

# Public Document Pack

**PLANNING POLICY WORKING GROUP held at COUNCIL CHAMBER -  
UTTLESFORD DISTRICT COUNCIL, COUNCIL OFFICES, LONDON ROAD,  
SAFFRON WALDEN, CB11 4ER, on TUESDAY, 17 OCTOBER 2017 at 7.00  
pm**

Present: Councillor H Rolfe (Chairman)  
Councillors S Barker, P Davies, A Dean, P Lees, J Loughlin and  
A Mills

Officers in attendance: A Bochel (Democratic Services Officer), Glenday and P Snow  
(Democratic and Electoral Services Manager)

Also Present: C Berry (Planning Policy Consultant – Troy Planning)

Public Speakers: J Grey, S Merrifield and F Wilkinson.

## PP1 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Lodge and Oliver.

Councillor Barker declared an interest as a member of Essex County Council.

Councillor Dean declared an interest because his wife was a volunteer at, and a member of, the Trustees of the Gardens of Easton Lodge.

## PP2 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting on 29 June 2017 were signed and approved as a correct record.

## PP3 **UTTLESFORD LOCAL PLAN REGULATION 18 DRAFT PLAN CONSULTATION RESPONSES - PLANNING AUTHORITIES AND OTHER PUBLIC BODIES**

The Planning Policy Team Leader introduced the report. The regulation 18 consultation on the Local Plan had received just under 6000 representations. The purpose had been to ask for the views of the community, and it was important to note the plan was not a finished document. Because of the small period of time officers had had to review representations made, the selection of representations being brought before the working group were those from statutory consultees and other public bodies. The remaining representations would be reported at the next meeting of the group.

The Planning Policy Consultant said the report summarised the responses by bodies listed in the Duty to Cooperate and gave an overview of the representations made.

The Chairman thanked those who had responded to the consultation.

In response to a statement by Jane Grey, the Chairman said there was cross-party support for the provision of sports facilities and they would be key features of planned garden communities. The Planning Policy Team Leader said work had been commissioned to address the concerns of Sport England that the draft plan lacked a robust evidence base.

In response to statements read out by Fiona Wilkinson, the Chairman said if planning on potential new developments did not meet garden city principles then they would not get planning permission. The Council would not be rushed, and would take as long as was necessary for the regulation 19 consultation and submission for inspection. Transport was a big issue. The local plan would help to mitigate traffic problems, including those outside the area, in South Cambridgeshire. The Council was in close contact with the relevant bodies. The published evidence base would be continually updated, and the potential impact of traffic over time would be taken into consideration. It was unfair to expect all new development to happen in South Uttlesford.

The Planning Policy Officer said the Council was looking to commission further work on subjects such as archaeology and heritage, with the aim of resolving issues raised by public bodies.

Councillor Dean said it was reassuring to know work was ongoing and that it was not necessary to have all the answers now.

The Planning Policy Officer said the regulation 18 local plan was not meant to result in a finished document, and undertaking further work prior to the next round of consultation was not unusual. Both the Council and the inspector had to be convinced the final plan was sound. Representations submitted had raised significant issues, but the additional work was looking to resolve these issues.

In response to a question from Councillor Loughlin regarding how unmet housing need in other areas might affect Uttlesford's local plan, Councillor Barker said a paper responding to the government consultation on housing numbers was being put to Cabinet on 18 October. The draft Council response said the draft plan had been devised based on figures that the Council was advised to use, and that any alteration of these figures would require the Council to review its evidence base and would delay the production of the Local Plan.

The Chairman said the potential new formula for distributing houses which had been proposed by the government would increase pressure to build in the South East, and would considerably alter many of the original targets. He hoped this formula would be amended in due course.

In response to a question from Councillor Loughlin regarding comments in the report which proposed building on the green belt, Councillor Barker said

Uttlesford had completed reviews of both the green belt and the countryside protection zone and deemed them fit for purpose. The Council was looking to preserve them, not to build on them.

In response to Councillor Dean's statement that sports planning should not be examined purely within the proposed new developments, the Chairman said sport would be looked at holistically and the Council were in communication with Active Essex.

Councillor Barker said sports centres and other facilities within schools in the district had not been well-used in the past. It was important to share such facilities in order to provide amenities for every community.

Councillor Dean said it was important to make a strong statement that the Council was prepared to make sure the developments happened in line with garden city principles. He had been on a tour of garden city developments and had come away with knowledge and inspiration for creating communities. Social infrastructure was important and it would be good to reassure parish councils. Councillor Lees said all members of the group were on the same page on this issue.

The Chairman said a possible issue could be what was considered to be good design. The Council would be working with experts to ensure good design was a factor in potential new developments.

In response to a point about the lack of specificity in more recent planning policy, the Assistant Director – Planning said he would take this away to look into further. Councillor Mills said he believed part of this policy had changed due to national legislation.

In response to a question from Councillor Dean, Councillor Barker said public transport in the Great Dunmow area was being examined, including to Stansted Airport and Bishops Stortford.

In response to questions from Councillor Lees regarding water provision and sewage, Councillor Barker said a new study had been commissioned and the policy on water in the final local plan had to be found to be sound. The Planning Policy Consultant said the Environment Agency had to be satisfied with the plans to ensure money would be released for new infrastructure. The Council was aiming to have a robust planning policy, taking into account the long-term needs of the communities in Uttlesford.

In response to a question from Councillor Lees, the Chairman said the Council had sufficient resources to do work on the plan.

Members said it was important to liaise with existing communities about potential new communities. It was important to try to anticipate the future.

The Chairman reaffirmed that all parties were committed to enforcing garden city principles in new developments.

Jane Grey and Fiona Wilkinson spoke on this issue. Gareth Bevans had been due to speak at the meeting but was unexpectedly detained. His statement was read out by Fiona Wilkinson. Copies of these statements are appended to these minutes

PP4

## **WEST OF BRAINTREE GARDEN COMMUNITY PLAN: ISSUES AND OPTIONS**

The Project Manager - Planning Policy said the report would be considered at Cabinet on 18 October, recommending approval to carry out a public consultation between November and January on a draft Issues and Options document for the proposed Garden Community. The document provided information on how the proposed new settlement would be developed around garden city principles. The Council would not accept poor quality design and was committed to achieve the principles. The result of the consultation would be reported back to the Working Group after consideration of representations on the Regulation 18 Local Plan. The consultation would in no way fetter the District Council on deciding its response to the Regulation 18 Local Plan, which was the primary planning document.

In response to a statement by Sandi Merrifield, the Project Manager – Planning Policy said it was important to get the document out for consultation. This was because Braintree District Council shared responsibility for the document, and it was important to the local plan process that consultation on the Issues and Options document had been completed before the start of the examination of the Braintree Local Plan which was expected in January 2018.

In response to a question by Councillor Dean, the Project Manager – Planning Policy said he would strengthen wording to make it clear that the Council currently only supported the proposed Garden Community in principle, and he would ensure page 202 of the agenda pack included the objective of safety.

In response to the statement by Sandi Merrifield, members agreed to recommend to Cabinet that the fourth bullet point in question 13, on page 239 of the agenda pack, be deleted.

Sandi Merrifield spoke on this item. A copy of this statement is appended to these minutes.

## **Statement by Fiona Wilkinson**

Thank you for the opportunity to speak at this meeting. I represent Little Chesterford Parish Council.

I would like to draw the committee's attention to several items regarding the Reg18 responses.

Firstly, I would like to highlight the concerns raised by ECC in their responses regarding how UDC intends to effectively deliver the Garden Community principles. As they say, these should ensure "high levels of self-containment from the outset" to distinguish the communities from "large scale housing led development" or "dormitory communities". However they are concerned with UDC's ability to deliver employment within the communities and provide sustainable transport and infrastructure (including schools, healthcare). They also question the effectiveness of the delivery system and whether the simultaneous provision of three Garden Communities is viable, deliverable and cost effective. (Sections 4.5, 4.9, 4.10, 4.10 4.12, 4.16 and 4.28). We share their concerns.

Secondly, I would highlight the many different bodies who have all raised concerns about the transport infrastructure delivery to support the North Uttlesford settlement, in particular the capacity of A505, A1301, M11 and A1307. Concerns have been received from SCDC, Cambridge CC, South Suffolk CC, Essex CC as well as Highways England. Heidi Allen (the MP for South Cambs) has urged UDC to "revisit the transport studies informing the proposal" and "ensure the appropriate improvements to transport infrastructure are included in the plan." We share her concerns that without this, the North Uttlesford Settlement is unsustainable.

I would also like to refer councillors to paragraph 26 of the South Cambs submission where they have demonstrated that the plan can be made more viable by removing North Uttlesford Settlement and increasing the build rate in the other locations to better support sustainability and align to the evidence base

Thirdly, I would like to highlight the requirement from Historic England UDC to carry out full Historic Impact Assessments for all three settlement sites. I would also like to highlight that their concern that North Uttlesford (alone) raises fundamental "in principle issues" and their assertion it is unlikely that further work would realistically address these. We support their contention that the site is unviable on heritage considerations alone.

Lastly, I would like to point out what is missing from the pack. Many of my parishioners have taken the time to write, but there is no summary of the public responses. Also missing are the responses from many stakeholders such as the Wellcome Trust and Heidi Allen, and the Gt Chesterford Parish Council response is incomplete. The plan timetable does not appear to give an opportunity to consider further responses or indeed the missing evidence that has been called for by the statutory consultees. We agree with Essex CC that this timetable is ambitious to in view of the ongoing engagement/dialogue needed to address some of the issues that have been identified. We believe failure to consider Regulation 18 responses in full will jeopardise the success of the local plan process.

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As a member of the public, I want to talk about the Sport England comments to the consultation.

In 2012 Uttlesford commissioned Tony Ploszajski to write an Open Space, Sport Facility and Playing Pitch Strategy. My colleague, Gill Haigh and I, wrote to Uttlesford stating that the document was not fit for purpose.

In 2015 the Planning Department employed Tony to up-date this document. Again Gill and I stated that this re-jigged document didn't take into account new Government initiatives regarding physical activity and sport.

The document needed to be "ticked off" by local sports organisations and so Saffron Walden Organisation for Sports was formed.

The chair, Mr. Derek Jones, apparently held talks with Sport England and, as long as the title was changed to a "Sports Facilities Development Strategy", we were told it was now acceptable to Sport England, a major funder for physical activities and sports organisations.

The amended document went before Cabinet in February 2016 and the recommendation was "to adopt the Sports Strategy into the Local Plan evidence base, as a material planning consideration and as a Sports Strategy for the District".

It was further stated that "The document has been subject to consultation with (amongst others) ..... Sport England" and "Sport's governing bodies .... have approved the final version of the document"

Consequently the "Sports Strategy" was approved by Cabinet and full Council.

In light of the Sport England comments in the recent consultation, I e-mailed Sport England for clarification last month. Mr Warren, the Planning Manager, replied:

"I can confirm that Sport England has not been supportive of (or signed off) Uttlesford District Council's sports facility strategy as set out in our response to the local plan."

So you may think that a Sports Strategy is a document of little consequence in the vast pile of paperwork you have to consider but it should feed into the

Health and Wellbeing Strategy, the Economic Strategy, the Transport Strategy and, most importantly, the design and layout of all the proposed housing,

What are the consequences of not having a valid Sports Strategy:

Firstly, the Inspector will raise the lack of an approved Sports Strategy at Examination.

Secondly, no local physical activity or sports organisations can apply successfully to Sport England for funding as we don't have a sound evidence base of need.

Thirdly, housing developers will argue that they are under no obligation to provide physical activity venues as again there is no robust evidence of need. This will be particularly felt in the proposed garden settlements, but even now opportunities for physical activity space are being lost in the new housing developments around Saffron Walden.

In the light of the Sport England comments - firstly, why were members of the Saffron Walden Organisation for Sports and UDC Councillors led to believe that the Sports Strategy, produced at considerable cost to the Council, had Sport England approval ?

Secondly, what is the Council going to do about the current situation ?



## **Statement from Gareth Bevans**

Regulation 18 consultation – new town in Great Chesterford village - statement from Great Chesterford Parish Council

The draft Local Plan, the choices made and the process followed is not supported by the published evidence base.

Highways – insufficient testing has been completed, and acknowledged by the Councils comments, to fully assess the impact of a new town in Great Chesterford. It is not acceptable to say that a full Traffic Impact Assessment will be carried out at the planning application stage. This assessment must be completed now, and when it has been it will be evident that the existing road structure and local junctions cannot cope and there are no established plans in place to overcome the significant issues. The proposed new town would not be able to mitigate the impact created. The local railway station does not have capacity for additional passengers and no space for car park provision.

Heritage – the Council’s study is flawed. The nationally important Scheduled Ancient Monuments have not been assessed and the proposed new town would have a significant impact on the Monuments and degrade their setting and significance. It is not possible to mitigate this harm through ground investigation and recording or in landscaping – this is accepted by the land owners own heritage report.

Landscape – siting a new town on the top of a hill which due to the local topography will be visible from miles around is professionally, politically and morally inexcusable. The desecration of the local landscape is not something which can be mitigated by new planting or bunding due to the heights and views involved. The new town location fails to follow and of the traditional settlement pattern locations and it would detrimentally impact on the wider character and landscape value of the local area.

Infrastructure – the new town would need to provide all its own social, retail and economic infrastructure from day one. There is no local capacity for primary or secondary education, no capacity on the local doctor network. The draft policy indicates that the new town would not have its own sufficient retail provision but would need to rely on Saffron Walden - this does not create a sustainable settlement.

Location – the location fails to respond to the evidence base of the Council nor on its stated joint working with East Herts, Epping and Harlow Councils. The new town does not fall within the Strategic Housing Market Area and does not supply housing for the Uttlesford housing market. The new town location is contrary to the jointly produced Sustainability Appraisal of Strategic Spatial Options for the West Essex and East Hertfordshire Housing Market Area by AECOM. This is published as part of the evidence base and supports the published plans of East Herts and Epping Councils.

Duty to Cooperate – given the AECOM report and the joint working on the Strategic Housing Market Assessment to proposed development contrary to this joint working is a failure by UDC of the Duty to Cooperate. It is also evident that UDC has failed in the Duty to Cooperate through insufficient and incomplete working with South Cambs District Council and Cambridgeshire County Council. This failure cannot be rectified post plan making and results in the draft plan being unsound.

Garden City Principles – the draft Plan and Councillors talk a great deal about the TCPA principles but as drafted the plan will not deliver a development in accordance with the principles. Neither the landowner or developer promoting the site, are committed to delivering anything other than a 'normal S106 site'.

Conclusion – the new town has been proposed through political expediency, professional omissions and with a failure of the Duty to Cooperate and proposer public engagement. The plan is unsound.

**Statement by Sandi Merrifield**

**Planning Policy Working Group**

**Tuesday 17<sup>th</sup> October**

**Stebbing Parish Council Comments**

**Agenda Item 4**

Stebbing Parish Council asks why are you issuing another Draft Regulation 18 Issues and Options when you will not have analysed the totality of replies from the recent one until December. This smacks of carrying on regardless and pushing forward with prejudicing force against the community of Stebbing. Is this really due process for the Development Plan Document or does this just indicate things to come.

To issue this from November 13<sup>th</sup> to January 8<sup>th</sup> is again over a holiday period which is again unfair.

BDC a partner in North Essex Garden Communities Ltd is taking forward WOB, if UDC continues on with “East of Stebbing” as we prefer to think of this will UDC seek to become a member of this company and as such what financial implications will that have for this council and its residents, given that BDC has already voted £250,000 into NEGC would UDC be expected to do the same and adopt compulsory purchase as well? If they didn’t would they be a junior /lesser partner and so have less say, thus disadvantaging the residents of Stebbing even more.

We seriously question why the Andrewsfield area is still included in the plan given that at a recent meeting with UDC; BDC and Parish Councils BDC stated that they were going for Option 3 which does not link with Andrewsfield, (we believe this came as rather a surprise to UDC representatives).

What is even more worrying and astounding is that residents are being asked to consider whether we think it is a good idea to include the triangular piece of land in between the Boxted Wood and Andrewsfield as a link to join them and so expand the land available. This is astounding and outrageous as this land has not been offered for development and is a fishing exercise.

Do not seek to confuse and overburden or assume there will be consultee fatigue, UDC must remember that just showing you are consulting is not enough, you must take notice and not just push aside and discount the community of Stebbing.

