



STRATEGIC LAND AVAILABILITY ASSESSMENT 2015

Housing and Employment Land

**Summary of comments received on
Draft Methodology and officer response.**

December 2015

Introduction

The SLAA methodology was published for consultation on 21 August and closed on 2 October 2015.

All town and parish councils/meetings were consulted as well as 66 organisations comprising chambers of commerce, housing associations, land promoters, adjoining local authorities, neighbourhood plan steering groups, local enterprise partnerships, statutory consultees, Sustainable Uttlesford and Essex Wildlife Trust.

Representations were received from 15 organisations:-

Highways England	Little Easton Parish Council	Andrew Martin Planning on behalf of Chater Homes and Home Group
Natural England	Saffron Walden Town Council	Gladman Developments
Environment Agency	Takeley Parish Council	David Lock Associations on behalf of Fairfield (Elsenham) Ltd
Historic England	Thaxted Parish Council	Barton Wilmore on behalf of Land Securities
Essex County Council	Felsted Neighbourhood Plan Group	
	Sustainable Uttlesford	
	WeAreResidents.org	

The following summarises the comments received for each stage of the methodology along with officer comments and any proposed changes.

General

Highways England

Content with the proposed methodology

Natural England is not available to provide bespoke advice on SLAAs and so provide the following generic advice on key natural considerations for use in producing or revising SLAAs. Impacts of new housing upon landscape; international, national and locally designated sites of importance for biodiversity; may be positive or negative, direct or indirect, short or long term and reversible or irreversible. Cumulative impacts may also occur as a result of the combined effects of more than one housing development.

Little Easton Parish Council and Felsted Neighbourhood Plan Group

No comment to make at this time

Officer Comment

The SLAA is only one piece of evidence in a suite of evidence documents which will be used by the Council in deciding which sites to allocate. The Sustainability Appraisal in particular considers significant and temporal effects, secondary, cumulative and synergistic effects. It is considered more appropriate to rename the document a Strategic Land Availability Assessment (SLAA) as it considers land for both housing and employment development.

STAGE 1

1.1 Assessment area

Saffron Walden Town Council, Sustainable Uttlesford and WeAreResidents.org raised concerns that the SLAA relates to the District and does not take into account the SHMA area identified in the LCB East SHMA update 2012, or the influence of Cambridgeshire, Chelmsford and Braintree. There is concern that the choice of the housing market area with Epping Forest, Harlow and East Herts will concentrate the search for the development sites in the south of the District. Concern was also expressed that the other west Essex/East Hertfordshire authorities have based their SLAA on the 2007 guidance.

Officer Comment

There are negligible differences between the 2007 and 2014 methodologies and the Council has considered the SLAA's undertaken by the other authorities and are happy that a consistent approach has been taken by each authority.

The 2012 SHMA has now been replaced by the 2015 SHMA which concludes that the East Hertfordshire, Epping Forest, Harlow and Uttlesford represent the most appropriate "best fit" for the Housing Market Area. The SHMA does note that Uttlesford should maintain dialogue with Chelmsford as well as Braintree, South Cambridgeshire and Cambridge and that all four authorities will need to maintain dialogue with each of the boroughs to the north and east of London as well as with the Mayor of London through the Greater London Authority.

The SLAA considers all sites from across the District equally and does not bias deliverability towards one particular geographical area. Furthermore, in selecting the development strategy the Council is undertaking an Issues and Options consultation on Areas of Search which looks across the whole district.

1.2 Involvement of key stakeholders

The **land promoters** seek to be included in the 'fact checking' of the draft SLAA at the same time as the town and parish councils. One promoter considered it good practice to discuss a basket of site assessments, once the draft assessments have been undertaken, with a panel of stakeholders. This ensures that the methodology has been followed effectively and that the assumptions have been consistently applied.

On a general point **Takeley PC** advocated more consultation and involvement with parishes regarding the Council's discussions/meetings with developers about proposed developments

Officer comment

It is the Council's intention to publish the draft SLAA on the website and notify both the town and parish councils and those who submitted sites of its publication. Section 1.2 of the methodology will be amended to include reference to those who submitted sites.

As the draft SLAA will be public, this will enable a checking of the assessments by parish councils and site promoters, it is not considered necessary to undertake an assessment of sample sites with a panel. Any comments received will be noted on each site assessment

sheet. The Deliverability Assessments will be changed if new evidence is submitted affecting the suitability, availability, or achievability of the site.

1.3 Sites to be assessed

Saffron Walden Town Council and WeAreResidents.org request that the sources of sites include sites that have not been put forward but are considered to be sustainable locations for development.

Officer Comments

The Sources of Sites reflects the Planning Practice Guidance. For sites not currently in the planning process, many of the sources are not through the Call for Sites but from other sources as listed in the table in the methodology. The SLAA should consider all sites irrespective of whether they are considered to be in a sustainable location. The Areas of Search identified for the Issues and Options October 2015 consultation which are not “developer led” could in theory be included as a source of information and be appraised. However this would not be a particularly useful exercise as they are broad areas and their availability and achievability would be unknown and it would provide no more information than that provided through the Sustainability Appraisal of the Areas of Search. Should the Issues and Options consultation lead to additional sites within the areas of search being suggested for development these can be included in the SLAA.

STAGE 2

2.1 site capacity

Saffron Walden Town Council considers that it may be preferable for UDC to determine the most appropriate density rather than developers increasing the density to maximise their profits. **Takeley Parish Council** wishes the density to differentiate between urban and rural locations. **WeAreResidents.org** consider that there is no obvious reasons why there should be a difference between the densities for extension to the towns compared to new settlements; and indeed the flexibility provided by new settlements arguably should allow for a greater minimum density.

The **site promoters** generally consider that the lower end densities do not reflect that developers are increasingly building at lower densities, with a move away from flatted developments towards larger family homes, larger gardens and greater off road parking provision. On average about 10 dph less is suggested. Concern is also raised in relation to the gross to net ratios with a particular issue being the larger, settlement scale schemes where it is suggested that for sites of 15ha or more the gross to net ratio should be in the order of 60%.

Officer Comments

The individual site appraisal forms note both the developers/agents capacity and the capacity using the SLAA methodology. The final deliverability Assessment will use capacity provided by the site promoter as this is considered to represent the most realistic figure. If no capacity is provided then the SLAA methodology will be used. This density is only a guide. The House Type Density is based on the density of existing and well established

developments. In determining the range of densities for New Settlements, developments such as South Woodham Ferrers and Cambourne were used.

It is considered appropriate to include an additional gross to net ratio standard for larger scale developments of 60%.

2.2.1 Suitability

See the section on appendix 2 for responses to specific representations on the site criteria.

Saffron Walden Town Council express caution over the use of colour coding in Appendix 2 and that all assessment criteria are given exactly the same amount of weighting in that there is no distinction between them. Given the difficulties in determining relative weighting a more qualitative assessment is proposed. **Sustainable Uttlesford** and one of the **Site Promoters** consider that some criteria are more important than others and weightings should be applied. **WeAreResidents.org** and one of the **Site Promoters** are concerned that the criteria make no distinction between New Settlement Sites and other sites. One of the **Site Promoters** considers that the Sustainability Appraisal (SA) Site Proforma and SLAA Assessment of Suitability Methodology, should be identical and in this regard the SA Site Proforma is considered to be a more sophisticated and robust tool.

Sustainable Uttlesford consider it is unclear how the proposed methodology will assess the cumulative environmental impacts of any proposed development sites on adjoining areas eg the impact on air quality caused by traffic generated by any development at junctions in town and village centres.

WeAreResidents.org consider that a new set of criteria needs to be developed for potential new settlement sites, and the existing criteria needs to be rethought completely, tested against real world examples of potential development sites, and drafted accordingly, so that they will accurately distinguish between sites which are and which are not sustainable.

Officer Comments

Because different people/groups/organisations will give a different weighting to different criteria it is considered more robust to treat each criterion with the same weight and then a judgement can be made when considering all the evidence in deciding the sites to allocate.

Cumulative impacts are assessed in the Sustainability Appraisal.

The methodology recognises that the SLAA is not the most appropriate method to assess settlement scale developments. The approach the Council is taking in relation to settlement scale developments is to assess them against Garden City Principles. The Council has retained the services of Garden City Developments CIC to advise and support officers in the appraisal of the submissions. An assessment of each scheme will be published as additional material on the SLAA.

In light of the comments above and those in relation to the site criteria in Appendix 2 it is proposed to amend the suitability criteria. Because the SLAA does not have the evidence to make judgements based on the proximity of the site from a zone or designation or a facility it is proposed to remove the positive and negative scores and just note where the site is in relation to it without making any judgement. This will be followed by a conclusion on the suitability which will be a narrative including any issue specific to that site and explaining the key issues influencing the assessment of the site. Therefore when the Council has to make

a decision as to which sites to allocated, the evidence of the SLAA can be considered alongside other evidence.

A revised Appendix 2 can be found at the end of this document.

2.2.2 Availability

No comments received

2.2.3 Achievability

Saffron Walden Town Council raises the issue of the suitability of the SLAA for determining the suitability of settlement scale developments. However, they consider it is more important to identify the best sites irrespective of whether they are put forward by landowners or not. One of the **site promoters** agree that a bespoke approach is likely to ensure that sufficient informed consideration is given to the more complex technical matters raised by developments of this scale to assess the achievability of settlement scale developments.

Officer Comments

The approach the Council is taking in relation to settlement scale developments is to assess them against Garden City Principles. The Council has retained the services of Garden City Developments CIC to advise and support officers in the appraisal of the submissions. An assessment of each scheme will be published as additional material on the SLAA. The text will be amended to refer to this.

2.3 overcoming constraints

Takeley PC asks that Local communities should be involved at this stage and this should be incorporated into the process/methodology.

Officer Comments

Parish Councils will have the opportunity to comment on the Draft SLAA and can respond to any of the constraints identified as to how they could be overcome.

STAGE 3

Windfall

Sustainable Uttlesford considers that the windfall allowance should be increased to reflect the average of 80 dwellings per year built and the changes in the GDPO making it easier to convert buildings to residential uses. One of the **site promoters** considers it essential that the windfall allowance is robust and justified not only reflecting historic levels but also the prospect that they will continue to come forward in the future. Other **site promoters** consider that the windfall allowance should be reduced significantly or not relied upon at all in the delivery of housing.

Officer Comments

The windfall allowance was tested at the examination in the Local Plan and found to be a sound figure.

It has been pointed out that the last sentence of Paragraph 4 appears to be incomplete. It is not incomplete but it is proposed to amend the sentence to make it clear

“...the remaining 34 would be other sites which were not technically windfall under the criteria used and neither were they specifically identified as available in the Local Plan process.”

STAGE 4

4.1 assessment review

Saffron Walden Town Council would be concerned if this involved ignoring the initial objective assessment for a large number of sites. However they do recognise that this is what the guidance states.

One of the **site promoters** considers that this stage of the process should be undertaken through Local Plan preparation rather than forming part of the SLAA process. Another **site promoter** wishes to amend the methodology to make it clear as to whether the review is to ensure sufficient sites to meet the needs of Uttlesford or of the housing market area; and reference should be made to meet the need arising from London.

Officer Comment

The SLAA is one piece of evidence in the preparation of the draft Local Plan. It is correct that it is through other stages in the Local Plan preparation that the housing target is decided but it is the role of the SLAA to assist in the allocation of deliverable sites. However, in line with government guidance some assessments may need to be reviewed, in order to find sufficient deliverable sites. The final housing target for Uttlesford along with the target for the other local authorities in the housing market area will ensure that the overall housing need of the housing market area is met.

4.2 keeping the assessment up to date

A **site promoter** welcomes the commitment to review the SLAA annually. It should be clarified that updates to the SLAA will also be reported where the assessment relating to parts of sites, as well as to whole sites, has changed.

Officer comments

Noted

STAGE 5

No comments received on Stage 5

Appendix 1

Summary of comments received:-

Policy Constraint

- Criterion should not be used to artificially remove sites from consideration as suitable sites for development as these policy issues are simply matters which should be weighed-up in the planning balance exercise, as it is likely that land affected by the criteria will be required to meet the housing needs of the district.

Development Limits

- Development has been permitted beyond development limits and therefore settlement limits are in many cases out of date and irrelevant.

Green Belt

- Because the SLAA process will have insufficient information to assess sites in the context of the very special or exceptional circumstances, where a site is located in the Green Belt a Major Negative rating should be applied

Countryside Protection Zone

- A 'Positive' rating should be applied where development of part of the site within the CPZ would not include new buildings and would be limited to uses which would not offend the policy objectives of the CPZ

Flood risk

- Should include a criteria of whether the site is at risk from surface water or ground water flooding
- The criteria should provide sufficient acknowledgement of the potential for flood risk to be mitigated and for master planning to avoid the development in flood zones 2 and 3.

Noise

- The criteria should provide sufficient acknowledgement of the potential for mitigation measures such as development being set back and boundary planting.
- Public Safety Zone is more appropriately considered as a policy constraint

Pollution

Air Quality Management Area

- Criteria need to recognise that sites not in the AQMA could still affect an AQMA because the site's location would lead to traffic driving through the AQMA. Criteria should include "Proximate to, or likely to affect, an AQMA, or to contribute additional pollution into an AQMA".

Ground Water Protection Zone

- It is not clear why a 'Major Positive' rating would not be applied to a site located outside of a ground water protection zone
- The criteria should provide sufficient acknowledgement of the potential for mitigation

measures.

Minerals Safeguarding Area

- Identify sites within a Minerals Safeguarding Area that are 5ha or more for sand and gravel, 3ha or more for chalk and greater than 1 dwelling for brickearth or brick clay;
- Identify sites which lie with a Minerals Consultation Area which would unnecessarily sterilise mineral resources or conflict with the effective workings of permitted minerals development, Preferred or Reserve Mineral Site allocations.
- The criteria should include the provision whether ECC has agreed whether prior extractions is or is not required

Natural environment

- The assessment of potential housing sites should be informed by the landscape character approach.
- Criteria should include impact upon the landscape. Any such assessment would warrant some degree of analysis, however, by considering the potential impact in the short-medium term and with/without adequate, appropriate and effective landscaping
- The SLAA should consider the availability of Green Infrastructure (GI) and opportunities to enhance GI networks when considering sites for development.
- Indirect impacts on ecological sites may be experience several kilometres distant from housing sites. The key to assessing these is to understand the potential impact pathways that may exist between the development and sensitive sites.
- It may also be necessary to undertake a basic ecological survey in order to appraise the biodiversity value of any potential development site.
- Accessible natural greenspace should be provided as an integral part of development
- The criteria should include local geological sites. Housing development may present opportunities for the enhancement of geological sites e.g. exposure sites in road cuttings.
- Not all Agricultural land has been surveyed in detail and more detailed field survey may be required to inform decisions about specific sites
- There should not be any loss of arable land.
- Criteria should identify sites which impacts on National Trails and networks of public rights of way and opportunities should be considered to maintain and enhance networks and to add links to existing rights of way networks including National Trails.
- Criteria should identify sites which impact on public rights of way and access
- Criteria should include Biodiversity Action Plan (BAP) habitats and species.
- The criteria should provide sufficient acknowledgement that development provides an opportunity to potentially enhance assets such as Local Wildlife Sites.
- The criteria should provide sufficient acknowledgement that through master planning and the location of development, the impact on assets can be mitigated
- Criteria do not consider impact of proposed development sites on biodiversity at a local level eg on special verges, protected and quiet lanes.
- Criteria should consider whether proposed development sites have access to open space and countryside.

Historic environment

- Criteria using a proximity test can be arbitrary and could lead to misleading results.
- Criteria should include other non- designated heritage assets such as archaeology.
- The SLAA methodology should follow the SA Framework approach.
- Scheduled Ancient Monuments are not graded

- The criteria should provide sufficient acknowledgement that development provides an opportunity to potentially enhance assets such as Registered Parks and Gardens.
- The criteria should provide sufficient acknowledgement that through master planning and the location of development, the impact on assets can be mitigated

Accessibility

- Distances to primary and secondary schools reflects the free school travel policy of the County with the aim of locating development which reduces the need for transport and associated costs - Within 2 miles if below the age of 8; Within 3 miles if aged between 8 and 16.
- Regard should be had not just to the proximity to existing facilities, but also the scope to deliver new facilities on-site. It is proposed that in the Major Positive column the following test is applied “new (facility) proposed on site to serve both existing and new residents”.
- It is not clear why a site located within 800m of an existing primary school/ convenience shopping/ GP surgery would not receive a ‘Major Positive’ rating.
- Criteria do not consider transport links, access to main roads, existing congestion etc. There should be a form of differentiation between major and minor road routes.
- Criteria do not consider ease of access to significant employment sites, or consideration of site in relation to the main sources of employment within the district.
- there is no point satisfying a criterion for proximity to a secondary school if that school is full and effectively incapable of practical expansion;

Loss of land use

- No scoring criteria provided for Loss of Employment Land
- Criteria should be amended to consider if there will be a net loss of recreational / employment / retail land
- It is not clear why development proposing to include retail uses does not receive a ‘Major Positive’ rating.
- The criteria are inconsistent in that sites including new retail proposals attract a positive assessment whereas the SLAA process makes no such provision for other new and beneficial supporting infrastructure commonly promoted as part of large-scale proposals such as health provision, employment, schools or community facilities. There would be merit in adding a further category regarding the ability of large-scale proposals to provide new supporting infrastructure.

Appendix 2

Suitability Assessment Criteria

Site Criteria	Guide to Range of answers
Policy Constraint	
Is the site greenfield or brownfield?	Greenfield / brownfield / both
Is the site within, adjoining or beyond the Adopted Development Limits?	Within / adjoining / separate / adjoining a site with PP for development
Is the site located within the Greenbelt?	Yes / No / partial
Is the site located within the Countryside Protection Zone (CPZ)?	Yes / no / partial / potential for development to avoid partial land within CPZ
Is the site within a Public Safety Zone?	Yes / no / partial
Flooding	
Which flood risk zone(s) does the site lie in?	Zone 1; 2 and/or 3 / potential for development to avoid high risk zones
Does the site lie within surface water or ground water flooding zones?	1 in 30 / 1 in 100 / 1 in 1000 / potential for development to avoid high risk zones
Pollution	
Which aircraft noise contour does the site lie within?	Beyond 54 / between 54-57 / within 57 dB(A)leg
Is the site within the AQMA or area otherwise identified as of poor air quality?	Yes / no / partial
Is the site located such that traffic to/from the site could drive through the AQMA?	Yes / no
Which ground water source protection zone does the site lie within?	Zone 1 / 2 / 3
Minerals Safeguarding Areas (MSA) Is site 5ha or more and within MSA for sand and gravel or Is site 3ha or more and within MSA for chalk or is site within MSA for brick earth or brick clay?	Within MSA for Sand & Gravel / Chalk / Brick earth or Brick clay
Does the site lie within the Waste Consultation Area?	Yes / no / partial
Natural environment	
Proximity of SSSIs (including Impact Risk Zones (IRZ))	Within / adjacent / beyond
Proximity of NNRs	Within / <100 / 100-500m / 500-1000m / >1000m
Proximity of Local Wildlife Site(s)	Within / <100 / 100-500m / 500-1000m / >1000m

Site Criteria	Guide to Range of answers
Proximity of Ancient Woodland(s)	Within / <100 / 100-500m / 500-1000m / >1000m
Proximity to Local Geological Site(s)	Within / <100 / 100-500m / 500-1000m / >1000m
Proximity to National Trails and public rights of way networks	Traverse site / along site boundary / <100m / over 100m
Will the site be located in an area noted for its high sensitivity to change (from Uttlesford Landscape Character Assessment)?	Name of Landscape character Area; High / moderate to high / moderate / low to moderate sensitivity to change
Does site lie within area noted in the Historic Settlement Character Assessment?	Brief description of assessment
Are there any Tree Preservation Orders (TPOs) on the site?	Yes / No
What is the agricultural land value of the site	2 / 3 / 4 / non-agricultural / urban
Historic Environment	
Distance from scheduled ancient monument	<100 / 100-500m / 500-1000m / >1000m
Distance from Listed Building	Within site / <100 / 100-500m / 500-1000m / >1000m
Distance from Conservation Area	Within / <100 / 100-500m / 500-1000m / >1000m
Distance from Registered Park and Garden	Name Park or Garden Within / <100 / 100-500m / 500-1000m / >1000m
Distance from Historic Park or Garden identified by Uttlesford DC	Name Park or Garden Within / <100 / 100-500m / 500-1000m / >1000m
Will a new site access be created on to a protected lane?	Yes / No
Accessibility	
Is the site within 800 metres walking and cycling distance of an existing public transport node?	Yes / No. Include any comments about ease of walking eg is there a pavement or not?
Will the site be located within 800 metres of a primary school or is a new primary school being provided on site or within 800m of site?	Yes / No. Include any comments about ease of walking eg is there a pavement or not?
Is the site within 800 metres walking and cycling distance of convenience shopping or are new convenience shopping facilities being provided on site or within 800m of site?	Yes / No. Include any comments about ease of walking eg is there a pavement or not?

Site Criteria	Guide to Range of answers
Will the site be located within 800 metres walking and cycling distance of a GP surgery (NHS Primary Healthcare Facility) or are new health facilities being provided on site or within 800m of site?	Yes / No. Include any comments about ease of walking eg is there a pavement or not?
Will the site be located within 4.8km of a secondary school or is a new secondary school being provided on site or within 800m of site?	Yes / No. Include any comments about ease of walking eg is there a pavement or not?
Is there a viable route from the site to the principle or strategic road network – B roads, A roads and M11)	Yes / no. Brief description of road network
Other land uses	
Will there be a net loss of land designated for recreational use?	Recreational land lost and not replaced / lost and replaced with more or less / not known if to be replaced
Will there be a net loss of employment land?	Employment land lost and not replaced / lost and replaced with more or less / not known if to be replaced
Will there be a net loss of retail provision?	Retail provision lost and not replaced / lost and replaced with more or less / not known if to be replaced
If known, are any additional uses/ infrastructure (including green infrastructure) being provided on site?	List