

**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.

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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.

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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.

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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.