

<b>Committee:</b>	Planning Policy Working Group	<b>Date:</b>
<b>Title:</b>	Uttlesford Local Plan Regulation 18 Draft Plan Consultation Responses	14 December 2017
<b>Report Author:</b>	Stephen Miles, Planning Policy Team Leader	<b>Item for decision:</b>
		No

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## Summary

1. This report summarises the responses received to the Regulation 18 Draft Local Plan and highlights where further work and consideration is required.

## Recommendations

2. That Planning Policy Working Group notes the responses received to the Regulation 18 Draft Local Plan and the key issues for further work and consideration as set out in the report.

## Financial Implications

3. The preparation of new and updated evidence to address the responses received to the Regulation 18 Draft Local Plan will be met from the planning budget.

## Background Papers

4. Uttlesford Regulation 18 Draft Local Plan.

## Impact

- 5.

Communication/Consultation	Consultation on the Regulation 18 Draft Local Plan took place between 12 July and 4 September 2017.
Community Safety	This is an underlying theme of the Local Plan.
Equalities	The Regulation 18 Local Plan was subject to an equalities impact assessment and this will be reviewed and updated for the Regulation 19 Local Plan.
Health and Safety	Health and safety matters are part of the Plan's content and are considered as part of the sustainability appraisal/ strategic environmental assessment of the Plan.

Human Rights/Legal Implications	The Local Plan will need to comply with human rights and planning legislation. Once adopted it will form part of the statutory development plan.
Sustainability	This is an underlying theme of the Local Plan e.g. ensuring homes and jobs are provided near to each other and minimising reliance on the private car. The Plan is subject to sustainability appraisal/ strategic environmental assessment throughout its preparation.
Ward-specific impacts	Some wards may be affected by site specific proposals but the overall spatial strategy for the Plan is a matter for all wards.
Workforce/Workplace	This will involve Councillors, officers from the Planning Policy Team and others as necessary.

## Situation

6. Public consultation was held between 12 July and 4 September 2017 on the Regulation 18 Draft Local Plan. Nearly 6,000 representations have been received from over 2,000 individuals and organisations. These responses have all been uploaded onto the Council's consultation portal and are available to read [online](#).
7. A report was brought before PPWG on 17 October which summarised the reps and arising issues from other planning authorities, public bodies subject to the duty to cooperate and some Parish Councils nearby to the proposed Garden Communities.
8. Item 3a contains the overarching summary of representations for each policy and paragraph in the regulation 18 Draft Local Plan. Items 3b to 3o contain a more detailed summary of the representations by policy and paragraph. This more detailed summary provides:
  - The overarching summary of all the representations;
  - A more detailed summary of the representations from statutory consultees and bodies;
  - A more detailed summary of the representations from developers / landowners / site promoters;
  - A more detailed summary of the representations from individuals; and
  - A summary of the Sustainability Appraisal for the policy.
9. The Council also received a number of late representations. While the Council received these after the deadline and consequently they are not duly made

representations, they have been summarised and can be found in Item 3p. At the regulation 19 consultation the Council will not be able to consider representations that are not duly made.

10. The representations received cover a wide variety of issues from the strategy and objectively assessed housing need, to the Garden Communities, to detailed policy wording and site specific detail. These can be read in detail in Item 3a and in Items 3b to 3o. The overarching summaries for SP3, SP6, SP7 and SP8 are pulled out below:

#### SP3: The Scale and Distribution of Housing Development – Overarching Summary

- Highways England note that the development in Saffron Walden and Great Dunmow will have a severe effect on the road network, suggesting that Uttlesford District Council (UDC) should consider opportunities to link infrastructure to the airport and Easton Park.
- Thames Water consider that upgrades may be needed to the sewerage treatment works at Bishop Stortford.
- Essex County Council (ECC) suggest that it may be beneficial to allow some development in the Type A & B villages. ECC also suggest that clearer highway and transport mitigation measures are needed.
- Broxted, Great Chesterford and Stebbing Parish Councils suggest that the Objectively Assessed Housing Need (OAHN) has been over-estimated.
- A number of developers suggest that the OAHN has been underestimated, which undermines the evidence base of the plan.
- Campaign to Protect Rural Essex question the evidence base behind the new garden communities.
- Epping Forest District Council support the policy, as it is in accordance with the Memorandum of Understanding on OAHN.
- The Woodland Trust has concerns regarding the locations of the site allocations in proximity to ancient woodland.
- Hertfordshire County Council consider that ECC will provide new secondary schools to cope with the demand arising from new housing proposed in Uttlesford.
- A number of representations are concerned that UDC do not have a Memorandum of Understanding including Brentwood, which cannot meet its housing need.
- A number of developers suggest that more housing should be proposed for Type A and B villages to support sustainable development and help to ensure that there is not a housing shortfall in the District.
- A number of developers suggest that UDC will not be able to demonstrate a 5-year land supply of housing, as the Garden Communities will take longer to deliver than expected.
- Many individuals support the exclusion of NE Elsenham from the Plan.

- A number of individuals object to the Plan on the basis that new development will result in problems with traffic congestion.
- It is suggested that Stansted Mountfitchet should be allocated more development

#### SP6: Easton Park Garden Community – Overarching Summary

- Key issues amongst the statutory consultees are about addressing the evidence base in relation to Sports Provision, the need for a detailed Water Cycle Study and a full Historic Impact Assessment. Manchester Airport Group expressed concern about potential impacts on Stansted Airport. The need to work with our partners on the transport impacts of the Garden Community is recognised, including Essex County Council, Hertfordshire County Council and the Highways Agency.
- Local communities are concerned about the impact of the Garden Community on the surrounding area. The main planning reasons for objecting to the development are:
  - inadequate existing transport infrastructure, especially existing highways and public transport, and concern that new infrastructure will not be able to solve these problems;
  - Concern that there may only be one access into the development;
  - sensitive landscapes and impact on the countryside;
  - important historic buildings and assets that will be adversely affected, most notably the Gardens of Easton Lodge;
  - noise and safety impacts from Stansted Airport;
  - adverse impact on wildlife, SSSIs and ancient woodland;
  - loss of high quality agricultural land;
  - lack of existing infrastructure and problems in funding and delivering new infrastructure, including education, health and shops;
  - relative remoteness from existing jobs and likelihood this will result in increases in car commuting;
  - concerns relating to coalescence with existing communities;
  - concern that negotiations may delay the start date for development on the Garden Community; and
  - concern that other new homes in the area are not selling already.

#### SP7: North Uttlesford Garden Community – Overarching Summary

Of the government/national/Local Planning Authority bodies:

- Highways England consider this site probably has the least impact upon the SRN, although M11 J10 is a site of peak time congestion caused by capacity on the A505/not the junction itself. HE support the council in its requests to improve the A505 particularly between M11 J10 and the service area at the junction of the A1301.

- The Environment Agency are generally supportive of the thrust of this policy although existing Uttlesford Water Cycle Study needs further detailed work (phase 2) prior to submission of the plan to be sound
- Anglian Water Services Ltd note reference to enhancements being made at Great Chesterford Water Recycling Centre in Anglian Water's ownership to accommodate the foul flows. Note role of Asset Management Plan (AMP) in provision/suggest amendment to take account of long term provision/enhancements/SUDs.
- Essex County Council notes NUGC is in north of Uttlesford/close proximity to Little Chesterford, and therefore seeks to strengthen the delivery and success of Chesterford Research Park. It supports London-Stansted-Cambridge Corridor, ensuring that skilled labour force in sectors have opportunity to locate in close proximity to employment. Need early delivery of a new secondary school. Need assessment of the historic environment/understand impacts such as on Roman Temple/its relationship to the Roman Town/conservation area.
- Cambridgeshire County Council object to NUGC on transport impacts/reliant on large-scale improvements to the A505/ no scheme identified/no firm timescales for study work to begin. Also comment: The proposals for a new garden village at North Uttlesford do not raise significant education concerns.
- Hertfordshire County Council is concerned over cumulative impact of development in and around Great Chesterford on the Hertfordshire network. In particular, the A505 runs to the north of the site providing east west connections to the A10 and A1. Junctions are already operating close to capacity in the Royston area and M11 junction 10 is a constraint.
- Natural England given the scale of development proposed in this area expects to see consideration of impacts on Hildersham Woods and other nearby SSSIs and for avoidance/mitigation measures to be included in the policy as recommended in the SA.
- Historic England welcomes the requirement for a Heritage Impact Assessment but Brief HIA (2017) already indicates site could not be developed without causing significant harm. It is unlikely that this can be satisfactorily mitigated/objection.
- Harlow District Council refers to Policy SP6.1 - delivery of 10,000 new dwellings, of which a minimum provision by 2033/corresponding sentences for SP7 and SP8 do not specify figures as minima.
- South Cambridgeshire District Council expressed concerns especially to the proposed North Uttlesford Garden Community regarding the sustainability of the proposal. The main issues are transport – impacts on A505/challenges to sustainable use, landscape, water supply, and ability to deliver facilities especially a secondary school

- National Trust not clear no provision for a new country park/proposed for the other two garden villages. A new Country Park would reduce pressures on Hatfield Forest.
- Most of the remaining bodies including Town/Parish Councils, developers, land owners and individuals consider North Uttlesford Garden Community as unsustainable and unsuitable, causing a number of concerns:
  - Size - considered too large, there are several objections to the suggestion that a development of 5,000 houses can be called a village. Its footprint is considered too large compared to other existing settlements.
  - Invalid basis for selecting NUGV location. The proposed location lacks any infrastructure to provide amenities within easy access and will instead require the need for cars. It is considered that the site will not going to meet the needs of Uttlesford residents as the site is on the northern edge of Uttlesford too far from the centres of employment in Uttlesford (Stansted and south towards Harlow).
  - Not aligned with Garden City principles.
  - Housing affordability.
  - Increased housing supply for commuters to London and Cambridge, which will benefit more than the current residents.
  - Not serving local employment needs.
  - Pressure on existing facilities and infrastructure (some of them already under significant pressure): schools, health services, rail stations, parking around stations, highway network. Surgeries are understaffed, and the doctors and nurses are overworked.
  - A1301/A505, M11/A505, and the A1307/Fourwentways, Junction 9 of M11/A11 require comprehensive study, and guaranteed financial commitment to the improvements.
  - It is considered unrealistic to achieve 50% non-vehicular travel in the proposed new development, given high car ownership, poor bus services and lack of well-connected cycling lanes in the rural area, and difficulties to cycling due to the topography.
  - Environmental impact: flooding risks, including flooding caused by building 5,000 new homes on the upper slopes of a hill, extra sewerage, air pollution caused by road congestion and light pollution. Impact on the existing aquifer.
  - Negative impact on existing landscape, wildlife, local rural character and heritage (particularly the Romano-Celtic Temple).
  - The impact of such a large-scale development on the water supply or whether there will be sufficient capacity to sustain supplies in the future. The water in this area is from an aquifer.
  - Loss of agricultural land.

- Poor parking provision for cars and bicycles around rail stations. The site is beyond reasonable walking distance from the station and there is no parking available there.
- The rural area has no proper cycle lanes, cycling is already hazardous and difficult due to the topography.
- Cooperation with South Cambs considered to be poor and ineffective.
- Potential conflict of interest of councillors: Uttlesford District Council is a 50% shareholder in Chesterford Research Park, and therefore it is considered that it has a vested interest in providing nearby housing and facilities to support and encourage the growth of the research park, and hence increase its return on investment
- More transparency is expected from Uttlesford DC. Some individuals consider that there is very limited information currently available to the public and the wider community directly affected by the proposed development is lacking and local residents are owed much greater detail in relation to detailed housing plans, environmental impact, funding, infrastructure and transport impact to be able to reasonably form a view of the viability of this new town. There are several concerns regarding the lack of a full and published Traffic Impact Assessment, released prior to the consultation period.
- Some concerns that the proposals would appear to be a hastily prepared submission with minimal time for consultation and reflection of the consequences. Some responders consider there has been an insufficient consultation period which took place over the summer holiday period when many people are away.
- Concerns are raised if UDC has complied with the Duty to Cooperate in terms of provision of housing to meet the strategic housing market areas and commitments on highway improvements with South Cambridgeshire City Council.
- Some representations propose reduction of scale of development and spread the development into established villages and small towns of the area near employment sites such as Chesterford Research Park and Stansted
- Some however noted that the north of the district was isolated for secondary schooling and that NUGC could assist in strategic provision/infrastructure
- Bidwells and Grosvenor Britain & Ireland are the main supporters of the policy.

#### SP8: West of Braintree Garden Community – Overarching Summary

- Key issues amongst the statutory consultees are about addressing the evidence base in relation to Sports Provision, the need for a detailed Water Cycle Study, a full Historic Impact Assessment and a Minerals

Resource Assessment. It is recognised that ongoing work with the County Council and Braintree District Council will be vital and the need for progressing issues and masterplanning jointly through the Development Plan Document process

- Consultees and respondents focus on a wide range of reasons to oppose the development. Many of the residents state that they moved to this part of the district for its rural quality and this would be lost when the Garden Community is developed. Main planning reasons for objecting to the development are:
  - inadequate transport infrastructure, especially existing highways and public transport;
  - deliverability given that the site straddles the district boundary and also includes a minerals site;
  - sensitive landscapes and impact on the countryside;
  - important historic buildings and assets that will be adversely affected;
  - loss of an important airfield of historic significance;
  - adverse impact on wildlife and ancient woodland;
  - loss of high quality agricultural land;
  - lack of infrastructure and problems in funding and delivering this, especially in relation to drainage.
  - existing constraints in education and health facilities;
  - relative remoteness from existing jobs and likelihood this will result in increases in car commuting; and
  - concerns about flood risks.

11. As discussed at PPWG in October, the Council is progressing updates to various pieces of evidence in order to address the technical issues that have arisen from the regulation 18 consultation over the summer. Updates to the evidence base to address these technical issues are ongoing for the following studies:

- Water Cycle Phase 2
- Transport update
- Archaeology study
- Full Historic Impact Assessment
- Sports and playing pitch facilities
- Updated employment study
- Retail update
- Consider impacts on Hatfield Forest & Epping Forest
- Infrastructure delivery plan update
- Whole Plan viability
- Garden communities viability
- Assessment of proposed and alternative sites
- Assessment of delivery rates on Garden Communities
- Sustainability Appraisal

12. The additional work to look at issues arising from representations and to ensure that we get the plan right, as well as sound and legally compliant, means that we are now looking at the need for a cabinet and full council in late spring. An updated Local Development Scheme will be brought before a future Cabinet to agree the new timetable.

## Risk Analysis

13.

Risk	Likelihood	Impact	Mitigating actions
The Council fails to adopt a "sound" Plan	2 – Unlikely.	3 – Will result in the Local Plan being found unsound. Significant impact on planning policy and planning applications.	The Council has an adopted SHMA, undertaken a review of the evidence base, appraised the development scenarios and has undertaken a sustainability appraisal of allocations. Duty to Co-operate discussions are productive.

1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.