

Report to the Local Development Framework Cabinet Committee



Report reference: LDF-008-2011/12
Date of meeting: 19 December 2011

Epping Forest District Council

Portfolio: Planning & Technology
Subject: Local Plan – Revised Project Plan
Responsible Officer: Amanda Thorn (01992 564543)
Democratic Services Officer: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

- (1) To note and agree the proposed timetable for the preparation of the Local Plan;**
- (2) To note the significant identified risks to achieving the timetable as set out by the Leader and Portfolio Holder for Planning & Technology;**
- (3) To agree the continued budgetary provision available for the preparation of the Local Plan, and in particular the estimated expenditure of the further amounts identified in Appendix 2; and**
- (4) To note the need to maintain the Forward Planning team at full strength, and to agree a further review of available staff resources in six months.**

Executive Summary:

Following the recent consultation on the National Planning Policy Framework, the Leader and Portfolio Holder for Planning & Technology have requested that the Forward Planning team investigate achieving the submission of the Local Plan to the Planning Inspectorate more quickly than had originally been intended. Detailed consideration of this has shown it is possible to reach submission by February 2012, however there are some significant risks to achieving this timetable, not all of which are in the Council's direct control.

Further additions to the evidence base are currently being commissioned where necessary, with the intention that all of these substantial pieces of research work will be completed by April 2012 in order to inform the preparation of the Draft Local Plan.

Budgetary provision exists for this financial year, and next. A further allocation will need to be made in 2013/14. The staffing resources available to the Forward Planning team will need to be kept under regular review to ensure delivery of this challenging timetable.

Reasons for Proposed Decision:

The emerging National Planning Policy Framework will significantly change the way in which planning matters are dealt with across the country. It is important that Epping Forest Council has an up-to-date Local Plan in place as soon as possible in order to protect the most special areas of the District. Without such an up-to-date adopted Local Plan, it will be more difficult to reject planning applications that may not meet the Council's key objectives.

Other Options for Action:

To not agree the proposed timetable for the preparation of the Local Plan.

To not agree the continued budgetary provision to deliver the Local Plan, and further expenditure on evidence base studies.

To not agree to a further review of the staffing resources within the Forward Planning team in six months.

Report:

Revised Local Plan timetable

1. Members of this committee will be aware that there has been significant change in the planning system since the coalition government was formed. The existing set of Planning Policy Guidance notes (PPGs) and Planning Policy Statements (PPSs) are to be replaced with a single, shorter document called the National Planning Policy Framework (NPPF). The Council's response to the draft NPPF was discussed at the Planning Scrutiny Panel and this committee on 3 October 2011. Regional Strategies are to be fully revoked following the recent enactment of the Localism Bill (November 2011), leaving local authorities able to determine the amount of growth that should be delivered in their area. Further, a single Local Plan should be produced, rather than a collection of several documents as required by the Local Development Framework approach. Neighbourhood Planning has also been introduced, with the intention being that the Local Plan will provide the framework within which Neighbourhood Plans are prepared by Town & Parish Councils.

2. The Forward Planning team are in the early stages of preparation of the Core Planning Strategy, and there is an opportunity to take on board the new policy and guidance requirements without losing a significant amount of work that has already been completed. A number of evidence base reports have been completed, and much of this still remains largely relevant. However there is a need to review this in light of the revocation of Regional Strategies.

3. Following discussion of the Council's response to the draft NPPF, further meetings were held between officers and councillors of this Council, the Parliamentary Under Secretary for Local Government & Planning (Bob Neill MP) and Communities & Local Government Chief Planner (Steve Quartermain). Following these meetings, it was determined by the Leader and Portfolio Holder for Planning & Technology that the programme for preparation of the Local Plan should be accelerated. A broad timetable has been established, which shows that it is feasible to achieve submission of the Local Plan to the Planning Inspectorate by February 2013 (Appendix 1). However, whilst this timetable is potentially achievable, it is very challenging, and will require continued focus of the Forward Planning team over an extended period.

4. The achievement of this timetable is subject to a number of factors, and whilst a full risk assessment is being undertaken, some of the issues which may arise are outside of the Council's direct control. The key risks which have been identified are:

(a) the Regulations guiding the preparation of a Local Plan are still in draft form, and therefore still subject to change.

(b) The receipt of an overwhelming public and stakeholder response to consultation periods, which is likely to be the case as the Local Plan will contain site allocations, which are

always of more concern to the local community. The processing and analysis of a significant number of responses may cause delay which cannot be accurately predicted.

(c) The need to meet the new “Duty to Cooperate” included in the Localism Act. This requires local authorities to “engage constructively, actively and on an ongoing basis” on strategic matters relating the preparation of development plan documents. ***If*** growth at Harlow is proposed and agreed by this Council, Harlow and East Herts District Councils, any Local Plan will be found unsound if the appropriate mechanisms to ensure delivery of this growth are not demonstrated within each Local Plan. Before the Local Plan is submitted to the Planning Inspectorate, this Council will need to be assured that soundness can be achieved in this matter, particularly as the Examination is an expensive part of the process.

5. In recognition of the challenging timetable now required, the free support offered by the Planning Advisory Service has been sought in terms of providing an overview of the proposed Local Plan timetable, resource management, and a review of the existing evidence base. This work is currently underway and the Portfolio Holder for Planning & Technology and the Leader will be kept informed of any recommendations that are made.

Evidence Base Update

6. A number of further studies are shortly to be commissioned, which will support the preparation of the Local Plan. The majority of these studies had already been identified by officers, however given the scope of the Local Plan is broader than that of the Core Planning Strategy, these are now being brought forward sooner than anticipated.

7. Appendix 2 gives details of the evidence base studies that have been completed, those that are in progress, and those that are now required. The budget required to deliver these studies is from the existing LDF/Local Plan Budget. Members’ attention is particularly drawn to the additional estimated expenditure which has been identified for the following studies:

- (a) Review & update of the Strategic Housing Market Assessment - £5,000;
- (b) Review & update of the Strategic Housing Market Assessment Viability Assessment - £5,000;
- (c) Heritage Asset Review - £15,000;
- (d) Carbon Reduction Strategy - £35,000; and
- (e) Community Infrastructure Levy: Viability Assessment - £35,000.

Resources

8. The budget to deliver the Local Development Framework was approved in December 2007. Progress against the original timetable has not been as envisaged for a variety of reasons, and therefore sufficient funds remain in this budget to deliver the Local Plan. Given the compressed timetable to now be achieved, it is vital that this budget remains available until the Local Plan is adopted.

9. A summary of the current budgetary position is given in the table over the page:

- (a) It is not possible at this stage to identify all of the possible expenditure that may be needed to deliver the Local Plan, particularly in respect of the evidence which may be needed at the Draft Plan stage (Summer 2012). This matter will be kept under review.

	2011/12	2012/13	2013/14
Available funds	£165,000	£586,000	(b)
Committed expenditure	£79,342.85	unknown	unknown
Staffing		£22,000	unknown
Estimated costs			
Evidence	£60,000	£110,000	unknown
Consultation periods	£20,000	£40,000	unknown
Sustainability Appraisal		£30,000	unknown
Examination in Public			£35,000
TOTAL COSTS IDENTIFIED	£159,342.85	£202,000 (a)	£35,000

(b) Budgetary provision for the Local Plan has not been made for 2013/14, however the Examination in Public & Adoption will take place in this financial year. It is likely that the remaining funds currently available will need to be rolled forward for a further financial year.

10. The above budget summary will be kept under review, and regular reports made to Members.

11. It is important that the existing Forward Planning team is maintained at full strength in order to deliver the required timetable. There are currently three vacancies within the team, which are now subject to external recruitment. Interviews are intended to take place over the first two weeks in January 2012. It is necessary to keep under review the capacity of the team and the staff resources available, both within the team and from elsewhere in the Council. A number of temporary posts currently exist, and a further review will be undertaken in six months to determine whether a case may exist to extend any of these posts.

Resource Implications:

As detailed in paragraph 9, and Appendix 2. The Local Plan Budget contains £165,000 for 2011/12, and £586,000 for 2012/13.

The staffing position will need to be kept under regular review.

Legal and Governance Implications:

It is a statutory requirement of the Town & Country Planning Act (1990, as amended) and the Planning & Compulsory Purchase Act (2004, as amended) that every Local Planning Authority adopts a "plan-led" approach to the planning of their area.

The Localism Act further introduces a revised process for achieving this.

Safer, Cleaner and Greener Implications:

None at present, although the preparation of the Local Plan will eventually introduce new planning policies which will have a bearing on the Council's approach to Safer, Cleaner Greener matters

Consultation Undertaken:

None.

Background Papers:

Localism Act 2011.

Impact Assessments:

Risk Management

There are significant risks which may prevent the achievement of the desired timetable, however the Forward Planning team will endeavour to identify and mitigate against these risks in order to adopt a sound Local Plan as quickly as possible.

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? No

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.