

# Regulation 19 Pre-Submission Local Plan

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## Foreword

### ***(A New Foreword will be produced for the consultation Version)***

We have reached the next stage of the Uttlesford Local Plan that will help shape the future growth of our district up to 2033 and beyond. It is vital we get this right and to do so we need to hear what you think so we can continue to improve it over coming months.

At the heart of this Draft Local Plan is a commitment to finding the best balance between delivering the homes, jobs and infrastructure that addresses local needs, whilst safeguarding the high quality of life and character of this very special district. We recognise that there are some challenging decisions to be made over the coming years but we cannot shy away from them. Our responsibilities are to our existing residents and businesses while ensuring that the needs and aspirations of future generations to live, work and enjoy themselves in such a special district are also achievable.

This plan seeks to ensure Uttlesford remains a great place:

**To live** – with quality homes local people can afford, easier access to shops, workplaces, services and facilities, and new thriving communities which are welcoming, healthy and safe

**To work** – where new facilities and infrastructure mean that businesses can choose to expand or relocate here; bringing jobs and stimulating investment

**To visit** – where people choose to come to enjoy our history, shops, eateries and attractions, whilst at the same time significantly contributing to our town centre and rural economies

Whilst we accept the Plan is challenging, the proposal to introduce three new garden communities presents an exciting opportunity to shape our district in a positive way, addressing the needs and aspirations of generations to come.

Putting the Plan together has been an evidence-led process. All political parties on the District Council have worked together to produce draft proposals that recognise the needs of Uttlesford as a whole.

However, this is *your* Local Plan and now is the time to make your views known on our proposals to grow, protect and enhance the district.

Please do take the time to read the Draft Plan and give us your feedback. Thank you.

*Cllr Howard Rolfe, Leader of the Council and Leader of the Conservative Group*

*Cllr Alan Dean, Leader of the Liberal Democratic Group*

# 1 Introduction

## What is the Local Plan?

- 1.1 The Uttlesford Local Plan was adopted in 2005. It still forms the basis for making planning decisions within the District alongside the National Planning Policy Framework (NPPF) published in March 2012<sup>1</sup> and the Planning Practice Guidance but it is becoming increasingly out of date. A new Local Plan is needed to effectively guide how the District grows, ensuring its unique character is protected and enhanced, and to reflect more recent Government policy.
- 1.2 The new Uttlesford Local Plan (referred to as the 'Local Plan' in this document) will be part of the statutory planning framework for the District to 2033 guiding decisions on all aspects of development. The new Local Plan will set out how and where new homes, jobs, services and infrastructure will be delivered and the type of places and environment that will be created.
- 1.3 The Local Plan has been prepared in compliance with the NPPF, the Uttlesford District Council Corporate Plan 2018-2024 and the Uttlesford Community Strategy. The Local Plan has been informed by extensive public engagement over several years and a wide range of evidence which is available on the Council's website.
- 1.4 In developing the Local Plan, the District Council has worked collaboratively with authorities which adjoin or are close to Uttlesford and other organisations through the Duty to Co-operate mechanism to seek to identify a way forward on those issues of a strategic nature and to ensure strategic priorities are co-ordinated and reflected in the Local Plan.

## The Development Plan

- 1.5 The Local Plan is prepared by Uttlesford District Council and will be used to inform decisions on planning applications across the District, in conjunction with any development plan documents relating to minerals and waste prepared by Essex County Council and any neighbourhood plans prepared by the community. Together these plans comprise the Development Plan for Uttlesford.
- 1.6 All planning applications will be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 1.7 In Uttlesford, neighbourhood plans can be prepared by either town or parish councils and make up part of the Development Plan for the District as described above. These Neighbourhood Plans play an important role setting out in more detail how a

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<sup>1</sup> National Planning Policy Framework (NPPF) (DCLG, 2012). Available: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6077/2116950.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/6077/2116950.pdf)

community wishes to see its area develop.

- 1.8 Where neighbourhood plans are prepared they must be in general conformity with the policies set out in the Local Plan in accordance with the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 1.9 Uttlesford District Council will continue to support communities who wish to prepare neighbourhood plans. Details of how the Council can help with the preparation of neighbourhood plans are set out on the Council's website.
- 1.10 The District Council will consider the need for any further Development Plan Documents (DPDs) as necessary such as specific allocation or area action plans necessary to deliver the Local Plan.

### National Planning Policy

- 1.11 Government planning policy and guidance is set out in the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG). 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.
- 1.12 The Local Plan has been prepared in compliance with national policy including the Housing White Paper – Fixing our broken housing market<sup>2</sup>. In particular, the NPPF states that for a local plan to be considered sound, it 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 the 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; and
  - *Consistent with national policy* – The plan enables the delivery of sustainable development.

### Sustainability Appraisal and Habitats Regulation Assessment

- 1.13 Under the Planning and Compulsory Purchase Act 2004<sup>3</sup> the Sustainability Appraisal (SA) of development plans is mandatory. For the development plan it is also necessary to conduct an environmental assessment in accordance with the requirements of the Strategic Environmental Assessment Directive (SEA) (European Directive 2001/42/EC). Therefore, it is a legal requirement for Local Plans to be subject to SA

<sup>2</sup> Fixing our broken housing market (DCLG, 2017). Available:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/590464/Fixing\\_our\\_broken\\_housing\\_market\\_-\\_print\\_ready\\_version.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/590464/Fixing_our_broken_housing_market_-_print_ready_version.pdf)

<sup>3</sup> Planning and Compulsory Purchase Act (2004). Available:

<https://www.legislation.gov.uk/ukpga/2004/5/contents>

and SEA throughout its preparation. The requirements to carry out SA and SEA are distinct, although it is possible to satisfy both using a single appraisal process. The aim of the process is to appraise the social, environmental and economic effects of plan strategies and policies and ensure that they accord with the objectives of sustainable development.

**1.14** The SA, incorporating the SEA, has been undertaken as an integral part of preparing the Local Plan and helps arrangements for monitoring and implementation. 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: Seek representations on the sustainability appraisal report from consultation bodies and the public; and
- Stage E: Post adoption reporting and monitoring.

**In relation to the preparation of the Local Plan the following reports have been prepared and influenced the Local Plan's content through an iterative process:**

- Sustainability Appraisal Scoping Report (July 2015 and updated September 2015);<sup>4</sup>
- Sustainability Appraisal of the Issues and Options consultation incorporating Areas of Search and Strategic Scenarios (September 2015);<sup>5</sup>
- Sustainability Appraisal of the Draft Uttlesford Local Plan (June 2017);<sup>6</sup> and
- Sustainability Appraisal of the **Draft Pre-Submission** -Uttlesford Local Plan (May 2018).

**1.15** Under the EU Habitats Directive (92/43/EEC) a Habitats Regulations Assessment (HRA)<sup>7</sup> is required for any proposed plan or project which may have a significant effect on one or more European sites and which is not necessary for the management of those sites. The purpose of the HRA is to determine whether or not significant effects are likely and to suggest ways in which they could be avoided. The first stage is to carry out a Screening process to establish if the Local Plan might have any Likely Significant Effects (LSEs) on any European site and therefore to determine whether a full HRA

<sup>4</sup> Sustainability Appraisal (SA) & Strategic Environmental Assessment (SEA) (ECC, 2015). Available: <http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=5268&p=0>

<sup>5</sup> Local Plan: Areas of Search (AoS) and Strategic Scenarios Consultation Sustainability Appraisal (SA) and Strategic Environmental Assessment (SEA) (ECC, 2015). Available: <http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=5333&p=0>

<sup>6</sup> Sustainability Appraisal (SA): Environmental Report (Place Services, 2017). Available: <http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=6989&p=0>

<sup>7</sup> Habitats Regulation Assessment (2017). Available at: <http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=6970&p=0>

would be required for the Local Plan. A screening has been undertaken for the Local Plan and the HRA Screening Report is available on the Council's website<sup>89</sup>. Both the Sustainability Appraisal and the HRA Screening Report are subject to six weeks public consultation alongside the Local Plan.

### Structure of the Local Plan

The Uttlesford Local Plan is divided into the following sections:

- Section 2 - The District profile which gives an overview of Uttlesford's characteristics, the issues that arise from this and lead to the identification of the Vision and Objectives for the Local Plan;
- Section 3 - The Spatial Strategy and Key Diagram for the Plan – the big picture of “where” and “when” we want activity, development and investment to be over the period to 2033. This includes the roles and relationships of the settlements, the distribution of development and areas that will be protected from development – what it means for the various areas in the District. This section also includes the policies for new Garden Communities, London Stansted Airport, the Green Belt and the Countryside Protection Zone;
- Sections 4 - 11 – These sections set out the Policies by topic that apply to the whole of the District. These policies cover: Housing, Employment, Retail and Tourism, Transport, Infrastructure, Design, the Environment and the Countryside;
- Section 12 - The Site Allocations policies which identify areas for development and include the policies which will determine how these areas should be developed;
- Section 13 – Delivery and Monitoring - This section sets out how further details of the Plan's implementation and how it will be monitored and reviewed to ensure its objectives are met;
- Appendices 1-7, covering the Replacement Policy Schedule, the Monitoring Framework, Housing Trajectory, Garden Community Principles, Marketing Assessment Information, Existing Employment Sites and Inset Maps; and
- The Policies Map of the Local Plan - The purpose of the Policies Map is to identify areas of protection, sites allocated for particular land use and development proposals to which specific policies apply.

**1.16** Every effort has been made to make the document as clear as possible. However, it does contain some technical language so there is a Glossary of Terms and Abbreviations in Section ~~15-14~~ to help readers with the range of new terms that have been introduced. Where appropriate footnotes are also included at the bottom of each page of the Local Plan.

**1.17** The Local Plan should be read as a whole. All policies are interrelated and must be read together to understand their combined effect. Unless otherwise stated, they apply

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<sup>8</sup> **2018 Habitats Regulation Assessment 2018 available at:**  
<https://www.uttlesford.gov.uk/article/4122/Legal-compliance>

across the whole District and are designed to encourage, facilitate and manage development that makes a positive contribution to the District.

- 1.18** The Local Plan, when it is adopted, will replace all the remaining saved policies from the Uttlesford District Plan adopted in 2005. A table of the policies that will be replaced by the Local Plan is included in Appendix 1.