



Uttlesford Local Plan 2021-2041 Examination

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Examination Webpage: [Uttlesford Local Plan Examination](#)

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Matters, Issues and Questions

Introduction

Following our reading of the evidence and the representations made on the Uttlesford Local Plan 2021-2041 (hereafter referred to as 'the Plan'), and having had regard to the responses by the Council to our initial questions (UTT3) we set out below more detailed matters, issues and questions on which we wish to hear further representations. Those representations can be submitted in writing or in person at the hearing.

Further information about the hearing and format of written statements is provided in the accompanying hearing schedule and guidance note, which should be read alongside these matters, issues and questions.

Participants should only respond to the questions which directly relate to the written representations they submitted to the Regulation 19 consultation on the Plan¹.

The Council has prepared schedules of main modifications (UTT1) and additional modifications (UTT2) that it has suggested could be made to the Plan in response to representations made to the Regulation 19 consultation. Participants may wish to comment on these in their hearing statements. The proposed modifications will also be discussed during the hearing.

¹ All references to regulations in this document are to the Town and Country Planning (Local Planning) (England) Regulations 2012

Matter 1: Legal Compliance

Preparation of the Plan needs to have met certain legal and procedural requirements as set out in the Planning and Compulsory Purchase Act 2004, the Town and Country Planning (Local Planning) (England) Regulations 2012, other legislation and national planning guidance.

Paragraph 234 of the National Planning Policy Framework of December 2024 sets out transitional arrangements for emerging plans. In response to one of our initial questions, the Council has confirmed that, having regard to those transitional arrangements, the version of the National Planning Policy Framework which it considers relevant for the purposes of this examination is that published in December 2023.

Q1 For the purposes of this examination, is the relevant version of the National Planning Policy Framework that published in December 2023?

Subject to any contrary view, when responding to the questions below all references to the National Planning Policy Framework should be to the December 2023 version (hereafter referred to as 'the Framework').

Q2 Has the Council engaged constructively, actively and on an on-going basis with all relevant authorities and prescribed bodies in developing the policies contained in the Plan?

Q3 Are there any outstanding issues with relevant authorities or prescribed bodies in respect of co-operation or other matters of legal compliance?

Q4 Have the policies in the Plan been appraised against economic, social and environmental objectives? Have reasonable alternative spatial strategies been considered as part of the Plan process? What reasons were there for not pursuing a new settlement? Why has the spatial strategy in the Plan been preferred?

Q5 Have the requirements for Strategic Environmental Assessment been met?

Q6 Are there any other matters of legal compliance that need to be addressed?

Matter 2: Spatial Portrait, Vision and Objectives, and Spatial Strategy

Issue 1: Spatial Portrait, Vision and Objectives

- Q1** What progress has Essex County Council made on adopting its Local Transport Plan (LPT4)? Does the Plan have regard to that emerging document? Are any changes required as a result?
- Q2** Has the owner of London Stansted Airport updated its Masterplan for ground-based transport activities?

Issue 2: Spatial Strategy

- Q3** Does the spatial strategy reflect the spatial vision and objectives?
- Q4** Are the strategic allocations identified in the spatial strategy deliverable during the Plan period?
- Q5** How effective is the Plan in delivering non-strategic allocations whose identification is tasked to neighbourhood plans? Is the timescale for that approach realistic? What appetite is there among communities to deliver such neighbourhood plans?
- Q6** What mechanism is there in the Plan for ensuring non-strategic sites are allocated in the event that neighbourhood plan(s) do not come forward?
- Q7** How has flood risk been taken into account in the location of development as part of the spatial strategy of the Plan?

Note: Flood risk will also be discussed as part of Matters 3 and 4.

Core Policy 1: Addressing Climate Change

- Q8** Does this and other policies in the Plan take a proactive approach to mitigating and adapting to climate change?
- Q9** Is it clear to what development the policy applies? Are its requirements proportionate to different scales of development?

Note: detailed policies relating to climate change will be discussed as part of Matter 4.

Core Policy 2: Meeting our Housing Needs

- Q10** Does the housing requirement in the Plan accord with a local housing need assessment conducted using the standard method as set out in national planning practice guidance?
- Q11** Has the Council been requested to meet any housing need arising within neighbouring areas to the district of Uttlesford?
- Q12** Is there an identified supply of housing that provides specific deliverable sites for the first five years following the intended date of adoption of the Plan?

- Q13 Are there specific developable sites or broad locations for housing for the subsequent years of the Plan period?**
- Q14 Is there a requirement for a buffer to account for recent past under delivery?**
- Q15 Does the planned housing supply provide an adequate buffer to cater for uncertainty in the delivery of housing over the Plan period?**
- Q16 Is there compelling evidence that windfall sites will form a reliable source of supply over the Plan period? How is the level of windfall dwellings per annum justified?**
- Q17 Does the Plan identify land to accommodate at least 10% of the housing requirement on sites no larger than 1 hectare?**
- Q18 Does the Plan accommodate different housing needs, including affordable housing, housing for the elderly and disabled, and self and custom build?**
- Q19 How realistic are the assumptions around housing supply in the housing trajectory?**

Note: detailed policies relating to affordable housing, supported and specialist housing, houses in multiple occupation and custom and self-build will be discussed as part of Matter 6.

Core Policy 3: Settlement Hierarchy

- Q20 Is the use of a settlement hierarchy an appropriate means of distributing development in the district?**
- Q21 On what basis have settlements been assigned to each of the settlement classifications? Is the assignment robust and justified?**
- Q22 Is the approach to defining larger settlement boundaries robust? Are these clearly shown on the Policies Map? Should settlement boundaries be established for smaller settlements?**

Core Policy 4: Meeting Business and Employment Needs

- Q23 Does the Plan support economic growth and productivity, taking account of both local business needs and wider opportunities for development?**
- Q24 Do the planned commercial, industrial and distribution allocations provide a sufficient buffer to take account of uncertainty in the delivery of such land over the Plan period?**
- Q25 Are the commercial, industrial and distribution allocations sustainably located? Do they accord with the vision and objectives of the Plan?**

- Q26 Does the Plan support the potential for growth in innovative, knowledge based and high technology industries?**
- Q27 Does the Plan recognise and support the sustainable growth of Stansted Airport?**
- Q28 Does the Plan support the development and diversification of rural businesses, including tourism?**

Core Policy 5: Providing Supporting Infrastructure and Services

- Q29 What supporting infrastructure is required to deliver the spatial strategy of the Plan? Is this infrastructure identified in the Plan? How and when would it be delivered?**
- Q30 Does the Plan set out the contributions expected from development towards the provision of infrastructure? How would these be calculated?**
- Q31 What progress has been made on the adoption of a Community Infrastructure Levy charging schedule and a supplementary planning document for Section 106 agreements?**
- Q32 Has the effect on viability of contributions towards infrastructure and other planning requirements been assessed? Would they individually or collectively undermine the deliverability of the Plan? What approach does the Plan take in cases where individual development proposals would be unviable because of infrastructure requirements?**

Matter 3: Area Strategies

Issue 1: North Uttlesford Area Strategy

Core Policies 6 – 9

- Q1 Does the area strategy align with wider planning objectives and constraints in the Cambridge region?**
- Q2 Is the ambition of significant modal shift away from the private car at Saffron Walden realistically deliverable? What are the implications of this for transport and related air quality challenges at Saffron Walden?**
- Q3 Is the achievement of cycling, walking and public transport access improvements at Chesterford Research Park realistically deliverable as part of the Plan’s strategic employment allocation?**
- Q4 Would additional traffic from the proposed strategic employment allocation at Chesterford Research Park have an adverse effect on the highway network, in particular M11 Junction 9a?**
- Q5 Is the boundary to Chesterford Research Park allocation justified and effective?**
- Q6 Is the planning for primary and secondary school provision for Saffron Walden clear and effective? Does it support the strategic housing allocation for the town?**
- Q7 Would the Strategic Housing Allocation in Saffron Walden deliver a significant amount of green infrastructure and public open space? What is meant by a potential country park?**
- Q8 Is the housing requirement figure for Newport justified? What evidence is there to show that the housing requirement can be met in this settlement?**
- Q9 Is safeguarding of land for a future section of link road between Thaxted Road and Newport Road justified?**

Issue 2: South Uttlesford Area Strategy

Core Policies 10-15

- Q10 Is the site selection process and evidence base for the strategic housing allocation at Great Dunmow justified and effective, including flood risk and impact on heritage assets?**
- Q11 Are the site allocations in locations that are or can be made sustainable through limiting the need to travel and offering a genuine choice of transport modes?**
- Q12 What improvements are being made to Junction 8 of the M11? Will development proposed in the Plan give rise to any unacceptable impacts on highway safety? Would the residual cumulative impacts on the road network be severe?**

- Q13** Should the transport hub at the airport cater for non-airport related connections as well as airport-related movements?
- Q14** Would it be more effective to separate aerodrome safeguarding from operational matters?
- Q15** Is the operational area boundary for the airport accurate? What is the purpose of the ancillary airport uses designation and is it effective?
- Q16** Is the approach to airport-related car and cycle parking justified and effective?
- Q17** Is the London Stansted Airport Countryside Protection Zone justified and effective? What purpose does it have in addition to other designations in the Plan? Are the changes to the boundary of the zone justified?
- Q18** What transport enhancements are proposed at the mobility hubs in Little Canfield and on land south of the A120? How would they operate?
- Q19** How would the active travel corridor through the Takeley strategic site and connecting with London Stansted Airport operate? In what way would it promote opportunities for sustainable travel choices? How would it be delivered?
- Q20** Does the strategic housing allocation at Takeley take into account heritage assets?
- Q21** How deliverable are the proposals for country parkland at Great Dunmow and public open space at Takeley? How would they be provided and maintained? Are such facilities justified and effective?
- Q22** Is Hatfield Forest designated under the Habitats Regulations? What status does it have in terms of ecological importance? What role should the Plan have in mitigating recreational pressure on the Forest? Is the approach being discussed between neighbouring authorities likely to be effective?
- Q23** Would development at Land north of Taylors Farm employment allocation have an adverse impact on air quality of Hatfield Forest?
- Q24** Is the intention to use Flich Way for active travel compatible with other policies in the Plan, in particular those relating to ecology and the environment?

Issue 3: Stansted Mountfitchet and Elsenham Area Strategy

Core Policies 16-18

- Q25** Does the location of the Water Circle Estate, Gaunts End, Elsenham employment site allocation accord with the spatial strategy, in

particular accessibility and access to sustainable modes of transport?

- Q26 Is safeguarding land adjacent to Forest Hall secondary school to facilitate its expansion consistent with national Green Belt policy? Is the need for such a designation justified?**
- Q27 Is the allocation of land at Elsenham for educational purposes justified and effective?**
- Q28 Have potential impacts of development on transport networks been addressed? Does the proposed transport infrastructure support opportunities to promote sustainable forms of movement?**
- Q29 Is the open space provision in the Walpole Meadows North allocation justified?**

Issue 4: Thaxted and the Rural Area Strategy

Core Policies 19-21

Development Policies 1-5

- Q30 In the absence of an Area Strategy Map Figure, is there clear illustration of Thaxted and the Rural Area for users of the Plan to refer to?**
- Q31 Is the approach to Thaxted of having no strategic or non-strategic allocations justified?**
- Q32 Is the identification in the Sustainability Appraisal of constraints on development at Thaxted, in terms of potential (2 form entry) primary school expansion and associated impacts in terms of heritage, landscape and aircraft noise, robustly evidenced and clearly articulated?**
- Q33 Is it clear that Thaxted is a comparatively less sustainable location as a settlement within Uttlesford?**
- Q34 Are the housing requirement figures for Larger Villages justified? What evidence is there to show that the housing requirements can be met in these settlements?**
- Q35 Is using settlement rather than parish areas an appropriate methodology for distribution of development?**
- Q36 In Development Policy 2 criterion ii) what is meant by architectural or historical merit and how would it restrict replacement dwellings in the open countryside?**
- Q37 Would removing permitted development rights for domestic outbuildings be consistent with national policy on the use of conditions?**

Matter 4: Climate Change, Transport and the Environment

Issue 1: Climate Change

Core Policies 22 – 25

Core Policy 22: Net Zero Operational Carbon Development

- Q1 Are the standards of development required by this policy consistent with national policy, including the December 2023 Written Ministerial Statement 'Planning - Local Energy Efficiency Standards Update', and justified?**
- Q2 Is the requirement for fossil fuel free development consistent with national policy?**
- Q3 Is the absence of a Target Emissions Rate (TER) metric in this Plan policy consistent with national policy and justified?**
- Q4 Is the proposed Energy Use Intensity (EUI) limits requirement in this Plan policy justified and effective?**
- Q5 Have the implications of these standards of development for housing delivery, viability and affordability been robustly assessed?**
- Q6 Is the requirement for post-completion monitoring justified and effective?**
- Q7 What is meant by the term 'expected' in relation to net zero development for extensions and conversions?**

Core Policy 23: Overheating

- Q8 Is the requirement to integrate the cooling hierarchy into design consistent with national policy, including the Written Ministerial Statement UIN HCWS495 dated 15 December 2021?**
- Q9 Is it sufficiently clear what is meant by 'the cooling hierarchy'? Should it apply to all development proposals?**
- Q10 Will encouragement to use the specified CIBSE standards be effective?**

Core Policy 24: Embodied Carbon

- Q11 Are the embodied carbon standards for development consistent with national policy?**
- Q12 Is there sufficient embodied carbon data on which to base Whole Life Carbon Assessments for them to be an effective tool to help minimise embodied carbon in new developments?**
- Q13 Have the implications of the embodied carbon standards for housing delivery and viability been robustly assessed?**

Issue 2: Transport

Core Policies 26 – 32

- Q14** Is the requirement for all strategic developments to provide a shared mobility scheme justified and proportionate, particularly for smaller strategic allocations?
- Q15** What is the purpose of a Transport Related Carbon Emissions Quantification Statement? Is it a policy or a procedural requirement? How would it influence development proposals?
- Q16** Is it clear how development should contribute towards highway mitigation or improvement? Is it necessary to require a construction management plan as part of the policy or is that more appropriately addressed through conditions?
- Q17** Does cycle storage need to be located in a prominent position to be accessible? Are there any other requirements regarding cycle storage that should be included?
- Q18** Does the policy on parking standards need to address the issue of off-airport related parking? What approach should be taken?
- Q19** Is the requirement for all major development to deliver an electric car club scheme proportionate and justified?
- Q20** Is the requirement to maximise the provision of electric vehicle charging points sufficiently clear? Is it consistent with the requirements under Building Regulations and national policy?
- Q21** Is there any discrepancy between Essex County Council parking standards and the Uttlesford Design Code? If so, how is this resolved in the policy?

Issue 3: Environment

Core Policies 33 – 44

- Q22** Would the quantity of development proposed in the Plan worsen water stress, reduce flows in watercourses or result in greater abstraction from the chalk aquifer?
- Q23** Are the proposed water efficiency standards consistent with national policy and justified? Are they a requirement for new development or optional? Do they also apply to refurbishment or changes of use?
- Q24** Is water and sewage infrastructure capacity a constraint on development?
- Q25** Is the Plan effective in reducing or avoiding the risk of flooding to new development? Where development has to be in an area at risk of flooding, would it be safe for its lifetime and avoid increasing flood risk elsewhere?

- Q26 Is the requirement for an endowment sum in relation to green and blue infrastructure justified?**
- Q27 What justification is there for requiring biodiversity net gain in new development greater than that required by the Environment Act 2021? How is the proposed minimum requirement of 20% biodiversity net gain arrived at? Would such a level affect the viability of development?**
- Q28 Is it realistic to expect development to enhance local landscape character? Is this requirement consistent with the remainder of the policy for landscape character?**
- Q29 Is it sufficiently clear when development will not be permitted in relation to air quality?**

Matter 5: Economy and Retail

Core Policies 45 – 50

Development Policies 6-7

- Q1** What is the purpose of introducing a presumption in favour of employment uses for sites with an extant or part-implemented planning permission and sites where permission has lapsed within the past 3 years? What does this add to the general approach to safeguarding employment land for appropriate uses?
- Q2** Are the existing employment sites soundly identified? Do the boundaries reflect current employment uses? Should the publicly accessible employment sites adjacent to Stansted Airport be so designated?
- Q3** What constitutes the 'exceptional circumstances' for new employment development on unallocated sites? Is the policy clear what these circumstances are and when they would apply?
- Q4** For new employment development on unallocated sites, what is meant by 'acceptable'? Is that term sufficiently clear?
- Q5** What has informed the development size thresholds for requiring an employment and skills plan? Is such a plan required in all circumstances?
- Q6** What justification is there for limiting Class E flexibility in the approach to retail and main town centre uses? Is that approach consistent with national policy on the use of conditions?
- Q7** What is the purpose of a health impact assessment? Is the requirement for such a document a policy or a procedural matter?

Matter 6: Building Healthy and Sustainable Communities

Issue 1: Design, Residential Standards and Dwelling Types

Core Policies 52 – 58
Development Policy 9

- Q1** What evidence is there to justify imposition of optional technical standards for accessible and adaptable housing?
- Q2** Is the approach towards minimum standards of internal space justified and consistent with national policy?
- Q3** Has the need for affordable housing been justified by evidence? What is that need and would the Plan meet it in full or in part?
- Q4** Is the proportion of affordable housing within a scheme based on net or gross development? Is it applicable to all forms of major residential development, including specialist housing for the elderly and custom and self-build housing?
- Q5** Is the proportion of affordable housing sought viable for most types of housing development, both by itself and also in combination with other planning requirements in the Plan?
- Q6** Is it clear in what exceptional circumstances off-site provision or a financial contribution in lieu would be appropriate?
- Q7** Is the tenure mix justified by evidence? Why is the exact tenure split to be a matter for negotiation when the need for affordable housing in the District is most effectively met through the specified tenure split? Is the requirement for different tenures consistent with national policy?
- Q8** Should there be greater flexibility in the clustering of affordable housing with a housing development?
- Q9** What is meant by a 'continuous frontage of or concentration of' houses in multiple occupation or conversions?
- Q10** How is demand for custom and self-build housing calculated? Will the approach to providing land for custom and self-build housing meet the demand?
- Q11** Is the requirement for a proportion of custom and self-building plots to be provided in large housing developments justified?

Issue 2: Other Environmental Policies

Core Policies 59 – 70

- Q12** Are the proposed changes to the Green Belt boundary fully evidenced and justified such that they amount to exceptional circumstances?

- Q13 Is there robust evidence of the need for gypsies, travellers and travelling show peoples' accommodation over the Plan period?**
- Q14 What progress has been made on the emerging Gypsy and Traveller Accommodation Assessment (GTAA)?**
- Q15 Does the Plan identify sufficient locations to address the accommodation needs of gypsies, travellers and travelling show people?**
- Q16 Is there a realistic prospect of early review of Gypsy and Traveller site supply and demand?**
- Q17 Should the requirement for a heritage statement also apply to non-designated heritage assets?**
- Q18 Does the Plan provide appropriate protection for historic parks and gardens within the Local Plan?**
- Q19 Does the Plan provide sufficient guidance on introducing energy efficiency and renewable energy measures in relation to development affecting heritage assets?**
- Q20 Is the approach to archaeological assets in the Plan consistent with national policy? Does it distinguish between designated and non-designated archaeological assets?**
- Q21 Is the supporting text in paragraph 11.85 consistent with the approach to balanced judgement described in paragraph 209 of the National Planning Policy Framework (December 2023)?**
- Q22 Is the range of developments requiring a Health Impact Assessment justified and effective? Is the scope and purpose of a Health Impact Assessment sufficiently clear?**
- Q23 Is the approach to new open space, sports and recreation provision in the Plan appropriate to address needs for such facilities in the area?**
- Q24 Is it sufficiently clear what is meant by the term 'community uses'? What information is expected if a community facility is no longer viable?**

Matter 7: Monitoring, Implementation and Appendices

Core Policy 71

Appendices 1 - 19

- Q1 How will unallocated sites intended to be identified through neighbourhood plans be monitored?**
- Q2 Is it clear that the maps in the appendices are for illustrative and figurative purposes and do not supplant the Policies Map?**
- Q3 Are all of the Uttlesford Local Plan 2005 policies intended to be superseded?**
- Q4 Are the allocation boundaries to the Chesterford Research Park accurate?**
- Q5 Do the site development templates reflect their intended purpose and are they effective? Do they require further clarification and explanation? Are such matters main or additional modifications to the submitted appendices?**
- Q6 Does development need to make a contribution towards the improvement of Flich Way. Is it clear if or when that is required?**
- Q7 Would the employment allocation at Canfield have any effect on Highwood Quarry?**
- Q8 Is further clarification required for site A in Stansted Mountfitchet in relation to access and open space?**
- Q9 Is further clarification required for site B in Stansted Mountfitchet in relation to education facilities?**
- Q10 Are assessments on minerals resources or waste infrastructure necessary for any of the allocated sites? What would be the purpose of those assessments? Would they be material to the principle of development on any of the allocated sites?**
- Q11 Are the London Stansted Aerodrome Safeguarding Zones and Public Safety Zones expected to be updated during the course of the Plan period? If so, how would that affect the maps in appendices 5 and 6?**
- Q12 Should the definition of 'major development' accord with that used in the Framework?**