

Report to the Council

Subject: Planning Portfolio

Portfolio Holder: Councillor Richard Bassett

Date: 30 July 2013

Recommending:

That the report of the Planning Portfolio Holder be noted.

Local Plan

Over the last few months we have all seen the issues various councils have been having with their local plan. This was reinforced recently when I attended the Royal Town and Planning Institute Conference for councillors. All of the councillors there agreed that it has proved very difficult to complete Local Plan process because of a range of issues. These range from difficulties setting population numbers to “duty to cooperate” as quite often it means duty to “agree”.

As previously stated a recent report by Daniel Lichfield only 15 out of 55 Local Plans had made it through the inspection and several of those are subject to early review. EFDC Forward Planning has been looking at why so many were failing and where things had gone wrong. EFDC want to get it right first time, because if we fail we would have to start again with all the costs involved. As above the areas of most concern to EFDC are population and duty to cooperate.

On demographics the Office for National Statistics (ONS) had published statistics that suggested high numbers of internal migration from London. We engaged Edge Analytics to look at the demographic figures, specifically for Epping Forest district using the latest figures released by ONS in April 2013. We asked them to produce a specific population and household forecast for EFDC. As part of this we were required to do some extra work on the economic trend led forecasts as those from ONS were very extreme and out of line with other trend led forecasts. For this we used a model based on past trend with an allowance against possible economic developments in the district which should make the numbers more reliable.

The Edge Analytics report is scheduled for completion at the end of July. It should be remembered that these forecasts will be without any mitigation of the numbers and also without any discussions on duty to cooperate which as you are aware is an area of concern. I will provide some more information once we have the report.

From this report we are planning a members Demographics workshop (most probable date 28th September). This workshop will include a detailed presentation from Edge Analytics plus details of the outcome of the SHMA (Strategic Housing Assessment) and a section where we will explain the requirement to meet objectively assessed housing need set out in the NPPF and why it is important. Hopefully we will have an update on the Gypsy and Traveller Accommodation Assessment (GTAA)

which is being undertaken by Essex. We also will get Alan Hall to present on the Housing Action Plan for the district which will look at housing policies and actions to meet the community needs for affordable housing

The last Local Development Scheme, (Local Plan Timetable), was formerly adopted by the Council in June 2012 and we have a new updated one being published at the July Cabinet. This set out the proposed programme for the preparation of the Epping Forest Local Plan which provides the framework for the future development of the district and includes strategic vision and policies for the period up to 2031.

At the Cabinet on 22 July we updated the Local Development Scheme (LDS) which was last done in June 2012. Since June 2012 the Council consulted on the issues and options 'community choices' consultation between July and October 2012. And have gained lots of information on what we need to do on "Duty to Cooperate", demographics plus many other issues, including staff changes and the fact we have three senior members of forward planning soon to go on maternity leave. As such the Forward planning team were targeted at a very detailed review of the LDS to ensure we totally understand what is outstanding and what resources are needed.

As such we have looked at detailed tasks, resources, skills and external pieces of evidence we require to complete our work, such as Transport Assessments. If anybody is interested I can provide them with a 7mb Excel spreadsheet to help with any insomnia!

Also we have lots of work involved on-going under the Duty to Cooperate and this all has taken time. There are ten other authorities that we border and as examples we are presently talking to Enfield/Broxbourne on Productive Landscapes, Harlow about developments around joint borders, Waltham Forest and Redbridge on Crossrail 2 consultations. We have recently received a Duty to Cooperate request from Brentwood where they are saying:-

"Brentwood Borough Council considers that development need which cannot be accommodated within the Borough boundary could be sustainably located within neighbouring local authorities. It is the intention of this letter to request Epping Forest District Council to consider the extent to which they are able to meet Brentwood Borough Council's unmet housing need, and to establish other potential issues where the 'Duty to Co-operate' may apply."

This is similar to the negotiations we need to have with Harlow and the other surrounding districts so as you can imagine we need to be strong in our position as we are a green belt district and already have identified we need to produce evidence that argues against some of the previous ONS projections.

We also will need to do further work and gain evidence in some areas and, as with the Transport Assessments, this is done by outside groups where we need timescales from them. It should also be noted that the National Planning Policy Framework has now gone past its initial transition period and it was noticed that there was not a large increase in developers trying to promote their schemes in our district. It is also a requirement that developers themselves are obliged under the "Duty to Cooperate" to work with residents and authorities.

As stated previously as well as a workshop on demographics we will be holding a workshop for members on the preferred options and again I will make sure the group is well informed prior to those workshops.

From all this we have created a simplified timetable which meant that, with council sign off procedures we should be in a position to go to Preferred Options in late April 2014 timeframe. Therefore we are now looking to release the consultation in May 2014.

Following the comments on the timescales for the Issues and Options consultation we have allowed 14 weeks for the consultation and with this, and gauging a similar level of response to the Preferred Options, we estimate we should be in a position to submit pre-submission representations in April/May 2015 with a full submission in Oct/Nov 2015.

In saying this we will be working to get the Preferred Option documentation ready as soon as possible and if it does look like we have the opportunity to complete the preferred options consultation earlier we will discuss the matter further.

In parallel with we produced revised Budgets for the whole of the Local Plan process at the July Cabinet meeting. The last update on the Local Plan budget was presented to Local Plan Cabinet Committee in February 2013 and it is now possible to provide a further update for the entire 2012/13 financial year as we now have done the detailed project timetable and have details of all requirements. A total of £303,033 was spent from the budget during 2012/13, compared to the total amount available within the DDF of £610,000 for the financial year. However detailed budget analysis following the work on the detailed project review indicates that we need to revised the budgets for this year.

Some of the reasons for this are; the additional work has been commissioned on population and household forecasting. We also need to ensure funds are allocated for a number of studies and other work including:

- Level 2 Strategic Flood Risk Assessment;
- Strategic Housing Market Assessment update;
- Sustainability Appraisal support;
- Habitat Regulations Assessment work;
- District wide Transport Assessment (partial funding available);

Added to this will be an extension to the amount available for project management support, and extensions to temporary staff contracts. These amounts to an additional DDF bid for the project of £331,933.

A summary table is:

	2012/13	2013/14	2014/15	2015/16	2016/17	Total
Required budget (July 2013)	£303,033 (spent)	£416,768	£303,861	£331,771	£30,500	£1,385,933
Available budget (June 2012)	£620,000	£282,000	£152,000	-	-	£1,054,000
Existing budget re-profiled	£303,033 (spent)	£416,768	£303,861	£30,338	-	£1,054,000
Additional funds required	-	-	-	£301,433	£30,500	<u>£331,933</u>

There is also the need to provide cover whilst the three post holders are on maternity leave through 2013/14 and 2014/15. An additional amount of up to £51,937 could be required to allow for appropriate cover, should each of the post holders take a full year as maternity leave. This would be used alongside

the existing Directorate salary budget. However I am pleased to report that we have recruited a very experienced person to cover for Kassandra, Anna Cronnin. Anna is a very experienced Planner who has worked at very senior levels in several authorities. She also has the benefit of taking two LDF/Local Plans through to successful examination.

As you can appreciate this is a very complex and constantly changing project where we are trying to understand government/inspector requirements and also work with our neighbours to ensure we build a plan which is defensible and also protects this district and our residents. We do need to make hard decisions but we will make those decisions with the best information available. We need your support and if anyone has any questions or needs some more information either ring or email me and I will get back to you as soon as I can.

Royal Town and Planning Institute Annual Conference for Councillors - 4 July

As mentioned above, I attended the RTPi Annual Conference for Councillors where I met with many councillors from districts in the East of England. We shared our issues with the NPPF and the problems with creating Local Plans. We received several excellent presentations and discussions on area which concerned us all.

These included:

- ***Planning Overview and Changes***
- ***Implementing the Community Infrastructure Levy***
- ***Helping the Public Understand Planning and Neighbourhood Planning***
- ***Overview of Planning Law Changes and the Duty to Co-operate for Local Authorities***
- ***A Neighbourhood Plan in Action – The Gain and Pain***

I am waiting for detailed write ups to be available but if any member has any questions please contact me.

Neighbourhood Plans

The Government introduced Neighbourhood Planning as part of the Localism Act 2011, in order to enable town parish councils and neighbourhoods to actively participate in plan making. A Neighbourhood Development Plan (NDP), once it has passed a referendum, will be part of the statutory development plan and will need to be taken into account in the determination of planning applications. It can include housing and employment land allocations, policies and design statements and can be as simple or as complicated as the town/parish council chooses.

The NDP must meet certain conditions including compliance with the NPPF, the Council's Local Plan and therefore be thoroughly evidenced, as well as meet all the criteria set out in the relevant regulations. One of the duties the Council is obligated to pursue is the designation of a Neighbourhood Area, which includes seeking representations, once a town/parish Council submits a formal request for designation. The Neighbourhood Area boundary will cover the remit of the Neighbourhood Development Plan.

Under the Town and Country Planning Act 1990 (as amended), the Council has a statutory duty to advise and assist communities in the preparation of Neighbourhood Development Plans and orders and to take plans through a process of examination and referendum.

There is currently one Neighbourhood Area recommended for designation from Moreton, Bobbingworth and the Lavers, which will be discussed at the Cabinet meeting on 29 July. An officer in Forward Planning has been allocated the task of producing further guidance/signposting to existing guidance on Neighbourhood Planning for town and parish councils to be made available on the Council's website, and leading on Neighbourhood Planning as per our obligations outlined above. It needs to be noted however that should additional town/parish councils come forward with proposals to designate, additional officer resource will be sought so as to not undermine the delivery of the Council's Local Plan.

At the Local Councils' Liaison Meeting I did speak on the subject and pointed out the possible large costs involved to the local town and parish councils. Whilst EFDC is legally obliged to help with the process it was pointed out that it may be a better solution to look towards a "village design statement" or similar alternative. However with the timing of the Local Plan it is advisable for town and parishes to engage in the LP process and workshops to ensure their opinions are heard as any Neighbourhood Plan would need to have compliance with the NPPF and the Council's Local Plan.