

Decision by Portfolio Holder



Report reference: PAG-004-2017/18

Date of report: 15 August 2017

**Epping Forest
District Council**

Portfolio: Planning and Governance

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Democratic Services: J Leither

Subject: Epping Forest District Council's Response to Uttlesford District Council's Regulation 18 Local Plan

Decision:

To confirm the District Council's response to Uttlesford District Council's Regulation 18 Local Plan.

ADVISORY NOTICE: <i>A Portfolio Holder may not take a decision on a matter on which he/she has declared a Pecuniary interest. A Portfolio Holder with a non-pecuniary interest must declare that interest when exercising delegated powers.</i>	
I have read and approve/do not approve (delete as appropriate) the above decision:	
Comments/further action required:	
Signed: Cllr C Whitbread Date: 15 th August 2017	
<i>Non-pecuniary interest declared by Portfolio Holder/ conflict of non-pecuniary interest declared by any other consulted Cabinet Member:</i> None	<i>Dispensation granted by Standards Committee:</i> Yes/No or n/a N/A
Office use only: Call-in period begins: 18 th August 2017	Expiry of Call-in period: 24 th August 2017

***After completion, one copy of this pro forma should be returned to
Democratic Services IMMEDIATELY***

Reason for decision:

This report sets out the District Council's response to the Uttlesford Regulation 18 Local Plan. The response attached at Appendix 1 to this report is a letter expressing this Council's support of the District Plan.

Options considered and rejected:

Not to respond to the Uttlesford Regulation 18 Local Plan. However, the District Council would not be discharging its responsibilities under the National Planning Policy Framework.

Background Report:

1. Uttlesford District Council published their Regulation 18 Local Plan 2017 under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 for a period of six weeks from 12 July 2017, and is seeking comments.. Epping Forest District Council as one of the neighbouring authorities has been invited to make comments on the Regulation 18 Local Plan. The Uttlesford Regulation 18 Local Plan covers the same timeline as the EFDC Draft Local Plan i.e. 2011-2033 and contains Core Strategic Policies, the locations and numbers of new houses and employment sites and Development Management Policies. It comprises a Written Statement and a series of Inset Maps. Once adopted the policies in the Local Plan will replace the remaining saved policies in the District Plan 2005. Central to the plan are proposals for three new garden communities at North Uttlesford (NE of Great Chesterford), Easton Park and land referred to as west of Braintree. These are key in accommodating the majority of the new homes to meet the District's growth needs up to 2033.
2. Uttlesford District Council along with East Hertfordshire, Harlow and Epping Forest Districts is one of the authorities within the West Essex/East Herts Strategic Housing Market Area. Officers have therefore reviewed the strategic policies in the Regulation 18 Local Plan in order to ensure that cross boundary matters have been treated in accordance with the joint evidence base prepared for the four authorities, are in line with the strategy and the three Memorandums of Understanding signed by the relevant members of the Cooperation for Sustainable Development Board in March 2017 and to ensure that they are consistent with the policies included in the Epping Forest District Draft Local Plan 2016.
3. The Uttlesford Regulation 18 Local Plan contains a number of strategic policies in Chapter 3 of the Plan. This sets out their approach and includes at paragraphs 3.31 – 3.33 the vision for the London Stansted Cambridge Corridor Core Area which is in line with the vision agreed by the Cooperation for Sustainable Development Member Board and is identical to that included in the Epping Forest District Draft Local Plan. It is considered, however, it would make it helpful if in future versions of the emerging Local Plan that this was presented in such a way as to make it clear that this is the agreed vision e.g. by way of including this within a separate text box, rather than within the main body of the document. The key policies most relevant to Epping Forest District Council are set out below.
4. **Policy SP2 - The Spatial Strategy 2011-2033** sets out the approach to where development will be focused over the Local Plan period. The approach taken by Uttlesford is for the majority of development to be focused at the towns of Saffron Walden and Great Dunmow and the new Garden Communities at Easton Park, West of Braintree and North Uttlesford, with Key Villages being the major focus for development in the rural areas to reflect their role as provider of services to a wide rural area, together with limited development within smaller villages (based on specific criteria). The growth of London Stansted Airport is supported subject to conformity with the environmental and transport framework set out in Policy SP11 – London Stansted Airport.

5. **Policy SP3 - The Scale and Distribution of Housing Development** provides for a minimum of 14,100 homes in Uttlesford District up to 2033. The minimum number of new homes at 14,100 is more than that identified in the SHMA update using the 2014 ONS and DCLG data undertaken by ORS and reported to the Member Board in 2016 and the figures set out in the signed MoU (i.e. 12,500 new homes). Such an approach enables Uttlesford District to meet all of its identified housing need within its own boundaries. Such an approach is to be welcomed, as it would also make a contribution towards the higher figures for the HMA based on the 2014 ONS and DCLG data. It is also noted that the potential for Uttlesford to take such an approach was identified in the March 2017 MoU. It is also consistent with the most recent work undertaken by ORS in July 2017 (which used the ONS population estimates published in June 2017 and the GLA 2016 based household projections published in July 2017) to support the East Herts Local Plan examination which shows the full objectively assessed need for Uttlesford as 13,332 and an HMA wide need of 51,710 homes. Having taken into account homes already delivered and those with planning permission, the main focus for further new homes are focused on Great Dunmow (743 homes), Saffron Walden (240 homes) and the three identified garden communities of Easton Park (1800 homes), North Uttlesford (1,900 homes) and West of Braintree (970 homes). In respect of the garden communities these are the levels of new homes to be provided within the Regulation 18 Local Plan period. The Plan sets out that the three garden communities have the ability to deliver significantly more new homes beyond the current emerging Local Plan period.
6. **Policy SP4 - Provision of Jobs** allows for a minimum net increase of 14,630 jobs in the period 2011-2033 to maintain a broad balance between homes and jobs and to maintain a diverse economic base. This is the lower of the 665 - 675 jobs per annum figure set out in Appendix 3 Figure 11 of the March 2017 MoU referred to above. Uttlesford consider that this medium growth option is the most appropriate. The majority of the jobs are indicated as being in non-B use class uses such as retail, education and other services. The B use class jobs (offices, industrial and warehouses) would provide around 10% of the overall jobs growth in the District over the Local Plan period. Uttlesford consider that together the 2015 Joint Economic Report (JER) commissioned by Uttlesford, in partnership with Harlow, East Hertfordshire and Epping Forest District Councils and their own 2017 Employment Land Review provide the most up to date and policy-compliant assessment of employment need across the Functional Economic Market Area for the period 2011-2033. The delivery of Policy SP4 is supported by Policy EMP1 - Employment Strategy. A need for some 21,000 sqm of additional office space and 10.2 ha of industrial land over the Plan period is identified. The approach to provision focuses on the provision of employment land within the three garden communities, at London Stansted Airport and at Chesterford Research Park. In addition some existing employment sites provide opportunities for intensification or limited expansion.
7. The above policies are in line with the figures identified in the Memorandum of Understanding on Distribution of Objectively Assessed Housing Need across the West Essex/East Hertfordshire HMA (signed March 2017) and are also compatible with Epping Forest District's Draft Local Plan (October 2016). Therefore, Epping Forest District Council supports the approach to housing need, location and supply set out in the Uttlesford District Council Regulation 18 Local Plan. It is noted that paragraph 3.38 makes reference to three draft MoUs. However, these were all signed in March 2017 i.e. prior to the publication of the Regulation 18 Local Plan. The approach to future jobs and employment provision set out within the Plan is noted and broadly supported. However, it should be noted that Uttlesford, together with Epping Forest District, Harlow and East Herts District Councils are working together to produce updated evidence in relation to employment needs and future distribution across the Functional Economic Market Area. Epping Forest District Council will continue to work with Uttlesford and other partners in order to

further consider and agree how and where the future employment needs of the Functional Economic Market Area will be met, and it is assumed that the outcome from this work will be reflected in a Memorandum of Understanding and the next iteration of the Local Plan.

8. **Policy SP5 - Garden Community Principles** sets out the approach to be taken in delivering the three identified garden communities. The approach included sets out that prior to any planning applications being considered detailed development frameworks for each of the garden communities will be prepared as development plan or supplementary planning documents and adopted by the local planning authority, demonstrating how the development accords with the garden city principles defined by the Town and Country Planning Association and the wider definition of sustainable development outlined in the National Planning Policy Framework. Epping Forest District Council supports the inclusion of Policy SP5 of the Uttlesford Regulation 18 Local Plan which aligns with the approach set out in the Epping Forest District Draft Local Plan (October 2016).
9. **Policy SP6 - Easton Park Garden Community, and Policy SP8 - West of Braintree Garden Community** set out in more detail specific approaches to development of the communities including in respect of strategic transport infrastructure. As such Policy SP6 sets out the need to provide the main vehicular access from the A120, including improvements to the A120 and M11 Junction 8 whilst Policy SP8 includes the reconfiguration of and improvements to junctions on the A120, allowing access in all directions and that contributions will be sought for improving M11 Junction 8. This approach accords with the Memorandum of Understanding on Highways and Transport Infrastructure in the W Essex/East Hertfordshire Housing Market Area signed in March 2017. In addition Policy SP6 sets out the need to provide transport choice, including the delivery of a direct high quality, frequent and fast direct public transport link to London Stansted Airport and Great Dunmow in the early delivery phase of the garden community and a network of safe walking and cycling routes both within the garden community and beyond to other nearby destinations. Policy SP8 sets out that development should provide transport choice, including high quality, frequent and fast public transport services to Great Dunmow and Braintree, and a network of safe walking and cycling routes, including connections with and improvements to the Flitch Way. Epping Forest District Council supports this approach. It would be helpful if any future supporting text makes reference to the fact that the strategic highways infrastructure requirements are identified in the Memorandum of Understanding on Highways and Transport Infrastructure in the West Essex/East Hertfordshire HMA (signed March 2017).
10. **Policy SP11 – London Stansted Airport** sets out support for the growth of London Stansted Airport recognising its importance to the Uttlesford, the sub-regional and national economy. The policy also sets out a range of criteria against which development proposals will be tested including that the necessary public transport infrastructure and service capacity to serve the airport and meet permitted passenger numbers must be maintained and improved to accommodate passenger movements. An integrated approach must be demonstrated within the framework of a surface access strategy. Policy SP11 also sets out the need to Incorporate sustainable transportation and surface access measures in particular which minimise use of the private car, maximise the use of sustainable transport modes and seek to meet modal shift targets, all in accordance with the London Stansted Sustainable Development Plan and incorporate suitable road access for vehicles including any necessary improvements required as a result of the development. In addition development would need to demonstrate that it does not result in a significant increase in Air Transport Movements that would adversely affect the amenities of surrounding occupiers or the local environment (in terms of noise, disturbance, air quality and climate change impacts). Epping Forest District Council supports the inclusion of Policy SP11 which is in accordance with the LSCC Vision.

11. The Council is therefore pleased to note that the Uttlesford Regulation 18 Local Plan is in line with the agreements reached with EFDC and the other authorities in the Strategic Housing Market Area. We note that reference has been made to the Housing and Transport MoUs. It would be helpful in the interests of completeness if reference was also made to the MoU agreed in March 2017 for managing the impacts of growth within the West Essex/East Hertfordshire HMA on Epping Forest Special Area of Conservation. A letter is attached to be sent to Uttlesford District Council from EFDC as the formal response to the publication of their Regulation 18 Local Plan offering support, together with some minor comments for the sake of clarity.

Resource Implications:

The review of the Uttlesford Regulation 18 Local Plan and preparation of the report are from within existing resources available to the Planning Policy Team.

Legal and Governance Implications:

The National Planning Policy Framework (NPPF) states that "Public bodies have a duty to cooperate on planning issues that cross administrative boundaries, particularly those which relate to the strategic priorities..." and, furthermore, "The Government expects joint working on areas of common interest to be diligently undertaken for the mutual benefit of neighbouring authorities" (para 178). It also expects local authorities "...to demonstrate evidence of having effectively co-operated to plan for issues with cross-boundary impacts when their Local Plans are submitted for Independent Examination. This could be by way of plans or policies prepared as part of a joint committee, a memorandum of understanding or a jointly prepared strategy which is presented as evidence of an agreed position. Cooperation should be a continuous process of engagement from initial thinking through to implementation, resulting in a final position where plans are in place to provide the land and infrastructure necessary to support current and projected future levels of development" (para 181).

Uttlesford, Epping Forest, Harlow and East Hertfordshire District Councils have a substantial history of co-ordinated working on strategic planning issues, not least on assessing housing need and planning for future growth. Responding positively to Regulation 18 Local Plan is a positive way of ensuring ongoing joint and coordinated working with neighbouring authorities.

Safer, Cleaner and Greener Implications:

None specific at this stage.

Consultation Undertaken:

Discussions at Cooperative for Sustainable Development Officer and Member Groups

Background Papers:

Uttlesford Regulation 18 Local Plan 2017

Epping Forest District Draft Local Plan Consultation October 2016

Memorandum of Understanding on Distribution of Objectively Assessed Housing Need across the West Essex/East Hertfordshire Housing Market Area (signed March 2017), between East Hertfordshire District Council, Epping Forest District Council, Harlow District Council and Uttlesford District Council

Memorandum of Understanding on Highways and Transportation Infrastructure for the West Essex and East Hertfordshire Housing Market Area (signed March 2017).

Memorandum of Understanding on Managing the Impacts of Growth within the West Essex/East Hertfordshire Housing Market Area on Epping Forest Special Area of Conservation (signed March 2017)

Impact Assessments:

No specific.

Risk Management:

No specific risks identified.

Key Decision Reference (Y/N): N