

EXTRAORDINARY COUNCIL held at COUNCIL CHAMBER - COUNCIL OFFICES, LONDON ROAD, SAFFRON WALDEN, CB11 4ER, on TUESDAY, 30 JULY 2024 at 7.00 pm

Present: Councillor M Foley (Chair)
Councillors M Ahmed, A Armstrong, H Asker, G Bagnall, S Barker, N Church, M Coletta, A Coote, C Criscione (Vice-Chair), J Davey, A Dean, B Donald, G Driscoll, J Emanuel, J Evans, C Fiddy, R Freeman, R Gooding, N Gregory, N Hargreaves, R Haynes, P Lees, M Lemon, J Loughlin, T Loveday, S Luck, D McBirnie, J Moran, E Oliver, R Pavitt, A Reeve, N Reeve, B Regan, G Sell, R Silcock and M Tayler

Officers in attendance: P Holt (Chief Executive), B Ferguson (Democratic Services Manager), D Hermitage (Strategic Director of Planning) and N Katevu (Monitoring Officer and Head of Legal Services)

Also present: Cllr P Barber (Takeley Parish Council), W Critchley, A Evans, Cllr S Gill (Clavering Parish Council, statement read out by the Vice-Chairman), H Johnson, J Johnson, Dr G Mott (Elsenham Parish Council), V Thompson and Cllr A Townsend (Great Hallingbury Parish Council).

C26 CHAIR'S INTRODUCTION

The Chair opened the meeting and explained the procedure he was intending to follow in respect of the debate. He asked the Monitoring Officer to provide advice on declarations of interest and participating in the meeting. A copy of the Monitoring Officer's statement has been appended to the minutes.

C27 PUBLIC SPEAKING

The Chair said he had extended the public speaking session to 30 minutes due to the importance of the Local Plan and the level of interest in respect of the item. He said a number of written representations had been circulated with members and would be appended to the minutes.

The following people addressed Council and their statements have been appended:

- William Critchley
- Jean Johnson
- Allison Evans
- Geoff Bagnall
- Cllr Alan Townsend (Great Hallingbury Parish Council)
- Cllr Stephanie Gill (Clavering Parish Council, statement read out by the Vice-Chairman)
- Dr Graham Mott (Elsenham Parish Council)

- Hannah Johnson
- Vincent Thompson
- Cllr Patricia Barber (Takeley Parish Council)

C28 **APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillors Martin and Sutton.

Councillors Barker, Gooding and Foley declared a non-registrable interest as members of Essex County Council.

Councillor Evans declared a non-registrable interest as a current planning application (UTT-23-2496-FUL) relating to a site adjacent to his home had been included in the Call for Sites exercise. However, these had not been included in either the Regulation 18 or Regulation 19 versions of the draft Local Plan.

Councillor Criscione declared a non-registrable interest as a member of the Essex County Traveller Unit.

Councillor Church made a non-registrable interest as he owned land that had been included in the Call for Sites exercise but had not been included in either the Regulation 18 or Regulation 19 versions of the Local Plan.

The Chair asked Councillor Bagnall to leave the meeting as he had been advised by the Monitoring Officer that he had a non-registrable interest and would not be able to take part in either the vote or the debate on the Local Plan item.

Councillor Bagnall left the room at 7.58pm.

C29 **UTTLESFORD LOCAL PLAN 2021 - 2041 (REGULATION 19) SUBMISSION VERSION**

Councillor Evans presented the report regarding the Local Plan Regulation 19 Submission Version, which provided an overview of the Regulation 19 version of the Local Plan and the next steps subject to approval. He moved the proposal set out in the report.

Councillor Hargreaves seconded the proposal.

The Chair said notice of an amendment had been received from Councillor Sell; he invited Councillor Sell to propose the amendment.

Councillor Sell proposed his amendment as set out in the supplementary pack. He said the Local Plan before members was not sound and he questioned the Plan's sustainability due to a third of the proposed housing being allocated in one settlement. He said the amendment was modest in the face of the "urban sprawl" to be created down the B1256. This coupled with the pollution and congestion residents would face in the area amounted to excessive

development. He urged members to support the amendment and called for a recorded vote.

Councillor Dean seconded the amendment and reserved his right to speak.

Councillor Moran said he welcomed the amendment but could not support it as he believed the Local Plan was flawed.

The Leader said she was not surprised by the amendment but was disappointed as the proposer had been present at the Local Plan Panel (LPP) meetings when evidence was discussed and was aware of the reasoning behind the allocations. She said modifications could be undertaken by the Inspector at the examination stage and it was important that the Local Plan progressed. She said the administration had provided the necessary political leadership to drive the Local Plan but officers had been fully independent in their evidence gathering. She said all members wanted to do what's best for residents and the policies contained within the Local Plan, such as the affordable housing policy, would go a long way in controlling development in the district. In her ward of Elsenham, she said 1500 houses had been built with no infrastructure due to speculative development; it was imperative to have a Local Plan in place. She thanked officers and members of the LPP, who had provided a robust point of challenge throughout the process, for their hard work. She urged members to reject the amendment.

Councillor Freeman said he was disappointed with the amendment as Councillor Sell was an active member of the LPP and this should have been brought forward at an earlier point in the process. He said this was a "wrecking amendment" which, if passed, would leave residents across the district without a fit for purpose Local Plan and open to speculative development. He urged members to reject the amendment.

Councillor Barker said she was unable to support the amendment as she was not content with the Local Plan as a whole. She said there would be significant pressure on the settlements of Takeley and Great Dunmow and asked why smaller settlements were not considered for more housing allocation. She also questioned the Council's engagement with the villages which had a neighbourhood plan in place.

Councillor Dean said a new Government policy on planning development had just been made and it would be sensible to pause the Local Plan process. He said the proposed Local Plan would create an urban sprawl between Takeley and Little Canfield and the process in making the Local Plan had been far from satisfactory. He urged members to support the amendment and pause the Local Plan process.

Councillor Evans, proposer of the original motion, was given right of reply before members voted on the amendment. He said he had received advice that the Government's announcement drove the need to put a Local Plan in place as there could be a prospective increase in housing if the council did nothing. He said there was no evidence nor reason to delay the process and reiterated that a pause would be an unjustified risk. He urged members to reject the amendment.

The Chair called a recorded vote:

COUNCILLOR	FOR/AGAINST/ABSTAIN
Cllr Ahmed	Against
Cllr Armstrong	Against
Cllr Asker	Against
Cllr Barker	Against
Cllr Church	Against
Cllr Coletta	Against
Cllr Coote	Against
Cllr Criscione	Against
Cllr Davey	Against
Cllr Dean	Against
Cllr Donald	Against
Cllr Driscoll	Against
Cllr Emanuel	Against
Cllr Evans	Against
Cllr Fiddy	Against
Cllr Freeman	Against
Cllr Gooding	Against
Cllr Gregory	Against

COUNCILLOR	FOR/AGAINST/ABSTAIN
Cllr Hargreaves	Against
Cllr Haynes	Against
Cllr Lees	Against
Cllr Lemon	Against
Cllr Loughlin	For
Cllr Loveday	Against
Cllr Luck	Against
Cllr McBirnie	Against
Cllr Moran	Against
Cllr Oliver	Against
Cllr Pavitt	Against
Cllr Alex Reeve	Against
Cllr Neil Reeve	Against
Cllr Regan	Against
Cllr Sell	For
Cllr Silcock	For
Cllr Tayler	Against
Chair (Cllr Foley)	Abstain

The amendment was defeated with 4 votes for, 31 against and 1 abstention.

The Chair returned debate to the substantive motion.

Councillor Alex Reeve commended the Local Plan and said he was pleased with the policies contained therein. He said Uttlesford was a unique place to live and praised the local and traditional architecture. He said the Design Code would ensure that development would be made in keeping with settlements existing character.

Councillor Church said this would amount to speculative development in Great Dunmow and Takeley. He said he wanted to propose a pause in order to consider garden communities in the district.

Councillor Freeman said this was the best draft Local Plan the district had ever produced. He commended the expert officers who had worked on the document and praised the modern homes that would be built under the Plan. These homes would be well insulated and designed for modern living. He said the policies contained in the Local Plan were outstanding and, if passed, developers would be bound by them. He urged members to support.

Councillor Moran said members from the north of Uttlesford must be relieved due to the lack of housing allocated there. He said Takeley had taken the brunt of the numbers. He questioned why there was so few houses proposed in the north, and why the smaller villages had not been allocated housing, particularly social housing. He said the transport strategy was flawed if it was reliant on electric bicycles, which could be expensive. He said the Local Plan was flawed and put too much pressure on the south of the district, without equally distributing the gains such as affordable homes and infrastructure.

Councillor McBirnie said the north of the district had not escaped speculative development; Saffron Walden had seen an increase in development without the required infrastructure. This infrastructure deficit was due to the failure of previous administrations in making a fit for purpose Local Plan. He said the decision before members was not only regarding housing numbers but also the policies that would assist the district in controlling development and ensuring that the necessary infrastructure and community facilities were delivered along with housing. He said the Local Plan was not perfect for everyone, but the alternative was one of houses being built anyway, just without the accompanying infrastructure the district needed.

Councillor Sell said he was saddened that so much speculative development had occurred in recent years, but he was not prepared to see a Local Plan approved at any cost. He said it was perverse to be discussing the Local Plan on a day that the Government had announced revisions to the National Planning Policy Framework (NPPF). He said he had made his concerns clear throughout this process and that the council had been pushed by the timetable. He said he was not persuaded and a vote against the Local plan was in effect a vote for deferral.

Councillor Fiddy said she spoke to lots of people who could not afford to live in Saffron Walden and a housing mix of 2 and 3 bedroomed houses were needed for younger families. The housing mix would be controlled by an adopted Local Plan. Furthermore, she was proud of the policies relating to transport and environmental issues, particularly the active travel policy that encouraged cycling and walking.

The Chair informed the meeting that consent would be required to continue the meeting beyond the two-hour mark; Council consented.

Councillor Criscione said the reality was that the majority of development forecast in the Local Plan had already been permitted; nevertheless, the council had to play the hand it was dealt. There had been great pressure on the council to produce a Local Plan to such a tight timetable. He said any delays would threaten the district's 5-year land supply and it was important that a Local Plan was adopted as soon as possible to prevent speculative development. He said planning for growth was imperative. He questioned the viability of allocations at great Dunmow and Takeley and the policy in relation to traveller communities; it was not right that communities were being clustered in the 21st century. He said the Local Plan was much more than housing allocations and pointed towards the affordable housing, environmental standards and design code policies. He cited Edmund Burke and said it was important that members used their own judgement in making a decision which would be best for the district. He urged members to support the proposal and proceed to consultation.

Councillor Armstrong said he was concerned about the allocation of housing in Church End, Great Dunmow. However, he had remained open minded and, having heard the debate, was minded to support the Local Plan. Overall, this was a Local Plan for the entire district with commendable policies.

Councillor Neil Reeve said he supported the Local Plan and he was pleased with the "green, golden thread" running through the document. He was particularly pleased with the 20% bio-diversity net gain and carbon positive buildings policies. He said he did not like everything, such as access to the employment site on the A120 roundabout, and he hoped these issues would be fixed following the consultation and examination. He said the number of dwellings was imposed by Government but the policies within the Local Plan could deliver the housing mix the district required. He said this Local Plan was the best option available and a vote against was a vote against the policies within the draft Local Plan.

Councillor Emanuel said the NPPF was fluid and the national planning landscape would not stay still long enough to build a Local Plan around it. She said the policy vacuum had led to speculative development without the needed infrastructure; a Local Plan was required to control development. She said there were 6000 dwellings in the draft Local Plan that would be developed over a seventeen-year period, resulting in 352 a year. She had seen more houses permitted during a single Planning Committee. The Local Plan would evolve with changing circumstances and local councils would have an opportunity to suggest changes if the Plan proceeded to consultation. She said neighbourhood plans could be utilised by local councils to protect green spaces and views and

determine where development could come forward. She said the Local Plan was evidenced based and she urged members to support the proposal.

Councillor Coote said he had waited a long time for an affordable housing policy that would provide better and more social housing. He said one out of four homes to be built in the district would be made social or affordable, and that the 40% affordable housing target had never been achieved. He commended the officers for their work and he was greatly impressed with the document. He said he was disappointed with the Conservative group as he felt a Local Plan could have been produced together and he had personally offered to help with their concerns. He said this was political opportunism.

Councillor Hargreaves said infrastructure and services, such as a doctor's surgery, would accompany development in Takeley and such services would help engender community. He spoke on the issues in Newport, whereby 300 homes would be built under the neighbourhood plan, which was a challenge. He urged people with concerns to put forward such comments during the consultation. He said if he was in the opposition he would be supporting the Local Plan as any future administration would benefit from having a sound Local Plan in place to benefit the district.

Councillor Evans was invited to summarise as proposer of the recommendation. He said it was vital that a Local Plan was in place in order to protect against speculative development. He reiterated the advice that any amendments to the NPPF would not apply if the Local Plan was progressed to the agreed timetable and it was a risk to pause. He said the garden community suggestion was not justified as there was too much risk. The Countryside Protection Zone had been enlarged since Regulation 18. Housing in the smaller villages could be achieved by neighbourhood planning. In regard to infrastructure, he said this had been done in tandem with experts and studies, and evidence had been followed. He read out the proposal.

The Chair called for a recorded vote.

Councillor Church called a point of order and wanted a right of reply to Councillor Coote's earlier comments.

The Chair said this was not in order but would check the recording to see if there were any issues that needed to be resolved post meeting.

The Chair proceeded to the vote:

COUNCILLOR	FOR/AGAINST/ABSTAIN
Cllr Ahmed	FOR
Cllr Armstrong	For

COUNCILLOR	FOR/AGAINST/ABSTAIN
Cllr Asker	For
Cllr Barker	Against
Cllr Church	Against
Cllr Coletta	Against
Cllr Coote	For
Cllr Criscione	For
Cllr Davey	Against
Cllr Dean	Against
Cllr Donald	For
Cllr Driscoll	For
Cllr Emanuel	for
Cllr Evans	For
Cllr Fiddy	For
Cllr Freeman	For
Cllr Gooding	Against
Cllr Gregory	for
Cllr Hargreaves	for
Cllr Haynes	For

COUNCILLOR	FOR/AGAINST/ABSTAIN
Cllr Lees	For
Cllr Lemon	For
Cllr Loughlin	Against
Cllr Loveday	Against
Cllr Luck	For
Cllr McBirnie	For
Cllr Moran	Against
Cllr Oliver	Against
Cllr Pavitt	For
Cllr Alex Reeve	For
Cllr Neil Reeve	For
Cllr Regan	Against
Cllr Sell	Against
Cllr Silcock	For
Cllr Tayler	For
Chair (Cllr Foley)	For

The motion was carried 24 votes for, 12 against and no abstentions.

RESOLVED to:

- I. Agrees the Uttlesford Local Plan 2021 – 2041 (Regulation 19) document is published for eight weeks consultation 8 August to 3 October 2024. (
- II. Agrees that thereafter, the Uttlesford Local Plan 2021 – 2041 (Regulation 19) document is submitted to government / PINS for examination.
- III. Provides delegated authority for the Strategic Director of Planning, in consultation with the Portfolio Holder for Planning, to make any minor corrections prior to consultation, including for typographical and formatting purposes AND to prepare an 'Additional Modifications' Schedule for submission if required.
- IV. Notes the technical supporting evidence in preparation for publication alongside the Draft Uttlesford Local Plan 2021 – 2041 consultation.

The meeting was closed at 9.36pm.