



Uttlesford District Council

Chief Executive: Dawn French

Planning Policy Working Group

Date: Tuesday, 19 July 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 the meeting held on 9 June 2016

3 - 12

To consider the minutes of the meeting held on 9 June 2016.

3 Matters Arising

To consider matters arising from the minutes

4 Project planning (papers to follow)

To consider project planning.

5 Duty to cooperate (verbal update)

To consider the duty to cooperate.

6 Any other items the Chairman considers urgent.

To consider any other items considered urgent.

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**PLANNING POLICY WORKING GROUP held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN on 9 JUNE 2016 at 7.00pm**

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

Officers in attendance: M Cox (Democratic Services Officer), N Brown (Development Manager), R Fox (Planning Policy Team Leader) R Harborough (Director of Public Services), S Nicholas (Senior Planning Policy Officer).

PP1 APOLOGIES FOR ABSENCE AND DECLARATION OF INTERESTS

An apology for absence was received from Councillor Lodge.

PP2 MINUTES

The minutes of the meeting held on 26 April 2016 were signed by the Chairman as a correct record.

PP3 BUSINESS ARISING

(i) Minute PP81 – Local Plan Project Plan

Councillor Parry asked whether the Council would be able to meet the deadline to approve the Development Strategy by the end of July, given that the working group had not yet received any information or discussed this matter.

The Planning Policy Team Leader explained that the workshop on 28 June would reveal the progress of the evidence, what this meant for the Development Strategy and give an indication of the possible options. The workshop was intended to give a full understanding of the issues. The subsequent report would set out the officers' opinion on the spatial options.

Councillor Parry said she had expected the working group to consider this matter prior to the workshop and hoped that the PPWG meeting wouldn't be a rubber stamping exercise. Cllr Rolfe said the special meeting on 12 July would give members the opportunity to go through the options in detail and make recommendations to Cabinet.

Councillor Dean asked about progress of the two outstanding appeals for the large developments at Elsenham and Little Easton. The Leader said he was pursuing this matter with the Local MP. He understood there had been two relevant cases in the High Court, which could affect

the outcome and the Inspector was seeking updates from the relevant parties to be submitted by 23 June. The timescale for the decision was still unclear but the Council would continue to press for a conclusion as soon as possible.

(ii) Minute PP82 – Duty to Cooperate

Councillor Barker reported on a recent meeting of the Duty to Cooperate Group, which included Uttlesford, Harlow, Epping Forest and East Herts. It had discussed the potential Memorandum of Understanding (MOU), for transport, housing distribution and air quality. All four authorities intended to start their submitted Local Plan with the same MOU for the whole market area.

In relation to a comment made at the last meeting, officers said they would check the status of the proposed development north of Harlow.

Councillor Parry was concerned at the lack of a written record of officer meetings with South Cambs. She felt it was important to have a paper trail of the duty to cooperate meetings. She asked was informed that cross boundary issues with South Cambs would be looked at as part of the Transport Assessment.

Cllr Parry referred to the officers' reply to Cllr Lodge's letter and asked a question about the Employment Land Review. This would be covered later in the agenda. In relation to utilisation of the Community Infrastructure Levy (CIL), she said there was no indication of the timing for this review or the consultation arrangements. She asked if the relative merits of using CIL or Section 106 agreements had been assessed and whether it was possible for the council to utilise both options.

She was informed that the last review had taken place after the preparation of the draft plan and had found a clear financial benefit for the S106 agreement. A further review would be undertaken when the infrastructure demands associated with the new Local plan proposals were clearer. It was confirmed that it was possible to run both methods although it was not possible for CIL to include works that were being directly funded by a S106 agreement.

PP4

COUNTRYSIDE PROTECTION ZONE (CPZ) REVIEW

The Chairman welcomed Katrina Davis from LUC to present the findings of the review of the Uttlesford Countryside Protection Zone.

Public speaking

Cllr Jackie Cheetham spoke on behalf of Takeley parish council. She said the parish council supported the findings that the CPZ should be retained and hoped that it would continue to be applied.

Dr Graham Mott a resident of Elsenham spoke about parcels 9 and 10 and was concerned that they had been rated as medium rather than high and asked for the boundary of parcel 10 to be redrawn to take account of the permission for a large housing development in the area.

A full copy of the statements is attached to the minutes

The Chairman also reported comments from district councillors Gleeson and Parr about removing the new housing development from plot 10, redrawing the boundary to the edge of the new development and to retaining the woodland around the railway line.

In reply to the speaker's comments, Katrina Davis said that a rating of high or medium meant that the parcel contributed to the CPZ. She understood that members were aware of local circumstances and detailed boundaries could be amended where appropriate.

Katina Davis explained the methodology for the review. It had first established the four main purposes of the CPZ, then defined parcels of similar land use and characteristics. The parcels were then assessed on how well they contributed to each of the four purposes, from low to high.

The headline results were as follows

Purpose 1: to protect the open characteristics of the CPZ - all the parcels scored medium/high.

Purpose 2: To restrict the spread of development from the Airport) - all parcels scored medium/ high and very high on the east of the district, where there were no other barriers to restrict development.

Purpose 3: To protect the rural nature of the countryside, incl settlement around the Airport - this was a qualitative assessment but all parcels scored high/medium.

Purpose 4: To prevent changes to the rural settlement pattern of the area by restricting coalescence - all scored medium/high but particularly high along the Dunmow Road, where it had an essential role in preventing coalescence.

The study assessed the harm caused by releasing the parcels and it was suggested that all the parcels should be retained, although some redrawing of the boundaries was suggested. It was concluded that the CPZ should be retained, it was essential for preserving the open countryside and to retain the vision of an airport in the countryside.

Members asked about the policy for considering planning applications in the CPZ. The Development Manager said that because the CPZ had not been reviewed for some time, the council was required to consider prospective applications. Planning officers would apply the test of whether the development would prejudice the intentions of the CPZ policy.

Councillor Dean mentioned parcel 9. This land was subject to existing planning permissions, including the Trisail development. It was agreed that the impact of the CPZ on this area should be considered.

Councillor Barker asked if it was possible to adopt the CPZ and Green Belt review prior to the adoption of the Local Plan. She was advised that each study should be looked at in the context of all other evidence when decisions were taken on the direction of the Local Plan.

The Leader thanked Katrina Davies for her presentation,

AGREED that the working group notes the published report, Uttlesford Countryside Protection Zone Study May 2016 and its adoption into the Local Plan evidence base.

PP5

DEVELOPMENT MANAGEMENT POLICIES - UPDATE

The working group received a report on the draft Development Management (DM) Policies for inclusion in the Local Plan. These included employment, retail, housing, environmental protection, development in the countryside and the historic environment. The policies concerning design, natural environment, access and infrastructure would be reported to the meeting in July.

The Development Manager said the working group would have a further opportunity to comment on the policies but the work was nearly complete. The areas still to be addressed were changes made by the Inspector, legislative changes, policies duplicated in the NPPG and to consider any new policies. He had arranged a workshop for the Planning Committee members on 22 June to go through the policies. All members were invited to attend.

Councillor Dean said the document before members was a hybrid of amendments and new polices but gave no overall context. It was confirmed that for the workshop members would receive the following documents:

- The full schedule of Development Management policies.
- The policies in the existing adopted plan where no change were proposed.
- The polices to be changed, with a clear indication of the amendments
- Details of new policies.

Members made the following comments on the policies

Councillor Dean asked about the new policy for the provision of bungalows and was informed that the proposed percentage came from the Housing Strategy. He also asked a number of questions around the affordable housing policies.

Cllr Loughlin said that policy HO11 should include the definition of gypsy and travellers as set out in the Housing and Planning Bill.

Under the policy for use of water resources, Cllr Barker asked if the installation of water meters was compulsory under building regs. The Development Manager said he would seek clarification.

Councillor Parry asked about the wording of policy EN2 Air Quality. The Development Manager said this was a positive policy ie the council will allow development if it doesn't affect air quality rather than refuse it if it does. He explained that the air quality levels were derived from the National Air Quality standards, which were nationally determined and measured by the council.

Under the proposed new policy for protecting the setting of conservation areas, Cllr Parry asked if there should be a policy to protect areas that although not directly adjacent to a development, were affected by through traffic. Officers agreed to consider this further.

Councillor Dean asked for a new policy in relation to windows in conservation areas.

In terms of consultation arrangements, it was explained that the Development Management policies would form part of the consultation on the draft local plan and would be before the Inspector for the Examination.

The report was noted.

PP6

5 YEAR LAND SUPPLY

The working group received a presentation on Uttlesford's 5-year housing land supply. The report explained the basis of the calculation, using the past completion rates and the estimated completion rates for the 5 year period. The council had applied the 5% buffer (rather than 20%) because it had not historically under delivered on its delivery target. The overall figure revealed a deficit of 28 dwellings over the 5 year period.

The Leader said he was reassured by the conclusion, although it would be helpful for the district to have greater headroom to rebuff applications for inappropriate developments. However, there had been some recent successful appeals based on the UDC 5- year land supply figure.

The Leader reported that ECC had recently produced a Housing Growth Strategy, which could be a helpful initiative for the District.

It was agreed that a copy of the presentation would be circulated to the group.

PP7

EMPLOYMENT LAND REVIEW

The Planning Policy Team Leader reported that the draft Employment Land Review had been received from the consultants and they were now looking at the issues raised by officers. The final report would be considered at the working group meeting on 19 July.

In answer to the earlier question from Councillor Parry, it was explained that the previous employment strategy had reflected the dispersal strategy and this had been taken as the starting point for the new study. However, it would not necessarily follow the previous findings on appropriate locations for employment sites. The study would form part of the evidence base for the plan and the sites would not be predetermined in any way.

PP8

PROJECT PLAN

The working group received a new version of the project plan. This included more detail, but was still work in progress and there was scope to include additional information.

Members were informed that the new Assistant Director, Gordon Glenday would be joining the authority on 13 June. There would also be some additional resource in the planning policy team to assist with project planning. A project board had been established, chaired by the Chief Executive, which met regularly to track any issues that might lead to slippage in the timetable.

The working group felt that the plan still lacked detail, in terms of the key milestones dates for the preparation of the evidence base and other elements including the duty to cooperate work. It also required a key and clearer labelling.

Councillor Dean was concerned at the close scheduling of the PPWG, Cabinet and Council meetings that would be making key decisions on the Local Plan. He was advised that there was little scope to lengthen this period without a subsequent extension of the timetable.

In terms of the consultation there was concern that this would be carried out over the Christmas period, but it was explained that to take account of this the consultation had been extended by two weeks.

The Leader said he would like the project plan to include the information requested by members.

The meeting ended at 8.30pm

ACTION POINTS

Minute PP3- CPZ review	To consider the points raised in relation to parcels 9 and 10.
Minute PP5 – Development Management Policies	To take on board the comments raised by members on specific DM policies.
Minute PP6 – 5 year land supply	To circulate the presentation to members of the group
Minute PP7 Employment Land review	To consider the report at the meeting on 19 July
Minute PP8 Project Plan	To include the additional details requested by members.

PUBLIC SPEAKING

Statement by Councillor Cheetham (Takeley Parish Council)

LUC recognised the origins of the policy in 1984, At the Airports inquiry report, Sir Graham Eyre QC had recognised Stansted as an airport in the countryside and based on this vision, in 1995 UDC had developed the CPZ policy to limit the physical size of the airport and retain an area of open countryside around the airport, that would not be eroded by coalescence. These requirement remain valid. LUC had recognised that the policy was helping to maintain the vision of an airport in the countryside and recommended that unless other planning policy considerations suggest otherwise, the CPZ is carried forward into the Local Plan.

Takeley Parish Council support the conclusion of LUC. It helps to maintain the openness of the countryside, protects the rural character and restricts the spread of the airport. For some parcels, particularly to the south the CPZ plays an essential role in protecting the separation of individual settlements. LUC identified that there has been some development along the Braintree road, which is incongruous with the proposed purposes of the CPZ. It is recommended that the boundary of parcel 2 is extended to the Flitch way south of to Takeley Street. Takeley support this as it takes it up to the boundary of Hatfield Forest.

Unfortunately there have been a number of instances when the CPZ has been compromised in favour of development, land south of Dunmow Road, Brewers End, Land north of Dunmow Road, east of Church lane and west of the Chalet Dunmow Road . It has already lost a chunk of the CPZ. The parish council urges UDC to retain the CPZ policy and adopt the recommendations of LUC and in doing so the parish council hopes that in future the principles of the policy will be vigorously applied by UDC.

Statement by Doctor Graham Mott

Mr Chairman, I shall refer particularly to Figure 4.5 at the end of section 4 of the report - it's p. 24 of the report or p. 48 of tonight's accumulated documents.

Mr Chairman, I'm a member of the sub-committee of Elsenham Parish Council responsible for rights of way and open spaces. Since August of last year, I have walked all the footpaths in parcels 8, 9 and 10 at least once, and most of them several times, so I claim acquaintance with the area. I will comment on two matters concerning parcels 9 and 10.

First, it is recommended that the part of parcel 10 which lies to the north of the railway line should be withdrawn from the CPZ. But the Report does not mention that housing is already well under way over most of this area through a scheme for 165 houses south of Stansted Road, Elsenham, which was granted outline planning approval as long ago as September 2013, and that housing ends to the south at what I regard as the natural boundary. The strip between this boundary and the railway comprises a charming sunken lane with overhanging trees, together with an area of pasture traversed by a footpath. Despite the railway, if this narrow transition strip was lost the

separation between the hard edge of Elsenham and Fullers End, a delightful small hamlet with several thatched dwellings, would be gone, and the purpose of the CPZ would be defeated in that area.

Secondly, concerning the assessed levels of harm if parcels were released from the CPZ, the conclusion that parcels 9 and 10 should be rated as medium rather than high must indicate that there is something wrong with the criteria, or with their application, or, indeed, both. Parcel 9, which has a long boundary with the Airport, should not be rated less highly than parcel 5, which has no such boundary. Again, parcel 9 should not be rated below parcel 8, when parts of 9 are between 8 and the airport. Furthermore, the impact of the M11 to the west is assumed wrongly to apply to parcels 9 and 10 as a whole.

The division between parcels is very arbitrary. The report gives the railway branch line bisecting parcel 9 as a reason not to rate this parcel more highly. But if the branch line was made a boundary, the objection would fall away. The branch line has no crossing for vehicles and two of the three rights of way which do cross it are currently out of commission. It is, Sir, an obvious boundary. The eastern part of parcel 9 should be combined with parcel 10 - I'm very familiar with this area, but I had to consult the map in order to trace this boundary between 9 and 10, over most of its length.

Burton End in the west of parcel 9 and Tye Green in the east are both close to the Airport. Their subtle and distinctive charm must be preserved if the objectives of the CPZ are to be met.

Mr Chairman, virtually all the assessments against ratings 1 to 4 for parcels 9 and 10 could be challenged, if I had the time. Instead I will summarise briefly by saying that If you are minded to alter the boundary of the CPZ in the north-west, please follow the hard edge of the new construction site; and please recognise the essential contribution of the parcels now labelled 9 and 10 by giving them the overall designation of 'high' rather than 'medium'.

Mr Chairman, Sir, my thanks to you and the other members of the working group for your attention. Thank you.

