

1. Introduction

What is the Uttlesford Local Plan 2021 to 2041 ?



- 1.1 Uttlesford District Council has started the process of developing a new Local Plan for the district, which will replace the existing Adopted Local Plan 2005. The Local Plan is at the heart of the planning system, putting forward the **Spatial Vision** and **Strategic Objectives** for addressing climate change and setting out the Council's **Spatial Strategy** for meeting future development needs, including proposed site allocations, design principles and development management policies by which planning applications will be judged.
- 1.2 The aim of the Plan is to address the social, economic and environmental needs of the district, identifying positive opportunities for new homes, jobs, community facilities and infrastructure. To this end, the Local Plan will ensure future growth is accommodated in a sustainable manner by:
 - conserving and enhancing the natural and historic environment
 - placing climate change mitigation and adaptation at the heart of the strategy
 - achieving well-designed and aesthetically beautiful developments
 - supporting the local economy and future economic opportunities,
 - ensuring that development is accompanied by supporting infrastructure, such as new services and facilities, and
 - maintaining and enhancing the quality of life of residents and future generations.
- 1.3 The proposed **Spatial Strategy** and policies within this Local Plan respond to the issues and opportunities affecting the district, identified through detailed evidence being gathered or from previous stages of consultation, or by working with key stakeholders. The consultation into this draft Local Plan is an important stage in its development and any comments will help inform the next stage of the document to be published in the Summer of 2024.
- 1.4 Within the document, our policies are labelled as either 'Core' Policies (which are strategic policies) or, 'development' policies (which are non-strategic). The Core (or Strategic) Policies set out appropriate scales of development, and other key requirements to inform how development comes forward that are important for the district as a whole. The Development (or Non-Strategic) Policies provide a finer grain of detail and are generally more localised in their nature. Together, these policies will give the Council the basis upon which to shape how development comes forward to help meet the **Spatial Vision** and **Strategic Objectives**.
- 1.5 The Local Plan, once adopted, will form part of the statutory development plan for Uttlesford (see below) and will be used to inform decisions on planning applications across the district, unless material considerations indicate otherwise.

Background

- 1.6 The Council began work on a new Local Plan in 2020 when we published the issues and options consultation. This consultation closed on 21 April 2021, and sought views on the following main themes:
 - Where we live
 - Character and heritage
 - Climate change
 - Transport
 - Leisure, culture and healthy lifestyles
 - Biodiversity
 - Local economy
 - Homes, and
 - Creating new places.

- 1.7 The Council also set up a Community Stakeholder Forum (CSF) to seek local residents' and interested parties' views and ideas on these themes. The outcome of the consultation and workshops can be found in a separate consultation statement report available on our website¹. These comments were used to develop the **Spatial Vision** and **Strategic Objectives** of the plan and have fed directly into the Draft Local Plan (Regulation 18), i.e., this stage of the plan's preparation.
- 1.8 This Regulation 18 document sets out the Council's emerging draft Local Plan and preferred **Spatial Strategy** for consultation. We want people to engage fully in this process so that responses can be fed into the next key stage of the plan making process - the 'Publication' version of the plan, to be published in the summer of 2024 (known as the 'Regulation 19' process). It is envisaged that the Publication version of the plan will be submitted to Government at the end of 2024. So, this consultation in 2023, is a key opportunity to shape future sustainable growth in Uttlesford for its long- term future.
- 1.9 A Local Plan was previously submitted to the Secretary of State in 2019 but later withdrawn following concerns being raised by the Inspectors. The Inspectors letter is available on the Council website².
- 1.10 The Inspectors' main concerns regarding the withdrawn plan, included:
- not enough houses would be built in the early years of the plan – and we should allocate more small and medium sized sites to deliver early in the plan period
 - the number of new settlements continuing to be built beyond the plan period resulted in an inflexible long-term strategy – we should allocate fewer new settlements that extend beyond the plan period
 - costs, viability, and deliverability concerns – we should ensure that the plan is supported by work that demonstrates its deliverability, and
 - the Sustainability Appraisal (SA) did not assess an option with a smaller number of new settlements – we should ensure that the SA for this plan considers all reasonable alternative options.
- 1.11 The Inspectors also stated that the primary consideration for the Council would be to allocate more small and medium sized sites which could deliver homes in the short to medium term and help to bolster the 5-year housing land supply, until any new communities begin to deliver housing later in the plan period.

1 [UDC\(2021\)availableherehttps://www.uttlesford.gov.uk/Consultation-and-the-Community-Stakeholder-Forum](https://www.uttlesford.gov.uk/Consultation-and-the-Community-Stakeholder-Forum)

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

- 1.12 Given the Inspectors concerns over the plan submitted in 2019, it is particularly important the currently emerging Plan (the Local Plan 2041) is capable of being demonstrably sound and can be adopted without delay.

Why are we Producing a New Local Plan?

- 1.13 In addition to the reasons stated above, the Council's current Local Plan was adopted in 2005 and is undoubtedly now out-of-date. It is almost twenty years since the last plan was adopted. Since 2005, national policy and legislation has changed many times, including the introduction of the National Planning Policy Framework (NPPF) in 2012 and subsequent amendments, which substantially changed the Government's approach to planning. This new national policy includes a requirement to review and update Local Plans every five years.
- 1.14 Furthermore, a new approach to calculating housing need, the number of new homes required within a Local Authority area, was introduced, known as the 'standard methodology' in July 2018.
- 1.15 In the absence of an up-to-date Local Plan, the Council has much less control over planning for its district than is desirable and appropriate for it as a 'Place Maker' under planning legislation and regulation and the policy 'presumption in favour of sustainable development' will generally apply. This presumes that development proposals will be approved unless they are fundamentally contrary to national policy. Without an up-to-date Local Plan, the Council's ability to do the following is more restricted:
- develop, or use its own policies to influence development in the district, including, for example making an appropriate contribution to delivering affordable housing
 - develop, or implement its own strategy to shape development in the district, helping to ensure this is sustainable
 - influence the delivery of infrastructure, ensuring that proposals make an appropriate contribution to the right type of services and facilities that are needed in the district or being delivered in the right places – it's much more difficult to plan effectively for infrastructure where speculative and unplanned development comes forward in a piecemeal manner, and
 - ensuring that development makes an appropriate contribution to tackling climate change, delivering biodiversity net gain, and any other planning related policies the Council may wish to develop.

The Development Plan

- 1.16 The Local Plan 2041 prepared by Uttlesford District Council will be used to inform decisions on planning applications across the district, in conjunction with any Development Plan Documents (DPD's) relating to minerals and waste prepared by Essex County Council, and any Neighbourhood Plans prepared by the community.
- 1.17 These documents together make up the 'Development Plan' for the district (Figure 1.1). All planning applications will be determined in accordance with the 'Development Plan' taken as a whole, unless material considerations indicate otherwise.

- 1.18 The Development Plan for Uttlesford District includes the Essex Minerals Local Plan (MLP) and the Essex and Southend-On-Sea Waste Local Plan (WLP) prepared by Essex County Council as the Mineral and Waste Planning Authority (MWPA). These local plans set out the policy framework within which minerals and waste planning applications are assessed and explicitly require local planning authorities to consult the MWPA on all applications for non-mineral and non-waste related developments proposed within designated Mineral Safeguarding Areas, Mineral Consultation Areas and Waste Consultation Areas. This is to ensure those developments would not unnecessarily sterilise mineral resources or conflict and compromise the operation of permitted (and planned) minerals and waste developments and infrastructure.

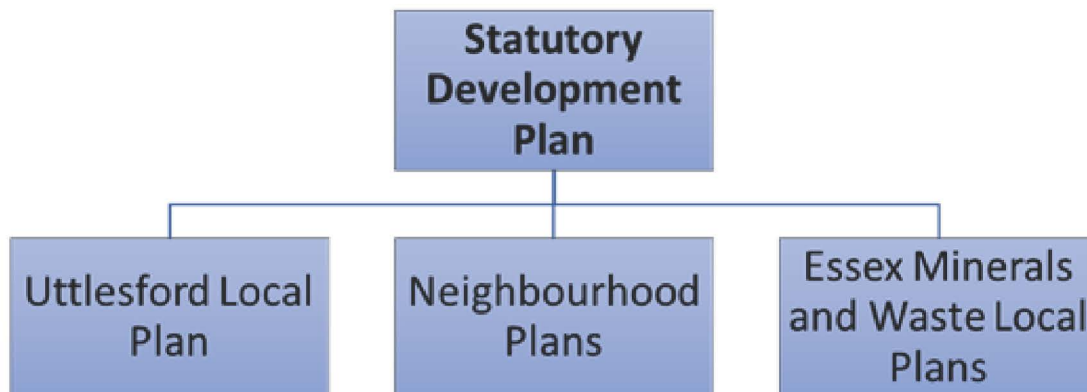


Figure 1.1: An illustration of the documents that make up the Uttlesford Development Plan

- 1.19 It is a legal requirement that Local Plans are monitored and reviewed regularly to ensure that they are kept up-to-date. Once the Local Plan has been adopted it will be reviewed every 5 years to ensure that the **Spatial Vision** and **Strategic Objectives** are being met.

Neighbourhood Planning

- 1.20 Neighbourhood Plans can be prepared by either Town or Parish Councils, or a Neighbourhood Forum and make up part of the 'Development Plan' for the district as described above. They can provide an important layer of planning for local areas and set out in more detail how a community wishes to see its area develop. There are currently 8 Neighbourhood Plans 'made' in Uttlesford for the following communities:

- Ashdon
- Felsted
- Great and Little Chesterford
- Great Dunmow
- Newport and Quendon & Rickling
- Saffron Walden
- Stebbing, and
- Thaxted

- 1.21 Where Neighbourhood Plans are prepared they must be in general conformity with the 'Strategic' policies set out in the Uttlesford District Local Plan 2021-2041 (these are referred to as 'Core Policies') in accordance with the Neighbourhood Planning (General) Regulations 2012³.
- 1.22 The Council will continue to support communities who wish to prepare Neighbourhood Plans. Details of how the Council can help with the preparation of plans are set out on the Councils website⁴. We encourage communities to consider this draft Local Plan, since being in conformity with it, will help to future proof their Neighbourhood Plans.
- 1.23 This Plan does identify 'housing requirement' figures for our Larger Villages and so there is an opportunity for these communities to take responsibility for planning for any 'non-strategic' (less than 100 homes) sites, if they wish to. This is discussed more in Chapter 8: Rural Area Strategy.

National Planning Policy

- 1.24 The NPPF sets out the Government's planning policies for achieving sustainable development and is complemented by the Planning Practice Guidance (PPG) which provides additional guidance for practitioners. The Framework sets out four elements of soundness that Local Plans are considered against when they are examined. To be sound, a plan must be:
- Positively prepared - The plan is based on a strategy which seeks to meet development and infrastructure needs
 - Justified – The plan is the most appropriate strategy when considered against reasonable alternatives, based on proportionate evidence
 - Effective – The plan is deliverable over its period and based on effective joint working on cross-boundary strategic priorities, and
 - Consistent with National Policy – The plan enables the delivery of sustainable development.
- 1.25 The Council is aware of potential and emerging national policy changes however notes that 'transitional arrangements' state that:
- Local Authorities have until 30 June 2025 to submit plans under the existing legal framework, and
 - Local Authorities have until 31 December 2026 for their plans to be adopted, with all independent examinations also having been completed by this point.

3 The Neighbourhood Planning (General) Regulations 2012, SI 2012/637
<https://www.legislation.gov.uk/uksi/2012/637/contents/made>

4 <https://www.uttlesford.gov.uk/article/4917/Community-led-planning>

- 1.26 Local Authorities are being actively encouraged by the Government to continue the preparation of Local Plans under the current framework, to ensure a smooth transition to the new system. The Council has committed to the preparation of a new Local Plan under the current system and to submitting this plan for examination prior to the deadline outlined above.

Statements of Common Ground

- 1.27 In developing the Local Plan, the Council has worked collaboratively with adjoining authorities, Essex County Council and other organisations (known as 'duty-to-cooperate' bodies) in responding to cross-boundary and strategic issues. This ensures the Council meets its 'Duty to Co-operate', which is a legal requirement of the plan making process. This collaboration has sought to resolve issues of a strategic nature and to ensure strategic priorities are coordinated and reflected in the Local Plan. The main matters addressed relate to transport, education, London Stansted Airport, and the recreational impact on Hatfield Forest.
- 1.28 Further details on the extent of collaboration can be found within the Statements of Common Ground, saved on the Council's website here⁵.

Sustainability Appraisal and Strategic Environmental Assessment

- 1.29 The Sustainability Appraisal (SA) process tests how the plan, its spatial strategy, allocated sites and policies achieve sustainable development. The concept of sustainable development was described by the 1987 Brundtland Commission Report as 'development that meets the needs of the present without comprising the ability of future generations to meet their own needs'⁶.
- 1.30 Under the Planning and Compulsory Purchase Act 2004 the SA process in respect of development plans is mandatory. 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). It is a legal requirement for the Local Plan to be subject to SA and SEA throughout its preparation but using a single appraisal process is appropriate.
- 1.31 The SA, incorporating the SEA, has been undertaken as an integral part of preparing this draft Local Plan and will assist with arrangements for monitoring and implementation at submission stage.
- 1.32 Full details of the iterative approach applied and the assessment outcomes can be found in the Interim Sustainability Appraisal Report of the Draft Uttlesford Local Plan (October 2023) .

5 <https://www.uttlesford.gov.uk/duty-to-cooperate> UDC Duty to cooperate paper
[uttlesfordreg18evidencebase.co.uk](https://www.uttlesford.gov.uk/duty-to-cooperate)

6 World Commission on Environment and Development, 1987, Our Common Future
<https://sustainabledevelopment.un.org/content/documents/5987our-common-future.pdf>
Plan (October 2023)

7 <https://www.uttlesford.gov.uk/article/4946/Sustainability-appraisal>
[uttlesfordreg18evidencebase.co.uk](https://www.uttlesford.gov.uk/article/4946/Sustainability-appraisal)

Habitats Regulation Assessment

- 1.33 The designation, protection and restoration of European wildlife sites is embedded in the Conservation of Habitats and Species Regulations 2017, as amended, which are commonly referred to as the ‘Habitats Regulations’. Importantly, the most recent amendments (the Conservation of Habitats and Species (amendment) (EU Exit) Regulations 2019) take account of the UKs departure from the EU.
- 1.34 The Local Plan should be assessed in accordance with the Habitats Regulations to consider whether the policies or proposals are likely to have a significant effect on any habitats or species protected under the regulations located in or close to Uttlesford.
- 1.35 Assessments will be published at each stage in the Local Plan process. This draft plan is accompanied by the first stage in the process - a Screening Assessment and can be found on our website⁸.

Evidence Base

- 1.36 The Plan is accompanied by a wide range of evidence to support its preparation. The evidence is proportionate to the scale and stage of the Plan, as advised by national planning policy and guidance. All evidential studies are available on the Council’s website⁹.
- 1.37 Further evidence will emerge following this consultation, and this will contribute to the next version of the Plan. Any changes to the Plan as a result of this consultation, or any new or revised evidence, will be clearly explained and justified at the next stage.

What Happens Next?

- 1.38 Following this consultation in Autumn 2023, we will review and take all comments submitted into account. Together with any further emerging evidence, and ongoing engagement, these views will help us to prepare the final version of the Plan that the Council wishes to submit to the Secretary of State (the Publication Version of the Plan). This will comprise the next stage of the plan’s preparation and will be published for a further six-week period (the Regulation 19 stage). At that stage, any comments received will be submitted to the Secretary of State, alongside the Plan and the supporting documents.
- 1.39 Regulation 19 is the formal consultation stage of the plan making process prior to it being submitted to the Government who will appoint an independent Planning Inspector to preside over an Examination into the Plan.
- 1.40 Should the Plan be “found sound” following its Examination it will be formally adopted and become part of the Statutory Development Plan for Uttlesford District Council.

• Issues and options	Completed
• Draft Local Plan (Regulation 18)	October 2023
• Submission Plan (Regulation 19)	Summer 2024
• Submission to Secretary of State	Winter 2024
• Examination	2025
• Adoption	Early 2026

⁸ <https://www.uttlesford.gov.uk/article/4937/Environment>

⁹ <https://www.uttlesford.gov.uk/localplanevidence>