



**UTTLESFORD DISTRICT COUNCIL**  
**Felsted & Stebbing Ward**  
**District Councillors Sandi Merifield & John Evans**



**DISTRICT COUNCILLORS' REPORT: OCTOBER 2022**

Cllrs Sandi Merifield and John Evans are pleased to present their Monthly Report to the Parish Council.

[as requested, there is a specific parish matter reported towards the end]

**LOCAL PLAN**

We have some disappointing and unexpected news to report on this topic, although we think that you will already have some awareness of it. The local plan process is now regrettably paused while the evidence already assembled is now being cross checked and verified, which means that there is some delay in progressing to the next consultation phase, namely publication of the Regulation 18 draft Plan, which we have previously reported on at length, and which was expected to commence on 2 November 2022.

This has come about as a result of a fresh appraisal of the work undertaken to date by a very recently appointed senior Planning Policy officer with substantial experience of guiding during his career draft local plans successfully through examination and approval, including in particular in rural areas. He considered and advised that some work needed to be better coordinated and sense checked before going out to public consultation. He believes that the manner in which officers have been working post COVID, ie remotely from their homes, has led to a somewhat disconnected approach adopted to the presentations and evaluations needing properly to be made. So, coordinated team working has not been as effective as it should have been.

The reasons for the delay and the steps to be taken, including a revised timetable are being brought to a joint meeting of the Local Plan Leadership Group and Scrutiny Committee (Local Plan) on 10 October 2022 and this is an extract from the paper to be presented then setting out the causes and reasons identified:

“i. a lack of integration between different workstreams, much exacerbated by remote working

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- ii. a high turnover of staff (both within the team and the management above it) and at short notice, leading to loss of continuity and of consistency in completing tasks, and significant losses of local knowledge and understanding of the evolution of proposals
- iii. a lack of clarity of thinking, and shared team understanding, of the nature of the consultation document and the status of 'options' within it
- iv. misguided responses to pressure - e.g. rushing to complete tasks when the groundwork has not been completed; pace of programme meaning team members' concerns and suggestions being treated as a distraction from completing tasks; lack of detailed reporting on emerging (and inherent) problems.
- v. engagement between officers and members not undertaken efficiently, resulting in additional time-consuming tasks being undertaken"

The full paper dealing with the entire topic is to be found in this link:

<https://uttlesford.moderngov.co.uk/documents/s29583/Reg18%20PLG%20and%20Scrutiny%20Report.pdf>

A revised timetable is being worked up, but due to the local government elections in May 2023, there will be a pause in the work undertaken by the Local Plan Leadership Group/Councillors in the period between March and May 2023 (because of perceived political party issues) but work by officers will continue as usual in this period of course. It is thought that the period between Regulation 18 and 19 will, because of the more detailed and in depth way in which the Regulation 18 draft Plan will have been prepared, can be shortened a little and so there might be as little as some 3 months' net slippage before the draft plan is in a condition to be submitted to the Planning Inspectorate for examination. We shall be able to advise you further as to an updated timetable next month.

We shall of course be pleased to answer any questions which you and residents might have as to this topic.

### **UDC PLANNING PERFORMANCE – PLANNING APPEALS**

As will be recalled, Uttlesford was put into designation so far as major planning applications were concerned, because it exceeded the **10%** threshold set by the Government as a pure statistic relating to the percentage of planning decisions refused by its Planning Committee which were subsequently overturned on appeal to the Planning Inspectorate. The philosophy behind this statistically stipulation is to encourage greater numbers of dwellings to be permissioned – it bears no relation to any other considerations such as the locally driven considerations which are likely to have lain behind the refusal.

Designation simply means that applicants for prospective developments in excess of 10 dwellings (so called "majors") may in their option, apply for permission directly to the Planning Inspectorate instead of to UDC. In point of fact, there have been few applications made the most prominent being those in

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relation to the Friends' School in Saffron Walden, a solar farm at Stansted Airport and most recently a large site in Elsenham.

However, it is desirable to have the designation lifted as soon as practicable, bearing in mind one disadvantage being the loss of application fees which otherwise would come to UDC but instead are payable to the Planning Inspectorate.

It might be of particular interest to members of your Planning Sub-Committee to be made aware of some statistics regarding the percentage of major planning applications for which planning permission was granted by the Planning Committee. They are:

- 01/04/2019 – 31/03/2021 = 50%
- 01/04/2020 – 31/03/2022 = 58%
- 01/04/2021 – 31/08/2022 = 63%

As to the "quality" (meaning the % age of major planning decisions "lost" (ie overturned on appeal) the picture is as follows:

- 2018-2020 = 16.5%
- 2019-2021 = 17.1%
- 2020-2022 = 12.9% *period to date*

This means that the decisions of the Planning Committee on appeal are still being challenged successfully at the appeal level, although the rate is declining. The Government will wish to see this overturn rate falling further before de-designation will be considered.

In this context, however, some recent notable upholding of the decisions of the Planning Committee should be borne in mind and one in particular is that at Warrish Hall, Prior's Green, Great Canfield. That related to a prospective development of 190 dwellings and 3,600 m<sup>2</sup> of commercial buildings to the east of the Weston Centre, Parsonage Lane and extending over as far as Prior's Green. UDC had opposed the development, contending that it would harm the countryside, heritage buildings and ancient woodlands. Inspector Richard McCoy noted that the appeal site lay beyond Takeley's development boundaries, in open countryside. The inspector decided that the development would have a "significant" harmful and urbanising effect on the countryside, reducing the area's rural character and refused the appeal. So, this was an important instance where the local knowledge of and appreciation by the Planning Committee was vindicated.

We might mention that it is likely that other local planning authorities elsewhere in the country will soon be similarly designated for the same reasons as Uttlesford; so many rural areas faced with the imposition by Government of centrally determined housing numbers find themselves in the same position as we in this District and their planning committees also are seeking to stem the tide of development but meeting policy resistance and to which great weight is given by the Planning Inspectorate.

It might be added in this context that while having a local plan in place goes some considerable way to

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resisting opportunistic development applications but, as is now being found in Braintree District (which has a current plan but still lacks a five year housing land supply) that threat is not completely done away with. A local plan is not a complete panacea to the challenge faced by us all which is simply that more and more families wish to come and live in our District (revealed by the 16 + % increase in population in the 2021 Census which we reported upon previously, that being so much greater than in our neighbour, Braintree District, whose equivalent population growth was only 6.5%).

### **PLANNING ENFORCEMENT**

In this context, we reported in our September report as to the improvement programme underway. This is progressing well and almost 800 cases with extant enforcement notices have been reviewed to ensure they are compliant with all relevant regulations and will then be placed on the register which will be open to public inspection. Due to GDPR the only enforcement cases that public can access on the website are those where there are extant enforcement notices.

The enforcement officers remain active as well on new matters and so far this year have opened 141 new case while closing 134. A performance report on planning enforcement is due to be published for Planning Committee in October and we will report further as to this next month.

### **UTTLESFORD BUDGET 2023/24**

In these times of considerable economic hardship, Uttlesford DC is particularly keen to obtain the views of residents and the community businesses as to economic matters of concern to them, including as to the priorities for expenditure by the Council. We know that you will have received a circular on this subject but we do urge all interested to respond to the survey contained here. The survey is open until **31 October 2022:**

[https://letstalk.uttlesford.gov.uk/budget-consultation-2023-24/survey\\_tools/council-spending-have-your-say](https://letstalk.uttlesford.gov.uk/budget-consultation-2023-24/survey_tools/council-spending-have-your-say)

The budget lays out how much UDC plans to spend on each of its main services and for every £100 received to fund services, the following is spent:

- £31 on Finance and General Administration
- £26 on Environmental Services
- £10 on Housing and Economic Development
- £9 on capital financing
- £5 on Communities and Partnerships
- £19 on other costs, including reserves set aside for future years

These costs are funded in part through Council Tax, but other sources of income include business rates, New Homes Bonus (NHB), other government grants and commercial investments, made up as follows. As will be seen a large proportion of expenditure is met by the commercial property investments made by UDC in recent years:

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- Commercial investments - 26%
- Business Rates - 20%
- Government funding - New Homes Bonus - 6%
- Government funding - Other - 9%
- Funded from UDC reserves - 9%
- Council Tax - 30%
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### **HOUSEHOLD SUPPORT FUNDING**

We take this opportunity also of repeating some advices released centrally by UDC of which you will already be aware. The cost-of-living crisis is impacting on all residents and UDC have a household support scheme which will provide a rebate to households that were in receipt of Local Council Tax Support. These households have been identified as most vulnerable and in need of additional support with the cost of food and utilities.

- [Find out more about the Uttlesford household support scheme](#)
- Essex County Council has also announced a [£50 million package to support residents to help with the cost of living](#).
- The government also has a number of schemes to support people, particularly with [energy bills](#). Find out more about the help available on the [GOV.UK website](#).

Additionally, there is in place an energy rebate exceptional hardship scheme whereunder the Council Tax Energy Rebate is being delivered to help households with rising energy costs. Those who qualified under the main scheme will have already received their £150 payment or been contacted on how to claim it.

If any residents who did not qualify for either scheme but are struggling to pay their energy bills, they may wish to apply for help through the UDC Energy Rebate Exceptional Hardship Scheme but it is to be noted that the scheme will close on **31 October 2022**. Full details and other information may be found here:

► [Get full details and the online application form](#)

### **FOOTPATH AT BANNISTER GREEN – YOUR MINUTES: 182.7**

We noted the discussion under this item at your September meeting and subsequently, were also in receipt of correspondence from some local residents in relation to it. We have since visited the location, walked the length of the footpath, reviewed various documents which are in the public domain and also spoke to residents. This allows us to make our own representations, supporting those already submitted, to the UDC Enforcement Team and we will advise your Clerk when there is a response received.

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**OUR ASSISTANCE AND MEMBERS' INITIATIVE**

We have not been approached since our last report for any assistance which might be possible using funds jointly available from our UDC Councillors' Initiative Allocation. As you know, we are always ready to consider requests for financial support for appropriate projects.

Of course, we would be very happy to hear from any parish councillors or residents and to meet them separately, whether at our Surgery held immediately before your Parish Council meeting or otherwise, should there be anything they think we can help with or answer any questions.

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