

## **Report to the Local Development Framework Cabinet Committee**



**Epping Forest  
District Council**

**Report reference: LDF-024-2010/11**  
**Date of meeting: 28 March 2011**

**Portfolio: Leader**

**Subject: Local Development Framework - Local Development Scheme**

**Responsible Officer: Kate Hallé (01992 564481).**

**Democratic Services Officer: Gary Woodhall (01992 564470).**

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### **Recommendations/Decisions Required:**

**(1) That the approach to the Local Development Scheme (LDS) be approved and the Local Development Framework be produced in accordance with this content and timescales.**

### **Executive Summary:**

This report sets out the need to update the existing LDS following the election of the coalition government and updates to LDF production.

The best approach to the production of key LDF documents such as the Core Planning Strategy over the next five years is set out and justified in terms of resources, flexibility and community engagement.

### **Reasons for Proposed Decision:**

The LDS is a statutory requirement and will guide the production of all LDF documents.

### **Other Options for Action:**

To not approve the recommended approach set out in this report and put forward a different option.

### **Report:**

1. The Planning and Compulsory Purchase Act 2004 states that all local authorities have to produce a Local Development Scheme (LDS). The LDS sets out the programme and timetable for the production of the documents that will form the Local Development Framework (LDF).

2. The Epping Forest District Council LDS was last amended in October 2007 as a result of a government requirement to produce a Gypsy & Traveller Development Plan Document (DPD) by September 2009. Since then the new coalition government have made several key changes that will impact on the production of the LDF in Epping Forest District; these are as follows:

(a) removal of housing and employment targets through the revocation of Regional Spatial Strategies;

(b) cancellation of the Direction for Epping Forest District Council to produce a separate Gypsy and Traveller Development Plan Document (DPD); and

(c) Increased responsibility for the Council to work more closely with local communities in preparation of plans for the future of the area.

3. The Council need to produce a revised LDS in order to reflect these significant changes.

#### Towards a New Planning Policy Framework

4. Planning policy decisions in Epping Forest District are currently made with regard to the Local Plan, adopted in 1998 and amended by the Local Plan Alterations in 2006. The Planning and Compulsory Purchase Act 2004 introduced a new system requiring local authorities to produce a Local Development Framework (LDF).

5. An LDF is comprised of the following documents that combine to deliver the planning strategy for the area.

(a) **Development Plan Documents (DPDs):**

(i) These set out planning policies for the area. The most important of these is the Core Planning Strategy which provides policies for strategic issues such as the level and location of growth, infrastructure and green spaces. This includes a proposals map.

(ii) Other DPDs may be prepared to provide additional detail that would not be suitable in the Core Planning Strategy but requires the status of a development plan. All DPDs are subject to a Sustainability Appraisal and must have regard to national planning policy and the views of the local community.

(b) **Area Action Plans (AAPs)** - set out the proposals for areas that will undergo change or require specific protection.

(c) **Supplementary Planning Documents (SPDs)** - may be prepared to provide greater details on policies set out in DPDs. This could include design guidance or detail on planning contributions.

(c) **Statement of Community Involvement (SCI)** - sets out how the Council will involve the community and other key stakeholders in the production of the LDF and major planning applications.

(d) **Annual Monitoring Report (AMR)** - assesses the Council's progress against the timetable set out in the LDS and the implementation of planning policies. Information from the AMR is used to decide whether new policies are required.

(e) **Sustainability Appraisal (SA)** - sets out how planning policies can be assessed to ensure that they meet national and local sustainable development objectives.

(f) **Neighbourhood Plans (NPs)** - The Localism Bill 2010 sets out the devolution of greater powers to neighbourhoods and local communities to have a say in decisions which affect where they live, particularly where this relates to the delivery of new development. More detail on Neighbourhood Plans is expected to be forthcoming, however it is likely that they will be formed at a Parish Council level and will need to be in-line with the aims and

objectives of the Core Planning Strategy. The legal and resource requirements to prepare Neighbourhood Plans are not yet clear.

#### Proposed and Emerging Planning Documents

6. This section sets out the proposed and emerging planning documents that Epping Forest District Council intends to prepare over the course of the period covered by this LDS:

- (a) Local Development documents:
  - PD1 Core Planning Strategy;
  - PD2 Site Allocations DPD; and
  - PD3 Development Management DPD.
- (b) Supplementary Planning documents:
  - PD4 Community Infrastructure Levy; and
  - PD5 St Johns Development Framework.
- (c) Procedural and supporting documents:
  - PD6 Statement of Community Involvement;
  - PD7 Annual Monitoring Report (ongoing);
  - PD8 Conservation Area Appraisals and Management Plans; and
  - PD9 Neighbourhood Plans.

#### Timescales for Local Development Documents

- 7. PD1 Core Planning Strategy:
  - Autumn 2011 – Issues and Options;
  - Summer 2012 – Preferred Options;
  - Winter 2012 – Submission;
  - Summer 2013 – Examination; and
  - Spring 2014 – Adoption.
- 8. PD2 Site Allocations and PD3 Development Management:
  - Autumn 2013 – Issues and Options;
  - Summer 2014 – Preferred Options;
  - Spring 2015 – Submission;
  - Autumn 2015 – Examination; and
  - Summer 2016 – Adoption.

#### Why This is the Best Approach

9. The case for this approach is based upon the following benefits:

- **Flexibility** - producing separate documents for strategic, site-specific and development management policies provides greater flexibility for the LDF team when dealing with any revisions that may be required in the future;
- **Community Engagement** - The type of community engagement required for understanding local views on broad issues such as the location of growth and more detailed development management policies is very different. Any attempt to consult on planning issues at such wide ranging levels would be counter-productive and confusing for the audience; and
- **Resources** - Production of the Core Planning Strategy is highly resource intensive for

the LDF team. Attempts to produce other DPD documents at the same time would put so much pressure on current resources that they may potentially cause a delay to this key document.

10. Other options for managing the production of the LDF would be:

(i) incorporate PD3 Development Management Policies within the Core Planning Strategy; or

(ii) incorporate both PD3 Development Management Policies and PD2 Site Allocations within the Core Planning Strategy.

11. However, the case for not following these alternative options is set out in paragraph 9 above.

#### Timescales

12. See Appendix 1 for a draft project programme.

#### **Resource Implications:**

It is considered that the approach set out is the best option for working within the resources available. Alternative approaches would place more pressure on resources and potentially delay the production of the Core Planning Strategy.

#### **Legal and Governance Implications:**

The LDS is a statutory requirement.

#### **Safer, Cleaner and Greener Implications:**

No relevant implications.

#### **Consultation Undertaken:**

N/A.

#### **Background Papers:**

- Planning Policy Statement 12: Local Spatial Planning (June 2008)
- Town and Country Planning (Local Development) (England) (Amendment) Regulations 2008
- Communities and Local Government – Plan Making Manual
- Localism Bill 2010

#### **Impact Assessments:**

##### Risk Management

Risk to the LDF not being found “sound” by the Inspector at the public examination due to not having an LDS in place.

##### Equality and Diversity:

Preparation of the Local Development Framework as a whole will be subject to an on-going Equality Impact Assessment, as part of the Sustainability Appraisal.

*Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications?* No

*Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken?* No

*What equality implications were identified through the Equality Impact Assessment process?*  
None.

*How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?*  
None.