

Bishop's Stortford Civic Federation

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14

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Sent by email

Dear Kevin

BISHOP'S STORTFORD SOUTH
Your ref: 3/18/2253/OUT

1. Further to my letter of 12 October, I am writing on behalf of the Bishop's Stortford Civic Federation to object to this application. Our reasons for doing so are set out below.

Principle of Development

2. Until the recent adoption of the District Plan the site formed part of the Green Belt protecting Bishop's Stortford from urban sprawl. In choosing to remove this site from the Green Belt, East Herts Council appears to have been ignoring the clear intention of Ministers that housing need and housing demand alone do not justify changes to Green Belt boundaries in Local Plans, and that where such changes are made the planning authority needs to carry the local community with it. The following extract is from a letter from the Housing Minister of the time, Brandon Lewis, to all MPs in June 2016 and is typical of statements made both before and more recently.

'The Framework makes it clear that inappropriate development may be allowed only where very special circumstances exist, and that Green Belt boundaries should be adjusted only in exceptional circumstances, through the Local Plan process and with the support of local people. We have been repeatedly clear that demand for housing alone will not change Green Belt boundaries. However, we recognise that it is local authorities, working with their communities and with detailed local knowledge, which are best placed to decide the most sustainable, suitable and viable sites for new homes. The Housing and Planning Act 2016 has increased local people's power to plan their areas with new measures to speed up and simplify neighbourhood planning.'

3. The Neighbourhood Plan covering this part of Bishop's Stortford (NP2) had this to say about the proposed removal of this site from the Green Belt

'A decision by the District Council to amend Green Belt boundaries would be controversial and throughout the consultation process the proposal to develop land south of Bishop's Stortford has been consistently unpopular with the majority of the town's residents. (para 4.10.1.9)'

4. Not only has the Council been ignoring the clearly expressed wish of local people, and of all the previous planning decisions concerning the site, it also appears to have been conniving with the applicant to anticipate the outcome of the process leading to the adoption of the District Plan. So for example, at a meeting between the applicant's transport consultants and Herts County Council in September 2016 it was explained the EHDC had encouraged the submission of an application by Spring 2017 – long before any change in Green Belt boundaries had actually taken place and the application itself was eventually submitted before the Plan was adopted.

5. The applicant's Statement of Community Consultation, describing events which took place before the adoption of the District Plan, notes that there were objections to the proposed removal from the Green Belt and what it describes as 'misunderstandings about pre-empting Green

Belt release'. It seems to us that the only people who have misunderstood the pre-emption of Green Belt release arising from the adoption of the Plan are the applicants themselves. It was for this reason that the Civic Federation declined the invitation to participate in the premature planning of this development proposal.

6. Lest there should be any doubt about the continuing hostility of the local community to development here, the response to the first question in the applicant's feedback questionnaire – 'do you support a new mixed use development of the site?' – was 109 No (69% of respondents), 31 undecided and only 18 Yes (11% of respondents). The members of the public who have responded so far to the application, now running into hundreds, are also consistently opposed to the development.

7. And to cap it all, almost simultaneously with the adoption of the Plan, the ONS released new estimates of household formation which, for East Herts, is nearly 14% less than the assumption on which the Plan's objectively assessed need for housing (OAN) was based. If there were a direct read across to the OAN (and there will be a close correspondence between the two figures), then the housing total for East Herts would be some 2500 dwellings fewer and the need for this Green Belt release would evaporate altogether.

8. Given the amount of development already committed for Bishop's Stortford and the infrastructure shortcomings on which we comment below there really is no case for building on Bishop's Stortford South regardless of the content of the District Plan. Indeed, when the first sign to greet you at the same developer's St Michael's Hurst site is 'fantastic incentives available' to buy a house there, it does suggest that the commercial housing market is incapable of supporting another major development in Bishop's Stortford.

9. The second phase of the development lies within the parish of Thorley. Thorley is a Group 3 village to which Policy VILL3 of the District Plan applies. This specifies that only limited infill development within an adopted Neighbourhood Plan will be permitted. By no stretch of the

imagination could the second phase of this development be regarded as limited infill development. While NP2 has been adopted and includes policies relating to BSS, these policies are contingent and subordinate to the wish of the local community that the site should remain undeveloped. Officers have argued that because Thorley is a dispersed settlement, the village is not coterminous with the parish boundary and should be regarded as only those parts of it which are built up. This semantic argument is nonsense – the character of a village depends just as much on its open spaces as its buildings. Developing this site would plainly be contrary to Policy VILL3 in the District Plan.

Master Planning

10. Policy DES1 of the now adopted District Plan makes it a requirement that all 'significant' developments have to be based on a Masterplan. This is echoed in policy BISH5 which covers BSS and lists the bodies to be consulted in the Masterplanning exercise. The Masterplan is to be collaboratively prepared, involving site promoters, land owners, East Herts Council, town and parish councils and other relevant key stakeholders. For the reasons explained above, the Civic Federation declined to participate in the premature activity described as Masterplanning in the applicant's Statement of Community Consultation and we have not been invited to any subsequent activity which may have taken place. We find it particularly surprising, however, in the light of policies DES1 and BISH5, that Bishop's Stortford Town Council does not appear to have been invited to participate in the activity at all, even though the only part of the scheme for which full permission is requested lies within Bishop's Stortford. We note that the Planning Committee of the Town Council has recommended refusal of planning permission.

11. Turning to the 'Masterplan' itself only two aspects of it appear to be firm – the detailed application for 142 dwellings on the northern part of the site facing Whittington Way and a through road across the eastern end of the site linking St James Way and Whittington Way, providing access to the initial housing development. Although illustrative plans are

provided of the locations of the other elements of the proposed development, there is no reason to believe that the final layout will correspond to these. For example, the applicants may discover that a panoramic view of the bypass would not actually improve the sale prospects for houses, which are currently arranged around the fringes of the site and conclude that they need to be repositioned in a more attractive location. The application gives no indication of the timing (if any) for completion of the larger part of the development. In the meantime, the first phase of development will add to the demands for infrastructure and services without making any contribution towards them.

12. The location of the new access road is not consistent with the relevant policies in NP2 which say

'To avoid extra junctions on St James Way the principal vehicular access to the site should include the use of the existing roundabouts to the east and west ends of the site, unless traffic modeling shows this not to be feasible. (policy BSS4c)'

and

'The access road to any possible business park should be separate from access to the housing area to avoid any extra traffic within the housing area (policy BSS4e).'

13. Turning to the quality of the prospective housing designs the applicant says in the Design and Access Statement that 'Countryside has earned a reputation for high quality community led design' and that 'each of our schemes are different and respond to the specific local context and features of the site'. After a build up like that, the sample elevations actually supplied are something of an anti-climax. They appear to be no different from any other product of the volume housebuilder's pattern book. Indeed the only part of the specific local context which they appear to echo are the new developments which have blighted the environs of Takeley, Stansted Mountfitchet and Gilden

Way in Harlow, and which are in the course of construction at Bishop's Stortford North (BSN). Striking too is the meanness of the plot sizes of the initial housing phase which appear to be about half the size of the plots for the homes developed some 40 years ago on Pynchbek on the other side of Whittington Way.

Educational Facilities

14. The scheme contemplates provision of an additional JMI school and allows for the siting of a secondary school of up to 8 forms of entry (FE). The expectation is that the Boys High School will move there from its current location although it does not form part of this application. It is however, important that before such a move is sanctioned there is clarity about the demand for school places which this and other developments will generate and how it will be met, since, if the existing school relocates and expands it will do little more than absorb the extra demand created by the BSS development.

15. The Environmental Statement non-technical summary claims (para 0.37) that the potential pupil yield from the proposed development has been estimated at 1 FE for secondary education. In fact, the metric used by Herts County Council for large scale developments of this kind (and which they used for BSN) is 1 FE per 500 dwellings. So the pupil yield from this development of 750 dwellings is 1.5 FE and it would rise to nearly 2 FE if the Boys High School were to relocate and its present site used for further housing.

16. Now that the District Plan has been adopted the housing total for the educational planning area (EPA) (which also includes Sawbridgeworth) is around 5000 dwellings (allowing for sites that have been given planning permission in addition to the totals included in the Plan). This is equivalent to 10 FE of demand generated by new development. However, because of the quality of its schools and geographical location, Bishop's Stortford has traditionally taken a third of its secondary school intake from outside the EPA. With developments continuing to take place just across the border in Uttlesford, the prospect of further new

settlements along the A120 and a new settlement at Harlow North, pressures on Bishop's Stortford schools are likely to increase rather than diminish. So the EPA realistically will face a demand of at least 13 FE.

17. Even where new schools are to be provided in new settlements there is likely to be a very significant time lag before they become fully functioning – six years minimum after commissioning to offer a facility covering the whole cohort of school age children. And, to look at an example close to home, there is no sign yet that a preferred sponsor has even been identified for any of the proposed new schools at BSN. In the meantime pressure on places at our existing schools can only increase.

18. At present, the County Council has plans only for one new secondary 6 FE school at BSN which, when commissioned, will take years to provide education across the full age range for compulsory education. The environmental statement acknowledges that by 2020/21 there could as a result be shortfall of 7 FE within the EPA. We think this assessment is likely to be an underestimate and that there will be a persistent shortfall once residents of new developments have committed their children to education at one of our established institutions.

19. It is claimed that an advantage of this scheme is that if the Boys High School were to move it would be able to expand to 8 FE, thus contributing 3 FE towards the anticipated shortfall in places. Unlike a new school, it would have the benefit of providing education across the age range from the outset. But as a single sex school that would be of no benefit to girls, and we have yet to see any plans from the County Council which would cover the remaining significant shortfall. We therefore believe that plans for meeting the whole of the prospective shortfall should be clearly established before permission is given for any more new housing which will simply add to demand. We also believe that, with more than enough demand in prospect to require an additional new secondary school in Bishop's Stortford, no commitment should be made at present to allowing the Boys High School to move to BSS. If development is allowed to take place there, BSS has the only site available that could accommodate another new school.

Community Facilities

20. Policy BSS3 of NP2 says

'The site is detached from the nearest community facilities at Thorley Neighbourhood Centre and more than the DfT's guidelines for reasonable walking distances. Any proposals for development of this site must enable social interaction and public services for the local community: ...health services and facilities that are accessible to all.'

21. The DfT's guideline for a reasonable walking distance to such facilities is 800 metres. The applicant acknowledges that the nearest entrance to the development is 1.5km from the Thorley Neighbourhood Centre. While the Masterplan does include a new community centre on site, we were therefore surprised to see that the Clinical Commissioning Group have recommended a developer contribution to enhance the facilities at Thorley Park rather than the provision of a purpose built centre on site. The Thorley Park GP surgery occupies a shop unit and it is difficult to see what improvement could be made to it compared with a purpose built facility to serve the new development. Nor is it compatible with the accessibility requirements set out in NP2.

Transportation

22. The applicant's transport consultants, Meyer Brown, are experts at portraying developments as non traffic generating. They have already done it for BSN and the station goods yard in Bishop's Stortford and here they are again with the current proposal. The problem is that the other two schemes are at such an early stage of gestation that we have no idea yet whether they will indeed break the mould of past experience and lead to the traffic neutral outcome which they predict. There are however good reasons for thinking this is unlikely.

23. The consultants display a Nelsonian disregard for inconvenient facts. In the case of the station goods yard for example, they managed to

avoid counting bus station occupancy on market days, the busiest day of the week, and so have committed the town to a facility which is too small even to meet current demand, never mind the additional demand which their green travel plans are intended to stimulate.

24. In the case of this application, the following examples should be noted

- *In particular, the surveys have been compared with previous survey data and it is noted for example that growth has not occurred at Hockerill Junction over a four year period (para 1.12)*

25. Really? It is true that the four year period is not specified but any recent four year survey data should have covered the period during which the Aldi store in London Road opened. Although anticipated by Herts Highways to generate no more traffic than its previous use as a car show room, actual experience of traffic generation has been very different with major congestion occurring at Hockerill not just in the peaks but at other times such as Sunday mornings, caused by traffic backing up as a result of congestion in the car park. On the other hand, since Hockerill Junction is so frequently at saturation point, it may simply be that the survey data counts vehicles rather than queueing times and would not detect any change in traffic volumes.

- *Therefore the proposed development has been considered on the basis that background traffic growth in the central part of the network in Bishop's Stortford will occur predominantly as a result of committed development coming forward (para 1.12).*

26. However, on page 61 of the assessment, it appears that the only major committed development to have been included in the tests was the station goods yard. Presumably, the effect of BSN on the operation of the central network was ignored, because the consultants had satisfied themselves in that application that the consequences would be negligible too, purely as a result of their modeling and not because either we or they have any knowledge of the actual impact yet.

27. It also appears that the consultants have assumed a benefit from the opening of the new link road through the goods yard in reducing the traffic impact of the development on Pig Lane and Haymeads Lane/Beldams Lane. Unfortunately the planning approval given confines the use of the new link road to public service vehicles, cyclists and pedestrians only – it will have no beneficial effect on traffic flows. Nothing is proposed to mitigate the extra traffic which will seek to avoid Hockerill by using Pig Lane and Haymeads Lane/Beldams Lane and the development of the Herts and Essex School's new sports centre in Beldams Lane appears also to have been overlooked.

28. Finally, the consultants do not seem to have noticed that under the goods yard plans, the ramp from Station Road into the station entrance will disappear. Whatever its benefits for pedestrian safety it can only make traffic conditions at Hockerill worse, to which car borne commuters from BSS will add their contribution.

29. Turning to the development itself, a major occasion for congestion on Whittington Way and London Road is school pick up time. These proposals will greatly worsen traffic conditions because

- They introduce several new access points on to Whittington Way to serve the first phase of the new housing.
- In the longer term they will add a new JMI school with the extra traffic that will generate.
- If the Boys High School moves from its present site it will lead to a significant increase in road traffic. It has the widest catchment area of all the Bishop's Stortford schools and unlike the present site, it will not be within walking distance of the station.
- On the other hand, if a new secondary school is put on the site and the Boys High School stays where it is than that will be a wholly new source of traffic demand.

30. As for mitigation, Sawbridgeworth will have its road junctions redesigned. At the London Road Thorley Hill junction, the northbound

bus stop is to be relocated and parking banned on the eastern side of the road. The householders there who have no off street parking will no doubt be looking forward to that proposal with keen anticipation. And that's it.

31. Everything else depends on the success of the Green travel initiatives such as free bus passes for a year and bus services co-ordinated with train arrivals and departures. The problem with this kind of approach is that even if the first generation of residents buys into the practice of more sustainable forms of travel, when they move on, their successors will not have changed their habits, but see themselves as marooned on the edge of town. The same is true of school travel plans whose effectiveness diminishes as the original authors leave their schools. And bus services, however well planned, will only be as attractive as they are reliable. We all know that there is no road space here for dedicated bus lanes. We are not Peterborough, Worcester or Darlington (the DfT pilot schemes). We are Bishop's Stortford, with one of the highest levels of car ownership in the country. The applicant's belief in Green travel is best illustrated by the fact that the signature building at the entrance to the new development will be a car show room.

32. The ability of a transport model to predict the future is only as good as the assumptions built into it. In this case they seem to be so flawed that we see no reason to doubt our belief that this development would cause significant harm to the operation of the road network. We therefore welcome the reported decision of the Town Council to engage its own professional experts to review the transport assessment.

Conclusion

32. We therefore urge the Council to refuse permission for this application. In summary our reasons are

- The site has been removed from the Green Belt in the teeth of the opposition of the local population and overturns all previous planning assessments of the site.

- The housing total for the district which this development would help to meet has been invalidated by a 14% reduction in forecast household formation. It is surplus to requirements both for the district and for the needs of the population of Bishop's Stortford.
- The development would be incompatible with the policy VILL3 in the District Plan under which Thorley is classed as a Group 3 village where only limited infill development will be permitted.
- The Masterplan for the site has not been prepared in accordance with the requirements in the District Plan of policies DES1 and BISH5 and is not fit for purpose. It is particularly surprising that Bishop's Stortford Town Council has played no part in its formulation.
- The suggested road layout of the development is not compatible with the policies for BSS in NP2 and is likely to lead to serious congestion in and around the site.
- Relocation of the Boys High School to the site will not address the prospective shortfall in secondary school places, and may foreclose any remaining options for meeting that demand.
- The development should not be allowed to proceed without provision of purpose built health facilities on site.
- The transport assessment displays major shortcomings in its understanding of current traffic conditions and of how other developments will impact on them.
- The mitigation proposed is wholly inadequate and for the most part likely to be ephemeral in its impact. Serious congestion will result on roads which are not capable of handling extra traffic.

I am copying this letter to Cllr Wyllie, leader of Bishop's Stortford Town Council.

JOHN RHODES
PRESIDENT