



Uttlesford District Council

Chief Executive: Dawn French

Planning Policy Working Group

Date: Thursday, 06 April 2017
Time: 19:30
Venue: Council Chamber
Address: Council Offices, London Road, Saffron Walden, CB11 4ER

Members: Councillors S Barker, P Davies, A Dean, S Harris, J Lodge, J Loughlin, A Mills, E Oliver, H Rolfe (Chairman)

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 of the 22 February 2017** 5 - 20
To consider the minutes of the previous meeting.
- 3 Feedback from Promoters of New Settlement Sessions** 21 - 32
To consider feedback from promoters of new settlement sessions
- 4 To Follow: Gypsy and Traveller Accommodation Assessment (GTAA) update**
To consider the Gypsy and Traveller Accommodation Assessment update. This item is to follow because the Planning Department is still awaiting the final GTAA report from an external consultant.
- 5 2017 Windfall Allowance** 33 - 38
To consider the 2017 Windfall Allowance topic paper.

- | | | |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| 6 | Strategic Land Availability Assessment (SLAA) Update
To consider the Strategic Land Availability Assessment Update topic paper. | 39 - 44 |
| 7 | Reasonable Alternatives Methodology
To consider the Reasonable Alternatives Methodology topic paper. | 45 - 52 |
| 8 | Project Plan: Key Milestones
To consider the key milestones. | 53 - 54 |
| 9 | Forward Plan
To consider the Forward Plan update. | 55 - 58 |
| 10 | Evidence Base Update
To consider the evidence base update. | 59 - 60 |
| 11 | Action Plan from Planning Advisory Service Report - Verbal Update
To consider the action plan from the Planning Advisory Service Report. | |
| 12 | Duty to Cooperate
To consider the duty to cooperate. | 61 - 114 |
| 13 | Any other items which the Chairman considers to be urgent
To consider any items which the Chairman considers to be urgent. | |
| 14 | Date of next meeting
The date of the next meeting will be 17 May 2017. | |

MEETINGS AND THE PUBLIC

Agendas, reports and minutes for this meeting can be viewed on the Council's website www.uttlesford.gov.uk. For background papers in relation to this meeting please contact committee@uttlesford.gov.uk or phone 01799 510369/433.

Members of the public who have registered to do so are permitted to speak at this meeting, to a maximum number of five speakers in relation to each main agenda item. A maximum of 3 minutes is permitted for members of the public to speak. You will need to register with the Democratic Services Officer by 2pm on the day before the meeting. Late requests to speak may not be allowed. You may only speak on the item indicated.

Agenda and Minutes are available in alternative formats and/or languages. For more information please call 01799 510510.

Facilities for people with disabilities

The Council Offices has facilities for wheelchair users, including lifts and toilets. The Council Chamber has an induction loop so that those who have hearing difficulties can hear the debate. If you are deaf or have impaired hearing and would like a signer available at a meeting, please contact committee@uttlesford.gov.uk or phone 01799 510369 as soon as possible prior to the meeting.

Fire/emergency evacuation procedure

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest designated fire exit. You will be directed to the nearest exit by a designated officer. It is vital you follow their instructions.

For information about this meeting please contact Democratic Services

Telephone: 01799 510433, 510369 or 510548

Email: Committee@uttlesford.gov.uk

General Enquiries

Council Offices, London Road, Saffron Walden, CB11 4ER

Telephone: 01799 510510

Fax: 01799 510550

Email: uconnect@uttlesford.gov.uk

Website: www.uttlesford.gov.uk

**PLANNING POLICY WORKING GROUP held at COUNCIL OFFICES
LONDON ROAD SAFFRON WALDEN on 22 FEBRUARY 2017 at 7.00pm**

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

Also present: Councillors K Artus, M Foley and J Redfern.

Officers in attendance: R Dobson (Principal Democratic Services Officer), R Fox (Planning Policy Team Leader), G Glenday (Assistant Director Planning), A Howells (Project Manager – Local Plan), S Nicholas (Senior Planning Officer).

Consultants in attendance: Troy Hayes and John Goodall (Troy Planning)

PP38 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Davies, Harris and Oliver.

PP39 MINUTES

Councillor Lodge said he had requested that an item be appended to the previous minutes, but this had not been done. The Chairman agreed this request would be implemented.

Councillor Lodge said many of the documents had followed the initial publication of the agenda, and asked that this should be kept to a minimum for future meetings.

The Principal Democratic Services Officer explained the agenda had been issued electronically approximately five working days before the meeting but that a number of reports then followed. Items which followed were also circulated electronically. Printed packs where these were prepared were sent out only once all reports were available, where possible. She assured Members that all had had the same information.

Councillor Mills questioned a reference in relation to the Community Infrastructure Levy of an amount of £0/m². He said the meeting on 10 January had considered the total revenues of £14 – 22 million but that the minutes were silent on that detail.

The Planning Policy Team Leader said the reference to £0/m² was correct, as the larger strategic sites carried much of the infrastructure requirement. The obligation was therefore reflected in the section 106 agreement, with no other consideration payable.

The minutes of the meeting held on 10 January 2017 were signed by the Chairman as a correct record.

PP40

HOUSING WHITE PAPER

The Planning Policy Team Leader presented a report giving an initial analysis of the Department for Communities and Local Government's ("CLG") Housing White Paper ("HWP"): 'Fixing our Broken Housing Market'. The report set out an overview of potential implications in relation to the Uttlesford Local Plan. Officers had met Government representatives the previous week to attempt to gain further elucidation. However, unfortunately no additional clarity had been given at that meeting. Part of the HWP related to consulting on specific proposals, and it was officers' recommendation that officers prepare a response to the CLG Housing White Paper for presentation to Cabinet in March 2017 prior to submission to government.

Nick Buhaenko-Smith spoke to the meeting in relation to the HWP, the objectively assessed housing need, and the regulation 18 consultation. A copy of his statement is attached to these minutes.

The Chairman thanked Mr Buhaenko-Smith for his statement and said the Working Group would address his various comments during consideration of the aspects he had raised.

Councillor Dean said one of the risks of this project was delay and uncertainty regarding housing numbers. There was no revised "magic formula" to give a revised figure, and therefore mitigating measures to address this lack should be considered.

The Planning Policy Team Leader agreed. He said other local authorities were also waiting to see the contents of the HWP, and the consensus was to persevere in the meantime with the figure the authority had calculated and considered to be correct.

Troy Hayes said there was confirmation in the HWP that if an authority had not got an up to date Local Plan by April 2018 then the authority would have to rely on standardised housing need, therefore it was right to persevere with the existing figure.

Councillor Lodge noted officers were planning a response to the CLG, and asked what areas would be included.

The Planning Policy Team Leader said consultation questions were not all planning related so there was a need for liaising with colleagues in Housing in order to prepare a comprehensive response.

Councillor Dean asked officers to provide professional press analysis of the HWP.

AGREED

1. to note the publication of the Housing White Paper and the initial assessment of its potential future implications for preparation of the Uttlesford Local Plan;
2. Officers of the Planning Policy Team prepare a response to the CLG Housing White Paper for presentation to Cabinet in March 2017 prior to submission to government.

PP41

OBJECTIVELY ASSESSED HOUSING NEED (OAHN) UPDATE

Councillor Rolfe asked officers to respond to the points made by Nick Buhaenko-Smith during consideration of this item. He then invited Ken McDonald to speak.

Ken MacDonald made a statement, a copy of which is appended to these minutes.

The Planning Policy Team Leader said a slight amendment to the text in this item had been made, in the second paragraph to the second page. He then went through the report in detail. He said the figures were based on evidence and he referred to the rationale set out in the published documentation prepared by the Council's consultants. The figures, based on the evidence, had in 2013-14 been extrapolated on new household projections to 14,100.

The Planning Policy Team Leader said the published Strategic Housing Market Assessment (SHMA) had been successfully defended at public inquiries and had been supported by inspectors. It would be very difficult to go against the inspectors' opinion when they had clearly stated they supported the calculation of the SHMA.

The Planning Policy Team Leader said whilst the Inspector had examined the published SHMA, he had given a clear signal that the uplifted figure of 14,100 was the starting point.

Councillor Dean said the second paragraph read out by the Planning Policy Team Leader gave descriptions of how the calculations came about. He asked that any spreadsheet used in such calculations during that period be made available to the Working Group.

Councillor Lodge asked that the document supplied be provided in a format which could be easily read.

The Chairman agreed it was important to see how the figures were obtained. He said regarding the 2014 Plan, the Inspector had uplifted the figure by 10%, and a clear steer that this was the right approach had been given by the Council's QC, Michael Bedford.

Councillor Mills asked that the documentation provided in relation to this explanation should also cover the reason for the uplift.

The report was noted.

PP42

REGULATION 18 CONSULTATION PAPER

The Working Group considered a report on progress on the regulation 18 consultation paper. The note set out the next formal stage of the process and the methodology that was being followed.

Councillor Lodge referred to the local plan spatial strategy, expressing his concern that the timescale proposed was not soon enough. He asked for an indication of how long the process might take.

Troy Hayes said outputs from other items on the agenda needed to be taken into account, such as reasonable alternatives, which would feed into the sustainable appraisal. These strands of work could be presented in draft form to the Working Group.

Councillor Lodge said it seemed as though meetings of the Working Group were occurring only on alternate months.

Councillor Barker said it was an agreed principle that towns and villages should not take the full amount of development, and that a new settlement or settlements would be the answer. Members had been informed of dates in March when they would receive presentations from developers about possible new settlements. The process as it went on would focus Members more on the limited options available. It was important to remember that neighbouring authorities were also under similar obligations. This was a cross-party objective and there was not going to be an answer regarded by all as a happy one. However she would reassure the Working Group that through this process the Council would end up with a plan the Inspector would accept.

Councillor Rolfe said there would be three presentations by prospective developers. This was not decision-making but an information-gathering process.

It was noted that dates for these presentations would be included in the next Members' Bulletin.

Councillor Lodge asked why the report referred to isolated examples in relation to highways capacity.

The Chairman said highways implications were being looked at everywhere, but there were specific issues with Cambridgeshire County Council.

Councillor Lodge queried a reference in the report, regarding preferred new settlement proposals at Easton Park where the report stated there were proposals for 1,400 new homes to be delivered within the plan period. He said the reference to this specific figure was surprising. He also questioned a reference to a statement by the developer to building 3,500 new homes; and he queried the phrase "the next few weeks", asking whether this was a reference to the presentations.

The Planning Policy Team Leader said the figure of 1,400 homes for this area was not predetermined, but had simply been used for test purposes; the 3,500 was a reference to if and when new proposals came forward, as the key issue for this site was the quarry. It was important to emphasise in relation to that site that the issue was about how many homes could be delivered, depending on the existence of the quarry.

Councillor Barker reminded the Group that the question of how many homes would be capable of being delivered was one of the key questions which the Working Group had decided to set developers.

The Planning Policy Team Leader said work was being undertaken on transportation, to identify any potential blocks. This work formed one of many key workflows, about which Members would hear more information later. This information should provide Members with more answers to enable the process to become clearer.

Regarding land West of Braintree, the Planning Policy Team Leader said the Memorandum of Understanding was yet to be drafted and that the Council would meet the costs of the preparation from its own resources.

Councillor Dean said it would be helpful if the presentation evenings could include two presenting developers at each occasion, and that it would also assist Members if they could receive advance notification of which sites and which developers were the subject of each presentation.

Councillor Mills asked that Members be provided with the set of questions before the presentations. Regarding the number of houses to be built at the settlements mentioned in the report, he asked for clarification on whether a figure had been set.

Officers confirmed the options were not finalised.

Councillor Barker said if other allocations were made, then the figure for the new settlement(s) would be 4,300, but there was no certainty, as there had been no decision on this amount yet.

Councillor Dean said he understood the report was not presenting confirmed figures.

Councillor Rolfe agreed that this was the case. He said the Working Group also recognised that some towns and villages had already taken some development, and it was the whole context that was being looked at.

The report was noted.

PP43

WATER CYCLE STUDY OUTLINE UPDATE

The Working Group received a paper giving an update on the Water Cycle Study (WCS). The Study aimed to provide evidence that development proposed within the emerging Local Plan could be accommodated by the water and

wastewater infrastructure, and wider water environment, and to identify whether additional infrastructure might be required as part of the development.

The Senior Planning Officer said this study updated former work carried out in 2012. She drew Members' attention to the main points of the report, indicating the assumptions on which this initial study was based. The report stressed that the use of assumed figures for this purpose did not imply that the sites or numbers of houses would be allocated. A detailed study could be commissioned once sites were known.

In relation to this initial assessment, the Senior Planning Officer said the study confirmed there were no constraints in terms of the water cycle based on development proposed in line with such assumptions. There were no sewerage capacity issues other than upgrades which would be required. The study concluded that all four sites had a similar level of general constraints and opportunities in relation to water management although the main differentiating constraint to development was considered to be the capacity of the receiving Wastewater Recycling Centres. It had to be recognised that any planned upgrade to the receiving water recycling centres needed to take into account future growth of the sites post plan period.

Councillor Barker said she had received comments about low water pressure which caused people problems. She noted Affinity Water only requested 1 bar of water which was not much. Was it possible to ask for a higher minimum delivery?

The Senior Planning Officer said she would check this question.

Councillor Lodge queried the use of the figures on which the assumptions for this study had been based, as he considered alternative strategies should be included.

Councillor Rolfe referred to the conclusion of the report, indicating there would be much more work to be done. A key part of the exercise would be the water and sewerage provision, so the examination of the work needed would need to be expanded according to allocations made.

Councillor Barker asked for clarification of "existing flow consents".

The Senior Planning Officer said the technical definition of this term would be checked and circulated to Members.

Councillor Dean asked whether the settlements upon which the study was based were the four largest settlements.

The Senior Planning Officer said that at the time the report was commissioned, these were the four largest settlements. If any other sites were identified then the water cycle implications for those would need to be considered.

AGREED to note the Water Cycle Study Outline Update January 2017 to support the development of the emerging Local Plan, and its inclusion within the Local Plan evidence base.

PP44

LOCAL PLAN EVIDENCE BASE UPDATE

The Planning Policy Team Leader gave an update on the local plan evidence base.

Councillor Lodge referred to the comprehensive sustainability appraisal. He asked whether terms of reference were yet available and suggested that a more standardised format be used.

Troy Hayes said where reasonable alternatives would work, these would be fed into the study.

Councillor Rolfe asked that terms of reference be circulated.

Councillor Lodge said reference had been made to land West of Braintree in mid-May, yet sustainable assessments were being carried out earlier than that. He asked whether consideration of this site was being brought forward.

The Assistant Director Planning said officers were currently working with Braintree District Council, which had asked them to add to the evidence base a piece of work they had commissioned. He hoped this work would be available before April, in order to include it in the process.

Councillor Lodge asked about Highways modelling, as the Highways plan had been late. He asked whether the Highways plan would be obtained on different scenarios.

The Planning Policy Team Leader confirmed that this was the case. There were many potential alternatives which would be looked at.

Councillor Lodge asked for the terms of reference of the infrastructure delivery plan to be circulated and said there was nothing on air quality.

The Planning Policy Team Leader said any such report would be dependent on the outcome of the Highways testing, which was now nearing completion. These outputs would be reported to the next meeting of the Working Group.

Councillor Mills asked about the landscape and heritage impacts timings.

Officers replied they were about to start commissioning these reports which would be reported to a future meeting.

The report was noted.

PP45

ACTION PLAN UPDATE FROM PLANNING ADVISORY SERVICE

The Assistant Director Planning presented a report updating Members on the consideration of the report of the Planning Advisory Service by Scrutiny Committee. The action plan set out in the report reflected the recommendations of the 17 January 2017 Scrutiny Committee and key actions which had been updated and subsequently reported to Scrutiny Committee on 7 February 2017.

Cabinet's response to the action plan and to the proposed memorandum of understanding with Braintree District Council would be obtained in March.

Councillor Lodge said he was concerned to obtain a response on how feasible the five year land supply was, and to plan for it so as to avoid predatory actions of developers.

The Assistant Director Planning said responses on Planning Advisory Service plans were available for specified cases, in particular a case regarding Liverpool.

The Planning Policy Team Leader said the issue related to where there was a deficit in the SHLS, as to whether it had to be "frontloaded" or whether the shortfall could be spread.

John Goodall said the HWP had not given clarity on these cases and that without prejudice to any conclusion, arguments could be made for either approach.

Councillor Lodge asked that the principles being tested in these cases be kept in mind.

Councillor Rolfe said this was the approach being taken.

Councillor Dean asked that care be taken in use of jargon, such as "IDP" for "infrastructure development plan" so that all documents were clearly written for public understanding. He asked Troy Hayes what the next steps were regarding the duty to cooperate.

Troy Hayes said the duty to cooperate document was a statement of compliance to be submitted to the Secretary of State and to be prepared alongside the regulation 18 plan. Typically this document would set out what engagement with other bodies had taken place, and the outcomes. These outcomes would lead to a statement of common ground, or memorandum of understanding.

Councillor Rolfe said it was very important to have this document in place as without the duty to cooperate the plan could fail.

Troy Hayes said it was necessary to establish the immediate cross-boundary priorities. The work was progressing according to a template in order to ensure all elements were captured.

Councillor Rolfe said he hoped all questions asked by the speakers had been addressed. He said in respect of the NBS and memorandum of understanding questions, and financially, answers would depend on whether a garden development was selected. The Council was minded to look at a garden development but capital was put up by other funding agencies, and therefore a business case would need to be prepared if this option went ahead.

The report was noted.

The Working Group received a report on the duty to cooperate. The Planning Policy Team Leader highlighted progress being made by the Strategic Housing Market Authorities (SHMA) towards the memoranda of understanding between the SHMA and other related organisations. He said reference had already been made this evening to discussions which had taken place with Highways and Highways England, and to meetings had taken place with Braintree District Council with a view to signing a memorandum of understanding with that authority.

Councillor Dean said the minutes of the December meeting of the Sustainable Development Member Board indicated some authorities were sending more than one representative, whereas this authority had only sent one.

The Planning Policy Team Leader said the terms of reference provided for voting rights limited to one representative per authority, but that there was nothing to prevent additional persons attending.

Councillor Barker said East Herts and Epping Forest were only members of the administrative group, and had chosen to attend. She was usually Uttlesford's representative.

Councillor Lodge asked about member discussion which was stated in the report to have taken place.

Councillor Barker said the minutes included with the report were in fact draft minutes.

Councillor Rolfe invited Jackie Kingdom to speak.

Jackie Kingdom said she wished to remind the Working Group that there was no such place as "land West of Braintree", it was Stebbing.

She went on to make a statement. *A copy of the statement is appended to these minutes.*

Councillor Rolfe thanked Mrs Kingdom for her comments. Regarding the A11 corridor, he said Uttlesford was open to business, and was designating a number of areas to bring research into the North border. The Council was a key member of the London Stansted Cambridge consortium, and it was important to recognise that there could accordingly be pressure on housing.

Regarding the Regulation 18 consultation, this was going ahead.

Regarding the member discussion referring to looking at the A120 corridor, at the meeting with South Cambridgeshire, the draft minutes of which were included with the report, it should be noted that this was not a verbatim summary. Officers and Troy Consultants were being most careful to consider all options. It was important to have met Cambridgeshire County Council, Cambridge City Council and South Cambridgeshire District Council. South Cambridgeshire had put in the majority of their development to the north of this district. This Council was looking very closely at Chesterford, and four of five sites were in the South of the district. A Neighbourhood Plan group was working

on part of Cambridge's ring road. Councillor Rolfe said there was nothing in the minutes of any of these groups which contradicted anything heard at tonight's meeting. Officers and consultants were rationalising the new settlements, and the duty to cooperate was a fundamental part of the process. If those three authorities strongly objected to Chesterford that would be significant. It was necessary to tease out all aspects. Exactly the same principles applied to the A120.

Mrs Kingdom said it was unfortunate the minutes reflected what they did.

Councillor Rolfe said these were draft minutes.

Councillor Barker said if previously the Council had considered the A120 would be a better location to deliver the sites, then it would have looked into that. Chesterford was also being looked at. The South of the district met the need better. The district was not required to meet Cambridge's housing need, and Cambridge did not need any help from Uttlesford. All these factors would be taken in the round.

Councillor Lodge said the impression given by the draft minutes of the Member discussions with Cambridge was that members considered there was logic in development on the A120.

Councillor Rolfe said there was nothing said that was not already published, and that these were isolated comments. The overall tone of the meeting was that Chesterford would be considered as part of the sites being looked at. It was not for him or for Councillor Barker to decide, for the Council, and the work was being done by officers. The process should be done on planning considerations and evidence, which was the position of this council and this administration.

Councillor Loughlin said a speaker's time had been taken up with addressing the comments recorded in the minutes.

Councillor Rolfe said the position was as he had described.

Councillor Dean said the Working Group had indicated previously that it wanted to be more transparent, and the effect of that approach could be read in different ways. Certainly the focus of the comments was on the A120, and if members were talking about the past then that was fine, but the Council was having five or six sites, and one was in the North, so in his view it seemed this Working Group was doing the job properly, and he would make sure that it did. The meetings of the Group were the right place to iron out these issues and get clarity.

Councillor Lodge said the minutes of the member discussion read as though there had been pre-judgment.

Councillor Loughlin asked that the discussion move on.

Councillor Barker said more than ever Chesterford was back on the table, as work was needed to make the Cambridge Stansted London corridor even more viable. It was important to work out the implications, and to take expert advice. If the comments made had caused anxiety, she apologised.

Jackie Kingdom said she would accept a declaration that before minutes were published there would be an undertaking that they be agreed to be correct before made public.

Councillor Rolfe said these principles were right.

The report was noted.

PP47 **PROJECT PLAN: KEY MILESTONES**

The Project Manager – Local Plan presented the project plan. She said in its entirety it could not be provided in comprehensive form other than as a printout. The printout was available for inspection by any councillor.

Councillor Dean asked whether the regulation 18 consultation would be for the statutory minimum or whether it would be extended because of the school holidays.

Councillor Rolfe confirmed the consultation would be two weeks longer to allow for the school holidays.

The project plan was noted.

PP48 **FORWARD PLAN**

The Project Manager – Local Plan said this item was a working document, which was added to at every meeting. Once the evidence base reports were received, the plan would show which items would be considered at which meetings.

Councillor Rolfe said some date might need to be adjusted. The Forward Plan would be circulated to Members.

Councillor Mills asked that all dates be circulated to members.

The Forward Plan was noted.

PP49 **DATE OF NEXT MEETING**

The next meeting would be on 6 April 2017.

The meeting ended at 9.10pm.

Action points

PP40 HWP	To provide members with professional press analysis of
----------	--------------------------------------------------------

	the HWP.
PP41 OAHN	Provide Members with original SHMA calculations including the reason for the uplift.
PP42 Regulation 18 Consultation	It would be helpful if the presentation evenings could include two presenting developers at each occasion, and that it would also assist members if they could receive advance notification of which sites; which developers were the subject of each presentation and the questions to be asked.
PP43 Water Cycle Study	Officers to report back on whether water pressure level was sufficient.
PP43	Circulate explanation of “existing flow consents”
PP44 Local plan evidence base	Circulate terms of reference of sustainability appraisal
PP44	Circulate terms of reference of the infrastructure delivery plan.
PP48 Forward Plan	Circulate Forward Plan and all dates to members.

Public speaking

Statement of Nick Buhaenko-Smith

Once again thank you for allowing me to speak at this meeting. My name is Nick Buhaenko-Smith and I speak on behalf of SERCLF, the residents of six parishes on both sides of the Uttlesford / Braintree boundary and the many residents beyond the immediate region impacted by the West of Braintree proposal.

I do not intend to deliver a speech but ask if the PPWG or Council officers would answer some questions.

Agenda Item 3 – White Paper

On the PPWG regarding the report submitted on the topic of the white paper a full assessment of the risks that this council may face in the preparation of its local plan?

Agenda Item 4 – OAN

Understand external consultant's reports have resulted in different housing numbers

- Given this situation can I ask if the officers and PPWG have reviewed and validated the data within the various reports to determine which is correct for this district?

I would also like to have put on record that I hope this council is not basing its housing numbers on "informal advice" as per the reference from Simon Emerson but on validated evidence.

Agenda Item 5 - PREPARING FOR THE LOCAL PLAN REGULATION 18 CONSULTATION (Page

I quote the from the agenda section 3.7 page 22:

"The principal issue is the phasing of development and the apportionment of housing numbers within the plan period of both our plan and the Braintree Local Plan (there is a prospect of a planning application for mineral extraction on part of the site within Braintree). There is a mutual interest for both authorities to agree this phasing before June 2017 and then to sign a Joint Memorandum of Understanding."

Are the council or this working group willing to expand further the details on the MOU and what is the council committing itself financially?

Item - Duty to Co-operate Meeting between South Cambridgeshire District Council and Uttlesford District Council (page 61)

In the duty to cooperate meetings with SCDC, in the documented minutes there is the following:

"Stephen Kelly (SCDC) enquired about Uttlesford's overarching strategy for their Plan".

Clr Barker "explained that there were various given and outstanding commitments. The focus was on the A120 corridor as a priority with some development targeted at the villages and Saffron Walden"

Statement of Ken McDonald

CC4316

Uttlesford Planning Policy Working Group meeting 22 February 2017 Statement by Ken McDonald, 2 Greenfields, Stansted Mountfitchet, CM24 8AH.

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

May I remind you that **the SHMA was considered by this Group in November 2015 when the decision was taken to defer approval until doubts raised at that meeting, were resolved. I don't believe those doubts were ever resolved, and the SHMA was never adopted by the PPWG. However, it continues to be the unsatisfactory foundation for all subsequent steps of the planning process.**

I heard at the Scrutiny Committee meeting last month that the Planning Advisory Service had highlighted the **need to explain how, within the SHMA, the exceptional allocation of 12,500 new homes to Uttlesford had been calculated. This reinforced the concerns I have been voicing for over a year about the lack of audit trail.**

Without visibility of the consultants' rationale and calculations, how can any reasonable person accept the answer, especially when the answer is in a different league to the conclusions reached by other districts across the country.

I noted that Uttlesford's Cabinet meeting last week was asked to ratify a memorandum of understanding with other authorities regarding highways issues related to the local plan, but I don't recall the PPWG being consulted.

I am concerned that **the Local Plan process seems to be steam-rolling ahead without pausing for breath, without listening, and, in particular, bypassing this PPWG working group and bypassing the public scrutiny that meetings of the PPWG allow.**

This evening, you are being asked to accept that planning should proceed on the basis of **14,100 homes. You will be told that this is in line with advice from the "Advisory Visit", but that visit was brief and was not made aware of criticisms of the SHMA.**

The original, unexplained 12,500 extra homes would allow a dramatic and exceptional increase in Uttlesford's population, **far greater than the other three districts in the SHMA and far greater than most districts across the country.**

14,100 is even more grotesque. It would mean that Uttlesford's housing stock would grow **42%** over the 2011-2033 period.

By comparison, East Herts is considering a 31% growth, Harlow 25% and Epping Forest 21%. I will pass my workings to Maggie Cox with a copy of this statement.

How can **you** be comfortable with this latest proposal, especially with no audit trail to show how **any** of the figures have been calculated?

Please **insist** that you are shown how Uttlesford's figures have been calculated before agreeing to anything.

File: C:\Users\taske\Documents\Planning issues\UDC\Local Plan 2016 etc\UDC Meetings\Statement by Ken McDonald at PPWG Meeting 20170222.doc

Statement of Jackie Kingdom

PPWG Meeting: 22 February 2017

Good evening, I represent Stebbing Parish Council and thank you for allowing me to put my question to the meeting.

In looking through the papers for this evening's meeting, I read the Minutes of the

Duty to Co-operate Meeting between South Cambridge and Uttlesford D.Cs, held 13 January 2017, (Appendix 7.)

The discussion recognised the inevitable growth in the areas covered by the two councils and I was impressed by the positive attitude by some councillors – those representing South Cambridgeshire.

The London – Stansted – Cambridge corridor is already home to a diverse range of successful businesses. There are strong clusters in digital technology, bio-medical, logistics, hi-tech manufacturing and low carbon industries. The Genome Campus, Hinxton has a global level research programme with a thirty-year agenda.

The population is growing, with nearly 40% of the working age population educated to degree level or above and many jobs are available in support services. Currently, Reed Co. employment agency has 3,714 jobs vacant in, and around Great Chesterford.

The London – Stansted – Cambridge Consortium says "The M11 / M25, plus A10 and North Circular means the area is a major hub for logistics and distribution, with excellent road links to the UK's ports and the north." Roads A14, A1, M6, M5 are also mentioned.

It appears SC Councillors are prepared to work with companies and central government on opening the east of England and Norfolk to these innovative technologies. Sadly, Uttlesford's representatives on this Duty to Co-operate team seem less enthused.

The SC Joint Director of Planning asked about Uttlesford's strategy for their plan. Cllr Barker replied that "The focus was on the A120 corridor as a priority with some development ...in villages and Saffron Walden" The Council Leader, Cllr Rolfe endorsed her reply by explaining the need for development along the A120 because the airport employs under one fifth of Uttlesford residents.

When Stebbing Parish Council voiced its opposition to massive development in our village, we were told by UDC, via the Dunmow Broadcast Newspaper:

*"we are taking care to ensure all the necessary evidence is available so the public can be reassured development is going in the right place. All decisions will be taken in light of a full evidence base and following full engagement with residents.
"A further round of consultation on the preferred options will take place in the summer (2017) – this will be an opportunity for residents to have their say."*

My question is: When was this decision by Cllrs Barker & Rolfe to a total commitment to develop along the A120 taken, and is it supported by the full council? Perhaps a second 'pause' to gather further evidence, is needed or will Uttlesford's Local Plan be thrown out again by Government inspectors?

J.Kingdom 22.02.17



UTTLESFORD DISTRICT COUNCIL

New Settlement Summaries

March 2017

1. Introduction

1.1. This topic paper provides a summary of the presentations that were made by the site promoters at the developer presentation evenings.

1.2. The data tables below are based on information provided by the developers either in their presentations or in response to the Site Delivery Questionnaires. Where the developers have not provided information either with their presentations or in their site delivery questionnaire, the information has been taken from their Call for Sites submissions from 2015. This has been labelled as such in the data tables.

1.3. Links to the New Settlement presentations are as follows:

- Elsenham:
- Takeley:
- Easton Park:
- West of Braintree (Andrewsfield):
- West of Braintree (Boxted Wood):
- Chelmer Mead:
- Great Chesterford:

1.4 Due to the size of the documents they are available on-line at www.uttlesford.gov.uk/developer-presentation-evenings.

Appendix 1 – Elsenham and Takeley Presentations (8th March)

Site Address	Land north east of Elsenham, CM22 6JX
Site Promoter/ Agent on behalf of Site Promoter	Site Promoter: Fairfield Partnership Agent: David Lock Associates
Site Area	>300Ha
Total no of housing units proposed	4,000
Housing Mix (Market and Affordable %)	No specified; based on 40% affordable rate would provide 1,600 affordable units.
Employment Land Proposed	Up to 21Ha within use classes B1a (Office), B1c (Light Industry) and B2 (General Industrial)
Transport Improvements	A southern link road will be provided, new transport interchange adjacent to Elsenham station providing integrated bus/ rail/ taxi services, other traffic calming and bus priority measures and cycle improvements.
Education Provision	One secondary school and two primary schools.
Open Space Provision	Circa 62ha of Green Infrastructure would be provided, including play areas, playing fields, wildlife habitat areas and mitigation measures, nature park, allotments, reinstated hedgerows, tree belts and formal/ informal open space and circa 48Ha of retained agricultural uses.
Other Infrastructure Provision (Retail, Health, Community etc.)	Up to 3,500m ² of retail, 640m ² of health and up to 2,000m ² of community uses.
Timescale for Delivery	Delivery of the site will commence in 2020, with around 200 homes being built on site per annum which will deliver around 2,600 homes by the end of the plan period.

Site Address	Land north of Priors Green and South/ West of Priors Wood, CM22 6NX
Site Promoter/ Agent on behalf of Site Promoter	Site Promoter: Countryside Properties (UK) Ltd Agent: Savills
Site Area	85.2Ha (Developable Area 58.1Ha)
Total no of housing units proposed	1,500
Housing Mix (Market and Affordable %)	Call for sites form states they would provide 40% affordable, 60% market. Based on this rate would provide 600 affordable units.
Employment Land Proposed	0.6Ha
Transport Improvements	Transport Assessment indicates that the local highway network can accommodate options for all of the levels of proposed development and accesses can meet requirements of Essex Design Guide. Some mitigation of existing junctions would be required, but these measures are deliverable and would result in a net improvement to their operation.
Education Provision	A new primary school would be provided as part of these proposals.
Open Space Provision	No quantum provided, but would include the provision of a new country park, play spaces, formal sports pitches and community gardens.
Other Infrastructure Provision (Retail, Health, Community etc.)	Call for sites form states Local Centre: 0.4Ha, which could potentially include a GP surgery.
Timescale for Delivery	Site would be delivered by the end of the plan period. Residential units would start to be competed on site in Autumn 2020.

Appendix 2 – Easton Park,
Andrewsfield and Boxted
Wood Presentations (14th
March)

Easton Park Estate – Tuesday 14th March @ 6pm

Site Address	Easton Park Estate, Great Dunmow, Essex, CM6 2BB
Site Promoter/ Agent on behalf of Site Promoter	Barton Willmore LLP on behalf of L S Easton Park Investments Limited (Land Securities)
Site Area	697Ha (Area suitable for development 473Ha)
Total no of housing units proposed	10,000
Housing Mix (Market and Affordable %)	40% affordable (Approx. 3,820 - 4,000 units)
Employment Land Proposed	Circa 75,000 sqm of B1, B2 and B8 on the northern side of the proposal.
Transport Improvements	Existing B1256/ A120 junction has capacity with some improvements to serve up to circa 2,500 homes. Beyond that the capacity of the junction can be enhanced further through the construction of a new bridge over the A120 to create a signalised gyratory system to meet the growth of the proposal. The route road into the site would broadly follow route of existing haulage road, but observing the required buffer for the adjacent SSSI and woodland. A new rapid bus service is also proposed.
Education Provision	4 new primary schools and 1no secondary school to be provided as part of this development proposal.
Open Space Provision	45% of the site will be public open space, with a new country park, local parks, neighbourhood greens, pitches, allotments, ponds, swales, wildlife areas and woodland. Two town parks are also proposed.
Other Infrastructure Provision (Retail, Health, Community etc.)	A main centre will be provided as part of this development proposal with a health centre, library shops and services. Four local centres with local shops and community space will also be provided. There will also be sport pitches, changing facilities and play areas on site.
Timescale for Delivery	Delivery on site would commence in April 2021 with 350 homes delivered per annum; by the end of the plan period 4,200 homes will have been delivered.

Andrewsfield - Tuesday 14th March @ 7:15pm

NB. The infrastructure details and provision represent improvements on the whole site (within Braintree and Uttlesford). The housing units proposed are for Uttlesford District only.

Site Address	Land centred on Saling Airfield between Stebbing and Rayne, CM6 3TH
Site Promoter/ Agent on behalf of Site Promoter	Capita Property and Infrastructure representing Andrewsfield New Settlement Consortium (ANSC)
Site Area	795Ha (Developable Area 245Ha)
Total no of housing units proposed	725 units in Uttlesford over the plan period.
Housing Mix (Market and Affordable %)	Not specified (if 40% rate applied would be 290 affordable units)
Employment Land Proposed	Circa 40,000 to 45,000sqm (all in Braintree District)
Transport Improvements	Suggested transport improvements include: Improvements to the existing B1256 Dunmow Road/ A120 eastbound on-slip roundabout to incorporate an additional arm to the north; Upgrade to the B1417/ B1256 junction from priority to roundabout to incorporate an additional arm to the north and potentially future A120 eastbound off-slip; Improvements to the Blake End Road/A120 junction/ link; Implementation of a new roundabout before the B1256/ Stebbing Green junction with an arm to the north over the River Ter Pond.
Education Provision	Proposal will provide 5no primary schools and 1no secondary school.
Open Space Provision	6 neighbourhood play areas, 6 allotment/ orchard sites, A country Park with wetland/ water sport area, 2 village greens, formal sports areas and informal open spaces would be provided as part of these development proposals.
Other Infrastructure Provision (Retail, Health, Community etc.)	2 district centres each including sites for a food store/ local retail and core community uses and 4no local centres for small-scale retail/ community uses.
Timescale for Delivery	Delivery not discussed in detail - Call for sites submission estimated delivery would be two years from date of submission and would take 19 years to deliver.

Site Address	Boxted Wood, Stebbing Green
Site Promoter/ Agent on behalf of Site Promoter	AECOM on behalf of Galliard Homes
Site Area	105.2Ha in Uttlesford District
Total no of housing units proposed	1,900 in Uttlesford District (1,400 over the Plan Period)
Housing Mix (Market and Affordable %)	Not specified in presentation; applying the 40% affordable rate gives 760 affordable units (560 over the plan period)
Employment Land Proposed	A 5ha site is proposed for Employment Purposes. The Call for sites form makes reference to 30,000sqm of B1 (office)
Transport Improvements	An access strategy is being developed but highway access to provide a link road as a key aspect of the masterplan.
Education Provision	6.8Ha has been set aside for Education. Unknown the level of provision but the masterplan has set aside land for 3no school sites; either primary or secondary school.
Open Space Provision	35.8 Ha of the site is allocated for Open space will be provided as part of the overall development proposal, unclear the quantum or type.
Other Infrastructure Provision (Retail, Health, Community etc.)	Unclear – New Shops and services will be provided as part of the overall development allocation.
Timescale for Delivery	First units will be delivered on site in 2022 (50 units). 1,400 units will have been delivered on site by the end of the plan period in 2033.

Appendix 3 – Chelmer Mead and Great Chesterford (27th March)

Site Address	Chelmer Mead, Lan north-west and east of Little Dunmow and north of Flitch Green, Essex
Site Promoter/ Agent on behalf of Site Promoter	Andrew Martin Planning Ltd on behalf of Chater Homes Ltd and Home Group
Site Area	100.26Ha (Area suitable for development 66.4Ha)
Total no of housing units proposed	3,000
Housing Mix (Market and Affordable %)	1,200 affordable dwellings (40% affordable), 70 dwellings for older people, 30 self-build plots.
Employment Land Proposed	7.8Ha business park, with an estimated 19,500sqm business floorspace falling within uses classes B1 and B2. Will also be 300sqm of office in the neighbourhood centre.
Transport Improvements	Site will be served via five vehicular accesses, with new roundabouts being provided in key localities to facilitate the development proposals. A S106 contribution would also be made towards improving the public transport offering for Little Dunmow, as well as a full travel plan for the residential element of the scheme being prepared.
Education Provision	2.2Ha Primary school site will be provided as part of the development proposals.
Open Space Provision	31.9Ha of public open space will comprise a Country Park, sports field and pavilion, allotments, neighbourhood and local equipped areas of play, amenity green space.
Other Infrastructure Provision (Retail, Health, Community etc.)	A 5ha neighbourhood centre will be provided, which includes 1,000sqm retail floor space; 1,250sqm health floor space, 300sqm office and the 2.2Ha primary school. A 5.2Ha health and retail park will also be provided. Land is also reserved for an additional primary school and a secondary school.
Timescale for Delivery	In the Call for Sites submission, 50 dwellings could be delivered by 2020. By the end of the plan period in 2033, the developer expects to have delivered 1,950 dwellings on site, the neighbourhood centre, primary school, allotments, country park and second primary school.

Site Address	Land south-east of the A11 and north-east of the B184
Site Promoter/ Agent on behalf of Site Promoter	Bidwells on behalf of four land owners
Site Area	466Ha (Developable Area 222Ha)
Total no of housing units proposed	5,000
Housing Mix (Market and Affordable %)	3,000 'Market' Houses and 2,000 'affordable' homes
Employment Land Proposed	An element of B1 (Office) – No amount specified
Transport Improvements	The proposal would look to establish the A11 as the preferred for northbound travel to be accessed from the existing junctions at Stump Cross and at Granta Park; Introduce a more resilient junction in Lieu of the A505/ A1301 roundabout, propose to make at least three vehicular accesses, of which two towards Walden Road and one towards Pampisford Road. Will also be new investment from Network Rail from Great Chesterford to new Addensbrooke's Station.
Education Provision	No specific details about the quantum of education provision, but Illustrative Masterplan makes outlines provision for a nursery/ pre-school primary and a secondary school and a 'village cottage.
Open Space Provision	No specific details on quantum or type to be provided, but development proposal will include the allocation of a Country Park separating new village from Great Chesterford.
Other Infrastructure Provision (Retail, Health, Community etc.)	No details on quantum to be provided, but the illustrative masterplan shows that there will be a retail element, a foodstore, community uses, restaurants/ café's and a hotel.
Timescale for Delivery	Delivery is expected to commence within the first five years of the Plan period in 2020/2021, with 100 homes being delivered in the first year of the development and 500 homes within the first three years, allowing the Council to present an allocation contributing 3,000+ homes by 2033.

Topic Paper: Consideration of a Windfall Allowance for Uttlesford March 2017

Summary

1. The Council previously prepared a paper on the 'Consideration of a Windfall Allowance' in June 2014. This report was considered by the Planning Inspector in relation to the 2014 Submission Local Plan. The Inspector concluded that –*the Council's evidence on the windfall allowance (set out at H109) uses the stringent criteria of the Essex County Council definition and, at 50pa, is reliably based upon well-evidenced research and consistent with para 48 of the NPPF*. .
2. The purpose of this report is to re-examine the methodology and evidence for a windfall allowance. The number of windfall dwellings consented and built has been recorded since 2001. This topic paper considers the delivery of windfall sites over the last 10 years 2006/7 to 2015/16. This period incorporates respective periods of stronger and weaker economic performance. Analysis of future trends is more difficult but consideration can be given to the positive approach of local and national policies.
3. The report concludes that there is evidence to justify including a windfall allowance of 70 dwellings per annum in the overall housing supply as well as the housing trajectory and 5-year supply.

National Planning Policy Framework (NPPF)

4. Paragraph 48 of the Framework states that local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment (SHLAA), historic windfall delivery rates and expected future trends, and should not include residential gardens.

Definition

5. Residential windfall sites are those housing sites which have not been specifically identified as being available through the operation of the local plan-making process. They comprise sites that have unexpectedly become available over time, and which were not anticipated by the planning authority when local plans were in preparation. Windfall sites have been granted planning permission by the local planning authority and are in accordance with adopted local plan policies or national guidance. These could include for example, large sites such as might arise from a factory closure or very small changes to the built environment, such as a residential conversion, change of use of a small office to a new home, or a new flat over a shop.
6. The NPPF requires any allowance to have regard to the Strategic Land Availability Assessment (SLAA). The Council prepared its first Strategic Housing Land Availability Assessment in 2008 which was updated annually until 2013 when it was part of the evidence at the 2014 Local Plan examination. Following the withdrawal of the 2014 Pre-submission Local Plan from the examination process and the need to prepare a new Plan, it was decided to undertake a Call for Sites and prepare a new Strategic Land Availability Assessment. Final assessments were published in July 2016.
7. Sites included in a SLAA have been identified as being available through the plan making process and therefore cannot, by definition, be considered windfall sites.

8. The Planning Practice Guidance on 'Housing and economic land availability assessment identifies what size of site (Reference ID: 3-010-20140306) and the type of sites which should be considered in the assessment (Reference ID: 3-012-20140306).
9. The Council's SLAA complies with the guidance and assesses sites capable of delivering 5 or more dwellings. Consequently sites of 4 or less dwellings would not be included in the SLAA and planning permissions can therefore be considered as windfall sites.
10. In summary therefore windfall sites do not include any of the following
 - Allocations in local plans – adopted or emerging
 - Sites contained within the Strategic Land Availability Assessment

Historic Windfall delivery rates

11. Information on the delivery of windfall sites has been collected since 2001. This paper considers the delivery of windfall sites over the last 10 years. Windfall sites have consistently made a contribution to the delivery of housing in Uttlesford. The National Planning Policy Framework specifically excludes any development in residential gardens from being counted in any windfall allowance. The following table therefore excludes the erection of new dwellings within gardens. A breakdown of the figures is set out in appendix 1.

Year	No. of dwellings permitted on windfall sites (net) & excluding garden sites	No. of dwellings built on windfall sites (net) & excluding garden sites
2006/7	161	88
2007/8	106	146
2008/9	116	81
2009/10	107	60
2010/11	112	74
2011/12	96	82
2012/13	119	61
2013/14	92	65
2014/15	171	96
2015/16	253	81
TOTAL	1333	834
Annual average		83
Percentage of windfall dwellings permitted which are built		63%

12. The above table shows that since 2006 the number of dwellings permitted and built can vary considerably from year to year. This is inevitable by the very nature of windfall sites as larger sites unexpectedly become available for development. However, the average number of windfall dwellings completed annually is 83. Over the 10 years 63% of windfall sites permitted have been developed.
13. The unusually high completions in 2007/8 reflects the completion of a number of large windfall sites - 20 at Vicarage Mead, Thaxted; 19 at Bowker Close, Newport; 12 adjacent Clare Court, Thaxted and 10 at Counting House Lane, Great Dunmow.

14. The above table includes rural exception sites and as can be seen for 2007/8 this can make a significant impact on the number of dwellings delivered in a year. Although these sites meet the criteria of being windfall and policy is supportive of such sites it is not possible to be certain over the future delivery of such sites. Table 2 shows the number of dwellings permitted and built excluding rural exception sites.

Year	No. of dwellings permitted on windfall sites (net) & excluding garden sites and rural exception sites	No. of dwellings built on windfall sites (net) & excluding garden sites and rural exception sites
2006/7	142	69
2007/8	78	115
2008/9	116	71
2009/10	99	54
2010/11	98	66
2011/12	96	68
2012/13	115	61
2013/14	78	65
2014/15	171	78
2015/16	203	81
TOTAL	1196	728
Annual average		73
Percentage of windfall dwellings permitted which are built		61%

Capacity of Windfall Sites

15. The following table shows the number of dwellings built on windfall sites which are for 4 or less dwellings and those on sites for 5 plus dwellings. It shows that both contribute to the supply of windfall sites with a slightly bigger proportion coming from small sites over the last 10 years.

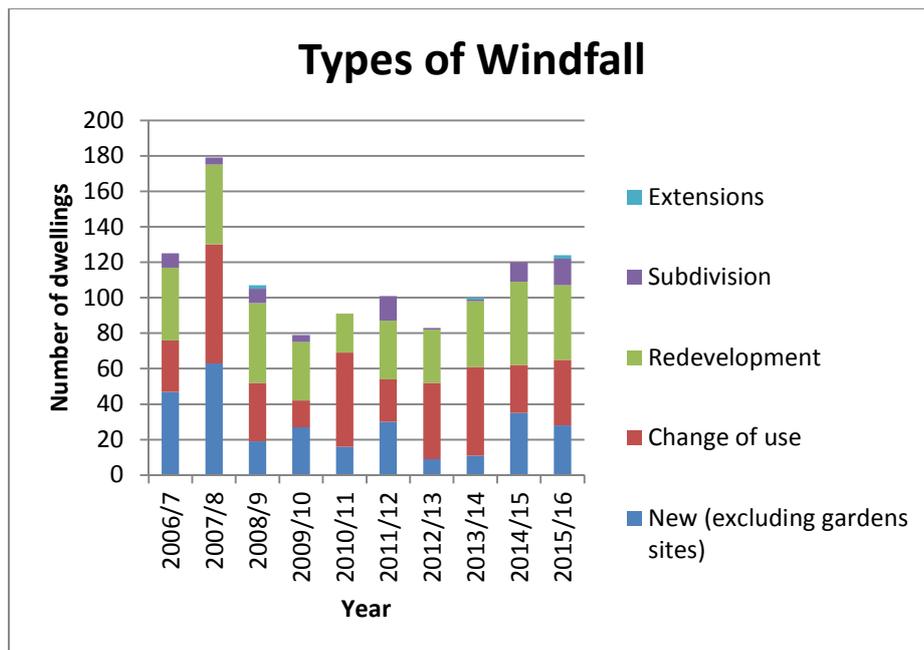
Year	Total built excluding garden sites	Sites for 0-4 dwellings (net)	Sites for 5+ dwellings (net)
2006/7	88	37	51
2007/8	146	66	80
2008/9	81	44	37
2009/10	60	29	31
2010/11	74	53	21
2011/12	82	50	32
2012/13	61	25	36
2013/14	65	44	21
2014/15	96	52	44
2015/16	81	64	17
TOTAL	834	464	370
		56%	44%

Types of Windfall Sites

16. Uttlesford is a large rural district with two market towns and about 60 villages enabling significant potential for windfall development through the conversion of rural buildings and the redevelopment of previously developed sites.
17. The following Table 4 and chart show that most windfall sites arise from changes of use and redevelopment. Very little development arises from the subdivision or extension of properties. Gross figures have been used as the loss does not always occur in the year of completion. New dwellings in gardens have been excluded from the figures.

Table 4 No. of Dwellings by Types of Windfall Sites (gross)

	New (excluding gardens sites)	Change of use	Redevelopment	Subdivision	Extensions
2006/7	47	29	41	8	0
2007/8	63	67	45	4	0
2008/9	19	33	45	8	2
2009/10	27	15	33	4	0
2010/11	16	53	22	0	0
2011/12	30	24	33	14	0
2012/13	9	43	30	1	0
2013/14	11	50	37	1	1
2014/15	35	27	47	11	0
2015/16	28	37	42	15	2



Completion Rates

18. The following Table 5 shows that the majority of completions take place in the second and third year following consent. Gross figures have been used as the loss does not always occur in the year of completion.

Table 5

Consent Date	Completion Date										
	2006/7	2007/8	2008/9	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	outstanding
2006/7	10	74	25	11	4	0	0	0	0	0	0
2007/8		20	50	31	10	2	0	0	1	0	1
2008/9			18	30	19	11	0	1	0	1	0
2009/10				3	46	19	16	1	0	0	0
2010/11					6	54	18	14	3	1	6
2011/12						15	25	38	11	3	1
2012/13							19	36	46	12	13
2013/14								6	36	15	55
2014/15									20	55	137
2015/16										36	254
	10	94	93	75	85	101	78	96	117	123	

National and Local Policy Context

19. The Council is proposing a number of policies which positively encourage windfall development. Subject to meeting certain criteria policy is supportive of
- subdivision of dwellings;
 - replacement dwellings
 - small scale development on sites in settlements without development limits;
 - affordable housing on exception sites which can include market housing to ensure the viability of the development;
 - the reuse of rural buildings including for residential use;
 - alternative uses of listed buildings as a way of preserving the building; and
 - the redevelopment/change of use of employment uses if it can be demonstrated that the employment use is no longer viable.
20. The Government has introduced permitted development rights to enable change of use from commercial to residential properties. There are a number of agricultural and office buildings across the district in rural locations and settlements which could be viable to convert to residential and which would contribute to the windfall supply.

Conclusions

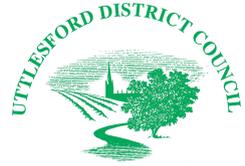
21. Historical evidence shows that windfall sites make a contribution to the number of annual completions. It is also considered that in the light of available sites and planning policy, windfall sites will continue to be permitted and built in the future.

With an annual average completion rate of 73 dwellings on windfall sites (excluding rural exception sites), a windfall allowance of 70 dwellings based on rounding the windfall completion rate is considered realistic.

Appendix 1

	Permitted (gross)	Actual and potential losses	Permitted (net)	Dwellings permitted in gardens	Total permitted excluding garden sites
2001-2006	461	51	410	88	322
2006/7	245	45	200	39	161
2007/8	201	33	168	62	106
2008/9	185	31	154	38	116
2009/10	180	40	140	33	107
2010/11	190	42	148	36	112
2011/12	175	36	139	43	96
2012/13	199	41	158	39	119
2013/14	170	29	141	49	92
2014/15	343	69	274	103	171
2015/16	339	41	298	45	253
Total					1333

	Built (gross)	Actual losses on windfall sites	Built (net)	Dwellings built in gardens	Total built excluding garden sites
2006/7	144	37	107	19	88
2007/8	212	34	178	32	146
2008/9	145	27	118	37	81
2009/10	102	19	83	23	60
2010/11	102	18	84	10	74
2011/12	131	21	110	28	82
2012/13	106	22	84	23	61
2013/14	123	38	85	20	65
2014/15	144	24	120	24	96
2015/16	161	43	118	37	81
Total					834



UTTLESFORD DISTRICT COUNCIL

Strategic Land Availability Assessment (SLAA) Update - Topic Paper

March 2017

1. Introduction

1.1. This topic paper sets out the current position on Uttlesford District Council's Strategic Housing Land Availability Assessment (SLAA). The Paper sets out the requirements of a SLAA, the outcomes of the SLAA and implications for the Local Plan.

Key Evidence Studies

1.2. The following studies should be read alongside this topic paper:

- Call for Sites submissions (found on the Council's website at www.uttlesford.gov.uk/planningpolicy);
- SLAA 2015 Methodology;
- Councils assessment of Sites submitted as part of 2015 SLAA/ Call for sites exercise.

Key Issues

1.3. This Topic paper sets out:

- The Background to the Assessment;
- How the assessment has been undertaken;
- How New Settlements have been approached;
- How Employment Sites have been approached; and
- Next Steps.

2. Background

- 2.1. The Council held a Call for Sites Exercise between 1st April 2015 and 1st July 2015. This provided an early opportunity for developers, landowners, individuals and other interested parties to suggest sites within Uttlesford District for all forms of development. The SLAA Assessment has informed the Local Plan process and indicated which sites could be allocated in the Local Plan.
- 2.2. The results of the 'Call for Sites' submission and the final 2015 SLAA Methodology were presented to Planning Policy Working Group on 16th December 2015. This paper explains the methodology for the assessment, which was undertaken for each individual site submitted. The Council undertook an assessment of the sites to determine those which were suitable, available and achievable.

3. 2017 SLAA Update

Need for Update

- 3.1. Since the publication of the 2015 SHMA and Call for Sites exercise, around 20 additional sites have been submitted for consideration. In addition, there have been changes in Flood Risk Data and other potential constraints data which could affect the suitability of a site. Additional information has also been submitted for some sites, as well as minor changes being made to some of the existing sites in the 2015 SLAA (such as amended access points), which will require the sites to be reconsidered as part of the SLAA process.
- 3.2. There is a need for the District Council to make sure that the SLAA is kept up to date to ensure enough housing supply is coming forward in the plan period.

Number of sites to assess

- 3.3. A total of 353 sites were submitted as part of the Call for Sites exercise for a range of uses, including housing, employment, a mix of housing and employment and other uses. Only sites which propose 5 or more dwellings are considered as part of the SLAA process; any smaller site is considered a windfall development proposal.

Employment Sites & New Settlements

- 3.4. For the purposes of this Topic Paper, only sites which were submitted for either housing or a mix of employment and housing will be discussed. Future versions of the Employment Topic Paper will focus on those sites which were submitted solely for employment purposes. It should also be noted that for the purposes of the SLAA assessment exercise, the 'New Settlement' sites have not yet been assessed as part of the process and are being dealt with as part of the 'Reasonable Alternatives' work. The outcomes of the 'Reasonable Alternatives' work will inform the classification of the SLAA 'New Settlement' submissions.
- 3.5. Once the 'New Settlement' and Employment sites have been subtracted, this leaves a total of 304 sites that have been put forward for either Housing or a Housing and Employment Mix.

4. Methodology and Site Classifications

4.1. The SLAA assessed each site on whether the site was deemed 'Suitable', 'Available' and 'Achievable' as follows:

Suitability

4.2. The suitability of each site has been assessed by considering its location against various factors. This is a factual assessment; Appendix 2 of the 2015 methodology provides a detailed breakdown of the potential constraints that each site was tested against, which included: Policy constraint, Flood risk, Noise, Pollution, Natural environment, Historic environment, Accessibility, Other land uses on the site.

Availability

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

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

Achievability

4.5. A site is considered to be achievable if there is a reasonable prospect that the particular type of development will be developed on the site within the plan period. This is essentially a judgement about the economic viability of a site and the capacity of the developer to deliver the site and whether any other physical or other constraints can be overcome and delivered within the plan period.

4.6. Historically, viability has not been a significant barrier to housing delivery in Uttlesford District. This is underpinned by the high residential values achieved. The current housebuilding seen in the District indicates that the recent recession has not impacted on housebuilding.

Site Classifications

4.7. Once an assessment of the site against the suitability, availability and achievability tests had been undertaken, each site was given a Classification from **A** to **E** as indicated in the following table:

Classification	Explanation
A	These are sites which have planning permission and are generally considered suitable within the first five years of the plan period.
B	These are sites that are considered deliverable/ developable in years 1-15 but do not currently have planning permission or an allocation. These sites are largely free from major physical and infrastructure constraints and are broadly in line with National Planning Policy considerations (particularly in terms of delivering sustainable communities). They may not be immediately acceptable if an application was made under current Development Management policies, but if allowed or allocated there would be nothing to prevent or hinder their delivery in the plan period.
C1	These are sites where further work is needed to demonstrate the achievability of the site, or any issues that have been identified can be easily resolved. This can include issues such as achieving a suitable access, remediation of ground contamination, site preparation costs and viability of redevelopment.
C2	These are sites which need to demonstrate that the development can overcome more substantive suitability constraints, such as the impacts of noise or air pollution from the M11/A120/railway line; mitigate against small parts of the site being subject to flooding; or to minimise the impact on neighbouring uses or the landscape, historic or natural assets.
C3	These are sites where their suitability is dependent upon the council's development strategy and in particular: <ul style="list-style-type: none"> • The council's approach to strategic sites; • The role of key villages in meeting the housing strategy; • The role of the Type A villages and Type B villages in meeting housing strategy and whether there is community support.
C4	These are sites where the suitability of the site is dependent on the results of the Green Belt Review or Countryside Protection Zone (CPZ) Review.
D	Sites in this category are likely to be broadly developable but not deliverable within 15 years. This classification represents sites where it would not be robust to identify a realistic potential housing capacity with the 15 year period. This is likely to be due to infrastructure constraints being too severe to overcome within 15 years. Alternatively, the site may be so large that even if constraints could be overcome late in the 15 year period, the proportion of the site that could be brought forward would not represent meaningful delivery of the site as submitted. Physical constraints may also be too significant to be remedied in 15 years.
E	These sites are not considered developable and delivery will not be possible within 15 years. Departures from National Policy would be significant e.g. location in open countryside divorced from existing built-up settlement or development being of a vastly disproportionate scale for the adjacent village or settlement. Developability may only become realistic if other sites are built out so these sites represent future natural extensions, but this would require speculative consideration far beyond the 15 year period. In some cases infrastructure considerations alone could justify this classification, at least based on the proposal as submitted and knowledge about the scale of mitigation required. Insurmountable physical constraints on some sites covering a significant percentage of the total area, especially Flood Risk, can justify this category. In some cases sites listed in this classification could be broken down into smaller parcels and reconsidered but will always require significant departure from the submitted information and go beyond the scope of this assessment. A site with an E classification highlights it is currently unimaginable that capacity could be envisaged on a site as submitted, unlike Classification D where a path to resolution appears more achievable.

4.8. Those sites which fall within Classification A-C3 are likely to come forward during the plan period and therefore will contribute towards the overall housing supply in Uttlesford District.

5. Classification Figures

5.1. The following table sets out the number of homes that fall within each classification. These figures are based on what the developer has been put forward in their 'Call for Sites' form. Where a developer has not provided a figure, the council have estimated the site capacity based on the site size and average density for the district. Please note that this is subject to some change depending upon the outcome of a number of appeals on a number of sites.

Classification	Number of Homes
A	334
B	401
C1	813
C2	930
C3	1699
A-C3 Classification	4,177
C4	1,235
D	3,569
E	9,372
Awaiting Appeal Decision	315
Total	18,668

5.2. The table above shows that as of 7th March, it is likely that **4,177** homes could come forward on sites throughout the district by the end of the plan period.

5.3. It should be noted that whilst the vast majority of sites included within the 'C4' classification are highly unlikely to come forward due to being wholly within the Green Belt/ CPZ, a couple of sites are either partially within the Green Belt/ CPZ (A suitably designed scheme could therefore be appropriate in this locale) or part of the site is brownfield (development of this brownfield part of the site, if appropriately designed, could be deemed suitable). These sites could come forward within the plan period, but due to uncertainties with the availability/ achievability of the site, have not been included within the final housing contribution figure.

6. Conclusions and Next Steps

6.1. The SLAA provides a useful contribution to the overall level of housing supply for the Plan Period and provides a helpful guide to the amount of housing that could be provided on sites which do not form part of the 'New Settlement' proposals.

6.2. The SLAA will be published before the Regulation 18 Local Plan consultation in the summer. This will show the summary of each site submitted and the reasoning behind the classifications given.

6.3. The council will continue to monitor the overall housing supply. If the sites falling within the A-C3 classification do not deliver the required housing, there may be a need to re-examine the C4 and D sites to see what potential supply could come from these sites and members will be updated accordingly.

6.4.



UTTLESFORD DISTRICT COUNCIL

Identification of Reasonable Alternatives for the Uttlesford Local Plan 2011-2033 - Topic Paper

April 2017

Summary

1. This Topic Paper has been prepared by Troy Planning on behalf of the Council and summarises the content of a Member Workshop held on the 1st February 2017. The subject of the Workshop was to identify 'Reasonable Alternatives for Housing' for the Uttlesford Local Plan. The objectives of the workshop were:
 - a. Identify the scope for testing options as part of preparing the Local Plan, as required through the Sustainability Appraisal;
 - b. Set out all possible combinations of options that can be reasonably identified; and
 - c. Provide initial outputs against Local Plan requirements for further analysis and refinement of options.
2. A need to undertake further work to identify and assess reasonable alternatives is evidenced by a wide range of advice recently obtained by the Council to inform the next steps of the Local Plan process, following the pause in the programme for the Local Plan. This includes an advisory visit from the Planning Inspectorate, along with the PAS / IPE Review of the Local Plan process to-date and the views of Counsel for the Council Michael Bedford QC.
3. This advice included ensuring that the Plan is supported by a comprehensive Sustainability Appraisal and tests a housing requirement of 14,100, based on the emerging findings of the 2016 update of the Strategic Housing Market Assessment. It also included a need to demonstrate a clear understanding of the *different spatial distributions* and *different possible configurations of proposed sites* from the options available to the Council. This should inform the reasoning for the Preferred Strategy the Council adopts and assist in setting out reasons to reject other alternatives.
4. Holding the Workshop at an early stage following the pause has allowed the advice obtained to be evaluated against the wider Local Plan process. The scope for testing options takes into account the substantial amount of existing work and extensive emerging evidence available to support preparation of the Local Plan. The starting point is the identification of Reasonable Alternatives within the Council's existing commitments to explore a 'hybrid' strategy that may include a new settlement or new settlements.
5. The key questions to answer include:
 - 'how much' development is required;
 - the form this development may take;
 - where development could be delivered; and
 - when delivery might take place.
6. The answers to these questions essentially inform the scope for plan-making.
7. The Council also has an extensive emerging evidence base to apply against each of the above questions. Where 'New Settlement' options exist against these questions that would meet the objectives of a plan but could give rise to different effects for sustainable development; they can be regarded as 'reasonable alternatives' – provided that those options are realistic and deliverable.
8. Testing demonstrates that two 'New Settlement' options may not meet housing need in most cases. The increase in requirements in challenging – this would be exaggerated by unrealistic assumptions for housing delivery rates and 'start dates' from any individual

option. These circumstances and a lack of flexibility could be more pronounced in a strategy comprising only two New Settlement Options.

9. However, the wider evidence base for the Local Plan provides limited grounds to increase land allocations elsewhere or put additional pressure on other towns and villages. A spatial strategy that incorporates 'New Settlement' options remains achievable and could achieve the 14,100 dwelling requirement over the plan period. The recommendation to the Workshop was that this would most realistically be achieved based on an option identifying delivery from up to three New Settlement Options within the plan period.
10. Increasing the number of New Settlements that may form part of the preferred strategy in the Local Plan does not, in itself, mean that any one location becomes relatively more or less sustainable. In order to fully assess the implications for this adjustment to the scope of the 'hybrid' approach, the Council has committed to identify a comprehensive range of all combinations that comprise two or three 'New Settlement' Options. This is the first step to fully assess a wide range of factors such as where New Settlements could provide the critical mass and thresholds to stimulate new infrastructure provision, set against the impacts and resource implications to manage growth at this scale and the ability to meet development requirements.
11. Identifying alternatives was undertaken within the context of options for development already known to the Council. A flexible definition was applied to determine the scope of locations that might be regarded as 'New Settlement' Options. Assumptions were applied to govern realistic expectations for housing delivery and the phasing of development. In addition to making judgements for these specific locations, the work has regard to the other components of the plan, in terms of past housing completions, existing planning commitments and potential levels for further allocations outside of 'New Settlement' Options.
12. Taken together, the outputs of the work mean that up to three new settlements may be considered necessary to achieve a revised housing requirement of 14,100 dwellings; this however would remain compatible with the Council's desire to explore a 'hybrid' spatial strategy.

Next Steps

13. All material presented at the 1st February 2017 workshop were based on working assumptions prepared by the Council and drawn from the evidence base at that time. Recognition of a potential range of combinations provides the basis to ensure that they are fully tested and explored by the evidence base for the Local Plan. However, the process up to and including the Workshop cannot itself be used to make conclusions on a preferred spatial strategy or combination of sites or to provide final views about the suitability for development at any individual location.
14. To ensure a more detailed understanding for 'New Settlement' options, the Council has undertaken a series of 'Promoter's Sessions'. It was anticipated that these may provide additional or more up-to-date evidence and may lead to assumptions being revised to inform the Council's decision-making process. These events have only recently concluded and feedback from all presentations has not yet been evaluated. There may be a need for a final reconciliation between the promoters' positions and the Council's work on evidence streams, such as the Infrastructure Delivery Plan



15. A revised set of Growth Scenario assumptions will be prepared as a result of the latest information. This may affect (and in likelihood narrow) the range of Reasonable Alternatives identified but is not materially expected to change the scope of testing outlined at the Workshop and summarised in this Topic Paper.
16. Details of the Growth Scenarios tested as Reasonable Alternatives, along with the reasons for rejecting any individual options, will be put in the public domain alongside the material published with the Council's Preferred Strategy (Regulation 18) Local Plan consultation.

National Policy and Legislative Background

17. The process for identifying 'Reasonable Alternatives' in the context of the Member Workshop (and as reported in this Topic Paper) is underpinned by relevant legislation and policy. Procedures governing the process of preparing a Local Plan and undertaking Sustainability Appraisal / Strategic Environmental Assessment (SA / SEA) are particularly relevant to the evidence that informed the Workshop.
18. The initial workshop specifically related to considering the definition of 'reasonable alternatives' within Uttlesford. The specific characteristics of a reasonable alternative are not prescribed by legislation. However, for the purposes of plan-making the key questions to be addressed are in relation to how much development is required, the locations of development, what form this should take and when development may take place ('how much, what, where and when?'). Essentially a reasonable alternative indicates "a different way of fulfilling the objectives of the plan". The questions may be related – for example how much development needs to take place and where may vary interdependently depending on the overall housing requirement.
19. The process to-date does not represent any formal element of the requirements of a Sustainability Appraisal. The identification of reasonable alternatives is not specifically intended to provide commentary on any of the likely significant effects arising out of the 'draft plan' as a whole.
20. Planning Practice Guidance explains that reasonable alternatives comprise "the different realistic options considered by the plan-maker in developing the policies in its plan. **They must be sufficiently distinct to highlight the different sustainability implications** of each so that meaningful comparisons can be made. **The alternatives must be realistic and deliverable**" (ID: 11-018-20140306, Officer emphasis).
21. All reasonable alternatives must be assessed in the same level of detail. This is important to allow the assessment arising from the Sustainability Appraisal to outline the reason why a preferred approach has been selected in light of the alternatives not taken forward as well as documenting the overall sustainability of all the different alternatives identified.

Background to Assessing Reasonable Alternatives in Uttlesford

22. The work and approach outlined in this Topic Paper is not a formal step or component of the suite of documents required to prepare a legally compliant Sustainability Appraisal. It represents an interim stage that has allowed the Council to fully identify the Reasonable Alternatives that may represent options for development in the District. It is necessary to



set this stage in the wider context of the Sustainability Appraisal alongside preparation of the Local Plan.

23. It is important to note that although the Council is now exploring a higher level of housing need and identifies that a 'hybrid' option to accommodate these requirements may include up to three New Settlement Options, the process required to assess the effects arising from development is essentially unchanged.
24. The assessment of 'New Garden Settlement Options' in Uttlesford District has previously explored up to 7 potential locations for development. These were most recently set out in an emerging Interim Appraisal of New Settlement Options (in 'draft' at the time of the pause in October 2016).
25. It is important to emphasise that the Local Plan is strategic in nature. Even the allocation of sites should be considered a strategic undertaking, i.e. a process that omits consideration of some detailed issues in the knowledge that these can be addressed further on in the planning regime (i.e. through the planning application process). The strategic nature of the Plan is reflected in the scope of the Sustainability Appraisal (SA). For the purposes of the Local Plan and the accompanying SA Environmental Report, it should be noted that specific policies and allocations for new settlements will be subject to different sustainability criteria than those of the 'Site Pro Forma' of other proposed allocations, commensurate to their scale.
26. Sustainability Appraisal is an ongoing iterative process to support the preparation of the Local Plan. Emerging appraisal of any option has been assessed on a largely qualitative basis in line with the strategic nature of each option and the level of information available for each option at the present time. It should be noted and acknowledged that the level of information will continue to grow in line with the detail required of proposals of this scale; this is likely to surpass the timeline of the Local Plan process and form the detail required of a masterplan or planning application later in the plan period.
27. Sustainability Appraisal therefore exists as a high-level tool to assist in the selection of New Settlements across the wider area. It should be acknowledged that at this stage, each option is therefore only broadly comparable.
28. It should also be noted that in the appraisal of options, judgements have been made in line with the eventual scope and scale of each proposal. To that effect, what would constitute a significant constraint for a smaller or non-strategic site may represent a significant opportunity at the scale of an effective New Settlement. This is particularly relevant for infrastructure requirements and it should be acknowledged that New Settlements can often meet the necessary thresholds to deliver and stimulate infrastructure provision to the benefit of the new and wider existing communities.
29. Taking forward work from providing an indicative assessment of locations on a standalone basis to look at the appraisal of sites, in combination, represents the logical progression of the process of identifying alternatives. A single location for a New Settlement would offer extremely limited flexibility or contingency in delivering housing requirements.
30. The Council has previously considered recommendations for a 'Distribution Strategy' in previous meetings. These sessions identified that a '**Hybrid involving new settlement(s), main towns and villages option**' may represent a preferred distribution

strategy, relative to alternatives of **All development allocated in new settlement(s); All development pepper potted in villages; All development in the two main towns (Saffron Walden and Great Dunmow);** and a **Combination of development in main towns and villages.**

31. The Council's Sustainability Appraisal Framework will continue to provide a thorough assessment of these wider distribution strategies as well as the specific 'Growth Scenarios' set out through the approach outlined in this Topic Paper. Until such time as a Preferred Strategy is formally published, the Council's conclusions on the overall distribution strategy may change. The Council must also be mindful that notwithstanding the 'New Settlement' Options comprised in any growth scenario, the relationship with the wider distribution strategy is also relative to the other components of the plan. Put simply, regardless of the New Settlement Options included in any scenario, if the other proposed allocations within the plan were highly restricted the distribution strategy may not be regarded as a 'hybrid' approach.
32. Nevertheless, for the purposes of this Topic Paper and based on the working assumptions for other elements of the Local Plan (including existing commitments and completions), plus the delivery expectations of New Settlements within the plan period, the Council regards 'Growth Scenarios' comprising up to three new settlements as maintaining a 'hybrid' distribution. 'Growth Scenario' and 'Combination of New Settlement Options' can be read interchangeably in this Topic Paper.
33. It should also be noted that within the testing process, identifying any Reasonable Alternatives does not commit the Council to any particular course of action such as a Growth Scenario comprising three New Settlement Options. It may still be possible to achieve the plan and housing requirements with two (or fewer) New Settlement Options. However, working assumptions indicate that Growth Scenarios comprising two New Settlements would have significantly less flexibility and contingency to meet overall requirements.

The 'New Settlement' Options

34. Seven potential new settlement sites were submitted by promoters under the 'Call for Sites' exercise. These were at (with SLAA reference number):
 - Easton Park (06LtEas15)
 - Great Chesterford (10Gte15)
 - West of Braintree (05Ste15 & 06Ste15)
 - Takeley (11Tak15)
 - Elsenham (07Els15)
 - Birchanger (05Bir15)
 - Chelmer Mead (03LtDun14)
35. It has not been necessary to identify any additional potential growth locations for the purposes of this stage of work. Each of these sites will be the subject of detailed standalone assessment in the Sustainability Appraisal of New Settlement Options.
36. A broad threshold for inclusion was based on the Prospectus for "Locally-Led Garden Villages, Towns and Cities" issued by the Department for Communities and Local Government (CLG, March 2016). This sought expression of interest for 'Garden Villages'

comprising at least 1,500 homes. Proposals are likely to comprise Garden Towns or Cities where they exceed 10,000 homes. These capacity benchmarks provide a threshold for identifying Reasonable Alternatives under the header of 'New Settlement Options'. The Council adopts these thresholds as indicative of the scale of development in locations most likely to meet the necessary thresholds to deliver and stimulate infrastructure provision to the benefit of the new and wider existing communities and provide a critical mass for development in accordance with Garden City Principles.

37. Providing that the lower threshold of 1,500 homes could be met locations may be termed as 'New Settlement' or 'Garden Settlement' Options. The term is not used prescriptively and it is acknowledged that some of the locations are not 'free standing' but relate to existing settlements. However, as this has not prevented the locations being broadly explored in other aspects of the Local Plan evidence base it was not felt necessary to reasonably exclude sites that are not 'free standing' from the scope of this work.
38. This threshold has been applied flexibly in the circumstances where it may not be possible to provide c.1,500 homes by 2033 but where there is a clear indication of additional capacity beyond the plan period. Initial expectations for housing delivery from each location, based on development assumptions set out in housing trajectories, have been prepared for each combination.
39. With regards the criteria for Green Belt release, the Council has previously stated that *exceptional circumstances* do not exist to consider allocations for housing. Given the range of options available it is not anticipated that this position will need to change, although it is kept under review.

Conclusions and Next Steps

40. It is not the role of this Topic Paper to set out further conclusions on the Preferred Spatial Strategy or a specific combination of sites. The Topic Paper updates the scope and rationale for how the Council is looking to identify and assess Reasonable Alternatives against the requirements and objectives of the Local Plan, having regard to its emerging evidence base and other advice received.
41. In considering a housing requirement of 14,100 dwellings, this scope extends a need to identify all Reasonable Alternatives based on delivery from *two or three* New Settlement options as part of exploring a 'hybrid' strategy. This scope would not restrict the Council in exploring alternative distribution strategies or other development requirements, which will remain fully assessed within the formal Sustainability Appraisal process.
42. The review of the scope for identifying Reasonable Alternatives also confirms how the Council will assess all spatial distributions for growth and different configurations of the proposed 'New Settlement' sites.. To this extent, the scope for identifying Reasonable Alternatives must assess these factors irrespective of the overall housing requirement on the basis that any combination comprising two or more new settlements could give rise to different effects.
43. The Council is continuing to work with Essex Places Services who will prepare the formal Sustainability Appraisal for the Local Plan. A methodology has been developed to assess any significant effects arising from Growth Scenarios comprising two or three New Settlement Options as defined by this Topic Paper. This will be employed as part of assessing the Council's Preferred Strategy for the Regulation 18 Draft Local Plan consultation as well as the reasons for rejecting any other Reasonable Alternatives.

Key Milestones : (updated 29 March 2017)

	Date
PPWG	6 April 2017
<i>To be confirmed – Development Management Policy Member briefing</i>	<i>9th May 2017</i>
PPWG	17 May 2017
Full Member Briefing	22 May 2017
PPWG	7 June 2017
Full member briefing	22 June 2017
Documents published for Cabinet and PPWG	28 June 2017
PPWG	29 June 2017
Parish Forum	5 July 2017
Cabinet (include LDS update if not completed before)	6 July 2017
Full Council	11 July 2017
Regulation 18 Consultation	12 July – 29 August 2017
PPWG – to give feedback on number of reps and overview of types of response.	17 October 2017
Full Member Briefing– what changes are proposed if any and why!!	28 November 2017
PPWG with Regulation 19 Draft Plan including modifications	14 December 2017
Cabinet with Regulation 19 Draft Plan including modifications	19 December 2017
Full Council with Regulation 19 Draft Plan including modifications – to include delegated powers to submit if no MAJOR modifications identified.	3 January 2018
Regulation 19 Consultation	8 Jan 2018 – 16 Feb 2018
Full Member Session – feedback on consultation responses and note of any MINOR modifications prior to submission	22 March 2018
Decision to submit	28 March 2018
Submit	29 March 2018

UTTLESFORD DISTRICT COUNCIL
PLANNING POLICY WORKING GROUP FORWARD PLAN (subject to change)

Item	Date	Brief information about the item and details of documents submitted for consideration	Part 2?	Lead officer
Feedback from Promoters of Strategic Sites Presentations	6.4.17	To review member feedback after the event	N	Richard Fox
Gypsy & Traveller Accommodation Assessment	6.4.17	To consider update	N	Gordon
Windfall Allowance Topic Paper	6.4.17	Part of Evidence Base	N	Sarah Nicholas
Saffron Walden Transport Study report	6.4.17	Part of Evidence Base —This has been removed from agenda on 6 April and will now go to PPWG 17 May 2017.	N	Alan Gilham
Strategic Housing Land Availability Assessment Topic Paper	6.4.17	Part of Evidence Base for Local Plan	N	Richard Fox
Reasonable Alternatives Topic Paper	6.4.17	Part of Evidence Base	N	Richard Fox
Statement of Common Ground with North Herts and SHMA MoU	Cabinet 30 March 2017.	Part of Duty to Cooperate compliance statement — to consider and note	N	Richard Fox
Key Milestones and Dates of	6.4.17	Overview and Update of Project Plan for Local	N	Ann Howells

Item	Date	Brief information about the item and details of documents submitted for consideration	Part 2?	Lead officer
Meetings		Plan		
Evidence Base Update	6.4.17	Overview and Update of Evidence Base for Local Plan	N	Richard Fox
Action Plan from PAS/IPE Review	6.4.17	Update on implementing action plan	N	Roger Harborough
Duty to Co-operate	6.4.17	Update on Progress with Duty to Co-operate issues	N	Richard Fox
Infrastructure Delivery Plan – Draft report	17.5.17	Part of Evidence Base for Local Plan	N	Troy Hayes
Employment Report	17.5.17	Part of Evidence Base for Local Plan	N	Graham Holmes
UDC Transport Study report	17.5.17	Part of Evidence Base for Local Plan	N	Alan Gilham
Saffron Walden Transport Study report	17.5.17	Part of Evidence Base for Local Plan	N	Alan Gilham
High Level Local Wildlife topic paper	17.5.17	Part of Evidence Base for Local Plan	N	Sarah Nicholas
Draft Consultation Strategy	17.5.17	Duty to Cooperate Statement of Compliance	N	Richard Fox
High Level Local Landscape review of New Settlements	17.5.17	Part of Evidence Base for Local Plan	N	Richard Fox

Item	Date	Brief information about the item and details of documents submitted for consideration	Part 2?	Lead officer
High Level Historic /Conservation review of New Settlements	17.5.17	Part of Evidence Base for Local Plan	N	Richard Fox
Key Milestones and Dates of Meetings	17.5.17	Overview and Update of Project Plan for Local Plan	N	Ann Howells
Evidence Base Update	17.5.17	Overview and Update of Evidence Base for Local Plan	N	Richard Fox
Action Plan from PAS/IPE Review	17.5.17	Update on implementing action plan	N	Roger Harborough
Duty to Co-operate	17.5.17	Update on Progress with Duty to Co-operate issues	N	Richard Fox
Transport update – if not already covered previously	7.6.17	Part of Evidence Base for Local Plan	N	Alan Gilham
Full Plan Viability update	7.6.17	Part of Evidence Base for Local Plan	N	Richard Fox
Provisional Sustainability Appraisal update	7.6.17	Part of Evidence Base for Local Plan	N	Richard Fox
Key Milestones and Dates of Meetings	7.6.17	Overview and Update of Project Plan for Local Plan	N	Ann Howells
Evidence Base Update	7.6.17	Overview and Update of Evidence Base for Local Plan	N	Richard Fox

Item	Date	Brief information about the item and details of documents submitted for consideration	Part 2?	Lead officer
Action Plan from PAS/IPE Review	7.6.17	Update on implementing action plan	N	Roger Harborough
Duty to Co-operate	7.6.17	Update on Progress with Duty to Co-operate issues	N	Richard Fox
Draft Local Plan for Regulation 18 Consultation	29.6.17	Key Stage of Process	N	Gordon Glenday
Local Development Scheme	29.6.17	(If not previously adopted)	N	Simon Payne
Key Milestones and Dates of Meetings	29.6.17	Overview and Update of Project Plan for Local Plan	N	Ann Howells
Evidence Base Update	29.6.17	Overview and Update of Evidence Base for Local Plan	N	Richard Fox
Action Plan from PAS/IPE Review	29.6.17	Update on implementing action plan	N	Roger Harborough
Duty to Co-operate	29.6.17	Update on Progress with Duty to Co-operate issues	N	Richard Fox

Evidence	Brief written/commissioned	Timetable for completion
Full Plan Viability Update	Commissioned	Final report due June 2017
Strategic Land Availability Assessment (SLAA)	Updated	Present to PPWG 6 April
Water Cycle Study	Completed	Presented to PPWG 22 Feb
Duty to Cooperate chronology	Completed but on-going	
<i>Sustainability Appraisal - Reasonable Alternatives for New Settlement and Other Strategic Sites</i>	<i>Commissioned</i>	<i>Timetable being prepared</i>
Saffron Walden Eastern Relief Road modelling	Commissioned	Early April. Report to PPWG 17 May 2017
Highway modeling/tests at 14,100 dwellings on various potential scenarios	Testing Underway	End of April
Review of Employment Strategy	commissioned	Present to PPWG 17 May 2017
Highway tests and modelling - Cambs CC /South Cambs	DtC - Agreed what testing is required/reasonable for UDC .	Methodology agreed with CCC/S Cambs, work underway to complete late April
Essex County Council Highways test Junction 8 modelling if required by above	Re-test not required by Essex County Council for Preferred Option	Not Applicable
Infrastructure Development Plan	commissioned	April draft report and present to PPWG 17 May 2017
Habitats Regulation Assessment	To be completed once Draft Plan is produced	Timetable being prepared
Review of windfall assumptions	To be undertaken in house; commenced	To be presented to PPWG 6 April 2017
Local Development Scheme	Required to be updated.	Timetable being prepared
Gypsy and Traveller Assessment	In process	To be presented to PPWG 6 April 2017 - but may not have Report as still awaiting from consultant.

Committee: Planning Policy Working Group

Agenda Item

Date: 6 April 2017

Title: Duty to Cooperate

Author: Richard Fox, Planning Policy Team Leader

Summary

1. This report updates members on the Duty to Cooperate work.

Recommendations

2. To note the report.

Financial Implications

3. None

Background Papers

4. None

Impact

- 5.

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

Situation

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

Update

3. There was a **Co-op Officers Group** meeting on 16 March. The agenda and notes from the previous meeting are attached. The **Co-op Member Board** met on 27 February and 20 March. The agenda and minutes from these previous meetings are appended.
4. There was an officer Duty to Co-operate meeting on 22 March with **Braintree District Council**. A wide range of issues were covered, including commissioning work into the potential West Braintree (Stebbing) Garden Settlement, a framework for a Memorandum of Understanding and progress on respective local plans.
5. Cabinet considered a report on 30 March regarding a Memorandum of Understanding on the Distribution of Objectively Assessed Housing Need across the Strategic Housing Market Area (SHMA) and a Statement of Common Ground between North Hertfordshire District Council and Uttlesford. The Cabinet Report is appended and a verbal update will be given at the meeting.

Conclusion

6. Work with other Councils and organisations continues as part of the integrated work of the Planning Policy Team. As part of the development of the revised plan there are some important Duty to Cooperate meetings to be held and decisions to be made. Councillors will be aware that some of these decisions will be difficult and involve a significant amount of discussion and negotiation before an outcome can be secured.

Risk Analysis

Risk	Likelihood	Impact	Mitigating actions
Failure to comply with and demonstrate the	2 – Some Council's have been found	3 – Will result in the Local Plan being	Cooperate closely with current organisations and

Duty to Cooperate	lacking in this Duty by Inspectors. Therefore need to ensure that we capture as many groups, issues and outcomes as possible to present a full picture of our work.	found unsound. Significant impact on planning policy and planning applications.	continue to do this through the plan making process. Identify any gaps in cooperation and work closely with those bodies to rectify situation.
-------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------

- 1 = Little or no risk or impact
- 2 = Some risk or impact – action may be necessary.
- 3 = Significant risk or impact – action required
- 4 = Near certainty of risk occurring, catastrophic effect or failure of project.

**Draft Note - Co-operation for Sustainable Development Member Board
Thursday 23 January 2017**

Attendance

Organisation	Councillors	Officers
ATLAS		James Farrar, Dinah Roake
East Herts DC	Cllr Linda Haysey (Chair), Cllr Bob Brunton	Liz Watts, Kevin Steptoe, Claire Sime
Epping Forest DC	Cllr Chris Whitbread, Cllr John Philip, Cllr Richard Bassett	Derek Macnab, Alison Blom-Cooper, David Coleman, Sarah King
Essex CC		David Sprunt, Rich Cooke
Harlow DC	Cllr Jon Clempner	Paul MacBride
Herts CC	Cllr Derrick Ashley	Jan Hayes-Griffin, Roger Flowerday
LB Redbridge	Cllr Helen Coombe	
Uttlesford DC	Cllr Susan Barker	Gordon Glenday

1. Apologies

- Broxbourne BC – Cllr Paul Seeby, Douglas Cooper, Martin Paine
- East Herts DC – Cllr Gary Jones
- Epping Forest DC – Glen Chipp
- Essex CC – Cllr Mick Page, Cllr John Spence, Sean Perry
- Harlow DC - Cllr Danny Purton, Graeme Bloomer
- Highways England – Nigel Allsopp
- Natural England – Sarah Fraser

2. Draft notes of meeting of 19 December – including review of action points

The draft notes were agreed subject to the following minor changes being made -

- Item 6 - amend the last sentence of paragraph 1 to, 'A decision was expected in January 2017'
- Item 7 - amend the last sentence of para. 1 to 'The HCA is currently reviewing its future enabling offer, taking into account available resources.'

Actions from previous meeting -

- *Epping Forest DC/East Herts DC officers to draft letter to Gavin Barwell MP introducing the Co-op. Board* – not yet done. It was agreed that the Board would await publication of the Housing White Paper, and then respond if appropriate to do so
- *All relevant authorities to take the relevant MoUs through their governance processes for signing* – in progress, Sarah King is chasing those who have not yet sent signatures
- *Graeme Bloomer (Harlow DC) to draft a discussion paper on distribution of affordable housing* – done, this paper is on the agenda this evening
- *David Sprunt (ECC) to circulate M11 J7A 'Preferred Route Status' report* – done. David Sprunt noted that an announcement had been made that M11 J7A will receive funding (see <http://www.theplanner.co.uk/news/%C2%A312-billion-roads-funding-allocated>). The definite amount has not yet been announced by the Department for Transport
- *James Farrar (ATLAS) to prepare a scoping paper on governance etc., for Harlow & Gilston Garden Town with officers* - done, this paper is on the agenda this evening. It was noted that CLG announced a £0.5m award for Harlow & Gilston Garden Town in January 2017
- *Various actions re: PAH relocation feasibility* – PAH has now supplied some data on existing trips to and from current site, to feed into transport modelling. Officers have not yet seen PAH's brief for the Strategic Outline Case (SOC) for the relocation of the hospital [Note – since this meeting, the brief for the SOC has been sent, and circulated to HMA officers]

3. Update on current/recent consultations and Local Plan progress

a. East Herts DC

There were ~2,470 overall respondents to the regulation 19 publication Plan, who made a total of ~3,780 comments, of which ~1,830 were from Stop Harlow North, regarding the Gilston

area. These are now all in the online system, and analysis will be presented to the Executive Panel on 9 March 2017. East Herts DC intend to submit the Plan to PINS on 31 March 2017.

b. Epping Forest DC

There were ~3,300 responses to the regulation 18 Draft Local Plan. Roughly 50% came in online, with most of the rest being received by email, and relatively few in hard copy. Coding of these responses is underway, preliminary analysis will be reported to Cabinet in March 2017. Dates for regulation 19 publication are not yet known as the timetable is being assessed.

c. Harlow DC

Harlow DC officers are working on resolving outstanding issues with transport infrastructure and Thames Water etc. A Full Council debate is planned for the end of February 2017 on outstanding issues, particularly on the sites to the south and west of Harlow in Epping Forest District. Essex CC officers are working with Harlow DC on the particular transport issues. Harlow DC plans to publish a regulation 19 Plan in summer 2017, with submission later in 2017.

d. Uttlesford DC

Uttlesford DC has chosen to 'pause' the Local Plan timetable while considering evidence, particularly on housing numbers and new settlement options, and has taken advice from PINS/CLG. It was noted that PINS/CLG felt that notes of the Member Board may be more helpful if organised by theme, e.g. discussions on affordable housing etc. Cllr Barker noted the clear message from PINS/CLG that the 2014-based projections should be the starting point, and that there should be more explanation on apportionment of HMA OAHN. Uttlesford DC is likely to publish its regulation 19 Plan towards end of 2017, and submit in March/April 2018.

4. Distribution of affordable housing (paper from Harlow DC)

- Harlow DC's paper was circulated prior to the meeting. Cllr Haysey thanked officers for producing this
- Officers will be arranging a meeting with CLG arrangements regarding affordable housing, to take this forward

5. 'Harlow & Gilston Garden Town (H&GGT)' (scoping paper from ATLAS)

- James Farrar (ATLAS) introduced the scoping paper which builds on the H&GGT bid, and on feedback from each of the Councils involved
- ATLAS recommended recruiting a Project Director asap, and using the officer workshop which ATLAS will facilitate (booked for 8 February) to think about a potential joint delivery team
- Initial priorities for H&GGT were flagged in the scoping paper, and the need for a realistic, staged approach to priorities in this financial year was stressed. Work on the sustainable transport corridors and the potential for PAH relocation, are already underway. Other priorities include delivery before 2020, and longer term thinking on future spatial vision
- Cllr Linda Haysey highlighted the need for community engagement for H&GGT. East Herts DC have already planned an early meeting with the local community, also including Places for People and the Neighbourhood Planning team, to discuss the Gilston area
- Epping Forest DC has contacted SELEP to engage them regarding the proposed green corridors, as recommended by the Co-op. Officer Group. Herts LEP is already aware
- Cllr John Philip stressed the importance of recruiting a Project Director swiftly, to maintain momentum and to help sort through the priorities for H&GGT
- All agreed that **Epping Forest DC should start recruitment process for Project Director**
- It was noted that the award from CLG would not cover every workstream, and that the budget in the original bid would need careful consideration. David Sprunt noted that PAH had offered to contribute to the costs for the work on PAH relocation, but they, and Essex CC, would not be able to fund all of the work, so the H&GGT budget would need to contribute

6. Verbal update on Princess Alexandra Hospital (PAH) relocation feasibility work

- David Sprunt explained that officers met with PAH last week to talk about data they hold on transport movements. This, and information on future aspirations for a campus-style site, will be worked into the model
- Essex CC is **working on a brief to be finished by the end of this week**. Essex CC has some funding to help pay for this but not enough, contributions from PAH and the H&GGT

budget will be needed as this is relatively expensive, but essential, transport modelling work. It could help with decisions on sites as it may indicate the merits of one site over the others, and the results will impact all three Council's Local Plans, and the PAH relocation business case

- The HMA authorities had not yet received a copy of the brief for the Strategic Outline Case (SOC) for the relocation of the hospital. It is due to be discussed at the Partnership Board meeting in January [Note – since this meeting, the SOC brief has been sent, and circulated]. The authorities also had not yet seen the Price Waterhouse Coopers PAH report. It was agreed that **Epping Forest DC would draft a letter from the Co-op. Member Board to PAH requesting copies of these documents**, cc'ing the Health Minister, local MPs etc.
- Harlow DC officers noted the importance of considering the wider functions of PAH, e.g. employment provision, relationship to other businesses, and social care. They queried whether the LEPs might contribute to the study costs, given the economic and employment factors, e.g. Public Health England relocating to Harlow

7. Verbal update on Memoranda of Understanding

- Alison Blom-Cooper explained that an officer workshop was planned for 10 February to discuss HMA employment distribution, and to scope out the need for a fourth MoU, on this topic.
- Sarah King noted that most of the relevant authorities had sent their electronic signatures to sign the 'Impacts on Epping Forest SAC' and 'Highways & Transportation Infrastructure' MoUs, but that some were yet to do so. **All remaining signatories to please secure agreement for signing asap, and forward electronic signatures to Sarah King.** Swift signing is essential, especially given East Herts DC's intent to submit by 31 March 2017.

8. Any other cross-boundary/strategic matters

- Herts CC officers are commissioning technical work relating to a possible Harlow northern bypass, and intended to take a paper to their Members after May 2017. They are also considering how this would link in with the rest of the A414, and they are considering a possible bypass for Hertford as well
- Uttlesford DC has now received a planning application for a new arrivals terminal at Stansted Airport. A further application, to increase passenger numbers from 35 million per annum to 43 million per annum, is also expected this year
- Essex CC has been awarded some funding for the interim scheme for M11 J8 from SELEP, and is waiting for a decision from a Highways England (HE) scheme, which could add up to £5m. This, plus other funding already secured, should be enough to take forward the interim scheme for J8. Essex CC is also working on the model to test strategic future intervention options for J8, and will meet with HE and Stansted Airport soon on how to take this forward
- Cllr Linda Haysey referred to the 'Wider South East Member Briefing Note' which was prepared for the meeting with Gavin Barwell MP on 19 January 2017, which had been circulated. She explained that the meeting had been positive, and that **the notes would be shared asap**. The GLA representative from the Mayor's office (Jules Pipe) was very effective in supporting the London-bordering local authorities present, and pushing for London to engage in a meaningful cross-border relationship with these authorities. Mr. Pipe is keen to receive any information on why any extant planning permissions aren't being implemented. **All attendees to please send any data/insight on this to Cllr Haysey**
- Cllr Susan Barker noted the extreme difference in dwelling prices in the HMA, having spoken with a constituent who had moved to take advantage of the difference in prices and availability between Takely and Ware. This further highlights the pressure for housing in some places

9. A.O.B.

- It was noted that Sarah King would be leaving Epping Forest DC. All attendees thanked her for her efforts for the Board.

10. Dates of next meetings (confirmed):

- Monday 27 February 2017 - (6:30pm Harlow DC)
- Monday 20 March 2017 - (6:30pm Harlow DC)

**Draft Note from Co-operation for Sustainable Development (Officers') Group
Thursday 16 February 2017**

Attendance

East Herts DC	Claire Sime
Epping Forest DC	Glen Chipp, Alison Blom-Cooper, Amanda Thorn, Emily Taylor
Essex CC	David Sprunt, Rich Cooke
Harlow DC	Dianne Cooper
Hertfordshire CC	Roger Flowerday
Uttlesford DC	Gordon Glenday, Richard Fox
Conservators of Epping Forest	Jeremy Dagley
Broxbourne BC	Martin Paine

Meeting Notes

		Actions
1.0	Apologies	
	Graeme Bloomer (Harlow DC), Mary Young (Essex CC), Derek Macnab (Epping Forest DC), Paul Macbride (Harlow DC), Sean Perry (Essex CC), Andy Jobling (Highways England), Joanne Woodward (LB Redbridge), Aiden Lonergan (Natural England) James Farrar (ATLAS).	
2.0	Draft notes of previous meeting (19 January)	
	Notes from previous meeting were agreed.	
3.0	Updates on Local Plans	
	<p>Broxbourne BC: The Council went out to Regulation 18 consultation in Summer 2016. Issues arising for the Local Plan for Broxbourne include the objection by the Lee Valley Regional Park Authority, transport modelling and Gypsy and Traveller sites. The Council is currently developing a Retail Impact Study following on from their Retail Needs Assessment to address concerns raised from the core strategy examination in 2011 on the impact of Brookfield on other retail provision. Neighbouring authorities have been invited to make comments on the first draft of the report and a follow up meeting with Harlow has been arranged. The Council expects to be able to finalise the report in the near future, and will be seeking formal agreement with East Herts DC and Harlow DC that retail provision proposed for Brookfield would be acceptable. It was noted that Broxbourne DC are still waiting on Harlow DC's retail study. EFDC inquired as to whether the impact of Westfield/Chelmsford has been included, Broxbourne invited EFDC to contact them outside of the Officer Group meeting. Broxbourne DC has commissioned ORS to complete on the need for Gypsy and Traveller sites in the District and in particular to assess the proposed allocation of Wolf Road. EFDC advised that the Council had recently lost an appeal where the appellant had queried the ORS methodology for the assessment of need identified in the Interim Note prepared for the Draft Local Plan for Travellers and Travelling Showpeople. PAS are going to review the methodology used by ORS and provide advice to the Council as to whether the</p>	

methodology is sufficiently robust. EFDC will share any implications with Broxbourne and the other Essex authorities. Broxbourne also undertaking further work on transport modelling. Broxbourne DC will refresh their OAN projections based on most recent population projections before going out to Regulation 19; the aim is for Regulation 19 to take place in June 2017.

East Herts: The Council will be submitting the Draft Local Plan for examination by PINS on the 31 March 2017. There is a Panel meeting on the 9 March to seek agreement to submit and to present key supporting documents including the Infrastructure Delivery Plan, Duty to Cooperate statement and the Regulation 22 Consultation statement. Delegated authority will be sought for any further documents submitted for examination.

Epping Forest DC: The Council's Regulation 18 consultation concluded in December, the consultation received around 3,300 responses which are now being analysed. There is a high level report going to Cabinet on 9 March 2017. In the meantime the Council is progressing evidence base studies such as joint work on transport and employment with other authorities, a further round of site selection work, the Infrastructure Delivery Plan, and Open Space/Sports Facilities work in response to an objection received from Sport England. EFDC recently had a meeting with Natural England who raised concerns including the need for a mitigation strategy to be largely established before examination on SSSIs/Epping Forest SAC/LVRP - as this is a key issue across the HMA and within the MoU. A meeting co-ordinated by EFDC to discuss impacts will be arranged. JD from Conservators supported this intention and Broxbourne asked to be involved based on Natural England's representation to their Draft Local Plan.

Harlow DC: The timetable is currently unclear. Harlow DC expect that the Local Plan can be taken to Committee in preparation of Regulation 19 publication in summer 2017 if no changes are made. The retail study is awaiting confirmation and will be circulated as soon as possible. Harlow DC is waiting on the Environment Agency to make comments on Thames Water statement. There have been no responses to the tender for viability work.

Uttlesford DC: The Council are aiming to go out to Regulation 18 consultation in July 2017. Currently the Council is gathering key evidence on transport and build-out rates in order to test potential housing allocations. The Council has a key Duty to Cooperate relationship with South Cambridgeshire and is testing for both 12,500 homes and the 2014 projections figure of 14,000 homes. Members are being encouraged to provide for the higher figure in their Draft Local Plan.

4.0 Update on other cross-boundary/strategic matters

Harlow and Gilston Garden Town
 ABC from EFDC outlined that funding has been received by EFDC. The advertisement of the project director post has been published with interviews scheduled for 2 March 2017. ATLAS had facilitated a workshop with Chief Executives and Senior Officers to scope out future work streams. Engagement was raised as a key consideration. Chief Executives supported the development and agreement of a joint vision before agreeing governance

	<p>arrangements.</p> <p><i>Princess Alexandra Hospital relocation</i> A meeting with Mark Davis was held last week to discuss the scope and vision of the hospital's relocation. ATLAS is drafting a note on this meeting that will be circulated. Both of the two previously discussed options are still under consideration i.e Gilston or East of Harlow. DS from Essex CC agreed to circulate transport work regarding this at the next meeting.</p> <p><i>Highways and Transportation matters</i> Essex CC reported that there is currently no defined amount of funding for Junction 7a. Highways England has asked Essex CC for the intended location/route of Junction 7a. The timescale for delivery of Junction 7a by 2019 is still accurate. The modelling associated with the Local Plan process is progressing, however is reliant on employment data that is currently being commissioned. Herts CC reported that the modelling work being undertaken for the A414 corridor is at an early stage still.</p> <p><i>Discussions with TfL regarding capacity on the Central Line</i> EFDC attended a meeting with the GLA, LB Redbridge and LB Waltham Forest. TfL have drafted a brief for an impact study of proposed growth within the HMA including densification around Leyton/Leytonstone, looking at the Central Line as far as Stratford. The work will be agreed through a framework agreement. The study is likely to cost between £80,000-100,000 and contribution from the authorities towards the cost of the study will be sought by TfL. A further meeting has been scheduled to progress this in April 2017.</p>	<p>DS to present transport findings at next Co-op Officer Group.</p>
5.0	Feedback on Harlow DC's affordable housing paper/feedback from meeting with CLG on 15 February 2017	
	<p>East Herts reported back on the meeting with DCLG. DCLG has indicated that although they cannot speak for PINS they are happy for affordable housing provision to be considered across the HMA and for the MoU to state that the HMA will meet the need overall. Following this discussion Harlow DC stated that they are looking to update the MoU to take to the Member Board for agreement. The meeting with DCLG focused on delivering the maximum number of homes possible within the HMA. DCLG has indicated that they would like to see an infrastructure 'wish list' of requirements for the HMA to meet its housing need. East Herts outlined that on the subject of nomination rights from authorities DCLG did not consider it a land use planning issue however it would ultimately be for the Planning Inspector to decide. DCLG were open to a further meeting as required.</p>	<p>Harlow DC to update MoU following discussion with DCLG.</p>
6.0	Update on Memoranda of Understanding:	
	<p><i>Highways and Transportation Infrastructure for the West Essex/East Herts HMA</i> Highways England are yet to sign the MoU – they have expressed concern that the MoU is out of date and needs to be amended to reflect the recent funding priority given to Junction 7a. It was agreed that the authorities preference is for Highways England to sign the current MoU as is with the condition that it will be subject</p>	<p>Harlow DC/Uttlesford DC to sign Highways MoU before 24th</p>

	<p>to changes. Harlow DC and Uttlesford DC are also yet to sign. Both Councils committed to sign the MoU before East Herts deadline of the 24 February 2017. DS from Essex CC offered to go back to Highways England to explain the authorities' preference. <i>(Note – since the meeting Uttlesford have signed the MoU)</i></p> <p><i>Managing the Impacts of Growth across the West Essex/East Herts HMA on Epping Forest Special Area of Conservation</i> Harlow DC and Uttlesford DC are yet to sign MoU. The need for Herts CC to sign the MoU was discussed, Herts CC agreed to try to follow up a signature before the East Herts deadline of the 24 February 2017. <i>(Note since the meeting Herts CC have signed the MoU)</i></p> <p><i>Distribution of Objectively Assessed Housing Need across the West Essex/East Herts HMA</i> It was agreed that the total figures included in the current draft of the MoU are correct. Harlow DC has some changes they would like to propose and it was agreed that the officers would send over suggested changes before the end of the week. GC from EFDC outlined that there may be some issues with the proposed changes and that EFDC members will need to be briefed on the reason for the changes. Any potential changes will need to be agreed ASAP in order to be considered at the Board on 27 February 2017. <i>(Note – an amended MoU was agreed for discussion at the Board)</i></p> <p><i>Proposal to develop an MoU for distribution of employment across the HMA</i> This will be developed following the outcome of the joint work to be commissioned from Hardisty Jones on the need for the FEMA (see next item)</p>	<p>February.</p> <p>DS to go back to Highways England.</p> <p>EFDC to send Herts CC most up-to-date MoU.</p> <p>Herts CC to sign MoU.</p> <p>Harlow DC to circulate proposed changes.</p>
7.0	HMA-wide employment distribution workshop 10 February 2017	
	<p>Following the workshop Harlow agreed to draft a brief for further work to be carried out to feed into the MoU. Harlow asking for comments from other authorities currently then will procure the work. <i>(Note – since the meeting it was agreed that as EFDC are procuring Hardisty Jones to do some work for the District they would seek to procure the work).</i></p>	Harlow DC to send brief for comments.
8.0	Items for Co-op. Member Board 27 February 2017	
	<p>Presentation on transport work on the sites to the south and west of Harlow (DS from Essex CC). Distribution of OAN MoU Update on other MoUs Garden Town update</p>	<p>DS to feedback to Member Board on transport matters.</p> <p>Garden Town update to be given to Member Board.</p>
9.0	A.O.B	
	<p>Discussion around the meeting of the six authorities It was decided that a standing item should be added to the Co-op</p>	DS to report back to Co-op Officer

	Officer Group meetings to report back on the six authorities meetings. DS from Essex CC offered to co-ordinate this.	Group in future.
10.0	Future Co-op Officer Group meeting dates	
	Thursday 16 March 2017 - (10am, Committee Rm 2, Epping Forest DC)	
	Thursday 13 April 2017 - (10am, Committee Rm 2, Epping Forest DC)	

DRAFT

Agenda - Co-operation for Sustainable Development Member Board Group

6.30pm - Monday 27 February 2017

Council Chamber, Civic Centre, Harlow

1. Apologies
2. Draft notes of meeting of 23 January 2017 – including review of action points
3. Transport presentation on additional work for sites to the south and west of Harlow (Essex County Council)
4. Distribution of Objectively Assessed Housing Need MoU across the West Essex/East Herts HMA – consider and agree revised draft as attached.
5. Update on other Memoranda of Understanding
 - a. Highways and Transportation Infrastructure for the West Essex/East Herts HMA
 - b. Managing the Impacts of Growth across the West Essex/East Herts HMA on Epping Forest Special Area of Conservation
 - c. Proposal to develop an MoU for distribution of employment across the HMA
6. 'Harlow & Gilston Garden Town' update (Appointment of project director and scope for additional work on spatial visioning and design charter)
7. Any other cross-boundary/strategic matters
8. A.O.B.
9. Dates of next meetings:
 - a. Monday 20 March 2017, 6.30pm (Harlow DC)
 - b. Monday 24 April 2017, 6.30pm (Harlow DC)

Memorandum of Understanding on Distribution of Objectively Assessed Housing Need across the West Essex/East Hertfordshire Housing Market Area

February 2017

Between

East Hertfordshire District Council
Epping Forest District Council
Harlow District Council
Uttlesford District Council



Uttlesford
District Council

And supported by (non-signatories)

Essex County Council (as a Highways Authority)
Hertfordshire County Council (as a Highways Authority)
Highways England



Table of Contents

1	Background	4
	Introduction	4
	Joint and co-ordinated working in the West Essex/East Hertfordshire HMA.....	4
	Spatial distribution of housing	5
2	Purpose of this Memorandum of Understanding (MoU)	7
	The three inter-related Memoranda of Understanding	7
	This Memorandum of Understanding.....	7
	Other matters considered outside this MoU	8
	Accommodation for Travellers and Travelling Showpeople	9
3	The ‘Spatial Option’ of OAHN within the HMA	11
4	Future co-operation & monitoring	13
	Implementation and Monitoring of the tasks outlined in this MoU	13
	Contingency planning	15
5	Signatures	16
6	Appendices (for reference)	17
	Appendix 1 – Background on the West Essex/East Hertfordshire HMA	18
	Appendix 2 – Details of the Co-op Member Board and Co-op Officer Group.....	19
	Appendix 3 – Joint Economic Report.....	21
	Appendix 4 – Strategic OAHN Spatial Options Study	23
	Appendix 5 – Strategic Vision for LSCC Core Area	26
	Appendix 6 – Governance and Roles (in relation to this MoU)	28
	Appendix 6 A – Signatory organisations	28
	Appendix 6 B – Non-signatory organisations	28
	Appendix 7 – Key Member and Officer contacts.....	31

Table of Figures

Figure 1 – Headline results from the SHMA (2015)	5
Figure 2 – Process for the Strategic OAHN Spatial Options Study	6
Figure 3 – Inter-related Memoranda of Understanding	7
Figure 4 – Key matters of strategic cross-boundary significance (outside this MoU)	9
Figure 5 – The ‘Spatial Option’ of OAHN - 2011-2033.....	11
Figure 6 – Strategic areas in and around Harlow, within the ‘Spatial Option’ of OAHN.. Error! Bookmark not defined.	
Figure 7 – Implementing and monitoring the tasks outlined by the MoU.....	13
Figure 8 – The West Essex/East Hertfordshire area	18
Figure 9 – Governance structure of the Co-op Member Board	20
Figure 10 – The Functional Economic Market Area.....	21
Figure 11 – Headline results from the Joint Economic Report (2015).....	22
Figure 12 – The ‘Options’ in the Strategic OAHN Spatial Options study	23
Figure 13 – Details of Options A to F and the ‘Spatial Option’	25
Figure 14 – Key Member and Officer contacts	31

CONFIDENTIAL DRAFT

1 Background

Introduction

- 1.1. This Memorandum of Understanding (MoU) concerns the distribution of the Objectively Assessed Housing Need (OAHN) of four councils comprising the West Essex/East Hertfordshire Housing Market Area (HMA): East Hertfordshire District Council, Epping Forest District Council, Harlow District Council and Uttlesford District Council (see Appendix 1 for more background on the HMA).
- 1.2. The MoU was prepared by officers and Members of these four authorities, with assistance from Essex County Council, Hertfordshire County Council and Highways England. The preparation of the MoU was overseen by the 'Co-operation for Sustainable Development Member Board' (the Co-op Member Board)¹.

Joint and co-ordinated working in the West Essex/East Hertfordshire HMA

- 1.3. The National Planning Policy Framework (NPPF) states that: "Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities..." and, furthermore, "The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities" (para 178). It also expects local authorities "...to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for Independent Examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development" (para 181).
- 1.4. East Hertfordshire, Epping Forest, Harlow and Uttlesford District Councils (also referred to in this MoU as the "West Essex/East Hertfordshire Authorities") have a substantial history of co-ordinated working on strategic planning issues, not least on assessing housing need and planning for future growth. Essex County Council and Hertfordshire County Council have also been involved in cross-boundary working with the authorities for many years on many different topics including planning matters.
- 1.5. Each of the West Essex/East Hertfordshire Authorities will publish their Local Plans (East Hertfordshire for Regulation 19 publication and Epping Forest District for Regulation 18 consultation by the end of 2016, with Harlow for Regulation 19 publication and Uttlesford District Council for Regulation 18 consultation in 2017). The Local Plans will then progress into Independent Examination and adoption in 2017/2018. Joint and co-ordinated working will continue on relevant matters.

¹ The 'Co-operation for Sustainable Development Member Board', established October 2014, hereafter referred to as the 'Co-op. Member Board'. See Appendix 2 for further details of this and the related 'Co-operation for Sustainable Development Officer Group' (hereafter referred to as the 'Co-op Officer Group').

Housing need

Three Strategic Housing Market Assessments (SHMAs), published in 2010, 2012 and 2015 have been undertaken for the combined area of East Hertfordshire, Epping Forest, Harlow and Uttlesford Districts². The most recent SHMA was commissioned by the Co-op Member Board and managed through a sub group of the Co-op Officer Group. Details of the terms of reference and working practices of the Co-op Member Board and the Co-op Officer Group are set out in Appendix 2. The 2015 SHMA gives an up to date and Planning Practice Guidance compliant³ assessment of housing need over the Housing Market Area (HMA) for the period 2011-2033. It is acknowledged that since the publication of the SHMA in 2015, updated 2014-based household projections have been published – see paragraph 3.4. The four authorities are all committed to identifying an up-to-date OAHN based on the 2014-based projections. The 2015 SHMA gave the following headline results (in net additional dwellings) for the HMA as a whole, and for each local authority.

Figure 1 – Headline results from the SHMA (2015)

Local Authority	OAHN Market dwellings	OAHN Affordable dwellings	Total OAHN (net new dwellings 2011-2033)
East Hertfordshire DC	12,200	4,200	16,400
Epping Forest DC	8,100	3,200	11,300
Harlow DC	2,500	3,400	5,900
Uttlesford DC	9,700	2,800	12,500
Total for HMA	32,500	13,600	46,100

NB – totals may not sum due to rounding

The full 2015 Joint SHMA is available to view at:

<http://www.eppingforestdc.gov.uk/index.php/home/file-store/category/458-strategic-housing-market-area>

Economic growth

- 1.6. The Co-op Member Board also commissioned a Joint Economic Report, to consider the Objectively Assessed Economic Need (OAEN) of the Functional Economic Market Area (FEMA, which has been found to be the same as the HMA). This was published in 2015 and gives an up to date and Planning Practice Guidance²-compliant assessment of employment need across the FEMA for the period 2011-2033. (More details of the 2015 Joint Economic Report can be found in Appendix 3).

Spatial distribution of housing

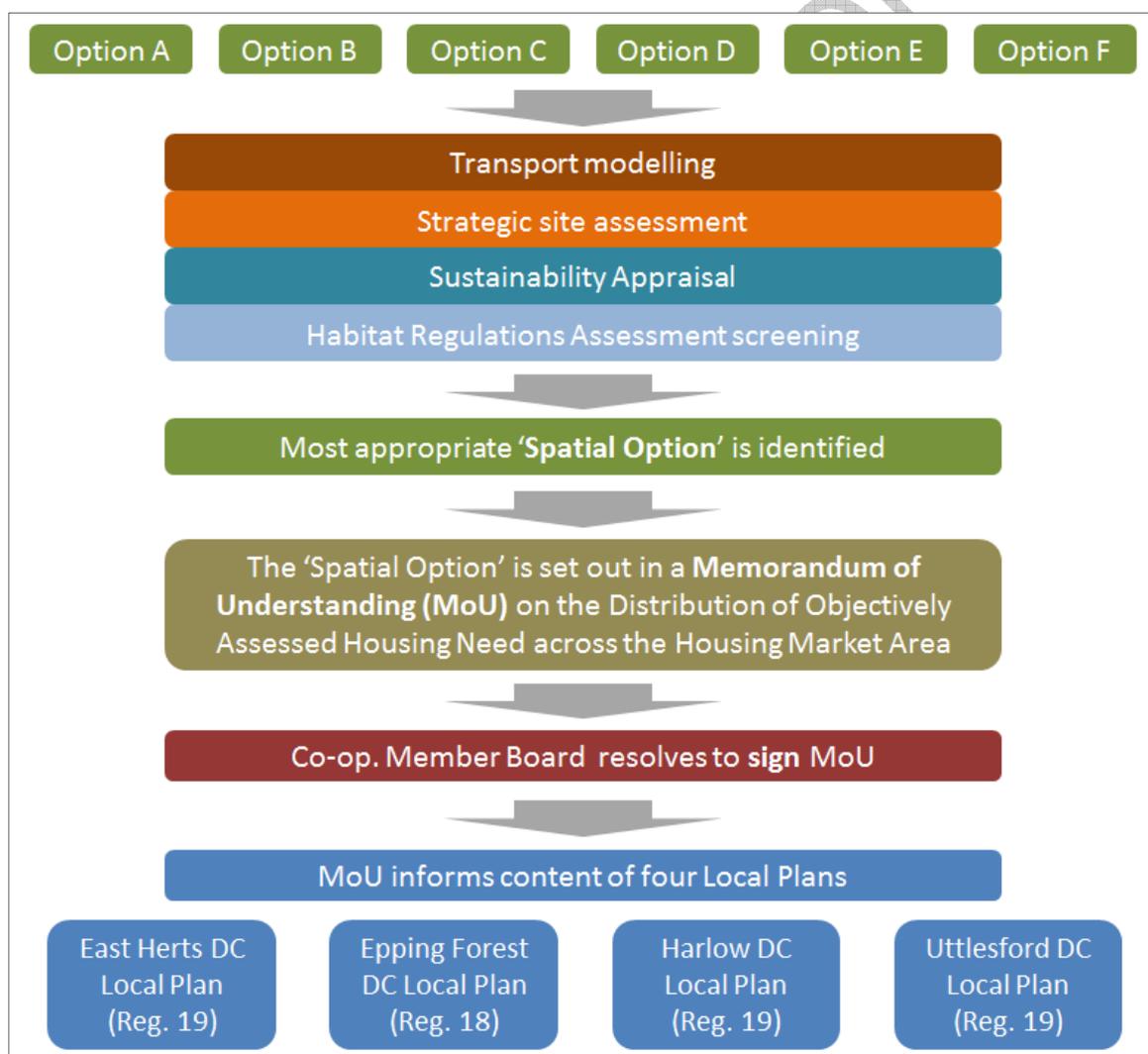
- 1.7. In order to comply with the Duty to Co-operate in section 33A of the Planning and Compulsory Purchase Act 2004, the West Essex/East Hertfordshire Authorities commissioned work from consultants AECOM, through the Co-op Member Board, to assess

² Planning Practice Guidance, Paragraph: 030 Reference ID: 2a-030-20140306

the sustainability of strategic spatial options for meeting the overall OAHN within the HMA. The results of this 'spatial optioneering' work inform this MoU.

- 1.8. The work undertaken by the Co-op. Member Board to develop and test options for distributing different levels of growth across the HMA will form a critical component of the evidence base informing each of the four local plans. This work clearly demonstrates that the questions of (i) how much housing should be delivered across the HMA; and (ii) where should this housing best go have both been robustly addressed. Specifically, the authorities have agreed an overall quantum of development for the HMA as well as a housing figure for each of the four authority areas and a specific figure for the level of development to be accommodated in and around Harlow town (to be met in part through named strategic sites). Beyond these agreed figures the four authorities will determine the spatial distribution of housing in their respective areas through their own local plan processes.
- 1.9. The Spatial Options Study used four means to test six potential distribution Options (Options A - F), and the Co-op Member Board subsequently resolved on a specific 'Spatial Option', as set out in Figure 2.

Figure 2 – Process for the Strategic OAHN Spatial Options Study



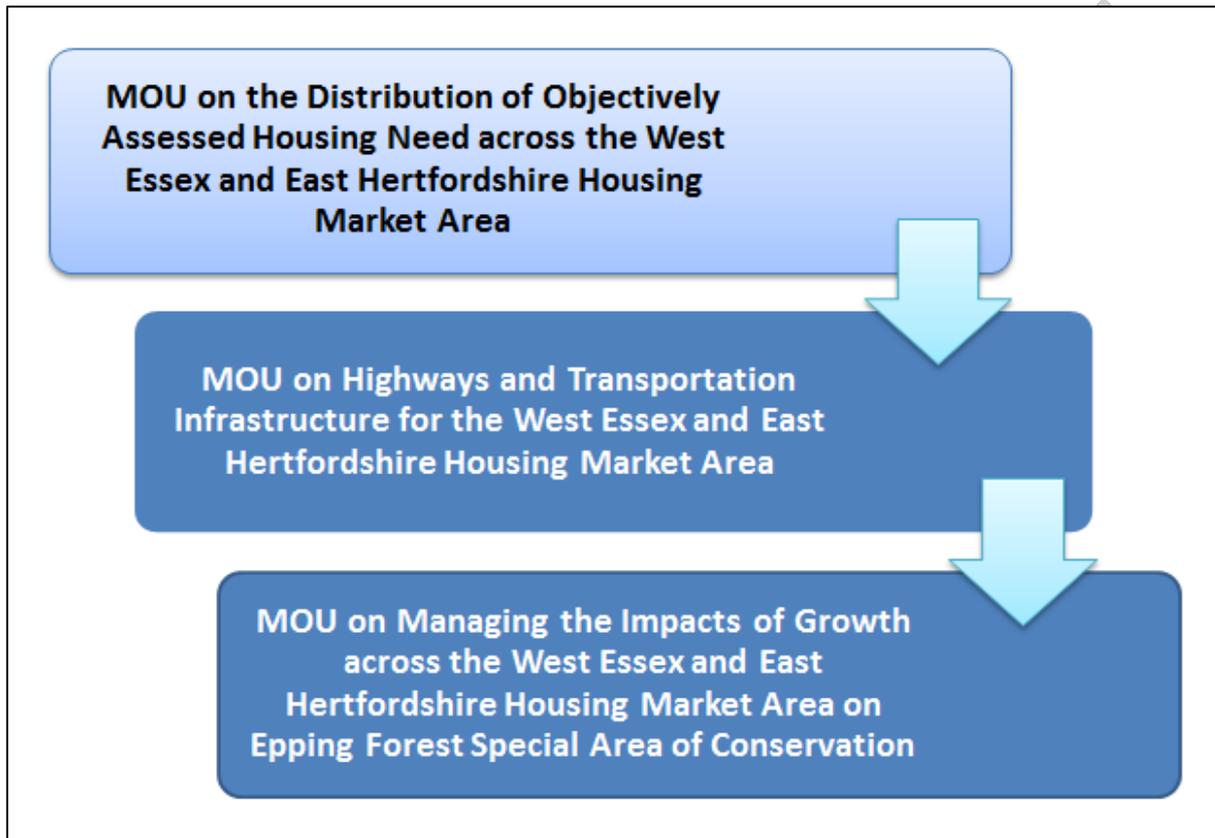
- 1.10. Further details of the Spatial Options Study are included within Appendix 4.

2 Purpose of this Memorandum of Understanding (MoU)

The three inter-related Memoranda of Understanding

- 2.1. This MoU is the overarching one of a group of three related memoranda of understanding.
- 2.2. The other two deal with highways and transportation infrastructure, and Epping Forest Special Area of Conservation respectively, as shown in Figure 3.

Figure 3 – Inter-related Memoranda of Understanding



This Memorandum of Understanding

- 2.3. This MoU is designed to address the distribution of OAHN as defined by the 2015 SHMA. Although it addresses the OAHN within the West Essex/East Hertfordshire HMA only, the draft of the MoU, and the evidence underpinning it, were discussed both at the Co-op Member Board and the Co-op Officer Group which includes other relevant authorities (see Appendix 2 for membership details).
- 2.4. The purpose of this MoU is to ensure that the West Essex/East Hertfordshire Authorities (supported by Essex County Council, Hertfordshire County Council and Highways England), working together, fulfil the following requirements:
 - (i) to meet in full, the Objectively Assessed Housing Need of the West Essex/East Hertfordshire HMA, as assessed by the Joint SHMA (2015), within the HMA (taking account of availability, viability and deliverability);
 - (ii) to deliver the shared Strategic Vision for the LSCC 'Core Area', as set out in Appendix 5 and to include this Strategic Vision as part of the individual local plans;

- (iii) to fulfil the commitment in the Joint Statement³ made by the Co-op Member Board in 2015, to "...work towards the production of a memorandum of understanding to support the joint working and meeting the duty to co-operate";
- (iv) to achieve item (i) above through the most sustainable pattern of development which is feasible, achievable and deliverable as assessed by the Spatial Options Study and other relevant evidence, by including the 'Spatial Option' for OAHN within individual Local Plans;
- (v) to continue to engage with one another at an early stage, in detail, and on a continuing basis, with the intention of avoiding possible objections being made at consultation stages and/or at Independent Examination of the individual Local Plans;
- (vi) to continue to co-operate during the implementation and monitoring of individual Local Plans;
- (vii) to commission any future joint evidence work which may be required;
- (viii) to help demonstrate compliance with the Duty to Co-operate during the Independent Examination of Authorities' Local Plans;
- (ix) to assist in securing necessary enabling strategic infrastructure for the growth set out in this MoU; and
- (x) to inform and support the 'Highways and Transportation Infrastructure for the West Essex and East Hertfordshire Housing Market Area' MoU and the 'Managing the Impacts of Growth across the West Essex and East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation' MoU (see Figure 3).

Other matters considered outside this MoU

- 2.5. The NPPF states that, '*Local planning authorities should work collaboratively with other bodies to ensure that strategic priorities across local boundaries are properly coordinated and clearly reflected in individual Local Plans*' (para 179).
- 2.6. There are of course many key issues, other than the spatial distribution of OAHN, which are cross-boundary in nature and which the West Essex/East Hertfordshire Authorities are working on together. Other key matters of strategic cross boundary significance which are being addressed by ongoing joint and co-ordinated work are listed in Figure 4. This is not an exhaustive list, and the four local authorities will continue to work together to identify and tackle cross-boundary matters. Essex County Council is preparing a Growth Infrastructure Framework, which will greatly assist in this task.

³ The Co-op Member Board issued a joint statement on sign-off of the 2015 Joint SHMA and 2015 Joint Economic Report, which is available here: <http://www.eppingforestdc.gov.uk/index.php/home/file-store/category/532-shma-economic-growth-reports-co-op-board-joint-statement>.

Figure 4 – Key matters of strategic cross-boundary significance (outside this MoU)

<p>Other Housing issues</p> <ul style="list-style-type: none"> • Viability • Sustainable building materials and processes • Unmet needs and five year housing land supply • <i>Accommodation for Travellers and Travelling Showpeople (see below)</i>
<p>Other Economic issues</p> <ul style="list-style-type: none"> • Existing retail offer and future need • Competition between economic centres • Commuting patterns
<p>Highways & Transportation Infrastructure</p> <ul style="list-style-type: none"> • Delivery of the new J7A of the M11 to enable growth in and around Harlow • Promotion of sustainable modes of transport • Improvements at J7 and J8 of the M11 • London Stansted Airport growth • Opportunities relating to Crossrail 2 and four-tracking of the West Anglia Main line • Provision of Green Transport Corridors • Central Line issues
<p>Community Infrastructure</p> <ul style="list-style-type: none"> • Education - primary, secondary, higher • Open spaces, and sport and recreation facilities • Library provision
<p>Health</p> <ul style="list-style-type: none"> • Consideration of a new site for Princess Alexandra Hospital, possibly a 'health and social care campus' • Provision of primary care, adult social care etc.
<p>Environment</p> <ul style="list-style-type: none"> • Epping Forest Special Area of Conservation (inc. air quality) • Green Infrastructure • Climate change including flood risk • Food production, including the Lea Valley glasshouse industry • Wastewater management • Waste management • Integration of local designations • Urban form of growth areas and their integration with existing urban settlements
<p>Built Environment</p> <ul style="list-style-type: none"> • Significant heritage assets e.g. Historic towns and Conservation areas • Green Belt Reviews

2.7. These strategic cross-boundary issues will also be cascaded down to the individual Local Plans of the West Essex/Est Hertfordshire authorities.

Accommodation for Travellers and Travelling Showpeople

2.8. Assessing need and providing accommodation for Gypsies and Travellers and Travelling Showpeople is a key cross-boundary issue and one which will require ongoing and detailed engagement over the West Essex/East Hertfordshire area and beyond.

2.9. At the time of writing this MoU, an update to the Gypsy and Traveller Accommodation Assessment (GTAA) for Essex is being prepared. The update will re-assess need across Essex on the basis of the new definition (in planning terms) of travellers which was

introduced in 2015⁴, and which effectively redefined 'traveller' in planning policy terms to exclude those who no longer travel permanently. The update to the GTAA will also address need for Travelling Showpeople. The East Hertfordshire Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessment Update, May 2016⁵, has assessed need on the basis of the new national definition and taken into account the provisions of the Housing and Planning Act, 2016.

- 2.10. Harlow, Uttlesford and Epping Forest Districts have agreed to meet their own individual assessed need within their own boundaries. While East Hertfordshire District Council envisages being able to accommodate its need within its boundaries, it should be noted that it is entering into Duty to Co-operate arrangements with Welwyn Hatfield Borough Council to enable meeting some of both councils' identified needs via provision of a new site at Birchall Garden Suburb, East of Welwyn Garden City.
- 2.11. Those traveller households which have been identified as not meeting the new Planning Policy for Traveller Sites definition will have their accommodation needs provided for under other policies in the respective local plans.

CONFIDENTIAL DRAFT

⁴ Planning policy for traveller sites, CLG, August 2015, available at <https://www.gov.uk/government/publications/planning-policy-for-traveller-sites>

⁵ This report is available at <http://democracy.eastherts.gov.uk/ieListDocuments.aspx?CId=151&MId=2862>

3 The 'Spatial Option' of OAHN within the HMA

- 3.1. The AECOM report (Harlow Strategic Site Assessment, September 2016) identified sufficient suitable sites in and around Harlow to accommodate close to 16,100 units provided that:
- Detailed traffic modelling demonstrates that development to the East of Harlow is deliverable on the scale envisaged
 - Significant infrastructure requirements are met, including highways, sustainable travel options, education sewerage/drainage etc.
 - Landscape impacts can be mitigated
 - Development can be distributed amongst several sites in combination
- 3.2. The Spatial Options Study identified the most suitable option capable of accommodating approximately 16,100 units in and around Harlow, based upon the evidence assessed by AECOM.
- 3.3. The most suitable 'Spatial Option' represents 'planning positively for growth', as it is higher than both the established OAHN within the published 2015 SHMA (46,100), and the number suggested by the 2012-based CLG household projections alone (49,638 dwellings).
- 3.4. It is lower than the SHMA consultants ORS' estimated figure for emerging OAHN taking into account the 2014-based Sub-National Population Projections, and the 2012-based Household Projections (approximately 54,600⁶), and lower than Option F (57,141) but it still makes good progress towards these higher figures. The proposed option takes account of the infrastructure constraints and specifically the capacity on the highway network.

Figure 5 – The 'Spatial Option' of OAHN - 2011-2033

Local authority	Net new dwellings 2011-2033
East Hertfordshire District Council	~ 18,000
Epping Forest District Council	~ 11,400
Harlow District Council	~ 9,200
Uttlesford District Council	~ 12,500
Total across the HMA	~ 51,100
<i>...of which the area in and around Harlow* will provide</i>	<i>~ 16,100</i>

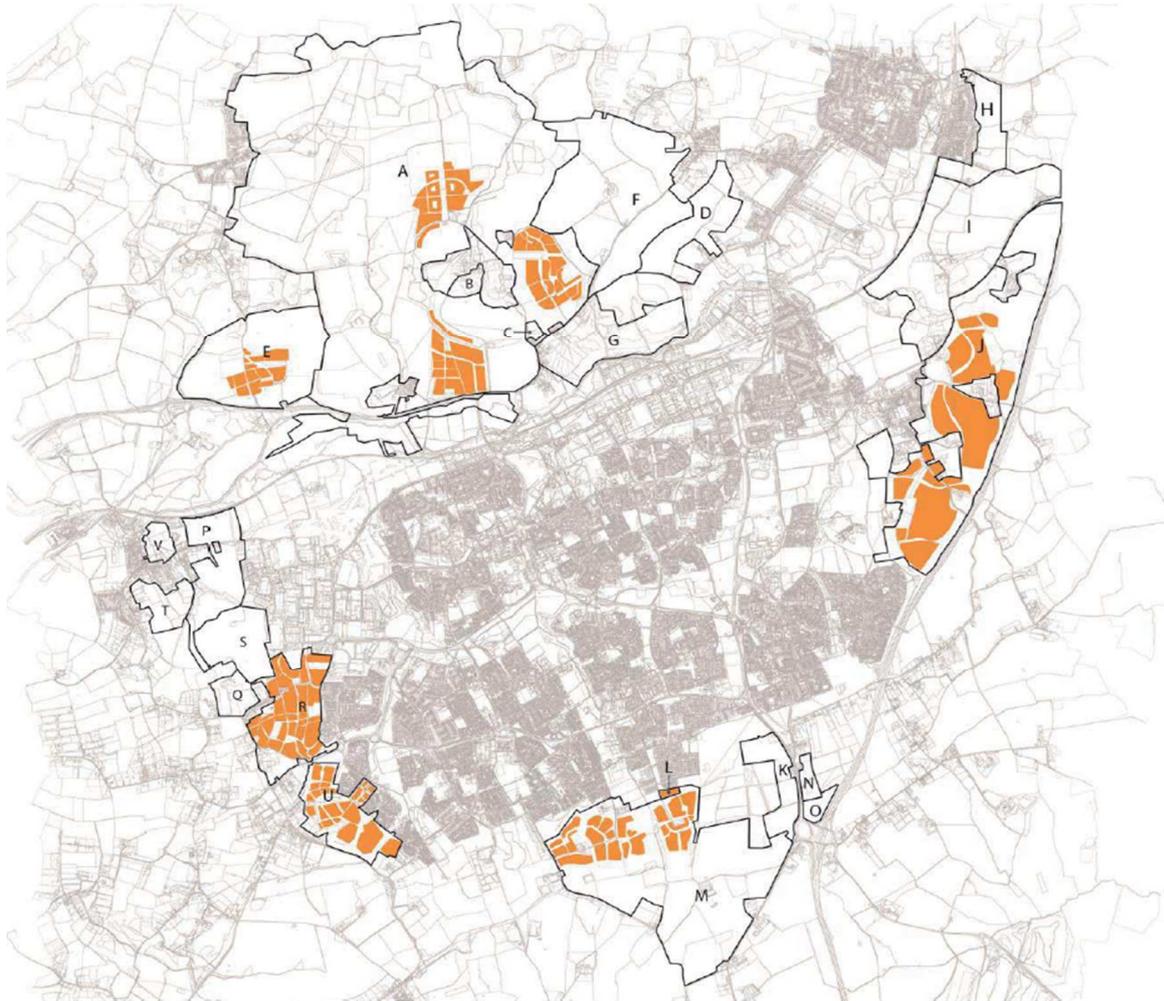
* This represents net new dwellings

** 'In and around Harlow' refers to Harlow town as well as around Harlow in adjoining districts

⁶ SHMA consultants ORS have estimated that the impact of the 2014-based Sub-National Population Projections, and 2012-based Household Projections could mean a rise in OAHN to approximately 54,600, but this number is not final. It has been tested through the Spatial Options Study in the interests of assessing what that number might mean for the HMA. Formal review of the OAHN number will take place through a full SHMA update in the future.

- 3.5. Approximately 16,100 dwellings identified in and around Harlow could be accommodated in the following AECOM distribution scenario subject to availability, viability and deliverability:

Figure 6; AECOM scenario for how growth could be distributed



- 3.6. Development in and around Harlow will also include, within Harlow District, existing commitments (including completions and permissions), urban brownfield developments and development of the existing site of Princess Alexandra Hospital (which will relocate), which are not shown in Figure 6. This comprises approximately 6,575 dwellings, which are within the overall number for Harlow District Council quoted in Figure 5.
- 3.7. Delivery of this 'Spatial Option' will be informed and managed through the four West Essex/East Hertfordshire Authorities' individual housing trajectories, which the authorities will continue to co-operate on.
- 3.8. For more details of the 'Spatial Option' please refer to Appendix 4, and the Spatial Options Study.

4 Future co-operation & monitoring

- 4.1. This section sets out basic tasks and outcomes at present; more specific actions will be jointly agreed at a later date as this MoU is reviewed and kept up to date.

Implementation and Monitoring of the tasks outlined in this MoU

- 4.2. Overall compliance with the MoU will be monitored via a standing item on the agenda of the Co-op Officer Board. If any issues arise they will be referred to the next available Co-op Member Board for discussion and resolution. There will also be a formal review of compliance with the MoU on the Co-op Member Board agenda roughly every six months.

Figure 7 – Implementing and monitoring the tasks outlined by the MoU

Task		Implementation by	Monitoring by
1	Deliver the shared Strategic Vision for the LSCC 'Core Area' and include as part of the individual local plans	West Essex/East Hertfordshire Authorities to include the shared Strategic Vision within their Local Plans and seek to deliver it together.	Co-op Officer Group and Co-op Member Board, supported by LSCC to monitor delivery of the shared Strategic Vision.
2	Meet in full, the OAHN (including affordable housing need) of the West Essex/East Hertfordshire HMA through the most sustainable pattern of development, as assessed by the Joint 2015 SHMA and Joint Economic Report (2015) and updates, (taking account of availability, viability and deliverability)	West Essex/East Hertfordshire Authorities to include the 'Spatial Option' for OAHN (high level numbers and spatial principles) within their individual evidence base and Local Plans and continue to co-operate to find the best way of meeting the OAHN requirement in full in the HMA (see also para. 1.8)	Co-op Officer Group to monitor Local Plan consultations and ensure that the 'Spatial Option' for OAHN is included in individual plans, and that ongoing engagement takes place
3	Continue to engage with one another at an early stage, in detail, and on a continuing basis, with the intention of avoiding avoid possible objections being made at consultation stages and/or at Independent Examination of the individual Local Plans	West Essex/East Hertfordshire Authorities to continue to engage regularly via the Co-op Officer Group and Co-op Member Board which provide a platform for regular communication for all parties.	Co-op Officer Group to monitor overall engagement from the West Essex/East Hertfordshire Authorities, ensuring that information is shared at an early stage for all Local Plan consultations.

Task		Implementation by	Monitoring by
4	Continue to co-operate during the implementation and monitoring of individual Local Plans	West Essex/East Hertfordshire Authorities to discuss and work towards a common set of indicators for monitoring Local Plan progress, and use these together.	Co-op Officer Group to monitor progress to common set of indicators.
5	Commission any future joint evidence work which may be required	West Essex/East Hertfordshire Authorities to continue to share ideas about joint evidence which could be commissioned. Essex and Hertfordshire County Councils to assist with any suggestions.	West Essex/East Hertfordshire Authorities to self-monitor their engagement with each other on this task.
6	East Hertfordshire DC, Epping Forest DC and Harlow DC to continue to work together on the expression of interest for capacity funding to DCLG in response to the Locally Led Garden Villages, Towns & Cities Prospectus.	The three authorities with support from Uttlesford District Council, Essex County Council and Herts County Council to submit a joint bid for capacity funding with the help of ATLAS	West Essex/East Hertfordshire Authorities to self-monitor their engagement with each other on this task
7	Help demonstrate compliance with the Duty to Co-operate to the Planning Inspectorate	West Essex/East Hertfordshire Authorities to continue to engage regularly via the Co-op Officer Group and Co-op Member Board, and to refer to this MoU, and the two related MoUs, at the Independent Examination into their Local Plans.	West Essex/East Hertfordshire Authorities to self-monitor their engagement with each other on this task.
8	Assist in securing enabling strategic infrastructure for the growth set out in this MoU	If this MoU is not effective in helping secure enabling infrastructure, it will be reviewed and re-drafted.	Co-op Officer Group to monitor effectiveness, if found ineffective, a new draft will be mooted at the next available Co-op Member Board, and decisions on drafting to take place at the Board thereafter.

Task		Implementation by	Monitoring by
9	Inform and support the 'Highways and Transportation Infrastructure for the West Essex and East Hertfordshire Housing Market Area MoU' and the 'Managing the Impacts of Growth across the West Essex and East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation MoU'	<i>This task is already complete; the 'Highways and Transportation Infrastructure for the West Essex and East Hertfordshire Housing Market Area' MoU and the 'Managing the Impacts of Growth across the West Essex and East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation' MoU have been completed.</i>	

Contingency planning

- 4.3. Should the West Essex/East Hertfordshire Authorities encounter any significant difficulty in delivering the tasks outlined in this MoU, for example, if the 'Spatial Option' of OAHN were found in the future to be undeliverable for some unforeseen reason, the Authorities commit to working together to find a joint solution which represents the 'best option' for the HMA. This may include commissioning further technical evidence, preparing further MoUs or agreements etc. following discussions at the Co-op Officer Group and Co-op Member Board. Furthermore, mechanisms for Local Plan review may be considered by any of the Authorities.

CONFIDENTIAL DRAFT

5 Signatures

- 5.1 This Memorandum of Understanding is signed by and duly authorised for and on behalf of the following authorities. (See appendix 6 for details of roles and responsibilities of the organisations below in relation to this MoU):

East Hertfordshire District Council

Name (printed): _____

Signature: _____

Designation: _____

Date: _____

Epping Forest District Council

Name (printed): _____

Signature: _____

Designation: _____

Date: _____

Harlow District Council

Name (printed): _____

Signature: _____

Designation: _____

Date: _____

Uttlesford District Council

Name (printed): _____

Signature: _____

Designation: _____

Date: _____

6 Appendices (for reference)

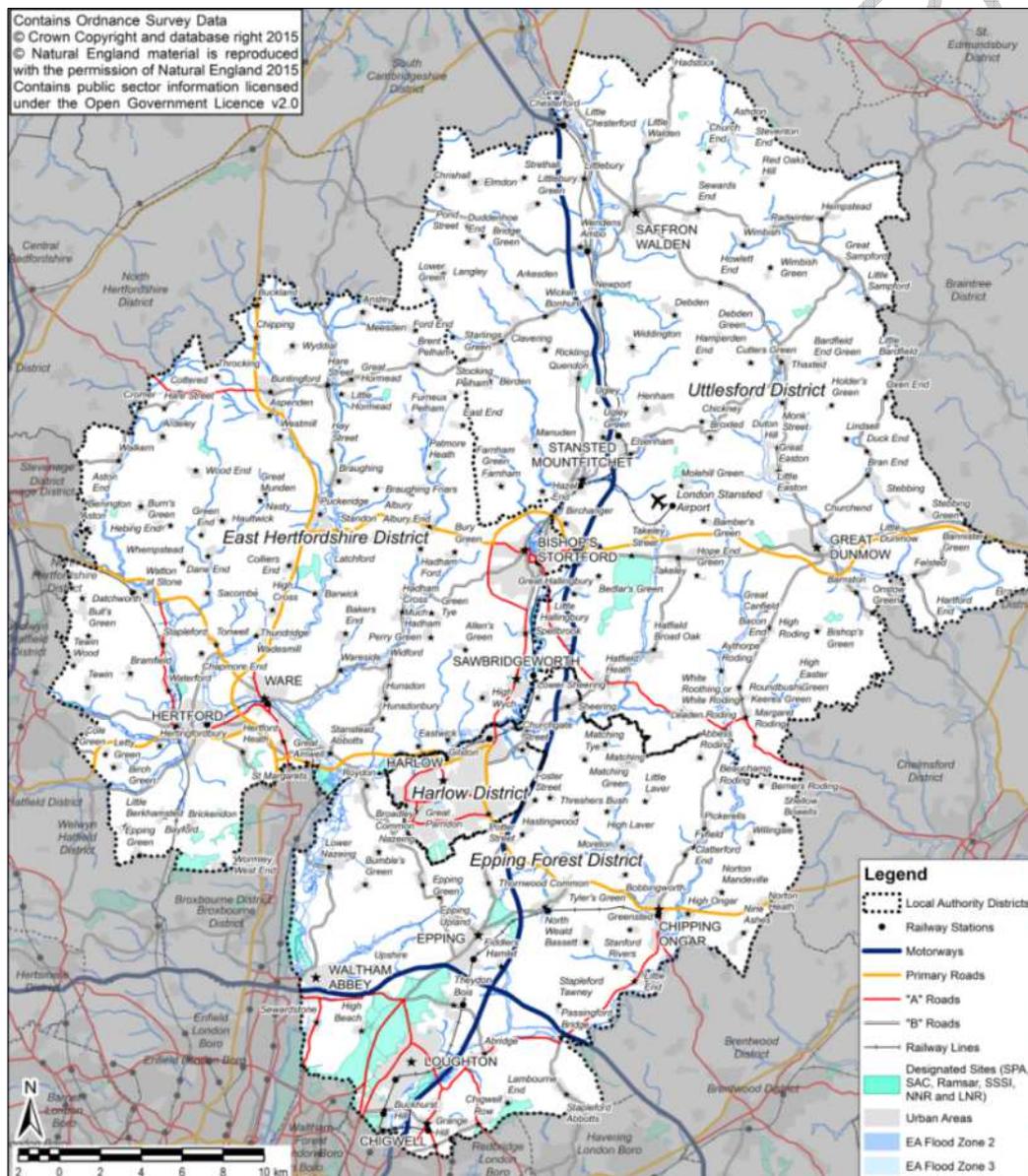
6.1 The following appendices are included for reference purposes only.

CONFIDENTIAL DRAFT

Appendix 1 – Background on the West Essex/East Hertfordshire HMA

- A1.1 The West Essex/East Hertfordshire HMA comprises the local authority Districts of East Hertfordshire, Epping Forest, Harlow and Uttlesford. It covers a total of approximately 574 square miles, and as at the 2011 Census, had a total population of 423,733 and a total of 181,336 dwellings.
- A1.2 A significant proportion is designated as Green Belt, and there are large portions of rural hinterland within the area, but also some larger and more urban settlements. The West Essex/East Hertfordshire HMA is centred on the large, 'new town' of Harlow, the biggest service centre within the area.
- A1.3 The West Essex/East Hertfordshire HMA also faces substantial pressure for development, due to population growth, and its proximity to London, and to major transport infrastructure such as the M25 and M11, the London Underground and Stansted Airport.

Figure 8 – The West Essex/East Hertfordshire area



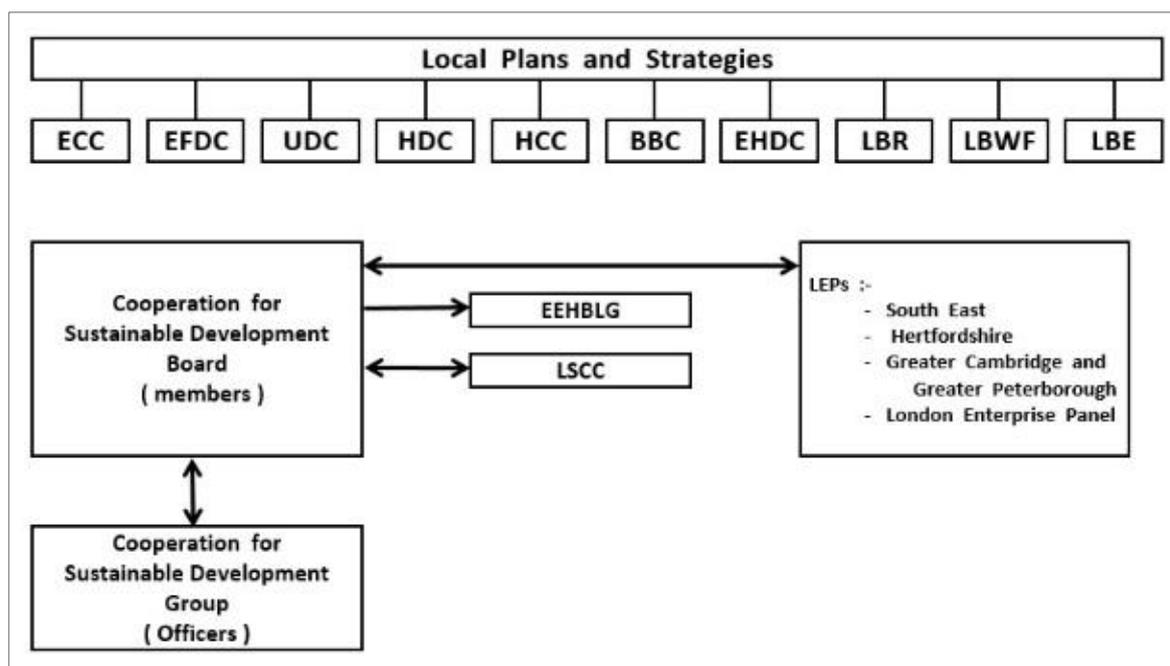
Appendix 2 – Details of the Co-op Member Board and Co-op Officer Group

- A2.1 The West Essex/East Hertfordshire Authorities form the core of the 'Co-operation for Sustainable Development Officer Group' (established February 2014, hereafter referred to as the 'Co-op Officer Group') and the 'Co-operation for Sustainable Development Member Board' (established October 2014, hereafter referred to as the 'Co-op Member Board').
- A2.2 The Co-op Member Board and Co-op Officer Group have been very important in helping to address cross-boundary issues, and they both now have many more members, including other adjacent local authorities, representatives from two County Councils, the Lee Valley Regional Park Authority, and the Corporation of London (Conservators of Epping Forest). The London Stansted Cambridge Consortium is also fully engaged and has been working with the four core authorities and Broxbourne Borough Council, and the Greater London Authority also has a watching brief.
- A2.3 Neither the Co-op Member Board nor Co-op Officer Group has formal decision making powers, however they both make recommendations to the constituent Councils, and to any cross boundary grouping of elected Members which has similar purposes. This approach has proved successful in furthering cross-boundary work and ongoing engagement.
- A2.4 The two groups have also proved a helpful platform for other bodies to engage with several authorities at once, for example the NHS, Highways England, and Thames Water. Both groups meet roughly every month to six weeks.

The Co-op Member Board

- A2.5 The 'Aims and Objectives' of the Co-op Member Board (from the Terms of Reference) are:
- "(1) The Co-operation for Sustainable Development Board will support Local Plan making and delivery for sustainable communities across geographical and administrative boundaries in West Essex, East Hertfordshire and the adjoining London Boroughs. It will do this by identifying and managing spatial planning issues that impact on more than one local planning area within West Essex, East Hertfordshire and the adjoining London Boroughs;
- and
- (2) The Board will support better integration and alignment of strategic spatial and investment priorities in West Essex, East Hertfordshire and adjoining London boroughs, ensuring that there is a clear and defined route through the statutory local planning process, where necessary."

Figure 9 – Governance structure of the Co-op Member Board



In this figure:

- BBC = Broxbourne Borough Council
- ECC = Essex County Council
- EEHBLG = Enfield, Essex and Hertfordshire Border Liaison Group
- EFDC = Epping Forest District Council
- EHDC = East Hertfordshire District Council
- HCC = Hertfordshire County Council
- HDC = Harlow District Council
- LBE = London Borough of Enfield
- LBR = London Borough of Redbridge
- LBWF = London Borough of Waltham Forest
- LEP = Local Enterprise Partnership
- LSCC = London Stansted Cambridge Consortium
- UDC = Uttlesford District Council

- A2.6 The Co-op Member Board issued a joint statement on sign-off of the 2015 Joint SHMA and 2015 Joint Economic Report, which is available here:
<http://www.eppingforestdc.gov.uk/index.php/home/file-store/category/532-shma-economic-growth-reports-co-op-board-joint-statement>.

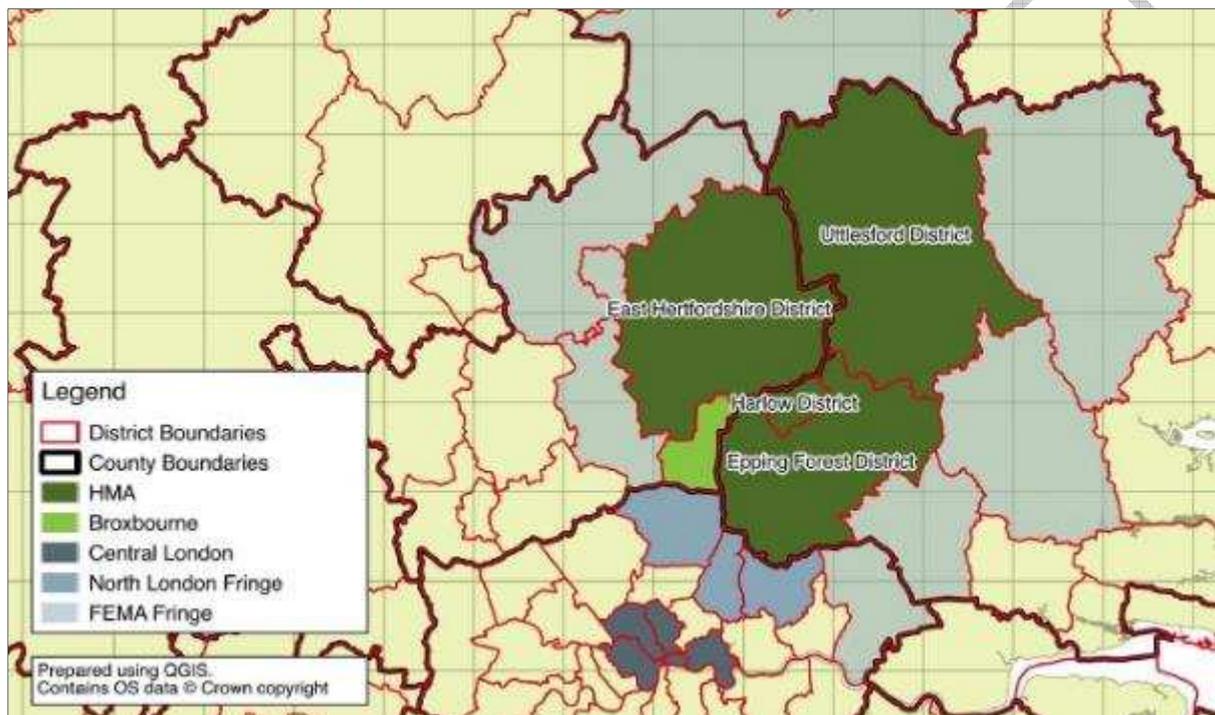
The Co-op Officer Group

- A2.7 The Terms of Reference for the Co-op Officer Group set out that the Group aims:
"To achieve effective co-operation between Councils to support Local Plan making and delivery for sustainable communities across geographical and administrative boundaries in West Essex, East Hertfordshire and the adjoining London boroughs.", by, '.... providing a forum across the county boundaries of Essex and Hertfordshire and Greater London for officers of participant councils to develop a shared understanding of community issues, to jointly review the options to achieve the needs of those communities, including growth, and to identify how they should co-operate to enable those needs to be met."

Appendix 3 – Joint Economic Report

- A3.1 The Joint Economic Report (2015, Hardisty Jones Associates, formal title: Economic Evidence to Support the Development of the OAHN for West Essex and East Hertfordshire) was commissioned by the Co-op Member Board on behalf of the West Essex/East Hertfordshire Authorities.
- A3.2 The 2015 Joint Economic Report found that Epping Forest District Council, East Hertfordshire District Council, Harlow District Council and Uttlesford District Council form an effective Functional Economic Market Area⁷, and so proceeded to assess economic need on that basis.

Figure 10 – The Functional Economic Market Area



- A3.3 The 2015 Joint Economic Report gave the following headline results for Objectively Assessed Economic Need (in net additional jobs per annum) for the Functional Economic Market Area as a whole, and for each local authority as a range of net additional jobs per annum, over the Local Plan period 2011-2033.

⁷ The Joint Economic Report highlighted some links from the Functional Economic Market Area to Broxbourne Borough Council, but concluded that it was not within the FEMA. Broxbourne BC had a 'watching brief' on the Joint Economic Report, and through the 'Co-operation for Sustainable Development Officer Group' and 'Co-operation for Sustainable Development Member Board', was involved in discussions about the Joint Economic Report brief and the results.

Figure 11 – Headline results from the Joint Economic Report (2015)

Local Authority	a) Projection based on historic share of total jobs	b) Projection based on likely future share of total jobs	OAEN range net new jobs per year 2011-2033
East Hertfordshire DC	505	435	435 – 505*
Epping Forest DC	400	455	400 – 455*
Harlow DC	325	335	325 – 335*
Uttlesford DC	665	675	665 – 675*
Total for FEMA	1,890	1,890	1,890 (same total for each projection)

NB – totals may not sum due to rounding

**These numbers express projected jobs growth as a range per year, for each local authority, for 2011-2033. This is because the Joint Economic Report analysed the projected jobs growth across the FEMA, then modelled apportioning the ‘share’ of jobs in two different ways:*

- a. based on the historic share of FEMA jobs that each authority had; and*
- b. based on the likely future share of FEMA jobs that each authority was likely to have (according to the projections).*

The Joint Economic Report then gave the range of these two numbers as the range for each authority. (The ‘a’ and ‘b’ do not signify the relative importance of one or other apportionment).

A3.4 The full 2015 Joint Economic Report is available to view at:
<http://www.eppingforestdc.gov.uk/index.php/home/file-store/category/507-joint-economic-report>.

Appendix 4 – Strategic OAHN Spatial Options Study

Background

A4.1 The Strategic OAHN Spatial Options Study (“the Spatial Options Study”) was commissioned by the West Essex/East Hertfordshire Authorities to:

- facilitate the development of a memorandum of understanding between the West Essex/East Hertfordshire authorities, which sets out high level numbers and principles for distributing housing growth across the HMA (and which can be subsequently cited at Independent Examinations into the four constituent Local Plans)
- set out the strategic options for how the housing need identified in the SHMA (2015) could be distributed across the HMA, based on an analysis of the existing/emerging policy context and evidence base and provide an evidence-based commentary on the anticipated significant positive and negative impacts of each option relative to the others (including opportunities to deliver infrastructure, employment development, regeneration benefits, etc.) and potential mitigation measures (where relevant); and to assist in producing an MoU.

A4.2 The process of the study is shown in chapter 1 of this MoU.

Identification of the options

A4.3 The Spatial Options Study identified six ‘reasonable’ options, ‘A’ to ‘F’ as follows. Full details of the breakdown of dwellings over the four local authority areas is shown later in this MoU.

Figure 12 – The ‘Options’ in the Strategic OAHN Spatial Options study

Option	Details of this option	Rough total dwelling number for option (source of number)	Total dwellings* to be delivered across the HMA 2011-2033
A	Each authority meets its OAHN within its own boundaries	46,100 (2015 SHMA)	48,298 of which 14,150 in wider Harlow area
B	Less development at Harlow and accelerated development on the A120	46,100 (2015 SHMA)	48,148 of which 10,500 in wider Harlow area
C	Less development at Harlow and two new settlements in East Hertfordshire	46,100 (2015 SHMA)	47,648 of which 10,500 in wider Harlow area
D	Maximum growth at Harlow, with reduced allocations in constrained areas of the HMA	46,100 (2015 SHMA)	46,743 of which 17,650 in wider Harlow area

Option	Details of this option	Rough total dwelling number for option (source of number)	Total dwellings* to be delivered across the HMA 2011-2033
E	Higher growth across the HMA, with allocations in constrained areas	49,638 (2012-based household projections)	51,798 of which 17,650 in wider Harlow area
F	Maximum growth across the HMA	roughly 54,600[^] (emerging OAHN according to 2012-based household projections and 2014-based Sub-National Population Projections (SNPP))	57,141 of which 20,895 in wider Harlow area

* These numbers differ from those in the 'Rough Total' column as they are based on the sum of units that actual potential sites could deliver, through the work on strategic sites in and around Harlow. The 'Rough Total' column is only based on the total dwelling numbers given in the SHMA, the 2012-based Household Projections and the 2014-based Sub-National Population Projections, i.e. as a SHMA-wide total not taking into account actual sites

** 'wider Harlow area' means in and around Harlow town, i.e. not just within Harlow District

[^] SHMA consultants ORS have estimated that the impact of the 2014-based Sub-National Population Projections, and 2012-based Household Projections could mean a rise in OAHN to approximately 54,600, but this number is not final. It has been tested through the Spatial Options Study in the interests of assessing what that number might mean for the HMA. Formal review of the OAHN number will take place through a full SHMA update in the future.

The 'Spatial Option'

- A4.4 The Spatial Options Study has identified that the 'Spatial Option' (a hybrid of some of those tested) is the most sustainable spatial distribution of OAHN across the HMA subject to the criteria listed at 3.1. and site availability, viability and deliverability
- A4.5 The 'Spatial Option' is based broadly upon each local authority meeting its OAHN within its own boundaries, and with medium-higher growth in the wider Harlow area. It comprises a total of approximately 51,100 dwellings in the Local Plan period 2011-2033. Broad details of the breakdown by local authority are in Figure 13. Full details of the breakdown are available within the Spatial Options Study.
- A4.6 The 'Spatial Option' dwelling total of approximately 51,100 represents 'planning positively for growth', as it is higher than both the established OAHN within the published 2015 SHMA (46,100), and the OAHN suggested by the 2012-based CLG household projections (49,638 dwellings). It is lower than the SHMA consultants ORS' estimated figure for emerging OAHN taking into account 2012-based Household Projections and the 2014-based Sub-National Population Projections (approximately 54,600), and lower than Option F (57,141) but it still makes good progress towards these higher figures.

Figure 13 – Details of Options A to F and the ‘Spatial Option’

Local authority	‘The Spatial Option’	Original ‘Reasonable Options’ as tested					
		Option A	Option B	Option C	Option D	Option E	Option F
		Each authority meets its OAHN within its own boundaries (medium growth in and around Harlow)	Less development at Harlow and accelerated development on the A120 (lower growth in and around Harlow)	Less development at Harlow and two new settlements in East Hertfordshire (lower growth in and around Harlow)	Maximum growth at Harlow, with reduced allocations in constrained areas of the HMA (higher growth in and around Harlow)	Higher growth across the HMA, with allocations in constrained areas (maximum growth in and around Harlow)	Maximum growth across the SHMA area (maximum growth in and around Harlow)
East Hertfordshire DC	~ 18,000	16,789	15,289	18,289	16,264	18,389	20,299
Epping Forest DC	~ 11,400	11,093	8,943	8,943	10,313	12,993	14,152
Harlow DC	~ 9,200	7,900	7,900	7,900	7,900	7,900	9,175
Uttlesford DC	~ 12,500	12,516	16,016	12,516	12,266	12,516	12,616
Housing Market Area Total	~ 51,100	48,298	48,148	47,648	46,743	51,798	56,242 + 759* 57,001
<i>Within which - Greater Harlow total is</i>	<i>~ 16,100</i>	14,150 (medium growth)	10,500 (lower growth)	10,500 (lower growth)	17,650 (higher growth)	17,650 (higher growth)	20,985 (maximum growth)

* Wider Harlow area means in and around Harlow town, i.e. not just within Harlow District

** This 759 consists of additional permissions/completions/windfalls which were identified after the testing of Options A to E was complete, but were available to test within option F.

Appendix 5 – Strategic Vision for LSCC Core Area

- A5.1 The following vision was prepared by the LSCC through working with representatives of East Hertfordshire District Council, Epping Forest District Council, Harlow District Council, Uttlesford District Council and Broxbourne Borough Council⁸. The five local authority areas form the LSCC 'Core Area'. Workshops for Members were held at an early stage in its preparation, and both Members and officers have been involved in its refinement. This joint Strategic Vision was presented to the Co-op Member Board, which agreed that each of the five local authorities within the LSCC 'Core Area' would include it within their individual Local Plans, alongside their own Local Plan level vision.
- A5.2 The Councils of Broxbourne, East Herts, Epping Forest, Harlow and Uttlesford form the LSCC Core Area which lies at the heart of the London Stansted Cambridge Corridor (LSCC). This corridor has, over the past decade or more, been the engine of UK growth with its world class industries and businesses.
- A5.3 Over the past five years the Corridor's dynamic, knowledge-based economy has grown at a rate almost double that of the UK average and as a result rates of population growth have increased. Transport links are excellent; with two major rail routes - the East Coast and West Anglia main lines - serving the Corridor. The A1(M), A10 and M11 motorways link its towns and cities with the capital, while London Stansted Airport offers international connections.
- A5.4 With a significant number of jobs in knowledge-based industries, the Corridor is a leading knowledge economy and a showcase for tech industries and firms. There is a high rate of innovation.
- A5.5 The Corridor accounts for 24,700 jobs in the life sciences sector contributing 11% of all national employment. This success is built on research institutes and notable firms and organisations, including Amgen and AstraZeneca in Cambridge, GlaxoSmithKline in Stevenage, and Public Health England in Harlow.
- A5.6 The continued success of the Corridor as a great place to live, work, do business and visit provides the opportunity for the Core Area to deliver greater and lasting prosperity for its residents and businesses. As such the Council is working with its partner authorities in the Core Area to deliver the following LSCC strategic vision for the area up to 2050:

Strategic Vision for the London Stansted Cambridge Corridor (LSCC) Core Area

- A5.7 *The Core Area will build on its key strengths including its skilled workforce in sectors such as health, life sciences and pharmaceuticals, advanced engineering and aerospace, its high quality environment and educational opportunities. Together with Stansted Airport, the local authorities will deliver sustainable growth which supports the economic ambitions of the LSCC and the UK through:*
- *complementing and supporting the economic performance of the Corridor whilst maintaining and enhancing the special character of the area, including the locally distinctive historic character of its market towns and rural settlements;*

⁸ Although this MoU and the HMA cover only the four West Essex/East Hertfordshire Authorities, the MoU itself, the SHMA and Joint Economic Report, and the Spatial Options Study were discussed at the Co-op Member Board and the Co-op Officer Group, of which Broxbourne Borough Council is a member. Broxbourne BC officers and Members were also involved in the drafting and agreement of the LSCC 'Core Area' vision.

- *the delivery of housing, supported by good access to social, leisure, community, health facilities, education and jobs, that meets the needs of local people and supports sustainable economic growth, whilst ensuring it remains an attractive place for people to live and locate to;*
- *capitalising on existing economic sectors and promoting growth of expanding industries including in the food production, life sciences, pharmaceuticals and technology sectors; tourism including hotels, Stansted's expansion, recreation/green assets including the Lee Valley, Stort Valley, Epping Forest and Hatfield Forest National Nature Reserve;*
- *working with partners to protect and enhance the high quality environment, its unique landscapes and places of special wildlife value. This would be achieved by place-shaping initiatives which would include measures to conserve areas of high biodiversity; the provision of new, alternative green spaces for people and wildlife; and the increase of green infrastructure connections between these areas, to provide greater opportunities for more sustainable access to nature for everyone living in the corridor;*
- *working with partners to secure investment in major infrastructure including increasing rail capacity on the West Anglia Mainline and maximising the opportunities that Crossrail 2 can deliver, together with road improvements including a new junction on the M11 at 7A and improvements to junctions 7 and 8, and to the A414, A120, A10 and M25; and delivery of superfast broadband;*
- *supporting the delivery of new jobs in the Harlow Enterprise Zone, and the north side of Stansted Airport, Broxbourne Park Plaza, Brookfield and Bishop's Stortford – all identified as Strategic Opportunity Sites within the corridor; and*
- *the regeneration of existing urban areas including at Harlow, Waltham Abbey, Loughton and Waltham Cross.*

A5.8 *The Core Area supports the development and sustainable growth of Greater Harlow and key growth locations at Broxbourne, Brookfield and Bishop's Stortford together with Stansted Airport growing to its full permitted capacity and as a business growth hub. These centres, with proportionate growth throughout the wider area, and the right investment, would create an economic powerhouse.*

A5.9 *Putting in place these critical building blocks will provide the foundations for looking further ahead to 2050. Certainty through further investment and delivery of key infrastructure, including in the West Anglia mainline, Crossrail 2, the M11 junctions, M25 junctions, A414, A120 and A10 is a vital component of this.*

Appendix 6 – Governance and Roles (in relation to this MoU)

Appendix 6 A – Signatory organisations

The West Essex/East Hertfordshire local authorities

- A6a.1 The four local authorities form the core of the Co-op Member Board and Co-op Officer Group, and have several pieces of joint evidence in common, including the SHMA, Joint Economic Report, and the Spatial Options Study.
- A6a.2 The four authorities will continue to work together, and wish to use this MoU as a basis for making progress together, and on their individual Local Plans, in order to enable development to be provided in the most sustainable locations within the West Essex/East Hertfordshire area.

Appendix 6 B – Non-signatory organisations

Co-operation for Sustainable Development Member Board and Officer Group

- A6b.1 The Co-op Officer Group and the Co-op Member Board were both established in 2014, and provide a forum for the discussion of cross-boundary issues, the commissioning and management of joint studies, and the formation of recommendations to take back to the individual authorities who form its members. For more details on the working practises of these groups, see Appendix 2.
- A6b.2 The Co-op Member Board and Co-op Officer Group commissioned and oversaw the Joint SHMA, the Joint Economic Report, and the Spatial Options Study. All three of these studies, among others, inform this MoU.
- A6b.3 The Co-op Member Board also has overarching responsibility for the implementation and management of this MoU. The Co-op Officer Group will provide support in this matter, through monitoring the various aims and updating the Co-op Member Board regularly.

Essex County Council and Hertfordshire County Council (as Highways Authorities)

- A6b.4 Essex County Council covers fourteen unitary and district council areas, including the districts of Epping Forest, Harlow and Uttlesford. Hertfordshire County Council covers ten district council areas, including that of East Hertfordshire.
- A6b.5 Both County Councils have responsibility for many matters which are relevant to planning, including but not limited to: education and schools (including adult community education), highways and transport, health and social care, libraries, waste and minerals, and some strategic planning matters.
- A6b.6 Both Essex County Council and Hertfordshire County Council are key members of the Co-op Member Board and Co-op Officer Group, and provide support and guidance on cross-border issues.
- A6b.7 Essex County Council in particular contributes heavily to cross-border work on many different topics, including the Spatial Options Study, and has undertaken the Local Plan transport modelling for the West Essex/East Hertfordshire area, as well as more specific transport modelling, for example, for a new Junction 7A of the M11.

- A6b.8 Hertfordshire County Council produces its own transport modelling but the two County Councils work together to share information from their respective models, which is then fed into the other's model to help inform calculations. This is especially important as the West Essex/East Hertfordshire area crosses the county boundary between Essex and Hertfordshire.
- A6b.9 Although Essex and Hertfordshire County Council are not signatories to this MoU, as highways authorities their officers and Members have provided support in its drafting, and have been involved in its discussion at the Co-op Member Board and Co-op Officer group.
- A6b.10 Both county councils are signatories to the related cross-boundary Transport Infrastructure MoU regarding transport matters, along with the West Essex/East Hertfordshire Authorities.

Highways England

- A6b.11 Highways England (formerly the Highways Agency) is the government company charged with operating, maintaining and improving England's motorways and major 'A' roads (the strategic road network). For the West Essex/East Hertfordshire HMA these routes include the M11, A120 and M25.
- A6b.12 The Strategic Road Network is at the core of our national transport system. Its many arteries connect our major towns and cities, ensure commuters make it to work every day, connect businesses with their suppliers and customers, and help millions of us visit our friends and families.
- A6b.13 Highways England is a statutory consultee in the planning system. In discharging this responsibility, it acts as a proactive partner. Highways England will support economic growth, providing the conditions that help businesses to succeed and grow, facilitating new development around the road network, and supporting investment and trade.
- A6b.14 Highways England is not a signatory to this MoU, but its officers have provided support in its drafting, and are heavily involved in the related cross-boundary Transport Infrastructure MoU regarding transport matters, along with Essex and Hertfordshire County Councils, and the West Essex/East Hertfordshire Authorities.
- A6b.15 Once Local Plans are adopted, Highways England will continue to work with the West Essex/East Hertfordshire Authorities to ensure that its strategic planning is fully cognisant of their policies and proposals. Highways England is developing the next round of Route Strategies, which will be a key building block in the Government's next Road Investment Strategy. Route Strategies bring together information from motorists, local communities, construction partners, environmental groups and across the business sector to help better understand the performance of the strategic road network and shape investment priorities to improve the service for road users and support a growing economy. The evidence collected and the indicative solutions identified - along with the outcomes of the strategic studies - will be the foundation of Highways England's first 'Strategic Road Network Initial Report' to be submitted to Government in 2017.

London Stansted Cambridge Consortium

- A6b.16 The London Stansted Cambridge Consortium (LSCC)⁹ was formed in June 2013 as a strategic partnership of public and private organisations covering the area north from the Royal Docks, Tech City, the City Fringe, Kings Cross, and the Olympic Park, up through the

⁹ www.lsc.co

Lee Valley, the M11, A1 and A10 road, the East Coast and West Anglia Mainline rail corridors to Stevenage, Harlow and Stansted, and through to Cambridge and Peterborough.

A6b.17 The consortium brings together public and private sector organisations which have the common aim of seeking economic growth, higher employment rates, providing places for people and business while preserving the quality and character of the corridor. It was formed to organise and promote what is a clear economic area, with strong inter-connections; commuting to work and learn patterns, clusters of industries and supply chains.

A6b.18 The LSCC has supported the West Essex/East Hertfordshire Authorities in cross-boundary matters, particularly relating to the shared Vision for the LSCC Core Area (see section 4 of this MoU).

Advisory Team for Large Applications (ATLAS)

A6b.19 Relevant elected Members from the Co-op Member Board have been involved in a series of workshops facilitated by the Homes and Communities Agency's Advisory Team for Large Applications (ATLAS)¹⁰ aimed at specifically considering the issue of expansion in and around Harlow and role that potential strategic sites could play.

A6b.20 A number of strategic expansion sites are coming forward as part of Local Plan processes. The precise distribution and scale of development from the sites will be subject to further evidence gathering, decision making and Independent Examination of Local Plans.

¹⁰ www.atlasplanning.com

Appendix 7 – Key Member and Officer contacts

Figure 14 – Key Member and Officer contacts

Organisation	Contact name	Role	Email address
East Hertfordshire District Council	Cllr Linda Haysey	Leader of the Council	linda.haysey@eastherts.gov.uk
	Kevin Steptoe	Head of Planning & Building Control	kevin.steptoe@eastherts.gov.uk
	Claire Sime	Planning Policy Manager	claire.sime@eastherts.gov.uk
Epping Forest District Council	Cllr John Philip	Planning Policy Portfolio Holder	john.philip1@ntlworld.com
	Alison Blom-Cooper	Interim Assistant Director	ablomcooper@eppingforestdc.gov.uk
	David Coleman	Planning Policy Manager	dcoleman@eppingforestdc.gov.uk
Harlow District Council	Cllr Danny Purton	Portfolio Holder for Environment	danny.purton@harlow.gov.uk
	Dianne Cooper	Planning & Building Control Manager	dianne.cooper@harlow.gov.uk
	Paul MacBride	Forward Planning Manager	paul.macbride@harlow.gov.uk
Uttlesford District Council	Cllr Susan Barker	Deputy Leader/Portfolio Holder for Environmental Services	cllrbarker@uttlesford.gov.uk
	Richard Fox	Planning Policy Team Leader	rfox@uttlesford.gov.uk
Essex County Council	David Sprunt	Strategy & Engagement Manager (Highways)	david.sprunt@essex.gov.uk
Hertfordshire County Council	Roger Flowerday	Development Manager (Highways)	roger.flowerday@hertfordshire.gov.uk
Highways England	Andy Jobling	Asset Development Manager	andy.jobling@highwaysengland.co.uk

STATEMENT OF COMMON GROUND

BETWEEN

NORTH HERTFORDSHIRE DISTRICT COUNCIL (NHDC)

AND

UTTLESFORD DISTRICT COUNCIL (UDC)

IN RESPECT OF

**THE NORTH HERTFORDSHIRE LOCAL PLAN, PROPOSED SUBMISSION VERSION,
NOVEMBER 2016**

1 Introduction

- 1.1 This Statement of Common Ground (SoCG) has been prepared jointly by North Hertfordshire District Council (NHDC) and Uttlesford District Council (UDC).
- 1.2 The Statement sets out the confirmed points of agreement between NHDC and UDC with regard to the North Hertfordshire Local Plan and supporting evidence base, which will assist the Inspector during the Examination of the Local Plan.
- 1.3 Local Authorities are required through the Duty to Co-operate (the Duty) to engage constructively and actively on an on-going basis on planning matters that impact on more than one local planning area.
- 1.4 The National Planning Policy Framework (NPPF) sets out the requirement that public bodies should cooperate on planning issues that cross administrative boundaries and, at Paragraph 156, identifies a series of strategic priorities:
 - The homes and jobs needed in the area.
 - The provision of retail, leisure, and other commercial development.
 - The provision of infrastructure for transport telecommunications, waste management, water supply, wastewater, flood risk and coastal change management.
 - The provision of minerals and energy (including heat).
 - The provision of health, security, community and cultural infrastructure and other local facilities.
 - Climate change mitigation and adaptation, conservation and enhancement of the natural and historic environment including landscape.
- 1.5 The NPPF requires Local Planning Authorities to work collaboratively with other bodies to make sure that these strategic priorities are properly co-ordinated across local boundaries and clearly reflected in individual Local Plans.
- 1.6 Local Planning authorities are expected to demonstrate evidence of having effectively cooperated to plan for issues with cross- boundary impacts when their Local Plans are submitted for examination.

2 Background

- 2.1 This SoCG relates to the representations made by UDC to NHDC's Proposed Submission Local Plan (2016).

3 Duty to Cooperate

- 3.1 As set out in the North Herts Duty to Cooperate statement, NHDC and UDC have co-operated constructively, actively and on an on-going basis of the plan's production.
- 3.2 UDC has continuously responded to public consultations and liaised with Officers as the Local Plan process has developed which has helped inform both the strategy and policy framework within the plan.
- 3.3 UDC have commented on the North Herts Local Plan at key stages and raised no issues under duty to cooperate. UDC is satisfied that the requirements of the Duty and the NPPF have been met in relation to the NHLP

4 Agreed Matters

- 4.1 NHDC and UDC agree that the North Hertfordshire Local Plan, November 2016 is sound insofar as it relates to matters covered by the Duty to Co-operate.
- 4.2 There is agreement between the authorities that there are no strategic cross-boundary issues owing to the extent of the shared boundary and the limited relationships and links that exists between the two authorities. As such that there are no strategic impacts from the NHDC Local Plan that would warrant discussion under the Duty to Cooperate.
- 4.3 In relation to the strategic issue of housing UDC and NHDC have used the same consultants (ORS) for production of their Strategic Housing Market Assessments (SHMA) and have ensured there is continuity between the methodologies for defining Housing Market Areas and also the resulting geographies. This means that there is agreement across the two authority areas from a housing market area perspective.



Cllr David Levett
Executive Member for Planning and
Enterprise
Signed on behalf of
North Hertfordshire District Council
13 March 2017

Signed on behalf of
Uttlesford District Council
XX March 2017

Committee: Cabinet

Agenda Item

Date: 30 March 2017

10

Title: Memorandum of Understanding on the Distribution of Objectively Assessed Housing Need across the Strategic Housing Market Area

Statement of Common Ground between North Herts and Uttlesford District Councils

Portfolio Holder: Councillor Susan Barker

Key decision: No

Summary

1. A Memorandum of Understanding (MoU) relating to the distribution of objectively assessed housing need across the West Essex/East Hertfordshire Housing Market Area has been drawn up by the Strategic Housing Market Area (SHMA) authorities and related organisations. The MoU has been endorsed by the Co-op Member Board and is ready for signature.
2. A Statement of Common Ground (SoCG) relating to strategic cross boundary issues between Uttlesford and North Herts has been drafted under the Duty to Co-operate. It states that the Duty has been met in respect of the North Herts Local Plan Submission version.

Recommendations

3. That Cabinet approve the Memorandum of Understanding and the Statement of Common Ground.

Financial Implications

4. N/A

Background Papers

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

None

Impact

- 6.

Communication/Consultation	The MoU has been subject of detailed debate at the Co-op Member Board and
----------------------------	---------------------------------------------------------------------------

	within the partner authorities.
Community Safety	N/A
Equalities	N/A
Health and Safety	N/A
Human Rights/Legal Implications	The Duty to Co-operate is a legal requirement of the Localism Act
Sustainability	The MoU endeavours to manage the impacts of growth in a sustainable way.
Ward-specific impacts	All
Workforce/Workplace	N/A

Situation

7. The Co-op Member Board was set up to meet the Duty to Co-operate which was established under the Localism Act 2011. It places a legal duty on local planning authorities, county councils in England and public bodies to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparation in the context of strategic cross boundary matters.
8. The area covered by the Board relates to the West Essex/East Hertfordshire Strategic Housing Market Area (SHMA) and comprises East Herts, Epping Forest, Harlow and Uttlesford District Councils. Board Meetings are also attended by representatives of Essex and Hertfordshire County Councils. The agendas and minutes of the meetings are reported to the Planning Policy Working Group (PPWG)
9. During the examination of their local plans the four district councils will need to demonstrate to Government Inspectors that the Duty to Co-operate has been complied with. To assist this process three related MoU's have been drafted; firstly, relating to the distribution of Objectively Assessed Housing Need (OAN); secondly, on highways and transportation and; thirdly, managing the impacts of growth across the HMA on the Epping Forest Special Area of Conservation (SAC). The Co-op Board ratified the latter two MoU's towards the end of last year and agreed that they can be signed by the representative bodies. Cabinet agreed that Uttlesford sign these documents at last month's meeting.
10. The third MoU relates to the spatial distribution of housing across the four district authority areas. Based on the 2012 population projections for the West Essex and East Herts SHMA this figure was 46,100 from 2011-2033. Taking into account district wide factors, the Uttlesford component of this figure was 12,500 dwellings. This is in the 2015 published SHMA report.

11. In July this year CLG published the new 2014 based population projections which showed an increase in the overall projected numbers. The SHMA authorities have modelled the 2014 projections. The 2014 projections set the need (2011 – 2033) at 54,600 new homes rather than 46,100 new homes with the 2012 projections. Uttlesford's component of 54,600 is 14,100 new homes.
12. The SHMA authorities tested a range of potential distribution options taking into consideration the 2012 need. Having undertaken a Sustainability Appraisal of the potential options the authorities agreed a preferred strategy of 51,000 new homes (2011- 2033) based on environmental capacity and infrastructure constraints. This figure was derived from the AECOM Sustainability Appraisal (September 2016).
13. The SHMA authorities considered the distribution of 51,000 new homes across the individual authorities and proposed the preferred strategy based on what is considered sound planning reasons as shown in the following table:

	Need – 2012 Projections	Need -2014 Projections	Preferred Distribution Strategy	Difference in 2014 Need and Preferred Distribution
East Herts	16,400	19,400	18,100	- 1,300
Epping	11,300	13,300	11,400	- 1,900
Harlow	5,900	7,800	9,000	+1,200
Uttlesford	12,500	14,100	12,500	- 1,600
Total	46,100	54,600	51,000	- 3,600

14. The differences in identified need and preferred distribution reflect the focus on Harlow as the preferred growth location.
15. The MoU which is attached at Appendix A is designed to address the distribution of Objectively Assessed Housing Need (OAN) within the SHMA. It was discussed and agreed at the Co-op Member Board Meeting on 27 February. It is critical that the MoU is signed by all parties before the beginning of April so that East Herts District Council can demonstrate that it has met the Duty to Co-operate when it submits its Plan for Examination.
16. It should be noted that the housing figure for Uttlesford in the MoU is 12,500. At the Local Plan Inspector's Advisory Visit in November 2016 the Inspector, Simon Emerson, focussed on the figure of 12,500 new homes. His informal advice was that the Council should be taking the higher 14,100 new homes figure derived from 2014 Sub National Housing Population Projections. This

advice was echoed by the Council’s retained QC and the Planning Advisory Service. On that basis the Council is testing the figure of 14,100 new homes for the Local Plan. There is nothing contradictory in testing this higher figure and signing the MoU as drafted with the lower figure and it is recommended that the MoU be signed on this basis.

17. The Duty to Co-operate applies to all Uttlesford’s neighbouring authorities, including North Herts District Council. A Statement of Common Ground (SoCG) has been drawn up between the two authorities and is attached at Appendix B. The SoCG states that there are no significant cross boundary issues owing to the extent of the shared boundary and the limited relationships and links between the two Councils. It is recommended that the SoCG is signed.

Risk Analysis

18.

Risk	Likelihood	Impact	Mitigating actions
That the Duty to Co-operate is not complied with leading to plans being found unsound.	Unlikely if the MoU and SoCG are signed.	Catastrophic if the Duty to Co-operate is not met.	Ensure that the MoU and SoCG are signed.

- 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.