

Appendix 2

Comments received and UDC Response

Comment received from	Comment	UDC response
Cllr Jones	Thank you and no comment	Noted
Strethall Parish Council	<p><u>What is the Protocol?</u></p> <p>Why should Developers commit to the Protocol?</p> <p>What stops them from ignoring the Protocol - instead simply submit a Planning Application, await the outcome, then appeal if it's rejected?</p>	<p><i>A good question as we are unable to 'force' anyone to sign up to the protocol. However, having a document such as this protocol indicates to Developers how committed Uttlesford Council are to working with the Community as a whole. That any proposed development will need to have gone through a process. It can be used as a guide for officers and developers to provide a framework for planning performance agreements.</i></p>
Strethall Parish Council	<p><u>The 3-tier framework</u></p> <p>Suggested addition:</p> <p>'Applications that will seriously impact on the current provision of infrastructure and services.' e.g. A proposal that is likely to overwhelm the capacity of a school, doctors surgery etc. without the provision of more resources (more classrooms, more GPs etc.)</p>	<p><i>With regard the words 'that will seriously' - this may be something perceived locally, however, during the consultation process the consultees will provide the response as to whether there will be any impact etc. Therefore, the suggestion has been added to Tier 1 but with slightly different wording.</i></p>

<p>Strethall Parish Council</p>	<p><u>What is Community Involvement?</u> How can 'potential future residents' be identified? There is a risk that Developers will attempt to represent future residents, using adversely favourable analogous comments from unrelated developments elsewhere - thus giving their case for development greater weight than is reasonable or justified.</p>	<p><i>Developers will be encouraged to share the comments received through the pre-app process.</i> <i>In addition, it is important that when developers are 'consulting' that they make it clear what part of the process this is and that there will be other occasions to make comments.</i></p>
<p>Strethall Parish Council</p>	<p><u>Principles for Effective Community Involvement</u> Reference to, 'at the time the 'document' was produced.' What document, the Developers proposal or the Protocol? Should be the former (see next comment). The Priorities of the Community should be embedded in its Neighbourhood Plan. Therefore, a Developer can and should take account of the priorities of the community at the earliest opportunity, even before submitting a proposal and engaging with the 'Protocol'.</p>	<p><i>Noted it isn't clear and have now added (Statement of Community Involvement) to make it clear.</i></p>
<p>Strethall Parish Council</p>	<p><u>Comment in red: "need to talk to Developers"</u> How can Developers be identified before they have submitted a proposal? A scheme could be submitted by any national Developer - are all of them going to be approached? What if a Community decides it is too small, under resourced, overwhelmed with previous house building etc to be able to accommodate any (further) development. Will this be accepted as part of a Parish Neighbourhood Plan or Community Involvement Protocol?</p>	<p><i>As developers approach UDC by way of a pre-application we shall be using those discussion to discuss the Protocol. In addition the document will be shared with all known developers who have previously submitted applications.</i> <i>A planning application and due process will need to be considered in line with policy and legislation. Development is required to go somewhere and the use of a Neighbourhood Plan is to try and steer</i></p>

	<p>It must be recognised that the priorities of a Community – maintaining a sense of space, preserving landscape and history, improving infrastructure and services etc – will be very different, and sometimes contrary, to those of a Developer, which are centred around maximising profit. Talking to Parish Councils, Developers and other stakeholders is unlikely to change this overarching principal.</p>	<p><i>the development (if any) to the most appropriate place not to say 'we don't want any more development'.</i></p>
	<p><u>The Protocol – Developers;</u> <u>Considered alongside Appendix 1</u></p>	
<p>Strethall Parish Council</p>	<p><u>Evidence gathering – Questionnaires</u></p> <p>These must be prepared by an independent market research company or UDC. If Developers are allowed to prepare their own questionnaires they will be skewed towards being favourable to a Developer's proposals.</p>	<p><i>UDC do not have the capacity to provide market research. There does need to be some trust between all parties and the developers will be required to evidence their market research but we are unable to dictate to them how this should be gathered.</i></p>
<p>Strethall Parish Council</p>	<p><u>Remaining 'Methods'</u></p> <p>Must be managed and minuted by an independent facilitator or UDC.</p> <p>Do not agree with 'private meetings' as these are open to allegations of corruption.</p> <p>What action can be taken if a Developer does not engage with the Protocol? Will there be sanctions if a Developer signs up to the Protocol but fails to follow its requirements?</p>	<p><i>'Minutes' can be taken by either party as agreed at the time and before publication of those 'minutes' agreement is sought from each party to ensure that they are an accurate record of the meeting.</i></p> <p><i>Some meetings have to be held between the developer and the LPA /Consultants but these will be minuted and once agreed will be made public.</i></p>

		<p><i>The Protocol is a voluntary agreement and when developers agree to sign the protocol then they are showing that they want to work with the residents of the area but if they do not sign the agreement there are no sanctions. However, if they submit an application without taking the necessary community involvement there is a strong possibility that the development won't meet the requirements of UDC Policies etc.</i></p>
<p>Strethall Parish Council</p>	<p><u>Protocol – Parish Councils</u></p> <p>All P.C. members are part time; meeting the requirements of the Protocol - gathering information, presenting evidence, establishing public opinion, investigating likely impacts of development on landscape and infrastructure etc. will be very expensive. It is unlikely that the stipend a Parish receives from Council Tax will be sufficient to meet the cost of following the Protocol if a number of development schemes, or a single large development scheme, is put forward.</p> <p>For example, in Great Chesterford the proposal for a 'Garden Community' was submitted by a Developer willing to spend £millions on making a case for development. Residents of Great Chesterford had to spend hundreds of hours just to raise tens of thousands of pounds in an attempt to investigate and counter the claims made by the Developer.</p> <p>Certainly not a level playing field! What extra ordinary financial support will be given to Parish Councils to help meet the requirements of the protocol?</p>	<p><i>It is not the intention that hours are spent on any work or that there would be a need for a Parish to spend money because of the Protocol. Generally, the members of the Parish / Town Council are already aware of local issues. The protocol is there for you to be part of the process and help deliver (where necessary) development which is an excellent fit for the community.</i></p> <p><i>Not everything is about 'fighting' development, there is a need for development and this process is to help the local community take a structured part in the process.</i></p>

<p>Strethall Parish Council</p>	<p><u>S106</u></p> <p>How will the Protocol prevent Developers from trying to renegotiate the terms of a S106 agreement during the course of construction, once Planning Approval has been granted, as they habitually do?</p>	<p><i>There is no control over whether the developer needs or wants to apply to vary a S106. However, these applications are registered and made publically available and where necessary, the relevant Stakeholders are consulted.</i></p>
<p>Great Chesterford Parish Council</p>	<p>GCPC has always participated to the fullest extent possible in commenting on any Planning Application, and will continue to do so in the future. It has often been the case in the past, however, that it has only become aware very late in the day that an Application is about to be submitted. As a result, its ability to consult with local residents has at best been curtailed, and in some cases has been all but impossible, ahead of submission of the Application by the developer to the Planning Authority. Its only opportunity to take account of the views of residents, therefore, is usually confined to the Parish Council meeting at which the already submitted Application is considered as part of the District Council's formal consultation procedure.</p> <p>Accordingly, GCPC strongly welcomes any initiative which provides it with a genuine opportunity to shape the development proposals before any Planning Application is submitted.</p> <p>The key to successful achievement of this objective does, however, crucially depend on the willingness of the developer to 'buy-in' to the scheme, and to act in good faith in seeking the envisaged community involvement. There would be nothing worse, for example, than for a developer to go through the motions of the consultation process described in the Community Involvement Plan (Section 5, draft Protocol), but not to provide any effective means for the local community actually</p>	<p><i>Noted. The protocol is a way of encouraging the developer to carry out an informative consultation as early as possible.</i></p> <p><i>Obviously, there will be developers who decide to just submit an application without any pre-discussion.</i></p>

	“to influence benefits arising from the development” via a S106 Agreement.	
	GCPC suggests the following amendments/ improvements to the draft Protocol:	
Great Chesterford Parish Council	Section 1- What is the protocol?. Definition of what constitutes a ‘major’ development is critical in all cases, and the draft rightly identifies that, in reality, the proposed scale of development can be less significant than where there is, for example, local controversy arising as result of unallocated green field development. Parish Councils should be informed of any case in which UDC is minded not to define a development as ‘major’ for the purposes of the Protocol so that the Parish Council concerned can make representations to UDC if appropriate.	<i>All developers of Major applications will be encouraged to sign up and embrace early engagement. However, there is no legal obligation and if they chose not to get involved that is outside of LPA hands.</i>
Great Chesterford Parish Council	Section 5 - Developers. It will be essential, in order to achieve meaningful engagement, that (1) any identified community benefits arising from the proposed development are fully carried through and implemented in the S106 Agreement; (2) the Parish Council concerned is engaged throughout the S106 procedure to ensure full delivery; and (3) once the commitment is enshrined in the S106 Agreement, the developer should be obliged to give full effect regardless of any subsequent variation, waiver or termination of any Panning condition originally imposed.	<i>All developers of Major applications will be encouraged to sign up and embrace early engagement. However, there is no legal obligation and if they chose not to get involved that is outside of LPA hands</i>

<p>Great Chesterford Parish Council</p>	<p>Section 5 - Parish Councils. Developers must not be allowed to put the onus of publicising their proposals on the Parish Council. An excellent example of misuse of the local consultation process has recently arisen in Great Chesterford where, in relation to an Outline Application for the erection of up to 134 dwellings (Planning Application UTT/20/2724/OP), the developer has relied on the Parish Council to feature outline details of its proposals on the Village website shortly ahead of submission of its Application to UDC. In this case the consultation with the local community has been wholly inadequate - at the very least, all households should have received a flier from the developer providing details of what is proposed, with full opportunity for residents to submit comments to the developer before submission of the Application. Access to a community run website does not provide a sufficient means of consultation, as anyone seeking local consultation will know: local presentations (when permitted) in Village halls, fliers, mail shots etc are all required for effective coverage, and developers should not be allowed to get away with paltry, minimal efforts and reliance on Parish Councils regarding delivery of development proposals.</p>	<p><i>Working with the developers gives the Parish / town Councils the opportunity to express to developers the best way to engage.</i></p> <p><i>However, there is no legal obligation and if they chose not to get involved that is outside of LPA hands</i></p>
<p>Great Chesterford Parish Council</p>	<p>Section 6. Third paragraph, final sentence; reference is made to 'a <i>significant</i> development proposal' - is this the same as 'a <i>major</i> development' referred to in paragraph 5, Section 1? If so, the text requires alignment.</p>	<p><i>Noted and no significant for one village / town may not be for another so a decision will need to be made.</i></p>
<p>Arkesden Parish Council:</p>	<p>Arkesden Parish Council agreed that the principle of early community engagement in planning decisions is to be welcomed. On previous substantial (for a small village) planning applications in the village, the Parish Council has always</p>	<p><i>Noted, however, there is no legal obligation and if they chose not to get</i></p>

	maintained that it would have been beneficial for all parties to have discussed the proposals and their impact on the village before the application is submitted. This new protocol seems to address this problem and the Parish Council look forward to receiving the final document and will be looking to "sign up".	<i>involved that is outside of LPA hands and therefore this may not always be possible.</i>
Clavering Parish Council:	The time frame required (2 weeks) was very short notice,	<i>I am sorry that you had a short turn around and then I have taken so long to report the consultation responses although this was a six week consultation.</i>
	that developers would not understand that the PC could still object to the full application when it came forward,	<i>Developers are fully aware that the parish / Town Council may still object when the application is submitted. However, they would have had the opportunity to meet and discuss and take into consideration their comments.</i>
	that developers would think that consulting the PC constituted full consultation with parishioners under the NPPF,	<i>Developers are aware that there is a duty to fully consult with residents as well as the Parish / Town Council who are representing the residents.</i>
	that there was an expectation of councillors being expected to be planning experts,	<i>There is no expectation that councillors should be experts. Councillors would be able to impart their local knowledge to assist the process.</i>
	that UDC officers would not be present at the meeting with parish councillors & developers,	<i>There is an expectation that UDC officers would be present at these meetings.</i>
	that there would be misreporting of the parish council's opinions.	<i>Notes of the meetings will be agreed before being made publically available and therefore this is highly unlikely.</i>

	<p>However, it was also felt that there would be a danger in not engaging as the voice of the parish, which can inform on many 'local knowledge' aspects, would not be heard at these early stages of a pre-application meeting and would then potentially be ignored at a later stage.</p>	<p><i>They would not be ignored at a later stage, however, making comments at an early stage would ensure that these could be taken into consideration prior to the application being submitted.</i></p>
<p>Felsted Parish Council</p>	<p>“Felsted Parish Council is concerned by the direction and themes within the proposed protocol. At its core there needs to be much greater emphasis on the fact that a “Made” Neighbourhood Plan forms an integral part of UDC’s Development Plan. Clearly, with a fully Made NP, there are unlikely to be scenarios where a Parish / Town Council would actively engage with a developer in discussions regarding a “significant development”, that conflicts with the Neighbourhood Plan.</p> <p>Developers when attempting devalue a NP, frequently refer to UDC’s lack of a 5 year or even 3 year HLS and quote NPPF paragraph’s 11 and 14 (which obliges an LPA to have at least a three year supply of deliverable housing sites), but they rarely recognise or take account of paragraph 11 d ii., which states “unless.....any adverse impacts of doing so would significantly and demonstrably as a whole”.</p>	<p><i>Neighbourhood Plans are an integral part of the Development Plan. Unfortunately, it is not in the power of the LPA to tell developers that they can't submit an application where it hasn't been allocated. However, engaging with the developers early doesn't mean that planning permission will be granted by the LPA. Developers are aware of this and may decide that they will engage with the LPA and stakeholders and if the application is refused, take the application to appeal. Therefore, engaging at the early stage will still enable Parish and Town Council's to have some input in case the appeal is overturned.</i></p>
<p>Felsted Parish Council</p>	<p>Felsted Parish Council accepts that because of UDC’s current inability to demonstrate the obligated 3 year HLS that our Neighbourhood Plan is weakened by the NPPF paragraph’s 11 and 14. However, we will always argue vehemently that the potential “harm” done by dismissing our Made Plan should, in itself, be a material consideration in any planning decision. A Neighbourhood Plan that has taken 5 years to come to fruition, allocates housing in support of the UDC 5 year HLS target and involved comprehensive community engagement with both</p>	<p><i>Noted</i></p>

	residents and numerous other stakeholders must be recognised as a significant material consideration.	
Felsted Parish Council	It will be for UDC Planning Officers, the Planning Committee or the Planning Inspectorate to decide whether the weight of our “Made” Plan is sufficient to refuse / dismiss a planning application that conflicts with the Neighbourhood Plan. Felsted Parish Council is unwilling to contribute to or participate in such a negative process.	<i>Noted however this is giving the Parish / Town Council's to participate and share their local knowledge.</i>
Felsted Parish Council	Hence, we feel that the Community Involvement Protocol needs to recognise that where there is a fully “Made” Neighbourhood Plan, that to imply that there will be a willing Parish / Town Council engagement is disingenuous.	<i>Noted however this is giving the Parish / Town Council's to participate and share their local knowledge.</i>
Felsted Parish Council	In addition, the document appears to assume a base position where developers are altruistic in their applications to build, being open to consideration of community needs at least equal to their business requirements. The reality is that developers are businesses required by their owners/shareholders to make a profit through successful developments. They have little interest in the community in which their developments sit, other than to do enough to achieve planning permission.	<i>Noted however this is giving the Parish / Town Council's to participate and share their local knowledge. In addition, it should be noted that some recent developers have chosen to follow a similar process and have found it to work well, even if the application was refused.</i>
Felsted Parish Council	Under point 3 the protocol states that communities and other stakeholders are encouraged to contribute their views in shaping development proposals. This suggests a base position that a developer has a right to develop their chosen area and communities have only an opportunity to shape it. If they then do not engage with a developer, presumably this will be used against them in the formal planning process. Why does this section not say that a developer is obliged to engage with communities to demonstrate how a development will meet local needs and	<i>Noted. The LPA can encourage and work with developers to engage with local communities. However, the LPA are unable to 'make' it happen. By producing this protocol it is clearly showing the developers that Uttlesford want to involve the communities in any development.</i>

	<p>contribute to the community, delivering more benefit than any harm it causes? The emphasis in the protocol is 180 degrees out.</p>	
<p>Felsted Parish Council</p>	<p>There are many examples where developers, when submitting a planning application, attempt to demonstrate prior “community involvement” in support of the development. Local communities do not all understand the full planning process, leading many to believe that this is the time to submit comments/objections. Developer’s presentations or even their accompanying Websites are often, in effect, just a glossy brochure. They do not, for example, detail that a site might have already been rejected by UDC under call for sites, or by a Neighbourhood Plan Steering Group, nor do they explain that objections received at presentations will generally remain with the developer. Indeed, awareness of any such potentially negative public comments may well even assist the developer in circumnavigating those concerns rather than actually addressing the objection.</p>	<p><i>Noted however, by engaging early on with the developer this can be addressed and developers encouraged to include additional information and share the comments received at consultation stage.</i></p> <p><i>With regard sites previously rejected under call for sites - the most recent call for sites has closed and all sites submitted will now be reviewed. The criteria may or may not have altered which may make more sites suitable/not suitable. The details will be published in due course.</i></p>
<p>Felsted Parish Council</p>	<p>Rarely, do such public presentations suggest a genuine attempt to gather public opinion. In many cases the intention to submit a planning application regardless of community views has already been made driven to some extent by the developer’s financial commitment to get to that stage.</p>	<p><i>Noted however recent proposals are showing a change in this and developers are keen to engage with local communities. Early engagement is key to this process.</i></p>
<p>Felsted Parish Council</p>	<p>Before UDC or any PC is obliged to engage with a developer there should be a number of requirements upon the proposed development to demonstrate that it has passed an initial process of “value and worth”. These should include alignment with the draft UDC Local Plan and any Made Neighbourhood Plan. If the site has previously been considered under a Local</p>	<p><i>Unfortunately, it is not in the power of the LPA to tell developers that they can't submit an application where it hasn't been allocated. However, engaging with the developers early doesn't mean that planning permission will be granted by the</i></p>

	<p>or Neighbourhood Planning process the result of that assessment should also be fully disclosed to the community.</p>	<p><i>LPA. Developers are aware of this and may decide that they will engage with the LPA and stakeholders and if the application is refused, take the application to appeal. Therefore, engaging at the early stage will still enable Parish and Town Council's to have some input in case the appeal is overturned.</i></p>
<p>Felsted Parish Council</p>	<p>Any community engagement communications from developers should be required to carefully explain the planning process, that the engagement stage is NOT the formal UDC planning process and that any objections submitted will not be considered by UDC when the full planning application is submitted, unless they are resubmitted directly to UDC.</p>	<p><i>Noted however, by engaging early on with the developer this can be addressed and developers encouraged to include additional information and share the comments received at consultation stage or at least make it clear that the comments received at consultation cannot be taken into consideration at the planning application stage.</i></p>
<p>Felsted Parish Council</p>	<p>We suggest that, with the likely timescale for the new UDC Local Plan, Neighbourhood Plans have an increased role to play in shaping developments. The Protocol should therefore recognise a "Made" Neighbourhood Plan and this should be identified within the Protocol as the overriding and principal Development Plan for that specific community. Where a "Made Plan" exists there cannot be any acceptable "significant development" that does not accord 100% with that Plan.</p>	<p><i>Unfortunately, it is not in the power of the LPA to tell developers that they can't submit an application where it hasn't been allocated. However, engaging with the developers early doesn't mean that planning permission will be granted by the LPA. Developers are aware of this and may decide that they will engage with the LPA and stakeholders and if the application is refused, take the application to appeal. Therefore, engaging at the early stage will still enable Parish and Town Council's to have some input in case the appeal is overturned.</i></p>

<p>Felsted Parish Council</p>	<p>Clarity within the Protocol of UDC's clear support for Neighbourhood Plans would undoubtedly encourage those towns or Parishes without a NP to appreciate the significant value of undertaking the process.</p>	<p><i>Noted - UDC do support Town and Parish Neighbourhood Plans but a NP isn't always suitable and therefore it would be inappropriate to force Parishes to have the expense and time making a NP when there would be no advantage to them.</i></p>
<p>Felsted Parish Council</p>	<p>In order to pass the rigorous requirements of scrutiny and formal examination, a Neighbourhood Plan has already been the subject of all of the recommendations within UDC's proposed Protocol (community engagement, site assessments, engaging constructively with developers, engaging local businesses and other interested groups / organisations etc.). This is exactly what producing a Neighbourhood Plan entails.</p>	<p><i>Noted - Unfortunately, it is not in the power of the LPA to tell developers that they can't submit an application where it hasn't been allocated. However, engaging with the developers early doesn't mean that planning permission will be granted by the LPA. Developers are aware of this and may decide that they will engage with the LPA and stakeholders and if the application is refused, take the application to appeal. Therefore, engaging at the early stage will still enable Parish and Town Council's to have some input in case the appeal is overturned.</i></p>
<p>Felsted Parish Council</p>	<p>To aid clarity, perhaps the second paragraph should read (with the suggested additional text shown in red) "These commitments aim to ensure that Parish and Town Councils in the district, that do not have an up to date Neighbourhood Plan, are provided with genuine opportunities to shape development proposals that may affect their community before any planning applications are submitted.</p>	<p><i>Noted and some wording has been added.</i></p>
<p>Felsted Parish Council</p>	<p>In summary, we believe this document needs a considerable rethink to ensure the audience is clear and that the balance of emphasis is with full disclosure of process and information. Neighbourhood Plans must be accorded weight and priority,</p>	<p><i>Noted</i></p>

	and there must be a requirement for developers to provide full process and site information, aiding less informed audiences and preventing them from using this protocol as a tool for marketing savvy developers.”	
Stebbing Parish Council	We agree to Uttlesford Council working to a Protocol of Community Involvement.	<i>Noted</i>
Stebbing Parish Council	We feel the principle set out is good, but the document needs to link the range of actions required of developers to the level of impact on the community.	<i>Noted</i>
Stebbing Parish Council	The 3 tier stages need a more tangible status relating to the size of a planned development.	<i>Noted</i>
Stebbing Parish Council	We have met with developers in the past, only to have our conversation misquoted to the public, by saying the council agreed with their plans when it did not. This led to mistrust and a worse relationship. We are prepared to try again but are mindful that Parish Councils are reactive bodies, representing the views of the local people. It is District Councils and higher Authorities who are proactive. Often the two clash.	<i>Notes of the meetings will be agreed before being made publically available and therefore this is highly unlikely.</i>
Stebbing Parish Council	As a small village with limited facilities, we would appreciate a more consistent approach from Uttlesford DC. Repeatedly developers refer to the regular bus service in Stebbing, when it is obvious the service is useless throughout most of the day and serves the school-run only. We have no bus service to Dunmow but that is where the nearest GP services are found. One developer said it was possible to walk to Dunmow. Such statements are clearly nonsense but appear not to be taken into consideration by the Planning Officers. Other villages have expressed similar frustrations to us.	<i>Noted</i>
Stebbing Parish Council	We feel a true look should be taken by Uttlesford DC at the impact on infrastructure when new developments are proposed	<i>Noted</i>

	i.e. roads, parking, waste, water supply, utilities, school places, health provision, and wi-fi.	
Stebbing Parish Council	Uttlesford DC already has several thousand permissions granted for development. How is the impact of these houses/people/needs taken into account when new applications are submitted?	<i>Officers consider the cumulative impact during the process.</i>
Stebbing Parish Council	We are puzzled by involving future residents. Surely, they will want the same as current residents; a nice place to live. A sound community to live in. Health and education readily accessible. Good standard roads to walk, cycle and drive on. Parking. Countryside which they can appreciate with safer walking, cycling, horse riding etc. Local sports clubs in which they are invited to participate etc	<i>Noted</i>
Stebbing Parish Council	What enforcement will be applied to developers who do not adhere to the protocol?	<i>There is no legal requirement to sign up to the protocol. However, having a document such as this protocol indicates to Developers how committed Uttlesford Council are to working with the Community as a whole. That any proposed development will need to have gone through a process. It can be used as a guide for officers and developers to provide a framework for planning performance agreements.</i>
Stebbing Parish Council	How will changes be communicated and agreed?	<i>Meetings / correspondence and any amendments will be shared and agreed or objections noted.</i>
Stebbing Parish Council	Stebbing is in the closing stages of producing a robust Neighbourhood Plan where residents were regularly consulted,	<i>Noted - Unfortunately, it is not in the power of the LPA to tell developers that</i>

	<p>and lifetime experiences bear witness as to what is and is not possible regarding growth in this village. It should form the basis for future development in the village.</p>	<p><i>they can't submit an application where it hasn't been allocated. However, engaging with the developers early doesn't mean that planning permission will be granted by the LPA. Developers are aware of this and may decide that they will engage with the LPA and stakeholders and if the application is refused, take the application to appeal. Therefore, engaging at the early stage will still enable Parish and Town Council's to have some input in case the appeal is overturned.</i></p>
<p>Debden Parish Council:</p>	<p>The development of a Protocol for procedures on Planning Applications and the involvement of the community at an early stage, is welcomed by Debden Parish Council, which takes a great interest in planning matters.</p>	<p><i>Noted.</i></p>
<p>Debden Parish Council:</p>	<p>Debden is a small community with a village hub and a considerable number of dwellings in hamlets or set on their own. The Parish Council is certainly not averse to growth, so that the community can remain diverse, with a mixture smaller dwellings, for older people downsizing, who would not qualify for "affordable" homes and "affordable" dwellings to assist those, young and older, to live in a place where the housing cost is above the national average, but on a scale conducive to encouraging immediate acceptance by the existing population, rather than a large development imposed on it.</p>	<p><i>Noted.</i></p>
<p>Debden Parish Council:</p>	<p>It is noted that the Protocol will support a Tier System of applications, whereby it will be used not only with large applications but also where developments may not be on a</p>	<p><i>Noted.</i></p>

	<p>large scale, but may have a large impact on the community. It is intended to enable the Planning Authority and Developers to gauge the feelings of the community. They may be surprised at the strength of support or opposition the application may engender, and it seems the aim of the Protocol is to bring parties together, at the early stages with a view to overcoming any difficulties.</p>	
Debden Parish Council:	<p>It is noted that there will be key time stages, which is beneficial to all concerned, removing uncertainty for long periods.</p>	<i>Noted.</i>
Debden Parish Council:	<p>Although the commitments to which the Town and Parish Councils are requested to sign up appear innocuous enough, despite the disclaimer in the “NB” sentence at the end, they do seem to be geared towards assisting the developer in overcoming any objections to the development taking place at all.</p>	<p><i>Noted - Engaging with the developers early doesn't mean that planning permission will be granted by the LPA. Developers are aware of this and may decide that they will engage with the LPA and stakeholders and if the application is refused, take the application to appeal. Therefore, engaging at the early stage will still enable Parish and Town Council's to have some input in case the appeal is overturned.</i></p>
Debden Parish Council:	<p>The commitments of the developers are on the whole to communicate with the community, with named individuals.</p>	<i>Noted.</i>
Debden Parish Council:	<p>The Council's commitments appear to be to assist the development in coming to fruition, and to encourage developers to enhance the community, by agreeing benefits under s106 Agreements</p>	<p><i>Noted however, the protocol is not aimed at assisting the development come to fruition. The protocol is to encourage developers to start an early discussion with local communities.</i></p>

		<i>Engaging with the developers early doesn't mean that planning permission will be granted by the LPA. Developers are aware of this and may decide that they will engage with the LPA and stakeholders and if the application is refused, take the application to appeal. Therefore, engaging at the early stage will still enable Parish and Town Council's to have some input in case the appeal is overturned.</i>
Debden Parish Council:	One of the main objections to a development is usually lack of infrastructure. It is noted that the County Council is not involved in this Protocol. It is appreciated that this is out of the council's hands, but will the County Council be encouraged to participate?	<i>Stakeholders include County and therefore yes it is anticipated that County will also be encouraged to be involved.</i>
Debden Parish Council:	What are the proposals to encourage developers to sign up to the Protocol?	<i>Developers will asked to sign up to the protocol and once they can see the benefits then this will encourage others to do the same.</i>
Debden Parish Council:	What are the consequences for any party not complying with the Protocol, once they have agreed to it?	<i>There is no legal requirement to sign up. The Parish / Town Council would probably find that by not engaging early or breaking off could see a development which is not as they would have hoped.</i>
Debden Parish Council:	How will the Government's White Paper on Planning for the Future affect the Protocol? It is understood there are to be planning permissions granted on an automatic meeting of criteria, and s106 Agreements will be discontinued?	<i>Noted and unable to comment at this time.</i>

<p>Saffron Walden Town Council</p>	<p>Description of tiers</p> <p>This is helpful and whilst not a definitive description, this seeks to broadly identify scenarios</p> <p>Who will determine the tiers? What is the process to resolve disagreement between the parties on what is and is not a major development?</p>	<p><i>UDC will determine the tiers which will take into account things like cumulative impact.</i></p>
	<p>Description of tiers</p> <p>Good description but why does this protocol only apply to significant developments. What about insignificant development?</p> <p>Need to clarify process for other planning matters or developments.</p>	<p><i>Noted</i></p>
	<p>Para in red</p> <p>Suggest retention of para</p> <p>You could make this happen by ensuring involvement of the younger generation, the future residents and occupants of property in the district. Failure to engage this this demographic may lead to an increased migration of younger people.</p>	<p><i>Noted and will review other respondents' comments before recommendation is made.</i></p>
	<p>1st para</p> <p>Confusing, sentence is too long</p> <p>Reword to shorten and therefore make more meaningful and effective.</p>	<p><i>Noted and has been reworded.</i></p>
	<p>1st para</p> <p>Reference to the SCI – include a link here to the document</p>	<p><i>Noted, agreed and link added.</i></p>

	Link to SCI	
	Red text Presume this is a note to self for an action to be taken? Please clarify	<i>Noted</i>
	The Protocol - Developers	
	Under “produce and progress a Community Involvement Plan” Sentence appears unfinished: “ <i>Process for reviewing and reporting on the community involvement process</i> ”. Complete text	<i>Noted</i>
	Under “produce and progress a Community Involvement Plan” No reference given to comments or recommendations made by 3 rd parties which will not be progressed, there should be an agreed mechanism for identifying items not being progressed with the developer providing rationale for their decision. Include feedback on items raised which the developer is not progressing.	<i>Noted and recommend that we include reference to a statement of common ground which would include items which are raised but all parties but aren't agreed by all.</i>
	Pre app publicity No reference given to comments or recommendations made by 3 rd parties which will not be progressed, there should be an agreed mechanism for identifying items not being progressed with the developer providing rationale for their decision. Include feedback on items raised which the developer is not progressing	<i>Noted</i>
	Under “produce and progress a Community Involvement Plan”	<i>Noted</i>

	<p>UDC should hold this list and provide an indicative list of stakeholders to the developer.</p> <p>Refer to other strategies for guidance but importantly ensure that any single significant development includes consultation with the relevant people at the relevant time.</p>	
	<p>Under “produce and progress a Community Involvement Plan”</p> <p>The steer and direction of community involvement and engagement should not be led by the developer but by UDC and the community</p> <p>UDC must adopt a stronger and more robust position; it should mandate the minimum process to be followed by developers</p>	<p><i>There is no legal requirement to sign up to the protocol. However, having a document such as this protocol indicates to Developers how committed Uttlesford Council are to working with the Community as a whole. That any proposed development will need to have gone through a process. It can be used as a guide for officers and developers to provide a framework for planning performance agreements.</i></p>
	<p>Under “produce and progress a Community Involvement Plan”</p> <p>With reference to S106 “clarification of how the community and other stakeholders will be able to influence benefits ... S106</p> <p>The developer should not take the lead on this – it must be the planning authority.</p> <p>UDC must adopt a stronger and more robust position for S106 and inform the stakeholders on what is and is not possible.</p>	<p><i>Noted this is already being reflected in day to day work and the dialect will be altered to reflect this.</i></p>
	<p>Under “produce and progress a Community Involvement Plan”</p> <p>If including reference to S106 agreements, a brief definition of S106 should be included in footnotes.</p>	<p><i>Noted</i></p>

	Include definition of S106. I see it is in the glossary but a footnote advising of this would be helpful.	
	The Protocol – The Council	
	Some bullet points are in the wrong context. So “establishing” should be “establish”, “Agreeing” should be “agree” “Helping” should be “help” etc Amend	<i>Noted</i>
	Protocol advises UDC will ensure elected members are up to date on proposals in their wards How will this be communicated? Through Members’ briefings? Can this same process be used for town and parish councils?	<i>Ward Members are informed of applications by way of email notification on validation of the application and they will be invited along to the meetings as part of the process - as will Parish / Town Councils.</i>
	Contributing to discussions ... S106 As noted above, this is backwards. The LPA should take the lead, not the developers UDC must adopt a stronger and more robust position for S106 and inform the stakeholders on what is and is not possible.	<i>Noted.</i>
	“Town and Parish Councils” “Acknowledge and respect the rights of all stakeholders to express their views” This should also apply to the commitment of the developer and UDC (it is also in the requirements of the Ward Councillor)	<i>Noted and will be amended.</i>
	Making the protocol work The protocol is voluntary and there appears to be little incentive for the developer to enter into the protocol. What are the rewards for doing it or ramifications of not?	<i>Noted although the incentive is that they are following a process which is transparent and gives them the opportunity to listen before submitting an</i>

	Could a financial reward be offered to any developer who subscribes to the protocol? I.e. 5% reduction in planning fee?	<i>application which of course may not be approved but has a much greater chance.</i>
	Pre-app meetings Thank you to UDC for inclusion of District and Town/Parish Councils to pre-app discussions. This will be an excellent way forward and will help to identify problems, issues or concerns at an early stage of the process. None – thanks to UDC for inclusion	<i>Noted</i>
	General comments	
	No reference given to record keeping. How will records of meetings be kept and how will UDC ensure openness and transparency of process? Clarify process for record keeping Clarify if minutes from meetings will be public	<i>Noted and to be discussed as on occasions there may be a need for confidentiality.</i>
	The community engagement process appears to be very linear whereas community engagement is cyclical and continuous. Reference should be made to best practice for examples Incorporate ideas from the community planning tool kit: Communityplanningtoolkit.org Or utilise ideas from Planning for Real: Planningforreal.org.uk	<i>Noted and will be reviewed.</i>
	Avoid splitting of words as this makes text difficult to read Do not split words at the end of a line – this applies to all of the document	<i>Noted</i>
	No page numbering	<i>Noted</i>

	Number the pages so that the document is easier to navigate and reference	
Thaxted Parish Council	Description of tiers	
	<p>This is helpful and whilst not a definitive description, this seeks to broadly identify scenarios</p> <p>Who will determine the tiers? What is the process to resolve disagreement between the parties on what is and is not a major development?</p>	<i>UDC will determine the tiers which will take into account things like cumulative impact.</i>
	<p>Good description but why does this protocol only apply to significant developments. What about insignificant development?</p> <p>Need to clarify process for other planning matters or developments.</p>	<i>Noted</i>
	<p>1st para</p> <p>Reference to the SCI – include a link here to the document</p> <p>Link to SCI</p>	<i>Noted and agreed</i>
	The Developers	
	<p>Under “produce and progress a Community Involvement Plan”</p> <p>No reference given to comments or recommendations made by 3rd parties which will not be progressed, there should be an agreed mechanism for identifying items not being progressed with the developer providing rationale for their decision</p> <p>Include feedback on items raised which the developer is not progressing</p>	<i>Noted and recommend that we include reference to a statement of common ground which would include items which are raised but all parties but aren't agreed by all.</i>

	<p>Under “produce and progress a Community Involvement Plan”</p> <p>UDC should hold this list and provide an indicative list of stakeholders to the developer</p> <p>Refer to other strategies for guidance but importantly ensure that any single significant development includes consultation with the relevant people at the relevant time</p>	<p><i>Noted however this list would need to be continually reviewed and updated. Therefore time consuming and potentially out of date before it is finished. However, added 'to be agreed with the LPA and Parish / Town Council' thus ensuring the relevant stakeholders have been identified.</i></p>
	<p>Under "produce and progress a Community Involvement Plan"</p> <p>The steer and direction of community involvement and engagement should not be led by the developer but by UDC and the community</p> <p>UDC must adopt a stronger and more robust position; it should mandate the <i>minimum</i> process to be followed by developers</p>	<p><i>Noted. The LPA can encourage and work with developers to engage with local communities. However, the LPA are unable to 'make' it happen. By producing this protocol it is clearly showing the developers that Uttlesford want to involve the communities in any development.</i></p>
	<p>Under "produce and progress a Community Involvement Plan"</p> <p>The developer should not take the lead on this – it must be the planning authority in collaboration with the local parish or Town authority.</p> <p>Land Trusts should also be engaged to ensure longevity of all available S106/CIL benefits.</p>	<p><i>Noted. Now added 'to be agreed with the LPA and Parish / Town Council' thus ensuring the relevant stakeholders have been identified.</i></p>
	<p>Under "produce and progress a Community Involvement Plan"</p> <p>If including reference to S106 agreements, a brief definition of S106 should be included in footnotes.</p>	<p><i>Noted and added a footnote.</i></p>

	<p>Might this be replaced By CIL (which UDC have discussed in the past), exploration of the differences and if both are used, by UDC, why?</p> <p>Include definition of S106. I see it is in the glossary but a footnote advising of this would be helpful.</p>	
	<p>The Council</p> <p>Protocol advises UDC will ensure elected members are up to date on proposals in their wards How will this be communicated? Through Members' briefings? Can this same process be used for town and parish councils?</p>	<p><i>Ward Members are informed of applications by way of email notification on validation of the application and they will be invited along to the meetings as part of the process - as will Parish / Town Councils.</i></p>
	<p>Making the protocol work</p> <p>Our concerns are around the protocol being 'voluntary' ' What provisions are being considered to encourage development engagement? Could a reduction in planning fee's be suggested to those who engage with the protocol?</p>	<p><i>Noted although the incentive is that they are following a process which is transparent and gives them the opportunity to listen before submitting an application which of course may not be approved but has a much greater chance.</i></p>
	<p>Pre-app meetings</p> <p>Thank you to UDC for inclusion of District and Town/Parish Councils to pre-app discussions. Will however parish councils be able to participate at the formal pre-app stage? Specific inclusion reference participation.</p>	<p><i>This protocol is for the process of the application from pre-app - where there is a pre-app.</i></p>