

CABINET held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on TUESDAY, 12 JUNE 2018 at 7.00 pm

Present: Councillor H Rolfe (Chairman)
Councillors S Barker, V Ranger and J Redfern

Also present: Councillors A Dean (Leader of the Liberal Democrats and Chairman of Scrutiny Committee), J Lodge (Leader of the Residents for Uttlesford) and E Oliver (Chairman of the Governance, Audit and Performance Committee)

Officers in attendance: D French (Chief Executive), A Bochel (Democratic Services Officer), G Glenday (Assistant Director - Planning), R Harborough (Director - Public Services), S Miles (Planning Policy Team Leader), S Pugh (Assistant Director - Governance and Legal), M Watts (Environmental Health Manager - Protection) and A Webb (Director - Finance and Corporate Services)

Speakers: Councillor N Hargreaves, Councillor T Knight, A Armstrong, I Carter, J Cheetham, J Collins, I Grant, K McDonald, S Merifield, G Mott and B Ross.

CA17 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Howell and Ryles.

Councillor S Barker declared a personal interest in relation to site allocations in the draft Local Plan, in that she was a member of Essex County Council for the Dunmow Division.

Councillor Redfern declared a personal interest in relation to site allocations in the draft Local Plan, in that she was a member of Great Chesterford Parish Council.

CA18 REGULATION 19 PRE-SUBMISSION DRAFT LOCAL PLAN

The following people spoke on this item: Councillor N Hargreaves, Councillor T Knight, J Collins, I Carter, B Ross, K McDonald, I Grant, J Cheetham, S Merifield, G Mott and A Armstrong. Summaries of their statements are appended to these minutes.

The Chief Executive was asked to explain the circumstances surrounding the withdrawal of the previous draft Local Plan two years ago.

The Chief Executive said she had believed the plan would not be supported going forward and that members did not have sufficient information to determine the plan. After consultation with senior officers, she had therefore made the decision to withdraw the previous plan. The decision to pause the plan had been entirely hers.

Councillor Barker said if the Council did not move forward with the plan, then control of the plan would be taken out of its hands and the additional cost would fall back on the Council. The draft plan had a vast amount of supporting evidence. The number of houses and jobs required had been updated since the Regulation 18 plan had been sent out to consultation, and a number of other changes had been made, such as additional allocations and changes to the wording of policies.

The Planning Policy Team Leader responded to queries raised by public speakers. He said the Land South of Thaxted Road, Debden site was not located within the Environment Agency's flood zones. Any planning application at the site would have to ensure flooding would not impact on properties. Similarly, a planning application would have to be accompanied by a transport assessment and an assessment of how to mitigate any impact on views.

The Planning Policy Team Leader said criteria from GEN 2, 4 and 5 were felt to have been carried forward to the draft Regulation 19 Local Plan in policies D1, SP12 and EN16 to EN20.

The Planning Policy Team Leader said the plan proposed a housing requirement of 14000 based on the 2017 SHMA, taking into account an amendment to the market signals uplift, the recognition of people living in communal establishments and the need to build in an element of robustness. A supply of 14700 houses had therefore been proposed to adapt to changes or delays within the plan period.

The Planning Policy Team Leader said archaeological sites at Stebbing would inform the development plan documents. The Chairman said a development plan document was a robust vehicle to use to deliver development in consultation with communities. Being a junior partner in the development of the West of Braintree site would not disadvantage the voice of Uttlesford residents.

The Planning Policy Team Leader said a smaller scale of development was proposed in Elsenham than that which had been included in the Local Plan in 2014 and the rejected planning application in 2016. The forty units proposed had been considered through the Infrastructure Delivery Plan and were considered appropriate.

The Planning Policy Team Leader said the Land south of B1256 (Stortford Road) and West of Buttley's Lane, Great Dunmow site had been assessed in the Regulation 18 plan and there was no reason found to remove the allocation from the plan. The Site of the former Bardfield House, Church End, Great Dunmow was felt to be a reasonable extension of the village, reflecting existing boundaries on the ground. While both sites were outside the Neighbourhood Plan development framework, one purpose of the Local Plan was to look afresh and set policies for the whole district.

The Director – Public Services said the Planning Committee had refused a planning application for the Land to the south of the B1256, Little Canfield site. However, the Local Plan was looking afresh at various issues such as the need for a broader portfolio of sites for business, and so the site was appropriate for inclusion in the plan.

The Planning Policy Team Leader said the Land at Bricketts, London Road, Newport site was a relatively small allocation which was a logical extension to the village. A planning application would have to take into account noise and air quality issues. A footpath made the site accessible for pedestrian to access the centre of Newport. An alternative site suggested by Councillor Hargreaves was separate from the development boundary of the village and could lead to further development along Chalk Farm Lane.

Councillor Dean put forward proposed amendments to policy SP11. Members voted to accept these proposals.

Councillor Redfern put forward proposed amendments to the Garden Community policies and supporting text and EMP1 and supporting text. Members voted to accept these proposals.

The Planning Policy Team Leader put forward amendments suggested by Historic England to SP5, SP7 the Garden Community policies and supporting text, which included re-ordering the criteria in policies SP6, SP7 and SP8, and providing sub-headings. These were proposed by the Councillor Rolfe and members voted to accept these proposals.

Councillor Lodge said he believed it was important to use locally led development corporations to ensure the proposed communities were built to the standards of garden community principles.

The Chairman said a combination of the development plan documents and other arrangements currently under discussion would ensure the Council could enforce the garden community principles. Planning inspectors and legal professionals had advised that the Council could use a development corporation if necessary, but now was not the time to do this.

The Director – Public Services said community leadership would come from community engagement in the preparation of the Local Plan, whether the new communities were to be created by developers or a development corporation. The Local Plan was the framework to guide the delivery of development.

RESOLVED that:

1. Cabinet, being satisfied that the preparation of the Local Plan has complied with the relevant regulatory requirements and being of the view that the Regulation 19 Pre-Submission Local Plan document is ready for submission to government for independent examination, recommends to Full Council that, subject to incorporating the changes agreed by Cabinet on 12 June 2018, the Regulation 19 Pre-Submission Local Plan be published in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.
2. Following the conclusion of the Regulation 19 publication period, the Local Plan be submitted to the Secretary of State for Independent Examination under section 20 of the Planning Compulsory Purchase Act 2004 (as amended) ("the 2004 Act"), together with the submission documents prescribed by Regulation 22 of the 2012 Regulations before 31 March 2018;
3. The Director of Public Services, in consultation with the Environmental Services Portfolio Holder, be authorised to make non-material typographical, formatting, mapping and other minor amendments to the Plan prior to the submission of the Plan to the Secretary of State;
4. The Director of Public Services be authorised to write to the Local Plan Inspector appointed to carry out the Examination of the submitted Local Plan ("the Local Plan Inspector") asking him/her to recommend such modifications of the submitted Local Plan as may be necessary to make the Plan sound and legally compliant, in accordance with section 20(7C) of the 2004 Act;
5. The Director of Public Services, in consultation with the Environmental Services Portfolio Holder, be authorised to submit a schedule of proposed main modifications of the submitted Local Plan to address any issues relating to soundness and legal compliance identified by the Local Plan Inspector; and
6. The Local Plan Submission Version 2018 be endorsed as a material consideration to be used in the determination of planning applications and enforcement decisions to be given

appropriate weight in accordance with paragraph 216 of the National Planning Policy Framework.

The meeting finished at 9.10pm.

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Minute Item 2

Public Speakers:

Councillor Tina Knight spoke about the amount of houses that the local plan intended to be built in Debden. There had already been houses approved and built in the village. The planned amount was disproportionate for Debden's size. Flooding, parking and rat running were already big problems for the village, and the planned houses were intended to be built on prime agricultural land.

Jane Collins spoke about concerns about the development planned for Debden. Traffic gridlock and safety were currently major problems and further development would make it worse.

Ian Carter said he was in favour of proportionate development that fitted in with the local area. However, the planned development in Debden was disproportionate to the size of the village, was not in keeping with the rural location, would harm the open spaces and character of the village and was inappropriate due to the poor roads and gridlock in the area. There was flooding in the village and a proper hydrological study should be undertaken.

Brian Ross spoke on behalf of Stop Stansted Expansion. He said new policy proposed in the plan watered down or removed safeguards which protected the community from the unfettered expansion of Stansted Airport. Policy in the Regulation 18 local plan was not controversial, but had nevertheless been revised, almost exactly to mirror changes suggested by the airport's owners. He asked for the previous wording to be reinstated.

Ken McDonald spoke on the lack of an audit trail to demonstrate how the housing need figure had been calculated and that the total number of assumed jobs at Stansted Airport needed to be revised on the basis that the airport had revised its recent jobs forecast downwards. Only 18% of the airport's employees actually lived in Uttlesford, which would likely affect the employment need figure.

Isobel Grant spoke on behalf of Wendens Ambo Parish Council. She said the parish council were concerned that important aspects of policies GEN2, GEN4 and GEN5, included in the 2005 plan, had been left out of the Regulation 19 local plan.

Jackie Cheetham spoke on behalf of Takeley Parish Council. She said the parish council were concerned that the protection that residents around the airport had in policy SP11 had not been included in the Regulation 19 local plan. The new policy did not safeguard the local residents and countryside in the same way. The parish council were also concerned about the potential for an increase in noise generated by the airport and the proposal for off-street parking.

Sandi Merifield spoke on behalf of Stebbing Parish Council. There was a frustration about the lack of infrastructure included in the plan. The possible development did not reference Stebbing in its name, referring to it as West of Braintree. The plan would result in coalescence with Braintree District. There was concern that Uttlesford

District Council would be the junior partner in drawing up the development plan document for the West of Braintree site. The site was not viable, deliverable or sustainable.

Graham Mott spoke on behalf of Elsenham Parish Council. He said there was surplus capacity for houses in the plan and the five year land supply currently stood at almost 6 years. A proposed 40 dwellings in Elsenham were therefore not needed. Infrastructure in Elsenham was inadequate such as road and healthcare access, and Elsenham had already taken a disproportionate amount of houses. He proposed the Elsenham site be removed from the plan.

Alexander Armstrong spoke on behalf of Great Dunmow Town Council. He urged removal of three sites from the local plan; two of these were outside of the Great Dunmow Neighbourhood Plan and another had already been turned down by the Planning Committee. It was unjustified to include these in the plan.

Councillor Neil Hargreaves suggested removing two sites from the plan and instead adding an alternative site. The Bricketts site could be removed as it was a greenfield site, ribbon development, would be far from the village and would have issues with noise. Instead, a redundant quarry could be included, as it was achievable. This was a proposal which was important to Newport and Debden.