



Local Plan Update – July 2023

Overview

1. Baseline/ Context.
2. What are we doing now?
3. What are the next steps?
4. Any further questions and discussion?



1. Baseline/ Context



1. Baseline/ Context

- “Policies in local plans and spatial development strategies should be reviewed to assess whether they need updating **at least once every five years**, and should then be updated as necessary. Reviews should be completed **no later than five years from the adoption date** of a plan, and should take into account changing circumstances affecting the area, or any relevant changes in national policy”. NPPF Para 33.
- The latest Uttlesford Plan is from 2005. The next plan will be submitted in late 2024 and may be adopted in early 2026. So, there is a **twenty-year gap!**
- It would be relatively more difficult for any Council to prepare a new plan after a twenty-year gap. But, once Uttlesford have an updated and adopted Local Plan, the process will become easier! The next Uttlesford Local Plan (for 2031) will be easier!



1. Baseline/ Context

- Uttlesford needs an up-to-date Local Plan that is capable of being found **SOUND** through Examination and adopted successfully.
- Given the problems identified with the 2019 (and 2014) plan, the new plan must be **'demonstrably sound'** with **minimal risk** associated with the plan at Examination.
- There have been two (2014 and 2019) Uttlesford plans rejected by Planning Inspectors, deemed to be not capable of being Sound even with Modification.

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The Inspectors for the 2019 plan stated:

“In order to arrive at a sound strategy, we consider that as a primary consideration, the Council would need to allocate more small and medium sized sites that could deliver homes in the short to medium term and help to bolster the 5-year housing land supply”, and

“This would have the benefit of providing flexibility and choice in the market and the earlier provision of more affordable housing. It would also create a buffer so the target of 14,000 homes is not only just being met by a narrow margin and would allow for a less steeply stepped housing trajectory”.

- Further delay to the process does not make it easier; the process will only get more difficult. The sooner there is an up-to-date adopted Local Plan, the easier this becomes.



1. Baseline/ Context

- The new Uttlesford Local Plan provides an opportunity for the Council to **shape its strategy** for development for the **next twenty years** (2021 to 2041).
- This ensures the right level of development occurs in the most appropriate locations and is supported by the most important types of infrastructure where it is needed that have the greatest value to the local communities.
- The new plan policies can help to ensure development is as sustainable as possible, makes a significant contribution to the climate change emergency, delivers green infrastructure, helps to deliver biodiversity gain and to help improve the quality of development.
- The plan will support the delivery of more affordable housing to meet local needs.
- These all relate to many of the Council's strategic objectives.
None of these things can be achieved without an up-to-date Local Plan...
- **Without a Local Plan; development will continue – Uttlesford will have little control. There will be no up-to-date policies and development will make little (if any) contribution to the Council's objectives...**



1. Baseline/ Context

- The Local Plan must be consistent with National Policy, Guidance and Legislation.
- The Plan must be **SOUND**, which means:
 - a) **Positively prepared** – providing a strategy, which as a minimum, seeks to meet the area’s objectively assessed need; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
 - b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
 - c) **Effective** – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
 - d) **Consistent with national policy** – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant. (NPPF Paragraph 35).
- The Plan must be coherent, consistent, comprehensive, informed by robust evidence and defensible at **EXAMINATION** against scrutiny from an Independent Planning Inspector and from Barristers and a wide range of other participants.



2. What are we doing now?



2. What are we doing now?

- We are producing a **Draft Local Plan** for consultation in the Autumn this year. This is the Regulation 18 stage of plan making.
- This is an important stage in the process because the Council **'CAN'** make changes to the document after the consultation, before the next stage.
- The next stage will be to produce the version of the Plan the Council intend to submit to the Secretary of State, that is the **Publication Plan** (Regulation 19), that is intended for publication in Summer 2024.
- The Council **'CANNOT'** make any changes to the Publication Plan. Any consultation responses at that stage are forwarded to the Planning Inspector (s) and become business for the Examination.
- So, it is very important the Draft Plan looks like the final plan as far as possible, as that maximises the value of the Consultation. The more people can see what is proposed, the more than can respond. This is invaluable to inform the Publication Plan and help to de-risk the Examination.



2. What are we doing now?

Timetable:

- | | |
|--|---|
| • Draft Plan (Regulation 18) Consultation: | Autumn 2023 |
| • Publication Plan (Regulation 19) Consultation: | Summer 2024 |
| • Plan Submission: | End of 2024 |
| • Plan Examination: | During 2025 |
| • Plan Adoption: | Approximately 2 nd Quarter 2026* |

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*the timing of the Examination is in the hands of the Planning Inspector (s), but the average Local Plan Examination is 18 months (based on 300 Local Plan Examination) for relatively good plans with no significant issues identified.

It is essential the Uttlesford Local Plan is progressed as efficiently as possible.



2. What are we doing now?

- We are now holding 'in person' Local Plan Workshops with the team every month.
- We are identifying key tasks to be completed in each month and are reviewing them regularly. We are currently on-track.
- Broadly, this includes:

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- Updating our **Evidence**
 - Drafting **Policies**
 - Assessing potential development **Sites**
 - Engaging with Stakeholders to fulfil our **Duty to Cooperate**
 - Developing a **Consultation Strategy**



2. What are we doing now?

Evidence

- We have around 20 separate technical evidence studies that run in parallel to preparing the Local Plan. These need to be published alongside the Draft Local Plan (Reg 18) in October.
- We have identified ‘next step’ actions for all of these.

The work falls into three main categories:

- **FINALISE** : the work is largely complete and just needs to be finalised
 - **UPDATE**: the work will need updating to reflect the emerging plan for publication in October
 - **NEW**: some new/ additional work is needed to avoid any obvious gaps
- Much of the work is ‘iterative’ and should be consistent; so it needs to be carefully coordinated.



2. What are we doing now?

Evidence (Provisional List)

- Housing Need (Finalise)
- Infrastructure Delivery Plan (Update)
- Strategic Flood Risk Assessment (Update)
- Water Cycle Study (Update)
- Viability (Update)
- Landscape Sensitivity Study (Update)
- Heritage Impacts Assessment (Update)
- Habitats Regulation Assessment (Update)
- Sustainability Appraisal (and Equality Impact Assessment) (Update)
- Transport Study (Update)
- Employment Needs Assessment (Update)
- Retail Needs Assessment (Update)
- Leisure Strategy (Open Spaces/ Indoor Facilities/ Playing Pitches) (Update)
- Settlement Facilities Study (Update)
- DTC Statement/ Topic Paper (New)
- Climate Change (New)
- Green Infrastructure Strategy (New)
- Air Quality Assessment (New)
- GTAA (New)
- Green Belt (Update – enhancement opportunities only)



2. What are we doing now?

The Local Plan Document

- The Plan will have four main sections:

- The Introductory Chapters: The Introduction; Spatial Portrait; and Spatial Vision and Strategic Objectives.
- The Spatial Strategy: Which sets the strategy for the district as a whole and may contain a limited number of key strategic policies that help to frame the rest of the Plan.
- The Place Chapters: Which will provide spatial focus on key places within the district and help people understand what is happening in the areas they are interested in.
- And, the Thematic Chapters: Which provide most of the policy detail to inform planning applications. We think there will be three of these (working titles):

1. Climate/ Environment/ Transport 2. Housing/Design/ Community Facilities 3. Employment/ Retail



2. What are we doing now?

Site Selection Methodology

- We have updated our Site Selection Methodology. This has five main stages:

Stage 1	HELAA (Housing and Economic Land Availability Assessment) Completed in accordance with PPG. Considers 'suitability/ availability/ achievability'.	This just provides us with a 'long-list' of potential sites for consideration
Stage 2	Desktop Assessment of Constraints and Opportunities We apply some additional filters to help us reduce the length of the long-list	This provides us with a 'shorter' long-list to inform the more detailed assessment stage.
Stage 3	Detailed Evidence Testing, informal Consultation and Sustainability Appraisal (SA) This is the main assessment of the shorter list of sites. This will include some engagement with selected stakeholders and SA.	This provides us with a pool of potential development sites that helps us to select the Preferred Option. This relates to much of our evidence.
Stage 4	Reasonable Alternatives testing through Sustainability Appraisal (SA) At this stage we test 'reasonable' alternatives – that is, a small number of site packages that could each meet the plan objectives. This is a key LEGAL requirement.	This helps us to identify the Preferred Sites/ Strategy.
Stage 5	Identification of Preferred Sites/ Strategy We then need to work up the detailed policy requirements for the Preferred Sites	This forms the basis of the Reg 18 Plan.



2. What are we doing now?

- **We need to be clear:**
- The Plan must be **SOUND and LEGALLY COMPLIANT** and informed by a myriad of evidence and factual detail, that must be coherent and consistent.
- Without an up-to-date plan, development will continue, the Council will have little, if any control, it will not be able to implement its objectives, because it will not have any up-to-date policies (for example relating to climate change, biodiversity etc).



3. What are the next steps?



3. What are the next steps?

A quick note about the emerging strategy

- Obviously, the Plan isn't just about housing, it's about helping us to address the climate emergency, deliver biodiversity gain, deliver Green Infrastructure, along with improved services and facilities, support sustainable development, etc.

Page 18 But, when it comes to the Spatial Strategy, and planning for housing, there are several factors to consider:

1. **What are our updated 'completions and commitments' to March 2023.** We're collecting this data now. Without this, we can't know how much 'additional' housing we need to plan for.
2. **What are our 'windfall' assumptions?** We need to update these – again this is a key part of the equation (the more windfall there is, the less 'additional' housing we need to plan for).
3. **What is our 'housing need'?** This is taken from the Standard Method, but we need to check it is up to date (this is currently being undertaken).
4. 1 to 3 will allow us to calculate our '**additional**' housing to plan for figure.



3. What are the next steps?

A quick note about the emerging strategy

5. We need to ensure the plan is credible and reasonable and **deliverable**. So, we need a range of small and medium sites of different size, type and geography – these should be focused on the most sustainable locations. This is essential to ensure we have a rolling **‘land-supply’**. This was one of the most important issues identified by the Inspector to the 2019 Plan.
6. We should plan for a ‘contingency’ – this provides flexibility and resilience. We don’t want to put in all the hard work to produce a new Plan, only to discover that we don’t achieve or maintain a rolling land-supply soon after it is adopted. This would take us back to a position equivalent to not having a plan!
7. We need to think about our smaller settlements (such as smaller villages). These are not suited for large scale development, but the viability of local communities is important and so some, small scale (limited infill) development may be appropriate.

All of these factors need to be considered in the round; once we have new and updated information.



3. What are the next steps?

Key tasks

- Continue updating relevant evidence and filling gaps.
 - Progress the site selection process so we can make informed and robust recommendations
 - Continue to progress the plan Chapters on a rolling basis.
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- Engage with our Duty-to-Cooperate partners so we will have Statements of Common Ground at the time of the consultation.
- We are programming monthly catch-up meeting with our Barristers so they are up-to-speed and can provide expert/ specialist input at key intervals.
- Resume regular LPLG meetings/ we are already meeting with the Portfolio Holder on a regular basis – see next slide.



3. What are the next steps?

LPLG Schedule

- LPLG Workshop (July) to provide an update on the LP process
- LPLG Workshop (August) to discuss emerging LP strategy and progress update, and
 - More detailed workshop with our Climate Change consultants considering the policy options and associated risks
 - Other agenda items to be added
- LPLG Workshop (September) to discuss emerging LP and any recommendations for Cabinet



4. Any further questions and discussion?





Round Up & Summary