

Report to the Council

Committee: Cabinet

Date 5 November 2019

Subject: Planning Portfolio

Portfolio Holder: Councillor J Philip

Recommending:

That the report of the Planning Portfolio Holder be noted.

1. Local Plan progress update

Following the hearing sessions for the Independent Examination of the Local Plan, the Inspector released her Advice on 2 August 2019. Within her advice the Inspector has set out a number of changes to the Plan which are required to remedy issues of soundness in the form of Main Modifications. The Council has responded to the Inspector with the programme of work to establish the precise forms of MMs that are required. The Council is currently waiting the response from the Inspector to the proposed programme.

The main area of work which has required careful consideration is the most efficient and expedient way to progress the actions in relation to the Habitats Regulations Assessment (HRA) taking on board the issues raised with respect to the need for modelling to take account of tall forest vegetation; to look again at the causal link between the mitigation measures proposed and the modelling effects shown in the HRA 2019; and to provide evidence to demonstrate the effects on the Forest would not be significant.

In parallel the Council has issued an updated position statement <http://www.efdclocalplan.org/wp-content/uploads/2019/10/ED101-EFDC-Epping-Forest-Special-Area-of-Conservation-Position-Statement-EFDC-October-2019.pdf> to provide information about the Epping Forest Special Area of Conservation and the present position with respect to the granting of planning permission for new development that may adversely affect Epping Forest. The Council is continuing to work actively to resolve the current situation that has restricted housing and economic development coming forward in the District since June 2018. Working with Natural England, the Council is striving to identify potential opportunities to address the backlog of underdetermined applications and is seeking legal advice as to the extent to which permissions can be issued. A further report will be brought to Cabinet at the December meeting.

2. Neighbourhood Planning

Following the referendum on the 26 September 2019 when the electorate of the Moreton, Bobbingworth and the Lavers area voted in favour of the Neighbourhood Plan, the Plan is reported to this meeting of Full Council to be 'made'. It will then form part of the statutory development plan for the District and decisions on planning applications will need to apply the policies in the Neighbourhood Plan.

3. Harlow and Gilston Garden Town

A bid for further funding for the 2019/20 Financial Year has been submitted to Homes England but no decisions have yet been made. A total of £6m is available across the 23 Garden Towns and villages which is a reduction from the total amount available for 2018/19.

Raising awareness of the Garden Town

Events to raise the awareness of the Garden Town project are planned - with initial events being held in January 2020. These include a leaflet drop at Harlow Town Station and an exhibition at the Harvey Centre. The exhibition boards will then be displayed at the District Council Offices in Epping. Further events are planned later in 2020 including a presence at the Monday market in Epping.

The HGGT team are also launching the website harlowandgilstongardentown.co.uk, coupled with an official Twitter and Facebook profile.

Transport Strategy Consultation

In accordance with the Cabinet decision on 7 March 2019, consultation on the transport strategy for the Garden Town is planned for January 2020. Details will be made available on the website.

Stewardship

Work is progressing on developing the most appropriate arrangements to ensure the long term management and maintenance of community assets that will be delivered as a result of development within the Garden Town including green space, the public realm and other community assets. A stakeholder event for members and representatives from town/parish councils has been arranged in order to consider the range of assets that could be included in the future arrangements and the potential models for taking this forward.

4. Delivering Infrastructure in the District

In order to ensure that the infrastructure to support the proposed growth in the District the Council developed a Developer Contributions Strategy, which was agreed by Cabinet on 11 July 2019. The guidance provides details on how, what and when planning obligations will be used and the approach to viability for proposed sites in the District to determine the appropriate level of developer contributions to be sought.

It is important for the Area Planning Committees and District Development Management Committee to ensure that when granting planning permission, reference is made to the identified infrastructure requirements set out in the Council's Infrastructure Delivery Plan and supporting documentation which have been developed to support the Local Plan in order to ensure that the appropriate provision is made.

Further work has also been commissioned to provide an up to date District wide viability assessment to determine the maximum level of developer contributions to be sought and to provide a robust starting point for decision making for development management purposes for development in the District in accordance with paragraph 57 of the National Planning Policy Framework 2019.

5. Development Management Planning Fee Income

The first six months of 2019/20 show that Planning Application Income is £460,510. This compares with a budget of £639,650 and shows a decrease of £179,140 against budget.

Although Planning income is below budget it compares favourably with the three-year average for Planning Income from 2016 – 2019 which is £1,011,499. Current actual income for six months plus budget for the remaining six months is £1,020,860.

Delay in the adoption of the new Local Plan and the impact of development on the Epping Forest Special Area of Conservation appear to be holding back the submission of the large fee generating applications. However, it should be noted that nationally, the number of planning applications for the first half of 2019 at 225,000 is the lowest January to June figure since before the 2008 financial crisis.

However, Pre-Application Income continues to perform well at 6 months recording £106,382 and already surpassing its annual budget by £1,522. Planning Performance Agreements, another source of planning income, are increasing being drawn up by officers with developers to agree a timetable for large-scale and strategic Masterplan sites and payments are expected before the end of the financial year.

6. Enforcement of Construction Work Damage to Highway, Verges etc

Officers are currently considering whether there is a mechanism that allows us to enforce owners/developers to repair any damage to footways, verges etc. associated with their development. At least one other Council put this on their planning decision notice as a condition, but many others add it as an informative because of the difficulty in enforcing such conditions. Officers though will look at all options and I will update further in due course.