



Uttlesford Local Plan 2021-2041

Regulation 19 Publication Stage Representation Form

Your information

How we handle your information

Information you provide will be treated in accordance with the General Data Protection Regulation (GDPR) (EU) 2016/679. Your contact details will be used solely for the purpose of contacting you about your consultation response. You should refer to our Planning Policy Privacy Notice for an explanation as to what we do with your personal information, how long we keep it and your right to withdraw your consent at any time you choose.

Please note that it is a requirement of the Local Plan process that comments can only be accepted if they are received in writing (online, via email or via post). Comments made verbally or anonymously cannot be accepted, including those made at public exhibitions.

The Council is obliged to make all representations available for public inspection on its website.

The consultation runs from Thursday 8th August 2024 to Thursday 3rd October.

Please return your consultation form:

Planning Policy
Uttlesford District Council
London Road
Saffron Walden
CB11 4ER

Telephone: 01799 510510

Email: localplan@uttlesford.gov.uk

This form has two parts:

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make on individual chapters, evidence, maps or policies.

We recommend using the online survey form available at <https://www.uttlesford.gov.uk/reg-19-consultation> when responding to this consultation.

Part A – Personal Details

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

2. Agent's Details (if applicable)

Title

Takeley Street Residents
Group - Committee



First Name

Last Name

Job Title

(where relevant)

Organisation

(where relevant)

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone Number

E-mail Address
(where relevant)

Part B - Please use a separate sheet for each representation

3. Please indicate which chapter, policy, map or evidence document you want to comment on in the box below.

Core Policy 5 Community Infrastructure
 Core Policy 10 South Area Strategy
 Core Policy 12 Countryside Protection Zone
 Core Policy 13 Delivery of Transport Schemes
 Core Policy 15 Green and Blue Infrastructure
 Core Policy 26 Sustainable Transport and Connectivity
 Core Policy 28 Walking and Cycling
 Core Policy 38. Specifically - "Development proposals which would result in significant harm to any other biodiversity or geodiversity interest will only be considered for approval after alternative sites that would result in less or no harm have been considered."

4. Do you consider the Local Plan to be (please put a cross in the relevant box):

	Yes	No
4(a). Legally Compliant		
4(b). Sound		x
4(c). Compliant with the duty to co-operate		

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Document D - Flitch Way

Parts of the Southern Uttlesford Area Strategy are unsound.

The Flitch Way is an example.

1 Uttlesford place great weight in the LP on the Flitch Way as an essential part of its Sustainable Transport and Green and Blue Infrastructure. It describes it as a "useful strategic route" whereas the Flitch Way is a Local Nature Reserve (rarely

mentioned throughout the documentation), a Country Park and a home to red list species. It is a significant bat corridor including rare species. It is a bridleway.

2 Part of the Flitch Way between Takeley 4 Ashes and Start Hill runs parallel to an SSSI, Hatfield Forest with no buffer separating the two. It is in the Hatfield Forest Impact Risk Zone.

3 Critically, the Flitch Way is the ONLY Country Park in Uttlesford.

It is unclear how this could be mitigated in the LP, certainly not by money alone.

3.1 The Flitch Way Links – Options Study is not published in the Regulation 19 Evidence Base on the consultation portal, yet there is reference to Flitch Way “upgrades”, resurfacing, lighting etc throughout the Plan.

3.2 The Sustainability Appraisal July 2024 para 5.4.57 refers to the Flitch Way Links Study being completed in 2023 with a link to the study – However the link simply directs you to the ‘draft’ document within the Reg 18 evidence.

3.3 A main thrust of the Southern Uttlesford Area Strategy is heavily reliant on Flitch Way upgrades to include a multi functional surface. The Plan is therefore heavily dependent on an unpublished ‘draft’ document with no costings, rendering it unsound.

There are no Flitchway costings available at Regulation 19 (confirmed by email by UDC on 28th August 2024 by the LP team).

Message sent 13 August 2024:

“Dear Local Plan Team

The regulation 19 document page 99 para 6.5.5 refers to a “fully costed programme of works” to the Flitchway.

Please send a link to the document.

If it is not available, please advise the date.”

Reply received 28 August 2024:

“The works you refer to is being prepared but unfortunately we are unable to provide a date to when this will be completed.”

4 The plan makes multiple references to the Flitch Way throughout. Some are listed below. There are too many to cite them all. Some are inaccurate and significant to the evidence that underpins the plan.

The Plan claims:

5.1 The Uttlesford Green and Blue Infrastructure Strategy Oct 2023 Draft Report (in Reg 19 Evidence) states: “*Initial studies have taken place to determine the most effective and feasible routes for the extension of the Flitch Way* [See reference 73]”. This refers to the Flitch Way Links – Options Study (Draft Report June 2023) that formed part of the Reg 18 evidence base.

The Flitch Way study is not in the evidence base at Reg 19. – see 3.1 above.

5.2 There are multiple references in the LP implying that the Flitch Way connects to Bishops Stortford. **It does not.** (See Fig1)

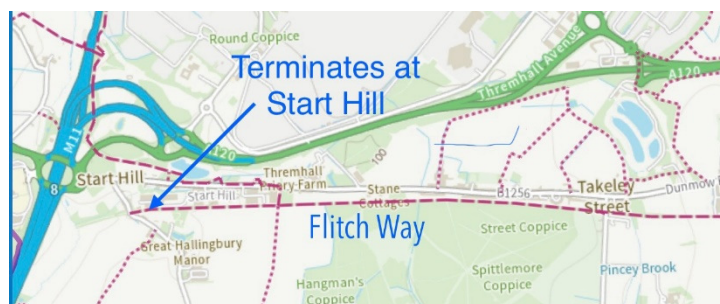


Fig1

The Flitch Way does not connect to Bishops Stortford.

5.2.1 The Flitch Way ceases at Start Hill short of the M11 J8 roundabout. Negotiations with a farmer to allow access across his land on the east (Gt Halligbury) side of the M11 have continued for several years with no solution or **cost** in place. The land is Grade 2 Agricultural Land and currently sown with crops to the perimeter. There is no PROW on the west (Bishops Stortford) side of the M11 that could potentially link to the Flitch Way.

5.2.2 The footways across the M11 J8 roundabout have been removed during recent highway upgrades. There is NO current plan to reinstate the footway.

5.2.3 Hence there is no cycling or walking access directly linking Bishops Stortford to the Flitchway, to Takeley Village or to the employment allocation North of Taylors Farm, Takeley Street (TAKELEY 005EMP) that borders the B1256.

5.2.4 Cycle route NCN16 terminates in Birchanger, it does **not go into Bishops Stortford.**

5.2.5 The plan refers to “Gear Change vision”. This vision sets out some key design principles for cycling including:

- Cyclists must be treated as vehicles, not pedestrians
- Cyclists must be separated from pedestrians and volume of traffic at both junctions and stretches of road between

5.2.6 This is not achievable for the Flitch Way because it is too narrow for a separate cycle lane. A two-way cycle track on a restricted linear track that also incorporates pedestrian use and a bridleway is unworkable.

5.2.7 Adjoining land is in private ownership and includes Hatfield Forest, an SSSI. It is landlocked at suggested new access points.

6 An example of where the (highly likely) non-delivery of the Flitch Way upgrades render the plan unsound relate to 18ha of Employment Land North of Takeley Street (Takeley 005 EMP).

6.1 The Design Principles for this site state:

6.1.1 *“improve connectivity to the Flitch Way”*. The Flitch Way is to the South of the B1256 and the Takeley employment and housing allocations. Direct access cannot be implemented. An allocation of 18Ha of employment land and over 1500 houses will mean significant increases in traffic even with a modal shift.

6.1.2 *“Deliver any strategic walking and cycling enhancements identified in the Uttlesford and Essex LCWIP”*.

The nearest PROW onto the Flitch Way from the B1256 is by Stansted Vision Industrial Estate is half a mile west in the direction of Start Hill. This stretch of the B1256 has narrow pavements of less than 1 meter wide. They cannot be widened in the vicinity of Thremhall Park because of a medieval moat to the north of the carriageway and deep ditches on the south. There is no safe cycle route along here to access the PROW onto the Flitch Way. Even walking is hazardous.

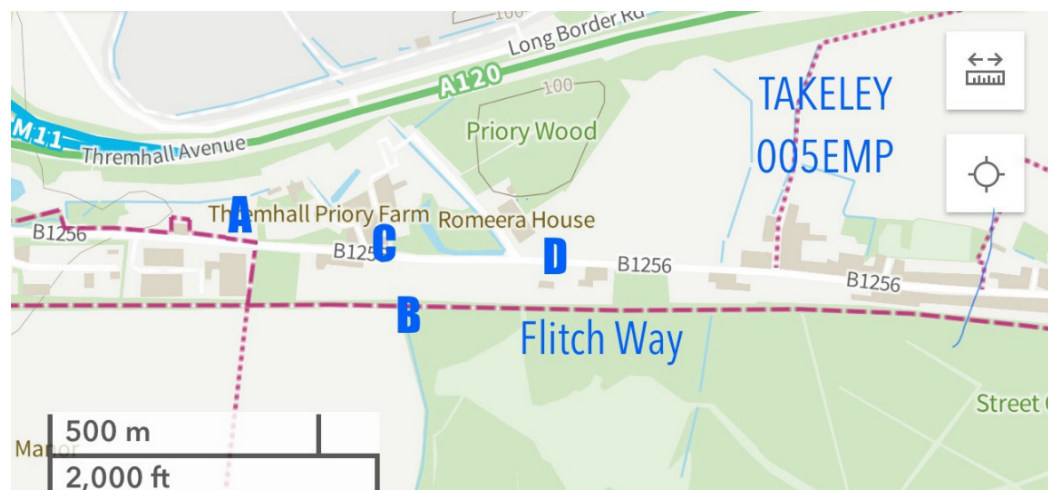


Fig2

A Nearest PROW half mile west

B Flooding on Flitch Way (See Fig13 to Fig16 below)

C to D Examples of Narrow Footway between C & D (See Fig3 to Fig12 below)

The majority of the B1256 is unlit and without pavements on both sides in many stretches, so not a viable alternative to the Flitch Way.



Fig3, 4, 5



Fig6, 7



Fig8, 9, 10



Fig11, 12

It is difficult to see how “*Active travel routes to enhance access to Takeley, Stansted Mountfitchet, Stansted Airport and Bishops Stortford*” could possibly be provided to include the Flitch Way without significant acquisition of land from private land owners and at significant cost – if at all possible.

It is not achievable in the life of this Plan.

In summary, Employment Land allocated North of Taylors Farm, Takeley Street cannot be safely reached by active travel means from Takeley or Bishops Stortford, using the Flitch Way.

7 Plan References referring to the Flitch Way include:

7.1 The Local Plan document

7.1.1 para 6.55 “*Of particular importance is the Flitch Way....An assessment of issues relating to the condition and function of the Flitch Way has been completed and a full costed programme of works to include its role as a wildlife corridor is being prepared. Once a costed programme has been agreed, developers will be required to make an appropriate contribution to its implementation.*”

The only assessment is a 2023 draft document at Reg 18, but this has not been carried forward to Reg 19. It has not been costed, confirmed by Uttlesford (see 3.3 above). Importantly, there has been no consultation on this critical aspect of the plan.

7.2 Uttlesford Infrastructure Delivery Plan (July 2024)

7.2.1 Para 3.60 “*The Flitch Way Links Options Study identifies the Flitch Way as a useful strategic route that is capable of linking numerous other places and uses together. It is essentially a recreational route but can be used for utility purposes*”.

Phrases such as “numerous other places and uses” are not helpful. These need to be specified for proper consideration.

7.2.2 Para 3.63 *“An upgraded Flitch Way (e.g. new surfacing, ecological management, interpretation and safety improvements)”*

The plan is based on this infrastructure incorporated into Uttlesfords ‘ONLY’ Country Park. This is aspirational but unachievable, undeliverable and unsustainable

7.3 Uttlesford Green and Blue Infrastructure

7.3.1 Para 5.55 Improve and extend connectivity: *“Enhance access to Flitch Way to optimise it as a key route for both recreation and utility trips. This will enable it to fulfil its role as an important strategic route that plays a significant role in local travel. Priorities for improving the connectivity of the route include:*

Create and enhance active travel links between the western end of the Flitch Way (at Start Hill) ... At present, the M11, A120 and J8 provide significant barriers to movement in the south-west of Uttlesford and providing high- quality active travel links from the Flitch Way (at Start Hill) would become an important strategic link for both recreation and utility trips”.

This is aspirational but unachievable even in the long term, and certainly not in the short/medium term.

7.4 Uttlesford Sustainable Transport:

7.4.1 Para 3.1.10 *“The Flitch Way forms part of NCN16, provides a connection between Bishop’s Stortford and Braintree. A full review of the route was undertaken by Transport Initiatives in April 2023. This provides a detailed audit of the route and recommends improvements. Whilst much of the route is an unbound gravel surface, some sections are muddy, and there are also some pinch points which can present accessibility challenges. Some of the sections of this route fall within the Stansted Airport boundary are therefore under airport land ownership and would require the airport to deliver any proposed improvements”.*

Note: The “Transport Initiatives in April 2023” study is the same document as the Flitch Way Links Study that is not included at Reg 19.

There is **NO** connection between Bishops Stortford and the Flitchway

7.4.2 Para 3.1.11 *“For these reasons, and due to its strategic routing parallel to the A120 corridor, The Flitch Way serves as a potential key route to facilitate sustainable travel targets for employment and residential sites along this corridor”.*

This conflates NCN16 with the Flitch Way. NCN16 Terminates at Birchanger **NOT** Bishops Stortford.

7.4.3 Para 6.7.10. *“Appropriate upgrades to the Flitch Way including enhancements that improve safety, access, interpretation, multi-functional surfacing for all users and measures to improve biodiversity”.*

The Flitch Way was severed from Bishops Stortford during the construction of the M11. There is now a dangerous sheer drop off a derelict bridge at Start Hill end, with a river below.

This is aspirational but undeliverable even in the long term

The evidence is misleading and inaccurate rendering the Plan is unsound.

7.5 Uttlesford Transport Study Baseline Report

7.5.1 Para 5.7.1 *“NCN Route 16, which provides an east-west link between Bishop’s Stortford and Braintree”, and Para 5.7.4 “By contrast, NCN16 provides an almost continuous traffic free route between Bishop’s Stortford, Great Dunmow and Braintree. Utilising an old rail line which now forms the Flitch Way, the route stretches for around 25 kilometres and links the towns to Stansted Airport.”*

An inaccurate and misleading statement. As discussed earlier, there is no safe bicycle or walking link to cross the M11 J8. The footways have been removed. The Flitch Way does not link the towns to Stansted Airport. A new Cycle Path connecting them to the airport is unachievable for reasons discussed above and render the Plan unsound. Calling the Flitch Way “an old railway line” when it is a Country Park and Local Nature Reserve misleads and denigrates the importance.

8 Condition of the Flitch Way in proximity to Land North of Taylor’s Farm

This stretch of the Flitch Way Nature Reserve is adjacent to an SSSI, Hatfield Forest. In the wetter months, ditches overflow and parts of the Flitch Way flood. This is a bat corridor where rare species have been sighted. Construction works of any sort will disturb the fragile ecology and be detrimental to wildlife. It is entirely unsuitable for resurfacing or “upgrade” without untold damage to this sensitive area.



Fig13, 14



Fig15, 16

The Flitch Way can become treacherous and impassible during wet weather. It is unrealistic to consider this as a strategic transport route without significant and expensive upgrades, and the continuing need of regular maintenance to keep surfaces and ditches clear of debris, specifically leaves and branches.

For Reference:

The Flitch Way Links Study can be found on Uttlesford DC web site under Regulation 18 evidence at the bottom of the page

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you

have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination).

You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Modifications:

1 Remove the Flitch Way as an “important strategic route” at the very least from Takeley 4 Ashes to Start Hill.

2 Include this stretch of the Flitch Way into the Countryside Protection Zone - Core Policy 12.

This policy states “*The interventions will ensure that the development proposals provide a realistic alternative to the car and mitigate any additional pressure on the highway network resulting from the development proposals*”.

The Flitch Way cannot provide a realistic alternative to the car between Start Hill and Takeley 4 Ashes.

- It is isolated away from the SRN.
- It is unsafe for lone children to ‘cycle’ to school.
- It is unrealistic to believe during wet autumn winter months with leaf drop and days or often weeks of heavy rain that anyone can cycle this route to work let alone use a mobility scooter

3 Remove employment Land North of Taylors Farm from the plan as it cannot meet the requirements of the Sustainability Appraisal, Blue and Green Infrastructure or Sustainable Transport.

Since an oversupply of employment land has been identified, this would not mean that UDC would necessarily have to identify alternative sites.

(Continue on a separate sheet /expand box if necessary)

Please note In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

X

Yes, I wish to participate in hearing session(s)

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

We are local residents living along the B1256 who will be affected by the LP proposals and have local knowledge of the area.

(Continue on a separate sheet /expand box if necessary)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.