

Report to Neighbourhood Select Committee

Date of meeting: 30 January 2018

Subject: Update of the Local Plan

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SCRUTINY

 Epping Forest District Council

Recommendations/Decisions Required:

To note the update on progress of the Local Plan

Executive Summary

- A special meeting of the Council held on 14 December 2017 agreed to publish the Submission Version of the Epping Forest District Local Plan for a six-week period from 18 December 2017 to 29 January 2018 in accordance with Regulation 19 of the Town and Country Planning Regulations 2012.
- Officers are now working to submit the Plan for Independent Examination before the end of March 2018 thereby using the current assessment of housing need. The main area of work is to code and collate the responses received ready for submission. At the time of writing this report the number of responses is unknown. A verbal update will be provided.

Publication of the Submission Version of the Local Plan

1. The Council published the Submission Version of the Local Plan following the Council decision on 14 December 2017 for a period of six weeks from 18 December 2017 to 29 January 2018 to seek representations on the soundness and legal compliance of the Plan. This has been done in accordance with the Council's adopted Local Development Scheme and Statement of Community Involvement; and relevant legislative requirements and is necessary before the Local Plan can be submitted to the Secretary of State for Independent Examination. The intention is to submit before the end of March 2018, thereby using the current assessment of housing need. Any delay will require the Council to undertake a significant amount of further work to revise the Plan in order to meet the additional housing need identified under the proposed standardised methodology published by DCLG in September 2017.
2. In addition, the Government is proposing to introduce a new Housing Delivery Test, that will identify whether the number of homes being built is below the prescribed target and, where there is under-delivery, a presumption in favour of development will apply. Although the implementation of the Housing Delivery Test has been delayed, when brought into effect, it is likely that the housing target applied for the District will be as set out in the DCLG consultation (i.e. 923 homes per annum) rather than the 518 homes per annum currently identified as the District's housing requirement.
3. A failure to submit the Local Plan to the Secretary of State for Independent Examination before the end of March 2018 would therefore have considerable implications for the Council. It is highly likely that the Council would need to reconsider many aspects of the Local Plan and undertake a considerable amount of further work in order to respond to a significant increase in the housing requirement. This would require additional resources, whilst also resulting in a considerable delay in finalising

the Local Plan for Submission, leaving the District without an up to date Local Plan for a significantly longer period. Importantly, it would also restrict the ability of the Council to deliver plan-led growth to meet future development and infrastructure needs, and leave the District vulnerable to speculative development proposals. It would also leave the Council vulnerable to formal intervention by the Secretary of State exercising his default plan-making powers under Part 2 of the 2004 Act, as set out in the Housing White Paper.

4. On 16 November 2017, the Secretary of State announced that he has commenced the formal process of intervention in the plan-making arrangements of 15 local planning authorities that have failed to progress a Local Plan to the stage of publication.
5. The Local Plan Submission Version is underpinned by a significant amount of technical work and justified by a comprehensive and robust evidence base. The Local Plan policies, spatial strategy and site allocations are supported by an extensive range of detailed supporting documents, including the Sustainability Appraisal, Habitat Regulations Assessment and Infrastructure Delivery Plan (amongst many others). All the documents and other studies to support the Local Plan are available on the Council's website www.eppingforestdc.gov.uk/planningourfuture
6. The current stage of plan making is to ensure that all the necessary documentation is ready and available for submission and independent examination. This will include an updated consultation statement to report on the Regulation 19 publication, an updated duty to cooperate statement, the Sustainability Appraisal/Equalities Impact Assessment and Habitats Regulation Assessment. The published plan is the document that the Council considers is ready for examination – only non-material typographical, formatting, mapping and other amendments can be made prior to the submission of the Plan to the Secretary of State.
7. The Council is in the process of agreeing a Service Level Agreement with the Planning Inspectorate. One of the requisites for going ahead with the examination is the appointment of a programme officer to support the Inspector. This has been done and officers are meeting with the Programme Officer on 16 January 2018.

Update on Local Plan implementation and delivery

8. The Cabinet considered a report on the implementation of the Local Plan on 15 June 2017 and agreed to establish the appropriate process and arrangements and put in place the necessary resources, agree the approach to the production of Strategic Masterplans and the introduction of Planning Performance Agreements. Following that decision the Council commissioned a skills audit to identify where additional skills and resources are likely to be required. This led to a report to Cabinet on 7 December 2017 on resourcing the delivery of the Local Plan. The Cabinet agreed to the establishment of an Implementation Team to ensure the effective delivery of the required growth in housing, employment and infrastructure proposed in the Local Plan and agreed a bid for 2 years funding from the District Development Fund to support the establishment of the team. Work is currently underway to scope the team taking account of potential future income through Planning Performance Agreements and other income sources to enable recruitment to commence as soon as possible.
9. Member involvement will be required over and above the determination of planning applications during the preparation of the strategic masterplans and concept frameworks and to be briefed on pre-application proposals in an open and transparent way in order to ensure that members are not caught by predetermination. Mechanisms for doing this need to be considered – one way is for there to be a regular briefing as part of District Development Management Committee of the status of proposals and masterplans and for presentations to be made on progress associated with key sites. Alternatively a separate arrangement could be established. Members will also no doubt wish to attend community engagement meetings that are set up in

the preparation of masterplans – consideration could be given to the establishment of a Forum structure to consider such matters. Such forums have been established in many authorities and the Council will need to consider the arrangements for this District.

10. The next meetings of the Developer Forum (for the Strategic Sites around Harlow – this is now the Garden Town Forum and includes sites in Harlow and East Herts Districts) and Sites across the rest of the District are due to take place on 26 February 2018.
11. The Planning Policy team continues to liaise with all relevant landowners / developers through the Developer Forum only and has started individual meetings on the masterplan areas.

Harlow and Gilston Garden Town update

12. Further funding for the Garden Town of £175,000 for 2017/18 was announced on 3 October 2017. This funding has been ring-fenced to support the setting up of a Quality Review Panel and to provide support for transport and other evidence based work to help bring the strategic sites forward for development. Consultants have been appointed to prepare a spatial vision and design charter and separately consultants have been appointed to provide more detail on sustainable transport corridors for the Garden Town and this work is progressing well.
13. Work has been commissioned to establish a Quality Review Panel. It is proposed to set up a separate Epping Forest District Quality Review Panel drawn from the same panel members but with its own terms of reference to consider proposals/masterplans within Epping Forest District.
14. A Project Director for the Garden Town has been appointed and will start on 5 February 2018.

Reason for decision: not applicable

Options considered and rejected: not applicable

Consultation undertaken:

Resource implications: the preparation of the Local Plan is being prepared using existing Planning Policy Staff and consultants as per the Local Plan budget reported to Cabinet on 12 October 2017.

Budget provision: Local Plan Budget
Personnel: Planning Policy Team
Land: N/A

Community Plan/BVPP reference: NA
Relevant statutory powers: NA

Background papers: Cabinet report 15 June 2017, Cabinet report 11 July 2017; Council report 14 December 2017

Environmental/Human Rights Act/Crime and Disorder Act Implications: The Local Plan has been subject to Sustainability Appraisal and Equalities Impact Assessment and Habitats Regulation Assessment.

Key Decision reference: (if required)