

Report to the Council

Committee: Cabinet

Date: 26th April 2016

Subject: Planning Policy

Portfolio Holder: Councillor R Bassett

Recommending:

That the report of the Planning Policy Portfolio Holder be noted.

1. Local Plan timetable

The Local Development Scheme agreed by Cabinet on 11 June 2015 has the timetable for consultation on the draft plan scheduled for July 2016 to September 2016. Regrettably for a number of reasons it is not now going to be possible to meet this timescale and therefore consultation will be delayed until the autumn.

The Government has made clear their expectation that all local planning authorities should have a post 2012 National Planning Policy Framework local plan in place. This includes intervening where no local plan has been produced by early 2017 to arrange for the plan to be written, in consultation with local people. The Government recently consulted on the criteria to inform their decision on whether to intervene to deliver this commitment. This is included within the technical consultation on implementation of planning changes (to which EFDC responded) arising from measures outlined in the Housing and Planning Bill that is currently being debated in Parliament. One of the penalties proposed for not having produced a pre submission draft plan by the end of March 2017 is the loss of New Homes Bonus. It is clear therefore that the Council needs to make good progress this year and to have consulted on our Draft Plan Preferred Approach as soon as possible. For this reason the focus of the Planning Policy Team is on the outstanding work needed in order to go out to consultation on the Draft Plan as soon as possible and so for the moment we will not be able to give as much resource to Neighbourhood Planning. The team will of course continue to provide advice and assistance by signposting to relevant material and grants available and will give regular updates on the Local Plan to Local Councils' Liaison Committee.

Duty to Cooperate

Officers and Members continue to meet regularly with appropriate authorities, principally through the Cooperation for Sustainable Development Officer group and Member Board, to consider a wide range of cross boundary issues. In addition to the post SHMA work referred to below, the Board has considered other strategic issues including employment, Green Belt Review work. The Lea Valley Food Taskforce continues to develop a programme for the future of the glasshouse industry - one of the District's historic and still important sectors.

Having successfully opposed inclusion of a reference to construction of a new access road in the North East Enfield Area Action, officers continue to be involved in transport work being undertaken by the London Borough of Enfield on wider transport work being undertaken as part of Enfield's Northern Gateway Access Package.

2. Member Workshops

The purpose of the member workshops, that includes Town and Parish Council representation, is to inform Members of emerging key issues that the draft Local Plan will cover and to ensure that Members views and concerns are aired in order that they might be taken account of in the policy drafting.

Three workshops held in November 2015 considered potential policy approaches to:

- i) the Historic Environment, the Natural Environment and Green Networks,
- ii) Economic and Employment; and
- iii) Affordable, older persons', accessible and custom build housing.

More recent workshops considered design matters on 28 January 2016 and input to stage 2 of the Green Belt study on 25 February 2016. All have been well attended and Members have provided valuable information and opinions on the matters presented.

In respect of the Green Belt workshop, Members were afforded a short period to send further comments on the parcel boundaries and to feed in local knowledge and views about the areas now being looked at in more detail. All comments received were passed onto the consultants who are undertaking this piece of work.

Further workshops will be held covering additional matters including climate change, energy and flood risk and development management policies. A programme is being worked up for these sessions and once finalised Members will be advised of dates and arrangements accordingly.

3. Update on key evidence work

Work continues on finalising the evidence base reports which will be used to inform the policies included in the Draft Plan (Preferred Approach) that the Council consults on later this year.

Strategic Housing Market Assessment, Economic and Employment evidence

These key pieces of technical evidence relating to housing and jobs numbers were completed in 2015.

The updated Strategic Housing Market Assessment (SHMA) produced in conjunction with the other authorities within our Housing Market Area: East Herts, Harlow and Uttlesford was reported to Cabinet in October 2015. It provides figures for Objectively Assessed Housing Need (OAHN) for Epping Forest District and the other three Districts. The OAHN figure in Epping Forest District is 11,300 dwellings up to 2033 but it is important to understand that this is not the housing target for the District. Work is underway with the other SHMA authorities to consider the options for the most appropriate spatial distribution of growth across the area.

An Economic Evidence report for West Essex and East Herts commissioned jointly by EFDC and East Herts, Harlow and Uttlesford Councils was also reported to the October 2015 Cabinet meeting. Local Plan Inspectors pay particular attention to the need for jobs and housing requirements to be aligned. Therefore, this study was commissioned on the same basis as the Strategic Housing Market Assessment, to cover the four authorities and to inform all four Local Plans across the 'Functional Economic Market Area'. A second more detailed report covering 'Economic and Employment Evidence to Support the Local Plan and Economic Development Strategy' has also been completed for EFDC alone.

These housing and economic evidence reports can be viewed via the Local Plan pages of the Council's website.

Green Belt Review

Following completion of the Stage 1 work reported to Cabinet in September 2015, work on the Green Belt Review Stage 2 is being undertaken for the Council by external consultants LUC. The consultants' fieldwork and analysis has been completed and we await receipt of their report giving a finer grain assessment of the broad locations identified in the Stage 1 work. In particular, this will provide detailed evidence and information concerning the contribution different parcels of land make to the Green Belt purposes identified in the NPPF. This in turn will assist the Council in deciding:

- The areas where the Green Belt policy designation should remain;
- Any historic anomalies in the existing boundaries or locations where development has taken place, which may therefore suggest minor amendments to the Green Belt boundaries are required;
- Areas that may be least harmful in Green Belt terms if released from the Green Belt.

It therefore follows that, simply because a parcel, or part of the parcel, is being appraised as part of the more detailed work, this does not necessarily mean that it should / will be allocated for development in the emerging Local Plan, or that the Council would look favourably on a planning application. Once the Stage 2 study has been completed it will, together with all the other pieces of evidence, be used to inform the Draft Plan (Preferred Approach).

Settlement Capacity Work

Fregonese Associates have made good progress on the settlement capacity study of the District's 10 largest settlements - namely Epping, Theydon Bois, Buckhurst Hill, Chigwell, Loughton/Debden, Waltham Abbey, North Weald Bassett, Chipping Ongar, Lower Nazeing and Roydon. This will provide the District with the information to determine the potential for additional capacity within existing settlements over and above that originally identified in the SLAA, and so minimise the potential need to utilise Green Belt land for any future growth. Like Stage 2 of the Green Belt Review, the results of this work expected shortly will be used to inform, and be published alongside, the consultation Draft Plan Preferred Approach.

Transport

To help inform the best way to meet the OAHN for the Strategic Housing Market Area identified in the work reported to Cabinet in October 2015, further transport modelling work is being undertaken by Essex County Council. This will look at the implications for the transport network of growth and how it can be distributed across the Housing Market Area. The outputs will then be considered by the districts and jointly by the four SHMA authorities at the Cooperation for Sustainable Development Board. This work is being progressed using support from ATLAS and facilitated by AECOM to undertake a sustainability appraisal on the impact of strategic growth options in the four authorities to meet the overall housing and employment figures for the SHMA area. Officers have met Natural England and the Conservators of Epping Forest to consider the impact on air quality in particular for Epping Forest itself.

Delays have been encountered in the strategic transport assessment using the VISUM model which has still not been signed off by Highways England. This is of concern because it could lead to a delay in completing the work to test the strategic options for growth in the

SHMA area. A joint letter from the leaders of the four authorities to local MPs and relevant ministers was sent on 22 February 2016 seeking a dedicated resource at senior level within Highways England to assist with the work so that Local Plans are not further delayed.

Other evidence base studies

Essex County Council has recently undertaken a Historic Environment Characterisation study of the District. Characterisation is a well-established approach to landscape analysis and management and is specifically identified in the NPPF. The characterisation work will inform the Local Plan and provide guidance to planning officers about the varied and important historic environment of the District. Town and parish councils have also been asked for expressions of interest in participating in work leading to the establishment of a Green Infrastructure Framework for the District. The intention is that this work will produce a Corporate District-wide strategy and used to help inform policies in the emerging Local Plan as well as potentially support neighbourhood planning initiatives.

4. Lea Valley Food Taskforce

The Lea Valley Food Taskforce is developing its work programme in a number of areas:

It has been meeting with representatives of National Institute for Agricultural Botany (NIAB) and European Partners to assess whether a bid should be made to the EU Interreg Fund on Carbon reduction. A meeting was recently hosted at the Council offices with partners from Europe and NIAB. If agreement is reached to participate the taskforce will not be the accountable body but will play a supporting role to enable the industry locally to take part.

The taskforce has been commissioned by the London Stansted Cambridge Consortium (LSCC) to organise a Food Symposium with major producer's research and academic institutions along the length of the London Cambridge corridor to look at opportunities to enable greater coordination and growth in the industry.

Officers are currently drafting a specification for consultants to support the development of the local plan. It will look at issues around scale and sites for future glasshouse development, issues around production and energy platforms and transport infrastructure. The Chairman of the Taskforce will be aiming to meet with the owners of the major pack houses over the coming weeks to examine their appetite for growth and assess the barriers to delivery.

The Taskforce has been holding a series of planning workshops looking at policy issues for the local plan. A key theme arising from the planning workshops was of neighbouring councils looking at opportunities for integrated glasshouse growth in the Lea Valley and the need to develop a greater understanding of how the industry relates to meeting London's future Food needs. Approaches to the GLA to instigate joint work around a potential London Food Zone in and around the Lea Valley have been put on hold pending the outcome of the Mayoral elections, although the current Chairman of the London Food Board has reiterated her commitment to support ongoing dialogue on this important issue.

We still await the result of the Judicial Review with respect to LVRP which would have a large impact on planning considerations. The result is expected soon.

5. Neighbourhood Planning

Moreton, Bobbingworth and the Lavers have finalised their draft Plan which is currently being examined.

Eight other Parish and Town Councils have applied to designate neighbourhood planning areas for their areas (Chigwell, Epping, Buckhurst Hill, Theydon Bois, Loughton, North Weald Bassett, Epping Upland and Waltham Abbey). Many of these are now at early stages in scoping out and drafting their plans.

6. Housing & Planning Bill, Government reports and current consultations

The Housing & Planning Bill published in October last year makes clear that the Government is serious about increasing housing supply. It is anticipated that the Bill will receive Royal Assent and be enacted by the autumn; this is likely then to be quickly followed by secondary legislation to bring its provisions into force. Measures have been included to streamline the planning process; to facilitate starter homes, self builds and building on brownfield land. It is proposed that more powers are given to the Secretary of State to take over plan making, decision taking and effectively impose financial penalties on local authorities with high-value vacant buildings.

The outcome of the consultation that ended on 22 February on proposed changes to the National Planning Policy Framework (NPPF) is awaited. EFDC sent a response to this consultation providing comments to each of the 23 questions raised. The changes, if subsequently introduced in the form proposed, would be likely to have significant implications for Epping Forest District and the drafting of our Local Plan. Particularly proposed policy changes in respect of Starter Homes and Green Belt policy. The absence of detail to explain some of the proposed changes made it difficult at this stage to give a definitive view on some of the matters raised in the consultation. However, the Government is currently consulting (until 18th May) on measures needed to implement the starter homes clauses in the Housing and Planning Bill which officers are considering.

<https://www.gov.uk/government/consultations/starter-homes-regulations-technical-consultation>

The House of Commons Communities and Local Government Select Committee have recently reported on these proposed changes to the NPPF.

<http://www.publications.parliament.uk/pa/cm201516/cmselect/cmcomloc/703/703.pdf>

Whilst welcoming many of the proposals, such as development of brownfield sites and the introduction of a housing delivery test, there are also a number of proposals which the Committee consider need to be reconsidered and revised in the light of evidence received. These include: the reduced discount period for affordable housing, including starter homes; the consequences for housing under-delivery; and the definition of a commuter hub. Noting that ultimately the success or otherwise will be dependent on implementation, many of the Committee's recommendations call for the empowerment of local authorities to have flexibility to make decisions which are suitable for their communities. The Committee also calls upon DCLG to set out how it intends to intervene in local authorities who do not have Local Plans in place by early 2017, and how many local authorities it expects will require such intervention.

The final report of the Government's Local Plan Expert Panel chaired by John Rhodes, director of consultancy Quod, was published on 16th March as part of the Budget announcements. The panel was set up to consider how the local plan-making process can be simplified, "with the aim of the slashing the amount of time it takes for local authorities to get them in place". The expert group's report says that the panel can see the value of the government's plan to intervene and arrange for local plans to be written in consultation with the local community where an authority has not produced a local plan by early 2017. But it adds that "there would be advantage in identifying now additional consequences of a failure

to produce a local plan by early 2017 in order to further stimulate authorities to want to avoid those consequences". It proposes that if an authority with no local plan has failed to submit for examination a local plan by the end of March 2017, "it should be made clear as a matter of Government policy that its existing relevant development plan policies for the supply of housing will be considered to be out of date".