subject to viability assessment. (It is not known whether the foundations were built for two storeys which would be needed as the site is now constrained by a planning permission on its boundary, which was objected to on these grounds)*

*The IDP provides nothing at all for the Plan area, and the primary school expansion appears at present to be without foundation(s).*

*The district has suffered from years of under provision of school places to match population growth and this policy seeks a bare minimum protection at primary level.*



The policy also assumes that all new homes (other than those available only to older residents) will generate a child yield. That will not always be the case. This policy could be interpreted as being overly restrictive.

*The intention is to use the Essex figures from the 10 year plan: 'The factors currently used are 0.3 additional primary school pupils per new house and 0.15 additional pupils per new flat..' Or ratio as subsequently amended by Essex.*

*So 10 houses would need 3 places and one house at least one place*

*This will be made clear in the policy*

Should the Parish wish to retain a policy in relation to school places then a more positive use of wording should be considered. All development (over a certain size / threshold) will be subject to Community Infrastructure Levy (once adopted by the District Council) and other section 106 agreements. These will include contributions to school places.

*It should be noted the policy does not restrict permissions or construction.*

*The Steering Group would strongly support CIL. However the group's view is that CIL will not be implemented. There is as far as is known no work in progress and for example the excellent 2012 Sports and Community Strategy, which is a CIL, was not implemented and has been dropped. The Terms of Reference for a replacement report, just commissioned and not likely to be available till Autumn 2019, refer to s106 only. It also, unlike the 2012 report, refers to qualitative assessment of needs and not quantitative. For CIL the infrastructure costs must be estimated in order to work out the levy per m<sup>2</sup> per new house.*

*The lack of CIL means s106 application, already difficult to obtain outside of education and health, and not available for smaller developments, is restricted to five s106s per project.*

*The group considers that UDC will struggle to implement the very ambitious reg 19 Plan and that CIL is currently outside of its capabilities, the opportunity having being missed in 2013.*

*Our Plan must deal with what exists or is likely to exist*

*At a meeting with UDC officers 25<sup>th</sup> July 2018 CIL was raised and officers had no evidence of any work being done to implement it*

It should be noted that the new Local Plan being prepared by the District Council includes an allocation that provides for expansion of Newport Primary School.

*See comment above. Should the places be provided in time then the policy will not be called upon*

### **Recommendation: Heritage**

This section is surprisingly brief given the rich historic environment enjoyed by both Newport and Quendon and Rickling. The focus is also rather narrow and a focus on Article 4 Directions only, which is valid in its own right, excludes other considerations for the proactive preservation and enhancement of the historic environment.

Recommendation HE1 is clearly marked as such and it is recognised that the Parish would like an Article 4 Direction considered for Quendon and Rickling. The District Council is happy

to consider whether an Article 4 Direction should be made, and whether the evidence can support this. We would be happy to discuss this with you further, include the timeframes associated with making such a Direction.

Recommendation HE1 – This could be one of several recommendations/ policies. I also wonder whether the background could be expanded to reflect the objectives of the NP regarding the works that should be better managed through use of the Article 4 Direction, or what characteristics could be considered and encouraged in future, such as materials for windows and doors, traditional forms of joinery and brickwork, boundary treatments etc.

Also, the historic environment character is not discussed across the areas – Newport and Quendon and Rickling are rather different in their overall character and historic development pattern. This could be better communicated here, and linked to the importance of preserving local character and distinctiveness,

Objective 7 – Would suggest that the overall objective is broadened to reflect the importance of both individual assets and the wider importance of the historic environment.

Other issues that might be considered as further actions/ recommendations are as follows:

- **Setting** – The importance of setting of heritage assets including listed buildings, scheduled monuments and Conservation Areas.
- **Conservation Areas** – What are the aims of the NQRNP in relation to the positive management and enhancement of the conservation areas, including non-listed buildings and new development?
- **Non-designated heritage assets** - What are the aims of the NQRNP in relation to non-listed buildings and structures within the NP boundary, which positively contribute to the character of the locality? Could this include buildings outside of the conservation areas also? How might this relate to the UDC Local Heritage List and possible Article 4 Direction for assets on the Local Heritage List?

- **Shop frontages** – Is there a vision as to how to manage and preserve historic shop frontages within the NP area, and a view regarding sympathetic and appropriate new development in relation to this?
- **Street furniture and signage** – As above, is there a vision to promote sympathetic street-furniture and signage in the commercial areas in particular, to avoid ‘street-clutter’ and encourage traditional signage and advertising which is in-keeping?
- **New development within the historic centres and in close proximity to existing heritage assets/ conservation areas** – Is there a vision regarding materials, form, layout etc. Whilst this may be discussed in greater detail elsewhere in the document, there seems an opportunity here to discuss the importance of quality and sympathetic development in relation to the historic environment.

The evidence base (2013) could be more up-to-date, and more specific to the locality to reflect the local distinctiveness of Newport, Quendon and Rickling, and why a Neighbourhood Plan is required, to recognise and promote their special historic character and environment. Have NQRNP considered commissioning an updated area characterisation report?

*We are not sure what the 2013 date refers to? The Q&R Conservation Area report is 2015 as is the Village Plan. However the Newport CA is 2007. The Steering group would welcome the CA being updated. The Steering Group would like to do some of the suggested initiatives. However our resources are limited and compared with other policies which are clear cut, what may be appropriate is more subjective.*

*In the past ‘modern ‘ buildings were put next to old ones, which contributes now to the variety and interest of village centres. But doing the same thing now say in the centre of Newport would cause outrage. Another example is Newport church. It has a Tudor brick ‘loft extension’ for the clerestory windows put on top of the older stone. It adds to its interest and would be a consideration in its listing as grade 1. Apply for that now and Historic England and the Diocesan Advisory Committee would not be impressed. So we end up with building in Conservation Areas which must be ‘in keeping’. Thus we are doing in Conservation Areas what everyone says they dislike about ‘could be anywhere’ housing estates. Making everything samey. This is exaggeration to make a point, but this issue would be getting consensus and we have opposing views in the steering group*

*The new Heritage Assets Register will be noted and could be used as a basis for Article 4. A submission has been made on that consultation to request it be split between those already with article 4 and the others*

*The street furniture, clutter, potentially surplus signage and condition of verges particularly in the centre of Newport is of concern and was noted in consultation comments. Q&R have, for some time complained to Highways, about the condition of the pavement alongside the Cambridge Road and indeed the verges throughout the village*

*The group intends to add a section for this*

*Shop fronts are dealt with in reg 19 policy D5, which is a new addition from reg 18*

*The group is considering whether to include a recommendation for properties left empty, which should be brought back into use. It is noted that Cabinet approved the increase in council tax to 200% from the current 150%. This is welcome but not considered effective as for example an owner foregoing perhaps £20k a year rent will not be influenced. The*

*Steering Group would welcome information on this and whether anything useful could be included. The area has two properties empty for over 20 years, with ownership known and no valid reason. A recommendation supporting anything UDC may continue to do and publishing photos is a possibility*

### **Housing Allocation Policies – Village Identities**

Policies HA1 – HA4 make reference to the qualities of the villages, including scale and setting. For these policies to be applied the Neighbourhood Plan should include or be supported by and make reference to a report outlining the key characteristics of the Plan area and how these should be used to help manage future change. Without such supporting evidence it may be difficult to judge how an application for development responds positively to that character or not. Provision of such evidence will help justify the proposed policy approach.

*The policies are Coherence – which has clear and specific policies on sustainability, access, and not damaging countryside – use brownfield first, retain countryside views, and clean air. It is not clear what more evidence is needed?*

Reference is made to ‘Map No3’ (Policy HA1- penultimate bullet point on page 51), but it is not clear which map this is within the Neighbourhood Plan. As noted previously, all plans need to be clearly labelled.

*It is Map No 3 in the maps section titled with the same text as in the policy*

The above referenced policies also suggest that development will be supported beyond settlement limits but where good connectivity is provided. ‘Good’ needs to be defined.

*Without having an application to look at defining ‘good’ is difficult. These wording were modified as recommended by the UDC Neighbourhood Plan consultant*

Furthermore, Reference is made to development outside the development limits for Quendon and Rickling being resisted other than where it is considered appropriate for a countryside location. Again, this needs clarifying – how is ‘appropriate’ defined? Policy SP10 of the emerging Local Plan clarifies what the District Council considers to be an appropriate use in the countryside (e.g. outside of development limits). The Neighbourhood Plan should be in conformity with this.

*At the time of writing the reg 18 version of SP10 was considered weak, but reg 19 is reworded and considered very much improved. SP10 will be referenced*

### **Housing Allocation Policies – Site Allocations**

Policy HA5 includes three site ‘allocations’. It is a little unclear as to whether the Neighbourhood Plan is seeking to identify additional sites for housing over and above those that will appear in the new Uttlesford Local Plan, or whether the purpose for inclusion of the sites is to provide more detail on the form of development that should take place. Since consultation on the Regulation 18 version of the Uttlesford Local Plan last year work has continued with a submission version of the Local Plan being prepared. This includes four residential site allocations in Newport and one in Quendon and Rickling.

The District Council would be happy to talk through these with you to help understand and develop the role of site allocations in the Neighbourhood Plan.

If it is the intention of the Neighbourhood Plan to identify sites over and above those in the emerging Local Plan, then these will need to be fully considered against a Strategic Environmental Assessment before the Neighbourhood Plan progresses to examination, with the Plan updated and amended as appropriate to reflect the findings of the Assessment.

The Neighbourhood Plan group should satisfy themselves that the sites are the most appropriate, given wider objectives. Sites located away from existing villages may lead to additional traffic movements and conflicts with pedestrian movements in the villages, for example.

Where sites are allocated in a Neighbourhood Plan, they should be supported by evidence that demonstrates the site is:

- Suitable, e.g.: a site is suitable if there are no insurmountable physical or environmental factors that would restrict development.
- Available, e.g.: there is evidence that a landowner or developer is willing to sell or develop the site at a known point in the future, and within the Plan period.
- Achievable, e.g.: there is evidence that development of the site is economically viable.

Reference is made in the Neighbourhood Plan to the Chalk Farm sites being safeguarded in the Essex Minerals and Waste Plan as a safeguarded site. The Essex and Waste Minerals Plan forms part of the development plan for the area. In terms of availability has the Essex County Council (as the Minerals and Waste Planning Authority) been contacted to determine availability of the site since this is currently an operational quarry site. The NP indicates that remedial work, landfilling, decontamination of land etc. would be required for both sites – has there been an assessment of the economic viability (achievability) of both sites considering the infrastructure and works required to commence development. The safeguarding of this site within the Waste and Minerals Plan remains the policy position which the Neighbourhood Plan should be in conformity with.

*Many of these matters are dealt with in the site assessment document and the Plan text. The assessments are based on UDC's own assessments, but with corrections for factual errors which biased against them, including ignoring that Newport has a station close to the sites*

*UDCs conclusion for 13 new 15 was 'The site is available and development is achievable subject to achieving a suitable access road. The site is considered unsuitable as development on this site would not contribute to sustainable patterns of development.'*

*However at the UDC Cabinet meeting in June 2018 it was agreed by a planning office that the UDC assessment was flawed in not recording the close proximity of the station (it doesn't record that there is a station in Newport), which means a key factor in sustainability was not considered.*

*The Group will be meeting with Essex*

### **Chalk Farm Lane Newport (13 New 15) and Chalk Farm Quarry (NEW1)**

Particular reference is made to the proposed allocation of the two Newport sites i.e. Chalk Farm Lane Newport (13 New 15) and Chalk Farm Quarry (NEW1). Both sites are accessed by narrow roads that would need upgrading. Both sites are some distance from the range of

services and facilities offered by the Newport Key Village. The proposed development will form an enclave in the countryside which is both visually and physically separate from Newport village. Both sites are considered unsuitable for residential development as development on these sites would not contribute to sustainable development. Allocation of these two sites is not supported by the Council.

*The map shows that they are closer to facilities than other sites on the periphery on Newport with exceedingly poor access and distant and greenfield, which were given permission. The very unsuitable narrow roads such as Whiteditch Lane and Bury Water Lane on which very large permissions have been granted have had no material upgrade and none is possible where they are constrained by existing houses. Whiteditch Lane has been a planning disaster and in meetings with district and county and parish councilors Essex have agreed a ten point action plan to seek to remediate some of the issues, however for which there is no funding. In contrast there is plenty of space to upgrade the roads to the two quarry sites and the road substrate was built to take heavy trucks to the south and Chalk Farm Lane was built by the railway and to the gas works and so is a properly constructed road not a country lane with tarmac added. No new road junctions would be needed*

*Without inclusion of these sites the Plan becomes entirely restrictive of development, which is not the intention of the Plan. The Plan intention is to restrict further loss of very high grade Greenfield on the west of the village, which would feed traffic into the congested and polluted centre, and promote development on the east on previously used land with no new visual intrusion*

*The Steering Group after discussion with the owners of the NEW 1 chalk quarry have altered this site to a Recommendation rather than a site allocation policy.*

### **Foxley House, Quendon**

Information in relation to site specific requirements for the Foxley House site repeats that in the emerging Local Plan. This is an unnecessary repetition in the Neighbourhood Plan.

Should the site remain identified in the Neighbourhood Plan then policy should look to expand on that in the Local Plan. This would provide an opportunity for the Neighbourhood

Plan to say something about scale, form and character of potential future development for example.

*The scale of Foxley House is set by the Local Plan. This plan has added recommendations concerning vehicle and pedestrian access and further information has come from the owner which will be incorporated. Other more general recommendations have been added and the EDG is required to be considered. Due to recent experiences concerning new developments the Q&R Parish Council is very keen to become involved in any new sites as soon as possible and in a positive and constructive manner*

Where it is intended to include new site allocations in the Neighbourhood Plan, and that these meet the tests of the Basic Conditions, then individual allocations should be referenced with a unique policy number.

*It was considered best to use the Local Plan references to avoid confusion. These will be headed as Site Policy references*

### **Housing Allocation Policies – Building in the Countryside**

Policy HA6 is a repeat of policy in the emerging Uttlesford Local Plan and is not needed in the Neighbourhood Plan. The existing adopted Local Plan also includes a policy with regard to development in the Countryside.

*As previously noted reg 19 policies are included in part or whole to bring to effect as soon as possible. C1, incorporated into HA6 is new and not in the adopted Plan and is highly relevant to the Plan area*

As above, the opportunity for the Neighbourhood Plan here is to clearly spell out what is distinctive about this particular part of the district and how those features should inform consideration of any development proposals within the Neighbourhood Plan area.

*This is covered by the Essex Landscape Character Assessment*

If the Parish wish to include a policy in regard to development in the countryside it would be useful to outline what type of development this relates to: is it all development or only that considered for the countryside.

*The policy will be amended to clarify that it means development not appropriate in countryside ie anything other than that permitted in Local Plan reg 19 policy SP10.*

### **Housing Planning and Design Policies**

#### **HD1 – Parking Spaces:**

This policy 'adopts' existing parking standards and policies (as well as emerging policies in the Local Plan) and does not need repeating in the Neighbourhood Plan.

*The concern is that Reg 19 makes reference to Essex standards which are less stringent (text around TA4). This policy is to clarify that the UDC 2013 standards apply. As before, this is to avoid possibility of applicants claiming lower standards apply*

*Further, the policy bans inaccessible tandem arrangements*

## Housing Design:

The Neighbourhood Plan group might find it beneficial to provide links to a character study or similar illustrating the types and styles of buildings, arrangement of these and materials used, showing what is understood by local character and distinctiveness, and thus help inform development proposals.

*This is partly covered in the Conservation Area assessments. Planning applications typically include photos of local buildings to demonstrate local character*

The Policy does not need to 'adopt' the Essex Design Guide: the emerging Local Plan states that development proposals should be informed by the Essex Design Guide and other good practice principles, including Building for Life 12.

*This was included because not in reg 18 or the adopted Plan and had failed to carry weight at a Planning Appeal involving an estate of ultra modern design with a road and parking layout contrary to EDG best practice*

The densities listed in this policy differ from those outlined in the emerging Local Plan. It would be helpful if the Neighbourhood Plan could establish the rationale for the densities established.

*The rationale is on p66. 30 per hectare is from reg 19 policy H1 which says 30-50. The villages being more rural than town, and no prospect of significant development in the centres, means that development would be on the rural periphery and therefore the lower end of the density band should be the objective.*

*The 20 density is from the 2005 EDG page 41 which is described as 'Boulevard' and up to 20.*

The EDG says:

'A further variation is possible with a layout relying on a subtle combination of landscape and buildings. Part of the composition will rely on creating and enclosing spaces by trees and hedges, and part will be reliant on building groups. The right relationship must be created between the height of buildings and trees and the width of the spaces between them, following the principles on page 50. Whilst the use of detached houses is possible in this context, the effect depends on the use of a common architectural style and detailing for all the houses, on locating garages to the rear, and on using gateways, arches, railings, etc to link the houses into one composition. Similarly the houses must be positioned in a strict geometric pattern. It is this geometry of crescent, circus, oval or rectangle that will provide the necessary order.

The success of such layouts is dependent on abundant and appropriate tree planting. Sparing use should be made of areas of housing laid out in this way, with layouts at over 20 houses per hectare (8 houses/acre) predominating. On a small site it would not be appropriate to use this format at all.'

This would for example be suitable for the 150 house site recommendation, which is a site ideal for 'crescent, circus, oval' geometry. The area on this site closer to Chalk Farm Lane is less open and would be suitable for higher density. Having walked all parts of the site, it is considered the 5.5ha usable area out of 12.6 ha is now an understatement but the figure has been left as being part of the original UDC assessment and would need more work to recalculate. The difference is probably because further extraction has increased the low level, usable, part of the site.

The 2018 EDG offers no guidance on density per se, and NPPF para 47 says it is up to local circumstances. So the Steering Group has followed the 2005 EDG and adapted to our area.



Further text will be added to expand on this

House Sizes and Affordable Housing:

For ease of reference each policy should be in an individual box not as on page 75 where 3 policies are in a single box.

*This will be altered*

As previously noted, the Neighbourhood Plan should not repeat Local Plan policies.

In regard to Policy HL6, the policy requirement for 40% affordable housing on sites in excess of ten units is a repeat of Local Plan policy. The additional requirement for affordable

housing on smaller sites in Quendon & Rickling will need to be supported by evidence that such a requirement does not render the delivery of housing sites unviable. Inclusion of such a requirement will need to be fully tested by the Parish Council.

*This policy is probably blocked by the new NPPF so will need further consideration*

### **Roads and getting around**

We question whether this part of the Neighbourhood Plan would benefit from an overarching approach to active travel, which will then set the scene for the policies that follow. General comments follow below:

Policy TR2 is not a land use and development policy. Rather, as the text states, it is an aspiration. It should be clearly identified as a Project. The map showing a section of the B1383 proposed for a cycleway is not very clear and does not add to the Plan.

*This was worded as a policy at the suggestion of the UDC Neighbourhood Plan consultant. Her comments were assumed to mean a policy would make it easier to get funding: 'Whilst I appreciate the NP may be limited in delivering the cycle route, the NP could include a policy stating:*

*"The NP aspires towards and supports the provision of a cycle route along the B1383 between the villages, and south of Quendon". This might be useful in terms of attracting funding in the future.'*

*It is a land use policy – the land beside the B1383? This is an important 'aspiration' and should be stated as an objective (in line, no doubt with various policies) the inclusion reflects the wish of the village to be proactive on environmental grounds. It is in the Quendon & Rickling Village Plan page 16.*

*It will be altered to a Recommendation*

Policy TR3 expects all applicants / developers to provide sustainable transport measures and contribute to deliver these through s106 packages. Any requirement for contributions to infrastructure or other s106 items should be clearly cross referenced and linked to the District Council's policy and those established by Essex County Council.

*This comment is not understood. The policy will have a 'relevant to the scale of development' wording added*

Policy TR5 considers the potential impact of development of Carver Barracks. This is not identified nor allocated as a development site in the Local Plan. Any future applications for major development, including those sites not allocated in the Local Plan, will need to be accompanied by the full range of supporting technical material outlined on the District Council's validation list. This includes the need for Transport Assessments and consideration of impacts in line with guidance contained within the National Planning Policy Framework. It is thus considered that inclusion of Policy TR5 in the Neighbourhood Plan is unnecessary.

*The MOD may close it whenever they wish. It is considered prudent to have a policy in the*

*Plan to deal with this eventuality. At the UDC council meeting 17<sup>th</sup> July 2018 it was confirmed that UDC have no enforceable contract relating to the proposed running track there for which £500k is pledged from the council. Further comment was made that it would be one of the largest brownfield sites in the region and we have no significant influence over the MOD*

TR6 is noted as an aspiration rather than a policy. If the Parish is keen to see this aspiration developed then it would be helpful if further information could be provided in relation to localised speeding and accident data, for example – though it is noted that the Parish is in the process of preparing such a study. Projects such as these are schemes where the neighbourhood portion of the Community Infrastructure Levy could potentially be diverted towards (if the District Council has a Community Infrastructure Levy in place).

*TR6 is clearly identified as a Recommendation. The parish council has data from two Essex Highways traffic surveys.*

*As noted, CIL is not in place or considered likely to be so in the foreseeable future*

The Neighbourhood Plan includes a section in relation to a by-pass and the M11. There are no policies associated with this section of the NDP. We question its relevance to the Plan. The Parish should consider whether it would be better moved to an Appendix. The Parish will find, on the District Council's website, background information and studies relating to transport, highways and infrastructure which consider the impact of planned growth across the District over the Plan period and the interventions required. Funding is in place for short-term solutions to capacity issues at M11 Junction 8, though Highways England is currently investigating longer-term solutions to this.

*This section is about roads and so belongs in the Roads section. It is to control expectations, noted in several consultation responses. The Local Plan offers no remediation at all to the B1383 in response to increased volumes.*

### **Sports, Community and Leisure**

Policy SCL2 sets out a 'levy' on development for spending on sports facilities. It is not the place of the Neighbourhood Plan to do this. The District Council is currently in the process of preparing a 'Whole Plan Viability Study', which will assess the policies in the emerging Local Plan and the impact of these on development viability. This will inform any future Community Infrastructure Levy if introduced the District Council. In the meantime, other contributions are made through s106 agreements.

*As previously noted, s106 does not work at the level of a parish. The scale of development to fund say a new facility via s106 is larger than the villages are likely to have, and can only be used for the extra demand created. CIL comments already made.*

Policy SCL4 refers to retention of sports fields. We would like to question whether the Parish Council has considered designating these as Local Green Spaces, which afford significant protection to such spaces. The criteria for making such designations are relatively simple and are set out in the National Planning Policy Framework. The District Council would be happy to discuss further.

*This is being investigated. Sport England had other useful points towards this*

### **Other Recommendations**

It is noted that various recommendations are made in regard to water recycling centres and school provision. These are being considered as part of the Infrastructure Delivery Plan being prepared by the District Council as part of the new Local Plan.

### **Next Steps**

It is recommended that the Neighbourhood Plan is updated and amended in light of the comments made, including consideration of Policy wording and phrasing. We are very happy to assist in this process. The District Council is also screening the Neighbourhood plan for SEA purposes at the moment. Once the Screening Opinion is available the Neighbourhood Plan group will need to consider the implications of this. If the screening recommends that SEA is required, then this should be undertaken and the outcomes used to inform any necessary amendments to the Plan.

The District Council is happy to meet to discuss further, including the appropriateness of an Article 4 Direction. Once these documents have been prepared, and the implications of these considered, the District Council is happy to provide further commentary and suggested rephrasing of Policies.

*A meeting was held on 25<sup>th</sup> July and another is scheduled for 26<sup>th</sup> September 2018*

Yours Sincerely

Demetria Macdonald  
Planning Policy Officer