



Uttlesford District Council: Pre-Submission Local Plan Review



1. Introduction

1.1 Overview

Amec Foster Wheeler Environment and Infrastructure UK Ltd (hereafter referred to as Amec Foster Wheeler) has completed a critical friend review of the Uttlesford District Council Pre-Submission Local Plan (LP) Strategic Environmental Assessment (SEA) and Sustainability Appraisal (SA) Environmental Report (April 2014) and addendum (June 2014).

This review is intended 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.

This note considers the process of site identification and the relationship to the Strategic Housing Land Availability Assessment (SHLAA) to plan making.

2. Process of Identification

2.1 Objectively Assessed Need

The Council has signalled the intent to commission a Strategic Housing Market Assessment in co-operation with neighbouring authorities to evaluate its Objectively Assessed Need (OAN). This is a discreet piece of evidence that will set out the demand for housing to be addressed through the Plan and is not considered further here.

2.2 Requirement

Site selection to meet the OAN is a product 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 all cases sites will possess a range of attributes and constraints. Aside from the transparency of the process through which the Elsenham growth option emerged, the Inspector's comments on the weaknesses of the allocation are informative. They suggest a refinement to the Council's environmental sieving to identify the physical implications of development as well as any policy compromises that will need to be made. In particular, the Inspector expressed concern about:



- ▶ The scale of the proposed development (badged as a strategic extension) in relation to the size, character and function of the village taking into account already committed proposals to extend its boundaries;
- ▶ The ability of the allocation to integrate with and to take advantage of services in the existing settlement given the intervening influence of the railway line and the sporadic nature of access across the level-crossing; and
- ▶ The accessibility of the allocation given the length, quality and environmental issues associated with transport routes to the strategic highway network.

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.

3. Towards Reasonable Options

3.1 Characterisation of the District

The issues highlighted by the Inspector can be addressed through the following approach to characterise the opportunities and constraints of the District to assess the degree of realism of particular options for the LP given locational attributes.

Environmental Policies

The Council's evidence base sets out a process of sieving sites and identifying environmental constraints – through exclusionary and discretionary objectives. This approach is highly appropriate. If Stages 1 and 2 of the approach relate to the Exclusionary and Discretionary Constraints respectively, then suggested refinements are as follow.

Existing Settlements

Stage 3 would map settlement boundaries and the level of facilities found within them. This can be done on the basis of the settlement hierarchy but with a particular emphasis upon the incidence of higher level facilities and high trip generators such as secondary schools, supermarkets and business parks.

Accessibility

Stage 4 could map the accessibility of locations to highlight the implications for existing settlements and for the rural area. This would form a combination of barriers and opportunities which could inform site assessments in the SHLAA:

- ▶ The barriers presented by natural and physical features – e.g. the M11 and the railway at Elsenham and Newport. An example from an exercise that reflects the constraints posed by infrastructure on accessibility to educational facilities is at Appendix A. Other barriers such as the River Cam will already have been revealed under Stages 1 and 2;
- ▶ The standard of existing road infrastructure. This assessment would comprise a combination of junction capacity, accident data, highway width and extent of highway land and should, as a minimum, be applied to all 'A' and 'B' category roads as well as to motorway junctions;
- ▶ The incidence of 'pinch points' and potential associated capacity / environmental impacts on the network. The Inspector cited Lower Street in Stansted as an area of concern;
- ▶ Consideration could be given to the assessment of isochrone travel times around existing facilities and existing (and potentially) proposed employment locations and transport nodes such as – but not limited to – Stansted Airport, Saffron Walden, M11 Junction 8, Bishop's Stortford etc. This would form a context against which candidate sites could be assessed. The example at Appendix A depicts sustainable walking distances around secondary schools which

could be replicated in Uttlesford. As this exercise may be labour intensive it is suggested that it be restricted to higher order services with assessment of lower order services being requested from promoters as part of the SHLAA call for sites. A suggested division is in Table 3.1.

Table 3.1 *Plotting Facilities – A suggested division*

	SHLAA Call for Sites?	Apply Isochrones?	Source of Data
Convenience Store	Yes		
Supermarket	Yes		
Community Hall / Pub	Yes		
Primary School	Yes		
GP Surgery	Yes		
Playing Pitches	Yes		
Bus Stops with frequent service	Yes		
Retail Centre		Yes	Local Plan Layer
Employment / Commercial Location		Yes	Local Plan Layer
Secondary School (x6)		Yes	LEA Website
Railway Stations (x5)		Yes	
Leisure Centre (x2)		Yes	UDP Website
M11 / Trunk Road access		Yes	Local Plan Layer / other

A simplification of this process could be to apply a simple buffer around each facility according to the distances drawn from the report of the Urban Task Force which are attached at Appendix B. However, the presence of strong physical barriers in the District – the effect of which is demonstrated in the example at Appendix B – mean that this approach needs to be applied with thought.

This process should enable the existing environmental policy and accessibility of the District to be effectively characterised. When mapped, it should be possible to evaluate how far strategic development options and candidate sites in the SHLAA could be served by existing services and transport infrastructure.

A further Stage 4a could identify where gaps exist within the utilities network. Strategic issues such as wastewater treatment capacity should already be known and the implications for particular settlements understood. Other issues such as lengthy stretches of undersized trunk sewers / combined sewers may also have implications for viability in certain locations.

It is considered that the onus will be upon the promoter to demonstrate how non-designated assets and detailed constraints – archaeological potential / wildlife habitats can be accommodated within their own proposals.

3.2 Issues and Options Stage

The product of the above work could usefully support consultation on the Issues and Options providing a valuable element to the District Portrait as well as informing the future LP and the SA of each option.

3.3 Addressing the Urban / Rural Split

It is likely that the Issues and Options to be consulted upon will represent degrees of urban concentration, strategic extensions or new settlements but also a contribution from the rural area.

In addressing the rural area, there is danger in assuming that 'villages' will collectively contribute a particular percentage of growth as it removes this contribution from the supply that is supported by specific policy support in favour of unplanned windfalls. It would introduce an element of chance and, therefore risk.

Depending upon the extent to which the Council wishes to rely on urban or strategic sites. This decision will need to be informed by the following:

- ▶ The need to ensure the effectiveness of the ULP to deliver the significant boost in housing delivery that national policy requires;
- ▶ An analysis of the delivery of windfalls historically delivered across the villages;
- ▶ A judgement based on the Settlement Appraisals on the ability of villages to grow within acceptable limits and the level of facilities available to serve / be supported by growth;
- ▶ A judgement on the likely contribution of any Neighbourhood Plans being produced.

In the final analysis, a balance will need to be struck and the plan making process should be proportionate to the objectives it seeks to deliver. However, for a Plan to be 'sound' and to continue to be 'up to date' the LPA must demonstrate the effectiveness of its delivery. Should unrealistic or unspecified expectations be attached to village windfalls then the Council will be rendered vulnerable to appeals and lose control of its spatial strategy.

4. The Relationship to the SHLAA and Site Promotion

The SHLAA forms a two way engagement with the development industry through which the attributes of potential sites are assessed. The Issues and Options stage of plan making can be used to further the Council's aims in the following way:

- ▶ Focus early attention on the constraints faced by particular locations. Whilst the Council will take its own view on the attributes of particular sites, it will also serve to prompt the developer to seek to address constraints and reassure the Council that their proposal represents a deliverable site;
- ▶ It could focus early attention on the attributes of particular locations where sites have not been promoted. This would send a strong message to the development industry which is likely to respond;
- ▶ This may imply a flexible approach to the SHLAA updated at year end but with sites accepted at any other time so removing any artificial deadline that would preclude the ongoing consideration of new options.

5. Interim Arrangement and Five Year Supply

Time is clearly of the essence. As a new adopted LP is some years away, the Council is reliant upon the 2005 Uttlesford District Plan and windfalls to demonstrate a five year supply of housing land. As this may not be possible without an up-to-date OAN, then the Council will be vulnerable to speculative applications coming forward outside of the plan making process.

Clearly any such applicants will need to demonstrate that they represent sustainable development as required by the NPPF.



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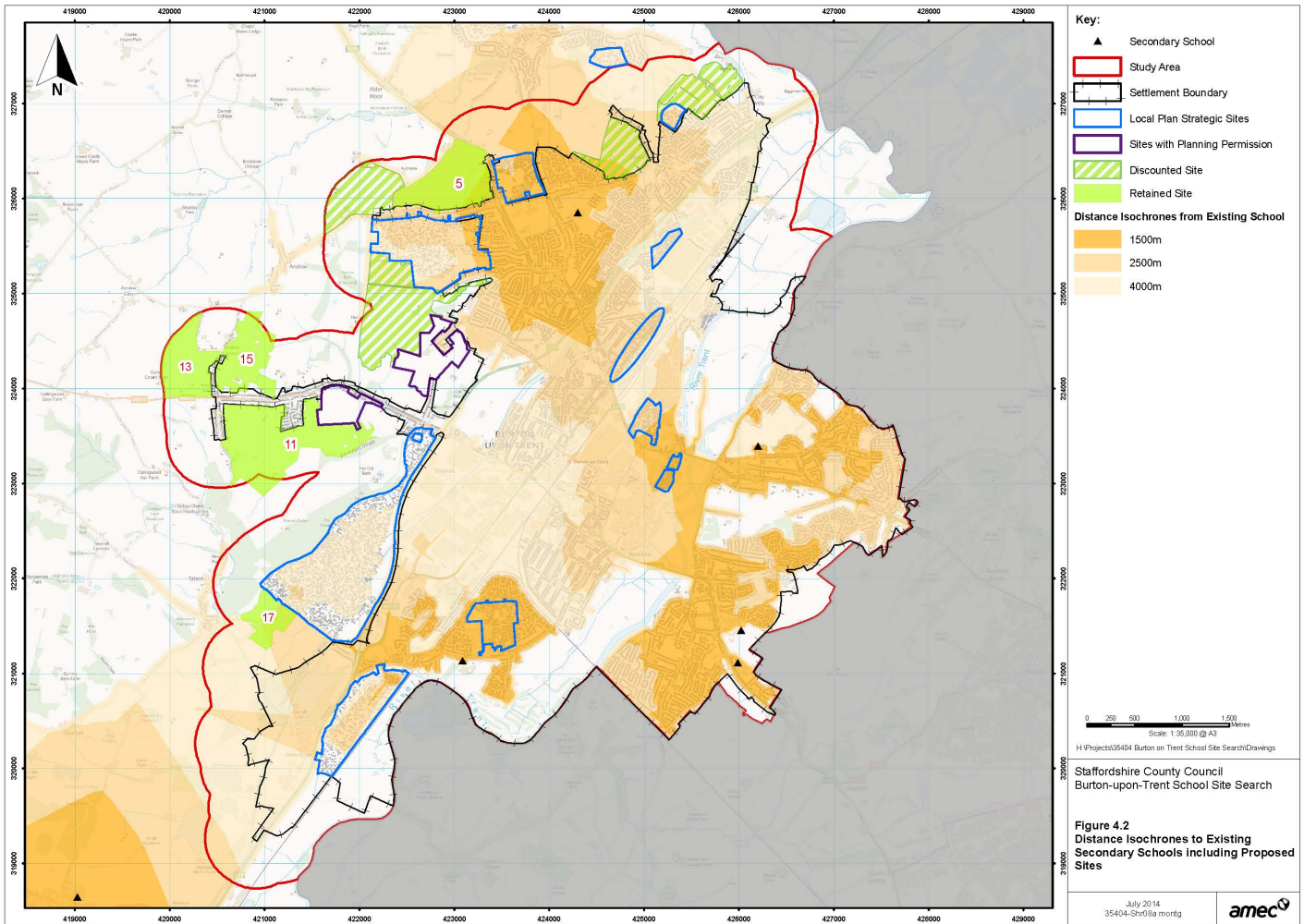
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Appendix A

Sample Isochrone Analysis



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Appendix B

Sustainable Distances by Facility (Source: Towards an Urban Renaissance, the report of the Urban task Force, 1999)

