

Report to the Local Development Framework Cabinet Committee



Report reference: LDF-003-2011/12
Date of meeting: 1 August 2011

Epping Forest District Council

Portfolio: Planning and Technology
Subject: Core Planning Strategy - Issues & Options
Responsible Officer: Amanda Wintle (01992 564543)
Democratic Services Officer: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

- (1) To note the national policy position in respect of the Localism Bill and the expected draft of the National Planning Policy Framework;**
- (2) To note the evidence that has been completed to support the LDF, and that which is still on-going;**
- (3) To agree that no formal Local Development Scheme is submitted to the Secretary of State at this stage, for the reasons set out below, but that an informal timetable will be published on the website;**
- (4) To agree the draft vision, aims and objectives of the Core Planning Strategy;**
- (5) To agree that informal liaison with Harlow and East Herts District Council Officers continues; and**
- (6) To agree that informal meetings with the Cabinet Committee be arranged as necessary to discuss the emerging Issues & Options consultation document, and that any briefing papers provided will be published on the Council's website.**

Executive Summary:

The national planning policy position is changing rapidly, and further change is expected over the coming year. This change is being driven by the emerging Localism Bill and the proposed National Planning Policy Framework, and the impacts on the preparation of Local Development Frameworks at a district level are likely to be significant.

The existing evidence base that will be used to support the LDF will be kept under review in light of the continuing changes. No updates are required at present to existing studies, however this may become necessary in future. The LDF Cabinet Committee will be kept apprised of the need for any updates.

Further, in light of the changes it is not considered useful at present to prepare and submit a Local Development Scheme. There is too much uncertainty over the requirements of the emerging localism agenda to be able to set a timetable at present. This position will be kept under review, and an informal timetable will be published in the meantime.

The draft vision, aims and objectives to be included in the Core Planning Strategy are presented for discussion and agreement. These elements will form the structure for the document, setting out the key issues that have been identified, and the potential options which exist to address them.

Officers have worked informally with colleagues of Harlow and East Herts District Councils for a number of years, primarily on preparing joint evidence to determine how the growth required by the East of England Plan should be delivered. In light of the proposed abolition of the Regional Strategies, whether this arrangement should be continued needs to be discussed. As a higher order centre on the boundary of Epping Forest District, it is reasonable to expect that the continued aspiration of Harlow District Council for regeneration and growth should factor into the options considered while planning for the future of this District.

Given the complex nature of the preparation of the LDF as a whole, it is recommended that informal meetings may be needed on occasion to ensure that Members of the LDF Cabinet Committee and others are fully briefed and have the opportunity to have detailed discussions about the emerging consultation document. Briefing papers will be circulated to all Members and, with permission, published on the website to ensure transparency.

Reasons for Proposed Decision:

It is important that Members are kept up to date with the emerging national policy position, and the potential implications for the preparation of planning policy in Epping Forest District, including the evidence base. The extent and timing of changes that will still be made to national policy are not yet clear, and therefore it is appropriate to delay the preparation of a formal Local Development Scheme until the implications are fully understood.

Whilst the process is still unclear, the key issues as identified by the "Community Visioning" exercise and existing evidence are apparent and progress can be made on furthering the Core Planning Strategy. Discussion of the draft vision, aims and objectives is the first stage of this.

The potential expansion of Harlow remains a key issue for the Core Planning Strategy to consider, despite the Government's intention to abolish Regional Strategies. The mechanisms for ensuring a continued debate about this matter should be formally agreed.

The preparation of the LDF as a whole is a complex process, and informal meetings with the LDF Cabinet Committee may be necessary to ensure the key issues are fully understood.

Other Options for Action:

- In respect of the Local Development Scheme, a formal document could be prepared and submitted to the Secretary of State in the coming months. However, it is likely this would become quickly out of date given the emerging changes that are not yet clear.
- To not agree the draft vision, aims and objectives, or to agree them in an amended form.
- To not agree that the informal meeting arrangements continue with Harlow and East Herts District Council officers.
- To not agree that informal meetings of the LDF Cabinet Committee may be necessary to discuss the emerging Core Planning Strategy.

Report:

National Policy Position

1. This is an update of the report to the LDF Cabinet Committee on 7 February 2011. The Localism Bill is currently being considered in the House of Lords, and it is anticipated this will be enacted by spring 2012. The Bill is likely to cause significant further change in the way in which planning policy is developed at a local level, although the extent of further change is not yet clear.
2. The coalition Government has made clear that Regional Strategies will be abolished as soon as possible, and recent challenges in the High Court have not changed this position. The timescale for complete abolition of the Strategies is not yet clear, but further information will be provided when it is available. At present, the Regional Spatial Strategy for the East of England (*the East of England Plan – May 2008*) still forms part of the development plan for the District, and must be taken into account in preparing Local Development Frameworks.
3. The Localism Bill also introduces Neighbourhood Plans, and providing the required support to Town / Parish Councils to prepare these may have a significant impact on the resources of the Forward Planning team. It is important to continue focusing on the Core Planning Strategy, to provide the strategic framework to support any emerging Neighbourhood Plans.
4. Also arising from the Localism Bill is a Government intention to replace all the existing Planning Policy Guidance notes and Planning Policy Statements with a single National Planning Policy Framework (NPPF). A draft of this NPPF is expected to be published for consultation later in the year, and LDFs must be in conformity with this once it is published in its final form.

Epping Forest District Core Planning Strategy Evidence

5. Significant work has been undertaken on collating a robust evidence base to support the preparation of the Local Development Framework. A list of the studies is attached at Appendix 1.
6. There are still a number of studies still in progress. These are:
 - (i) Assessment of the horticultural glasshouse industry in the District – this report is currently underway, and the final report is expected to be complete in October 2011;
 - (ii) Audit of Open Space (“PPG17 audit”) – an update of this work was provided on 15 March 2011. The Audit work will be fully completed by the end of August 2011, and consultants to complete the qualitative assessment work will be appointed by the end of September. It is anticipated that this work will be completed by the end of 2011;
 - (iii) Strategic Housing Land Availability Assessment (SHLAA) – this study is subject to a further report on this agenda. Consultation is required on the proposed methodology, and consultants need to be appointed to carry out the study work. This is a key piece of evidence for the LDF, and therefore care must be taken to ensure the outcomes from it are robust. Subject to appointment of suitable consultants, this study should be completed by Spring 2012;
 - (iv) Gypsy & Traveller Accommodation Assessment (GTAA) – a county-wide GTAA was produced in 2010, however following a recent public inquiry into the provision of a site for

Gypsies and Travellers it has become apparent that an updated assessment for the District may be necessary. An initial assessment of the GTAA and the desktop information held within the Council will be undertaken, and this will enable officers to make an assessment to determine whether additional specialised advice is required. The initial assessment will be completed by the end of October 2011, and Members will be asked to consider the findings once this work is complete;

(v) Settlement Edge Landscape Sensitivity Study (Chris Blandford Associates January 2010) and Water Cycle Strategy (Hyder Consulting 2009) – both of these studies were completed some time ago, and must still be brought to this Cabinet Committee for formal addition to the LDF evidence base. Other work pressures to date have not permitted these reports to be prioritised. It is anticipated these will be presented to LDF Cabinet Committee before the end of 2011;

(vi) Local Wildlife Sites – this completed report was presented to LDF Cabinet Committee in September 2010. There is still work outstanding to ensure that the newly designated sites are properly shown on a revised Local Plan map, and the owners of the land are appropriately informed. This is an area of work which needs to be delivered jointly between the Forward Planning team and Countrycare; and

(vii) Demographic Study – In light of the proposed abolition of the Regional Strategies, each district council will be required to identify its own growth rate. In order to do this, up to date information relating to population and household growth is required. Essex Planning Officers Association (EPOA), recognising the importance of this work, has commissioned Essex County Council to lead a project which will provide this information. This is being funded from existing EPOA budgets. It is anticipated that new projections and estimates will be available by the end of the year. Once new data sets are available, the implications for the Strategic Housing Market Assessment will be reviewed.

7. It is vital that the evidence base to support the LDF is robust and kept up-to-date. In light of the changes that have occurred, and are likely to continue to occur for some time yet, officers consider that at present it is sensible to refrain from commissioning further work to update any existing studies until the position at national level becomes clearer. It is considered that the evidence base remains robust within the current parameters of existing national and regional policy, and guidance relating to the preparation of LDFs. This position will be kept under review, and the Cabinet Committee will be kept informed of any changes, or need to update any of the studies.

Timetable

8. It is a requirement of the LDF system that a Local Development Scheme is agreed by the Secretary of State, and made available to the public. A report was presented to this Cabinet Committee on 28 March 2011 which set out the proposed timetable to be included in a revised LDS. This timetable was based on the best available information at the time, and is included for reference at Appendix 2. It is apparent there is already slippage, caused by continued Government changes and staff losses from the Forward Planning team. It is also apparent, as outlined above, that changes are likely to continue in national policy, and some of these could be significant in terms of the preparation of the LDF.

9. It is therefore proposed that a revised LDS is not submitted to the Secretary of State, until there is more clarity on the changes that will be introduced and what this will mean for plan making in the District. It is suggested that an informal LDS is published on the Council's website to inform residents and those interested in the process of the timetable. However, any timetable that is produced will need to be carefully monitored to ensure that account is taken of further changes to the LDF system.

10. There is a significant risk to any timetable that is adopted at present, as the Forward Planning team is currently experiencing a severe staff shortage. Vacant posts have recently been advertised internally, and the Portfolio Holder for Planning & Technology will receive a further report shortly concerning any remaining vacancies.

Aims & Objectives

11. An initial public consultation exercise took place from November 2010 through to January 2011. This was intended to determine what residents considered to be the most important issues for the District. Although a simplistic approach was taken to the questions that were asked at this stage, it has provided a good indication of the key areas of concern. This information has been used to help identify an appropriate vision, and aims and objectives that will help to achieve this vision.

12. The Community Visioning exercise showed that the protection of green spaces was considered the most important issue for the District. It is with this in mind that the vision, aims and objectives have been structured. It is intended that a “green infrastructure” framework will support all of the policies to be contained within the Core Planning Strategy.

13. The draft vision, aims and objectives are in Appendix 3. There are six aims, each with a varying number of associated objectives. At present, these are initial drafts, and there is still work to be done to ensure that the objectives are “SMART” and can be properly measured. Aim 1 focuses on the protection and improvement of green spaces and the Green Belt, and protection of the character of the District. It is important that, within the parameters of needing to make provision for sustainable growth in the District, the features that are unique to Epping Forest District are properly protected.

14. Aim 2 concentrates on managing growth within the District. Growth to meet the needs of residents and businesses in the District must be properly managed and, in setting a broad framework for this growth, the Council will be in a much stronger position to manage proposals for growth.

15. Aim 3 seeks to support the economy within the District. There are a number of competing centres near to Epping Forest District, both in terms of employment and retail provision. The Core Planning Strategy must support businesses in the District.

16. The long term provision of housing is one of the key functions of the Core Planning Strategy, and this is covered by Aim 4. The District has varying housing needs and demands and, as already set out above, provision to meet these needs must be carefully managed within the overarching parameters of the vision which seeks to protect green spaces and the Green Belt.

17. In ensuring that Epping Forest District achieves sustainable developments, which bring benefits to both existing and new residents, Aim 5 considers the social aspects of managing growth. There are some considerable health inequalities across the District, and the Core Planning Strategy will seek to improve these.

18. Aim 6 focuses on movement in and around the District, and seeks to improve access. This will be achieved by encouraging and supporting improvements to the public transport network, and seeking development that will reduce reliance on private cars where possible.

19. These aims and objectives will be tested through the Sustainability Appraisal process, to assess whether they will lead to the most sustainable development possible.

Informal Engagement

20. The Council has previously adopted an informal joint working arrangement at an officer level with Harlow and East Herts District Councils in order to manage the growth of Harlow that is proposed in the East of England Plan. Harlow District Council is still positive in the need for development beyond the existing boundaries to support its aspirations for regeneration and growth. Given the forthcoming abolition of the East of England Plan, and with it the policy support for this approach, the Council must now consider whether this informal arrangement should still continue. Officers are of the view that as part of the preparation of the Core Planning Strategy it will be reasonable to consider some limited growth of Harlow, and therefore the informal arrangements should continue at this stage.

21. The Core Planning Strategy is a complex document, made more so by the continual changes being introduced by the Government. For this reason, officers consider it may be appropriate to arrange a series of informal meetings with the LDF Cabinet Committee through August and September to discuss emerging issues and options. This would allow members to be fully briefed and engaged with the drafting process.

Resource Implications:

Preparation of the Core Planning Strategy is from existing staff and financial resources, subject to all currently vacant posts within the Forward Planning team being filled.

The full impact of supporting the production of Neighbourhood Plans is not yet known, but the implications for both staff and financial resources could be significant to the Forward Planning team, and the Council as a whole.

Legal and Governance Implications:

The Council is required to pay attention to changing Government guidance and to implement new planning legislation as it emerges. The current overarching requirement is to continue to prepare and deliver the Council's Local Development Framework.

Safer, Cleaner and Greener Implications:

No direct implications at this stage

Consultation Undertaken:

None

Background Papers:

LDF Cabinet Committee reports

Potential Impact of Pending Changes to the Planning System on Progress with the Core Planning Strategy LDF-017-2010/11 (07/02/2011)

Community Visioning results LDF-020-2010/11 (07/02/2011)

Local Development Framework – Local Development Scheme LDF-024-2010/11 (28/03/2011)

Localism Bill 2011.

Impact Assessments:

Risk Management

Because of current vacant posts, there is a significant risk of not being able to deliver the Core Planning Strategy and other LDF documents in a timely fashion. The amount of work associated with the pending changes to the planning system could, in the current circumstance, add considerably to the workload of the Forward Planning team.

Potential impact on ability to achieve Corporate Objective 8 – Delivery of a sound Core Strategy.

Equality and Diversity:

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? N/A.

What equality implications were identified through the Equality Impact Assessment process?
N/A.

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?
N/A.