

Report to Stronger Place Select Committee

Date of meeting: 29 September 2020

Portfolio: Planning and Sustainability (Cllr N Bedford)

Subject: Local Plan update

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Recommendations/Decisions Required:

1. To note progress on the emerging Local Plan

Report:

Progress on the emerging Local Plan

1. Following the hearing sessions for the Independent Examination of the Local Plan, the Inspector released her Advice on 2 August 2019 (ED98). 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).
2. The Council's response to the Inspector, dated 24 April 2020 (ED106), sets out the high level programme for progressing to Main Modifications consultation and adoption of the Local Plan. This recaps the way in which the Council is approaching matters relating to the Habitats Regulations Assessment (HRA) and updating and consolidating the Infrastructure Delivery Plan and viability documents supporting the Local Plan. In accordance with the high level programme agreed with the Inspector the Council submitted the third tranche of Main Modifications (MMs) during the week of 8 June 2020 and the final tranche of MMs were submitted during the week commencing 14 September 2020. Subject to consideration of the material by the Inspector and any further advice, consultation on the MMs is still anticipated from the end of October 2020.
3. In addition to reporting on the MMs the Council has submitted further information to the Inspector. This includes:
 - Responses to other actions identified by the Inspector
 - Additional Modifications schedule to ensure that the Plan which was first drafted in Autumn 2017 is up to date
 - Revised mapping to take account of the changes to the local plan
 - Draft Green and Blue Infrastructure Strategy (EB149) that was consulted on earlier in the year
4. Further information will be submitted to the Inspector in the next few weeks. This will include:
 - An updated Sustainability Appraisal – this is currently being undertaken by consultants AECOM but needed to wait for the MMs to be completed
 - Consolidated IDP update and associated Viability Report

- Updated Habitats Regulations Assessment and Air Pollution Mitigation Strategy – these are being finalised to take account of initial comments received from Natural England and the Conservators of Epping Forest

Government White Paper: Planning for the Future

5. The Government published a White Paper “Planning for the Future” on 6 August 2020 <https://www.gov.uk/government/consultations/planning-for-the-future>. This sets out significant changes to the planning system for consultation that, if implemented, will change both the nature and content of Local Plans and the operation of the development management process. The White Paper is clear that the intention is to replace the raft of current planning legislation with new legislation and to introduce new ideas and concepts into the system. It is therefore not always easy to compare the ideas against current concepts and practice. The closing date for responses is 29 October 2020 and the Council’s proposed response will be the subject of a report to Cabinet on 19 October 2020.
6. The measures in the White Paper are set out under three ‘pillars’: Pillar 1: Planning for Development; Pillar 2: Planning for beautiful and sustainable places; and Pillar 3: Planning for Infrastructure and connected places, but the measures are to be viewed as a whole. The changes proposed are intended to ‘*create a new system suitable for the 21st century*’. The proposals cover five main areas. Of most relevance to plan making is the first of these which seeks to *Streamline the planning process with more democracy taking place more effectively at the plan making stage and replace the entire corpus of plan making law to achieve this*. The main proposals with respect to plan making are:
 - a) **Simplified role for Local Plans with three types of land to be identified**
Growth areas suitable for substantial development, where outline approval for development would be automatically secured for forms and types of development specified in the Plan; with identified sub-areas for self and custom-build homes
Renewal areas suitable for some development, such as gentle densification
Protected areas where development is restricted.
 - b) Local Plans should
 - **state clear rules** rather than general policies for development
 - **provide for far greater public engagement in plan-making**
 - **be subject to a single statutory “sustainable development” test** abolishing the requirements for subsequent tests. Requirements for assessments to be updated (including on the environment and viability) and abolishing the duty to cooperate.
 - **be visual and map-based**, standardised, based on the latest digital technology, and supported by a new standard template
 - c) **Timeline:** Statutory 30-month timetable for the production of local plans for local authorities and the planning inspectorate, with sanctions on planning authorities that fall behind. Claim is that this reformed system could halve the time it takes to secure planning permission on larger sites identified in plans.
7. The document states that the proposals will need further development pending the outcome of the consultation. The focus is on ideas rather than details of implementation, but it signals an intention to change the system in a holistic manner, including the introduction of new legislation. This includes a signal to speed up and simplify both the production and role of Local Plans and the management of planning applications. The emphasis on outcomes is focused on delivering housing development and detailed design of proposals. The proposed changes are in many

ways radical, and if they are implemented will require new ways of working, new skill sets and, it appears, a very significant amount of resources.

Reason for decision: To provide members with an update on the work to support the delivery of the Local Plan

Options considered and rejected: Not to provide an update – Stronger Place Select Committee has asked for regular reports on the Local Plan

Consultation undertaken: No specific consultation on this report

Resource implications: None – all within agreed budget

Legal and Governance Implications: The Local Plan is being progressed in accordance with Government policy, planning practice guidance, planning law and the appropriate regulations

Safer, Cleaner, Greener Implications: The Local Plan contains a policy designed to promote the notion of making good places to live, work and visit. This will include safer by design principles, sustainable development, the provision of alternatives to the car, energy efficiency and environmental considerations as well as sustainable drainage systems and quality green infrastructure.

Background Papers:

Report to Cabinet on Implementation of the Local Plan on 20 July 2020
Planning for the Future 6 August 2020 White Paper MHCLG

Impact Assessments: see attached.