

**LOCAL PLAN LEADERSHIP GROUP held at COUNCIL CHAMBER -
COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on
MONDAY, 13 MARCH 2023 at 7.45 pm**

Present: Councillor G Bagnall (Chair)
Councillors M Caton, J Evans, M Lemon, B Light, J Lodge,
S Merifield and R Pavitt (Vice-Chair)

Officers in attendance: D Hermitage (Director of Planning) and C Shanley-Grozavu
(Democratic Services Officer)

Also

Present: Councillor N Gregory (Chair of Scrutiny Committee)

1 PUBLIC SPEAKERS

Mr Andy Dodsley and Mr Richard Haynes addressed the committee. Copies of their statements have been appended to the minutes of the meeting.

2 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST

Apologies for absence were received from Councillors Freeman, Reeve, Sutton and Tayler.

There were no declarations of interest.

3 MINUTES OF THE PREVIOUS MEETING

Councillor Caton highlighted that since the previous meeting, he had not received a response from Democratic Services regarding the Local Plan governance arrangements; however he had found the terms of reference approved by Cabinet in July/September 2020 which had a commitment to public engagement. He said that he had never been approached for his view on holding meetings in private; something which he felt was a decision for the whole group to make, and not the relevant Portfolio Holder and Senior Officers. The Chair and Portfolio Holder both responded that the workshops were undertaken for various reasons, including commercially sensitive information.

The Chair requested that the word "dispute" be amended to "debate" in the second-to-last paragraph of Item 6 (Upcoming Local Plan Team Publications).

The minutes of the previous meeting were approved as a correct record, subject to the above change.

It was noted that Councillor Light had abstained from the vote.

In response to questions raised by the Public Speakers, the Director of Planning clarified the following:

- The phrase used in the papers “Longer term” meant within the plan period, although towards the end.
- There was agreement with many of the speakers points around evidence and the lack of suitably robust evidence in some areas was the reason why the draft plan was not put out for consultation in Autumn 2022.
- In regard to Easton Park, officers had not omitted what the growth location was, rather they had not gotten to that point as site allocation assessments weren’t due to be conducted until the Summer.
- An officer-level statement was published before Christmas which set out the view on recent central government reforms. Since then, the government had published the Planning Reform consultation which added more detail to the initial ministerial statement and the Council’s response was appended to the report.

In addition, Councillor Evans said that he was sympathetic to the views which Mr Haynes had raised around the previous heritage and landscape evidence base and highlighted that such matters had been touched upon at the last workshop. Consideration to heritage, and where its place within a setting, would be considered in the current site appraisal process.

The Chair addressed the concerns raised by the public speakers regarding meetings conducted in “secret”. He said that there had not been any meetings held “in secret”, however they had held some discussions in a workshop format where sensitive matters were discussed. He acknowledged that some of the elements in the workshops could have been covered in a public forum.

The Chair of Scrutiny provided a summary on the discussions from the meeting of the Scrutiny Committee which had met before the Local Plan Leadership Group (LPLG). He explained that the committee acknowledged the progress made by officers, including the recent recruitment drive, and the project management was commended as robust and honest. However, there were concerns that delays to the plan process had become institutionalised and the team needed to recoup the time lost.

4

LOCAL PLAN WORK PROGRAMME UPDATE

The Director of Planning introduced the report and provided an update on the progress of the Local Plan Work Programme. He highlighted that there would be a full complement of staff working on the Plan from next month and the progress which new staff made would determine if there was a need to bring a revised Local Plan timetable to Cabinet in June.

Following the officer’s introduction, the Chair asked the public speakers if they felt that their questions had been answered. The speakers re-emphasised their

concerns around the issue of secrecy, particularly when holding working groups which were not open to the public. They requested that the use of language to describe these meetings be reconsidered.

Mr Haynes raised further concerns about the quality of evidence within heritage and landscape studies, as well as the lack of reference to the neighbourhood plans. The Director of Planning confirmed that officers were committed to reviewing neighbourhood plan evidence and factoring it in during plan development. Councillor Evans echoed this, and highlighted the significance of evidence attached to the neighbourhood plans.

Members discussed the update on the Local Plan work programme, and the following was noted:

- The Director of Planning clarified that Regulation 18 was the point at which interested parties would be consulted on the proposals of the Local Plan. The Local Plan Team had often received correspondence, requesting progress updates and providing evidence. Whilst officers were happy to consider additional evidence, they were unable to resource mini-consultations with various groups in the lead up to the main consultation.
- Officers would approach relevant parties where they identify a point of clarification or gap in the evidence base.
- The recently withdrawn Regulation 18 Plan wasn't a failed plan and a significant amount of evidence remained available and useful. Officers were in the process of reviewing the evidence base and identifying the gaps which needed to be bridged.
- The Development Strategy, and officers' professional opinion was that the prospective housing numbers could not be achieved through only extending existing settlements and a new settlement was needed in the longer term. The Director of Planning suggested this should be seen as working hypothesis and all the work had yet to be completed to confirm this.
- The Strategic Housing Land Assessment would be published for consultation with the rest of the draft Local Plan in order to allow interested parties to make an informed response and to avoid the potential distractions that could arise and affect progress when information is provided in parts. The draft plan and associated documents would, however, be available to view in the lead up to consultation when published for consideration in the governance cycle.
- Officers had not been proactively requesting further site submissions but they would be open to considering any new ones if they were viewed as suitable for the Development Strategy within emerging plan.
- As there had been a thorough site assessment process, officers felt that they had exhausted the list of possible sites within the district.
- Evidence was still being gathered for the proposed new settlement hierarchy and officers were not in a position to make any decisions before the upcoming Local Election. The Director of Planning said that as officers were apolitical, the decision would not be determined by a

political parties' preferences and instead be influenced by factors such as infrastructure.

Members welcomed the comments that developing the emerging plan would be approached properly and thoroughly, although some raised concerns around the lack of progress made in the past 4 years. The Chair explained that there was a number of reasons for the delay, including deciding the next steps after the inspectorate decision, the pandemic, and the staffing changes. He hoped that a new plan would be developed quickly for the future of the district and to address the current lack of five-year land supply.

The Director of Planning clarified that a decision to revise the timetable had not yet been confirmed as it was possible that the consultation date could be moved forward, should the team get back on track with their project schedule.

RESOLVED: That LPLG,

- a. Endorses the approach to plan preparation now being taken, as outlined in this report
- b. Agrees a recommendation to Cabinet that the new Local Plan timetable be revised around a Regulation 18 consultation by 27 October 2023

Meeting ended at 20:59

APPENDIX: PUBLIC SPEAKERS

Mr Andy Dodsley

“The Local Plan update in the agenda pack details the Spatial strategy as being – “Medium/small scale development through most of the plan period and in the “longer term”, a new major growth location”.

There is no explanation of what “longer term” means – Is this within the plan period or beyond the plan period? If beyond the plan period, neither officers or councillors know what the world will look like in 15-20 years’ time. There could be multiple brownfield sites by then, particularly if the retail decline continues, and a host of other opportunities. Surely the Local Plan should only be looking at the requirements for the plan period, rather than committing the district to 50 years of development on a single site when by then, the outlook in the district could be very different.

Whilst the details of this “Major Growth location” are obviously omitted from the update, my strong suspicion is that the intention is again for this to be Easton Park (or “Land West of Great Dunmow” as it was obliquely called in the last iteration). This land, owned by Landsec, and proposing 10,000 houses has been in every single option put forward over the last few years, including the plan withdrawn in January 2020 on the advice of the planning inspectors and last year’s proposals that were within a week of going to cabinet but were withdrawn due to a flawed evidence base. Clearly someone realised that Easton Park was being put forward again with no justifying evidence.

This is a site that Historic England have already objected to in terms of development area. A point agreed with by the planning inspectors following the 2019 public examination. Having visited the site and considered the evidence base, the inspectors shared Historic England’s view that the sensitivity of the historic environment had not been adequately considered by the council. In their January 2020 letter to UDC, the inspectors said the site was flawed in terms of heritage impacts and had issues in terms of capacity and viability.

And yet, inexplicably, 10,000 houses at Easton Park was again the preferred option in the hastily withdrawn June 2022 draft plan. How can officers or councillors justify proposing the same site again, with exactly the same capacity in light of these issues?

I would urge each of you, and any planning officers new to Uttlesford, to read the planning inspectors’ January 2020 letter – clauses ninety-five through to one hundred and thirteen - before trotting out another flawed proposal for 10,000 houses at Easton Park.

Officers will say that site assessments are still ongoing and that no sites have yet been chosen. However the previous track record of cherry picking the evidence and ignoring or playing down evidence that doesn’t suit gives me no confidence that the next version will be any different and councillors will again be pressurised into accepting the pre-determined proposals. We continue to see

this site preferred in spite of Heritage and Landscape evidence, previous inspectors' misgivings, objections from key stakeholders such as Historic England and even contrary to UDC's own arguments made in the recent planning appeal for 1200 homes on the same site.

UDC's closing statement at the 1200 homes appeal inquiry is also worth a read as it sets out all the harms to the multiple heritage assets in and around Little Easton Conservation Area and asks the planning inspector to agree with the council's decision to refuse the planning application. It's worth reading if only to realise the enormous level of hypocrisy were the council now to propose surrounding the conservation area and heritage assets, plus the Grade II registered Gardens of Easton Lodge, with 10,000 houses.

Mr Richard Haynes

"I'd first like to mention the landscape and heritage studies that were commissioned to form a part of the evidence base for the Plan. These were published last year and it was clear that they both had serious deficiencies. The Landscape study failed to provide any assessment of any key views within the District. The consultants apparently said that officers hadn't asked for this but this is a critical element of any Landscape character assessment. Site selection can only be undertaken if the consequences for key views are properly understood.

The heritage study then, provided a very comprehensive list of the statutorily designated heritage assets in the District (something which frankly, though, was always available elsewhere) but it failed to provide any commentary on the extent of the setting of those assets, something which is essential when considering the likely impact of development and something which has warranted the publication of a considerable amount of guidance from Historic England.

So, my first question is what steps are being taken to obtain this extra detail which is essential if landscape and heritage issues are to play a part in the Plan development process.

A further concern emerged when the preliminary assessment of the sites submitted as a part of the 'Call for Sites' process was sent to the parishes. Whilst the criteria used related to policies in the 2005 adopted Local Plan, no attempt had been made to judge each site against policies in, and evidence associated with, Neighbourhood Plans, several of which were already adopted documents. As an illustration the Landscape study for the Thaxted NP had identified 45 key views within which development would cause serious harm – this offered far more guidance as to the appropriateness of development in a landscape context than the UDC commissioned study by LUC. Similarly, as a result of ignoring neighbourhood plans no specific local knowledge was ever considered in relation to local community aspirations, existing community facilities or critical constraints such as localised flood risk.

Finally, do you know what housing target you are now aiming for? Liz Truss's reference to 'Whitehall-inspired Stalinist housing targets' and Michael Gove's

letter to MPs of 5th December apparently giving local authorities much more of an opportunity to diverge from the standard formula threw the whole question of housing targets for Districts like Uttlesford into doubt. We must obviously wait for the Levelling Up and Regeneration Bill and the outcome of the NPPF consultation but I assume that officers have been having discussions with the Department on this subject so a statement on the current position with regard to Uttlesford's housing targets would be very helpful and might provide a bit more clarity for local communities."