



# Uttlesford District Council

Chief Executive: Dawn French

## Planning Policy Working Group

**Date:** Thursday, 09 June 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 - 16  
To receive the minutes of the meeting held on 26 April 2016
- 3 Matters Arising**  
To consider matters arising from the minutes
- 4 Countryside Protection Zone Review** 17 - 72  
To consider the CPZ review
- 5 Development Management Policies** 73 - 90  
To consider the development management policies
- 6 5 Year Housing Land Supply**  
Verbal report

**7**    **Employment Land Review**  
Verbal report

**8**    **Project Planning**  
Report to follow

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**PLANNING POLICY WORKING GROUP held at COUNCIL OFFICES  
LONDON ROAD SAFFRON WALDEN on 26 APRIL 2016 at 7.00pm**

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.

Officers in attendance: M Cox (Democratic Services Officer), R Fox (Planning  
Policy Team Leader) and H Hayden (Planning Policy Officer).

**PP75 APOLOGIES FOR ABSENCE AND DECLARATION OF INTERESTS**

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

**PP76 MINUTES**

The minutes of the meeting held on 23 March 2016, were signed by the Chairman as a correct record, subject an amendment to add the word 'solely' to the 5th paragraph of minute PP70 to read, "Cllr Dean said that in terms of infrastructure, the council should be looking at what it wanted to achieve in the district and not solely using the plan as mitigation".

Councillor Lodge had circulated a document setting out a number of matters and raising questions, which he felt should have been included in minutes of the previous meeting. He said the working group minutes appeared to give a truncated version of the proceedings but he thought that a detailed record was important for the public examination. The Leader said there was no intention to exclude matters from the minutes, but they were a summary of the meeting rather than a verbatim record.

It was suggested that it would be helpful to attach an action list at the end of the minutes in order to track the issues raised.

The Planning Policy Team Leader said he would reply to the points raised by Cllr Lodge. A copy of the letter and the response would be attached to the minutes of this meeting.

**PP77 BUSINESS ARISING**

**(i) Minute PP66 (ii) Public Speaking**

The Planning Policy Team Leader confirmed that the information regarding the SHMA figures had been circulated to Mr McDonald.

**(ii) Minute PP71 – Technical consultation on the implementation of planning changes**

It was confirmed that there had been no additional comments submitted by members.

## COUNTRYSIDE PROTECTION ZONE (CPZ) REVIEW

The Chairman welcomed Katrina Davis and Philip Smith, consultants from LUC to present the proposed methodology for a review of the Uttlesford Countryside Protection Zone.

Philip Smith explained that at the 1984 Airport Inquiries, Stansted had been described as 'an airport in the countryside'. In 1995, the CPZ had been introduced by UDC to limit the physical size of the airport and to maintain an area of open countryside around the airport.

The CPZ hadn't been reviewed since 1995. The aim of this study was to assess the extent to which the land within the CPZ was meeting its purposes and to enable the council to make an informed decision on whether to keep the CPZ and if any amendments should be made.

Katrina Davis explained the proposed methodology. The first stage was to establish the four main purposes of the CPZ. These were suggested as follows

- to protect the open characteristics of the CPZ
- To restrict the spread of development from the airport
- To protect the rural nature of the countryside (incl settlement) around the airport
- To prevent changes to the rural settlement pattern of the area by restricting coalescence.

The next stage was to define the parcels. These would comprise areas with similar land use and characteristics. Each parcel would be visited and rated with a high to low score for how it contributed to each of the four purposes. She presented some examples and explained that if a parcel didn't perform well against all purposes it could still be important for the CPZ.

The consultants would report back their findings and recommendations to the working group meeting on 9 June 2016, prior to its adoption into the Local Plan evidence base.

*Councillor Cheetham, from Takeley Parish Council addressed the working group. She said that UDC had recognised that Stansted was an airport in the countryside and this had largely been maintained by the CPZ. This was a strong policy that had been defended at planning appeals. The parish council felt that, if anything the policy should be strengthened as there was nothing else in terms of planning policy for the airport, as the NPPF was a broad brush policy and not sufficiently robust. She said UDC had fought hard for this policy, which was why there was so much land available within in the Airport boundary for ancillary development. She hoped the consultants and the working group would take these points on board. She asked a question about how the scores would be weighed between the four main purposes.*

In reply, Philip Smith said there was no intention to add up the scores for the different purposes as this could mask some important features. The results would be presented as layers of evidence. If a parcel showed a strong

performance against only one purpose, it was likely to be recommended to be retained.

In answer to a member question, Katrina Davis said that the CPZ was not required to be contiguous. The policy was a UDC creation and could be drawn to fit the needs of the district as long as it was defensible, with sound planning reasons.

It was explained that the landscape character information set out in the officer's report had provided a starting point to identify the parcels but it was up to consultants to define the specific parcels, once the site visits had taken place.

Cllr Lodge said he was aware of increased activity to the east of the airport and asked how business development would be affected by this study. He was informed that the proposed north side business park, and the site for the tertiary college were not within the CPZ area, and there was sufficient available land for this purpose.

In relation to the brief for this study, Cllr Lodge questioned whether the terms of reference should have been seen by members in advance. He was advised that this meeting gave the opportunity to comment on the parameters of the review. Cllr Dean asked why the evaluation criteria had given only a 10% weight to the methodology. It was explained that there was a logical progression, as if the consultants could provide good value for money and understood the requirements of the review, then a sound methodology should follow.

AGREED that the working group endorse the stage 1 methodology that UDC will use to undertake the CPZ review.

PP79

## **STATEMENT OF COMMUNITY INVOLVEMENT**

The working group considered the representations received to the recent consultation on the Statement of Community Involvement. This statement set out the council's approach to public consultation and involvement in the preparation of the Local Plan. Responses had been received from seven organisations. The report set out the comments and explained where changes had been made to the document.

In answer to a question, Members were updated on the current situation with the Gypsy and Traveller study. The Gypsy and Traveller Accommodation Assessment was currently being reviewed to take into account the changes in the Gypsy and Traveller definition set out in the Housing and Planning Bill. The results of the study would inform the number of pitches required in the district and the council would then assess how to deal with this within the Local Plan.

Cllr Dean referred to the comments of the Essex Wildlife Trust who were disappointed that there was no section linking the Local Plan with any Environmental Strategy and felt that the council's approach was biased toward development. Cllr Dean said environmental considerations should be a golden thread consistently running through the policies in the Local Plan. The Leader

agreed and said that the Economic Strategy was also a key aspect of the plan and the policies and strategies should be consistent.

Members asked questions about the allocation of employment sites in the district and how this process would be carried out. The Planning Policy Team Leader said the council was waiting for the results of the of the Employment Study, which would provide a qualitative and quantitative review of the employment sites, whether they were adequate, in the right place and what else was required. This together with the Economic Strategy would inform the employment policies in the Local Plan. It was confirmed that the employment sites put forward in the draft plan would be subject to member approval.

Cllr Lodge said he was disappointed that only seven organisations had responded to the consultation.

AGREED to recommend to Cabinet that the Statement of Community Involvement be adopted subject to the changes as set out in the report of representations.

PP80

## **DEVELOPMENT MANAGEMENT POLICIES - UPDATE**

The working group was advised that the Development Management (DM) polices to be included in the Local Plan were currently being drafted by the planning policy team, working with development management, building control and conservation officers. These policies would guide future decision making on planning applications.

The policies being reviewed were those contained in the withdrawn plan. These had been taken as a starting point as the Planning Inspector didn't have any major issues with the policies proposed. The policies were being considered on a chapter by chapter base and the PPWG would receive these in two parts at the June and July meetings.

The Development Manager attended the meeting and explained the approach to this exercise. He said he would welcome suggestions for new policies from members, although he explained that for these to be considered there should be a clear evidence base of need.

Cllr Lodge said he would like to see policies in relation to the provision of sports pitches and allotments. Cllr Barker suggested new policies, to provide broadband conduit for all new developments and appropriate storage capacity for recycling facilities.

Councillor Barker said there was poor mobile phone coverage in some parts of the district and it would be useful to establish the location of the main black spots. She suggested asking residents for this information through an article in Uttlesford Life.

The Development Manager said he would be holding a workshop for the Planning Committee. As these members had experience of implementing the policies, they would provide valuable input into this process.

As members would be required to review a number of lengthy documents during this process, they asked for the information to be presented in a manageable format. Officers said the report would set out the existing policies and track change any amendments and additions. The Leader said that members of the working group could request papers copies of the agenda for these meetings.

PP81

## **LOCAL PLAN PROJECT PLAN**

The working group was advised of progress on producing the project plan and programme management for the Local Plan preparation. This would comprise a project programme, risk register, project documentation and governance programme. The document was expected to be signed off by the Chief Executive and would shortly be circulated to all members.

The Leader said that the next key stage in the Local Plan preparation was to agree the development strategy. He said it was important that all Members were involved in this process, were provided with relevant information and given enough time to understand the issues. On this basis the group leaders had agreed the following timetable

28 June 2016 – facilitated workshop for all Members

12 July 2016 – special meeting of the PPWG

14 July 2016 – Cabinet meeting

26 July 2016 – Full Council to agree the preferred option.

A similar timetable would be required for the consideration of the detailed site allocations later in the year.

PP82

## **DUTY TO COOPERATE**

The working group received a report on recent duty to cooperate meetings.

The Planning Policy Team Leader gave a verbal update on a recent meeting of the Cooperation for Sustainable Development Board that he had attended with Councillor Barker.

There had been a presentation from the Princess Alexandra Hospital, which had exposed issues for the provision of health care in the district. There was a discussion with Highways England, where members had again stressed the need to sign up to transport measures in order to deliver the growth. The Board had also considered the strategic options for the distribution of overall housing in the SHMA area.

The key issue for this group was to update the Memorandum of Understanding (MOU), particularly in relation to transport and strategic housing. The authorities had agreed to take the quota for the 46k houses required for the

SHMA area. For the Local Plan to be found sound it was important for the Inspector to see delivery across the whole area.

It was noted that East Herts had given the green light to the new development north of Harlow, which would help with achieving the combined number.

The Chairman reported a letter received from the A1307 parishes forum, which had raised concern at the lack of coordination of local plans that affected villages in South Cambs and Uttlesford, in terms of the lack of cross boundary traffic provision for new developments.

The Planning Policy Team Leader said UDC and South Cambs DC historically had a close liaison, including the signing of a Statement of Common Ground. South Cambs had nearly completed its Local Plan and had provided for its own housing numbers within its boundary. However, regular officer meetings were still taking place to agree some cross boundary issues in relation to transport and infrastructure.

Cllr Loughlin asked about the current situation with Epping Forest DC and its ability to meet its housing requirement, given the large proportion of green belt in its area. The group was advised that Epping Forest was currently undertaking a Green Belt review and as yet, there was no indication that it would that it would have to look to provide housing outside its boundary.

Cllr Lodge commented that the council's work on the Duty to Cooperate had only just passed at Examination. He questioned the work currently being undertaken, as the minutes of the meetings were rather vague. Cllr Barker said there were many meetings taking place, and these were now being properly recorded. The Leader added that the district was in a better position as it had an up to date SHMA commissioned by all four authorities, but it was still critical to have the MOU in place.

The Chairman said that highway provision was fundamental to this process. The four council leaders and the local MP had sent a further letter to the Highways Agency, stating that they were not happy with the response received regarding the M11, junction 8 improvements.

The Planning Policy Team Leader responded to a recent statement by planning consultant Nathaniel Litchfield and Partners, that UDC was at risk of its local Plan being called in by the Inspector. He said this was a very technical document, and the council was currently checking the accuracy of the figures, but also the comments had been based on the Government paper that was still out for consultation. To reassure the working group he said that officers had met recently with representatives from the DCLG and discussed the proposed programme for the preparation of the Local Plan. This had been regarded as sensible and pragmatic and as long as the council adhered to the timetable there would be no grounds to call in the plan.

The meeting ended at 8.30pm

## ACTION POINTS

Minute PP76 - Minutes	RF to respond to Cllr Lodge's comments and attach reply to the minutes.
Minute PP79 - Statement of Community Involvement	<p>To refer the Statement of Community Involvement to Cabinet on 26 May.</p> <p>Officers to ensure that the Environmental Strategy and Economic Strategy are consistent with the policies in the Local Plan.</p> <p>To update members with progress on the Gypsy and Traveller plan when more information is available.</p>
Minute PP80 – DM Policies	<p>Members to contact officers regarding suggestions for new or amended DM policies.</p> <p>To include an article in Uttlesford Life seeking information on mobile phone coverage blackspots in the district</p>
Minute PP81 Project Plan	RF to circulate the Project Plan to PPWG members
Minute PP82 Duty to Cooperate	<p>Officer continue to report issues arising from the Duty to Cooperate meetings, and in particular</p> <ul style="list-style-type: none"> <li>• Progress on signing the MOU.</li> <li>• Information on the M11 junction 8 improvements.</li> </ul>



Dear Howard

Planning Policy Working Group

I'm writing to you ahead of this evening's PPWG meeting as Jo Parry and I are getting increasingly concerned that the minutes of the PPWG meetings consistently fail to record the concerns that we raise during the meetings, and this is the case again with the draft minutes of the 23 March 2016 meeting.

I am writing now rather than simply raising the various omissions during the meeting as I should like this letter formally recorded and attached to the minutes of today's meeting. Obviously I should also like to see the draft minutes amended to reflect the items I raise below.

I have also attached a letter from the A1307 Parishes Forum which seems relevant to agenda item 8.

My particular concerns about the minutes are:

- Jo and I have regularly raised concerns about the Employment Land Review and the Highways reports. In particular, the ELR terms of reference appear to us to be fundamentally flawed as the ELR Tender requested that the ELR be prepared on the basis of the previous employment strategy, contained in the rejected Local Plan, which was predicated on the basis of the then proposed dispersed housing strategy. The ELR therefore assumes a dispersed strategy, which is clearly an inappropriate assumption. Similarly, the Highways Report last time looked purely at individual sites and how transport impacts could be mitigated; it contained no strategy, no overall assessment of the issues facing Uttlesford and how UDC can best comply with its NPPF obligations, and no comparative assessments. The terms of reference for the current Highways Report indicate that these issues are not going to be addressed this time either;
- Clearly these concerns relate both to the fact that the minutes do not reflect the concerns that we are raising as well as the fact that the concerns we are raising are not being dealt with;
- Minute PP56 on item PP44 refers to our request for formal guidelines but then completely ignores the outcome;
- In relation to CIL, we raise this issue at every meeting, and are repeatedly told that work on CIL won't progress until a spatial strategy has been decided. We don't accept that this is correct. The CIL should be worked up in parallel with the spatial strategy – which is what the NPPF requires – and tested against it. Obviously the extent of new infrastructure and the amount of the CIL should be integral to the spatial strategy. UDC appears to have a marked antipathy to CIL, and we are very concerned that it is not being properly looked at or considered. Recent documents produced by UDC such as the draft Saffron Walden Air Quality Action Plan completely ignore potential future CIL contributions and instead focus purely on potential future s.106 contributions. As you are aware, we are extremely frustrated at the amount of infrastructure which Uttlesford has lost because of the current s.106 and developer contributions policy, and we would hate to see this continuing. You will also be aware that there appeared to be no CIL consideration as part of the rejected Local Plan. The position is of course even worse with the recent Government restrictions on s.106 pooling. This concerns is again both that the issue is not being properly addressed and that the minutes do not reflect the issues raised;

- We have repeatedly raised our concerns that the numbers in the Issues and Options consultation were completely wrong – the base housing requirement should have been 5000 new homes not 3000 to be found. This error has been confirmed, but no explanation as to how it arose or whether it invalidates the consultation. The only answer has been that the high case in the consultation covers the base case, but this is hardly a good answer. We are very concerned that such a fundamental error has completely invalidated the consultation. Again, the minutes are silent on the concerns we have raised;
- On the Duty to Co-operate, we have repeatedly expressed concerns about the lack of co-operation with Cambs and South Cambs, and are repeatedly told that Cllr S Barker is in regular contact, but no details are ever given. Again, we raised this concern at the 23 March meeting, but the minutes are silent on it;
- In relation to minute PP69, we raised two issues on the Dunmow Local Plan, and asked that of the 4 issues that UDC was proposing to object on, 2 be withdrawn. The first was the objection on Dunmow failing to fulfil completely the affordable housing need on the basis that Uttlesford itself will fail to do so, and that the Local Plan inspector confirmed that he was happy with this in the Plan Examination. The second is UDC's proposed objection to Dunmow's sports strategy, which we asked to be withdrawn. As you know, we are very concerned about UDC's lack of sports infrastructure provision and the lack of requirement of developers, and UDC would do well to follow Dunmow's lead. I won't repeat the arguments, but at the 23 March meeting we specifically raised these concerns and it was agreed that these objections would be withdrawn, yet the minutes say something very different on the first point and completely ignore the second point;
- Draft minute PP73 refers very briefly to the still missing Forward Plan, but completely ignores the issues we raised. Again, we would like these properly minuted. I believe that the concern at the lack of a Forward Plan is much wider than just Jo's and mine.

John Lodge

## Response to Cllr Lodge

### Employment Land Review

What is being prepared by AECOM is a “stand alone” employment land review (ELR) that will inform our land use allocation strategy in the new Plan. It uses the 2011 ELR as a starting point which the Local Plan Inspector said was a good example of its kind. The new Plan is not just about allocating land for new growth – it requires that we audit our existing employment allocations to see if supply meets demand, and it will recommend what needs to be done if there is a gap. A gap could exist because i) there is insufficient employment land overall, or ii) what employment land there is being underutilised because it is not of the right type or in the right locations etc. The ELR doesn’t assume a dispersed strategy, it will look at supply and demand, the current portfolio of employment sites and those which have emerged via the Call for Sites.

### Highways

The “Highways Report” will be the Local Plan Transport Assessment being prepared by White Young Green. A range of growth scenarios are being developed for testing of transport impacts through a transport model built by WYG with advice from Essex County Council/Highways England along with a strategy on sustainable transport that will inform the transport assessment.

### Community Infrastructure Levy (CIL)

The advantages and disadvantages of utilising the Community Infrastructure Levy as an alternative to the continued use of Section 106 Agreements as the principle means of addressing the infrastructure demands associated with the programmed growth in the Local Plan is under close review and a full update will be given at a future PPWG meeting.

### Issues and Options Consultation

Various reports were presented to PPWG setting out the methodology for Plan preparation, starting with the Options stage. At PPWG on 13 July the option building approach was agreed and the consultation was supported by a joint statement by the Council Group Leaders. As stated in the consultation document the scenarios were prepared to understand the implications of various different combinations of options. The consultation document took a 15 plan period in isolation without any reference to under-delivery from previous years but did include a higher growth figure.

### Cambridgeshire Duty to Co-operate

Uttlesford District Council and South Cambs DC historically have had a close liaison, including the signing of a Statement of Common Ground. The emphasis has recently changed as South Cambs has nearly completed its Local Plan and provided for its own housing numbers within its boundaries. However, regular officer liaison is still taking place over issues such as transportation.

### Dunmow Local Plan

The concerns with regard to the affordable housing policy were based on the fact that it could preclude detailed negotiations on housing mix in affordable schemes. The objections to the sports strategy were that it was clearly contrary to Government legislation on Section 106 contributions.



**Committee:** Planning Policy Working Group

**Agenda Item**

**Date:** 9<sup>th</sup> June 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 has been carried out by Land Use Consultants (LUC).
2. Stage 1 set out the methodology and assessment framework that the consultants used to carry out the CPZ review. Stage 1 was presented to the Working Group on 26th April 2016 when both the methodology and assessment framework were agreed.
3. The final (Stage 2) report has now been completed and submitted to the Council by LUC.

### Recommendations

4. That the Working Group notes the published report, Uttlesford Countryside Protection Zone Study May 2016, and its adoption into the Local Plan evidence base.

### Financial Implications

5. Costs of the review were met from existing budgets.

### Background Papers

6. None

### Impact

- 7.

Communication/Consultation	The 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 review has provided an independent and objective appraisal of all the CPZ land within the district.
9. 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.
10. 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.*
11. The NPPF requires that local plans are based on an up to date and robust evidence base. National planning policy does not include any specific tests for assessing CPZs. However, LUC have identified similarities between the purposes of the CPZ and those of Green Belts. In particular, paragraph 79 of the NPPF states that *“the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open”*.
12. The review has divided the CPZ into ten smaller parcels and has assessed each parcel on how well it performs against four purposes that LUC have identified for the CPZ. These are based on the five purposes of Green Belts.

The four CPZ purposes used by LUC are:

- i) To protect the open characteristics of the CPZ,
- ii) To restrict the spread of development from the airport,
- iii) To protect the rural character of the countryside (including settlements) around the airport, and
- iv) To prevent changes to the rural settlement pattern of the area by restricting coalescence.

13. The Part 2 study is split into a main report and an appendix, the latter containing the individual assessments of the ten parcels. Both the study and the appendix are attached at the end of this report.

14. The main conclusion is as follows:

*“As set out in Chapter 4, there are variations in the contribution that different parcels in the study make to CPZ purposes. However, this study has demonstrated that the majority of the CPZ is performing well against the purposes defined for it. The CPZ helps to maintain the openness of the countryside and protects its rural character and restrict the spread of development from the airport. For some parcels, particularly to the south of the airport, the CPZ plays an essential role in protecting the separate identity of individual settlements.*

*In summary, therefore, the CPZ is helping to maintain the vision of the “airport in the countryside”. Unless other planning policy considerations suggest otherwise, we recommend that the CPZ is carried forward into the new local Plan”.*

15. LUC do make some recommendations about revising the boundaries of the CPZ in order to strengthen it in relation to features on the ground. Officers will consider these recommendations as the new Local Plan is moved forward. No decision is needed on them now.

## Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
The new Local Plan may be found unsound if it has not been prepared in accordance with up to date and robust evidence.	1. The production of robust evidence using experienced consultants reduces the risk.	3. If the Plan is found unsound, there will be delay and uncertainty.	Ensure that the evidence base is kept up to date and refreshed as 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 Countryside Protection Zone Study

Prepared by LUC  
May 2016

**Project Title:** Uttlesford Countryside Protection Zone Study

**Client:** Uttlesford District Council

Version	Date	Version Details	Prepared by	Checked by	Approved by
1	26.05.16	Draft Report for client comment	Katrina Davies		Philip Smith
2	31.05.16	Final report	Katrina Davies		



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# 1 Introduction

## Study objectives and scope

- 1.1 LUC was commissioned by Uttlesford District Council (UDC) to undertake an assessment of the Countryside Protection Zone (CPZ), which surrounds Stansted Airport. The study was overseen by a Steering Group, comprising officers of the local authority and the Council's Planning Policy Working Group comprising 10 District Councillors.
- 1.2 The overall aim of the study was to assess the extent to which the land within the CPZ is meeting its purposes, as set out in Policy S8 of the Uttlesford Local Plan (2005). This will enable the Council to make informed decisions, should it decide to amend the CPZ through the Local Plan.
- 1.3 As the CPZ is a unique planning designation, there is no external guidance on how it should be assessed. The brief therefore stated that the study should assess the CPZ against clearly defined criteria. To this extent, as the brief noted, the study is similar to a Green Belt assessment, although the criteria for assessment are different. The brief requested that the study was undertaken in two stages. Stage 1 established a methodology and detailed assessment framework. Following agreement of the method by the Steering Group and elected members in the Council's Planning Policy Working Group (PPWG), Stage 2 involved the assessment of the CPZ and the production of this report.

## Report structure and content

- 1.4 The remainder of this report is structured in the following Chapters:
  - Chapter 2: sets out the policy context for the study
  - Chapter 3: describes the methodology and identifies the parcels of land assessed
  - Chapter 4: summarises the study findings. The full assessment findings in relation to the performance of parcels against the purpose of the policy can be found in **Appendix 1**
  - Chapter 5: draws overall conclusions and makes recommendations for next steps.

## 2 Policy context

### The Countryside Protection Zone

#### Origins and evolution of the Countryside Protection Zone

- 2.1 The CPZ surrounds Stansted Airport. The policy has its origins in the 1984 report by Sir Graham Eyre QC who chaired the 'Airport Inquiries' (1981-83). In recommending approval for the airport, Eyre acknowledged the importance of the site's open, countryside setting and described it as an 'airport in the countryside'.
- 2.2 In 1985 planning consent was granted to develop the airport to a capacity of 15 million passengers per annum (mppa) within clearly defined boundaries. Permission was given to expand immediately to 8 mppa with a second phase of development to 15 mppa requiring Parliamentary approval (granted in 1999). Eyre said that there could be no objection to subsequent expansion up to 25 mppa; however he considered that permission to develop Stansted Airport should only be granted if the Government gave an assurance not to exceed 25 mppa, thought to be the maximum throughput that could be accommodated off a single runway at that time. In the absence of such an undertaking Eyre made it clear he would recommend that the application be refused.

*'I take so strong a view on this aspect that if I believed, as so many do, that a grant of planning permission for an expansion at Stansted to a capacity of 15mppa would inexorably lead to unlimited and unidentifiable airport development in the future of an unknown capacity, I would, without hesitation, unequivocally recommend the rejection of BAA's current application in relation to the main site...'*<sup>1</sup>

- 2.3 Eyre considered that the rural landscape around the airport was 'a precious landscape'<sup>2</sup> and that further expansion of the airport at Stansted would be an environmental catastrophe which would be 'an unprecedented and grotesque invasion of a large area of pleasant countryside'<sup>3</sup>;

*"I would not be debasing the currency if I express my judgement that the development of an airport at Stansted, with a capacity in excess of 25mppa and requiring the construction and operation of a second runway and all the structural and operational paraphernalia of a modern international airport as we know the animal in 1984, would constitute nothing less than a catastrophe in environmental terms."*<sup>4</sup>

- 2.4 Based on Eyre's vision, UDC consequently developed the CPZ planning policy to limit the physical size of the airport and to maintain an area of open countryside around the airport, reinforcing normal planning controls on development in the countryside. The policy was first adopted in the 1995 Local Plan. The 'airport in the countryside' principle continues to be a material planning consideration in relation to any future development at Stansted. The Uttlesford Local Plan (adopted January 2005) made reference to the CPZ as follows:

*'The priority within this zone is to maintain a local belt of countryside around the airport that will not be eroded by coalescing developments'*.<sup>5</sup>

- 2.5 The principle was referred again in the withdrawn 2014 Draft Local Plan as follows:

*The Plan identifies a Countryside Protection Zone around Stansted Airport. Stansted Airport, as London's third airport, puts significant pressure for development on the surrounding countryside. The aim of this policy approach is to maintain Stansted as an "airport in the countryside".*<sup>6</sup>

<sup>1</sup> The Airport Inquiries 1981-83: Report of Inspector Graham Eyre QC, Chapter 23, 12.13.

<sup>2</sup> The Airport Inquiries 1981-83: Report of Inspector Graham Eyre QC, Chapter 50, para 6.17

<sup>3</sup> The Airport Inquiries 1981-83: Report of Inspector Graham Eyre QC, Chapter 28, para 2.29

<sup>4</sup> The Airport Inquiries 1981-83: Report of Inspector Graham Eyre QC, Chapter 25.12.12

<sup>5</sup> Adopted Local Plan 2005 para 2.2.9 page 11

- 2.6 The CPZ policy has been tested on several occasions since its adoption, particularly during Public Inquiries to determine applications to expand the airport in terms of permitted passenger numbers, annual flight movements and a second runway. In 2002 UDC granted planning permission to increase the annual throughput of passenger to 25mppa and following a public inquiry in 2007, permission was granted allowing the airport to operate to 35mppa.
- 2.7 In 2009 an application to expand the airport with a second runway was called in by the government to be heard by Public Inquiry but was withdrawn in 2010 following the introduction of a new Government aviation policy. The Davies Commission which was set up in 2012 to assess how to best expand UK airport capacity, did not include Stansted on its shortlist of potential sites for expansion.

### Boundaries of the CPZ

- 2.8 The current extent of the Uttlesford Countryside Protection Zone is shown on **Figure 2.1**. It covers around 2,240 hectares.
- 2.9 The inner boundary of the CPZ was drawn tightly around the airport perimeter and the outer boundary extended approximately 10km north, and south east. The western boundary was aligned with the M11. The CPZ was limited to the area immediately around the airport extending to clear, defensible boundaries as a larger area would be more difficult to justify and defend.
- 2.10 The CPZ boundaries have not changed since it was designated, except around Elsenham where the boundaries were modified to reflect Local Plan housing allocations.
- 2.11 The main developments within the CPZ in the last 20 years have been the construction of the A120 through the area, the extension of the Elsenham Jam Factory (a long established Local Plan designation to allow expansion, treated as an exception to the CPZ to support the rural economy) and some minor changes in the Takeley area (mainly to the south of the Takeley Road).

### Objectives of the Uttlesford Countryside Protection Zone

- 2.12 The main objectives and requirements of the CPZ remains valid: to maintain a local belt of open countryside around the airport which will not be eroded by coalescing development, as stated in **Policy S8** of the Uttlesford Local Plan:

*'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.'*

- 2.13 The policy reinforces normal development controls in the countryside in order to maintain the open character of the countryside around the airport except for 'development that is required to be there'; such as essential farm buildings appropriate to a countryside setting.

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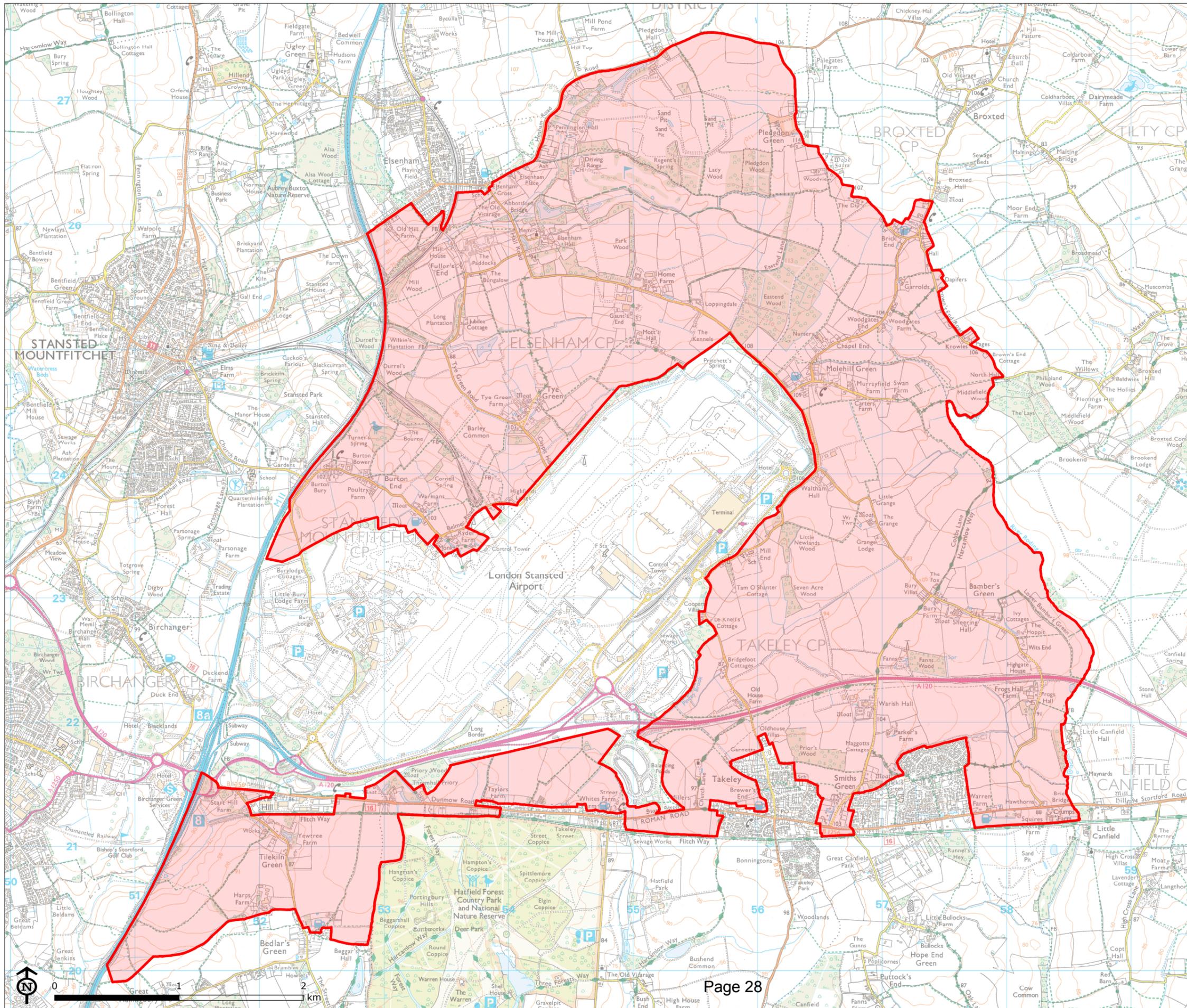
<sup>6</sup> Pre-submission Local Plan, UDC, April 2014. Para 13.4

# Uttlesford DC - Countryside Protection Zone Review

Figure 2.1

## Countryside Protection Zone Extent

 Countryside Protection Zone



Map Scale @ A3: 1:30,000

LUC

### **The character of the Uttlesford Countryside Protection Zone**

- 2.14 Most of the gently undulating land within the CPZ is under agricultural use but less than 1% is open access land. Its key land use and landscape features include:
- Historic buildings and their settings are an important aspect of the character and appearance of the countryside and villages around Stansted Airport. Listed Buildings within the CPZ include Pennington Hall (Grade II), Elsenham Hall, and the remains of moats at Thremhall Priory & Tye Green.
  - Small villages or hamlets and historic farmsteads are found across the area.
  - Environmentally sensitive sites include the Elsenham Woods Sites of Scientific Interest (SSSI) at the end of the main runway and several County Wildlife Sites and areas of Ancient Woodland. Hatfield Forest, a rare surviving example of a medieval hunting forest, lies just south of the CPZ and is designated as a National Nature Reserve (NNR) and SSSI.
  - Apart from the major access roads, the M11 to the west and A120 and the Dunmow Road (B1256) to the south of the airport, most roads are winding lanes and minor roads for access to the hamlets. Many footpaths cross the area including the Harcamlow Way.

### **Uttlesford District Council planning policy**

- 2.15 The adopted Uttlesford Local Plan (2005) provides the relevant context for the CPZ. The Local Plan update, for which the CPZ study will provide an evidence base, will provide the statutory planning framework strategy for Uttlesford District up to 2030.
- 2.16 UDC commenced work on this new Local Plan following the withdrawal of the Submission Local Plan in January 2015. A Draft Local Plan (2014) was submitted for independent examination to the Secretary of State for Communities and Local Government via the Planning Inspectorate on 4th July 2014. UDC formally withdrew the Local Plan on 21st January 2015 over concerns of the soundness of the Plan. The Local Development Scheme (2016) sets out that the revised Local Plan will be submitted in March 2017 and adopted in December 2017.

### **Recent Green Belt study undertaken by Uttlesford District Council**

- 2.17 The CPZ lies adjacent to an area of Metropolitan Green Belt as defined in Policy S6 – Metropolitan Green Belt – of the current Local Plan. The Uttlesford Green Belt is part of the regional concept of containing the urban sprawl of London but also, by retaining a belt of countryside to the west of the M11, prevents coalescence between Stansted Airport and existing settlements to the west of the airport.
- 2.18 A recently conducted review of the Green Belt (Uttlesford Green Belt Review February 2016, Arup) concluded that all areas meet the purposes of the Green Belt either moderately or strongly and therefore no parcels in their entirety were recommended for further consideration for release. It was shown that the Green Belt in Uttlesford is performing an important role in terms of national policy requirements. At a strategic level, the northern part of the Uttlesford Green Belt plays a particularly important role in preventing sprawl (Purpose 1) and coalescence (Purpose 2) given the close relationship between the Green Belt and the large built-up areas of Bishop's Stortford, Stansted Mountfitchet and Stansted Airport.
- 2.19 The Green Belt study did not include consideration of the CPZ for potential inclusion in Green Belt land, on the basis that the CPZ does not serve the same purposes as Metropolitan Green Belt.

### **National Policy**

- 2.20 National policy does not specifically make reference to CPZs, and there is no definitive guidance on how to undertake a review of a local planning policy such as the Uttlesford CPZ.
- 2.21 However, there are similarities between the purposes of the CPZ and those of Green Belts and other strategic planning policies, such as Strategic Gaps or Green Wedges, and guidance can be drawn from previous assessments of these policies.

- 2.22 The CPZ stated purpose to maintain a local belt of countryside around the airport that will not be eroded by coalescing development, is similar to two of the five the purposes of the Green Belt as set out in NPPF Paragraph 80: to prevent neighbouring towns merging into one another; and to assist in safeguarding the countryside from encroachment.
- 2.23 There are also similarities between the purposes of the CPZ, which promotes the open characteristics of the zone, and Paragraph 79 of the NPPF which states that ‘the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open.’ In this way the CPZ could be described as a ‘mini Green Belt’.
- 2.24 Although guidance can be drawn from LUC’s previous experience of reviewing Green Belts and other strategic planning policies, this study will assess the CPZ based criteria adapted to suit the particular circumstances of the study area and the stated purposes of the CPZ designation. The study will be carried out in sufficient detail to enable the Council to make informed decisions, should it decide to amend the CPZ through its new Local Plan.



Smith's Green to Bamber's Green

## 3 Methodology

- 3.1 The main aim of the study is to provide a robust, transparent and clear assessment of how the land in the CPZ performs against the objectives of the designation. As noted earlier, the assessment was undertaken in two stages; stage 1 established the assessment methodology, while stage 2 involved the assessment and reporting.

### Project inception

- 3.2 An inception meeting was held on March 10th 2016 to review the evolution of the CPZ policy and agree the study objectives and scope, and an outline methodology.

### Review of study context and background

- 3.3 To inform the development of the assessment methodology, most notably the detailed criteria for assessment of the parcels against the purposes of the CPZ, a review of relevant contextual information relating to the history and evolution of the policy was undertaken. A summary of this context and background to the study is provided in **Chapter 2** of this report.

### Definition of CPZ land parcels for review

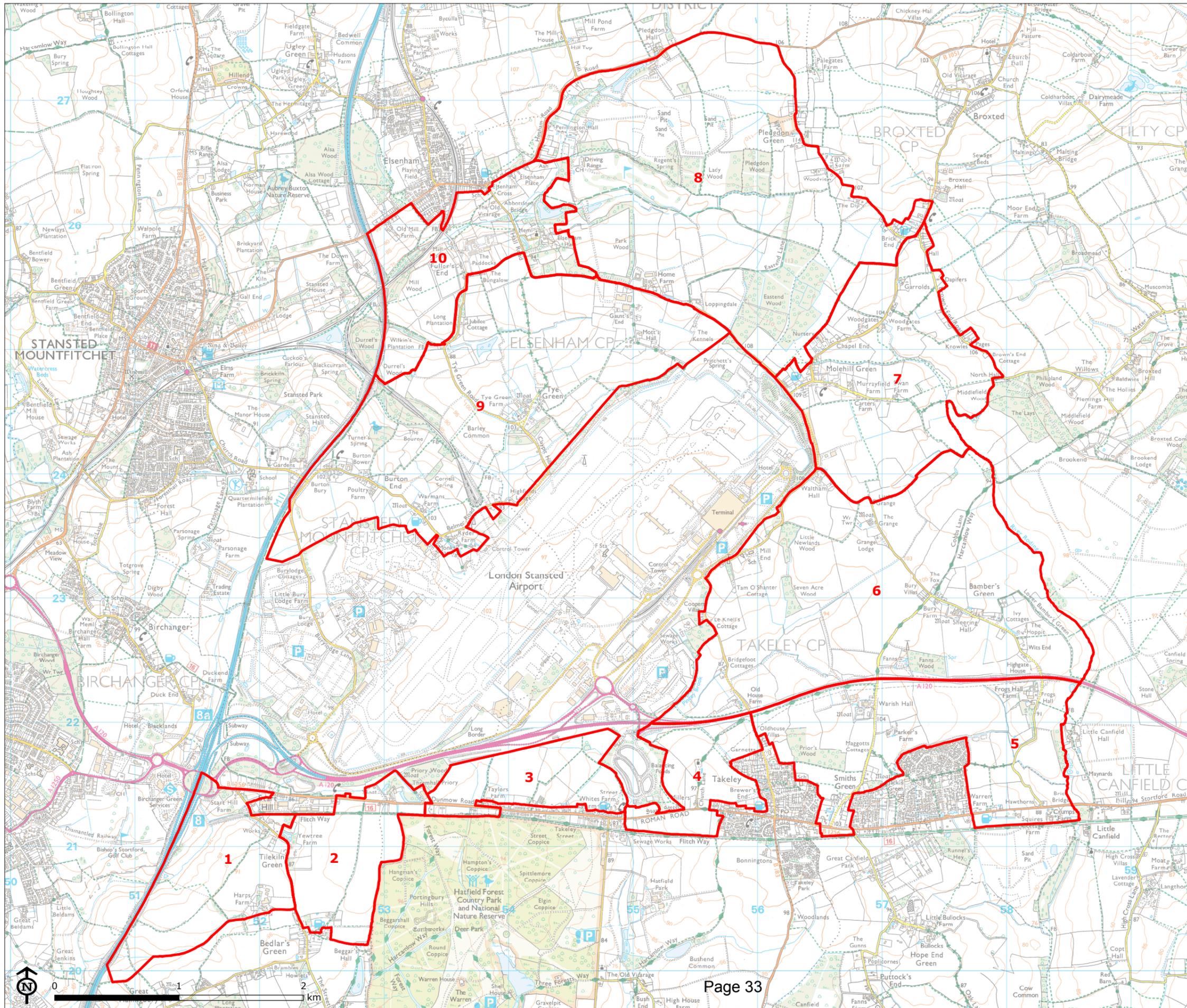
- 3.4 The CPZ was divided into ten parcels for assessment (see **Figure 3.1**). Parcels were defined using GIS maps (based on Ordnance Survey and Mastermap), local proposals maps and aerial images. No maximum or minimum sizes were used for the land parcels. The aim was to define parcels that contain land of the same or very similar land use or character, bounded by recognisable features including:
- Natural features; for example watercourses and water bodies.
  - Man-made features; for example, roads and railway lines, field boundaries and established infrastructure.

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Figure 3.1

## Countryside Protection Zone Parcels

Parcel Boundary



Map Scale @ A3: 1:30,000



## Definition of assessment criteria

- 3.5 A key part of the method involved the development of an assessment framework based on the purposes of the CPZ. A draft set of assessment criteria was drawn-up based on LUC's experience of undertaking similar policy reviews, information collated on the context and background of the Uttlesford CPZ (see **Chapter 2**) and good practice elsewhere.
- 3.6 Through discussion with the Steering Group, the criteria were refined to ensure that they remained true to the purpose of the CPZ.
- 3.7 **Table 3.1** summarises the draft criteria which were used to assess the relative performance of the CPZ parcels and the ratings applied to each criterion. A draft description of the rationale for the assessment criteria adopted is included below. The ratings that were applied to each criterion are as follows.

High	1	Parcel performs well.
Medium	2	Parcel performs moderately well.
Low	3	Parcel performs weakly.

### Purpose 1: To protect the open characteristics of the CPZ

- 3.8 It is possible to argue that all land within the CPZ protects its open characteristics by preventing development beyond the airport perimeter which would 'adversely affect the open characteristics of the zone'. However, the study requires us to distinguish one area (or parcel) from another in terms of the extent to which they perform this purpose. To assess whether a land parcel meet this purpose, we considered whether it retained an 'open' character or whether it has already been affected by any built development, including airport-related development. Parcels which have already been compromised by development will be considered to make a weaker contribution to purpose 1 than those parcels where the CPZ is more open in character.

### Purpose 2: To restrict the spread of development from the airport

- 3.9 While all boundary features can play some role in preventing the outward spread of development, in the context of Stansted Airport, it was considered that only strong and defensible boundary features such as motorways, dual carriageways, railway tracks could be considered to be significant in relation to purpose 2 (insofar as these features can restrict the spread of development from the airport; thereby limiting the role of the CPZ beyond).

### Purpose 3: To protect the rural character of the countryside (including settlements) around the airport

- 3.10 Purpose 1 considers whether the land can be described as 'open'. This purpose assesses another key characteristic of 'countryside', its rural nature, i.e. natural, semi-natural or farmed land free from urbanising influences such as airport-related development. The relative 'ruralness' of the countryside can be assessed by comparing the characteristics of the parcel against the area's key rural landscape characteristics. These may include:
- Gently undulating farmland
  - Large scale open landscape with intermittent hedgerows
  - Woodland blocks
  - Dispersed settlements (mostly hamlets and farmsteads with vernacular buildings)
  - Sunken lanes
  - Moats, historic farmsteads and halls
- 3.11 It is considered that the historic rural villages and hamlets 'washed over' by the CPZ contribute to the rural character of the CPZ.

- 3.12 The criterion therefore focuses on the extent to which the rural characteristics of the CPZ have been compromised by the urbanising influence of the airport.
- 3.13 Development which is commonly found within the countryside, e.g. agricultural or forestry related development, isolated dwellings, historic schools and churches is considered appropriate to the countryside and can contribute to its rural character.
- 3.14 This study defines urbanising influences as any built development which is an urbanising influence on the open character of the CPZ, including infrastructure development such as major roads and telecommunications masts as well as housing and commercial development.
- 3.15 This study defines airport-related development as the advancement of development beyond the clear physical perimeter boundaries of the airport. Airport development was considered to include any features that compromise the open character beyond the perimeter of the airport, such as perimeter and access roads and roads lined with street lighting or pavements, large areas of hard standing such as car parks, commercial premises or warehousing.

**Purpose 4: To prevent changes to the rural settlement pattern of the area by restricting coalescence**

- 3.16 The criteria used to assess this purpose considered whether land in the CPZ retains a rural settlement pattern and whether development would cause coalescence between the airport and neighbouring settlements. They also considered the potential for coalescence between neighbouring settlements, as this could urbanise land within the CPZ, changing its character from countryside with small rural settlements to an area with large urban areas.
- 3.17 The 'rural settlement pattern' refers to both 'washed over settlements' (i.e. settlements that are covered by the CPZ) and those that abut the CPZ but are not covered by it, such as Takeley and Takeley Street, as it is acknowledged that the CPZ plays a role in preventing the merging of these settlements and the coalescence of these settlements with the airport.
- 3.18 Rather than simply measuring the size of the gap between settlements, the assessment will consider both the physical and visual role that each parcel of land plays in preventing the coalescence of settlements and the airport.



Pledgdon Green

**Table 3.1: Detailed criteria used to assess the Countryside Projection Zone**

<b>Purpose 1: To protect the open characteristics of the CPZ</b>				
<b>Issue(s) for consideration</b>	<b>Criteria</b>	<b>Ratings</b>		<b>Comments on assessment</b>
Open characteristics of the CPZ	Does the parcel exhibit evidence of airport related development and a consequent loss of openness?	<b>High</b>	The parcel contains no or very limited development and has a strong sense of openness.	The density and extent to which development has already occurred and whether the land is 'open' or not is a key issue. Parcels which have already been compromised by development, including airport-related development may play a weaker role than those where the CPZ is more open in character.
		<b>Medium</b>	The parcel contains limited development and has a relatively strong sense of openness.	
		<b>Low</b>	The parcel contains development which compromises the sense of openness.	

**Purpose 2: To restrict the spread of development from the airport**

Issue(s) for consideration	Criteria	Ratings		Comments on assessment
Presence of boundary features which restrict of the spread of development from the airport into the surrounding countryside.	Does the parcel prevent the spread of development or are there other barriers with the parcel which restrict the spread of development?	<b>High</b>	Land within the parcel is poorly contained by weak barrier features (e.g. field boundaries).  There is a high potential for the spread of development from the airport to occur.	<p>The features that that are considered relevant to the assessment of potential include:</p> <p>The presence of features which contain the outward spread of development can, in certain limited locations, reduce the potential role of a parcel in performing this purpose. The significance of a boundary in preventing development is judged based on its relative proximity to the existing airport edge and its nature. For example the M11 motorway, dual carriageways, railway lines or rivers within the relevant land parcel, or close by, are considered to constitute a significant and durable boundary that may prevent outward expansion.</p> <p>Conversely the presence of roads (apart from motorways and dual carriageways) provides greater opportunities for development to occur, because of the wider access they provide. Where such roads exist, the CPZ is considered to play a strong role in preventing outward development.</p>
		<b>Medium</b>	The land parcel has some barrier features (e.g. trees, woodland, minor roads).  There is a moderate potential for the spread of development from the airport to occur.	
		<b>Low</b>	The parcel has strong barrier features (e.g. major roads, railways) which have the potential to prevent the outward spread of development from the airport.	

**Purpose 3: To protect the rural character of the countryside (including settlements) around the airport**

Issue(s) for consideration	Criteria	Ratings	Comments on assessment
<p>Strength of the rural character.</p> <p>Does the parcel have the characteristics of countryside and/or connect to land with the characteristics of countryside?</p> <p>Does the parcel contain hamlets/villages which contribute to the rural character of the CPZ?</p> <p>Would development alter the character of washed over villages / hamlets?</p>	<b>High</b>	<p>The land parcel contains unspoilt countryside which is largely intact and rural in character.</p> <p>Development in the parcel would erode the contribution made by the parcel to the rural character of the countryside around the airport.</p>	<p>Countryside is land/scenery which is rural in character, i.e. a relatively open, natural, semi-natural or farmed landscape.</p> <p>The relative 'ruralness' of the countryside can be assessed by comparing the characteristics of the parcel against the area's key rural landscape characteristics.</p>
		<b>Medium</b>	<p>The land parcel contains the characteristics of countryside. Urbanising influences are limited.</p> <p>Development in the parcel may erode the contribution made by the parcel to the rural character of the countryside around the airport.</p>
	<b>Low</b>	<p>Significant urbanising development has already taken place within the parcel. It has a semi-urban character that conflicts with the characteristics of countryside.</p> <p>There would be little change to the rural character of the countryside if the parcel was to be further developed.</p>	<p>Urbanising development is any built development which detracts from the open character of the CPZ, such as major roads and telecommunications masts as well as housing and commercial development.</p> <p>Airport-related development is the intrusion or spread of airport-related commercial and ancillary development beyond the airport perimeter. This might take the form of buildings or urbanised land or any features that compromise the open character of the CPZ, such as access roads, roads lined with street lighting and pavements, large areas of hard standing, particularly for surface car parking, commercial premises or warehousing.</p>

**Purpose 4 : To prevent changes to the rural settlement pattern of the area by restricting coalescence**

Issue(s) for consideration	Criteria	Ratings		Comments on assessment
<p>Would development change the rural settlement pattern of the area?</p> <p>Would development within the parcel lead to merging between neighbouring settlements and/or coalescence between the airport and neighbouring settlements?</p>	<p>Does the parcel prevent the merging or erosion of the visual or physical gap between neighbouring settlements or coalescence with the airport?</p>	<p><b>High</b></p>	<p>The parcel plays an essential role in preventing the merging or erosion of the visual or physical gap between settlements which are in close proximity or between the airport and neighbouring settlements.</p> <p>Any significant new development within the parcel would be likely to result in physical coalescence or a recognisable perception of merging that would erode the distinct separate identity and character of either/both settlements or between the airport and neighbouring settlements.</p>	<p>This purpose seeks to prevent settlements from merging to form larger settlements or prevent the airport merging with neighbouring settlements.</p> <p>The criteria judge the extent of the actual or perceived visual or physical gap between settlements or between the airport and neighbouring settlements which would erode the rural settlement pattern of the area.</p>
		<p><b>Medium</b></p>	<p>The parcel plays some role in preventing the reduction of the visual or physical distances between settlements which are in relative proximity or between the airport and neighbouring settlements.</p> <p>Any new development within the parcel may reduce the sense of separation between settlements or between the airport and neighbouring settlements.</p>	
		<p><b>Low</b></p>	<p>The parcel plays no or a very limited role in preventing the merging or erosion of the visual or physical gap between settlements or between the airport and a neighbouring settlement.</p> <p>Loss of openness would not be perceived as reducing gap between settlements or between the airport and neighbouring settlements.</p> <p>Any new development within the parcel would lead to a small reduction in the gap between settlements but is not likely to compromise their physical or visual separation.</p>	

## Parcel assessment against criteria

### Desk-based assessment

- 3.19 Each land parcel was assessed using OS maps, aerial images and relevant GIS data to gain a clear understanding of how they perform against the purposes of the CPZ. Ratings and notes on the judgements for each land parcel will be input into a database. Ratings were cross-checked and reviewed to ensure consistency, clarity and transparency in all judgements.
- 3.20 Clear, colour-coded GIS maps linked to the database were prepared illustrating the defined land parcels and the overall contribution of each land parcel and to the purposes of the CPZ.
- 3.21 Reference was made to environmental constraints and designations where they provided valuable context; however, their presence did not directly influence the ratings, as they do not relate directly to the purposes of the CPZ (see **Figure 3.2**).

### Assessment of harm to CPZ purposes

- 3.22 There is a direct relationship between the contribution of a parcel to CPZ purposes and the extent of harm to the CPZ that would be caused by its release. In other words, if a parcel achieves a higher rating against a particular purpose, this implies greater harm to the CPZ should the land be released. The framework shown in **Table 3.2** was used to reach a conclusion for each parcel on the degree of harm to the CPZ purposes.

**Table 3.2 Framework for assessing harm**

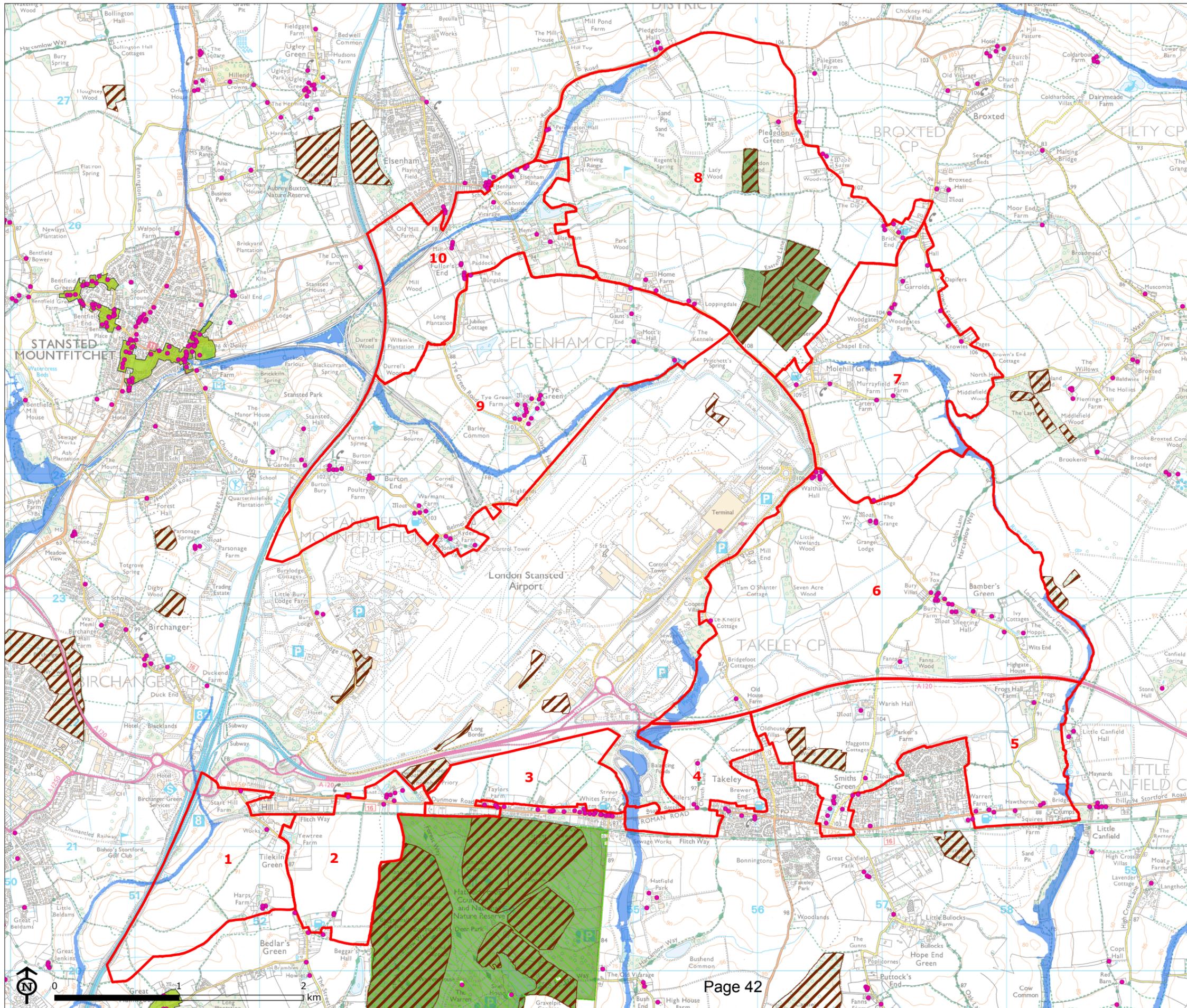
Assessment of parcels	Potential harm caused by release of parcel
Makes a HIGH contribution to one or more CPZ purposes.	High
Makes a MEDIUM contribution to one or more CPZ purposes. No strong contribution to any purpose.	Moderate
Makes a LOW contribution to one or more CPZ purposes. No strong or moderate contribution to any purpose	Low

# Uttlesford DC - Countryside Protection Zone Review

**Figure 3.2**

## Environmental Constraints and Designations

-  Parcel Boundary
-  Listed Building
-  Ancient Woodland Inventory
-  National Nature Reserve
-  Site of Special Scientific Interest
-  Conservation Area
-  Flood Zone 3



Map Scale @ A3: 1:30,000

**LUC**

## 4 Findings

### Assessment of CPZ parcels

4.1 The assessment findings are presented in **Appendix 1**. Each assessment consists of:

- A heading with parcel reference, name and land area (in hectares)
- a map (1:25,000 OS base) is provided to show the boundaries of the parcel
- a summary of the ratings for contributions to CPZ purposes 1-4 (with colour-coding to aid easy identification of different levels of rating)
- A heading for each purpose followed by a paragraph of text which addresses the criteria/questions set out in **Table 3.1**
- A note on any potential alternatives to the current CPZ boundaries

#### Summary of assessment rating

4.2 **Table 4.1** lists the parcels with rating given against each of the CPZ purposes and the assessed level of harm to the CPZ that would result were the parcel to be released from the Zone. This is supplemented by maps, **Figures 4.1 to 4.4**, which use depth of shading to indicate the level of contribution made by each parcel to each of the CPZ purposes. **Figure 4.5** illustrates the overall degree of harm that would result from the release of parcels.

**Table 4.1 Summary of assessment ratings**

Parcel	Name	Purpose 1 Rating	Purpose 2 Rating	Purpose 3 Rating	Purpose 4 Rating	Summary of Harm
1	Tilekiln Green	Medium	Medium	Medium	Low	Moderate
2	Yewtree Farm	Medium	Medium	Medium	High	High
3	Takeley Street	Medium	Medium	Medium	High	High
4	Takeley	Medium	Medium	Medium	High	High
5	Smith's Green	Medium	Medium	Medium	High	High
6	Bamber's Green	High	High	High	Low	High
7	Molehill Green	High	High	High	Medium	High
8	Pledgdon Green	High	High	High	Low	High
9	Tye Green	Medium	Medium	Medium	Medium	Moderate
10	Elsenham	Medium	Medium	Medium	Low	Moderate

**Uttlesford DC - Countryside Protection Zone Review**

**Figure 4.1**

**Performance against CPZ Purpose 1: To protect the open characteristics of the CPZ**

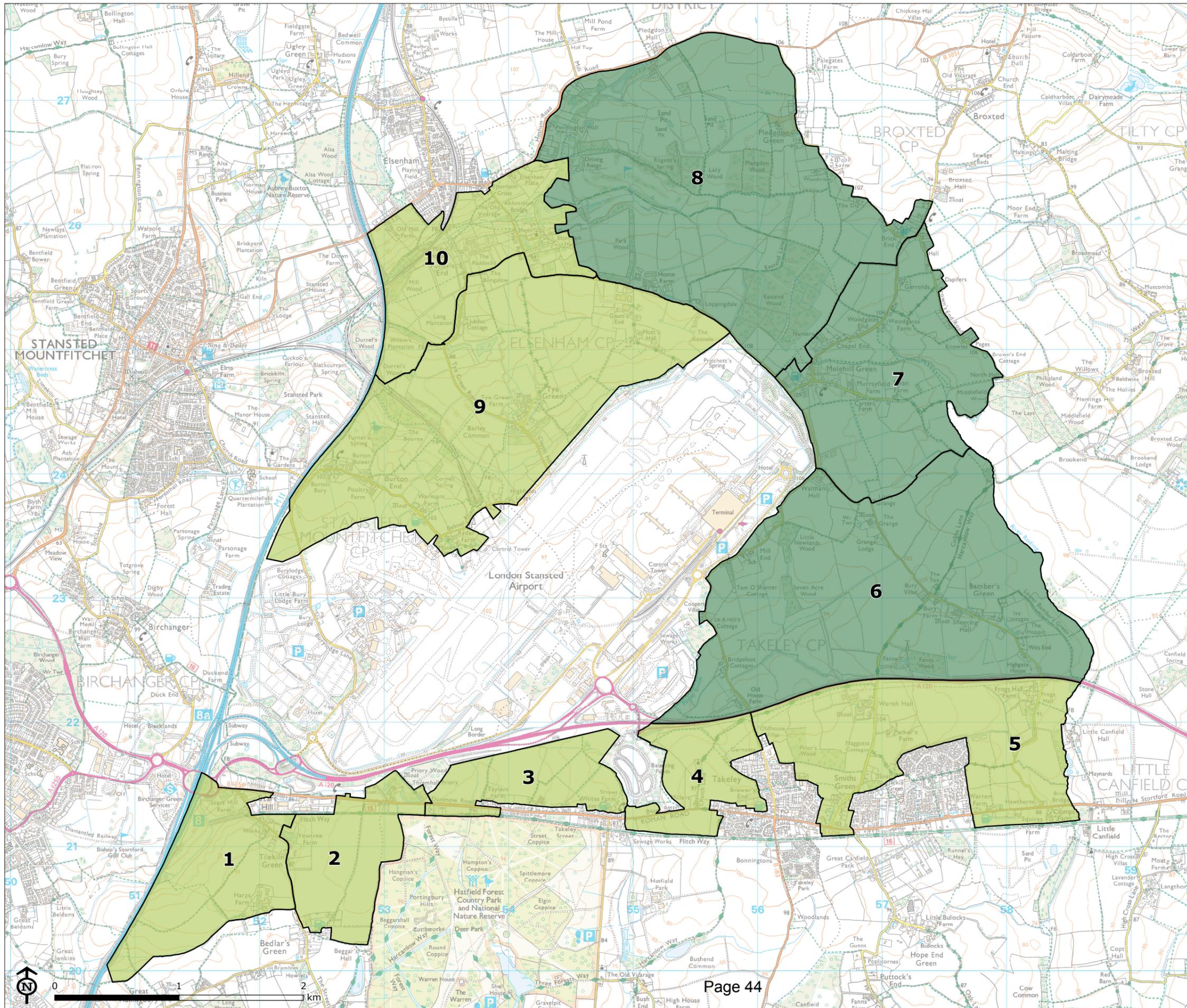
Parcel Boundary

**Performance**

High

Medium

Low



Map Scale @ A3: 1:30,000



**Uttlesford DC - Countryside Protection Zone Review**

**Figure 4.2**

**Performance against CPZ Purpose 2: To restrict the spread of development from the airport**

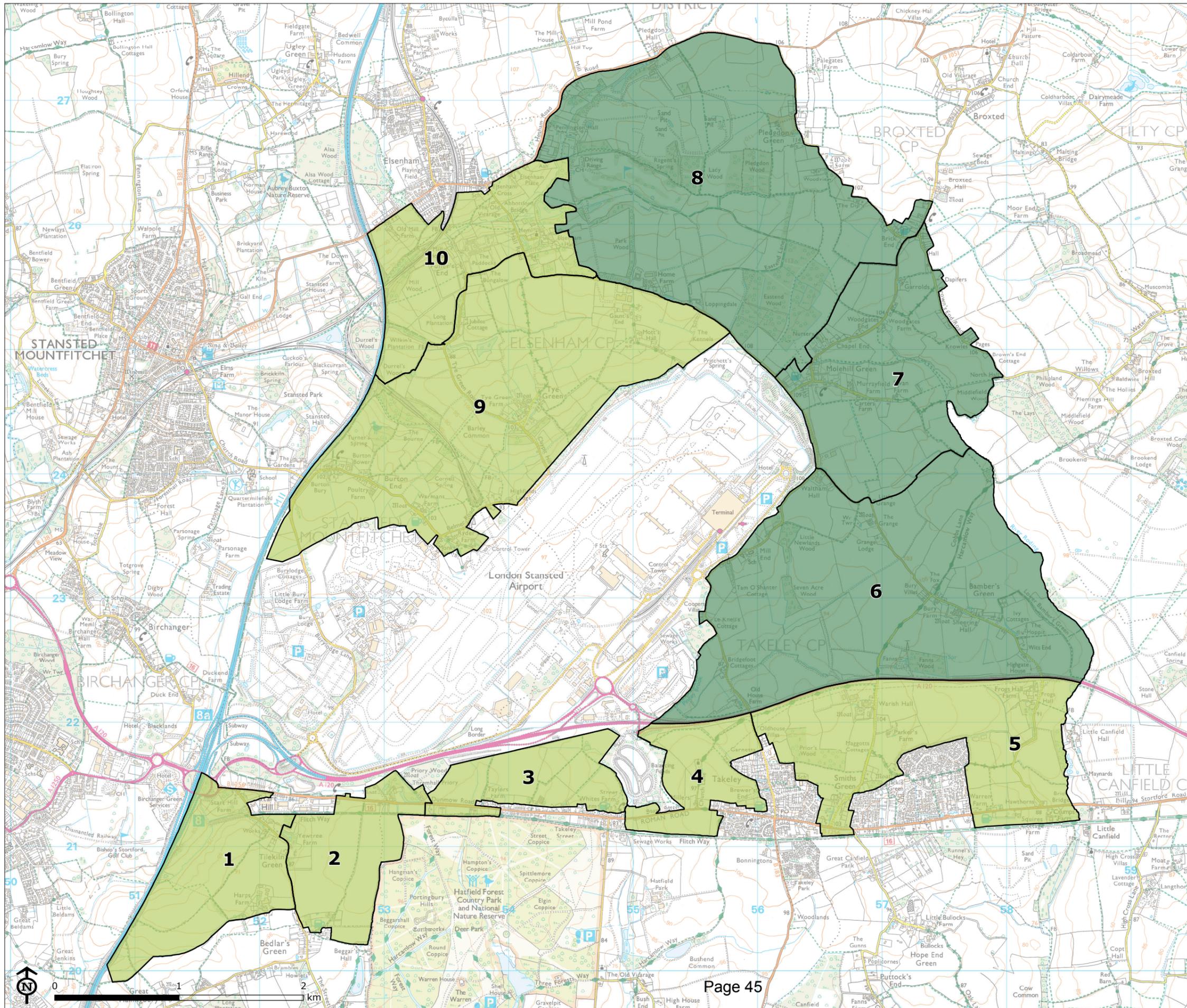
Parcel Boundary

**Performance**

High

Medium

Low



Map Scale @ A3: 1:30,000



**Uttlesford DC - Countryside Protection Zone Review**

**Figure 4.3**

**Performance against CPZ Purpose 3: To protect the rural character of the countryside (including settlement) around the airport**

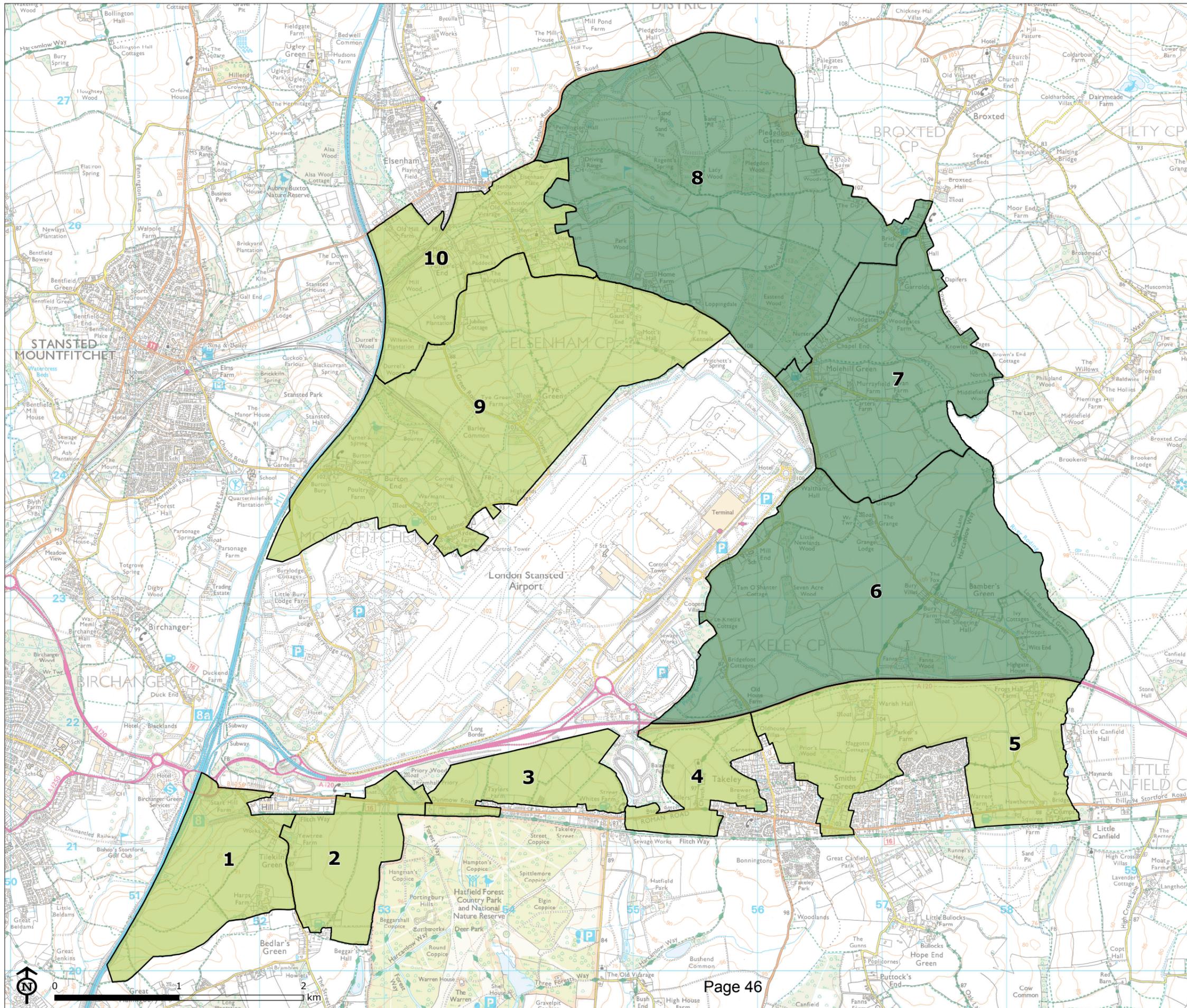
Parcel Boundary

**Performance**

High

Medium

Low



Map Scale @ A3: 1:30,000



**Uttlesford DC - Countryside Protection Zone Review**

**Figure 4.4**

**Performance against CPZ Purpose 4: To prevent changes to the rural settlement pattern of the area by restricting coalescence**

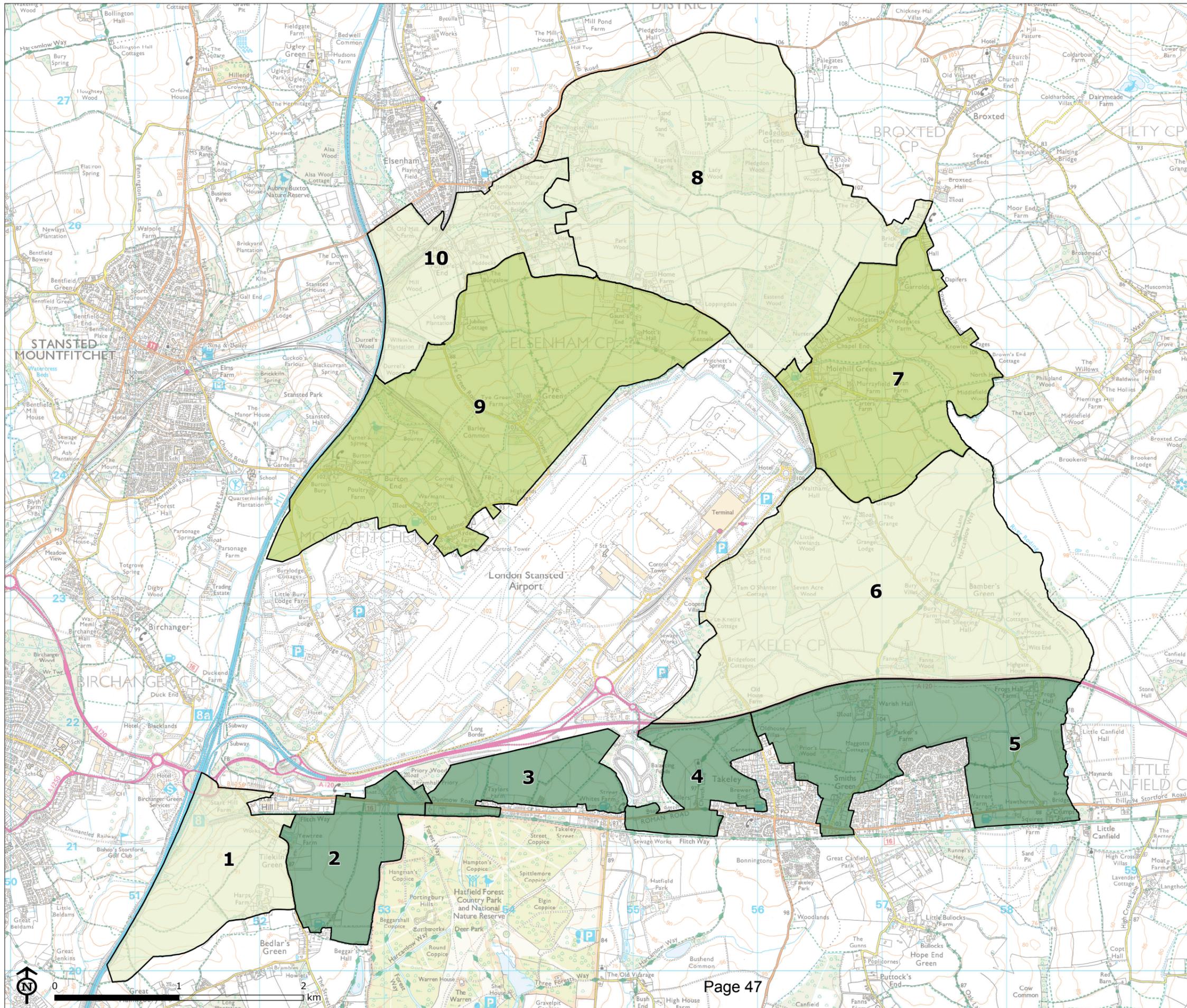
Parcel Boundary

**Performance**

High

Medium

Low



Map Scale @ A3: 1:30,000

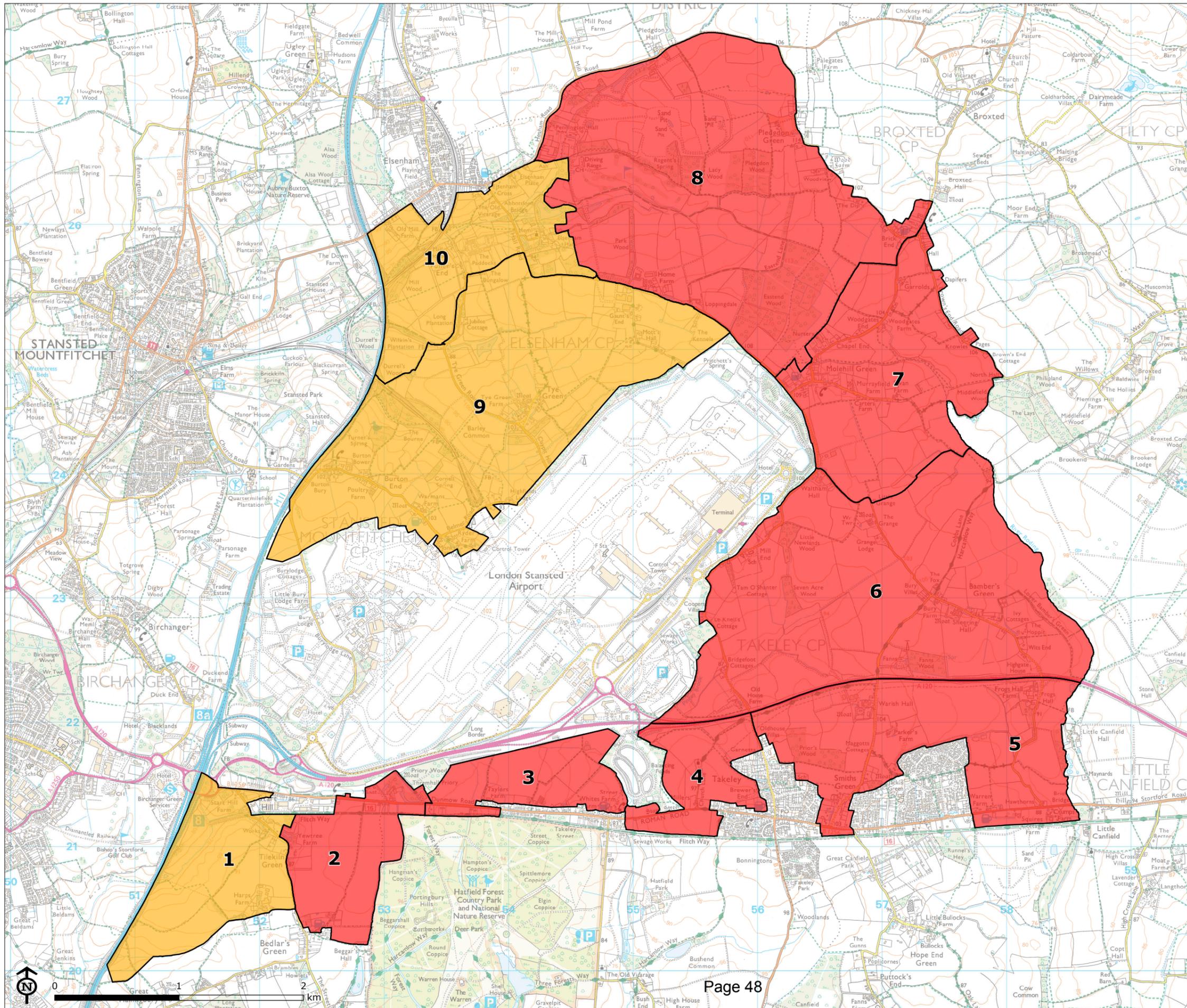


# Uttlesford DC - Countryside Protection Zone Review

**Figure 4.5**

**Potential level of harm to the CPZ associated with release of parcels**

- Parcel Boundary
- Level of harm to CPZ
  - High
  - Moderate



Map Scale @ A3: 1:30,000

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## 5 Conclusions and recommendations

### Conclusions

- 5.1 As set out in Chapter 4, there are variations in the contribution that different parcels in the study area make to CPZ purposes. However, this study has demonstrated that the majority of the CPZ is performing well against the purposes defined for it. The CPZ helps to maintain the openness of the countryside and protects its rural character and restrict the spread of development from the airport. For some parcels, particularly to the south of the airport, the CPZ plays an essential role in protecting the separate identity of individual settlements.
- 5.2 In summary, therefore, the CPZ is helping to maintain the vision of the 'airport in the countryside'. Unless other planning policy considerations suggest otherwise, we recommend that the CPZ is carried forward into the new Local Plan.

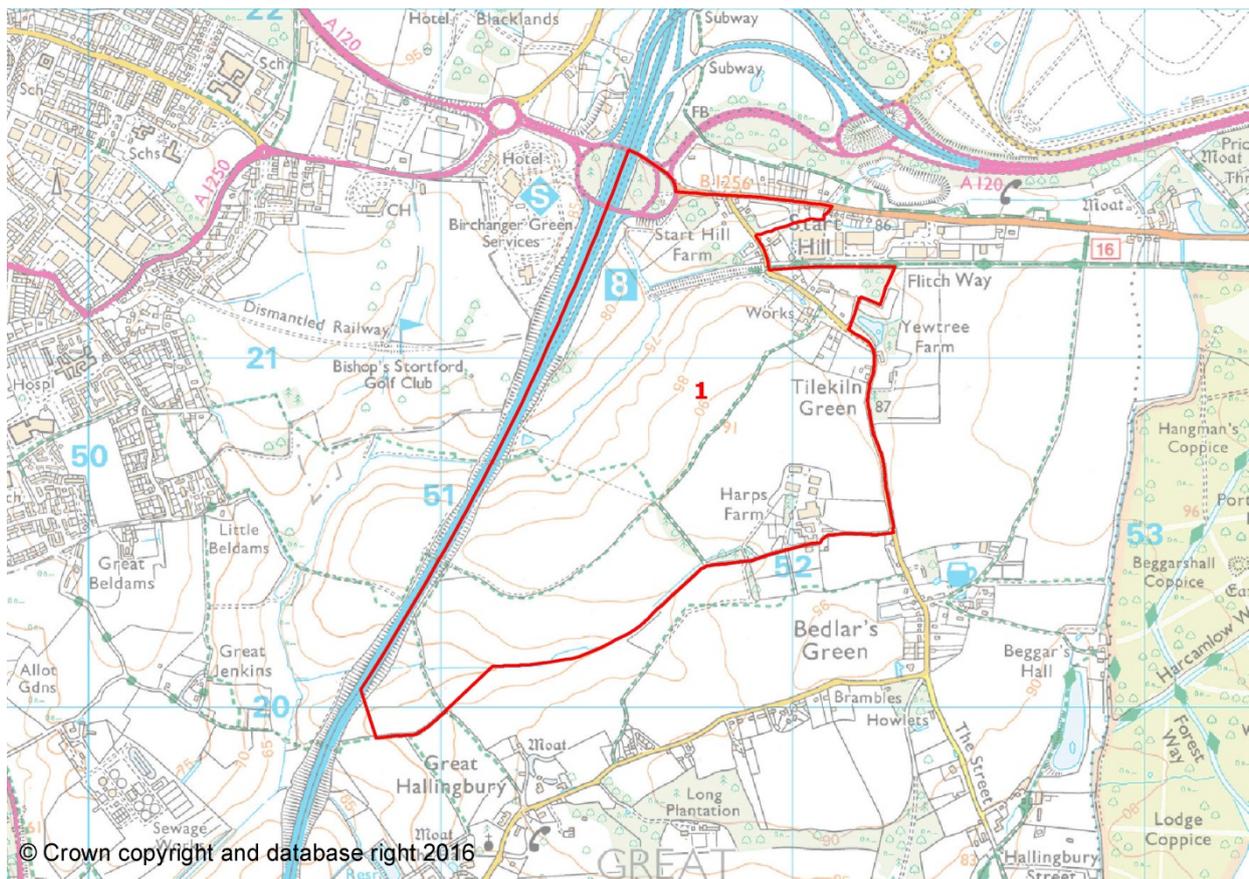
### Is there a case to change any part of the CPZ?

- 5.3 The potential level of harm to the CPZ associated with the release of parcels is moderate or high for all parcels within the CPZ.
- 5.4 Two parcels (Parcel 1 and 10) were judged to have a moderate level of harm due to their 'low' rating against purpose 4 (restricting coalescence) because of the dispersed nature of the settlements in those parcels or their relative distance from the airport.
- 5.5 We would not recommend the removal, in totality, of any parcels from the CPZ. As described in Appendix 1, however, there are some opportunities to revise the boundaries of the CPZ in order to strengthen it in relation to features on the ground. These include rationalising the boundary of Parcel 1 to exclude the eastern extents of Junction 8 of the M11) and moving the northern boundary of Parcel 10 to the railway line (which itself could prevent coalescence between the airport and Elsenham to the north).
- 5.6 The downgrading of the Dunmow Road following the construction of the A120 provided opportunities for development to occur along the road which is incongruous with the purposes of the CPZ. We recommend redefining the boundary of parcels 2 and 3 to maintain the rural character of the area and prevent further consolidation of the villages by extending the boundary of the CPZ to Flitch Way to the south of Takeley Street in Parcel 3 and by redefining the boundary of Parcel 2 to exclude the Vision Industrial Estate. These revisions will strengthen the role of the CPZ in preventing further development.

## 6 Appendix

**Parcel: 1 Tilekiln Green**

**Parcel Size (Ha) : 123**



**Parcel's Contribution to the Purposes of the Countryside Protection Zone**

<b>Purpose 1</b>	Medium
<b>Purpose 2</b>	Medium
<b>Purpose 3</b>	Medium
<b>Purpose 4</b>	Low

**Summary of Assessment**

Resultant harm to CPZ purposes if parcel released from the CPZ:

<b>1. To protect the open characteristics of the CPZ</b>	<b>Medium</b>
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Within the parcel the landscape is open. Land use includes large arable fields with a small wooded area around the motorway junction. Settlement is dispersed and includes the hamlet of Tilekiln Green and a number of isolated farms (Start Hill Farm, Harps Farm).  
 Development along the northern boundary of the parcel compromises the sense of openness. The M11 and the road network associated with the Junction 8 runs along the western boundary. Airport related development is concentrated around Start Hill off the Dunmow Road (Stansted Distribution Centre) immediately outside the northern boundary of the parcel.

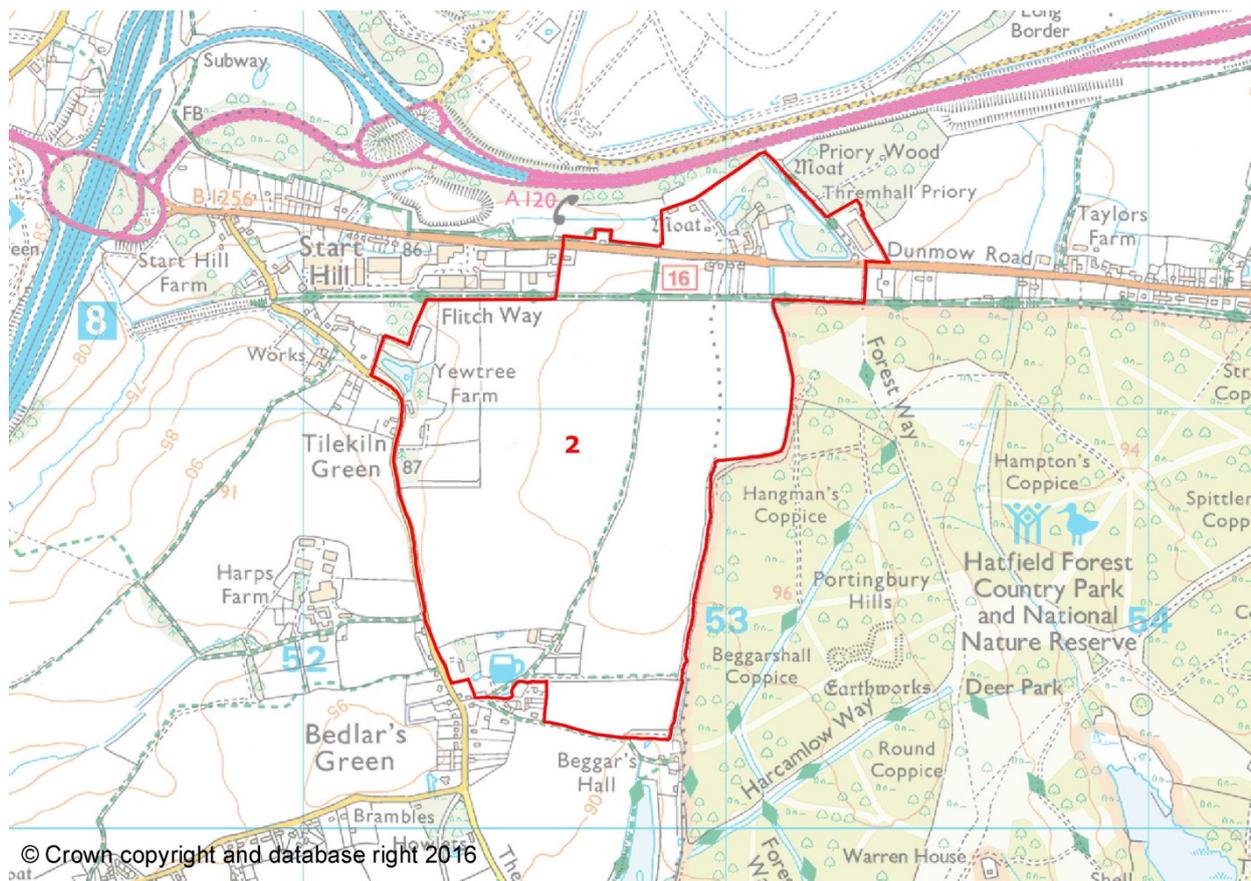
<b>2. To restrict the spread of development from the airport</b>	<b>Medium</b>
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There are strong barrier features to the north and west of the parcel such as the M11 and the A120 which have the potential to prevent the outward spread of development from the airport into the countryside. These major roads reduce the role of the parcel in performing this purpose.

<p>Conversely, the downgrading of the Dunmow Road following the construction of the new A120 has provided opportunities for development to occur along the road. Airport development at Start Hill, (Stansted Distribution Centre) to the south of Dunmow Road is just outside the CPZ. The CPZ therefore plays a strong role in preventing further development.</p>	
<p><b>3. To protect the rural character of the countryside (including settlement) around the airport</b></p>	<p><b>Medium</b></p>
<p>The parcel contains the characteristics of the countryside with limited urbanising elements. To the south, the parcel retains its rural character with large arable fields which slope gently to the west towards a tributary of River Stort and isolated farms including the historic farmstead of Harps Farm with its listed vernacular buildings. Woodland blocks to the north provide a visual screen to the M11 junction and the airport beyond. The village of Tilekiln Green has maintained its rural character despite its proximity to the distribution centre at Start Hill (Stansted Distribution Centre). Urbanising development such as the busy road network to the north and west of the parcel (including the M11 junction with the A120 and the Dunmow Road) and the commercial premises at the Stansted Distribution Centre (just north of the parcel) detract from the countryside character of the parcel. The audible intrusion of the M11 reduces the tranquility of the parcel.</p>	
<p><b>4. To prevent changes to the rural settlement pattern of the area by restricting coalescence</b></p>	<p><b>Low</b></p>
<p>The parcel plays a limited role in preventing the merging between the airport and neighbouring settlement. Airport related development at Start Hill has coalesced with the hamlet of Tilekiln Green only separated by a former railway line (Flitch Way). The historic village of Great Hallingbury, the historic park and garden of Hallingbury Park and the hamlet of Bedlar's Green, all lie outside the southern boundary of the parcel.</p>	
<p><b>Consideration of alternative CPZ boundaries</b></p>	
<p>Consider rationalising the boundary in the north west of the parcel around the M11 to the outside of Junction 8.</p>	

**Parcel: 2 Yewtree Farm**

**Parcel Size (Ha) : 91**



**Parcel’s Contribution to the Purposes of the Countryside Protection Zone**

Purpose 1	Medium
Purpose 2	Medium
Purpose 3	Medium
Purpose 4	High

**Summary of Assessment**

Resultant harm to CPZ purposes if parcel released from the CPZ:

<b>1. To protect the open characteristics of the CPZ</b>	<b>Medium</b>
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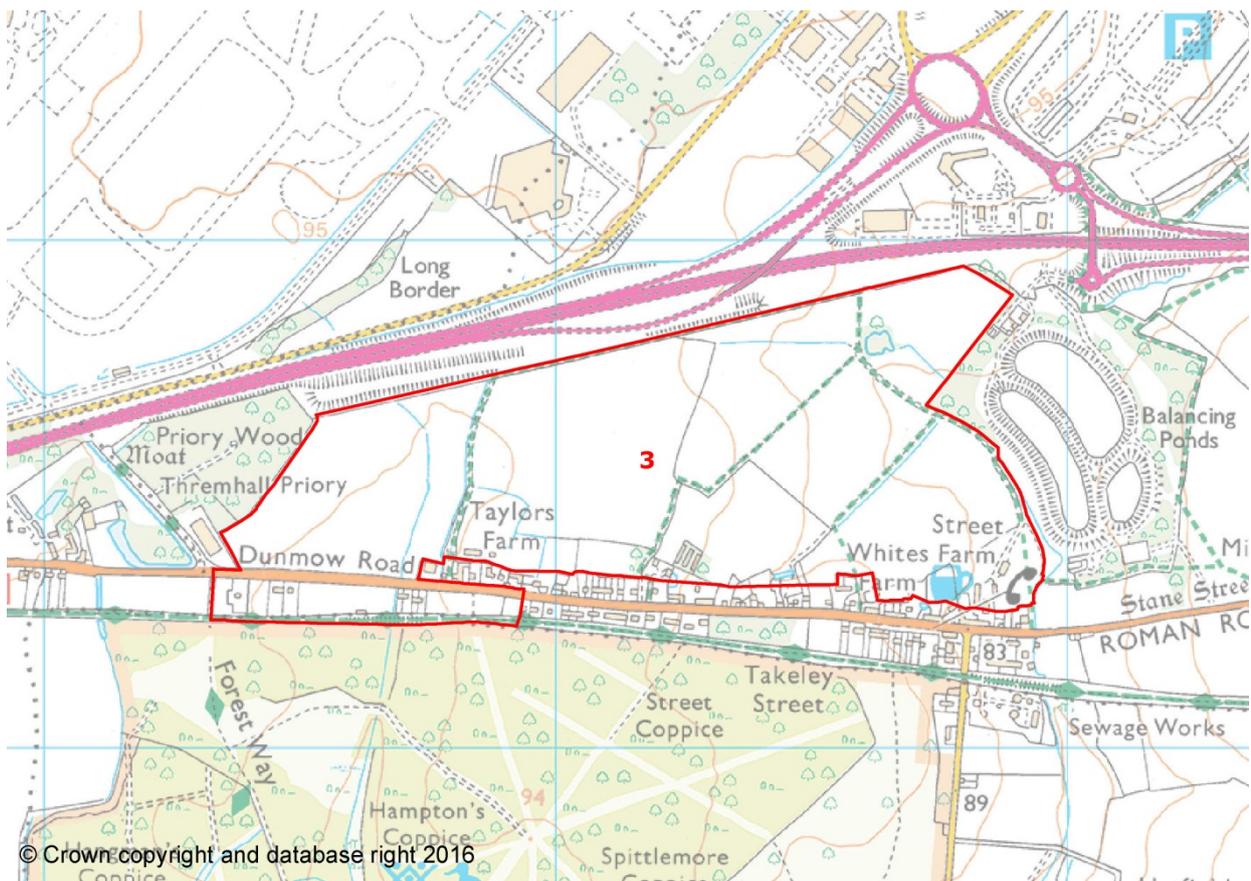
The parcel retains its open character to the south of the Dunmow Road. Land use includes large arable fields with small wooded areas and the village of Bedlar’s Green and one farm (Yewtree Farm) adjacent to Tilekiln Green.

The parcel contains development which compromises the sense of openness. Airport related development is concentrated off the B1256 Dunmow Road and includes the refurbished business centre at Tremhall Park and business units to the north of the road and newly built large scale warehouse units to the south (Vision Industrial Estate) which extends built development west from the Stansted Distribution Centre (immediately outside the parcel). The A120 road network linking the airport with Junction 8 of the M11 runs along the northern boundary

<b>2. To restrict the spread of development from the airport</b>	<b>Medium</b>
<p>The A120 is a strong durable barrier features which has the potential to prevent the outward spread of development from the airport to the countryside. This major road reduces the potential role of the parcel in performing this purpose.</p> <p>Conversely, the downgrading of the Dunmow Road following the construction of the new A120 has provided opportunities for development to occur along the road including the warehouse units to the south of the road and the development at Tremhall Park to the north. The CPZ therefore plays a strong role in preventing further development.</p>	
<b>3. To protect the rural character of the countryside (including settlement) around the airport</b>	<b>Medium</b>
<p>South of the Dunmow Road, the parcel contains the characteristics of the countryside. It is characterised by flat arable farmland and a regular open field pattern framed by the dense woodland of Hatfield Forest to the east. The dispersed settlement pattern is characterized by scattered farmsteads (Yewtree Farm) and greenside settlement (Bedlar's Green).</p> <p>Rural characteristics have been compromised by the urbanising influence of the airport in the form of the busy road network to the north of the parcel, including the A120 slipway off the M11 and development either side of the Dunmow Road. The warehousing units south of the Dunmow Road detract from the countryside character of the parcel.</p>	
<b>4. To prevent changes to the rural settlement pattern of the area by restricting coalescence</b>	<b>High</b>
<p>The parcel plays an essential role in preventing the reduction of the distance between the airport and Hatfield Forest (an important survival of a medieval forest) which lies to the south of the parcel. The parcel acts as visual barrier between the airport and the village of Bedlar's Green and the roadside settlements towards the Hallingburys.</p>	
<b>Consideration of alternative CPZ boundaries</b>	
<p>Consider redefining the boundary of the CPZ to exclude the Vision Industrial Estate, which would help to maintain the openness and rural character of the parcel.</p>	

**Parcel: 3 Takeley Street**

**Parcel Size (Ha) : 72**



**Parcel’s Contribution to the Purposes of the Countryside Protection Zone**

<b>Purpose 1</b>	Medium
<b>Purpose 2</b>	Medium
<b>Purpose 3</b>	Medium
<b>Purpose 4</b>	High

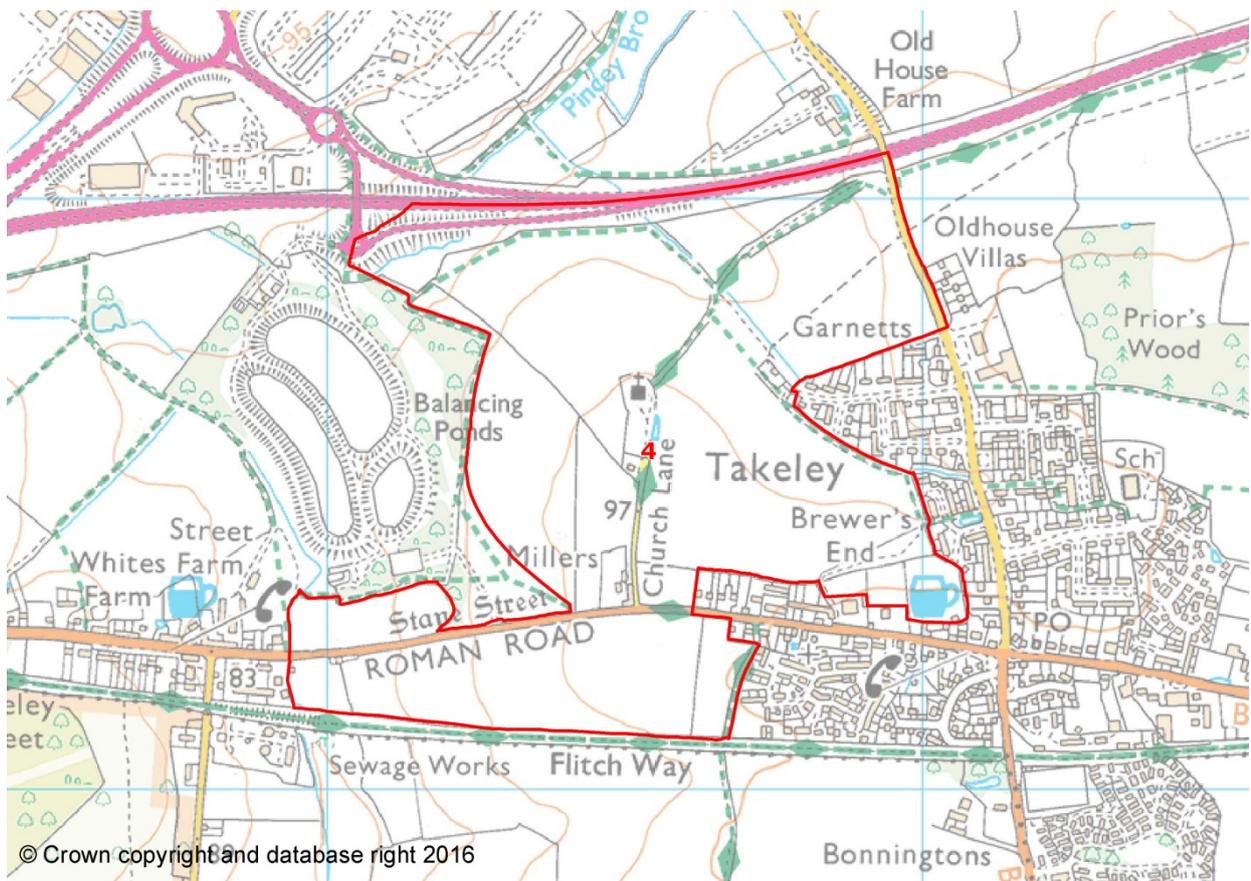
**Summary of Assessment**

Resultant harm to CPZ purposes if parcel released from the CPZ:

<b>1. To protect the open characteristics of the CPZ</b>	<b>Medium</b>
The parcel contains limited development and has a strong sense of openness. The A120, which links the airport to the M11, lies on the northern boundary of the parcel but there is little development within the parcel itself. Land use within the parcel includes medium scale arable fields divided by ditches and occasional hedgerows, and the linear hamlet of Takeley Street which includes a number of farmsteads.	
<b>2. To restrict the spread of development from the airport</b>	<b>Medium</b>
The A120 is a strong durable barrier features which has the potential to prevent the outward spread of development from the airport to the countryside. This major road reduces the role of the parcel in performing this purpose. Conversely, the downgrading of the Dunmow Road following the construction of the new A120 has provided opportunities for development to occur. The CPZ therefore plays a strong role in preventing	

further development within Takeley Street.	
<b>3. To protect the rural character of the countryside (including settlement) around the airport</b>	<b>Medium</b>
<p>The parcel contains flat arable farmland and a regular open field pattern between The Dunmow Road and the A120. Historic buildings within the linear village of Takeley Street contribute to the rural character of the parcel.</p> <p>Rural characteristics have been compromised by the urbanising influence of the airport in the form of the busy road network which encloses the parcel; the A120 to the north and Dunmow Road to the south and the resulting audible intrusion affects the tranquility of the area. Views of the airport are largely screened from the Dunmow Road by intervening vegetation but from PRowS to the north of Takeley Street there are views across the fields to the control tower, hotels and other buildings around the airport. Infill development in Takeley Street has little link to local vernacular style and brings a suburban feel to the village.</p>	
<b>4. To prevent changes to the rural settlement pattern of the area by restricting coalescence</b>	<b>High</b>
<p>The parcel plays an essential role in preventing development between the airport and Takeley Street and Hatfield Forest (an important survival of a medieval forest) which lies to the south of the parcel. Any significant new development within the parcel would be likely to result in a perception of merging between Start Hill and Takeley Street that would erode the distinct identity of the village.</p>	
<b>Consideration of alternative CPZ boundaries</b>	
<p>Consider extending the boundary of the CPZ to Fritch Way to the south of Takeley Street, which would help to prevent further consolidation of the hamlet and maintain its rural character.</p>	

**Parcel: 4 Takeley**  
**Parcel Size (Ha) : 67**



**Parcel's Contribution to the Purposes of the Countryside Protection Zone**

<b>Purpose 1</b>	Medium
<b>Purpose 2</b>	Medium
<b>Purpose 3</b>	Medium
<b>Purpose 4</b>	High

**Summary of Assessment**

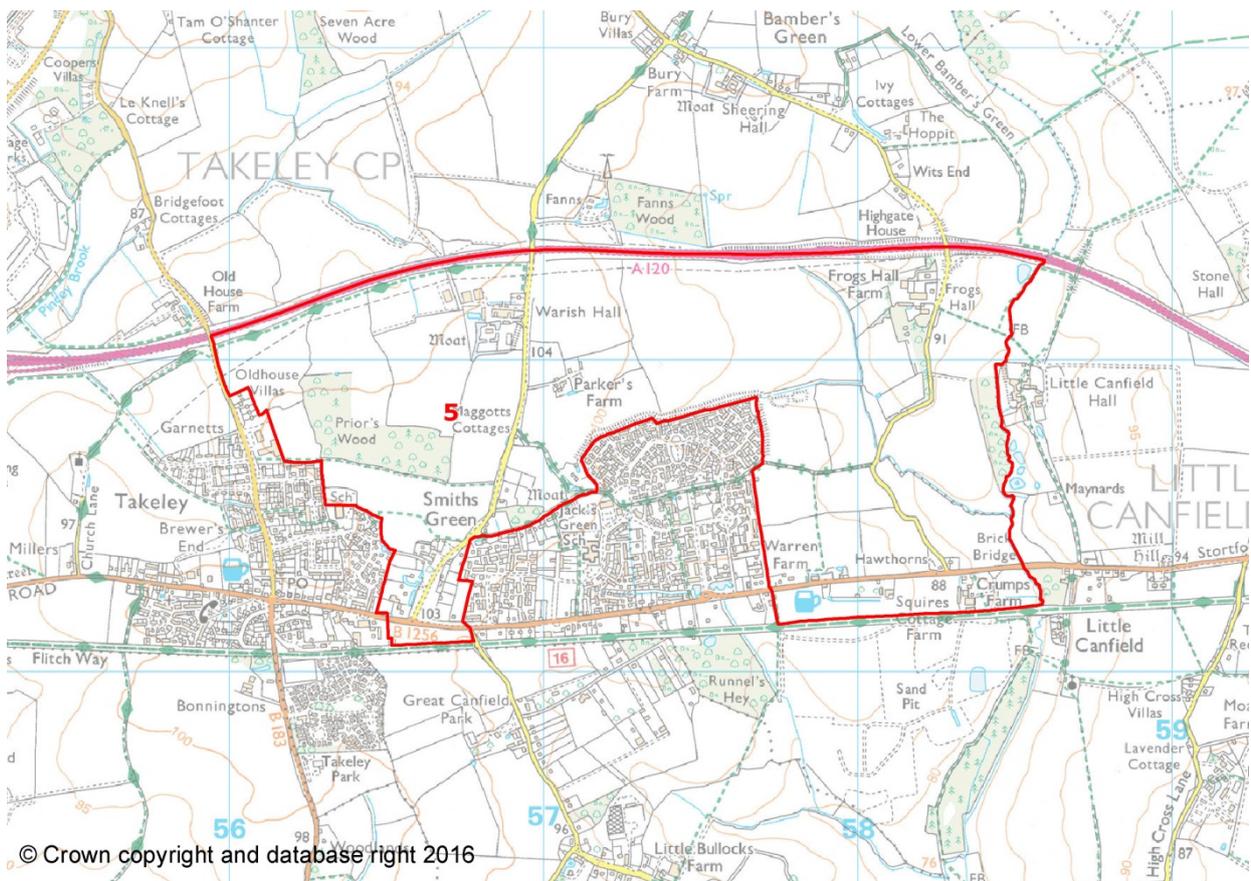
Resultant harm to CPZ purposes if parcel released from the CPZ:

<b>1. To protect the open characteristics of the CPZ</b>	<b>Medium</b>
<p>The parcel has a relatively strong sense of openness and is made up of large arable fields. Development along the boundary of the parcel compromises the sense of openness. The A120, which link the airport with the M11, lies on the northern boundary of the parcel and the airport balancing ponds are located to the west. Recent housing development on the edge of Takeley on either side of the Dunmow Road has encroached on open land within the parcel.</p>	
<b>2. To restrict the spread of development from the airport</b>	<b>Medium</b>
<p>The A120 is a strong durable barrier features which has the potential to prevent the outward spread of development from the airport to the countryside. This major road reduces the potential role of the parcel in performing this purpose. Conversely, the downgrading of the Dunmow Road following the construction of the new A120 has provided opportunities for development to occur. The CPZ therefore plays a strong role in preventing</p>	

further development within Takeley Street.	
<b>3. To protect the rural character of the countryside (including settlement) around the airport</b>	<b>Medium</b>
<p>Rural characteristics have been compromised by the influence of the airport in the form of the busy road network which encloses the parcel; the A120 to the north and Dunmow Road to the south and results in visual and audible intrusion. The buildings and tower of Stansted can be seen in views from Parsonage Road. Residential development on the edge of Takeley has little link to local vernacular style and brings a suburban element to the parcel.</p> <p>Away from the busy road network, the land parcel contains some characteristics of the countryside, including open arable farmland and the historic 13<sup>th</sup> century church of Holy Trinity isolated from the village on Church Lane.</p>	
<b>4. To prevent changes to the rural settlement pattern of the area by restricting coalescence</b>	<b>High</b>
<p>Parcel plays an essential role in preventing merging between the village of Takeley Street and Takeley and between the airport and Takeley, all of which are in close proximity. Any development in the parcel would erode the distinctly separate identity of these settlements.</p>	
<b>Consideration of alternative CPZ boundaries</b>	
No alternative boundaries have been identified.	

**Parcel: 5 Smiths Green**

**Parcel Size (Ha) : 214**



**Parcel's Contribution to the Purposes of the Countryside Protection Zone**

<b>Purpose 1</b>	Medium
<b>Purpose 2</b>	Medium
<b>Purpose 3</b>	Medium
<b>Purpose 4</b>	High

**Summary of Assessment**

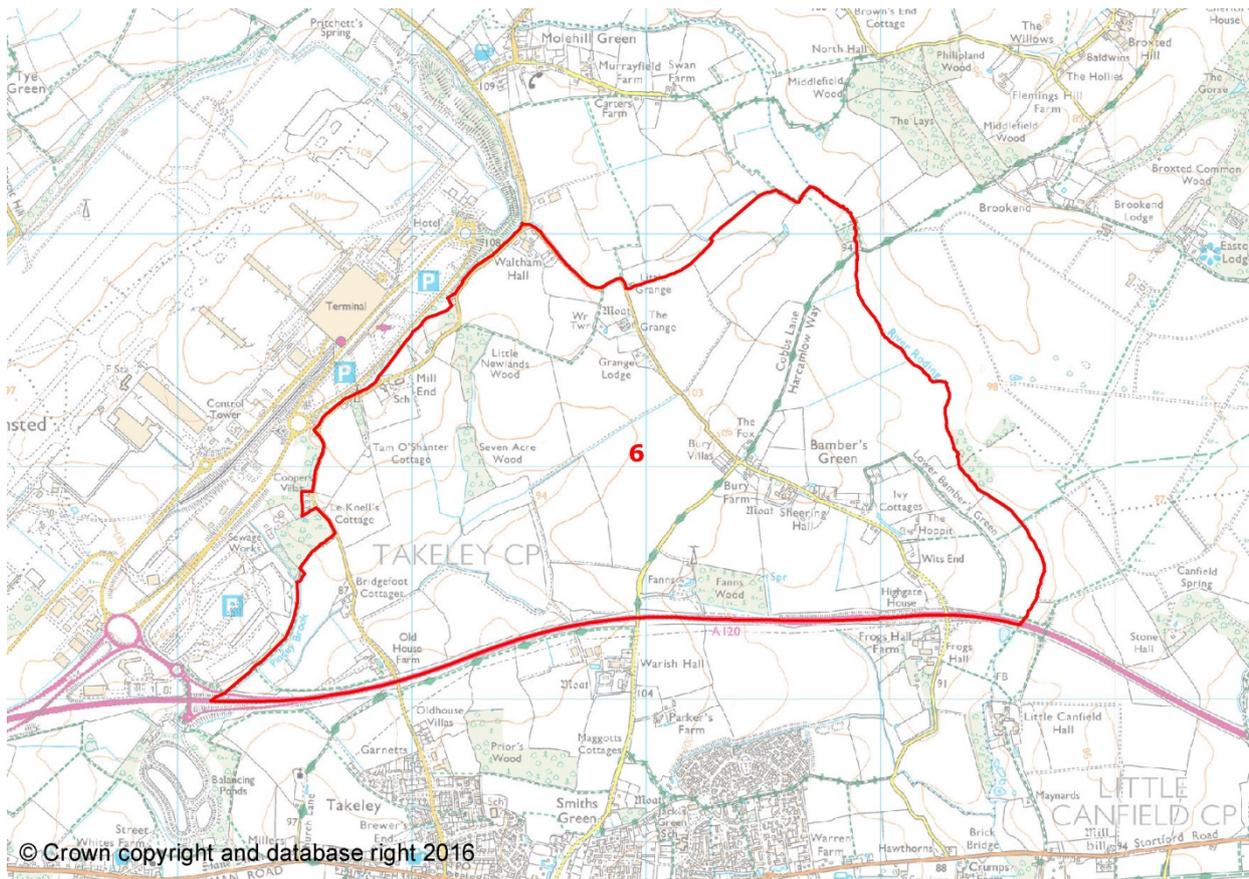
Resultant harm to CPZ purposes if parcel released from the CPZ:

<b>1. To protect the open characteristics of the CPZ</b>	<b>Medium</b>
<p>The parcel contains limited development and has a relatively strong sense of openness. Land use within the parcel includes large arable fields, small wooded areas and the hamlet of Smith Green and some isolated farms (Frogs Hall Farm/Parker's Farm/Warren Farm)</p> <p>Recent residential development on the edge of Little Canfield has encroached on open land on the southern boundary of the parcel. The A120 runs along the northern boundary.</p>	
<b>2. To restrict the spread of development from the airport</b>	<b>Medium</b>
<p>The A120 is a strong durable barrier features which has the potential to prevent the outward spread of development from the airport to the countryside. This major road reduces the potential role of the parcel in performing this purpose.</p> <p>Conversely, the downgrading of the Dunmow Road following the construction of the new A120 has provided opportunities for development to occur. The CPZ therefore plays a strong role in preventing</p>	

further development within Takeley Street.	
<b>3. To protect the rural character of the countryside (including settlement) around the airport</b>	<b>Medium</b>
<p>The parcel contains the characteristics of the countryside and urbanising influences are limited, particularly to the east, with gently undulating farmland with large arable fields and woodland blocks including the ancient woodland at Prior's Wood. The parcel is characterised by peaceful winding sunken lanes running north- south (Smiths Green/Takeley to Bambers Green) which give access to historic farmsteads and moated halls (Warish Hall/Frogs Hall). The wooded edge of the River Roding defines the eastern boundary.</p> <p>The A120 to the north affect the tranquility of the parcel but is less intrusive due to its position in a cutting. Residential development on the northern edge of Little Canfield and Takeley has little link to local vernacular style and brings a suburban element to the southern boundary of the parcel. Commercial development on the northern edge of Takeley (Stansted Centre Industrial Estate) compromises the rural character of the parcel.</p>	
<b>4. To prevent changes to the rural settlement pattern of the area by restricting coalescence</b>	<b>High</b>
The parcel plays an essential role in preventing the merging of the narrow gap between the villages of Takeley and Little Canford, and protecting the rural settlement pattern of Smith's Green.	
<b>Consideration of alternative CPZ boundaries</b>	
No alternative boundaries have been identified.	

**Parcel: 6 Bamber's Green**

**Parcel Size (Ha) : 439**



**Parcel's Contribution to the Purposes of the Countryside Protection Zone**

<b>Purpose 1</b>	High
<b>Purpose 2</b>	High
<b>Purpose 3</b>	High
<b>Purpose 4</b>	Low

**Summary of Assessment**

Resultant harm to CPZ purposes if parcel released from the CPZ:

<b>1. To protect the open characteristics of the CPZ</b>	<b>High</b>
The parcel contains very limited development and has a strong sense of openness. Land use within the parcel includes large arable fields and woodlands. Settlement is dispersed, with the small hamlet of Bamber's Green at the centre of the parcel, some isolated farms, moated halls and cottages.	
<b>2. To restrict the spread of development from the airport</b>	<b>High</b>
Land within the parcel is poorly contained by weak barrier features such as field boundaries, the River Roding and Pincey Brook and minor lanes. There are no distinct boundary features such as major roads so, without the CPZ, there is high potential for airport development from the airport to occur.	
<b>3. To protect the rural character of the countryside (including settlement) around the airport</b>	<b>High</b>

The land parcel contains unspoilt countryside which is largely intact and rural in character, including gently undulating farmland between the Pincey Brook and the River Roding. The parcel displays key local landscape characteristics such as large arable fields and woodland blocks and peaceful winding sunken lanes (Cobbs Lane/Takeley to Bambers Green). The hamlet of Bamber's Green and the historic farmsteads and moated halls (The Grange/Sheering Hall) contribute to the rural character of the parcel. Landscaped areas on the perimeter of the airport provide effective screening and visual intrusion from the airport is minimal except at the Cooper's End roundabout entrance. Urbanising influences are limited to the light industrial units at Waltham Hall.

<b>4. To prevent changes to the rural settlement pattern of the area by restricting coalescence</b>	<b>Low</b>
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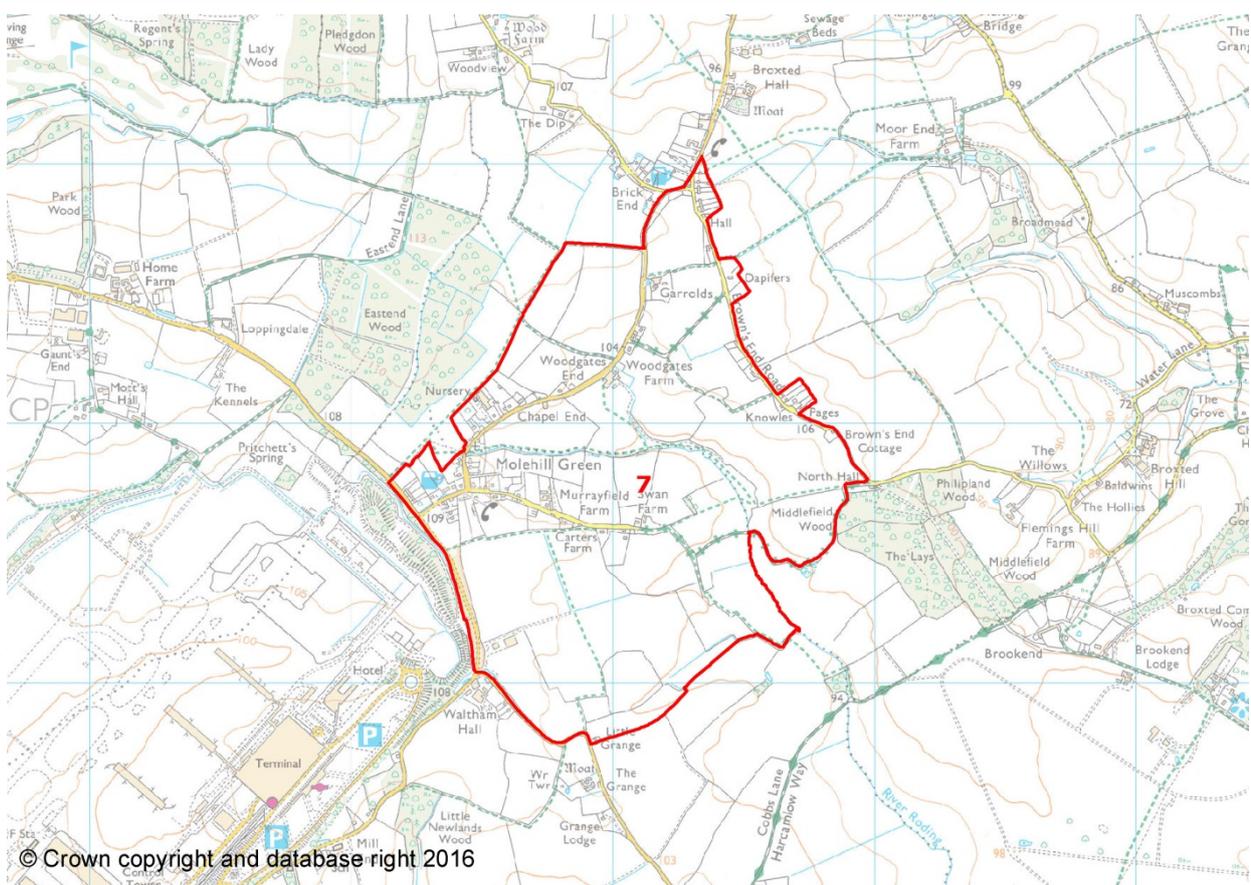
The land parcel retains a rural settlement pattern as the dispersed hamlets within the parcel are distinct from each other and from the airport. The parcel plays a limited role in protecting the rural settlement pattern of Bamber's Green.

**Consideration of alternative CPZ boundaries**

No alternative boundaries have been identified.

**Parcel: 7 Molehill Green**

**Parcel Size (Ha) : 217**



**Parcel’s Contribution to the Purposes of the Countryside Protection Zone**

<b>Purpose 1</b>	High
<b>Purpose 2</b>	High
<b>Purpose 3</b>	High
<b>Purpose 4</b>	Medium

**Summary of Assessment**

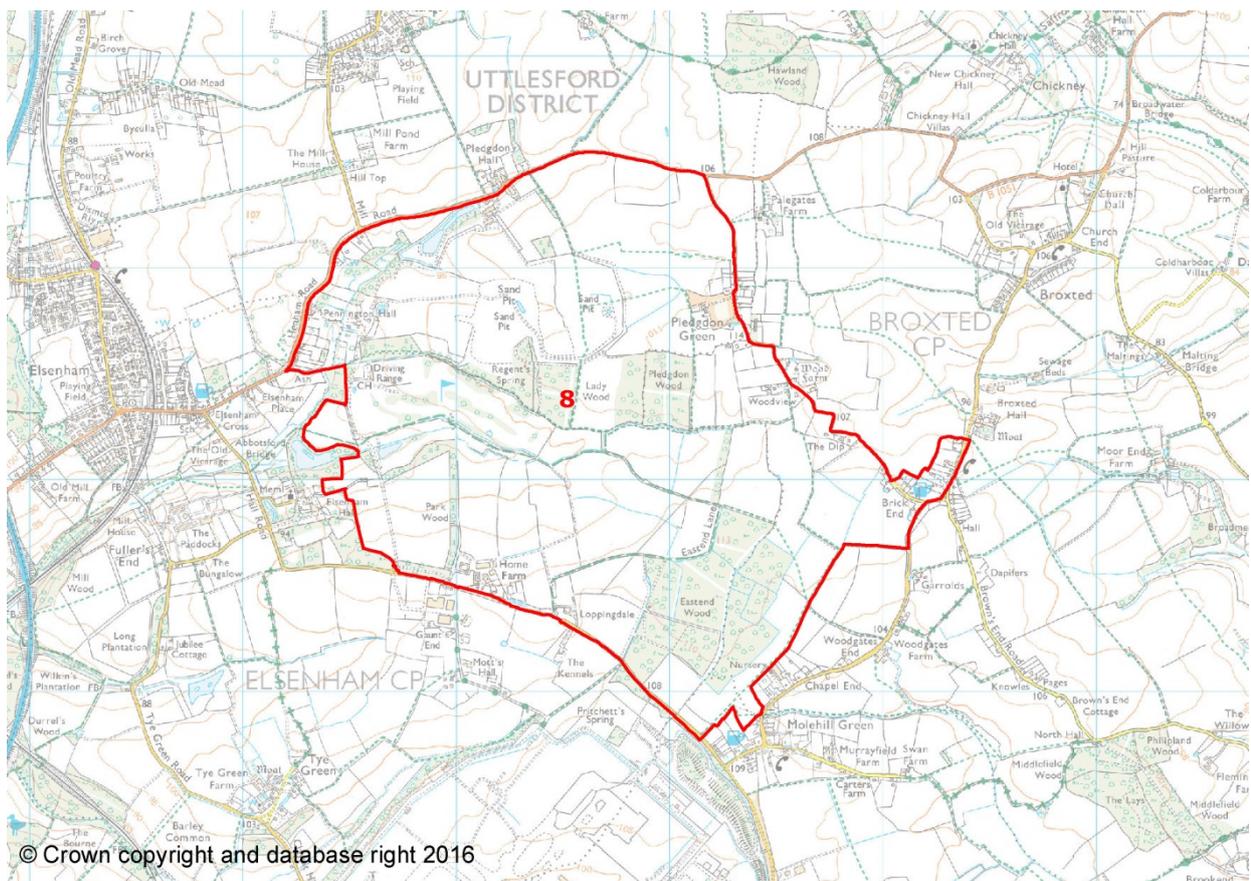
Resultant harm to CPZ purposes if parcel released from the CPZ:

<b>1. To protect the open characteristics of the CPZ</b>	<b>High</b>
The parcel contains very limited development and has a strong sense of openness. Land use within the parcel includes a mixture of arable fields and pasture on settlement edges. Settlement is dispersed, with the small hamlets of Molehill Green, Chapel End, some isolated farms, moated halls and cottages.	
<b>2. To restrict the spread of development from the airport</b>	<b>High</b>
Land within the parcel is poorly contained by weak barrier features such as field boundaries and minor lanes. The parcel is bounded by minor roads including Brown’s End Road to the west and the road between the airport perimeter and Brick End to the north and field boundaries. There are no distinct boundary features such as major roads so, without the CPZ, there is high potential for airport development to occur.	

<b>3. To protect the rural character of the countryside (including settlement) around the airport</b>	<b>High</b>
<p>The land parcel contains unspoilt countryside which is largely intact and rural in character, including gently undulating farmland on either side of the River Roding. The parcel contains a mix of field sizes and is characterised by peaceful winding sunken lanes such as Brown’s End Road. The hamlet of Molehill Green, Chapel End and the historic farmsteads contribute to the rural character of the parcel.</p> <p>The landscaped areas on the western perimeter of the airport provide effective screening and visual intrusion from the airport is minimal.</p>	
<b>4. To prevent changes to the rural settlement pattern of the area by restricting coalescence</b>	<b>Medium</b>
<p>The parcel plays a limited role in protecting the rural settlement pattern of Molehill Green and Chapel End and preventing coalescence with the airport.</p>	
<b>Consideration of alternative CPZ boundaries</b>	
<p>No alternative boundaries have been identified.</p>	

**Parcel: 8 Pledgdon Green**

**Parcel Size (Ha) : 473**



**Parcel’s Contribution to the Purposes of the Countryside Protection Zone**

<b>Purpose 1</b>	High
<b>Purpose 2</b>	High
<b>Purpose 3</b>	High
<b>Purpose 4</b>	Low

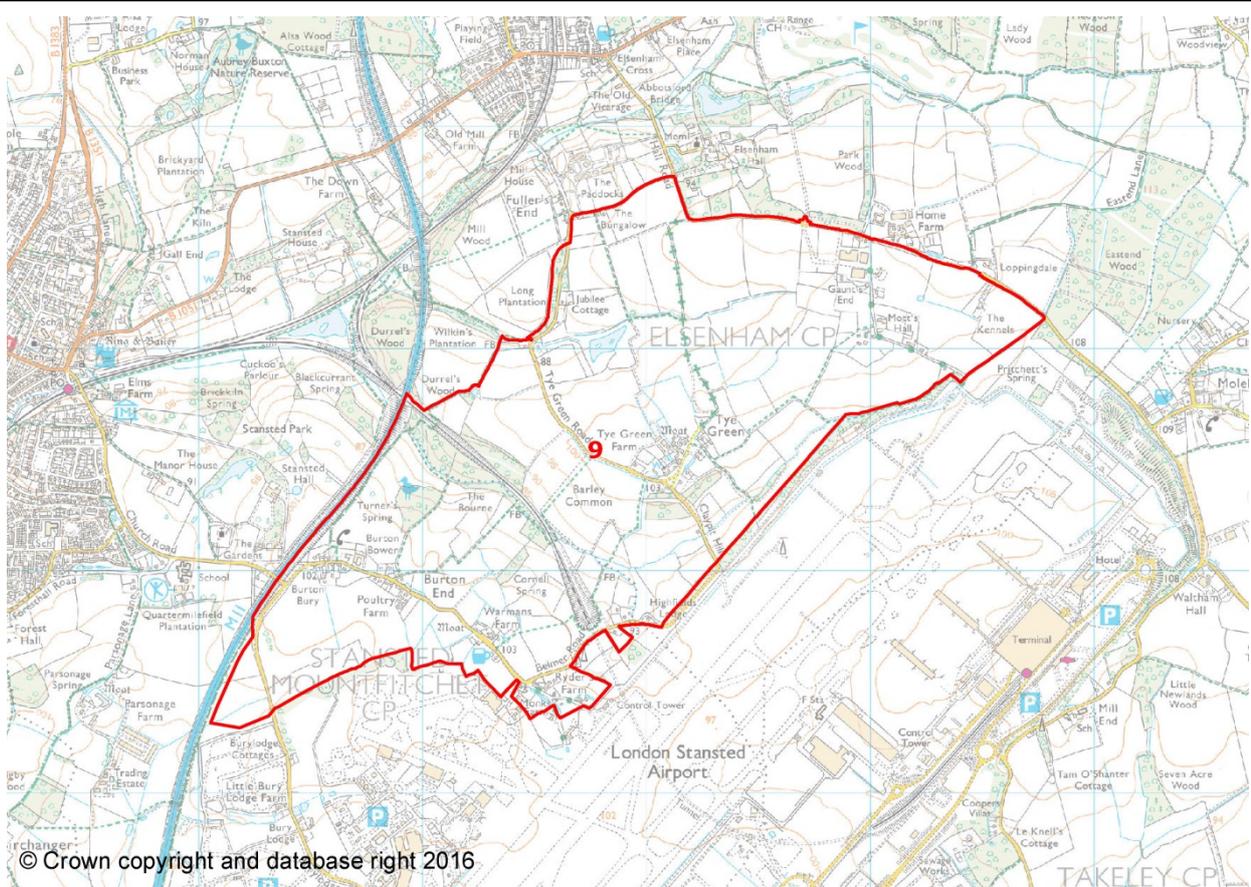
**Summary of Assessment**

Resultant harm to CPZ purposes if parcel released from the CPZ:

<b>1. To protect the open characteristics of the CPZ</b>	<b>High</b>
<p>The parcel contains very limited development and has a strong sense of openness. Land use within the parcel includes a mixture of arable fields and large woodland blocks. Settlement is dispersed, with isolated farms, moated halls and cottages and the small hamlets of Brick End and Okedgdon Green which are distinct from the airport.</p> <p>The urban edges of Elsenham, including the Elsenham Golf Centre, have an influence on the parcel, which decreases moving east along the A1051 Henham Road from Elsenham. The Elsenham sand and gravel site is being restored back to agricultural land.</p>	
<b>2. To restrict the spread of development from the airport</b>	<b>High</b>
<p>Land within the parcel is poorly contained by weak barrier features such as field boundaries and minor lanes. Much of the parcel is bounded by minor roads, including Hall Road to the west and south west and by Henham Road (B1051) to the north and a minor road between Brick End and the B1051. The</p>	

<p>remainder are field boundaries along the back of houses in Molehill Green. There are no distinct boundary features such as major roads so without the CPZ there is high potential for airport development from the airport to occur.</p>	
<p><b>3. To protect the rural character of the countryside (including settlement) around the airport</b></p>	<p><b>High</b></p>
<p>The land parcel contains unspoilt countryside which is largely intact and rural in character, and displays key local landscape characteristics such as gently including farmland, large scale open fields with woodland blocks (including Plegdon Wood and Eastend Wood which are ancient woodland). The parcel is characterised by peaceful winding sunken lanes including Brown's End Road. The attractive historic hamlets of Brick End and Plegdon Green and farmsteads (Wood Farm, Home Farm) contribute to the rural character of the parcel.</p> <p>Urbanising influences are limited to the urban edges of Elsenham in terms of development along the B151. There is limited inter-visibility between the airport and the parcel due to intervening vegetation on the boundaries of the airport and along Hall Road.</p>	
<p><b>4. To prevent changes to the rural settlement pattern of the area by restricting coalescence</b></p>	<p><b>Low</b></p>
<p>The land parcel retains a rural settlement pattern as the dispersed hamlets within the parcel are distinct from each other and from the airport.</p> <p>The parcel plays a limited role in preventing coalescence between settlements or between the airport and neighbouring settlements.</p>	
<p><b>Consideration of alternative CPZ boundaries</b></p>	
<p>No alternative boundaries have been identified.</p>	

**Parcel: 9 Tye Green**  
**Parcel Size (Ha) : 404**



**Parcel's Contribution to the Purposes of the Countryside Protection Zone**

<b>Purpose 1</b>	Medium
<b>Purpose 2</b>	Medium
<b>Purpose 3</b>	Medium
<b>Purpose 4</b>	Medium

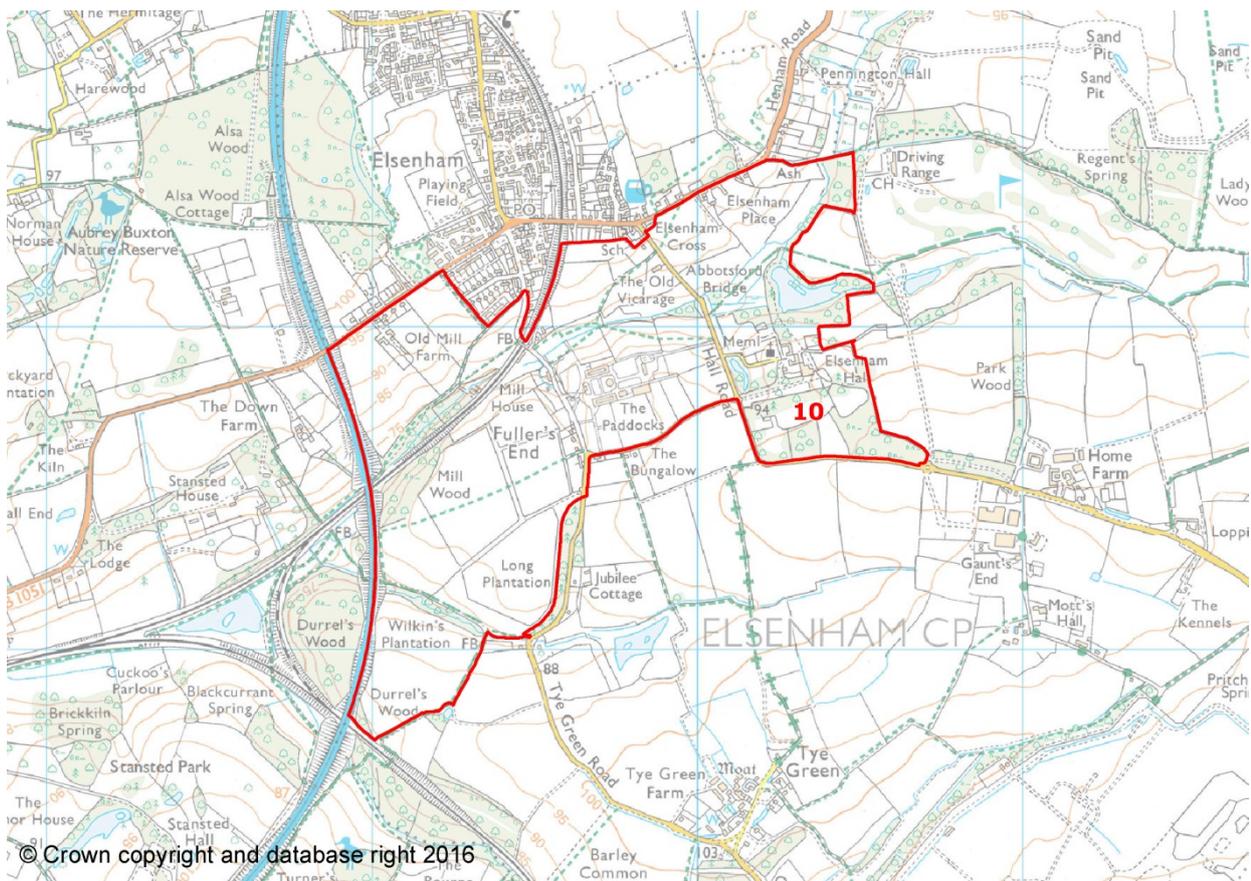
**Summary of Assessment**

Resultant harm to CPZ purposes if parcel released from the CPZ:

<b>1. To protect the open characteristics of the CPZ</b>	<b>Medium</b>
<p>The parcel contains limited development and has a strong sense of openness. Land use within the parcel includes a mixture of arable fields and small woodlands. Settlement is dispersed, with small hamlets (Tye Green and Burton End) which are distinct from the airport and isolated farms, moated halls and isolated cottages.</p> <p>Development within the parcel compromises this sense of openness. Development is concentrated around Gaunt's End and includes the redevelopment of the Elsenham Jam Factory and hotels and new commercial premises along Hall Road (TriSail Towers). The M11 which runs along the western boundary of the parcel.</p>	
<b>2. To restrict the spread of development from the airport</b>	<b>Medium</b>
<p>Land within the parcel is poorly contained by weak barrier features such as field boundaries and minor lanes. Much of the parcel is bounded by minor roads, including Hall Road to the east and by Belmer</p>	

<p>Road to the west.</p> <p>However, the M11 is a strong durable barrier feature which has the potential to prevent the outward spread of development from the airport to the countryside to the west of the motorway, and so reduces the potential role of the parcel in performing this purpose.</p>	
<p><b>3. To protect the rural character of the countryside (including settlement) around the airport</b></p>	<p><b>Medium</b></p>
<p>The parcel contains the characteristics of the countryside with limited urbanising elements.</p> <p>The parcel is characterised by gently undulating farmland which slopes to the Bourne, open fields with ditched boundaries and peaceful winding sunken lanes (Tye Green Lane). Historic greenside hamlets such as Tye Green and farmsteads (Tye Green Farm, Warman’s Farm) and historic halls (Mott’s Hall) contribute to the rural character of the parcel.</p> <p>New commercial developments along Hall Road such as Trisail Towers and the redevelopment of the Jam Factory at Gaunt End detract from the countryside character of the parcel. The M11 which runs along the western boundary and the railway which bisects the parcel are the source of visual and audible intrusion.</p>	
<p><b>4. To prevent changes to the rural settlement pattern of the area by restricting coalescence</b></p>	<p><b>Medium</b></p>
<p>The land parcel retains a rural settlement pattern as hamlets within the parcel are distinct from each other and from the airport. The parcel therefore plays some role in preventing coalescence between the airport and neighbouring settlements such as Elsenham.</p>	
<p><b>Consideration of alternative CPZ boundaries</b></p>	
<p>No alternative boundaries have been identified.</p>	

**Parcel: 10 Elsenham**  
**Parcel Size (Ha) : 140**



**Parcel's Contribution to the Purposes of the Countryside Protection Zone**

<b>Purpose 1</b>	Medium
<b>Purpose 2</b>	Medium
<b>Purpose 3</b>	Medium
<b>Purpose 4</b>	Low

**Summary of Assessment**

Resultant harm to CPZ purposes if parcel released from the CPZ:

<b>1. To protect the open characteristics of the CPZ</b>	<b>Medium</b>
<p>The parcel contains limited development and has a relatively strong sense of openness. Land use within the parcel includes a mixture of small pasture and woodland along Stansted Brook and around Elsenham Hall. The only settlement, the small hamlet of Fuller's End, is linked to Elsenham by a footbridge. Residential development on the edge of Elsenham compromises the sense of openness on the northern boundary of the parcel.</p>	
<b>2. To restrict the spread of development from the airport</b>	<b>Medium</b>
<p>Land within the parcel is poorly contained by weak barrier features such as field boundaries and minor lanes. Much of the parcel is bounded by minor roads, including Tye Green Road to the south and Henham Road (B1051) to the north. The edge of the woodland around Elsenham Hall marks the boundary to the west. However, the M11 on the western boundary and the railway line to the north west are durable barrier</p>	

features which have the potential to prevent the outward spread of development from the airport to the countryside and so reduces the role of the parcel in performing this purpose.	
<b>3. To protect the rural character of the countryside (including settlement) around the airport</b>	<b>Medium</b>
<p>The land parcel contains characteristics of the countryside with limited urbanising elements. The parcel consists of a gently sloping river valley with a small to medium scale field pattern. The river is demarcated by woodland belts. The wooded parkland around Elsenham Hall contributes to the rural character of the parcel.</p> <p>The M11, the railway and the urban edge of Elsenham are urbanizing elements that detract from the countryside character of the parcel.</p>	
<b>4. To prevent changes to the rural settlement pattern of the area by restricting coalescence</b>	<b>Low</b>
<p>The land parcel retains a rural settlement pattern south of the railway line, and the hamlet of Fuller's End is distinct from Elsenham to the north and the airport to the south. However, the parcel plays a limited role in preventing coalescence between Fuller's End and the Elsenham as the two settlements are separated by the railway line. Any development within the parcel would lead to a small reduction in the gap between Elsenham and the airport.</p>	
<b>Consideration of alternative CPZ boundaries</b>	
<p>Consider moving the northern boundary of the parcel to the line of the railway line, which itself could prevent the outward spread of development from the airport and the coalescence between the airport and Elsenham to the north.</p>	



Harp's Farm, Bedlar's Green



**Committee:** Uttlesford Planning Policy Working Group

**Agenda Item**

**Date:** 9 June 2016

**5**

**Title:** Development Management Policies (part 1)

**Author:** Hannah Hayden Planning Officer

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### Summary

1. The appended report sets out some of the draft development management (DM) policies for inclusion in the new local plan.

### Recommendations

2. To comment on the draft policies

### Financial Implications

3. None

### Background Papers

4. None

### Impact

- 5.

Communication/Consultation	Internal consultation with Development Management, Housing strategy, Landscape and Conservation Officers.
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. The local plan will contain a number of DM policies which will guide decision making on applications for planning permission.
7. The starting point in drafting the DM policies were the policies proposed in the withdrawn local plan, the Inspectors questions and comments on the withdrawn plan, government policies and legislation and meetings with development management team, housing strategy and conservation officers.
8. The appendix sets out the DM policies for the following chapters:
  - Employment
  - Retail
  - Housing
  - Environmental Protection
  - Development in the Countryside
  - The Historic Environment
9. Amendments to supporting text and policies have been suggested as well as deletion of policies and introducing new ones. There are also a number of points members need to consider including the need to formally adopt the Essex Design Guide and the changes to Building Regulations, as set out below.
10. There have been a number of changes to the building regulations following the Housing Standards Review, the Code for Sustainable Homes has been abolished and a number of requirements for sustainability and accessibility have been incorporated into Building Regulations. National space standards for housing have been introduced; these are optional requirements which can be included in local plan policy. Within the new Building Regulations there are a number of optional requirements which deal with water consumption, access and wheelchair users. These changes and the implications on local plan policies have been discussed in the appended report.
11. The policies concerning design, natural environment, access and infrastructure will be reported to the working group in July.

## Risk Analysis

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.

## Draft Development Management Policies:

- Employment Policies
- Retail Policies
- Housing Policies
- Environmental Protection
- Development in the Countryside
- The Historic Environment

The policies which have been reviewed are those contained in the Withdrawn Plan, to see them in full please use the following link: <http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=3056&p=0>

The proposed amendments have taken account of the following:

- 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
- Meetings with Development Management team, Conservation Officers and Housing Officers.

Policy Number	Title of Policy	Retain with no change/ retain with changes/ delete/ new policy
<b>Employment Policies</b>		
<b>EMP2</b>	Non Estate Employment Use	Retain supporting text and policy with no change Note: Even though the new PD rights allow for a number of change of use without planning permission there are some restrictions such as size threshold which is when this policy will apply. It is therefore considered important to retain this policy.

<b>Retail Policies</b>		
<b>RET1</b>	Town and Local Centres and Shopping Frontages	In discussion with DM regarding this policy.
<b>RET2</b>	Loss of Shops and Other Facilities	Retain with no change.
<b>RET3</b>	New Shops in Rural Areas	Amend policy as a result of meeting with Development Management team.
<p>Policy RET3 – New Shops in Rural Areas For settlements where a Town or Local Centre is not identified, planning permission will be granted for new shops/post offices on sites beyond development limits where the following criteria are met:</p> <ol style="list-style-type: none"> <li><del>the retail function is restricted to convenience goods/food;</del></li> <li>the proposal is of a size compatible with the catchment area it is intended to serve;</li> <li>the site is well related to the village and has the potential to reduce the need for travel by car;</li> <li>there would be no adverse impact on existing shops within the catchment area; and</li> <li>there are no suitable alternative sites within development limits.</li> </ol>		

Housing Policies										
<b>HO1</b>	Housing Density	Retain supporting text with no changes. Retain policy with changes. Note: NPPF paragraph 47 states that ‘To boost significantly the supply of housing, local planning authorities should: set out their own approach to housing density to reflect local circumstances.’								
Proposals for new housing development should fall within the density ranges below:										
<table border="1"> <thead> <tr> <th>Location</th> <th>Number of Homes per Hectare</th> </tr> </thead> <tbody> <tr> <td>Within town Development Limits of Saffron Walden and Great Dunmow</td> <td>35-67</td> </tr> <tr> <td>Within Development Limits of any other settlement</td> <td>30-50</td> </tr> <tr> <td>Adjacent to an settlement</td> <td>30-50</td> </tr> </tbody> </table>			Location	Number of Homes per Hectare	Within town Development Limits of Saffron Walden and Great Dunmow	35-67	Within Development Limits of any other settlement	30-50	Adjacent to an settlement	30-50
Location	Number of Homes per Hectare									
Within town Development Limits of Saffron Walden and Great Dunmow	35-67									
Within Development Limits of any other settlement	30-50									
Adjacent to an settlement	30-50									
<p><b>Unless the following factors dictate otherwise:</b></p> <ul style="list-style-type: none"> <li>• <b>The size and shape of the site, including any significant heritage, landscape or wildlife features;</b></li> <li>• <b>The character and density of any surrounding development;</b></li> <li>• <b>The impact of development on the residential amenity of adjoining dwellings;</b></li> <li>• <b>Where appropriate the impact of the development on the wider settlement, including long distance views;</b></li> <li>• <b>The need to provide well designed public space and parking facilities; and</b></li> <li>• <b>Good quality design and layout</b></li> </ul>										
<b>HO2</b>	Housing Mix	Amend policy as a result of meeting with Development Management team.								
<p>It is important that the plan provides for a choice and mix of housing across the District in order to create balanced and sustainable communities in two respects: within a larger site, and villages as a whole in the case of smaller settlements. Widening housing choice broadens the appeal of an area and helps in meeting the needs of existing residents. The council will expect the mix of new residential schemes to reflect the most recent Strategic Housing Market Assessment evidence of need taking into account local character considerations and viability. <b>Viability needs to be demonstrated at the time of application.</b></p> <p><b>Policy HO2</b> All proposals for new housing developments of 5 dwellings or more or 0.17 hectares and above will be required to <del>provide a mix of dwelling types and size to meet the needs of the local area and the district as a whole</del> <b>include a significant proportion of 3 bed market housing</b> as evidenced by the most recent Strategic Housing Market Assessment and local character and viability.</p>										
<b>HO3</b>	Subdivision of Dwellings and Dwellings in Multiple Occupancy	Retain supporting text; amend policy to reflect suggestion at Development Management meeting. For this policy to be amended the Essex Design Guide will need to be formally adopted.								
<p>The subdivision of dwellings into two or more units or the change of use of dwellings to houses of multiple occupancy will be permitted provided that:</p> <ul style="list-style-type: none"> <li>• Sufficient car parking is provided in accordance with the <b>Essex Design Guide and Local standards;</b></li> <li>• There would be no material overlooking of neighbouring properties;</li> </ul>										

- A reasonable amount of amenity space is available **provided in accordance with the Essex Design Guide** for the occupiers of the newly-created units
- ~~Within dwellings in flood risk area, no sleeping accommodation is provided on the ground floor unless floor levels are set appropriately above the relevant flood levels and~~
- The development would not have a detrimental effect on the character of the area by reason of:-
  - On street parking; or
  - The loss of garden space for use as car parking; or
  - ~~The likelihood of general noise and disturbance.~~ The resulting development would not result in unreasonable noise and disturbance to the occupiers of neighbouring properties from vehicles or any other cause.

<b>HO4</b>	Residential Extensions	Retain policy with no change, amend supporting text as a result of Development Management meeting and taking into account changes enforced by the Housing Standards Review.
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While extensions to the home reduce the stock of smaller, cheaper housing, and extensions may be the only way many households can afford to secure the accommodation they need as their requirements change and facilitating in reducing housing stock pressure. The Council will refer to design guidance which has been approved by the Council e.g. The Essex Design Guide in determining planning applications for extensions. ~~All applications for extensions will have to be accompanied by a home energy assessment form and the applicant will be notified of energy saving measures that the Council will require as part of the conditions of granting planning permission for the extension.~~ Additional care is required when extending homes in the countryside to ensure the character of the area is protected. ~~Extension to Listed Buildings will also have to maintain any features of architectural and/or historic interest which caused them to be listed.~~

<b>New Policy</b>	House Extensions and Replacement Dwellings in the Countryside	A need was identified in the meeting with Development Management for a specific policy dealing with extensions in the countryside.
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**Supporting text :**

**To help protect the character of Uttlesford’s countryside there is a need to control the amount of new development. The erection of replacement dwellings and extensions to existing houses can individually, and cumulatively over a period of years, have an adverse impact both on the character of individual properties and their surroundings.**

**Policy :**

**Proposals to extend or replace existing dwellings within the area designated as Countryside will be permitted provided that the proposal:**

- **would not result in a disproportionately large increase in the height or scale of the original dwelling, and**
- **would not materially increase the impact of the dwelling on the appearance of the surrounding countryside.**

**In addition to the above criteria a replacement dwelling will be permitted provided that the proposed dwelling is on the footprint of the existing dwelling unless the applicant can demonstrate why the dwelling would be best located elsewhere on the plot.**

**In determining what constitutes a ‘disproportionately large increase’ account will be taken of the size of the existing dwelling, the extent to which it has previously been extended or could be extended under permitted development rights, and the character of the area.**

<b>New Policy</b>	House Extension to Dwellings in the Green Belt	A need was identified in the meeting with Development Management for a specific policy dealing with extensions to dwellings in the Green Belt.
<p><b>Supporting Text</b>  <b>The Council is concerned about the impact created by extensions to existing dwellings on the openness of the Green Belt.</b></p> <p><b>Very large extensions or poorly designed and located ones, individually, collectively and cumulatively, would damage the character of the Green Belt. While householders should have some scope to adapt and extend their homes to suit their own requirements, this will inevitably be more limited in the Green Belt than in other areas.</b></p> <p><b>The extension of a dwelling in the Green Belt may be appropriate development provided that it would not result in disproportionate additions over and above the size of the original dwelling. As a general rule no extension will be approved that would either by itself or taken together with outstanding permissions and previous extensions to the property, make the property more prominent or visually obtrusive.</b></p> <p><b>Policy</b>  <b>Extensions to dwellings in the Green Belt will be permitted subject to meeting the following criteria:</b></p> <ul style="list-style-type: none"> <li>• <b>the extension is well related to the existing building in terms of design, bulk, scale and materials;</b></li> <li>• <b>the proposed volume of the extension, taking into consideration any previous extensions, is proportional and subservient to the original dwelling</b></li> <li>• <b>the development does not materially harm the openness of the Green Belt through excessive scale, bulk or visual intrusion</b></li> <li>• <b>the resulting building (including any earlier extensions and alterations or replacement) should not result in an increase of more than 50% of the floor area of the original dwelling.</b></li> </ul>		
<b>H05</b>	Residential Development in Settlements without Development Limits	After discussions with development management it has been decided to come back to this policy once the strategy for development has been decided.
<b>H06</b>	Replacement Dwellings in the Countryside	Update policy and supporting text as suggested by the Council in their response to the Local Plan Inspectors initial soundness concerns.
<p>In certain circumstances the provision of replacement dwellings in the countryside will be acceptable. These are set out in the policy below together with the criteria that will need to be complied with and the requirements that will be placed upon the grant of planning permission.</p> <p><b>Policy H06</b>  <b>The replacement of existing dwellings will be permitted providing:</b></p> <ul style="list-style-type: none"> <li>• <del>the existing property does not make a positive contribution to the local character of the area;</del></li> <li>• <del>the replacement will result in a visual improvement to the site and the surrounding area;</del></li> <li>• <b>the proposed dwelling is on the footprint of the existing dwelling unless the applicant can</b></li> </ul>		

<p>demonstrate why the dwelling would be best located elsewhere on the plot;</p> <ul style="list-style-type: none"> <li>• <del>the proposed dwelling is not harmful to the landscape by reason of its size, scale, setting or design; and</del></li> <li>• <del>the replacement dwelling is not harmful to the landscape by reason of its size, scale, setting or design.</del></li> <li>• <b>the scale, form and massing and height of the proposed dwelling is appropriate to the local context of the site, the existing dwelling, and the character of the surrounding landscape.</b></li> </ul> <p>If the proposed new dwelling is not on the footprint of the original, the existing house will be required to be demolished within a month of the first occupation of the new house. In order to make sure that the new dwelling remains of proportionate size to that which it replaces, permitted development rights may be removed.</p>		
<b>HO7</b>	Affordable Housing	Amend supporting text and policy as a result of meeting with housing officers and development management team, and taking account of changes in legislation.
<p>Supporting Text – additional paragraphs after 11.33:</p> <p>Policy          Developments on sites of 15 dwellings or more or sites of 0.5ha or more will be required to provide 40% of the total number of dwellings as affordable dwellings on site.</p> <p>Developments on sites of 11-14 dwellings will be required to provide 20% of the total number of dwellings as affordable dwellings on site or an equivalent financial contribution as advised by the District Council.</p> <p>Developments on sites of 6-10 dwellings XXX (waiting for the Council to adopt the amended Developer Contributions Guide)</p> <p>Where it can be evidenced to the satisfaction of the council that these requirements would render the development unviable the council will negotiate an appropriate proportion.</p> <p><b>Developers may not circumvent this policy by artificially subdividing sites. Where sites are subdivided, the Council will normally expect each subdivision or smaller development to contribute proportionally towards achieving the amount of affordable housing which would have been appropriate on the whole or larger sites.</b></p> <p><b>To prevent the loss of affordable housing to the general housing market, the Council will, where appropriate, expect long term safeguards to be in place to ensure the benefit of affordable housing will be enjoyed by successive occupiers. This will normally be secured by an agreement under section 106.</b></p>		
<b>HO8</b>	Affordable Housing on Exception Sites	Amend supporting text and policy as suggested by the Council in their response to the Local Plan Inspectors initial soundness concerns and discussions with Development Management and Housing Officers.

Supporting text:

It is important to establish that a need exists and then to make sure that accommodation is made available for those people who have a genuine need for housing in the locality that they cannot meet in the market. Such people may for example, include residents who need separate accommodation locally, ~~those who provide an important local service~~ **keyworkers** or people who have longstanding links with the local community, such as people who used to live in the village but were forced to move away because of a lack of affordable housing, and people who need to move away because of a lack of affordable housing, and people who need to move back into a village to be near relatives. 'local' in this context means 'within the parish', principally, although the needs of those who live or work in an adjoining parish may also be accepted. This would particularly apply where a scheme is proposed in a larger village that would meet the needs of adjoining smaller communities. Properties need to meet an identified local need and be provided and maintained by a registered or other provider, to be agreed by the Council at an early stage. On some exception sites the Council may consider development that includes cross-subsidy from open market sales on the same site. The applicant would need to demonstrate to the Council's satisfaction that a mixed tenure scheme was essential to the viability and delivery of the development.

Policy

Development of affordable housing will be permitted outside settlements on a site where housing would not otherwise normally be permitted, if it meets all the following criteria:-

- the development will meet a demonstrable local need that cannot be met in any other way;
- the development is of a scale appropriate to the size, facilities;
- the site adjoins the settlement; and
- **there is an up to date housing needs survey, up-to-date being in the past 3 years.**

The inclusion of market housing in such schemes will be supported provided that:-

- viability appraisals demonstrate that the need for the market housing component is essential for the successful delivery of the development; and
- The proportion of market housing is the minimum needed to make the scheme viable.

<b>HO9</b>	Agricultural/Rural Workers Dwellings	Delete policy as this covered by the NPPF paragraph 55, bullet point 1.
<b>HO10</b>	Removal of Agricultural/Rural Workers' Dwelling Occupancy Conditions	Delete as above.
<b>HO11</b>	Sites for Gypsies, Travellers and Travelling Showpeople	Retain with no change. Although the definition regarding Gypsy and Travellers have changed this does not affect the proposed policy.

**Potential New Policies**

Uttlesford has an aging population and the population of older people living in the District has risen over the last 10-15 years. Therefore it is considered important to include a policy regarding the development of bungalows.

At the moment the Council require 5% bungalows on sites of 10+ dwellings, however no policy exists to support this approach.

The Council also needs to consider the implications of the change in building regulations and the introduction of the optional requirements - please see 'Things to Consider' below.

**Supporting text :**

**Uttlesford has an ageing population which has clear implications for the future delivery of housing over the plan period. It is therefore essential that planning policy be provided to ensure that the needs of older people are met over the plan period. The Local Plan aims to give people more choice and control over where and how they live and receive care.**

**Policy**

**Developments on sites of 10 dwellings or more will be required to provide 5% of the total number of dwellings as bungalows.**

**Applications for new build residential development should meet the Building Regulations Approved Document M Volume 1 optional access requirement under Category 2: Accessible and adaptable dwellings.**

**XX% of units should be designed in accordance with the Building Regulations Approved Document M Volume 1 optional access requirement under Category 3: Wheelchair user dwellings.**

**Things to Consider**

**Access to and use of dwellings: wheelchair user homes**

Approved document M of the Building Regulations introduces minimum specifications for wheelchair user dwellings (M4(3)). This is subdivided into:

- Wheelchair Adaptable Dwellings M4(3)(2a) and
- Wheelchair Accessible Dwellings M4(3)(2b) which are fitted out for occupation by a wheelchair user.

The National Planning Practice Guidance states that category M4(3)(2b) may only be required for wheelchair user dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling. M4(3)(2b)) may therefore only apply to social rented and affordable rented homes, all other wheelchair user dwellings may only be conditioned to meet M4(3)(2a) standard.

Uttlesford's new local plan could require a % of all homes to achieve M4(3) standards. This requirement would relate to either private or affordable homes provided through major developments.

**Access to and Use of Dwellings: Accessible Homes**

Approved document M introduces the category Accessible and Adaptable Dwellings M4(2). if new homes are not conditioned to this category then they will only need to meet standard M4(1) - Visitable dwellings.

It could be that Uttlesford's new local plan will require all non-wheelchair user dwellings to meet M4(2) standard where practical and viable.

**Evidence needed**

Guidance had made clear that the optional technical standards should only be required through new Local Plan policies if they address a clearly evidenced need and where their impact on viability has been considered.

LPA's should look at their housing needs assessment and other available datasets. It is up to the LPA to set out how they will evidence need for requiring M4(2) and/or M4(3).

Uttlesford can take into account the following:

- the likely future need for housing for older and disabled people
- size location, type and quality of dwellings needed to meet specifically evidenced need
- the accessibility and adaptability of existing housing stock
- how needs vary across different housing tenures
- impact on viability

To guide LPA's in appraising this data the Government has produced a summary data sheet which sets out useful data and sources of information that can be used to inform the assessment of need.

Where a LPA adopts a policy to provide enhanced accessibility pf adaptability it should only be done by reference to M4(2) and / or M4(3). it should clearly state in the Local Plan what proportion of new dwellings should comply with the requirements

### **Conclusion**

Officers consider that there is enough time to gather evidence to include a policy in the local plan requiring M4(2) and M4(3)(2a).

### **Nationally Described Space Standards**

Where a LPA wishes to require an internal space standard in their local plan it should do so only by reference to the Nationally Described Space Standards.

Where a need for internal space standards is identified LPA's should provide evidence and justification for requiring internal space policies. LPA's should take into account the following:

- need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.
- viability – the impact of adopting the space standard should be considered as part of a plan's viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.
- timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions

### **Conclusion**

Officers consider that to evidence the requirement for dwellings to meet this standard will be time consuming. At present we have no existing data to justify the adoption of the National Space Standards.

At present development management officers consider space standards on a case by case basis reflecting the site constraints and commercial viability. Officer consider this should remain the Council's approach until such time that evidence emerges that the National Space Standards can be justified.

Environmental Protection Policies		
EN1	Pollutants	Amend policy as suggested by the Council in their response to the Local Plan Inspectors initial soundness concerns.
<p><i>Amended policy and supporting text -</i></p> <p>Policy EN1 The potential impacts of exposure to pollutants must be taken into account in locating development, during construction and in use.</p> <p>Planning permission will <b>not</b> be granted where the development and uses would <del>not</del> cause material <b>harm</b> disturbance or nuisance to occupiers of surrounding land uses or the historic and natural environment, <b>unless</b> or the need for development is <b>judged</b> to outweigh the effects caused and the development includes mitigation measures to minimise the negative effects.</p> <p>Developments sensitive to sources of nuisance will be permitted where the occupants would not experience significant nuisance, or the nuisance can be overcome by mitigation measures.</p> <p>Nuisance includes: Noise or vibrations generated, smell, dust, glare and light spillage, fumes, electromagnetic radiation, exposure to other pollutants.</p>		
EN2	Air Quality	Amend policy as a result of meeting with Development Management team.
<p>EN2</p> <p>Development will be permitted as long as it does not involve users being exposed on an extended long-term basis to poor air quality. The cumulative impact on air quality from a number of developments in a local area will be considered and mitigation measures may be required.</p> <p>Development within or affecting Air Quality Management Areas should include an air quality assessment detailing the impact of the new development on air quality and a mitigation strategy which shows how any adverse impacts will be addressed.</p> <p><b>In addition the Air Quality Management Area</b> a zone 100 metres on either side of the central reservation of the M11 and a zone 35 metres either side of the centre of the A120 have been identified as particular areas to which this policy applies.</p>		
EN3	Contaminated Land	Retain with no change
EN4	Waste and Recycling	Delete policy after discussions with Development Management.
EN5	Noise Sensitive Development	Amend policy after discussions with Development Management.
<p>Policy EN5</p> <p>Housing and other noise sensitive development will be permitted <del>where</del> <b>unless</b> the occupants <del>will not</del> experience significant noise disturbance. This will be assessed by using the most up to date and appropriate noise contour for the type of development and will take into account mitigation by design and sound proofing features.</p>		
EN6	Minimising Flood Risk	Amend policy as it repeats national policy and is over complicated.

Policy EN6

The Council will seek to locate development on land identified as being at the lowest probability of flood risk. Such land comprises land in Flood Zone 1 on the Environment Agency Flood Map which is all land outside Flood Zones 2 and 3 which is that land at medium and high probability of flooding respectively.

Flood risk assessments will be required in accordance with Environment Agency standing advice.

*The rest of the policy, including the table, is to be deleted as it repeats national policy.*

EN7

Surface Water Flooding

Amend policy as proposed in the Councils Minor Modifications document and after discussions with Development Management.

*Amended policy -*

Policy EN7

All new development ~~including extensions~~, car parks and hard standings will incorporate Sustainable Drainage Systems (SUDs). Such systems will be expected to provide optimum water run-off rates and volumes taking into account relevant local or national standards and the impact of the Water Framework Directive on flood risk issues.

Only where there is a significant risk of pollution to the water environment, inappropriate soil conditions and/or engineering difficulties, should alternative methods of drainage be considered. If alternative methods are to be considered adequate assessment and justification should be provided and consideration should still be given to pre and post runoff rates. If this is not possible it will be necessary to demonstrate why it is not achievable.

Development proposals adjoining main rivers, ordinary watercourses and culverts should be set back to provide a suitable buffer in accordance with the relevant published guidance. Developments should not compromise the ability of organisations responsible for maintaining watercourses from accessing and undertaking works.

The Council will seek to restore/decultvert rivers through the determination of planning applications when and where the opportunity arises. Retrofitting of SuDS and how they will be maintained will be required as part of any planning application.

**SUDs systems should be designed so as not to increase the bird hazard risk or the safe operation of Stansted Airport or the movement of aircraft; where appropriate the implementation of a bird hazard management plan will be secured by condition or planning obligation.**

EN8

Protection of Water Resources

Change policy and supporting text in line with the Housing Standard Review 2015 which allows LPA to ask for 110 l/p/d if required by planning condition. As Uttlesford is an area of high water stress (source EA) Delete reference to the Code for Sustainable Homes as this is no longer in use.

		<p><b>Evidence will have to be collected to support the use of the lower optional l/p/d in local plan policy. Uttlesford is in an area of high water stress, this supports the need for the lower requirement.</b></p> <p>Highlighted text will need to be amended when the Water Cycle Study is updated.</p>
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*Amended policy and supporting text -*

Water supply in Uttlesford is managed and delivered by Affinity Water. The area supplied by Affinity Water is divided into three regions and eight water resource zones (WRZ) and Uttlesford falls within their Central Region and the Stort WRZ. Every 5 years Affinity Water publishes a Water Resource Management Plan (WRMP) which shows how the company plans to supply enough water to meet demand over the next 25 years. The most recent ~~draft WRMP~~ was published in ~~May 2013~~ **June 2014**.

Water use in Uttlesford is high. The current average per capita consumption for the Affinity Water Central Region is ~~166~~ **161.27** litres per person per day (l/p/d) for existing costumers, compared to a national average of 147 l/p/d and **121.92 and 126.19** in the East and Southeast Affinity Regions where higher levels of metering have been achieved. ~~Affinity Water have set a target in the WRMP of achieving a 20 litre reduction in average PCC over the next 25 years.~~ Changes to Building Regulations in 2010 require that the potential consumption of someone occupying a new home must not exceed 125 l/p/d.

~~The Water Cycle Study demonstrates that if the current rate of consumption remains constant and new dwellings only achieve 125 l/p/d total domestic demand could increase by nearly 8% on 2012/2013 levels depending on whether occupancy rates decrease or not. (Smaller households tend to have higher consumption figures because there is less opportunity to share water use).~~ The Council is unlikely to be able to have much influence on the consumption rates in existing properties but it can influence consumption in new homes through planning policy so in order to reduce consumption it is suggested that all new homes should meet a target of ~~105~~ **110** l/p/d ~~which equates to Sustainable Homes Code Level 3, subject to viability.~~ This can be done through the specification and installation of water efficient fixtures such as dual flush toilets, spray taps and showerhead flow regulators. ~~In order to achieve the Code for Sustainable Homes Level 5/6 target of 80 l/p/d it would be necessary to consider the use of Rainwater Harvesting or Grey Water Recycling to supplement the potable water supply in addition to water efficiency measures.~~ The Council can also influence consumption rates in its own stock. ~~The Water Cycle Study demonstrates for example that if the Council were able to reduce the PCC in all council owned properties to the DEFRA Target of 130 l/p/d then the reduction in demand would be enough to supply around 900 new dwellings at Sustainable Homes Code Level 3 (105 l/p/d).~~ For non-residential uses the Council is not intending to specify a standard across all uses as there may be variations in requirements between uses. All applicants will be expected to demonstrate how water efficiency will be achieved in their development.

Groundwater provides a third of the drinking water in England and Wales, and it also maintains the flow in many of the rivers. In some areas of Southern England, groundwater supplies up to 80% of the drinking water. It is therefore crucial that these sources are looked after to make sure that the water is completely safe to drink. The Environment Agency publishes information on the areas where contamination of ground water is a critical issue because they are near abstraction sites where water is drawn off for portable supply. There are a number of ground water protection zones in Uttlesford – under the reaches of the Cam, in the Pant Valley, the Chelmer Valley, and in the Stort Valley as shown on the policies map. A major

aquifer lies under most of the northern half of the District.

Development must minimise its impact on the environment by adopting environmental best practice and necessary measures to limit pollution to acceptable limits. The ability of waste water infrastructure to deal with the increased load arising from development is an important issue in protecting water resources, particularly the increase in the discharge rate from the sewage treatment works into rivers. It is therefore important to make sure that sufficient infrastructure exists or will be made available.

Policy EN8 Protection of Water Resources

Development will be supported where it is designed to minimise consumption of water, protect and enhance water quality and protect water resources. All new residential development should ~~aim to~~ achieve a ~~minimum~~ water efficiency target of ~~105~~ **110** l/p/d and development should also make adequate and appropriate provision for water recycling. The extent to which water consumption is reduced will be monitored against the current national or local targets. Major development applications will need to demonstrate the relevant measures that the scheme incorporates and the anticipated levels of water consumption. The proposed measures will need to result in the current targets being met in order to be acceptable.

Development will be permitted where it will not cause contamination of groundwater, particularly in the protection zones shown on the policies map, or contamination of surface water. Where there is the potential for contamination effective safeguards must be in place to prevent deterioration in current water standards. ~~Opportunities to improve water quality in all watercourses and water bodies will be undertaken where appropriate before development becomes operational.~~

Planning permission will only be granted for developments which increase the demand for offsite service infrastructure where:

- a. Sufficient infrastructure or environmental capacity already exists or
- b. Extra capacity can be provided in time to serve the development which will ensure that the environment and the amenities of local residents are not adversely affected.

When there is lack of capacity and improvements in off-site infrastructure are not programmed, planning permission will be granted where the developer funds appropriate improvements which will be completed prior to occupation of the development, or where the water company confirms the off-site infrastructure can be provided in a timely manner.

The use of deep soakaways (including boreholes or structure that bypass the soil layers) for surface water disposal will not be permitted unless the developer can show;

- 1. There is no viable alternative
- 2. That there is no discharge of pollutants to ground water
- 3. Pollution control measures are in place

<b>EN9</b>	Minerals Safeguarding	Delete policy as repeats policy in the Essex Minerals Local Plan – Policy S8.
<b>EN10</b>	Sustainable Energy and Energy Efficiency	Delete policy and supporting text in light of the amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015.

<b>NEW POLICY</b>	Energy Efficiency for new Commercial Development	This policy is proposed as the BREEAM standards still apply for commercial buildings.
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**Supporting Text:**

It is important for the Council to try and make sure that commercial buildings are built in a way which minimises the use of energy and so reduce carbon dioxide emissions, commercial buildings should be designed to avoid both overheating and the need for artificial cooling which can be energy intensive and to minimise heat loss in cold weather.

**Policy :**

In order to contribute towards meeting national targets for reducing CO2 emissions in all new commercial development, the Council will require all new commercial development to have a minimum energy efficiency target which accords with BREEAM very good rating, or such standards that replace them.

<b>New Policy</b>	Renewable Energy Sources	This following policy is proposed
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**Supporting Text:**

Energy efficiency measures will need to take into account the character and setting of any heritage asset such as a Conservation Area or a Listed Building. English Heritage provides guidance on providing renewable energy and achieving energy efficiency on historic buildings. It will be important to make sure that the architectural or historic integrity of areas and buildings or architectural or historic merit are not prejudiced by additional features which impact adversely on the character or appearance of the heritage asset. Some renewable energy projects may impact on protected species. The Council will take these impacts into account when determining planning applications e.g. a bat survey will be required for any application for a wind turbine.

**policy :**

Proposals to generate energy from renewable sources will be supported, in suitable locations, provided they are designed to reduce any impacts on landscape character, ecology and the natural and historical environment to an acceptable level. Provision should be made for the site to be cleared and reinstated to its previous use if the operation ceases.

<b>Development in the Countryside</b>		
<b>C1</b>	Protection of Landscape Character	Retain with no change
<b>C2</b>	Re-use of rural buildings	Delete policy and supporting text. New PD rights 'Development consisting of a change of use of a building and land within its curtilage from use as an agricultural building to a flexible use falling within Class A1, A2, A3, B1, B8, C1 or D2 of the Schedule to the Use Classes Order.'  PD Rights – agricultural buildings to

		dwelling houses 'Development consisting of a change or use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3'
<b>C3</b>	Change of Use of Agricultural Land to Domestic Garden	Retain with no change
<b>The Historic Environment</b>		
<b>HE1</b>	Design of Development within Conservation Area	Change policy to reflect comments the Council made in their response to the Inspectors initial questions and in discussion with Development Management.
<p>Policy HE1</p> <p>Development will be permitted where it preserves and enhances the character and appearance of the essential features of a Conservation Area, as identified in the Conservation Area Appraisal and including plan form, relationship between buildings, the arrangement of open areas and their enclosure, grain or significant natural or heritage features. Outline applications will not be considered. Development involving the demolition of a structure which positively contributes to the character and appearance of the area will not be permitted.</p> <p>Development involving the installation of renewable energy equipment will be permitted if the following criteria are met:-</p> <ul style="list-style-type: none"> <li>a) <del>There is minimal visual impact;</del> <b>there is no detrimental visual impact;</b></li> <li>b) <del>It is not located on principal elevations;</del></li> <li>c) It does not damage key views in, out or within the Conservation Area, including very visible secondary elevations;</li> <li>d) There is no loss in the overall character or historic interest of the Conservation Area; and</li> <li>e) <del>There is no cumulative impact through the installation of different types of equipment within the same property or group of properties leading to a loss of special interest of the Conservation Area.</del></li> </ul>		
<b>HE2</b>	Development affecting Listed Buildings	Retain with no changes
<b>HE3</b>	Scheduled Monuments and Sites of Archaeological Importance	Change supporting text and policy to reflect the comments the Council made in their response to the Inspectors initial questions and after discussions with Development Management.
<p>Para 14.16</p> <p><b>Applicant's applications proposing for</b> development affecting a scheduled monument or site of archaeological significance need to <b>consult</b> <del>refer to</del> the English Heritage Register of Scheduled Monuments <b>and</b> <del>or</del> the Historic Environment Records respectively and explain <b>how the significance of the heritage asset will be affected</b>. <del>Proposed development does not substantially harm the archaeological asset.</del> The developer will be expected to fund the pre-application survey work and any agreed preservation or recording work.</p>		

Policy HE3

Where nationally important archaeological assets, whether scheduled or not, and their settings, are affected by proposed development there will be a presumption in favour of their physical preservation in situ. The Council will seek the preservation in situ of archaeological assets unless the need for the development outweighs the importance of the asset.

In situations where there are grounds for believing that **historic assets** ~~sites, monuments~~ or their settings would be affected, developers will be required to arrange for an archaeological field assessment to be carried out prior to the application being submitted ~~before the planning application can be determined to~~ **define the significance of the assets and the developments impact thus allowing** ~~allow~~ an informed and reasonable planning decision to be made.

In circumstances where preservation **in situ** is not possible or feasible, then development will not be permitted until satisfactory provision has been made for a programme of excavation and recording before the development starts.

Development involving the installation of renewable energy equipment with Scheduled Monuments will generally be permitted if the following criteria are met:-

- a. There are no reasonable off site alternatives;
- b. Impact on important fabric is limited and reversible;
- c. The development involves the least damaging type of technology;
- d. There is no loss of special interest; and
- e. Where freestanding equipment is proposed there is no detrimental impact on the setting of the Monument.

<b>New Policy</b>	Protecting the Setting of Conservation Areas	After discussion with Development Management a gap in policy was identified and the following policy is now proposed
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**New Policy**

**Within or adjacent to a Conservation Area development will only be permitted where it is not detrimental to the character, appearance or setting of the Conservation Area and does not adversely affect listed buildings.**

<b>New Policy</b>	Non Designated Buildings of Local Importance	<p>After discussion with Development Management a gap in policy was identified and the following policy is now proposed.</p> <p>Note: For this policy to be adopted a list of locally important heritage assets needs to be drawn up. This involves officers assessing buildings against set criteria to determine whether or not they merit being registered on a Local List.</p> <p>The NPPF paragraph 169 recognises the importance of local listing.</p>
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**Supporting Text:**

**Uttlesford has a valuable historic environment containing many significant heritage assets including buildings which make a positive contribution to the local character and environment.**

**Many buildings are valued for their contribution to the local scene or for the local historical associations, but will not merit statutory listing, but can have local architectural or historic value.**

**The Council's Local List of Heritage Assets identifies buildings that make an important architectural or historical contribution to the local area. Although not statutory listed these buildings merit protection from development which adversely affect them.**

**There may be instances where it is discovered that a building has local heritage significance. The Council may identify new heritage assets at any stage of the planning process and their identification would be a material consideration in any planning decision.**

**Policy:**

**The planning authority will seek to ensure the retention, good maintenance and continued use of buildings of local interest. Whilst not enjoying the full protection of statutory listing, the design and the materials used in proposals affecting these buildings should be of a high standard compatible with the character of the building.**

**Development proposal which would have an adverse impact upon the character, form and fabric of the Building of Local interest and/or would have a detrimental impact on the setting of the building will be resisted.**