

Executive Summary

Timeline

This section looks at the minutes of every meeting held between 2007 and 2014 where the development plan was discussed. It is important to note that this work did not review any of the papers that were sent to the meetings. It simply reviews all the minutes. The process involved calling up each meeting on the Uttlesford website and reviewing the minutes. Where there was a discussion on the development plan, this was noted and considered in the context of the overall process.

It is clear that the mechanisms were in place for the council to make decisions on the plan, from working groups, through Environment and Scrutiny committees to Full Council. However, the review also shows that the groups were not always represented in a way which is common in most councils across the country. The timeline provides a commentary, intended to show how the decisions made play out as the plan progresses. This should provide the council with some useful points to consider as future work gathers momentum.

Inspectors' Letter

This report sets out the main recommendations from the Inspector. It provides a brief summary of the role of the Inspector and the 'Tests of Soundness' and also the options open to him when considering how to deal with a plan which requires further work.

In writing this report, PAS looked at other examples from around the country. Whilst not specifically referenced, they were used to help determine whether the Inspector can be seen to have behaved in a manner consistent with other Inspectors faced with similar issues.

Uttlesford Local Plan SEA/SA Review

This review intends to support the Council in determining a response to the Planning Inspectors letter (dated 19 December 2014) regarding the conclusions of the Examination of the Uttlesford Local Plan (ULP), specifically it seeks to consider the final comment by the Inspector:

“that future SAs need to ensure that the requirements of the Regulations and the principles established by case law are built-into the process transparently from the outset.”

In consequence, the review identifies recommendations and actions to minimise the risk to the Council of non-compliance with the requirements of European Union Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment, referred to as the SEA Directive when undertaking future SEA/SA work.

Table 2.1 of the report presents the requirements of Annex I of the SEA Directive and then summarises where, and to what extent, this is covered in the Environmental Report. A third column highlights whether the information provided is sufficient to meet the SEA Directive requirements. A final column outlines further

actions that are required to address any issues identified in any subsequent Environmental Report.

Uttlesford Local Plan Site Selection Review

The Site Selection review considers the process of site identification considering Objectively Assessed Need and the required process that must take place of an assessment of suitability, viability and availability and development options can, to a degree, be prescribed by the sites put forward by the development industry.

In the context of ULP the Inspector raised concerns on a number of issues. These views imply that the sites only clear attribute was that it had been promoted and was available. If constraints had been identified at a more strategic level, then early conclusions can be drawn about the potential of Elsenham (or parts of Elsenham) and by extension therefore, about sites being proposed there.

Further to this the review considers the relationship to the Strategic Housing Land Availability Assessment (SHLAA) to plan making, the importance of interim arrangements and 5 year land supply.

Uttlesford Local Plan Consultation and Duty to Cooperate processes

A desktop review of the Consultation and Duty to Cooperate documentation and required processes has been undertaken. The information reviewed was collated from the publicly available documents on the Uttlesford Council website which relate to the ULP.

The key message emerging from the review is that a range of significant documents do not appear within the materials available. It would have been of advantage to have provided a consultation strategy for the development of the ULP and its required stages. It would also have been of benefit to provide consultation delivery plan to help inform the inspector of the approach taken to engage with the public and key stakeholders for each of the required stages.

With regard to the Duty to Cooperate much the same can be said for the documentation that appeared to be lacking. A stakeholder management strategy and a respective plan for fulfilling the duty to cooperate would have been of significant benefit to the Inspector when reviewing this element of the Local Plan production.

Although speculative, it is felt that if the Inspector had continued with inspection these would have likely formed further issues that would have been raised as part of the examination process.