

Introduction

Uttlesford District Council has started the process of developing a new Local Plan for the District, which will replace the existing Adopted Local Plan 2005.

Background

The Council began work on a new local plan in 2020 when we published the issues and options consultation. This consultation closed on 21 April 2021, and sought views on the following themes:

- Where we live;
- Character and heritage;
- Climate change;
- Transport;
- Leisure, culture and healthy lifestyles;
- Biodiversity;
- Local economy;
- Homes; and
- Creating new places.

The Council also set up a Community Stakeholder Forum (CSF) to seek local residents and interested parties' views and ideas on these themes. The outcome of the consultation and workshops can be found in a separate consultation statement report available on our website [\[insert link\]](#). These comments were used to develop the vision and objectives of the plan, and have fed directly into the next stage of the plan's preparation - this Regulation 18 Draft Preferred Options Plan Consultation Document.

This is the Regulation 18 document that sets out the Council's emerging draft Local Plan and preferred spatial strategy for consultation. We want people to engage fully in this process again so that responses can be fed into the next more formal stage of the plan making process - Regulation 19 the Submission Version of the plan's preparation. Now is your opportunity to shape future sustainable growth in Uttlesford for its long-term future and importantly to address (adapt to and mitigate the effects of) climate change.

Previously a local plan was submitted to the Secretary of State in 2019 but later withdrawn following concerns from the inspector, which can be read in their letter dated January 2020 on our website, available here:

<https://uttlesford.moderngov.co.uk/documents/s17756/Appendix%201%20-%20Inspectors%20Letter.pdf>

Their main concerns regarding the withdrawn plan were:

- Not enough houses would be being built in the early years of the plan – and we should allocate more small and medium sized sites to deliver early in the plan period;

- The number of new settlements continuing to be built beyond the plan period resulted in an inflexible long-term strategy – we should allocate fewer new settlements that extend beyond the plan period;
- Costs, viability, and deliverability concerns – we should ensure that the plan is supported by work that demonstrates its deliverability; and
- The Sustainability Appraisal (SA) does not assess an option with a smaller number of new settlements – we should ensure that the SA for this plan considers all reasonable alternative options.

The Inspectors identified more concerns, summarised at paragraph 113 of their letter. They also said that the primary consideration for the Council would be to allocate more small and medium sized sites that could deliver homes in the short to medium term and help to bolster the 5-year housing land supply, until the Garden Communities begin to deliver housing.

National Planning Policy

This document has been positively prepared in accordance with the National Planning Policy Framework (NPPF) 2021 and the National Planning Practice Guidance (NPPG) to tackle identified challenges, address climate change and help meet the needs of Uttlesford.

The NPPF sets out the Government’s planning policies for achieving sustainable development and is complemented by the NPPG which provides additional guidance for practitioners. The Framework sets out four elements of soundness that Local Plans are considered against when they are examined.

To be sound, a plan must comply with the legal and procedural requirements of plan making and demonstrate that it is:

- *Positively prepared* - The plan is based on a strategy which seeks to meet development and infrastructure needs
- *Justified* – The plan is the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence.
- *Effective* – The plan is deliverable over its period and based on effective joint working on cross-boundary strategic priorities
- *Consistent with national policy* – The plan enables the delivery of sustainable development

The Council has been mindful of relevant potential emerging national policy changes and white papers such as Future Homes (Buildings) Standard in June 2022¹ and the Housing White Paper – Fixing Our Broken Housing Market² when drafting the Regulation 18 Draft Local Plan.

¹ <https://www.gov.uk/government/consultations/the-future-buildings-standard>

² [Fixing our broken housing market - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/consultations/fixing-our-broken-housing-market)

The Uttlesford District Local Plan 2020 to 2040

The Local Plan is at the heart of the planning system and puts forward the Vision and Objectives for addressing climate change and for meeting future development needs. It sets out the Council's spatial planning strategy up until 2040, how the Council intends to address climate change through the planning system, proposed site allocations to meet needs, design principles and development management policies by which planning applications will be judged. This consultation seeks views on all of these.

The aim of the plan is to address the social, economic and environmental needs of the district, identifying opportunities for the economy, community facilities and infrastructure, as well as conserving and enhancing the natural and historic environment, whilst ensuring climate change mitigation and adaptation is at its heart, to achieve strategic sustainable growth in a well-designed and aesthetically beautiful way. In order to provide a good understanding of the nature, extent and strength of these needs, constraints and existing issues and opportunities, several studies have been undertaken to help inform the preparation of the Local Plan. These studies are known as our evidence base, and include topics such as housing and employment needs, flood risk and infrastructure including transport.

The Council has developed a Spatial Strategy, site allocations and development management policies which are set out in this document and are suggested as a proposed means by which future planning decisions across Uttlesford up until 2040 will address these issues. They have been developed using the Uttlesford District Council Corporate Plan 2022 – 2026³, the responses received during the first consultation on the plan, the evidence base gathered to date, information submitted by landowners and development promoters through the councils call for sites process⁴, alongside any information we have through Made and emerging neighbourhood plans. A key aspect has also been a review of national planning policy and guidance and various legislation given many changes have been brought in since the current plan was adopted in 2005.

Our evidence base documents can be viewed on our website here: [\[insert link\]](#). It should be noted that at this early stage in the plan's preparation and as advised by national planning policy and guidance, this evidence is proportionate to the scale and stage of the Plan. Further evidence will emerge following this consultation, and this will feed into the

³ <https://www.uttlesford.gov.uk/corporate-plan>

⁴ The new Local Plan is required to allocate sites to meet the housing, employment and other needs of the district. To better understand the availability of sites for allocation, the council undertook a 'call for sites' in the winter/spring of 2021. This was open to site promoters, town and parish councils, residents and others to submit sites to the Council for consideration. For the first time, the Council also asked for 'green sites' to be submitted to the Council. Full details, including an interactive map of the submitted call for sites can be found on the councils website here: <https://www.uttlesford.gov.uk/LP-Sites>

next version of the plan. Any changes to the plan as a result of this consultation or any new or revised evidence will be clearly explained and justified at the next stage.

The Local Plan, once adopted and in conjunction with the statutory development plan for Uttlesford, will be used to inform decisions on planning applications across the District unless material considerations indicate otherwise. The Statutory Development Plan comprises Development Plan Documents (such as the Local Plan), Made Neighbourhood Plans, and includes the adopted minerals and waste plans prepared by Essex County Council. These documents provide the policies and details by which proposals should be prepared and determined in Uttlesford.

The Plan, once adopted, should be read as a whole, including the vision, objectives and spatial strategy. The document includes strategic policies which set out the scale and location of development and key policies that all schemes should comply with to ensure the Council can deliver on its Vision and Objectives. The Plan also includes Development Management (DM) Policies, and these policies are designed to assist in the determination of certain types of developments and in particular locations, such as allocation policies. There is no need for repetition or cross-reference of policies in the emerging plan. However, in the supporting text some policies seek to link with others where there are connections to assist the reader.

The new Local Plan will also set the framework for local communities to prepare Neighbourhood Plans. Once the Local Plan is adopted, any neighbourhood plan that is prepared will be expected to be in general conformity with these strategic policies and any plans already Made may therefore require a review. Details of how the Council can help with the preparation of neighbourhood plans are set out on the Council's website [\[insert link\]](#).

It is a legal requirement that local plans are monitored and reviewed regularly to ensure that they are kept up to date. Once the Local Plan has been adopted it will be reviewed every 5 years to ensure that the vision and objectives are being met.

Why are we producing a new Local Plan?

The Government requires all local authorities to have an up-to-date local plan in place by December 2023. We propose to submit the new Local Plan before this deadline and adopt in Summer 2024.

Since 2005, government policy and legislation has changed many times. The latest being the reissued 2019 and 2021 changes to the NPPF. Amongst these changes was the introduction of the national 'standard methodology' for calculating housing need: local housing need is the number of new homes needed on a year-by-year basis. For Uttlesford this figure is calculated to be 701 dwellings per annum until 2040 using the standard methodology. Considering these changes and the fact the council cannot demonstrate a 5-year housing land supply, much of the current plan is now out of date. Full details are set out in the housing chapter.

In developing the Local Plan, the District Council has worked collaboratively with adjoining authorities and other organisations through Duty to Co-operate. This is to seek to identify a way forward on those issues of a strategic nature and to ensure strategic priorities are coordinated and reflected in the Local Plan. The main matters addressed have been transport, education, airport-related matters, and the recreational impact on Hatfield Forest.

Sustainability Appraisal

The Sustainability Appraisal (SA) process is the process for testing whether the plan, its spatial strategy, allocated sites and policies achieve sustainable development. The concept of sustainable development was described by the 1987 Brundtland Commission Report as 'development that meets the needs of the present without comprising the ability of future generations to meet their own needs'.⁵

In plan making terms, the Council needs to ensure that the plan delivers on the three pillars of sustainability: social, environmental, and economic. A sustained community with **social** facilities and services that people need and want; protected **environmental** assets and ecosystem services and developments created within environmental limits, providing enhancement, adaptation and mitigation to address and respond to climate; and we create a sustained **economic** prosperous future for the district to enable young people into work and higher skilled employment and increase inward investment for example.

Under the Planning and Compulsory Purchase Act 2004⁶ the SA of development plans is mandatory. It is also necessary to conduct an environmental assessment in

⁵ <https://en.unesco.org/themes/education-sustainable-development/what-is-esd/sd>

⁶ [Planning and Compulsory Purchase Act 2004 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2004/20)

accordance with the requirements of the Strategic Environmental Assessment Directive (SEA) (European Directive 2001/42/EC)⁷. It is a legal requirement for the Local Plan to be subject to SA and SEA throughout its preparation but using a single appraisal process is appropriate.

The SA, incorporating the SEA, has been undertaken as an integral part of preparing this draft Local Plan and will assist with arrangements for monitoring and implementation at submission stage. The SA process has the following five stages:

- Stage A: Setting the context and objectives, establishing the baseline and deciding on the scope
- Stage B: Developing and refining alternatives and assessing effects
- Stage C: Prepare the sustainability appraisal report
- Stage D: Seeks representations on the sustainability appraisal report from consultation bodies and the public
- Stage E: Post-adoption reporting and monitoring

The Council has worked with its consultants throughout the development of the Spatial Strategy Reasonable Alternatives and the assessment of sites that were submitted through the Call for Sites. They also completed the assessment of all the Reasonable Alternatives generated to help inform the Council's decision on which Spatial Strategy was its preferred option. Full details of this iterative process and the assessment outcomes can be found in their Sustainability Appraisal Report of the Draft Uttlesford Local Plan (Date 2022). [Insert link]. This document includes highlights from this report where appropriate.

Habitats Regulation Assessment

The designation, protection and restoration of European wildlife sites is embedded in the Conservation of Habitats and Species Regulations 2017, as amended, which are commonly referred to as the 'Habitats Regulations'. Importantly, the most recent amendments (the Conservation of Habitats and Species (amendment) (EU Exit) Regulations 2019) take account of the UK's departure from the EU.

The Local Plan should be assessed in accordance with the Habitats Regulations to consider whether the policies or proposals are likely to have a significant effect on any European habitats or species located in or close to Uttlesford. If the risk of likely significant effects can be ruled out, then the plan may be adopted but if they cannot, the plan must be subjected to the greater scrutiny of an 'appropriate assessment' to find out if the plan will have an 'adverse effect on the integrity' of the European site(s). Plans can only be adopted if no adverse impact on the integrity of a site or sites in question is proven.

⁷ [Strategic Environmental Assessment - SEA - Environment - European Commission \(europa.eu\)](https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32001L0042)

Assessments will be published at each stage in the Local Plan process. This draft plan is accompanied by the first stage in the process - a Screening Assessment and can be found on our website [\[insert link\]](#).

Evidence base

The Plan is accompanied by a wide range of evidence to support its preparation. These are available on the council's website here: [\[insert link\]](#). The evidence has been used to develop policies and assess the sites. It has looked at the impact of development on the environment, infrastructure etc. and allowed the Council to identify the sequentially preferable sites. Topics include:

Climate Change The council's goal is to work towards net zero for its Council services and buildings and to aim for new build to be net zero ready by 2030.

Culture, creativity and the arts This supports communities social and cultural well-being as part of sustainable development and will be used to inform the emerging Local Plan, development of a Culture, Creativity & Arts Strategy and Implementation, Funding and Action Plan.

Employment and economic development The key components include the wider economic context; Uttlesford's socio-economic situation; employment projections; future economic growth prospects; appraisal of existing employment land supply and how it meets needs; employment Land Requirements: including scale, type of employment land needed and location; and contributors to Uttlesford's economy including: London Stansted Airport; Market towns and the rural economy; and the visitor economy.

Heritage The Council has commissioned a study looking at the sensitivity of heritage assets to development. The assessment is divided into three stages of work:

- Stage 1 Towns and Key Villages
- Stage 2 New Settlements
- Stage 3 Allocations in other villages

Housing In summer 2021 the Council considered a paper on the potential housing requirement for the district. This went to the Local Plan Leadership Group (LPLG) and Cabinet. The paper [\[insert link\]](#) concluded that there were no exceptional circumstances to justify a different housing requirement than that calculated by the government's standard methodology, and it was necessary to include a buffer to allow flexibility on sites for circumstances to change.

Infrastructure delivery This evidence is still emerging and will be confirmed as the plans allocations and policies move towards Submission stage (Regulation 19). However, the consultants have been considering factors that will feed into the Infrastructure Delivery Plan which looks at the main elements of infrastructure that must

be delivered to secure the planned growth, mostly relating to schools, movement, and community meeting places along with green infrastructure and sets this out in a costed and phased delivery plan.

Landscape The Council has commissioned a study looking at the sensitivity of landscape. The study provides a robust and up-to-date assessment and evidence base to inform the appropriate scale, form and location of future development to minimise harm to the landscape and the setting of settlements. By assessing and mapping the relative sensitivity of different landscapes the study provides a tool for informing landscape change. The study is divided into three parts:

- Part 1: Towns and Key Villages;
- Part 2: Potential new settlement locations; and
- Part 3: Allocations around other villages.

Renewables The key recommendation is that larger sites include renewable energy generation as part of the drive to reduce carbon emissions.

Retail Town centres are in good health, compared to surveys in 2016. Existing food stores are overtrading, leading to an unmet capacity for new convenience floorspace in the district. By the mid-2030s capacity might exist for a small to medium food store in Saffron Walden and a large food store in Great Dunmow.

Strategic flood risk assessment This study identified zones of different levels of flood risk, and none were in the critical high-risk zone. Although some parts of sites included areas of greater risk of local flooding, there was sufficient capacity on site to steer development away from these areas.

Sustainability appraisal See above

Transport The transport evidence base included an assessment of the transport context of the district in addition to comprehensive collection of baseline transport data including traffic count surveys. This data was used in the development of a strategic highway model used to test and compare the different spatial strategy scenarios to understand what the impacts of each scenario will be on the highway network. The outcomes of these assessments informed the decision as to the preferred spatial strategy and the necessary mitigation measures and transport strategy required to deliver the Local Plan. It will enable an assessment of the transport impacts of both existing and proposed development and inform sustainable approaches to transport at a plan-making level. It will include consideration of viability and deliverability of the transport interventions required to enable sustainable growth.

Utilities All major utility companies are engaged in the infrastructure review. No areas have insufficient capacity to prevent growth in the locations proposed. However, as the electricity grid becomes decarbonised and all new build must be all electric, combined with the charging points for electric vehicles, capacity will be a strategic issue affecting a wider area than the district that UKPN needs to address.

Viability The infrastructure required to support the preferred strategy has been costed and the marginal impact on viability has been assessed for the plan period. Broadly the most viable areas are where there are extensions of settlements because the underlying infrastructure already exists, but new communities must provide this anew. The main factors affecting viability are transport infrastructure and education.

Water cycle study This identified how the district is supplied with treated water, wastewater removed, treated and returned to natural sources or buildings. It identified that the district is in one of water stress and effort needs to be made around existing and new building water efficiencies. There are unlikely to be significant abstraction licences authorised, particularly from chalk streams.

Following this consultation, it may be necessary to do further research and or new evidence gathering. Topics we know we must address in more detail for the next iteration of the plan include further transport modelling; and a Green Infrastructure Strategy for Uttlesford.

When and why, we are consulting you

Your views and ideas are especially important to us to help shape where future development goes for the prospects of you and your friends and family in the short, medium, and long term in Uttlesford. This includes good quality and affordable housing, jobs, safe, healthy and active communities with green and pleasant environments for a sustainable future. Therefore, comments on this Regulation 18 Preferred Options Draft Plan are essential to the process of plan preparation and critical to ensuring we develop the best plan for the district. The comments made by the public and others will help confirm if we have the preferred spatial strategy right for Uttlesford or if we need to reconsider certain aspects.

We will be consulting on this document for a period of **6 weeks** from **Day Date Month 2022** to **Day Date Month 2022**. The document will be available to view on our website **[insert link]** and **hard copies will be available in our local libraries and council offices – covid restrictions permitting**. We aim to **hold public drop-in sessions** attended by members of the planning team. You can find out more about **getting involved on our website, in local community publications and in local newspapers**.

Events

Further Community Stakeholder Forum events **will be** held to gather comments on the Draft Plan. **Online virtual events will be made available to provide** the widest possible opportunity for people to engage in the plan making process in the way and at a time that best suits them. It is also a reserve method of consultation should **Covid restrictions return and prevent in person events taking place**. We want to make the process as simple and as engaging as possible to enable everyone in the community who wants to contribute to the plans preparation to be able to do so in the easiest way possible.

Next steps

Comments need to reach us no later than Day Date Month 2022. The online portal is the preferred platform for comment and available on our website [\[insert link\]](#). Comments may also be provided by:

- ✓ Email: localplan@uttlesford.gov.uk
- ✓ Letter, addressed to: **Uttlesford District Council, Council Offices, London Road, Saffron Walden, CB11 4ER.**

If you require any assistance, please telephone 01799 510 510.

Following the consultation, we will review and take all comments submitted into account. Together with any further emerging evidence base, these views will help finalise the preferred strategic spatial option, the strategic allocations to deliver that strategy and the development management policies on which planning applications will be determined in the future. This will comprise the next stage of the plan's preparation – Regulation 19 – the Submission Version of the Plan.

Regulation 19 is the formal consultation stage of the plan making process when it is submitted to an independent Planning Inspector when the Plan will be subject to an independent Examination in Public. You will have opportunity to comment at this stage too.

Should the plan be “found sound” it will be formally adopted and become part of the Statutory Development Plan for Uttlesford District Council.

Timetable

Timeline for the Plan's preparation:

- Issues and options – 2020 – Done
- **Preferred Options Draft Plan Regulation 18 – We are here**
- Submission Plan Regulation 19 – Next stage
- Adoption – Summer 2024

Further Information

A fully interactive map is available which offers constraint mapping, details relating to the spatial options considered and the call for sites assessed. This can be viewed here: [\[insert link\]](#)

All the evidence and supporting documents for the plan's preparation is available on the council's website. We would encourage you to review these alongside the Plan. The detail is contained in these documents to enable us to keep the plan as user friendly and concise as possible.