

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Local Development Framework **Date:** 19 December 2011
Cabinet Committee

Place: Council Chamber, Civic Offices, **Time:** 7.05 - 8.15 pm
High Street, Epping

Members Present: J Philip (Chairman), Mrs R Gadsby, Mrs M McEwen and Mrs L Wagland

Other Councillors: Mrs M Sartin, Mrs P Smith, D Stallan, G Waller and D Wixley

Apologies: J Knapman

Officers Present: J Preston (Director of Planning and Economic Development), A Thorn (Principal Planning Officer) and G J Woodhall (Democratic Services Officer)

18. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Code of Member Conduct.

19. MINUTES

Resolved:

(1) That the minutes of the meeting held on 3 October 2011 be taken as read and signed by the Chairman as a correct record.

20. TERMS OF REFERENCE

The Cabinet Committee noted their terms of reference, as agreed by the Council on 17 February 2009 (minute 113(a) refers).

21. RYE MEADS WATER CYCLE STRATEGY

The Principal Planning Officer presented a report concerning the Rye Meads Water Cycle Strategy.

The Principal Planning Officer reported that the Rye Meads Wastewater Treatment Works served the whole of Harlow and the part of the District which adjoined Harlow's boundary. It served a further five local authority areas, either entirely or partly: Broxbourne, East Herts, North Herts, Stevenage and Welwyn Hatfield. The capacity of Rye Meads works had been recognised as an issue in the East of England Plan (EEP), because 70,000 new houses were originally proposed in the catchment area during the period up to 2021; by 2009 about 8,000 of this total had been built. The proposed urban extensions to Harlow in this District would be served by the Rye Meads works.

The Principal Planning Officer stated that the 2009 Water Cycle Strategy (WCS) had assessed these constraints and recommended suitable infrastructure provision, with the main implications for this District being a new sewer from Harlow to Roydon south of the railway line and a possible new sewer to the west of Harlow immediately east of Roydon. In addition to wastewater treatment and sewerage network capacity, the Water Cycle Strategy had also considered the wider water resources such as potable water supply, flood risk and mitigation, water quality and conservation opportunities.

The Cabinet Committee was advised that Three Valleys Water and Thames Water were confident that the current measures being implemented would mean that water supply would not be a constraint to growth. For the treatment of wastewater, the Rye Meads works would require upgrades to ensure future capacity would meet the proposed growth, but this would only effect any development adjacent to Harlow. However, there was uncertainty about capacity in the period beyond 2021, and this could be a significant constraint on further development. It was important that new development and water infrastructure upgrades were properly coordinated, and a full review of the current Water Cycle Strategy was recommended by 2013. It was proposed to include the Strategy as part of the Evidence Base for the new Local Plan.

The Principal Planning Officer added that there was currently no undue concern about the watercourses within the catchment area failing to meet the new quality standards under the Water Framework Directive, as this would not restrict any development before 2021.

The Cabinet Committee felt that the required infrastructure needed to be in place for any new developments, and concern was expressed about the disruption that would be caused by installing the proposed new sewerage pipes in the Roydon area. It was also felt that the County Council would have a much greater role in scrutinising the activities of the Water companies. The Principal Planning Officer declared that the route of the proposed new pipe had been recommended after studying a number of alternative routes. The Water Companies had committed to meeting certain standards in respect of the treatment of wastewater, and Officers would – in conjunction with Officers from Harlow District Council – ensure that the Water Companies met these standards.

In response to further questions from the Members present, the Principal Planning Officer responded that the Strategy had concentrated on the need from new housing rather than new employment opportunities as this generated greater demand for water. Some of the assumptions in the report had changed since 2009, but Harlow was still seeking a similar growth model. Consequently, the Strategy would need updating; consideration was being given to reviewing the Water Cycle Strategy before 2013 but that would need liaison with the other Councils involved. Officers were also investigating the possibility of obtaining external funding to meet the costs of the review. By adding the Strategy to the Evidence Base, recognition would be given to the need for the additional sewerage infrastructure required for any new development.

The Chairman requested that any further updates to the Water Strategy be reported to the Cabinet Committee once the Strategy had been included as part of the Evidence Base for the new Local Plan.

Resolved:

- (1) That, in the context of the current situation, the conclusions and

recommendations of the Water Cycle Strategy produced in 2009 be noted; and

(2) That the Water Cycle Strategy, with any further updates reported to the Cabinet Committee beforehand, be included as part of the Evidence Base for the new Local Plan.

Reasons for Decision:

Harlow was still likely to expand, with implications for the north-west of the District. The conclusions and recommendations of the Strategy were an important contribution to the consideration of future infrastructure needs for the wider area, and should therefore form part of the Council's evidence base for the new Local Plan, with any further updates reported to the Cabinet Committee.

Other Options Considered and Rejected:

There were no other reasonable options considered.

22. ANNUAL MONITORING REPORT 2010/11

The Principal Planning Officer presented a report on the Annual Monitoring Report for 2010/11.

The Cabinet Committee was reminded that the Government required a monitoring report to be prepared and submitted at least once a year, which reported on activity within the previous financial year, including housing completions, employment land provision, and the protection of areas of natural conservation value. The report was also used to measure progress with the Local Plan. The Annual Monitoring Report for the 2010/11 financial year, indicated that performance against housing targets, which had historically been the Government's highest priority, was shown to be good with 368 new housing units constructed.

The Principal Planning Officer reported that the Annual Monitoring Report would be used as a mechanism for further review of the Local Plan in the future and to test the Council's future policies. It also included information, for example on deprivation, which planning policy could not have a significant impact upon. The Cabinet Committee expressed concern about the possible use of data from the 2001 census, rather than the 2011 census. The Principal Planning Officer stated that the report had used the 2010 population estimates where possible, but that it was difficult to find other credible sources of data.

The Principal Planning Officer undertook to provide further information to Members, either directly or via the Members' Bulletin, regarding the: decent home figures within the report; the Indices of Deprivation link; and the reduction in permanent planning permissions granted for private caravans. The Report was agreed, subject to some minor amendments, for submission to the Secretary of State and publication on the Council's website.

Resolved:

- (1) That the content of the Annual Monitoring Report for 2010/11 be noted; and
- (2) That the Annual Monitoring Report for 2010/11 be approved for submission to the Secretary of State and publication on the Council's website.

Reasons for Decision:

To fulfil the Council's statutory requirement and ensure a clear and robust annual Monitoring Report was published.

Other Options Considered and Rejected:

To not publish and submit an Annual Monitoring Report. However, this option would conflict with the requirements of the Planning and Compulsory Purchase Act 2004 and the Localism Act 2011.

23. LOCAL PLAN - REVISED PROJECT PLAN

The Principal Planning Officer presented a report concerning the revised project plan for the preparation of the Local Plan.

The Cabinet Committee was advised that, following the recent consultation on the National Planning Policy Framework, the Leader and Portfolio Holder for Planning & Technology had requested the Forward Planning team to investigate achieving the submission of the Local Plan to the Planning Inspectorate earlier than had originally been intended. Detailed analysis had shown it to be possible to reach submission by February 2013, however there were some significant risks to achieving this timetable, not all of which were in the Council's direct control.

The Principal Planning Officer added that further additions to the Evidence Base were currently being commissioned where necessary, with the intention that all of these substantial pieces of research work would be completed by April 2012, to inform the preparation of the Draft Local Plan. Budgetary provision existed for 2011/12 and 2012/13, but a further allocation would need to be agreed for 2013/14. The staffing resources available to the Forward Planning team would also need to be kept under regular review to ensure delivery of the Local Plan within the revised challenging timetable.

The Cabinet Committee acknowledged that further efforts were required to make sure the Council met its new statutory requirement regarding the Duty to Cooperate, as this would avoid parts of the Local Plan being found 'unsound' in the future. The Director of Planning & Economic Development highlighted that the Council had actively cooperated with a number of bodies over the past few years. The Leader added that the Council had been engaging with Harlow recently over its future development, but that East Herts District Council had not engaged in discussions with other authorities. The Principal Planning Officer stated that meetings at Officer level had taken place over the future planned developments within the East Herts District, but no meeting had been scheduled involving Councillors from East Herts District Council. It was suggested that the Leader should offer to meet the Leader of East Herts District Council initially, with further joint meetings between the two Leaders and Chief Executives. It was important to ensure that the Council's Local Plan was not found 'unsound' due to a lack of cooperation from East Herts District Council.

The Cabinet Committee queried whether it would be possible to reduce the time currently scheduled between submitting the Plan to the Planning Inspectorate in February 2013 and commencing the Examination in Public during the autumn of 2013. The Principal Planning Officer indicated that this could be discussed further with the Planning Inspectorate; the timetable as set out in Appendix 1 of the report was currently only broadly indicative, and required further analysis.

With respect to Neighbourhood Plans, the Principal Planning Officer reported that the regulations regarding their preparation had not been finalised. The focus was currently concentrated on preparing the Local Plan, and consideration of the available resources to assist Town and Parish Councils with the preparation of their Neighbourhood Plans would be given when the Local Plan was complete. The Leader of the Council added that Local Councils could help both processes by identifying areas of local significance within their area, whilst the Chairman highlighted that any positive assistance provided by Town and Parish Councils in preparing the Local Plan would also help in the subsequent preparation of their Neighbourhood Plans.

The Leader of the Council accepted that the proposed timetable was challenging but was confident that it would be met. The key message to the public should be that the Local Plan would help to protect the District in the future. Early responses to the public consultations should be encouraged to avoid the use of delaying tactics by some members of the public. The Leader also requested that copies of the core reports for the Evidence Base should be available to members of the Cabinet Committee. The reports currently were placed in the Members' Room and published on the Council's website, however the Principal Planning Officer undertook to provide all members of the Cabinet Committee with the Evidence Base reports on computer disk.

Recommended:

(1) That the continued budgetary provision available for the preparation of the Local Plan and the estimated additional expenditure required for further studies to be undertaken for the Evidence Base be recommended to the Cabinet for approval;

Resolved:

(2) That the proposed timetable for the Local Plan, as detailed in Appendix 1 of the report, be agreed;

(3) That the following significant identified risks to achieving the Local Plan timetable be noted:

(a) a change in the regulations guiding the preparation of the Local Plan;

(b) an overwhelming public response to the planned consultation periods; and

(c) the need to meet the new 'Duty to Cooperate' included in the Localism Act 2011;

(4) That, with the need to maintain the Forward Planning team at full strength, a further review of staff resources in six months time be agreed; and

(5) That copies of all the Evidence Base reports be provided to the members of the Cabinet Committee on computer disk.

Reasons for Decision:

The emerging National Planning Policy Framework would significantly alter the way in which planning matters were dealt with across the country. It was important that Epping Forest District Council had an up-to-date Local Plan in place as soon as possible in order to protect the most significant areas of the District. Without such an

up-to-date adopted Local Plan, it would be harder to reject planning applications that might not meet the Council's key objectives.

Other Options Considered and Rejected:

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.

24. ANY OTHER BUSINESS

There was no other urgent business for the Cabinet Committee to consider.

CHAIRMAN