

**LOCAL PLAN WORKING GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 9.30am on 15 SEPTEMBER 2014**

Present: Councillor H Rolfe – Chairman  
Councillors S Barker, J Cheetham, K Eden, E Godwin,  
J Ketteridge, J Menell, E Oliver, V Ranger and D Watson.

Also present: Councillors C Cant, A Dean, J Davey, E Hicks and D Morson.

Officers in attendance: M Cox (Democratic Services Officer), R Harborough (Director of Public Services), H Hayden (Planning Policy Officer), S Nicholas (Senior Planning Policy Officer) and A Taylor (Assistant Director Planning and Building Control).

**LP14 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Mackman and Rose.

Councillors Watson and Eden declared non – pecuniary interests as members of Saffron Walden Town Council.

Councillor Cheetham declared a non – pecuniary interest as a member of the Hatfield Forest Management Committee.

**LP15 MINUTES**

The minutes of the meeting held on 24 July 2014 were approved and signed as a correct record

**LP16 BUSINESS ARISING**

**i) Minute LP12 – Gypsy and traveller accommodation assessment and allocation process**

In answer to a question from Councillor Menell, it was reported that the consultant's report on the gypsy and traveller site allocation was expected next week. The consultants had assessed the capacity and suitability of potential sites, looking at existing pitches and those which had come forward during the call for the sites. The report would recommend how to fulfil the identified need. These recommendations would be considered by the working group followed by a public consultation on the proposed site allocations.

In answer to a question from Councillor Oliver, it was explained that the consultants had initially approached the landowners to establish which sites were available and deliverable as the situation would have changed over time. The next stage of consultation on the proposed allocations would seek the views of the wider public, including the parish councils.

LP17

## **LOCAL PLAN EXAMINATION INSPECTOR'S QUESTIONS**

The working group had received copies of the Inspector's initial questions and concerns in relation to forthcoming local plan inquiry. The questions had sought clarity on a number of areas and were mainly of a technical nature and had been circulated widely amongst internal and external colleagues who were involved with the plan process. The Council's response to the questions was required to be submitted by 17 September 2014.

LP18

## **COUNCIL'S RESPONSE TO THE INSPECTOR'S QUESTIONS**

A response to the Inspector's report had been prepared and had been circulated to all councillors. It set out in brief the Inspector's initial questions and concerns, the council's response and the next steps.

The council had been advised at this stage not to publish the response on the grounds that it was up to the Inspector to decide when this should be done. This had been queried with the Programme Officer.

Members were advised that this meeting was not an opportunity to revisit the plan, which had been approved for submission by Full Council. The response mainly required technical answers but members were able to seek clarity and ask questions regarding the proposed response.

The Assistant Director Planning and Building Control advised the group of information that had come to light since the report had been sent to members. The Government had issued a detailed consultation 'Housing Standard Review Technical Consultation'. This consultation was seeking views on the detail of proposals for implementation of the Housing Standards Review and in particular the technical standards that the Government was intending to put in place. The intention was to produce a standardised suite of policies across the country to be dealt with under building regulations.

This would have implications for various parts of the Council's response. Members were concerned that the policies currently included in the plan should not be lost. It was suggested that as the regulations were still in the consultation stage, the council should continue with the response as proposed but to include some reference to the possible implications of the new technical standards.

The working group then went through the document and discussed the council's response in the following areas.

### **1 Duty to Cooperate**

In answer to a query from the Inspector, the response included a letter from Harlow Council confirming that it was satisfied that Uttlesford had satisfied the duty to cooperate.

## **2 The NPPF 'justification' test and the sustainability appraisals of the local plan**

The Inspector had asked for evidence that the council had assessed sustainability at each stage of the plan process. This was evidenced in the response. Members were confident that the council had met this test.

## **3 The relevant housing area (HMA)**

The Inspector had questioned the housing market area assessed for the purpose of the local plan.

The response said that it was not appropriate to treat Uttlesford as a single HMA because of the dominant travel to work patterns focused on Cambridge and London, migration patterns and the fact that the district was substantially within the Harlow/M11 sub market area. These patterns were reflected in the council's local plan growth distribution strategy.

Councillor Dean said he did not agree with the statement made in the response. The locations of the new settlement did not appear to be justified by the analysis of local demand. Officers replied that the new developments were distributed in such a way that there would be provision in all the travel to work areas which look toward Harlow, Chelmsford and Cambridge.

It was also confirmed that the Strategic Housing Market Assessment (SHMA) was being reviewed and an update would be sent to the Inspector.

## **4 Objectively assessed housing need**

The Inspector had questioned whether account had been taken of the latest population projections.

The response confirmed that the phase 6 Greater Essex Demographic Forecasts had been included in the response and updated evidence from the previous phases of the project. This was covered in detail in the response and which stated that the council's figure was considered comparable with the SNP-2012 and the scaled SNPP-2010 figures taking the average between pre and post-recession household formation rates. It was also higher than the alternative trend figures published in the GEDF Phase 6. It was concluded that the UDC figure of 523 was consistent with the official projections.

## **5 5yr Land supply: the Housing trajectory and 5 year land supply**

In order to aid efficiency of the examination and permit attention to be focused on sites that were not already committed, the Inspector had requested a table that listed the policies allocating residential development where all or part of the site was not subject to planning permission.

## **6 The spatial strategy – settlement classifications**

The Inspector had asked for clarity around the different classification of settlements during the local plan preparation.

The response explained that the adopted local plan had classified the settlements according to the allocation, whereas the emerging plan had classified them according to the services available. Members agreed that this approach was more logical and that larger development should be located in settlements with a higher order of services and facilities.

### **Development management policies**

The next part of the response was concerned with the development management policies. The response highlighted the amendments that had been made to some of the policies and supporting text in line with the Inspector's comments and in response to changes in legislation. The more significant issues were discussed as follows.

## **9 Housing Strategy**

Policy SP6 – The Inspector had asked about the provision being made by the council in relation to para 50 of the NPPF, to provide for a variety of needs including self-build homes. The response recommended that this should be included within the local plan in line with Government Policy and the practice of other local authorities.

It was suggested to amend policy SP6 – Meeting Housing Need – to include self-builders in the section 'to provide housing to meet other special housing needs' and an additional sentence in the housing allocations policies to meet the criteria to include at least 1% of serviced self build plots.

It was also suggested to amend para 11.35 to include self builders as people with longstanding links to the local community in terms of qualifying for an exception site.

Members agreed with the approach taken, although commented the high cost of land in the district could make self-build un-affordable.

## **11 Development in the Countryside**

The Inspector had questioned whether policy SP9, the Countryside Protection Zone (CPZ) was an unnecessary tier.

The response set out the case for its continued inclusion. Members cited the value of this policy in the past for preventing coalescence and were determined that it should be retained.

## 14 Access Strategy

In relation to transport modelling, the Inspector had asked whether the present state of evidence was sufficient to demonstrate that Uttlesford's allocations, taken together with those in nearby districts would be compatible with the capacity of the road network.

Councillor Dean raised the following points

- i) He asked for an explanation of the strategy behind the improvements to the M11 junction 8.
- ii) The report said that there was route capacity south of Elsenham but this was not the most direct and convenient route for residents so in reality it was unlikely to be used.
- iii) He asked about the current status of the western link road.
- iv) He questioned the modelling for more than 800 homes on the Elsenham site and the mitigation measures that would be required. He thought this information should be available at this stage and asked whether the inspector would be satisfied with the Council's response.

The report set out the evidence to support the strategy, in particular the Highways Impact Assessment to 2031, in relation to Elsenham and the strategic road network.

The response concluded that the allocations which would have a material impact on M11 J8 were those in Elsenham and the employment land allocation North East of Bury Lodge Lane, Stansted and in East Herts, the developments around Bishop's Stortford North. The allocations were sound because mitigation measures had been identified which would ensure that J8 continued to operate within capacity up to the mid-2020s with these developments.

The modelling would be progressed through the Duty to Cooperate, and developers when making planning applications would be required to demonstrate that adequate infrastructure could be provided on and off site, taking into account cumulative impacts. This approach had already demonstrated that there was sufficient capacity for an 800 homes development at Elsenham in combination with 548 homes on other sites in the settlement.

The delivery of more than 800 homes on the Fairfield site at Elsenham was profiled from 2024/25, which was considered adequate time for highway scheme development and the preparation of business cases underpinned by the required level of modelling to enable appropriate mitigation to be provided.

In answer to specific points raised, it was stated that the western link road would probably not be pursued as the cost for the junction 8 improvement short/medium term measures would be considerably less. It was not possible to have a detailed plan to the end of the plan period before detailed traffic

movements were identified but there was considered to be sufficient evidence for the first 10 years of the plan.

Councillor Barker said that the response didn't mention the additional traffic generated from the proposed allocations in Dunmow and its impact on junction 8. She was advised that the conclusion had been reached that impact from these developments would be too dispersed and limited to seek a developer contribution.

## **17 Elsenham**

The Inspector's questions had asked about the council's process for choosing the Elsenham site as a new settlement as part of its strategy for meeting its assessed housing need. He questioned the locations that had been identified and considered, and why Elsenham had been judged as the most appropriate site.

Council Dean said that the methodology for considering alternative sites had not been not considered at a public meeting. He disagreed with the report's statement that all potential sites had been considered, when he understood that Bidwell's had been refused a meeting with officers to discuss the site north of Great Chesterford.

The Council's response stated that the council had looked at all options since the start of the plan process in 2006. Once the strategy for development had been agreed, the council had considered the sites that had scored well in the SCHLAA and their comparative sustainability appraisals. When considering option 4, the six possible alternative sites had all come before the working group. The Elsenham site had been chosen after thorough assessment that showed the site to be the most sustainable.

With regards to the Bidwell's representation, it was clarified that at that time the Policy Team was not meeting anybody progressing alternative sites. The Council had offered pre-application discussions should Bidwell's wish to progress the scheme by way of a planning application but this had been declined.

Members of the group were satisfied that all alternatives had been considered. The 'methodology for selecting additional housing sites - October 2013' had been posted on the website with the documents for the meeting when the matter had been considered by the working group.

## **Conclusion**

The working group AGREED to note the response and for the document to be sent to the Inspector, including the typographical changes highlighted at the meeting.

Councillor Watson said that he considered the Local Plan to be flawed and asked that it be recorded that he did not wish to be associated with the response.

Councillor Rolfe thanked officers for the huge amount of work undertaken in preparing the detailed response in such a short period of time.

LP19

## **LONDON PLAN**

Further to the recent consultation on the proposed London Plan, 51 authorities had signed a letter expressing concern at the shortfall in proposed housing numbers, a significant gap of around 20,000 between the identified need and the likely supply of housing. Local authorities and developers were interested in the Inspector's conclusions but also wanted the Plan to be found sound in order to maintain the supply of houses. Members noted that this should be flagged as an issue at the next review of the London Plan due in 2019/20 as there had been no discussion about how this shortfall might be met.

The meeting ended at 11.45 am.