

Uttlesford District Council

Uttlesford Local Plan

Inspectors Initial Questions

Introduction

This note flags up some initial questions we have that would benefit from early clarification. Dealing with these matters now should save time later. In answering these questions can the Council consider whether it might be necessary to advance any potential main modifications to the Plan.

Outstanding information/evidence

1. We note from the Council's letter accompanying the submitted Plan that work is taking place on preparing updated statements of common ground. Can you please confirm when these will be available.

Legal Compliance

2. Has the Plan been prepared in accordance with the Local Development Scheme?
3. Has the Plan been prepared in general accordance with the Statement of Community Involvement and public consultation requirements?
4. Have any significant concerns been expressed by interested parties about whether the Council has complied with the Duty to Cooperate in the preparation of the Plan?
5. Have any significant concerns been expressed by interested parties about the Sustainability Appraisal?
6. Have any significant concerns been expressed by interested parties about the Habitat Regulations Assessment?
7. Have any concerns been expressed about the Equality assessment?

Infrastructure

8. The annex to the Council's Infrastructure Delivery Plan (IDP) Update 2018 appears to contain lots of gaps in funding for some of the large critical infrastructure projects the Plan is predicated on. Of particular concern are those projects that are deemed to be critical, but currently have no known funding source and no information about when the infrastructure will be delivered. It seems that some of these projects are central to the overarching strategy of the Plan and in particular the delivery of housing and the Garden Communities. Could you please provide some more information or updates about any critical projects that do not currently have committed funding as well as the impact the failure to deliver the project would have on the delivery of the Plan and in particular the delivery of houses and jobs in the early years of the Plan.

Air Quality

9. National Planning Practice Guidance (NPPG)¹ says "Local Plans can affect air quality in a number of ways, including through what development is proposed and where, and the encouragement given to sustainable transport. Therefore in plan making, it is important to take into account air quality management areas and other areas where there could be specific requirements or limitations on new development because of air quality."
10. Given that Saffron Walden has an AQMA and that poor air quality is also experienced alongside the M11 and the A120, have the Council carried out an up to date baseline assessment of local air quality? If so can you please direct us to it.
11. The NPPG goes on to advise that "air quality is a consideration in Strategic Environmental Assessment and sustainability appraisal can be used to shape an appropriate strategy, including through establishing the 'baseline', appropriate objectives for the assessment of impact and proposed monitoring". Can the Council please point out where this has been done and where consideration has been given to the effect of development being promoted in the Plan on air quality, along with any mitigation.

Green Belt

12. Paragraph 3.121 of the Plan says that minor modifications have been made to the Green Belt boundary in relation to three of the General Areas to align with existing defensible boundaries. The National Planning Policy Framework (2012) states that "once established, Green Belt boundaries should only be altered in exceptional circumstances". Can the Council please direct us to where this analysis is and also where in the Plan the changes to the boundaries are illustrated. A Green Belt topic paper would be helpful in allowing us to understand this matter further.

General Matters

13. Do the Council have a running list of draft Main Modifications? If so, can you please provide a copy and place it on the examination website.
14. Since the Plan does not appear to have a title, can you please confirm that the base date of the Plan is 2011 and that it covers the period up to and including 2033?
15. Can the Council clarify the basis of the Examination? Should the Addendum of Focussed Changes be considered as part of the submitted plan?
16. Core Documents 400.20 and 400.25 provide a summary of responses/representations, but in line with the requirements of Regulation 22 (c) of the Town and Country Planning (Local Planning) (England) Regulations 2012 and paragraph 5.31 of the Council's Statement of Community Involvement (SCI), a summary of the main issues raised by the representations in relation to Regulation 20 should be provided. Where can

¹ Paragraph: 002 Reference ID: 32-002-20140306

this be found? Similarly, where can a summary of the main issues raised by the representations in relation to the Addendum of Focussed Changes be found? Is something missing from the end of page 50 of the Summary of Addendum Representations (Doc 400.25)? Are the details of all the respondents provided in the table?

17. Where can an explanation be found as to how the main issues raised by the representors at both stages above have been addressed/taken into account (as required by the SCI)? (Page 39 of the Legal Compliance Checklist suggests that this has been done).
18. Page 34 of the Legal Compliance check list refers to a SCI dated January 2018, where can a copy of this be found? What are the updates made to the SCI that are being consulted on (Jan to Feb 2019) and where are they explained? What is the timescale for the updated SCI consultation? How will the representations that may be received be considered?
19. The Planning and Compulsory Purchase Act 2004 requires the local planning authority to have regard to the sustainable community strategy in preparing a local plan. Where can a copy of this document be found? Has the Council had regard to the Sustainable Community Strategy in its preparation of the Plan? Where is the evidence for this?

Conclusion

20. An early response to the above queries would be appreciated. We are keen that the above matters are resolved, in so far as they can be, promptly in order to ensure that the examination is not unduly delayed. We therefore request a response by close of play on 25 February 2019. Also, as we are sure you are aware it is difficult to begin to organise hearings until the outstanding documents you refer to in your submission letter and any representations in relation to the updated sustainability appraisal have been received by us and we have had time to consider them.
21. If you have any queries regarding the above then we can be contacted via the Programme Office. A copy of this note and the Council's response should be placed on the examination website.

Louise Crosby & Elaine Worthington

Planning Inspectors

6 February 2019