

PLANNING POLICY WORKING GROUP held at COUNCIL OFFICES LONDON ROAD SAFFRON WALDEN at 7.00pm on 29 SEPTEMBER 2015

Present: Councillor H Rolfe - Chairman
Councillors S Barker, P Davies, S Harris, J Lodge, A Mills, and E Oliver.

Also present: Councillors D Jones.

Officers in attendance: M Cox (Democratic Services Officer), S Nicholas (Senior Planning Policy Officer), M Paine (Planning Policy Team Leader) and A Taylor (Assistant Director Planning and Building Control).

PP24 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillor A Dean and J Parry.

PP25 MINUTES

The minutes of the meeting held on 27 July 2015 were received and signed by the Chairman as a correct record.

BUSINESS ARISING

Minute PP18 – Presentation by the Planning Advisory Service (PAS)

The Chairman reported that the PAS review of the Submission Local Plan had been considered at the Scrutiny Committee meeting on 10 September 2015. The report had referred to Cabinet with a request that it take on board the recommendations in the report. Members were assured that officers had noted the relevant comments and these were being incorporated into the work going forward.

It was AGREED that the next meeting would receive a list of the issues raised in PAS report and the action taken to date.

PP26 STRATEGIC HOUSING MARKET ASSESSMENT

The Working Group received the completed Strategic Housing Market Assessment (SHMA) report which had been commissioned by Uttlesford's partner authorities, East Herts, Epping Forest and Harlow. The report detailed work on the Housing Market Area, demographic projections, housing mix and tenure and the calculation of the Objectively Assessed Need (ONS).

The SHMA had identified the ONS for housing in West Essex and East Hertfordshire to be 46,100 dwellings over a 22 year period 2011 - 33 and 13,291 affordable dwellings over the same period. For Uttlesford the number was 12,500 dwellings, 568 per year. The report would form part of the evidence base and would be used to feed into the development of the housing numbers and allocations.

Members said that the report was a thorough piece of work and had utilised the 10 year migration trend and 20% uplift in line with what the Inspector had suggested. However, they asked for assurance that the study was sufficiently robust to pass examination and asked what could be done to ensure that the information was kept up to date. Members were advised that the report had been produced following the requirements of the NPPF, PPG and technical advice from the Planning Advisory Service as well as taking on board the Inspector's decisions from recent examinations. Officers would continue to monitor any significant changes that needed to be reflected in the report.

It was noted that the ONS figure of 568 was slightly lower than the 580 per year figure currently used in respect of the 5 year land supply. Members asked whether this figure would now be used instead. Officers replied that the 568 figure had not yet been tested through examination and was unlikely to be the final figure in any event as it was the starting point and not the final delivery target.

In relation to the Duty to Cooperate, a question was asked about Epping Forest Council's ability to accommodate its own housing need given that a large part of the district comprised green belt land. It was explained that the situation would be clearer after the green belt review that was expected to be completed in March next year. However the onus was on each authority to endeavour to fulfil its own housing need or demonstrate why it was unable to.

The working group NOTED the published report, West Essex and East Hertfordshire Strategic Housing Market Assessment September 2015, and its adoption into the Local Plan evidence base.

PP27

ECONOMIC EVIDENCE TO SUPPORT THE DEVELOPEMNT OF THE OBJECTIVELY ASSESSED NEED

The working group received the Economic Evidence report commissioned by the four partner authorities, which reviewed the evidence for the joint area in relation to employment and job creation. It would underpin further work on the SHMA and the update of the employment land review.

The working Group NOTED the published report, Economic Evidence to support the development of the OAHN for West Essex and East Herts July 2015, and its adoption into the Local Plan evidence base.

PP28

ISSUES AND OPTIONS CONSULTATION

The Working Group received the proposed Issues and Options consultation questionnaire, which would be subject to public consultation during the autumn. The main focus of the consultation was the Areas of Search and Scenarios which had been supported by the working group at the last meeting. At that meeting members had asked for the potential for an additional search area to be investigated in the vicinity of junction 7a of the M11. It was explained that this area was within Epping Forest District but officers would continue to monitor the development of the neighbouring plan.

Jackie Cheetham from Takeley Parish Council raised issues around the plan timetable, speculative applications and officer meeting with developers. A summary of the comments and the officers' reply is attached as an appendix to these minutes

Councillor Dean had proposed four amendments before the meeting and it was confirmed that these would be included in the document. He had raised other issues around housing mix but it was agreed that these would be better addressed as part of the ongoing assessment.

The report would be referred to the Full Council meeting on 13 October 2015 seeking agreement to consult on the revised document.

AGREED that the Issues and Options Consultation questionnaire be supported as the basis for a public consultation in autumn within Regulation 18 of the Local Planning Regulations.

PP29

ENGAGEMENT STRATEGY

The Working Group received the Engagement Strategy, which set out the proposed approach to consultation and engagement with the community and key stakeholders. To formalise these arrangements was one of the recommendations of the PAS review. The Planning Policy Team Leader highlighted the main points in the report and circulated example leaflets and posters.

AGREED

- 1 That the Engagement Strategy contained at Appendix A be supported.
- 2 That the draft poster and leaflet contained at Appendices B and C be supported for printing.
- 3 That the dates for the start and close of the consultation be agreed.

PP30

EVIDENCE MAPPING

As part of the Local Plan process an exercise had been carried out to gather and map all the information held in the Local Plan evidence base.

The Working Group NOTED the Evidence Mapping report.

PP31

SUSTAINABILITY APPRAISAL AND STRATEGIC ENVIRONMENTAL ASSESSMENT OF THE AREAS OF SEARCH AND STRATEGIC SCENARIOS

The Working Group considered the Sustainability Appraisal for the Areas of Search and Strategic Scenarios. The appraisal was produced in parallel with the Local Plan and its purpose was to assess its policies and proposals in a consistent and transparent manner and test them against alternatives. The appraisal compared the Areas of Search and Scenarios on the basis of their differences than on their respective suitability as at this stage these were still strategic proposals.

In answer to a question, it was explained that the Sustainability Appraisal was the first phase of evidence gathering for the broad areas of search. It would be premature to apply weighting at this time as this would be subjective and give a false impression of suitability. The criteria for assessing sites would be developed at a later stage.

AGREED that the Sustainability Appraisal and Strategic Environmental Assessment of the Areas of Search and Strategic Scenarios Consultation is published for consultation alongside the Issues and Options Consultation questionnaire.

PP32

ASSESSMENT OF LARGE SCALE PROPOSALS AGAINST THE GARDEN CITY PRINCIPLES

Members were informed that the call for sites exercise during April – June 2015 had resulted in the submission of a number of proposals for larger scale sites. As part of the assessment process these proposals were being considered in more detail against the nine Garden City principles. All proposals for over 1000 units had been invited to present their schemes, discuss deliverability and how their schemes perform against the Garden City principles. The outcome would be brought to the Working Group as additional material in the Strategic Housing Land Availability Assessment and would provide supporting information for when formal decisions on site options were taken.

The Working Group NOTED the work being undertaken and that a Member workshop was planned to be held on Garden City principles.

GYPSY AND TRAVELLER UPDATE

The Assistant Director Planning and Building Control reported that in August 2015 the Government published its new Planning Policy for Traveller Sites. The changes mainly related to enforcement and to the definition (for planning purposes) of Gypsies and Travellers to limit it to those who had a nomadic way of life. This would impact the work on the evidence base and site selection for Gypsies and Travellers that the council had been progressing as part of the Local Plan process.

He said that in the light of this revised definition a new Essex wide Accommodation Assessment would likely be required. This would involve more in depth work in order to gain a better understanding of individual circumstances. There would be a reappraisal of the evidence base to ensure that the justification behind the emerging policy and site allocations accorded with this new guidance. It would be necessary to carry out a new call for sites and reassess all the submissions in the light the new figures and previous decisions would need to be revisited.

Public speaking

Rod Higgins, Chairman of Arkesden Parish Council and Joan Morgan, Parish Chair, Wicken Bonhunt spoke to the meeting about the suggestion to reassess all the proposed gypsy and traveller sites and their concern that this would affect the 5 Acre site, which had recently been rejected as unsuitable. They said that the reasons for the site being rejected would not change and asked the PPWG to confirm that the 5 Acre site would not be subject to any further discussion
A full copy of the statements is attached to these minutes

In reply to these comments the Chairman said that the council was required to comply with the new legislation and would be challenged if it did not follow due process. He had sympathy with the argument that if it wasn't right the first time then it wouldn't be again. However, as the new study could take some time, the situation with some sites might change so it was still prudent not to rule anything out at this stage.

The Assistant Director said the announcement of the new legislation was frustrating. An assessment of the entire Gypsy and Traveller population would be a long and problematic process. He thought that the new evidence base would need to be followed by an open and transparent appraisal of all the sites, although it was likely that the outcome would be the same in many cases if the site constraint characteristics had not changed. However, in terms of transparency it was important to assess all sites at the same base level of information.

During discussion the following points were raised:

Members commented on the potential problems with the new accommodation assessment and in particular how to determine the nomadic qualification. The Assistant Director said there had been no published guidance with the Policy. The

consultants were to meet with the DCLG to try to obtain more information and a methodology for conducting the assessment.

A member said it was premature at this meeting to say that all previous decisions on sites would need to be revisited. The new needs assessment could conclude that fewer sites were required and in that case a review of previous decisions might not be necessary. It was suggested that the decision on further action should be delayed until the updated Accommodation Needs Assessment had been received.

Other Members said that they were uncomfortable with going back to re-assess rejected sites, when the working group had already considered and determined the evidence. It also meant that residents would be left with uncertainty about the status of the sites in their area.

It was noted that the new arrangements would affect the progress on the Gypsy and Traveller element of the Local Plan. Further advice would be sought on how this should be addressed. Further clarification on the implications of the new policy was still required and the working group would be updated when further information was available.

The Working Group AGREED

- 1 To note the published report and seek further clarity around the new Gypsy and Traveller definition and the subsequent work required.
- 2 A new Accommodation Needs Assessment to be arranged and the final report to be reviewed by the Working Group.
- 3 The decision around the subsequent review of sites be brought back to the Working Group for discussion.

The meeting ended at 9.10 pm

PUBLIC SPEAKING

Item 6 – Issues and Options Consultation

Jackie Cheetham raised the following issues

- The new Local Plan will not be in place until 2017, and during the intervening period of uncertainty there is likely to be speculative development. She asked for assurance that these applications for development would be resisted in unsuitable locations.

Reply The council currently has a 5 year land supply but there is still at presumptions for development in the NPPF.

- It is understood that officers have meetings with developers in relation to larger site proposals. In terms of transparency could there be a public record of notes of these meetings.

Reply: Yes this could be done for discussions in relation to the local plan. The best applications are usually achieved when there is co-operation between all parties.

Where is the reference to the Countryside Protection Zone (CPZ) in the document?

Reply This will be considered through the Local Plan process but as with other policies there will be a review as to whether it is still required.

Item 11 – Gypsy and Traveller update

Joan Morgan - Parish Chair – Wicken Bonhunt

I should like to respond to Andrew Taylor's report

Paragraph 15 states-

Re-appraisal of our evidence base is required - to include in-depth fieldwork on the Gypsies and Travellers already in our area – presumably that won't take too long.....

Paragraph 17states-

Part of the re-assessing the evidence base, we will need to reassess all the submissions and revisit previous decisions.

Surely the only change that has to be considered is the definition of persons of Nomadic habit - whether they are, whether they used to be or whether they shall be in the future.

Surely it DOES NOT need any re-assessment of previous sites and the decisions made earlier – especially if they were declared unsuitable.

The sites will still be unsuitable whether nomadic persons are here, used to be here, or will be here in the future.

We are all familiar with the expression “we must stop meeting like this!”

I would rather we didn't, but that won't happen unless we get the Planning Policy's Working Group's assurance tonight that 5 Acres will NOT be up for discussion any time in the future as part of the Local Plan process.

Rod Higgins - Chairman Arkesden PC

Thank you Mr Chairman

I am speaking on behalf of the residents of Arkesden and FALCA.

My comments relate to the 5 acres G/T Site at Wicken Bonhunt.

Two months ago this working group agreed with the officers recommendation that this site was unsuitable for a number of reasons and should not be taken forward in the local plan process.

In August 2015 the government published it's new Planning Policy for Traveller sites. Officers have been in discussion with their consultants ORS since the publication of the new policy. The officers are recommending that a reappraisal of the evidence base is necessary to assess the new need. It is also evident that Officers believe it is necessary that all the sites previously put forward as part of the 'call for sites' will need to be revisited in light of the potentially revised need, even sites that have previously been rejected. No doubt at vast additional cost.

The officers and this committee should not confuse NEED with SUITABILITY. Only the definition of need may be changed by the governments new policy, not the suitability of sites.

The non - suitability of 5 acres has already been decided. On behalf of Arkesden Parish Council and concerned residents of Arkesden, I would like the working group tonight to confirm to us that 5 Acres will not be included as part of this new Local Plan Process.