

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Local Plan Cabinet Committee **Date:** 2 July 2012

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 7.00 - 8.55 pm

Members Present: R Bassett (Chairman), W Breare-Hall, Mrs A Grigg and D Stallan

Other

Councillors: K Angold-Stephens, K Avey, K Chana, P Gode, Mrs M McEwen, G Mohindra, J Philip, Mrs C Pond, Mrs M Sartin, Mrs P Smith, Ms S Stavrou, G Waller, Mrs E Webster, Mrs J H Whitehouse and D Wixley

Apologies:

Officers Present: J Preston (Director of Planning and Economic Development), K Polyzoides (Assistant Director (Policy & Conservation)), I White (Forward Planning Manager), A Thorn (Principal Planning Officer), G J Woodhall (Democratic Services Officer) and T Carne (Public Relations and Marketing Officer)

1. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillors K Avey and W Breare-Hall declared a personal interest in agenda item 5, Strategic Land Availability Assessment, by virtue of being members of Epping Town Council who had an interest in buying land near Stonards Hill. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(b) Pursuant to the Council's Code of Member Conduct, Councillors R Bassett, M Sartin, S-A Stavrou and E Webster declared a personal interest in agenda item 5, Strategic Land Availability Assessment, by virtue of being members of the Lee Valley Regional Park Authority. The Councillors had determined that their interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(c) Pursuant to the Council's Code of Member Conduct, Councillor W Breare-Hall declared a personal interest in agenda item 5, Strategic Land Availability Assessment, by virtue of the proposed site at Bower Hill being in close proximity to his property. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(d) Pursuant to the Council's Code of Member Conduct, Councillor M Sartin declared a personal interest in agenda item 5, Strategic Land Availability Assessment, by virtue of a proposed site being in close proximity to her property. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(e) Pursuant to the Council's Code of Member Conduct, Councillor D Stallan declared a personal interest in agenda item 5, Strategic Land Availability

Assessment, by virtue of a proposed site being in close proximity to his property. The Councillor had determined that his interest was not prejudicial and would remain in the meeting for the consideration of the issue.

(f) Pursuant to the Council's Code of Member Conduct, Councillors S-A Stavrou and J H Whitehouse declared a personal interest in agenda item 5, Strategic Land Availability Assessment, by virtue of a proposed site being adjacent to the Furniture Exchange Scheme in which they were involved. The Councillors had determined that their interest was not prejudicial and would remaining the meeting for the consideration of the issue.

2. MINUTES

Resolved:

(1) That the minutes of the meeting held on 19 December 2011 be taken as read and signed by the Chairman as a correct record.

3. TERMS OF REFERENCE

The Cabinet Committee noted that the Leader of the Council had recently amended the terms of reference as follows:

“3.1 To oversee and submit recommendations to the Cabinet as appropriate on:

(a) agreement of documentation for consultation on the draft plan/preferred option and documentation to seek pre - submission representations on the proposed Local Plan;

(b) the final form of the Council's Local Plan (ie the version to be submitted to the Planning Inspectorate for Examination in Public); and

(c) responses that should be made to any representations received following consultation on the Local Plan and related documents and supplementary planning documents;

3.2 To be responsible for all aspects (except those matters specified in 3.1 above) including but not restricted to:

(a) monitoring of the achievement of milestones within the Local Plan and Community Infrastructure Levy preparation and review process;

(b) agreement of engagement strategies for consultation periods as necessary;

(c) agreement of documentation for consultation on (i) the Issues and Options;

(d) agreement of draft options and policy wording to be used as the basis for Sustainability Appraisal.

3.3 To note, receive and, if necessary, agree officer reports on consultants' studies which contribute to the establishment of an up-to-date evidence base to influence preparation of the Local Plan.

- 3.4 *To agree options for joint or co-ordinated working with neighbouring Councils, which comply with the Council's duty to co-operate and which best meet the needs of this District.*
- 3.5 *To respond to the Planning Services Standing Scrutiny Standing Panel as appropriate.*
- 3.6 *To monitor within the budgetary provision for the Local Plan, as approved by the Cabinet and the Council.*
- 3.7 *That the membership of the Committee comprise of members of the Cabinet, the number to be determined by the Leader of the Council.*
- 3.8 *That the Committee will be chaired by the Portfolio Holder responsible for Planning matters.*
- NB (1) *In the event that the Council's Cabinet is constituted according the pro rata membership requirements of the Local Government & Housing Act 1989, any political group not having representation on the Committee by virtue of one of the named Cabinet portfolios shall nominate one member of the Cabinet to serve on this Committee.*

(2) *In the event that seats on the Cabinet are allocated by the Leader of Council solely to one political group, or to an alliance of one or more groups forming an administration, seats on the Sub Committee shall only be allocated to members of that group or alliance who have seats on the Cabinet."*

4. STRATEGIC LAND AVAILABILITY ASSESSMENT (SLAA)

The Forward Planning Manager presented a report on the Strategic Land Availability Assessment, for inclusion in the Council's Local Plan Evidence Base.

The Cabinet Committee noted that it was a policy requirement for Local Authorities to undertake a Strategic Housing Land Availability Assessment or similar work to inform their Local Plan making process. The Council had taken this approach a stage further and had also considered land which might be available for commercial purposes. The Strategic Land Availability Assessment was a central document to the delivery of the Local Plan as it assessed the land potentially available in the District for future development. The document had assessed 416 sites which were sourced from the 'Call for Sites' exercise, the Council's land terrier and by identifying the boundaries of settlements not already included to ensure a full radius search was conducted around the main settlements. The study concluded that 335 sites could potentially be suitable for development in the next plan period. Of these, 32 sites could be deliverable within the parameters of existing policy.

The Forward Planning Manager stressed that the Assessment was a technical document, to be included as part of the Evidence Base for the Local Plan; it was not a policy document. The Assessment would require monitoring on an annual basis to ensure that the database remained current and relevant.

The Chairman reiterated that no sites for development had yet been selected, these were options for discussion only, and there was always the possibility for other sites not yet listed to be considered. The Assessment was now out in the public domain as part of the Committee papers on the Council's website. The Democratic Services Officer highlighted that a decision sheet from tonight's meeting would be published

and distributed via the Members' Bags on Friday morning, to enable the call-in period to commence. The Principal Planning Officer undertook to provide the maps in an Excel format for any Member that requested them.

Decision:

(1) That the completed Strategic Land Availability Assessment and its findings be approved for inclusion in the Council's Local Plan Evidence Base.

Reasons for Decision:

To incorporate the results of the Strategic Land Availability Assessment into the Evidence Base for the new Local Plan, and inform discussions on growth options for development over the next 20 years.

Other Options Considered and Rejected:

To not include the SLAA into the Evidence Base. However, this would mean that the Local Plan would not benefit from the detailed work assessing a significant proportion of land in the District for suitability and availability for future development, and would risk the Local Plan being found unsound.

To carry out further assessment work. However, this would result in delays to progressing the Evidence Base and could significantly endanger the Council's current target of submitting the draft Local Plan to the Planning Inspectorate by the Autumn of 2013.

5. STATEMENT OF COMMUNITY INVOLVEMENT

The Assistant Director for Planning (Policy & Conservation) presented a report on the Statement of Community Involvement for the Local Plan.

The Cabinet Committee was informed that the Statement of Community Involvement outlined the different processes that would be engaged by the Council when determining a planning application or preparing a Local Plan. The document outlined how the Council would consult and engage with both statutory and general consultees throughout the delivery of the Local Plan. It also gave an indication of how people could get involved at each stage of the process and where to find supporting information. The Assistant Director highlighted that the consultation period was actually proposed to start on Monday 30 July for 8 weeks, not 8 July as stated in the report.

The Director of Planning & Economic Development added that the Statement was part of the process of being open and transparent with the public. The Assistant Director explained that the volume of paperwork precluded printed copies of every document being available, and hence everything had been published to the Council's website. However, copies would be available for public viewing at both the Civic Offices and local libraries. The Chairman also assured the Cabinet Committee that a series of Local Plan Road Shows would be held around the District in September.

Some concern was expressed about part of the consultation period being conducted during the summer holidays. It was highlighted that the proposed eight-week consultation period was two weeks longer than the statutory minimum, and that all the requisite documents would be available for viewing before the official consultation period begun. These documents had been included as part of the published agenda for this meeting in a near final form. The Cabinet Committee was informed that

stages one and two in the Statement – Evidence Gathering and Issues & Options Preparation – had been completed and that the Council was about to embark on stage three – First Public Consultation (Issues & Options). There was some concern about the Planning Inspectorate potentially taking up to twelve months to make a decision upon the soundness of the Council's Local Plan. The Chairman stated that this issue had been raised at a recent conference, and it was a worry that the Planning Inspectorate could be inundated with Local Plans to examine. The Assistant Director stated that some discussions had already taken place with the Planning Inspectorate regarding the timetable.

Some of the Members present were worried about the level of development proposed by some of the options within the Strategic Land Availability Assessment. It was emphasised again that the Assessment only indicated the land available for development within the District, and that no decisions had yet been made about which sites would be chosen for further expansion. The final draft of the Local Plan would be agreed by the full Council before being submitted to the Planning Inspectorate for approval, which was still intended to be in the autumn of 2013.

Decision:

- (1) That the “Statement of Community Involvement” be approved for public consultation;
- (2) That, prior to publication, the Portfolio Holder for Planning be authorised to agree any further minor amendments which might be necessary; and
- (3) That the consultation period be commenced on Monday 30 July 2012 and run for 8 weeks until Friday 21 September 2012.

Reasons for Decision:

To publish the Statement of Community Involvement for public consultation and meet the statutory requirements for the preparation of a Local Plan.

Other Options Considered and Rejected:

To not publish the Statement of Community Involvement for consultation.

To agree an alternative consultation period but which still meets the statutory minimum of six weeks.

6. LOCAL PLAN ISSUES AND OPTIONS CONSULTATION

The Forward Planning Manager and Principal Planning Officer presented a report regarding the Issues and Options consultation for the Local Plan.

The Cabinet Committee noted that, following the publication of the National Planning Policy Framework (NPPF) in March 2012, the Council was required to produce an up-to-date Local Plan. The Community Choices consultation document covered a wide range of issues including options for potential growth targets, possible distribution patterns and locations for growth. It also identified a number of policy issues that needed to be addressed, including Green Belt, historic and natural character, transport, economic development and the Community Infrastructure Levy. The consultation period had been proposed to run between 30 July and 21 September 2012.

The Forward Planning Manager reported that chapter four was the key section of the document and potentially the most controversial. This chapter presented the options for the levels of growth that could be included in the Local Plan and the possible strategies for the distribution of this growth. The Council was also under an obligation to take account of the East of England Plan, as it had not yet been abolished, and paragraph 47 of the National Planning Policy Framework, which required the Local Plan to include the assessed needs for market and affordable housing within the District. It was emphasised that this was not a policy document and that the intention was to protect the Green Belt in the District, but it was inevitable that some Green Belt land would have to be released for development in the future.

The Forward Planning Manager stressed that the Council was required to consider all reasonable options during the preparation of the Local Plan and thus more land had been identified for possible development in the document than would actually be required under any of the possible growth options. The proposed consultation was 30 July to 21 September, which Officers acknowledged was not ideal as it encompassed the principal holiday period, but was necessary to achieve the timely preparation of the Local Plan. However, the proposed consultation period was two weeks longer than the statutory minimum of six weeks. The consultation documentation would be published on the Council's website, with hardcopies available for inspection at selected locations around the District – including the Civic Offices. A number of methods would be utilised to encourage the involvement of residents and stakeholders, including social media, mail shots, leaflets, and Road Shows. Respondents would be urged to submit their comments via the new, online response system.

The Principal Planning Officer reported that three different housing targets had been included in the consultation, ranging from 7,700 to 11,500 new homes within the District. In addition, two different employment targets for 3,960 and 3,917 new jobs had also been included. A number of different spatial options were outlined, including the effect of growth on the edge of Harlow within the District. A proportionate distribution pattern had been investigated, i.e. the largest settlements accommodate the largest growth, but it had quickly become clear that Loughton, as the largest settlement, was the most constrained. The presence of the Epping Forest, the River Roding flood plain and strategic areas of the Green Belt within the District also precluded a proportionate distribution pattern.

The Principal Planning Officer stated that the report also detailed a number of different spatial options, including development in or around the railway stations within the District. It was also possible for respondents to suggest alternative growth targets and distribution patterns, provided that they were evidence based. It was important that every reasonable option for future development within the District was considered in an open and transparent way.

The Cabinet Committee was informed that the Sustainability Appraisal had not yet been received from the Consultants. As this was a technical document, it had been proposed that approval be given by the Portfolio Holder, prior to its publication as part of the consultation. There had also been a change to the map for Ongar, as three additional options had been identified since the publication of the agenda.

The Chairman reminded the Cabinet Committee that a number of revisions to the Local Plan budget had been agreed at the Cabinet meeting on 11 June, including a refund of monies spent in relation to the Design & Development Brief for the St Johns Road area in Epping. It was felt that there was now enough funding available for the Consultation, and the contracts had been extended for the temporary staff in Forward Planning to complete the work. The Director of Planning & Economic Development

added that it was important to retain the current experienced staff and was confident that the section was now properly resourced to produce the Local Plan. Work on the Community Infrastructure Levy had been included in the revised budget, which would provide funding for the necessary infrastructure changes for the future development.

Other members present at the meeting highlighted some issues for further consideration by the Cabinet Committee, including the need for agriculture land in future, the Dutch method of zoning growth away from existing large settlements, the need to provide further school places due to the tremendous growth in young children, and the fact that the Central Line was already at full capacity. The Principal Planning Officer responded that Officers were aware of these issues but strategic Green Belt land had been identified to prevent the existing settlements from coalescing, and the Council was not proposing the use of high quality agricultural land for development. There was a separate policy pertaining to large glasshouse developments in the District, and it was also intended for the current urban open spaces to remain as urban open spaces. The Council was looking to make an objective assessment of the required future growth in the District, which was not influenced by any outside bodies or any financial incentive for development.

The average quoted within the consultation of 30 homes per hectare was queried, as the Council could have used an average of 50 homes per hectare for example. Officers acknowledged that the density of development was a key question for the consultation; if more flats were built then less land would be used. An average of 30 homes per hectare was the standard used but the density could be higher or lower. The Chairman added that, although the current trend was for smaller units, a density of 30 homes per hectare was felt to be more appropriate, but agreed that the actual density of development could be higher or lower. It was requested, and agreed by Officers, that an extra column be added to table 4.2 – Housing Target Options on page 79 of the consultation for figures relating to a density of 50 homes per hectare.

It was highlighted that some of the sites identified were currently car parks, including those at London Underground stations. Officers explained that Transport for London had suggested their car park sites should be included as options, but a loss of car parking spaces within the District would be detrimental. The Cabinet Committee was also reminded that sites for affordable housing, and Gypsy and Traveller pitches had to be included within the consultation. The Council risked its Local Plan being found unsound if it did not include a Gypsy and Traveller policy.

The Principal Planning Officer informed the Cabinet Committee that a number of the proposed draft consultation questions required re-wording and additional options added as possible answers. Any suggestions from Members would be welcomed in the period before the draft Questions were published. The Members were also reminded that reasons had to be given for rejecting any of the identified options from the final version of the Local Plan. The Chairman stated that it was planned for a Road Show to visit as many parishes as possible during September, before the consultation closed, and that the Council had to follow the guidelines laid down by the Government in producing their Local Plan.

Decision:

- (1) That the “Community Choices – Issues & Options” document be published for public consultation;
- (2) That the Portfolio Holder for Planning be authorised to agree any further minor amendments to the document which might be necessary prior to publication;

(3) That the Sustainability Appraisal for the Issues & Options document prepared by Scott Wilson/URS be approved by the Portfolio Holder prior to publication as part of the consultation;

(4) That the consultation period be commenced on Monday 30 July 2012 and run for 8 weeks until Friday 21 September 2012.; and

(5) That the draft questions attached at Appendix 2 of the report, to guide responses to the consultation document, be agreed subject to any further comments being received by the Portfolio Holder for Planning or Officers prior to publication; and

(6) That the Portfolio Holder for Planning be authorised to agree any further minor amendments to the draft questions prior to the commencement of the consultation period.

Reasons for Decision:

To meet the timetable previously agreed by Members to prepare a new Local Plan for the District as quickly as possible.

Other Options Considered and Rejected:

To agree an amended 'Community Choices' document for public consultation.

To not agree the 'Community Choices' document for public consultation.

To not delegate authority to the Portfolio Holder to approve the Sustainability Appraisal for publication.

To stipulate an alternative period of public consultation.

To amend or not agree the draft consultation questions for publication.

7. ANY OTHER BUSINESS

It was noted by the Cabinet Committee that there was no other urgent business for consideration.

CHAIRMAN