

Report to Neighbourhood Select Committee

Date of meeting: 27 June 2017

Subject: Update of the Local Plan

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SCRUTINY

 Epping Forest District Council

Recommendations/Decisions Required:

To note the update on progress of the Local Plan

Report:

1. The formal Regulation 18 consultation on the Draft Local Plan finished on 12 December 2016. A significant amount of work has been underway since that date to analyse the responses received through consultation and a report on the initial findings went to Cabinet on 9 March 2017. A further report on the implications for delivery and implementation of the Local Plan was considered by Cabinet on 15 June 2017 – this included the proposals for the production of Strategic Masterplans in the District and the introduction of Planning Performance Agreements. The more detailed findings of the consultation are due to go to Cabinet on 11 July 2017. This will identify the key issues that will need to be considered to inform the preparation of the Pre-Submission (Regulation 19) Plan.
2. The Council has established a Developer Forum alongside the progression of the Draft Local Plan to provide a basis for ongoing discussions with relevant landowners, site promoters and stakeholders. The Developer Forum is split into two groups, one to address the Strategic Sites around Harlow, and the other to consider those that are subject to a draft allocation across the rest of Epping Forest District

Next steps for the preparation of the Pre Submission Plan

3. The revised Local Development Scheme for the Local Plan was agreed by Cabinet on 9 March 2017. This shows the date for publication of the Pre-Submission Plan as January/February 2018, followed by Submission for Examination in May 2018. There have, however, been some delays experienced in large part arising out of the outputs from the consultants (Remarkable) not being delivered on time. This slip of outputs on the consultation analysis has in turn delayed the identification of sites to be considered as part of the site selection work by approximately two months. At the time of writing we are still finalising the number of sites that will need to be assessed or reassessed following the consultation but it is possible that there will be approximately 200 sites (this includes new residential sites put forward during consultation, amended residential sites, the employment sites arising from the employment land review and additional traveller sites). The site selection work restarted on 5 June 2017. The delay in starting the site selection process and the number of sites requiring assessment has had a consequential impact on other pieces of work. The full implications are still being explored and the programme is likely to be revisited to ensure the Regulation 19 plan is progressed as quickly as possible.
4. The key issues in managing the programme relate to resources, the ability of external organisations such as Essex County Council in providing timely inputs into plan preparation and maintaining a full team of appropriately skilled officers and

consultants. The key workstreams are as follows:

- **Transport modelling:** The initial outputs from model runs associated with the Draft Local Plan scenario have now been received. This provides an indication of capacity at key junctions across the District, taking into account planned growth up to 2033. The next phase of work will consider how mitigation measures, such as junction improvements, as well as sustainable transport measures, may reduce expected traffic impacts. Further modelling will then be undertaken later in the year once a full suite of mitigation measures have been identified, and to consider any potential changes which may be made in the final Local Plan associated with the ongoing site selection process. The remainder of the timetable has been extended to align with the site selection work. This work is key to the preparation of the Regulation 19 Plan and is also needed to inform viability work, sustainability appraisal and Habitats Regulation Assessment and the IDP.
- **Local Plan viability work** – discussions have been held with the Council's retained consultants, Dixon Searle, in relation to the future requirements for the Local Plan Viability Study. Initial viability work undertaken to inform the Draft Local Plan in 2016 is to be updated to take into account the more detailed requirements arising from the Infrastructure Delivery Plan and Transport Assessment. The Study will be required to consider the viability of any updated Local Plan policy requirements. The Study will also need to consider the viability of introducing the Community Infrastructure Levy, alongside the Local Plan, subject to the outcome of the CIL review (anticipated Autumn 2017).
- **Sustainability Appraisal and Habitat Regulations Assessment** – further work is being undertaken alongside the progression of the Regulation 19 Plan and in particular to prepare the action plan set out in the memorandum of understanding to understand the mitigation measures that will be required to protect key ecological assets such as the Epping Forest SAC
- **Update of employment need data** - new forecasting information in the modelling used (EEFM) and the need to gather further detail in terms of employment needs for the District for the plan period has required additional work to be undertaken to inform employment site selection and strategy. This will provide quantitative and qualitative recommendations following an assessment of market intelligence / market signals and focussed discussions with relevant stakeholders to further inform the site selection process. This work together with joint work being undertaken across the Functional Economic Market Area has been presented to Members on 22 June 2017.
- **Open Space Study, Indoor Sports Strategy and Planning Pitch Strategy** – 4 Global are progressing three separate studies to inform the evidence base for the provision of sports facilities and open space (including future standards), that will support the Regulation 19 Plan. As part of the programme of stakeholder engagement, a workshop with both Town and Parish Councils and District Councillors to learn more about the supply and demand for indoor and outdoor sports facilities and open space in the district was held on 18 May 2017.
- **Monitoring, housing trajectory and housing statement** – there is a need to ensure that the monitoring systems moving forward are as accurate as possible in order to ensure that the Council is able to monitor progress against the plan and forecasts for delivery. The Councils housing position with regard to the plan trajectory and the five year housing land supply position will be of particular interest.

5. A visit from the Planning Inspectorate occurred on the 13 June 2017 to explore whether there are any matters arising from the Draft Local Plan and Regulation 18 consultation that require further work.

Harlow and Gilston Garden Town

6. As reported to the last meeting the Council was successful (together with East Herts and Harlow Councils) in securing an initial £500,000 Garden Towns funding from DCLG for the Harlow and Gilston Garden Town to support the delivery of strategic sites in and around Harlow. This includes the four strategic sites to the South, West and East of Harlow in this District. DCLG wrote on 31 March 2017 to advise that a further £175,000 had been awarded for the project. The HCA are managing the funding application process for 2017/18 and a further bid has been submitted – we understand that a sum of £2.5 million has been earmarked for the 9 Garden Towns in the programme by DCLG.
7. The Councils have not been successful in recruiting to the Project Director post for the Garden Town project. As a result, following discussions with Harlow and East Herts Councils the project has let a contract for the provision of project planning, programme management and project delivery support. This work has started. The Council has also let a contract on behalf of the three authorities to commission some spatial visioning and design charter work. Agreement in principle has been reached with Harlow and East Herts Councils to use some of the Garden Town funding to recruit a Policy Officer to support the work of the Garden Town and take on the role of coordinating the officer and member groups for the Cooperation for Sustainable Development Board (this is currently being provided by the Planning Policy Team here at EFDC but is due for renewal in May 2017).

Developer Forum

8. Members will recall that the Planning Policy Team has established a Developer Forum to provide a basis for ongoing discussions with relevant landowners, site promoters and stakeholders. There are two groups that meet on a regular basis, one dealing with the strategic sites around Harlow, and another dealing with the remaining sites in the district proposed for allocation through the Local Plan. It is important that the Council liaises closely on an ongoing basis with relevant landowners and promoters of the sites proposed for allocation within the Draft Local Plan, and with other stakeholders as required in order to:
 - Demonstrate that the Local Plan is 'effective' and that the allocations in the Local Plan will be viable and deliverable, and therefore meet the 'tests of soundness' at Examination in Public; and
 - Ensure that a joined up and 'frontloaded' approach is taken to the planning and delivery of the development of sites proposed for allocation and associated infrastructure, including promoting joint working for sites in multiple ownership, or adjacent allocations. A total of three meetings have been held to date and Members were provided with an update from the December 2016 and February 2017 meetings at the March 2017 Select Committee. A summary of the May 2017 meetings is summarised below:

Developer Forum meetings on 19 May 2017

9. Attendees at both sessions were provided with an update on the Local Plan. Including details of the revised LDS agreed by Cabinet on 9 March 2017 and on the Garden Town. An update was also provided on the Garden Town Programme, and the award of funding to EFDC, Harlow Council and East Herts District Council to deliver the growth required.

10. Following the discussions at the February 2017 meeting, the Council presented its initial thoughts on the potential use of Strategic Masterplans linked to Planning Performance Agreements as a mechanism to ensure the timely and effective implementation of the proposed allocations within the Local Plan (subject to the progression of the Local Plan and any changes that may occur) as part of the preparation of the report for Cabinet (see 15 June papers). Draft Policies SP 3 and SP 4 had identified a requirement for Strategic Masterplans. It is considered that early Planning Performance Agreements could provide an appropriate mechanism to manage the resources required to implement this work. Forum members were generally supportive of the principle of PPAs and Strategic Masterplans. Whilst some Members felt further clarity is needed on detailed, site-specific issues, there was a general acceptance that the most appropriate way to deal with these concerns would be on a site-by-site basis.

Neighbourhood Plans:

11. An application was submitted by Ongar Town Council on 18 May 2017 requesting the designation of the whole Parish of Ongar as a neighbourhood area for the purposes of preparing a neighbourhood plan. In accordance with the Neighbourhood Planning Regulations 2016 the Council designated the area on 2 June 2017. There are therefore now 10 designated neighbourhood planning areas in the District. Following designation of the neighbourhood area the Town Council can progress with the preparation of a Neighbourhood Plan.
12. The Planning Policy team has recently issued an up to date guidance note to all parish and town councils in the District in relation to Neighbourhood Planning. This guidance is also available on the website. As a result of the increase in activity in Neighbourhood Planning in the District, further consideration has been given to the level and scope of support and guidance that is to be provided by the Council. Resources within the Planning Policy Team at present are not considered sufficient to provide the level of support and guidance required on an ongoing basis. The risk associated with not providing an adequate level of support and guidance to parish and town councils is that they may develop Neighbourhood Plans which do not conform to the 'Basic Conditions' which may ultimately therefore fail to pass the Examination stage of preparation. It is important for the District Council to ensure that support and guidance is available to steer production of plans accordingly.
13. In order to further support Town and Parish Councils preparing Neighbourhood Plans in the District, the Council has agreed to use the Rural Community Council of Essex to provide additional advice and assistance over and above that provided by the Planning Policy Team. The RCCE will be able to tailor support to the needs of individual Councils and can take the form of provision of guidance, project planning, facilitation of meetings/events, visioning, signposting etc. More details as to how to contact the RCCE will be sent to all Parish and Town Councils shortly.

Community Housing Fund

14. The Council has also been allocated funding by DCLG to support community led housing developments. The Council is working with officers in East Herts, Uttlesford and Harlow Councils to pool the funding making a total of just over £100,000 to take forward a joint project across the 'SHMA' area. Uttlesford are acting as the lead authority and are procuring support in order to undertake a project looking at all aspects of community led housing including self-build and Community Land Trusts to identify existing and new participants for these models of housing delivery. The project will include a series of events and provide information to inform Councillors, Neighbourhood Plan groups, self-builders, site promoters/landowners and local

residents about the potential for community led schemes.

Reason for decision: not applicable

Options considered and rejected: not applicable

Consultation undertaken:

Resource implications: the preparation of the Local Plan is being prepared using existing Planning Policy Staff and consultants as per the Local Plan budget reported to Cabinet in December 2016

Budget provision: Local Plan Budget

Personnel: Planning Policy Team

Land: N/A

Community Plan/BVPP reference: NA

Relevant statutory powers: NA

Background papers: Cabinet report 15 June 2017

Environmental/Human Rights Act/Crime and Disorder Act Implications: The Draft Local Plan has been subject to an Interim Sustainability Appraisal and further Sustainability Appraisal and Habitats Regulation Assessment will be undertaken prior to the publication of the Regulation 19 Plan.

Key Decision reference: (if required)