

**CABINET MEETING held at COUNCIL OFFICES, LONDON ROAD,  
SAFFRON WALDEN on 6 JULY 2017 at 7pm**

Present: Councillor H Rolfe (Leader)  
Councillor S Barker (Deputy Leader and Cabinet Member for Environmental Services)  
Councillor S Howell (Cabinet Member for Finance and Administration)  
Councillor V Ranger (Cabinet Member for Communities and Partnerships)  
Councillor J Redfern (Cabinet Member for Housing)  
Councillor H Ryles (Cabinet Member for Economic Development)

Also present: Councillor M Foley, substituting for Councillor A Dean, Chairman of Scrutiny Committee and Liberal Democrat group Leader and Councillor P Lees, substituting for Councillor J Lodge, Leader of the Residents for Uttlesford group.

Officers in attendance: D French (Chief Executive), R Fox (Planning Policy Team Leader), R Harborough (Director of Public Services), S Pugh (Interim Head of Legal Services) and P Snow (Democratic and Electoral Services Manager)

CA16

**PUBLIC SPEAKING**

Ken McDonald, a resident of Stansted, and David Beedle, a Great Dunmow Town Councillor, made public statements about the Local Plan. Their statements are appended to the Minutes.

In respect of the comments made by Mr McDonald doubting the validity of the forecast of housing need, the Leader said he took the point raised seriously.

The Planning Policy Team Leader commented that the population projections used by the consultants were nationally recognised and had been supported by the Planning Inspectorate on public examination.

Councillor Rolfe further commented that clarity had been achieved around the housing numbers and this was essential to the process of public consultation. If a particular site was found not to be appropriate adjustments would be considered as long as the overall housing numbers remained undisturbed.

CA17

**APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

An apology for absence was received from Councillor Lodge.

Councillor Barker declared a personal interest as a member of Essex County Council.

Councillor Redfern asked whether she should declare an interest as a member of Great Chesterford Parish Council. The Interim Head of Legal

Services said there was no need for her to do so unless the parish Council had an interest in land affected by potential development.

CA18

## **MINUTES**

The Minutes of the meeting held on 25 May 2017 were received, confirmed and signed by the Chairman as a correct record.

CA19

## **REGULATION 18 DRAFT UTTLESFORD LOCAL PLAN**

Councillor S Barker proposed that the Council be recommended to approve the draft Local Plan for consultation in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

At the same time, recommendation 4 in the report was being withdrawn.

She thanked the officers for the tremendous work the officers had put in to prepare the plan ready for consultation. This had involved a huge amount of information gathering and interrogation.

There were three parts to the consultation involving the housing allocations, the employment allocations and the development management policies. This consultation was the opportunity for everyone to comment.

In March 2016 the Council had agreed to consider a new settlement, or settlements, as a potential way of delivering its housing numbers and this option had become a reality in the draft Local Plan. Our housing numbers had been determined using 2014 data and this resulted in 14,100 new homes assessed as being needed across the district in the plan period spanning 2011 to 2033. Whilst far higher than previously anticipated, the requirement to use this latest ORS data had been cited in the East Herts plan examination and had been recommended by planning inspectors and by retained counsel. Whilst our neighbours in East Herts, South Cambridgeshire and Braintree all had greater numbers to deliver, Uttlesford's figures were challenging in percentage terms against the base population.

The numbers in the plan were not just houses but were homes for our children and for their children, friends and neighbours for years to come. During the period from 2011 to 2016 almost 500 houses per year had been built and planning permission had been granted for a further 4,013 dwellings. On top of this the Council had built in a windfall allowance of 70 houses a year, accounting for a further 1,190 homes in the remaining part of the plan period. This would leave a total of 5,926 new homes to be provided.

Policy SP3 in the plan set out where these homes were proposed to be built. She outlined the housing numbers proposed in the larger towns, key village settlements and other villages. In addition, seven sites had been examined as potential new settlement sites but four of these had been rejected for a variety of reasons.

The balance of the housing supply was being proposed on new settlement sites at Easton Park, at North Uttlesford, and close to Stebbing Green

adjacent to the Braintree border, as part of a new settlement to be developed in conjunction with Braintree District Council. These were on sites projected eventually to accommodate 10,000, 5,000 and 10,000 new homes respectively as new garden communities. The capacity of these sites to deliver new homes within the plan period had been assessed as 1,800, 1,900 and 970 respectively.

The professional opinion of officers was that all three sites would be needed to deliver a robust plan and to meet the assessed housing need. A building rate of between 150 and 175 was considered as a realistic target from 2021/22.

All of these new allocations would result in infrastructure needs in terms of new schools, water supply and health facilities, as well as to meet recreational needs. The road and rail network would come under increasing pressure. Planned improvements at junction 8 would benefit the local economy. All of these factors would help to build a shared spirit of community in the new and existing communities.

The Local Plan was designed to encourage new employment opportunities to provide the home-grown jobs that would be needed in the local economy. It would also deliver the housing needs of the area. The studies supported the need to build 640 homes per year and the plan was designed to deliver that target figure.

Councillor Rolfe seconded the motion. He said that the Cabinet, and subsequently the Council, was being asked to approve publication of the Local Plan for the Regulation 18 consultation and nothing more. There were two key points to take into account. One was the schedule of changes discussed by the Planning Policy Working Group. The second was to consider the impact of the capacity issues at Stansted Airport.

In drawing attention to policy H6, Councillor Redfern asked whether there had been a change of policy from 20% to 40% affordable housing provision on sites of 11 dwellings or more. The Director of Public Services confirmed that was the case.

Councillor Redfern commented that she supported the Regulation 18 consultation but had considerable reservations about the inclusion of the North Uttlesford Garden Community closely adjoining Great Chesterford in her ward. She felt it unreasonable to plan for a garden community in such close proximity to a key village settlement and asked for proper protection from the new settlement for Great Chesterford. The area of land up to Stump Cross should have green belt protection. She did not consider the proposed 500m buffer to be sufficient to protect the historic environment and landscape.

The planned access down Park Road would become a rat run and she urged consideration to be given to new bus services linking the new settlement with Whittlesford or Audley End stations.

Councillor Rolfe said that he had noted Councillor Redfern's comments. The key was the mitigation provided by the 500m protection zone and the benefits

that would accrue to local communities from the £2.3 billion housing infrastructure fund that would be available. Local bus service provision would depend upon the outcome of the franchises on offer.

Councillor Ranger said that he supported publication of the draft Local Plan under Regulation 18 and would reserve any other comments until the outcome of the consultation was known.

Councillor Foley thanked the Leader for inviting him to speak in the absence of Councillor Dean. He expressed concerns about the effect of urban sprawl especially in relation to the short distance between the planned Easton Park development and the town of Great Dunmow. A planning application for 700 houses had already been rejected and the same considerations applied to the Eastons area.

In response to Councillor Foley's contribution, Councillor Barker said that the plan for a new garden community had potential to include a new country park that would operate as a buffer between the two settlements.

Councillor Howell confirmed his readiness to support the draft Local Plan and said that it was appropriate to consult on the basis of the document as drafted. It was right that Uttlesford as a community should come to a solution to deal with an unpalatable and unpleasant problem. It was also correct that the local community should be in a position to take democratic decisions about housing sites rather than have solutions imposed from Whitehall.

Three years ago, no one would have expected there to be a need to build 640 homes per year and to plan three new settlements. He had sympathy and concern for local residents confronting these challenges. The process followed by the Planning Policy Working Group had been transparent and evidence based.

The inspector had halted the previous attempt to form a Local Plan in 2014 and a lot of work had gone into getting the process back on track. It amounted to more than simply a housing plan. Whilst acknowledging that it would be impossible to reconcile the competing interests of all residents, he nevertheless considered the proposal for three new settlements to be appropriate. He would support the Local Plan publication at Full Council.

Councillor Lees was invited to speak on behalf of the Residents for Uttlesford group. She said that the plan was not as evidence based as she would have liked but it was an impressive piece of work. She asked for an assurance that any good, salient points made during the public consultation would be taken on board and she sympathised with the comments made by Councillor Redfern.

She then asked whether, if planning permissions granted exceeded the number of houses needed during the plan period, suitable adjustments to numbers would be made.

Councillor Barker responded that there were very few sites available within development limits. The likelihood of any remaining sites being approved

would reduce over time. She further commented that if there were good reasons why a site would be suitable for housing development why would it not have been put forward?

Councillor Lees asked whether, in the event that a refusal for 120 dwellings were to be overturned on appeal, that would result in adjustments to housing numbers.

Councillor Rolfe drew attention to two appeals with the possibility of a third. He said that more planning approvals would make a difference and may then be a material factor in considering the consultation outcome.

The Director of Public Services confirmed that account would be taken of any further land allocated for housing.

The Leader further commented that the outcome would hinge on a three way discussion between Uttlesford planners, developers and parish councils.

Councillor Redfern asked how it would be possible to capture garden community principles in realising local community benefits from land value. She asked for reassurance that enough expertise would be available internally to ensure that developers could not escape garden community obligations.

The Director of Public Services commented that a robust and sound framework would be adopted to deliver the growth set out in the plan by demonstrating the planned rates of supply were realistic.

Councillor Foley asked about the process required to ensure the right people would be involved with the garden developments. The Director of Public Services pointed out that planning permission went with the land and was not particular to an applicant. The Planning Policy Team Leader confirmed that mechanisms were available to ensure that garden community principles were enshrined. This meant that democratic accountability considerations could always be applied.

In summarising, Councillor Rolfe said that he supported the consultation. Although he shared the concerns expressed by Councillors Redfern and Lees, a great deal of hard work had been committed to the Local Plan process already and further discussions with developers would take place to ensure compliance with building rates and the garden principles put in place.

Members then questioned the lack of apparent detail of the garden community principles in the draft plan and asked about the availability of officer expertise.

Reassurance was given to the meeting that expertise and best practice guidance were widely available. The Leader confirmed that the Council would adhere to core principles and would pay close attention to the need to capture land value for suitable infrastructure projects.

Councillor Foley asked whether a plan B was available in the event that one of the sites did not proceed. Councillor Rolfe said the Council would stay focussed on the need to provide the required number of houses so that DCLG

intervention did not become necessary. If one plan became unworkable then alternatives must be examined. In the event that a new settlement site did not proceed the only viable alternative was dispersal.

The Director of Public Services added that some limited scope existed for adjustment but the opportunity for a radically different approach was not available.

Councillor Ranger referred Councillor Redfern to Policy SP5 stating that detailed development frameworks would be prepared. The Local Plan could not include the level of detail being discussed.

Councillor Rolfe then put the motion to the vote which was duly carried.

RESOLVED to recommend to Full Council that the draft Local Plan be published in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012

CA20

### **LOCAL DEVELOPMENT SCHEME**

Councillor Barker proposed the report to adopt the revised Local Development Scheme. She referred to the Local Plan changes schedule, especially those items relating to Stansted Airport. These amendments had been circulated in advance of the meeting. The LDS had been updated to reflect the revised timetable.

The Leader informed members that the consultation period had been extended until Monday 4 September to bridge the August Bank Holiday weekend.

Councillor Redfern said that several parish councils in her ward had already had their July meeting. The Leader suggested that parish councils could hold special meetings to consider the draft Local Plan.

RESOLVED to adopt the Local Development Scheme

CA21

### **BRAINTREE DISTRICT COUNCIL DRAFT LOCAL PLAN CONSULTATION**

Councillor Barker proposed delegating authority to enable the submission of a formal response on Braintree's draft Local Plan. It was agreed to give all councillors sight of the draft comments before the closing date of 28 July.

RESOLVED to delegate authority to the Director of Public Services in consultation with the Leader and Portfolio Holder for Environmental Services to respond formally to Braintree District Council

The meeting ended at 8:25pm.

## APPENDIX – PUBLIC SPEAKING STATEMENTS

Statement by Ken McDonald, 2 Greenfields, Stansted Mountfitchet, CM24 8AH

Good evening. My name is Ken McDonald. I have lived in Uttlesford for 36 years. I am a Chartered Accountant and was for many years a financial director and company secretary. I refer to my professional background because, to me, it seems to be of relevance regarding many aspects of the Local Plan. Whilst my knowledge of planning is limited, I am accustomed to working with figures and words, and I understand the concepts of auditing and audit trails.

I wish to make two points regarding your Local Plan process. I deliberately say “your” process because, as I understand it, you are responsible. Whilst you may delegate, you don’t lose that responsibility.

I have been commenting regularly, as a “critical friend”, on the drafting of the Local Plan since October 2015 but, sadly, I have no evidence that my comments have been taken seriously, considered or answered. I have not been alone in making some of these comments. That is my first point – that you claim to consult and claim to welcome feedback, yet there is no tangible evidence that you have taken any notice.

I understand that you personally may not be familiar with some of the issues I have raised, or understand what I have been saying, but you have also failed to respond to my suggestion that you ask an independent “expert” to review my comments. I took the trouble to submit thirteen pages of comment in response to your November 2015 Local Plan consultation, yet the summary of responses reduced my comments to just three, yes three, words, “SHMA poorly evidenced”.

The Council’s record so far falls well short of the meaning of “consultation”. You seem to simply avoid transparent, evidence-based assessment or alternative views. I can only conjecture what motivates this approach. I sincerely hope that you will properly consider responses to the Regulation 18 consultation - and that the consultation will allow freedom of expression and not simply ask for boxes to be ticked.

My second point goes to the very foundation of this plan – the forecast of housing need. You may recall that I have raised this point before, but in the absence of an explanation, not just vague assurances, you will keep hearing it. There is no audit trail that shows how Uttlesford’s population-growth and housing-need forecasts have been derived. The result appears to ignore the longer-term historical trend that points to a much lower need for houses than you are now planning.

Uttlesford’s population growth over the last three decades, between Censuses, has been 8%, 4% and 15%. The recent spurt, between 2001 and 2011, was due to an exceptional period of housebuilding, approved in the 1990s to meet the anticipated need that would arise from Stansted Airport’s expansion. You are now planning for the number of dwellings to grow at the rate of 17% per decade - much higher than historical trends and higher than almost anywhere else in England.

Whatever may be your motivation, it seems to pay little regard to the well-being of the district or the wishes of your electorate.

## PROPOSED REPRESENTATION BY CLLR. DAVID BEEDLE

Chairman, Councillors,

David Beedle councillor Great Dunmow Town Council, member of the Steering Group for the Gt. Dunmow Neighbourhood Plan. It took four years to produce – four years of evidence gathering, research and public consultation. The first in Uttlesford; in fact, we are the first town in the whole of Essex.

**We object to draft Local Plan Site Policy GtDUN4 page 185-186 - allocation of 60 dwellings LAND SOUTH OF B1256 (STORTFORD ROAD) AND WEST OF BUTTLEYS LANE, GREAT DUNMOW** it conflicts with one of the most important policies in the Neighbourhood Plan, which is the Town Development Area - Policy DS1.

This policy was justified as public consultation revealed a very strong local commitment to the rural setting of the town. Therefore, a high local priority to constrain urban sprawl which would destroy this rural setting and lead to encroachment into the surrounding countryside and merging with neighbouring settlements.

When inspecting the Neighbourhood Plan, the independent examiner stated:

- There was a robust evidence base.
- All statutory consultees had been consulted, including local land owners.
- The public consultation process represented a very substantial commitment to ensuring that issues of concern were addressed.
- The Neighbourhood Plan had been positively prepared recognising the need for new development but ensuring that it is delivered in a way that will be sustainable and contribute to, rather than, harm quality of life in the town.

You supported and approved the Neighbourhood Plan, and it subsequently passed independent examination and received an overwhelming 'Yes' vote from residents in the referendum.

To leave this site allocation in the local plan would be evidence of a developer-led decision, would be contrary to the legally adopted Neighbourhood Plan, and fly in the face of the wishes of the community.

**Our second major concern is the inclusion of Easton Park as a new settlement.** You will be well aware of our concerns as, over the past months, we have held meetings with Cllr. Rolfe and our District Councillors, and my colleague Councillor Wendy Barron has spoken at two of your PPWG meetings.

Therefore I will simply bullet-point our main comments:

- How can a new town built between an expanding Stansted Airport and the town of Great Dunmow be anything other than urban sprawl?

- A development at Easton Park was rejected in the recent past as being unsustainable even when shops, employment land and schools were offered – what has changed?
- Although there are 10,000 houses in the Land Sec Master Plan, the number of houses being proposed for the plan period is 1,800. Community facilities will only be provided to support each phase of new homes. Until then, there will be a burden on the facilities of Gt. Dunmow and other villages such as school places and health care.
- There will be a massive impact on traffic. There is only one way in and out of a town of 10,000 houses and this is the main access to Great Dunmow – it will also have to serve a quarry and a new business park. How can the A120 and local roads support it?

**The people of Great Dunmow deserve to have the policies in their Neighbourhood Plan upheld and respected.**

Finally, can you please confirm that you will be holding local public events during the consultation period so that residents can have an opportunity to see the draft local plan and ask questions so that they can be informed and encouraged to respond.