



# Uttlesford District Council

Chief Executive: John Mitchell

## Planning Policy Working Group

**Date:** Monday, 13 July 2015  
**Time:** 19:00  
**Venue:** Council Chamber  
**Address:** Council Offices, London Road, Saffron Walden, CB11 4ER

**Members:** Councillors Susan Barker, Paul Davies, Alan Dean, Stephanie Harris, John Lodge, Janice Loughlin, Alan Mills, Edward Oliver, Joanna Parry, H Rolfe.

### AGENDA

#### Open to Public and Press

- 1 Apologies for absence and declarations of interest.**  
To receive any apologies and declarations of interest
  
- 2 Minutes of the meeting held on 8 June 2015** 5 - 10  
To consider the minutes of the previous meeting
  
- 3 Matters arising**  
To consider matters arising from the minutes
  
- 4 Local Plan Work Plan** 11 - 46  
To discuss the work programme and risk assessment document
  
- 5 Local Plan Vision** 47 - 64  
To consider the formulation of a vision for Uttlesford
  
- 6 Development Strategy; Options stage methodology** 65 - 88  
To comment on the proposed methodology for the formulation of options and scenarios

- |           |   |           |
|-----------|---|-----------|
| <b>7</b>  | <b>Strategic Housing Land Availability methodology</b><br>To consider the proposed methodology for consultation                     | 89 - 102  |
| <b>8</b>  | <b>Gypsy &amp; Traveller Consultation</b><br>To consider the officer's recommendations on the outstanding gypsy and traveller sites | 103 - 116 |
| <b>9</b>  | <b>ECC Waste Consultation response</b><br>To consider the consultation response   | 117 - 130 |
| <b>10</b> | <b>Date of next meeting</b><br>The next meeting will be held on Monday 27 July 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 main 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)



**PLANNING POLICY WORKING GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 7.30pm on 8 JUNE 2015**

Present: Councillor H Rolfe - Chairman  
Councillors S Barker, P Davies, A Dean, S Harris, J Lodge, J Loughlin, A Mills, E Oliver and J Parry

Also present: Councillors J Davey, T Farthing, D Jones, J Redfern and H Ryles

Officers in attendance: J Mitchell ( Chief Executive), R Harborough (Director of Public Services), H Hayden (Planning Policy Officer), S Nicholas (Senior Planning Policy Officer), P Snow (Democratic and Electoral Services Manager), A Taylor (Assistant Director Planning and Building Control), A Webb (Director of Finance and Corporate Services) and N Wittman (Assistant Director ICT and Facilities)

PP1

**PRESENTATION BY GARDEN CITY DEVELOPMENTS**

The Chairman welcomed everyone present to the first meeting of the Planning Policy Working Group in the present term and introduced Sir Brian Briscoe, John Walker and Lynda Addison from Garden City Developments to give a presentation to the meeting.

The Assistant Director Planning and Building Control reminded members that the Inspector at the Local Plan examination had highlighted the need to explore new settlements as a potential way of delivering new required housing growth. The planned presentation would provide useful information to aid future decision making in progressing preparation of the local plan. He invited the three guests to speak.

Sir Brian Briscoe set out the guiding principles of garden city developments. The main principle was to enable the most effective use of land to provide for the necessary infrastructure to support good development. Garden cities were most strongly associated with Letchworth and Welwyn and evolved from a vision established by Ebenezer Howard at the end of the 19<sup>th</sup> century. Today the Town and Country Planning Association (TPCA) was leading a campaign for a new generation of garden cities and garden suburbs. The intention was to create the best combination of town and country living providing desirable places to live based on community values.

The planning system was difficult to manage. It often involved developers negotiating to get the most they could out of the planning system and the outcomes were not always to the benefit of the local communities. The Garden City Developments public interest company was presently working with Colchester, Tendring and Braintree councils in Essex about the potential for garden city or suburb developments. The key to this process was not to attempt to replace the role of district planners but to give confidence to local authorities in talking to landowners regarding the provision of infrastructure to benefit the communities concerned.

In order for this process to begin to work, the local authority had first to decide what they needed in terms of development, the use of land and the provision of services. The South East was experiencing strong development pressures and it was incumbent on local planning authorities to respond in such a way to provide housing opportunities for young people.

ATLAS (Advisory Team for Large Applications) was an agency of the DCLG and had developed a financial model enabling local councils to identify land and then decide how to develop it. This would enable local authorities to use the land value to supply a quality of development that could not be achieved by adding housing to the edge of existing settlements. This recognised the need for all concerned, including developers, to make a profit across the spectrum to remove the adversarial aspect of property development.

If Uttlesford wanted to pursue the option of a garden city or suburb development the council must come up with a vision for the area and identify land use and needs within a proper planning context.

The Chairman invited questions of the guests and these are summarised below, together with the answers given (in italics).

- What is the lower and upper limit for a garden city/suburb development? *A general guide is that a garden suburb must have at least 4.5/5k houses and a garden city at least 15/20k houses. They can be a different size but much depends on what is there already and how the value of the land can be realised to provide a stream of future income.*
- The suggested size of a garden suburb ruled out the provision of a secondary school. What about primary schools and other services? *It would be feasible to make primary school provision and shopping facilities. Again, a lot would depend on what is surrounding the development.*
- How was the process different from incremental change? *The process allowed for the local council to take control and therefore required a great deal of up front thinking on the part of councillors and officers. The council must think corporately about what it wants and how to get it. Landowners would need to see a credible proposition to consider participating in a garden city/suburb development. This process fundamentally changed the relationship between the council and developers but the rewards could be enormous.*
- Colchester and Braintree had bigger settlements than Uttlesford. It would be necessary to involve parishes in any discussions but how would this work? *The smaller the potential development the more facilities would be contained outside the development so it was important for the authority to have a clear idea of what it wanted. The scope for public objection was well understood so the council would have to talk to the parishes and communities concerned and explain its vision.*
- Would the council have to identify land before the call for land to engage developers in the concept? *The council must think longer term and not engage in fighting developers. This would require forward thinking.*

- One of the key principles was the provision of integrated transport. How necessary was this to achieve? *Yes it was one of the key principles to provide an integrated transport system, although this was not placed any higher in the hierarchy than the provision of other infrastructure.*
- Is central government funding still available and how is it obtained? *In the short term the council must work out a vision and this would have cost implications. Soft loans and grants have been available in the past. The scale and vision must come first.*
- Uttlesford was a small district council with a need to provide 10k houses in ten years. There was constant pressure from developers and not enough time to follow through on identifying a longer term plan. *The adoption of a garden suburb would not solve all problems but would provide a solution for the next 20/30 years. It would therefore take pressure off future developments. Proposals were being explored in adjoining areas for housing sites near to Uttlesford's borders. There may be advantage in exploring these options with a view to possible collaboration. It was a different process from what has been happening in the South East. The council must consider how best to achieve the package of measures it wanted to create the right conditions for delivery.*
- How is an income stream provided? *The council imposes an adoption charge for public facilities extracted from the land value. A funding stream is created as at Milton Keynes by setting up a trust to look after the investment.*
- How is land provided if the land identified is unavailable? *An example was given of the proposed development of 7k homes at Bicester. This allowed a higher quality of development than was normally possible although the development at Bicester was not strictly in accordance with garden development principles. Choosing the site was of paramount importance and this involved creating the council's own vision.*
- Was there a duty to co-operate with neighbouring councils? *Discussions had taken place with Braintree as there were potentially two cross-border sites. A joint approach was possible.*
- The development of 2k houses would conflict with the existing town/parish councils' stance. Was one option to create a separate parish? *Living in the South East was virtually impossible for young people on an average salary. The council must talk to local people and make a strong case for pursuing development and this involved creating the right sort of developments.*
- The importance of providing employment opportunities was emphasised by a member of the public. How could these opportunities be created? *This involved formulating a long-term vision and giving developers the opportunity to compete for work. It was in the long term interests of the bigger developers to become involved in employment provision.*
- How could the development of a local plan operate side by side with the need to provide adequate affordable housing? *Affordable housing provision was an integral part of satisfying housing need but would take a long time to come to fruition. Affordable housing provision was part of garden developments.*

- Development has been progressing at the rate of 150 houses a year. Would a faster rate of development associated with a garden development jeopardise the five year land supply? *Land could be developed more quickly and this would provide more variety because of the involvement of more developers. Garden villages such as at Great Notley were able to provide some facilities and were better than incremental growth.*

In conclusion, Councillor Rolfe thanked the representatives of Garden City Developments for their attendance and careful attention to members' questions.

PP2 **MINUTES**

The minutes of the meeting held on 30 March 2015 were received, approved and signed by the Chairman, subject to the addition of Councillor Dean's name to the list of those present.

PP3 **BUSINESS ARISING**

**i) Minute PP21 – Minutes**

Councillor Oliver asked for an assurance that the intended report on the 5 Acres site would be considered at the next meeting. He also asked for confirmation that all sites would be visited by the Working Group.

The Assistant Director confirmed that the report would be submitted to the meeting on 13 July. The Chairman confirmed that a visit would be arranged to all sites under consideration.

**ii) Minute 23 – Call for sites**

Councillor Dean asked who would carry out the assessment of sites, what criteria would be used, how members would know whether objectives had been met, and who agreed the statutory needs of the district?

The Assistant Director commented that the call for sites was being processed now and the outcome would be sent to Essex County Council to carry out a Sustainability Appraisal. There was a set methodology against which all sites would be assessed. The call for sites exercise had been brought forward and the results of the public consultation would be reported back to the working group in September or October. This was the first stage only and would not be examining which sites would be selected for further examination.

Councillor Dean asked further questions and the Chairman commented that the working group would go forward at the appropriate speed.

Councillor Loughlin asked about the criteria for deciding whether a single site should be recommended or whether developments would be dispersed throughout the district.



In response, the Assistant Director said that the consultation would have to be arranged on the basis of more than one strategy, but the options presented must all be capable of delivery. The point at which assessments of deliverability could be made had not yet been reached and the working group would be asked to form a view at that time.

Councillor Parry asked whether a preferred strategy should have been agreed before the call for sites process. The Assistant Director commented that a strategy could not be agreed before the call for sites as that process would provide the evidence needed to determine the strategy.

In response to a further question from Councillor Parry, The Assistant Director said that additional sites could be added at a later stage if put forward for consideration. There would need to be a concerted effort to appraise all such sites.

PP4 **STATEMENT OF COMMUNITY INVOLVEMENT**

The Senior Planning Policy Officer reported on the representations received on the Statement of Community Involvement and highlighted officer comments and recommended changes to the text. Once agreed, the amended document could be recommended to Cabinet for approval.

Members asked several questions and took note of the representations received.

RESOLVED to recommend to Cabinet that the amended Statement of Community Involvement be adopted, as set out in the report

PP5 **HOUSING TRAJECTORY AND FIVE YEAR LAND SUPPLY 2015**

The Working Group received a report estimating that 3,530 dwellings would be delivered over the next five years, providing between 4.4 and 5.4 years of supply depending on the housing target and whether a 5% or 20% buffer was applied.

The Senior Policy Planning Officer informed members that the estimated number of dwellings to be built year by year was set out in detail in the trajectory data in the appendix to the report.

In response to a question from Councillor Parry, the Senior Policy Planning Officer confirmed that all small sites had been taken into account in compiling the figures. One error relating to the capacity of a housing site at Jubilee Works in Clavering was noted but this did not affect the overall number of dwellings included.

Councillor Dean asked for clarification about how the annual target of 580 dwellings had been calculated and why a 20% buffer was being applied instead of the previous figure of 5%. In relation to the buffer calculation, the Chairman said this depended on the attitude of the relevant planning inspector and he suspected would vary on a case by case basis.

The Chairman explained how in his view the figure of 580 had been suggested by the Local Plan Inspector. The current Strategic Housing Land Availability Assessment would enable the Council to reach a conclusion on the objectively assessed need.

It was agreed to continue to review the position in the light of future Secretary of State/Planning Inspectorate decisions.

PP6

## **NEXT MEETINGS AND WORK SCHEDULE**

Members noted that further meetings of the PPWG would take place on 13 and 27 July. Councillor Oliver asked that Mondays should be avoided in future as that day co-incided with many parish meetings including at Clavering. Further dates would be suggested at the next meeting.

The Assistant Director said that the following items would be considered over the coming weeks:

- Future dates
- Work plan and time scales
- Distribution strategy
- Strategic Housing Availability Assessment (when available)
- Vision objectives

The Chairman commented that not everything could be concluded in one meeting. He would like to arrange a discussion about the merits of garden villages.

In conclusion, the Chairman agreed to drop the name of "Uttlesford" from the title of the PPWG.

The meeting ended at 9.20pm

**Committee: Planning Policy Working Group**

**Agenda Item**

**Date: 13 July 2015**

**4**

**Title: Local Plan Work Plan and Risk Assessment**

**Author: Martin Paine, Planning Policy Team Leader**

---

### **Summary**

1. Production of a sound Local Plan is complex and requires the sustained commitment and understanding of Members as decision-makers.
2. In order to assist Members in this challenging task, an indicative Work Plan has been prepared and is appended to this covering report. The Work Plan outlines the main activities to be undertaken in pursuit of the goal of achieving a sound Local Plan.
3. As explained in the Work Plan document, many Local Planning Authorities have faced delays and difficulties in preparing their Local Plans, and currently only 27% of Local Planning Authorities in England have had plans found sound by the Planning Inspectorate since the introduction of the National Planning Policy Framework (NPPF) in March 2012. The latest position according to the Planning Inspectorate is set out in **Appendix A**.
4. The document also contains a Risk Assessment addressing potential risks to both the timeline and the soundness of the plan.
5. In recognition of the large amount of Local Plan terminology in the NPPF, and which Members will come across as work progresses on the Local Plan, a **Glossary and list of acronyms is contained at Appendix B**.

### **Recommendations**

- A: That the Work Programme and Risk Assessment be noted, subject to future modification as circumstances change.
- B: That any Member comments or suggestions on the Work Programme and Risk Assessment be discussed.

### **Financial Implications**

6. The costs associated with the delivery of the work plan can be met from existing budgets.

### **Background Papers**

7. None

## Impact

Communication/Consultation	Formal consultation as the Local Plan develops will be carried out in accordance with the Statement of Community Involvement.
Community Safety	None
Equalities	The Local Plan impacts on all sectors of the community.
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	Appraisal of alternatives to the emerging plan will be undertaken.
Ward-specific impacts	All.
Workforce/Workplace	Planning Policy Team and other officers as appropriate.

## Situation

8. Following receipt of the report of the Planning Inspector on the previous submission Local Plan in December 2014, and subsequent withdrawal of the plan in January 2015, Uttlesford Council has restarted the Local Plan process, including reconsideration of the options for development.
9. Establishing a clear and agreed process is central to attainment of a sound Local Plan. A Work Plan is an important part of this because it enables appropriate resources to be targeted at each task, and also because it helps those engaged in the process of plan-making, in particular District Councillors, to understand the challenges involved in making a sound plan.
10. A regular progress update on Local Plan work will be presented to the Planning Policy Working Group.

## Risk Analysis

11. A Risk Assessment is contained within the report.

Risk	Likelihood	Impact	Mitigating actions
Resource risks, operational risks, and political risks	2. Risks are identified some within	3. There are some significant risk	A list of mitigating actions are contained in the Risk

are identified in the report.	and some outside the Council's control.	to the production of the Local Plan.	Assessment Table
-------------------------------	---	--------------------------------------	------------------

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 Local Plan  
Work Plan and Risk Assessment**

**Planning Policy Working Group  
13 July 2015**

## Contents

<b>1. Introduction</b> .....	3
<i>The National Picture</i> .....	3
<i>Figure 1: Local Plan stages (source: Planning Practice Guidance)</i> .....	4
<i>Slow Progress with Local Plans</i> .....	5
<i>Why Plan?</i> .....	5
<i>Further Information</i> .....	5
<b>2. Work Plan and Key Tasks</b> .....	6
<i>Table 1: Indicative Work Plan</i> .....	7
<i>Task 1: Public Consultation</i> .....	8
<i>Task 2: Stakeholder Engagement</i> .....	8
<i>Task 3: Objectively Assessed Needs (OAN)</i> .....	9
<i>Task 4: Constraints Mapping</i> .....	10
<i>Task 5: Strategic Housing Land Availability Assessment (SHLAA)</i> .....	10
<i>Task 6: Transport Assessment</i> .....	11
<i>Task 7: Strategic Sites Deliverability Assessment</i> .....	11
<i>Task 8: Financial Viability Appraisal</i> .....	12
<i>Task 9: Infrastructure Planning</i> .....	12
<i>Task 10: Green Belt Assessment</i> .....	12
<i>Task 11: Update Technical Studies</i> .....	12
<i>Task 12: Gypsies and Travellers</i> .....	13
<i>Task 13: The Development Strategy</i> .....	13
<i>Task 14: Sustainability Appraisal (SA)</i> .....	13
<i>Task 15: Strategic and Place-specific Policies</i> .....	14
<i>Task 16: Development Management Policies</i> .....	14
<b>3. Risk Assessment</b> .....	15
<i>Resource risks</i> .....	15
<i>Operational risks</i> .....	16
<i>Political risks</i> .....	16
<i>Table 2: Risk Assessment</i> .....	18
Appendix A: National Progress with Local Plans .....	22
Appendix B: Glossary and list of Acronyms .....	26



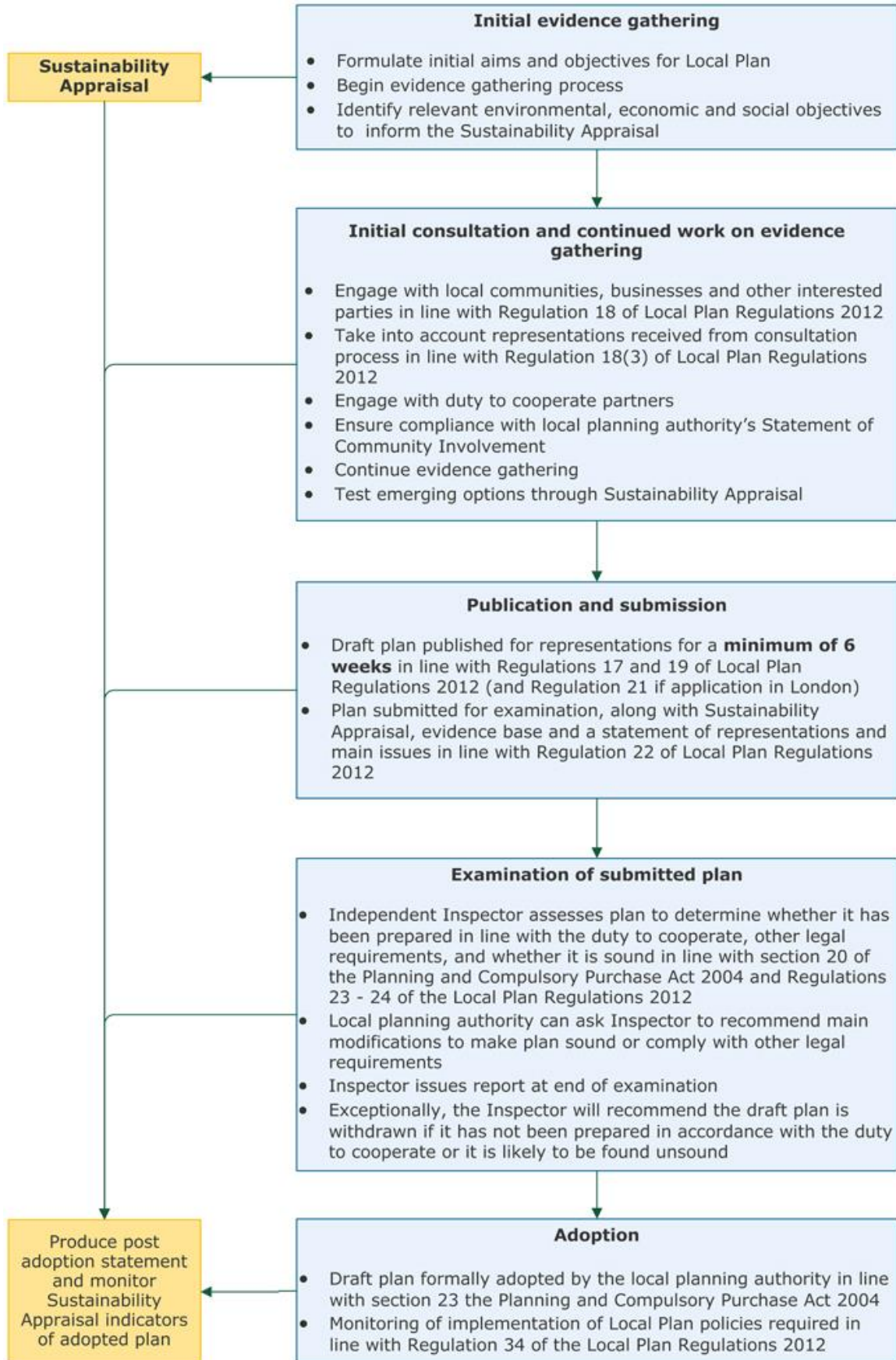
## 1. Introduction

- 1.1 Following receipt of the report of the Planning Inspector on the previous submission Local Plan in December 2014, and subsequent withdrawal of the plan in January 2015, Uttlesford District Council has restarted the Local Plan formulation process, including reconsideration of the options for development.
- 1.2 Establishing a clear and agreed process is central to attainment of a sound Local Plan. A Work Plan is an important part of this because it enables appropriate resources to be targeted at each task, and also because it helps those engaged in the process of plan-making, in particular District Councillors, to understand the challenges involved in making a sound plan.
- 1.3 The approach taken in this Work Plan is to focus on setting out *what needs to be done in order to achieve a sound plan*, and to consider the dependencies between the tasks in order to identify points where work may be carried out in parallel rather than consecutively, in order to ensure that good progress can be maintained. This is considered to be a more useful approach than setting out a formal timeline, which at this stage would be little more than educated guesswork and would need to be continually revised.
- 1.4 Risk management is another important aspect of the Work Plan, addressed in **Chapter 3**. The process depends on timely inputs from third parties, many of which have different priorities and may be facing their own resourcing constraints. It also depends on strong political leadership from District Councillors, who need to understand the process involved and be able to explain it to local people.

### The National Picture

- 1.5 In March 2012 the National Planning Policy Framework (NPPF) was introduced, and a set of supporting Planning Practice Guidance (PPG) was introduced a year later. This framework is underpinned by the Planning and Compulsory Purchase Act 2004. Plan-making is part of a 'quasi-judicial' process and therefore Local Planning Authorities are constrained by national policy and guidance in terms of what they must do in their Local Plans, if those plans are to carry legal force.
- 1.6 National Planning Practice Guidance (PPG) sets out the main stages in Local Plan preparation, as in **Figure 1** below. As this shows the stages are governed by the Local Plan Regulations 2012.

Figure 1: Local Plan stages (source: Planning Practice Guidance)



## Slow Progress with Local Plans

- 1.7 Many observers have remarked on the slow progress nationally with Local Plans. Many Local Plans across England have been subject to delay and many have been withdrawn following submission to the Planning Inspectorate for examination.
- 1.8 There are 337 Local Planning Authorities (LPAs) in England, and the Planning Inspectorate (PINS) maintains a schedule of progress towards Local Plans. PINS data, presented in **Appendix A**, shows that since the introduction of the NPPF in March 2012, only 90 LPAs have had their Local Plans found sound following examination. This represents around **27% or around 1 in 4 LPAs with a post-NPPF Local Plan**.
- 1.9 It is considered that the PINS figures present a more positive picture than is in fact the case, since they do not show the significant number of plans which have been found sound only subject to an early or immediate review. The most recent Local Plan, for Chichester District, is one such example.
- 1.10 Figures for Local Plans which have been submitted are higher, but this does not reflect the fact that a significant number of plans have been withdrawn following advice from PINS.
- 1.11 PINS figures also show that for a sample of the past 12 Local Plans to be found sound, the average time from the pre-submission consultation (step 6 in the Work Plan presented below) to submission to the Planning Inspectorate was 6 months, and time from submission to being found sound ranged between 12 months in the quickest case to 29 months in the slowest case. These are significant considerations for a realistic Local Plan work programme.

## Why Plan?

- 1.12 Despite slow progress with Local Plans, there is a general consensus that they remain the best available mechanism to provide local input to shaping local development. Local Plans should set out a locally agreed vision for future development, and provide a framework for managing the cumulative impacts of development. They also enable consideration of 'larger than local' issues such as cross-boundary infrastructure provision, providing a framework for investment in an area.

## Further Information

- 1.13 NPPF and PPG: <http://planningguidance.planningportal.gov.uk/> .  
Planning Inspectorate figures (see 'strategic issues'/core strategies):  
<http://www.planningportal.gov.uk/planning/planningsystem/localplans>

## 2. Work Plan and Key Tasks

- 2.1 Whilst the PPG diagram above shows the formal process in relation to the Local Plan Regulations, it does not explain the wider process of what is involved in preparing a Local Plan.
- 2.2 The process of formulating a Local Plan consists of a number of tasks which together help to move forward the process of plan formulation. There is no simple linear sequence of tasks, but there are 'critical dependencies' between tasks, meaning that it is not possible to progress to the next stage until a given task is complete.
- 2.3 An indicative Work Plan is set out in **Table 1**. This represents a simplified outline of the main tasks. The Work Plan does not show Examination or Adoption, which follow on from Step 6. There are many sub-tasks within each task, but for ease of comprehension the Work Plan has been restricted to the main tasks.
- 2.4 In practice it is very difficult to allocate a time allowance to many of the tasks involved in Local Plan work, because much of the work is dependent on external inputs from third parties, and many of the future inputs are dependent on the nature of the emerging plan. For example, in general a plan which relies on strategic scale development will face more complex issues than one which can rely on small scale sites, and the time taken to address the issues will be commensurately longer.
- 2.5 Given the uncertainty surrounding the process at this stage, no dates have been included in the work programme. However at a later stage the Work Plan will be used to update the Local Development Scheme (LDS), which was last published in February 2015.
- 2.6 The plan-making process is a gradual process of testing and refinement, in which new evidence is assembled and then balanced against planning principles set out in the NPPF. This means that not only the emerging plan, but also the scope of technical work itself, is likely to evolve as work progresses.
- 2.7 Flexibility is therefore a crucial element of plan-making. The Planning Policy Working Group provides a helpful forum for discussion of any potential changes.

**Table 1: Indicative Work Plan**

<b>Task No.</b>	<b>Task</b>	<b>Step 1: Initial Preparation</b>	<b>Step 2: Options</b>	<b>Step 3: Plan Formulation</b>	<b>Step 4: Draft Plan</b>	<b>Step 5: Refinement</b>	<b>Step 6: Pre-submission</b>
1	Public Consultation		Options	Comment handling	Draft Plan	Comment handling	Pre-submission plan
2	Stakeholder engagement	Engagement	Engagement	Engagement	Engagement	Engagement	DtC Statement
3	Objectively Assessed Needs	SHMA, demographic projections, jobs-housing alignment					
4	Constraints mapping	Mapping					
5	Strategic Housing Land Availability Assessment	Call for Sites	Call for Sites	Call for Sites	Call for Sites	Call for Sites	
		Criteria	Mapping	Assessment			
6	Transport Assessment	Prepare models	Prepare models	Mitigation design	Mitigation testing		
7	Strategic Sites Delivery				Preliminary work	Delivery	
8	Financial Viability			Whole Plan Viability		Strategic Site viability	
9	Infrastructure Planning	Preliminary work	Preliminary work	Assessment	Draft Schedule	Sign-off letters	IDP
10	Green Belt Assessment			GB Report			
11	Update Technical Studies		Technical reports	Technical reports			
12	Gypsies and Travellers	Needs Assessment	Site options	G&T report			
13	Development Strategy		Stage 1		Stage 2		Final
14	Sustainability Appraisal	Scoping Report	Stage 1 SA		Stage 2 SA		Final SA Report
15	Strategic and Place-specific policies			Drafting		Revising	
16	Development Management policies					Updating	

- 2.7 The following explanations provide more detail as to the activities involved in each task shown on the indicative Work Plan, and any dependencies upon other tasks.

### **Task 1: Public Consultation**

- 2.8 Three main consultations are proposed, including a consultation on the options (step 2), a draft plan (step 4) and a pre-submission plan (step 6). In between these consultations there is a considerable amount of work for the Planning Policy Team in terms of preparing the consultation documents, preparing any consultation materials, and then afterwards in terms of processing the comments, summarising the planning issues raised, and then identifying whether any of the issues raised require amendments to the plan or further technical work. This is shown as 'comment handling' at steps 3 and 5. Depending on the number of comments and the complexity of the issues this can affect the plan timescales.
- 2.9 If changes are necessary following the final, pre-submission consultation (step 6) then the Council will need to consider whether these are so significant as to require a further consultation. This might be the case, for example, if a new strategic site is proposed or an existing one is dropped. However if the Council is satisfied that any changes could be addressed through an inspector's modifications at examination then the Council should submit the plan, together with a Consultation Statement for the inspector to consider as part of the examination in public.
- 2.10 District Councillors have a significant role in public consultation, because they hold a leadership role in representing the District as a whole, and are also the decision-makers on the Local Plan. It is therefore important that District Councillors should actively engage with local people at consultation times and explain the Local Plan process.
- 2.11 A consultation plan setting out the proposed consultation activities and schedule will be discussed by the Planning Policy Working Group and agreed prior to each Local Plan consultation.

### **Task 2: Stakeholder Engagement**

- 2.12 'Key stakeholders' are those whose input is likely to be particularly necessary in order to ensure that the plan is sustainable and deliverable. These include the Duty to Co-Operate bodies (including adjoining Local Planning Authorities, County Council, and the Local Enterprise Partnerships), Statutory Consultees (the Environment Agency, Heritage England, Natural England, and Highways England), infrastructure delivery bodies, housebuilders and other developers.
- 2.13 In addition to these bodies, Parish and Town Councils are considered to be key stakeholders, and the Council will consider mechanisms by which Parish and Town Councils may engage in the Local Plan process beyond the three main consultation events. This may include, for example, opportunities to comment on relevant technical work, and updates on Local Plan progress.

- 2.14 One of the key Examination documents will be the Duty to Co-Operate statement, which must set out how the Council has engaged positively, actively, and on an on-going basis, and what the outcomes of that engagement were. The Council will seek a formal position statement from the key stakeholders, in particular at Step 4 (draft Plan) and Step 5 prior to the pre-submission consultation. This written audit trail will assist the Local Plan Inspector in understanding how the plan has evolved. In the absence of a formal statement the Council will need to risk assess the options and the implications for the work programme.
- 2.15 It is proposed that notes should be taken of any meetings and that these should be published on the Council's website, together with any submissions in respect of sites being promoted. The main purpose of such meetings will be to test deliverability. The Council will critically appraise any submissions and where necessary will seek third party input to this process where specialist knowledge is considered necessary. It is neither necessary nor practical for Officers to attend regular meetings with all the site promoters and a pragmatic approach will be necessary depending on the complexity of the planning issues arising.
- 2.16 It is recommended that District Councillors do not engage directly with landowners and developers, since this may compromise the ability of the Council to make impartial decisions.

### **Task 3: Objectively Assessed Needs (OAN)**

- 2.17 Case law has established that there is a two-step process in establishing a housing requirement. Firstly, Local Planning Authorities should objectively assess their development needs without consideration of the constraints. Only then should constraints be considered.
- 2.18 The NPPF and PPG contain a number of requirements in terms of how OAN should be derived. The key components of OAN are demographic projections based on past trends, which the PPG says are the 'starting point' for assessment, and then the Strategic Housing Market Assessment (SHMA), which must take account of market signals, affordability, and the wider Housing Market Area (HMA), beyond the district boundaries (NPPF Paragraph 47).
- 2.19 It is also necessary to ensure that there is a coherent understanding of the link between housing and jobs across the Functional Economic Market Area. i.e. whether there are enough homes for the workers and vice-versa. Consideration of the role and future development of Stansted Airport will be an important part of this work.
- 2.20 Delays with establishing the OAN need not necessarily delay the options stage of the plan, but it would be helpful. New demographic projections are published at intervals by the Office for National Statistics (ONS) which could necessitate an update to the SHMA. In turn this could suggest that

adjustments to the housing requirement (and hence also to the amount of land required) should be made. For this reason it is advisable that sites are not 'dropped' from the strategy selection process too early.

#### **Task 4: Constraints Mapping**

- 2.21 Part of the evidence in relation to sites is available through mapped datasets which can be overlaid onto site options in order to assess their effects. For example, flood mapping, agricultural land classifications, designated wildlife sites, listed buildings, minerals areas, conservation areas, Green Belt, and a number of other features may be mapped in order to build up a picture of constraints. This information will be useful in relation to both the SHLAA (see below) and the early stages of the Development Strategy work.
- 2.22 Constraints may be classified into two types: **exclusionary constraints** are those which automatically rule out development, for example Flood Zone 3b (1 in 20 year flood zone). The majority of criteria are **discretionary constraints**, in that they are not 'absolute' constraints but may, depending on the assessment against the NPPF policies as a whole, suggest that particular sites are unsuitable for development. This is where the role of informed judgement comes in through the development strategy process (see Task 13).

#### **Task 5: Strategic Housing Land Availability Assessment (SHLAA)**

- 2.23 The SHLAA is a database of sites submitted by landowners as part of a Call for Sites which are mapped and assessed for suitability, achievability, and deliverability. It is a high-level desk-based factual exercise using mapped constraints.
- 2.24 The Call for Sites is ongoing throughout the plan-making process and does not 'end', although it can be helpful to set an interim date for submissions in order to prompt an early response so that as many site proposals as possible can be given early consideration.
- 2.25 The SHLAA forms part of the evidence base and the main purposes are to demonstrate the position in relation to the 5-year land supply and also to inform the plan-making process. The SHLAA is a criteria-based assessment and is relatively limited in its ability to assess large or strategic sites. For larger sites a range of assessment techniques are necessary, including Transport Assessment and consideration of deliverability issues.
- 2.26 The SHLAA is a technical study rather than a decision-making document. It is proposed that the draft SHLAA assessments will be sent to the relevant Parish or Town Council and any Neighbourhood Forums for comment as part of the fact-checking and quality control exercise.
- 2.27 The SHLAA will be used to inform the development strategy (Task 16), which is where the decisions will need to be taken in a clear audit trail.



## **Task 6: Transport Assessment**

- 2.28 Highways England (responsible for the motorways and some major trunk roads such as the A120) and Essex County Council as the Highways and Transport Authority are the key stakeholders in this process as the relevant statutory bodies. Local Planning Authorities rely on these bodies to come to a view on their draft Local Plans.
- 2.29 The NPPF states that development should only be prevented or refused when the transport impacts would be 'severe' (Paragraph 32). However the NPPF does not define 'severe' and this can only be established through a process of designing mitigation measures and then testing their effectiveness through a transport model. This is particularly important for strategic scale development proposals.
- 2.30 Testing is an iterative process and if no demonstrable solution can be found following the first round of testing then further measures may need to be drawn up and tested. This is potentially a very expensive and time-consuming process, and is dependent on the existence of an adequate transport model for the area in question. If there is no adequate transport model then one may need to be created: depending on the type and extent of model this can take 12 months or more.
- 2.31 Highways England has stated that it considers 'severe' impacts to be those which compromise safety (e.g. queuing from a motorway slip-road into the main carriageway) but most County Councils have not defined a position on this, preferring a context-specific approach derived through evidence.
- 2.32 Most County Councils are not able to resource Local Plan transport assessments and this burden falls to LPAs. The Council will need to consider carefully how this evidence will be assembled and what arrangements will need to be put in place to ensure that the Local Plan is supported by the transport authorities.

## **Task 7: Strategic Sites Deliverability Assessment**

- 2.33 Deliverability may cover a wide range of issues which have the potential to affect the robustness of the Local Plan.
- 2.34 Other common deliverability issues might include: phasing constraints; minerals and waste planning issues including land contamination and remediation; 'ransom strips' preventing or limiting access to a site; potential for 'compulsory purchase or other interventions by the public authorities; land assembly and agreements to joint working between landowners and developers as part of a coherent, masterplanned approach.

## **Task 8: Financial Viability Appraisal**

- 2.35 Whole-plan viability appraisal is necessary to ensure that the proposed level of affordable housing is viable taking account of the cost burden as a whole; and a site-specific appraisal of costs for strategic sites will be needed where significant on and off-site strategic infrastructure may be required. The strategic site appraisal should be undertaken in the latter stages of plan preparation following publication of the draft Local Plan.

## **Task 9: Infrastructure Planning**

- 2.36 In order to demonstrate that the Local Plan is deliverable it should be supported by an infrastructure programme including an infrastructure schedule which sets out what infrastructure is needed, when it is needed, who will be responsible for delivering it, a rough estimate of how much it will cost, and the anticipated funding sources.
- 2.37 The Infrastructure Delivery Plan (IDP) is a 'live' programme that may be updated annually as part of the monitoring process. LPAs are reliant on third-party input in developing their IDPs, some of which are reluctant to invest time and resource in the 'options' stage of plan-making until there is clarity about the LPA's preferred plan. This means that much of the work on the IDP cannot be undertaken until *after* the Preferred Options plan is published for consultation. This poses a risk to the plan-making process if infrastructure hurdles emerge at this late stage.
- 2.38 The NPPF makes a distinction between the level of detail required in the first five years of the plan and the subsequent period, acknowledging that it is difficult to plan further ahead with certainty.

## **Task 10: Green Belt Assessment**

- 2.39 An assessment of the Green Belt is necessary in order to ensure that the existing boundaries are robust and defensible, and to demonstrate that every effort has been made to meet the OAN. It is important that the Council does not pre-judge where development should be located until the necessary technical evidence has been assembled in order to make an informed decision.
- 2.40 Green Belt should only be amended in 'exceptional circumstances, through the review of the Local Plan' (NPPF Paragraph 83). The Green Belt Assessment itself is a technical study and so will not make this judgement, which will be a policy decision for the Council as part of the overall development strategy.

## **Task 11: Update Technical Studies**

- 2.41 It is necessary to ensure that the technical studies are reasonably up-to-date in order to ensure that there is a sound basis for assessment of the strategy.

A number of studies are likely to require updating, including the Strategic Flood Risk Assessment (2008) and the Employment Land Review (2011).

### **Task 12: Gypsies and Travellers**

- 2.42 National Planning Policy for Gypsies and Travellers (March 2012) is clear that housing needs for the travelling community should be addressed by Local Planning Authorities. The Planning Inspectorate has taken a tough stance on this issue (most recently in the case of the Maldon Local Plan), and is clear that provision for Gypsies and Travellers should be made through the Local Plan.
- 2.43 The process for meeting Gypsy and Traveller needs is similar to that for housing for the settled community. There needs to be an objective assessment of needs, followed by an assessment of constraints, and a thorough assessment of the site options. Assessment of cross-boundary unmet needs for Gypsy and Traveller pitches and plots may be necessary in the same way that this principle is applied to other strategic cross-boundary planning matters under the Duty to Co-Operate.

### **Task 13: The Development Strategy**

- 2.44 The development strategy will set out where and when growth should be planned, what the link between the different mix of uses will be, what policy approaches will be introduced to address the specific challenges of the strategy, and how the plan meets the requirements of the NPPF. It will also incorporate the emerging Strategic Vision.
- 2.45 Preparation of the development strategy is a gradual process of testing and refinement, and it is proposed that progress towards the final strategy will be set out in a number of preliminary reports at appropriate interim points preceding each of the major consultation stages.
- 2.46 The various stages in the preparation of the development strategy therefore represent key milestones in the preparation of the Local Plan, and will be the key decision-making points, for discussion and debate at the Planning Policy Working Group.

### **Task 14: Sustainability Appraisal (SA)**

- 2.47 Sustainability Appraisal is a requirement of the Planning and Compulsory Purchase Act 2004 and the Strategic Environment Assessment (SEA) Directive. It is a process by which the sustainability implications of options for an emerging plan may be identified, and improvements made.
- 2.48 One important aspect of Sustainability Appraisal is assessment of 'reasonable' alternatives to the plan. It is another means of challenging the plan and ensuring its robustness. By ensuring that equal consideration has been given to alternative options, the LPA is able to demonstrate that the plan is fully justified, and also that potential measures to mitigate the impacts of

development have been considered. The Council has appointed independent consultants with a specific remit to test and critically appraise the emerging Local Plan strategy and the broad options.

- 2.49 SA usually involves the formulation of a limited number of alternative options, which may be refined and reviewed at various stages of plan preparation. The Planning Advisory Service (PAS) is and will provide independent advice to the Council on the process of sustainability appraisal including a 'critical friend' report on the work submitted to the previous Local Plan examination. Officers have already discussed the process in detail with the PAS consultants and this should provide a robust basis for taking forward a sound process.
- 2.50 The initial stage of the SA is to set out the SA Assessment Framework in a Scoping Report. This sets out the 'baseline data' and sustainability criteria against which the alternative options will be appraised.
- 2.51 Further to this the emerging development strategy and strategic options should be appraised and then the findings of the appraisal should be incorporated into a revised development strategy.
- 2.52 The SA alternatives appraisal should be differentiated from the suitability assessment of sites in the SHLAA, which uses some sustainability criteria to assess individual sites in isolation. However in practice many of the criteria will be relevant to SA and this assessment will be carried across into the SA in terms of the assessment of individual sites. A further stage in the SA will involve assessment of the cumulative impact of groups of sites upon settlements and the environment.

### **Task 15: Strategic and Place-specific Policies**

- 2.53 Policies which guide development to particular places will emerge from the work on the development strategy. Strategic policies are those which provide the overarching framework for development, and demonstrate consistency with the NPPF. These might include, for example, the approach to delivering the vision for the District, ensuring a balance of housing, jobs, and other land uses, the phasing of development and the housing trajectory, the strategy for towns and villages, for Stansted Airport, and trigger points for infrastructure provision.

### **Task 16: Development Management Policies**

- 2.54 These are generic policies which apply District-wide and which are important in considering individual planning applications. These might include policies on householder applications, environmental or other policy constraints.
- 2.55 Although the current set of policies may be considered generally 'sound', it will be important to update the policies in order to ensure compliance with the latest national requirements.

2.56 In order to ensure that policies are capable of effective implementation and can be defended at appeal if necessary, the involvement of the Development Management section will be important as part of a process of quality control.

### **3. Risk Assessment**

3.1 Risk assessment is a key part of any Local Plan work programme. There are numerous risks to the work programme, and as has been demonstrated above, nationally progress with Local Plans has been very slow and delays have been almost universal across the country. Whilst good project management can help to minimise risks, the experience of most LPAs in preparing Local Plans has been one of frustration and delay.

3.2 In many cases a risk assessment can help LPAs to manage the risks and reduce the impact on the work programme. However there are likely to be some cases where risk management opportunities are limited or prove ineffective. Examples of this might include changes in government policy, or failure of key stakeholders to provide clarity in relation to their own areas of responsibility.

3.3 In broad terms there are three main types of risk: *resource risks, operational risks, and political risks.*

#### **Resource risks**

3.4 Preparing a Local Plan is very expensive and can be a significant call on the resources of Local Planning Authorities (LPAs). The technical nature of much of the evidence requires the commissioning of specialists (for example in sustainability appraisal, ecology, transport, flood risk, and financial viability) who can be called upon to produce reports and if necessary to provide support at Examination in Public.

3.5 Uttlesford District Council has a small Planning Policy team with responsibility for preparing the Local Plan, comprising four officers (three full-time). The priorities of this limited staff resource need to be carefully managed in order to ensure that progress with the Local Plan is not impeded.

3.6 Resource risks can affect not only LPAs but also the key stakeholders upon which they depend in order to progress their Local Plans. Many public sector stakeholders such as County Councils and the NHS are suffering their own resourcing challenges and this can make it difficult to obtain timely information for input to Local Plan formulation, which is often seen by such bodies as non-core activity and therefore low priority.

3.7 Private sector stakeholders such as utility companies are often reluctant to provide any financial or cost data for commercial reasons. Water supply companies usually only provide input once a planning application is received, and regard the Local Plan stage in the planning process as too uncertain to invest resources in undertaking expensive investigative modelling work.

- 3.8 These challenges are often complicated by the need for considerable up-front effort to understand the particular needs and challenges of each body, particularly in light of the different terminology and approaches in different specialist fields.
- 3.9 A further risk to the timeline is the resourcing of the Planning Inspectorate (PINS) itself. There has been much publicity given to delays in issuing appeal decisions and this can have knock-on implications for Local Plan examinations.

### **Operational risks**

- 3.10 The formulation of a Local Plan is a complex process, and there is no 'one size fits all' methodology: some limited guidance is available, but it is up to each LPA to devise an approach which addresses the unique set of circumstances in its own area. At the same time, national policy contains many requirements with which Local Planning Authorities must comply. Some requirements, which may seem straightforward as articulated in national policy, often become highly complex and challenging in practice.
- 3.11 Plan-making is an iterative process, involving the gradual accumulation and testing of evidence. Sound judgement is required in terms of what constitutes 'proportionate' evidence in many cases. Sometimes critical new evidence may come to light at a late stage in the plan-making process, which can necessitate early options to be reviewed. At other times the anticipated evidence is not available and a judgement is needed as to how to proceed.
- 3.12 Finally, plan preparation requires the Local Planning Authority to act as a co-ordinator in drawing together the different strands of the plan. However this co-ordination role is very much dependent on timely input from a wide range of key stakeholders, including site promoters (landowners and developers) and infrastructure providers. Notwithstanding the Duty to Co-Operate, LPAs have no power to compel stakeholders to provide input, and therefore communication and persuasion are an important part of the task of plan-making. Nevertheless this presents a considerable risk to progress with the plan.

### **Political risks**

- 3.14 Local Plans are required to address many contentious issues, for example the location of strategic-scale development sites, as well as provision for Gypsy and Traveller sites, and consideration of the role and function of Green Belt. Politically these are very challenging matters for District Councillors.
- 3.15 As the decision-makers on the Local Plan, the political risks for Councillors are considerable, as are the risks to the plan-making process if Councillors do not fully grasp the challenges. It is therefore important that all Members make an effort to understand national requirements set out in the NPPF and the wider context and implications of their decisions and their public statements.

- 3.16 Councillors have a crucial role as community leaders representing not just the interests of their Ward, but the interests of the District as a whole. The Planning Advisory Service/Local Government Association provides some salient guidance in relation to this, as set out in the box below:

**The Leadership Role of District Councillors**

District Councillors have a vital **leadership** role to play to produce a **robust** Local Plan for your area that has **buy in** from all parties.

The key challenge is to listen to the views and aspirations of your constituents and **balance** this with the professional advice of your planning staff in order to **plan** for, and **meet**, the **development needs of your area**.

*Source: PAS: Local Plans and Plan-Making – Presentation to Local Plans Steering Groups (April 2015)*

- 3.17 Perhaps the most challenging aspect of this comes when the evidence is finely balanced, and then the role of informed judgement becomes all the more crucial, as set out in the section on operational risks above. Councillors must take into account the advice of Officers, but they are not duty-bound by it. However, any decision that is taken contrary to that advice must demonstrate sound planning judgement.
- 3.18 Table 2 below sets out the main risks, as currently appraised in June 2015. The risk assessment may need to be revised and updated as work progresses.

**Table 2: Risk Assessment**

O = Operational Risk; R = Resource Risk; P = Political Risk

No.	Risk to Local Plan timeline	Implications	Type	Likelihood	Impact	Mitigation/management options
1	Insufficient evidence on which to base a decision. For example, risk that traffic models for parts of the district are either inadequate or not available, or that M11 Junction 8 solutions are not demonstrated.	Potential indefinite delay since confidence in the deliverability of any plan is low.	O	High	High	Ask MP to seek DCLG assistance in provision of advice from a Planning Inspector, and to seek views from relevant government department (e.g. Department for Transport). Work with Local Enterprise Partnerships and key stakeholders e.g. Stansted Airport to build business case for investment.
2	Significant new evidence or material planning concerns received as a result of consultation at Regulation 18 or Regulation 19, resulting in significant changes to the emerging strategy and a need for further consultation.	Depending on scale and significance of changes, could add 6 months to a year to the timeline.	O	Medium	High	Agree main planning issues and anticipated challenges with key stakeholders in writing early on.
3	Concerns about the public consultation process, e.g. people not aware of consultation.	Impacts on confidence in the Local Plan formulation process.	R, P	Low	Medium	Council to agree engagement strategy prior to consultation. All Members to take an active role in explaining and publicising forthcoming consultation within their Wards and to work with Parish and Town Councils to promote consultations.
4	Significant number of public responses to consultation resulting in delays whilst responses are collated, planning issues recorded, issues investigated, and planning issues addressed.	Allowance made in work programme for four weeks' Officer time. Larger response likely to result in delay.	R	Medium	Medium	Group consultation responses making the same or very similar points together, whilst ensuring that material planning issues are properly addressed. Retain additional staff resource. Agency staff to assist with data entry.
5	Council fails to agree a draft plan,	Potential indefinite	P	Low	High	Provide Member training and guidance.



No.	Risk to Local Plan timeline	Implications	Type	Likelihood	Impact	Mitigation/management options
	or fails to agree critical aspects of a draft plan, for example relating to provision for Gypsy and Traveller sites.	delay and reduced control over planning appeals.				Planning Policy Team to provide phone contact for Member queries. Member suggestions and concerns can be raised directly with Planning Policy Team at any time and if appropriate given further consideration through a subsequent Working Group meeting.
6	Council need more time to consider the implications of the emerging plan.	May need to allow additional time in work programme.	O	Medium	Low	Provide Members with an opportunity to comment and provide feedback to the Planning Policy Team at all stages during plan formulation, so that views may be addressed as work progresses.
7	Key stakeholders fail to provide a clear view on the implications or acceptability of the emerging development options, or provide a view not supported by adequate evidence.	Case-by-case judgement call as to whether planning issue is critical to soundness. If so, lack of a view could delay plan indefinitely or pose high risk of being found unsound at examination.	O, R	Medium	High	Develop and maintain close communications with key stakeholders. Establish framework for joint working and set out key milestones including expectations in terms of timelines and nature of consultation responses.
8	Other demands on the resources of the Planning Policy Team, for example third party meeting requests (e.g. landowners/developers, Parish Councils)	Allowance has been made in the work programme for key stakeholder meetings (for example with infrastructure providers), but little allowance has been made for other meetings.	R	Medium	Medium	Council to take a view on appropriate resourcing and implications for the timeline. Set up guidance in terms of expectations around of meetings at each stage in the plan-making process to ensure that any meetings add value. Consider alternative to meetings, such as email and phone contact. Consider potential for group meetings rather than single meetings.
9	Neighbourhood Plans prepared which conflict with emerging Local	Could impact on the credibility of both	O, P	Low	Medium	Set up regular email update on District Plan progress to all Parish Clerks.

No.	Risk to Local Plan timeline	Implications	Type	Likelihood	Impact	Mitigation/management options
	Plan.	Local Plan and Neighbourhood Plans.				Encourage email updates and input from Parish Councils which can be considered as part of Local Plan process.
10	Failure to agree on cross-boundary strategic planning matters, for example in relation to location for any unmet housing needs across the Strategic Housing Market Area.	Judgement call as to how much delay is reasonable in order to resolve differences before an LPA submits plan for examination.	O, P	Medium	High	Ensure that the Council has made all reasonable efforts to comply with the Duty to Co-Operate and the NPPF and that this is clearly set out in a Duty to Co-Operate statement. Council should actively participate in mechanisms and groupings to advance cross-boundary strategic planning in a positive fashion.
11	Inconsistency with national or European requirements resulting in failure at examination. For example, failure to comply with SEA Directive, the Development Plans Regulations, or the NPPF/Planning Practice Guidance.	Impact depends on whether an Inspector can address deficiencies through a Main Modification, or whether further work and re-consultation is necessary.	O	Low	High	Use Planning Advisory Service Soundness Checklist to ensure that requirements are covered.

# Appendices

## Appendix A: National Progress with Local Plans

Total of all Local Planning Authorities with Local Plans found sound since March 2012 (introduction of the NPPF).

Source: Planning Inspectorate, data to end May 2015)

	Local Council	Published	Months from Publication (reg 19) to Submission	Submitted	Months from Submission to Found Sound	Found Sound	Adopted
1	Chichester District Council	Nov-13	6	May-14	12	May-15	
2	North Somerset Council	NA		Jun-13	9	Mar-15	
3	East Cambridgeshire District Council (Revision)	Feb-13	6	Aug-13	17	Mar-15	21-Apr-15
4	Gateshead Metropolitan Borough Council	Sep-13	6	Feb-14	12	Feb-15	26-Mar-15
5	Newcastle Upon Tyne City Council	Sep-13	6	Feb-14	12	Feb-15	26-Mar-15
6	Swindon Borough Council	Dec-12	6	Jun-13	20	Feb-15	26-Mar-15
7	Lichfield District Council	Jul-12	8	Mar-13	22	Jan-15	17-Feb-15
8	South Somerset District Council	Jun-12	6	Jan-13	24	Jan-15	05-Mar-15
9	Cheshire West and Chester Council	Sep-13	3	Dec-13	12	Dec-14	29-Jan-15
10	Rushcliffe Borough Council	Mar-12	7	Oct-12	27	Dec-14	22-Dec-14
11	Southampton City Council (Partial review)	Sep-13	3	Dec-13	12	Dec-14	18-Mar-15
12	Wiltshire Council	Feb-12	5	Jul-12	29	Dec-14	20-Jan-15
13	Ribble Valley Borough Council	May-12		Sep-12		Nov-14	16-Dec-14
14	City of London	Dec-13		May-14		Nov-14	15-Jan-15
15	Middlesbrough Borough Council	Nov-13		Mar-14		Oct-14	
16	Richmondshire District Council	Aug-12		Feb-13		Oct-14	09-Dec-14
17	Thurrock Council (Review)	May-13		Jul-13		Oct-14	28-Jan-15
18	Daventry District Council	Feb-11		Dec-12		Oct-14	15-Dec-14
19	Mendip District Council	Nov-12		Dec-13		Oct-14	15-Dec-14
20	Northampton Borough Council	Feb-11		Dec-12		Oct-14	15-Dec-14
21	South Northamptonshire Council	Feb-11		Dec-12		Oct-14	15-Dec-14
22	North Warwickshire Borough Council	Nov-12		Feb-13		Sep-14	09-Oct-14
23	Leeds City Council	Jan-13		Apr-13		Sep-14	12-Nov-14
24	Broxtowe Borough Council	Jun-12		Jun-13		Jul-14	17-Sep-14

	Local Council	Published	Months from Publication (reg 19) to Submission	Submitted	Months from Submission to Found Sound	Found Sound	Adopted
25	Gedling Borough Council	Jun-12		Jun-13		Jul-14	17-Sep-14
26	Nottingham City Council	Jun-12		Jun-13		Jul-14	17-Sep-14
27	Gravesham Borough Council	Dec-12		May-13		Jul-14	30-Sep-14
28	Rother District Council	Aug-11		Jul-12		Jul-14	29-Sep-14
29	Allerdale District Council	May-13		Oct-13		Jul-14	16-Jul-14
30	Bath & North East Somerset Council	Dec-10		May-11		Jun-14	10-Jul-14
31	Stafford Borough Council	Jan-13		Aug-13		Jun-14	19-Jun-14
32	Rotherham Metropolitan Borough Council	Jun-12		Jun-13		Jun-14	10-Sep-14
33	Greenwich, Royal Borough of	Feb-13		Sep-13		May-14	30-Jul-14
34	Warrington Borough Council	May-12		Sep-12		May-14	21-Jul-14
35	Colchester Borough Council (Review)	Aug-13		Oct-13		May-14	01-Jul-14
36	East Hampshire District Council	Feb-12		May-12		Apr-14	08-May-14
37	Fenland District Council	Feb-13		Sep-13		Apr-14	08-May-14
38	Teignbridge District Council	Nov-12		Jun-13		Apr-14	06-May-14
39	Leicester City Council - Fast Track Single Policy Review	Sep-12		Nov-13		Mar-14	
40	Christchurch Borough Council	Apr-12		Mar-13		Mar-14	01-Apr-14
41	East Dorset District Council	Apr-12		Mar-13		Mar-14	28-Apr-14
42	Cannock Chase District Council	Feb-13		May-13		Feb-14	11-Jun-14
43	Reigate & Banstead District Council	Mar-12		May-12		Jan-14	03-Jul-14
44	Babergh District Council	Oct-11		Nov-12		Jan-14	25-Feb-14
45	Erewash Borough Council	Jun-12		Nov-12		Jan-14	06-Mar-14
46	Staffordshire Moorlands District Council	Dec-11		Sep-12		Jan-14	26-Mar-14
47	South Gloucestershire Council	Jun-10		Mar-11		Nov-13	11-Dec-13
48	Solihull Metropolitan Borough Council	Jan-12		Sep-12		Nov-13	03-Dec-13
49	Broadland District Council (Revision)	Aug-12		Feb-13		Nov-13	10-Jan-14
50	Norwich City Council (Revision)	Aug-12		Feb-13		Nov-13	10-Jan-14
51	South Norfolk Council (Revision)	Aug-12		Feb-13		Nov-13	10-Jan-14

	Local Council	Published	Months from Publication (reg 19) to Submission	Submitted	Months from Submission to Found Sound	Found Sound	Adopted
52	Chelmsford Borough Council (Review)	Nov-12		Apr-13		Oct-13	04-Dec-13
53	Hastings Borough Council	May-12		Oct-12		Oct-13	19-Feb-14
54	Copeland District Council	Apr-12		Oct-12		Sep-13	05-Dec-13
55	West Lancashire District Council	Aug-12		Oct-12		Sep-13	16-Oct-13
56	Wigan Metropolitan Borough Council	Feb-11		Sep-11		Aug-13	11-Sep-13
57	Ryedale District Council	Jan-12		May-12		Aug-13	05-Sep-13
58	Westminster, City of (NPPF Revision)	Jul-12		Jan-13		Aug-13	13-Nov-13
59	Dacorum Borough Council	Oct-11		Jun-12		Jul-13	25-Sep-13
60	Selby District Council	Jan-11		May-11		Jun-13	22-Oct-13
61	Chesterfield Borough Council	Feb-12		Sep-12		Jun-13	24-Jul-13
62	Shepway District Council	Jul-11		Jan-12		Jun-13	18-Sep-13
63	Suffolk Coastal District Council	Jan-12		May-12		Jun-13	05-Jul-13
64	Milton Keynes Council	Feb-10		Mar-11		May-13	10-Jul-13
65	Blaby District Council	Jan-12		Jun-12		Feb-13	21-Feb-13
66	Winchester City Council (inc South Downs NPA)	Jan-12		Jun-12		Feb-13	20-Mar-13
67	Croydon, London Borough of	Sep-11		Apr-12		Dec-12	22-Apr-13
68	Haringey, London Borough of	May-10		Mar-11		Dec-12	18-Mar-13
69	Hertsmere Borough Council	Nov-11		Feb-12		Dec-12	16-Jan-13
70	Eastbourne Borough Council	Sep-11		Jan-12		Nov-12	20-Feb-13
71	Watford Borough Council	May-11		Feb-12		Nov-12	30-Jan-13
72	Purbeck District Council	Nov-10		Jan-12		Oct-12	13-Nov-12
73	Wealden District Council	Feb-11		Aug-11		Oct-12	28-Nov-12
74	South Oxfordshire District Council	Dec-10		Mar-11		Oct-12	13-Dec-12
75	South Staffordshire District Council	Mar-11		Sep-11		Oct-12	11-Dec-12
76	Halton Borough Council	Nov-10		Sep-11		Oct-12	12-Dec-12
77	St Helens Metropolitan Borough Council	Jan-11		May-11		Oct-12	31-Oct-12
78	Mid Suffolk District Council Focussed Review	Jan-12		Mar-12		Sep-12	20-Dec-12
79	Bournemouth Borough Council	Aug-11		Nov-11		Aug-12	30-Oct-12

	<b>Local Council</b>	<b>Published</b>	<b>Months from Publication (reg 19) to Submission</b>	<b>Submitted</b>	<b>Months from Submission to Found Sound</b>	<b>Found Sound</b>	<b>Adopted</b>
80	Hillingdon, London Borough of	Feb-11		Oct-11		Jul-12	08-Nov-12
81	Woking Borough Council	Jul-11		Dec-11		Jul-12	25-Oct-12
82	Taunton Deane Borough Council	Jul-11		Nov-11		Jul-12	11-Sep-12
83	West Berkshire District Council	Apr-10		Jul-10		Jul-12	16-Jul-12
84	Barnet, London Borough of	Sep-10		Aug-11		Jun-12	11-Sep-12
85	Chorley Council	Dec-10		Mar-11		Jun-12	17-Jul-12
86	Preston Borough Council	Dec-10		Mar-11		Jun-12	05-Jul-12
87	South Ribble Borough Council	Dec-10		Mar-11		Jun-12	18-Jul-12
88	Doncaster Metropolitan Borough Council	Mar-11		Jul-11		Mar-12	18-May-12
89	Manchester City Council	Feb-11		Jul-11		Mar-12	11-Jul-12
90	North Somerset Council	Feb-11		Jul-11		Mar-12	10-Apr-12

## Appendix B: Glossary and list of Acronyms

Term	Acronym	Explanation and further information
Call for Sites	-	Part of Stage 1 of the PPG methodology for Housing and Economic Land Availability Assessments. Sites submitted are then assessed using the methodology set out in Stage 2-5 of the PPG.
Co-Operation for Sustainable Development Group	Co-Op Group	The Co-operation for Sustainable Development Board will support Local Plan making and delivery for sustainable communities across geographical and administrative boundaries in West Essex, East Hertfordshire and the adjoining London Boroughs. It will do this by identifying and managing spatial planning issues that impact on more than one local planning area within West Essex, East Herts and the adjoining London Boroughs.
Development Plan	-	Plans with legal force forming strong material considerations in the assessment of planning applications. Includes adopted Local Plans, Neighbourhood Plans, waste and Minerals Plans, and other DPDs, as defined in section 38 of the Planning and Compulsory Purchase Act 2004.
Development Plan Document	DPD	Documents produced by the Local Planning Authority and forming part of the Development Plan.
Duty to Co-Operate	DtC	The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local and Marine Plan preparation in the context of strategic cross boundary matters. See NPPF paragraphs 178-181.
Essex Planning Officers Association	EPOA	Grouping of Planning Officers in Essex.
Engagement	-	A key NPPF term applied to constructive interaction between the Council and the community (paragraph 155), and the Council and stakeholders including duty-to-co-operate bodies (paragraph 181) in preparation of a Local Plan: “ <i>cooperation should be a continuous process of engagement from initial thinking through to implementation</i> ”
Five-year Housing Land Supply	-	LPAs should “ <i>identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements</i> ” (NPPF Paragraph 47). If the LPA cannot demonstrate a five-year supply, the



Term	Acronym	Explanation and further information
		presumption in favour of sustainable development applies (NPPF Paragraph 49)
Green Belt	-	See NPPF paragraphs 79 to 92. A small part of Uttlesford District west of the M11 is designated Green Belt. Green Belts may be amended through a review of a Local Plan. See also PAS Guidance on Green Belt.
Greenfield	-	Undeveloped land. See also Brownfield.
Functional Economic Market Area	FEMA	<p>According to the PPG: <i>“The geography of commercial property markets should be thought of in terms of the requirements of the market in terms of the location of premises, and the spatial factors used in analysing demand and supply – often referred to as the functional economic market area. Since patterns of economic activity vary from place to place, there is no standard approach to defining a functional economic market area, however, it is possible to define them taking account of factors including:</i></p> <ul style="list-style-type: none"> <li>•<i>extent of any Local Enterprise Partnership within the area;</i></li> <li>•<i>travel to work areas;</i></li> <li>•<i>housing market area;</i></li> <li>•<i>flow of goods, services and information within the local economy;</i></li> <li>•<i>service market for consumers;</i></li> <li>•<i>administrative area;</i></li> <li>•<i>Catchment areas of facilities providing cultural and social well-being;</i></li> <li>•<i>transport network.”</i> <p>Planning Practice Guidance, Paragraph: 012 Reference ID: 2a-012-20140306</p> </li></ul>
Gypsies and Travellers	G&T	See PPTS.
Housing Market Area	HMA	<p>According to PPG: <i>“A housing market area is a geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between places where people live and work. It might be the case that housing market areas overlap.</i></p> <p><i>The extent of the housing market areas identified will vary, and many will in practice cut across various local planning authority administrative boundaries. Local planning authorities should work with all the other constituent authorities under the duty to cooperate. Where there is a joint plan, housing requirements and the need to identify a five year supply of sites can apply across the joint plan area. The approach being taken should be set out clearly in the plan.”</i></p>
Infrastructure	IDP	According to the PPG: <i>“The Local Plan should make</i>

Term	Acronym	Explanation and further information
Delivery Plan or Programme		<p><i>clear, for at least the first five years, what infrastructure is required, who is going to fund and provide it, and how it relates to the anticipated rate and phasing of development. This may help in reviewing the plan and in development management decisions. For the later stages of the plan period less detail may be provided as the position regarding the provision of infrastructure is likely to be less certain. If it is known that a development is unlikely to come forward until after the plan period due, for example, to uncertainty over deliverability of key infrastructure, then this should be clearly stated in the draft plan.</i></p> <p><i>Where the deliverability of critical infrastructure is uncertain then the plan should address the consequences of this, including possible contingency arrangements and alternative strategies. The detail concerning planned infrastructure provision can be set out in a supporting document such as an infrastructure delivery programme that can be updated regularly. However the key infrastructure requirements on which delivery of the plan depends should be contained in the Local Plan itself.” Paragraph: 018 Reference ID: 12-018-20140306</i></p>
Local Development Scheme	LDS	A schedule showing proposed planning policy documents. Required under Section 15 of the Planning and Compulsory Purchase Act 2004.
Material Consideration	-	<p>According to the PPG: <i>“A material planning consideration is one which is relevant to making the planning decision in question (e.g. whether to grant or refuse an application for planning permission).</i></p> <p><i>The scope of what can constitute a material consideration is very wide and so the courts often do not indicate what cannot be a material consideration. However, in general they have taken the view that planning is concerned with land use in the public interest, so that the protection of purely private interests such as the impact of a development on the value of a neighbouring property or loss of private rights to light could not be material considerations.”</i> Paragraph: 008 Reference ID: 21b-008-20140306</p>
Members	-	Members of the District Council. Also known as Councillors. There are 39 elected Members of Uttlesford District Council. Full Council (meetings open to all Members) and Cabinet constitute the main decision-making bodies of Uttlesford District Council, and will decide on the Local Plan.
National	NPPF	Sets out government's planning policies for England

Term	Acronym	Explanation and further information
Planning Policy Framework		and how these are expected to be applied. The framework acts as guidance for local planning authorities and decision-takers, both in drawing up plans and making decisions about planning applications. It is based on the Planning and Compulsory Purchase Act 2004. <a href="http://planningguidance.planningportal.gov.uk/">http://planningguidance.planningportal.gov.uk/</a>
Neighbourhood Development Plan	NDP	A plan prepared by a Parish or Town Council. Upon adoption, NDPs become part of the Development Plan alongside the Local Plan. See NPPF Paragraphs 183-185.
Officers	-	Staff employed by the District Council.
Objectively Assessed Need	OAN	Key term used in the NPPF (Paragraphs 14, 17, 47, 182). Most commonly refers to housing needs (including Gypsies and Travellers), but also refers to other policy areas including jobs and infrastructure. The approved methodology for establishing a housing OAN is set out in the NPPF and PPG. See also SHMA.
Planning Advisory Service	PAS	PAS is a DCLG grant-funded programme but part of the Local Government Association: "PAS exists to provide support to local planning authorities to provide efficient and effective planning services, to drive improvement in those services and to respond to and deliver changes in the planning system". See website at <a href="http://www.pas.gov.uk">www.pas.gov.uk</a>
Planning Inspectorate	PINS	The Planning Inspectorate deals with planning appeals, national infrastructure planning applications, examinations of local plans and other planning-related and specialist casework in England and Wales. The Planning Inspectorate is an executive agency, sponsored by the Department for Communities and Local Government.
Planning Policy for Traveller Sites	PPTS	National planning policy on Gypsy, Traveller, and Travelling Showpeople. Published separately from, but at the same time as, the NPPF, in March 2012.
Planning Policy Working Group	PPWG	Members of Uttlesford District Council all-party group chaired by the Leader of the Council. Main purpose of the group is to oversee progress with the Local Plan and technical work carried out by Officers. All agendas and minutes of the group are published on the Council's website. The Working Group acts in an advisory and scrutiny capacity and makes recommendations to Full Council (see <i>Members</i> ) but does not itself have decision-making powers.
Planning Practice Guidance	PPG	Online guidance published and updated by DCLG alongside the NPPF. The guidance forms a strong material consideration in plan-making and decision-taking.

Term	Acronym	Explanation and further information
		<a href="http://planningguidance.planningportal.gov.uk/">http://planningguidance.planningportal.gov.uk/</a>
Regulations, ('the regs')	-	The Town and Country Planning (Local Planning) (England) Regulations 2012. The Regulations set out the procedure to be followed by local planning authorities in relation to the preparation of local plans and supplementary planning documents, including as to consultation with interested persons and bodies and the documents which must be made available at each stage. Sets out 'Specific Consultation Bodies' and 'Duty to Co-Operate Bodies'. <a href="http://www.legislation.gov.uk/ukxi/2012/767/contents/made">http://www.legislation.gov.uk/ukxi/2012/767/contents/made</a>
Presumption in Favour of Sustainable Development	-	NPPF Paragraph 14: <i>"At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. For plan-making this means that:</i> <ul style="list-style-type: none"> <li>● <i>local planning authorities should positively seek opportunities to meet the development needs of their area;</i></li> <li>● <i>Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:</i> <ul style="list-style-type: none"> <li>– <i>any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or</i></li> <li>– <i>specific policies in this Framework indicate development should be restricted [Footnote 9].</i></li> </ul> </li> </ul> Footnote 9: <i>"For example, those policies relating to sites protected under the Birds and Habitats Directives (see paragraph 119) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion."</i>
Statement of Community Involvement	SCI	Sets out policy for involving the community in the preparation, alteration and review of planning policy documents and in deciding planning applications. Uttlesford District Council's SCI was adopted on DATE and is available at <a href="http://www.uttlesford.gov.uk/sci">www.uttlesford.gov.uk/sci</a>
Strategic Housing Market Assessment	SHMA	Requirement of Paragraph 159 of the NPPF. LPAs should <i>"prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries."</i>

Term	Acronym	Explanation and further information
Soundness	-	Four tests of soundness of Local Plans contained within the NPPF (paragraph 182). Plans should be positively prepared, justified, effective, and consistent with national policy.
Stakeholder	-	Key stakeholders include: statutory consultees, infrastructure delivery bodies, major landowners, housebuilders and other developers, and duty-to-co-operate bodies. (See PAS Good Plan-Making Guide Paragraph 5.6).
Statutory Consultees	-	Bodies listed in the Regulations as bodies which must be consulted on the draft Local Plan.
Sustainable Development	-	According to the NPPF (Paragraph 6), this is the purpose of the planning system, and includes three mutually dependent dimensions: economic, social, and environmental. See also <i>Presumption in Favour of Sustainable Development</i> .
Sustainability Appraisal (SA)	SA	A systematic process that must be carried out during the preparation of a Local Plan. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
Strategic Environmental Assessment	SEA	Sustainability appraisals incorporate the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (commonly referred to as the 'Strategic Environmental Assessment Regulations'), which implement the requirements of the European Directive 2001/42/EC (the 'Strategic Environmental Assessment Directive') on the assessment of the effects of certain plans and programmes on the environment.
Strategic Housing Land Availability Assessment	SHLAA	Requirement of Paragraph 159 of the NPPF. LPAs should: <i>"prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period."</i>
Vision	-	NPPF requirement for Local Plans and a key part of the engagement process: <i>"A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those contained in any neighbourhood plans that have been made."</i> (Paragraph 155)



**Committee:** Planning Policy Working Group

**Agenda Item**

**Date:** 13 July 2015

**5**

**Title:** Towards a Fresh Vision of the District in 2033

**Author:** Martin Paine, Planning Policy Team Leader

---

### Summary

1. In formulating a new Local Plan, a clear vision is a central requirement. The vision needs to be shaped in the context of positive planning for development, as well as safeguarding the environment, adapting to climate change, and securing good design. This means that Local Plan vision statements need to be an integral part of the development strategy for the area they cover.
2. The attached report sets out some examples of vision statements produced by other Local Plans found sound in recent months, together with some guidance on the process of drafting a fresh vision and what content should be included.

### Recommendations

- A: That the guidance set out in the report relating to production of the Vision for the District, be noted.
- B: That initial ideas and concepts for consideration as part of the process of formulating the vision, be discussed.

### Financial Implications

3. None

### Background Papers

4. None

### Impact

Communication/Consultation	Formal consultation as the Local Plan develops will be carried out in accordance with the Statement of Community Involvement.
Community Safety	None
Equalities	The Local Plan impacts on all sectors of the community.
Health and Safety	None

Human Rights/Legal Implications	None
Sustainability	Appraisal of alternatives to the emerging plan will be undertaken.
Ward-specific impacts	All.
Workforce/Workplace	Planning Policy Team and other officers as appropriate.

## Situation

5. Following receipt of the report of the Planning Inspector on the previous submission Local Plan in December 2014, and subsequent withdrawal of the plan in January 2015, Uttlesford District Council has restarted the Local Plan formulation process, including reconsideration of the options for development. This includes reworking the vision contained in the withdrawn Local Plan, as set out in Appendix A of the report.

## Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Without an agreed Vision the opportunity to manage future development of the district will be diminished.	1. Can be addressed and managed through the Working Group discussion forum.	3. Disagreement over the Vision could delay the Plan indefinitely.	Discussion at the Working Group to ensure that there is wide input into shaping the vision and that the scope of the visioning work is understood.

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 Local Plan**  
**Towards a Fresh Vision of the District**  
**in 2033**

**Planning Policy Working Group**  
**13 July 2015**

## Contents

<b>1. Introduction.....</b>	<b>3</b>
<b>2. The Vision and the Development Strategy.....</b>	<b>4</b>
<b>3. Drafting the Content of the Local Plan Vision .....</b>	<b>4</b>
<b>4. Design Quality.....</b>	<b>5</b>
<b>5. Next Steps .....</b>	<b>7</b>

## Appendices

Appendix A: Draft Vision from Uttlesford Submission Local Plan 2014 (withdrawn) .....	9
Appendix B: Examples of Local Plan Vision Statements .....	10
Appendix C: Building for Life Standards.....	15

## 1. Introduction

- 1.1 Following receipt of the report of the Planning Inspector on the previous submission Local Plan in December 2014, and subsequent withdrawal of the plan in January 2015, Uttlesford District Council has restarted the Local Plan formulation process, including reconsideration of the options for development. This includes reworking the vision set out in the withdrawn Local Plan, as set out in Appendix A.
- 1.2 A clear vision for the future of the District is a central requirement of the Local Plan. The national Planning Practice Guidance (PPG) explains that a vision is integral to the Local Plan:

### **What is the role of a Local Plan?**

“National planning policy places Local Plans at the heart of the planning system, so it is essential that they are in place and kept up to date. Local Plans set out a vision and a framework for the future development of the area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment, adapting to climate change and securing good design. They are also a critical tool in guiding decisions about individual development proposals, as Local Plans (together with any neighbourhood plans that have been made) are the starting-point for considering whether applications can be approved. It is important for all areas to put an up to date plan in place to positively guide development decisions.

“National planning policy sets clear expectations as to how a Local Plan must be developed in order to be justified, effective, consistent with national policy and positively prepared to deliver sustainable development that meets local needs and national priorities.”

*Source: Planning Practice Guidance, Local Plans, Paragraph 1*

- 1.3 As the PPG makes clear, the vision needs to be shaped in the context of positive planning for development, as well as safeguarding the environment, adapting to climate change, and securing good design. This means that Local Plan vision statements need to be an integral part of the development strategy for the area they cover.
- 1.4 The process of preparing an agreed vision is one of the toughest challenges facing Local Plan-makers. This process is set out in the NPPF which states that *“A wide section of the community should be proactively engaged, so that Local Plans, as far as possible, reflect a collective vision and a set of agreed priorities for the sustainable development of the area, including those*

*contained in any neighbourhood plans that have been made.”* (National Planning Policy Framework Paragraph 155).

- 1.5 This is a huge challenge for plan-makers, given the many different interests and views of the residents and businesses. It is also a challenge for local residents and groups, who need to engage with the overall requirement to provide a positive “framework for future development of the area”.

## **2. The Vision and the Development Strategy**

- 2.1 The framework for future development of an area includes the vision, the development strategy, and a suite of policies through which the former may be implemented. Through the Local Plan all three must be aligned.
- 2.2 The vision statement component of the Local Plan is often referred to as a ‘spatial vision’ because it sets out specific areas of development and restraint. The vision is usually closely linked to the Key Diagram and brief outline of the spatial development strategy in Local Plans, so that the spatial expression of the vision may be clearly represented and understood.
- 2.4 The production of a draft vision is only possible at the draft Local Plan stage, when the Council will set out its proposals for development of the area for the first time, including identification of specific development locations. Whilst some elements of the vision may appear relatively obvious at the outset, it is important that the vision should not be used to predetermine the development strategy before all the evidence has been assembled and considered.
- 2.5 At the same time, inputs from business and the community will be sought at intervals through the plan-making process. These inputs will be used to inform the development of both the vision and the plan overall, within the context of the requirements of national policy. The production of the vision is therefore an intrinsic part of the process of plan formulation.

## **3. Drafting the Content of the Local Plan Vision**

- 3.1 The PPG indicates that the framework for development should include *“needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for safeguarding the environment, adapting to climate change and securing good design.”*
- 3.2 In order to assist those with an interest in the Local Plan, and District Councillors in particular, some examples of vision statements extracted from Local Plans recently found sound are provided in Appendix B. It is helpful to identify themes which are picked up in these documents. However the examples set out here are not models to follow and no doubt it would be

possible to improve on them. It may be helpful to consider these examples alongside the Uttlesford Submission Local Plan Vision in Appendix A.

- 3.3 As far as possible Vision statements should avoid bland 'anywhere' statements because they should convey succinctly and clearly how places will look different at the end of the plan period, commonly in 15 years time.
- 3.4 Visions are intrinsically aspirational but it is important that these aspirations should be capable of being realised. Local Plans can be used to make the case for funding and investment over the long term, and a significant amount of work will be undertaken through the ongoing Infrastructure Delivery Programme to realise the vision. In East Cambs the contribution to the A142 and the A10 provide examples.
- 3.5 The vision needs to be positively worded to explain how residential and employment growth will be linked. It is not necessarily the case that for every house built there will be a suitable job provided in the immediate locality: this is not realistic in the specialised modern economy where jobs tend to cluster in areas attractive to employers, and many workers are prepared to travel significant distances. The vision should however identify the main locations where employment growth potential is recognised.
- 3.6 The vision should set out how the special qualities or character of the main settlements will be strengthened and conserved by development. The visions for the historic Roman cities of Chichester and Chester illustrate the dilemmas faced by those authorities in planning for significant amounts of development, and how they seek to address them.

#### **4. Design Quality**

- 4.1 The quality of design in the built environment is one of the main issues which the planning system seeks to address, and is often raised as an example of where the vision of development and the reality can diverge. Design quality refers not just to standards of architectural design of individual buildings but also to the inter-relationship between buildings, their setting, and the spaces between them.
- 4.2 A vision statement cannot in itself produce good design. This section seeks to set out the challenges and some of the mechanisms through which design may be addressed through the planning system.
- 4.3 Design is highly context-specific, but should not be considered simply a matter of taste and therefore subjective. Good design in place-making is advocated by the Design Council and others. There are various tools which

can be used to promote good design, including Design Review Panels<sup>1</sup> and the Building for Life standards (see Appendix B) as well as the adopted Essex Design Guide. National policy is clear that where there are clear cases of poor design then planning permission should be refused (NPPF paragraph 64).

- 4.4 However, notwithstanding examples of good practice and national requirements, there are intrinsic features of the development industry which make achieving good design very challenging.
- 4.5 Historically, towns and villages were usually built by local builders with an interest in their local area, building in small volumes using locally available building materials.
- 4.6 Today, residential development on larger sites in particular is characterised by volume housebuilders. The perception in some quarters may be that the principal concerns of such developers are their share price and other financial indices, and that they rarely employ local architects or use local materials, instead rolling out standard spec 'products' which may sell easily but provide little real choice, variety, or local distinctiveness. Recent changes to government guidance encourage Local Plans to provide opportunities for self-build in order to address such concerns.
- 4.7 Since the economic recession in 2008-9 there has been an increasing trend towards consolidation in the housebuilding industry, with many small builders going bust or selling up, and consolidation of a small number of increasingly large national companies.
- 4.8 In villages across the country development opportunities are usually characterised by small parcels of land which are unattractive to volume builders and can attract local builders. Such developments are however often characterised by large 4 and 5 bedroom houses which are unaffordable to local residents<sup>2</sup>.
- 4.9 Multiple landownerships at large development sites in can result in the appointment of different developers for different parts of the site. This can cause disjointed masterplanning. It can also cause disputes between developers over the respective level of infrastructure contributions, thereby complicating Section 106 negotiations with the Local Planning Authority.
- 4.10 These features of the development industry, combined with the NPPF imperative to deliver more housing, often means that the requirement for

---

<sup>1</sup> See for example the Hertfordshire Design Review Panel including past reviews at: [www.hertslink.org/buildingfutures/designreview/](http://www.hertslink.org/buildingfutures/designreview/).

<sup>2</sup> The existing (2005) Uttlesford Local Plan (Policy H10: Housing Mix) seeks to address this concern. It requires that "all developments on sites of 0.1 hectares and above or of 3 or more dwellings will be required to include a significant proportion of market housing comprising small properties."

'good design' all too often slides into merely 'acceptable' designs which are capable of surviving a challenge at a planning appeal but achieve little more.

- 4.11 In terms of the Local Plan, where there are potential influences on design outcomes then these should be identified in the policy wording. Such policy requirements will benefit from engagement with Town and Parish Councils and feedback from others with local knowledge.
- 4.12 Developers should have an interest in actively pursuing good design because it should increase their chances of securing planning permission. The NPPF states that: *"applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably."* (NPPF Paragraph 66). Whether such engagement is tokenistic or genuinely results in improved design quality will need to be factored into the planning balance in the context of decisions on individual planning applications.

## **5. Next Steps**

- 5.1 Initial concepts for potential inclusion in a future vision will be explored at the Planning Policy Working Group on 13 July 2015. Members may wish to further consider potential inputs and submit comments by email to the Planning Policy Team at [planningpolicy@uttlesford.gov.uk](mailto:planningpolicy@uttlesford.gov.uk) . Any comments received will be reported to a future meeting of the Planning Policy Working Group.
- 5.2 It is proposed that a broad range of views on the potential contents of the vision will be sought through a public consultation in the autumn. In order to ensure that the development context for the emerging vision is understood, consultation questions on the vision will be included alongside questions about the development strategy options and appraisal of alternatives. The contents of the consultation documents will be considered as part of a Working Group meeting prior to the consultation.
- 5.3 Work on infrastructure planning and delivery, together with work on the development strategy, will be carried out over the coming months and used to help inform and shape a draft vision which is both aspirational and realistic. The vision will then form part of a new draft Local Plan to be considered by the Council during 2016 prior to a further public consultation.

# Appendices



## **Appendix A: Draft Vision from Uttlesford Submission Local Plan 2014 (withdrawn)**

### **The District Vision**

By 2031....

1. The district's high quality natural and historic environment will have been maintained and enhanced and the settlements will continue to be separate entities with green space between them.
2. The houses and facilities people need will be available and affordable locally, new sustainable housing developments will be distributed across the District.
3. The vitality and viability of our towns will have been maintained and enhanced and they will be safe, clean and attractive places. Facilities will exist for companies to grow and establish in Uttlesford.
4. There will be convenient, comfortable, safe and affordable alternatives to private transport, whether by bus or rail serving the settlements of Saffron Walden, Great Dunmow, Elsenham, Great Chesterford, Hatfield Heath, Newport, Stansted Mountfitchet, Takeley and Thaxted and the regional interchange centre of Stansted Airport.
5. The impact of Stansted Airport will have been minimised so that its presence is recognised as an asset to the District which attracts people to live, work and visit.

## Appendix B: Examples of Local Plan Vision Statements

### Example Vision 1: Chichester District Local Plan (Found Sound May 2015)

#### *Vision for Places - The East-West Corridor*

*The emphasis will be upon consolidating and enhancing the role of Chichester city as the District's main centre, whilst also developing the role of key settlements to its east and west, most notably Southbourne, Westhampnett and Tangmere. This will help to relieve pressure on the city and take advantage of access to jobs and services to the east and west of the District. The focus will be upon creating communities with good access to a range of employment opportunities and affordable housing for young people and families to balance the ageing population.*

*Chichester city will maintain its special significance as an economic and cultural centre serving a wide catchment area beyond the District. The city's employment base will adapt and evolve from an emphasis on public administration, to a base which is more diverse and reflects its highly regarded professional services and cultural offer. The city will enhance its reputation as a University City and centre of excellence for higher and further education and the arts with a range of opportunities for business, shopping, leisure and entertainment. The economic contribution that students make to the city will be further enhanced as graduates choose to remain within Chichester and set up businesses or seek local jobs.*

*New sustainable neighbourhoods at Graylingwell Park and Roussillon Park, as well as other sites in the north of the city and around its fringe will provide homes, jobs and community facilities with good public transport, pedestrian and cycle links to other parts of the city. As an historic walled cathedral city dating back to Roman times, its rich cultural and architectural heritage will be conserved, enhanced and promoted together with the views and landscape value afforded by its setting.*

*Strategic development to the east and west of the city will seek to conserve and enhance the local distinctiveness, character and cohesion of existing settlements whilst recognising the important role of the city as the major focus for employment, shopping and leisure. This highly accessible transit corridor will be the focus for major new employment development, including large-scale horticulture. The relationship between the National Park and significant natural areas to the south, especially Chichester Harbour Area of Outstanding Natural Beauty, will be carefully managed by maintaining and enhancing the countryside between settlements.*

*Southbourne and Tangmere will grow and develop their role as 'settlement hubs' by widening the range and improving the quality of public open space, leisure and community facilities for their respective local areas. For Southbourne, the aim is to enhance its existing range of local facilities, whilst also looking to further strengthen transport links east to Chichester and west to Havant and Portsmouth.*

*For Tangmere, the vision is to significantly enhance the village's range of facilities to the benefit of the local community through the development of new homes and workspace. At the same time, improved bus services and cycleways will provide*

*better connections to Chichester city and east to Barnham and the 'Five Villages' area in Arun District.*

## **Example Vision 2: East Cambridgeshire District (Found Sound March 2015)**

### ***A spatial vision for East Cambridgeshire***

*In 2031, East Cambridgeshire will have maintained a high quality of life and retained its distinct identity as a predominantly rural area of villages and market towns, whilst accommodating the development of new homes and jobs. The district will have taken advantage of the economic vitality of the Cambridge sub-region, and have a diverse and thriving economy, with vibrant and attractive towns and villages which act as employment and service centres for their surrounding rural areas. More residents will have a high quality of life, with increased access to affordable housing, a wider range of local better skilled jobs, and good quality services and facilities.*

*The market towns of Ely, Soham and Littleport will be the focus for development. Ely, as the main centre in the district, will accommodate the most growth. More employment opportunities will be available, reducing out-commuting, increasing the jobs density ratio, and creating more balanced communities with a better level of self-containment. A mix of residential development will be delivered to meet local needs (including affordable housing), whilst ensuring necessary infrastructure and community facilities/services are in place to support growth.*

*In the wider countryside, appropriate small-scale development will be allowed where this meets local needs and supports the long-term sustainability of a settlement. The small part of the district which forms a suburb of Newmarket will support the overall development of Newmarket – as identified in the Forest Heath LDF. Wherever new housing is provided, it will respond to local needs and requirements as far as possible in terms of type, size and tenure. In addition, large developments will be of exemplar quality, and all new housing will be of high quality and well designed, ensuring that the distinctive character of the district's towns and villages is maintained and enhanced.*

*Communities will have improved social, recreational, health and educational facilities. The needs of elderly, young and lower-paid people will receive special attention. Existing vital community services will be retained<sup>9</sup> and new infrastructure and services required to support growth will be delivered on time to meet the needs of new residents. The levels of crime and the fear of crime will have been further reduced.*

*Transport deficiencies will be tackled and accessibility improved. Priority will be given to major improvements to the A142 between Angel Drove and the Stuntney Causeway. Public bus services between market towns and villages will be improved (including to settlements in neighbouring areas), and the A10 will be developed as a high quality public transport corridor. Better cycling and pedestrian facilities and links will be provided, including segregated cycle routes along key routes linking towns and villages. Other infrastructure improvement projects required to support growth will also be delivered.*

*The overall diversity and quality of East Cambridgeshire's countryside and natural environment will have improved and the historic environment conserved and enhanced. There will be better access to the countryside and green spaces for local communities which helps to improve people's quality of life. The challenges presented by climate change will have been embraced, with new development being located and designed to minimise resource and energy use and reduce the risk of flooding. Renewable energy production will have increased, and a proportion of all energy will be created from local renewable sources such as bio-fuels, biomass, and wind power.*

### **Example 3: South Somerset Local Plan (Found Sound January 2015)**

#### ***The Vision for South Somerset in 2028***

*'South Somerset will be a thriving, attractive and affordable place to live and work in. It will be a far more sustainable place with more self-sufficient towns with much better public transport links within and between them, therefore more and better community facilities will be available in each of them. The move to a low carbon economy and low carbon living will have been secured together with adaptation to the changing climate of warmer, wetter winters and hotter, drier summers expressed through appropriate changes in the built form and enhanced green infrastructure.*

*The district will have grown in population with a larger Yeovil and expanded market towns based on economic, cultural and educational strengths. There will be continued protection of distinctive historic, urban and rural environments. The growth in population will be matched with growth in the economy in conjunction with the infrastructure provision needed to make this happen.*

*Residents will have greater opportunities to lead active and healthier lifestyles through greater access to open space and leisure opportunities and to facilities, services and jobs, without reliance on the car. The area will have a low crime rate and people will feel safe and happy in their environment.*

*New homes will be of the highest standard of design and locally distinctive. People can afford to either buy or rent and will want to live in these homes which can improve their quality of life, health and well-being. There will be economic growth in business and better wages will provide a more equitable standard of living and foster more socially inclusive communities throughout the district. Through promotion of the district, new inward investment will be attracted to South Somerset.*

*Yeovil will be the prime economic driver within the district and beyond, with a strong employment base and more high-tech and quality businesses. The town will have a better public transport network and be better linked to the district's Market Towns.*

*The town will be attractive for residents, workers, students and visitors. The workforce will be more highly skilled and motivated with improving higher education facilities including university level courses. Retailing will flourish in a thriving town centre which supports rather than competes with the role of the Market Towns. The night time economy in the town will flourish with quality social and leisure opportunities.*

*The Yeovil Sustainable Urban Extensions will be established and act as an exemplar of the benefits of more sustainable living with local job and service self-sufficiency, high quality design of buildings, a high level of attractive open space, leisure facilities and parkland. These aspirations are in accordance with the aims of Paragraph 52 of the NPPF which refers to large-scale extensions to settlements aiming to deliver on the principles of 'Garden Cities'.*

*South Somerset's Market Towns and Rural Centres will provide the basis of the thriving regenerated and diversified economy outside Yeovil. These places will have retained their distinctiveness and continue to provide a focus for their surrounding areas. They will have built upon their existing roles and functions and be thriving and vibrant places offering quality housing, job opportunities and a range of services to meet the needs of their communities and visitors and be more self-sufficient and with a better balance of jobs to dwellings.*

*The significant growth identified for Chard will have addressed physical constraints to growth, economic regeneration and prosperity and moved the town to a higher level of service provision with much improved facilities throughout the town and better job opportunities.*

*The growth proposed at the other Market Towns and Rural Centres will provide economic regeneration, better housing and, with the maintenance and enhancement of commercial and community services across the district, allowing better access for all. The mix of employment, housing and associated land uses in these places will promote greater settlement self-containment.*

*Villages and smaller settlements will be able to provide for local provision of jobs, facilities and the affordable housing that they need which brings benefits to the rural economy. Farm diversification, more diverse local employment opportunities and support for tourism, tourism accommodation and attractions will also support a better experience of rural living, as will the ability to live and work from home through improved broadband provision.*

*South Somerset will have retained a viable agricultural base with high quality local food production reducing the need for imports and food miles.*

*Commitment to reducing the impact of climate change will be demonstrated by achieving high quality design and by the wider application of reduced CO2 emission targets for new development. Sustainable new development within Yeovil Urban Village (Summerhouse Village) and within the Sustainable Urban Extensions will provide exemplar development to act as a driver for change and innovation in design and energy efficiency. Focus will be on economic and housing growth in the most sustainable locations, avoiding areas of high flood risk.'*

#### **Example 4: Cheshire West and Chester Local Plan (Found Sound December 2014 2015)**

*By 2030 Cheshire West and Chester will be a desirable and attractive place to live, work, learn and visit with vibrant towns and rural villages, reflecting the vision of the Sustainable Community Strategy.*

*Development will reflect the character of local areas, conserving, managing and enhancing the valuable natural and historical environments, resources and assets.*

*Chester will continue its development as a prosperous sub-regional employment location, shopping and international tourist destination. The city will be a key asset to the borough with a thriving business, retail and tourism economy and as a centre for learning. The setting and special character of Chester will be maintained.*

*Ellesmere Port will be a confident industrial area, a hub for high quality industries and technologies including the green energy and waste sector, attracting inward investment. Perceptions of the town will be enhanced as a result of improvements to the image of the town as a prosperous area.*

*Northwich will have a vibrant town centre based around the regeneration and development of new retail, leisure and housing development opportunities. The waterways and surrounding countryside will provide an important resource for the recreational needs of local residents and visitors.*

*Winsford will be integral to the improved prosperity of the borough particularly through development to meet the needs of local communities, whilst protecting the character of the Cheshire countryside and individual identity of rural settlements. The market towns and villages identified as key service centres will remain viable settlements and will fulfil their role and function in providing access to services and facilities for their local and surrounding communities.*

## Appendix C: Building for Life Standards

Source: [www.builtforlifehomes.org](http://www.builtforlifehomes.org)

### Integrating into the neighbourhood

**1 Connections:** *Does the scheme integrate into its surroundings by reinforcing existing connections and creating new ones, while also respecting existing buildings and land uses around the development site?*

**2 Facilities and services:** *Does the development provide (or is it close to) community facilities, such as shops, schools, workplaces, parks, play areas, pubs or cafes?*

**3 Public transport:** *Does the scheme have good access to public transport to help reduce car dependency?*

**4 Meeting local housing requirements:** *Does the development have a mix of housing types and tenures that suit local requirements?*

### Creating a place

**5 Character:** *Does the scheme create a place with a locally inspired or otherwise distinctive character?*

**6 Working with the site and its context:** *Does the scheme take advantage of existing topography, landscape features (including water courses), wildlife habitats, existing buildings, site orientation and microclimates?*

**7 Creating well defined streets and spaces:** *Are buildings designed and positioned with landscaping to define and enhance streets and spaces and are buildings designed to turn street corners well?*

**8 Easy to find your way around:** *Is the scheme designed to make it easy to find your way around?*

### Street & home

**9 Streets for all:** *Are streets designed in a way that encourage low vehicle speeds and allow them to function as social spaces?*

**10 Car parking:** *Is resident and visitor parking sufficient and well integrated so that it does not dominate the street?*

**11 Public and private spaces:** *Will public and private spaces be clearly defined and designed to be attractive, well managed and safe?*

**12 External storage and amenity space:** *Is there adequate external storage space for bins and recycling as well as vehicles and cycles?*





**Committee: Planning Policy Working Group**

**Agenda Item**

**Date: 13 July 2015**

**6**

**Title: Development Strategy: Options Stage  
Methodology**

**Author: Martin Paine, Planning Policy Team Leader**

---

### **Summary**

1. In formulating a new Local Plan, the central task is to ensure that it is underpinned by a sound development strategy. The development strategy is the mechanism by which a locally-led vision for the future of the District will be brought together with national requirements to produce a plan which the Council is confident will be found 'sound' by a Planning Inspector following Examination in Public, and will thereby attain legal weight for use in the consideration of planning applications.
2. The attached report sets out the proposed methodology for formulation of options and scenarios for consultation in the autumn. It also explains the national policy requirements and how these should inform the Council's approach to work on the development strategy.

### **Recommendations**

- A: That the Local Plan Development Strategy: Options Stage Methodology be noted.
- B: That any Member comments or suggestions on the Methodology be discussed.

### **Financial Implications**

3. The costs associated with the Development Strategy: Options Stage Methodology can be met from existing budgets.

### **Background Papers**

4. None

### **Impact**

Communication/Consultation	Formal consultation as the Local Plan develops will be carried out in accordance with the Statement of Community Involvement.
Community Safety	None

Equalities	The Local Plan impacts on all sectors of the community.
Health and Safety	None
Human Rights/Legal Implications	None
Sustainability	Appraisal of alternatives to the emerging plan will be undertaken.
Ward-specific impacts	All.
Workforce/Workplace	Planning Policy Team and other officers as appropriate.

### Situation

5. Following receipt of the report of the Planning Inspector on the previous submission Local Plan in December 2014, and subsequent withdrawal of the plan in January 2015, Uttlesford Council has restarted the Local Plan process, including reconsideration of the options for development.
6. Subject to discussion of the methodology at the Working Group on 13 July, it is proposed that maps of the options and scenarios be considered at the meeting of the next Working Group, scheduled for 27 July.

### Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Without an agreed methodology there is a risk to the Options stage in production of the new Local Plan.	1. Can be addressed and managed through the Working Group discussion forum.	3. The Options stage helps to ensure that the Local Plan is justified when considered against the reasonable alternatives.	Discussion at the Working Group to ensure understanding of the methodology and propose refinements if necessary.

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 Local Plan**

## **Development Strategy: Options Stage Methodology**

**Planning Policy Working Group  
13 July 2015**

## Contents

<b>1. Introduction</b> .....	3
National Requirements .....	3
Vision.....	5
An Iterative Process.....	5
The Technical Process and the Decision-Making Process .....	6
<b>2. Conceptual Options</b> .....	7
Urban Intensification .....	7
Urban Extensions .....	7
Village Extensions .....	8
Infilling .....	9
Free-standing new settlements.....	9
Unreasonable Options .....	10
Conclusions: Conceptual options.....	10
<b>3 Methodology – Options Stage</b> .....	11
Establishing Reasonable Assumptions.....	11
Areas of Search .....	13
Scenario Building.....	13
Growth Levels.....	13
Sustainability Appraisal (SA).....	14
Beyond the Options Stage – Next Steps .....	14

## Appendices

Appendix A: PAS Soundness Self-Assessment Checklist .....	15
---	----

## 1. Introduction

- 1.1 Following receipt of the report of the Planning Inspector on the previous submission Local Plan in December 2014, and subsequent withdrawal of the plan in January 2015, Uttlesford Council has restarted the Local Plan formulation process, including reconsideration of the options for development. A high-level Work Plan and Risk Assessment have been prepared outlining the main challenges in putting together the Local Plan.
- 1.2 In formulating a new Local Plan, the central task is to ensure that it is underpinned by a sound development strategy. The development strategy is the mechanism by which a locally-led vision for the future of the District will be brought together with national requirements to produce a plan which the Council is confident will be found 'sound' by a Planning Inspector following Examination in Public, and will thereby attain legal weight for use in the consideration of planning applications.

### National Requirements

- 1.3 National requirements are set out in the National Planning Policy Framework (NPPF). The NPPF approach to 'sustainable development' requires consideration of a huge range of requirements which all need to be balanced and seen as a whole:

#### **Sustainable development and the NPPF**

**Paragraph 6:** "The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system".

**Paragraph 8:** "To achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions."

- 1.4 The NPPF sets a very high bar in terms of expectations that Local Planning Authorities will meet objectively assessed housing needs. A significant number of Local Plans have been withdrawn following advice from an appointed Planning Inspector that insufficient effort has been made:

**Making every effort to meet objectively assessed development needs**

**Paragraph 14:** the “presumption in favour of sustainable development...should be seen as a golden thread running through plan-making and decision-taking”...“Local Plans should meet Objectively Assessed needs...unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taking as a whole”;

**Paragraph 17:** “every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.”

- 1.5 Although logically and succinctly expressed in the NPPF, the following requirements have proven very difficult for many Local Planning Authorities as they prepare their Local Plans. In the case of the previous Uttlesford Local Plan, the Inspector drew attention to failings in relation to both the justification of the submitted plan and its effectiveness:

**Examining Local Plans (NPPF Paragraph 182)**

The Local Plan will be examined by an independent inspector whose role is to assess whether the plan has been prepared in accordance with the Duty to Cooperate, legal and procedural requirements, and whether it is sound. A local planning authority should submit a plan for examination which it considers is “sound” – namely that it is:

- **Positively prepared** – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- **Justified** – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- **Effective** – the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities; and
- **Consistent with national policy** – the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.

- 1.6 It is during the formulation of the development strategy underpinning the Local Plan that the Council must consider whether these requirements have been met. The Planning Advisory Service (PAS) has produced a

helpful checklist, contained at **Appendix A**, which will assist the District Council in reaching an informed judgement as to whether these requirements have been met through the development strategy.

## Vision

- 1.7 The other main component of the development strategy is the vision. Given the NPPF requirements outlined above, the vision must be a positive one for delivering growth and development. This means that District Councillors have a difficult role, as set out by the Planning Advisory Service:

### **The Leadership Role of District Councillors**

District Councillors have a vital **leadership** role to play to produce a **robust** Local Plan for your area that has **buy in** from all parties. The key challenge is to listen to the views and aspirations of your constituents and **balance** this with the professional advice of your planning staff in order to **plan** for, and **meet**, the **development needs of your area**.

*Source: PAS: Local Plans and Plan-Making – Presentation to Local Plans Steering Groups (April 2015)*

- 1.8 In order to be meaningful, a vision for an area must engage directly with challenges including where growth and critical infrastructure will be delivered, as well as where growth will be restrained. In order to achieve this, the vision must be an integral part of the development strategy, and vice-versa.

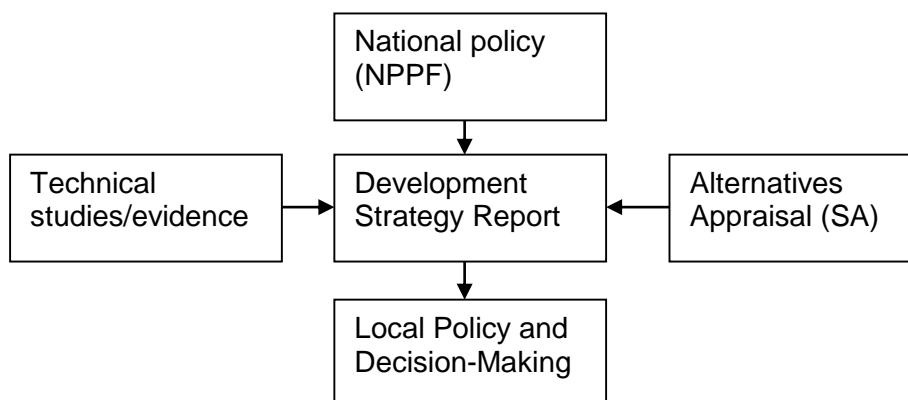
## An Iterative Process

- 1.9 Formulation of a development strategy requires a gradual process of testing and refinement, commonly known in plan-making as an 'iterative' process. This process starts with very high-level test assumptions and then gradually applies more evidence and more techniques, leading to changes to the strategy.
- 1.10 As a result of this process, options which initially appear unfavourable may later be re-introduced, and options which initially appear favourable may drop out. It is crucially important the District Councillors in particular should understand this, and support the testing process. The Council must be careful not to prejudge where development will take place.
- 1.11 The iterative process also applies to the development of the vision, which cannot spring forth fully formed but advances gradually, in parallel with the emerging development strategy, and taking account of input from businesses and the community.

## The Technical Process and the Decision-Making Process

- 1.12 In order to advance the development strategy a number of pieces of technical work have to be undertaken. These pieces of work are set out in the Work Plan but include the Green Belt Assessment, the Strategic Housing Land Availability Assessment, the Strategic Flood Risk Assessment and a number of others.
- 1.13 Technical work does not make policy decisions, and therefore is not subject to public consultation. However, depending on the nature of the technical study, limited engagement with key stakeholders such as Town and Parish Councils may assist with robustness and quality control.
- 1.14 The main policy decisions will be set out in a Development Strategy Report, which will draw together the various strands of technical work with recommendations based on planning judgement to provide a basis for the Council to make informed policy decisions. The Report is likely to be set out in a number of stages, at the Options, Preferred Options, and Submission stages, and will form the central narrative and audit trail as to how decisions were reached.
- 1.15 The development strategy set out in the report will be subject to Sustainability Appraisal (SA) by independent consultants. This appraisal will assist the Council in ensuring that the emerging Local Plan is justified, and has been assessed against reasonable alternatives. It may be that the SA of the Preferred Options will result in amendments to the emerging plan, or indeed a fundamental change in the strategy.

**Figure 1: The Decision-Making Process**



- 1.16 In their decision-making capacity District Councillors will be supported through the technical evidence and the requirements of the NPPF. Whilst evidence-based decision making is a crucial part of this, in practice planning decisions are rarely straightforward and it is important that Councillors are sufficiently aware of the process in order to make an informed judgement.



## **2 Conceptual Options**

- 2.1 Before beginning to develop a methodology for undertaking strategy selection, it is helpful to undertake a brief review of the conceptual options. There are five basic options: urban intensification, urban extensions, infilling, village extensions, and free-standing new settlements.

### **Urban Intensification**

- 2.2 In some parts of the country, particularly in former industrial cities, there are sometimes large areas of derelict land or vacant buildings which can be redeveloped. National policy encourages re-use of brownfield sites and permitted development rights have been extended to changes of use from employment to residential, making this considerably easier. However in many districts, including Uttlesford, recent years have seen the gradual redevelopment of the majority of obvious brownfield sites, and it is doubtful whether these will continue to play a significant role in future housing provision over forthcoming plan period.
- 2.3 A second aspect of urban intensification relates to density of development. In some parts of the country, notably in the London Plan, encouragement is given to higher density development, including high-rise development particularly in town centres are around transport interchanges such a tube and rail stations. In mostly rural districts such as Uttlesford, characterised chiefly by small villages and market towns, it is doubtful whether such a strategy would be appropriate.
- 2.4 Every Local Planning Authority is obliged to undertake a Strategic Housing Land Availability Assessment (SHLAA). Usually some relatively small urban sites suitable for redevelopment are identified through this assessment. It may be that a relatively modest contribution towards the OAN can be made through this source.

### **Urban Extensions**

- 2.5 Urban extensions are developments to the edge of towns, ranging in scale from fairly small-scale to very large, in some cases of 10,000 or more homes together with a wide range of supporting infrastructure and employment opportunities. In recent years the majority of new development in the home counties has been delivered through urban extensions. Examples include Chelmsford and Bishop's Stortford North, which recently secured planning permission with construction due to start imminently.
- 2.6 The advantages of urban extensions are that they can provide sufficient scale to enable masterplanning and design of green space,

they may provide good access to existing centres of employment community and leisure facility, and also to the strategic transport network.

- 2.7 However in some cases the opportunities for urban extensions are limited and they can be perceived as incremental development without supporting infrastructure, which can put strain on the host settlement.
- 2.8 There are many cases where planned urban extensions adjoin or cross the administrative boundaries of Local Planning Authorities. In such cases joint working on cross-boundary strategic planning matters is essential, and required by the Duty to Co-Operate.

### **Village Extensions**

- 2.9 These are similar in concept to urban extensions, but are much smaller in scale. Sometimes village extensions can relate well to an existing village, and can help to secure the long-term future viability of some village facilities, for example by using spare capacity in a village school. Village extensions can assist with provision of the 5-year housing land supply because they usually do not require significant lead-in time for provision of infrastructure or site preparation. They may score highly in terms of deliverability.
- 2.10 The disadvantages of most villages is that they are relatively remote from the full range of facilities and residents are heavily dependent on private car usage, which can cumulatively add to the strains on the wider transport network as well as local rural roads. To address these issues most Local Plans categorise villages according to the level of services and facilities and therefore suitability in principle for modest scale development. However in practice even villages with a relatively good range of facilities are capable of accommodating only a small amount of development.
- 2.11 Because of the small scale of villages relative to towns, these locations are often very sensitive to development and detailed consideration of the landscape setting and character is necessary in order to avoid substantial harm. In terms of the Local Plan work programme, it may be difficult to resource detailed study of a large number of small sites in multiple villages.
- 2.12 It is necessary for the District Council to reach a view on the overall approach to villages, taking into account the strategic nature of Local Plans, the relatively small contribution to development needs which may be made by the villages collectively, and the new powers and responsibilities investment in Parish Councils through Neighbourhood Planning. It may be that the District Council chooses to focus on providing allocations in only a very small number of villages based on sustainability criteria.

## **Infilling**

- 2.13 This pattern of development contrasts with urban and village extensions in that it fills in gaps between existing development. In this sense there are similarities between infilling and urban intensification. Infill sites are often Greenfield. Infill sites are usually highly deliverable and can contribute towards the 5-year housing land supply.
- 2.14 In practice most infilling opportunities occur in villages. Infilling has the potential to change the character of a village and can result in substantial harm if infill sites are not carefully managed. Villages are often low density in character and can soon reach a threshold where, although this can be very hard to quantify. In Local Plans Village boundaries are usually very tightly drawn to prevent infilling. Whether certain infill sites are suitable depends on detailed knowledge of the site and the local village. In this respect many of the considerations which apply to village extensions above also apply to infilling.

## **Free-standing new settlements**

- 2.15 New Towns, Eco-Towns, Garden Cities, Garden Villages are all examples free standing new settlements. In recent years the concept of Garden Cities has become popular, although in practice very few have been taken forward.
- 2.16 Proponents of new settlements argue that they are more sustainable because they enable infrastructure to be planned in, and enable comprehensive masterplanning and design, including provision for landscaping and green infrastructure as well as provision of a range of facilities. They may also have the advantage of taking development pressure off otherwise constrained existing settlements.
- 2.17 Whilst there were a significant number of new settlements developed in the post-war period, in particular the New Towns movement, these developments were backed by strong delivery vehicles backed by central government and significant funding.
- 2.18 The more recent history of new settlements is somewhat chequered. New settlements such as Northstowe near Cambridge have taken decades from the initial planning stages to delivery, even with the involvement of the national regeneration agency English Partnerships (later the Homes and Communities Agency). Of the Eco Towns programme only two of the original proposals are being carried forward, and progress with these is similarly slow. In relation to the current Garden Cities programme, the proposals for Ebbsfleet and Bicester have been in the planning stages for many years and it is questionable whether these adhere to genuine 'Garden City' principles.

- 2.19 One of the main concerns regarding new settlements from the point of view of Local Plan-makers therefore, is that Local Plan Inspectors are likely to be sceptical of plans which rely on such proposals to the exclusion of other developments. It could appear to an Inspector that instead of 'making every effort' to meeting housing needs, difficult decisions about planning for development are being deferred.
- 2.20 It is therefore considered unwise for Uttlesford District Council to proceed on the assumption that a new settlement approach alone is likely to form the basis of the new Local Plan, without an evidence base in place to demonstrate that all the options have been thoroughly tested.

### **Unreasonable Options**

- 2.21 Exporting growth to other regions of the country is not considered reasonable, and there is currently no mechanism in place for this to take place. The government and the Planning Inspectorate are clear that Local Planning Authorities should not get distracted from planning to meet housing and development needs in their own areas.

### **Conclusions: Conceptual options**

- 2.22 From the above review it is already clear that there will be no easy options in putting together a new Local Plan for Uttlesford District. It can also be seen that a decision to limit growth under one option, may increase pressure to find suitable locations under another option. So to limit growth in the villages may put pressure on the towns and vice-versa. New settlements may or may not assist in alleviating that pressure.
- 2.23 It should also be understood that at Examination in Public a Local Plans Inspector will be looking to see that the Local Planning Authority has made every effort to meet housing needs. From the point of view of Examination the ideal strategy is one comprising a 'mixed economy' of different types and scales of sites, which can provide a continuous supply of housing and development land throughout the plan period. A hybrid approach is characteristic of Local Plans found sound to date.

### **3 Methodology – Options Stage**

- 3.1 This report addresses the early stages in formulation of the development strategy, from initial preparatory work through to the Options consultation, the first of three public consultations to be undertaken on the emerging Local Plan.
- 3.2 In planning terms, the purpose of the Options consultation is to broaden the Council’s understanding of a range of relevant planning issues related to each of the options set out in the consultation documents. It is to be hoped that new evidence will be presented through the consultation which can then be used in more detailed assessments to follow as the Council works towards the Preferred Options stage. The options consultation may also highlight other options which were not included in the consultation documents.
- 3.3 At the Option stage no detailed work will be undertaken in respect of deliverability. Assessment of potential infrastructure provision will need to be undertaken as more evidence is gradually accumulated.

#### **Establishing Reasonable Assumptions**

- 3.4 At this stage in the process it is important that the options should not be narrowed down too quickly before the evidence has been assembled and thoroughly tested. On the basis of initial work it would be too easy to drop options from further consideration, and this would then raise doubts about whether the authority was genuinely making every effort to meet objectively assessed needs.
- 3.5 For this reason, the initial stage in preparation of the development strategy is to establish a reasonable set of high level assumptions which can then be refined as more evidence is gradually accumulated through the strategy selection process.

**Table 1: Initial high-level criteria**

<b>No.</b>	<b>Criterion</b>	<b>Explanation</b>
1	Potential to contribute to effective cross-boundary strategic planning priorities.	This is a requirement of the Duty to Co-Operate enshrined in the Localism Act 2010 and is one of the main strategic planning priorities of Local Plans.
2	Potential to minimise the need to travel by car, for example by locating residential development near to jobs, shops, leisure opportunities, and other facilities.	Although it is recognised that in a complex economy car-based commuting will continue to play a significant role, and due to the rural nature of the district car-based commuting is high, the NPPF requires that the planning system

No.	Criterion	Explanation
		should attempt to provide opportunities to minimise the need to travel.
3	Potential access to the strategic highways and rail network.	Recognising that the rural road network is constrained and that despite efforts to encourage non-car travel a high proportion of trips will continue to be made by car. Access to the rail network can encourage out-commuting but some weight should be given to locations which are highly accessible by rail.
4.	Exclusion of areas with special protection, for example Registered Parks and Gardens and Sites of Special Scientific Interest.	The NPPF requires that LPAs should consider a hierarchy of protections. Registered Parks and Gardens and SSSIs are considered to be at the top of the hierarchy. However there is no established definition of 'buffer zones' and so any land outside the designation should be considered further in order to demonstrate that the Council has considered the context.
5.	Focus on key villages and "villages with a primary school and with some local services: e.g. village hall/pub/shop suitable for a scale of development that would reinforce its role as a local service centre" (known as Type A rural settlements in the 2014 submission Local Plan)	Extensive work on settlement classification has already been undertaken and this work was not called into question by the Local Plan Inspector <sup>1</sup> . It is therefore not proposed to re-assess the village settlement classification. It is not considered practical to spend significant amounts of time assessing very small sites in Type B villages, beyond the work already programmed through the Strategic Housing Land Availability

<sup>1</sup> The Local Plan Inspector's report states: "3.24 The settlement classifications in table 2 of ULP are based broadly on the level of services available at each settlement. This is a more appropriate evidential base than the system underlying the classification of settlements in the present local plan. There will always be scope for debate about how much weight to apply to one factor or another and the appropriate categorisation for individual towns or villages where their services are at the margin between different classifications. However, the content of table 2 (and the resulting roles of the particular settlements) is generally soundly set out.

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

No.	Criterion	Explanation
		Assessment.

- 3.6 At this stage Green Belt is not considered an absolute constraint. An assessment of Green Belt will be undertaken to inform the Preferred Options stage of plan-making, and it will then be for a later stage of the development strategy work to consider whether the necessary exceptional circumstances exist to justify releasing any Green Belt land.
- 3.7 A matrix will be established to apply these five criteria in a consistent fashion. The matrix will then be interpreted spatially and represented on a diagrammatic map in order to clearly communicate the differences between the options. It is proposed that these maps will form the core of the Options consultation.

### Areas of Search

- 3.8 The mapped areas will be represented as elliptical shapes to avoid misunderstandings as to the status, or attribution of any false precision to the exact locations or site boundaries. At this stage it is too early to draw conclusions about such detailed matters.
- 3.9 The scale of development proposed for testing at each of the areas of search is unknown at this stage. However, it is assumed that there will be a mix of large and small scale proposals carried forward for further testing. Indicatively, it is assumed that new settlement options could be up to 15,000 dwellings, that urban extensions will be much smaller and that villages will be smaller still.

### Scenario Building

- 3.10 As part of the Options assessment it is important that there should be 'equal appraisal' of different options. This means that the total of each of the site-specific options must be the same. For example, it would not be sensible to set out Option A as a new settlement for 15,000 dwellings with Option B being allocations in the villages totalling 500 dwellings.
- 3.11 It is proposed that combinations of 'areas of search' will be combined into district-wide scenarios each totalling the same level of development.

### Growth Levels

- 3.12 Two levels of development are proposed for the initial purposes of testing. The first scenario will be based on 580 dwellings per annum, the level suggested by the 2014 submission Local Plan Inspector's report.

- 3.13 A second scenario to test a higher level of development is also recommended. This is considered necessary for a number of reasons.
- 3.14 Firstly, it will ensure that the Council can demonstrate that it has planned positively for growth, and that it has a properly justified strategy, in accordance with NPPF requirements (Paragraph 182). Secondly, it will ensure that in the event that the level of objectively assessed need rises, or that the District needs to consider assisting other Districts with addressing their unmet housing needs, then this can be demonstrated to have been addressed. Finally, it is necessary to meet the requirements of the Strategic Environmental Assessment (SEA) Directive to consider reasonable alternative options. This work will evolve further through the Sustainability Appraisal.

### **Sustainability Appraisal (SA)**

- 3.15 Having developed the above scenarios internally within the Council, the alternative scenarios will then be appraised separately by external sustainability consultants using the SA Framework set out in the SA Scoping Report. This is shown as the Stage 1 SA in the Work Plan.

### **Beyond the Options Stage – Next Steps**

- 3.16 It is proposed that the mapped Areas of Search and Scenarios will be presented to the Planning Policy Working Group for discussion at the meeting on 27 July 2015. The Sustainability Appraisal of the Scenarios will be considered by the Working Group in the autumn.
- 3.17 The Scenarios and the Sustainability Appraisal of them will form the basis of a public consultation in the autumn/winter.
- 3.18 The Work Plan and Risk Assessment (July 2015) outlines the main tasks in undertaking the Local Plan through to the submission stage.
- 3.19 Work will be undertaken on the Strategic Housing Land Availability Assessment (SHLAA) to carry out a technical assessment of the sites submitted using a criteria-based approach. The SHLAA will inform the development strategy work but will not limit it to sites which have been put forward by landowners. Other workstreams on infrastructure planning and delivery will proceed in earnest, as part of a process of continuous engagement with key stakeholders to test all the options as far as possible.
- 3.20 Members can email comments on the approach to the development strategy to the Planning Policy Team at [planningpolicy@uttlesford.gov.uk](mailto:planningpolicy@uttlesford.gov.uk). Comments will be reported to future meetings of the Planning Policy Working Group.



## Appendix A: PAS Soundness Self-Assessment Checklist

The following is an extract from the Self-Assessment checklist (March 2014) relating specifically to the development strategy component of Local Plans.

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p><b>Justified:</b> <i>The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.</i></p> <p>To be 'justified' a DPD needs to be:</p> <ul style="list-style-type: none"> <li>• Founded on a robust and credible evidence base involving: research / fact finding demonstrating how the choices made in the plan are backed up by facts; and evidence of participation of the local community and others having a stake in the area.</li> <li>• The most appropriate strategy when considered against reasonable alternatives.</li> </ul>		
<p><i>Participation</i> Has the consultation process allowed for effective engagement of all interested parties?</p>	<p>The consultation statement. This should set out what consultation was undertaken, when, with whom and how it has influenced the plan. The statement should show that efforts have been made to consult hard to reach groups, key stakeholders etc. Reference SCI</p>	
<p><i>Research / fact finding</i> Is the plan justified by a sound and credible evidence base? What are the sources of evidence? How up to date, and how convincing is it? What assumptions were made in preparing the DPD? Were they reasonable and justified?</p>	<ul style="list-style-type: none"> <li>• The studies, reports and technical papers that provide the evidence for the policies set out in the DPD, the date of preparation and who they were produced by.</li> </ul> <p>AND</p> <ul style="list-style-type: none"> <li>• Sections of the DPD (at various stages of development) and SA Report which illustrate how evidence supports the strategy, policies and proposals, including key assumptions.</li> </ul> <p>OR</p>	

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	<ul style="list-style-type: none"> <li>• A very brief statement of how the main findings of consultation support the policies, with reference to: reports to the council on the issues raised during participation, covering both the front-loading and formulation phases; and any other information on community views and preferences.</li> </ul> <p>OR</p> <ul style="list-style-type: none"> <li>• For each policy (or group of policies dealing with the same issue), a very brief statement of the evidence documents relied upon and how they support the policy (where this is not already clear in the reasoned justification in the DPD).</li> </ul>	
<p><i>Alternatives</i></p> <p>Can it be shown that the LPA's chosen approach is the most appropriate given the reasonable alternatives? Have the reasonable alternatives been considered and is there a clear audit trail showing how and why the preferred approach was arrived at? Where a balance had to be struck in taking decisions between competing alternatives, is it clear how and why the decisions were taken?</p> <p>Does the sustainability appraisal show how the different options perform and is it clear that sustainability considerations informed the content of the DPD from the start?</p>	<ul style="list-style-type: none"> <li>• Reports and consultation documents produced in the early stages setting out how alternatives were developed and evaluated, and the reasons for selecting the preferred strategy, and reasons for rejecting the alternatives. This should include options covering not just the spatial strategy, but also the quantum of development, strategic policies and development management policies.</li> <li>• An audit trail of how the evidence base, consultation and SA have influenced the plan.</li> <li>• Sections of the SA Report showing the assessment of options and alternatives.</li> <li>• Reports on how decisions on the inclusion of policy were made.</li> <li>• Sections of the consultation document demonstrating how options were developed and appraised.</li> <li>• Any other documentation showing how alternatives were developed and evaluated, including a report on</li> </ul>	

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
	how sustainability appraisal has influenced the choice of strategy and the content of policies.	
<p><b>Effective:</b> <i>the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities.</i></p> <p>To be 'effective' a DPD needs to:</p> <ul style="list-style-type: none"> <li>• Be deliverable</li> <li>• Demonstrate sound infrastructure delivery planning</li> <li>• Have no regulatory or national planning barriers to its delivery</li> <li>• Have delivery partners who are signed up to it</li> <li>• Be coherent with the strategies of neighbouring authorities</li> <li>• Demonstrate how the Duty to Co-operate has been fulfilled</li> <li>• Be flexible</li> <li>• Be able to be monitored</li> </ul>		
<p><i>Deliverable and Coherent</i></p> <ul style="list-style-type: none"> <li>• Is it clear how the policies will meet the Plan's vision and objectives? Are there any obvious gaps in the policies, having regard to the objectives of the DPD?</li> <li>• Are the policies internally consistent?</li> <li>• Are there realistic timescales related to the objectives?</li> <li>• Does the DPD explain how its key policy objectives will be achieved?</li> </ul>	<ul style="list-style-type: none"> <li>• Sections of the DPD which address delivery, the means of delivery and the timescales for key developments and initiatives.</li> <li>• Confirmation from the relevant agencies that they support the objectives and the identified means of delivery, such as evidence that the plans and programmes of other bodies have been taken into account (e.g. Water Resources Management Plans and Marine Plans).</li> <li>• Information in the local development scheme, or provided separately, about the scope and content (actual and intended) of each DPD showing how they combine to provide a coherent policy structure.</li> <li>• Section in the DPD that shows the linkages between the objectives and the corresponding policies, and consistency between policies (such as through a</li> </ul>	

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p><i>Infrastructure Delivery</i></p> <ul style="list-style-type: none"> <li>• Have the infrastructure implications of the policies clearly been identified?</li> <li>• Are the delivery mechanisms and timescales for implementation of the policies clearly identified?</li> <li>• Is it clear who is going to deliver the required infrastructure and does the timing of the provision complement the timescale of the policies?</li> </ul>	<p>matrix).</p> <ul style="list-style-type: none"> <li>• A section or sections of the DPD where infrastructure needs are identified and the proposed solutions put forward.</li> <li>• A schedule setting out responsibilities for delivery, mechanisms and timescales, and related to a CIL schedule where appropriate.</li> <li>• Confirmation from infrastructure providers that they support the solutions proposed and the identified means and timescales for their delivery, or a plan for resolving issues.</li> <li>• Demonstrable plan-wide viability, particularly in relation to the delivery of affordable housing and the role of a CIL schedule.</li> </ul>	
<p><i>Co-ordinated Planning</i></p> <p>Does the DPD reflect the concept of spatial planning? Does it go beyond traditional land use planning by bringing together and integrating policies for the development and use of land with other policies and programmes from a variety of agencies / organisations that influence the nature of places and how they function?</p>	<ul style="list-style-type: none"> <li>• Sections of the DPD that reflect the plans or strategies of the local authority and other bodies</li> <li>• Policies which seek to pull together different policy objectives</li> <li>• Expressions of support/representations from bodies responsible for other strategies affecting the area</li> </ul>	
<p><i>Flexibility</i></p> <ul style="list-style-type: none"> <li>• Is the DPD flexible enough to respond to a variety of, or unexpected changes in, circumstances?</li> </ul>	<ul style="list-style-type: none"> <li>• Sections of the DPD setting out the assumptions of the plan and identifying the circumstances when policies might need to be reviewed.</li> <li>• Sections of the annual monitoring report and</li> </ul>	

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<ul style="list-style-type: none"> <li>• Does the DPD include the remedial actions that will be taken if the policies need adjustment?</li> </ul>	<p>sustainability appraisal report describing how the council will monitor:</p> <ol style="list-style-type: none"> <li>a. the effectiveness of policies and what evidence is being collected to undertake this</li> <li>b. changes affecting the baseline information and any information on trends on which the DPD is based</li> </ol> <ul style="list-style-type: none"> <li>• Risk analysis of the strategy and policies to demonstrate robustness and how the plan could cope with changing circumstances</li> <li>• Sections within the DPD dealing with possible change areas and how they would be dealt with, including mechanisms for the rate of development to be increased or slowed and how that would impact on other aspects of the strategy and on infrastructure provision</li> <li>• Sections of the DPD identifying the key indicators of success of the strategy, and the remedial actions which will be taken if adjustment is required.</li> </ul>	
<p><i>Co-operation</i></p> <ul style="list-style-type: none"> <li>• Is there sufficient evidence to demonstrate that the Duty to Co-operate has been undertaken appropriately for the plan being examined?</li> <li>• Is it clear who is intended to implement each part of the DPD? Where the actions required are outside the direct control of the LPA, is there evidence that there is the</li> </ul>	<ul style="list-style-type: none"> <li>• A succinct Duty to Co-operate Statement which flows from the strategic issues that have been addressed jointly. A 'tick box' approach or a collection of correspondence is not sufficient, and it needs to be shown (where appropriate) if joint plan-making arrangements have been considered, what decisions were reached and why.</li> <li>• The Duty to Co-operate Statement could highlight: the sharing of ideas, evidence and pooling of resources; the practical policy outcomes of co-operation; how decisions were reached and why; and</li> </ul>	

Soundness Test and Key Requirements	Possible Evidence	Evidence Provided
<p>necessary commitment from the relevant organisation to the implementation of the policies?</p>	<p>evidence of having effectively co-operated to plan for issues which need other organisations to deliver on, common objectives for elements of strategy and policy; a memorandum of understanding; aligned or joint core strategies and liaison with other consultees as appropriate.</p>	
<p><i>Monitoring</i></p> <ul style="list-style-type: none"> <li>• Does the DPD contain targets, and milestones which relate to the delivery of the policies, (including housing trajectories where the DPD contains housing allocations)?</li> <li>• Is it clear how targets are to be measured (by when, how and by whom) and are these linked to the production of the annual monitoring report?</li> <li>• Is it clear how the significant effects identified in the sustainability appraisal report will be taken forward in the ongoing monitoring of the implementation of the plan, through the annual monitoring report?</li> </ul>	<ul style="list-style-type: none"> <li>• Sections of the DPD setting out indicators, targets and milestones</li> <li>• Sections of the current annual monitoring report which report on indicators, targets, milestones and trajectories</li> <li>• Reference to any other reports or technical documents which contain information on the delivery of policies</li> <li>• Sections of the current annual monitoring report and the sustainability appraisal report setting out the framework for monitoring, including monitoring the effects of the DPD against the sustainability appraisal</li> </ul>	
<p><b><i>Consistent with national policy:</i></b> the plan should enable the delivery of sustainable development in accordance with the policies in the Framework.</p> <p>The DPD should not contradict or ignore national policy. Where there is a departure, there must be clear and convincing reasoning to justify the approach taken.</p>		

<b>Soundness Test and Key Requirements</b>	<b>Possible Evidence</b>	<b>Evidence Provided</b>
<ul style="list-style-type: none"> <li>• Does the DPD contain any policies or proposals which are not consistent with national policy and, if so, is there local justification?</li> <li>• Does the DPD contain policies that do not add anything to existing national guidance? If so, why have these been included?</li> </ul>	<ul style="list-style-type: none"> <li>• Sections of the DPD which explain where and how national policy has been elaborated upon and the reasons.</li> <li>• Studies forming evidence for the DPD or, where appropriate, other information which provides the rationale for departing from national policy.</li> <li>• Evidence provided from the sustainability appraisal (including reference to the sustainability report) and/or from the results of community involvement.</li> <li>• Where appropriate, evidence of consistency with national marine policy as articulated in the UK Marine Policy Statement</li> <li>• Reports or copies of correspondence as to how representations have been considered and dealt with.</li> </ul>	





**Committee:** Planning Policy Working Group

**Agenda Item**

**Date:** 13 July 2015

**7**

**Title:** Strategic Housing Land Availability methodology

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

Item for decision

---

### Summary

1. The Council is required to have an up to date Strategic Housing Land Availability Assessment (SHLAA). The purpose of this report is to explain the purpose of the SHLAA and the suggested methodology.

### Recommendations

2. That members agree to consultation on the attached methodology for a six week period.

### Financial Implications

3. To be covered by existing budget.

### Background Papers

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

None

### Impact

- 5.

Communication/Consultation	The SHLAA will be a public document
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	Includes sustainability factors
Ward-specific impacts	All

Workforce/Workplace	None
---------------------	------

## Situation

6. The National Planning Policy Framework requires the preparation of a Strategic Housing Land Availability Assessment (SHLAA) to establish the realistic assumptions about the availability, suitability and likely economic viability of land to meet the identified need for housing.
7. The Planning Practice Guidance (PPG) on 'housing and economic land availability assessment' sets out the methodology for identifying and assessing sites.  
<http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/>
8. The council first prepared a SHLAA in 2008 and annually updated it with the last update being in 2013 which was submitted to the local plan examination. If members wish to look at the 2013 SHLAA it can be viewed on the website at [www.uttlesford.gov.uk/backgroundstudies](http://www.uttlesford.gov.uk/backgroundstudies) . Following the withdrawal of the Local Plan from the examination process and the need to prepare a new plan identifying more land for housing it is considered appropriate to prepare a new SHLAA taking into account more recent guidance on methodology and up to date information on sites.
9. The SHLAA is an important technical document in the evidence base to support the delivery of sufficient land for housing to meet the Government's need for more housing.
10. The purpose of the SHLAA is to identify sites with potential for housing; assess their housing potential; and assess when they are likely to be developed.
11. The overall aim of the SHLAA is to
  - Produce a list of sites, cross referenced to maps showing locations and boundaries of specific sites or broad locations.
  - Assess the potential for development of each site (suitability; availability; and achievability) and to determine when an identified site is realistically expected to be developed.
  - Estimate the potential quantity of housing a site could accommodate
  - Identify the constraints on each site, and
  - Recommend how these constraints could be overcome and when.
12. It is important to remember that the SHLAA provides evidence to support decision making, it does not make decisions about which sites should be developed for housing. The SHLAA does not make judgements about whether sites should be allocated through plan policy. The SHLAA will inform the development strategy. Sites allocated for new housing which are identified through the SHLAA will be further tested through the plan making process for Local Plans, including Sustainability Appraisal, stages of public participation and consultation, and independent examination.

13. Appended to this report is a draft methodology. It is proposed to publish the methodology for 6 weeks consultation with representatives of the development industry, local property agents and town and parish councils, as well as publishing it on the website.

## Risk Analysis

14.

Risk	Likelihood	Impact	Mitigating actions
That the SHLAA does not meet the requirements of the PPG.	1. (The methodology will be based on the government guidance).	3 (the Local Plan may be found unsound).	Design a pro-forma based on the requirements of the PPG and continually monitor its use against the requirements.

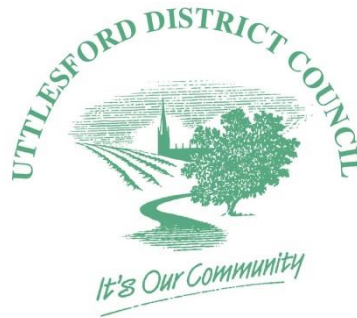
1 = Little or no risk or impact

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.





# **STRATEGIC HOUSING LAND AVAILABILITY ASSESSMENT 2015**

## **Draft Methodology for Consultation**

**July 2015**

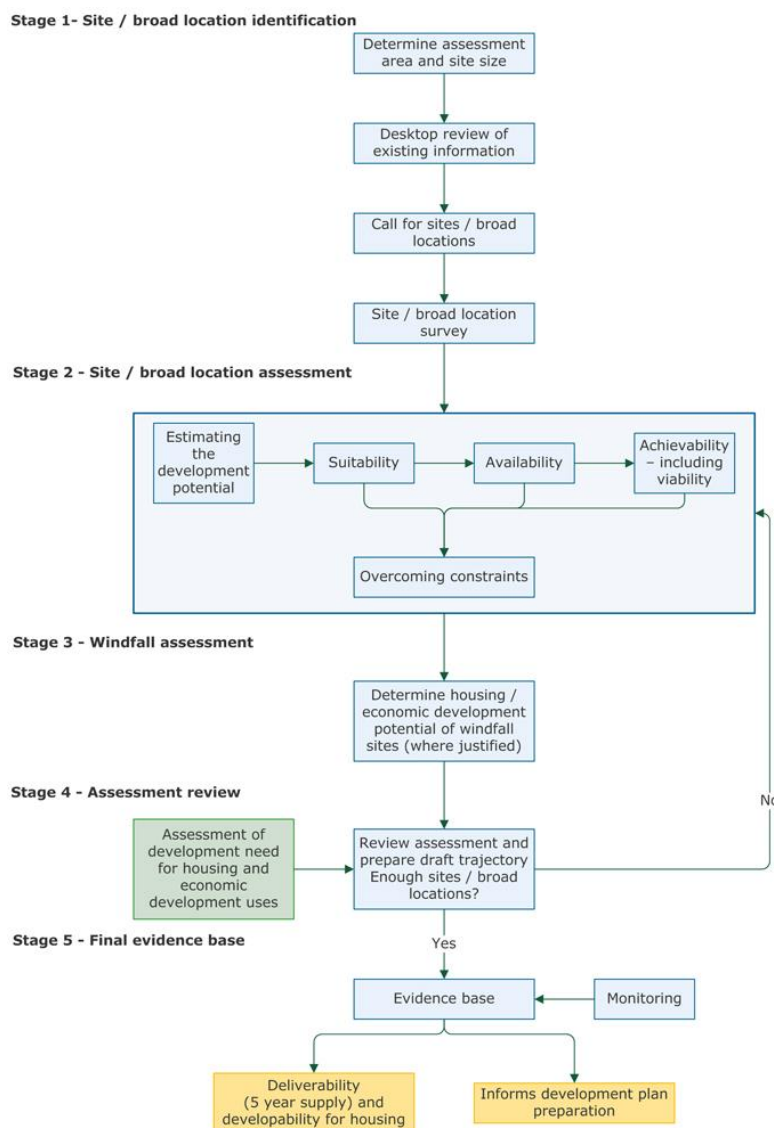
## Strategic Housing Land Availability Assessment 2015 Draft Methodology

### Introduction

The Council first prepared a SHLAA in 2008 and the methodology was based on the Practice Guidance produced by the Department of Communities and Local Government (DCLG) in July 2007. The methodology was subject to consultation with house builders/agents and property agents, Essex County Council and neighbouring local authorities, social landlords, town and parish councils and national agencies.

National guidance on SHLAA has since been amended and is now set out in the Planning Practice Guidance (PPG) on 'Housing and economic land availability assessment'.<sup>1</sup> The methodology is very similar to that set out in 2007.

The methodology set out in the Planning Practice Guidance is as follows.



<sup>1</sup> <http://planningguidance.planningportal.gov.uk/blog/guidance/housing-and-economic-land-availability-assessment/>

## Stage 1 – Site / broad locations identification Determine assessment area and site size

### 1.1 Assessment Area

Although Planning Practice Guidance is that the assessment should cover the housing market area, the area selected for this assessment is the district area. Uttlesford lies within a housing market area made up of Epping Forest, Harlow, East Herts District Councils and ourselves. The other authorities in the housing market area all have published SHLAA<sup>2</sup> and the methodology used is based on the DCLG Practice Guidance July 2007, as is our current SHLAA, so together there is an assessment which covers the housing market area.

### 1.2 Involvement of Key Stakeholders

The Council will consult with the following bodies on the methodology of preparing SHLAA as required by the PPG at paragraph 008.

Developers	Housing Associations
Land promoters	Essex County Council
Local property agents	Environment Agency
Town and Parish Councils	Highways England
Chambers of Commerce	Historic England
Other authorities in the Housing Market Area	Natural England
Neighbourhood Plan Steering Group	

The assessment of the sites will be undertaken by officers.

The SHLAA is a technical study rather than a decision-making document and therefore no public consultation on SHLAA sites will be held. However, it is proposed that the draft SHLAA assessments will be sent to the relevant Parish or Town Council and Neighbourhood Plan Steering Groups for comment as part of the fact-checking and quality control exercise.

### 1.3 Sites to be assessed

The assessment will consider all sites and broad locations capable of delivering five or more dwellings.

The SHLAA will cover the sources of sites set out below and the databases and documents used to identify the sites. .

No types of existing land use will be specifically excluded from the SHLAA

Sites in planning process	
Source of Sites	Source of Information
Existing housing development	Annual residential land availability

<sup>2</sup> Epping Forest District Council published a SHLAA in 2012. <http://www.eppingforestdc.gov.uk/index.php/home/file-store/category/107-methodology>

Harlow Council published a SHLAA in 2014

<http://www.harlow.gov.uk/sites/harlow.gov.uk/files/Strategic%20Housing%20Land%20Availability%20Assessment%202014.pdf>

East Herts District council published an initial report on the SHLAA in 2012

<http://www.eastherts.gov.uk/index.jsp?articleid=26553>

allocations and site development briefs not yet with planning permission	survey
Planning permissions for housing development that are unimplemented or under construction	Annual residential land availability survey
Planning applications which have been refused or withdrawn	Planning application records
<b>Sites not currently in planning process</b>	
Land in the local authority's ownership	Review of UDC garage sites Land Terrier (record of our land and property holding)
Surplus and likely to become surplus public sector land	Register of Surplus Public Sector Land.
Vacant and derelict land and buildings	National Land Use Database Valuation Office database LPA vacant property registers
Additional opportunities in established uses (eg making productive use of under-utilised facilities such as garage blocks).	Review of UDC garage sites
Sites in rural locations	Call for Sites Constraints/Sieve mapping
Additional housing opportunities adjacent established residential areas.	Previous representations on Local Plan. Core Strategy representations
Large scale redevelopment and redesign of existing residential or economic areas	Development Opportunity Sites Neighbourhood Plans
Sites in and adjoining villages or rural settlements and rural exception sites	Call for Sites Constraints/Sieve mapping Parish Councils Housing Associations Parish Plans
Potential Urban Extensions and new freestanding settlements	Call for Sites Constraints/Sieve mapping

The Council undertook a Call for Sites between April – June 2015, however the process is ongoing and submissions can be made throughout the plan preparation process. The 'Call for Sites' is an opportunity for developers, landowners, individuals and other interested parties to suggest sites within Uttlesford District for development. Details on the Call for Sites can be found at [www.uttlesford.gov.uk/callforsites](http://www.uttlesford.gov.uk/callforsites)

Having identified the sites to be assessed a desktop review will be undertaken reviewing information on current policy restrictions; environmental conditions such as flooding and air noise; impact on biodiversity, landscape, historic environment and



resources; access to services, physical problems or limitations and existing uses on the site which would be lost. These are listed in more detail in the next stage.

## **Stage 2 – Site/broad location assessment**

### **Estimating the development potential of each site/broad location**

#### 2.1 Site Capacity

When the Council undertook the Urban Capacity Study in 2002 it looked at the density of various generic housing types, the character of the area of the settlement and applied the relevant density assumption. The range of densities applied in the Urban Capacity Study are shown in the table below.

Housing Type	Lowest Density	Highest Density
Low density detached, linked and semi detached	30	32
Terraced housing	35	67
Flats	60	122
Mixed flats and houses	50	66

Although the study was undertaken some time ago it is considered that the above table presents a tried and tested methodology which can be applied to the SHLAA. The density standards set out in the following table have therefore been applied. Although there is no minimum density, the density standards reflect existing local densities and it is considered appropriate that they are applied for the purposes of the SHLAA as a guide only and to ensure that the capacity of sites is assessed equally.

Location	Density Dwlg/ha (net)	Justification
Within Saffron Walden or Great Dunmow	35-67	Allows for a mix of housing types of houses, terraces and flats
Within a village	30-50	Respects the rural character of Uttlesford
Adjacent to any settlement	30-50	Respects the rural character of Uttlesford
New settlement	30-67	Allows for a mix of housing types of houses, terraces and flats

The estimation of housing potential will be based on the net developable area of each identified site. Smaller sites will typically make use of existing roads and facilities, potentially enabling up to 100% of the site area to be developed for housing.

However, the area for housing development on larger sites may be reduced through the provision of internal access roads and strategic open space or landscaping.

It is proposed to apply the following gross to net ratios in calculating the net developable area for sites identified in the SHLAA. These ratios were used for Regional Annual Monitoring Report, which although no longer produced are considered a sound approach.

<b>Site size</b>	<b>Gross to net ratio standards</b>
Up to 0.4 hectare	100%
0.4 to 2 hectares	90%
2 hectares and above	75%

## 2.2 Assessment of suitability; availability and achievability

In assessing the development potential of a site, the Council needs to assess the “suitability”, “availability” and “achievability” of a site. This will provide the information on which a judgment can be made whether a site can be considered “deliverable”, “developable” or not currently developable. To be considered

- “deliverable” – a site is available now, offers a suitable location for housing development now and there is reasonable prospect that housing will be delivered on site within 5 years from the date of adoption of the plan, and
- “developable” – a site should be in a suitable location for housing development, and there should be a reasonable prospect that it will be available for and could be developed at a specific point in time i.e. it is achievable.<sup>3</sup>

### 2.2.1 Suitability

The council will prepare a pro-forma to assess the suitability of each site by considering its location against the following factors. This is a factual assessment.

#### *Policy constraint*

Brownfield or Greenfield site

Within, adjacent or separate from village or town development limit

Beyond Metropolitan Greenbelt

Beyond Countryside Protection Zone

#### *Flood risk*

Within flood risk zone 2

Within flood risk zone 3

#### *Noise*

Beyond 54 dB(A)leq

Between 54 -57 dB(A) leq

Within 57dB(A) leq

Within public safety zone

#### *Pollution*

Within Poor Air Quality Zone

Within Air Quality Management Area (AQMA)

---

▪ <sup>3</sup> Source: NPPF Footnotes 11 and 12 and paragraph 47.

Within ground water protection zone  
Within Waste Consultation Zone  
Within Minerals Safeguarding Area

*Natural environment*

Within 100m of  
SSSI (Site of Special Scientific Interest)  
NNR (National Nature Reserve)  
Local Wildlife Site  
Ancient Woodland  
Accessed via a Protected Lane  
Located in areas noted for their high sensitivity to change (from Landscape Character Assessment evaluations)  
Will any Tree Preservation Orders (TPOs) be affected as a result of development?  
Within Grade 2, 3 or 4/non-agricultural use agricultural land classification

*Historic environment*

Within 100metres of a (including its setting):  
Scheduled Ancient Monument  
Listed Building  
Conservation Area  
Historic Park or Garden

*Accessibility*

Within 800 metres of an existing public transport node  
Within walking and cycling distance (800m) of:  
A primary school  
Convenience shopping  
Primary health care facilities  
Within 4.8km of a secondary school

*Loss of land use*

Currently recreation land which will be lost through development  
Currently employment land which will be lost through development

2.2.2 Availability

A site is considered available if, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership problems, such as unresolved multiple ownerships, ransom strips, tenancies or operational requirements of landowners.

The call for sites form requested information on the ownership of the site and evidence to demonstrate that the land is available such as a signed statement from all the landowners. Any information on legal or ownership issues was also requested.

2.2.3 Achievability

A site is considered to be achievable if there is a reasonable prospect that the particular type of development will be developed on the site at a particular point in time. This is essentially a judgement about the economic viability of a site and the capacity of the developer to deliver the site.

The call for sites form requested information on whether there were any constraints which need to be overcome which may prejudice availability. Information on the following were also requested – a flood risk assessment; contaminated land assessment, transport information or assessment and viability assessment. The level of detail of the assessment needed to be proportionate to the size of site and scale of development. For proposals of 500 or more dwellings an assessment against Garden Development principles was requested.

Using the SHLAA to assess whether settlement scale developments are developable is more difficult and possibly not the most appropriate method. The Development Strategy will consider what role if any new settlements will play in the Local Plan. The sites will be subject to a Sustainability Appraisal. Members and Officers will need to carefully consider the documents accompanying the call for sites submission. The technical nature of the documents may require the commissioning of specialists (for example in ecology, transport, flood risk, and financial viability) to provide an assessment.

### 2.3 Overcoming Constraints

The SHLAA is a 'live' document and the Local Authority will look at any identified constraints to development on suitable sites i.e. those found to be not currently developable, and consider whether there are ways to overcome them. The Local Authority will work with the landowners or their agents, consultees and any other relevant partners to determine the potential to overcome these constraints. The SHLAA will be updated annually with any information obtained during the year as part of the Monitoring Report.

## **Stage 3: Windfall Sites**

### **Determining the housing potential of windfall sites where justified**

The Council applies a windfall allowance of 50 dwellings per year. The evidence on its windfall allowance is set out in 'Consideration of a windfall allowance for Uttlesford June 2014' which can be found at [www.uttlesford.gov.uk/backgroundstudies](http://www.uttlesford.gov.uk/backgroundstudies)

The council has taken evidence from historic windfall delivery rates over the last 13 years which demonstrates that windfall sites have consistently become available, and more importantly, have been developed, over a considerable time period. The average number of windfall dwellings completed annually is 46.

The council's policies on housing and the presumption in favour of sustainable development set by the National Planning Policy Framework positively encourage windfall development indicating that they will continue to provide a reliable source of supply. In addition, there have been the recent changes to the General Development Permitted Order allowing conversion to residential of agricultural buildings, retail uses (A1 and A2) and offices with only the need for prior notification.

Paragraph 7 of the Windfall Allowance paper lists those sites which historically are not included as windfall sites. This definition used by Essex County Council is more stringent than the definition used in the NPPF. These criteria apply a strict definition of sites not to be considered as windfall, for instance by excluding appeal decisions; and superseded applications even where the original application would have been considered a windfall site. There will therefore be a number of homes built which are not classed under this definition as windfall but are not identified in the local plan either. Paragraph 15 of the Windfall allowance paper shows that an average of 80 dwellings per annum has been built on sites of 5 or less dwellings. An average of 46 of these would have been windfall sites as shown by paragraph 8, the remaining 34 would be other sites which although not technically windfall under the criteria used were neither specifically identified as available in the Local Plan process.

With an annual average completion rate of 46 dwellings on windfall sites and 80 dwellings on all small sites, a windfall allowance of 50 dwellings based on rounding the windfall completion rate is considered conservative but realistic.

The windfall allowance will be reviewed annually.

## **Stage 4: Assessment Review**

### 4.1 Assessment Review

Once all the sites and broad locations have been assessed, the development potential of all the sites can be collected and an assessment made as to whether there are sufficient or insufficient sites/broad locations to meet objectively assessed needs.

If there are insufficient sites the council will need to reconsider its assessment of sites, for example changing the assumptions on the development potential on particular sites (including physical and policy constraints) including sites for possible new settlements. If, following this review there are still insufficient sites, then it will be necessary to investigate how this shortfall should best be planned for. If there is clear evidence that the needs cannot be met locally, it will be necessary to consider how needs might be met in adjoining areas in accordance with the duty to cooperate.

### 4.2 Keeping the assessment up-to-date

The SHLAA will be annually updated with information on whether sites are now being developed and what progress has been made, whether applications have been submitted or approved on sites, progress on removing constraints and whether a site is now considered deliverable or developable; or whether unforeseen constraints which have since emerged. Any information provided on overcoming constraints will be considered and the deliverability of sites amended accordingly.

## **Stage 5: Final Evidence Base**

### 5.1 Core Outputs

The Council will create a page on the website for the SHLAA [www.uttlesford.gov.uk/shlaa](http://www.uttlesford.gov.uk/shlaa) which will contain the following information:-

### 5.2 District Map

The Council will prepare a list of all the sites and a district wide map showing their location.

### 5.3 Site Appraisal Information

For each site the Council will produce a form setting out the following information.

- Site location plan
- Current land use and character
- Land use and character of the surrounding area
- Total site area and developable area
- Potential uses
- An assessment of the site in terms of its suitability for development, availability and achievability as described in Stage 2 above.
- An overall conclusion as to whether the site can be considered deliverable (i.e. available now with a realistic prospect that housing will be built within 5 years) or developable (i.e. that there is a reasonable prospect that the site could be viably developed at the point envisaged) or not currently developable for housing.
- An indicative trajectory of the site's development indicating the amount of housing deliverable in the first five years, years 5-10 and years 10-15.

**Committee: Planning Policy Working Group**

**Agenda Item**

**Date: 6 July 2015**

**8**

**Title: Gypsy and Traveller consultation - Five Acres and Pennington Lane**

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

---

### **Summary**

1. The Council carried out a Gypsy and Traveller Issues and Options consultation from 8 December 2014 to 2 February 2015. The Planning Policy Working Group received a report on 23 February 2015 which set out the results of the consultation and officer comments.
2. Attached is the report concluding the Gypsy and Traveller Issues and Options consultation outstanding sites. This report sets out officer's recommendations on the site at Five Acres Arkesden, the site in Pennington Lane Stansted and Hill Top Henham.

### **Recommendations**

- 2.To note the officer recommendations.

### **Financial Implications**

- 3.None

### **Background Papers**

- 4.None

### **Impact**

- 5.

Communication/Consultation	Public consultation held with additional targeted 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	All
Workforce/Workplace	N/L

## Situation

6. The Report of Representations on the Gypsy and Traveller Call for Sites included one site upon which a conclusion had not been reached (Five Acres Arkesden) and two new sites which had been submitted as part of the consultation (Hill Top Yard Henham and Pennington Lane Stansted).
7. This report updates members on the additional consultation which was carried out regarding Five Acres Arkesden as a potential Gypsy and Traveller site, completes the site assessment of Pennington Lane Stansted and provides an update on the Hill Top Yard Henham site, both sites were promoted through the Issues and Options consultation.
8. At the request of the Council the landowner of Five Acres submitted a Flood Risk Assessment which was sent to the following consultees:
  - a. The Environment Agency
  - b. Essex Highways
  - c. Essex Historic Environment Team
  - d. Essex CC Waste Water Management Team
9. All responses were made public on our website upon receipt and Arkesden PC, Wicken Bonhunt Parish, FALCA (Five Acres Local Community Action) and the landowner were given the opportunity to respond. Their comments have been summarised in the attached report.
10. Officers have recommended that the potential Gypsy and Traveller site at Five Acres does not proceed to the next stage of the Plan making process.
11. During the Issues and Options Consultation an additional Gypsy and Traveller Site two additional sites were proposed. One was Pennington Lane Stansted. Officers have carried out a targeted consultation with the following:
  - a. Essex CC Highways
  - b. Essex Historic Environment Team
  - c. UDC Landscape Officer
  - d. UDC Conservation Officer
  - e. UDC Development Management



12. A site assessment has been completed, which mirrors that of the other sites assessed for the Issues and Options document.
13. Officers have recommended that the Gypsy and Traveller site at Pennington Lane Stansted does not proceed to the next stage of the Plan making process.
14. The second site was Hill Top Yard in Henham. On July 1<sup>st</sup> 2015 Planning Committee refused to grant planning permission for five Gypsy and Traveller pitches, despite officers recommending approval. The site has been assessed as part of the Gypsy and Traveller Issues and Options consultation and officers are recommending that the site should be taken forward in the Local Plan process. The fact that planning permission was refused for five pitches on this site does not exclude it going forward in the Local Plan, these are two different processes.

### Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
That the Council prepares an unsound Plan.	1 – The Council is preparing a Plan which is positively prepared; justified; effective and consistent with national policy	2 – The adoption of the Plan is 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 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 December 2014 – 2 February 2015**

**Report of Representations, Officer Comments and  
Recommendations – UTT022 Five Acres site, Arkesden**

## Introduction

The Planning Policy Working Group of 23 February 2015 received the Report of Representations following the Gypsy and Traveller Issues and Options consultation. Councillors discussed the report and noted that there were outstanding issues relating to this site. Following the Working group officers requested the following additional information from the landowner of Five Acres regarding concerns raised as part of the Gypsy and Traveller Issues and Options Consultation (December 2014 – February 2015),

- A flood risk assessment (FRA) which identifies and assesses the risks of all forms of flooding to and from the development and demonstrates how these flood risks will be managed, taking climate change into account. Please see the Environment Agency website <https://www.gov.uk/planning-applications-assessing-flood-risk> for further advice and guidance.
- The FRA needs to address the concerns raised by the Environment Agency that 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.
- How the issue regarding sewage disposal can be addressed bearing in mind that a septic tank may not be appropriate due to the site flooding.
- How any mitigation measures needed to overcome the flooding may impact on the protected lane.
- How any mitigation measures needed to overcome the flooding may impact on the viability of the site.

On the 14 April – 5 June 2015 the Council consulted on two Flood Risk Assessments for the site, one from the landowner and one from Arkesden Parish Council and FALCA (Five Acres Local Community Action). This was a targeted consultation to the following:

- Essex Highways
- Essex Historic Environment Team
- Environment Agency (Commissioned response)
- Waste Water Management Team

All of the responses were made public, and are available on the Council's website <http://www.uttlesford.gov.uk/gypsiesandtravellers>

Consultation Responses are set out in full below:

### **Essex County Council Highways response, received 16 April 2015**

“It is not for the highway authority to comment on Flood Risk Assessments’.

### **Historic Environment Team response, received 21 April 2015**

There is little we can add regarding the flood risk, however, this office identified this site to Uttlesford's consultants as affecting one of the protected lanes UTTLANE141. Any development on

this site will put added pressure onto the protected lane. The Lane has well preserved banks, hedges and ditches, with little damage to the verges of the lane from traffic. If the development does proceed new accesses onto the land and any hedge removal should be avoided.

#### **Flood and Waste Water Management Response, received 7 May 2015**

“The Stage 1 Flood Risk Assessment identifies the site as being within a low to medium surface water flood risk area. National policy suggests Gypsy and Traveller sites should be located outside of high flood risk areas, thus the site meets this criteria.

The Flood Risk Appraisal submitted by FALCA says at 1.5 that UDC draft policy HO11 states that “sites should not be located in areas at risk of flooding”. The Flood Risk Assessments seeks to militate against the risk of surface water flooding by siting caravans outside of that area shown to be at risk on the EA’s Flood Maps for Surface Water, as we would expect to accord with the sequential approach. Therefore, you will need to decide whether this adequately accords with policy HO11. However, we would expect to see a proposed layout plan at the submission stage to show that all access roads and parking areas are also sited outside the area at risk of flooding or mitigation provided to suitably protect against flooding.

#### **Environment Agency response, received 3 June 2015**

We consider that the Stage 1 Flood Risk Assessment does not currently meet the requirements of the NPPF for the following reasons:

1. The fluvial flood risk at the site has not been accurately defined using detailed hydraulic modelling.
2. It has not been demonstrated that all of the proposed mobile homes would be located outside the extent of Flood Zone 3. Table 3 Flood risk vulnerability and flood zone compatibility in the Planning Practice Guidance makes it clear that ‘highly vulnerable’ development should not be permitted within Flood Zones 3a or 3b.

The FRA states that a narrow strip along the along the eastern boundary of the site lies within Flood Zone 3a. However, as this area of land is shown to be undefended floodplain on our Flood Map, it is possible that part of the site also lies within Flood Zone 3b. A small part of the site is also shown to be located within Flood Zone 2.

The flood zones shown on our Flood Map are only indicative and therefore cannot be used to define the flood risk at a site-specific level. The extent of Flood Zones 2 and 3 along the eastern boundary of the site needs to be accurately defined based on hydraulic modelling of Wicken Water (as we do not hold any modelling of this watercourse). It must be clearly demonstrated within the FRA that all of the mobile homes will be located outside of Flood Zones 2 and 3. Please note that we will need to review any modelling of this watercourse to ensure the methodology used is acceptable.

We have not reviewed the surface water drainage proposals included in the FRA as we are no longer a statutory consultee, with effect from 15 April 2015, on surface water drainage for sites over 1 hectare. The Lead Local Flood Authority, Essex County Council, should be consulted on these surface water drainage proposals and any flood risk associated with surface water. We wish to make the following comments on the Flood Risk Appraisal report: This report states that the site is located

within Flood Zone 3a, defined as having a high probability of flooding. However, the majority of the site is located within Flood Zone 1, which is defined as having a low probability of flooding. Your Authority should consider whether the proposed development passes the Sequential Test given that part of the site lies within Flood Zones 2 and 3. We acknowledge the concerns raised in this report regarding the availability of safe access and egress to and from the site. This is an important issue that your authority should consider in determining any planning application. However, we are not able to comment on the adequacy of any emergency evacuation procedures as we do not carry out this role in a flood event. Your authority's Emergency Planners should be consulted on this matter. The report has correctly identified that the site is not located within a flood warning area. However, it may be possible for residents to receive notification of flooding via other means – e.g. a trigger level within Wicken Water. Please note that the Flood Response Plan included in Appendix C of the Stage 1 FRA does not include any details of a trigger that will be used to take appropriate action. As such the Flood Response Plan may not be considered adequate.

The above responses were published on the website upon receipt and Arkesden PC, Wicken Bonhunt Parish, FALCA and the landowner had until the 19<sup>th</sup> June to respond. No response was received from the landowner.

Below is a summary of their responses. To read the representations in full please go to <http://www.uttlesford.gov.uk/gypsiesandtravellers>.

**Arkesden Parish Council response** expressed concerns regarding:

- pressure from increased traffic on the rural road network and the erosion of verges
- detrimental to landscape character of the village
- detrimental to the historic character and surrounding landscape
- Contrary to planning guidelines
- Contrary to UDC policy regarding the protected lane
- Unsafe pedestrian and vehicular access
- Flood risk issues – flooding of the access road and issues regarding emergency vehicles accessing the site and general safety of residents.
- Contrary to UDC policy EN6 – Minimising Flood Risk
- Provision of utilities is problematic especially in relation to sewerage disposal
- The site is too large and would encourage unauthorised pitches.
- There has been inadequate information provided by the owner regarding the financial viability of the site
- Inclusion of this site would lead to rejection of the Local Plan

**Wicken Bonhunt Parish response** raised the following points:

- Single carriageway and impact on protected lane
- Limited public transport and unsustainable location
- Flooding issues

**FALCA response** raised the following points:

- The landowners FRA is deficient, misleading and inaccurate in that it fails to demonstrate the safety of the occupants
- no analysis of the increase in flood risk due to climate change
- inadequate evacuation plan
- floodwater encroachment is inaccurately mapped
- further hydraulic modelling should have been carried out
- impacts of mitigation on the protected lane have not been assessed
- inadequate drainage strategy – no evidence of soil's soakage potential/limitations, characteristics or suitability
- No details demonstrating how SuDS system would withstand the impact of run-off generated by 1:100 year rainfall event
- Foul waste water has not been adequately addressed
- The FRA has not addressed all of UDC's concerns
- Concerns regarding ownership and availability
- Surface water flooding encroaches the site
- Access into the site is in flood zone 3
- FRA does not meet NPPF requirements
- Uncertain impacts arising from mitigation measures
- Unsuitable rural roads
- Impact on the protected lane
- Unsustainable location
- Question the viability and deliverability of the site

### **Officer Comments**

Officers recognise the importance of the protected lane and note the concerns of the Historic Environment team about potential increased pressure being placed on the lane. While there is an existing access the intensification of the access together with improvements to it would have a detrimental impact on the protected lane. This should be resisted.

The Flood and Waste Water Management Team have stated that they would expect to see all access roads and parking areas sited outside the flood risk area or mitigation provided to protect against flooding. The site access is located in Flood Zone 3 and officers feel that the FRA provided by the landowner does not set out specific mitigation measures for overcoming the flooding issue at the access point to address the concerns of the Waste Water Management Team. It would not be possible to provide a new access point which is not within the flood zone and any further access points, or alterations to it, would cause harm to the protected lane mentioned above. Therefore officers do not consider that this is the most appropriate site given the constraints and are not able to confirm that the issues raised can be overcome.

The Environment Agency has stated that the FRA does not meet the NPPF requirements. They also state that hydraulic modelling of Wicken Water is needed to accurately define the flood zones, and that they would need to review any modelling to ensure the correct methodology is used. Inadequate information has been given regarding the location of the mobile homes being outside of flood zones 2 and 3.

The Environment Agency suggests the Council considers whether the site passes the sequential test. The sequential test ensures new development is steered to areas with the lowest probability of flooding. Only where there are no reasonably available sites in zone 1 and 2 should sites in zone 3 be considered. At present the Council does not have a five year supply of Gypsy and Traveller Sites (9 pitches), as a result of the Issues and Options consultation officers recommended that 4 sites, Tandans Great Canfield, Star Green Radwinter, The Yard Bartholomew Green and Hill Top Henham, totalling 11 pitches, and 3 empty pitches at the Stansted site should be taken forward in the Local Plan process. The Council, if those 14 pitches were to be allocated/approved, would therefore have a 5 year supply. Officers are of the view that there are other reasonable alternatives to this site and therefore the sequential test is not met.

A number of the points raised by Wicken Parish, Arkesden PC and FALCA have been addressed in the Issues and Options report which was taken to the Working Group in February 2015, the report can be found on the Council's website <http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=4644&p=0>.

A number of the comments relate to the accuracy of the FRA, the Council rely on the comments received by the statutory consultees above in regards to this issue and have made a recommendation based on their comments.

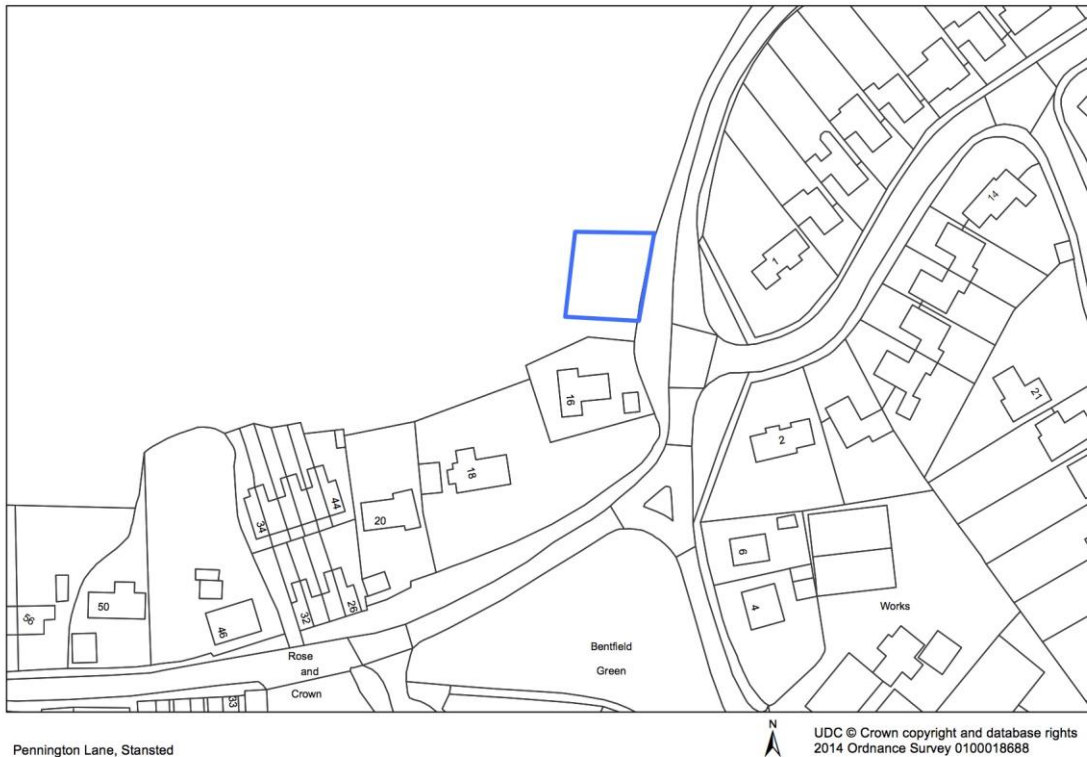
Officers note the comments made in relation to the lack of information provided by the landowner, it is considered that financial viability and sewage disposal have not. This therefore brings the suitability and deliverability of the site into question.

#### **Officer Recommendation**

Due to other more suitable sites being promoted, the lack of an NPPF compliant Flood Risk Assessment, concerns about safe access and egress from the site through Flood Zone 3, harm to the protected lane and lack of acceptable detail regarding mitigation measures it is recommended that the site is not taken forward in the Local Plan process.



## UTT032 Pennington Lane Stansted - Site Assessment



### Consultee Responses

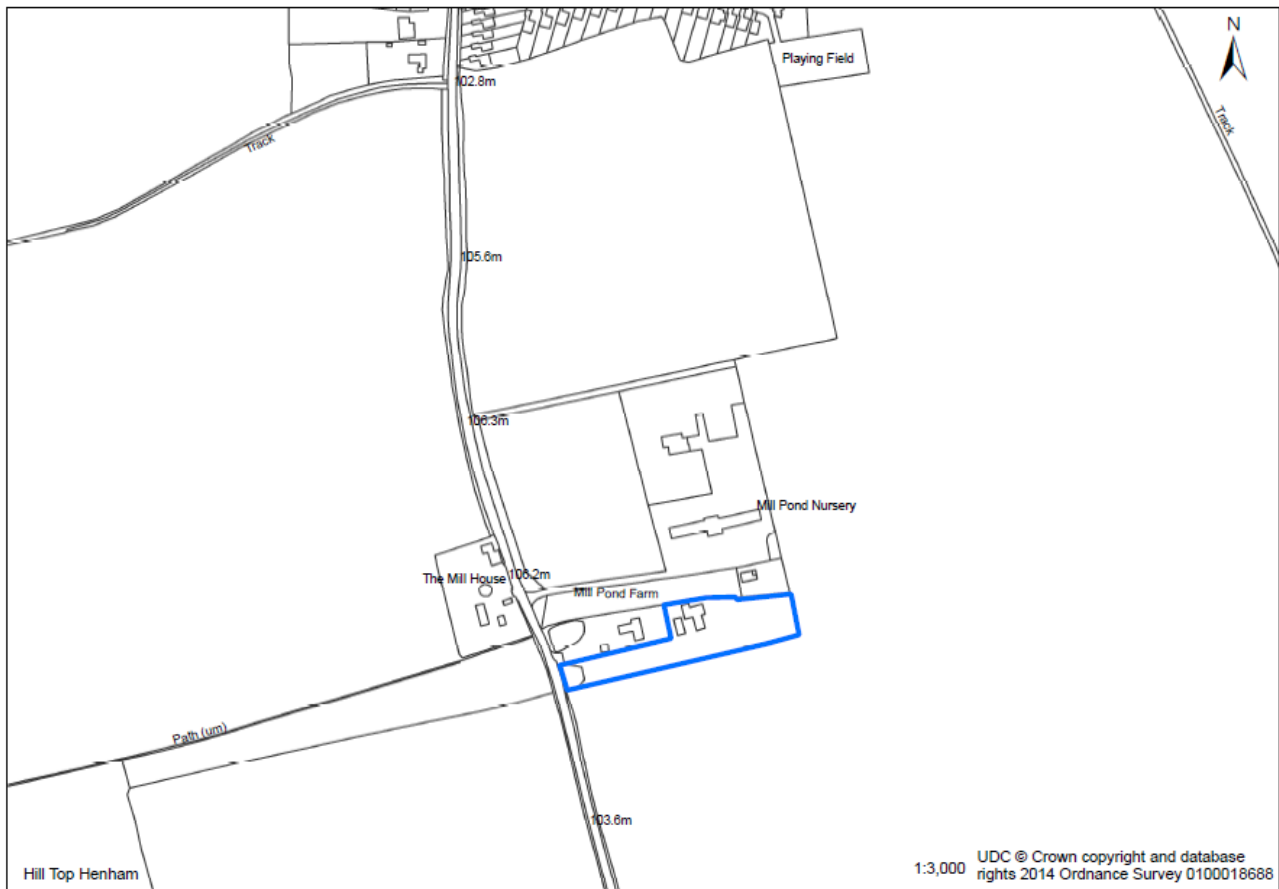
<b>Essex Highways</b>	Access will need to be 6m wide minimum with gates set back by 6m. Visibility splays to be determined and agreed when exact site boundary known.
<b>Essex Historic Environment Team</b>	No known archaeological impact
<b>Landscape Officer</b>	Whilst relatively small in terms of site area, visually it does not sit happily within the existing field pattern and its relationship with the adjoining residential development.
<b>Conservation Officer</b>	The site is located in the close proximity to the Bentfield Green Conservation Area and within the vicinity of some listed buildings. The open nature of the countryside beyond the boundary of the conservation area positively contribute to its quiet, historic nature. I consider that erection of any structures in indicated locality would be damaging to the visual tranquility of the locality and views into the historic conservation area. This view has been confirmed by the relatively recent dismissed appeals seeking development here.

Site ref	Site Name	Settlement	Reason for rejection
UTT032	Pennington Lane	Stansted Mountfitchet	Development on this site has an unacceptable landscape impact. The site is an unsuitable location for development as it would have a detrimental impact on the adjacent conservation area and the open nature of the countryside.

**Officer Recommendation**

For the reasons set out above this site should not be taken forward in the Local Plan process.

## UTT033 Hill Top Henham - Site Assessment



## Consultee Responses

<b>Essex Highways</b>	Current access arrangement adequate.
<b>Essex Historic Environment Team</b>	Lies immediately to the north of a redundant railway line which had a halt on this site. Unlikely to require archaeological work.
<b>Landscape Officer</b>	Minimal impact on the wider landscape. Soft landscaping should be provided in the development area to soften the impact on the surroundings.
<b>Conservation Officer</b>	Remote from the Conservation Area by 0.7miles and some distance from listed buildings. The gypsy and traveler use will be part of the haulage site, therefore no detrimental impact resulting from this use.

Site ref	Site Name	Settlement	Conclusion – Site with Potential
UTT033	Hill Top	Henham	<p>This site is an existing haulage yard on the outskirts of the village. Partial change of use has been proposed. The landowner has promoted the site through the Issues and Options consultation, the site is therefore available. The consultation responses, listed above, regarding this site all state there are no concerns regarding the change of use to Gypsy and Traveler site.</p> <p>As previously discussed in the Officer Report for the Issues and Options Consultation it is recommended that no more than 5 pitches should be placed on a site in a rural location.</p> <p>The site is considered available, deliverable and suitable and should therefore be taken forward in the Local Plan process.</p>

**Officer Recommendation**

For the reasons set out above this site should be taken forward in the Local Plan process.

**Committee: Planning Policy Working Group**

**Agenda Item**

**Date: 13 July**

**9**

**Title: Replacement Waste Local Plan Revised Preferred Approach**

**Author Sarah Nicholas, Senior Planning Officer**

---

## Summary

1. The Replacement Waste Local Plan – Revised Preferred Approach and Sustainability Appraisal was published by Essex County Council on the 18 June for a six week period of public consultation until 30 July.
2. The plan includes a spatial vision, strategic objectives, spatial strategy, core policies, preferred site allocations, development management policies and monitoring framework which will guide the future management of waste in Essex and Southend up until 2032.
3. The revised preferred Approach identifies 28 preferred site allocations across the County including 4 in Uttlesford. The Plan makes the following recommendations in relation to the sites in Uttlesford.
4. A site at Chelmsford Road Great Dunmow is proposed to be safeguarded/ allocated as Local Authority Collected Waste Transfer facility.
5. A site at Elsenham, Gaunts End is recommended for construction, demolition and excavation/inert waste recycling.
6. A site at Little Bullocks Farm Great Canfield (site A22 east of Little Bullocks Farm) is recommended for construction, demolition and excavation/inert waste landfill and recycling.
7. Another site at Little Bullocks Farm Great Canfield (Site A23 north east of Little Bullocks Farm) is proposed for Stable Non-Reactive Hazardous Waste (SNRHW) (i.e. asbestos type) landfill.
8. There are two sites proposed which are not initially considered suitable. Armigers Farm Thaxted and Hollow Road Widdington are considered not suitable in Highway terms for allocation however the suitability will be reviewed if insufficient sites are available.
9. Ashdon Road Commercial Centre and the employment site at Start Hill Great Hallingbury are recommended as areas for search for new waste management facilities

## Recommendations

10. That the comments set out below are considered by the group and sent to Essex County Council along with any additional comments from the group as the Council's response to the Revised Preferred Approach of the Replacement Waste Local Plan June 2015.

## Financial Implications

11. None:

## Background Papers

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 or at [www.essex.gov.uk/WLP](http://www.essex.gov.uk/WLP)

Replacement Waste Local Plan – Revised Preferred Approach  
Non-Technical Summary  
Sites Assessment and Methodology Report

## Impact

- 12.

Communication/Consultation	The consultation of the documents is being undertaken by ECC.
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	A sustainability Appraisal accompanies the Local Plan
Ward-specific impacts	Sites are proposed in the following parishes:- Elsenham, Great and Little Canfield, Great Dunmow, Widdington, Thaxted, Saffron Walden and Great Hallingbury
Workforce/Workplace	N/A

## Situation

13. The following text is extracted from the Replacement Waste Local Plan and the District Council's proposed response is shown at the end of the section in italics.
14. The Revised Preferred Approach (RPA) is an interim document, indicating the preferred direction of the policies and site allocations to be included in the Replacement Waste Local Plan. The RPA builds upon the work undertaken in 2011, providing the key principles to guide the future management of waste in Essex and Southend up until 2032. Primarily, this includes the proposed spatial vision, strategic objectives, spatial strategy, core policies, preferred site allocations, development management policies and monitoring framework. This consultation is an additional stage considered necessary by the Authorities due to significant changes in national planning policy and local evidence since 2011. There will be a final opportunity for consultation on the final Plan, prior to the Examination in Public, later in 2015.

### **Vision, Objectives and Spatial Strategy (pages 24, 26, 28)**

15. The proposed vision, strategic objectives and spatial strategy within the Revised Preferred Approach aim to support sustainable waste management in Essex and Southend-on-Sea. The key elements of the vision include:
- Net self-sufficiency for all waste streams, where practicable;
16. This means having sufficient transfer, recycling, recovery and disposal capacity to manage the amount of waste generated within the County, with only minor cross border movements with adjoining authorities.
- Supporting the provisions of the waste hierarchy;



17. Having a Waste Hierarchy means that in making decisions about waste management, greater weight should be attributed to those waste management methods that are towards the top of the Hierarchy. The principle of the Waste Hierarchy is already followed through the adopted Waste Local Plan (2001).
- Managing a reducing proportion of waste arising from London.
18. Reducing the provision made for London's waste exports to Essex and Southend-on-Sea is in line with those forecasts in the adopted London Plan (2015) that the equivalent of 100% of waste arising in London will be managed inside their plan area by 2026.

19. *Proposed response by Uttlesford District Council*  
*The Vision and objectives of the plan are supported.*

**Need for Waste Management Facilities (page 32)**

20. The Revised Preferred Approach sets out the following waste capacity needs:-

- Up to 309,000 tonnes per annum of biological treatment capacity for non-hazardous organic waste; (note this waste is comprised of both organic Local Authority Collected Waste (LACW) and Non LACW)
- Up to 1.27 million tonnes per annum for the recovery (recycling) of inert waste;
- Up to 256,000 cubic metres per annum of capacity for the disposal of inert waste to landfill; and
- Up to 50,000 tonnes per annum of capacity for the disposal of stable non-reactive hazardous waste arising from the closure of the sole hazardous landfill in April 2014.

**Safeguarding Existing Sites and Site Allocations (page 35)**

21. It is proposed that existing sites hosting facilities deemed strategic and which are already making a significant contribution to current waste management in the Plan area are safeguarded to ensure their future use for waste management. Safeguarding provisions associated with strategic facilities will remain in effect until it is demonstrated that there is no longer a need for that facility.

22. All sites that have been identified for a future waste use, as part of this plan making process, will also be safeguarded for that purpose up to the point where the facility for which the site is being safeguarded is delivered. The safeguarding provisions will then be removed, unless the site is considered strategic in which case the safeguarding provision will remain up until it can be demonstrated that there is no longer a need for that facility at that location.

**Waste Consultation Zones (page 37)**

23. Once the RWLP is adopted, District Councils should include Waste Consultation Zones on the Policy Maps in the Local Plans. When new development proposals come forward within these zones, it will trigger consultation between the relevant Local Planning Authority and Waste Planning Authority. The purpose of Waste Consultation Zones is to ensure the compatibility of adjacent new development for the benefit of both the operators of the waste facility and the potential future occupants of any proposed adjacent development.

24. Waste Consultation Zones will normally cover and extend for up to 250 metres beyond the boundary of safeguarded sites. However, each site will be



considered individually, and if circumstances suggest that the 250 metre zone should be varied, this will be taken into account.

*25. Proposed response by Uttlesford District Council*

*The Council supports the requirement to consult the Waste Planning Authority on planning applications but does not consider that identifying the consultation zones on the Local Plan is the most appropriate method as it creates an additional notation resulting in policy maps which are difficult to read because of the number of notations. The consultation zones can instead be included to the constraints maps used to generate planning application consultations.*

**Assessment Method (Site Assessment and Methodology Report Section 1 part 2)**

26. A total of 53 sites across the county which were put forward by landowners and/or operators or other interested parties were tested against various criteria.

27. Stage 1

Assessment of all the potential sites against five exclusionary criteria of

- Site size, area and shape
- Availability
- Flood risk
- Ground water vulnerability
- International and national ecology, heritage and landscape designations

28. Stage 2

Initial assessment of sites which successfully passed Stage 1 to determine whether the site is in the green belt or not, or if suitable in highway terms and/or complies with transport policy.

Sites that are in the greenbelt or are not suitable in highway terms and/or comply with transport policy are held back but not excluded and would only be considered for allocation if, after the rest of the assessment had been carried out, insufficient sites are suitable for meeting the capacity gap associated with a particular waste stream.

29. Stage 3:

Sites which have successfully passed Stages 1 and 2 are assessed against 12 site selection criteria.

- Planning background
- Compatibility with neighbouring land uses
- Previously developed land
- Proximity to sensitive receptors (residential, educational and medical land uses)
- Protection of water resources

- Flood risk zone
- Land instability
- Landscape and visual impacts
- Biodiversity
- Heritage
- Recreation facilities (proximity to)
- Proximity to key centres of growth of Basildon, Chelmsford, Colchester, Harlow and Southend.

### 30. Stage 4

Cross checking and moderation of all site assessments/scores by ECC to ensure consistency between assessors

### 31. Stage 5

Identification of the most suitable sites which could meet the over-arching spatial strategy for the Waste Local Plan

## **Outcome of Assessment of Sites in Uttlesford (Site Assessment and Methodology Report Section 1 part 3 and Section 2 part 2)**

Key to reference numbers

L – Landfill facilities

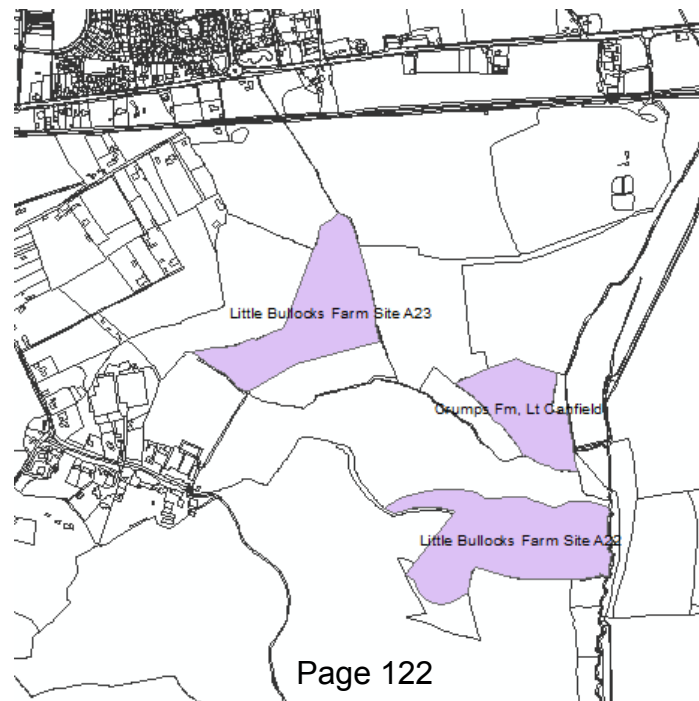
(n) Non-inert landfill site

(i) Inert landfill site

W – Other potential waste management facilities

2 codes are given where sites have been proposed for both landfill use and other waste management facilities and the sites have been assessed twice.

### 32. Little Bullocks Farm Great Canfield and Crumps Farm, Little Canfield



Three sites have been put forward in this location for inert recycling and/or landfill. Although all three sites were initially considered suitable it was not considered that three separate inert waste facilities at each of these three sites would be capable of operating independently of each other and simultaneously from a practical standpoint. For this reason the following recommendations are made 33. Crumps Farm, Little Canfield (L(n)3 and W32)

Not recommended for any allocation

34. Little Bullocks Farm Great Canfield Site A22 (East of Little Bullocks Farm) (L(n)7R)

This site is allocated in Essex Minerals Local Plan 2014

This site is recommended as suitable for construction, demolition and excavation/inert recycling and landfill.

35. Little Bullocks Farm Great Canfield Site A23 (north east of Little Bullocks Farm) (L(n)8R)

This site is allocated in Essex Minerals Local Plan 2014

Although this site was proposed for inert landfill it is the only landfill site that has been proposed as suitable for taking Stable Non-Reactive Hazardous Waste (SNRHW) (i.e. asbestos type waste) which may be required during the plan period.

The only SNRHW landfill cell within the plan area at Roxwell, Chelmsford closed in April 2014, therefore any of the waste that was previously disposed of here is now being disposed of beyond the plan area.

It has not yet been ascertained through the Duty to Co-operate whether facilities within other Waste Planning Authorities will be available to continue to accept the waste previously accepted at the now closed Essex facility. It may be the case that existing facilities beyond the plan area boundary can continue to accept exports of this type of waste for the duration of the plan period, but this will not be known until further Duty to Co-operate discussions are held between Essex County Council and relevant other waste planning authorities.

This is the only SNRHW landfill cell promoted, during the call for sites processes which could be capable of accepting 30 thousand tonnes per annum. It is therefore recommended that L(n)8R Little Bullocks Farm is allocated as an SNRHW cell as a precautionary approach until it can be ascertained that it is or is not required in the plan area. However, as noted above, there is potential for cumulative impacts if this site is allocated for hazardous landfill and inert recycling, as it is in close proximity to sites L(n)7R (which could be allocated for inert recycling and inert landfill) and W32 (which could be allocated for inert recycling).

*36. Proposed response by Uttlesford District Council*

*It is recognised that the sites at Little Bullocks Farm are included in the Minerals Local Plan as preferred sites, extending the existing minerals site at Crumps Farm. Crumps Farm has not been allocated in the Waste Plan. The*

*Council would wish to be assured that the most efficient use of the preferred and existing minerals sites are being used for waste, to minimise the impact on the surrounding area.*

*37. Essex County Council is asked that duty to co-operate discussions are carried out to find out whether SNRHW can continue to be accepted outside the county. The County Council is asked to carefully consider the cumulative impact of this use in close proximity to the adjoining sites. There is an existing operational minerals site, a site recommended for inert recycling and landfill and another site proposed but not currently recommended for inert recycling. The impact of a SNRHW landfill cell along with the other sites on highway safety and adjoining properties needs to be carefully considered.*

**38. Elsenham (Gaunts End) (W8)**



This site was promoted for but NOT recommended as being suitable for biological treatment. It was also proposed for inert waste recycling which has a greater capacity gap. Therefore the site is recommended as suitable for construction, demolition and excavation/inert waste recycling (CD&E)

**39. Proposed response by Uttlesford District Council**

*Concerns are raised on the allocation of the site at Elsenham. The site is located in an area designated as Historic Park and Garden in the Adopted Local Plan. Although not identified in Historic England's register of Historic Parks and Gardens the Council consider the parkland of Elsenham Hall important and have identified it as a Historic Park and Garden to which Policy ENV9 applies, which protects such site from harmful development unless the need for the development outweighs the historic significance of the site. The site also abuts an area identified as important woodland in the adopted Local Plan to which policy ENV8 applies, which protects the woodland from development which may adversely affect it. The site is in close proximity to Elsenham Hall and the church. There is an existing minerals extraction site to the north of the proposed recycling site, the access to which runs through the site. What is the reason for identifying a greenfield site for recycling rather than using the existing minerals site?*

40. Great Dunmow (land NW or junction of A120 with Chelmsford Road) (W9)



This site is being recommended as being suitable for allocation/safeguarding for Local Authority Collected Waste Transfer facilities.

Preferred Approach Policy 3 on Strategic Site Allocations: Local Authority Collected Waste presumes that by allocating the site it allows for future potential intensification/expansion of waste uses on the site.

41. *Proposed response by Uttlesford District Council*

*The provision and safeguarding of the site of a waste transfer facility at Great Dunmow is supported in accordance with the planning permission and adopted Local Plan. However, the council is concerned that the policy allocates the site and therefore allows for the intensification / expansion of the waste use beyond perhaps the scale of development permitted. The council will want to be assured that there is evidence that the use of the site needs to be intensified/expanded and that it can be done so without detriment to the surrounding area.*

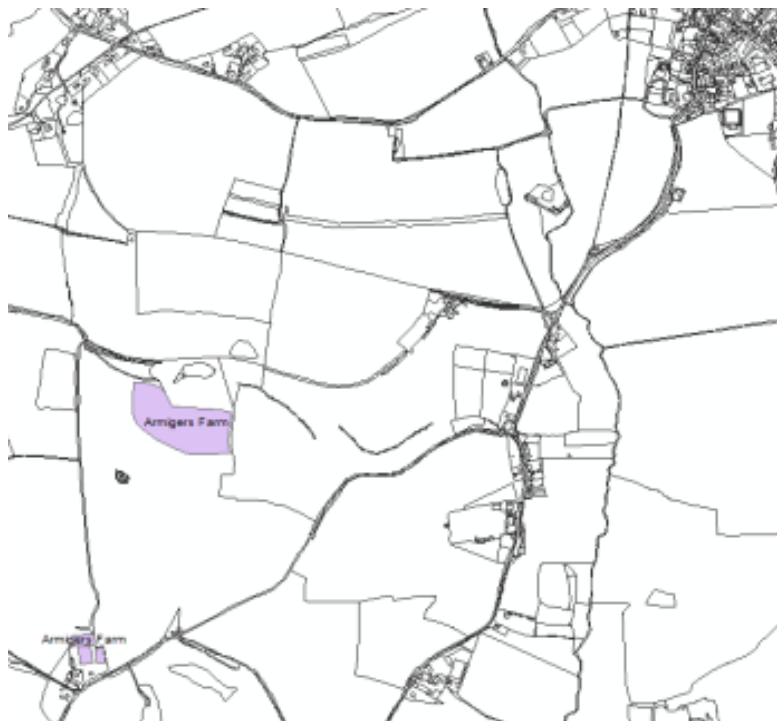
42. Widdington - Hollow Road (W24)



The site contains an existing temporary waste facility. Once the permission for temporary use has expired the site will be returned to greenfield land. Therefore the site is considered greenfield land.

Furthermore, the site is held back from further consideration as it is not suitable in Highway Terms and/or does not comply with Transport Policy. The suitability of the site will be reviewed if insufficient sites available.

43. Armigers Farm, Thaxted (W35 and L(i)8R)



The site is located adjacent to an old sand and gravel pit that has naturally regenerated into a waterbody with established vegetation. The rest of the site is considered to be greenfield land. This site was excluded from further consideration for landfill as the site is not allocated in the Minerals Local Plan, and therefore there is no available void suitable for landfill.

The site was also held back from further consideration as a recycling site as it is not suitable in Highway Terms and/or does not comply with Transport Policy. However, suitability will be reviewed if insufficient sites available.

*44. Proposed response by Uttlesford District Council*

*The holding back of Hollow Road Widdington and Armigers Farm, Thaxted is supported. Hollow Road and the B1051 are not of sufficient standard to accommodate the necessary vehicle movements. It is not considered that this constraint can be mitigated and therefore the sites should still be considered as unsuitable if additional sites are required.*

## **Areas of Search (Areas of Search Assessment and Methodology page 21 onwards)**

45. To afford the Plan more flexibility than a reliance on allocated sites only, both Areas of Search and locational criteria are intended to be included, to allow a wider range of suitable sites to be brought forward for waste management. It is recognised that both Areas of Search and the locational criteria offer less certainty than direct site allocations in terms of where waste sites may come forward in future. However, it is important that the Plan is able to respond flexibly to any potential change in demand from the waste industry.

46. The plan assesses the suitability of existing employment land to provide locations for waste management facilities using high level environmental, social and planning criteria. The overall outcome is to identify existing employment land areas which could be included in the Replacement Waste Local Plan as preferred 'Areas of Search' for new waste management facilities. The methodology follows the following 4 stages.

### **47. Stage 1:**

Identification of employment land areas over 0.65ha

Within Uttlesford 16 employment land areas were identified.

### **48. Stage 2**

Desktop assessment of employment land areas

Taking into account that it would only be appropriate to locate enclosed waste management on land greater than 100m away from sensitive receptors; and enclosed thermal waste management facilities and open air waste management facilities on land which is greater than 250m away from sensitive receptors; 3 sites in Uttlesford are shortlisted.

1. Ashdon Road Commercial Centre, Saffron Walden
2. Stansted Airport (industrial estate associated with the airport)
3. Start Hill Great Hallingbury

### **49. Stage 3**

Site visits and policy review

### **50. Stage 4**

Further assessment and identification of Areas of Search

Only 2 sites are shortlisted in Uttlesford



1. Ashdon Road Commercial Centre, Saffron Walden

The methodology notes that having regard to planning permission for mixed use development to the south of the area, it is likely that any future waste management facilities would have to be situated towards the centre to northern portions of the area.

2. Start Hill Great Hallingbury

The area meets the criteria for selection as an area of search, however due to the proximity of sensitive receptors to the north, west and east waste management facilities would need to be located on the land in the centre of the area.

51. Proposed response by Uttlesford District Council

*Essex County Council are asked to reconsider the inclusion of Ashdon Road Commercial Centre as an area of Search. The appraisal has not taken account of the planning permission for the site itself for a mixed use (UTT/13/2423/OP) for B1, B2 and B8 class uses, A1, A3, A4 class uses, and hotel and up to 167 dwellings. Detailed Permission has also been granted for a replacement Ridgeons Store for which the Master Plan for the whole site indicates that any waste management facility will be within 100m of a sensitive receptor.*

*Inclusion of Start Hill, Great Hallingbury employment site as an area of search should also be reappraised taking into account the planning permission UTT/14/0138/FUL for 6 no. employment units within 3 no. buildings for B1, B2 and B8 which are currently under construction, and therefore the ability of the existing buildings and those under construction to be used for waste recycling.*

**Risk Analysis**

1.

Risk	Likelihood	Impact	Mitigating actions
That the Councils views are not taken into account	1. The county council will take into account all duly made	3. That the Waste Local Plan includes policies which have not	Ensure that comments are presented in line with the requirements set down in the



	representations	taken the District council's views into account	consultation material.
--	-----------------	---	------------------------

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.

