

Report to the Council

Committee: Cabinet
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 (MMs). These are now being progressed and an update was provided to the Inspector on 21 January 2020 (ED104) together with a high level programme (ED104A). In terms of overall programme the updated Habitats Regulations Assessment and Sustainability Appraisal of the MMs is due to be completed in mid May 2020 and we currently anticipate public consultation on the MMs from early July 2020.

Progress with outstanding planning applications

The Council is well aware of its obligations as the competent authority under the Habitats Regulations and the legal requirement to undertake an Appropriate Assessment of application proposals likely to have a significant effect on the EFSAC, either alone or in combination with other plans or projects, and the prohibition on granting consent for such plans or projects that would adversely affect the integrity of the EFSAC. The Council is also aware of its obligation to consult Natural England on applications requiring an Appropriate Assessment and to have regard to any advice received. The current advice from Natural England is that proposals for new development anywhere within the District that may lead to an increase in vehicle movements on roads within 200m of the EFSAC are likely to have an in combination effect on the EFSAC and to advise that any impacts arising from atmospheric pollution are best dealt with by way of a strategic solution.

In view of Natural England's latest advice, the Council currently cannot lawfully grant planning permission for new development that would result in a net increase in vehicle movements through the EFSAC. This has resulted in planning applications being held in abeyance pending the identification of an acceptable air quality mitigation strategy to manage the adverse effects of atmospheric pollution arising from additional vehicles using roads in the vicinity of the EFSAC.

Since receiving the Inspector's advice in August 2019, the Council has been working hard to identify whether an interim approach to managing atmospheric pollution impacts on the EFSAC can be identified to address the backlog of planning applications pending completion of the additional HRA work. To that end, the Council has undertaken a comprehensive review of all the applications currently held in abeyance and, following a detailed consideration of the development proposed in each application, the Council has concluded that some of the

proposals will **not** result in a net increase in vehicle movements and, as a result, can be screened out as having no likely significant effect on the EFSAC.

This review has resulted in 15 applications being identified for determination from the end of November 2019. Release of these permissions will allow the construction of 34 dwellings across a number of schemes, development of a hangar at the North Weald Airfield, and provision of accommodation for 31 nursery workers in two schemes. The list remains under review.

Working with Natural England, the Council is currently exploring whether a viable interim approach can be identified to enable additional planning permissions to be granted, and further legal advice is being obtained on the lawfulness of the proposed interim approach.

Draft Green Infrastructure Strategy

A Draft Green Infrastructure Strategy is being developed to provide a framework by which Green and Blue Infrastructure will be provided in the District to provide guidance for future delivery and identifying projects at both the strategic development level and through smaller scale initiatives. It will also consider the provision of Suitable Alternative Natural Greenspace in such a way as to avoid or mitigate the impacts of development on the integrity of the Epping Forest. A report will be brought to Cabinet in March 2020 with the draft Strategy before it goes out to wider consultation.

2. Harlow and Gilston Garden Town

Funding and Delivery

In January 2020, MHCLG awarded the Garden Town Project £580,000 of Capacity Funding for the 2019/20 Financial Year. This funding will support HGGT to continue to deliver their programme. In 2019 a new £10 million capacity fund to generate innovative proposals for the creation of development corporations or similar regeneration delivery models was announced. An Expression of Interest was submitted in December 2019 to MHCLG seeking £1.6m for funding to develop delivery model proposals in more detail to support a HGGT Delivery Model. An announcement is anticipated by the end of March 2020.

Transport Strategy Consultation

In accordance with the Cabinet decision on 7 March 2019, consultation on the Transport Strategy for the Garden Town was launched 31 January 2020. Through a series of events and an online survey, HGGT are seeking comments on the Transport Strategy for 6 weeks to 13 March 2020. There will be an opportunity to speak to the Garden Town team and find out more about Getting Around in the Garden Town at three consultation events. There will also be a public exhibition display at Epping Forest District Council Civic Office from Monday 24 February to Friday 6 March with a staffed session on Wednesday 4 March from 1.30-7.30pm. Further information is available on the HGGT website <http://harlowandgilstongardentown.co.uk/transport>.

Raising awareness of the Garden Town

An event to formally launch the Garden Town project is planned for key stakeholders with further public engagement events planned in March 2020. The purpose of the event is to introduce stakeholders to the project, provide information on key work activities and the opportunity to hear from stakeholders.

Stewardship

Work is progressing on developing the most appropriate model(s) 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. The models will also be considered for wider application across the

strategic sites within Epping Forest District.

Sustainability Guidance and Checklist

The HGGT are creating a Sustainability Guidance and Checklist that is intended to provide detailed guidance on how relevant Sustainability (environmental, social, and economic) policies in the partner authorities will be applied to new development in the HGGT. This Guidance and Checklist will act as an important material consideration in helping the Councils make decisions about planning applications and will assist applicants in providing the information needed to satisfy policy.

Healthy Town Framework

The Town and Country Planning Association (TCPA) have been commissioned to prepare a Healthy Town Framework. The Framework will provide guidance for development proposals to ensure that they become healthy places in which to live.

The Garden Town team will be reporting the draft framework to March Cabinet for noting prior to public consultation.

3. Delivering Infrastructure in the District

The further work 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 development management decision making purposes for development in the District in accordance with paragraph 57 of the National Planning Policy Framework 2019 is ongoing. Following consultation on the draft viability report the comments are being reviewed and a final report will be published shortly.

4. Public Practice

I am pleased to report that the Council has again been successful in our bid for Public Practice Associates for 2020/21 and we will have two experienced built environment practitioners joining the Planning Policy/Implementation Team in April 2021 to support the delivery of the Local Plan.

5. Development Management Planning Fee Income

Planning income including Pre-application fees for ten months to January 2020 is £1,058,556 and it is likely that the combined Planning Fee and Pre-Application Income may reach £1.3 million for 2019/20.

Planning Fee income

Planning Fee income for ten months to January for 2019/20 is £908,432 and comprises 81% of the annual budget for ten months. The January income did not include any high fee large application submission and therefore income for January 2020 was lower at £53,464 (in 2018, it was £90,632), compared with the previous month in December, which was relatively high at £91,924 (2018 £88,273).

Pre-application Income

Pre-application Income for ten months to January for 2019/20 year is a healthy £150,124 (2018/19 it was £103,151) and comprises of 83% of the annual budget for ten months.

Outlook

Planning Pre-application income for 2019/20 is likely to be about £165,000 (ten months actual plus two months budget) in line with the revised budget. There is uncertainty at this stage whether planning application fee income is on course to meet the revised budget of £1,100,000, but it should reach £1,000,000.