

Report to Planning Scrutiny Panel

Date of meeting: 26 February 2015

Subject: Local Plan Update



Officer contact for further information: Ken Bean (01992 56 4610)
Committee Secretary: M Jenkins

Recommendations/Decisions Required:

1. the progress on the Local Plan
 2. update on the Duty to Co-operate
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Project Management/Local Plan timetable

1. The Local Development Scheme agreed in July 2014 proposes that the next stage of consultation on the draft plan/preferred option is to run between May and July 2015. This would be followed by analysis of the responses and the preparation of a pre-submission plan for publication in early 2016. However, for the reasons outlined in this update this timetable cannot be met.
2. A detailed programme taking account of resources, setting out the key milestones and a best estimate on timings is being prepared.

Update on Evidence

1. **Options for Growth:** A series of three member workshops, organised on an Area Planning Committee basis, were held in September/early October 2014 to engage members in the process of identifying options to be tested. A similar session was held for officers within the Council as part of the ongoing work of the Officer Working Group. A summary note to send to all members on the outcomes of the workshops is awaiting agreement by the Portfolio Holder.
2. In accordance with the guidance and advice in the National Planning Policy Framework (NPPF) and Planning Practice Guidance, officers have been using sustainability appraisal to support the development of reasonable alternative options. Additional work has been commissioned from the Council's retained consultants to undertake an assessment of accessibility for the District and ensure that the guidance on transport assessment published in the Planning Practice Guidance in October 2014 is followed.
3. **Strategic Housing Market Assessment (SHMA)** - the work to update the Strategic Housing Market Assessment (SHMA) in conjunction with the other authorities within our Housing Market Area: East Herts, Harlow and Uttlesford is progressing well and we expect to receive a draft final report towards the end of February with a final steering group on 2 March 2015. Officers hope to be able to brief the Member Co-operation for Sustainable Development Group on 16 March 2015 on the outputs. The timetable slipped as we commissioned two additional pieces of work: the first to ensure that the economic activity scenarios match with the appropriate job growth

projections for each District, the second to run a scenario based on intercensal population change which would more assess the projections for migration. We obtained agreement from the other three authorities to commission this work in December and this is now being used as the basis for identifying the OAN. The consultants are now looking at housing mix and affordable housing to include in the final report.

4. **Strategic Flood Risk Assessment (SFRA)** – work is underway updating the Stage1 SFRA and should be completed by end of March 2015. Once completed this work will inform the first phase of the Green Belt Review.
5. **Plan viability:** The plan viability being undertaken by Dixon Searle Partnership will also inform policy choices on Community Infrastructure Levy (CIL) / S106. Officers are met with the consultants in early February and it was agreed that the timetable be revised to enable the general direction from the Members' workshops on options and outcomes from SFRA1, Green Belt Review1 and transport accessibility to inform the consideration of viability. The consultants will complete a stage 1 report in March that will report on the market position, consider possible options and include an initial informal view on the possibility of charging CIL should the Council wishes to pursue this option.
6. **Economic and employment evidence:** Hardisty Jones have provided their interim findings on economic and employment evidence to support both the Local Plan and Council's overall Economic Development Strategy. Officers will need to ensure this work incorporates the work commissioned by economic development on Waltham Abbey Town Centre and the Essex County Council commission for an Essex Economic Growth Strategy. This work is also being used to inform the SHMA.
7. **Green Belt Review:** Phase 1 of the Green Belt Review undertakes a comprehensive high-level review of all Green Belt land across the District to identify its contribution to the Green Belt, as stipulated in the NPPF. Fieldwork is substantially completed and is being mapped and written up. It will identify both the primary functions of the Green Belt, which deliver the national purposes, and identify whether there are areas of the Green Belt land which no longer contribute towards the national purposes or contribute the least to these. A working draft will be considered by the officer working group to discuss initial findings and to feed into the report. A meeting has also been arranged with our ten neighbouring authorities to advise them of our work and gain a clear understanding of any Green Belt Reviews they are undertaking. Both of these sessions are scheduled in March after which it is then proposed to share the findings of Phase 1 with the Town and Parish Councils in accordance with the Cabinet's decision, before reporting to Cabinet on the findings and undertaking Phase 2 more detailed work. The outcomes of the updated SFRA1 and transport accessibility work will be used to sieve sites to inform the more detailed assessment and set out the proposed methodology and work programme for Phase 2.
8. **Strategic Land Availability Assessment:** A note has been placed in the bulletin updating Members on the position reached with the Strategic Land Availability Assessment which once completed will form part of the Local Plan evidence base.
9. **Air Quality:** We are awaiting the outcome of the strategic transport modelling work before progressing this but officers are liaising with Harlow and East Herts District Council to address the concerns raised by Natural England on the impact of traffic on the Forest.

Other matters

10. **Developer briefings:** Following on from developer briefings for the strategic sites around Harlow the team have begun to identify the strategic sites outside the Harlow and North Weald areas where a similar approach might be appropriate. Harlow,

Epping Forest District and East Herts are being advised by ATLAS (Advisory Team for Large Applications which is part of the HCA) to consider the key thematic priorities for the analysis of sites

11. **Duty to Cooperate:** Officers have been meeting regularly with the appropriate authorities to consider cross boundary issues including the update to the Strategic Housing Market Assessment and identifying the objectively assessed housing need, the approach to Green Belt reviews being carried out by several authorities, and identifying the functional economic area. An officer meeting was held on 19 January with the corresponding member meeting on 27 January 2015. A further round of meetings of the Cooperation for Sustainable Development group, to tie in with the completion of the SHMA, have been arranged for 2 March (officer group) and 16 March 2015 (member group).
12. Following the member meeting held in October 2014, Councillor Whitbread wrote to the Chairman (copied to all other members of the group) advising that unless the emerging figure for objectively assessed need (OAN) for the SHMA area and EFDC were to reduce it is probable that we will be unable to meet our full housing need. This is in the context of the recent planning practice guidance published on 6 October 2014 which reiterates the advice in the NPPF that local planning authorities should meet OANs. Once need has been assessed the authority should take account of any constraints such as green belt which indicate that development should be restricted. He has asked that the next meeting of the Member Board should discuss how the objectively assessed need could be met by the wider SHMA area.

13. Uttlesford Local Plan examination:

The PINS Inspector (Roy Foster) raised fundamental concerns regarding the soundness of the Uttlesford District Council's draft Local Plan. These focussed on:

- i) the housing numbers derived from an out dated SHMA and objectively assessed need for housing (OAN) and;
- ii) the potential expansion of the village Elsenham, in particular concerns about the capacity of the local road network in the absence of committed significant infrastructure improvements.

In a letter subsequently sent to Uttlesford DC on 19 December 2014, the Inspector concluded that he was not able to recommend adoption of the plan as submitted. Given the extent of change likely to be required to the overall strategy, he felt unable to recommend Major Modifications sufficient to overcome the significant soundness issues.

The Inspector advised that the options for the Uttlesford District Council were either to continue the examination but with the inevitable conclusion that he would not be able to recommend changes which would make the plan sound, or to consider withdrawing the plan. Uttlesford District Council have decided to withdraw. The Council are now considering the additional evidence work required in order to address the Inspector's concerns and revising their Local Plan timetable accordingly.

14. **Neighbourhood Plans:** Moreton, Bobbingworth and the Lavers produced a revised draft Plan following the critical friend advice received from an NPIERS examiner. They are also undertaking further consultation with key bodies prior to formally consulting on their draft Plan. Officers are currently undertaking a screening opinion on the requirement for Strategic Environmental Assessment which is a necessary part of the process. We will then need to agree with the parish whether the plan is ready to go forward for examination. North Weald Bassett Parish has also submitted an application for their Parish to be designated a neighbourhood area. Following consultation we received one comment from the developer of Latton Priory about the area to be designated and this has been discussed with the parish. This matter will be the subject of a report to Cabinet. In addition we have now received an application

from Loughton which is currently being consulted on. New regulations that came into force on 9 February 2015 mean that future designations will need to be made within 8 weeks.

Staffing

15. **Staffing:** The structure of the rest of the team has been reviewed and was taken through the job evaluation panel in December. Three posts have been advertised with interview dates scheduled in late February / early March.