

RAPLEYS

Hearing Statement for
Baker and Metson Ltd

UTTLESFORD 2033 LOCAL PLAN EXAMINATION HEARINGS STAGE 1 - MATTER 8

30 May 2019

Our Ref: MJB/17-00162

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1 INTRODUCTION

- 1.1 This Hearing Statement has been prepared by Rapleys LLP on behalf of Baker and Metson Ltd. and addresses matter 8 - The proposed new garden communities - specific matters (Policies SP6, SP7 & SP8)) - in respect of the examination of Uttlesford 2033 Local Plan.
- 1.2 This statement follows on from previous representation also prepared by Rapleys, to Regulation 18 Consultation, representations between formal Consultations (18 and 19), to Regulation 19 Consultation, Regulation 19 Addendum Consultation and the consultation on the Sustainability Appraisal December 2018 (produced by AECOM).
- 1.3 Essentially, the Local Plan is unsound because it does not make sufficient provision for housing during the plan period. To assist the Local Authority (LA), and in ensuring the soundness of the Plan, the aforementioned representations confirm that Baker and Metson's land at Little Dunmow (known as Chelmer Mead) should be identified for residential-led mixed use development within the Plan.
- 1.4 By way of background, Chelmer Mead is located largely to the north and west of the village of Little Dunmow. The site could deliver approximately 3,000 units early in the plan period, and is available to be brought forward immediately (subject to planning permission). To assist the LA, a substantial body of evidence has been provided which has confirmed that there are no "show-stoppers" that might prevent the site from being viably brought forward for development. Further, the LA's own evidence base found the merits of development at Chelmer Mead to be comparable to the Garden Communities promoted within the Plan.
- 1.5 Turning to the issues raised in Matter 8, this statement finds that:
- There is an overreliance on the three garden communities, and these sites cannot be confirmed as being deliverable, let alone within the timescales required by the Plan;
 - The LA's assumptions relative to delivery of garden communities is unsound;
 - Easton Park requires substantial infrastructure improvements which have not been fully costed;
 - Easton Park will have a gravel quarry operating next to it for a considerable time impacting on the sites deliverability;
 - North Uttlesford is heavily constrained by heritage and landscape matters which are yet to be adequately considered within any proposals;
 - The land West of Braintree has substantial infrastructure cost for which, to date, no funding has been confirmed; and
 - The proposed rapid transit system is extremely ambitious and there is no real evidence that it can be delivered. Therefore, The land West of Braintree is undeliverable.
- 1.6 As a result, the Local Plan is unsound and should not be adopted in its current form.

2 MATTER 8 - THE PROPOSED NEW GARDEN COMMUNITIES - SPECIFIC MATTERS

Easton Park Garden Community (SP6)

What evidence is there to demonstrate that the proposed Easton Park Garden Community is capable of delivering 10,000 homes (1,925 in the Plan period)?

- 2.1 Easton Park is considered to be in a sustainable location which can provide sustainable transport links to Stansted Airport and to Great Dunmow with good access onto the A120. However, the site is still heavily constrained by its surrounding landscape, heritage and active quarry.
- 2.2 The required improvements to the M11 J9 which is noted to be a 'substantial cost' in the Infrastructure Delivery Plan 2018 is yet to be costed, and the planned year of delivery is unknown. As such, the likely costs and timings are yet to be fully understood and therefore, the site cannot be considered as deliverable.
- 2.3 Notwithstanding the substantial cost of the M11 J9 improvements, 6 other highways matters analysed by Troy Planning in 2018 confirmed that the timescales for them all were 'unknown' and further work was required.
- 2.4 Notwithstanding the above, Easton Park is in multiple ownerships and it is understood that many of the land owners are unwilling to bring the site forward as it stands.
- 2.5 To date, there hasn't been any factual evidence considering all the above matters that 1,925 homes can be provided in the plan period and 10,000 beyond at Easton Park.

The Heritage Impact Assessment says this site is situated within an area of moderate to high sensitivity. Has this been factored into the calculation of the likely developable area of the site and the provision of infrastructure and services?

- 2.6 There are pockets of highly sensitive heritage assets located on the northern, western and southern perimeters of the allocation and as such, development has the potential to harm the significance of these assets as well as the site and surrounding landscapes discussed below.
- 2.7 As such, any proposals will have to consider these heritage assets in any submission which will potentially impact on the ability of the site in delivering the proposed 10,000 homes as allocated.

Has any work been undertaken to assess the likely impact of the proposal on the surrounding landscape?

- 2.8 The Landscape Appraisal undertaken in 2017, to inform the submission of the Local Plan, outlined that only a portion of the site should be brought forward for development to limit the impact on the landscape.
- 2.9 This provides further evidence that the Easton Park site is unlikely to be able to deliver the housing numbers identified within the emerging Local Plan submitted for examination.

Will the working quarry on the site affect the rate of delivery of development? Are there any other likely impacts?

- 2.10 The site will have a gravel quarry operating next to it for a considerable time; the dust/noise/and disturbance will have an impact on housing delivery. In particular, this may delay the site's development until the quarry has closed.

How have any impacts from flight paths to and from Stansted airport on the Easton Park proposed garden community been considered?

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- 2.11 There are objections from the owners of Stansted Airport relative to the development's potential impact on current use of the airport and future expansion. The development therefore conflicts with national infrastructure plans.
- 2.12 While an additional runway was rejected not too long ago, the airport has outlined that they have the space to expand and with the new 600 million pound terminal due to open in 2020, surrounding developments should not impact on possible future expansion of a national airport.
- 2.13 Considering the above comments in respect of Easton Park, the Local Plan is unsound and should not be adopted in its current form.

North Uttlesford Garden Community (SP7)

What evidence is there to demonstrate that the proposed North Uttlesford Garden Community is capable of delivering 5,000 homes (1925 in the Plan period)?

- 2.14 There is no evidence to suggest that the site can start delivering residential units in 2022/23 as outlined in the submitted plan. The site requires substantial highway improvements, for which to date there are no confirmed timescales.

The Heritage Impact Assessment says this site is situated within a sensitive landscape with significant highly sensitive areas and contains extensive heritage assets. Has this been factored into the calculation of the likely developable area of the site and the provision of infrastructure and services?

- 2.15 Historic England have objected on the grounds that the site cannot be developed without causing significant harm to heritage assets, that are unlikely to be satisfactorily mitigated.
- 2.16 Further, within the Landscape Appraisal it concluded that the landscape sensitivity would be high, given the open rolling hillslopes topography of the site, and the wider settlement pattern within which development is largely focused along the valley floor and lower valley sides, as opposed to the hillslopes and ridgelines.
- 2.17 As such development is heavily constrained by the heritage and landscape issues, which ultimately impacts on the sites deliverability, costs and timescales. Without the necessary high levels of housing, the site would not be able to generate the income to make the scheme viable.

Has the proposed Genome expansion within South Cambridgeshire considered the cumulative implications of the new community North of Uttlesford?

- 2.18 Cambridgeshire County Council object to the proposals, on highway grounds, as they are reliant on improvements to the network that have not yet been confirmed. Further, Hertfordshire County Council has raised concerns over the cumulative impact of the proposal on the highway network. The concerns raised by these neighbouring transport authorities are likely - at best - to require improvements to the network that are likely to take many years to resolve, thereby delaying development and increasing costs.
- 2.19 As such, and considering the evidence in respect of North Uttlesford, there is no evidence to illustrate the site is capable of delivering the total 5000 units or 1925 units within the plan period.

West of Braintree Garden Community (SP8)

What evidence is there to demonstrate that the proposed West of Braintree Garden Community is capable of delivering 10,500 -13,500 homes overall and up to 3,500 in Uttlesford (970 in the Plan period)?

- 2.20 Very limited evidence has been provided which illustrates that the West of Braintree Garden community is deliverable. However, there is plenty of evidence which outlines huge concerns in respect of the site delivering the necessary infrastructure to provide the housing outlined.
- 2.21 In respect of the sites deliverability:
- The land West of Braintree would be 'reliant' on A120 improvements and there is still no firm view on the feasibility of either West of Braintree or Colchester/Braintree borders in the absence of funding for A120 improvements.
 - There is also still no evidence to illustrate that the strategic allocations could viably fund these necessary road improvements, and there is no indication that Highways England have any aspiration to deliver the improvements.
 - The proposed rapid transit system is extremely ambitious and there is no real evidence that it can be delivered - the most recent public evidence relative to this was published in January 2019 by Essex Highways, which concluded that a routed bus solution was the "most feasible option".
- 2.22 Notwithstanding the above, Uttlesford are entirely dependent on Braintree. If the site doesn't come forward as a whole allocation, the small part in Uttlesford will not come forward at all. On this basis, in terms of the matters relative to funding, it is noted that a HIF bid (relative to this site, and the two other garden communities in NEA) was submitted in April 2019. However, it is unclear if the bid will be approved, or when. As such no reliance can be put on the bid at this stage.

The Heritage Impact Assessment says this site is situated within an area of moderate to high sensitivity. Has this been factored into the calculation of the likely developable area of the site and the provision of infrastructure and services?

- 2.23 Land West of Braintree site has the potential to harm the significance of heritage assets on the site and surrounding the site. These heritage assets include listed buildings and registered park and gardens (at Great Saling). There are also non-designated assets on the site which, despite the lack of designation, may further delay the earlier development and further research would add to the heritage information on the significance of these assets. There is also evidence of buried archaeology on the site and in the wider area. These include the remains of a Roman estate. As such, any development proposals will have to consider substantial heritage assets which will have an impact on the possible development area limiting the total deliverable homes from the allocation.