

Uttlesford District Council

Chief Executive: John Mitchell

Uttlesford Planning Policy Working Group

Date: Monday, 26 January 2015
Time: 19:00
Venue: Council Chamber
Address: Council Offices, London Road, Saffron Walden, CB11 4ER

Members: Councillors S Barker, P Davies, A Dean, K Eden, S Harris, S Howell, M Lemon, J Loughlin, E Oliver, J Parry, H Rolfe and J Salmon.

AGENDA

- 1 Election of Chairman**
To elect a Chairman.
- 2 Apologies for absence and declarations of interest.**
To receive apologies for absence and declarations of interest.
- 3 Minutes of the meeting of the Local Plan Working Group on 11 November 2014** 5 - 8
To consider the minutes of the meeting of the Local Plan Working Group on 11 November 2014.
- 4 Matters arising.**
To consider matters arising from the minutes of the last meeting of the Local Plan Working Group.
- 5 Local Plan update and next steps** 9 - 34
To give an update on the Local Plan and next steps.

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| 6 | Withdrawal of Local Plan from Examination process
Update on the withdrawal of the Local Plan from the Examination process (verbal item). | |
| 7 | Local Development Scheme
To consider the Local Development Scheme. | 35 - 64 |
| 8 | Five year land supply update
To note the five year land supply. | 65 - 76 |
| 9 | Duty to cooperate
Update on the duty to cooperate process. | 77 - 120 |
| 10 | Gypsy and traveller issues and options consultation update
To note progress on the gypsy and traveller issues and options consultation. | 121 - 128 |
| 11 | Annual Monitoring Report
To note the annual monitoring report. | 129 - 130 |
| 12 | Network Rail Anglia route study draft for consultation
To consider the response to the Network Rail Anglia route study consultation. | 131 - 138 |
| 13 | Any other items which the Chairman considers to be urgent
To consider any other items which the Chairman considers to be urgent. | |

MEETINGS AND THE PUBLIC

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LOCAL PLAN WORKING GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 4.00pm on 11 NOVEMBER 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: Councillor S Howell.

Officers in attendance: M Cox (Democratic Services Officer), H Hayden (Planning Policy Officer) and A Taylor (Assistant Director Planning and Building Control).

LP29 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor Rose.

LP30 MINUTES

The minutes of the meeting held on 21 October 2014 were approved and signed as a correct record.

Councillor Oliver asked that para 11 of minute LP23 be expanded to clarify that the support for smaller pitches arose from the views expressed at a recent conference with the travelling community.

LP31 GYPSY AND TRAVELLER ISSUES AND OPTIONS CONSULTATION

The working group received the draft Gypsy and Traveller Issues and Options Consultation. The consultation would run for 8 weeks from 8 December 2014 – 2 February 2015. It set out a number of questions to various issues including vision and objectives, current and future need, site assessment, location, size of sites and options and timescale for delivery. The consultation would be placed on the Limehouse system with the standard template used for all council consultations.

The Leader emphasised that a decision on the allocation of sites would not be made at this stage. A covering letter from the Leader would be included with the consultation. It was suggested that the document forward should explain why the council was required to make provision for gypsy and travellers and how the requirement for 26 pitches had been determined. Two additional paragraphs were suggested and it was agreed that these should be included within the text.

Councillor Oliver was concerned that the document before members was branded with the logo of Peter Brett Associates. He said parish council had

been assured that the issues and options would be a new consultation and not based on the Peter Brett report.

The Assistant Director replied the council had commissioned Peter Brett to produce a new report. It included reference to the previous evidence base, but this was a stand-a-lone consultation document, which asked questions on a wide range of issues. The consultation would follow the approach adopted for the housing allocation and would include all the sites that had been put forward. Members were assured that the final consultation would be branded as a UDC document.

The working group considered the proposed questions in the documents and made a number of minor amendments to the text. Specific comments were made in the following areas.

Q4 -Current and future needs of traveling show people

It was noted that as Uttlesford was not on a key transit route the proposed question should be rephrased to refer to this.

Q7 & Q8 – Site criteria and assessment process

Para 3.3.4 – Members asked that the following section of national policy be highlighted, that the site assessment criteria should be '*fair to travellers whilst respecting the interests of the settled community*'.

Para 3.3.5 – Councillor Menell asked how far policy HO11 had been taken into account within the document. She was advised that the site assessment criteria table within the document had been based on this policy. If residents did not agree with this assessment there was an opportunity to say so in the consultation.

Councillor Watson questioned why sites, which had clearly been rejected, were being put forward in the consultation. It was explained that the council was not yet at a stage of ruling out sites. The production of the Gypsy and Traveller Local Plan was required to follow a legal process and it could be subject to future challenge if sites were excluded at this stage.

Councillor Oliver was concerned about what he considered to be an untrue statement in relation to particular sites in the appendices. He was informed that each site had been independently assessed but the consultation would give the public the opportunity to submit alternative views.

The working group AGREED

- 1) That the Local Plan Working Group endorse the consultation document and the timeframe for consultation
- 2) The group recommend the Gypsy and Traveller Issues and Options consultation document to Cabinet.

RETAIL AND TOWN CENTRE MONITORING REPORT

The working group received the results of the annual survey of non-residential land for 2013/14 which was conducted by Essex County Council on behalf of the District Council. It monitored planning permissions for non-residential use (above a threshold of 250sqm) in the previous year. For any new permissions it recorded the outstanding retail and town centre floorspace created and that which had been lost to other uses.

Members were interested in the vacancy rates and how they varied between the various centres and said it would be useful to see the figures in relation long term vacancies.

The meeting was concerned about the impact of the General Permitted Development Order which allowed the change of use from office accommodation to residential without planning permission, as normal conditions in relation to parking and amenity space etc would not be required.

It was AGREED to keep the situation under review and to make further representations to Government about the council's concerns in this area.

The meeting ended at 5.30pm.

Committee: Uttlesford Planning Policy Working Group

Agenda Item

Date: 26 January 2015

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Title: Local Plan update and next steps

Author: Andrew Taylor, Assistant Director Planning and Building Control

Summary

1. This report details the outcome of the Local Plan Examination and appends the two reports from the Inspector. The report then outlines the next steps in the work programme and a likely timetable for completing this work, including an update on the Strategic Housing Market Assessment.

Recommendation

2. To note the report.
3. To comment on the work plan and timeline set out.

Financial Implications

4. None –expenditure can be met from existing budgets and the Planning Reserve.

Background Papers

None

Impact

5.

Communication/Consultation	Future work will be subject to public consultation
Community Safety	n/a
Equalities	The updated plan will be subject to an EQIA
Health and Safety	n/a
Human Rights/Legal Implications	n/a
Sustainability	The updated plan will be subject to a Sustainability Appraisal, including and

	Strategic Environment Assessment
Ward-specific impacts	Affects all Wards
Workforce/Workplace	None

Situation

6. The Uttlesford Draft Local Plan was submitted for Examination in July 2014 and the Examination Hearings started in November 2014. In the second week of Hearings the Inspector delivered his Summarised Conclusions (Appendix 1) and halted the Hearings so the issues contained in the last two days were not heard.
7. Full Council received an update report at its meeting of 18 December 2014, following the closing of the Examination and agreed:
 - Council authorises the Chief Executive in consultation with all the Group Leaders to advise the Planning Inspectorate that the council will take the appropriate steps to prepare revisions to the submitted Plan to address the soundness issues as confirmed by the formal report of the Examination, once it has been received;
 - Council instructs officers to prepare a revised Local Development Scheme for the preparation of a revised Plan for consideration by a new Working Group or similar body and thence for Cabinet which will include the steps outlined in paragraph 11 (a–e) of the report;
 - Council notes that a report will be prepared for the Working Group and thence for Cabinet identifying those aspects of the Plan which have not been challenged by the Inspector as a basis for preparing a revised plan; and
 - That a further report be brought to Council prior to submission of the revisions to the plan.
8. The Inspector published his final report on 19 December 2014, this is attached at Appendix 2. The Council considers that the Full Conclusions supersede the Summary of Conclusions document, which is now obsolete. Following the third resolution of Council above a report will be prepared for a future Working Group identifying the elements of the Plan which the Inspector found Sound, or Sound subject to Modification.
9. The Council now needs to move forward to prepare an updated plan taking on board the comments made by the Inspector. This process will not be simple or quick due to a number of different issues. The Inspector made clear that the new Objectively Assessed Housing Need should be based on an updated Strategic Housing Market Assessment (SHMA). This work was commissioned during 2014 as a joint piece of work with Epping Forest, East Herts and

Harlow councils. The first phase of the work is due to report in February/March 2015 with an update mid-2015 to take into account more up-to-date household figures from the Office for National Statistics.

10. Once the figures for the whole SHMA and for individual authorities have been received detailed discussions will need to take place between the four authorities to ensure that the total needs of the SHMA area are delivered. Members will be aware of the physical constraints of the Harlow area, but be aware of its desire/need for growth, and the national policy constraints of Epping Forest due to its 92% Green Belt coverage. These Duty to Cooperate discussions will need to cover all these issues before agreeing a final figure for each individual authority, together totalling the SHMA area requirement.
11. These discussions will need to be informed by the Metropolitan Green Belt reviews being carried out by the other three authorities, together with Strategic Land Availability Assessments, as well as discussions with the Greater London Authority. It is anticipated that these discussions will take place in the latter half of 2015.
12. The Council will need to carry out a call for sites for the additional housing required. This is to ensure that all potential available sites can be put forward, assessed and considered as part of the process. The Council will need to carefully consider the assessment criteria for any site proposed together with the level of supporting information and include this as part of the call for sites.
13. Once the assessment of sites has been concluded there will be a need for public consultation on the available options following which the Council will need to select site(s) to put forward as draft allocations and carry out a pre-submission consultation.
14. Additional evidence work will be required to be commissioned to ensure the selected site(s) are adequately assessed and supported.
15. While the existing evidence base is still relevant, there will be a requirement to review the evidence base, commission additional requirements as well as ensure the complete evidence base is up to date.

Projected time-line

Jan – June 2015 – Completion and publication of Strategic Housing Market Assessment
July – December 2015 – Duty to Cooperate discussions and conclusions
July – December 2015 – Call for sites
January – April 2016 – Assessment of sites, Regulation 18 public consultation, site specific evidence base development
May – June 2016 – Regulation 19 Local Plan Pre-submission consultation
July/August 2016 – Local Plan submission
Winter 2016/17 - Examination

Risk Analysis

16.

Risk	Likelihood	Impact	Mitigating actions
SHMA report is delayed.	2. Some delay has already been experienced owing to further work being commissioned.	2. This will delay further work on the Local Plan.	Officers attend steering group meetings and liaise with officers in other Councils to keep consultants to timetable.
Duty to Cooperate discussions take longer than expected or no agreement is reached	2. Given the sensitivities surrounding the issue of housing numbers there is likely to be some reiteration of the process.	3/4. This will delay further work on the Local Plan and if no agreement is reached could have a serious risk on the Local Plan Examination process.	Member and officer attendance at the Cooperation for Sustainable Development Board. Work to ensure that all participants are aware of the need for timely and clear decision making.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Examination of the Uttlesford Local Plan (ULP)

Summarised conclusions of the Inspector after the hearing session on 3 December 2014

This note briefly summarises the conclusions I have reached about the soundness of the plan. It also indicates what I consider likely to be the most positive way forward.

Objectively assessed need for housing (OAN)

Para 47 of the National Planning Policy Framework (NPPF) requires Local Plans to meet the full OAN for market and affordable housing in the Housing Market Area (HMA) as far as consistent with the policies in the NPPF.

The most recent (phase 6) demographic work by Edge Analytics (on the basis of the SNPP-2012 data) indicates an annual dwelling requirement of 508 using 2011-based household formation rates or 549 using 2008-based rates. The average of the two rates gives a requirement of 529pa. In my view this is an appropriate starting point, allowing for some return towards long-term pre-recession trends and avoiding embedding post-recessionary conditions judged to have been reflected in the 2011 Census. In itself this a small addition (6pa) to the plan's provision of 523pa would not be a major issue.

However, Planning Practice Guidance 2a-019 recognises that various factors may require some adjustment to be made to demographically-modelled household projections (e.g. affordable housing needs, employment issues and market signals). The brief for the forthcoming Strategic Housing Market Assessment (SHMA) currently being produced for Uttlesford and its 3 neighbouring authorities in the 'Harlow/M11 corridor' requires PPG compliance on these matters. It remains to be seen how these factors will be considered and weighed in the SHMA.

While evidence on some of these topics is patchy. Taking them in the round and without discussing them in detail here, I consider that an uplift of at least 10% would be a reasonable and proportionate increase in the circumstances of Uttlesford, say to about 580pa.

The submitted plan therefore does not provide for a full PPG-compliant OAN.

Elsenham policy 1 – land north east of Elsenham

The Elsenham strategic allocation emerged as part of the favoured option about 8 years ago at the outset of what has become an extended plan-making process. It is not clear that transparent consideration of other 'new settlement' options took place before the very high level, broad brush comparative Sustainability Assessment (SA) of January 2010, acknowledged by the Council as 'not a full SA'. No further SA of other possible 'new settlement' options took place until June 2014 after the plan had been submitted despite the promoters of other options developing their schemes to varying extents of detail in the intervening period. Whether or not this retrospective exercise meets the requirements of the SEA Regulations as interpreted by subsequent case law, it is questionable whether the Council considered the claims of other candidate locations for growth ('new settlement' or otherwise) to the transparent extent required to constitute 'proportionate evidence' justifying Elsenham as such a major element of what is declared to be the 'most appropriate strategy'.

From all the material produced on this issue by the Council, by the promoters of the site, and by opponents of the allocation, I have severe concerns about the justification for this proposal and thus the soundness of the plan as a whole.

On the basis of its size and level of services the plan regards Elsenham as one of 7 'key villages', the function of which is 'to act as a major focus for development in the rural area, suitable for a scale of development that would reinforce its role as a provider of services to a wide rural area'.

There is no reason in principle why the plan should not propose a step change in the size and status of a key village if this is justified as a sustainable way to meet the district's needs. However, Elsenham is embedded within a rural road network and the areas of the existing and proposed new parts of Elsenham are substantially divided by the railway line, a situation which could become worse if the crossing is closed.

NPPF para 34 says that "Plans should ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes will be maximised."

At Elsenham the opportunity to use trains is a definite benefit but this will only affect a small minority of journeys. The current infrequent bus services will be improved but will still only be modest. Designed opportunities for safe walking and cycling on site will be good, but beyond that effectively no better than they are at present. Most travel will be on rural roads heading

mainly west towards Stansted Mountfitchet through roads clearly unsuited for the purpose, or south through the Countryside Protection Zone via the longer route of Hall road to the airport and destinations along the A120.

It is unclear that any of these routes are fit for purpose to the extent that Elsenham would be able to overcome its overall connectivity disadvantages and be regarded as a sustainable location for growth on this scale.

Further concern about the allocation (in this case after the initial phase of 800 houses) arises from the uncertainty attached to the capacity of M11 (J8) as expressed in the representations about the submitted plan by the Highways Agency and the County Council. The Statement of Common Ground (SoCG) indicates that resources are likely to be available to fund improvements to the junction to cater for planned developments before the mid-2020s; however, further work is required to explore capacity after that date. Although more modelling is proposed to investigate this issue, the outcome of this work (and the availability of funding for any further improvements found necessary at the junction which, it is said, could be very substantial) are both currently unknown. In these circumstances it would be premature, and inconsistent with the PPG on transport evidence bases in plan-making, to recommend adoption of the plan.

The Way Forward

Taken together, my concerns about the OAN and the justification for Elsenham mean that I cannot recommend adoption of the plan as submitted. Nor would I be able to recommend Major Modifications under section 20 of the act which could overcome these soundness defects.

My normal strong inclination would be to 'keep the Development Plan process on the road' wherever possible in order to keep the planning process moving along with as little disruption as possible. However, the scale of work which the Council would need to undertake to propose and consult upon changes to deal with these matters would be greater than could be completed within the normal maximum 6-month period of a suspended examination.

The new SHMA, currently being prepared for Uttlesford and its neighbours in the 'Harlow/M11 corridor' should provide a vehicle for up-to-date, PPG-compliant OAN assessments for these authorities both individually and jointly.

There appears to be widespread recognition that some form of new settlement(s) in an appropriate location may form the most appropriate

means for catering for the future long-term growth of the District on a scale bold enough to achieve maximum possible sustainable critical mass and a long term solution, especially as there may well be limits to how far relatively small towns with the characters of Saffron Walden and Great Dunmow grow sustainably, attractively, and in an integrated way through successive phases of peripheral expansion.

I make no comment on the claims of any of the many alternative sites, larger or smaller, that have been promoted in the process over the years , and note that some of those dubbed 'new settlements' may or may not fit that description. Armed with the new SHMA, providing a clearer picture of future needs for Uttlesford and its neighbours, I consider that a revised plan needs to be prepared as soon as possible, in co-operation to any extent necessary with the still-emerging plans of neighbouring authorities.

Roy Foster

3rd December, 2014

Examination of the Uttlesford Local Plan (ULP)

Inspector's conclusions

At the hearing on 3 December 2014 I summarised the conclusions I had reached about the soundness of ULP and cancelled further hearings. I indicated that I would write more fully before Christmas. These are my fuller conclusions.

1 Objectively assessed need for housing (OAN)

1.1 Para 47 of the National Planning Policy Framework (NPPF) requires that, in order to achieve a significant boost in housing supply, Local Plans should meet the full OAN for market and affordable housing in the Housing Market Area (HMA) as far as consistent with the policies in the NPPF.

1.2 Looking at the most recent (phase 6) demographic work by Edge Analytics using the SNPP-2012 data, the assumed net migration flows are somewhat lower than the annual average for Uttlesford over the period 2003/4-12/13 and more so compared with the average over the past 5 years. It has been argued that the SNPP-2012 projections underestimate the migration component, particularly the very recently experienced levels of net international migration. However, flows of this type can be dynamic and unpredictable. Overall I am not convinced that there is evidence to demonstrate the necessity in Uttlesford of departing from the current ONS approach to a national control total. However, I return briefly to the question of future migration from London in the final paragraph under this heading (ie the OAN).

1.3 The phase 6 work indicates an annual dwelling requirement of 508 based upon 2011 household formation rates or 549 using 2008 rates. The average of the two rates gives a requirement of 529pa. My view is that 529 represents an appropriately modelled demographic projection, allowing for some return towards very long-term pre-recession trends in household formation rates and avoiding embedding the post-recessionary conditions judged to have been reflected in the 2011 Census.

1.4 In itself, increasing the plan's provision by 6pa to 529pa would not be a major issue. However, Planning Practice Guidance (PPG) 2a-019 recognises that various factors may require some adjustment to be made to demographically-modelled household projections. PPG 2a-20 gives guidance on how plan makers should respond to such signals, indicating that comparisons should be made with longer term trends and that (where these worsen) upward adjustment will be

required to planned numbers compared with those based solely on household projections.

1.5 PPG 2a-020 suggests a number of market signals which should be taken into account. In terms of the median price of housing, Uttlesford is within the top 15% of local authority areas in England. The percentage change in the median price in the period 1998-2013 has been slightly below those for Essex and England but from a very much higher base. Turning to rental levels, only limited time-series information is available, but median rents are higher than Essex and England and have risen by 7% in the period Q2 2011 to Q3 2013 compared with 3% in Essex and 4% in England. Uttlesford is marginally outside the top 25% authorities in England in terms of rental levels.

1.6 The above housing cost factors are reflected in affordability issues. Measured in terms of the ratio between lower quartile house prices/lower quartile earnings, Uttlesford is within the top 10% least affordable local authorities, significantly above the ratios for Essex and England. A CLG live table shows UDC's ratio rising to a much sharper peak than these comparators (at about 12) just prior to the recession in 2007, before it fell and then resumed rising in the past few years whereas Essex and England have remained largely flat.

1.7 Turning to homelessness, the number/1000 households accepted as homeless and in priority need is modest in Uttlesford compared with Essex and England but a CLG live table shows that Uttlesford experienced a rise in the incidence per 1000 households between 2004/5 and 2012/13 whereas in the comparators the incidence more than halved.

1.8 PPG 2a-020 advises that any necessary upward adjustment in relation to market signals should be set at a level that is 'reasonable' and in scale with the strength of the indicators. Precision is not to be attempted in estimating the impact upon housing supply. Any uplift is to be on a scale which, on reasonable assumptions and consistent with the principles of sustainable development, could be expected to improve affordability.

1.9 In addition, PPG 2a-029 indicates that an increase in the housing provision in the plan should be considered where it could help to deliver the required number of affordable homes. The OAN is defined in the NPPF as including the full needs for both market and affordable housing. However, the best current available estimate of need for affordable housing is that expressed in the updated SHMA (2012), which identifies it as 54% of total need. Plainly that total could not be achieved through the operation of ULP policies HO7 & HO8 even if no viability issues arose to prevent delivery at 40/20% according to site size. However, it is clear there will be such instances (eg see below in relation to the example of Great Dunmow where policies 2-4 will require a significant number of affordable homes to be foregone in favour of education contributions).

1.10 A number of participants at the examination separately advanced cases for an increase in provision of about one-third on the basis of the above factors. That would bring provision to about 700pa, or an additional 3,500 dwellings during the plan period. I find no convincing evidence to support an increase on that substantial scale. I also accept that the objective of improving affordability could be difficult to achieve within the confines of one local authority area and that affordability is affected by many more factors than land supply. However, taking all the above factors in the round, I conclude that it would be reasonable and proportionate, in Uttlesford's circumstances, to make an upward adjustment to the OAN, thereby increasing provision with a view to relieving some of the pressures. In my view it would be appropriate to examine an overall increase of around 10% to about 580pa (an additional total of 1,120 dwellings).

1.11 Concerning the type of economic factors referred to in PPG 2a-018, the phase 6 work does not suggest that household growth scenarios based upon Uttlesford's forecast population of working age would exceed the housing provision in the plan based upon the East of England Forecast Model which is the one used in the Local Plan. Another scenario (Oxford Economics) shows a different outcome, but it is clear that a significant part of Uttlesford's expected employment growth will be focused on the airport where over 80% of employees are drawn from across a wide area outside Uttlesford. Evidence on the overall commuting patterns into and out of the District also makes it hard to draw any firm conclusion that housing provision on the above scale would hinder economic aspirations.

1.12 Finally, returning to an aspect of migration, Uttlesford has consistently been a recipient of in-migration from London and this will already be reflected in the migration assumptions behind the SNPP 2012 projections. The future unmet needs of London discussed in the Further Alterations to the London Plan may give added impetus to this potential pressure over coming years. However, it is unclear whether or what mechanisms will emerge to address this complex issue following the Mayor's overtures to authorities in the Greater South East, still less what kind of solutions (eg concentration at certain locations or wider dispersal) may be adopted. Pending wider consideration of this matter I am not convinced that it can bear much weight in assessing the OAN for Uttlesford as a single local planning authority among many within London's orbit.

2 Elsenham policy 1 – land north east of Elsenham

2.1 This policy is by far the largest allocation in ULP, providing for 2,100 homes, a local centre (retail and employment uses and community and health buildings), primary education (and possibly secondary education, dependent upon future decisions concerning an existing school), and recreational uses. First included in the original options stages of the plan in 2006/7, the scheme has been described by the Council for much of the intervening period as a 'new settlement'. However, the submitted plan (para 22.1) describes it as 'a large strategic allocation' with 'the potential to expand in the future to continue to

meet housing requirements beyond the current plan period'. The longer term potential for scaling-up development within the land controlled by the promoters is said to extend to some 3,000-3,500 homes.

2.2 On the basis of its size and level of services the plan regards Elsenham as one of 7 'key villages', the function of which is 'to act as a major focus for development in the rural area, suitable for a scale of development that would reinforce its role as a provider of services to a wide rural area'. In principle there is no reason why ULP should not propose a step change in the size and status of a key village provided that this would be consistent with national policy (NPPF para 182) in securing the delivery of sustainable development in accordance with NPPF policies.

2.3 Bearing in mind the siting of the strategic allocation, ULP effectively proposes a major village expansion; the earlier tag 'new settlement' is not really an apt description. Looking at the present context of Elsenham, other ULP proposals (Elsenham 3-6) are already mostly commitments. These will add about 550 homes to a village which in 2001 (according to EX117) had 922 households. Adding a further 2,100 homes to a village of perhaps about 1,500 existing and committed homes (on the basis of the above figures) would bring Elsenham to a total of about 3,600 homes. Potential future extension of the allocation to 3,500 homes after 2031 would increase the overall size of the village to as much as 5,000 homes. Expansion on either of these scales would bring major change in Elsenham's place in the hierarchy of Uttlesford's settlements. Before embarking upon any part of the Elsenham policy 1 proposals it is therefore crucial to ensure that this is an appropriate location for such expansion.

2.4 NPPF para 34 says that 'Plans should ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes will be maximised.'

2.5 It is of course a considerable benefit that residents would have the opportunity to use London-Cambridge stopping trains calling at Elsenham. These services operate half-hourly at peak periods and hourly at other times and also serve other destinations such as Harlow and Bishops Stortford. However, as noted in the Highway Impact Assessment of the Draft Local Plan to 2031 (HIA) (March 2014), there has been some reduction in passenger use at Elsenham since 2011/12 when the introduction of Stansted Airport Express brought an extra train per hour to Stansted Mountfitchet and Bishops Stortford, giving these nearby places shorter journey times and increased passenger numbers. Moreover, on all the evidence, travel by train only accounts for a small minority of total trips.

2.6 Another aspect of the railway as a sustainability benefit is that the railway line itself forms a major barrier between the existing village which lies mainly on

the western side of the track and the expansion area situated on the eastern side. The only links between these two areas are at High St/Henham Rd at the southern end of the village and the level crossing and footbridge at the junction of Station Road/Bedwell Road at the northern end of the present village. The illustrative master plan for the new development places the proposed local centre and interchange immediately to the east of this crossing. However, the crossing is closed for 20 minutes or so every hour and has been the site of fatalities. This makes for an unfortunate interface between the western and eastern parts of the village especially as movements across the railway take place at precisely the point which would become the strong focal point of the expanded village. While the allocation could be expected to increase such movements considerably, the future policy of Network Rail towards the continued existence of the crossing appears to be full of uncertainty.

2.7 If the crossing is required to close, vehicles would have to detour via High Street and Henham Road through the southern end of the village and the spine route through the new development. Pedestrians and some cyclists would need to use the challenging existing footbridge linking the station platforms. Although it has been suggested that lifts could be installed it is highly questionable how far this would prove an attractive or acceptable solution or meet the safety concerns of many members of the public, especially after dark. It has also been suggested that other solutions for crossing the railway could be explored. However, the plans being advanced for an early phase of 800 houses would fix the layout of the village extension at this point, especially areas around the local centre/ interchange thus leaving it very uncertain whether or not satisfactory longer-term solutions to growing longer-term issues could be physically and/or viably provided as the expansion proceeded. Opportunity to build in satisfactory integration between the two parts of the village would have been lost.

2.8 There is scope to improve the current infrequent bus services by extending an existing local route to Elsenham, thus providing a 30-minute frequency service to destinations such as Stansted Airport, Bishops Stortford and Harlow with all dwellings within the Elsenham extension within a 400m walk of a stop.

2.9 As for the matters referred to in paras 35, 37 & 38 of the NPPF, appropriate master-planning could help to reduce the need to travel away from Elsenham to access as many services as can be provided viably within the scale of the development, albeit these could still meet only a limited range and quality of requirements. Facilities could also be designed to encourage safe on-site walking and cycling although the attractions of cycling to destinations off-site (already low) would be further reduced by increased traffic on the network.

2.10 However, the HIA records that Uttlesford (and especially Elsenham) residents have above-average car ownership levels and are more likely to use them to travel to work on journeys that are also of greater length than the

national average. It concludes that despite the advantage of potential train travel and improvements to bus services, traffic would increase significantly on the local network of rural roads within which Elsenham is embedded. The distance to the strategic road network is identified as (going west via Grove Hill and Stansted Mountfitchet) 3.5 miles to the A120 at Bishops Stortford and 5 miles to M11(J8) and (going south via Hall Road) 4.5 miles to the A120 and 6.3 miles to M11 (J8). It also notes a number of more minor, tortuous roads which could be used to avoid the Lower Street area of Stansted Mountfitchet particularly during peak periods. These latter options are not significant sustainability 'assets' for the allocation.

2.11 It is widely recognized that a range of physical features including the local topography, the presence of bends with restricted visibility and width, and on-street parking mean that travel via Grove Hill and Stansted Mountfitchet is not, and cannot be rendered, a suitable route for this level of additional traffic. However, the allocation would inevitably cause increased pressures along the route and within the village. The HIA raises the option of bypassing much of the village (although not that part fronting Lower Street) through the construction of a western link from a point west of Elsenham to the B1383. This is estimated at £7.5-10m excluding land. However, the wider implications of such a route, including its environmental impacts, have not been assessed and the HIA recognises that its provision could divert traffic passing along the B1383 towards destinations to the south east via Hall Road.

2.12 The HIA notes that promoters of the scheme have suggested measures to discourage traffic travelling through Stansted Mountfitchet and encourage movements southwards via Hall Road. It notes that journey times by that route may be similar although the distance is greater. The overall conclusion of the HIA is that a more detailed study using a detailed highway assessment route choice model would provide a more confident prediction of the site allocation's impact and enable testing of future routeing proposals.

2.13 Before the hearing sessions the HA, Essex and Herts County Councils and Uttlesford and East Herts District Councils agreed a statement of common ground (SoCG). This mainly covered issues to do with the wider impacts of the allocation on the strategic network which I deal with below. However, it also noted that 'satisfactory alternatives to reducing congestion between Elsenham and Stansted Mountfitchet and discourage use of more minor routes have yet to be identified' (para 12) and confirms (para 26) that 'the cost effectiveness and deliverability (of the mooted western link) needs to be compared with alternative proposals which remain a concern for the highway authority as no satisfactory alternatives have yet been put forward'.

2.14 Recognising the inadequacies of the more direct routes to the strategic network via Stansted Mountfitchet, the promoter's strategy is to encourage traffic to use the longer route via Hall Road. This is not an ideal route to serve a

settlement of the size that Elsenham would become. Traffic moves quite fast in places along this rural road which has variable widths and a number of tight bends one of which is said to be an accident cluster. I note that a condition suggested in the context of the application for a first phase of 800 houses (now subject to a decision by the Secretary of State) would require widening of the entire length of the road between Elsenham and the Coopers End Roundabout to 'a minimum of 6.5m where feasible and appropriate treatment of any accident clusters identified in the Transport Assessment.' However, it is unclear how far it would be 'feasible' to achieve such improvements within present highway limits along the considerable length of Hall Road as far as the roundabout or onwards to Takeley. Having travelled the length of this road on several occasions in both directions (at different times of day and in a range of weather conditions) I am not at all convinced that the approach of such heavy and uncertain reliance on Hall Road is a sound basis for embarking upon large-scale expansion of the village, turning it into one of the principal settlements in the District in terms of its size.

2.15 It is also to be noted that Hall Road runs almost entirely through the 'Countryside Protection Zone (CPZ)', a long-standing special policy in Uttlesford's successive local plans aimed at maintaining Stansted as an 'airport in the countryside'. The policy aim is to restrict development which could cause coalescence between the airport and surrounding development but large-scale improvement of Hall Road would be unlikely to assist the aims behind the CPZ.

2.16 It is therefore a major disadvantage of the plan's policy for Elsenham that the village lies at some distance from the strategic network in a location embedded within a network of rural roads acknowledged as currently unfit to serve expansion on the scale proposed. Public transport is available and can be improved to some degree and the planned growth of local facilities would help to reduce transport demands. Benefits of the latter point would increase with the scale of the planned development. Nonetheless, the development would place substantial increased pressures upon existing unsuitable rural routes. Various proposed mitigation measures and solutions have been proposed for overcoming this disadvantage but these have not been shown either to be clearly able to secure their objectives or to be deliverable. My overall conclusion on the evidence is that there are severe doubts that Elsenham could overcome the connectivity disadvantages of its location sufficiently to be regarded as consistent with national policy or effective in being able to secure sustainable development.

Wider transport implications of Elsenham policy 1

2.17 Further concern about the highway-related soundness of the allocation of 2,100 homes at Elsenham (and any possible future expansion of the allocation) arises from uncertainties raised in the representations by the Highways Agency

(HA) and Essex and Hertfordshire County Councils. The HA's concerns focused on the capacity of M11 (J8). In its view there had been insufficient investigation of the cumulative impact on the strategic network of development in Uttlesford, East Herts, Harlow and Epping Forest. It therefore expressed concern about the risk that sites had been identified before it was clear that deliverable measures to manage any unacceptable impacts were available.

2.18 Essex County Council expressed similar concerns. Two models, the Harlow Stansted Gateway Transportation Model and a local junction model of M11 (J8), do not yet fully determine the operation of the strategic network following the implementation of all the local plan development but indicate that a material impact could occur at a number of critical junctions on that network. The HA and Essex CC recommended further modelling work 'as the plan progresses' to identify the likely extent and location of any necessary mitigation measures. For its part, Herts CC highlighted that traffic increases would have an impact on Bishops Stortford as well as J8.

2.19 After I raised these matters in my initial soundness concerns and questions, UDC indicated that a predictive regional model had been signed off by HA and the County Councils. This was intended to assess traffic flows on strategic and local roads using housing and employment growth data up to 2036. So far this had indicated that material impact could occur at a number of critical locations on the strategic network.

2.20 Before the hearing session on this matter the HA, Essex and Herts County Councils and Uttlesford and East Herts District Councils agreed the SoCG referred to above. This states (para 8) that the representations on the plan represent 'a point in time' but recognises that all the parties in the Duty to Co-operate meetings on transport acknowledge that assessments need to be refined and that 'this is happening'.

2.21 Para 9 of the SoCG refers to interim outputs from a separate piece of work (the M11 J7&8 Headroom Study). This includes allowances for 'all the committed schemes and proposed local plan growth' from ULP, together with schemes included in the emerging versions of the East Herts, Epping Forest and Harlow plans, except for those indicated in para 14 of the SCoG. The study identifies that an interim solution for capacity issues at J8 can be achieved at a combined estimated cost of £5m 'but should not be seen as an overall solution'. It is expected that all developments impacting on the junction would contribute to these works and thereby provide for up to 10 years growth, ie until the mid-2020s. [I note in passing Essex CC's comment in its hearing statement that if the current model had been available earlier it is likely that further contributions would have been sought from the first phase of 800 dwellings at Elsenham and the Bishops Stortford North development. This may illustrate the risks inherent in decision-making on the basis of incomplete evidence.]

2.22 The SoCG records (para 15) that VISUM modelling of the strategic network is to be undertaken over a wide area but will not be fully signed off by HA until 2015. Paras 17 and 18 refer to work being undertaken to assess the impacts of major development proposals at Bishops Stortford just to the west of J8 and close to the East Herts/Uttlesford border. If further improvements were shown to be required beyond those identified above the cost could be 'of a very different magnitude, potentially exceeding £50m and possibly significantly more'. This would need to be part of the Government's co-investment programme between the South East Local Enterprise Partnership and Greater Cambridge/ Greater Peterborough Local Enterprise Partnership Growth Deals.

2.23 Para 24 states that since delivery of more than 800 houses at Elsenham 1 is profiled from 2024/25, this gives the opportunity for highway scheme development and the preparation of business cases underpinned by the required level of highway assignment modelling to enable appropriate mitigation to be identified and provided by the site promoters.

2.24 At para 25 the SoCG acknowledges the risk identified by the HA representations and states that further modelling work will be completed 'within the next 12 months'. This will 'determine the infrastructure requirements to manage the impacts of more than 800 homes north east of Elsenham including definition of the road hierarchy between Elsenham and the strategic route network sought by Essex CC. Cost and other deliverability constraints will then determine the long-term phasing of the development beyond 2024/25.' Reference is made to improvements which may become necessary at some stage if Stansted Airport expands beyond its present cap and which may bring in additional resources for J8 improvements. However, the timing of that is uncertain and could be subject to wide variation from the Airport's present aspirations.

2.25 Para 25 suggests that 'if phasing issues impact on delivery of development north east of Elsenham this can be addressed through monitoring and review of the Local Plan to ensure an adequate supply of deliverable housing land in the period 2024 to 2031. It is important though to have a clear agreed long term objective as a basis for co-operation between the Councils, the HA and the LEPS to find the solution'.

2.26 My initial soundness concerns (EX101) summarised the representations on this matter, together with relevant material in the Duty to Co-operate statement, and observed that these prompted the question: is the present state of evidence sufficient to demonstrate that (when the models under development have been run) the Uttlesford allocations, taken together with those in nearby Districts, will be sound in the sense of being compatible with the capacity of the road network? I am unable to conclude that this question has been answered sufficiently positively. ULP is not constructed on the kind of contingent basis which appears to be suggested in para 25 of the SoCG and in any case Local

Plans are intended to convey certainty that their proposals can be implemented within their timespans. This is an essential element of their effectiveness.

2.27 PPG on 'transport evidence in plan making' indicates (54-005) the importance of having a robust transport evidence base for local plans in place at submission in order to identify any potential measures that may be required to mitigate the negative impacts, particularly those affecting a wider area than a single authority. In the light of all the above I cannot conclude that the plan is effective in this respect.

3 Other matters

3.1 I set out below my views on the other principal topics considered during the examination in order to assist the Council in taking matters forward.

The Duty to Co-operate (DtC)

3.2 Some of the evidence of a clear audit trail in UDC's DtC statement is rather thin and patchy and some is focused rather more on arrangements which will govern future work than what occurred in the period between the dates when the DtC came into operation and the submission of the plan. The DtC statement could also have had greater focus on genuinely 'strategic matters having a significant impact on at least two planning areas' (S33A of the Act) as opposed to some more peripheral matters.

3.3 Past SHMAs covering much wider areas of Essex/North London/Hertfordshire/Cambridgeshire demonstrate that the history of trying to define and get to grips with Housing Market Areas hereabouts has been rather complicated. This gave scope for argument about the extent to which UDC did or did not show evidence of joint working with other authorities to meet development requirements which cannot wholly be met within their own areas (NPPF para 179). However, all UDC's neighbours expressed satisfaction that the duty had been met.

3.4 My overall judgement is that the Council did fulfil its obligation under S33A, albeit somewhat narrowly.

Sustainability Appraisal (SA)

3.5 The Elsenham strategic allocation was chosen as part of the favoured option very early in what has since become a very extended plan making process. This was contrary to the procedure then recommended by the officers for selecting a favoured growth option (ie concentration, dispersal, or a new settlement, and then for selecting a site for a new settlement if that were the option chosen). Transparent consideration of any other 'new settlement' options did not seem to take place before the very high level, broad brush comparative SA of January 2010, acknowledged by the Council as 'not a full SA'. More formal SA of other possible 'new settlements' (ie those discarded as not 'reasonable' in

2010) took place in June 2014 after ULP had been submitted. However, by then the scale of some of the proposals promoted in respect of the other rejected options (as well as those of the Great Chesterford option, the only other 'new settlement' site assessed as 'reasonable' in 2010) were in some cases very different (in terms of proposed housing numbers) with what was considered in the June 2014 SA. The outdated nature of the information considered therefore limits the relevance of the June 2014 SA as a comparative assessment tool, whether or not this retrospective appraisal of options long since rejected was needed or meets the requirements of the SEA Regulations as interpreted by subsequent case law.

3.6 All in all it may be questionable whether the various successive SAs together provide a really transparent audit trail of the endorsement/rejection of the claims of the very many other smaller 'reasonable' candidate locations for growth. It would certainly be an understandably difficult task to maintain a clear thread of narrative between the successive SAs given the length of time the plan took to evolve, the changing background circumstances, the very large number of sites identified in the plan and the fact that so many schemes have evolved from proposals to planning permissions and on to construction throughout the period. Mention at the hearing of the difficulty in following the reasoning behind the adoption/rejection of some specific candidate 'reasonable' option sites seemed to me to show the possible difficulty which could occur in tracing sites' histories by use of reference numbers taken from the SHLAA. However, since it does not appear possible for the examination to proceed to a successful outcome there is little point in my discussing the SA process in any more detail other than to note 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.

5-year land supply

3.7 My conclusion that the plan needs to address an increased OAN will clearly affect any future assessment of the 5-year supply of deliverable housing land required by para 47 of the NPPF. However, looking at other important aspects of UDC's evidence on 5-year supply I conclude that:

-the table at EX149 indicates that housing delivery performance over the past 13 years has not fallen significantly below appropriate targets for the years in question. The buffer discussed in the NPPF therefore does not need to be increased beyond the 'standard' 5%:

-there is no local or contemporary evidence which would justify the application of a standard 'lapse rate' for outstanding residential planning permissions:

-the Council's evidence on the windfall allowance (set out at H109) uses the stringent criteria of the Essex County Council definition and, at 50pa, is reliably based upon well-evidenced research and consistent with para 48 of the NPPF:

-there is no requirement, as some have urged, to add to the OAN to cater for any 'backlog' calculated against years preceding the 2011 base-year of the plan (see *Zurich Assurance Ltd v Winchester City Council & South Downs National Park Authority [2014] EWHC 758 Admin*):

-the Council's housing trajectory (H108) provides a generally sound view of the years during which deliverable/developable land can be brought forward over the plan period, while the high level of potential completions shown in years 3-5 reflects a generally healthy current land-supply situation, with deliverable sites of various sizes controlled by a wide range of house-builders across a good range of locations. Indeed, the controllers of some sites took a more optimistic view of potential delivery than H108. If the out-turn in delivery during years 3-5 were to prove slower than indicated in H108 the evidence does not suggest that this would be due to constraints in-built within the plan (eg unresolvable infrastructure issues or the over-dominance of allocated sites by a small number of house-building companies). It is also notable that the situation reflected in H108 does not rely upon completions on the land north-east of Elsenham during the 5-year period.

Saffron Walden policy 1

3.8 This large 59ha allocation is clearly of strategic importance in the context of Saffron Walden and includes a range of facilities including primary school provision, a local centre, and recreational facilities in association with the nearby leisure centre as well as 800 dwellings including a retirement village. The policy requires development to be implemented in accordance with 'the master plan'.

3.9 In strategic terms this is a sound allocation, although there appear to be some risks to its effectiveness in the way that the scheme is being brought forward. The northern section of the site is subject to a resolution to grant planning permission, while the southern part is the subject of an appeal which is not being contested by UDC although it will be by some third parties. As for the central section, the SoCG signed by UDC and the owners/controllers of the land states that this part of the site will be available for development within the plan period in a manner compatible with the other parts of the site.

3.10 The subsequent outcomes of Development Plan policy resulting from decisions on planning applications are not matters for me. However, from the evidence placed before the hearing there appear to be uncertainties about way that the master plan is evolving in terms of the precise function intended to be performed by the required 'link road' between Thaxted Road and Radwinter Road, two of the main radials leading into and out of the town. I am concerned that the policy is not founded upon a clear enough explanation/understanding by the County and District Councils about this issue. This raises questions about the policy's precise aims and effectiveness and whether or not it provides the authorities with the means necessary to secure their objectives in a situation where the policy is being implemented incrementally by developers with different focuses and timescales for their individual sites.

3.11 The new link's function and specification is unexplained in the explanatory material to the policy although it seems to be regarded as an extension of the present cross-town route between London Road/Audley End Road and Thaxted Road, thus providing increased opportunities for traffic to avoid the historic centre. The potential role of the link (and therefore the need for its route and design to complement that role) could be increased if, as was suggested at the hearing, options are taken forward for traffic management measures in more central areas, including partial road closures.

3.12 The policy's lack of clarity and content about this issue raises concern about the plan's effectiveness. However, if the necessary evidence and clarity about this matter could have been brought forward and a sound approach outlined, this could potentially have been resolvable by consultation upon an appropriate Major Modification.

3.13 Although questions were raised about whether the policy can secure appropriate integrated provision of on-site primary education facilities, in my view the terms of the policy are sufficiently clear about this matter. Again, the outworking of the policy is not a matter for me, but I note that the education authority is satisfied that a workable solution can emerge.

Great Dunmow policies 2-4

3.14 Taken together these policies provide for 400 dwellings and a health centre south of Stortford Road (policy 2), a site for secondary education use on adjoining land (policy 3) and 100 dwellings on the site of Helena Romanes School when it has moved to the replacement site (policy 4).

3.15 From the evidence before me, including that in the first SoCG, I had some concern about the effectiveness of these policies in terms of the financing of the new school which is heavily dependent on S106 contributions from these and other local schemes. However, the second SoCG sets out a more convincing plan of implementation. This appears to offer more reasonable prospects of delivery, albeit this would require foregoing the provision of affordable housing on an as-yet unknown, but definitely substantial, proportion of the total number of dwellings allocated through these policies. This is a material disadvantage of the policies but I consider them generally sound.

The employment strategy (part 9 of the plan)

3.16 The plan's employment target set out in policy SP3 is 9,200 additional jobs for the period 2011-31. This derives from table 27 'predicted Uttlesford job changes by type 2011-2031' in the Employment Land Review (ELR) of April 2011, which is itself based on the East of England Forecasting Model of Autumn 2009. It is unclear what part the expected growth of employment Stansted Airport plays in that total, but current estimates by new owners Manchester Airport Group (MAG) indicate that Stansted could itself provide growth in jobs of that order if its traffic were to increase to 35mmpa over the plan period.

3.17 The ELR indicates that there is little if any discernible linkage between the quantity of housing allocated in the plan and the number of jobs likely to be created over the plan period in recognised 'employment' uses (offices, industry and warehousing), especially given the nature and location of Uttlesford and its travel-to-work patterns.

3.18 More importantly, therefore, the ELR (which is a good example of its kind) provides a clear market-based picture of the types and locations of sites which should (a) be newly allocated, (b) continue to be allocated/safeguarded, or (c) be re-allocated for different uses. The main recommendations of the report are generally taken forward into the plan.

3.19 Stansted Mountfitchet policy 9 allocates 18ha of land to the north east of Bury Lodge Lane for non-aviation business, industry and non-strategic warehousing. This approach is supported in the ELR and consistent with MAG's emerging Sustainable Development Plan. The land in question has long remained vacant or underused and MAG considers it surplus to the operational requirements necessary to facilitate growth of the airport to its current permitted extent of 35mppa and beyond to the full capacity of the single runway, assumed to be 43mppa.

3.20 There is no evidence to suggest that the allocation would have an adverse effect on airport operations and the proposal would make positive use of land which is brownfield in nature and excluded from the Countryside Protection Zone around the airport. Studies for East Herts District Council have concluded that the allocation would not have a negative impact on deliverability of the designated employment areas at nearby Bishops Stortford while some other candidate sites for employment allocations close to the M11 would require the release of Green Belt. As for access, the SoCG referred to above in relation to Elsenham concludes that M11(J8) could cater for movements from development at Bury Lodge Lane subject to junction improvements which are considered deliverable. This is therefore a sound proposal.

3.21 ULP departs from the ELR recommendations in its approach to temporary non-airport uses of buildings in the South Side Ancillary Area. The plan states (Stansted Airport policy 4) that this area shall be 'principally reserved for activities directly related to or associated with the airport'. MAG's emerging plan (Land Use) shows at p38 that 3 buildings have a very high level of vacancy. Indeed a recent appeal decision records that one building (Endeavour House) has had a persistent vacancy level of about 33% since it was built in 1998. However, MAG's document takes a more bullish view of the future, recording increased enquiries for on-airport accommodation and foreseeing the possibility of the existing stock of accommodation being let within the next 5-7 years.

3.22 Development Plan policy must ensure no risk to airport expansion by preventing blocking of on-site accommodation where there is a realistic expectation of a demand from genuine airport-related users. However, it is also important not to hamper the local economy by wasteful and unnecessarily long-

term reservation of underused buildings with potential to serve a useful temporary purpose. Even if the evidence on vacancy levels may suggest a degree of past over-caution, policy 4 does provide the necessary flexibility to make appropriate judgements on this matter by inclusion of the phrase 'principally reserved for'. That stance is reasonable and the plan is sound on this issue. Future application of the policy is a matter for determination in the prevailing circumstances of the time.

3.23 Turning to the plan's proposals for employment sites in Saffron Walden, the general effect of ULP's policies 1, 2, 3, 5 and 6 for the town is to replace a stock of sites for heavier or outworn employment uses with more mixed schemes providing for a wider range of uses, including those catering for different types of employment and providing smaller, more flexible units which are more likely to be taken up by the market, given the limited attraction of premises on the eastern of the town for uses dependent on heavier traffic. This is a sound and practical approach.

Settlement classification (within part 7 of the plan)

3.24 The settlement classifications in table 2 of ULP are based broadly on the level of services available at each settlement. This is a more appropriate evidential base than the system underlying the classification of settlements in the present local plan. There will always be scope for debate about how much weight to apply to one factor or another and the appropriate categorisation for individual towns or villages where their services are at the margin between different classifications. However, the content of table 2 (and the resulting roles of the particular settlements) is generally soundly set out.

3.25 Having said this, where it can be justified by relevant economic, social and environmental factors a case can sometimes be made to direct a greater or lesser amount of development to a settlement than would reflect its strict place in the settlement hierarchy. Some of the factors discussed during the hearing (eg locally identified demographic and other needs, local constraints and opportunities, patterns of bus services, and inter-relationships between particular settlements) can be relevant to such decisions and can be considered in taking the plan forward.

3.26 Concerning Stansted Mountfitchet, this clearly supplies significantly fewer local services than Saffron Walden and Great Dunmow but more than most of the other key villages. However, in view of the fairly limited nature of its service role and its proximity to the much larger town of Bishops Stortford there is no particular case for amending its place within table 2.

Further matters

3.27 A limited range of other further matters were raised in my initial soundness concerns and at other points during the examination. These would all have been capable of resolution through appropriate Major Modifications along the general lines put forward by the Council, mainly in its response to my initial

soundness concerns but also in further discussions at the hearings. These include the present lack of clarity in the presentation of the information in policy SP7/table 5, issues concerning policies HO1 HO2, HO6 and the need to encourage site availability for self-builders, policy C2, policy SP10, policy HE1, policy HE3, policies SP11 and NE1 and NE2, and policies INF2 and INF3. As for those policies touching upon matters concerning the Government's review of housing standards, these will be clarified when the full outcome of the review is known in 2015.

4 Overall conclusions and the way forward

4.1 Taken together, my soundness concerns about the OAN and Elsenham policy 1 lead to my not being able to recommend adoption of the plan as submitted. Nor, given the extent of change that would be likely to be required to the overall strategy, can I recommend Major Modifications under S20 of the Act to overcome these soundness issues.

4.2 As I indicated on 3 December, my normal strong inclination would be to keep an examination of a Development Plan moving forward wherever possible in order to minimise any disruption to the planning process. However, the scale of work which the Council would need to undertake to propose and consult upon changes to deal with the above matters would (a) be considerably greater than could be completed within the normal maximum 6-month period of a suspended examination and (b) result in a plan fundamentally different in character from that submitted. Suspension would therefore not be appropriate.

4.3 The brief for the new SHMA, currently being prepared for Uttlesford and its 3 neighbour authorities in the 'Harlow/M11 corridor' requires that it should be PPG-compliant. If it is, it should provide up-to-date OAN assessments for these authorities both individually and jointly. This could provide a platform to take forward complementary Local Plans for these areas which are fully consistent with the NPPF and PPG and able to be prepared with full regard to any DtC and/or SA issues which may arise. In Uttlesford's case the plan would no longer need to include the large historical catalogue of allocations that are now commitments, thus simplifying and speeding up the process.

4.4 There appeared to me to be fairly widespread recognition that some form of 'new settlement(s)' may form an appropriate means for catering for the future long-term growth of the District and, if so, that this should be on a scale bold enough to achieve maximum possible sustainable critical mass and a long term solution, especially if there are judged to be limits as to how far relatively small towns with the characters of Saffron Walden and Great Dunmow can grow sustainably, attractively, and in an integrated way through successive phases of peripheral expansion. However, I do not consider it for me to comment further upon this matter.

4.5 Nor is it necessary or appropriate for me to comment on the comparative claims of any of the very many potential alternative development sites, large and small, promoted in representations to the submitted plan or indeed at the other stages during the 8 years which it took for the plan to evolve against changing background circumstances.

4.6 I recognise that my statement on 3 December and the contents of this letter represent unwelcome news to the Council. However, in view of all the above it seems to me that the options for the Council, after it has considered this letter, are either to ask me to continue the examination but with the inevitable conclusion that I will not be able to recommend changes which would make the plan sound, or to consider withdrawing the plan.

Roy Foster
Inspector

19 December 2014

Committee: Uttlesford Planning Policy Working Group

Agenda Item

Date: 26 January 2015

7

Title: Local Development Scheme

Author: Hannah Hayden, Planning Officer

Summary

1. The Local Development Scheme (LDS) is the project plan for the Uttlesford Local Plan. The last revision to the LDS was approved by Cabinet in October 2014 to reflect a change in the timetable for the production of the Gypsy and Traveller Site Allocations DPD.
2. Following the closure of the Local Plan Examination and the conclusions of the Inspector a new LDS is needed to reflect the next steps in the work programme.
3. The LDS will be posted on the Council's website and forwarded to the Planning Inspectorate for information.

Recommendations

4. That the Working Group note the revised LDS and recommend its approval by Cabinet.

Financial Implications

5. Costs of the additional consultation will be met from existing budgets.

Background Papers

6. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

- 7.

Communication/Consultation	The revised LDS will be posted on the website and made available for inspection.
Community Safety	N/A
Equalities	The policy documents which will be prepared are subject to separate equalities impact assessments.
Health and Safety	N/A

Human Rights/Legal Implications	N/A
Sustainability	The policy documents which will be prepared are subject to separate Sustainability Appraisal.
Ward-specific impacts	All
Workforce/Workplace	Existing staff resources.

Situation

8. The LDS has been updated to reflect the revised timetable for the production of the Uttlesford Local Plan. The key dates are as follows:
- Jan – April 2016 Regulation 18 public consultation
 - May – June 2016 Regulation 19 Local Plan Pre-Submission Consultation
 - July / Aug 2016 Local Plan Submission
 - December 2016 – Hearing sessions
 - March 2017 Local Plan adoption
9. A major change in this LDS is the merging of the Local Plan with the Gypsy and Traveller Local Plan. The Council will no longer produce two separate Local Plans but instead produce one Plan which covers all of the issues including site allocations for Gypsy's and Travellers.
10. The revised LDS is attached.

Risk Analysis

11.

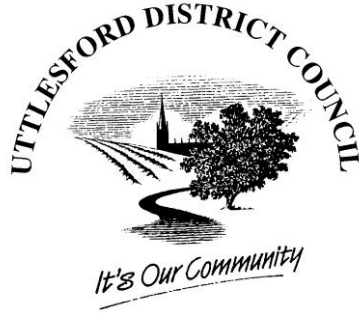
Risk	Likelihood	Impact	Mitigating actions
The plan maybe found unsound because the plan has not been prepared in accordance with the LDS	1. The LDS will be monitored and updated as necessary.	3.If the plan is found unsound this will cause delay and uncertainty	Amend the LDS to make sure the programme for delivering the Local Plan is up to date and deliverable.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.



UTTLESFORD DISTRICT COUNCIL

LOCAL DEVELOPMENT SCHEME

FEBRUARY 2015

Revision 10 – Presented to Uttlesford Planning Policy Working Group on 26 January 2015 and Cabinet on 17 February 2015

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1. Introduction

The Uttlesford Local Plan was adopted in 2005. It still forms the basis for making planning decisions within the district alongside the National Planning Policy Framework published in March 2012 and the Planning Practice Guidance but it is becoming increasingly out of date and a replacement plan is being prepared.

This local development scheme is the project plan for producing the new Local Plan. It has three main functions:

- To provide information on the documents the Council intends to prepare together with timescales for preparation.
- To establish the Council's priorities and to allow the Council to programme the work needed to prepare the new plans.
- To set out the timetable for the review of documents.

The original LDS came into effect from 26 April 2005. At this time the Council was intending to produce a Local Development Framework made up of various documents including a Core Strategy and two separate development plan documents for site allocations and development management policies. There have been a series of LDSs produced since then. The last LDS was approved in October 2014.

One of the main changes in this LDS is combining the Local Plan with the Gypsy and Traveller Local Plan. The Council will no longer produce two separate Local Plans but instead produce one Plan which covers all of the issues including site allocations for Gypsy's and Travellers.

The new timetable is shown in Appendix 2 and 3. Normally the Council will review the local development scheme every year and update it when necessary.

The LDS is available on the Council's website at www.uttlesford.gov.uk. If you have any queries please contact the planning policy team on 01799 510637 or 01799 510454. E-mail mjones@uttlesford.gov.uk or snicholas@uttlesford.gov.uk

If you would like a copy of this document in large print, Braille or any alternative format please contact Uttlesford District Council, London Road, Saffron Walden, Essex CB11 4ER Tel: 01799 510510

2. Terminology

The terms and abbreviations, which are used in this document, are explained below.

AMR	Annual Monitoring Report	Authorities are required to monitor the progress of the local development scheme and the extent to which policies in the development plan documents are being achieved.
DPD	Development Plan Document	These documents are the statutory documents with development plan status. For Uttlesford this will include the Local Plan and the Gypsy and Traveller Site Allocations. The community will be involved in preparing them and they will be tested at an Examination by the Planning Inspectorate.
LDS	Local Development Scheme	The LDS sets out the programme for preparing the Local Plan
NP	Neighbourhood Plans	Neighbourhood plans will be prepared by local communities. They must be in conformity with the Local Plan.
NPPF	National Planning Policy Framework	Government statement of national planning policy.
SCI	Statement of Community Involvement	This document explains how and when stakeholders and the community can become involved in the preparation of the Local Plan and the ways that this will be achieved.
SA	Sustainability Appraisal	Assessment of the potential impacts of the policies and proposals in the LDF on economic, social and environmental issues.
SEA	Strategic Environment Assessment	Assessment of the potential impacts of the policies and proposals contained within the LDF on the environment
EIA	Equalities Impact Assessment	Assessment of the Plan to make sure that the policies within it are free from discrimination in terms of a direct or indirect impact on any particular group.
SPD	Supplementary Planning Document	SPDs are intended to support the policies and proposals in DPDs but they do not have the same status as DPDs and they are not subject to examination.

3. About the District

Uttlesford is a rural area in northwest Essex and is geographically the second largest district in the County. It has a population of 79,443 (Source: 2011 Census). Approx 40% of the residents live in one of the three main centres of population, Great Dunmow (8,830), Saffron Walden (15,500), and Stansted Mountfitchet (6,460). The remainder live in the numerous villages and hamlets within the District. There are a large number of listed buildings and significant areas of attractive rural landscape and ancient woodland including Hatfield Forest. In the south of the district is Britain's third largest airport, Stansted. The Council is committed to preserving the rural nature of the area and the quality of life for its residents.

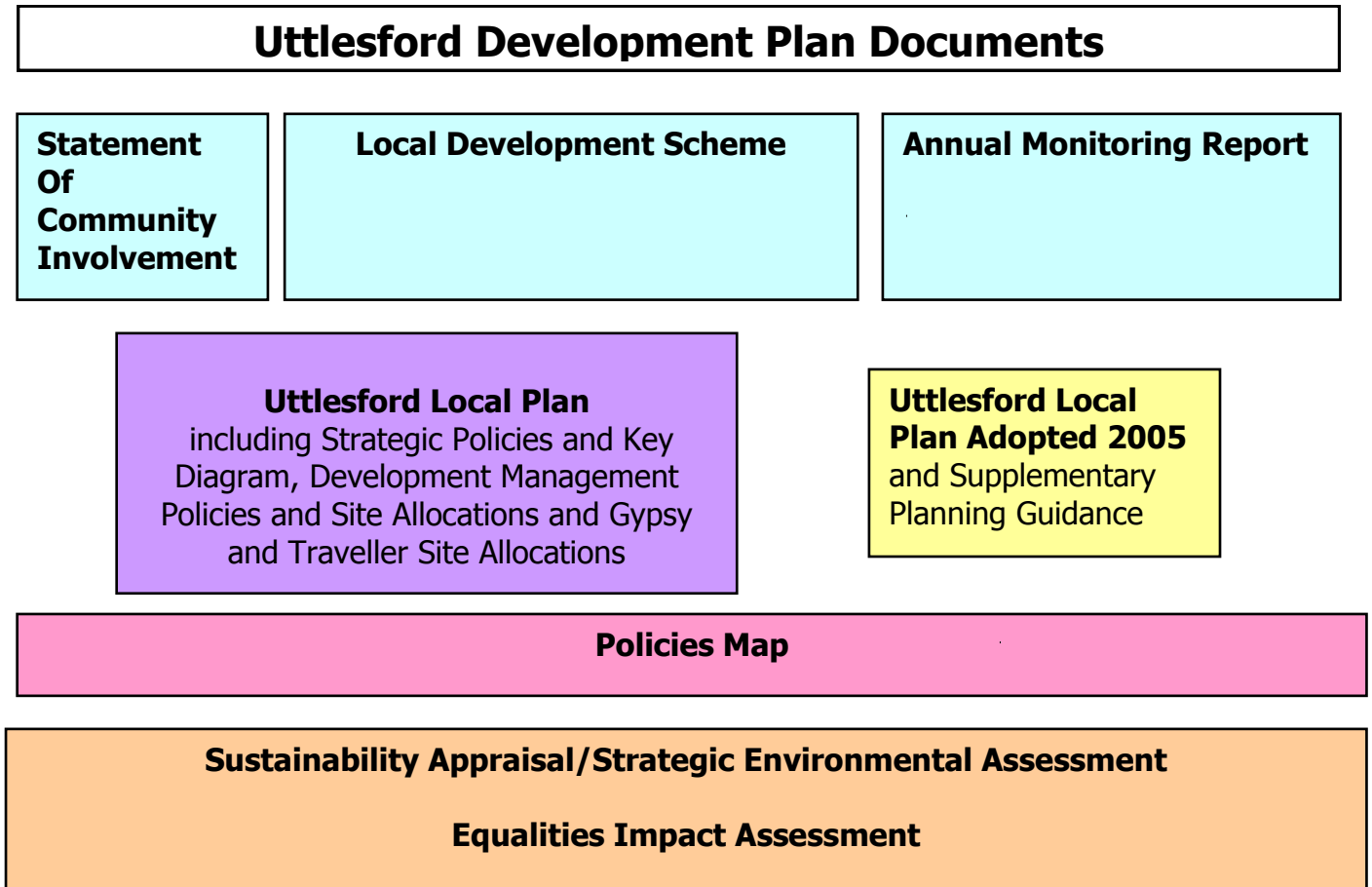
4. Saved Policies

Planning policy for Uttlesford is currently made up of the National Planning Policy Framework (NPPF), the 2005 Uttlesford Local Plan prepared by the District Council and the Minerals Plan and Waste Plan prepared by Essex County Council.

The Uttlesford Local Plan was adopted on 20 January 2005 and the policies in it were originally "saved" for 3 years. In July 2007 the Council applied to the Secretary of State to extend the time period for the saved policies. All the policies in the Uttlesford Local Plan, except Takeley Local policies 1 and 2 – Land west of Hawthorn Close and Land off St Valery have been saved. Appendix 1 lists all the policies in the Uttlesford Local Plan and shows what will happen to each policy when the new Local Plan is adopted. The policies in the Local Plan have been independently reviewed to check their consistency with the National Planning Policy Framework. The assessment is available on the Council's website.

5. Uttlesford Development Plan Documents

As well as the Local Plan other documents are being produced which together will provide the framework for planning decisions in Uttlesford to be made. The diagram below shows the links between the documents.



- **The Uttlesford Local Plan 2005**

The Uttlesford Local Plan sets out the planning policies for the District until the policies are replaced by policies in the new Local Plan. Supplementary advice which has been adopted by the Council in support of some of the policies in the local plan will also remain relevant, until the policies are replaced.

- **Statement of Community Involvement**

The SCI lets people who may be interested in the plan know when and how they can get involved in the preparation of the Local Plan. Minimum requirements for public consultation are set out in regulations. The SCI shows how these requirements are met and adds other measures, which the Council feels would be suitable. It identifies the groups to be involved and the techniques and resources required for effective involvement. The

SCI was one of the first documents to be prepared and was first adopted in July 2006 following a written representations examination by an independent Inspector. The SCI was revised in March 2013 and following a 6 week period of consultation was adopted by the Council on 4 September 2013. It is available on the Council's website.

- **Annual Monitoring Reports**

The District Council needs to monitor how effective its policies are. This is done through a series of monitoring reports which are published each year. The purpose of the monitoring reports are to:

- Check how the Council is performing against the timescales set out in the LDS
- Check how the Council is performing in relation to the targets in the Uttlesford Local Plan.
- Give information on the extent to which the policies in the Local Plan are being achieved.
- Examine whether the Local Plan needs reviewing before the scheduled main review date.

In the light of the monitoring the Council will consider what changes, if any, need to be made to the policies. This will be reflected in an updated LDS. An AMR will be produced each year looking at the period from 1 April to 31 March. The reports are posted on the Council website.

- **Strategic Environmental Assessment (SEA) / Sustainability Appraisal (SA)**

SEA/SA is a process that will make sure that social, economic and environmental considerations are fully taken into account at every stage of preparation for each Development Plan Document produced. All plans and policy documents need to undergo SEA/SA. The Council has commissioned consultants to develop a sustainability framework in consultation with relevant bodies. For each document various options developed through consultation will then be tested against the framework to identify preferred options. Further consultation will allow people to comment on the preferred options and the sustainability report. Changes made as a result of the public consultation will be appraised before both the Local Plan and the sustainability report are submitted for examination by an independent Inspector.

- **Equality Impact Assessment**

As well as the SA/SEA the Council has to carry out an Equalities Impact Assessment (EIA) for all plans and policies it produces. An EIA will be done as part of the production of each development plan document to make sure that plan and the policies it contains are free from discrimination and promote equality of opportunity. The EIA is one of the documents which the Council has to send to the Inspectorate for the examination.

- **Local Plan**

This will be subject to independent examination by a Planning Inspector. The Inspector needs to be satisfied that the document meets the various procedural requirements and is sound. The Inspector will recommend changes that are required to overcome any aspects relating to the soundness of the plan that they have identified and which can be corrected within the scope of the regulations – if major changes are required the Inspector is likely to find the plan unsound. The Council cannot adopt a plan which is found unsound. The Local Plan should address issues set out in the Uttlesford Sustainable Community Strategy.

The local plan will contain:

- The Council's vision, objectives and the spatial strategy for the future development of the district.
- Strategic Policies – policies which provide the overarching framework for planning decisions within the district
- Site Allocations Policies – covering detailed aspects of site delivery
- Development Management Policies – detailed policies against which planning applications will be considered.
- Gypsy and Traveller site allocations policies – specific policies covering the sites needed to deliver the required pitches and include e.g. access, design principles, landscaping.
- Policies Map and Key Diagram - The policies map will show all the policies and proposals and identify areas of protection on an Ordnance Survey base. The key diagram will illustrate the proposals.

- **Non-Development Plan Documents**

- **Supplementary Planning Guidance (SPG) and Supplementary Planning Documents (SPD)**

This currently only applies to SPGs and SPDs which have been prepared to support the saved policies in the Uttlesford Local Plan but as the Local Plan and other DPDs are adopted more SPDs may be produced to support the policies in them. These documents are a material consideration for development management purposes but they are not subject to independent examination. The Council will make them available for public consultation before they are adopted in accordance with the regulations and the SCI.

▪ **Council Approved Guidance**

- The Council will approve Parish Plans and Village Design Statements where they have been prepared in accordance with the protocol and guidance prepared by the Essex Rural Community Council, Village Design Statement Group and the Essex Planning Officers Association. These will then be used for development management purposes.
- The Council’s Conservation Area Appraisals and associated management plans will be approved as Council approved guidance.

6. Profiles of Proposed Local Plan

The following profiles set out the details of the Local Plan. The overall programme is also shown in the table at Appendix 2 and the chart at Appendix 3. The Council is required to consult with organisations, residents and businesses as part of the preparation of the plan. A two stage consultation process where the issues are identified and options are considered before more detailed “preferred” options are presented for further consultation seems a logical approach and the key stages below reflect this.

Uttlesford Local Plan
Expected Adoption Date: 2017
<ul style="list-style-type: none"> • <i>It will set out the Council’s vision, objectives and spatial strategy for the district.</i> • <i>It will contain the primary policies needed to achieve the above.</i> • <i>It will identify the key strategic sites and infrastructure.</i> • <i>It will set out the broad strategy for meeting the locally generated housing targets and the role of rural settlements.</i> • <i>It will be accompanied by a key diagram.</i> • <i>Development Management policies will make sure that all development within the District meets certain criteria and helps to achieve the vision.</i> • <i>Site Allocations set out the specific policies for sites where development is proposed.</i> • <i>It will set out specific policies relating to a number of Gypsy and Traveller sites where development is proposed.</i> • <i>The sites will be shown on the policies map.</i>
Coverage: District-Wide
Conformity: Must be in conformity with the National Planning Policy Framework and Planning Policy for Travellers sites.
Key Stages:
<ul style="list-style-type: none"> • Dec 2014 – Jan 2015

- Consultation on Gypsy and Traveller Issues and Options
- **Jan 2015 – June 2015**
Completion and publication of Strategic Housing Market Assessment
 - **July – December 2015**
Call for sites
 - **January 2016 – April 2016**
Assessment of sites, Regulation 18 public consultation, site specific evidence base development. Including Gypsy and Traveller site allocations.
 - **May 2016 – June 2016**
Regulation 19 Local Plan Pre-submission consultation
 - **July 2016 – August 2016**
Local Plan Submission
 - **December 2016**
Start of hearing sessions for the public examination
 - **March 2017**
Adoption

Production and Management: The Planning Policy Team will prepare the Local Plan. The process will be guided by the Uttlesford Planning Policy Working Group. Approval of key stages will be by the Cabinet and Full Council will adopt the Local Plan.

Review: The Local Plan will be subject to annual monitoring and review.

7. Supplementary Planning Guidance and Supplementary Planning Documents

The Council has adopted supplementary planning guidance (SPG) and master plans to support the saved policies in the Uttlesford Local Plan 2005 as listed in the table below. The SPG will remain in force until the development is complete or the saved policies are replaced. The Council will then review the SPG and replace with updated supplementary planning documents (SPDs) as necessary.

Policy No	Title of Supplementary Planning Guidance
GEN2	Essex Design Guide
GEN8	Essex County Council, Parking Standards – Design and Good Practice
Takeley /Little Canfield Local Policy 3 – Priors Green	The Island Sites
Chesterford Park Local Policy 1	Master Plan for Chesterford Park – Employment Scheme
GD5	Master Plan for Woodlands Park – Residential Development

GD6	Master Plan for Great Dunmow Business Park – Employment Scheme
Oakwood Park Local Policy 1	Master Plan for Oakwood Park – Residential Development
SM4/BIR1	Master Plan for Rochford Nurseries – Residential Development
Takeley/Little Canfield Local Policy 3 – Priors Green	Master Plan for Priors Green – Residential Development

The Council has produced four SPD's to support policies in the Uttlesford Local Plan 2005. These are:

- Accessible Homes and Playspace (including lifetime homes)
- Home extensions
- Replacement dwellings,
- Energy efficiency.

Supplementary Documents on Home Extensions and Accessible Homes and Playspace were adopted in November 2005 and the SPD on Replacement Dwellings was adopted in September 2006. The Energy Efficiency SPD was adopted in October 2007. The Council has also adopted the Urban Place Supplement to the Essex Design Guide. This was prepared by the County Council and adopted by the District Council in March 2007. In January 2010 the Council approved the Essex County Council's "Parking Standards, Design and Good Practice" September 2009 document for use as District Council planning guidance, superseding Appendix 1 of the 2005 Adopted Uttlesford Local Plan (ULP). Further changes were approved in February 2013.

The Council has carried out appraisals and developed management plans for the Conservation Areas in Arkesden, Ashdon, Bentfield Green, Clavering, Elmdon, Felsted, Great Canfield, Great Chesterford, Great Dunmow, Great Easton, Great Hallingbury, Great Sampford, Hadstock, Hatfield Broad Oak, Hazel End, Hempstead, Henham, High Easter, High Roding, Littlebury, Little Dunmow, Manuden, Newport, Radwinter, Saffron Walden, Stansted Mountfitchet, Stebbing, Thaxted, Wendens Ambo and Widdington. Following consultation with the local community the Council has approved these appraisals and the associated management plans as non-statutory guidance. Draft Conservation Area Appraisals are available for Audley. Appraisals for Quendon and Rickling are in preparation.

The Council has also approved the following Parish Plans and Village Design Statements as non-statutory guidance to use when considering planning applications and to help inform preparation of the LDF.

Arkesden	Parish Plan	2009
Ashdon	Parish Plan	2007
Birchanger	Parish Plan	2006
Chrishall	Parish Plan	2007
Felsted	Parish Plan	2014
Great Canfield	Village Design Statement	2010
Great Dunmow	Town Design Statement	2009
Hadstock	Parish Plan	2007
Little Bardfield	Village Design Statement	2009
Littlebury	Parish Plan	2009
Newport	Village Plan	2010
Radwinter	Parish Plan	2007-2012
Stansted	Parish Plan	2011
Thaxted	Village Design Statement	2010
Wendens Ambo	Parish Plan	2012
White Roding	Parish Plan	2009
Widdington	Village Design Statement	2009

All the council approved guidance is available on the Council’s website.

The Civil Parishes of Felsted, Great Dunmow and Saffron Walden have been designated as Neighbourhood Plan Areas.

8. Other Documents

The local authority is required to produce a sustainable community strategy (SCS) following consultation with the local community and key local partners through the Local Strategic Partnership – the LSP for Uttlesford is known as Uttlesford Futures. The SCS sets out the strategic vision for a place and provides the vehicle for considering and deciding how to address difficult cross cutting issues such as the economic future of an area, social exclusion and climate change. The key spatial planning objectives for the area should reflect the SCS priorities.

The Local Plan for Uttlesford will also reflect the aims set out in the following documents. The wider policy aims will be included in the strategic policies and the more detailed policies will be reflected in the development management policies and the site allocations as appropriate.

- The Sustainable Community Strategy 2008
- Housing Strategy (2015-2018 in preparation)
- Natural Resources Management – Policy Statement and Improvement Strategy 2010
- Economic Development Strategy 2014-2016
- Community Safety Partnership Strategic Assessment Report 2013
- Comprehensive Equality Policy 2009 and the Single Equality Duty 2015-2018
- Joint Municipal Waste Management Strategy for Essex 2007-2032

9. The Evidence Base

The Council will prepare and keep up to date information on all aspects of the social, economic and environmental characteristics of the District as set out in the table at Appendix 4. Much of the information that will be needed is available within the Council as part of annual monitoring e.g. housing supply, or is available from other organisations and/or websites e.g. population data. The studies are reviewed as necessary to make sure they remain relevant and up to date.

The evidence base is being compiled using in house resources as well as consultants. There has been joint working with Essex County Council and adjoining local authorities.

10. Staff Resources and Management

A member working group has been set up to steer and monitor the programme for the Local Plan work – this is known as the Uttlesford Planning Policy Working Group (previously known as the Local Plan Working Group). The group is open for all members to attend. The meetings are open to the public and the papers and the minutes are available on the Council's website.

The policy team is working to prepare the Local Plan, drawing in other staff from within the Council where appropriate. The Council is also working together with other Local Authorities, statutory consultees, the Planning Inspectorate and other organisations like the Planning Advice Service (PAS) where necessary.

The policy team using other internal or external resources as appropriate will undertake monitoring and produce annual monitoring reports.

11. Risks

- **Funding**

Budget constraints will continue to limit funding available for commissioning additional study work or securing additional staff resources although sufficient resources are available to deliver the work programme.

- **Programme**

The programme for the Local Plan preparation is challenging. In the past it has been difficult to predict with certainty the length of time it will take to produce the plan.

Through Duty to Co-operate engagement the Council will keep up to date with the progress of other Essex and Hertfordshire Districts, sharing experiences and adjusting the timetable where necessary.

- **Evidence Base**

Staff time and resources are required to assemble the evidence base. The relatively long lead in time for the preparation of the Local Plan should allow enough time for the work to be completed. Budgetary provision has been made for the appointment of outside consultants for specialised tasks e.g. the water cycle study, other studies have and will be carried out internally e.g. the strategic housing land availability assessment. Some joint commissioning of work has been done to help reduce costs and other opportunities for this will be investigated.

- **Staff Resources**

The team which will be working on the production of the Local Plan is relatively small with 4 permanent staff. There is the opportunity to use other staff within the planning service and/or within the Council to help with some aspects of the work and there is also an option to employ agency staff to cover peaks in workload as necessary.

PROPOSED PROGRAMME OF REPLACEMENT FOR THE POLICIES IN THE UTTLESFORD LOCAL PLAN - ADOPTED
FEBRUARY 2005

(NOTE: This is a list of saved policies in the existing local plan it is not a full list of the policies that will be included in the new Local Plan, new policies will be added as necessary)

Existing Policy		Replaced/Deleted/ Merged	Which document will the new/merged Policy be in?	Date of Adoption of DPD
Policy Ref	Description			
S1	Development limits for the main urban areas	General development locations and strategic sites will be identified in the Strategic Policies. Site specific policies will be included in the Site Allocations section. Development Limits will be defined on the Policies Map	Local Plan	2017
			Local Plan	2017
			Local Plan	2017
S2	Development limits/policy areas for Oakwood Park, Little Dunmow and Priors Green, Takeley/Little Canfield		Local Plan	2017
S3	Other development limits			
S4	Stansted Airport Boundary	Replaced	Local Plan	2017
S5	Chesterford Park Boundary	Merged Chesterford Park Local Policy 1	Local Plan	2017
S6	Metropolitan Green Belt	Replaced	Local Plan	2017
S7	The Countryside	Replaced	Local Plan	2017
S8	The Countryside Protection Zone	Replaced	Local Plan	2017
GEN1	Access	Replaced	Local Plan	2017

GEN2	Design	Replaced	Local Plan	2017
GEN3	Flood Protection	Replaced	Local Plan	2017
GEN4	Good Neighbourliness	Replaced	Local Plan	2017
GEN5	Light Pollution	Replaced	Local Plan	2017
GEN6	Infrastructure provision to support development	Replaced	Local Plan	2017
GEN7	Nature Conservation	Replaced	Local Plan	2017
GEN8	Vehicle Parking Standards	Replaced	Local Plan	2017
E1	Distribution of Employment Land	Merged Gt Chesterford Local Policy 2, SW4, SW5. Strategic Policies will identify general development locations Site specific policies will be included in the Site Allocations section	Local Plan	2017
E2	Safeguarding employment land	Merged Elsenham Local Policy 1, Great Chesterford Local Policy 1, GD7, Takeley Local Policy 5, SW6, Thaxted Local Policy 3	Local Plan	2017
E3	Access to Workplaces	Replaced	Local Plan	2017
E4	Farm Diversification: Alternative uses of Farmland	Replaced	Local Plan	2017
E5	Re-use of rural buildings	Replaced	Local Plan	2017
ENV1	Design of Development within Conservation Areas	Replaced	Local Plan	2017
ENV2	Development Affecting Listed Buildings	Replaced	Local Plan	2017

ENV3	Open Space and Trees	Replaced	Local Plan	2017
ENV4	Ancient Monuments and Sites of Archaeological Importance	Replaced	Local Plan	2017
ENV5	Protection of Agricultural Land	Replaced	Local Plan	2017
ENV6	Change of Use of Agricultural Land to Domestic Garden	Replaced	Local Plan	2017
ENV7	The Protection of the Natural Environment – Designated Sites	Replaced	Local Plan	2017
ENV8	Other Landscape elements of importance for nature conservation	Replaced	Local Plan	2017
ENV9	Historic Landscapes	Replaced	Local Plan	2017
ENV10	Noise sensitive development and disturbance from Aircraft	Replaced	Local Plan	2017
ENV11	Noise Generators	Replaced	Local Plan	2017
ENV12	Protection of Water Resources	Replaced	Local Plan	2017
ENV13	Exposure to poor air quality	Replaced	Local Plan	2017
ENV14	Contaminated Land	Replaced	Local Plan	2017
ENV15	Renewable Energy	Replaced	Local Plan	2017
H1	Housing Development	Merged with GD4, SW2 and SM2	Local Plan	2017
H2	Reserve Housing Provision	Merged with SW3	Local Plan	2017
H3	New Houses within development limits	Replaced	Local Plan	2017
H4	Backland Development	Replaced	Local Plan	2017
H5	Subdivision of dwellings	Replaced	Local Plan	2017
H6	Conversion of rural buildings to residential use	Replaced	Local Plan	2017
H7	Replacement Dwellings	Replaced	Local Plan	2017
H8	Home Extensions	Replaced	Local Plan	2017
H9	Affordable Housing	Replaced	Local Plan	2017

H10	Housing Mix	Replaced	Local Plan	2017
H11	Affordable Housing on Exception Sites	Replaced	Local Plan	2017
H12	Agricultural workers' dwellings	Replaced	Local Plan	2017
H13	Removal of Agricultural Occupancy Conditions	Replaced	Local Plan	2017
LC1	Loss of sports fields and recreational facilities	Replaced	Local Plan	2017
LC2	Access to Leisure and Cultural Facilities	Replaced	Local Plan	2017
LC3	Community Facilities	Replaced	Local Plan	2017
LC4	Provision of Outdoor Sport and Recreational Facilities beyond development limits	Replaced	Local Plan	2017
LC5	Hotel and Bed and Breakfast Accommodation	Replaced	Local Plan	2017
LC6	Land west of Little Walden Road Saffron Walden	Merge SW 7	Local Plan	2017
RS1	Access to retailing and services	Replaced	Local Plan	2017
RS2	Town and Local Centres	Replaced	Local Plan	2017
RS3	Retention of Retail and other services in Rural Areas	Replaced	Local Plan	2017
T1	Transport Improvements	Deleted		2017
T2	Roadside services and the new A120	Replaced	Local Plan	2017
T3	Car Parking associated with development at Stansted Airport	Replaced	Local Plan	2017
T4	Telecommunications Equipment	Replaced	Local Plan	2017
	Chesterford Park Local Policy 1	Merged S5 and E2	Local Plan	2017
	Elsenham Local Policy 1	Merged E2	Local Plan	2017
	Great Chesterford Local Policy 1	Merged E2	Local Plan	2017
	Great Chesterford Local Policy 2	Merged E1	Local Plan	2017

GD1	Town Centre	Replaced	Local Plan	2017
GD2	Land Rear of 37 to 95 High Street	Development Complete - Deleted		
GD3	White Street Car Park Extension	Development Complete -Deleted		
GD4	Residential Development within Great Dunmow's Built up Area	Merged H1	Local Plan	2017
GD5	Woodlands Park	Replaced	Local Plan	2017
GD6	Great Dunmow Business Park	Replaced	Local Plan	2017
GD7	Safeguarding of Existing Employment Areas	Merged E2	Local Plan	2017
GD8	Civic Amenity Site and Depot	Replaced	Local Plan	2017
	Oakwood Park Local Policy 1	Replaced	Local Plan	2017
SW1	Town Centre	Replaced	Local Plan	2017
SW2	Residential Development within Saffron Walden's Built up Area	Merged H1	Local Plan	2017
SW3	Land south of Ashdon Road	Merged H2	Local Plan	2017
SW4	Land adjoining the Saffron Business Centre	Merged E1	Local Plan	2017
SW5	Thaxted Road Employment Site	Merged E1	Local Plan	2017
SW6	Safeguarding of Existing Employment Areas	Merged E2	Local Plan	2017
SW7	Land at Little Walden Road	Merged LC6	Local Plan	2017
AIR1	Development in the terminal support area	Replaced	Local Plan	2017
AIR2	Cargo Handling/Aircraft Maintenance Area	Replaced	Local Plan	2017
AIR3	Development in the Southern Ancillary Area	Replaced	Local Plan	2017
AIR4	Development in the Northern Ancillary Area	Replaced	Local Plan	2017
AIR5	The Long Term Car Park	Replaced	Local Plan	2017
AIR6	Strategic Landscape Areas	Replaced	Local Plan	2017
AIR7	Public Safety Zones	Replaced	Local Plan	2017
SM1	Local Centres	Replaced	Local Plan	2017

SM2	Residential Development within Stansted's Built up Area	Merged H1	Local Plan	2017
SM3	Site on Corner of Lower Street and Church Road	Deleted		
SM4/B IR1	Rochford Nurseries	Replaced	Local Plan	2017
SM5	Parsonage Farm	Replaced	Local Plan	2017
	Start Hill Local Policy 1	Replaced	Local Plan	2017
	Takeley Local Policy 1 – Land west of Hawthorn Close	Deleted		
	Takeley Local Policy 2 – Land off St Valery	Deleted		
	Takeley/Little Canfield Local Policy 3 – Priors Green	Replaced	Local Plan	2017
	Takeley Local Policy 4 – The Mobile Home Park	Replaced	Local Plan	2017
	Takeley Local Policy 5 – Safeguarding of Existing Employment Area in Parsonage Road	Merged E2	Local Plan	2017
	Thaxted Local Policy 1 – Local Centre	Replaced	Local Plan	2017
	Thaxted Local Policy 2 – Land adjacent to Sampford Road	Currently under construction – likely to be completed - delete		
	Thaxted Local Policy 3 – Safeguarding of Employment Areas	Merged E2	Local Plan	2017

APPENDIX 2 – Production Milestones for the Local Plan

Doc Name	Subject	Doc Type	Conformity	Production Milestones						Review
				Public Participation in Plan Preparation		Regulation 19 Consultation – Local Plan Pre-submission	Sub-mission to Sec of State	Hearing Sessions	Adoption	
				Evidence Gathering and Stakeholder Involvement	Regulation 18 Public Consultation					
Uttlesford Local Plan	Sets out the Vision for development of Uttlesford District together with the key policies to achieve that vision. Includes a key diagram to illustrate the spatial strategy. Development Management Policies – criteria based policies against which planning applications will be considered Site Allocations – policies relating to specific sites where development is proposed. Gypsy and Traveller site allocations – policies relating to specific sites where development is proposed.	Local Plan	General conformity with the National Planning Policy Framework and National Planning Policy for Traveller Sites.	Jan 2015 (review existing evidence base and update where necessary)	Jan – April 2016	May – June 2016	July – Aug 2016	Dec 2016	March 2017	AMR

Appendix 3 - Chart showing programme of Local Plan

	2015												2016												2017											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	
Local Plan including: Strategic policies Site Allocations Development Management policies Gypsy and Traveller Site Allocations Key Diagram Policies Map																																				
Annual Monitoring Reports												*																								*

Key

	Commencement – trigger is consultation with the 3 stat bodies on scope of the SA	<p>Public Participation in the Preparation of a Local Plan (Reg 18)</p> <p>Notify consultation bodies of intention to prepare Local Plan and ask what such a Local Plan ought to contain. Also consider whether it is appropriate to invite representations from people who are resident or carrying on business in the area.</p>	
	Consultation on Issues and Options		
	Publication of Plan and Pre-Submission Consultation (Reg 19)		
	Submission to Secretary of State (Reg 22)	<p>Examination Stages</p> <p>Guideline timetable from submission to final report 23 weeks for hearing sessions up to 8 days with no Pre-Hearing Meeting (PHM). 29 weeks for hearing sessions up to 8 days with a PHM and 37 weeks for hearing sessions up to 12 days with a PHM.</p>	
	Hearing Sessions		
	Inspectors Report		
	Adoption at Full Council		
	Production of Annual Monitoring Report (AMR)	*	Publication on Council's Website

Sources of Information for the Evidence Base

Social	Sources of Available Data	Updating
Housing Needs	Strategic Housing Market Assessment (SHMA) working in partnership with Broxbourn, Brentwood, East Herts, Epping Forest and Harlow. Final report 2009 – Opinion Research Services and Savills Update Report 2012 (Opinion Research Services, March 2013)	
	Affordable Housing, Viability Assessment, 2010 – Levvel Updated March 2012	
	Strategic Housing Land Availability Assessment (SHLAA). 2012 – UDC	Updated Annually
	Essex Gypsy and Traveller and Travelling Showpeople Accommodation Assessment July 2014	
	Gypsy, Traveller and Travelling Showpeople Sites, Site Assessment Study October 2014	
	Demographic Study Edge Analytics – Essex Planning Officers Association Phases 1 - 6	Quarter 1 2015
Housing Supply	Housing Land Supply, April 2014 - UDC	Updated Annually
	Housing Trajectory and 5 Year Land Supply, 2014 – UDC	Updated Annually
Population Age Structure Ethnicity	2011 Census	
	Neighbourhood Statistics	
	Baseline Information Profile Nov 2010 - Essex County Council	
Leisure Facilities/playing fields	Green Space Strategy Audit 2006 - UDC	
	Open Space, Sport and Recreation Study The Landscape Partnership	

	2012	
School Capacity	Commissioning School Places 2012- 2017 - Essex County Council	Updated Annually
Health Facilities	West Essex Clinical Commissioning Group	
Crime (Rates and Fear of Crime)	Home Office http://www.homeoffice.gov.uk/crime/	
	Essex Police	
	Baseline Information Profile Nov 2010 - Essex County Council	
	Essex County Council Tracker Survey 2009	
Economy	Sources of Available Data	Action/Updating
Economic Activity Industry or Employment Occupation Groups Commuting	2011 Census	
	Employment Land Study Final Report March 2006 PACEC	
	Employment Land Review, April 2011, UDC	
	Non- residential land monitoring data Essex County Council. Employment Land Monitoring Report - UDC	Updated annually
	Employer and Business Survey – CN Research 2009	
Retail	Retail Study, Final Report December 2005 Hepher Dixon	
	Retail Study, Final Report 2012 and Supplement March 2013 Savills	
	Uttlesford Retail Capacity Study Update April 2014 Savills	
	Non- residential land monitoring data, Essex County Council	Updated Annually
Office/Industrial Accommodation Survey	Non-residential land monitoring data, Essex County Council	Updated Annually
Development Opportunity Sites	Economic Assessment – Carter Jonas 2012	
	Urban Design Assessment – Places Services, Essex County Council)	

Environment	Sources of Available Data	Action/Updating
Conservation Areas Tree Preservation Orders Listed Buildings Ancient Monuments and Archaeological Sites Sites of Special Scientific Interest and National Nature Reserves County Wildlife Sites Ancient Woodlands Special Verges Historic Landscapes and Parklands Open spaces Noise Contours Groundwater Protection Zones Poor Air Quality Zones Flood Zones	UDC GIS	Ongoing updates (UDC).
	Conservation Area Appraisals and Management Plans for Arkesden Ashdon Clavering Elmdon Felsted Great Canfield Great Chesterford Great Dunmow Great Easton Great Hallingbury Great Sampford Hadstock Hatfield Broad Oak Hazel End Hempstead Henham High Easter High Roding Littlebury Little Dunmow Manuden Newport Radwinter Saffron Walden Stansted Mountfitchet Stebbing Thaxted Wendens Ambo Widdington	Draft plans for Audley End Quendon & Rickling
	Historic Settlement Character Assessment for selected settlements: Saffron Walden Great Dunmow Great Chesterford Henham Newport Stansted Mountfitchet UDC 2007 Thaxted –UDC 2009	
	Village Templates (Market Towns and Key Villages) UDC 2011	
	Uttlesford District Historic Environment Characterisation Project – Essex County Council 2009	
Landscape Character Assessment	Essex County Council – county level information	

	Landscape Character Assessment. Final Report September 2006 Chris Blandford Associates	
Biodiversity	Phase 1 Habitat Survey 1990 Local Wildlife Sites Review October 2007 Essex Ecology Services Ltd Appropriate Assessment UDC 2007 and updated in 2013	
Flood Risk	Strategic Flood Risk Assessment, Final Report March 2008 JBA Consulting	
Rural Lanes	Uttlesford Protected Lanes Assessment March 2012 Essex County Council	
Agricultural Land Classification	Department for Environment, Food and Rural Affairs (DEFRA)	Input data to GIS (UDC)
Water Quality Water Use	Environment Agency	
	Water Companies	
	Water Cycle Study, Scoping and Outline Strategy 2010 – Hyder Consulting.	
	Water Cycle Study, Stage 2 November 2012 – Hyder Consulting.	
Air Quality	Assessment of Uttlesford District's Local Plan on Air Quality in Saffron Walden 2013 - Jacobs	
Green Belt	Green Belt Boundary Scoping Report – UDC 2011	
Renewable Energy	Renewable Energy Study of the District 2008 - Altechnica	
Communication and Transport	Sources of Available Data	Action/Updating
Public Transport - Bus	http://www.essex.gov.uk/Travel-Highways/Public-Transport/Pages/Public-transport.aspx	

	ECC Local Transport Plan 2011 (LTP 3)	Transport strategy published. Implementation plans to follow.
Public Transport –Rail	Network Rail London and South East Route Utilisation Strategy (RUS) 2011. Informs the development of High Level Output Specifications from 2019, and sets out the strategy for the London and SE rail network to 2031.	
	Network Rail Anglia Route Business Plan for Control Period 5 2014-2019. Sets out the relevant outputs, activity and expenditure at route level to achieve the specified national outputs.	Annual Updates
Capacity of Road Network	Essex Traffic Monitoring Report	Produced Annually
	Essex County Council Local Transport Plan (LTP 3) 2011-2026	LTP 3 to 2026 currently in preparation
	Comparative Transport Analysis 2010 - ECC	
	Transport Analysis of Draft Local Plan - Local Plan Highway Impact Assessment, Essex Highways October 2013	

Committee: Uttlesford Planning Policy Working Group

Agenda Item

Date: 26 January 2015

8

Title: 5-Year Land Supply Update

Author Sarah Nicholas, Senior Planning Officer

Summary

1. This report updates members on the Council's 5 year supply of housing taking into account the Inspector's conclusions following the Local Plan Examination.

Recommendations

2. For Information

Financial Implications

3. None

Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

- 5.

Communication/Consultation	Will be published on website.
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A
Ward-specific impacts	ALL
Workforce/Workplace	N/A

Situation

6. In June 2014 the Council published its Housing Trajectory and 5 year land supply statement which demonstrated that the Council had a 6.2 year supply of deliverable housing. This was based on a requirement of 523 dwellings per annum, plus a shortfall of 133 and an additional buffer of 5%.
7. In his conclusions dated 19 December 2014, the Local Plan Inspector concluded that 10,460 dwellings over the plan period did not represent the Council's Objectively Assessed Need. He considered that the demographically-modelled household projections required some upward adjustment to take into account market signals such as affordability. The Inspector made clear that the new Objectively Assessed Housing Need should be based on an update Strategic Housing Market Assessment (SHMA). In his view it would be appropriate to examine an overall increase of around 10% to about 580pa (11,600 over a 20 year period). Until the SHMA is concluded and discussions have taken place between the four authorities to ensure that the total needs the SHMA area are delivered, it is considered that the Inspector's figure of 580pa is a sound figure as the basis for calculating a 5 year supply.
8. In relation to other aspects of requirement and supply the Inspector makes the following comments at paragraph 3.7 of his conclusions.
 - The table at EX149 (housing Targets and Delivery) indicates that housing delivery performance over the past 13 years has not fallen significantly below appropriate targets for the years in question. The buffer discussed in the NPPF therefore does not need to be increased beyond the 'standard' 5%.
 - There is no local or contemporary evidence which would justify the application of a standard 'lapse rate' for outstanding residential planning permissions: -the Council's evidence on the windfall allowance (set out at H109) uses the stringent criteria of the Essex County Council definition and, at 50pa, is reliably based upon well-evidenced research and consistent with para 48 of the NPPF.
 - There is no requirement, as some have urged, to add to the OAN to cater for any 'backlog' calculated against years preceding the 2011 base-year of the plan (see Zurich Assurance Ltd v Winchester City Council & South Downs National Park Authority [2014] EWHC 758 Admin).
 - The Council's housing trajectory (H108) provides a generally sound view of the years during which deliverable/developable land can be brought forward over the plan period, while the high level of potential completions shown in years 3-5 reflects a generally healthy current land-supply situation, with deliverable sites of various sizes controlled by a wide range of house-builders across a good range of locations. Indeed, the controllers of some sites took a more optimistic view of potential delivery than H108. If the out-turn in delivery during years 3-5 were to prove slower than indicated in H108 the evidence does not

suggest that this would be due to constraints in-built within the plan (eg unresolvable infrastructure issues or the over-dominance of allocated sites by a small number of house-building companies). It is also notable that the situation reflected in H108 does not rely upon completions on the land north-east of Elsenham during the 5-year period.

9. In relation to the supply of deliverable sites, since the 1 April 2014 a number of permissions which had a resolution to grant subject to signing of a S106 have now had the decision notice issued; and a number of outline permissions are now the subject of detailed applications. This all reinforces the view that these sites are deliverable. The table appended to this report lists the supply of deliverable sites.
10. The following sites which in April 2014 were considered developable in years 6 onwards have since been granted planning permission or a resolution to grant planning permission and therefore likely to be delivered earlier than anticipated.

Policy	UTT Reference	Decision Date	Capacity
F-GRE1	UTT/14/0005/OP	12-09-14	98
GtCHE2	UTT/14/0425/OP	16-10-14	14 (increase of 4)
HEN1	UTT/14/2655/FUL	Resolution to Grant 10-12-14	21 (decrease of 4)
STE1	UTT/14/1069/OP	Resolution to Grant 17-9-14	30 (increase of 20)
TAK3	UTT/14/0122/FUL	15-9-14	14 (increase of 1)

11. Furthermore, since 1 April 2014 a number of windfall sites have been granted planning permission. As well as small sites of 5 or less dwellings (which are not listed below) the following larger sites have been permitted. All the sites will contribute to the 250 windfall sites to be delivered within the 5 year period.

UTT reference number	Development Address	Development Description	Capacity
UTT/14/0733/P3JP A	The Mill Royston Road Wendens Ambo	Prior notification of change from offices to 14 dwellings	14
UTT/13/1170/OP	Land Off Wedow Road, Thaxted,	Erection of up to 47 dwellings (allowed on appeal)	47
UTT/14/0787/OP	Land rear of Canada Cottages Stortford Road Great Dunmow	Outline application, with all matters reserved except access, to demolish all buildings on site, extinguish use and erect 7 no. dwellings	7

UTT/14/2514/FUL	Garage site at Catons Lane Saffron Walden	The demolition of existing garages (40 No.) and erection of 6 residential units. UDC APPLICATION	6
UTT/14/0779/FUL	Windmill Works Aythorpe Roding	Demolition of existing buildings and redevelopment of site to provide 11 residential units	11
The following windfall sites have a resolution to grant planning permission subject to the signing of a S106			
UTT/14/1688/FUL	Land east of Mill Road, Wimbish	Affordable Housing Development consisting of 11 dwellings, 3 of which to be "open market".	11
UTT/14/2003/FUL	Moore's Garage, Thaxted Road, Saffron Walden	Demolition of existing buildings erection of mixed use building for flats, shops and office use	10

12. The following table sets out an updated 5 year land supply using the revised target of 580pa. It shows that the Council can demonstrate 5.4 years supply of deliverable sites.

Table 1		
Calculation of 5 year housing supply		
Annual Target	AT	580
Target years 1 - 5	AT x 5	2900
Shortfall 11/12 – 13/14	(3xAT) -1451	289
Target plus shortfall		3189
5% of target plus shortfall		159
Overall target	T+	3348
Supply	S	3592
% of target available on deliverable sites	(S/T+)x100	107
Supply in years	S/(T+ /5)	5.4
Deficit/Surplus	S-(T+)	244

13. The next Housing Trajectory and 5 Year Land Supply Statement will be published in June 2015 when the Council has information on the number of dwellings permitted and completed during 2014/15.

Risk Analysis

14.

Risk	Likelihood	Impact	Mitigating actions
That Councillors have insufficient information to make an informed decision on planning applications	1. Low likelihood of un-informed decisions being made due to information and advice made available	2. High impact on Local Plan process if unsound decisions made	Annual assessments and monitoring to take place to ensure the council knows the number of units planned, commenced and constructed within its area.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Deliverable Sites Contributing to 5-year supply of housing

Policy No.	Site	UTT Reference	Date of Permission	YR1 14/15	YR2 15/16	YR3 16/17	YR4 17/18	YR5 18/19
	Windfall Allowance			50	50	50	50	50
CLA1	Clavering: Land south of Oxleys Close	UTT/13/0327/OP	13/01/14		13			
CLA1	Clavering: Land to the rear of the shop and Oxleys Close	UTT/2251/11/FUL	22/11/13		14			
CLA2	Clavering: Jubilee works	UTT/2149/11/OP UTT/13/3357/DFO	29/11/12 12/03/14			12	12	
ELS3	Elsenham: Land west of Station Road	UTT/0142/12/OP UTT/14/3279/DFO	09/05/13 Decision pending		24	30	50	50
ELS3	Elsenham: Land west of Station Road Care Home	UTT/0142/12/OP	09/05/13					55
ELS4	Elsenham: Land west of Hall Road	UTT/13/0177/OP UTT/14/0721/DFO	19/12/13 Decision pending		40	45	45	
ELS5	Elsenham: Land south Stansted Road	UTT/13/1790/OP UTT/14/3513/DFO	23/12/13 Decision pending			55	55	55
ELS6	Elsenham: Former Goods Yard, Old Mead Lane	UTT/12/6116/FUL	07/02/14			10		
ELS6	Elsenham: Hailes Wood	UTT/13/2917/FUL	23/07/14				31	
ELS6	Elsenham: Land at Alsa Leys	UTT/13/2836/FUL	12/03/14			6		
ELS6	Elsenham: The Orchard	UTT/1500/09/OP UTT/2166/11/DFO	25/11/10 10/08/12	7				

Policy No.	Site	UTT Reference	Date of Permission	YR1 14/15	YR2 15/16	YR3 16/17	YR4 17/18	YR5 18/19
F-GRE1	Felsted/Little Dunmow: Oakwood Pk	See Housing Supply Statement			9			
FEL2	Felsted: Watchhouse Grn Felsted	UTT/13/0989/OP UTT/14/2591/DFO	11/07/13 Decision pending	12	13			
GtCHE1	Great Chesterford 1: New World Timber and Great Chesterford Nursery, London Road	UTT/14/0174/FUL	8/12/14				21	21
GtCHE2	Great Chesterford: Land south of Stanley Road	UTT/12/5513/OP UTT/13/3444/DFO	12/07/13 13/02/14		20	30		
GD1	Great Dunmow: west of Woodside Way	UTT/13/2107/OP	Resolution to approve 12/2/14			50	50	50
GD5	Great Dunmow: Land west of Chelmsford Road	UTT/13/1684/OP	03 November 2014			50	50	50
GD5	Great Dunmow: Land west of Chelmsford Road x 70 bed care home	UTT/13/1684/OP	03 November 2014					70
GD6	Gt Dunmow:Woodlands Pk Sector 1-3	See Housing Supply Statement		25	25	25	25	25
GD6	Gt Dunmow: Woodlands Park Sector 4	UTT/2507/11/OP. UTT/13/1663/DFO	02/08/12 31/10/13		25	50	49	
GD7	Gt Dunmow: South of Ongar Road	UTT/1255/11/OP	12/07/12		25	25	50	
GD8	Gt Dunmow: North of Ongar Road	UTT/1147/12/OP	23/08/12			33	40	

Policy No.	Site	UTT Reference	Date of Permission	YR1 14/15	YR2 15/16	YR3 16/17	YR4 17/18	YR5 18/19
GD9	Gt Dunmow:Brick Kiln Farm	UTT/13/0847/OP UTT/14/0265/DFO	11/07/13; 04/0614			30	35	
GD10	Gt Dunmow: Perkins Garage	UTT/12/5270/FUL	08/10/13				12	
GD10	Gt Dunmow: Barnetston Court	UTT/1519/12/FUL	19/04/13			10		
	Great Easton: The Moat House Dunmow Road Care home	UTT/0874/11/FUL	29/07/11	26				
	Hatfield Heath: Broomfield	UTT/12/5349/FUL	01/10/13	14				
	Hatfield Heath: The Stag Inn,	UTT/13/2387/FUL	01/11/13	6				
HEN2	Henham: land north of Chickney Road and west of Lodge Cottages	UTT/14/0065/FUL	15/05/14				16	
H-ROD1	High Roding: Meadow House Nursery	UTT/13/1767/FUL	07/01/14				15	15
Lt-DUN1	Little Dunmow: Dunmow Skips Site	UTT/13/2340/OP UTT/14/3675/DFO	27/10/14 Decision pending				19	19
MAN1	Manuden: Site off the Street	UTT/0692/12/FUL	12/02/13	5				
NEW1	Newport: Bury Water Lane/Whiteditch Lane	UTT/13/1769/OP	29/11/13				42	42

Policy No.	Site	UTT Reference	Date of Permission	YR1 14/15	YR2 15/16	YR3 16/17	YR4 17/18	YR5 18/19
NEW2	Newport : Hillside and land to rear, Bury Water Lane Retirement village (40 retirement units; 120 extra care; 5 market houses) [5 respite care bungalows not included] Loss of 2 units	UTT/13/1817/OP UTT/14/2900/DFO to UTT/14/2904/DFO (5 market houses)	30/10/13 18/12/14					43
NEW4	Newport: Carnation Nurseries	UTT/12/5198/OP UTT/14/3506/DFO	10/10/13 Decision Pending				11	11
QUE1	Quendon: land r/o Foxley House	UTT/1359/12/OP UTT/13/0027/OP UTT/14/3662/FUL	30/08/13 Decision Pending				19	
RAD1	Radwinter: Land north of Walden Road	UTT/13/3118/OP	28/02/14				15	20
SAF1	Saffron Walden 1: Land south of Radwinter Road	UTT/13/3467/OP	Resolution to grant 30 April 2014			50	50	50
SAF1	Saffron Walden: Land south of Radwinter Road for retirement village (60 bed care home; 12 extra care bungalows; 30 extra care apartments)	UTT/13/3467/OP	Resolution to grant 30 April 2014				60	12
SAF3	Saffron Walden: Former Willis and Gambier Site, Radwinter Road	UTT/13/3406/FUL	25/07/14			26	26	

Policy No.	Site	UTT Reference	Date of Permission	YR1 14/15	YR2 15/16	YR3 16/17	YR4 17/18	YR5 18/19
SAF3	Saffron Walden: Former Willis and Gambier Site, Radwinter Road Extra Care Home	UTT/13/1981/OP UTT/14/3182/FUL	25/07/14 Decision pending			60		
SAF6	Saffron Walden: Land at Ashdon Road Commercial Centre	UTT/13/2423/OP	26/11/14				50	50
SAF7	S Walden: 8-10 King Street	UTT/0280/12/REN of UTT/1733/08/FUL	21/06/12				8	
SAF7	S Walden: Ashdon Road	UTT/1572/12/DFO	21/11/12	68	40			
SAF7	S Walden: Friends School	UTT/0188/10/FUL	31/03/11	7				
SAF7	S Walden: Goddards Yard	UTT/13/0669/FUL	21/06/13		14			
SAF7	S Walden: Land to the West of Debden Road (Tudor Works)	UTT/1252/12/OP UTT/14/0356/DFO	21/11/12 24/07/14			24		
SAF7	S Walden: Lodge Farm, Radwinter Rd (Pt of Jossaumes)	UTT/12/5226/FUL	04/01/13	31				
SAF7	S Walden: Thaxted Rd (Kiln Court)	UTT/13/1937/OP	11/10/13				26	26
SM1	S Mountfitchet: lotus garage 2 Lower Street	UTT/1522/12/FUL	07/01/13			14		

Policy No.	Site	UTT Reference	Date of Permission	YR1 14/15	YR2 15/16	YR3 16/17	YR4 17/18	YR5 18/19
SM2	S Mountfitchet: Rochford Nurseries	See Housing Supply Statement		35				
SM3	Stansted : Land at Walpole Farm	UTT/13/1618/OP	01/04/14			50	50	60
SM4	Stansted: Land at Elms Farm	UTT/13/1959/OP UTT/14/2133/DFO	17/01/14 18/12/14				25	26
SM5	S Mountfitchet: Mead Court Redevelopment of 27 units with 29 units therefore net gain of 2	UTT/13/0749/FUL	06/06/13	2				
	Stansted: Braefield Engineering High Lane : Care home	UTT/0310/12/FUL	28/06/12	60				
TAK1	Takeley: Land South of Dunmow Road and east of The Pastures/Orchard Fields	UTT/1335/12/FUL	24/09/13			13	14	14
TAK2	Takeley 3: North View and 3 The Warren	UTT/13/1779/FUL	03/10/13				22	23
TAK3 (part)	Takeley: Land adj Olivias, Dunmow Rd	UTT/12/5142/FUL	14/12/12			6		
TAK4	Takeley: Priors Green	See Housing Supply Statement		14	6	6	6	8
TAK5	Takeley: Brewers End Takeley	UTT/13/1393/OP UTT/14/3295/DFO	23/08/13 Decision Pending		25	37	38	

Policy No.	Site	UTT Reference	Date of Permission	YR1 14/15	YR2 15/16	YR3 16/17	YR4 17/18	YR5 18/19
TAK6	Takeley: Chadhurst Takeley	UTT/13/1518/FUL	12/09/13		12			
TAK6	Takeley: Priors Green Stansted Motel & 2 Hamilton Rd	UTT/0240/12/OP UTT/14/1819/FUL	03/09/12 29/10/14		13			
THA1	Thaxted: Sampford Road	UTT/12/5754/FUL	08/02/13		20	20	20	
THA3	Thaxted: Land East of Barnards Fields Thaxted	UTT/13/0108/OP UTT/14/2426/DFO	07/06/13 17/10/14		8			
THA3	Thaxted: Wedow Road	UTT/1562/11/OP UTT/12/5970/DFO UTT/13/1153/DFO UTT/13/3420/OP x 4	09/12/11 18/02/13 3/07/13 17/01/14	15	20	20	4	
	Wendens Ambo: Mill House Royston Road	UTT/13/3474/P3JPA	24 February 2014		6			
	All sites			377	422	837	1111	845

Committee: Uttlesford Planning Policy Working Group

Agenda Item

Date: 26 January 2015

9

Title: Duty to Cooperate

Author: Andrew Taylor, Assistant Director Planning
and Building Control

Item for noting

Summary

1. This report updates members on the Duty to Cooperate work.

Recommendations

2. a) To note the report.

Financial Implications

3. None

Background Papers

4. None

Impact

- 5.

Communication/Consultation	Communication and consultation form the bedrock of cooperating. This paper is published on the website.
Community Safety	The Duty to Cooperate will include all factors.
Equalities	The Duty to Cooperate will include all factors.
Health and Safety	The Duty to Cooperate will include all factors.
Human Rights/Legal Implications	The Duty to Cooperate will include all factors. Failure to comply would result in the Local Plan being found unsound.
Sustainability	The Duty to Cooperate will include all factors.
Ward-specific impacts	Affects all wards equally
Workforce/Workplace	This will involve Councillors, officers from

	the Planning Policy Team and others as necessary.
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Situation

6. This report seeks to update members on the Duty to Cooperate which forms part of Section 110 of the Localism Act 2011. The Duty requires local planning authorities, public bodies and others to engage constructively, actively and on an ongoing basis in relation to the planning of sustainable development.
7. The Inspector considered the Council's work in relation to the Duty to Cooperate at the recent Examination. As part of the submission documents the Council produced a 'Statement of Compliance with the Duty to Cooperate' dated July 2014. In his final comments the Inspector commented that "My overall judgement is that the Council did fulfil its obligation under S33A, albeit somewhat narrowly". It is therefore important for the Council to consider how it can improve on previous work to ensure that the depth of compliance is widened.

Current work

8. A report on the **Strategic Housing Market Assessment (SHMA)** has been provided elsewhere on the agenda. This key piece of work is being procured on behalf of the four authorities by Epping Forest District Council. Officers attend the project steering group and are party to the decision making process. The meetings involve update presentations from the consultants, ORS, and time to discuss and decide on key inputs as requested by the consultants. It is important that the councils have a say in the inputs to the study but it is equally important that the consultants produce a final study which they are comfortable with and which they are confident of defending at appeal or Examination. We expect the first phase of the study to report in February/March 2015 with an update mid-year.
9. The SHMA work forms part of the wider cooperation between the four authorities and a number of others including, Brentwood, Broxbourne, LB Redbridge, Essex and Hertfordshire County Councils. This group has collectively become known as the **Cooperation for Sustainable Development Board**. The agreed Terms of Reference are attached as Appendix 1.
10. The Coop group of Councillors meets as necessary but on average every 2 to 3 months. Two meetings have been held to date with a third planned for 27 January 2015. Cllr Barker was elected Chairman of the Board and Uttlesford provides the secretariat, both these roles will be reviewed at the start of the new municipal year. The notes of the last meeting in October 2014 are attached as Appendix 2.
11. In addition to the Councillor meeting officers also meet regularly to discuss the ongoing technical work, plan the Board meetings and address other issues as appropriate. The last meeting was on 19 January 2015. Epping Forest DC provides the secretariat for the officer group.

12. The Council made a submission to the Mayor of London on the **Further Alterations to the London Plan** (FALP) consultation earlier in 2014. As a result the Assistant Director attended the FALP Hearing sessions to put forward the Councils' views. As well as submitting our own comments we signed a joint letter with 51 other authorities. This group became known as the 'Bedford 51' (after the fact that the GLA wrote to Bedford Borough Council advising them of the need to plan for additional housing from London). A total of six officers, including the Assistant Director, represented this group at the Hearings. The report into the FALP was published on 15 December 2014 and is attached as Appendix 3.
13. The report is self-explanatory but in summary the FALP was found Sound subject to a number of modifications and a commitment to a review of the full London Plan to start in 2015. The Council will need to monitor and actively participate in this review of the London Plan. There is a widely held belief, confirmed by the Inspector, that London is not able to fully meet the needs of its growing population within its own boundaries. As a result (and similar to the historic New Towns movement), housing to provide for London's needs will need to be provided outside its boundaries. This will have a significant impact on the wider South East.
14. As part of their engagement process the GLA have met the East of England Local Government Authority, South East Councils as well as groups such as the Essex Planning Officers Association (EPOA) and a specially convened London Stansted Cambridge Consortium (LSCC) officers meeting. In addition the GLA have created a Strategic Spatial Planning Officer Liaison Group (SSPOLG) which is a group of 27 people to lead and guide this process. The Assistant Director has been invited to join this group, the next meeting of which is on 30 January 2015. The Terms of Reference are:
- The working group exists to:*
- *Promote shared understanding and use (where appropriate) of strategic spatial planning policy assumptions, issues and responses.*
 - *Improve shared understanding and use of common data, standards and monitoring.*
 - *Foster dialogue about policy options for strategic spatial planning policies in London and the wider metropolitan area.*
 - *Discuss how shared approaches can strengthen the case for strategic transport, economic development and environmental infrastructure delivery.*
 - *Communicate/disseminate working group findings as appropriate.*
15. These are incredibly important meetings and discussions which will set the context for more formal discussions including Councillors which will lead to decision making regarding the location of new housing in the wider south east to meet the needs of London.
16. The Council continues to participate in meetings with **Stansted Airport** and neighbouring authorities. Regular meetings are held to oversee the transport strategy, the development of the Sustainable Development Plan and ongoing S106 obligation monitoring.

17. Councillors will be aware that we submitted detailed comments as part of M.A.G's consultation on the Sustainable Development Plan. Since then officers have met with the airport informally to discuss comments received as part of the consultation and the potential changes to the plan.
18. The council is part of an Essex wide project to develop a **Planning Compact** for Essex. This project, led by Essex County Council, is sponsored by Essex Chief Executives Association and builds on the existing work of EPOA to understand the planning constraints within the County, start work on preparing an Infrastructure Plan and develop a general planning framework for Essex along the lines of that established in Cambridgeshire. The Notes of the last meeting are attached as Appendix 4 with the next meeting arranged for 22 January 2015.

Conclusion

19. Work with other councils and organisations continues as part of the integrated work of the Planning Policy Team. As part of the development of the revised plan there are some important Duty to Cooperate meetings to be held and decisions to be made. Councillors will be aware that some of these decisions will be difficult and involve a significant amount of discussion and negotiation before an outcome can be secured.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Failure to comply with and demonstrate the Duty to Cooperate	2 – Some Council's have been found lacking in this Duty by Inspectors. Therefore need to ensure that we capture as many groups, issues and outcomes as possible to present a full picture of our work.	3 – Will result in the Local Plan being found unsound. Significant impact on planning policy and planning applications.	Cooperate closely with current organisations and continue to do this through the plan making process. Identify any gaps in cooperation and work closely with those bodies to rectify situation.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

Appendix 1

Terms of Reference¹

Co-operation for Sustainable Development Board

October 2014

1. Aims and Objectives

(1) The Co-operation for Sustainable Development Board will support Local Plan making and delivery for sustainable communities across geographical and administrative boundaries in West Essex, East Hertfordshire and the adjoining London Boroughs. It will do this by identifying and managing spatial planning issues that impact on more than one local planning area within West Essex, East Herts and the adjoining London Boroughs.²

1.1 Local authorities are required by law through the Duty to Cooperate to *'engage constructively, actively and on an on-going basis'* on planning matters that impact on more than one local planning area ('strategic planning matters'). The duty is further amplified in the National Planning Policy Framework (NPPF) which sets out the key 'strategic priorities' that should be addressed jointly³.

1.2 The Co-operation for Sustainable Development Board ('the Board') is responsible, on behalf of the core member authorities, for identifying the sustainable development issues that impact on more than one local planning area and agreeing how these should be managed (covering the whole local plan cycle from plan-making, through to delivery and monitoring). This may include evidence gathering. It is an advisory body, and any decisions resulting from its advice remain the responsibility of its constituent councils.

1.3 As part of this process, the Board will review cross boundary issues (strategic planning matters) being progressed through emerging local plans and constituent Local Development Frameworks documents as appropriate, and identify issues which are likely to be vulnerable in the legal tests applied under the Duty to Cooperate. In doing so it will consider the plans of local planning authorities outside the core membership where these are likely to impact upon more than one member authority.⁴

¹ These initial terms of reference are expected to be reviewed and updated at the start of each municipal year.

² The core constituent administrative areas are identified as Epping Forest, Harlow and Uttlesford districts, Brentwood Borough and Essex County Council, East Herts and Broxbourne districts and Hertfordshire County Council, and the London Boroughs of Waltham Forest, Redbridge and Enfield.

³ 'Strategic priorities' that local planning authorities have a duty to cooperate on are defined in Paragraph 156 of the National Planning Policy Framework (NPPF).

⁴ Initial identification of cross boundary issues will arise from the NPPF, NPPG and from issues identified at member workshops in 2014, but are expected to change as new issues arise.

(2) The Board will support better integration and alignment of strategic spatial and investment priorities in West Essex, East Herts and adjoining London boroughs, ensuring that there is a clear and defined route through the statutory local planning process, where necessary.

1.4 In order to support the economic growth points within the area and investor confidence, recognising the different attributes and contributions made by the individual member councils, the Board will work jointly with the Local Economic Partnerships identified in Section 4 to understand long term investment priorities and ensure that these are aligned with other public and private sector investment plans.

1.5 Initially the Board will seek to understand work that is already underway which is relevant to the Board's strategic planning role.

2. Membership and Accountabilities

2.1 The Board provides a forum for local authorities to manage issues that impact on more than one local planning area, developing the necessary evidence base and ensuring wider corporate and other relevant matters are fully taken into account. Although there is a clear emphasis on reaching a common approach on key strategic approaches, the Board is an advisory body only. Any decisions on taking forward outputs from its meetings and work programme (e.g. shared views, policy approaches, evidence or research) will be the responsibility of individual local authorities and the statutory planning process.

2.2 Core membership of the Board will comprise representatives from Epping Forest, Harlow and Uttlesford districts, Brentwood Borough, Chelmsford City and Essex County Council, East Herts and Broxbourne districts and Hertfordshire County Council, and the London Boroughs of Waltham Forest, Redbridge and Enfield. The GLA will be given Observer status and will be sent minutes of meetings and invited to engage at appropriate times.

Each core member authority will be invited to contribute to the work programme and to consider strategic planning issues that impact on the wider area. Other authorities may be invited to attend on an occasional basis if an issue being considered is likely to have a significant impact on the authority's planning area. Each core member authority will be represented on the Board by the relevant holder of the Planning portfolio or Leader as appropriate, to ensure confidence of authority and commitment to resources.⁵ Officers may attend meetings in support of members.

2.3 Regular feedback and briefing to the constituent members' political and corporate leadership is the responsibility of member representatives, and should be used as a way of ensuring wider ownership and support for the Board's work as it progresses. There should also be appropriate liaison between the local authority representatives of both the Board and the South East, Hertfordshire, Greater Cambridge and Greater Peterborough Local Economic Partnerships, and London Enterprise Panel

2.4 The Chairman of the Board will be appointed on a rotating basis which should be reviewed at least annually to ensure fair and equal opportunities amongst the

⁵ Councils will identify their lead member Page 82

constituent member authorities. Officers of the Chairman's authority will provide administrative and clerical support to meetings.

3. Ways of Working

3.1 Refer to Diagram in Annex 1 for details of initial working arrangements. The Board will agree a work programme, including steering and management arrangements for each project, on an annual basis. This could include setting up 'task and finish' groups for specific projects, either reporting directly to the Board or on a shared basis with other bodies. The Board will meet regularly, as required and its meetings will rotate between Harlow, Epping Forest DC and East Herts Councils as the most convenient locations for all. In the interests of transparency, notes of the Board's meetings will be publicly available once they have been agreed.

3.2 The Co-operation for Sustainable Development Officer Group will provide either direct advice or support, and/or deliver agreed projects.

3.3 Once the work programme has been established, good project management principles should be applied, such as risk management, particularly around political sensitivities and funding, and keeping the work programme under review to ensure that it is meeting the agreed objectives and the identified priorities remain relevant.

4. Key relationships

4.1 **South East Local Economic Partnership:** The Board will work closely with SELEP to ensure the long term integration of strategic planning and investment priorities. The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams. It is also identified in Local Planning Regulations as a body that local authorities need to take account of in meeting its 'duty to cooperate' obligations.

4.2 **Hertfordshire LEP:** The Board will work closely with Hertfordshire LEP to ensure the long term integration of strategic planning and investment priorities. The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams. It is also identified in Local Planning Regulations as a body that local authorities need to take account of in meeting its 'duty to cooperate' obligations.

4.3 **Greater Cambridge and Greater Peterborough LEP:** The Board will work closely with GCGP LEP to ensure the long term integration of strategic planning and investment priorities. The LEP plays a key support role on economic development and regeneration and is responsible for major funding streams. It is also identified in Local Planning Regulations as a body that local authorities need to take account of in meeting its 'duty to cooperate' obligations.

4.4 **London Enterprise Panel** – this acts as the Local Economic Partnership for London.

4.5 **East Herts West Essex Border Liaison Group:** this is an established forum for members from many of the core Board authorities to come together and discuss issues of common interest several times a year. Its terms of reference specifically include reference to the duty to co-operate. Its wide membership (in

terms of the number of elected members invited from the constituent authorities) means that it provides a useful forum for the Board to communicate on its activities, and receive updates on issues. The Chairman of the Board or an agreed member should report to each meeting of the EHWEBLG.

4.6 London Stansted Cambridge Consortium: this is an established partnership of public and private sector organisations, including councils, which covers the area from Tech City, the City Fringe, Kings Cross, and the Olympic Park, up through the Lee Valley and M11/A10 and West Anglia Rail corridors to Harlow and Stansted, and through to Cambridge. The principal objective of the consortium is to drive economic development and enhance quality of life in the north London – Stansted – Cambridge corridor. This means not only driving job growth through productivity and investment, but more importantly increasing economic activity, by ensuring local communities access employment opportunities.

4.7 Other Key Partners: A number of key bodies and organisations will be necessary to support the work of the Board either through direct support/advice or through joint projects. Most of these will be subject to the legal requirements of the ‘duty to cooperate’ and may well already be involved in the other partnerships mentioned above. Key bodies include the Lee Valley Regional Park, the Corporation of the City of London (responsible for Epping Forest), the Environment Agency, Highways Agency, and Homes and Communities Agency. Private sector infrastructure providers, particularly utility companies, will also be key partners particularly in terms of ensuring alignment between investment plans and priorities.

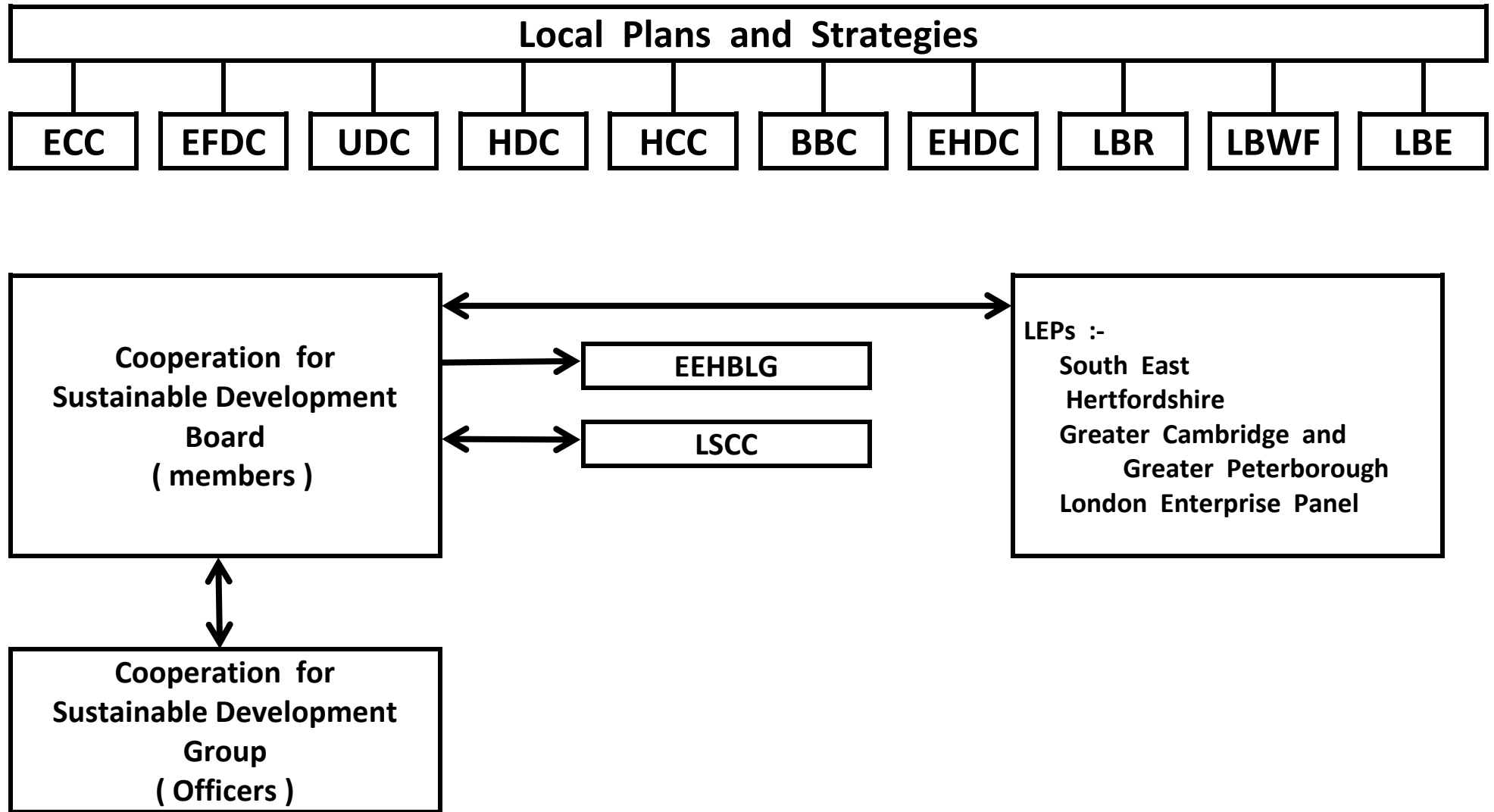
5 Technical Support

5.1 The Board will be supported by an officer group, known as the Co-operation for Sustainable Development Group, with representatives from each of the constituent authorities. The group will advise the Board on technical issues, and act as a steering group for any identified project, establishing suitable technical support and project management arrangements for each. This may involve the use of ‘task and finish’ groups and could include the use of external expertise e.g. from key statutory bodies identified in Section 4 above or the use of consultants. The group will therefore also be responsible for any necessary joint procurement arrangements.

5.2 A representative of the officer group (the chairman or a suitable substitute) will attend the Board meetings and provide regular progress updates on the work programme to the Chairman.

6. Review

6.1 These are initial terms of reference, and will be formally reviewed before May 2015. It is important to keep arrangements flexible to respond to changes in planning policy, priorities and work programmes and to move forward from plan policy development stages to implementation. It is therefore anticipated that the terms of reference will continue to be reviewed annually.



Appendix 2

Cooperation for Sustainable Development Board

Held at Epping Forest District Council, Monday 20th October 2014

Present:

Cllr Susan Barker (Chairman)	Uttlesford DC
Cllr Phil Baker	Brentwood BC
Cllr Jim Metcalf	Broxbourne BC
Cllr Mike Carver	East Herts DC
Cllr Richard Bassett	EFDC
Cllr Gary Waller	EFDC
Cllr Helen Kane	EFDC
Cllr Chris Whitbread	EFDC
Cllr David Stallan	EFDC
Cllr Jon Clempner	Harlow BC
Cllr Anthony Durkan	Harlow BC
Cllr Helen Coomb	LB Redbridge
Cllr Julie Redfern	Uttlesford DC
Phil Drane	Brentwood BC
Gordon Glenday	Brentwood BC
Claire Sime	East Herts DC
Laura Pattison	East Herts DC
Derek Macnab	EFDC
Alison Blom-Cooper	EFDC (consultant)
Anna Cronin	EFDC
Zhanine Oates	Essex CC
David Sprunt	Essex CC
Paul McBride	Harlow BC
Graeme Bloomer	Harlow BC
Paul Donovan	Herts CC
David Hughes	LB Redbridge
Andrew Taylor	Uttlesford DC
Apologies:	
Cllr R Hurst	Essex CC
Cllr R Thake	Herts CC

Strategic Housing Market Update

ORS gave a presentation on the work in progress on updating the Strategic Housing Market Assessment (SHMA) for the Harlow/Uttlesford/East Herts/Epping area.

Members had a number of questions on the emerging findings. Representatives of EFDC were concerned to understand what lay behind the figures for EFDC, which appeared to have increased considerably on the previous SHMA.

There was some discussion of how best to address these questions before finalisation and publication of the SHMA. ORS agreed to look into the inputs and assumptions and discuss with Edge Analytics. It was agreed that the SHMA officer steering group would then consider the issues.

Junction 7a of M11

David Sprunt of Essex CC gave a presentation on the need for a new junction on the M11 north of existing junction 7 in order to accommodate existing and projected growth in the wider area around Harlow.

He explained that while some modelling had been carried out, a new model was being constructed to support consideration of the issue. Public consultation on a preferred design was expected to take place in 2015 and, if approved, construction would take place from 2018 to 2020.

It was important that local plans in the area referred to Junction 7a but it was also important that councils in the area signed up to generally support the new junction prior to completing their plans, as this would help in making the case for the junction. This Group provided a suitable forum for discussion and generating such commitment.

David Sprunt indicated his willingness to return to the Group early in 2015 and explain the findings of the new modelling.

The Group indicated its general support in principle for the new junction.

Notes of Members' Event 15th September

The notes of the meeting facilitated by the Planning Advisory Service at Harlow on 15th September 2014 were agreed.

Chair and Future Support

Consideration was given to a note which had been tabled on possible models for future chairmanship and officer support for the Group.

The Chairman for the meeting, Cllr Barker, suggested that a chairman should be agreed to cover the remaining portion of the municipal year, and this was agreed.

She indicated her willingness to continue in this role for the remainder of the year, supported by Uttlesford officers, and this was agreed, there being no other nominations.

Members agreed that officers should discuss amongst themselves the issue of whether a small financial contribution from member councils was necessary and appropriate to cover support for the Group.

Terms of Reference

The Interim Terms of Reference were agreed with the following amendments:

It was agreed that Brentwood BC and Chelmsford CC should be included as core members (para 2.2). Member councils should identify a lead member from each council.

Regarding para 3.1 it was agreed that notes of meetings should be jointly agreed before being made public.

It was also agreed to amend this paragraph to indicate that the Board would meet “regularly” rather than on any particular timescale.

Meetings would circulate around Harlow, EFDC and E Herts as the most accessible locations for all.

AOB/Date of Next Meeting

It was suggested that the next meeting should include a wider presentation and discussion around public transport generally, including such issues as the Central Line, plans for four tracking the West Anglia main train lines, and Crossrail.

The date and location of the next meeting would be discussed by officer Group in the light of the amended Terms of Reference.

Appendix 3



Report to the Mayor of London

by Mr A Thickett BA(HONS) BTP MRTPI Dip RSA

an Inspector appointed by the Secretary of State for Communities and Local Government

Date: 18 November 2014

GREATER LONDON AUTHORITY ACT 1999

PART VIII

REPORT ON THE EXAMINATION IN PUBLIC INTO THE FURTHER ALTERATIONS TO THE LONDON PLAN

Examination in Public hearings held between 1 and 18 September 2014

File Ref: SDS0024

Non-Technical Summary

This report concludes that the London Plan as changed by the Further Alterations provides an appropriate basis for the strategic planning of Greater London provided the suggested and further suggested changes are made¹ and my recommendations are accepted.

The recommendations can be summarised as follows:

- Committing to an immediate full review of the London Plan
- Removing references to London Boroughs being required carry out their own assessments of objectively assessed housing need
- Allowing London Boroughs to set their own income criteria with regard to intermediate housing

Abbreviations Used in this Report

dpa	Dwellings per annum
FALP	Further Alterations to the London Plan
GLA	Greater London Authority
IIA	Integrated Impact Assessment
MDC	Mayoral Development Corporation
NPPF	National Planning Policy Framework
OA	Opportunity Area
PPG	National Planning Practice Guidance
PTAL	Public Transport Accessibility Level
SA	Sustainability Appraisal
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SIL	Strategic Industrial Land
TfL	Transport for London

Reference to documents in footnotes and elsewhere such as FA/CD1/01 relate to the document number in the examination library. References such as 01/Session 2 relate to statements submitted to the EiP. For example, 01/Session 2 is the Mayors statement for session 2. All statements can be found on the EiP pages on the GLA's website.

¹ Other than where my recommendations indicate otherwise

Introduction

1. This report contains my assessment of the Further Alterations to the London Plan (FALP) in accordance with the terms of the Greater London Authority (GLA) Act 1999 (as amended) and the Town and Country Planning (London Spatial Development Strategy) Regulations 2000 (the Regulations).
2. The Mayor's London Planning Statement² refers to the requirement in Section 41 of the GLA Act that the London Plan should be consistent with national policy. This is set out in the National Planning Policy Framework (NPPF) which is supported by the National Planning Practice Guidance (PPG). The guidance in the NPPF about plan making generally refers to Local Plans. However, in light of the above and in the absence of anything else, I consider it reasonable and appropriate to apply the soundness tests of paragraph 182 of the NPPF to the proposed alterations, namely that the FALP should be positively prepared, justified, effective and consistent with national policy.
3. The starting point for the examination is the assumption that the Mayor does not consider that the Further Alterations affect the soundness of the London Plan. The FALP was published for consultation in January 2014³ and the Mayor published a Schedule of Suggested Changes in July 2014⁴ (SSC). These suggested changes were considered alongside the FALP during the EiP hearings. During and after the EiP hearings the Mayor put forward a number of further suggested changes (FSC) and a consolidated set of all the changes suggested by the Mayor has been published⁵.
4. Unaltered policies text, tables, maps and figures are not subject to this examination and I have not considered responses outside the scope of the proposed further alterations. This report does not refer to every suggested change, whether it be made by the Mayor or others, or comment on all the representations made whether orally at the hearings or in writing. This report focuses on the matters and issues I consider to be crucial to the soundness of the FALP. Unless specifically referred to in this report, I recommend that the GLA adopts all the suggested and further suggested changes put forward by the Mayor⁶. Any Inspector Recommended Changes are identified in bold in the report (**IRC**) and are set out in full in Appendix 1.

Duty to Co-operate

5. The Mayor's duties to consult and inform are set out in the GLA Act and the Regulations. The Mayor sets out in FA/EX/03 how the statutory requirements to publicise and consult were met and exceeded. Section 33A of the Planning and Compulsory Purchase Act 2004 imposes a duty on local planning authorities and other prescribed bodies/persons to engage constructively with one another with regard to strategic planning matters. The duty to co-operate, therefore, requires more than just to consult and inform.
6. The Mayor is a prescribed person under the Town and Country Planning (Local

² FA/KD/02; adopted as supplementary planning guidance in May 2014

³ FA/CD/01

⁴ FA/CD/06

⁵ FA/EX/64b

⁶ FA/EX/64b

Planning)(England) Regulations 2012 and is bound by the duty to co-operate to engage constructively with London Boroughs, local planning authorities and others inside and outside London in the preparation of their plans. That is not in dispute, but was the Mayor, as argued by some representors, legally bound by the duty with regard to the preparation of the FALP?

7. Section 33A(3) lists the activities to which the duty applies. The first activity is the preparation of development plan documents. The London Plan is part of the development plan for London but the Mayor points to Section 38(2) of the 2004 Act which defines the FALP as a spatial development strategy and not a development plan document. Section 33A(3)(d & e) apply the duty to any activities that can reasonably be considered to prepare the way for or support the preparation of development plan documents. The preparation of the FALP is an activity in its own right but it must, in my view, also prepare the way for and support the preparation of development plan documents.
8. It was argued at the hearing that London Boroughs could prepare their Local Plans in the absence of a spatial development strategy but Section 24(1)(b) of the 2004 Act requires such plans to be in general conformity with the FALP. The FALP sets out housing targets that the London Boroughs will be expected to plan for and sets out other requirements which will guide the preparation of development plan documents. In my view, therefore, the duty to co-operate does apply to the preparation of the spatial development strategy in London. The Strategic Housing Market Assessment (SHMA) and Strategic Housing Land Availability Assessments (SHLAA) supporting the FALP are London wide in their scope but are also activities which will support the preparation of development plan documents. The SHMA, which includes assumptions relating to migration, is also likely to be material to the preparation of local plans outside London.
9. The PPG states that; '*Cooperation between the Mayor, boroughs and local planning authorities bordering London will be vital to ensure that important strategic issues, such as housing delivery and economic growth, are planned effectively*⁷'. The Mayor has engaged with London Boroughs, particularly with regard to the production of the SHLAA. FA/EX/68 sets out how the Mayor engaged with relevant prescribed persons including the Environment Agency, English Heritage, Natural England and Transport for London (TfL). In April 2012 the functions of the Homes and Community Agency for London were devolved to the Mayor and the relevant officers were involved in preparing the FALP. The London Local Enterprise Partnership (LEP) is chaired by the Mayor and the relevant officers were again engaged in preparing the further alterations. In light of the above and having considered the evidence contained in FA/EX/03 and FA/EX/68, I consider that the Mayor has satisfied the duty with regards to bodies within London.
10. The FALP seeks to accommodate all of the growth to meet London's needs within its own boundaries. Nonetheless, the Mayor has engaged with local planning authorities and others outside London and has established the Strategic Spatial Planning Officer Liaison Group and the Deputy Mayor for Planning has met elected members from the south east. I have seen nothing to counter the assertion that LEPs outside London have been involved in cross boundary co-operation discussions since 2012.

⁷ Reference ID: 9-007-20140306

11. The PPG states that the *'Mayor and waste planning authorities in London should engage constructively, actively and on an ongoing basis with other authorities, under the duty to cooperate, to help manage London's waste'*⁸. There are complaints of a failure to engage from adjoining waste authorities. The FALP predicts a reduction in waste to a level at which London will be self-sufficient by 2026 and so arguably puts less pressure on surrounding waste planning authorities than the existing London Plan. Nevertheless, it is apparent from the representations and from the discussion at the hearings that the Mayor did not engage constructively with adjoining waste planning authorities in formulating the FALP.
12. Under Section 20(7)(C) of the 2004 Act it is not possible to rectify a failure to meet the duty to co-operate and if the duty has not been met, a development plan document cannot be found to be sound. However, as has already been established, the FALP is not a development plan document nor is the GLA a local planning authority. In a strict legal sense, therefore, the failure of the Mayor to comply with the duty does not automatically mean that the FALP cannot be found to be sound. However, the implications of a failure to engage must be assessed and a judgement reached as to whether a lack of engagement means the approach to waste in the FALP is justified and effective. I address these matters in detail later.

Main Issues

13. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified 7 main issues upon which the soundness of the FALP depends.

Issue 1 - Does the Integrated Impact Assessment⁹(IIA) undertaken to inform the FALP fulfil the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004¹⁰?

14. The PPG¹¹ states that a sustainability appraisal (SA) is a systematic process that must be carried out during the preparation of a plan. It advises further that the SA process is an opportunity to consider ways by which the plan can contribute to improvements in environmental, social and economic conditions, as well as a means of identifying and mitigating any potential adverse effects that the plan might otherwise have.
15. The IIA assessed 4 spatial development options and identified a wide range of key sustainability objectives covering social as well as land use matters including, amongst others, climate change, health and well-being and quality of life. The IIA also considered effects outside London and concluded that the further alterations would have a broadly positive impact when measured against the IIA's sustainability objectives.
16. The IIA assesses the options against the key sustainability objectives. Its depth and coverage is proportionate to the extent to which the further alterations change the aims and objectives of the London Plan and seems to

⁸ Reference ID: 28-044-20141016

⁹ FA/CD/02

¹⁰ The regulations incorporate the requirements of the European Directive 2001/42/EC on the assessment of the effects of certain plans and programmes on the environment.

¹¹ Reference ID: 11-001-20140306

me to be a fair and thorough assessment of the proposed alternatives. I am, therefore, satisfied that the IIA complies with the regulations.

17. The production of the FALP was also informed by a Habitats Regulations Assessment¹² (HRA). The HRA concludes that the new and amended Opportunity Areas are too far away from any European designated sites to have any significant impacts. With regard to the remainder of the alterations, the HRA concludes that subject to changes to Policy 7.19, the FALP will not result in any additional effects to those identified and mitigated within the 2009 HRA. The requisite changes to Policy 7.19 have been made. The HRA's conclusions are not meaningfully challenged and I have neither heard nor read anything to suggest that they are not robust.

Issue 2 – Given that the FALP sets out the objectively assessed housing need for London should London Boroughs be required to undertake their own assessments?

18. The NPPF at paragraph 47 requires local planning authorities to, amongst other things, '*use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area*'. The guidance in the NPPF regarding plan making is silent with regard to how responsibilities should be divided in a two tier system as exists uniquely in London. The London Plan is part of the development plan for London and, in my view, it must be right that read together with the development plan documents produced by London Boroughs, the development plan should be consistent with national policy.
19. However, in a two tier system there should be no need for each part of the development plan to include the full range of policies necessary to accord with all parts of the NPPF or PPG, provided that together they do (as far as is necessary) and are consistent with national policy. The PPG advises that there should be no need to reiterate policies that are already set out in the NPPF in Local Plans¹³. It seems to me that the same principle should apply to a spatial development strategy. Further, to avoid unnecessary duplication and potential confusion, there should be no need for a local plan in London to reiterate policies set out in the FALP.
20. Section 334 of the GLA Act requires the Mayor to prepare a spatial development strategy. That plan must include a statement formulating the Mayor's strategy for spatial development for the use of land in Greater London. Housing need, supply and distribution are undisputedly strategic matters in London. I conclude below that the Mayor's estimate of objectively assessed housing need in London is justified by the evidence submitted to the EiP. Further, although I have reservations, I also consider that the FALP's strategy with regard to supply and distribution can be supported in the short term.
21. Once adopted, statute will require the local plans produced by London Boroughs to be in general conformity with the FALP. That includes conforming with a strategy which seeks to meet London's needs on brownfield land within the existing built up area. The SHLAA identifies most of the existing capacity

¹² FA/CD/05

¹³ Reference ID:12-010-20140306

and, effectively, through the SHLAA, the FALP has determined the extent to which individual Boroughs can contribute to meeting the strategic need for housing across London. Within the confines of the FALP's strategy there is little scope to do more.

22. I acknowledge that the NPPF requires each local planning authority to identify its own objectively assessed housing need. However, in my view, it is the role of the spatial development strategy to determine the overall level of need for London and to guide the distribution of new housing to meet that need. The Mayor points to the acceptance by previous EiP Panels that London constitutes a single housing market area with sub markets which span Borough boundaries. The Mayor also points to the findings of the High Court¹⁴, following a challenge to the Revised Early Minor Alterations to the London Plan, within which in his (undisputed) opinion, the Court accepted that although local variations exist, this did not compromise the view that London constitutes a single housing market area¹⁵.
23. Other than some fine tuning regarding local need relating to the size and type of property and tenure, there is no need, in my view, for each London Borough to duplicate the work done by the GLA and produce their own individual assessment of overall need. **IRC1** recommends that the FALP is changed to reflect this approach by removing references to London Boroughs needing to identify objectively assessed need with regard to the quantum of new housing in their areas.

Issue 3 – Whether the FALP's strategies, targets and policies will enable London Boroughs to meet the full, objectively assessed needs for market and affordable housing in Greater London.

The overall need for new housing

24. The PPG advises that the starting point in assessing objectively assessed need for new housing should be the latest household projections produced by the Department of Communities and Local Government (DCLG)¹⁶. However, the PPG also recognises that DCLG's projections may require adjustment to reflect factors affecting local demography. The Mayor has chosen not to rely on DCLG's projections for reasons set out in detail in his statement to the EiP¹⁷. In brief, the Mayor considers that the methodology underpinning the Office for National Statistics (ONS) 2011 subnational population projections (SNPP) has led, in London, to distorted projections of births, deaths and internal migration flows.
25. The Mayor's approach to population projections was explained at the Technical Seminar and is set out in FA/KD/03g. The GLA's assessment is thorough, based on sound methodology and on logical assumptions. The Mayor's contention that the GLA's population projections have proven to be more accurate than the 2011 based SNPP when measured against the ONS mid-year population data is not disputed. DCLG's household projections for London are based on the 2011 based SNPP and, in the circumstances, I am satisfied that

¹⁴ FA/BD/99

¹⁵ 01/Session 2, paragraphs 2b3

¹⁶ Reference ID: 2a-015-20140306

¹⁷ 01/Session 2, paragraphs 2a3 to 2a19

the Mayor is justified in carrying out his own assessment. The projections are also used by TfL, by many London Boroughs with regard to projected school rolls and to inform other Mayoral strategies. The benefits of using a consistent set of statistics to inform the wide range of plans and strategies being implemented across London weighs in favour of the Mayor's approach.

26. The GLA accepts that there is a significant degree of uncertainty regarding the impact of the recession and recovery on migration. Net domestic out migration from London fell from around 70-80,000 per annum (pa) pre 2008 to 32,000 pa the year after. Levels have begun to increase as the economy has recovered but the trend is difficult to predict. The reasons for this are set out in the SHMA¹⁸ and are far too long and complicated to go into in detail here but are mainly due to difficulties in obtaining accurate/reliable data and the volatility of migration flows which can be affected significantly by changes in the economy, government policy and world events.
27. The SHMA considered three migration scenarios, one based on migration trends being unaffected by the economic recovery, the second assuming a return to pre-recession 'norms' and the third, mid-way between the other two representing a partial return to previous trends. These scenarios resulted in London's population being estimated to rise from 8.2m in 2011 to between 9.8m and 10.4m in 2036. The high and low variants are both plausible and the Mayor is criticised for choosing the central path. However, given the inherent uncertainties set out above and the tentative state of the economic recovery, it seems reasonable not to plan on the basis of the 'extremes'.
28. The central projection assumes that London's population in 2036 will be 10.11m. The GLA's demographers then applied the same methodologies and assumptions used by DCLG to formulate household projections. The outcome is that meeting London's objectively assessed need (including the backlog) over 10 years would require a build rate of 62,000 dwellings per annum (dpa). Meeting need over 20 years would require a rate of 49,000 dpa.
29. Concerns are raised by community groups that the SHMA does not take sufficient account of affordability and does not distinguish between affordable rent, social rent or take sufficient account of minority groups. However, the SHMA complies with the PPG with regard to the assessment of affordable housing and also includes assessments of groups such as students, the disabled and the elderly. The SHMA does not refer to market signals but does recognise the significant problems of affordability in London.
30. The GLA acknowledge that the projections are uncertain, particularly with respect to migration, and this is the main reason why a review of the Plan is planned to start in 2016. However, it seems to me, having considered all the evidence and the submissions, that they are reasonable and probably the best available assessment of objectively assessed housing need for London at this time.

Will the FALP deliver enough homes to meet the identified need?

31. Table 3.1 of the FALP sets targets for the London Boroughs which total 42,389 dpa, around 6,600 dpa short of what is necessary to meet objectively

¹⁸ FA/KD/09, paragraphs 3.10 to 3.34

assessed need over 20 years. The Mayor expressed confidence at the hearings that; by maximising opportunities in town centres, on surplus Strategic Industrial Land (SIL) and in Opportunity Areas, 49,000 dwellings a year could be granted planning permission but was unwilling to commit to increasing the target.

32. Paragraph 3.18 of the FALP warns London Boroughs that for their local plans to be found sound *'they must demonstrate they have sought to boost supply significantly by meeting the full objectively assessed needs for market and affordable housing in the housing market area'*. FSC3.1 and FSC3.3 introduce a requirement for London Boroughs to, amongst other things, meet the target set out in Table 3.1, relate this to their own assessment of need and address any gap between supply and need by seeking to exceed the target. It goes on to state that this should be done by, amongst other things, finding additional sources of supply and through the duty to co-operate.
33. The GLA's officers stated at the EiP that they would work with the Boroughs to increase supply and to ensure that local plans are in general conformity with the FALP. However, in order to be in general conformity with Table 3.1, Boroughs need only meet their individual targets. In the absence of any clear guidance as to exactly how and where the additional 6,600 dpa will be found it is difficult to see how a housing target in a local plan would not be in general conformity if it made provision for the figure in Table 3.1 and no more. There is no mechanism in the FALP to indicate how the 6,600 dpa would be apportioned or distributed. Without this I do not see how the Mayor can guarantee the delivery of the additional 6,600 dpa necessary to meet the identified need.
34. I say above why I do not consider that London Boroughs should be required to carry out their own assessments of overall need. I consider the SHLAA in more detail below but, for the reasons given, I find that it provides a reasonably accurate picture with regard to capacity. It is not easy to see, therefore, where London Boroughs would find additional sources of supply. Capacity could be increased but I have significant concerns regarding whether higher densities can or should always be sought or achieved¹⁹.
35. The PPG advises that the degree of co-operation between boroughs will depend on the extent to which strategic issues have already been addressed in the London Plan²⁰. Further, given that the minimum targets in Table 3.1 are based on the SHLAA's estimate of capacity in each Borough, it is difficult to see how co-operation between them will increase supply. Table 3.19 of the SHLAA compares the capacity within Boroughs to the 2012 DCLG household projections. In all but 9 Boroughs the projections exceed capacity with a total annual shortfall of 10,200. Outer Boroughs could seek help from their neighbours beyond the GLA boundaries but the FALP is not predicated on such an approach.

¹⁹ Higher than the densities set out in the Sustainable Density Quality (SRQ) Density Matrix (London Plan Table 3.2, unchanged by the FALP)

²⁰ Reference ID: 9-007-20140306

The Strategic Housing Land Availability Assessment

36. The figures in Table 3.1 derive from the SHLAA. The SHLAA is London wide, it is a huge undertaking and given the number of sites, it would be unrealistic to expect 100% accuracy. Questions are raised with regard to the treatment of small sites and the assumptions made about the delivery and timing of others. The Mayor worked with the London Boroughs and others in the production of the SHLAA and its results are generally supported. It is argued that the estimates for small sites do not take local conservation and character designations into account. However, the estimates are based on the figures for such development over a 10 year period and, unless local designations are new, should have taken their impact on development into account. The 10 year trend also includes the recession and, in the absence of any alternative London wide analysis, I consider the small sites figures in the SHLAA to be a reasonable assessment of capacity. With regard to large sites, I have neither heard nor read anything to lead me to question the Mayor's assertion that the assumed capacity figures are policy compliant²¹ and that the SHLAA incorporates sensitivity testing. Consequently, I consider that the SHLAA provides a reasonable estimate of capacity.
37. It is not enough to identify capacity. Delivery is critical to meeting the pressing need for new housing in London and one must consider whether and when these sites will deliver the number of homes envisaged in the SHLAA. The SHLAA identifies sites with planning permission and those allocated in development plans. Although it is reasonable to consider sites with planning permission as commitments, the Mayor's 'Barriers to Housing Delivery – Update' of July 2014²² looked at sites of 20 dwellings or more and reports that only about half of the total number of dwellings granted planning permission every year are built. This can also be seen in Table 3.20 of the SHLAA which shows average completions between 2004-2012 of 24,694 pa compared to an average of 58,167 dwellings permitted each year.
38. The average rate of 24,694 between 2004 and 2012 included the pre-recession boom years. The average rate only fell to 23,281 between 2008-2012 indicating that the recession did not hit the house building industry in London as hard as it did elsewhere (and also indicates that the average pre-recession rates can't have been much higher than 24,694). This puts an annual target of 42,000 dpa in context and illustrates that achieving it would represent a significant increase above historical levels.
39. The SHLAA includes a sophisticated phasing system which identifies committed, allocated and other high probability sites in phases 2 and 3 (2015 to 2025, Phase 1 being up to 2015). However, most of the sites in the SHLAA are previously developed. Many are occupied by existing uses and/or are contaminated or have other constraints such as multiple ownerships or environmental issues²³. It will take time for these obstacles to be overcome (and money). Opportunity Areas provide a large chunk of the capacity but will not be delivered quickly. Further, the new targets in Table 3.1 will also need to be worked through to new allocations in Borough's Local Plans.

²¹ For example; amenity, open space and social infrastructure requirements, environmental or heritage matters and flood risk.

²² FA/BD/103

²³ FA/KD/10

40. Even if it can be achieved, 49,000 dpa meets objectively assessed needs (and backlog) over 20 years. The PPG states that local planning authorities should aim to deal with any undersupply in 5 years²⁴. No build rate figure is given to indicate how many new homes would be needed to address the undersupply in 5 years but, as stated above, the rate would need to be 62,000 dpa to meet London's needs in 10 years. That is the total need to 2025 not just undersupply but it is highly likely that the number of homes required to meet need and the undersupply in 5 years would be greater than 49,000 dpa.
41. Reaching 49,000 dpa requires densities to be increased. The Mayor argues that an increase in one PTAL level²⁵ justifies an increase in assumed density. That may be so but it depends on the infrastructure being put in place to improve accessibility. I heard and have no doubt that TfL are working hard to improve London's transport system but it will not be achieved overnight nor will all areas benefit. The impact on increasing densities on townscapes²⁶, existing communities and on social and physical infrastructure also needs to be considered.
42. It cannot be assumed, in my view, that it will be appropriate to increase densities over the existing Density Matrix guidelines in all cases. Town centres are accessible locations but each has its own character which new development should respect. Opportunity Areas and large sites have the potential to determine their own character and identity but they should still have regard to their surroundings. Meeting the pressing need for housing in London will require new, innovative and possibly unpopular solutions but care must be taken not to damage its environment such that it becomes an unpleasant place to visit, live and work.

Affordable Housing

43. The FALP makes few changes to the London Plan's policies relating to affordable housing. The most significant being; increasing the annual target from 13,200 to 17,000 affordable homes per year, changes to the income thresholds and the application of eligibility criteria for intermediate housing and requiring developers to submit appraisals to demonstrate that they are maximising the provision of affordable housing. The definition of affordable housing is not changed and is not a matter for the EiP.
44. The Mayor acknowledges that the FALP target falls short of the need for 25,600 affordable dpa identified in the SHMA. There are calls to increase the target and to require developers to accept higher proportions of affordable houses but the target must be realistic and viable and plans must be deliverable²⁷. The Viability Assessment which accompanies the SHLAA²⁸ assumed, amongst other things, that affordable housing would be provided in accordance with existing policy requirements. 17,000 dpa represents about 40% of the 42,389 dpa target set in Table 3.1 which is consistent with the proportion set in the current plan (overall target; 32,210 - affordable housing target; 13,200). The viability assessment is a high level study and there may

²⁴ Reference ID: 3-035-20140306

²⁵ Public Transport Accessibility Level

²⁶ Including the historic environment

²⁷ NPPF, paragraphs 173 to 177

²⁸ FA/KD/11

be opportunities for achieving more. However, I am satisfied that the assessment demonstrates that the 17,000 dpa target can be achieved without putting the delivery of housing at risk.

45. The FALP increases the upper income limit for eligibility for intermediate housing from £64,300 to £66,000 for one and two bed homes and from £77,200 to 80,000 for 3+ beds. In both cases the lower end of the range is unchanged at £18,100. The upper thresholds are set by dividing the lower quartile London house price by 3.5 (a typical mortgage multiplier).
46. The Mayor accepted at the EiP that in certain parts of London people earning below the upper threshold could afford housing on the open market. The NPPF defines affordable housing as '*social rented, affordable rented and intermediate housing, provided to eligible households whose needs are not met by the market*²⁹. It goes on to state that; '*Eligibility is determined with regard to local incomes and local house prices*'. The income eligibility thresholds set in the FALP are based on London wide house prices and, although the GLA argue that there are safeguards in place to prevent affordable housing 'tourism', the approach to intermediate housing in the FALP does not accord with national guidance.
47. The FALP deletes text which allowed eligibility criteria to be set locally to recognise the individual characteristics of local housing markets. London Boroughs would still be able to set local criteria but I consider that the deleted text provides greater clarity and should be reinstated with the FALP thresholds becoming the default position where local income criteria are not set (**IRC2**). Where local eligibility criteria are set the FALP limits their application to 3 months from the point of initial marketing. Some London Boroughs contend that 3 months is too short but I agree with the Mayor that it is important that homes that can meet a need do not stand empty. Boroughs should, through Section 106 Agreements, be able to require developers to notify them in advance of or agree a date for marketing and ensure that local people are aware. However, I do agree that Boroughs should be able to apply local eligibility criteria at the point of re sale or re let (**IRC2**)³⁰.
48. The requirement for developers to provide appraisals to demonstrate that schemes maximise the provision of affordable housing is welcomed. I understand the frustrations expressed by many representors but it is not possible to require developers to divulge commercially confidential information.

Housing for the elderly

49. According to 'Assessing Potential Demand for Older Persons Housing in London'³¹ there is an annual net requirement for 3,900 specialist homes for the elderly (2015 to 2025). The authors used data from the 2011 census to produce individual benchmarks for each London Borough and these are set out in Table A5.1. The table also gives an indication of tenure split.

²⁹ Annex 2: Glossary

³⁰ I asked further questions regarding intermediate housing after the close of the hearings. See FA/EX/77.

³¹ FA/KD/13

50. The data supporting the benchmarks is challenged and I have seen evidence from one London Borough which indicates that the number of care home beds in its area may have been underestimated. However, there can be no doubt that we have an aging population and the Mayor's study reports a lack of new schemes and that a significant amount of the existing affordable rented stock is not fit to house frail older people. Further, the indicative benchmarks in Table 5.1 have been produced to inform the production of local plans and are not targets. The glossary to the FALP includes a definition of specialist housing for older people which should aid Boroughs both in formulating their strategies and in monitoring. It is right, in my view, that the FALP should provide strategic guidance in this regard and require London Boroughs to identify and address the needs of the elderly.

Student accommodation

51. The Mayor's Academic Forum³² considered issues including student numbers, types of provision and distribution and made a number of recommendations to be carried forward into the FALP³³. Not all the members of the Forum agreed with its recommendations and I heard from some who consider the requirement for between 20,000 to 31,000 (2015 to 2025) bed spaces to be too low. I appreciate that the data used by the Forum is around two years old. However, its recommendations are based on a thorough analysis of past and current student numbers, population projections and an evidence based assumption of the proportion of the student population that would be accommodated in purpose built accommodation³⁴. I have seen no equally thorough analysis and am satisfied that the FALP's target is supported by reliable evidence.
52. The FALP encourages a dispersal of student accommodation away from the areas of greater concentration in central London. I appreciate the advantages of students living close to their place of learning but student housing has the potential to contribute to the regeneration and diversification of town centres and to the FALP's aim of addressing London's housing needs by increasing densities in town centres. Student accommodation operates differently to normal rented accommodation and securing and providing affordable student housing provides unique challenges. However, I don't doubt there is a need and it is not for the FALP to set out the detailed mechanisms for securing affordable student accommodation.

Other matters

Housing Standards Review

53. In response to a suggestion from the Secretary of State³⁵ the Mayor proposes a minor change to the Overview and Introduction chapter of the Plan to indicate that a minor alteration will be made at the appropriate time to align the Plan with the Review³⁶.

³² The Forum includes representatives from universities, London Boroughs and providers of student accommodation.

³³ FA/KD/14

³⁴ For a more detailed explanation of the approach see FA/BD/14 or 01/Session 4, paragraphs 4b1 to 4b20

³⁵ FA/EX/67

³⁶ FA/EX/65

London's Living Spaces and Places

54. The FALP's housing target and the need to provide the schools, jobs, health services and other infrastructure to support this increase in new homes will put significant stress on London's existing built environment and its communities. The Plan includes policies which seek to protect local character, heritage assets, open spaces and to create attractive lifetime neighbourhoods³⁷ with the facilities communities need and, in theory, therefore, the FALP includes the tools to ensure that growth is properly managed. However, the Mayor's representative conceded at the EiP hearings that there would be winners and losers. I am concerned that the strategy of accommodating the development necessary for London's growth within its existing built confines³⁸ will place unacceptable pressures on the city's communities and environment.

Conclusions

55. I am satisfied that the Mayor's population and household projections, SHMA and SHLAA are based on good evidence and robust methodology. The household projections and the SHMA point to the urgent need to address the requirement for new housing in London. The GLA is exploring ways to address the need and through the FALP seeking to provide a solution. In addition to the measures described above the Mayor is seeking to reduce the number of vacant homes and encouraging alternative sources of supply such as self build and the private rented sector which can deliver houses faster than traditional build for sale schemes. This is to be supported as is the focus on regeneration and meeting London's needs through the development of brownfield land. However, the strategy has significant and potentially serious implications for delivery and for existing communities which will have to face the consequences of intensifying development in the existing built up area.
56. The targets set in Table 3.1 will not provide sufficient housing to meet objectively assessed need and I am not persuaded that the FALP can ensure that the additional 6,600 dpa will be delivered. Nor do I consider that the Mayor can rely on paragraph 47 of the NPPF or the duty to co-operate to make London Boroughs provide more. It is not enough to grant planning permissions, homes have to be built and the target rate of 42,000 dpa is significantly higher than has been achieved since 2004 and the boom years before the recession.
57. The evidence before me strongly suggests that the existing London Plan strategy will not deliver sufficient homes to meet objectively assessed need. The Mayor has committed to a review of the London Plan in 2016 but I do not consider that London can afford to wait until then and recommend that a review commences as soon as the FALP is adopted in 2015 (**IRC3**). In my view, the Mayor needs to explore options beyond the existing philosophy of the London Plan. That may, in the absence of a wider regional strategy to assess the options for growth and to plan and co-ordinate that growth, include engaging local planning authorities beyond the GLA's boundaries in discussions regarding the evolution of our capital city.

³⁷ Including significant changes to Policy 7.15 relating to managing the impact of noise, which subject to the Mayor's proposed changes, I support.

³⁸ FA/EX/08; Deputy Mayor's Opening Address

58. Non adoption of the FALP would result in the retention of the existing housing targets in the London Plan (32,210 dpa³⁹) which are woefully short of what is needed. Despite my reservations, therefore, I consider that, subject to a commitment to an immediate review, the FALP should be adopted as not to do so would perpetuate the existing under delivery by not requiring Boroughs to increase supply.

Issue 4 – Whether the FALP's strategies and policies enable London Boroughs to meet the need for employment in Greater London.

59. The FALP does not set a target for employment but predicts that the number of jobs could increase from 4.9m in 2011 to 5.8m in 2036⁴⁰. Community groups question the assumptions made in arriving at this figure and the reliance on a survey carried out in 2009 (a more recent study relating to offices was published in 2014). The Mayor acknowledges that predicting levels of employment is not easy but, based on historical trend data, is confident that the projected level of growth over the plan period is as accurate as it can be. With regard to the 2014 office study, uncertainties over forecasts for office floor space and density assumptions led the GLA to conclude that it was safer to rely on the long term trends. I have neither heard nor seen anything to lead me to doubt the Mayor's assertion that past historical projections have performed reasonably well. Further, The City of London and industry representatives support the FALP projection.
60. Historic data also captures the interconnections between the different sectors of London's complex economy. I have seen no evidence to show that the FALP ignores small businesses or the contribution they make. I heard complaints that small businesses are being squeezed out but the London Plan encourages and supports diversity, small businesses and local economies and the provision of suitable work spaces in terms of type, size and cost. Representatives argue that the Mayor does not have an understanding of micro economies and the benefits arising from small businesses being located close together. However, I have seen nothing to suggest that the projections are not based on data relating to the whole economy. Further, the FALP is a strategic plan. The NPPF requires local planning authorities, in preparing local plans, to demonstrate an understanding of the needs of businesses in their area and I see nothing in the FALP to prevent them from doing this.
61. Policy 4.4, which seeks to ensure the provision of a sufficient stock of land and premises is not proposed to be changed but a change to paragraph 4.23 would allow the release of surplus industrial land. This accords with national policy⁴¹ and the need for housing is such that it would be wrong to prevent the re use of industrial land which has no reasonable prospect of being used for employment.
62. In response to the loss of small scale offices to higher value residential and the recommendations of the London Office Review Panel, Policy 4.3 is proposed to be altered to enable Boroughs to protect small scale offices within the Central Activities Zone (CAZ). The policy would also require residential development in the CAZ to compensate for the loss of offices by contributing

³⁹ Table 3.1; 2011 London Plan

⁴⁰ Paragraph 1.24

⁴¹ NPPF, paragraph 22

to the provision of new offices nearby. Boroughs would only be able to do so through their local plans and where supported by local and strategic demand assessments.

63. The change is resisted and it is argued that, amongst other things, it could require the conversion of a single office to one flat to compensate by providing an office elsewhere in the CAZ. This is likely to prove difficult, if not impossible, for the owners with a single property or building. However, research commissioned by the City of London indicates that a pool of smaller, not highly specified and lower cost offices is vital to its economy. Without protection this important resource could be lost and I consider the changes to Policy 4.3 to be justified.

Conclusions

64. Subject to the changes proposed by the Mayor, I conclude that the FALP's strategies and policies will enable London Boroughs to meet the need for employment in Greater London.

Issue 5 – Whether the FALP's strategies and policies will enable London Boroughs to meet the need for retail development in Greater London.

65. National guidance states that planning policies should promote competitive town centre environments and set out policies for the management and growth of centres⁴². The NPPF also requires plan makers to use their evidence base to assess the need for retail floorspace over the plan period⁴³. The FALP identifies a need for between 0.9 net to 2.2 million gross⁴⁴ m² of comparison goods retail floorspace by 2036 (0.4 net to 1.6 million gross m² if schemes in the pipeline are taken into account). Targets for convenience shopping are left to be determined at Borough level where local data and knowledge is more critical.
66. The above figures come from the Consumer Expenditure and Comparison Goods Floorspace Need in London study of October 2013⁴⁵. The study uses accepted methodology and is fine-tuned with London's particular characteristics in mind (e.g. greater use of public transport than other parts of the country). As with housing and employment projections this is not an exact science. For example, the Mayor acknowledges that not all existing vacant retail space will meet modern requirements and such space may not always be in the right place. Consequently, the net figures may be too low. However, the study's findings are generally accepted by representors from the industry. I have seen no better evidence nor have I good reason to disagree with the Mayor's conclusion that the need for comparison goods floorspace will fall within the range identified in the FALP.
67. The level of growth is not as high as that predicted by a study undertaken in 2009 which informed the 2011 London Plan. This is partly down to the recession and to changes in consumer behaviour including the increase in on

⁴² Paragraph 23

⁴³ Paragraph 161

⁴⁴ The net figures assume that all existing vacant floorspace is used up, the gross figure is in addition to the stock of existing vacant floorspace.

⁴⁵ FA/KD/15

line retailing. The Outer London Commission Third Report⁴⁶ (July 2014) found that whilst weaker Major and many District centres may struggle as a result of the expansion in shopping on line, International and stronger Metropolitan and Major centres are most likely to be able to attract continued investment.

68. Whilst this is disputed there can be little doubt that the internet has changed how we shop and that some town centres have suffered as a result. Policy 2.15 is proposed to be altered to encourage Boroughs to ensure that changes in consumer behaviour are taken into account and to manage and minimise any detrimental impacts. That may involve restructuring and the introduction of new, non-retail such as residential, which as well as meeting housing need is likely to improve footfall. I see nothing in these changes to encourage decline nor anything which seeks to marginalise smaller, independent retailers.
69. Policy 2.15Dc3 and Policy 4.8B(c & g) recognise the benefits of clusters of uses, the importance of local shops and services and encourage the re use of surplus commercial floorspace to meet the needs of communities. Policy 4.9, which is not proposed to be changed, encourages decision makers to secure affordable shop units for independent traders in large retail schemes. The strengthening of paragraph 4.48A with respect to the retention of public houses was welcomed by most participants at the EIP⁴⁷.

Retail centre classifications

70. Town centres are classified in Table A2.1 according to their existing role and function⁴⁸. The review of classifications for the FALP was informed by the Consumer Expenditure study referred to above, the 2013 London Town Centre Health Check⁴⁹ and the 2012 London Office Policy Review⁵⁰ and is based on 9 core indicators which include, amongst other things, scale, function and accessibility.
71. It is the GLA's principle not to classify or reclassify a centre until it has proven that it is operating at the required level. The Mayor has considered evidence submitted in response to the FALP consultation and agreed to change the classification of some centres. I consider that an evidence based approach is justified and to classify a centre, as say a District centre, before it has demonstrated that it has the required characteristics would not be sound. Consequently, I do not agree that the Earls Court and West Kensington Opportunity Area should be classified as a District Centre. Further, whilst the Mayor acknowledges that Canary Wharf has some public service functions, I have neither read nor heard anything to question his view that they are not sufficient to warrant promotion to a Metropolitan centre.
72. Policy 4.2 sets out the Plan's approach to provision of offices and Table A2.1 lists those centres considered suitable for speculative office development (A) and those where, although some office use could be promoted as part of

⁴⁶ FA/BD/04

⁴⁷ Suggested change 4.5

⁴⁸ International, Metropolitan, Major, District, CAZ Frontage

⁴⁹ FA/KD/16, 16a & 16B

⁵⁰ FA/KD/17

mixed use schemes, a loss of overall office stock may be acceptable (B)⁵¹. The London Boroughs of Bromley and Kingston upon Thames are unhappy with the demotion of their centres but the decision to do so is supported by the London Town Centre Health Check and the 2012 London Office Policy Review. The change in designation does not preclude either Borough from permitting schemes for office development in their town centres.

Conclusions

73. Subject to the changes proposed by the Mayor, I conclude that the FALP's strategies and policies will enable London Boroughs to meet the need for retail development in Greater London.

Issue 6 – Whether the FALP's aim of achieving waste self-sufficiency for London by 2026 is realistic.

74. The policies relating to waste were subject to a host of suggested changes following the FALP consultation and further suggested changes during the hearings. The majority of suggested changes relate to the use of terminology and are welcomed by the Environment Agency and most other participants.
75. The FALP changes Policy 5.16 by, amongst other things, bringing forward the date by which all of London's waste would be managed within London from 2031 to 2026. It also brings forward the aim of not sending biodegradable or recyclable waste to landfill from 2031 to 2026. The targets have been brought forward in an attempt to speed up waste planning in London and to encourage the adoption of waste plans. The drive to self-sufficiency is welcomed, particularly by waste planning authorities outside London, but concerns are raised regarding whether the FALP does enough to meet these targets.
76. Before I consider that question, the evidence relating to the existing and projected levels of waste arisings is challenged. It is argued that the data is flawed as, amongst other things, it does not take account of waste disposed of at scrap yards (cars, white goods) and I am urged to commit the Mayor to a comprehensive analysis to inform the wholesale review of the Plan. That is not for me to determine but for the purposes of the FALP, the Mayor has commissioned an independent review which considers the GLA's approach to forecasting waste arisings⁵². The authors point to some uncertainties, including the impact of an increasing population on previously falling levels of household waste and the impact of employment growth on construction and industrial waste but generally conclude that the GLA's approach is valid.
77. FSC5.3 makes it clear that the apportionment figures set for Boroughs are not maxima and that they should identify suitable additional sites for managing waste where practicable. The mechanisms for achieving the targets set in Policy 5.16A are outlined in part B of the same policy and are not proposed to be changed. These include targets for recycling/composting and re use of construction, excavation and demolition waste to be met by 2015 and 2020. It is for London's Boroughs/Waste Planning Authorities to develop these aims

⁵¹ There is an additional CAZ designation for the West End and Knightsbridge. Not all centres are designated A or B. All International and Metropolitan centres and most Major centres are designated; the majority of District centres are not designated.

⁵² FA/KD/31, 32 & 33

at the local level and, given the lack of progress, I consider the pressure that will be brought to bear by bringing forward the target to be justified.

78. I heard that the methodology for apportioning waste is the same as that used and found sound in previous London Plan examinations and the figures in Tables 5.2 and 5.3 reflect the latest data. I have some sympathy with those Boroughs which may, because of the designation of a Mayoral Development Corporation (MDC), lose their planning functions in parts of their areas. It cannot be right, in my view, that in such cases, the responsibility for meeting the apportionment should fall wholly on the Borough. **IRC4** proposes the insertion of text into paragraph 5.80 to the effect that the Borough and MDC/s share the responsibility for meeting the apportionment figure for the Borough.
79. The approach to waste in the London Plan and FALP was guided by Planning Policy Statement 10: Planning for Sustainable Waste Management (PPS10). That guidance was replaced in October 2014 by an update to the PPG. I sought the Mayor's view on the implications of the differences between PPS10 and the PPG for the FALP⁵³. It is the Mayor's view, and I agree, that the FALP generally complies with the thrust of the PPG and that any deviation from the PPG is not so significant that it cannot wait for the full review of the Plan.

Carbon intensity floor

80. The carbon intensity floor is a standard set for the greenhouse gas performance of technologies which generate electricity from non-recyclable waste. The Municipal Waste Management Strategy⁵⁴ tested the performance of four residual municipal waste treatment scenarios against the carbon intensity floor using London borough waste data taken from 2009/10. It showed that by sending their municipal residual waste to incineration or gasification plants operating in combined heat and power mode they would comfortably meet the carbon intensity floor level. This supports the argument that the target could be higher but nothing is submitted to show that a more stringent target would not render development unviable. The Mayor has committed to revisiting the requirement in the full review of the Plan (FSC5.4).
81. The FALP makes provision for situations where a user for the heat generated by a waste to energy plant may not be immediately available. The FALP does this by setting out number of demonstrable steps designed to facilitate the use of heat or to make the plant more efficient⁵⁵.

Other matters

82. In my view, it is for the Borough's to consider the implications of locating sensitive uses next to waste management facilities and the ability of those facilities to continue to work effectively. I don't doubt that speculative industrial development may not be best suited for waste management but there is nothing in FALP to prevent the development of suitable buildings.

⁵³ FA/EX/78

⁵⁴ FA/BD/40

⁵⁵ Paragraph 5.85B

Conclusions

83. I concluded earlier in this report that, in my view, the Mayor has not met the duty to co-operate with regard to engaging on strategic waste issues with bodies outside London. I also consider that, unlike with development plan documents, this failure is not fatal. In my view, two factors outweigh the failure to meet the duty; (i) bringing forward the date by which London's waste would be managed within London and the date by which no biodegradable or recyclable waste will be sent to landfill will lessen the overall burden on waste management facilities outside London and (ii) the serious adverse impact of not increasing housing delivery targets.

Issue 7 – Whether the FALP's strategies and policies will enable the Mayor, London Boroughs and others to deliver the infrastructure necessary to support the level growth envisaged in the Plan.

Implementation

84. As indicated above the SHLAA is supported by a viability assessment which concludes that some form of development will be viable in almost all London Boroughs. The London Plan contains a range of policies designed to facilitate the provision of physical and social infrastructure. Achieving and supporting a significant increase in housing will require a co-ordinated effort and Policy 8.1C commits the Mayor to working with Boroughs and service and infrastructure providers. Policy 8.1B states that the Mayor will consider promoting the establishment of new MDCs and other vehicles to drive and facilitate development. Community groups express disquiet with regard to MDCs but the FALP requires the Mayor to work with Boroughs and communities. The Mayor is developing a long term infrastructure plan, setting out London's infrastructure needs to 2050⁵⁶. The final version is expected in early 2015 and will inform the full review of the London Plan.

Opportunity Areas

85. Opportunity Areas (OA) are designed to drive regeneration and are an established feature in the London Plan. The FALP introduces some new OAs and proposes changes to others. Concerns regarding the impact of the levels of development proposed on the character of existing areas and local infrastructure are understandable but I have seen nothing to persuade me that high density inevitably means high rise.
86. The FALP includes a brief description of the type and amount of development proposed in each OA and some guiding ideas/principles. Considerably more work and detail will be required which will need to be carried out as a master planning or similar exercise (at least one is subject to an Area Action Plan). This will provide the opportunity for communities to engage and influence how these areas will be developed. I see no need, therefore, to recommend any changes to any of the OAs.
87. The Mayor accepted the suggestion made at the EiP that text should be added to the FALP to enable other OAs to be brought forward should appropriate

⁵⁶ FA/BD/91

areas be identified⁵⁷. Given the extent of change usually envisaged, I do not consider it likely that altering the London Plan to include a new OA could be considered so minor as to not warrant consultation. Consequently, I do not share representors' fears that new OAs could be designated without informing or engaging local communities.

Transport

88. The FALP envisages that the projected growth in population and employment will lead to an increase from 25 to about 30 million trips per day by 2031⁵⁸. The strategy of minimising growth in travel and ensuring that it occurs in a sustainable way set out in the adopted London Plan is not changed by the FALP. The FALP updates the list of indicative transport schemes at Table 6.1 and the Mayor suggested changes and agreed to further suggested changes following consultation and discussion at the EiP. The FALP also strengthens the Mayor's aim to maximise the use of the Thames⁵⁹ and introduces new text relating to Crossrail 2 and HS2. There were requests at the EiP for additional Crossrail 2 stations but there is insufficient evidence before me to reach a conclusion and, in any event, I do not consider this EiP to be the appropriate place for such decisions.

Cycling and walking

89. In addition to improvements to public transport the FALP seeks to encourage Londoners to cycle and walk. Policy 6.9 commits the Mayor to, amongst other things, implement a network of safe and integrated cycle networks across London, cycle superhighways and to create 'mini Hollands' in up to 4 town centres⁶⁰. Funding has been identified in the TfL Business Plan (£900m) and from other sources⁶¹. Policy 6.10 requires London Boroughs to use their plans to complete the Walk London Network and to ensure that new development does not have an adverse impact on pedestrian amenity⁶². The changes are generally welcomed and the Mayor agreed to further suggested changes which clarify and improve the plan. Some representors would like the FALP to go further but it is a step/pedal in the right direction and there would be an opportunity to develop matters through the full review of the Plan.

90. The cycle parking requirements in the FALP were informed by a review of parking standards both at home and abroad, assessment of demand and an analysis of trends in cycling⁶³. Some representors consider the requirements to be high but the Mayor points to evidence of latent demand (not disputed) and the difficulties of retro fitting cycle parking. The provision of parking is a key element of making cycling a viable alternative to public transport and the car. I consider that the evidence before the EiP supports the cycle parking standards in the FALP (including the further suggested changes in relation to residential development).

Car Parking

⁵⁷ FSCA.4

⁵⁸ Paragraph 6.9

⁵⁹ Paragraphs 7.73 & 7.104

⁶⁰ In outer London Boroughs

⁶¹ 01/Session 8, paragraphs 8b1 to 6

⁶² Matters such as safety, attractiveness, convenience, information and accessibility.

⁶³ 01/Session 8, paragraph 8c5

91. The London Plan sets out maximum car parking standards and although some changes are proposed this principle is not changed by the FALP. The PPG, in recognition that limiting parking has led to problems, seeks to ensure that parking provision is not reduced below a level that could be considered reasonable⁶⁴. The NPPF acknowledges that different policies and measures will be appropriate depending on the characteristics of an area⁶⁵. In London space is at a premium and a good range of travel options will often provide a viable and probably better alternative than the car. A representor at the EiP made a very good point that requiring/relaxing the restraints on the provision of car parking spaces, particularly in inner London, would constrain the ability to maximise the delivery of much needed housing and increase its cost in an already expensive market.
92. I consider that the Mayor's encouragement to a restraint based approach to parking provision in inner London and other locations which benefit from good access to public transport to be justified (FSC 6.15). The further alterations Policy 6.13(E)(d) and paragraph 6.45 recognise the need for flexibility in town centres and will allow London Boroughs to tailor standards to their areas as appropriate. Consequently, I find that the FALP is flexible and strikes an appropriate balance.

Other infrastructure

Energy

93. Policy 5.4A commits the Mayor to work with energy companies, London Boroughs, the Government and others to promote strategic investment in electricity and gas infrastructure to accommodate the growth anticipated in the Plan. Some Boroughs are unhappy with the requirement in the policy that they should work with the industry to establish the gas and electricity infrastructure needs arising from their plans. However, the NPPF requires local planning authorities to work with providers to assess the capacity of infrastructure (including energy) and address barriers to investment (and, consequently, delivery)⁶⁶.
94. The Mayor has set up the London Electricity High Level Working Group⁶⁷ which includes representatives from the public and private sector. Success cannot be guaranteed but I am satisfied that the FALP provides strategic guidance and support for the provision of energy infrastructure.
95. Demand side management measures control the amount of energy used and help reduce carbon dioxide emissions by enabling electrical equipment to be operated at a lower capacity or turned off when it's not needed. I have considered the argument that the FALP should go further than encouraging the use of such measures⁶⁸. However, I am persuaded by the evidence submitted by the Mayor which indicates that there is insufficient knowledge to make it compulsory or set a threshold at this time. The Mayor is hoping that these measures will feature more strongly in future iterations of the Plan.

⁶⁴ Reference ID: 42-008-20140306

⁶⁵ Paragraph 29

⁶⁶ Paragraphs 21 and 162

⁶⁷ FA/BD/118

⁶⁸ Paragraph 5.22a

Water

96. Policy 5.15 (Water Use and Supplies) is unchanged but its supporting text regarding the prudent use of water is strengthened, requiring all new development to be water efficient and encouraging retrofitting efficiency measures. Retrofitting existing buildings is only likely to be secured through the planning system by requiring it as part of a conversion or development scheme. However, making best use of this limited resource is clearly necessary in the light of Thames Water having no plans to develop new water supplies for London until 2027⁶⁹. I heard that the Mayor is working with Thames Water and social housing providers and schools to introduce water saving measures. Thames Water are also installing smart water meters, replacing leaking mains and providing efficiency advice to households on low incomes.

Digital connectivity

97. Policy 4.11 encourages the provision of information and communications technology. Changes are proposed to the policy and its supporting text which make it less specific with regard to particular technologies. It is argued that the FALP will be less effective as a result. However, given the fast changing nature of digital technology, I agree that it is better to be flexible and avoid using terminology which may date.

Overall Conclusion and Recommendation

98. The consultation version of the FALP has a number of deficiencies most of which are rectified by the suggested changes put forward in July 2014 and the further suggested changes which emerged during and after the EiP hearings. However, for the reasons set out above, I do not recommend that the FALP is adopted without the additional changes set out in Appendix 1.

A Thickett

Inspector

This report is accompanied by Appendix 1 containing the Inspector's Recommended Changes

⁶⁹ Environment Agency statement; 048/ Session 9

Appendix 1
Further Alterations to the London Plan Inspector Recommended Changes

SSC; Schedule of Suggested Changes July 2014
 FSC; Further Suggested Changes

Change No.	FALP Page No.	Paragraph(P) /SSC/FSC	Recommended Change New text is <u>underlined</u> and deleted text is Struckthrough .
IRC1	87 & 88	P3.18 FSC3.1 & FSC3.3 3.19i	<p>Amend as follows:</p> <p>As context for this boroughs must be mindful that for their LDFs to be found sound they must demonstrate they have sought to boost supply significantly <u>the supply of housing</u> by meeting the "full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework". Of particular importance in this regard is the overarching national objective to secure sustainable development and the need to secure actual delivery. To address government requirements soundly in the unique circumstances of London means coordinating their implementation across the capital's housing market through the capital's unique two tier planning system where the development plan for an area is composed of the Local Plan and the London Plan, and the Local Plan must be in general conformity with the London Plan.</p> <p>Amend as follows:</p> <p>To ensure effective local contributions to meeting London's need for 49,000 more homes per annum, Local Plans should therefore demonstrate how individual boroughs intend to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> address in terms of Policy 3.3 the relevant minimum housing supply target in Table 3.1; <input type="checkbox"/> relate this to their assessment of need carried out in terms of Policy 2.2 and 3.8; and <input type="checkbox"/> address any gap between housing supply and need, and to seek to exceed the target through: <ul style="list-style-type: none"> o additional sources of housing capacity, especially that to be brought forward from the types of broad location set out in Policy 3.3; o exercise of their Duty to Cooperate with other local planning authorities;

Change No.	FALP Page No.	Paragraph(P) /SSC/FSC	Recommended Change New text is <u>underlined</u> and deleted text is Struckthrough .
			<p>o collaborative working with other relevant partners including the Mayor, to ensure that the Local Plan is in general conformity with the London Plan and includes final minimum housing targets identified through the above process; and</p> <p>o partnership working with developers, land owners, investors, the Mayor and other relevant agencies to secure the timely translation of approved housing capacity to completions taking account of Policy 3.15.</p>
IRC2	106	P3.62	<p>Amend as follows:</p> <p>To understand London's distinct housing needs and to take account of government guidance to "identify the scale and mix of housing that the local population is likely to need over the plan period which addresses the need for all types of housing, including affordable housing", it must be recognised that lower quartile house prices in London are 74 per cent higher than in the country as a whole, 30 per cent higher than in the South East region and 50 per cent higher than in the East of England. Increased provision of intermediate housing is one of the ways in which the supply of affordable housing can be expanded. The Mayor will work with the Boroughs and other delivery and funding agencies to develop understanding and provision of a range of relevant products, particularly for families. For the purposes of the paragraph 3.61 definition, local eligibility criteria for intermediate housing should <u>may be set locally to recognise the individual characteristics of local housing markets</u> but should not compromise the aim of Policy 3.11 to maximise affordable housing provision. In <u>the absence of local eligibility criteria</u>, in order to recognise strategic housing needs in the particular circumstances of London, the Mayor will seek to ensure that households whose annual income is in the range £18,100-£66,000 should be eligible for new intermediate homes. For family homes (see Glossary) the upper end of this range will be extended to £80,000. These figures will be up-dated annually in the London Plan Annual Monitoring Report. If boroughs wish to set eligibility criteria for intermediate housing below these levels, planning conditions or agreements should secure them at the reduced levels for no more than three months from the point of initial marketing <u>(whether that be when new or at re-sale or re-let)</u> and they should then be offered without further restrictions to those who meet the London-wide eligibility criteria as set out in the London Housing Strategy.</p>

Change No.	FALP Page No.	Paragraph(P) /SSC/FSC	Recommended Change New text is <u>underlined</u> and deleted text is Struckthrough .
IRC3	8 & 295	P 0.16 & 8.21	<p>Add the following to the end of paragraph 0.16 and replace the last sentence of paragraph 8.21 with the following:</p> <p><u>This revision has been driven partly by the realisation that the population of London has grown much faster than was anticipated in the 2011 London Plan. However, the extent to which this unexpected level of growth is structural or cyclical is unknown as is the ability of the Plan's existing strategies and philosophy to successfully accommodate the envisaged level of growth. In light of this a full review of the Plan will commence in 2015.</u></p>
IRC4	187	5.80	<p>Add the following to the end of the paragraph;</p> <p><u>Where a Mayoral Development Corporation (MDC) exists or is established within a Borough the MDC will co-operate with the Borough to ensure that the Borough's apportionment requirements are met.</u></p>

Appendix 4

Essex Planning Officers Association Planning Compact subgroup meeting

Minutes of meeting held on 25 September 2014 2- 4.30, at Essex Records Office, Chelmsford

<p>Present:</p> <p>Daniel Baker (ECC)</p> <p>Catherine Bicknell (Tendring)</p> <p>Laura Chase (Colchester)</p> <p>Dominic Collins (ECC), <i>Joint Chair</i></p> <p>Andrew Cook (ECC), <i>Joint Chair</i></p> <p>Diane Cooper (Harlow)</p>	<p>Emma Goodings (Braintree)</p> <p>Richard Hatter (Thurrock)</p> <p>David Lewis (Basildon)</p> <p>John Mitchell, (Uttlesford)</p> <p>Claire Stuckey (Chelmsford)</p> <p>Andrew Taylor (Uttlesford)</p>
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Welcome, Housekeeping information and Introductions		Actions
1.	<p>Apologies</p> <p>Andy Millard (Thurrock), David Green (Chelmsford), Steve Rodgers (Castle Point),</p>	
2.	<p>Feedback from meetings and discussion points from last meeting/concept report</p> <p>The concept paper was discussed and agreed at EPOA on 4th September</p> <p>JM provided an update to ECEA on 18th September, pleased with work done, positive feelings about join-working across Essex at present - Building Control, Waste assets. Essex Leaders Meeting- this plus other joint working items will be mentioned at next meeting.</p> <p>AC/DC- Recognition that work is ongoing at sub regional level and compact needs to work at whole Essex and/or sub county levels as appropriate</p> <p>RH- Noted that concept paper and other docs are county-centric, do not recognise the particular situation in the unitaries.</p> <p>Action Update concept paper to include unitary specific references</p>	RH/DB
3.	<p>General Planning Framework for Essex</p> <p>Roundtable discussion on principles and broad headings of planning framework as discussed at last subgroup meeting.</p>	

	<p>Recognition from all present of the ambition of such an approach and that whilst the benefits were understood, that there would be many questions to answer (incl. contents, scale: county/sub-county, governance, legal status etc.) and a requirement for a strong partnership approach.</p> <p>Agreed that framework and/or Cambridge type model long-term aspiration requiring a staged approach. Pause discussion until leaders provide a view. Possibility of issue being raised at future Essex Leaders Association meeting.</p>	
<p>4.</p>	<p>Draft Infrastructure Plan</p> <p>Roundtable discussion focussing on the contents, status and purpose of a proposed Infrastructure Plan</p> <p><u>Contents</u> Recognition that infrastructure covers a broad range of areas operating at different scales- (Stansted- school places) and that will include a mixture of infrastructure that is within (e.g. schools for ECC, unitaries) outside (e.g. utilities) direct control. Poses challenge to include all within one document.</p> <p>Attendees provided feedback on the skeleton plan with ideas for disaggregation of some headings, additional material to be included and amendments.</p> <p>Action: to amend skeleton Infrastructure Plan in line with comments</p> <p><u>Purpose</u> Idea proposed and supported that it could act primarily as a strategic planning document that can be used as evidence for funding bids e.g. from LEP Growth Fund etc.</p> <p>Would need to be backed up by technical documents- those already existing (e.g. waste management) and newly commissioned. In theory similar to GTAA, and population projections- 'as it comes evidence'- will not initially fit with all LPA Local Plan preparation timetables.</p> <p>Could act as a central evidence base for all authorities- same methodology, lower cost to procure- economies of scale. Idea discussed of whether there could be a pooled fund.</p> <p>Noted potentially could help to engage with health and other commissioners.</p> <p><u>Who do we need to talk to?</u> LEP, noted that there is a housing conference in December ECEA, EPOA, ELA Neighbouring authorities London-Cambridge- Stansted corridor- (are doing some work on</p>	<p>DB</p>

	<p>this)</p> <p>Conscious that this is being developed at risk- could fall apart at Essex Leaders Association</p> <p>Action- DC offered ECC resource to develop the idea of an infrastructure plan further in line with attendees contributions</p>	DC
5.	<p>Capacity to Plan</p> <p><u>Recruitment and Retention/Sharing resources</u></p> <p>Attendees discussed current shared challenges around recruiting and retaining quality staff. Ideas on collaborative approach to improving recruitment/retention prospects discussed.</p> <p>General consensus that more joint working on recruitment and retention would be a positive move, although no specific ideas were agreed for further consideration. In addition, a number of practical barriers were raised that would need to be overcome before progressing idea further.</p> <p><u>Commissioning joint resource</u></p> <p>Idea discussed of jointly funding a resource to provide capacity for infrastructure plan and commission joint evidence (item 4 above). Idea was welcomed by group for further investigation</p> <p>Action: AC requested that attendees provide details of their annual spend on evidence base preparation so that scope for pooled fund can be assessed.</p>	All
6.	<p>The Case for housing Development</p> <p>DB provided commentary on paper followed by roundtable discussion</p> <p>Paper generally welcomed. Questions raised around who is intended audience, general feeling that would be good for Chief Execs and with amendments members and residents</p> <p>Comments received from attendees, incl:</p> <p>Amend table 1 to reflect gap between previous and current housing requirement</p> <p>Change sections into sustainability categories</p> <p>More emphasis on infrastructure</p> <p>Include more social benefits, appeal to heart</p> <p>Should be an EPOA document or one produced by all LPAs rather than just ECC (applies to all Compact documents)</p> <p>Consider discussing paper at future EHOG meeting</p> <p>Action: Update paper in line with comments received and share with group for further review</p>	DB

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Committee: Uttlesford Planning Policy Working Group

Agenda Item

Date: 26 January 2015

10

Title: Uttlesford Gypsy and Traveller Issues and Options Consultation – Update

Author: Hannah Hayden, Planning Office

Summary

1. The Gypsy and Traveller Issues and Options Consultation started on Monday 8 December 2014 and runs until 5pm on Monday 2 February 2015.
2. The attached report summarises the representations received to date.

Recommendations

3. That the Working Group notes the report.

Financial Implications

4. Costs of the consultation will be met from existing budgets.

Background Papers

5. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None

Impact

- 6.

Communication/Consultation	The revised LDS will be posted on the website and made available for inspection.
Community Safety	N/A
Equalities	The policy documents which will be prepared are subject to separate equalities impact assessments.
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	The policy documents which will be prepared are subject to separate

	Sustainability Appraisal
Ward-specific impacts	All
Workforce/Workplace	Existing staff resources.

Situation

7. At the start of the Gypsy and Traveller Issues and Options Consultation letters and emails were sent to everyone who is registered on the Council's consultation database. Letters were sent to all statutory consultees. Parish and Town Councils were sent hard copies of the document and comments form. The document is available at the libraries, information centres and on the Councils website; comments can be made on-line, via the comments form, letter or email.
8. As of Wednesday 14th January 2015 64 people have made 174 comments. Question 12 has received the largest response rate with 54 comments.
9. A representation has been received from 3 of the land owners of the site south of the B1256 opposite Taylors farm stating that their site is not available for Gypsy and Traveller use. This site can therefore not go forward for further consideration.
10. The attached report is for information only and gives the UPPWG an update of the representations received to date. A full report of all representations will be presented to the group once the consultation has ended.

Risk Analysis

11.

Risk	Likelihood	Impact	Mitigating actions
The Council submits an unsound Plan if the consultation process has not been carried out in accordance with the regulations and the SCI	1. The SCI and the regulations have been followed.	3. If the plan is found unsound this will cause delay and uncertainty	Ensure consultations are carried out in accordance with the regulations and the SCI. Ensure that members are involved throughout the process and plan preparation.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.

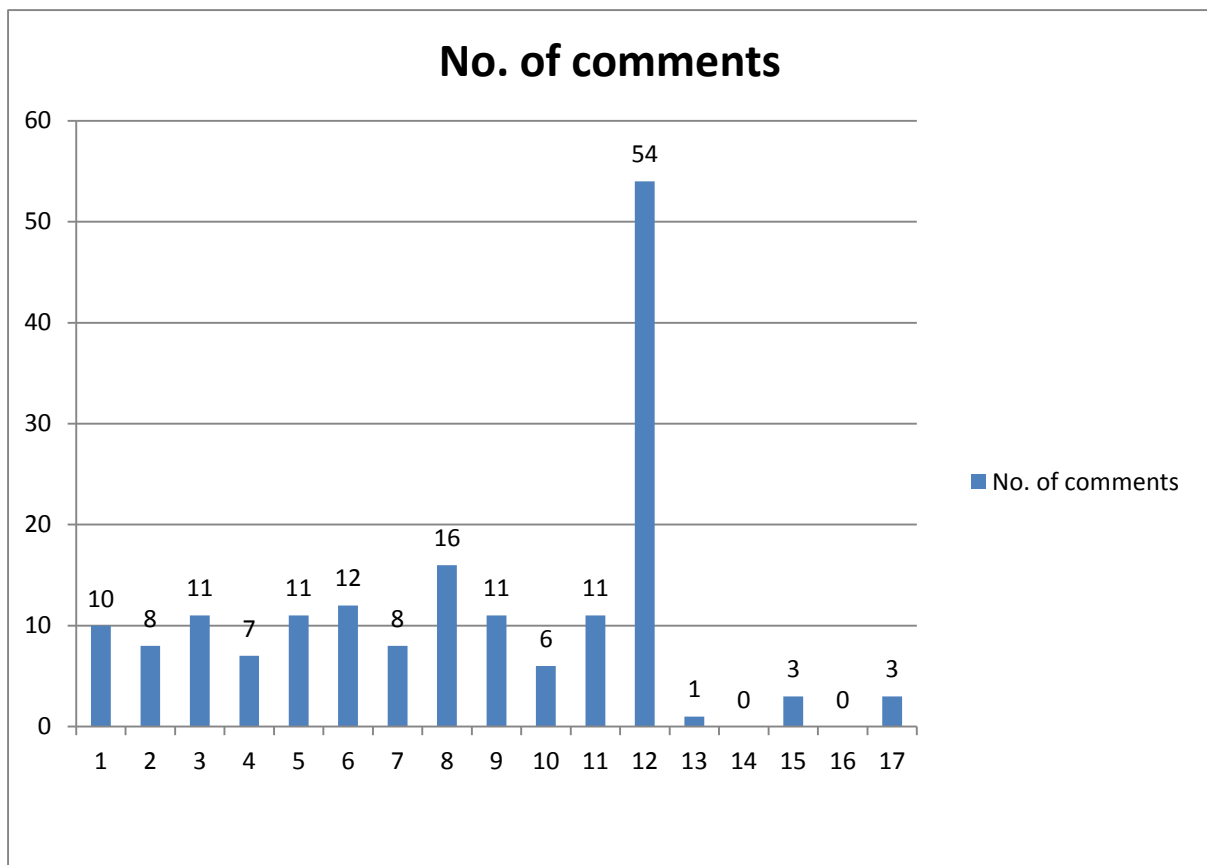
GYPSY AND TRAVELLER ISSUES AND OPTIONS CONSULTATION

UPDATE :

January 2015

As of Wednesday 14th January 64 people have made 174 comments on the Gypsy and Traveller Issues and Options Consultation. Two of which are statutory consultees (Braintree District Council and Clavering Parish Council).

The chart below shows the number of responses against questions 1-17 of the consultation.



Question 1: Do you agree with the suggested vision and objectives for Gypsy and Traveller sites? If no why?

10 comments have been received, 8 of which stated no they did not agree.

Question 2: Do you agree there is no need for Travelling Showpeople households up to the year 2033?

8 comments have been received, all of which agree there is no need for Travelling Showpeople households up to the year 2033.

Question 3: There are no key traveller routes in the Uttlesford District. Do you agree that it is more appropriate to provide transit sites on key traveller routes?

11 comments have been received. All 11 responses are in agreement with this statement.

Question 4: The Council has identified a need for 26 pitches for Gypsies and Travellers. If you don't agree what evidence can you provide to justify your view?

7 comments have been received, 6 of which do not agree there is a need for 26 pitches.

Question 5: Do you agree that the Council should identify sites to meet its own needs within the District boundary?

11 comments have been received. 9 comments agree that the Council should meet its own needs.

Question 6: Do you support the methodology to consultants have used to assess the sites in order to include them in this consultation? If no what different methodology would you suggest for selecting sites?

12 comments have been received. 11 representations do not agree with the methodology, a number of these suggesting distances to services should be taken into account when selecting sites.

Question 7: Gypsy and Traveller sites should be small with up to 5 pitches

Gypsy and Traveller sites should be between 6-15 pitches

Gypsy and Traveller sites containing more than 15 pitches could be appropriate

Do you have alternative suggestions on the site of sites the Council should be considering?

8 comments have been received. 5 responses state that sites should be small – up to 5 pitches. 1 representation states that sites containing more than 15 pitches could be appropriate the other 2 responses suggest that the size of sites should be determined by their location, taking into account the surrounding environment and level of services available

Question 8: If the Council identify more than enough suitable and available sites to need needs, how should the Council give priority in choosing which sites to allocate? (Please list in order of priority)

Sites within and adjacent to existing settlement's

Sites within those areas where the travelling communities currently live and travel through

Sites which are close to or which have easy access to local services

Sites which have some other reason to be chosen rather than others

16 comments have been received. 7 representations stated that priority should be sites within and adjacent to existing settlement's. 9 representations states priority should be given to sites within areas the travelling community currently live and travel through.

Question 9: Which local facility is the most important to be close to when identifying sites? (please list in order of priority)

Health care

Shop

Primary school

Other (please specify)

11 comments have been received. 2 representations stated health care as a priority, 1 stated primary school, 2 stated shop and 6 stated other. These 6 suggested that public transport and services should be the priority, some suggested that it should be up to the Gypsy and Traveller community what their priority is.

Question 10: How should the Council plan for sites beyond the first five years?

1) Identify specific developable sites

2) 2) identify broad locations for growth across the district

6 comments have been received. 5 of which stated that broad locations should be identified.

Question 11: Please indicate the best ways of delivering Gypsy and Traveller sites

Granting permission to existing sites which currently do not have permission

Extending or putting more pitches on existing sites

Identify new sites for Gypsy and Travellers

Other

11 comments have been received. 8 of these representations stated their preference to be extending or putting more pitches on existing sites. 2 stated their preference as granting permission to existing sites which currently don't have permission. 1 suggested safeguarding existing sites.

Question 12. The Council need to determine whether these sites are available, suitable and achievable for Gypsy and Traveller provision. Do you have any evidence or information to justify you view?

The majority of comments, 54, have been received for this question. All 54 comments were objections to either the site at Star Green Radwinter End (UTT014), Land south of the B1256 opposite Taylors Farm (UTT026) or 5 Acres Wicken Bonhunt (UTT022). Out of the 54 comments 47 of these related to the site 5 Acres (UTT922). Below is a summary of the main points raised about the sites:

5 Acres:

- Outside development limits
- Access in flood zone 3
- Access across a protected lane
- Site is too big
- Narrow roads
- No pedestrian access
- Safety of the new residents is a concern due to poor street lighting, access and flooding
- Unsustainable location - no public transport
- No local facilities – health care, schools, shops
- Negative impact on landscape
- Area of natural beauty
- Enforcement should proceed at the Stansted gypsy and traveller site to release accommodation.
- Contrary to site assessment criteria

Star Green Radwinter End:

- Unsustainable location
- Narrow, dangerous access via a lane
- No local facilities

Land south of the B1256 opposite Taylors Farm

- Site included without all the landowners permission – request to remove the site from 3 of the landowners
- Within CPZ
- Concern regarding impact on local residents
- Negative impact on close by listed buildings

Question 13: (existing site within the Green Belt)

The Council need to determine whether this site is available, suitable and achievable for Gypsy and Traveller provision, do you have any evidence or information to justify your view?

1 comment has been received stating that this site is not suitable as it is within the Green belt.

Question 14: Do you have any evidence or information about the sites which have been rejected for Gypsy and Traveller provision?

No comments have been received in relation to this question.

Question 15: If the Council find that they are unable to identify, from those sites submitted, enough suitable, available and achievable sites to meet local needs for the future, what do you think they should do? (please tick one from the list)

Consider possible sites within the Green Belt

Consider other sites

Reconsider sites previously rejected in the exercise, provided development would avoid serious impact on the environment

3 comments have been received. 2 of which suggested other sites should be considered and 1 suggests that sites within the Green Belt should be considered.

Question 16: Do you know of any other sites which the Council should be considering for future Gypsy, Traveller or Travelling Showpeople uses?

No comments have been received.

Question 17: Any other comments

3 comments have been received. 1 states that views of local residents need to be taken into consideration as they do not have a political or financial interest, another makes a general comment about the format of the questionnaire and Braintree District Council state that they have no specific comments but are pleased we are making provision in line with the 2014 needs assessment.

Committee: Uttlesford Planning Policy Working Group

Agenda Item

Date: 26 January 2014

11

Title: Annual Monitoring Report

Author: Sarah Nicholas, Senior Planning Officer

Summary

1. Local planning authorities must publish information at least annually that shows progress with Local Plan preparation, reports any activity relating to the duty to cooperate and shows how the implementation of policies in the Local Plan is progressing. The 2014 Monitoring Report has now been prepared and is appended.
2. The report, unless otherwise specified, covers the period from 1 April 2013 to 31st March 2014.
3. The 2014 annual monitoring report will be available on the Council's website.

Recommendations

4. For information

Financial Implications

5. None:

Background Papers

6. None

Impact

- 7.

Communication/Consultation	Will be made available on website
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A

Ward-specific impacts	All
Workforce/Workplace	N/A

Situation

8. The 2014 Annual Monitoring report monitors the following issues:-
- The progress of the Local Plan and any Development Plan Documents against the timetable set out in the Local Development Scheme (LDS);
 - The extent to which policies are being achieved. This AMR will monitor policies in the Uttlesford Local Plan adopted in January 2005;
 - Details of neighbourhood plans;
 - Confirms that no monies have been received and expended through the Community Infrastructure Levy; and
 - Details of how the Council has cooperated with other local planning authorities, county council or other appropriate bodies.
9. This working group has already considered reports on employment, retail and housing and these have been included in this annual monitoring report. The AMR also provides information on car parking standards, sites designated for nature conservation and renewable energy schemes.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Decisions have been made contrary to policy which have had a harmful impact	1. All decisions consider the national and local policy context as well as professional advice from consultees	2. Clear monitoring helps to highlight any conflict. Decisions contrary to policy/consultee advice could result in harm	Consider planning application in the light of national guidance. Draft new policies in the light of past experience.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

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Date: 26 January 2015

Title: Network Rail: Anglia Route Study – draft for consultation

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Key decision: No

Summary

1. This report is about the options that Network Rail is setting out to meet demand on the West Anglia Main Line through to 2043. The options are set out in the Anglia Route Study – draft for consultation. The report explains the options and suggests headline points that the Council should make in its response.

Recommendations

2. i) That the Uttlesford Planning Policy Working Group endorses the headline points set out in Paragraph 24, which officers will incorporate into the Council's response, and

ii) That the Working Group suggests any other points that it would like to see included in the response.

Financial Implications

3. None

Background Papers

4. None.

Impact

- 5.

Communication/Consultation	The draft Route Study consultation is being carried out by Network Rail. The consultation closes on 3 February 2015. Since January 2014, officers have taken part in a series of regional stakeholder working groups that have been hosted by Network Rail.
Community Safety	None.
Equalities	None.

Health and Safety	None.
Human Rights/Legal Implications	None.
Sustainability	None.
Ward-specific impacts	Districtwide.
Workforce/Workplace	Officer time in attending the working group meetings and preparing this report.

Situation

6. The draft Anglia Route Study forms part of the rail industry's long term planning process. It looks at options for meeting the demand for rail travel in the Anglia region during Control Period 6 ("CP6" 2019–2024) as well as further ahead up to 2043. The main reason for looking forward to 2043 is the relatively long life of rail assets. The draft Study uses data obtained from earlier market studies, which forecast rail demand and develop conditional outputs for the delivery of future rail services. Conditional outputs are aspirations and not recommendations. They are conditional on being deliverable in a manner which represents both value-for-money and which is affordable to funders.
7. The Anglia region consists of the West Anglia Main Line (WAML), Great Eastern Main Line (GEML), Essex Thameside, North London Line and the Gospel Oak – Barking Line. This report concentrates on WAML services to Cambridge and Stansted Airport.

The baseline

8. The draft Study's starting point is what will be delivered on WAML by 2019, i.e. the end of Control Period 5 ("CP5" 2014-2019). CP5 is the last period for which funding has been settled. No funding decisions have yet been made for CP6.
9. By 2019, an additional track will be provided on WAML between Coppermill Junction and Angel Road with a view to achieving four trains per hour (tph) between Stratford and Angel Road, including the two which currently run further north to Bishop's Stortford. The main reason for this investment is to meet the medium-term demand arising from industrial and residential development in the vicinity of Lea Bridge, Tottenham Hale, Northumberland Park and Angel Road. Lea Bridge station (near to Westfield) will also be re-opened.

Future demand for rail services

10. Network Rail forecasts that by 2023, demand for all services on WAML will have increased by 18% (morning peak passenger demand), and by 39% by

2043. In comparison, the increase in demand for GEML inner suburban services is anticipated to be much higher (52% by 2023 and 83% by 2043), but this demand is boosted by Crossrail once it opens in 2019. Demand on GEML outer suburban and Norwich services will also increase significantly (32% by 2023 and 75% by 2043) because of a trend for long distance commuting to grow faster than shorter distance commuting.

11. Network Rail says that uncommitted improvements in capacity, service and quality of rolling stock could drive further demand increases, as could population growth and what happens at Stansted Airport. Regular monitoring and updating of the forecasts will therefore take place. This is a cue for Network Rail to be asked to play a key role in “Duty to Co-operate” discussions that take place over the scale and distribution of future development within the London Stansted Cambridge corridor.

Conditional outputs

12. There are 2 relevant conditional outputs for CP6:

WAC01 – To provide sufficient capacity for passengers travelling into Central London and other employment centres during peak hours, taking into account anticipated growth over the period to the end of CP6, and

WAC03 – To provide journey time improvements for services from both Cambridge and Stansted Airport to London Liverpool Street.

13. There are 3 relevant conditional outputs for 2043:

WAC02 – To provide sufficient capacity for passengers travelling into Central London during peak hours, taking into account anticipated growth over the period to 2043,

WAC04 – Improve cross-London connectivity, connecting South West and North East London, and

WAC05 – To provide sufficient capacity for passengers travelling to Stansted Airport all day, taking into account anticipated growth over the period to 2043.

14. The draft study forecasts a capacity gap of about 1,000 passengers on Stansted Airport and Cambridge services into Liverpool Street between 08:00 – 09:00 at the end of CP6. To meet WAC01, train lengthening of two peak hour services from 8 to 12-cars is said to be the best value for money option, involving procuring two extra 4-car units. The use of higher density rolling stock could also bridge the gap, but this would not meet the needs of airport passengers for luggage space. Platform lengthening at Great Chesterford, Newport and Elsenham stations would be required to accommodate 12-car trains, but the final cost of this has not yet been calculated.

15. Train lengthening would not, of course, provide the journey time improvements required to meet WAC03. The draft study states that up to 3 to 5 minutes of

journey time could be saved on some services dependent upon timetable structure. However, to provide the best journey time benefits for services from the airport and Cambridge without further infrastructure enhancements would be to the detriment of other WAML services. This would therefore only partly meet WAC03. Full compliance with WAC03 would require four-tracking with or without Crossrail 2, as line speed improvements themselves on a two-track railway would not solve the delay problems associated with a mix of fast and slow services on the same track.

16. The draft study forecasts a capacity gap of about 1,500 passengers on Stansted Airport and Cambridge services into Liverpool Street between 08:00 – 09:00 by 2043. To meet WAC02 and WAC05, further peak hour train lengthening would be required to meet the forecast increase in demand.

Beyond 2043?

17. In anticipation of longer term investment, the draft study does propose some enabling works within CP6 which would support demand well above that currently forecast for 2043. These works focus on land acquisition for four-tracking, and level crossing closures between Tottenham Hale and Broxbourne. The draft study says (in Paragraph 6.4.11):

“The Route Study recognises that the demand forecasting methodology used does not fully reflect potential housing growth projections in the Upper Lea Valley and outside London, and the wider impacts on economic growth that improved services to Stansted Airport and Cambridge could have. Prior to publication of the final Route Study, more detailed work with stakeholders will be undertaken to better understand the benefits that early four tracking of the Lea Valley could bring. This work will examine incrementally increasing the train service to both Liverpool Street and Stratford to understand whether early infrastructure work can be undertaken prior to the full four tracking or Crossrail 2 scheme to support improved frequencies and journey time on the route”.

18. Network Rail’s market study forecasts do not see a capacity need for four tracking and / or a second rail tunnel at Stansted until after 2043. However, Network Rail does recognise that higher housing growth along the WAML corridor and growth at Stansted could contribute to a case for earlier delivery.

Four tracking

19. In the absence of Crossrail 2, Network Rail states that four-tracking in the Lea Valley does not of itself provide significant additional capacity. This is because investment would still be required to increase platform / track capacity at either or both of Liverpool Street and Stratford, together with the possible need to extend the four-tracking overground as far south as Bethnal Green (if the majority of additional services were to go to Liverpool Street). However, the feasibility of four-tracking south of Tottenham Hale to Bethnal Green is described as “very challenging” due to the high density population in surrounding areas. The Crossrail 2 four-tracking option (which would free up platform capacity at Liverpool Street and would involve a tunnel south of

Tottenham Hale) could be a solution, as it would open up 10 extra train paths into Central London.

Second rail tunnel at Stansted

20. Network Rail's assumed WAML service specification for the peak hours in 2043 shows 8tph to / from the airport station. The line diagram in the draft study shows these to comprise:

4 x Stansted Express

1 x Cross-boundary (current Cross Country Trains service to Birmingham)

3 x Cambridge.

21. It is not known what airport throughput Network Rail is assuming for 2043, but it is presumed that it would be no more than the maximum capacity of the single runway, which is about 43-45mppa (million passengers per annum). The single tunnel allows only 6tph in each direction, so 8tph would require the construction of the second tunnel unless the headway between trains could be reduced. One way of reducing headways would be to install the European Rail Traffic Management System (ERTMS), which is an in-cab computer control system which controls the speed and movement of the train whilst taking into account other trains on the railway. Initial rollout of ERTMS is on the Great Western and East Coast Main Lines in CP5. The draft study does not refer to ERTMS in the context of WAML improvements. Whilst ETRTMS could reduce train headways, it would not deal with the existing choke points such as terminus platform capacity.

22. In the past, the construction of the second rail tunnel has always been associated with a second runway, and it was proposed as part of the Stansted Generation 2 project. Tunnelling is extremely expensive, and no circumstances are foreseen in which the second tunnel would be constructed just for another 2tph in the peak period. It is not therefore clear how the extra 2tph would be delivered on the existing network. Network Rail states that 8tph is the maximum that the airport station could accommodate without extra platforms.

23. On 27th November 2014, there was an adjournment debate on WAML in the House of Commons, led by Sir Alan Haselhurst MP with the support of the London Stansted Cambridge Consortium (LSCC). In his response, the Minister of State for Transport, John Hayes MP, made it clear that the draft Study was not set in stone and he encouraged "representations that will contribute to its evolution". He also committed to a full feasibility study of the West Anglia Route and invited representatives to the Department to discuss what that further study might look like. No further information is currently available about this feasibility study.

The Council's response

24. It is recommended that the Council's response should include the following headline points:

- i) Support for peak hour train lengthening, but request clarification in due course over which services would be lengthened.
- ii) Express disappointment that the draft study is not very aspirational. Three out of the five conditional outputs affecting WAML Stansted and Cambridge services are based solely on capacity. In the absence of four tracking, there appears to be little prospect of reductions in journey times or improvements to reliability and punctuality up to 2043.
- iii) Reiterate the Council’s support for the regional option for Crossrail 2. This is the best way of meeting WAC04 whilst freeing up track and platform capacity at Stratford and Liverpool Street to enable reliability, punctuality and journey time improvements.
- iv) The final Route Study should clarify how 8tph would be provided to / from the airport in the high likelihood that the second rail tunnel is not constructed. Network Rail should also clarify what passenger throughput is being assumed for 2043.
- v) Welcome the comments of the Transport Minister that the draft study is not set in stone and that a full WAML feasibility study has been committed to. This feasibility study would seem to be the right opportunity to carry out the further work identified in Paragraph 6.4.11 of the draft study. Suggest that it may be necessary to revisit the Route Study following the carrying out of the feasibility study and / or future decisions on levels of growth within the LSCC corridor.
- vi) Invite Network Rail to play a key role in “Duty to Co-operate” discussions that take place over the scale and distribution of future development within the London Stansted Cambridge corridor.

The new rail franchise

25. In December 2014, the DfT’s Rail Executive published the East Anglia Rail Franchise Consultation. The existing Greater Anglia franchise is due to expire on 16 October 2016, and the Rail Executive anticipates that this will be replaced by a new East Anglia franchise. The Rail Executive is seeking stakeholders’ views on the specification that is being developed for the franchise which will be issued to bidders in summer 2015. The consultation runs until 16 March 2015. Officers will be preparing a draft response in due course. That will be the appropriate response to deal with matters such as service standards, rolling stock quality, customer information, ticketing etc.

Risk Analysis

26.

Risk	Likelihood	Impact	Mitigating actions
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<p>That WAML rail services up to 2043 do not take into account local demand.</p>	<p>1. The Council has taken part in Network Rail's regional stakeholder group meetings, and has the opportunity to respond to the draft Route Study consultation.</p>	<p>2 Lack of an adequate rail service up to 2043 could encourage more car journeys, placing further strain on the strategic and local road networks.</p>	<p>Respond to the draft Route Study consultation, and continue to take part in rail lobbying activities, especially by the LSCC and the West Anglia Route Group.</p>
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