

Uttlesford District Council – Proposed Response

Appendix 1: Replacement Policies

Appendix 1

Added text – shown underlined

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Ref	Key Issue (from overarching summary)	Council's Response	Change to the plan
App 1.	Policy H5 does not replace Policy H3.	<p>The title of Policy H3 included in Appendix 1 of the Regulation 18 Local Plan is incorrect and will be amended.</p> <p>Policy H5 – Residential Development in Settlements without Development Limits does replace Policy H3 – New Houses within Development Limits of the 2005 Adopted Local Plan.</p>	No change.
App 1.	Does not replace GEN 2 in regard to minimising water and energy consumption and encouraging recycling.	Policy GEN2 is principally replaced by Policy D1 – High Quality Design. Policy D8 – Sustainable Design and Construction in the Regulation 18 Local Plan does also address water and energy consumption, as well as recycling but Policy D1 sets out the overall approach to design.	No change.

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Appendix 2: Monitoring Framework

Appendix 2

Added text – shown underlined>

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Ref	Key Issue (from overarching summary)	Council's Response	Change to the plan
1a	Concern that the housing mix is not correct and should be determined through engagement with Parish Councils, negating the need for the creation of a Neighbourhood Plan.	The housing mix is taken from the 2015 West Essex and East Hertfordshire Strategic Housing Market Assessment. This is the most up to date evidence. Neighbourhood Plans can include different housing mix requirements based on local evidence and in accordance with national policy.	No change required.
1a	The requirement for 100 affordable homes a year is not enough and the target should be 250 homes a year.	Policy H6 of the Local Plan requires the provision of 40% affordable housing on sites over 15 dwellings over the Plan period. Along with the supply of affordable housing from sites that already have planning permission this will equate to about 150 affordable dwellings a year over the Plan period 2011-2033. The target should be amended to 150 affordable homes per year.	Amend the target to "Completion of 150 affordable homes per year".
1a	Housing mix proposals are outdated. Concerns over affordability as there is a lack of 2-3 bed houses.	The targets set out in the table for the house types and sizes should be updated to reflect the most up to date evidence in the 2015 West Essex and East Hertfordshire Strategic Housing Market Assessment. The housing mix identified in the 2015 SHMA is: <ul style="list-style-type: none"> - 7% of market housing to be 2 bedroom houses - 44% of market housing to be 3 bedroom houses - 31% of affordable housing to be 2 bedroom houses - 43% of affordable housing to be 3 bedroom houses 	Amend the target to: "Deliver house types and sizes which meet local needs as identified in the SHMA 2015. Flats – 1 bed – 4% Flats – 2 bed – 3% Houses – 2 bed – 12% Houses – 3 bed – 43%

		The performance measure should be amended to developments of 6+ dwellings instead of 5+ dwellings in accordance with the minimum size of developments that are monitored by the Council.	Houses – 4+ beds – 38%” Amend the Performance Measure to: “Dwelling sizes (no of bedrooms) of completed developments of 6+ dwellings between 2011 – 2033 measured annually”
1a	There should not be a new line in the third performance measure box, after 2011-	Agree - Amend table.	Extra line to be removed after “2011 –” in the third performance measure box.
1a	How will local people afford smaller, more affordable market homes	The housing mix has been established in the 2015 SHMA in accordance with the need for each type/ size of housing mix. Therefore there should be enough smaller houses built to meet the housing need.	No change.
1d	Do the standards for allotments, sports pitches and public open space meet Sport England standard? Provision less than other authorities.	The standards are based on the most recent Sports Facilities Development Strategy (Ploszajski Lynch, 2016) Available: http://www.uttlesford.gov.uk/CHttpHandler.ashx?id=5608&p=0 A new study has been commissioned and these standards will be reviewed and updated if necessary when the study has been completed.	No change.
1d	Targets needed for indoor facilities	A new open space, sport and recreation study has been commissioned which will include consideration of indoor facilities. The need for indoor facilities will be considered as part of this study.	No change.
1d	‘Timely manner’ is not defined. Should be amended to say ‘at defined, pre-agreed trigger points’.	It is considered more appropriate to refer to infrastructure being provided in a timely and sustainable manner rather than at defined, pre-agreed trigger points as not all infrastructure can be quantified in relation to trigger points and adherence to pre-agreed dates or scales	No change.

		of development can be inflexible to change.	
1d	How is Policy INF1 monitored under Objective 1d?	Agree that specific reference to infrastructure delivery should be included in the targets and performance measures in Appendix 2 under Objective 1d.	Add the following under Objective 1d: “Target - Measurement against details presented in the Uttlesford Infrastructure Delivery Plan Performance Measure – Delivery of major infrastructure priorities identified to facilitate development against IDP timescale. Collected by – UDC”
2c	The first bullet point should be amended to say ‘utilising the agreed capacity of the existing runway’, otherwise it conflicts with the Corporate Plan.	This is not necessary.	No change.
2c	Concern that there is no consideration given to the management of noise and air pollution from Stansted Airport.	Policy SP11 is dedicated specifically to London Stanstead Airport and requires any growth there to be in conformity with the environmental and transport framework set out within it.	No change.
3a	Development should not be permitted in Stanstead Airport Countryside Protection Zone and this should be monitored by the number of dwellings built in that	The purpose and protection measures of the CPZ are detailed at paragraph 3.71 and Policy SP10, which states that development will only be permitted if it does not lead to coalescence between existing developments and does not affect the open character of the CPZ. It	No change.

	area.	should be noted that development can come in more forms than just housing. Plans must be positively prepared and can therefore not rule out development verbatim, but the test for allowing it in this instance is strict.	
3a	Hatfield Forest is suffering due to increased visitor numbers. Mitigation measures required.	Hatfield Forest is a SSSI. It is considered that the targets and performance measures set out under Objective 3a are adequate in relation to monitoring any potential impacts on Hatfield Forest.	No change.
3b	Reduction on levels of air pollution is not specific enough and does not define a time interval.	Agree- amend text to state that air pollution will be reduced in accordance with the latest UDC Air Quality Technical Guidance.	Amend the target to as follows: "Reduction in levels of air pollution within AQMA <u>in accordance with the latest UDC Air Quality Technical Guidance.</u> "
3b	Development should be proscribed in AQMA.	Applicants must demonstrate that no adverse significant effect on air quality in an Air Quality Management Area and that the proposed development has regard to relevant UDC Air Quality Technical Guidance Policy EN16 states that development within or affecting an AQMA will be expected to contribute to a reduction in levels of air pollutants within the AQMA. Larger development proposals that require a Travel Plan and Transport Assessments/Statements as set out in Policy TA1 will be required to produce a site base Low Emission Strategy.	No change.
Overall	Concern that sites take too long to develop	There are not currently mechanisms in place that enable the Council to dictate the speed at which a development will be built out. Sites all have unique constraints and challenges that require different timescales and costs to be remediated, so an arbitrary time limit for completion may not prove to be beneficial for increasing housing stock.	No change.
Overall	It is difficult to assess the monitoring required in the absence of a district wide infrastructure plan.	A draft Infrastructure Development Plan was published alongside the Regulation 18 Local Plan Consultation in May 2017 and will be updated to reflect the Regulation 19 Local Plan.	No change.

Overall	There is no delivery proposed of any community facilities or non-playing field sports provision.	Community facilities are referred to throughout the document, and particularly in Chapter 8: Infrastructure and in the Garden Communities policies. Provision of allotments is monitored in Objective 1d and Objective 1b monitors loss of village shops and other facilities.	No change.
Overall	There should be annual monitoring	An annual Authority Monitoring Report will be produced.	No change.
Overall	This objective is not compliant with the NPPF (paragraph 70) because it does not mention places of worship. It cannot be assumed that places of worship are included if they are not mentioned.	Policy RET4 and supporting text notes the importance of places of worship to the local communities they serve. Policy C4 also states that new community facilities include places of worship. Objective 1b monitors the loss of facilities, therefore including places of worship.	No change.
Overall	Concern over the ability of the Council to monitor the plan given an unsatisfactory history of monitoring development.	An annual Authority Monitoring Report will be produced.	No change.

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Chapter 18

Appendix 3 – Housing Trajectory

Added text – shown underlined

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	Braintree District Council suggests that for clarity and ease of reference delivery from the garden communities is separated out from the housing trajectory.	The housing trajectory table and chart separate out the element of the delivery - commitments, windfall, allocations and garden communities. It is important to show the trajectory as a whole and is not appropriate to have a separate housing trajectory for the garden communities.	No change
	Suggestion that the projected shortfall of homes could be met in one garden community.	The Plan will need to identify sufficient sites to meet the housing need and the location of the sites will be determined through the spatial strategy (Chapter 3).	
	Concern that the housing trajectory does not match the housing need	The trajectory will need to reflect the housing need identified in the SHMA and the direction of travel indicated by the Government's consultation on a standard method for	Trajectory to reflect most up to date Housing Trajectory and 5 Year Land Supply Statement

		calculating local authorities' housing need	
	Questioning of the 14,100 figure and suggestion that the figure should be closer to 11,500.	The trajectory will need to reflect the housing need identified in the SHMA and the direction of travel indicated by the Government's consultation on a standard method for calculating local authorities' housing need	Trajectory to reflect most up to date Housing Trajectory and 5 Year Land Supply Statement
	Clarity requested in relation to when each year starts and ends.	Noted. The trajectory can be supported by explanatory text.	Insert appropriate text from latest Housing Trajectory and 5 Year Land Supply Statement

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Appendix 4: Garden Community Principles

Appendix 4

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Ref	Key Issue (from overarching summary)	Council's Response	Change to the plan
All Principles	Concerns that the principles will not be sufficiently adhered to. Obligations should be legally binding.	The Garden Communities will be required to confirm to the policies set out in the Local Plan. These will be supported by the use of Section 106 and other legal agreements, as appropriate.	No change.
All Principles	Greater explanation and clarity requested including in relation to the operation of land value capture, delivery of the garden communities and management of the garden communities' assets.	No decisions have yet been taken on these matters. They will be subject to further consideration as part of the design and implementation of the garden communities.	No change.
Principle 3	"A suitable body will need to be established" this infers that this will be a body separate to UDC. Requests clarification of this point.	No decisions have yet been taken on the nature of a body or organisation who would be responsible for the management of the assets of a Garden Community. This will be subject to further consideration as part of the design and implementation of the garden communities.	No change.

		However, such a body would not normally be part of the District Council as it would have a different role, for example Letchworth Garden City Heritage Foundation or The Parks Trust at Milton Keynes.	
Principle 9	Infrastructure for electric vehicles should be included.	Agree - Amend text.	Amend Principle 9 to add a new sentence at the end of the existing text: <u>“Provision should be made for infrastructure for electric vehicles.”</u>
Principle 9	Suggestion to add “or better connectivity is developed as part of the Garden City principle and infrastructure development” in Principle 9.	Agree - Amend text to reflect this change.	Amend the last sentence of Principle 9 as follows: “New Garden Cities should be located only where there are existing rapid public transport links to major cities, or where real plans are already in place for its provision <u>or better connectivity is developed as part of the Garden City principle and infrastructure development.</u> ”
Principle 9	The opportunity to create multi-user routes accessible to all vulnerable road users, such as equestrian users, should be more proactively taken and embedded into the whole Plan including Principle 9.	Agree – Amend text to reflect this change.	Amend Principle 9 to add a new second sentence as follows: <u>“Multi-user routes should be created that are accessible to all vulnerable road users, such as</u>

			<u>equestrian users.</u> "
19.4	Footnote unintendedly repeated in text.	Typographical error. Delete the footnote in the text.	TCPA (10 April 2014)

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Appendix 5 – Marketing Assessment Information

Added text – shown underlined>

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Ref	Key Issue (from overarching summary)	Council’s Response	Change to the plan
App 5	Significant development should be defined in housing numbers	Significant development does not have a quantitative threshold, as the significance of the development depends upon factors such as location and location sensitivity.	No change required.
App 5	The requirements should be reviewed and strengthened to ensure that exceptional development does not occur outside the Local Plan.	The purpose of Appendix 5 is to set out the information the Council will expect to be provided as a marketing assessment as required by Policies EMP1, EMP2, RET1 and RET2 of the Regulation 18 Draft Plan. This appendix does not set out policy. It is considered that the policies listed above and Appendix 5 provide appropriate safeguards to ensure inappropriate development does not occur.	No change required.
App 5	Shops should be built by developers, as often land is too expensive for applicants to demonstrate viability.	The purpose of Appendix 5 is to set out the information the Council will expect to be provided as a marketing	No change required.

		assessment as required by Policies EMP1, EMP2, RET1 and RET2 of the Regulation 18 Draft Plan. This appendix does not set out policy. Policy RET1 sets out the approach to be taken to the provision of shops including in larger developments such as the garden communities.	
App 5	Re. General Criteria- Government has announced plans to abolish leasehold	The Government consulted in July 2017 on possible changes to the leasehold regime. In December 2017 the Government published the consultation responses it received and its own response. This includes changes to the leasehold system but not abolition. It is still considered appropriate to refer to leasehold in Appendix 5.	No change required.