

**EPPING FOREST DISTRICT COUNCIL
NOTES OF A MEETING OF PLANNING SERVICES SCRUTINY PANEL
HELD ON THURSDAY, 26 FEBRUARY 2015
IN COMMITTEE ROOM 1, CIVIC OFFICES, HIGH STREET, EPPING
AT 7.30 - 8.55 PM**

Members Present:	G Chambers (Chairman), Ms Y Knight (Vice-Chairman), K Angold-Stephens, Mrs M McEwen, B Sandler, Ms G Shiell, B Surtees and D Wixley
Other members present:	G Waller
Apologies for Absence:	D Dorrell and H Kauffman
Officers Present	D Macnab (Deputy Chief Executive and Director of Neighbourhoods), N Richardson (Assistant Director (Development Management)), S G Hill (Assistant Director (Governance & Performance Management)), Bean (Planning Policy Manager) and M Jenkins (Democratic Services Assistant)

33. APOLOGIES FOR ABSENCE

In addition to the apologies indicated above, the Panel had also received apologies from Councillors R Bassett and J Philip, Portfolio Holders for Planning Policy and Governance and Development Management respectively.

34. SUBSTITUTE MEMBERS

It was noted that Councillor K Angold-Stephens was substituting for Councillor H Kauffman.

35. DECLARATIONS OF INTEREST

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

36. NOTES FROM THE LAST MEETING

RESOLVED:

That the notes of the last Panel meeting held on 26 February 2015 be agreed subject to the following amendment:

Minute Item 32 Dates of Future Meetings should say "Tuesday 14 April" instead of "Tuesday 15 April."

37. TERMS OF REFERENCE

The Panel's Terms of Reference were noted.

38. WORK PROGRAMME

The Work Programme was noted.

39. RECENT MEETING OF THE CHAIRMAN AND VICE CHAIRMAN OF THE AREA AND DISTRICT COMMITTEES INVITATION PANEL

The Panel received a copy of the notes from the meeting of Development Control Chairmen and Vice-Chairmen held on 2 December 2014. The Assistant Director of Governance and Performance Management advised that the agenda items under discussion had also been discussed at the Constitution and Member Services Scrutiny Panel.

The Panel were informed that:

- (a) The District Development Control Committee (DDCC) would be re-titled District Development Management Committee;
- (b) The Council would use the Department of Communities and Local Government (DCLG) definition advice in determining those planning applications applicable to be reported straight to DDCC;
- (c) The procedure for referring a planning application from an Area Planning Sub-Committee to DDCC was being amended so that a minority reference could only take place after a committee vote had been taken; and
- (d) A Portfolio Holder report was being prepared on the options for the possible re-location of the Area Plans South Sub-Committee from Loughton.

40. AREA PLANNING SUB-COMMITTEES - MEMBER BRIEFING ARRANGEMENTS

The Assistant Director of Governance (Performance Management) advised the Panel that the short prompt included on the front page of Area Planning Sub-Committee agendas advising the respective chairmen, vice-chairmen and group spokespersons of the briefing arrangements held immediately prior to each meeting, had been subject to occasional misunderstanding by the public. The word “spokespersons” had sometimes been taken to refer to registered speakers addressing the Sub-Committee. Due to the briefing arrangements being well known, it was intended that the briefings prompt should be removed from area planning sub-committee agendas, to avoid any future confusion.

RESOLVED:

That the changes to Area Planning Sub-Committee Briefing Arrangements be noted.

41. LOCAL PLAN

The Panel received a report regarding the Local Plan Update from the Planning Policy Manager.

(a) Options for Growth

A series of three member workshops organised on an Area Planning Committee basis, were held in September/October 2014 for engaging members in the process of identifying options for testing. A summary note would be sent to all members on the outcomes of the workshops.

The work on updating the Strategic Housing Market Assessment (SHMA) in conjunction with the other authorities within East Herts, Harlow and Uttlesford was progressing well and a draft report was expected towards the end of February. It was noted that the timetable had slipped as two additional pieces of work had been commissioned regarding economic activity scenarios matching appropriate job growth and a scenario based on intercensal population change assessing the projections for migration.

(b) Strategic Flood Risk Assessment (SFRA)

Work was underway updating the Stage 1 SFRA and should be completed by the end of March 2015.

(c) Plan Viability

The plan viability being undertaken by Dixon Searle Partnership would also inform policy choices on Community Infrastructure Levy (CIL). Officers had met with the consultants in early February and it was agreed that the timetable should be revised to enable the general direction from the Member's workshops to inform the consideration of viability. The consultants would complete a Stage 1 report in March that would report on the market position, consider options and include an initial informal view on the possibility of charging CIL, should the Council wish to pursue this option.

(d) Economic and Employment Evidence

Consultants had provided their interim findings on economic and employment evidence to support both the Local Plan and the Council's overall Economic Development Strategy. Officers needed to ensure that this work incorporated the work commissioned by economic development on Waltham Abbey Town Centre and the County Council Commission for an Essex Economic Growth Strategy.

(e) Green Belt Review

The Green Belt Review Phase 1 had undertaken a comprehensive high level review of all Green Belt land across the district to identify its contribution to the Green Belt. Fieldwork was substantially completed and was being mapped and written up.

A meeting had been arranged with the district's 10 neighbouring authorities advising of the council's work and gaining a clear understanding of any Green Belt Reviews they were undertaking. Later, it was proposed to share the findings of Phase 1 with the Town and Parish Councils in accordance with the Cabinet's decision.

(f) Strategic Land Availability Assessment

A note had been placed in the Bulletin updating Members on the position reached with the Strategic Land Availability Assessment which once completed would form part of the Local Plan evidence base.

(g) Air Quality

Officers were awaiting the outcome of the strategic transport modelling work before progressing this, officers were liaising with Harlow and East Herts District Council to address the concerns raised by Natural England on the impact of traffic on the forest.

(h) Developer Briefings

Following on from developer briefings for the strategic sites around Harlow, sites outside the Harlow and North Weald areas where a similar approach might be appropriate had been identified.

(i) Duty to Co-operate

Officers had 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 review having carried out by several authorities and identifying the functional economic area. Meetings were held in January with further meetings scheduled for March.

(j) Uttlesford Local Plan Examination

The PINS Inspector raised fundamental concerns regarding the soundness of Uttlesford District Council's draft Local Plan and felt unable to recommend adoption of the plan . These concerns focussed on:

(i) The housing numbers derived from an outdated SHMA and Objectively Assessed Need (OAN) for housing and;

(ii) The potential expansion of the village of Elsenham, in particular concerns about the capacity of the local road network in the absence of committed significant infrastructure improvements.

(k) Neighbourhood Plans

Moreton, Bobbingworth and the Lavers produced a revised draft plan following the critical friend advice received from an NPIERS examiner. Officers were currently undertaking a screening opinion on the requirement for Strategic Environmental Assessment which was a necessary part of the process. North Weald Bassett had also submitted an application for neighbourhood area designation. Following consultation one comment was received from the developer of Latton Priory about the area to be designated and this had been discussed with the parish. It was also advised that an application had been received from Loughton Town Council which was being currently consulted on. New regulations stipulated that future designations would need to be made in 8 weeks.

RESOLVED:

That the Local Plan update report be noted.

42. KEY PERFORMANCE INDICATORS 2015-16 - REVIEW AND TARGETS

The Panel received a report regarding Key Performance Indicators 2015/16 Targets from the Assistant Director of Governance (Development Management).

Pursuant to the Local Government Act 1999, the Council was required to make arrangements for securing continuous improvement in the way in which its functions and services were exercised, as part of this duty a range of Key Performance

Indicators (KPIs) relevant to the Council's service priorities and key objectives, were adopted each year. Performance was reviewed on a quarterly basis.

Assistant Director of Governance (Development Management) verbally reported that as a result of revision for 2015, Minor category (KPI GOV05) and other category (KPI GOV06) defined planning applications determination times could be extended with the agreement of the developer and be considered to have been decided in time, so long as the new date for decision was achieved. The Panel agreed to the change in the definition and for all planning applications, to bring GOV05 and GOV06 in line with the current measure for Major category applications (KPI GOV04).

The review of KPIs which fell within the areas of responsibility of the Planning Scrutiny Panel resulted in one change being made to the way the target for the Increase in Homes was calculated.

RESOLVED:

That the Key Performance Indicators 2015-16 be noted with the added recommendation to the measure of GOV 05 and GOV06.

43. KEY PERFORMANCE INDICATORS 2014/15 - QUARTER 3 PERFORMANCE

The Panel received a report regarding the Key Performance Indicators 2014/15 – Quarter 3 Performance from the Assistant Director of Governance (Development Management).

Pursuant to the Local Government Act 1999, the Council was required to make arrangements to for securing continuous improvement in the way in which its functions and services were exercised, as part of the duty to secure continuous improvement a range of Key Performance Indicators (KPIs) relevant to the Council's services and key objectives were adopted each year. Performance was reviewed on a quarterly basis.

A range of 36 Key Performance Indicators (KPIs) for 2014/15 was adopted by the Finance and Performance Management Cabinet Committee in March 2014. The KPIs were important to the improvement of the Council's services and the achievement of its key objectives. The KPIs directed improvement effort towards services and the national priorities and local challenges arising from the social, economic and environmental context of the district that were the focus of the key objectives.

As part of the overview and scrutiny review undertaken in 2013/14, changes had been made to arrangements for the quarterly review of KPI performance. From this municipal year, the existing scrutiny panels were now each responsible for the review of quarterly performance against specific KPIs within their areas of responsibility.

Six of the KPIs fell within the Planning Scrutiny Panel areas of responsibility. The overall position with regard to the achievement of target performance at the end of the third quarter of the year for these six indicators is as follows:

- (i) 3 (50%) indicators achieved the cumulative third quarter target;
- (ii) 3 (50%) indicators did not achieve the cumulative third quarter target, although 1 (17%) of these KPIs performed within the agreed tolerance for the indicators; and

(iii) 5 (83%) were currently anticipated to achieve the cumulative year end target.

RESOLVED:

That the Key Performance Indicators 2014/15, in relation to development management, be noted.

44. BUILDING MORE HOMES ON BROWNFIELD LAND CONSULTATION PROPOSALS

The Panel received a report regarding Building More Homes on Brownfield Land – Consultation Proposals from the Assistant Director of Governance (Development Management).

A Government consultation published on 28 January 2015 sought views on proposals for measures making it easier for building on brownfield land suitable for housing. They expected that permissions on brownfield land suitable for housing would in future be granted by Local Development Orders (LDO) and had set an objective that by 2020, LDOs should be in place in over 90% of brownfield land suitable for housing, with an intermediate target of 50% by 2017, and which did not already benefit from planning permission.

LDOs granted permission to specific types of development within a defined area and removed the need for developers to make a planning application. Members noted that a particularly controversial aspect of the consultation was the proposed sanction of placing councils under special measures for not making sufficient progress in setting LDOs in place. In these cases, applicants would have a choice of applying directly to the Secretary of State for planning permission. Whilst it was acknowledged that in a district such as Epping Forest, which was over 92% green belt, the Government's proposals should not be a major issue, there were still a number of potentially harmful implications and an objection in principle to the proposals was recommended.

It was also advised that bids were encouraged from local planning authorities who could identify brownfield sites that were suitable for housing and capable of accommodating in the region of 100 units or more. It was anticipated that successful bidders would receive £50,000 per bid towards the costs incurred in delivering the LDO.

The closing date for consultation responses was noted as being the 11 March 2015, it was suggested that Panel Members should email their responses to the Assistant Director Development Management for onward transmission to the Government by Friday 6 March 2015. The Chairman requested that the full response submitted by the Panel be put before the next meeting, be placed in the Council Bulletin and also be copied to the local MPs.

RESOLVED:

- (1) That the Panel Members respond directly to the Assistant Director Development Management with their comments concerning the Building Homes on Brownfield Land consultation by 6 March 2015; and
- (2) That the final response to the consultation be placed in the Council Bulletin and be copied to the local MPs.

45. ANY OTHER BUSINESS

It was agreed that the next meeting of the Panel would commence at the earlier time of 7.00p.m.

46. DATES OF FUTURE MEETINGS

The next scheduled meeting of the Panel would be held on Tuesday 14 April 2015.

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