



# Uttlesford District Council

Chief Executive: John Mitchell

## Uttlesford Planning Policy Working Group

**Date:** Monday, 23 February 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 Apologies for absence and declarations of interest.**  
To receive any apologies and declarations of interest
  
- 2 Minutes of previous meeting** 5 - 12  
To consider the minutes of the meeting held on 26 January 2015
  
- 3 Matters arising.**  
To consider matters arising from the minutes
  
- 4 Evidence Base Review and Work Plan** 13 - 16  
To consider a review of the current evidence base
  
- 5 Gypsy and Traveller Issues and Options consultation** 17 - 58  
To receive the report of representations and officers comments following the Gypsy and Traveller Issues and Options consultation

- |           |  |           |
|-----------|--|-----------|
| <b>6</b>  | <b>ECC Draft Contributions Guidance 2015</b>                                       | 59 - 68   |
|           | To consider the response to the consultation on the 2015 revisions to the Guidance |           |
| <b>7</b>  | <b>Statement of Community Involvement</b>  | 69 - 96   |
|           | To consider the updated statement of Community Involvement                         |           |
| <b>8</b>  | <b>Duty to cooperate</b>   | 97 - 100  |
|           | To update the working group on the duty to cooperate work                          |           |
| <b>9</b>  | <b>Braintree Local Plan</b>  | 101 - 110 |
|           | To consider the response to the Issues and Scoping Consultation                    |           |
| <b>10</b> | <b>Neighbourhood Plans update</b>  | 111 - 114 |
|           | To update the working group on Neighbourhood Development Plans.                    |           |
| <b>11</b> | <b>Date of next meeting</b>  |           |
|           | The next meeting will be held on Monday 30 March 2015                              |           |

## **MEETINGS AND THE PUBLIC**

Agendas, reports and minutes for this meeting can be viewed on the Council's website [www.uttlesford.gov.uk](http://www.uttlesford.gov.uk). For background papers in relation to this meeting please contact [committee@uttlesford.gov.uk](mailto:committee@uttlesford.gov.uk) or phone 01799 510369/433.

Members of the public who have registered to do so are permitted to speak at this meeting, to a maximum number of five speakers in relation to each agenda item. A maximum of 3 minutes is permitted for members of the public to speak. You will need to register with the Democratic Services Officer by 2pm on the day before the meeting. Late requests to speak may not be allowed. You may only speak on the item indicated.

Agenda and Minutes are available in alternative formats and/or languages. For more information please call 01799 510510.

### **Facilities for people with disabilities**

The Council Offices has facilities for wheelchair users, including lifts and toilets. The Council Chamber has an induction loop so that those who have hearing difficulties can hear the debate. If you are deaf or have impaired hearing and would like a signer available at a meeting, please contact [committee@uttlesford.gov.uk](mailto:committee@uttlesford.gov.uk) or phone 01799 510369 as soon as possible prior to the meeting.

### **Fire/emergency evacuation procedure**

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest designated fire exit. You will be directed to the nearest exit by a designated officer. It is vital you follow their instructions.

**For information about this meeting please contact Democratic Services**

Telephone: 01799 510433, 510369 or 510548

Email: [Committee@uttlesford.gov.uk](mailto:Committee@uttlesford.gov.uk)

**General Enquiries**

Council Offices, London Road, Saffron Walden, CB11 4ER

Telephone: 01799 510510

Fax: 01799 510550

Email: [uconnect@uttlesford.gov.uk](mailto:uconnect@uttlesford.gov.uk)

Website: [www.uttlesford.gov.uk](http://www.uttlesford.gov.uk)



**UTTLESFORD PLANNING POLICY WORKING GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 7.00pm on 26 JANUARY 2015**

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

Also present: Councillors C Cant, J Cheetham, J Davey, R Eastham, J Menell E Parr, V Ranger and J Redfern.

Officers in attendance: J Mitchell ( Chief Executive), M Cox (Democratic Services Officer), R Harborough (Director of Public Services), H Hayden (Planning Policy Officer), S Nicholas (Senior Planning Officer), J Pine (Policy and Development Management Liaison Officer) A Taylor (Assistant Director Planning and Building Control) and A Webb (Director of Corporate Services).

**PP1 ELECTION OF CHAIRMAN**

It was proposed by Councillor Howell, seconded by Councillor Barker that Councillor Rolfe be appointed Chairman of the working group.

Councillor Parry said it was not appropriate for Councillor Rolfe, as Leader of the council, to chair the group as this could lead to negative public perception about the independence of the process. Councillor Dean was concerned that the group would be carrying on in its previous incarnation, and on a practical level as chairman of the group, Councillor Rolfe would be reporting any recommendation to himself as Leader of the Council which could lead to a conflict of interest.

Councillor Howell said Councillor Rolfe was well qualified for the job. The working group was starting with a clean sheet and would adopt a transparent approach. On being put to the vote it was

RESOLVED that Councillor Rolfe be appointed as Chairman of the working group.

Councillor Rolfe welcomed everyone to the first meeting. He expected the working group to have detailed discussions and for it to make its own decisions.

**PP2 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

There were no apologies for absence or declarations of interest received.

PP3            **MINUTES**

The minutes of the meeting of the Local Plan Working Group held on 11 November 2014 were approved and signed as a correct record.

PP4            **LOCAL PLAN UPDATE AND NEXT STEPS**

**Public Speaking**

John Lodge, Essex County Councillor, spoke about the new arrangements to progress the local plan following the outcome of the Local Plan Examination. He was disappointed that the decision making powers still resided with Cabinet and the new working group was not fully engaging with residents. He felt it should have included active qualified members of the community from outside UDC and an Independent chair would have given the message that the council was listening. He asked the council to continue to look for an objective and independent model of working.

Dan Starr, We Are Residents, spoke in relation to the Inspector's report from the Examination in Public, which had highlighted significant defects in a number of areas of the plan and beneath the headline announcements there had been concerns with individual policy areas. It was important to understand what had gone wrong and to fully address the concerns to avoid the plan failing again. He suggested undertaking a line by line review of the Inspector's report. It was important that the new local plan was based on sound evidence and supported by the community.

The Chairman replied said the working group would conduct its business based on 3 principles – Transparency, objectivity and consultation.

---

The Assistant Director Planning and Building Control presented the report and reminded the group that the Inspector had halted proceedings in the second week of the Local Plan Examination hearing. The council had considered the preliminary findings on 18 December 2014 and agreed to the formation of this working group to consider the preparation of the revised plan. The Inspector had published the final report on 19 December 2014.

The Council would now move forward to prepare a plan taking on board the Inspector's comments. The process would be as follows

- Update the Strategic Housing Market (SMHA) to inform the new objectively assessed need. This had been commissioned as a joint piece of work with Epping Forest, East Herts and Harlow Councils.
- Once figures for the whole SHMA had been received, discussions would take place between the 4 authorities to ensure the total needs of the SHMA area can be delivered.

- Duty to cooperate discussions with the four authorities.
- Call for sites for the additional housing required and assessment of these sites
- Review the development Strategy
- Consultation on the available options.
- Select sites to be put forward as draft allocations.

During this process there would be a need to review the evidence base and to commission further studies, if necessary.

In terms of timescale, the completion and publication of the SHMA was expected between January – June 2015, with the submission of the draft plan in July/August 2016.

Members of the working group discussed the report. Councillor Barker warned of the uncertainty around determining the housing numbers and the likelihood of the Inspector changing his view during the plan preparation process.

Members asked why the council had chosen Harlow, Epping and East Herts as the partner authorities for the Strategic Housing Market Assessment (SHMA) study. The Assistant Director explained that the Housing Market Area (HMA) was derived from residents living and working in the same area. The four authorities represented the closest fit to this model and this was not replicated to the same extent to the north and east of the district.

This did not however preclude discussions taking place with other neighbouring authorities. The SHMA was only one part of the Duty to Cooperate (DTC) work and the key issues from any of the discussions would be fed back to this group. Councillor Barker reported that there was also a member level Duty to cooperate group.

Some members were concerned that under the DTC, the council might be required to take housing from Harlow and Epping Forest due to the particular constraints in those council areas.

In answer to a question about the green belt, it was explained that the council would need to consider whether it wanted to review its policy in respect of development on green belt land and if it did, there would be a consultation on this issue.

Councillor Dean estimated that over the last 8 years, the cost to the council of the local plan process had been in excess of £2m. The report to this meeting said that costs going forward could be met from existing budgets. However, before the budget was set he would still like to see a statement setting out the likely cost of the process going forward.

Members asked about the effect on the process of the applications in the draft plan that had already been approved. Officers advised that these would have to be taken account of and might be a constraint on the strategy, but this was

an evolving situation and sites both with and without planning permission would need to be considered.

Councillor Dean understood that external consultants were currently working on the SHMA and the revised numbers. However, in the interim he suggested that the working group could look at the pros and cons of the different approaches, locations and develop a broad strategy for possible development without prejudicing the formal process.

Cllr Rolfe said the key word was objectivity, the council was following a laid down process. A critical discussion on the preferred strategy would be held when housing numbers were confirmed. However, Councillor Dean's suggestion in terms of blue sky thinking could be useful and he would consider how this could be pursued.

Councillor Howell said the Inspector's decision had been depressing news for the district and for those who wished to preserve its rural character. The council was faced with a significant challenge and in order to get the plan right next time he wanted to have confidence with studies and figures coming forward.

The Chairman said the housing numbers appeared to be a moving target and the pretext that they were locally driven was a myth. This was one of a number of issues that the Council was taking up with the Government at national level.

The report was noted.

## PP5 **WITHDRAWAL OF LOCAL PLAN FROM THE EXAMINATION PROCESS**

The Assistant Director Planning and Building Control confirmed that the Council had formally withdrawn the local plan from the examination process.

## PP6 **LOCAL DEVELOPMENT SCHEME**

### **Public speaking**

Mr Coltman, clerk to Arkesden Parish Council, was concerned that the Gypsy and Traveller Local Plan was to be merged into the main Local Plan programme and as result he could see no provision to consider the results of the recent consultation. He wanted the site suitability to be determined to avoid unsuitable sites being carried forward to the next stage. The residents were expecting this matter to be considered.

Robin Coady, representing residents of Wickham Bonhunt and Arkesden, said that the proposed gypsy and traveller site at Wicken Bonhunt was unacceptable and failed the council's own site assessment criteria. He supported a single local plan, but asked that the unsuitable sites be taken out



of the plan before the next stage of consultation in order to alleviate residents' concerns.

---

The working group was advised that the LDS was the project plan for the local plan. It had been updated to reflect the new timetable, the major change was the merging of the Local Plan with the Gypsy and Traveller Local Plan.

In response to the public speakers, the Assistant Director Planning and Building Control said that the Gypsy and Traveller plan had previously been separated out because it had been falling behind the process, but the situation had now changed and the council was following Government advice that there should be only one plan.

It was explained that the proposed timescale for the Gypsy and Traveller Plan was not greatly different from that previously suggested. The final report of representations would be submitted to the next meeting on 23 February. There would then be an opportunity for the working group to consider the recommendations as to which sites should go forward to the next stage of consultation. The Chairman said that there had been a commitment for the working group to visit the sites prior to a decision being made. This would be arranged as soon as possible.

Councillor Menell said that during her time as councillor she had never experienced such concern from residents and hoped that the representations would be taken into account. She had concern with the consultants' report and was disappointed that councillors had not had the opportunity to question the authors. The document had not taken on board the advice from the travelling community that new sites should ideally contain no more than 5 pitches. She considered that the site at five acres was unsustainable on the council's own criteria. Councillor Oliver agreed that the consultant's report was unsatisfactory.

In relation to the Local development Scheme, Councillor Dean suggested that, this might be a good time to take a fresh look at the Statement of Community Involvement.

#### AGREED

1. The working group note the revised LDS and recommend its approval to Cabinet.
2. The statement of community involvement be brought to the next meeting for members to review.

PP7

#### **FIVE YEAR LAND SUPPLY**

The Senior Planning Officer presented the report on the updated 5 year land supply. She explained that in June 2014 the housing trajectory and 5 year

land supply statement had demonstrated that the council had a 6.2 year supply of deliverable housing. This had been based on a requirement of 523 dwellings per annum, a shortfall of 133 and an additional buffer of 5%.

Following the Inspector's ruling, it was necessary to recalculate the 5 year supply figure and until the SHMA study was completed it would be based on the Inspectors stated figure of 580pa. The Inspector had also concluded that the buffer did not need to be extended beyond the standard 5%, the 50pa windfall allowance was acceptable and there was no need to allow for the backlog for any years preceding the 2011 base year plan. He also stated that the council's housing trajectory generally provided a sound view of the years during which deliverable/developable land could be brought forward over the plan period.

Based on the principles above the updated 5 year supply was calculated using the revised target of 580pa. This demonstrated a 5.4 years supply of deliverable sites. The next statement would be published in June 2015 when the council had information on the number of dwellings permitted and completed during 2014/15.

## PP8 **DUTY TO COOPERATE**

The working Group received a report which updated members on the Duty to Cooperate work. This duty formed part of section 110 of the Localism Act 2011 and required local planning authorities, public bodies and others to engage on an on-going basis in relation to the planning of sustainable development. At the conclusion of the recent examination the Inspector had commented that 'the council did fulfil its obligations, albeit somewhat narrowly'. The council was therefore considering how it could improve its compliance going forward.

The report set out current work in this area. There was a number of impending Duty to cooperate meetings where a significant amount of discussion and negotiation would be required. The working group would receive frequent progress reports.

## PP9 **GYPSY AND TRAVELLER ISSUES AND OPTIONS CONSULTATION UPDATE**

### **Public speaking**

Mr Lindsey, resident of Radwinter, spoke in relation to the proposed gypsy and traveller site at Star Green, Radwinter End. He outlined the planning history of the site and questioned why it was referred to as a traveller site when the occupants had been living on the site for over 40 years. He asked whether the proposals to change the definition of a traveller for planning purposes would have implications the classification of the site.

Robin Coady, Local resident, mentioned the 20 authorised pitches at Stansted which he understood were currently not being used for gypsies or travellers and asked for a progress report on the action being taken.

---

The Planning Officer presented the report of the representations received so far to the Gypsy and Traveller Issues and Options consultation, which would run until Monday 2 February. The next meeting would receive the full report of representations.

Councillor Howell said he had reservations about the Peter Brett report, and from the comments made he had doubts that the site had been visited. He said that the Star Green site was currently integrated well within the community and asked for reassurance that the site was intended only for the use of the current family. He also requested a report on the enforcement situation in relation to the gypsy and traveller sites at Stansted.

The report was noted.

PP10 **ANNUAL MONITORING REPORT**

The working group received the 2014 Monitoring report, which covered the period from 1 April 2013 to 31 March 2014. This was an annual report that showed progress with the local plan preparation, reported any activity in relation to the duty to cooperate and how the implementation of the policies in the local plan was progressing.

Councillor Dean noted the 229 shortfall in affordable housing between 2000-2011, and asked whether this matter should be considered by the working group. He was advised that the SHMA contained a section on affordable housing and as part of the study the working group would have the opportunity to look at how the council could meet its requirement.

The report was noted.

PP11 **NETWORK RAIL ANGLIA ROUTE STUDY DRAFT FOR CONSULTATION**

The working group considered the proposed response to the Anglia Route Study – draft for consultation. The consultation set out Network rail's proposals to meet the demand on the West Anglia Main line through to 2043.

The Council's response to the consultation incorporated the following points.

- Support for peak hour train lengthening.
- Disappointment that the proposal was not very aspirational. In the absence of four tracking little prospect of reduction in journey times or improvements in reliability up to 2043.
- Reiterate support for regional Crossrail 2

- The final route study to clarify how 8tp would be provided to and from the airport, and clarify what passenger throughput was being assumed to 2043.
- Welcome comments from the transport minister that a full WAML feasibility study has been committed to.
- Invite Network Rail to play a key part in the Duty to Cooperate discussions over the scale and distribution of developments in the London Stansted Cambridge corridor
- Concern that the recommendations that the Airports Commission made about surface access to Stansted in its letter to the Chancellor of the Exchequer on 26<sup>th</sup> November 2014, did not seem to have been taken into account in the draft Study. These recommendations suggested a detailed route study between London and the airport to look at how enhancements to the route might benefit all rail users.

Councillor Cheetham understood that Network Rail was pushing for a 30 minute journey time between the Airport and London. She stressed that this should not occur at the expense of the commuter traffic on this route as this affected a large number of Uttlesford residents who commuted to London via this route.

Councillor Dean said the poor performance of the West Essex Main line had been an ongoing saga for many years and it was frustrating that little progress had been made or was suggested in this study. Councillor Rolfe said there appeared to be some support from the Minister but the council should keep pushing for improvements to the service.

AGREED that the working group endorses the headline points set out above, which will be incorporated into the council's response

The meeting ended at 9.15pm.

**Committee:** Uttlesford Planning Policy Working Group

**Agenda Item**

**Date:** 23 February 2015

**4**

**Title:** Evidence base review and work programme

**Author:** Andrew Taylor, Assistant Director Planning and Building Control

---

### Summary

1. This report provides a review of the current evidence base and highlights where updates or additional work will be required.

### Recommendation

2. To note the report.

### Financial Implications

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

### Background Papers

None

### Impact

- 4.

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	Effects all Wards
Workforce/Workplace	None

## Situation

5. The Local Planning process is an iterative process moving from plan to plan and is not a start and finish process. The evidence base as a whole needs to be continually reviewed to be kept up to date and to respond to changing national guidance/requirements and local priorities.
6. While the existing evidence base is still relevant, officers have carried out a review of the evidence base to highlight where updates will need to be commissioned or where there are additional requirements together with an indicative cost.

Evidence base	Notes
Green Belt boundary review	2011 – In house. Update 2015
Employment Land Study	2011 – In house. Update 2015
Air quality assessment	2013 – Update 2015 to assess allocations. £8,000
Retail Needs Study	2014 - Update 2015 £8,000
Strategic Flood Risk Assessment	2008 - Update 2015 £15,000
Water Cycle Study	2012 –Update spring 2016 £40,000
Transport Assessment	2014 – Update spring 2016 £40,000
Infrastructure Delivery Plan	2014 –In house. Update spring 2016
Strategic Housing Land Availability Assessment	2014. In house. Full update April - June 2015
Strategic Housing Market Assessment	2012 - Currently being updated
Sites Viability Assessment	2014 - Update 2016 - £15,000
Conservation Area Studies	In house – work nearing conclusion
Protected Lanes Study	2012 – No update
Leisure and Open Space Study	2014 - No update
Landscape character assessment	2006 –No update
Gypsy and Traveller Accommodation Assessment	2014 – No update, unless Government guidance alters

7. The attached document is a detailed review of the evidence base and the key issues of each document.
8. In addition to these documents a new Sustainability Appraisal will be needed at each step of the development of the new Local Plan. This is likely to cost in the region of £30,000.
9. It is not possible to determine exactly when, how detailed or how much a survey will cost at this stage until further decisions on the housing numbers and strategy have been taken. For example for retail if the housing numbers are similar then only a limited review will be needed, however, if the numbers rise considerably a more detail review will be needed to assess demand. As work progresses through this year the need and scope for updating surveys will become clearer.

## Risk Analysis

10.

Risk	Likelihood	Impact	Mitigating actions
Insufficient evidence on which to base decisions.	1. A thorough review of the evidence base has been carried out.	2. This will delay further work on the Local Plan.	Officers to Working Group to keep need for additional evidence under review.

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.





**Committee:** Uttlesford Planning Policy Working Group

**Agenda Item**

**Date:** 23 February 2015

**5**

**Title:** Gypsy and Traveller Issues and Options -  
Consultation Responses and Officer  
Recommendations

**Author:** Andrew Taylor, Assistant Director Planning  
and Building Control

---

### Summary

1. Attached is the report of representations following the consultation on Gypsy and Traveller Issues and Options.

### Recommendation

2. The report is for noting prior to members site visits.

### Financial Implications

3. None

### Background Papers

4. None

### Impact

- 5.

Communication/Consultation	The consultation was published in December 2014 and ran for 8 weeks.
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	The consultation was subject to a sustainability appraisal which was out to consultation at the same time.
Ward-specific impacts	ALL
Workforce/Workplace	N/A

## Situation

6. Consultation on the Gypsy and Traveller Issues and Options took place between 8 December 2014 and 2 February 2015, a total of 8 weeks.
7. 2589 comments were received from 689 people. The attached report summarises the representations made and sets out officers comments and recommendations.
8. Two additional sites have been proposed to the Council, one at Hill Top Yard Henham and one in Penntington Lane Stansted.
9. Site UTT026 has been withdrawn by the landowners and can therefore go no further in the plan making process.
10. An update on the enforcement situation on the Stansted sites is given under question 17.
11. Members are being asked to note the report prior to members' site visits. Once site visits have been undertaken the Planning Policy Working Group can discuss the sites in detail and advise officers during the new Local Plan preparation regarding Gypsy and Traveller site allocations.

## Risk Analysis

12.

Risk	Likelihood	Impact	Mitigating actions
That the Council's prepares an unsound plan. This could either be when the plan is submitted and the Inspector advises the Council that the plan is likely to be found unsound; or that following the formal hearing the plan is found unsound.	The council is preparing a plan which is positively prepared; justified; effective and consistent with national policy.	That adoption of the Local Plan will be delayed whilst additional work is undertaken	That the Council ensures that the Plan meets the requirements of the NPPF and Planning Policy for traveller sites and is justified by the evidence.

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.

**Consultation on  
Gypsy and Traveller Issues and Options  
8<sup>th</sup> December 2014 – 2<sup>nd</sup> February 2015**

**Report of Representations, Officer Comments and  
Recommendations**

## Introduction

Consultation on the Gypsy and Traveller Issues and Options took place between 8<sup>th</sup> December 2014 and 2<sup>nd</sup> February 2015, a total of 8 weeks.

2589 comments were received from 689 people. Of the 2589 comments 6% were on question 1 on the vision and objectives; 5% on question 2 Travelling Showpeople; 6 % on question 3 transit sites; 6 % question 4 need for pitches; 4% question 5 meeting needs within District boundary; 7% question 6 methodology; 8% question 7 size of sites; 6% question 8 location of sites; 7% question 9 access to services; 4% question 10 planning beyond first five years; 5% question 11 delivering sites; 25% question 12 potential sites beyond the Green Belt, 0.7% question 13 potential site within the Green Belt; 0.6% question 14 rejected sites; 3% question 15 unable to identify need; 0.5% question 16 any other sites and 4% question 17 any other comments.

The document summarises the representations received and sets out officers' views and recommendations. To read all the representations in full please go to <http://uttlesford-consult.limehouse.co.uk/portal/gandt>

**Do you agree with the suggested vision and objectives for Gypsy and Traveller sites? If no, how would you like the Vision/Objectives to be changed?**

157 comments were received on this question. The following is a summary of the key points raised in the representations.

**English Heritage** recommended some changes to the text and recommends that the historic environment should be integrated into the vision and objectives and supported by specific explanation within the text. They suggest the following textual changes:

- District Vision: 'Whilst protecting the natural, built and historic environment' this would align with the National Planning Policy Framework (NPPF) wording in para 157 bullet point 7
- Objectives: include a reference in one of objectives c,d or e referring to environmental considerations, as required by para 4, bullet 11 in Planning Policy for Traveller Sites 2012
- Include an explanation within the text following the objectives that the environmental considerations relate to the natural, built and historic environment

**Essex County Council Environment, Sustainability and Highways** recommends that the overarching vision for the Local Plan consultation acknowledges the importance of proximity to local services, in ensuring that Gypsy and Traveller communities within Essex are located in close proximity to local services and facilities. They wish to see this reflected in the objectives. They also recommend that the Council uses the evidence and information received from respondents following this consultation to develop a vision that reflects issues and needs of the Uttlesford local community.

**Natural England, Chelmsford City Council, Debden and Flich Green Parish Councils** agree with the vision and objectives

**National Federation of Gypsy Liaison Group** wish to include an objective regarding the consideration of planning applications in accordance with clear and fair criteria, as required by the Planning Policy for Traveller Sites.

**Epping Forest District Council** wish to see paragraph 3.18 include a statement confirming the intention to work collaboratively with neighbouring authorities on cross-boundary issues. They raise concerns regarding the high number of pitches they are required to find and the Green Belt constraints they face.

**Great Canfield Parish Council** disagrees with the vision and objectives as they consider the overall need for 26 pitches is too high.

**Felsted Parish Council** wishes to see the vision/objectives include a statement regarding engagement with Gypsy and Traveller community to ascertain their needs.

**Arkesden Parish Council** wishes the process to start again and be integrated in the Local Plan process. They consider that the likely change in the definition of Travellers could reduce the requirement for pitches. Access to services should be included in the objectives.

**Littlebury Parish Council** feels that large sites close to major sustainable locations should be considered

A number of **individuals** made the following points:

- Will not provide sustainable sites in sustainable locations
- Concerns regarding the protection and preservation of the rural environment
- The objectives do not ensure that the needs of the Gypsy and Traveller community and settled communities are properly considered
- No consideration given to the already overstretched infrastructure.
- Not enough consideration given to the impact on the existing communities.
- Gypsy and Traveller sites should conform to the same planning considerations and standards as is placed on the settled community
- The objectives should state that brownfield sites should be given priority
- This issue should be dealt with alongside the Local Plan process
- No proper consultation has taken place with the local communities
- Current sites should be occupied appropriately before the vision and objectives are considered
- Questions why, if the Gypsy and Traveller community are becoming more settled, the document needs to be written

#### **Officer Comments and Recommendations**

Comments on the vision and objectives are noted. As the Gypsy and Traveller issues will now be dealt with within the new Local Plan the vision and objectives will be revised during this process and the comments taken into account.

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

130 comments were received on this question, 123 of which answered 'Yes' and 7 answered 'No'.

The following **Parish Council's** answered Yes – Arkesden, Clavering, Debden, Felsted, Great Canfield, Great Hallingbury, Little Hallingbury, Littlebury, Takeley and Wicken Bonhunt.

**Chelmsford City Council** agreed that there was no need for travelling showpeople households up to the year 2033.

**The National Federation of Gypsy Liaison Group** state that this should refer to pitches not households.

#### **Officer Comments and Recommendations**

Comments on this question are noted. As the Gypsy and Traveller issues will now be dealt with within the new Local Plan this question will be considered again during this process and the comments taken into account.

**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?**

143 comments were received on this question.

135 respondents, including the following **parish councils** – Arkesden, Clavering, Debden, Felsted, Great Canfield, Great Hallingbury, Little Hallingbury, Littlebury, Takeley, Wendens Ambo and Wicken Bonhunt agreed that it is more appropriate to provide transit sites on key traveller routes.

8 respondents, including the **National Federation of Gypsy Liaison Groups** and **Chelmsford City Council** did not agree with the statement.

**Chelmsford City Council** asks for clarification on the evidence used to determine that there are no key Traveller routes in the District given its proximity to the A120 and M11 they find this surprising.

#### **Officer Comments and Recommendations**

Comments on this question are noted. As the Gypsy and Traveller issues will now be dealt with within the new Local Plan this question will be considered again during this process and the comments taken into account.

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

148 comments were received on this question. The following is a summary of the key points raised by the representations.

The need for 26 pitches was agreed by 2 individuals and **Great Hallingbury** and **Little Hallingbury Parish Councils**.

**National Federation of Gypsy Liaison Groups** considers that 26 pitches should be recognised as the minimum level of provision and needs to be subject to regular review.

An **individual** considered that the Gypsy and Traveller and Travelling Show People Accommodation Assessment (GTAA) is unlikely to be comprehensive and therefore in the region of 30 pitches would be a preferable base of policy. The timespan is too long and the phased delivery of sites could be used as a reason for refusal. It would be better to have a more flexible approach and a GTAA and its equivalent every 5 years.

**Chelmsford City Council** is satisfied that the plan should provide 26 additional pitches in accordance with the GTAA. However the position could need revisiting if there are any changes in the Government policy.

**Arkesden Parish Council** and **Wicken Bonhunt Parish Council** consider that the ongoing Government consultation on the definition of Travellers will lead to a reduced need and therefore to plan for 26 additional pitches would result in an over-supply of pitches, which would inevitably lead to unauthorised settlements.

**Arkesden Parish Council** consider that in any event, such a low level of numbers could be addressed by criteria based policies alone, since private sector provision would be likely on a windfall basis. This would avoid over provision. They comment that the need for 26 pitches as calculated in the Essex GTAA report was never questioned by UDC and yet the vast majority of this need derived from predictions of new household formation using a growth rate of 2%. The report states: 'Population modelling shows the true growth in the Gypsy and Traveller population may be as low as 1.25%'. Using this lower growth rate could reduce Uttlesford's proposed need by 9 pitches.

**Felsted Parish Council** question that with travellers becoming more settled and with the definition of traveller becoming more defined, whether there is still a need for a further 26 pitches. They also consider that to base need on inflationary needs set at 2% as a mid-point between 1.5% and 3% is an inexact process being presented as an accurate forecast of need to 20 years ahead, which has had no adjustment to take account of local feedback.

**Arkesden, Clavering and Wicken Bonhunt Parish Council** consider that in addition the report identified 20 pitches at Stansted that are occupied by non-travellers. If proper enforcement action was taken these could have a significant effect on the supply of pitches and therefore on the additional number of pitches required.

**Clavering Parish Council** say that post Essex GTAA final report a site for 8 pitches in Uttlesford has been granted.

**Wendens Ambo Parish Council** consider that as no key traveller routes exist in this area, a figure of 26 additional sites needed is likely to be an over-estimate of demand for residential gypsy and traveller sites.

A number of **Individuals** made the following points:

- Over reliance on future projections of gypsy household formation rates. Concern was raised to the use of a 2% increase which is a midway point between a low household growth rate of 1.5% and a high growth rate of 3%.
- That the figure does not recognise that the Government has consulted on a definition of Gypsy and Travellers for planning purposes which may result in a lower need for Uttlesford and the need to revisit the GTAA.
- That there is a site of 20 pitches at Stansted which is currently occupied by non gypsies and travellers.
- Little work opportunities for Gypsy and traveller communities within Uttlesford;
- The majority of existing family owned sites in Uttlesford do not want to expand;
- Number of pitches inflated to meet needs of adjoining Councils such as South Cambridgeshire

#### **Officer Comments**



Government policy for Gypsy and Traveller sites is contained within the adopted 'Planning policy for traveller sites' 2012. Until new legislation is adopted this is the planning policy for which decisions are made against. If new National policy is adopted then the Council will assess the need for a new Gypsy and Traveller Accommodation Assessment.

Since the GTAA was published in 2014 there have not been any new approved Gypsy and Traveller sites in the District.

The 26 pitches is the need for Uttlesford District alone. This figure does not meet the needs of any adjoining local authority.

Comments regarding the site at Stansted are dealt with under question 17.

The calculation used in the GTAA 2014 is based on a sound and tested assessment of need.

All residents on existing Gypsy and Traveller sites were contacted by the consultants and asked whether or not they had a need to expand the number of pitches on their site.

### **Officer Recommendation**

Comments on this question are noted. As the Gypsy and Traveller issues will now be dealt with within the new Local Plan this question will be considered again during this process and the comments taken into account.

**Question 5: Do you agree that the Council should identify sites to meet its own needs within the District boundary? If no, what evidence can you provide to justify your view.**

104 comments were received on this question. The following is a summary of the key points raised in the representations.

41 respondents agreed that the Council should identify sites to meet its own need within the District Boundary. This included **Felsted, Debden, Little Hallingbury, Great Hallingbury, Great Canfield, Flitch Green, Wicken Bonhunt and Clavering Parish Council and Chelmsford City Council.**

63 respondents did not agree, including **Littlebury and Arkesden Parish Council, The National Farmers Union, the Federations of Gypsy Liaison Group, Essex County Council and Epping Forest District Council.**

The following key points were made:

**The National Farmers Union** believe that local authorities should coordinate the development of site needs and allocations with neighbouring authorities to ensure suitable sites are developed

**The National Federation of Gypsy Liaison Group** state that Councils are required to co-operate with neighbouring authorities so it may be that some provision may need to be made to meet any difficulty faced by neighbouring Councils.

**Essex County Council** stresses the importance of providing sites that are consistent with the NPPF and Planning for Traveller Sites

**Epping Forest District Council** objects on the grounds that it takes no account of the constraints faced by neighbouring authorities and ignores paragraph 9 c of Planning Policy for Traveller sites which advises local authorities to consider joint development plans.

**Arkesden Parish Council** request the Council adopts a criteria based policy to be applied when sites come forward.

**Littlebury Parish Council** states that the Council provides 40% affordable housing across the district.

A number of **individuals** made the following points:

- The Council should explore the possibility of using sites beyond their boundary to meet need
- Questions why any sites are needed in the District
- Council should cooperate at regional level to ensure their needs are properly calculated
- This should be done at County Council level
- Sites should be located near established traveller routes
- There is no robust evidence of need

#### **Officer Comments**

Neighbouring authorities are consulted with as statutory consultees throughout the plan preparation. Duty to co-operate meetings regularly take place and discussions regarding Gypsy and Traveller allocations can form part of these discussions along with housing allocations and other cross boundary issues.

Gypsy and Traveller needs are a separate issue to affordable housing requirements.

The need for 26 pitches in the District is evidenced in the GTAA 2014. The calculation used in the GTAA 2014 is based on a sound and tested assessment of need.

As stated in the NPPF and Planning policy for traveller sites it is a requirement for local authorities to identify the need for Gypsies and Travellers in their District.

#### **Officer Recommendation**

Comments on this question are noted. As the Gypsy and Traveller issues will now be dealt with within the new Local Plan this question will be considered again during this process and the comments taken into account.

**Question 6: Do you support the methodology the 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?**

175 comments were received on this question.

21 respondents supported the methodology used. This included **Chelmsford City Council, Debden, Great Canfield, Little Hallingbury and Great Hallingbury Parish Council and Natural England.**

154 respondents did not support the methodology, including **Clavering, Arkesden, Wicken Bonhunt, Littlebury and Felsted Parish Council, National Farmers Union and English Heritage.**

The following is a summary of the key points raised in the representations:

**English Heritage** support the methodology in broad terms, however they suggest minor textual changes and state their wish for the historic landscape characterisation work carried out by Essex County Council to be taken into account and suggest advice is sought from County Council Historic Environment Services.

**The National Farmers Union** are concerned that the availability of local services has not been considered. They suggest a scoring matrix could be used to assess the appropriateness of each site. They suggest a new methodology is drawn up and consulted on.

**Clavering Parish Council** wishes the methodology to take into account access to services

**Arkesden Parish Council** supports the methodology in general but feels that weighting should be attached to each criterion. They feel that if the proposed sites had been assessed correctly against UDC's criteria a different result for site suitability may have been achieved.

**Felsted Parish Council** feels that it is inappropriate to apply equal weight to the criteria.

**Wicken Bonhunt Parish Council** feels that the methodology has not been applied fairly

A number of **Individuals** made the following points:

- The sites should be accessible to local services
- Sites which have fallen in the red column have still then been taken forward as potential sites.
- Does not go into enough detail – should use Cambridge County Council as a good example
- More consideration needs to be given to the needs of the settled community
- No account of spatial distribution
- Assumptions regarding mitigation have been made on some sites
- Support for the methodology if it had been adhered to correctly
- Proper consideration on environmental impact have not been given
- The methodology ignores advice in the NPPF regarding sustainable development
- There should be a relationship between the number of pitches to the surrounding populations size and density
- The methodology does not use Policy HO11 rigorously enough
- Question if the consultants ever visited the sites

## **Officer Comments**

Essex County Council Archaeological and Environment Officer was consulted with during the preparation of the document and their views will continue to be sought throughout the plan preparation.

The consultants visited every existing Gypsy and Traveller site and all those sites put forward to the Council for Gypsy and Traveller use.

With regards to spatial distribution, the Council can only allocate sites which are available, suitable and deliverable. As some existing sites have been assessed as suitable it is possible the spatial distribution may not change.

It is recognised that access to services was not a criteria in the methodology; however, Due to the rural nature of the district and the dispersed settlement pattern within it and due to the sites put forward to the Council as available, it is unrealistic to find sites which are in the main settlements. The balance between sustainability of sites and availability of sites is one that is common place in rural districts. It is considered that due to the potential number of total pitches on sites the impact on local services could be managed effectively. The Clinical Commissioning Group, Essex County Council Education and other infrastructure providers are all consulted with throughout plan preparation.

The Planning Policy for traveller sites (CLG 2012) paragraph 12 recognises that there will be a need for sites to rural areas.

Policy HO11 has informed the methodology criteria. Point a. of the policy is covered by criteria: Environmental Designation and Ecology, Landscape and Green Belt and Historic Environment.

Point b. of the policy is covered by criteria: Site access and safety

Point c. of the policy is covered by criteria: Flood Zone

Point d. of the policy is covered by criteria: Developability

And point e. of the policy is covered by criteria: Site size and layout

Advice was taken from professionals on each site; including the Environment Agency, Highways, Landscape Officer, Development Management Officers, Conservation Officers and Historic Environment Officers.

Assumptions regarding mitigation measures on sites have been made, however, during the next stage of the process more details regarding mitigation can be requested. If mitigation measures are required this can be specified in an allocations policy and detailed at planning application stage.

## **Officer Recommendations**

Officers maintain that the site methodology used is appropriate and does take into account the NPPF, Planning Policy for Traveller Sites and Designing Gypsy and Traveller Sites. It is considered that the criteria used will help lead to well informed decisions regarding the suitability of individual sites.

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

or

**Gypsy and Traveller sites should be between 6-15 pitches**

or

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

or

**Do you have alternative suggestions on the site of sites the Council should be considering?  
(please specify)**

210 comments were received on this question.

150 respondents stated that Gypsy and Traveller sites should be small with up to 5 pitches. This included **Clavering, Arkesden, Little Hallingbury, Great Hallingbury and Flitch Green Parish Council** and **Hertfordshire County Council**.

3 respondents stated that Gypsy and Traveller sites should be between 6-15 pitches.

1 individual states that Gypsy and Traveller sites containing more than 15 pitches could be appropriate.

56 respondents suggested an alternative. This included **Takeley, Wicken Bonhunt, Littlebury, Debden, Wendens Ambo, Great Canfield and Felsted Parish Council, the National Farmers Union, the National Federation of Gypsy Liaison Groups, Essex County Council and Chelmsford City Council**.

The following is a summary of the key points raised in the representations:

**Essex County Council** considers that it is unreasonable to adopt a one size fits all approach as size may depend on the individual requirements of the Gypsies and Travellers,

**Chelmsford City Council** recommend a flexible approach in line with paragraph 4.7 of the Designing Gypsy and Traveller sites good practice guide which states that no one ideal site size but suggests a maximum of 15 pitches. Proposals should be considered on a case by case basis.

**National Federation of Gypsy Liaison Groups** state that small sites of up to 5 pitches work best and sites over 15 pitches should be discouraged. They ask that flexibility be maintained and a full range of sites between 1 and 15 pitches should be considered.

**The National Farmers Union** feel that 5 pitches or less is most appropriate, however, they feel that if sites are near larger settlements with access to services sites of up to 12 pitches could be appropriate. Isolated rural sites should be avoided altogether.

**Felsted Parish Council** are concerned that smaller sites will result in more sites. The size of site should reflect the Gypsy and Travellers need for space.

**Takeley Parish Council** feels that there needs to be a mix of small and medium sites.

**Wicken Bonhunt Parish Council** small sites of 5 pitches is recommended, however large sites should not be allocated as this would lead to unauthorised movement on to the site.

**Littlebury Parish Council** considers no sites are needed.

**Debden Parish Council** favour small sites

**Wendens Ambo Parish Council** favour small sites stating that the current average size of sites in the district is 2 pitches.

**Great Canfield Parish Council** feel that it is difficult to have a one size fits all approach. Each site should be considered on its merits and its proximity to larger settled communities.

A number of **Individuals** made the following points:

- Small sites are preferred, therefore large sites should not be allocated as this will encourage unauthorised additions
- Size of sites should reflect the local community they are near too
- Size of sites should be determined by the availability of local services
- No sites
- Larger sites appropriate in urban areas and small sites appropriate in rural areas

### **Officer Comments**

Officers note the importance of a flexible approach to policy. However, as Uttlesford is a rural district, with no sites being promoted near the three main settlements, it is considered appropriate to recommend a policy of up to 5 pitches on rural sites. It is also considered appropriate that a maximum of 15 pitches per site be taken forward for sites in general. This policy approach would ensure that rural settlements have development which is of an appropriate size given the availability of infrastructure and the size of the existing community.

The Council has a duty to allocate sites. The need for 26 pitches has been identified and it is National policy that we plan for the needs of the Gypsy and Traveller communities.

### **Officer Recommendation**

It is recommended that a policy is considered for sites to have a maximum of 5 pitches in rural areas and a maximum of 15 pitches on sites elsewhere.

**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**

164 comments were received on this question. The following is a summary of the key points raised by the representations.

33 people stated that they felt sites within and adjacent to existing settlements should be given priority. This included **Littlebury, Great Canfield and Great Hallingbury Parish Council**.

93 people stated that they felt sites within those areas where the travelling communities currently live and travel through should be given priority. This included **Clarvering and Arkesden Parish Council**.

11 people stated that they felt sites which are close to or which have easy access to local services should be given priority. This included **Debden Parish Council**

27 people stated other reasons sites should be chosen. Below is a summary of the key points raised in the representations:

**Chelmsford City Council** recognises that there are a number of options to consider. They suggest a flexible approach to allow proposals to be considered on a case by case basis.

**Essex County Council** recommends that a key principle in determining the suitability of sites is access to community and social facilities including but not exclusively – early years and child care, primary and secondary education and libraries. Ideally sites should be located within 2 miles of a primary school and no more than 3 miles from a secondary school.

**English Heritage** wishes the historic sensitivity of the site to be given appropriate weight

**National Federation of Gypsy Liaison Groups** suggests that even if more sites than needed are shown to be suitable and available they should be accepted, even if this results in over provision.

**Wendens Ambo Parish Council** state that sites should be located where there is sustainable and suitable infrastructure and services

**Little Hallingbury Parish Council** feels that this should be decided on suitability of the area and needs relative to assessment criteria.

**Great Hallingbury Parish Council** state that it should depend on agreement of the local community

**Fritch Green Parish Council** state that sites should not be developed adjacent to existing settlements

**Felsted Parish Council** consider that sites should meet the agreement of both the travelling community and local community

A number of **individuals** made the following points:

- Sites should be assessed against National policy and policy HO11
- Sites should be identified through the Local Plan process
- Sites should be sustainable, close to services
- Avoid sites near small communities
- Sites which the settled community support
- Brownfield sites should be given priority
- Sites should be located well away from settled communities
- Wherever the demand is
- Access to public transport
- No sites at all
- Close to employment opportunities

#### **Officer Comments**

The Council has to allocate sites. The need for 26 pitches has been identified and it is National policy that we plan for the needs of the Gypsy and Traveller community.

Due to the rural nature of the district and the dispersed settlement pattern within it and due to the sites put forward to the Council as available, it is unrealistic to find sites which are in the main settlements and that are within 2 – 3 miles of primary and secondary schools. The balance between sustainability of sites and availability of sites is one that is common place in rural districts. It is considered that due to the potential number of total pitches the impact on local services could be managed effectively. The Clinical Commissioning Group, Essex County Council Education and other infrastructure providers are all consulted with throughout plan preparation.

The Planning Policy for traveller sites (CLG 2012) paragraph 12 recognises that there will be sites in rural areas.

All sites are assessed against national planning policy, including the NPPF, Planning Policy for Traveller Sites and Designing Gypsy and Traveller Sites.

It is officer's recommendation that the allocation of Gypsy and Traveller sites forms part of the new Local Plan.

#### **Officer Recommendations**

It is unclear at this stage whether the Council's need for Gypsy and Traveller sites can be met. As the Gypsy and Traveller issues will be dealt with within the new Local Plan this question will be considered during this process and the comments taken into account.



**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)**

187 comments were received on this question. The following is a summary of the key points raised by the representations.

28 people stated health care as their first priority. This included **Debden Parish Council**

16 people states shop as their first priority

41 people stated primary school as their first priority. This included **Great Canfield Parish Council and the National Federation of Gypsy Liaison Groups.**

102 people stated 'other' as their first priority. This included **Clavering, Arkesden, Wicken Bonhunt, Little Hallingbury, Great Hallingbury and Felsted Parish Council and Chelmsford City Council, Essex County Council, National Farmers Union**

The following is a summary of the key points raised in the representations:

**Chelmsford City Council** recognises that there are a number of factors to consider and a flexible approach is suggested to allow proposals to be considered on a case by case basis.

**Essex County Council** considers that it is difficult to prioritise and such facilities should be ranked equally. Other factors should be considered, such as early years and child care, secondary school, libraries and other social facilities.

**National Federation of Gypsy Liaison Groups** feel that proximity to a primary school is important and convenient access to public transport should be a second priority.

**Clavering Parish Council** feels that all three have equal weight and transport links are an important consideration.

**Arkesden and Littlebury Parish Council** state that access to employment opportunities are vital

**Great Canfield Parish Council** consider transport links are important

**Little Hallingbury and Great Hallingbury Parish Council** feel that it is unrealistic to suppose that sites will be near to such facilities. Residents in villages and hamlets have to use nearest available facilities in neighbouring villages and towns.

**Felsted Parish Council** feel that the question is irrelevant as members of both communities recognise that it is possible and necessary to drive to reach amenities. They feel, however that access to a primary school is important.

**National Farmers Union** feel that sites should be placed where the full range of services are available.

A number of **Individuals** made the following points:

- Access to public transport
- Access for large vehicles
- Access to a town
- Safe pedestrian access including street lighting and pavements
- Access to employment opportunities
- Access to the main road network
- Emergency services
- All three are equally important
- Access to services and utilities

### **Officer Comments**

It is recognised that there is a desire to have access to local services, however, due to the rural nature of the district and the dispersed settlement pattern within it and due to the sites put forward to the Council as available, it is unrealistic to find sites which are in the main settlements. The balance between sustainability of sites and availability of sites is one that is common place in rural districts. It is considered that due to the potential number of total pitches the impact on local services could be managed effectively. The Clinical Commissioning Group, Essex Police, Essex Fire and Rescue, Essex County Council Education and other infrastructure providers are all consulted with throughout plan preparation.

The Planning Policy for traveller sites (CLG 2012) paragraph 12 recognises that there will be sites in rural areas.

All sites are assessed against national planning policy, including the NPPF, Planning Policy for Traveller Sites and Designing Gypsy and Traveller Sites.

### **Officer Recommendations**

Comments on this question are noted. As the Gypsy and Traveller issues will now be dealt with within the new Local Plan this question will be considered during this process and the comments taken into account.

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

- 1) Identify specific developable sites**
- 2) identify broad locations for growth across the district**

99 comments were received on this question.

52 people felt that the council should identify specific developable sites. This included **Felsted, Little Hallingbury, Great Hallingbury, Flitch Green, Debden, Wicken Bonhunt and Clavering Parish Council and Chelmsford City Council.**

48 people felt that the Council should identify broad locations for growth.

### **Officer Comments and Recommendations**

Views on this question are noted. It is recommended that this question is assessed at the later stages of plan preparation. If enough suitable sites come forward then it may be possible to identify specific developable sites over the whole plan period, however, if there are not enough suitable sites then the Council will have to identify broad locations for growth.

#### **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**

139 comments were received on this question.

39 people felt that granting permission to existing Gypsy and Traveller sites which currently don't have permission is the best option. This includes **Felsted, Wicken Bonhunt, Wendens Ambo and Arkesden Parish Council and the National Federation of Gypsy Liaison Groups**

58 people felt that extending or putting more pitches on existing sites is the best option. This included **Great Hallingbury and Littlebury Parish Council and the National Farmers Union.**

17 people felt that identifying new sites for Gypsies and Travellers is the best way of delivering sites. This included **Debden, Little Hallingbury and Flitch Green Parish Council.**

26 people suggested 'other' ways to deliver Gypsy and Traveller sites. This included **Clavering and Great Canfield Parish Council, Essex County Council and Chelmsford City Council.**

The following is a summary of the key points raised by the representations:

**Chelmsford City Council** suggests that a combination of all 3 delivery models is required.

**Clavering Parish Council** feels that unauthorised sites should not be given automatic permission. They want to see existing permitted sites safeguarded.

**Essex County Council** considers that a one size fits all policy is not appropriate.

A number of **individuals** made the following points:

- The existing sites at Stansted should be brought back into proper use
- Granting permission to existing sites which don't have permission should never happen
- Incorporate Gypsy and Traveller provision in a revised Local Plan
- The usual planning application process should be followed

- No need for sites

### **Officer Comments**

Officer comments regarding the situation on the Stansted sites are under question 17.

Automatic permission would not be granted for unauthorised sites. Sites would still have to be assessed for their suitability, availability and developability and then normal planning application processes would be followed.

It is officer's recommendation that the allocation of Gypsy and Traveller sites forms part of the new Local Plan, within which existing Gypsy and Traveller sites will be safeguarded.

The Council has a duty to allocate sites. The need for 26 pitches has been identified and it is National policy that we plan for the needs of the Gypsy and Traveller communities.

### **Officer Recommendations**

Comments on this question are noted. It is recommended that this question is assessed again at the later stages of plan preparation. It is likely that a mix of delivery methods will be used to deliver the Gypsy and Traveller provision needed.

**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 your view?**

644 comments were received on this question. The following is a summary of key points raised by the representations.

#### **UTT009 – Tandans Great Canfield**

<b>Site Name</b>	<b>Existing Authorised Pitches</b>	<b>Extant Permission for Pitches</b>	<b>Additional Pitches</b>
Tandans	1	2	2

5 comments were received regarding this site. The following key points were made:

**English Heritage** highlights the potential archaeological interest and state that further consideration may be required.

**Anglian Water** mark the site as 'red' for Surface Water Network Capacity' in their assessment.

**Takeley Parish Council** questions the availability of sites.

**Great Canfield Parish Council** questions whether the site is large enough to accommodate an additional 2 pitches. Increased numbers will mean an increased need for management and liaison team.

The **Site owner** supports the inclusion of the site in the document.

### **Individuals**

- Question the need for additional pitches on this site.
- Asks why additional pitches are allowed when permission was refused for housing.
- Concerns regarding the degraded private road leading to the site.

### **Officer Comments**

The landowner/occupier of the site was contacted by the consultants to ensure the site is available. The landowner/occupier has responded to this consultation and supports the inclusion of the site. The Council therefore considers the site to be available.

The consultation document highlights the potential issue regarding medieval finds. This does not exclude the possibility of this site being allocated but that an evaluation of the site would be required, and mitigation measures considered at planning application stage.

The consultants carried out a site survey and assessed the site in terms of its size and shape, Gypsy and Traveller design guidance and design templates for pitches. It is considered that an additional 2 pitches can be accommodated on the site.

Management of the site does and will not be the Council's responsibility as this is a privately owned site.

The 2014 GTAA identified the District need for additional Gypsy and Traveller pitches. The availability and need in relation to this site was identified through discussions with the owner/occupier.

### **Officer Recommendations**

This site is available, deliverable and suitable. It is therefore recommended that this site is taken forward and included in the new Local Plan consultation as a potential site for allocation.

It is considered that detailed policy considerations should be included in the Plan to ensure certainty for both the Gypsy and Traveller and the settled community as to what will be required from the development.

### **UTT014 – Star Green Radwinter End**

<b>Site Name</b>	<b>Existing Authorised Pitches</b>	<b>Extant Permission for Pitches</b>	<b>Additional Pitches</b>
Star Green	1	0	2

14 comments were received regarding this site. The following key points were made:

**English Heritage** state that the effect on landscape character and the setting of the listed buildings to the north of the site are key sensitivities.

**Radwinter Parish Council** raised concerns regarding traffic and junction layout and services e.g. septic tank and electricity. They request that a condition is placed on any further planning applications ensuring that this is not used as a transient site.

**Anglian Water** point out that this site would require significant off site foul sewerage to connect to the public sewerage system and mark the site as 'red' for Surface Water Network Capacity' in their assessment.

A number of **individuals** raised the following points:

- question why Gypsy and Travellers have different planning rules to the settled community
- questions why Gypsy and Travellers do not have to pay council tax
- lack of local facilities – unsustainable location
- dangerous narrow road
- protected lane – allocating this site would be contrary to policy
- contrary to Council Policy HO11
- no pedestrian pavements
- the site is not near traveller routes and other Traveller sites
- Support for the site
- The site is not an official Gypsy and Traveller site and the residents are not Gypsy's or Travellers
- Requests that details regarding landownership is made public
- There are currently no play areas or amenity blocks on site which has a negative effect on their quality of life
- Negative impact on the landscape and environment
- Local school is at capacity
- Negative impact on social cohesion and good relations currently in the village
- The site is not large enough to take two more pitches
- The local residents were not consulted and did not receive notification of this consultation
- Unacceptable noise levels on occupants due to the use of agricultural vehicles passing the site
- Questions why the occupiers of the site have been contacted but not the settled community

### **Officer Comments**

County Highways were consulted during the preparation of the document, their comments and views were sought on every site. They have concluded that the access will need to be widened and visibility is not an issue as long as some vegetation clearance is undertaken. A condition on any planning application can deal with these issues. They did not raise concerns regarding any other aspect of road safety.

English Heritage comments regarding impact to listed buildings is noted. As a statutory consultee on-going consultation will take place during the plan making process. During the preparation of this document the Council's Conservation Officer's views and comments were sought on every site and they raised no concerns given the distance between the site and the listed buildings. Landscape

Officers views were sought and subject to landscaping mitigation it is considered they would not be a negative impact on the surrounding area.

The site would not necessarily have to connect to the public sewerage system; there could be a septic tank on the site which serves all the pitches.

The comments regarding impact on the surrounding landscape are noted. However, during the preparation of this document the Council's landscape Officer was asked to comment on all sites and a landscape officer at PBA visited all the sites, both concluded that any expansion would not have a negative impact on the local landscape. The site is well contained within existing landscaping and it is recommended that trees on the site should be maintained. This can be dealt with as a condition on a planning application.

Due to the rural nature of the district and the dispersed settlement pattern within it and due to the sites put forward to the Council as available, it is unrealistic to find sites which are in the main settlements. The balance between sustainability of sites and availability of sites is one that is common place in rural districts. It is considered that due to the potential number of total pitches the impact on local services could be managed effectively. The Clinical Commissioning Group, Essex County Council Education and other infrastructure providers are all consulted with throughout plan preparation.

The Planning Policy for traveller sites (CLG 2012) paragraph 12 recognises that there will be sites in rural areas and states that sites should not be of a scale that they will dominate the nearest settled community. As the recommendation for all sites is to be no more than 5 pitches it is considered that this site is in a suitable location.

It is recognised that the main concerns with this site are around its accessibility to local services and facilities. However, on balance the site performs well against other criteria and overall is considered appropriate.

The consultants carried out a site survey and assessed the site in terms of its size and shape, Gypsy and Traveller design guidance and design templates for pitches. It is considered that an additional 2 pitches can be accommodated on the site.

The site is occupied by a Gypsy and Traveller family, the site is therefore classed as a Gypsy and Traveller site in planning terms.

It is recognised that the site abuts a protected lane, Essex County Council Archaeology department were consulted with during the preparation of the document and they did not raise any concerns in relation to this. If specific concerns are raised later on in the process then mitigation measures will be looked at to overcome any issues. They will continue to be consulted with as a statutory consultee throughout the plan making process.

The design of the site and placement of any additional pitches would be decided at planning application stage. The Governments good practice guide "Designing Gypsy and Traveller Sites" will be used in refining details.

Planning Decisions regarding Gypsy and Traveller sites are decided in relation to the adopted Local Plan, Planning policy for traveller sites and the National Planning Policy Framework.

Consultation with landowners/occupiers of sites was carried out in producing the Issues and Options consultation document. This needed to be done to ensure any sites that were deemed suitable were available. All consultees on the Council’s database, all statutory consultees, including Parish and Town Councils were notified. There was a notice in the local press and all properties falling within 450 metres of the site were sent letters. This consultation has followed the regulations in the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council’s Statement of Community Involvement.

**Officer Recommendation**

This site is considered available, suitable and deliverable and should therefore be taken forward to the next stage of the plan making process as an allocation.

It is considered that detailed policy considerations should be included in the Plan to ensure certainty for both the Gypsy and Traveller and the settled community as to what will be required from the development.

**UTT021 – The Yard Bartholomew Green**

Site Name	Existing Authorised Pitches	Extant Permission for Pitches	Additional Pitches
The Yard	1	0	2

8 comments were received regarding this site. The following key points were made:

**Anglian Water** point out that this site would require significant off site foul sewerage to connect to the public sewerage system, and mark the site as ‘red’ for Surface Water Network Capacity’ in their assessment.

**Felsted Parish Council** feels that it is an inappropriate location, being in the middle of a settled community.

A number of **individuals** raised the following points:

- Question why Gypsy and Travellers have different planning rules to the settled community
- Concerns regarding the impact on the countryside and surrounding area
- It is inappropriate to decide without a full planning application following the normal planning process
- Negative impact on settled community
- Poor access
- The Council should take the opportunity to prepare one single Local Plan
- Failed to consider the recent consultation on revised national planning policy for Gypsies and Travellers. Decisions should wait until this policy is adopted.
- Gypsy and Traveller sites should be considered in conjunction with other housing provision
- Contrary to Policy S7 and GEN2 of the adopted Local Plan



- Gypsies and Travellers prefer to be on the edge of towns
- Unsustainable location – no school, shop or public transport
- Concerns regarding pedestrian safety
- Unsuitable roads
- Inadequate utilities
- It has been assumed that because the site has planning permission for 1 pitch it is suitable for more
- The planning permission states that only one pitch should be allowed in order to protect the interests of visual and residential amenity

### **Officer Comments**

The site would not necessarily have to connect to the public sewerage system; there could be a septic tank on the site which serves all the pitches.

All utility companies are consulted on throughout the plan preparation process.

Planning Decisions regarding Gypsy and Traveller sites are decided in relation to the adopted Local Plan, Communities and Local Government Planning policy for traveller sites and the National Planning Policy Framework.

Once a site is allocated in a Local Plan, a planning application would still need to be submitted to the Council setting out details of design etc. At this stage normal planning application consultation will take place.

It is considered that detailed policy considerations should be included in the Plan to ensure certainty for both the Gypsy and Traveller and the settled community as to what will be required from the development.

Due to the rural nature of the district and the dispersed settlement pattern within it and due to the sites put forward to the Council as available, it is unrealistic to find sites which are in the main settlements. The balance between sustainability of sites and availability of sites is one that is common place in rural districts. It is considered that due to the potential number of total pitches the impact on local services could be managed effectively. The Clinical Commissioning Group, Essex County Council Education and other infrastructure providers are all consulted with throughout plan preparation.

The Planning Policy for traveller sites (CLG 2012) paragraph 12 recognises that there will be sites in rural areas and states that sites should not be of a scale that they will dominate the nearest settled community. As the recommendation for all sites is to be no more than 5 pitches it is considered that this site is in a suitable location.

It is recognised that the main concerns with this site are around its accessibility to local services and facilities. However, on balance the site performs well against other criteria and overall is considered appropriate.

The Council is proposing to include Gypsy and Traveller site allocations in the new local plan.

The initial assessment on landscape and visual impacts deemed that with mitigation measures the additional pitches would not have a negative impact on the surroundings. A more detailed landscape and visual impact assessment will be required at the planning application stage.

Government policy for Gypsy and Traveller sites is contained within the adopted 'Planning policy for traveller sites' 2012. Until new legislation is adopted this is the planning policy for which decisions are made against. If new National policy is adopted then the Council will assess the need for a new Gypsy and Traveller Accommodation Assessment.

County Highways were consulted on during the preparation of the document, their comments and views were sought on every site. They have concluded that a speed survey will need to be undertaken and access may need to be widened. A condition on any planning application can deal with widening the access. They did not raise concerns regarding any other aspect of road safety.

Every existing Gypsy and Traveller site and all those that were put forward as potential new sites were assessed using the methodology. It was not assumed that just because it is an existing authorised site it would be suitable for further pitches.

**Officer Recommendation**

This site is considered available, suitable and deliverable and should therefore be taken forward to the next stage of the plan making process as an allocation.

It is considered that detailed policy considerations should be included in the Plan to ensure certainty for both the Gypsy and Traveller and the settled community as to what will be required from the development.

**UTT022 – Five Acres Arkesden**

Site Name	Existing Authorised Pitches	Extant Permission for Pitches	Additional Pitches
5 Acres	0	0	12

608 comments were received regarding this site. The following key points were made:

**English Heritage** requests that advice from Essex historic environment service be sought to assess whether or not there is a need for archaeological investigation for any potential site.

**Anglian Water** mark the site as 'red' for 'Surface Water Network Capacity' in their assessment.

**Arkesden Parish Council** questions the need for a gypsy and traveller site in this location. Ask why no consultation was undertaken with the local community. The note that the site is outside the development limits of Arkesden. They are concerned that the site is too large and would encourage unauthorised caravans and the enforcement process is difficult. They raise concerns reading road and pedestrian safety as there are no pavements and the road is very narrow.

**Langley Parish Council** feel that the site is unsustainable as it is on Flood Plain 3 – caravans are vulnerable to flooding. No safe pedestrian access, the narrow road and the impact on the protected lane are of concern.

The **National Farmers Union** state that whilst they did not have time to assess the other sites they feel Five Acres is unacceptable due to flooding issues, the protected lane and lack of available local services.

Strutt and Parker on behalf of **Arkesden Parish Council, Wicken Bonhunt Parish Meeting and Five Acres Local Community Action Group**

- Contrary to the NPPF (para 11) and Planning Policy for Traveller Sites
- Failed to consider recent consultation – planning and travellers September 2014
- Concerns regarding access to services, including primary and secondary school and health care facilities
- failed to consider the serious constraints arising from flooding
- the methodology and site selection process do not take account of the location of the site in the open countryside
- The SEA and SA have identified constraints of the site in terms of utilities. It has incorrectly assessed the distance of the site from public transport nodes. The SEA/SA has identified deficit at Clavering Primary School and SWCH. It also noted that the site has an ‘uncertain’ effect on reducing flooding.

Journey transport planning on behalf of **Arkesden Parish Council, Wicken Bonhunt Parish Meeting and Five Acres Local Community Action Group**

- Concerns regarding the lack of sustainable transport modes – contrary to NPPF.
- Contrary to the 2011 Essex Local Transport Plan’s aims and objectives
- Contrary to Essex County Council’s Development Management policies 2011 regarding road safety, accessibility and transport sustainability
- Contrary to Uttlesford Local Plan 2005, specifically ENV9
- Protected Lane status
- Contrary to the Pre-submission Local Plan 2014 policy HO11
- Narrow rural road network – visibility is below the recommended distance for the road speed
- No footpaths or street lighting – concerns regarding pedestrian safety
- Weight limited bridge – 7.5 tonne
- Unsustainable location – lack of appropriate level of access to essential facilities and services
- Vehicular trip rates – 12 pitches on this site would generate an additional 110 movements a day
- The site has not been properly assessed in detail
- Contrary to advice in Designing Gypsy and Traveller Sites Good Practice Guide 2008 and Circular 01/2006 Planning for Gypsy and Traveller Caravan Sites

ARDENT Consulting Engineers – Flood Risk Appraisal on behalf of **Arkesden Parish Council, Wicken Bonhunt Parish Meeting and Five Acres Local Community Action Group**

- The access and a significant part of the site is located within Flood Zone 3a
- Planning guidance states that gypsy and traveller sites are not an appropriate form of development where the lane is at high risk of flooding

- Site is situated within Groundwater Source Protection Zone
- Recent flooding extends a significant distance into the site, placing any occupants in danger
- Contrary to advice given in the Planning Practice Guidance (para 66, 67) regarding caravans being vulnerable in terms of flood risk
- The site is not covered by The Environment Agency's Flood Warning Areas and will therefore put residents in danger
- UDC should apply the sequential test to identify alternative sites

A number of **individuals and Arkesden Parish Council** made the following points:

- Dangerous narrow roads with blind bends and weight restricted bridge
- Protected lane – concerns regarding impact on the lane and allocating the site is contrary to UDC policy to protect these lanes
- Lack of local facilities including shop, school, medical, employment and public transport
- Unsustainable location
- Site is within Flood Zone 3 and has flooded recently. Any hard standing on the site will increase the risk of flooding.
- The site is too large and if allocated will attract unauthorised encampments
- The consultants have not correctly documented the site history – have just taken the owners word for it
- Previous enforcement has been undertaken by the Council regarding caravans on this site
- No footpaths or street lighting, residents would be put at danger
- Local primary schools at capacity
- Concerns regarding the impact on the surrounding countryside, wildlife and the settled community
- 12 pitches would increase the traffic and have a detrimental impact on the area
- Designated area of Outstanding Natural Beauty
- Special Landscape Area
- Flooding of the site will impact septic tank provision on the site
- Negative impact on Arkesden conservation area
- The site is outside the development limits
- Overhead high voltage cables will be detrimental to the lives of the residents
- 5 pitches is preferred by the Gypsy and Traveller community, 12 pitches is too many
- No consultation with the local community has taken place
- Questions regarding viability of the site once mitigation measures have been taken into account
- Negative impact on historic environment
- Impact on the environment and natural habitat
- Contrary to the NPPF and national guidance
- Methodology has not been applied consistently – the site scored red and yet was listed as a potential site
- Question why photographic evidence has been ignored in relation to flooding
- Question why there are different planning rules for travellers and the settled community

- Question why the Council have not taken into account the recent consultation by Government regarding planning for travellers
- Impact on listed buildings

**Land owner** is in support of the site being allocated. The landowner states that the photos submitted regarding the flooding of the site was taken in the wettest year in record and is a worst case scenario. They suggest that instillation of drainage pipes would resolve any possible issues. They state that the pressure on the protected lane will not be increased due to the development of this site. They stress that there is a need for this site as it has been used in the past (1970s onward) for unauthorised caravans.

### **Officer Comments**

The archaeological officer at Essex County Council was consulted with during the preparation of the document regarding all sites and their views will continue to be sought throughout the plan preparation. They have not raised any concerns regarding archaeological investigations.

Government policy for Gypsy and Traveller sites is contained within the adopted 'Planning policy for traveller sites' 2012. Until new legislation is adopted this is the planning policy for which decisions are made against. If new National policy is adopted then the Council will assess the need for a new Gypsy and Traveller Accommodation Assessment.

County Highways were consulted with during the preparation of the document, their comments and views were sought on every site. They have concluded that a speed survey will need to be undertaken and access may need to be widened. They also stated that highway boundary work should be carried out to identify the extent of the Highway verge. A condition on any planning application can deal with the issue regarding access. They did not raise concerns regarding any other aspect of road safety.

The Planning Policy for traveller sites (CLG 2012) paragraph 12 recognises that there will be sites in rural areas and states that sites should not be of a scale that they will dominate the nearest settled community. As the recommendation for all sites in rural areas is to be no more than 5 pitches it is considered that this site is in a suitable location.

The initial assessment on landscape and visual impacts deemed that with mitigation measures the additional pitches would not have a negative impact on the surroundings. A more detailed landscape and visual impact assessment will be required at the planning application stage.

During the preparation of this document the Council's Conservation Officer's views and comments were sought on every site and they raised no concerns given the distance between the site and the listed buildings and conservation area. English Heritage was also consulted with and they raised no specific concerns.

It is recognised that the site abuts a protected lane, Essex County Council Archaeology department were consulted with during the preparation of the document and they did not raise any concerns in relation to this. If specific concerns are raised later on in the process then mitigation measures will

be looked at to overcome any issues. They will continue to be consulted with as a statutory consultee throughout the plan making process.

Consultation with the landowner of the site was carried out in producing the Issues and Options consultation document. This needed to be done to ensure any sites that were deemed suitable were available. All consultees on the Council's database, all statutory consultees, including Parish and Town Councils were notified. There was a notice in the local press and all properties falling within 450 metres of the site were sent letters. This consultation has followed the regulations in the Town and Country Planning (Local Planning) (England) Regulations 2012 and the Council's Statement of Community Involvement.

Due to the rural nature of the district and the dispersed settlement pattern within it and due to the sites put forward to the Council as available, it is unrealistic to find sites which are in the main settlements or within settlement boundaries. The balance between sustainability of sites and availability of sites is one that is common place in rural districts. It is considered that due to the potential number of total pitches the impact on local services could be managed effectively. The Clinical Commissioning Group, Essex County Council Education and other infrastructure providers are all consulted with throughout plan preparation.

There is an unmet need for Gypsy and Traveller sites within the District. Allocating sites to meet this need will decrease the likelihood of unauthorised encampments. It is not agreed that due to the size of the site it will encourage unauthorised pitches. Normal enforcement procedures will be carried out in any such event. Our ability to enforce is related to our proactivity in meeting the need for new provision.

Only the access to the site is within flood zone 3, the rest of the site is located in flood zone 1. The Environment Agency was consulted with during the preparation of this document. Concerns were raised regarding the access point being in flood zone 3 and they have suggested that any proposal gives consideration to safety of people and provision of an emergency plan. Officers are concerned that if mitigation measures are proposed these could potentially have a negative impact on the protected lane and possibly make the site unviable. It would be up to the landowner to provide the relevant information regarding these issues before the site can be recommended to be taken forward to the next stage of the Plan making process.

It is not agreed that the impact on the surrounding countryside has not been assessed. During the preparation of this document the Council's landscape Officer was asked to comment on all sites and a landscape officer at PBA visited all the sites, it was concluded that there is scope to accommodate a discreet development within the lower south eastern part of the site as this would relate well to the settled character of the lane without causing adverse visual or landscape effects.

There are no designated Areas of Outstanding Natural Beauty or Areas of Special Landscape Value in Uttlesford.

It is recognised that the use of a septic tank may not be appropriate due to the access being in flood zone 3. However, there are possible alternatives such as the provision of a Bio Unit; however, this would need to have mains electricity hook up. The landowner will need to provide more information regarding this issue.

Enforcement action has been taken on the site in 1993 for the construction of hard standing and the change of use of land from agricultural to a use which is partly agricultural and partly for the stationing of a caravan or caravans for residential purposes. This enforcement action however, has no bearing on the current situation as national and local planning policy has changed.

The SA independently assesses the site options for Gypsy and Traveller accommodation. It is important to note that the SA does not select sites. In addition, no site has been selected or allocated in the Plan at this stage of the plan-making process.

The 'open countryside' is not a designation within the District into which options can be categorised. A number of associated locational criteria do exist however to determine the suitability of the site options in relation to existing services. These are:

- Is the site within 800 metres walking and cycling distance of an existing public transport node?
- Will the site be located within 800 metres walking and cycling distance of a GP surgery?
- Is the site within 800 metres walking and cycling distance of convenience shopping?
- Is the site located in an area of highest deprivation nationally for Barriers to Housing and Services?
- Will the site be located within 800 metres of a primary school?
- Will the site be located within 4.8km of a secondary school?
- The SA methodology additionally considers the following site criteria regarding landscape designations:
  - Is the site located within the Greenbelt?
  - Is the site located within the Countryside Protection Zone?

The site assessment identifies that water supply, electricity and gas and sewerage are capable of being provided as per the site's suitability in line with Policy HO11.

A re-examination of the site indicates that there is a bus stop within 800m of the site. Further re-examinations of this will be undertaken in future iterations of the SA where required.

The frequency of the bus service operating from the nearest bus stop has not been included within the assessment due to the provision of such services being outside the scope of the Plan, and outside the remit of the local authority.

The SA/SEA ER highlighted an 'uncertain' impact as areas of the site are not within Flood Zones 2 and 3. It is possible that if allocated the site could utilise those areas that are developable only, and / or incorporate mitigation measures where viable elsewhere. This is compatible with the Environment Agency's assessment of the site, which states, 'The site is located in flood zone 1 but the access point to the highway lies in flood zone 3. Any proposal would need to consider the safety of people, including the provision and adequacy of an emergency plan, temporary refuge and rescue or evacuation arrangements.' If allocated, the issue will be re-examined in future iterations of the SA to reflect more detailed site proposals should they be available.

The SA/SEA ER does not exist to independently eliminate sites for allocation. Similarly, the stage in the plan making process to which the SA/SEA ER applies does not allocate sites.

**Officer Recommendation**

Further assessments need to be undertaken in relation to the possible impact of flooding on safety and sewage disposal and the impact any mitigation measures may have on the protected lane and viability of the site. These assessments need to be undertaken and submitted by the landowner before a recommendation by officers can be made.

**UTT026 – Land south of the B1256 opposite Taylors Farm Takeley**

Site Name	Existing Authorised Pitches	Extant Permission for Pitches	Additional Pitches
Land opposite Taylors Farm	0	0	5

9 comments were received regarding this site. The following key points were made:

**Anglian Water** mark the site as ‘red’ for Surface Water Network Capacity’ in their assessment.

**Takeley Parish Council** questions the availability of this site

Three out of the four **owners** of the site wrote in requesting the site is removed from the consultation document as they do not wish their site to be used for Gypsy and Traveller provision.

A number of **individuals** raised the following points:

- Unsustainable locations
- Questions the point of the consultation process
- Concerns regarding the impact on Hatfield Forest
- The site is close to the settled community
- Inadequate utilities
- Questions why this site was not rejected due to landscape issues when other nearby sites were
- Concerns regarding the negative impact on the Flich Way
- Site is within the Countryside Protection Zone

**Officer Comments and Recommendations**

This site is not available and should therefore not be taken forward for further consideration.



**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?**

**UTT010 –Oak Tree Close Little Hallingbury**

<b>Site Name</b>	<b>Existing Authorised Pitches</b>	<b>Extant Permission for Pitches</b>	<b>Additional Pitches</b>
Oak Tree Close	5	0	6

19 comments were received regarding this site. The following is a summary of the key points made in the representations:

**English Heritage** are concerned regarding the potential impact on the setting of Hall Barn, grade II listed building to the west and on archaeological deposits.

**Anglian Water** mark the site as 'red' for Surface Water Network Capacity' in their assessment.

**Great Canfield Parish Council** question the size of the site in relation to the number of pitches

**Great Hallingbury and Little Hallingbury Parish Council** are concerned that the additional pitches could cause overcrowding on the site

**Little Hallingbury Parish Council** state that additional pitches would be detrimental impact on the Green Belt.

**Radwinter Parish Council** expresses concerns regarding traffic and junction layout. They feel the site is not appropriate for a transient gypsy and traveller site.

A number of **individuals** made the following points:

- Support for the additional pitches
- The site is Green Belt
- Low employment opportunities
- Unsustainable location in terms of services

**Officer Comments**

The site already has 5 pitches, which is the maximum number officers feel appropriate. It is considered that the current number of pitches is the maximum the site can accommodate and anymore would lead to overcrowding.

The site, although an existing authorised site, is within the Green Belt and the Council feel strongly about protecting the District's Green Belt. Planning policy for Gypsy and travellers, 2012, paragraph 14 states that development in the Green Belt should not take place except in very special circumstances. There are potentially enough sites within Uttlesford outside of the Green Belt which can meet the first 5 years need. It is therefore not considered appropriate to consider this site as suitable.

### **Officer Recommendation**

Due to the high level of Green Belt protection and the fact that the site already has 5 pitches it is proposed that this site is not suitable for additional pitches and should therefore not be taken forward for further consideration.

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

16 comments were received on this question. The following is a summary of the key points raised by the representations:

**Natural England** show concern with the following sites in relation to the impact on statutory designated sites, UTT007, UTT011, UTT025 and UTT026.

**Flitch Green Parish Council** stress that site UTT020 is already over populated and consideration should be given to reducing the size of this site and better management of the site.

**Felsted Parish Council** have concerns regarding UTT020 and UTT029.

**Takeley Parish Council** support the rejection of sites UTT011, UTT023 and UTT025

**Arkesden Parish Council** questions why some sites have been rejected due to flooding issues when another site hasn't

**Individuals** make the following key points

- UTT020 is over crowded
- Government guidance on Gypsy and Traveller provision should be followed
- Question where the evidence is regarding reasons for the rejected sites
- Discrepancy in the document regarding UTT020 in table 4.2 and Appendix D

### **Officer Comments**

Three of the sites Natural England has commented on are rejected sites and will therefore not be taken forward in the plan process; the other site has been withdrawn.

Site UTT020 is an Essex County Council site and all issues regarding management of the site should be directed to them. The site has planning permission for 17 pitches; this permission cannot be changed by the Council.

The reasons for rejecting sites are given in appendix D of the consultation document.

Site UTT020 has permission for 17 pitches. There is a typographical error in the consultation document in appendix D.

UTT016 and UTT027 have both been rejected as the sites are wholly within flood zone 3. UTT022 has been assessed as having potential as the access only is within flood zone 3.

All sites are assessed against the adopted Local Plan, national planning policy, including the NPPF, Planning Policy for Traveller Sites and Designing Gypsy and Traveller Sites.

### **Officer Recommendation**

Officers recommend that the rejected sites should not be carried forward for further consideration, unless enough suitable sites are not found, there may then be a need to revisit and reassess the rejected sites.

**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**

68 comments were received on this question. The following is a summary of the key points raised by the representations:

7 people thought the Council should consider possible sites within the Green Belt

50 people suggested that other sites should be considered. This included **Great Canfield, Felsted and Clavering Parish Council and Chelmsford City Council.**

11 people suggested that the Council should reconsider sites previously rejected in the exercise, provided development would avoid serious impact on the environment. This included Debden, **Little Hallingbury and Great Hallingbury Parish Council and the National Federation of Gypsy Liaison Groups.**

**Chelmsford City Council** suggest that all three options should be considered and a further option is to integrate new sites through the emerging Local Plan e.g. as part of any new strategic growth allocations, new settlements or urban expansion.

**Clavering Parish Council** suggest that the Council carry out enforcement action on sites not occupied by Gypsy and Travellers

**Arkesden Parish Council** propose that gypsy and traveller provision in incorporated into a new Local Plan.

**Felsted Parish Council** recommends that long standing brownfield sites should be considered.

**Great Canfield Parish Council** feels that it is difficult to find sites which would not have a detrimental effect on the rural area.

A number of **Individuals** made the following points:

- Sites should be located where there is need
- Ensure that current sites are managed correctly
- Reassess the demand
- Carry out enforcement action on the Stansted sites
- The Council should adopt a criteria base policy and assess sites as and when they come forward
- Incorporate gypsy and traveller provision in a new revised local plan
- Await the new Government policy on Gypsies and Travellers

### **Officer Comments**

Officer comments regarding enforcement action on the sites in Stansted can be found under question 17.

The need for 26 pitches in the District is evidenced in the GTAA 2014. The calculation used in the GTAA 2014 is based on a sound and tested assessment of need. Government policy for Gypsy and Traveller sites is contained within the adopted 'Planning policy for traveller sites' 2012. Until new legislation is adopted this is the planning policy for which decisions are made against. If new National policy is adopted then the Council will assess the need for a new Gypsy and Traveller Accommodation Assessment.

As stated in the NPPF and Planning policy for traveller sites it is a requirement for local authorities to identify the need for Gypsies and Travellers in their District.

The Council is not involved in the management of the sites. The potential sites are privately owned, the Council are not proposing to own and manage sites.

Officers are recommending that Gypsy and Traveller allocations form part of the new local plan. As part of this process the Council can assess whether or not it is possible to provide some pitches on strategic housing allocations.

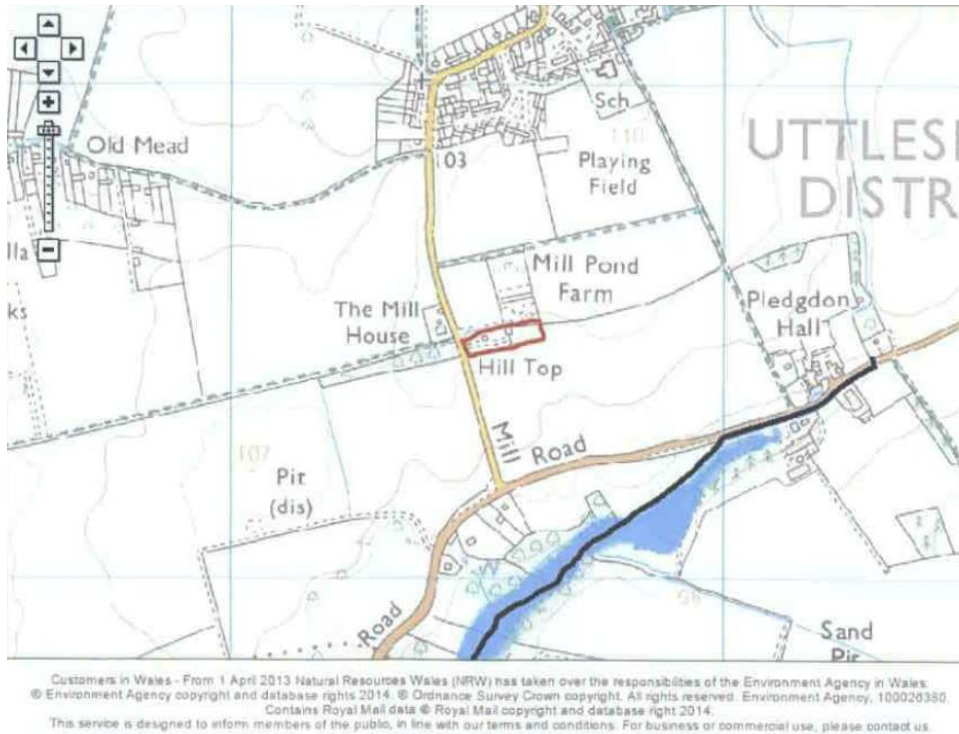
### **Officer Recommendation**

Comments are noted. It is recommended that this question is considered at the next stage of the plan making process. A decision cannot be made until it is clear whether or not the Council have enough suitable sites to meet its need.

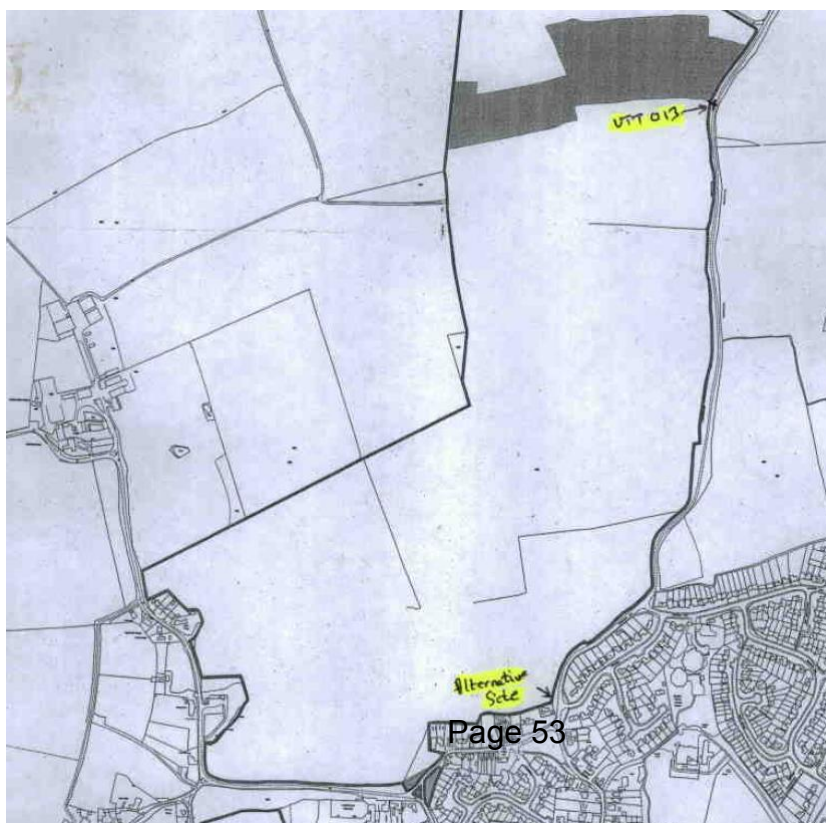
**Question 16: Do you know of any other sites which the Council should be considering for future Gypsy, Traveller or Travelling Showpeople uses?**

12 comments were received on this question. The following is a summary of the key points raised by the representations:

A **landowner** from the travelling community is promoting their site at Hill Top Yard in Henham as a potential Gypsy and Traveller site. The site currently has planning permission for haulage and plant hire use. See location map below, as submitted by landowner:



**Landowners** have suggested an alternative site in Pennington Lane Stansted for the occupiers of UUT013. See location map below, as submitted by landowner:



A number of **individuals** suggested that the Council should carry out enforcement action on the sites in Stansted to ensure they are used by gypsies and travellers.

### **Officer Comments**

Recommendations cannot be made regarding the two proposed sites until site assessments have been undertaken and consultation with the Environment Agency, County Highways, Development Management, Landscape, Historic Environment and Conservation Officer has been carried out.

Officer comments regarding enforcement action on the sites in Stansted can be found under question 17.

### **Officer Recommendation**

It is recommended that the proposed sites are assessed for their potential during the next stage of the plan preparation.

### **Question 17: Any other comments**

110 comments were received on this question. The following is a summary of the key points raised by the representations:

**Essex County Fire and Rescue Service** want all allocated sites to take account of the fire issues raised within the guidance 'Designing Gypsy and Traveller Sites – A Good Practice Guide'. They request to be consulted with during the plan process.

**English Heritage** stress the importance of the historic environment in the District and request that due consideration is given on the impact of the historic environment when allocating sites.

**Essex County Council** recommend that the Council re-consider the strategic spatial approach to the allocation of future gypsy and traveller sites as an integral part of assessing the strategy for growth in the context of the overarching Local Plan for the district. They question whether there are routes that are considered a key traveller route, they consider that they key issue for consideration for transit sites are proximity to key communication links, optimum location to ensure accessibility from north and south of the country.

**Essex County Council – Archaeology** state that they are satisfied their views have been incorporated into the consultation document.

**Police and Crime Commissioner for Essex** suggest that Uttlesford should coordinate their approach to travellers with that of the County Council as county wide provision is an issue. Further, I would encourage you to give consideration to having one transit site in Uttlesford; particularly as such a site would help the Police respond more promptly to unauthorised encampments.

**South Cambridgeshire District Council** request further clarification as to how wider needs identified in the Essex GTAA, such as for transit provision, will be met in Essex if this is not in Uttlesford. South Cambridgeshire point out that inspectors have indicated that there remains an outstanding need in their district.

**Braintree District Council** are pleased that UDC is making provision for sites in accordance with the Essex GTTA

**High Easter and Rayne Parish Council** questions why the majority of sites are allocated in the South of the District

**Arkesden Parish Council** consultation process is flawed – no consultation with the settled community. Flawed process contrary to paragraph 6 in the Planning Policy for Travellers (March 2012) 5 pitches should not be allocated to large sites as this will lead to unauthorised expansion. The consultation document has failed to consider the consultation on national policy for gypsies and travels, the methodology fails to take account of Government policy.

**Elmdon and Wendens Lofts Parish Council** ask the Council to carry out enforcement action on the site in Stansted

**Rayne Parish Council** stresses the importance of design and asks for effective management of sites

A number of **individuals** made the following key points:

- No consultation with the settled community – contrary to government guidance on early and effective community engagement
- Incorrect information in the PBA report
- No sites are needed
- UTT020 is an example of an unsatisfactory site
- If large parcels of land are allocated for a small number of pitches unauthorised caravans will use the site as well
- Questions how the Council will ensure occupants are from the gypsy and traveller community
- Consider the provision of pitches when granting permission for other development
- Methodology is flawed – inconsistent approach
- There is no national requirement to meet the needs of Gypsies and Travellers – it should be done at a regional level
- Questions why there are different planning rules for the gypsy and traveller community
- The allocation of gypsy and traveller sites in rural settlements is contrary to the Councils spatial hierarchy in the submitted Local Plan.
- Decision making process flawed
- Transit site should be provided

## **Officer Comments**

Consultation with landowners/occupiers of sites was carried out in producing the Issues and Options consultation document. This needed to be done to ensure any sites that were deemed suitable were available. All consultees on the Council's database, all statutory consultees, including Parish and Town Councils were notified. There was a notice in the local press and all properties falling within 450 metres of the site were sent letters. This consultation has followed the regulations in the Town and Country Planning (Local Planning) (England) Regulations 2012. Consultation will continue as the plan progresses in line with the regulations and our Statement of Community Involvement.

The Council has to allocate sites. The need for 26 pitches has been identified and it is national policy that we plan for the needs of the Gypsy and Traveller communities.

Government policy for Gypsy and Traveller sites is contained within the adopted 'Planning policy for traveller sites' 2012. Until new legislation is adopted this is the planning policy for which decision are made against. If new national policy is adopted then the Council will assess the need for a new Gypsy and Traveller Accommodation Assessment.

The hierarchy in the Council's submitted Local Plan 2014 purely dealt with housing, employment and education allocations. Consideration was not given to Gypsy and Traveller allocations within that Plan.

The GTAA recognises a need for transit sites within Essex as a whole. The location of such sites will be discussed as part of the duty to co-operate.

It is recommended to that Gypsy and Traveller issues are dealt with in the new Local Plan and, as part of this process, new sites may come forward.

There is an unmet need for Gypsy and Traveller sites within the District. Allocating sites to meet this need will decrease the likelihood of unauthorised encampments. It is not agreed that if large sites are allocated with a small number of pitches unauthorised encampments will arise. Normal enforcement procedures will be carried out in any such event. Our ability to enforce is related to our proactivity in meeting the need for new provision.

### **The situation regarding enforcement action of the Stansted Gypsy and Traveller sites:-**

#### **Talltrees, Stansted**

There are 10 vans (granted permission in 1983 for Gypsy caravan site – 10 families and then in 1985 a personal permission for 5 caravans for the one family and 5 for general gypsies. Information provided indicates that they have not been occupied by Gypsies and Travellers for the past 28 years.

Enforcement action is therefore time barred.

#### **Middleside, Stansted**

Planning approval UTT/1540/11/FUL allowed the site to be used for 10 residential pitches to only be occupied by Gypsy and Travellers as defined in paragraph 15 of the ODPM Circular 01/2006. This is a variation of the 1983 conditional permission which was allowed on appeal.



The site currently has 6 porta cabins which are split into two units each and a further unit. Council tax is rating 13 units at the property which coincides with the situation on site.

The response to the Planning Contravention Notice (PCN) states that the occupants of the site are single males who are from the travelling community. There are 3 units which are confirmed to be occupied by a family who are confirmed travellers.

This site is used in accordance with the permission and there is no action to take.

#### Oak View, Stansted

The land was purchased in 1982 (after permission was granted for the stationing of one gypsy caravan (249/81)) along with two other people and the land was subdivided into three separate plots. Documentation on the old planning history shows that the owner had been a member of the Showman's Guild when he purchased the land but left the Showman's Guild in 1983.

Planning permission UTT/1108/89 was granted conditionally for 10 caravans. The condition was for 5 caravans for one family and the other five caravans for general gypsies.

The response to the PCN states that there are only 7 units on site, 5 occupied by the Greenway family.

The PCN states that the other two units are occupied by families who are not showman or gypsies. One unit has been occupied for the past 6 years and the other is has been occupied for a period of 12 years.

Enforcement action is therefore time barred. However, there are 3 pitches approved but not being occupied at this site.

#### Officer Recommendation

To note these comments and take them into account as the local plan process moves forwards.



**Committee:** Uttlesford Planning Policy Working Group

**Agenda Item**

**Date:** 23<sup>rd</sup> February 2015

**6**

**Title:** Essex County Council Developers' Guide to Infrastructure Contributions: 2015 revision consultation draft

**Author:** Jeremy Pine, Planning Policy and Development Management Liaison Officer (01799 510460)

---

### Summary

1. This report summarises ECC's draft 2015 guidance on infrastructure contributions, and compares it with the approved 2010 guidance. The report then recommends how the Council ought to respond to the consultation, based on the nine consultation questions asked by ECC.

### Recommendations

2. That the Working Group endorses the replies to the consultation questions set out in Appendix 2, and advises officers of any other points that it thinks ought to be included.

### Financial Implications

3. None

### Background Papers

4. None

### Impact

- 5.

Communication/Consultation	ECC is consulting on this draft guidance from 20 <sup>th</sup> January – 3 <sup>rd</sup> March 2015
Community Safety	Assessed by ECC
Equalities	Assessed by ECC
Health and Safety	Assessed by ECC
Human Rights/Legal Implications	Assessed by ECC
Sustainability	Assessed by ECC

Ward-specific impacts	Districtwide
Workforce/Workplace	None

## Situation

6. In 2010, ECC published its Developers' Guide to Infrastructure Contributions. This guide sets out the scope and range of financial and other contributions towards infrastructure that ECC might seek, through Section 106 obligations, in order to make development acceptable in planning terms. In 2010, ECC published its Education Contribution Guidelines Supplement as a companion document.
7. For any obligation contained in an agreement to be lawful, it must meet the following legal tests which are set out in the Community Infrastructure Levy Regulations 2010:
  - i) it must be necessary to make the development acceptable in planning terms,*
  - ii) it must be directly related to the proposed development, and*
  - iii) it must be fairly and reasonably related in scale and kind to the proposed development.*
8. As with the 2010 guidance, the draft guidance contains a lot of detail and specifications. This is necessary both in order to justify the need for contributions to developers, and to provide evidence for planning appeals should that be necessary.
9. Under the 2010 Regulations, from April of this year a local planning authority will only be able to "pool" a maximum of five contributions to fund a single piece of infrastructure, including contributions received since 2010. ECC has said that the imminence of this provision coming into force and the implications that it may have for providing infrastructure for ECC services is one main factor for updating the guidance at this time.
10. The ECC guidance does not cover contributions required by the District Council (which has its own adopted guidance), nor contributions that may be sought by others such as the NHS.

### Main changes

11. ECC issued a press release about the new draft guidance on 21<sup>st</sup> January, and included a list of detailed changes from the approved 2010 guidance. These are:
  - i) the threshold at which education contributions are sought is increased from 10 to 25 dwellings,*

*ii) the separate education supplement is discontinued, and is merged with the main guidance into one document,*

*iii) a proposal that it may be better to seek the provision of a community building from the developer from which ECC, District Council and other services could be delivered (such as library, youth, health and voluntary services),*

*iv) where transfer of land to ECC is required, particularly for education purposes, developers are asked to complete a site suitability checklist for submission alongside planning applications,*

*v) all Section 106 agreement templates are included in an appendix,*

*vi) a greater emphasis is to be placed on travel planning measures as the “smartest choice” (followed by schemes to enhance walking and cycling, public transport enhancement and highway works in that order),*

*vii) a comprehensive list of commuted sums for maintenance of assets that are to be transferred to ECC, and a formula for inflation proofing those sums. Commuted sums for maintaining sustainable drainage systems (SuDS) are also proposed, and*

*viii) a number of other areas are examined which could potentially involve ECC working with developers, including waste management, public art and social care.*

12. The reason for increasing the qualifying threshold for education contributions to 25 dwellings is the new pooling limit. The pooling limit will inevitably reduce the overall level of education funding that ECC receives from developers. ECC’s reasoning is that if it can only ask for 5 contributions towards each piece of infrastructure, it would receive more funding from seeking 5 larger contributions (from 25 dwelling schemes or above) than from 5 smaller ones (schemes of less than 25 dwellings). ECC will need to decide whether the 25 dwelling threshold is, in fact, the right one – any threshold will be matter of judgement in the circumstances where a pooling limit applies.

13. The draft guidance is accompanied by an environmental report (sustainability appraisal and strategic environmental assessment), including a non-technical summary. In the environmental report, ECC identifies ten sustainability objectives:

- 1. To maintain and enhance the character of townscapes, cultural heritage and heritage assets within Essex,*
- 2. To ensure the protection and where possible enhancement of landscapes, biodiversity and water resources,*
- 3. To improve air quality, and minimise noise and vibration,*
- 4. To reduce greenhouse gas emissions in Essex,*
- 5. To ensure infrastructure minimises flooding and adapts to the impacts of climate change,*

- 6. *To minimise the number and severity of road traffic accidents and maximise health, safety and security,*
- 7. *To promote more sustainable transport choices,*
- 8. *To ensure appropriate access to services and facilities delivered by ECC and to reduce social exclusion,*
- 9. *To ensure sustainable levels of prosperity and economic growth, and*
- 10. *To minimise waste and consumption of resources including land.*

14. The environmental report assesses each service area option against alternatives using the sustainability objectives set out above. Alternatives are not suggested where ECC considers that there would be legal barriers to any other way of provision.

Analysis

15. Officers have looked at the draft guidance, and compared it to the approved 2010 guidance. A summary table has been prepared, and this is attached as Appendix 1. Much of the 2010 guidance has been reworded and rolled forward. Most agreements that require contributions to ECC concern education, highways and transportation, sustainable travel planning and passenger transport.

16. ECC has set out nine consultation questions that it would particularly like answered. These are set out in Appendix 2 with the suggested response.

**Risk Analysis**

17.

Risk	Likelihood	Impact	Mitigating actions
None	None	None	None

- 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: CONTRIBUTION REQUIREMENTS IN DRAFT 2015 ECC GUIDANCE  
(BY SERVICE AREA)**

*Note: This table is a basic summary only. The draft guidance document contains a lot more detailed information and specifications. All financial contributions are usually index-linked from a base date (such as the date of the agreement) to the date of payment.*

<b>Service area</b>	<b>Contribution (or factor)</b>	<b>Compared to 2010. General comments (in italics)</b>
<b>EDUCATION</b>		
Cost of each extra early years and childcare, primary and secondary school place	Between £11k - £17k	Similar.  <i>Costs are updated each financial year. Contributions are only sought where a deficit of places in the local area is forecast.</i>
“Child yield” from new housing development and employment sites	EY&C = 0.09/house Primary = 0.3 Secondary = 0.2  4 places/100 employees for EY&C.	Same factors.  <i>Yields are used to calculate how many new school places a development would generate. Yields are halved for flats + are not applied to 1-bedroom houses or flats.</i>
Threshold for asking for contributions for extra school places	25 or more net additional dwellings	Threshold increased from 10.  <i>The threshold is proposed to be increased because of the new pooling limit on infrastructure contributions that comes in in April.</i>
Thresholds for new schools	Primary = 420 places is ideal for 2 forms of entry (minimum 210 places for 1 form of entry). Secondary = 600 places as a minimum for 4 forms of entry.	Same thresholds.  <i>Primary threshold equates to a minimum of 700 new houses. Secondary threshold is a minimum of 3,000 houses.</i>
School transport (where required due to location)	Funding sought for a minimum of 7 years.	Increased from a minimum of 5 years.
<b>YOUTH</b>		
Bespoke youth centre	1,200 houses	Similar.  <i>Need for contributions considered on a case by case basis. Games areas, skate parks and youth shelters are described as “low cost, big wins”. Can reduce costs by building a smaller number of larger centres or using multi-use hubs.</i>
<b>SOCIAL CARE AND PUBLIC HEALTH</b>		
Specialist housing need	Partnership with developers to deliver accommodation for specific vulnerable groups (could include land or capital).	Under the heading “Adult Social Care”, set out formulae for contributions towards extra care housing for the elderly and additional housing units for learning disability & physical and sensory impairment clients.  <i>Objective is to provide a range of</i>

		<i>supported living options which reduce reliance on more costly residential care schemes.</i>
<b>HIGHWAYS AND TRANSPORTATION</b>		
Highway works	<p>Developers required to complete or procure any necessary works to mitigate impacts.</p> <p>Where more than one development (but not more than five) generates the need for specific highway works, enter into S106 agreements to secure financial contributions.</p> <p>Full transport assessments required for housing developments of 50 dwellings or more, or commercial development that generates equivalent traffic flows or higher.</p>	Similar.
Maintenance of highway assets	Payment of commuted sums to cover lifetime maintenance costs and replacement costs.	Similar.
<b>SUSTAINABLE TRAVEL PLANNING</b>		
Workplace travel plans	<p>Required for all commercial developments taking staff numbers to 50 or more.</p> <p>£3,000 monitoring fee charged.</p>	<p>Similar.</p> <p><i>ECC now proposes to index-link the monitoring fee.</i></p>
Residential travel planning	<p>Residential Travel Information Statement or brochure required for developments up to 249 dwellings, including some free rail or bus tickets.</p> <p>Travel plan required for 250+ dwellings.</p>	Residential travel pack required for each dwelling.
School travel plans	Consideration of access, especially walking and cycling routes.	Similar.
<b>PASSENGER TRANSPORT</b>		
Bus services	<p>Improvements to existing bus infrastructure may be required for small developments.</p> <p>For larger developments, diversions of existing bus services or new services may be required.</p>	<p>Similar.</p> <p><i>Developers will be required to negotiate directly with bus companies and deliver an appropriate package of services. Bus services should be provided at the time of first occupation, with in most cases developers being expected to subsidise services until they become commercially viable. However, there may be time, occupation or cash limits to this contribution.</i></p>
<b>PUBLIC RIGHTS OF WAY</b>		
Public rights of way improvements	May seek works or a financial contribution to ensure PROWs are suitable for additional use by new residents.	No information.
<b>WASTE MANAGEMENT</b>		
Waste	Contributions may be sought to	Similar.



management capacity improvements	increase the capacity of recycling centres for household waste and /or waste transfer stations. May include building new facilities in the locality of the waste source.	
<b>PUBLIC ART</b>		
Public art contributions	Large developments may be asked to contribute towards public art where a local planning authority has produced a long-term policy and strategy (as part of its Local Plan) identifying where, when, how and why public art will be delivered as part of specific development sites.	The requirement for an local policy / strategy is new.  <i>ECC will encourage the integration of public art within development schemes, such as:</i> <ul style="list-style-type: none"> <li>- 3D artworks, such as sculpture</li> <li>- artwork integrated into architecture or the public realm</li> <li>- smaller scale, high impact projects including street furniture</li> <li>- new media, performances or audio works as part of temporary installations or events.</li> </ul>
<b>PROTECTING BIODIVERSITY</b>		
Offsetting biodiversity loss	Calculating the value of lost habitats in "biodiversity units", which have to be replaced. Offsetting can either be on site by the developer, or off site via a provider of offsets.	No information.  <i>ECC has taken the lead in a new approach to offsetting the impact of development on biodiversity.</i>
<b>LIBRARIES</b>		
Library provision	Contributions will be sought where there is expected to be significant population growth away from an existing library provision.	Similar.  <i>A new stand-alone library needs a community of at least 7,000 people. Contributions may need to be pooled.</i>
<b>SUSTAINABLE DRAINAGE SYSTEMS</b>		
Adoption and maintenance	Will offer adoption subject to appropriate commuted sums to cover maintenance and a single replacement.	No information.
<b>HERITAGE ASSETS</b>		
Protection and management of heritage assets	Proposals for positive management and enhancement required where development would directly affect heritage assets or their setting.	No information.



## **APPENDIX 2: CONSULTATION QUESTIONS AND SUGGESTED RESPONSES.**

*Q1 Do you think that the suggested thresholds below which contributions will not be sought are set at an appropriate level?*

Bearing in mind the restriction that comes into force in April of this year regarding the pooling of financial contributions, it will be for ECC to judge whether (in particular) the education threshold is set at the right level. It makes sense to seek the 5 contributions from larger schemes that would generate more funding than smaller schemes. However, ECC need to be careful in adopting a 'one-size-fits-all' approach. It may be that different limits could be set for pre-school, primary and secondary education as the pooling limit will effect each type of education differently. After it has analysed the responses to this consultation, ECC might wish to consider whether the 25 dwelling threshold is at the correct level.

*Q2 Do you think the approach suggested to determine the suitability of land for education and other uses, where developers would submit land compliance information with their planning applications, will speed up the planning process?*

No, the checklist seeks a high level of information which is considered excessive for determining a planning application. The requirements are more to do with a land transfer issue than a change of use issue.

*Q3 Do you support ECC's view that, where appropriate, joint use community buildings from which a range of services can be delivered should be included on larger developments?*

Shared-use buildings are an efficient use of land, and can work well as part of community hubs within larger residential developments. A good local example is the community hall at Priors Green, which is located next to a local shopping parade, primary school and day nursery. Location is the main key to making the building a success, but thought needs to be given to travel planning to discourage car journeys, reducing the need for large numbers of car parking spaces or on-street parking.

*Q4 Do you think that the Consumer Price Index (CPI) should be used to inflation proof the Travel Plan Monitoring fee? If not can you suggest a more suitable alternative index?*

All indices have their advantages and disadvantages, so it is difficult to say which one best reflects the change in monitoring costs. What is important is that the fee is indexed to reflect changed costs over time.

*Q5 Do you think that the proposals for the formula for the calculation of commuted sums for maintenance are acceptable?*

Yes, but embedding standard commuted sums in the guidance document (they are Appendix L) could cause confusion for developers when the sums are reviewed, which would usually be annually. Unless the guidance document is to be updated annually, it would be better to keep the commuted sum details in a stand-alone document.

*Q6 Do you think that the proposals for commuted sums for Sustainable Drainage Systems (SuDS) are acceptable?*

As ECC is offering to adopt SuDS systems, it is right that commuted sums should be sought. As set out in the draft guidance, the commuted sum should reflect the acceptance that routine maintenance of SuDS systems is often more frequent and expensive than conventional drainage systems, increasing short term costs. The District Council will not be adopting any SuDS systems.

*Q7 Do you feel that the treatment of equality and diversity in the Guide is appropriate?*

Yes, these issues are covered mainly under sustainability objective 8.

*Q8 Do you consider that the Sustainability Appraisal of the Guide deals with the sustainability issues related to it adequately?*

The ten sustainability objectives set out in the report seem to be comprehensive. Comparing each service area to the sustainability objectives (page 65 of the environmental report), it is clear that the largest positive impacts will be on objectives 6, 7 and 8. This reflects that the prime contents of ECC S106 agreements are education and highway obligations.

*Q9 Do you have any other points on the Guide that you would like Essex County Council to consider?*

The Council agrees that new bus services or enhancements should be provided at the time of first occupation in order to encourage modal shift. It is thought unlikely that a developer would be willing to subsidise bus services until they become commercially viable, as this could become an open-ended commitment. It is therefore right that the draft guidance accepts that there may need to be cash or time limits to the subsidy.

The Council supports the incorporation of the education supplement into the main guidance document. This is more user-friendly for developers.

**Committee:** Planning Policy Working group

**Agenda Item**

**Date:** 23 February 2015

**7**

**Title:** Statement of Community Involvement

**Author:** Andrew Taylor, Assistant Director Planning  
and Building Control

---

### Summary

1. The Council adopted a Statement of Community Involvement in February 2013. Officers have carried out a review and refresh of the document and seek comments from the Working Group before carrying out a formal public consultation.

### Recommendations

2. To comment on the update Statement of Community Involvement and suggest any necessary updates prior to public consultation.

### Financial Implications

3. None – consultation expenses can be met from existing budgets.

### Background Papers

4. There are no background papers.

### Impact

- 5.

Communication/Consultation	The SCI will be subject to a six week period of consultation.
Community Safety	N/A
Equalities	The SCI makes sure that the methods of consultation used are such that all groups can be involved in consultation processes
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A
Ward-specific impacts	All
Workforce/Workplace	N/A

## Situation

6. The Council adopted its Statement of Community Involvement (SCI) in February 2013 following the statutory process. The document sets out the Council's approach to public consultation and involvement in the preparation of the Local Plan, other development plan documents and in the determination of planning applications.
7. Officers have carried out a review and refresh of the document and seek the views of the Working Group before carrying out a formal public consultation.
8. Subject to any comments of the Working Group the consultation will run for a 6 week period commencing on Monday 2 March 2015 and closing on Monday 13 April 2015.

## Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
If the Council does not have an up to date SCI and has not carried out consultation in accordance with the regulations and the Statement of Community Involvement the Local Plan could be found 'un sound' at examination.	Low	Delays in adopting the Local Plan.	Making sure that the SCI is up to date and in accordance with the relevant regulations.

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

### DRAFT STATEMENT OF COMMUNITY INVOLVEMENT

March 2015



## Contents

Amendment to the Statement of Community Involvement	1
Consultation on the draft revised Statement of Community Involvement	1
Introduction	2
What's it all about?	2
National Planning Policy Framework 2012	2
Documents that make up the Local Plan	3
Duty to Cooperate	3
Neighbourhood, Community and Parish Planning	4
Timeframe	4
What is the SCI for	4
The benefits of getting involved	4
How was this statement developed	5
Our Community	5
Improving Participation	7
Improving Representation	7
Our principles on Community Involvement	7
What we will be consulting on	8
Involvement in the Local Plan	8
How will we involve people	10
Feeding information into decisions	16
Making effective use of resources	16
Monitoring and evaluation	17
Linking the Local Plan with the Community Strategy, Housing Strategy, Economic Development Strategy and community led-plans	17-18
Stakeholders and Community Groups	18
Involvement in Planning Applications	20
Contact Details	23



## **1. Amendment to the Statement of Community Involvement 2015**

1.1 Uttlesford District Council's Statement of Community Involvement was adopted in February 2013 following a six week public consultation period.

1.2 It is now necessary to make a full review of the Statement of Community Involvement to refresh the document.

1.3 Many areas of the SCI remain largely unchanged and up-to-date and are not expected to need significant revision but the Council is carrying out a review of the whole document to provide an opportunity to incorporate new ideas on community involvement and to make sure practices remain of the highest standard.

## **2. Consultation on draft revised Statement of Community Involvement**

2.1 This draft Statement of Community Involvement will be subject to a six week public consultation period. Once consultation is complete and all representations considered and reported to the Uttlesford Planning Policy Working Group the final version will be recommended for approval to Cabinet.

## UTTLESFORD STATEMENT OF COMMUNITY INVOLVEMENT

### **3. Introduction**

- 3.1 Uttlesford District Council works to improve the quality of lives of people who live in, work in, or visit the district. One of the ways we do this is by talking to and hearing from individuals and organisations in Uttlesford about their concerns, ideas and ambitions.
- 3.2 The Council encourages community participation through effective consultation and engagement and improving community forums to reflect closer working with all sectors of the community. (Corporate Plan 2014-2019)

### **4. What's it all about?**

- 4.1 In January 2005 the Uttlesford Local Plan was adopted. The Council is preparing a new Local Plan for the District covering the period 2015-2032.
- 4.2 The legal requirements for consultation and community involvement in plan making are set out in Town and Country Planning (Local Planning) (England) Regulations 2012.
- 4.3 Uttlesford District Council has produced this Statement of Community Involvement (SCI) to make sure we involve individuals and organisations in Uttlesford in the planning system.
- 4.4 The benefits of the development plan system include:
- documents which are more appropriate and responsive to changing local needs
  - involving the local community and stakeholders from the beginning and throughout the preparation of the planning documents,
  - seeking agreement early in the preparation of documents, and
  - delivering plans that contribute to achieving sustainable development.

### **5. National Planning Policy Framework 2012 and Planning Policy for Traveller Sites 2012**

- 5.1 The National Planning Policy Framework (NPPF) and Planning Policy for Traveller Sites were both published in March 2012 and replaced all previous planning policy statements and guidance. It sets out the government's vision for the planning system and how policies should be applied. It stresses the importance of early and meaningful engagement with neighbourhoods, local organisations and businesses to produce a Local Plan.
- 5.2 The documents state that the purpose of the UK planning system is to contribute to the achievement of sustainable development. To achieve this, the planning process must be guided by an up-to-date, forward looking plan (plus other relevant policy documents).
- 5.3 Each local authority must prepare a local plan which may be supported by other planning documents that together guide development in the area. All decisions on proposed new development will be judged against the policies in the local plan (plus other relevant policy documents).

## **6. Documents that make up the Local Plan**

6.1 The NPPF refers to the collection of documents that make up the statutory plan for local planning authorities as the 'Local Plan'.

6.2 The documents that make up the local plan which includes strategic policies, site allocation policies and development management policies, set out the spatial plan for how growth and development will be managed in Uttlesford.

6.3 The Local Plan will include various elements, these elements/ other documents are set out below:

- **Development Plan Documents (DPDs)** when adopted, constitutes the statutory development Plan for the District.
- **Supplementary Planning Documents (SPDs)** -. SPDs do not have development plan status they can provide further detail and guidance on policies set out in the DPDs.
- **Local Development Scheme (LDS)** - the project plan for preparation of the Local Plan
- **Statement of Community Involvement** (this document) - setting out the Council's arrangements for involvement of the public and other stakeholders in the preparation of Local Plans and in consultation on planning applications for development proposals.
- **Monitoring** - The progress of the Local Plan is monitored to record and assess the preparation of the plan, including any requirement to amend the LDS. Annual monitoring reports can be found on the Council's website. Once the Local Plan is adopted, the Annual monitoring Report will be called the Authorities Monitoring Report in line with the Planning Regulations 2012.
- **Community Infrastructure Levy** - The Community Infrastructure Levy (CIL) is a mechanism to collect money from developers. Money collected this way would be used to support development by funding infrastructure that is needed due to development in the District. The Council has decided that it will not have a CIL at present; this decision will be reviewed in 2015.
- **Neighbourhood Development Plans** - The Localism Act (2011) introduced reforms to the planning system and enables communities, through the establishment of neighbourhood forums to create Neighbourhood Plans for their area with the support of the Council. The Neighbourhood Planning (General) Regulations 2012 provide further detail to the process of Neighbourhood Planning, including the consultation and publication of neighbourhood areas, forums and plans. Once adopted a Neighbourhood Plan will become part of the Development Plan.

## **7. Duty to Cooperate**

7.1 Section 10 of the Localism Act (2011) introduces a Duty to Co-operate which requires planning authorities and other public bodies to actively engage and work jointly on strategic matters. There are a number of issues such as transport that have impacts that cross local authority boundaries. The Council will explore constructive approaches to work jointly with

neighbouring authorities, and wider if necessary, and public bodies to make sure that strategic priorities are reflected and, where appropriate, addressed in the Local Plan.

7.2 The Council will continue to work closely with partner organisations to deliver planning in our area and fulfil our requirements under the duty to co-operate.

## **8. Neighbourhood, Community and Parish Planning**

8.1 The localism Bill makes provision for communities to prepare their own Neighbourhood Development Plans. They can be prepared by Town and Parish Councils. These plans can set planning policies to guide future development in the parish. These plans must be in conformity with national policies as well as the Council's local plan and development plans which are adopted, or going through the adoption process. The process for preparing a neighbourhood plan is set out in the Neighbourhood Planning (General) Regulations 2012. Once a neighbourhood development plan has been successfully prepared it becomes part of the local plan for the District.

8.2 A community can also produce a Neighbourhood Development Order or a Community Right to Build Order. These can be instead of, or in conjunction with, a neighbourhood development plan and would result in effectively granting planning permission for certain types of development in specified areas. Such orders, however, cannot remove the need for other permissions such as Listed Building or Conservation Area consent.

8.3 The Council is working with the Rural Community Council of Essex to develop tools to enable local communities to prepare Neighbourhood Development Plans or other forms of community and Parish plans.

## **9. Timeframe**

9.1 The Council aims to have its new Local Plan adopted in 2017. The Council has published a Local Development Scheme (LDS) which sets out which documents will be produced and when. The latest version of the LDS is available on the Council's website.

## **10. What is the SCI for?**

10.1 The NPPF and regulations place significant emphasis on early community involvement. This SCI sets out how the community will be involved in the development of the Local Plan it also outlines how the Council will consult the community on planning applications.

10.2 The Council has to make sure that all development plan documents and planning applications processes are consistent with the commitments made in this statement.

## **11. The benefits of getting involved**

11.1 The Local Plan must take account of the environmental constraints as well as setting out the sorts of development needed to help people live and work in the district. That is why it is important that you get involved when plans are prepared.

11.2 The Council sees the following benefits to early community and stakeholder involvement:

- Community groups and the wider public have the opportunity to take an active part in developing proposals and options;
- can draw on local knowledge; and
- resolves issues and minimises conflict.

## **12. How was this statement developed?**

12.1 This Statement of Community Involvement has been prepared in accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 and in accordance with the changes in The Town and Country Planning (Local Planning) (England) Regulations 2012.

## **13. Our Community**

13.1 Our 'community' includes all of the individuals, groups and organisations that live, work or operate within the District. We recognise that the different groups that make up our community have different needs and expectations. They also have different desires, capabilities and capacity to get involved, as set out on the following pages.

13.2 To make sure it is effective in improving community involvement in planning, this Statement of Community Involvement recognises these differences.

### Local Communities

The interests of local communities are represented by County, District, Parish and Town Councils, all have the capability to be involved. Specific interests can be represented by amenity or interest groups. The community is made up of individuals who have the ability to respond in their own right; however particular sections of local communities can find it harder to get involved.

### Other Agencies

Other organisations can provide valuable views regarding specific Development Plans. These organisations are easy to identify and generally have the capacity to be involved. Some may need support in understanding the Local Plan process and how it relates to their operations so they are able to contribute effectively

### Statutory Stakeholders

There are certain groups that we have to involve. These include English Heritage, Environment Agency, Highway Agency, Natural England, Essex County Council and Parish/Town Councils.

### Developers and Landowners

Developers are already involved in the planning system and, will seek to be involved. Most can be easily identified via previous involvement and have the capability to be involved. Landowners will be keen to understand and consider the implications of any policies/decision in order to protect their rights they have to develop or protect their land and its value. Both groups will be supported in being more actively involved in the Local Plan.

### Service Providers

Service providers include local health trusts/Clinical Commissioning Groups, schools, utility and transport providers, emergency services, community development organisations and others. All of these can be easily identified and have the capacity to be involved in the Local Plan process. However we will seek to involve them only when it is relevant for them.

Local businesses range in size from the self-employed and small businesses to larger organisations. As such so does their capacity to be involved. Whilst larger organisations may have the capacity to get involved more actively, smaller organisations may need support in understanding the system, how it relates to them and how they can get involved. The interests of the business sector can also be represented by organisations such as Chambers of Commerce. The Council will continue to improve its engagement with the business community.

#### **14. Improving participation**

- 14.1 It is usually the case that the same people get involved in planning issues on an on-going basis, with other individuals getting involved when things affect them, such as a planning application local to them.
- 14.2 In developing the SCI we recognise that the planning system can be complex and confusing and that this can stop some people getting involved. The Council therefore intends to improve the way we communicate general information about local planning and development to the wider community.
- 14.3 By recognising the needs of different groups, and making involvement relevant and accessible, we aim to improve the number of people who can and want to get involved.

#### **15. Improving Representation**

- 15.1 The Council aims to pay particular regard to the needs of different disability groups. For example we aim to work with Talking Newspapers and Support for Sight to distribute information, to produce documents in different formats and provide a signing communicator at meetings when needed. We will continue to work with Uttlesford Access Group.
- 15.2 We will pay particular attention to make sure those living in the more isolated and rural parishes are informed and have the opportunity to be involved. We will work with parish councils and other village organisations to engage with them.
- 15.3 The Council recognises that there are a growing number of households who are financially constrained from entering the private housing market. The Council wishes to make sure such people, and organisations that work for those in housing need, have the opportunity to influence and direct planning policy on housing matters.
- 15.4 We will work with the Uttlesford Youth Initiatives Working Group, through youth groups and schools to inform young people about planning and encourage them to express their aspirations for their local area.
- 15.5 The Council will work with organisations and charities that support the elderly and ethnic minority communities within the district to make sure that the elderly community know what is going on and how they can get involved if they want to.
- 15.6 We aim to involve Gypsies and Travellers and Travelling Showpeople by working with their relevant representatives to make sure that they know what is going on and how they can get involved.

#### **16. Our principles on Community Involvement**

- 16.1 Even with significant effort we cannot persuade everyone to get involved, we have to recognise that there are limits to our resources and we have to be realistic in our aspirations for community involvement. Our principle is to provide everyone with the

opportunity to know what's going on and how they can get involved if they want to. We aim to do this by:

- involving people where the issue is relevant to them;
- at a time in the process where their views can influence outcomes;
- by a method appropriate for the purpose and issues being discussed and the people involved; and
- at a suitable and accessible venue.

## **17. What we will be consulting on**

17.1 The Council will be consulting on the following documents:

17.2 **Statement of Community Involvement** – (this document) sets out the Council's programme for consultation in producing Development Plan Documents, Supplementary Planning Documents and community involvement in planning applications. The Council will carry out further revisions of this document in accordance with the guidelines in it.

17.3 **Local Plan** - This will set out and justify the Council's vision and core policies for the future development of the district. It will identify locations for housing, employment and other development. The Local Plan will also include development management policies which will guide the Council's decisions for planning applications.

17.4 **Policies Map and Inset Maps** - The policies map will show all the policies and proposals and identify areas of protection. Inset Maps will be used to show parts of the policies map at a more detailed scale.

17.5 **Supplementary Planning Documents** - The Council will prepare Supplementary Planning Documents to expand policy or to provide further details to policies in Development Plan Documents, as appropriate. Government guidance is that SPD should be used to help applicants make successful applications or aid infrastructure delivery.

17.6 **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 and Supplementary Planning Document.

## **18. Involvement in the Local Plan**

18.1 There are 6 stages to the production of the Local Plan. These stages are illustrated in the table below. The Council wishes to see the community and stakeholders involved in each stage of the document's production.

18.2 The stages are the same for the Supplementary Planning Documents except that there is no submission or examination.



- 18.3 There is a minimum requirement for consultation which the Council must undertake as set out in the regulations. However the Council aims to go further than the minimum requirement to make sure there is effective and broad community involvement.
- 18.4 There are several stages involved in preparing a Local Plan or Development Plan Document which are outlined in the table below:

<b>Plan Preparation Stage</b>	<b>Information</b>
Research (Regulation 18)	<p>During the early stages of plan preparation the Council will gather information and evidence about the area in order to assess and identify issues and options for addressing the areas need.</p> <p>Consultation during these early stages may include detailed stakeholder consultation or wider more extensive consultation.</p> <p>The Council will also assess the requirements of government guidance, corporate strategies and technical information.</p>
Draft Plan (Regulation 18)	<p>A draft plan will be published to get some feedback from both the community and stakeholders. A draft document will be made available for public consultation for a minimum of six weeks, allowing written representations to be made.</p> <p>The feedback received during these consultation periods will be used to inform the preparation of the development plan document before moving onto the next stages.</p> <p>At this stage the draft development plan document will be subject to a Strategic Environmental Appraisal (SEA) and Sustainability Appraisal (SA).</p>
Publications (Regulation 19)	<p>Each document will be published for a formal consultation period. Written representations will be invited on the content of the document. At this stage the consultation document will be advertised and the document made available to all statutory consultees. The Council will prepare a summary of the representations which will be presented to the Inspector at the examination.</p>
Submission (Regulation 22)	<p>The document will be submitted to the Secretary of State for independent examination along with the background evidence, SEA/SA and a statement of public involvement in the process.</p>

Plan Preparation Stage	Information
Examination (Regulation 24)	<p>An examination will be held by an Inspector, appointed by the Planning Inspectorate. The Inspector will examine the documents submitted and may ask the Council for additional information before opening the formal examination. In most cases an Inspector will hold a Pre-Hearing Meeting to explore the main issues. The hearing sessions will be arranged with six weeks' notice given in advance of the beginning of the hearings. Only those people who submitted representations at the publication Regulation 19 stage are entitled to be heard at the examination.</p> <p>The Inspector will assess the soundness of the plan and will prepare a report for the Council. That report will set out the Inspectors recommendations to the Council. The Council must then consider the report and the recommendations.</p>
Adoption (Regulation 25)	The Council will adopt the Local Plan as soon as practical following consideration of the Inspector's report.

## 19. How will we involve people?

- 19.1 Information – providing information, for example through local media, leaflets and the website. We will provide information on what the Council is doing, what stage it is at in the preparation of the documents, where documents can be inspected, and how people can get involved.
- 19.2 Consultation - consulting people on their views through questionnaires, meetings and exhibitions. Consultation will take place informally during the research stages of documents and formally during the publication stages where people can comment on the Councils proposed policy direction.
- 19.3 Participation – such as in workshops and forums where people would be more actively involved in identifying needs and priorities. By participating people will have the opportunity to have a real say in the issues and options the document should cover.
- 19.4 The table below identifies the benefits of different methods of involvement and their resource implications. All of the methods will not be used for every document; the most appropriate method will be chosen each time.
- 19.5 The following tables show how people could be involved and at which stages in the process.

INFORMATION	Method	This is useful for....	Resource Implications
	<b>Media</b> e.g. Publicity in local newspapers; Articles in Parish Magazines; Housing newsletter; Talking Newspaper; Uttlesford Life	Raising awareness. Reaching wide audience. Publicising how to get involved.	Low. Staff time to prepare material.
	<b>Internet</b> Uttlesford Website, and email shot; Facebook and Twitter	Up to date information about progress and how to get involved. Access to documents to meet minimum requirement.	Low. Posting information online is low cost once established.
	<b>Leaflets</b> and posters	Raising awareness. Reaching wide audience. Publicising how to get involved.	Medium. Production of material can involve significant costs. Staff time to prepare and distribute material.
	<b>Letters</b> to statutory bodies	To meet minimum requirement.	Low. Staff time to write and administrate posting.
	<b>Mailing</b> list of persons and companies wishing to be notified	Keeping people up to date on key stages and how to get involved.	Low. Staff time to write and administrate posting.

<b>CONSULTATION</b>	<b>Documents</b> available for to view and comment on via the Council's on-line consultation portal Objective.	Meeting minimum requirement in allowing everyone the opportunity to comment on draft documents via a range of methods.	Low/Medium: staff time to prepare the documents for the on-line consultation period.
	<b>Documents</b> available for inspection at principal and other offices and Libraries.	Meeting minimum requirement in allowing everyone the opportunity to comment on draft documents.	Low. Staff time may be needed to answer questions.
	<b>Questionnaires</b> Paper and electronic format.	Focus consultation on key questions. Can target specific groups.	High: Specialist skills required for questionnaire design. Staff time to collate responses.
	<b>Parish/Town Council meetings</b>	Reaching community groups through existing meetings. Gain understanding of views regarding a specific area.	Low: Staff time to attend meetings and prepare any material.
	<b>Town and Parish Council Forum</b>	Active involvement of local councils.	Low/Medium: Staff time to attend and prepare material.
	Pre-existing <b>Forum</b>	Disseminate information and canvass opinion from selected groups.	Low/Medium: Staff time to attend and prepare material.
	<b>Uttlesford Futures</b> meetings	Active involvement of the Local Strategic Partnership.	Low/Medium: Staff time to attend and prepare material.
	<b>Citizens Panel</b>	Help gain more understanding of public concerns.	Low/Medium: Staff time to attend and prepare material.

<b>PARTICIPATION</b>	<b>Focus groups</b> (selected groups of participants with particular characteristics).	Useful for area based or topic specific discussions and presentation of options. Help gain more understanding of public concerns.	Low/Medium: Staff time to attend and prepare material.
	<b>Area Panels</b> (groups with geographical remit).	Tailor made forums to discuss issues relevant to the area.	Low/Medium: Staff time to attend and prepare material.
	<b>Workshops</b>	Bringing together representatives from different sectors to be actively involved in identifying issues/options and priorities.	Medium/High: Time is needed for preparation. Specialist skills may be required.

*Methods of Consultation in Italics are over and above the requirements of the regulations.*

<b>Development Plan Documents</b>			
<b>Stage</b>	<b>To check -</b>	<b>With who</b>	<b>How</b>
Research of Draft Plan	Develop framework Identify all issues and options.	Town and Parish Councils and Parish Meetings	<ul style="list-style-type: none"> <li>• <i>Town and Parish Council Forum meetings</i></li> <li>• <i>Letter</i></li> <li>• <i>Questionnaire</i></li> <li>• <i>Workshops where bringing together representatives from different sectors will help understanding and development of issues and options</i></li> </ul>
		Local groups Amenity bodies	<ul style="list-style-type: none"> <li>• <i>Letter</i></li> <li>• <i>Questionnaires</i></li> <li>• <i>Workshops where bringing together representatives from different sectors will help understanding and development of issues and options</i></li> </ul>
		Local Strategic Partnership	<ul style="list-style-type: none"> <li>• <i>Uttlesford Futures Meetings</i></li> </ul>
		Developers/Agents / Youth	<ul style="list-style-type: none"> <li>• <i>Forums</i></li> <li>• <i>Workshops where bringing together representatives from different sectors will help understanding and development of issues and options</i></li> </ul>
		General Public	<ul style="list-style-type: none"> <li>• <i>Citizens Panel</i></li> <li>• <i>Article in Uttlesford Life</i></li> <li>• <i>Consultation leaflets/posters</i></li> <li>• <i>Publicity in local newspaper</i></li> <li>• <i>Articles in Village Magazines</i></li> <li>• <i>Focus Groups where area based or topic discussions will help develop issues and options</i></li> <li>• <i>Area Forums where the Plan is considering development of significant scale in a specific geographical area</i></li> <li>• <i>Public Exhibition where visual presentation will help present and clarify issues and options</i></li> <li>• <i>Workshops where bringing together representatives from different sectors will help understanding and development of issues and options</i></li> </ul>

<b>Development Plan Documents</b>			
<b>Stage</b>	<b>To check -</b>	<b>With who</b>	<b>How</b>
	Scope and context of baseline information of Sustainability Scoping Report	Natural England English Heritage Highway Agency Environment Agency Essex County Council	<ul style="list-style-type: none"> <li>• <i>Request necessary baseline information</i></li> <li>• <i>Meetings to discuss specific issues as necessary</i></li> <li>• <i>Send copies</i></li> </ul>
Publication	Assess suitability of Council's preferred policy	Specific and general consultation bodies	<ul style="list-style-type: none"> <li>• <i>Notify specific and general consultation bodies</i></li> </ul>
		Local Strategic Partnership	<ul style="list-style-type: none"> <li>• <i>Uttlesford Future Meetings</i></li> </ul>
		General Public	<ul style="list-style-type: none"> <li>• <i>Available at principal and other offices</i></li> <li>• <i>Publish on website</i></li> <li>• <i>Consultation leaflets/posters</i></li> <li>• <i>Publicity in local newspaper</i></li> <li>• <i>Articles in Village Magazines</i></li> <li>• <i>Available at libraries</i></li> <li>• <i>Anyone who asked to be notified from previous stages.</i></li> </ul>
Consultation on Pre Submission document and Sustainability Appraisal Report		Specific and general consultation bodies	<ul style="list-style-type: none"> <li>• <i>Notify to specific and general consultation bodies</i></li> </ul>
		General Public	<ul style="list-style-type: none"> <li>• <i>Available at principal and other offices</i></li> <li>• <i>Publish on website</i></li> <li>• <i>Notify anyone asked to be notified from previous stages</i></li> </ul>
Examination	Soundness	All	<ul style="list-style-type: none"> <li>• <i>Publish details on website</i></li> <li>• <i>Write to representors</i></li> <li>•</li> </ul>
Publication of Inspectors recommendations		All	<ul style="list-style-type: none"> <li>• <i>Available at principal and other offices</i></li> <li>• <i>Publish on website</i></li> <li>• <i>Send to anyone asked to be notified</i></li> </ul>
Adoption		All	<ul style="list-style-type: none"> <li>• <i>Available at principal and other offices</i></li> <li>• <i>Send to Town and Parish Councils/meetings</i></li> <li>• <i>Publish on website</i></li> <li>• <i>Send to anyone asked to be notified</i></li> </ul>
Annual Monitoring Report	Effectiveness of policies	All	<ul style="list-style-type: none"> <li>• <i>Publish on website</i></li> <li>• <i>Available at principal office</i></li> </ul>

<b>Supplementary Planning Documents</b>			
<b>Stage</b>	<b>To check -</b>	<b>With who</b>	<b>How</b>
Community involvement during preparation	Scope and form	Town and Parish Councils and Parish Meetings	<ul style="list-style-type: none"> <li>• <i>Parish Council Forums</i></li> <li>• <i>Letter</i></li> <li>• <i>Meetings with relevant Councils on Development Briefs or Master Plans for large sites</i></li> </ul>
		Specific consultation bodies affected by SPD General Consultation bodies as appropriate. Other agencies and community groups affected by SPD	<ul style="list-style-type: none"> <li>• Letter</li> <li>• <i>Meetings with relevant bodies/groups on Development Briefs or Master Plans for large sites</i></li> </ul>
	Scope and context of baseline information of Sustainability Scoping Report	Natural England English Heritage Environment Agency Essex County Council	<ul style="list-style-type: none"> <li>• <i>Request necessary baseline information</i></li> <li>• <i>Meetings to discuss specific issues as necessary</i></li> <li>• Send copies</li> </ul>
Public Participation on Draft SPD and Sustainability Appraisal	Well reasoned, easy to understand and comprehensive	General Public	<ul style="list-style-type: none"> <li>• Available at principal and other offices</li> <li>• Publish on website</li> <li>• <i>Available at libraries</i></li> </ul>
		Town and Parish Councils and Parish Meetings	<ul style="list-style-type: none"> <li>• Letter</li> </ul>
	Soundness of Sustainability Appraisal Report	Specific consultation bodies affected by SPD General Consultation bodies as appropriate Other agencies and community groups affected by SPD	<ul style="list-style-type: none"> <li>• Letter</li> <li>• Send to anyone asked to be notified from previous stages</li> </ul>
Adoption		All	<ul style="list-style-type: none"> <li>• Available at principal office</li> <li>• Publish on website</li> <li>• Send to anyone asked to be notified</li> </ul>
Annual Monitoring Report.	To assess effectiveness of SPD	All	<ul style="list-style-type: none"> <li>• <i>Available at principal office</i></li> <li>• Publish on website</li> </ul>

***Methods of Consultation in Italics are over and above the requirements of the regulations.***

## **20. Feeding information into decisions**

- 20.1 The information and comments we obtain through participation and consultation with the community and stakeholders will be used to inform the Council's decisions and shape any documents produced.
- 20.2 The Uttlesford Planning Policy Working Group meets regularly to steer and monitor the programme preparation of the local plan and associated documents.
- 20.3 It is the responsibility of Planning Officers to prepare documents, undertake consultation, consider the comments and recommend action to the Member Working Group and Cabinet and then implement the decisions of Members.
- 20.4 Cabinet is responsible for approving plans and related documents for consultation and submission. Full Council is responsible for approving the submission and adoption of the Local Plan. Any future changes to the delegation of decisions will be set out in the Council procedures and Standing Orders.
- 20.5 At the end of statutory consultation periods the Officers will produce documents summarising the representations received, officer comments and recommended changes, with a justification for those changes. These reports will be considered by the Member Working Group who will give advice and guidance to Cabinet Members'. All documents and comments will be reported in minutes of the Working Group.
- 20.6 As a result of all the consultation undertaken in the production of a document the Council will produce a document entitled the Statement of Compliance, which will summarise the main issues raised in those consultations and how these have been addressed in the submission document.
- 20.7 All documents produced will be available at the Council's principal office and on the Uttlesford website.
- 20.8 Local Plans and Development Plan Documents on consultation will also be sent to the Council's other offices, local libraries and Town and Parish Councils.

## **21. Making effective use of resources**

- 21.1 Community Involvement will require resources and time, particularly for more active involvement activities. We will optimise resource efficiency by:
- Giving greater emphasis to the community role of district councillors – listening to local concerns and acting as community advocates with the Council
  - Giving greater emphasis to the community role of Town and Parish Councils - listening to local concerns and acting as community advocates, with the Council.
  - Learning from and using the skills of other organisations e.g. Local Strategic Partnership and the Rural Community Council for Essex
  - Choosing the most appropriate and efficient method taking into account the resources available and the effectiveness of that method in achieving the commitments set out in this Statement.



- Sharing involvement activities e.g. links with the Community Strategy to optimise their value and so that we do not over consult the community.
- Making sure that financial resources are available through the Council's annual budget and prioritisation process.

## **22. Monitoring and evaluation**

- 22.1 The Council wishes to make sure that this SCI is successful and so we will monitor its value both in informing and shaping the local plan and providing the people in Uttlesford the opportunity to be more effectively involved. The Submission documents will be accompanied by a Statement of Compliance, which will highlight how the SCI has been followed, the main issues raised by the consultation and how these have been addressed in the Document. The consultation database will be kept up-to-date.
- 22.2 The SCI will be kept under review and updated as and when necessary.

## **23. Linking the Local Plan with the Community Strategy**

- 23.1 The Community Strategy is a statement of overall objectives, priorities and actions for the District. Within Uttlesford the community strategy is known as Uttlesford Futures. The strategy is managed by a Local Strategic Partnership (LSP) which is made up of key stakeholders including the Uttlesford Council for Voluntary Services, Essex County Council, Essex Police, Uttlesford Association of Local Councils, Federation of Small Businesses, Learning and Skills Council, Essex Fire and Rescue as well as the District Council. The emphasis is on coordinating the activity of many different authorities, agencies, voluntary bodies and private sector organisations to address the concerns and aspirations of local people.
- 23.2 The Council recognise that creating effective links between the Local Plan and Uttlesford Futures makes sense, as it will provide an integrated approach to the future development of Uttlesford. The Local Plan is one way of delivering the aims of Uttlesford Futures, particularly those relating to land use and development.
- 23.3 The Council will consider how the Local Plan and Uttlesford Futures can be linked in terms of policy content and processes. The Council will try to make sure that the two documents complement each other where appropriate, linking the visions and objectives of each document and identifying aspects in Uttlesford futures that relate to the use or the development of land e.g. conserving the countryside; providing affordable housing.
- 23.4 The process involved in producing the Local Plan and Uttlesford Futures will be combined or linked wherever possible through combined community involvement activities and sharing information gathering and monitoring processes.

## **24. Linking the Local Plan with the Housing Strategy**

- 24.1 One of the Council's key objectives for housing, as set out in the Housing strategy is to make sure the housing requirement for Uttlesford is met creating balanced and sustainable communities that are safe, attractive and healthy places to live while meeting local needs in terms of housing types and tenure including affordable and special needs housing. The policies of the Local Plan are one way of delivering this objective. As with the Community Strategy above the Council will consider how the local plan and Housing Strategy Statement can be linked in terms of objectives, combining consultation and sharing information gathering and monitoring.

## 25. Linking the Local Plan with the Economic Development Strategy

- 25.1 The Council will support and encourage the growth and development of local businesses. Uttlesford Economic Development Strategy sets out the aims and actions the Council will take in supporting the development of the local economy. The Local Plan ties in with this Strategy as it sets out the spatial planning framework for economic development and the amount of housing development needed to support the Districts economic growth.

## 26. Linking the Local Plan with community-led plans

- 26.1 The Council will support and encourage communities to develop their own community-led plans. Any plans that are produced may be used by the Council to help put together its own plans for the District or a specific area. Community-led plans may include:
- Village/Town Design Statements
  - Parish Plans
  - Neighbourhood Development Plans
- 26.2 The Council will continue to work with the Rural Community Council of Essex to encourage this type of participation.

## 27. Stakeholders and Community Groups

- 27.1 The Council is required by legislation to consult ‘specific consultation bodies’ and other interest groups which cover the whole range of voluntary, community, special interest, amenity and business interests, referred to as ‘general consultation bodies’. The list below refers to types of groups rather than listing every individual group and organisation. The lists are not exhaustive, the Council maintains a comprehensive list of consultees which is updated regularly.
- 27.2 The Town and Country Planning (Local Planning) (England) Regulations 2012 (Regulation 18) defines the following bodies as ‘**specific consultation bodies**’:
- The Coal Authority (who have confirmed that they do not wish to be consulted by Uttlesford)
  - The Environment Agency
  - English Heritage (Historic Buildings and Monuments Commission for England)
  - Marine Management Organisation (Not applicable to Uttlesford)
  - Natural England
  - Network Rail Infrastructure Limited
  - Any person to whom the electronic communications Act 2003, and who owns or controls electronic communications apparatus situated in any part of the local planning authority’s area
  - Any person to whom a licence has been granted under section 6 (1) (b) or (c) of the electricity Act 1989
  - Any person to whom a licence has been granted under section 7 (2) of the Gas Act 1986
  - Sewage Undertakers
  - Water undertakers
  - The Homes and Communities Agency
  - Clinical Commissioning Groups

- The Highways Agency
- County Council (Essex County Council)
- Parish and Town Council, including those within the District and those that adjoin the District.
- Adjoining District Councils, such as, Braintree, East Hertfordshire, Epping Forest, Harlow and South Cambridgeshire.
- General Consultation Groups

27.3 When preparing Development Plan Documents, Supplementary Planning Documents and the SCI the Council will seek to engage and consult, where appropriate, with the general public, the wider community, neighbourhood forums and hard to reach groups.

27.4 The Regulations 2012 define the following as ‘**general consultation bodies**’:

- Voluntary bodies some or all of whose activities benefit any party of the planning authority’s area; e.g. Campaign to Protect Rural Essex, Citizens Advice Bureau, Sports Organisations, Registered Social Landlords.
- bodies which represent the interests of different racial, ethnic, national and disabled groups; e.g. Older peoples groups, Youth groups, Ethnic minorities organisations, Faith groups and churches, Gypsies and Travelling Showmans Guild.
- Business Groups including Bodies which represent the interests of the Business Community in the District e.g. Chambers of Trade and Commerce, Business Groups, Local Enterprise Partnerships, Landowner and Farming Organisations.
- Other Bodies, this can include Schools, colleges, other education and training providers, developers and planning consultants/agents, health organisations, environmental groups, rail and bus companies, house builders, Essex Police, Essex Fire and Rescue, East of England Ambulance Service, Town/village societies, Uttlesford Futures and any group or individual expressing an interest in the Local Plan at any stage in the process.

## **28. Involvement in planning applications**

- 28.1 The Council is already required to undertake consultation on planning applications. The following table outlines the minimum action the Council will take to provide you with an opportunity to put forward your views on a planning application.

### **Pre-applications**

- 28.2 Involving people before an application is made allows them to influence development as it is being designed, and helps to identify issues that can become major barriers if left until later in the process.
- 28.3 Applicants will be encouraged to involve the community at this stage, particularly in more significant or contentious developments. The Council could not refuse to consider a valid planning application because it disagrees with the way the applicant has consulted the community. However, a failure by the applicant to consult could give rise to objections being made, which could lead to delays in determining the application.
- 28.4 The aim of the process should be to encourage discussion before a formal application is made and therefore to try to overcome objections and avoid unnecessary objections being made at a later stage.
- 28.5 The Council has developed a validation checklist.

### **Applications**

- 28.6 Once the application is made, the Council must publicise it, consult the relevant parish or town council, and allow people the opportunity to contribute their views in writing or online.
- 28.7 All applications are publicised via the Council's website at [www.uttlesford.gov.uk/applicationsearch](http://www.uttlesford.gov.uk/applicationsearch)
- 28.8 The council aims to determine all applications within the statutory time limits set by government. On some occasions, generally larger and more complex applications, this will not be possible and the applicant will be kept informed and an extension of time requested.

### **Revisions and amendments**

- 28.9 If the application is unacceptable as submitted but changes could overcome the concerns, one of two courses of action are possible.
- 28.10 If the changes needed are significant and material and would require re-notification, officers will determine the application as submitted.
- 28.11 If the changes are considered to be minor and would not require any re-notification officers will ask for revised plans to be submitted within a reasonable period of time. If no revised plans are received, the council will decide the proposals as originally submitted.

## Decisions

- 28.12 We will use the information received at the application stage to inform the determination of the application. Officer Reports to Planning Committee set out the planning considerations and make a recommendation of approval or refusal. Any conditions and Heads of Terms for the Section 106 Obligation are also included for approvals. If the recommendation is for refusal the reasons for refusal are listed. Committee reports are available 5 working days before Committee. On applications reported to committee the Council operates a policy of public speaking. Details on how to get involved in meetings are set out in a guidance leaflet for planning applicants and objectors available from the Council Offices or by contacting the Committee Officer on 01799 510369. Once the decision has been made, we will inform everyone who made comments on the application. Decision notices are available for inspection on the website or at the Council offices.

Application Type	Suggested Action by Applicant	Action by Uttlesford Council	Resource Implications
<p>Major Development</p> <p>For residential development: of 10 or more dwellings or site area of 0.5 ha if number of units not specified.</p> <p>For all other uses: floorspace of 1000sq.m. or more (floorspace is defined as the sum of floor area within the building)</p> <p>or site of 1ha or more (where the area of the site is that directly involved in some aspect of the development).</p> <p>Where a major application is subject to a change of use application it should be considered as a major development, not as a change of use.</p>	<p>Applicants/developers will need to consider appropriate methods of community involvement e.g. public meetings/exhibitions, workshops, consultation website/media, development briefs.</p> <p>A statement outlining consultation/involvement undertaken will need to accompany any planning application. This must clearly outline the methods used and reasons why, in addition to any outcomes.</p> <p>Enter into pre-application discussions with Council.</p> <p>Enter into pre-application discussions with service providers to discuss contributions towards provision of infrastructure.</p>	<p>Site Notice</p> <p>Press Notice</p> <p>Neighbour notification</p> <p>Applications available to view on the website</p> <p>Provide appropriate Town or Parish Council with a copy of the application.</p>	<p>Council will need to make sure that it has enough staff resources to get involved in pre-application discussions with applicants.</p> <p>There will be significant resource requirements for the applicant associated with greater consultation. This may result in some implications for the District Council, for example in attending involvement activities arranged by the applicant or in progressing the more contentious/sensitive applications</p>

Application Type	Suggested Action by Applicant	Action by Uttlesford Council	Resource Implications
<p>Other</p> <p>This includes the following categories</p> <p><b>Change of Use:</b> Applications that do not concern major development or where no building or engineering work is involved.</p> <p><b>Householder Development:</b> Defined as those within the curtilage of residential property which require an application for planning permission and not a change of use</p>	<p>It is good practice for the applicant to consult with neighbours prior to submitting a planning application. Depending upon the scale of the proposal it may be of value to consider consulting with a broader number of stakeholders and/or arranging a pre-application meeting with the Council.</p> <p>A statement outlining consultation undertaken may also be required.</p>	<p>Neighbour notification</p> <p>Applications available to view on the website</p> <p>Provide appropriate Town or Parish Council with a copy of the application</p>	<p>Council will need to make sure that it has enough staff resources to get involved in pre-application discussions with applicants where appropriate.</p> <p>There may be resource requirements for the applicant associated with greater consultation.</p>
<p><b>Listed Building Consent</b></p> <p>Any works or alterations which are likely to affect the character of a listed building.</p>	<p>It is good practice for an applicant to consult their neighbours before submitting an application. Depending upon the scale of the proposal it may be of value to consider consulting with a broader number of stakeholders.</p> <p>Enter into pre-applications discussions with the Council's specialist advisor on Listed Buildings.</p>	<p>Site Notice</p> <p>Press Notice</p> <p>Neighbour notification</p> <p>Applications available to view on the website</p> <p>Provide appropriate Town or Parish Council with a copy of the application</p>	<p>Council will need to make sure that it has enough staff resources to get involved in pre-applications discussions with applicants where appropriate.</p> <p>There may be resource requirements for the applicant associated with greater consultation.</p>
<p>Application to works to trees subject to a Tree Preservation Order</p>	<p>It is good practice for an applicant to consult their neighbours before submitting an application.</p> <p>Enter into pre-application discussions with Landscape Officer</p>	<p>Neighbour notification if tree on boundary or overhanging neighbouring land.</p> <p>Register of applications available via website and at principal office.</p>	<p>Council will need to make sure that it has enough staff resources to get involved in pre-applications discussions with applicants where appropriate</p>

Application Type	Suggested Action by Applicant	Action by Uttlesford Council	Resource Implications
		<p>Weekly List of applications sent to Town and Parish Councils and Meetings.</p> <p>Details available on Web Site</p>	

## 29. Contacting us

Copies of the latest Local Development Scheme and other documents, including requests for documents in large print, Braille or an alternative format, can be obtained from the Council Offices. For up to date information on progress and opportunities to get involved please see our web site [www.uttlesford.gov.uk/planning](http://www.uttlesford.gov.uk/planning).

Information can also be obtained from: Planning Policy Section, Uttlesford District Council, London Road, Saffron Walden, Essex, CB11 4ER

Tel - 01799 510454 or 01799 510462

[planningpolicy@uttlesford.gov.uk](mailto:planningpolicy@uttlesford.gov.uk)





**Committee: Uttlesford Planning Policy Working Group**

**Agenda Item**

**Date: 23 February 2015**

**8**

**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. 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.

## 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.

## Current work

7. The **Strategic Housing Market Assessment (SHMA)** is planned to be reported to the Sustainable Development Board in March and reported to the Planning Policy Working Group and published as an evidence base document at its meeting on 30 March 2015.
8. 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**.
9. The Coop group met on 27 February 2015 and received reports on the Further Alterations to the London Plan, the M11 and junction capacity, rail capacity and connectivity, on-going technical work and a SHMA update.
10. The Assistant Director attended a recent meeting of the **Strategic Spatial Planning Officer Liaison Group (SSPOLG)** on 30 January 2015. This discussed the upcoming summit in March which will address the co-ordination of future housing and infrastructure needs for the wider south east. Both Cllr Barker and the Assistant Director will be attending this event and a report will be presented to a future meeting of the Working Group.
11. 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. Councillors and Officers also attended the recent Stansted Transport Forum which oversees the work of the various sub groups and transport infrastructure serving the airport.
12. Officers attended the recent **Planning Compact** meeting on 22 January. The meeting discussed the Essex Infrastructure Plan, cross border cooperation and the longer term work plan which included discussion regarding the commissioning of joint studies as appropriate.

## Conclusion

13. 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 decision 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.



**Committee:** Uttlesford Planning Policy Working Group

**Agenda Item**

**Date:** 23 February 2015

**9**

**Title:** Braintree Local Plan: Issues and Scoping

**Author:** Sarah Nicholas, Senior Planning Officer

---

### **Summary**

1. Braintree District Council is at early stages of preparing a Local Plan to replace their adopted Core Strategy and is currently consulting on Issues and Scoping. Comments need to be received by 6 March 2015.
2. Braintree Council undertook a call for sites in 2014 which is informing the new local plan which needs to provide an average of between 750 and 950 homes per year between 2014 and 2033.
3. The consultation considers what the main aims and objectives are going to be for the Local Plan and discusses creating a prosperous district, creating better places and protecting the environment.
4. A summary booklet and map showing the results of the call for sites are attached. More detailed information is available on the Braintree Council website ([www.braintree.gov.uk/localplanscoping](http://www.braintree.gov.uk/localplanscoping)).

### **Recommendations**

5. That Uttlesford respond to the consultation by supporting Braintree's aim of meeting their full objectively assessed housing need together with the supporting infrastructure.
6. To confirm that Uttlesford will work closely with Braintree in the evaluation of proposals close to or straddling the district boundary.

### **Financial Implications**

7. None

### **Background Papers**

8. 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.

Braintree District Council: Local Plan: Issues and Scoping January 2015  
Braintree District Council Call for Sites

### **Impact**

- 9.

Communication/Consultation	Consultation is being undertaken by Braintree DC in accordance with their SCI
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	Braintree DC has undertaken a sustainability appraisal which is available on their website.
Ward-specific impacts	ALL but with specific reference to Stebbing and Felsted
Workforce/Workplace	N/A

## Situation

10. It is anticipated that the Braintree Draft Local Plan will be on consultation in late 2015, pre-submission consultation in spring 2016 followed by submission in summer 2016, with the aim of the plan being formally adopted in early 2017.
11. The Council is considering a range of requirements for the number of new homes. At this stage it is expected that the District will need to accommodate an average of between 750 and 950 homes per year between 2014 and 2033. The new Local Plan will need to plan for this growth to be supported by infrastructure, jobs and community facilities.
12. In relation to Housing the consultation lists the following issues and asks are these the issues that impact upon where new homes should be built; are there any other issues that need to be included?
- Large numbers of new homes are required in the District to support the growing population;
  - The District may not have enough brownfield sites (those where buildings have previously been located) to accommodate the new homes that need to be provided;
  - The Council must balance new homes with protection of the natural and historic environment;
  - Everyone should have the opportunity for a decent home, which they can afford;
  - New Gypsy and Traveller provision needs to be made in the District at appropriate locations.

13. The options being proposed are as listed below and the consultation asks if this is a suitable range of options to address the issues raised and are there any other options which should be considered.
- New homes should be focused on the existing towns and larger villages;
  - New homes should be built in one or more new villages;
  - New homes should be dispersed between all areas of the District;
  - New homes should be built in areas where they can provide funding for major infrastructure projects such as new roads;
  - New homes should be built on the existing public transport/rail network to encourage sustainable travel;
  - The District will ensure that land is available in the District for people to build their own homes;
  - Bring forward sites for affordable housing only;
  - Include some market housing on affordable housing exception sites in rural areas to ensure they are delivered; and
  - The criteria for identifying new Gypsy and Traveller pitches in policy CS3 of the Core Strategy should be retained.
14. Braintree Council undertook a Call for Sites between August and October 2014 which will inform the preparation of the New Local Plan. The attached map shows the sites submitted which are close to the Uttlesford/Braintree border.
15. The following two sites, submitted to Braintree, both straddle the boundary and are of a scale to provide a new settlement.
- GRSA269 Land centred on Saling Airfield, between Stebbing and Rayne, Braintree; promoted by Andrewsfield New Settlement consortium (ANSC) for a Garden Village
  - GRSA270 Boxted Wood, promoted by Galliard Homes as a new settlement.

## Conclusions

16. Uttlesford supports Braintree Council's approach of looking to meet its objectively assessed need in full. Uttlesford suggest that in order to achieve this Braintree will probably need to consider providing housing through a range of the options listed from focussing on existing settlements to the creation of new settlements. Focusing on existing towns and villages has the benefit of utilising and improving existing infrastructure whilst new settlements are of a scale to fund infrastructure projects.
17. The timetable for the preparation of the Uttlesford Local Plan is very similar to that for the Braintree Local Plan. Uttlesford will be undertaking a Call for Sites and consulting on the sites received and different housing distribution strategies during the year. Uttlesford needs to work with Braintree Council to meet the duty to cooperate on cross-boundary strategic issues, such as meeting housing need. Uttlesford will need to work with Braintree to evaluate those proposals which straddle the district boundary and whether they could

potentially form part of a cross-boundary development to assist in meeting the housing needs of each authority. Uttlesford will consider and consult on such proposals.

## Risk Analysis

18.

Risk	Likelihood	Impact	Mitigating actions
That Uttlesford and Braintree fail to meet their duty to cooperate on cross-boundary strategic issues.	1 - Low	Respective local plans will be found unsound.	Continuation of regular meetings between officers, and if appropriate, Councillors.

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.





# LOCAL PLAN | ISSUES PLAN | AND SCOPING

SUMMARY BOOKLET

## Future Challenges

The Council is starting work on a new Local Plan. The plan will set out the basis for working with partners to provide for future local needs for homes, employment, and business sites, whilst protecting the most valuable countryside and maintaining a high quality of life. Planning applications, whatever their size and proposed use, are assessed for approval against the policies contained in the Local Plan.

## Introduction to the consultation

- The Issues and Scoping consultation is one of the first stages of producing a new Local Plan
- The Council needs to draw up a clear and up-to-date Local Plan that reflects the views of local people on how they wish their area to develop.
- It is the first opportunity for you to have your say on the future of the District.

## Introduction to the document

The Local Plan Issues and Scoping document highlights a number of important issues for the District and possible strategies or options to address them. It is not intended to be an exhaustive list but is designed to stimulate debate and discussion.

**The Issues and Scoping document does not allocate specific sites for development.**

The document is structured around the three main elements of sustainable development:

Economic – “A Prosperous District”

Social – “Creating Better Places”

Environmental – “Protecting the Environment”



## Chapter Summaries

### A Strong Economy

This chapter considers the balance between jobs and homes. The District is well located to support business growth and inward investment but competition from major towns, London and Stansted Airport for employees means that commuting levels are high. Options are raised such as whether new employment sites should be located near to existing ones and how employment should be sought in rural areas. The quality and availability of education is also considered as it is important to ensure that people within the District have the opportunity to meet their full potential.

### Shops and Services

An increase in retail provision to meet the demand of new housing and growth within the District is likely to be needed. This chapter considers how shopping habits are changing, and how town centres should evolve to reflect this and remain vibrant. Out of town provision, rural services, and markets are also highlighted.

### Homes

Government legislation requires local authorities to **“boost significantly their supply of housing”**. Projections show that the Braintree District’s population will continue to rise over the next fifteen years. This is due to longer life expectancy and greater numbers of people moving into the District than out of it. In addition more people are living on their own, or in smaller groups than before. The chapter considers the mix and types of housing needed to suit these changes, and also considers issues of affordability and provision for Gypsies and Travellers.

**New research has led to an increase in the number of homes the District needs to provide over the coming years.** The adopted ‘*Core Strategy*’ (2011) sets an annual average target of 272 homes to be built in the District. Recent research has indicated that now between 750 and 950 new homes will be required to be built every year until 2033 to meet the needs of the District’s growing population. The Homes chapter looks at options for how and where this growth should be located (the spatial strategy); for example whether they should be dispersed across the District or whether a number of new settlements should be developed?

### Transport and Infrastructure

Braintree District is substantially rural and cars are the primary means of transport for many residents. Consideration is given to how this reliance on cars can be reduced and the use of more sustainable modes of transport encouraged. There are particular stretches of roads or junctions in the District that can become congested. The chapter considers the infrastructure needed to support new growth and key priorities for infrastructure improvements. It asks where growth is best located in relation to transport infrastructure.

### Community Facilities

Community facilities are things such as local shops, public houses, sports venues, places of worship and other meeting places. The Council has to plan positively for the provision of community facilities and other local services to make sure people don’t have to travel too far to access the services they need. This chapter considers how facilities and services can be maintained, developed and modernised in a way that is sustainable and retained for the benefit of the community.

### Creating high quality spaces

As a District with different towns and villages, each with its own unique character, there is a challenge in providing significant development. Consideration must be given to design, landscape and heritage issues. This chapter considers the promotion of high quality and innovative design and how new development can be integrated into existing areas.

### A healthy and active District

A key role of the Local Plan is to provide for development in a way that supports and encourages active and healthy lifestyles. This chapter considers provision of recreation facilities such as open space, and how development can be designed to encourage people to be active in their everyday lives, for example by providing footpaths and cycleways. Meeting the needs and demands of an aging population, lifetime homes and age appropriate housing are also highlighted.

### Climate Change and Renewable Energy

Climate change is the greatest environmental challenge facing the world today and new residential, retail and commercial development needs to consider the impact of climate change and be built with climate resilience in mind. This chapter considers flood risk, surface water runoff, and SUDS

(Sustainable Urban Drainage Systems, a term used to describe a wide range of works that can reduce the flow to sewerage and drainage systems). Water efficiency measures can minimise demand, whilst renewable energy and the scale and types of schemes that may be appropriate for the District are highlighted in this chapter.

### Nature Conservation and Landscape Character

Braintree District is predominately rural with distinctive and attractive landscapes. A balance needs to be achieved between development, use of the countryside as a recreational resource and the protection and enhancement of the natural environment. Landscape Character Assessment is a technique that has been developed for the analysis, description and classification of the landscape. This chapter considers how habitats can be protected and enhanced, pollution controlled, and how development can draw inspiration from setting, through location, sympathetic design, proportionate scale and suitable use of materials.

### Evidence Base

The Local Plan must be based on relevant up-to date evidence about the economic, social and environmental characteristics and prospects of the area. The Local Plan Issues and Scoping document lists the evidence based documents we already have, or will be putting together, to support the new Local Plan.

## What is the purpose of the Sustainability Appraisal Scoping Report that is being published alongside the Local Plan Issues and Scoping document?

It is vital for the Council to consider the potential **significant** impacts of new development before it is allowed to happen and to weigh up alternatives. Part of the way that this is done is to subject the Local Plan to a Sustainability Appraisal and Strategic Environmental Assessment at each stage of its production.

The first stage in this process is ‘*Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope*’. A Scoping Report has been

produced which has reviewed other relevant plans, policies and programmes, considered the current state of the environment, identified key environmental issues or problems which may be affected by the Local Plan, and sets out the 'SA Framework' which contains specific objectives against which the likely effects of the Local Plan can be assessed.

---

## Have your say...

We invite your comments on the Local Plan Issues and Scoping document especially in response to the issues it raises.

The Council encourages people to submit comments online. Although representations can be made and submitted using the form provided, if you register to submit comments online, you can update your own contact details as needed, and sign up to receive e-mails informing you when new documents are available for consultation. The consultation portal can be found via: [www.braintree.gov.uk/localplanscoping](http://www.braintree.gov.uk/localplanscoping)

You will be asked to register or login before being able to comment on the documents listed below but you can read the documents without registering. The portal is also used to maintain the mailing list.

Written comments should be sent to:

Planning Policy, Braintree District Council, Causeway House, Braintree, Essex, CM7 9HB.

### All comments should be received by 5pm on Friday 6th March 2015

If you have any questions about the consultation please contact the Planning Policy team on 01376 551414

Or e-mail [localplan@braintree.gov.uk](mailto:localplan@braintree.gov.uk)

---

## Come and meet us to share your views

We are holding drop-in sessions from 4-8 pm. at these venues; where you can see the documents and discuss them with us, and learn more about the development plan process in general:

- Tuesday 3rd February - Witham Public Hall
- Thursday 5th February - Halstead Queens Hall
- Wednesday 11th February - Braintree Town Hall

The Sustainability Appraisal (SA) team will be holding a short presentation at Witham Public Hall on 3rd February at 6 p.m. whilst the drop in session is running.

---

## What happens next?

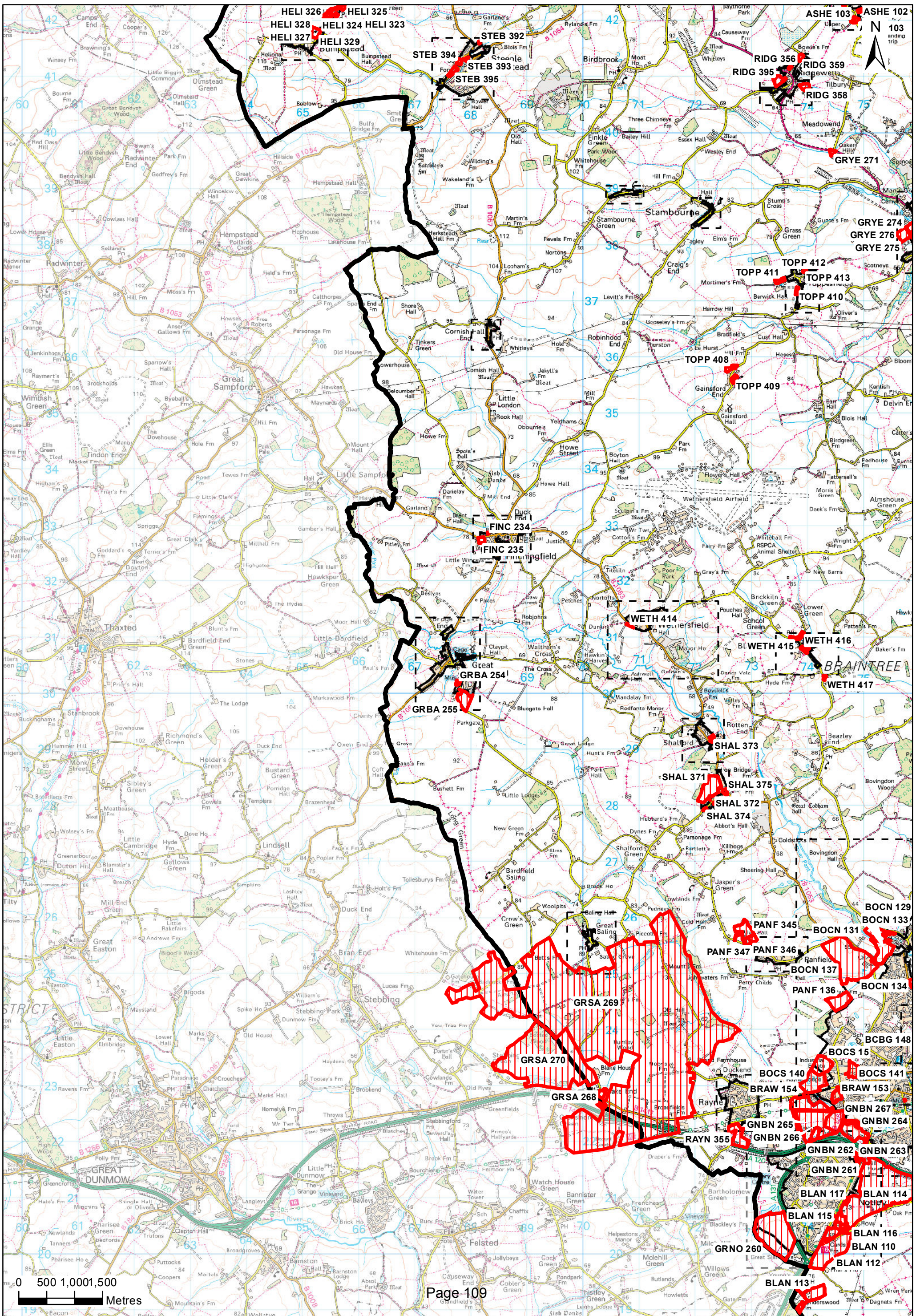
This is the first stage in developing a new Local Plan for Braintree District. The Council will use the comments and suggestions that it receives on this document to help to develop preferred policy options in a draft plan. That draft plan will be the subject of the next stage of public consultation in late 2015 before it is formally submitted to the Secretary of State.

The key stages in the Local Plan preparation, and the planned timetable, are:

- 1. Issues and Scope:** to consider what the main aims and objectives are going to be for the Local Plan (January 2015)
- 2. Draft Local Plan:** Provides a first draft of the Plan, with specific policy proposals and sites for particular uses, including areas identified for future new homes; employment and green space (consultation on this stage late 2015)
- 3. Submission Local Plan:** Takes into account changes made following consultation on the Draft Local Plan. This is the version of the Plan that will be formally submitted to the Secretary of State and Planning Inspector (consultation on this stage Spring 2016, followed by submission Summer 2016)
- 4. Examination in Public:** The Inspector examines the "soundness" of the Plan in a series of round table discussions on different issues, giving individuals and organisations the opportunity to challenge or support the Plan (probably Autumn/Winter 2016)
- 5. Adoption:** if the Planning Inspector is content that the Plan is sound, then the Council can adopt the Plan, taking on board any relevant recommendations from the Inspector to change the Plan. The Council is aiming for the new Local Plan to be adopted in early 2017.



# Call For Sites 2014





**Committee:** Uttlesford Planning Policy Working Group

**Agenda Item**

**Date:** 23 February 2015

**10**

**Title:** Neighbourhood Development Plans update

**Author:** Andrew Taylor, Assistant Director Planning and Building Control

---

### Summary

1. This report updates members on the Neighbourhood Development Plans within the District and considers how the District Council can support the process moving forward.

### Recommendations

2. To note the report and consider how the District Council can support the development of Neighbourhood Development Plans moving forward.

### Financial Implications

3. None – but dependant on outcome of discussions.

### Background Papers

4. None

### Impact

- 5.

Communication/Consultation	This paper is published on the 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	Affects all wards equally
Workforce/Workplace	This will involve officers from the Planning Policy Team and others as necessary.

## Situation

6. This report seeks to update members on the Neighbourhood Development Planning work within the District, explain the support provided to date and consider how support can be provided in the future.

## Current Neighbourhood Plan work

7. Since the Introduction of the Localism Act the Council has been working to support parishes to take forward Neighbourhood Development Plans if they wished to.
8. Three Neighbourhood Development Plan Areas have been submitted and designated by the District Council. These are Felsted, Great Dunmow and Saffron Walden. In all three cases the Plan Area is contiguous with the Parish Boundary.
9. Two further submissions are expected shortly from new areas.

### *Great Dunmow*

10. The Neighbourhood Development Plan of Great Dunmow is by far the most advanced of any plan within the District. This plan has been developed over the last few years by the Neighbourhood Development Plan Steering Group working under the remit of the Town Council. The Town Council employed a project officer to steer the work and external advice was gained from Planning Aid. Regular meetings with Officers have taken place which provided advice and guidance as required.
11. The Neighbourhood Development Plan was put out to a pre-submission public consultation during the second half of 2014 and the District Council responded. Further meetings with officers have been held and more recently discussions have been held surrounding the relationship with the 2014 draft Local Plan.
12. The plan is expected to be submitted to the Council for formal consideration, the external Examination and then referendum during 2015.

### *Saffron Walden*

13. The Neighbourhood Development Plan process started at about the same time as in Great Dunmow with a number of topic groups meeting to discuss issues. Due to the emerging Local Plan work was put on hold. Following the publication of the draft Local Plan work restarted in 2014 but there seems to have been limited progress recently. Meetings with officers were held during the early part of the process but no requests for meetings have been received recently.

### *Felsted*

14. The Neighbourhood Development Plan Area was approved recently and Officers have held meetings with the Parish Council and provided support to the Neighbourhood Development Plan Group. Work is at an early stage.



### *Great Chesterford*

15. The Parish Council have now decided to progress a Neighbourhood Development Plan after a number of meetings with officers. A submission of the Neighbourhood Development Plan Area is expected shortly. This submission may include a joint submission with Little Chesterford Parish Council.

### *Newport*

16. While government money was secured for a Newport Neighbourhood Development Plan (see below), which is still available, due to changes in personnel on the Parish Council no progress has been made.

### *Stansted Mountfitchet*

17. The Parish Council have now decided to progress a Neighbourhood Development Plan after a number of meetings with officers. A submission of the Neighbourhood Development Plan Area is expected shortly.

## **Funding**

18. As part of the early government initiative the Council jointly with the relevant Town/Parish Council put a bid in for funds to support the development work. As a result the Council secured £20,000 to be shared between Newport and Stansted Mountfitchet Parish Councils, £20,000 a piece for Great Dunmow and Saffron Walden Town Councils. This fund has now closed.
19. For the last few years Local Councils have also been able to take advantage of a Government funded scheme to received advice from Planning Aid. This advice has been especially useful for Great Dunmow Town Council/Neighbourhood Development Plan group to take forward their work programme.
20. The District Council has funded the Rural Community Council for Essex to provide support for both Parish Plan and Neighbourhood Development Plan work (as well as support for the Exception Housing project). This funding has allowed for fieldworkers to visit Parish Councils to provide advice and guidance on the process to be followed, assistance in holding and running community consultation events and support for carrying out questionnaires etc.
21. The Government is currently winding down the contract to provide direct support for communities through Planning Aid. In future grants will be available for groups to bid for directly. This money can be used to support the development of a plan either through paying for copying of questionnaires, hiring of venues for events, commissioning studies or buying in specialist advice.

## Options for the way forward

22. Given the importance of Neighbourhood Planning the District Council should carefully consider what support, if any, it is able to provide over and above the support provided direct by officers to the groups.
23. While groups can bid for funds from Government this is unlikely to cover all the costs of producing a Neighbourhood Development Plan. While there is some merit in communities using some of their own funds, or support in kind, there is likely to be a gap in available funds.
24. With the closure of the Planning Aid support by Government there is no longer a clear supply of trained and knowledgeable professional planners who are available to provide advice and guidance. The Neighbourhood Development Planning process is different to other types of planning and requires different skills. It may therefore not be possible to simply 'buy in' support from planning consultants who may not have the required skills.

## Conclusion

25. The production of Neighbourhood Development Plans (and Parish Plans) is an important tool in allowing local communities to bring forward ideas and plans for their area to develop over future years. This community empowerment is an important part of the Localism Act and fits in with the Councils desire to support communities.

## 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.