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Uttlesford Draft LDS 2020

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Preface

This Uttlesford draft Local Development Scheme (LDS) was approved by Uttlesford District Council on **20 October 2020**. It is the fifteenth LDS produced by the Council. It replaces the previous LDS, dated 16 October 2018.

If you require any further information regarding the LDS, please contact a planning policy officer by email planningpolicy@uttlesford.gov.uk

The LDS will be kept up to date on a regular basis.

This LDS is produced under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended).

Uttlesford Draft Local Development Scheme 2020

1. Introduction

- 1.1 The Council is required to prepare and maintain a Local Development Scheme (LDS). The LDS provides information on the Development Plan Documents (DPD) that the Council intend to produce to form its planning policy framework for the District. It also sets out the timetable for their production. At this time the Council is proposing one DPD – the Local Plan.
- 1.2 This Uttlesford LDS sets out the timetable for the Councils DPD work for the period 2020 to 2024. It explains when the Council intends to reach key stages in the preparation of its Local Plan. This LDS replaces the Uttlesford LDS which was adopted on 16 October 2018. It is intended to help the local community and all our partners interested in development and the use of land and buildings in Uttlesford to understand what plans the Council has and intend to produce. Current planning documents are set out in Appendix 1.
- 1.3 The new Local Plan 2020 – 2040 is to be produced in accordance with the Planning and Compulsory Purchase Act 2004 and associated guidance. The detail and timetable outlined in section 2 below accord with current legislation and guidance. However, in August 2020 the Government published a White Paper ‘Planning for the Future’ for consultation, which would, if enacted next year, as the Government intends, would have a very significant effect on the process, content and timetable of local plans. The Council will also make representations on the consultation White Paper proposals to Government in the interests of the District as a whole.
- 1.4 In the context of the White Paper and the need for the Council to carry out its current statutory duties as efficiently and effectively as possible, the detailed work programme will be drawn up in such a way as to be appropriate under the present or proposed plan making regimes. The Council will keep abreast of legislative developments and keep residents and other stakeholders informed of the details and implications of changes as they arise.
- 1.5 Government Planning policy is set out in The National Planning Policy Framework February 2019 (NPPF) and associated Planning Policy Guidance (PPG). NPPF states that: *“The planning system should be genuinely plan-led. Succinct and up-to-date plans should provide a positive vision for the future of each area; a framework for addressing housing needs and other economic, social and environmental priorities; and a platform for local people to shape their surroundings” (para 15).* While this objective may well remain the form and content of local plans as expressed in the NPPF and PPG is also subject to change in line with legislation as referred to above.
- 1.6 The range of planning policy documents is set out in Appendix 2.

2. New Local Plan 2020 -2040

- 2.1 Following withdrawal of the emerging Local Plan the Council recognises it is important to make good progress on a new Local Plan for adoption at the earliest opportunity. There are a number of stages involved in producing a Local Plan as a DPD. This process allows for opportunities for the public to be involved, early resolution of conflicts and objections, gathering robust evidence, consultation on the

scope of the plan and then on a draft plan prior to submission and an Independent Examination. The stages in producing the Local Plan, and the intended timing of these stages are set out in Table 1 below.

Timetable

- 2.2 The Council is determined that throughout the production of the Plan there is an inclusive engagement of residents and all key stakeholders. This LDS includes an extended 'issues and options stage' over Autumn 2020 and Spring 2021. The views that emerge during this period are to be considered before detailed policies are drafted and to inform the formal consultation on preferred options in early 2022. The Preferred Option consultation will make clear the other options considered and why the preferred option was chosen, together with the evidence underpinning the Plan to ensure a transparent and inclusive process. This will take place before the proposed Submission Plan is consulted on in early 2023.
- 2.3 The timetable for the production of the Council's new Local Plan as outlined above would, of course, be subject to change should the Government's proposals set out in the White Paper be translated in to law, new national policy and practice guidance. Under the current and proposed plan making process, the early and more extensive issues and options stage set out in this LDS aligns closely with the proposals outlined in the White Paper. Accordingly the Council can make early and effective progress with this initial stage without wasting resources or time.
- 2.4 The Council is working on a project plan and more detailed work programme, designed to achieve the LDS timetable above.

Subject Matter and Geographical area of the new Local Plan

- 2.5 The Council is required to set out the subject matter and geographic extent of DPDs, in this case the Local Plan, (by virtue of section 15 (2)(b) of the Planning and Compulsory Purchase Act 2004). The Council intends that the Uttlesford Local Plan will cover the whole administrative area of Uttlesford District Council and will replace the saved policies of the Local Plan 2005 currently in force in Uttlesford.
- 2.6 The National Planning Policy Framework (NPPF) updated in February 2019, continues to include a strong expectation that Local Planning Authorities will prepare plans which positively seek opportunities to meet the development needs of their area, and that are sufficiently flexible to adapt to rapid change. In line with NPPF it is intended that the Uttlesford Local Plan will include:
- strategic policies setting out an overall strategy for the pattern, scale and quality of development,
 - make sufficient provision for a number of key land uses including housing (including affordable housing), employment, retail, leisure, community facilities and other commercial development,
 - infrastructure for transport and other key utilities,
 - policies for the conservation and enhancement of the natural, built and historic environment including landscapes and green infrastructure,
 - planning measures to address climate change mitigation and adaptation.
- 2.7 Whilst not forming part of the Local Plan, the Council will produce other documents to support the preparation and implementation of Local Plan policies, these include:
- A detailed evidence base,

- Statement of Community Involvement,
- Sustainability Appraisal & Strategic Environmental Assessment,
- Local Plan Policies Map,
- Supplementary Planning Documents and Guidance,
- Authority Monitoring Reports.

3 Community Infrastructure Levy (CIL)

- 3.1 The Community Infrastructure Levy (CIL) is a tax on new development, which helps fund a wide range of strategic infrastructure needed to support growth, such as public transport, parks and community facilities. The Council has previously explored introducing a CIL. In 2014, external advice was that the government was reviewing CIL and it would be prudent to await the outcome before committing resources to preparing a CIL. In 2019, work commenced on a CIL to support the then emerging Local Plan. The Council wishes to maximise the contribution of development towards growth and was intending to bring forward a CIL charging schedule to be Examined following the conclusion of the Examinations into the Local Plan itself. The Government's White Paper sets out the intention to abolish both CIL and Section 106 contributions in favour of a national infrastructure levy. In these circumstances it is judged prudent to wait until the outcome of the Government's proposals are known before embarking on this course of action and it is therefore not included in this LDS.
- 3.2 If CIL remains then active consideration will be given to amend the LDS accordingly. In any event the Council will be updating its evidence base in respect of infrastructure deficits and requirements to support the Local Plan and this would also form the basis of the evidence to support a CIL charging schedule.

4 Neighbourhood Plans

- 4.1 Neighbourhood plans are led and prepared by the community, not the Council, (although the Council has a statutory role to provide advice and support to those producing a plan and at prescribed stages in the plan making process). Through these plans local communities have the power to influence the future of the places they live and work.
- 4.2 Neighbourhood Plans do not need to be included in this LDS as they are not prepared by the Council. However, they do form part of the Development Plan once adopted and are therefore relevant to future decision making. Furthermore, it is understood the Government intends to maintain the legislation and guidance regarding the preparation and adoption neighbourhood plans, irrespective of the proposed changes to local plans and the status of current neighbourhood plans is included in Appendix 1.

Table 1: Draft timetable for production of Uttlesford Local Plan

2020					2021					2022					2023					2024															
J	F	M	A	M	J	J	A	S	C	N	D	J	F	M	A	M	J	J	A	S	C	N	D	J	F	M	A	M	J	J	A	S	C	N	D

Issues & Options preparatory work	
Preferred Options preparatory work	
Pre-submission preparatory work	
Submission preparatory work	
Submission	
Examination	
Adoption	
Consultation & Publication	
Governance	

APPENDIX 1

Table 2: Adopted Planning Policy Documents (as at July 2020)

Document Title	Status	Geographical area	Role and content	Adoption date
Uttlesford Local Plan 2005	Policies saved by the secretary of state in 2007 remain part of the development plan for the district.	Administrative area for Uttlesford	Sets out the vision, objectives and overall strategy for the spatial development of Uttlesford up to 2011	2005
Essex Minerals Plan 2014	DPD	Administrative area for Essex	Sets out the vision, strategies, policies and sites for considering minerals developments in Essex up to 2029.	2014
Essex and Southend-on-Sea Waste Local Plan 2017	DPD	Administrative area for Uttlesford and Southend-on-Sea	Sets out the vision, strategies, policies and sites for considering waste in Essex and Southend-on-Sea up to 2032.	2017
Felsted Neighbourhood Plan	Neighbourhood Plan	Felsted Parish	The plan sets out a vision for the future of the parish and planning policies which will be used to determine planning applications locally in Felsted.	2020
Great Dunmow Neighbourhood Plan	Neighbourhood Plan	Great Dunmow Parish	The plan sets out a vision for the future of the parish and planning policies which will be used to determine planning applications	2016

			locally in Great Dunmow.	
Thaxted Neighbourhood Plan	Neighbourhood Plan	Thaxted Parish	The plan sets out a vision for the future of the parish and planning policies which will be used to determine planning applications locally in Thaxted.	2019

Table 3: Other Adopted Documents (as at July 2020)

Document Title	Status	Geographical area	Role and content	Adoption date
Accessible Homes and Playspace	SPD	Administrative area for Uttlesford	Sets out the Council's advice for Lifetime Homes, Wheelchair and Accessible Housing, and Accessible Playspace.	November 2005
Energy Efficiency and Renewable Energy	SPD	Administrative area for Uttlesford	Sets out the Council's advice on the measures that they can include in new development to reduce energy use.	October 2007
Home Extensions	SPD	Administrative area for Uttlesford	Sets out the Council's advice on extensions to homes.	November 2005
Replacement Dwellings	SPD	Administrative area for Uttlesford	Sets out the Council's advice on replacement dwellings.	September 2006
Takeley/Little Canfield Local Policy 3 Priors Green (Island Sites)	SPD	Takeley/Little Canfield	Sets out the Council's advice on the development of a number of sites at Takeley/Little Canfield	July 2003

Urban Design Supplement to the Essex Design Guide	SPD	Administrative area for Uttlesford	Sets out the Council's advice on Design	March 2007
Statement of Community Involvement	LDD	Administrative area for Uttlesford	Statement setting out the Council's commitments on consulting the public. Includes Neighbourhood planning guidance and commitments.	October 2018
Essex Coast RAMS SPD	SPD	Felsted and Stebbing; Great Dunmow South & Barnston; High Easter & the Rodings	Protect internationally important and legally protected bird habitat sites from the direct and indirect impacts of recreational disturbance arising from housing development and population growth	September 2020

APPENDIX 2

A2.1 In summary, the local planning policy may comprise the following:

- **Development Plan Documents (DPDs):** These are documents (often referred to as 'Local Plans') that form part of the statutory development plan for the area. They are prepared by the relevant plan-making authority and are subject to independent examination by a planning inspector appointed by the Secretary of State. For Uttlesford, as at July 2020, they are the saved policies of the Local Plan 2005, the Essex Minerals Plan 2014 and the Essex and Southend-on-Sea Waste Local Plan 2017. Essex County Council is currently reviewing the Minerals and Waste Local Plans. The Council intends to start work on a new Local Plan for the district.
- **CIL Charging Schedule:** The proposals for development in the new Local Plan will need to be supported by investment in necessary infrastructure. The Infrastructure Delivery Plan will identify each piece of infrastructure that is needed and set out the mechanism for delivering these items. One source of funding could be the Community Infrastructure Levy (CIL) and this document would include the 'charging schedule' setting out how much money developers will be expected to contribute toward infrastructure provision from developments in certain parts of the district using a formula based on £ per sqm of floorspace. The Council had appointed consultants to undertake this task for the now withdrawn Local Plan, this work has been put on hold for now, and the Council will keep it under review as the new Local Plan develops.
- **Policies Map:** This is a map on an Ordnance Survey base for the whole of a local planning authority's area which shows where policies in DPDs apply. The Policies Map may include inset maps for particular areas to show information at a larger scale. The Policies Map is updated each time that a DPD is adopted.
- **Supplementary Planning Documents (SPDs):** These can cover a wide range of issues on which the local planning authority wishes to provide guidance to supplement the policies and proposals in its DPDs. They do not form part of the statutory development plan and are not subject to independent examination. The district council can decide to produce an SPD on any appropriate subject whenever the need arises. There is no requirement for this LDS to set out a timetable for the production of any SPDs
- **Neighbourhood Plans:** Local communities, including Parish and Town Councils, can prepare Neighbourhood Plans (NPs) putting in place policies to guide the future development of the area. Any NP must be in general conformity with the 'strategic policies' in DPDs and with national policy. NPs are not able to propose lower levels of development than those set out in up to date DPDs but could propose higher levels, or offer other detailed policy proposals. It is up to local communities to decide if it wants to produce a

Neighbourhood Plan and so it is not appropriate for this LDS to specify when, or for where, they will be produced. Any NP, if adopted, has the same status as a DPD.

- **Statement of Community Involvement (SCI):** This is a document that explains how the local planning authority will engage the community in the preparation, alteration and review of planning documents, and in development management decisions. It is required to specify how and at what stages people will have the opportunity to be involved in planning for their area. The SCI is being review to inform work on the new Local Plan.
- **Authority's Monitoring Report:** This is a report which must be produced by the local planning authority (on an annual basis) to explain how the LDS is being implemented and the extent to which policies in the DPDs are being achieved.
- **Local level guidance:** These is local guidance produced to assist the understanding of policies or provide further guidance on particular areas. They do not form part of the statutory development plan and are not subject to independent examination. There is no requirement for this LDS to set out a timetable for the production of any local level guidance.