

Committee: Environment

Agenda Item

Date: 7 September 2010

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Title: Report on the Results of the Further Consultation on Local Development Framework Core Strategy Preferred Options; and Review of LDF Programme

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Item for decision

Summary

1. This report provides Members with an overview of the representations received on the Core Strategy Further Consultation on the Preferred Options. Accompanying this report is the Summary of Comments.
2. On the 6 July 2010 the Secretary of State announced the revocation of Regional Strategies with immediate effect. This report provides Members with advice on the implications of the revocation.
3. Members are asked to consider how to progress the Core Strategy in view of the representations received and the revocation of the Regional Plan for the East of England.

Recommendations

4. That a review of the scale of growth appropriate for Uttlesford be undertaken.

Financial Implications

5. The work programme set out in paragraph 21 will for the most part be undertaken in house by planning officers within existing budget provision in cost centre GPP, supplemented by additional provision from the Planning and Development Reserve (see report below on this agenda). Preparation of demographic information will be funded by the Essex Planning Officers Association, which this Council supports through a subscription from cost centre GDC. If costs exceed the EPOA budget then funds for a supplementary contribution are available within the General Fund budget on cost centre GPP. A Detailed Water Cycle Study has the largest financial implications and an estimated cost based on previous work is £28,000 but adequate funds are available within the General Fund budget on cost centre GPP to accommodate this too.

Background Papers

6. Uttlesford Core Strategy – Further Consultation on Preferred Options, February 2010: Summary of Comments.
7. Letter from Secretary of State for Communities and Local Government to the Leader dated 27 May 2010 entitled Abolition of Regional Strategies

8. Letter from Chief Planner of Department of Communities and Local Government to Chief Planning Officers of Local Planning Authorities dated 6 July 2010 entitled Revocation of Regional Strategies.

Impact

9.

Communication/Consultation	Recommendation includes consultation with Town and Parish Councils
Community Safety	none
Equalities	Resulting consultation will conform with Statement of Community Involvement
Health and Safety	none
Human Rights/Legal Implications	none
Sustainability	Recommendation will lead to a sustainable scale of development.
Ward-specific impacts	All
Workforce/Workplace	Within existing capacity subject to maternity leave cover being secured

Situation

10. Further Consultation on the Preferred Options of the Core Strategy took place between 11 February and 9 April 2010. A total of 2388 people or organisations responded to the consultation within the time period. 101 (4%) people/organisations made their representations directly in Limehouse (the Planning Policy team's online consultation system), 111 (5%) people/organisations responded by email or letter to all or the majority of questions in the Further Consultation on Preferred Options document and a summary of these representations can be viewed on Limehouse. In addition 2176 (91%) people replied to the questions set out in the leaflet sent to all households and businesses in the District. A summary of whether the questions were supported or objected to are set out in an excel spreadsheet available on the Core Strategy page of the Council Website.

Summary of Comments

11. The accompanying Summary of Comments sets out the representations made in response to the consultation. All responses have been considered equally irrespective of the method of response.
12. The new settlement proposal element of Option 4 has again attracted considerable opposition. People are generally concerned about its

deliverability in terms of the amount of infrastructure required, its sustainability and the environmental impact. The preferred alternative is for some form of wider distribution over a larger number of settlements. Those that supported Option 4 did so because it allowed for a comprehensive development. Although people expressed an opinion on the options, concern was still expressed that the overall scale of development is inappropriate for Uttlesford.

13. The remaining element of option 4 attracted objections to the scale of development suggested for Saffron Walden and Great Dunmow.
14. There was support for the use of underutilised or allocated employment land for residential development. However, objectors to this suggestion were concerned about the loss of employment land. Representations supporting the use of employment land for housing were divided over whether a mix of uses on a site is appropriate. Respondents wished to ensure that residential properties would not be adversely affected by noise or pollution from adjoining employment uses.
15. The majority of respondents considered the criteria for assessing Gypsy and Traveller sites to be correct. The objectors considered that there was no need to make provision for any sites and that gypsies and travellers should finance and provide their own sites. There were concerns about crime and rubbish. Some people objected to sites being used for businesses. Generally people thought that sites should be small and located away from existing residential properties.
16. The consensus from the consultation is that implementing the planning permission for 35mppa at Stansted Airport (scenario 2) is a realistic basis on which to proceed with the LDF. The decision of BAA to withdraw the application and the lack of any national and regional policy context for growth at the airport confirms that scenario 2 remains the most appropriate assumption for the LDF.
17. The majority of respondents to the consultation objected to a review of the Metropolitan Green Belt as they valued it as an important safeguard against development. A significant number of those supporting a greenbelt review were objectors to the Elsenham new settlement proposal. They consider that the attractive countryside such as that around Elsenham and Henham should be saved from development rather than save indifferent countryside merely because it is protected by the out dated Green Belt policy.
18. The majority of respondents objected to a policy which would allow employment development on Greenfield sites. Some objectors were not convinced that the employment needs within the District would justify the release of Greenfield land and they were generally concerned about the loss of agricultural land. Objectors considered that employment development should be provided on Brownfield land or unused commercial properties or land. Supporters of the policy made it clear that employment on Greenfield sites should only be considered as a last resort and should be subject to controls on size, access and traffic etc. A significant number of people supporting this approach were objectors to the Elsenham new settlement who

felt that large sites even in Greenfield locations were likely to be more attractive to employers and therefore more likely to be delivered than the likelihood of any significant employment being created in North East Elsenham.

Revocation of the Regional Strategies

19. In July 2010 the Secretary of State for Communities and Local Government announced the revocation of the Regional Spatial Strategies (RSS) with immediate effect. In the longer term the legal basis for Regional Strategies will be abolished through the Localism Bill, which is planned to reach the statute book in November 2011.
20. For Uttlesford, the revocation of the East of England Plan means that the Development Plan is now only the saved policies of the Adopted Local Plan 2005 (apart from the relevant minerals and waste local plans). Local Planning Authorities can have regard to National Policy and evidence that informed the preparation of the revoked RSS depending on the facts of the case being considered.
21. The coalition government is still stressing the need to prepare a Local Development Framework (LDF). However Local Authorities can decide whether to review and/or revise emerging policies in light of the revocation of the RSS taking into account local people's aspirations as well as important issues such as climate change, housing and economic development. The LDF still has to be prepared in accordance with the regulations, be supported by robust evidence and meet the tests of soundness.

Housing

22. For the first time, Uttlesford now has the responsibility for establishing the level of local housing provision in our area, and identifying a long term supply of housing land. The Government are asking local planning authorities to quickly signal their intention to retain existing housing targets or undertake an early review, so that the communities and land owners know where they stand. The housing numbers must be justified with the process involved in coming to the figure being transparent so people can understand why decisions have been taken.
23. Once the scale of growth has been decided upon, the Council will still need to identify enough viable land in the Core Strategy and Site Specific Development Plan Document (DPD). The Core Strategy will still need to identify broad areas of land to deliver the Council's housing numbers for at least 15 years from the date the plan is adopted. The Council will also need to have a five year supply of housing which reflects the scale of growth decided upon.

Gypsies and Travellers

24. Uttlesford is also now responsible for determining the right level of Gypsy and Traveller site provision to reflect local need; historic demand; and bring forward land in DPDs. Although the Council is not bound by them, the Government suggests that the Gypsy and Traveller Accommodation Assessment (GTAA) may be a good starting point to review level of provision.

Reviewing the scale of growth

25. There are a number of issues for members to consider in deciding whether to review the scale of growth. The Strategic Housing Market Assessment (SHMA) identified a high level of need for affordable housing which can be met through a variety of forms. The Strategic Housing Land Availability Assessment (SHLAA) showed that there is a significant amount of developable and deliverable land in the district. However, the consultation held earlier this year and in 2007 identified a strong body of public opinion against the level of growth set in the East of England Plan. There was also a strong body of public opinion in support of protecting the countryside and agricultural land, and resisting development which would involve the loss of Greenfield sites. Furthermore the studies on the capacity of infrastructure such as the Water Cycle Study and the Comparative Transport Analysis have indicated that significant investment would be needed to meet the scale of growth envisaged under the East of England Plan.
26. If it is decided to review the scale of growth in the District the following factors will need to be considered in arriving at a figure – demographic; housing; economic; infrastructure and viability factors, as well as environmental considerations. Members will also need to give priority to some issues over others i.e. the relative importance of meeting housing needs; or employment needs; or the scale of development needed to support desired shopping and community facilities; or protecting the environment and character of the district.
27. Members should also bear in mind their Vision for the District which is that by 2021 'Uttlesford will enjoy a sustainably high quality of life in which the benefits of the unique character of the district are equally available to all residents, workers and visitors' through having (amongst other factors)
- Facilities for companies to grow in Uttlesford;
 - Houses and facilities that people need will be available and affordable locally;
 - New housing developments concentrated on relatively few sites, to enable the provision of the maximum level of public services infrastructure;
 - Countryside, its habitats, agricultural and visual qualities protected and accessible to all;

- The local distinctiveness and historic character of the towns and villages preserved and enhanced and continue to be separate entities with green space between them;
- The district's high quality natural and historic environment and richness in biodiversity maintained and environments requiring improvement will have been enhanced;
- The vitality and viability of the towns maintained and enhanced and being safe, clean and attractive places.

28. A review of the scale of growth in the District will result in a revised programme of work. It is considered that the following work will need to be undertaken.

- The preparation of forecasts of total population, economically active population, households and dwellings, together with demographic interpretation of the forecast outcomes. An initial forecast is expected in January 2011 with a report on the implications in June 2011.
- Interpretation of background studies on infrastructure capacity, namely Water Cycle Study and Highways, with a view to understanding the impact of different scales of growth. It may be necessary to commission a Detailed Water Cycle Study.
- The Employment Land Review; Retail Study and Strategic Housing Market Assessment Viability Study are expected to be completed in the autumn 2010 and can feed into the assessment of an appropriate scale of growth.
- Further engagement with Town and Parish Councils to discuss their views on what development could deliver for their communities.
- The Council was successful in its bid for Rural Master Planning Funding from DCLG and DEFRA to prepare design strategies for Great Dunmow and Saffron Walden which will assist the Council in exploring schemes for both market towns which respect their setting while bringing forward sustainable development. The Council will be working with CABE (Commission for Architecture and the Built Environment) and the project will be completed in March 2011.

29. It is therefore unlikely that the Council would be in a position to consult on revised figures and spatial strategy until autumn 2011.

30. Should Members decide to continue with the revoked East of England Plan figure of an annual completion rate of 430 per annum, then the Council would still need to demonstrate that this is a sound approach.

31. In response to the East of England Plan >2031 consultation on scenarios for housing and economic growth this Council did not support any of the housing provision rates considered under the four Scenarios which ranged from 350 homes per year to 1080 homes per year. The subsequent Draft revision to the Regional Spatial Strategy for the East of England March 2010 proposed an annual completion rate of 400 homes per year for Uttlesford between 2011 and 2031.

Conclusion

32. In preparing the Core Strategy to date, the Council has had to conform to the Regional Spatial Strategy. Under the Localism Agenda of the new government this is no longer the case and the District Council can determine how much growth to accommodate.
33. Through the public consultation exercises and the background studies undertaken no one spatial strategy has emerged as the obvious solution. One of the issues has been the scale of development. The characteristics of Uttlesford as a rural area of small market towns and villages means that there is no obvious focus for growth in the district. The district's highway network mainly consists of B roads and rural lanes and the nature of the district's watercourse network which poses problems for increased sewage treatment all lead to the conclusion that the revoked RSS figures should be reviewed and the likelihood is that a revised figure will be lower.

Risk Analysis

34.

Risk	Likelihood	Impact	Mitigating actions
A review of the growth figures will delay the adoption of an up to date core strategy	4 There is insufficient information for the Council to make a sound decision on the appropriate level of provision for homes and jobs	2 Public expectations about the consequences of the revocation of the East of England Plan; current plan adopted in 2005 was intended to provide a framework for development to 2011; the revocation of the East of England Plan means that policies on other important planning issues besides housing and jobs have been lost leaving a relative policy vacuum.	Explanation of the work programme and the need to complete it. Monitoring of the 2005 plan.

1 = Little or no risk or impact

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

3 = Significant risk or impact – action required

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