



## Uttlesford Local Plan 2021-2041 Examination

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

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### Initial Comments and Questions to the Council

Based on our reading of the evidence and representations made to the Regulation 19 consultation<sup>1</sup>, we set out below a number of initial comments and questions for the Council. The responses will help us in identify the matters and issues that need to be examined further.

#### Definitions

For the purposes of the examination it is necessary to understand what constitutes the Regulation 22 submission Uttlesford Local Plan 2021-2041 (hereafter referred to as the Plan).

#### **Q1 Does the submission Plan comprise documents ULP1 (Regulation 19 Local Plan Document), ULP2 (Regulation 19 Local Plan Appendices) and ULP3 (Regulation 19 Local Plan Site Development Templates)?**

The submission Policies Map is not subject to examination although it is a requirement that it illustrates geographically the application of the policies, and it is therefore of relevance to the soundness of the Plan. Regulation 9 refers to the Policies Map in the singular. The map can consist of more than one part (including inset maps) that together provide coverage of the district, but overlapping parts should be avoided.

We note that a number of maps are included in the core documents (ULP4 – Local Plan Full Policies Map and ULP4.1 – Local Plan Policies Map by Settlement), as well as other maps in the Plan and its appendices (ULP1, ULP2 and ULP3). It is necessary to understand which of these constitutes the submission Policies Map, and which other maps are for illustrative or figurative purposes only.

#### **Q2 Which document constitutes the submission Policies Map?**

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<sup>1</sup> All references to regulations are to the Town and Country Planning (Local Planning) (England) Regulations 2012

### Strategic and non-strategic policies

Strategic policies in the Plan should be limited to those necessary to address the strategic priorities of the district. They should not extend to detailed matters that are more appropriately dealt with through non-strategic policies or neighbourhood plans. We note that strategic policies are labelled as core policies in the Plan, but those core policies include a wide range of matters, many of which deal with detailed matters rather than being primarily concerned with setting out the overall strategy for the quantity and distribution of new development. We consider the Council should give further thought to the identification of strategic and non-strategic policies.

#### **Q3 Which of the core policies in the Plan are necessary to address the strategic priorities of the district?**

### Recommending modifications

Section 20 of the Planning and Compulsory Purchase Act 2004 allows the Council to request us to recommend modifications to the Plan to make it legally compliant and sound in the event that we find it is not so. If that request is made, then Section 23 of the Act requires that any modifications we recommend must be incorporated into the Plan. If the Council does not request us to recommend modifications, then our conclusion will be either that the Plan should be adopted or that it should not.

#### **Q4 In the event that we find them to be necessary, does the Council wish us to recommend modifications to make the Plan legally compliant and sound?**

### Revised National Planning Policy Framework

A revised version of the National Planning Policy Framework (the revised Framework) was published on 12 December 2024. Transitional arrangements apply where plans meet the exceptions set out in paragraph 234 of the revised Framework. In such cases a plan will be examined under the relevant previous version of the Framework. Please will the Council confirm its view on whether transitional arrangements apply to the Plan.

#### **Q5 Do transitional arrangements set out in paragraph 234 of the revised Framework apply to the Plan?**

#### **Q6 If that is the case, what does the Council consider to be the relevant previous version of the Framework for the purposes of the examination?**

### Duty to Cooperate

We note from the Duty to Cooperate Topic Paper (OTH1) and its addendum (OTH2) that a number of statements of common ground are still awaiting completion or clarification. These include statements of common ground with Network Rail, Essex County Council, the Environment Agency, Manchester Airport Group/Stansted Airport Limited, National Highways and the National Trust. Please update us on progress on these statements.

**Q7 Has there been any progress on the outstanding statements of common ground?**

Natural England has queried the effect of air quality on Hatfield Forest. We note that further information is awaited in the form of an Environmental Impact Assessment as part of a planning submission on the strategic employment site on Land North of Taylors Farm, Takeley. Although not explicitly stated, we assume the outstanding memorandum of understanding referred to in Appendix 2 of the Duty to Cooperate Topic Paper Addendum Report (OTH2.2) is also with the developer of this site. Please update us with progress on the application and any subsequent discussions with Natural England.

**Q8 Has there been any further statement of common ground with Natural England or a memorandum of understanding with the developer of Land North of Taylors Farm?**

Clarification

Clarification is requested for the following matters:

**Q9 Is the submission Plan (ULP1, ULP2 and ULP3) the same as that used in the Regulation 19 consultation?**

**Q10 Has the schedule of proposed modifications (ULP7) been subject to any consultation?**

**Q11 Has the Council adopted a Statement of Community Involvement? If so, was the Regulation 19 consultation carried out in a manner consistent with it? Have any concerns been expressed about the process of commenting on the Plan (as distinct from the Plan itself)?**

**Q12 Would the Plan have any significant adverse effect on sites of ecological importance as defined in the Conservation of Habitats and Special Regulations 2017, which cannot be adequately mitigated? Has any concern been raised by Natural England in relation to the Habitats Regulations Assessment (ENV1)?**

**Q13 Has due regard been given to the aims set out in Section 149 of the Equality Act 2010 to advance equality of opportunity for those with protected characteristics? What evidence is there to show this duty has been met?**

**Q14 Has a sequential, risk-based approach been taken to the location of development in the Plan in relation to flood risk? If so, what evidence is there to show that such an approach has been used in the allocation of sites in the Plan?**

**Next Steps**

We are not at this stage seeking views from anyone other than the Council. Following receipt of answers to our initial questions we expect to circulate a Matters, Issues and Questions paper, identifying the points on which we wish to hear further evidence. Those who made representations at the Regulation 19 stage

will be informed of that paper and the date and time of any hearing sessions. A guidance note will accompany the paper providing advice on how the Council and representors may participate either in writing, or in person, at a hearing.

We would be grateful for a response by 14 February 2025.

*Guy Davies and William Cooper*

INSPECTORS