



# Uttlesford District Council

Chief Executive: Dawn French

## Planning Policy Working Group

**Date:** Tuesday, 26 April 2016  
**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 for absence and declarations of interest.
- 2 Minutes of previous meeting** 5 - 12  
To receive the minutes of the meeting held on 23 March 2016
- 3 Matters Arising**  
To consider matters arising from the minutes
- 4 Countryside Protection Zone review** 13 - 22  
To receive a presentation from Land Use Consultants (LUC) on the methodology and assessment framework for the review.
- 5 Statement of Community Involvement** 23 - 30  
To consider the responses and officer recommendations following the consultation on the Statement of Community Involvement
- 6 Development Management Policies update** 31 - 34  
To receive an update on the preparation of the Development Management Policies

<b>7</b>	<b>Project Planning</b> To report on the current status of the project planning for the Local Plan	35 - 36
<b>8</b>	<b>Duty to Cooperate</b> To receive an update on the Duty to Cooperate work	37 - 38

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**PLANNING POLICY WORKING GROUP held at COUNCIL OFFICES  
LONDON ROAD SAFFRON WALDEN on 23 MARCH 2016 at 7.00pm**

Present: Councillor H Rolfe – Chairman  
Councillors S Barker, A Dean, S Harris, J Lodge, A Mills, E Oliver  
and J Parry.

Also present: Councillor J Davey.

Officers in attendance: M Cox (Democratic Services Officer), R Fox (Planning Policy Team Leader), R Harborough (Director of Public Services) and A Taylor (Assistant Director Planning and Building Control).

**PP64 APOLOGIES FOR ABSENCE AND DECLARATION OF INTERESTS**

Apologies for absence were received from Councillors P Davies, and J Loughlin.

Councillor Barker declared a non-pecuniary interest as a member of ECC.

**PP65 MINUTES**

The minutes of the meeting held on 23 February 2016 were signed by the Chairman as a correct record, subject to the following

Minute PP60

- i) 2<sup>nd</sup> para, 2<sup>nd</sup> line - change 'not satisfied' to 'very unsatisfied' to reflect the level of Members' concern at the lack of a detailed project plan.
- ii) To include reference to questions raised about CIL and when this would be considered by the working group.

Councillor Dean asked for a paper copy of the agenda pack for the PPWG meetings. He said this was important because of the size of the documents and the need to make notes and refer to them at the meeting, which wasn't possible on the iPad. He said if this could not be provided he would have to consider his future membership of the group. A number of members agreed with his concerns.

**PP66 BUSINESS ARISING**

**(i) Minute PP57 – Public Speaking**

Councillor Dean mentioned the ongoing debate in relation to the SHMA figures and said he would like to have clarity on this matter. The Chairman said there was an ongoing email exchange around this issue.

Councillor Lodge was concerned that the SHMA proposed housing growth of 37% for Uttlesford, which was high in comparison to other districts. He asked for a clear explanation of the figures, particularly in relation to the Stansted Airport effect. In reply, the Chairman said that the council had accepted the consultant's process and figures. At the examination in public, the Inspector had quoted 580 dwellings per year, and whilst this was a somewhat arbitrary figure, it did give a steer as to the expected level of growth. It was also clear that the Cambridge London corridor was a particularly high growth area.

The Chairman said that working group would be provided with the relevant information. If the working group still had questions the consultants could be brought back to a future meeting as it was important that Members had confidence in the process.

**Action:** The Planning Policy Team Leader to circulate the information regarding the SHMA figures that had been sent to Mr McDonald.

**(ii) Minute PP59 – Issues and Options consultation summary of representations**

Councillor Dean asked about the future role of the working group. He said meetings were currently concerned with noting and commenting on the evidence base, but the group was not yet involved in shaping the content of the Plan. He questioned whether the two hourly meetings once a month would be sufficient for the detailed discussion required and thought that additional member meetings/workshops might be required.

Councillor Lodge agreed that members should be advised of proposals at an early stage to prevent anything unexpected coming forward.

The Chairman said the working group would be making recommendations, for example in relation to the Green Belt report on tonight's agenda. In the summer, there would then be an opportunity for members to consider the development strategy and the officer's recommendation. This would be followed by the consideration of the site specific options. There would probably be a need for Member workshops at these key stages, although it was important that the process was open and transparent and the working group's discussions were held in public.

**(iii) Minute PP59 (ii) – Local Development Scheme**

Councillor Lodge asked whether there should be guidelines for the operation of the PPWG as the council's procedure rules did not apply to working groups.

**(iv) Minute PP60 - Local Plan Indicative Work Programme**

In answer to questions about the progress of various studies, it was reported that the highway strategy was at the modelling stage and was

expected to be received at the end of spring. Work on the employment study was ongoing and it was confirmed that its remit would be wider than the existing dispersal option. The infrastructure delivery plan would be considered in August when the group was looking at specific sites. The CIL option was a mechanism for delivery of the infrastructure plan and would be considered at that time.

Councillor Harris reported that she and Councillor Mills had met with officers to discuss the project plan for the Local Plan. She hoped to report to the next meeting.

PP67

## **GREEN BELT REVIEW**

The Chairman welcomed Chris Tunnel and Andy Barron, consultants from ARUP to present the Green Belt Review and its conclusions on whether the Green Belt was justified in terms of the Green Belt policy.

The district's Green Belt had been assessed against five (NPPF) purposes.

- 1) To check the unrestricted sprawl of large built-up areas
- 2) To prevent neighbouring towns merging into one another
- 3) To assist in safeguarding the countryside from encroachment
- 4) To preserve the setting and special character of historic towns
- 5) To assist in urban regeneration, by encouraging the recycling of derelict and other land

The study considered the relative performance of the 31 identified parcels. It found that the Uttlesford Green Belt was meeting both national policy requirements and its function as a Green Belt. 30 of the areas were found to be strong Green Belt (meeting at least one purpose strongly), there was one moderate area and no areas of weak Green Belt.

The review recommended that none of the whole Green Belt parcels should be released.

However, it had identified a number of boundary anomalies and had suggested amendments to align the Green Belt boundaries with natural boundaries, or in some cases to take account of new developments in the district.

The working group considered the proposals and AGREED

- 1 To support the report's recommendation that no whole Green Belt parcels should be released.
- 2 In relation to the boundary anomalies:
  - i) To amend the following boundaries

General Area 21 – road verges along A1060 (Hatfield Heath)  
General Area 4 – new development (Elms Farm, Stansted Mountfitchet).

General Area 17 – new development (Broomfields, Hatfield Heath)  
An additional area – Long Hide, Leaden Roding

ii) To retain the following boundary

General areas 24 ,25, 26 and 29 land north of A1060.

The Planning Policy Team Leader said the results of the review would give a strong steer on the areas of search. At this stage a new settlement in the Green Belt appeared unlikely but other studies would also need to be considered.

PP68

### **ECC WASTE REPLACEMENT PLAN**

The working group considered the pre submission draft of the replacement Waste Local Plan. The plan set out the key principles and policies to guide the future management of waste in the plan area up to 2032. This was the final opportunity to comment, on matters of soundness, before it was considered by the Inspector. There were five sites proposed within Uttlesford.

In answer to a question, it was explained that there was a detailed plan for each of the sites, which set out the proposed protection and mitigation measures.

Councillor Barker said that all the sites were still subject to planning permission being obtained.

The working group AGREED that it had no objections to the plan on matters of soundness.

PP69

### **GREAT DUNMOW NEIGHBOURHOOD PLAN CONSULTATION**

The working group was invited to comment on the Great Dunmow Neighbourhood Plan, which had been published for a six-week consultation on 1 March 2016.

Officers had raised four areas of concern, mainly around compliance with national requirements and policy. Members discussed these points and suggested that the comments in relation para 13 policy DS15 (the figures used for local housing need) should be rephrased to add clarity.

The plan would now go before an independent examiner and then to a referendum, probably in the summer. Members said this was a good example document for other parishes who were undertaking this process.

AGREED that the comments set out in the report (with the rewording of para 13) be sent to the Examiner as the Council's response to the Great Dunmow Neighbourhood Plan Submission Consultation 2016.

## **ISSUES AND OPTIONS CONSULTATION – SUMMARY OF REPRESENTATIONS**

The working group received the second part of the summary of representations to the recent Issues and Options consultation

*Mr McDonald read a statement expressing concern at the poor quality of analysis of the responses to the consultation. He also repeated his concerns at the conclusions reached in the SMHA document. A full copy of his statement is attached to these minutes.*

Members referred to the statement and said that Great Chesterford parish council had raised similar concerns. The Chairman said he understood these sentiments but it was a question of balance, to give members sufficient information from the large number of representations received. However, officers had read all the responses and these were available in full on the council's website.

Councillor Dean said it was important that this was not just a tick box exercise and the responses should be properly considered. The Planning Policy Team Leader said the comments would be used to add value to the process, to reflect the study findings or provide insight into areas not looked at in the evidence base.

Members referred to the issues raised in the responses and in particular, the frequent reference to the need for appropriate infrastructure. The Chairman said the council was committed to ensuring this was provided. Councillor Dean said that in terms of infrastructure, the council should be looking at what it wanted to achieve in the district and not using the plan as a mitigation measure.

Councillor Lodge mentioned issues that had been raised by the statutory consultees. The Chairman said these came under the umbrella of 'maintaining the character of the district' and this highlighted the need for sympathetic development.

The working group NOTED the report.

## **TECHNICAL CONSULTATION ON IMPLEMENTATION OF PLANNING CHANGES**

The Planning Policy Team Leader presented a report on the council's proposed response to the Government consultation on its approach to implementing the measures in the Housing and Planning Bill. The consultation set out the criteria that would inform the Government's decision on whether to intervene to put in place a local plan. It also included changes to the rules for preparing a neighbourhood plan.

Officers had suggested a response and the working group agreed with the comments made.

AGREED that the working group approve the response set out in the report and submit any additional comments to the Planning Policy Team Leader by 15 April 2016.

**PP72 DUTY TO COOPERATE**

Members received an update on recent duty to cooperate work.

Members were advised that the Memorandum of Understanding for the authorities in the SHMA area was a key part of this process and the draft memorandum was currently being drafted.

The report was noted.

**PP73 PLANNING POLICY WORKING GROUP – FORWARD PLAN**

The working group received a list of the key studies and reports to be considered by the working group over the next few months.

The following actions were noted

1. To include project plan/documentation in the list of items to be considered at the meeting on 26 April.
2. To confirm the dates for the public exhibitions/meetings.

Members were reminded that future working group dates had been agreed as follows – 9 June, 19 July, 23 August, 13 September, 25 October and 28 November 2016.

**PP74 CHAIRMANS ANOUNCEMENT**

The Chairman said that Andrew Taylor, the Assistant Director Planning and Building Control would shortly be leaving the council. On behalf of the PPWG he thanked Mr Taylor for all he had done over the past 5 years and wished him every success in his new venture.

The meeting ended at 9.30pm

## Public Speaker - statement

Good evening. My name is Ken McDonald. I have lived in Uttlesford for 35 years.

I have no loyalty or leaning to any political party. I wish to see Uttlesford develop a sound plan that passes inspection and does not destroy the character of our district.

Today you are being asked to consider representations received in response to the Issues and Options Consultation – more specifically, to “note the responses and use them to inform the local plan process”.

You may recall that nobody was consulted on the SHMA, yet I stepped forward to tell you that it was not sound, and was especially lacking in evidence and audit trails. Besides addressing this meeting for three minutes, I used the Issues and Options consultation to set out my concerns in a more thorough, evidence-based way. I am most disappointed to see that my considered response was reduced to just three words in the summary of responses – **“SHMA poorly evidenced”**.

I cannot decide whether this is a deliberate head-in-the-sand cover-up or whether the task of summarising responses has simply been handled badly. I'm inclined to think the latter, with the complex task having been delegated to a relatively inexperienced officer without proper guidance or review. Other aspects of the report also suggest a lack of experience and oversight – if you have read any of it, you will understand what I mean. I don't blame the author, but the process that led to the report being produced in this style.

I can only wonder what you had in mind when you set the consultation questions. Did you expect a serious analysis and summation of points raised, or did you expect a 200 page listing whose volume defied anyone wishing to extract key messages? Was it your intention to generate an impenetrable smoke-screen as long as you obtained a tick in the box? Or, did you anticipate a meaningful analysis of responses that will, indeed, be capable of informing your decision-making process?

As for the other 730 people and organisations who took time to respond, do you think they will be satisfied to have had their comments emasculated, like mine, and simply noted?

If you did expect a meaningful analysis of responses, I hope you will refer this report back to officers rather than simply accept the smoke-screen and the worthless tick that you have been offered.

I have now flagged up two significant weaknesses in the evidence base for the local plan – the soundness of the SHMA and the poor quality of the consultation analysis. **The SHMA's unsoundness has the capacity to repeat a fundamental reason for the failure of the 2014 plan. I have already suggested that you seek an informed and independent review. Now, I am suggesting the need for additional resource to mitigate the risk of failing to complete a proper consultation process.**



**Committee: Planning Policy Working Group**

**Agenda Item**

**Date: 26<sup>th</sup> April 2016**

**4**

**Title: Countryside Protection Zone review**

**Author: Jeremy Pine, Planning Policy /  
Development Management Liaison Officer**

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### **Summary**

1. The Council has commissioned a review of the Countryside Protection Zone (CPZ) as part of the evidence base for the new Local Plan. The review is being carried out by Land Use Consultants (LUC).
2. Stage 1 has now been completed, which sets out the methodology and assessment framework that the consultants will use to carry out the CPZ review. LUC will attend the meeting to present their Stage 1 work, which the Working Group is asked to endorse.
3. The final (Stage 2) report on the review will be presented to the June meeting of the Working Group prior to its adoption into the Local Plan evidence base.

### **Recommendations**

4. That the Working Group endorse the Stage 1 methodology that LUC will use to undertake the CPZ review.

### **Financial Implications**

5. Costs of the review are being met from existing budgets.

### **Background Papers**

6. None

### **Impact**

- 7.

Communication/Consultation	The final Stage 2 review document will be published on the website.
Community Safety	N/A
Equalities	The policy documents which will be prepared are subject to separate equalities impact assessments.
Health and Safety	N/A

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

## Situation

8. The CPZ is located to the north, east and south of the boundary of Stansted Airport, and is contiguous with a part of the Metropolitan Green Belt (MGB) which lies to the west of the M11. A separate review of the MGB has been carried out, the findings of which were reported to the Working Group in March. The CPZ review complements the MGB review to produce an up to date evidence base for this type of spatial policy.
9. The CPZ was first included in the 1995 adopted Uttlesford District Plan, and was carried forward without major review into the 2005 adopted Uttlesford Local Plan. The relevant plan policy is Policy S8 (The Countryside Protection Zone) which states:

*“The area and boundaries of the Countryside Protection Zone around Stansted Airport are defined on the Proposals Map. In the Countryside Protection Zone planning permission will only be granted for development that is required to be there, or is appropriate to a rural area. There will be strict control on new development. In particular development will not be permitted if either of the following apply:*

- a) New buildings or uses would promote coalescence between the airport and existing development in the surrounding countryside;*
- b) It would adversely affect the open characteristics of the zone.*

10. A copy of the brief that was issued for the CPZ review is attached. Paragraph 4.2 of the brief sets out the work that has been included in Stage 1, and which will be the subject of the presentation by LUC.

## Risk Analysis

11.

Risk	Likelihood	Impact	Mitigating actions
The new Local Plan may be found unsound if it has not been	1. The production of robust evidence	3. If the Plan is found unsound, there will be	Ensure that the evidence base is kept up to date and refreshed as

prepared in accordance with up to date and robust evidence.	using experienced consultants reduces the risk.	delay and uncertainty.	necessary.
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1 = Little or no risk or impact

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

3 = Significant risk or impact – action required

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





## LOCAL PLAN COUNTRYSIDE PROTECTION ZONE ASSESSMENT 2016 BRIEF

### 1. Background

- 1.1 Uttlesford District Council is currently in the early stages of work on a new Local Plan for the District. All work on the emerging Local Plan is subject to scrutiny at public meetings of the Council's Planning Policy Working Group (PPWG), an advisory panel comprising 10 District Councillors. For details and membership of the PPWG, see [www.uttlesford.gov.uk/ppwg](http://www.uttlesford.gov.uk/ppwg).
- 1.2 To inform decision-making on the Local Plan, the Council is seeking to appoint a suitably qualified and experienced consultant to prepare a Countryside Protection Zone Assessment for the existing area as part of the evidence base which will inform the development of a new Local Plan for the area.
- 1.3 The Uttlesford Countryside Protection Zone encircles the London Stansted airport site. A map of the Countryside Protection Zone is attached at **Appendix A**.
- 1.8 A Landscape Character Assessment was completed for the District in 2006 and this identified a number of distinct character areas, as shown in **Appendix B**. The consultants may wish to use these areas as a starting point for the identification of parcels for assessment (see Section 4 below).

### 2. Aims of the Study

- 3.1 The NPPF requires that Local Plans are based on an up to date and robust evidence base. No review of the Countryside Protection Zone has been carried out recently and it is considered important that this area is reviewed to ensure it remains robust.
- 3.2 National policy does not include any specific tests for assessing Countryside Protection Zones. The nearest relates to Green Belt studies and the five purposes. The study should therefore prepare an assessment of the District's Countryside Protection Zone against these

five purposes, in sufficient detail to enable the Council to make informed decisions, should it decide to amend the Countryside Protection Zone through its new Local Plan. The study should clarify what is meant by each of the five purposes, and how they will be applied in practice.

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

#### **4 Two-Stage Reporting Requirement**

4.1 The assessment should be undertaken in two stages. The first stage will be to establish the full methodology and detailed assessment framework. The support of Members will then be sought before proceeding to Stage 2, which will be to carry out the assessment in accordance with the agreed methodology, and to populate the assessment tables presented at Stage 1. Stage 2 should be integrated into Stage 1 to form a single report as the final output. The consultants should be available to present both the stage 1 and stage 2 work to the Planning Policy Working Group evening meetings.

4.2 **Stage 1: Methodology and Assessment Framework** should set out:

- A general introduction to the national policy context;
- The assessment criteria used for assessing the Countryside Protection Zone;
- Explanation of how settlements will be considered in Countryside Protection Zone terms;
- Methodology for delineation of parcels;
- Empty template matrix of the assessment of parcels; and
- Any other relevant matters.

4.3 In preparing the assessment parcels the consultants should take particular care to ensure that each is sufficiently delineated to avoid risk of subsuming sub-areas which might have distinct Countryside Protection Zone characteristics and result in differing conclusions.

4.4 The consultants will be required to undertake site visits and appraisal of each of the identified parcels and demonstrate in the report how this appraisal has informed the conclusions in respect of each parcel.

4.5 **Stage 2: Conclusions** should set out:

- everything in the Stage 1 document;
- completed matrices showing the findings for each parcel in the Countryside Protection Zone, and including a clear justification;

- consideration of the suitability in Countryside Protection Zone terms of any SHLAA sites which lie within the Zone; and
- completed and colour-coded summary maps of the conclusions for each area of search.

4.6 The outputs and deliverables for the commission will be as follows:

- Stage 1 Methodology Report and Detailed Assessment Framework;
- Stage 2 Conclusions Report incorporating Stage 1 report;
- Site visits for each parcel and completed appraisal forms;
- Attendance at two evening meetings of the Planning Policy Working Group; and
- Attendance at Examination in Public (if necessary).

## 5. Submission of Proposals

5.1 All proposals should include:

- A schedule of rates and costs;
- A project timetable to deliver the review on time;
- Names of the consultant or consultants who would be involved, their experience of this type of work and their qualifications to carry it out;
- Examples of the same or similar type of work undertaken;
- Agreement that intellectual property rights for data from the research will rest with the Council;
- A declaration of any conflicts of interest. This should include a separate declaration of any conflicts of interest in Chelmsford City, Braintree District, South Cambridgeshire District, East Hertfordshire District, Epping Forest District and Harlow District Council areas; and
- Names and addresses of two referees.

5.2 The Council will assess all bids in accordance with the following criteria:

<b>Evaluation criteria</b>	<b>Weighting</b>
Cost	50%
Understanding the requirements of the project	20%
Similar work undertaken	20%
Methodology	10%
	<b>100%</b>

5.3 Each consultant will be awarded a score from 0-5 against each criterion by each assessor where 0 = no evidence and 5 = fully evidenced, to which the weighting will then be applied. The consultant scoring the highest aggregate score will be appointed.

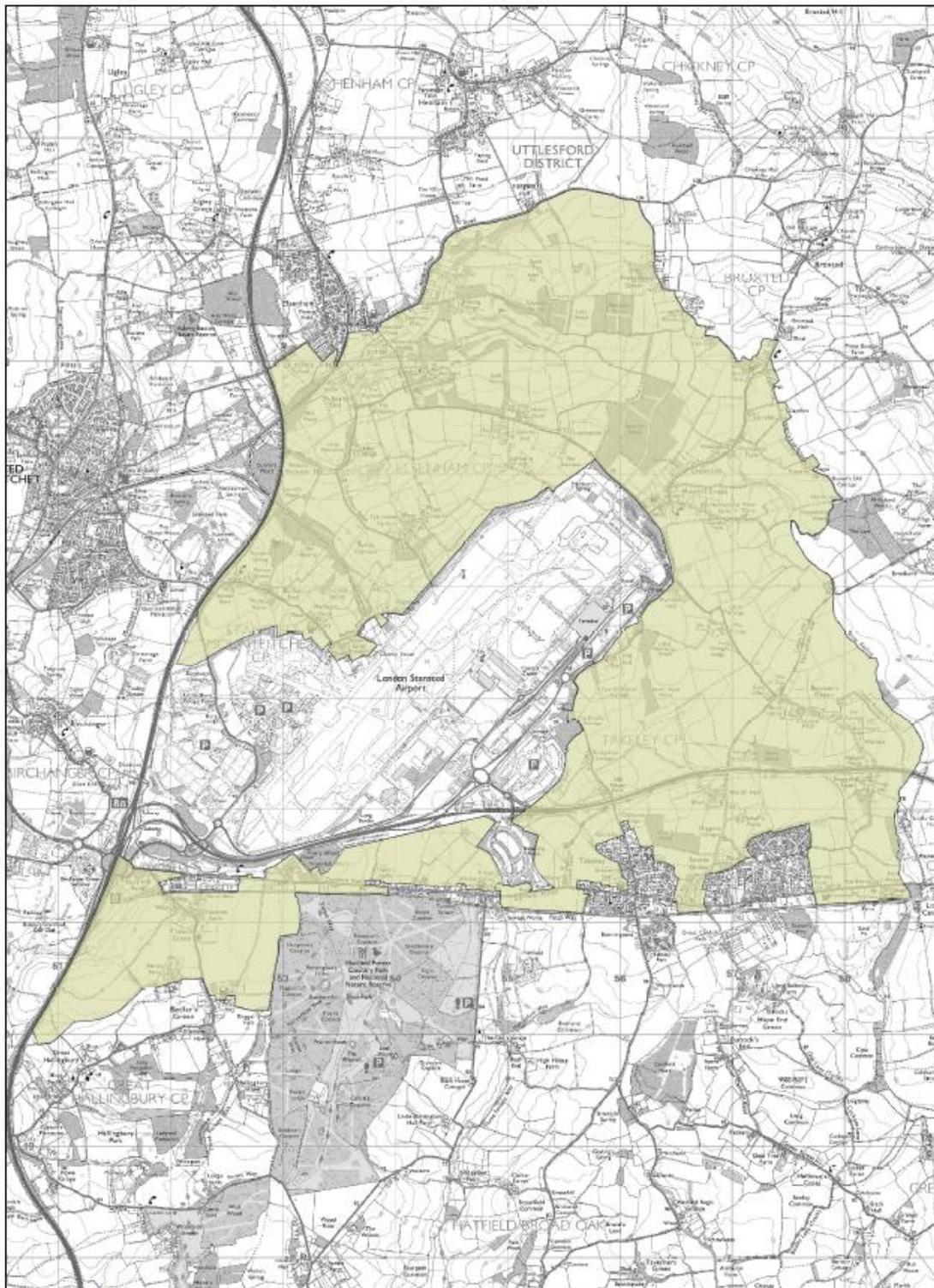
5.4 The timeline for the contract process will be as follows:

Invitation to bid issued	2.2.16
Deadline for receiving questions	5.2.16
Deadline for submission of bids	5pm 15.2.16
Initial evaluation completed	16.2.16
Intention to award notification	19.2.16
Formal award of the contract	w/b 22.2.16
Commencement of the contract	w/b 22.2.16
Receipt of final report	End June 2016

**Further information**

5.5 Please contact either Andrew Taylor (ataylor@uttlesford.gov.uk, 01799 510601) for further information.

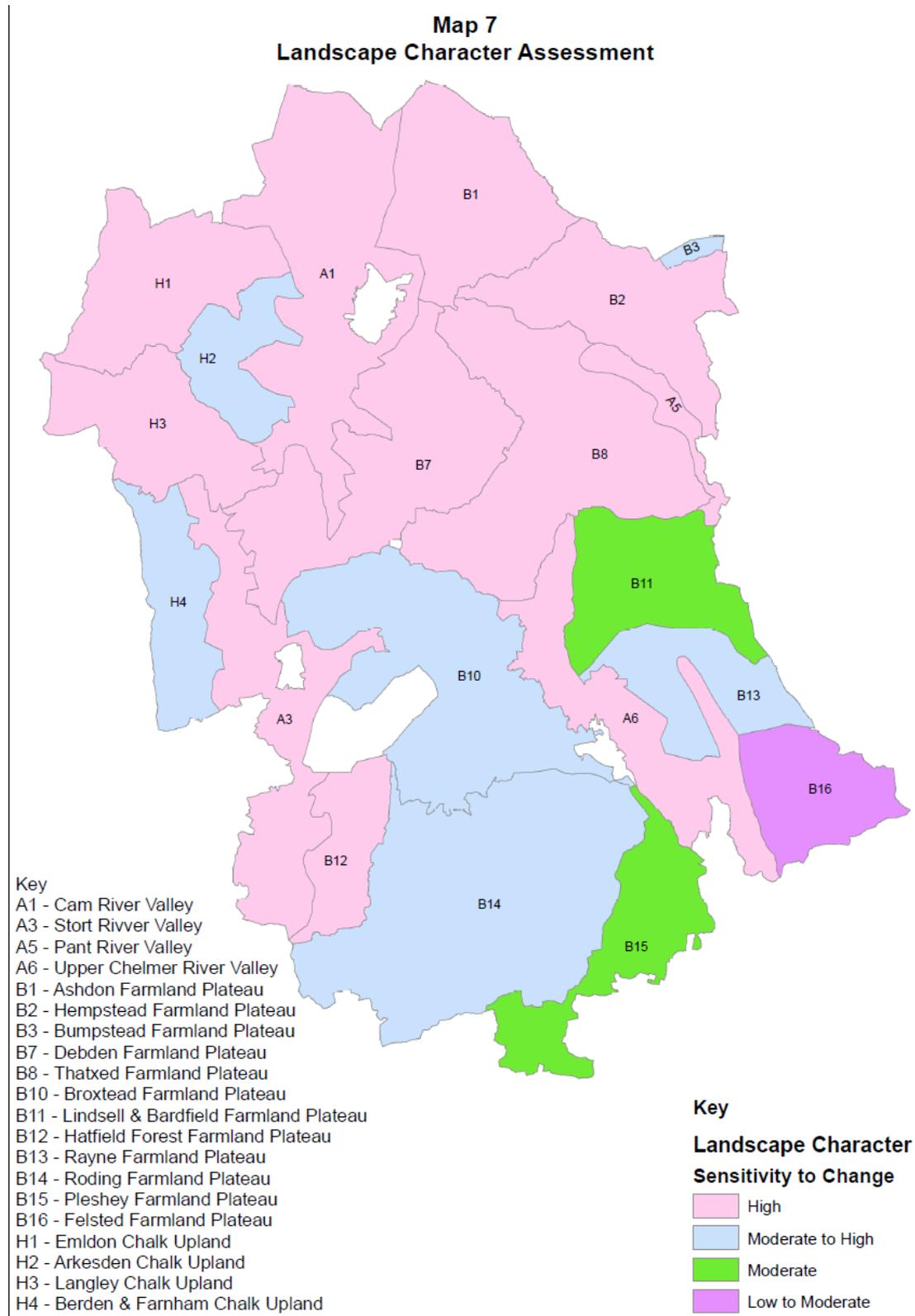
# Appendix A: Uttlesford Countryside Protection Zone



**Countryside Protection Zone**  
Local plan - countryside protection zone

1:42,000  UDC © Crown copyright and database rights 2014 Ordnance Survey 0100018688

## Appendix B: Landscape Character Areas



**Committee:** Uttlesford Planning Policy Working Group

**Agenda Item**

**Date:** 26 April 2016

**5**

**Title:** Statement of Community Involvement

**Author:** Hannah Hayden Planning Officer

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### Summary

1. The appended report sets out the representations received, officer comments and recommendations following the consultation on the Statement of Community Involvement.

### Recommendations

2. To recommend to Cabinet that the Statement of Community Involvement be adopted subject to the changes as set out in the Report of Representations.

### Financial Implications

3. None

### Background Papers

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

None

### Impact

- 5.

Communication/Consultation	The SCI was subject to a 6 week consultation period
Community Safety	N/A
Equalities	The SCI makes sure that the methods of consultation used are such that all groups can be involved in consultation processes.
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A

Ward-specific impacts	ALL
Workforce/Workplace	N/A

## Situation

6. The Statement of Community involvement sets out the Council's approach to public consultation and involvement in the preparation of the Local Plan, other development plan documents and in the determination of planning applications.
7. On the 27 January 2016 the Working Group approved the consultation of the Statement of Community Involvement. The consultation took place between 24 February and 8 April 2016.
8. The appendix sets out the representations received and officer comments and recommendations.

## Risk Analysis

9.

Risk	Likelihood	Impact	Mitigating actions
If the Council does not have an up-to-date SCI and has not carried out consultation in accordance with the regulations and the Statement of Community Involvement the Local Plan could be found unsound at examination.	1 - Low	Delays in adopting the Local Plan	Making sure that the SCI is up to date and in accordance with the relevant regulations.

1 = Little or no risk or impact

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

3 = Significant risk or impact – action required

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

## **Appendix – STATEMENT OF COMMUNITY INVOLVEMENT – REPORT OF REPRESENTATIONS**

### **Introduction**

The Statement of Community Involvement sets out the Council's approach to public consultation and involvement in the preparation of the Local Plan, other development plan documents and in the determination of planning applications.

The Statement of Community Involvement went out on public consultation from the 24 February until 8 April 2016. This report sets out the representations received, officer comments and recommendations.

### **Consultation Responses**

In total seven representations were received from the following organisations:

- Essex Region Federation of Small Businesses
- Essex Local Access Forum
- Newport Parish Council
- Takeley Parish Council
- Historic England
- Epping Forest District Council
- Uttlesford Local Group Essex Wildlife Trust

### **General Comments**

Local Group Essex Wildlife Trust are disappointed that there is not section on linking the Local Plan with any environmental strategy and the whole approach appears to be biased towards development and against environmental protection and enhancement. They also note that there are no environmental bodies or organisation involved as Key Stakeholders.

Historic England considers the methods of communication appropriate and the document is clearly laid out.

Takeley Parish Council question why UDC has planned the public consultation over the Christmas period and are unhappy that UDC will not act on the comments at this stage as they are sent to the Inspector – how will the Statement of Compliance be fulfilled? They are unhappy that the process for determining housing sites is not needs driven rather it is developer lead, and express the need for a strategic plan and infrastructure delivery programme. They strongly believe that the new Local Plan is lacking community involvement and is flawed. They suggest that there should be meaningful consultation, appropriate resources should be engaged and the March submission deadline should be extended.

Essex Local Access Group states that they play an important role in strategic development.

## **Officer Comments**

Uttlesford District Council consults with a number of environmental groups throughout the plan preparation including the Environment Agency, Natural England and Essex Wildlife Trust.

In order to meet government priorities for timely plan preparation and to reflect the 2012 Planning Regulations the preferred option consultation stage has been removed. In the past a Preferred Options consultation has been undertaken as was required by previous legislation. That legislation has been changed to reflect the need to develop evidence that can inform decisions. The removal of the preferred options consultation will allow the submission document to be properly informed by evidence. Equally it will allow more focused engagement on specific issues prior to the submission stage.

The government has stated that local planning authorities need to produce local plans by early 2017 or face intervention. The Council has a tight time scale in order to meet the government's timetable.

## **Officer Recommendation**

No changes

## **Paragraph 3.1-3.3**

Epping Forest states that despite the title these paragraphs make no mention of PPTS 2015, or its implications, especially in terms of Duty to Co-operate. They stress that this a difficult issue for them as a 92% Green Belt authority and thus likely to be seeking options for possible joint provision.

## **Officer Comments**

Paragraph 3.1 makes specific reference to Planning Policy for Traveller Sites and the importance of early and meaningful engagement with neighbourhoods, local organisations and businesses. It is recognised that no reference is made to the duty to co-operate or engagement with neighbouring authorities.

## **Officer Recommendation**

Amend the text in paragraph 3.1 as below:

The National Planning Policy Framework (NPPF) March 2012 and Planning Policy for Traveller Sites August 2015 replaced previous planning policy statements and guidance. It sets out the government's vision for the planning system and how policies should be applied. It stresses the importance of early and meaningful engagement with neighbourhoods, local organisations and businesses **as well as neighbouring authorities under the duty to –co-operate.**

## **Page 7**

Takeley Parish Council fundamentally disagree that there is an opportunity for meaningful consultation on the new local plan.

### **Officer Comment**

In order to meet government priorities for timely plan preparation and to reflect the 2012 Planning Regulations the preferred option consultation stage has been removed. In the past a Preferred Options consultation has been undertaken as was required by previous legislation. That legislation has been changed to reflect the need to develop evidence that can inform decisions. The removal of the preferred options consultation will allow the submission document to be properly informed by evidence. Equally it will allow more focused engagement on specific issues prior to the submission stage.

### **Officer Recommendation**

No change

## **Section 4**

Epping Forest notes that there is no mention of infrastructure development plan.

### **Officer Comments**

Epping Forest's point is noted.

### **Officer Recommendation**

Add a bullet point at the end as follows:

- **Infrastructure Delivery Plan (IDP)** – sets out the infrastructure requirement to support new development as set out in the local plan.

## **Section 5**

Epping Forest suggests mentioning the Co-operation for Sustainable Development Officer Group and Member Board. Under the shared evidence base mention could be made of the Hardisty Jones report on employment and economic evidence.

### **Officer Comments**

Paragraph 5.2 states that the Council takes part in regular officer groups. It is not felt necessary to mention specific officer groups as the names of those groups may change and new groups formed.

It is not considered necessary to mention specific evidence base work as there are a number of joint documents produced and updated as well as new work commissioned.

### Officer Recommendation

No change

### Table following paragraph 16.4

Epping Forest state that the Local Plan Regs are unhelpfully worded for this stage, comments should be limited to points about the four soundness tests and legal compliance – the way this section is worded does not make this clear and it would be quite understandable for consultees to continue to think that comments can be made on policy issues.

### Officer Comments

The pre submission consultation provides an opportunity for public consultation, the focus of this engagement is indeed different to past consultation; at this stage of the process the Planning Inspector is only able by law to consider representations on matters of soundness and legal compliance.

### Officer Recommendation

Amend table as suggested below:

Publications (Local Plan Pre-Submission Regulation 19)	Each document will be published for a formal consultation period. Written representations will be invited on <del>the content</del> <b>matters of soundness and legal compliance</b> of the document. At this stage the consultation document will be advertised and the document made available to all statutory consultees. The Council will prepare a summary of the representations which will be presented to the Inspector at the examination.
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### Section 23 – Linking the Local Plan with Economic Development Strategy

Essex Region Federation of Small Businesses applauds the Council’s aim to support and encourage the growth and development of businesses. It questions how this will be achieved in the absence of an approved Local Plan. The strategy suggest that economic development is driving the amount of housing development needed, however this is not the premise on which the Local Plan is being developed and as a result there is a danger that business development issues will be lost in achieving housing numbers. They suggest that a balance between housing needs and local work provision is sensible; however this would require a strategy whereby housing development drives the amount of economic

development needed to facilitate local employment. They point out that small and medium businesses have difficulty in local recruitment and finding premises in the District.

**Officer Comments**

The Council recognise that they do not have an up-to-date local plan and are progressing in preparing a new local plan with adoption planned for 2017. As part of the evidence base an Economic Development Strategy is being produced and the Local Plan will take into consideration and allocate employment land within the District.

**Officer Recommendation**

No change

**Section 26 – Planning Applications**

Newport Parish Council is disappointed at the lack of weight and any recognition that UDC gives to the views and representation of the Parish Councils and local residents opinions when making planning decisions.

**Officer Comments**

Newport parish council's comments are noted. The Parish Council is consulted with on all planning applications and given the opportunity to express their views. All representations are taken into consideration.

**Officer Recommendation**

No change



**Committee:** Uttlesford Planning Policy Working Group

**Agenda Item**

**Date:** 26 April 2016

**6**

**Title:** Development Management Policies - Update

**Author:** Richard Fox - Planning Policy Team Leader

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### Summary

1. Officers are in the process of drafting the development management (DM) policies to be included in the Local Plan.
2. The planning policy team are working with development management, building control and conservation officers in preparing the policies.

### Recommendations

3. To note this report

### Financial Implications

4. None

### Background Papers

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

None

### Impact

- 6.

Communication/Consultation	The draft development management policies will undergo targeted consultation under the duty to co-operate.
Community Safety	N/A
Equalities	N/A.
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A

Ward-specific impacts	ALL
Workforce/Workplace	N/A

## Situation

7. The local plan will contain a number of DM policies which will guide decision making on applications for planning permission.
8. The policies which are being reviewed are those contained in the withdrawn plan. The local plan inspector did not have any major issues with the policies proposed and it is therefore considered appropriate to use them as a starting point.
9. The following will be taken into consideration when reviewing the policies:
  - The Inspectors comments raised in his questions to the Council
  - The Council's response to the Inspectors questions
  - The Council's Minor Modifications document
  - Changes in legislation
10. Internal meetings have been arranged to discuss and draft the policies. These will be weekly meetings commencing 3 May. Policies will be discussed on a chapter by chapter basis.
11. It is proposed that the PPWG will receive the draft DM policies in two parts, the first part at the June meeting, dealing with the following chapters:
  - Design
  - Employment
  - Retail
  - Housing
  - Environmental Protection
12. The second part will be reported to members at the July PPWG, dealing with the remaining chapters:
  - Development in the Countryside
  - The Historic Environment
  - The Natural Environment
  - Access Strategy

- Infrastructure
- Monitoring and Delivery

13. Members are asked to speak to a member of the planning policy team or the development management team if they have a particular concern regarding a policy. This will ensure that any issues can be discussed during one of the weekly meetings.

14. Once all of the DM policies have been drafted the Council will ask relevant stakeholders to comment, under the duty to co-operate, and make amendments as appropriate.

### Risk Analysis

15.

Risk	Likelihood	Impact	Mitigating actions
If the Council does not have NPPF compliant up to date DM policies the Local Plan could be found unsound	1 - Low	Delays in adopting the Local Plan	Making sure that the DM policies are up to date and in accordance with the relevant regulations and NPPF.

1 = Little or no risk or impact

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

3 = Significant risk or impact – action required

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



**Committee:** Planning Policy Working Group

**Agenda Item**

**Date:** 26 April 2016

**7**

**Title:** Local Plan Project Plan

**Author:** Richard Fox, Planning Policy Team Leader

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### **Summary**

1. This report sets out the current status of the project planning of the Local Plan

### **Recommendations**

2. To note the officer update.

### **Financial Implications**

3. None

### **Background Papers**

4. None

### **Impact**

- 5.

Communication/Consultation	Meetings have been held with Councillors Harris and Mills.
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	N/A
Sustainability	N/A
Ward-specific impacts	All
Workforce/Workplace	N/A

### **Situation**

6. This report outlines progress on the project planning and programme management of the preparation of the Local Plan.

7. Key areas are being put together for the project are listed below

- The project programme – Gant chart created with details including the work programmes, Duration of each study, Percentage Complete, Programme Owner, Interdependencies and RAG.
- Creation of the Risk Register, available to the project team to complete with the risks associated with the studies ready for assessment and review.
- Project documentation (PID) – including outline of the project key stages and the interdependencies of the studies being conducted.
- Governance programme established with project sponsor, project manager etc.

### 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 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.

**Committee: Planning Policy Working Group**

**Agenda Item**

**Date: 26 April 2016**

**8**

**Title: Duty to Cooperate**

**Author: Richard Fox, Planning Policy Team Leader**

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### **Summary**

This report updates members on the Duty to Cooperate work.

### **Recommendation**

1. To note the report.

### **Financial Implications**

2. None.

### **Background Papers**

3. None.

### **Impact**

- 4.

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

## Situation

5. This report seeks to update members on the Duty to Cooperate which forms part of Section 110 of the Localism Act 2011. The Duty requires local planning authorities, public bodies and others to engage constructively, actively and on an ongoing basis in relation to the planning of sustainable development. An assessment of compliance with the Duty will form part of the Examination of the Local Development Framework (LDF) in due course.
6. The National Planning Policy Framework (NPPF) states in paragraph 178 that 'public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to strategic priorities...(and) the government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities'.

## Update

7. **The SHMA Officers Group** met on 13 April. There was an update on the spatial options work and a discussion about the implications of the report of the Local Plan Expert Group. The Group considered traffic modelling and the development of Memorandums of Understanding for the area.
8. The **Cooperation for Sustainable Development Board** met on Tuesday 19 April. A verbal update will be given at the meeting.

## Risk Analysis

9.

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

1 = Little or no risk or impact

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

3 = Significant risk or impact – action required

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