

Report to the Cabinet

Report reference: C-027-2020/21
Date of meeting: 19 October 2020



Portfolio: Planning and Sustainability – Cllr. N Bedford
Subject: Draft Sustainability Guidance for the District and Harlow and Gilston Garden Town
Responsible Officer: Alison Blom-Cooper (01992 564066).
Democratic Services: Adrian Hendry (01992 564246).

Recommendations/Decisions Required:

- (1) To agree that the Draft EFDC Sustainability Guidance documents (Major Developments and Minor Developments) and Draft HGGT Sustainability Guidance and Checklist (Strategic Sites) be approved for public consultation for a six week period, and;**
- (2) To agree that the Planning Services Director, in consultation with the Planning and Sustainability Portfolio Holder be authorised to make minor amendments to the Draft EFDC Sustainability Guidance (Major Developments and Minor Developments) prior to the public consultation;**
- (3) To note that, following consultation, and any subsequent revisions to the documents, it is intended that the final EFDC Sustainability Guidance and Checklists (Major Developments and Minor Developments), will be considered by Cabinet for endorsement as a material planning consideration for the preparation of masterplans, pre-application advice, assessing planning applications and any other development management purposes within the District.**
- (4) To note that, following consultation, and any subsequent revisions to the documents, it is intended that the final HGGT Sustainability Guidance & Checklist, will be agreed as a material planning consideration for the preparation of masterplans, pre-application advice, assessing planning applications and any other development management purposes within the Harlow & Gilston Garden Town.**

Executive Summary:

The Council's emerging Local Plan sets out policies in relation to sustainable and high quality design and construction of developments. On 19 September 2019 the Council declared a Climate Emergency, including a resolution to do everything within the Council's power to make Epping Forest District Council area carbon neutral by 2030. To support these policies and this declaration, the Council has produced two EFDC draft Sustainability Guidance documents for use across the District; one for Major Developments (10+ units) and one for Minor Developments (1-9 units). The documents are in addition to the draft HGGT Sustainability Guidance and Checklist, which is relevant for sites which are located both within Epping Forest District and the Harlow and Gilston Garden Town.

The EFDC Sustainability Guidance documents will provide both planning applicants and officers practical and technical guidance on how new developments across the District can comply with the Council's sustainability ambitions of becoming carbon neutral by 2030 and promote social equity and community resilience across the District. In addition, the Guidance documents also include sustainability checklists for applicants to complete, providing an indication of the development's performance against known sustainability indicators. The guidance documents will ensure that all new development in the District is delivered to meet the targets set by the Council regarding environmental, social and economic sustainability. The document will also be utilised by the Quality Review Panel to help form the basis of environmental and socio-economic sustainability discussions.

This report provides members with a summary of the aims, objectives and purpose of the EFDC Sustainability Guidance (Major Developments and Minor Developments). The intention is that following public consultation and any updates arising that the Final Guidance will be return to Cabinet for endorsement as a material consideration in the determination of planning applications, and guide design and implementation processes. A separate report is available with further detail on the draft HGGT Sustainability Guidance and Checklist, the purpose and process undertaken, proposed consultation and next steps (this is attached as Appendix C).

The Harlow & Gilston Garden Town seeks to set the agenda for sustainable living through ensuring growth that will be net carbon neutral by 2030 and building strong and integrated communities across new and existing places. The UK Government has declared a Climate Emergency, with all five HGGT Partner Authorities also declaring a Climate Emergency/ Action. The draft HGGT Sustainability Guidance and Checklist supports the highest commitment across the Garden Town authorities, which is to become Carbon-Neutral by 2030, and will relate to major development within the Garden Town, including the strategic sites/ Garden Communities.

Once consulted upon and with comments incorporated, the HGGT Sustainability Guidance and Checklist will be endorsed by the partner authorities to be a material planning consideration in the assessment of planning applications for developments coming forward within the Garden Town. It will inform pre-application discussions and assist decision-makers in sustainability matters. The document will also be utilised for HGGT Quality Review Panel reviews to help form the basis of environmental and socio-economic sustainability discussions.

Reasons for Proposed Decision:

- To ensure that the EFDC Draft Sustainability Guidance documents (Major Developments and Minor Developments) are afforded suitable planning weight by agreeing that the documents should be consulted upon prior to endorsement as

material planning considerations. This will ensure that development proposals across the District target the Council's sustainability ambitions, and that clear parameters are established for future pre-application advice, assessing planning applications and any other development management purposes.

- To ensure that the HGGT Sustainability Guidance and Checklist are afforded suitable planning weight by agreeing the document should be consulted upon prior to endorsement as a material planning consideration, to ensure that development proposals within the Garden Town target the HGGT sustainability ambitions, and that clear parameters are established for future pre-application advice, assessing planning applications and any other development management purposes within the Garden Town.

Other Options for Action:

- Not to agree the EFDC Sustainability Guidance documents (Major Developments and Minor Developments) and HGGT Sustainability Guidance and Checklist can be published for a 6 week consultation which would mean that there would be no guidance to support the delivery of development proposals and achieve the objectives set out in the Council's emerging Local Plan policies SP3, DM5, DM9, DM11, DM15-22.

Report:

1. The National Planning Policy Framework sets out a presumption in favour of sustainable development. The emerging Epping Forest District Council's Local Plan policies are in line with this objective and encourage the delivery of developments that promote growth in sustainable locations, sustainable transport and that mitigate the impact on biodiversity and natural habitats. Epping Forest District Council declared a Climate Emergency in September 2019, and a commitment to target net zero carbon across the District by 2030.
2. Draft Sustainability Guidance documents (Major Developments and Minor Developments) have been developed to support key policies on sustainable and high-quality place making alongside the Council's commitment to deliver net zero carbon developments by 2030. The following documents are therefore attached to this report:
 - Appendix A – Draft EFDC Sustainability Guidance: Major Developments, September 2020
 - Appendix B – Draft EFDC Sustainability Guidance: Minor Developments, September 2020
 - Appendix C – Draft HGGT Sustainability Guidance and Checklist, September 2020
 - Appendix D - HGGT Board Report - Sustainability Guidance for Consultation
 - Appendix E – QRP Report for HGGT Sustainability Guidance and Checklist, January 2020
 - Appendix F - EqlA Sustainability Guidance documents consultation Oct 20
3. The intention is for the EFDC Sustainability Guidance documents (Major Developments and Minor Developments) to be the subject of public consultation prior to the endorsement as material planning considerations by the Council. The Guidance documents are intended to remain a consideration alongside and beyond the life of the Local Plan.

4. Applicants and designers will need to demonstrate how their proposals address the environmental sustainability checklist, and the socio-economic sustainability questions in the Sustainability Guidance (Major Developments and Minor Developments), addressing the key principles for sustainable development. This should be through creating clear environmental targets, demonstrating an understanding and analysis of the site and landscape-led development, a proposed engagement with stakeholders and the community, and showing how the proposal will contribute to the existing communities and local needs of Epping Forest District, throughout the life of the development.

Objectives

5. The principle objective for the guidance is to act as a practical and technical guide for both applicants and officers in the design, development management and implementation processes to ensure new development meets sustainability targets.
6. Within this objective is a focus on a design and community-led and fabric-first approach to environmental, social and economic sustainability, to deliver high quality development while also establishing a framework for ensuring developments integrate themselves in existing communities and promote social equity.
7. The design of all new development should be landscape led and cross disciplinary and this should inform a proposal from its initial scoping through to detailed design submission of a planning application and discharge of conditions. The design should not address only a limited aspect of sustainability but demonstrate holistic consideration of the different topics presented within the guidance including; energy efficiency and carbon, renewable energy, sustainable movement, water efficiency, green infrastructure, circular economy, waste, pollution and air quality, and assuring performance. It is important that this design process is iterative, involving the Council's urban and landscape design officers, stakeholders; and that where appropriate, it is informed by use of the Quality Review Panel.
8. In addition to environmental sustainability, new developments should also consider their implications on the social and economic sustainability of existing communities and residents. Applicants should demonstrate how their developments respond to the following areas: Health & Wellbeing, Economic Growth and Community Strength and Social Infrastructure.
9. The intention is following consultation for the Sustainability Guidance to be updated to take account of consultation comments and then be endorsed as a material planning consideration in the consideration of planning proposals including masterplans and concept frameworks and the determination of planning applications.
10. The Guidance currently focuses on new build developments. Further EFDC Sustainability Guidance to add to this suite of documents, relating to the retrofit and refurbishment of existing buildings, will be developed in Autumn 2020, for consultation in early 2021. This guidance will align with the LETI Retrofit Working Group industry guidance, which is due to be published in December 2020.

Programme for consultation

11. Early engagement on the EFDC Sustainability Guidance has been taking place in part alongside engagement for the HGGT Sustainability Guidance, upon which the EFDC document for major developments is based. There has been extensive input from officers from all HGGT partner authorities into the draft HGGT Sustainability Guidance

and Checklist, with a number of rounds of engagement across various services and departments in order to create a holistic and agreed guidance and checklists questions on a broad range of topics. This has included whole-document reviews as well as specific topic-focused workshops with relevant officers. External sustainability expertise has also been sought via the Quality Review Panel and UK Green Building Council.

12. The Council has and will continue to conduct workshops with EFDC officers and Members for the EFDC Sustainability Guidance documents. Informal engagement has been undertaken with the EFDC Leadership team, Local Plan Implementation Forum and officers across different service departments including Planning, Housing, Community, Culture and Wellbeing, Technical and Regulatory Services, and Economic Development.
13. Members have been engaged on the draft Sustainability Guidance, to provide early comments and queries in order to shape the documents. An EFDC Member workshop was held on 21 September 2020 and two All-Member HGGT briefing and workshop sessions were held on 27 July 2020 and 26 August 2020. Further engagement with members is scheduled in October and during the public consultation period in November/ December.
14. In accordance with the Council's Statement of Community Involvement (SCI), the Council is required to consult stakeholders and the general public on the draft Sustainability Guidance. The proposed period of consultation in line with the SCI is six weeks. All those on the Council's planning policy database will be notified, information including the documents, an online survey/ questionnaire and potential video content explaining the document will be made available on the Council's website and by notification to statutory consultees. Public Consultation on the draft EFDC Sustainability Guidance documents and draft HGGT Sustainability Guidance and Checklist is proposed to run concurrently over a six week period from November – December 2020.
15. Given current restrictions on in-person engagement due to COVID-19, we will focus on reaching a broad audience primarily through digital and, where possible, non-digital means. The consultation will seek to include:

Digital engagement:

- EFDC Sustainability Guidance documents available for viewing on EFDC website.
- HGGT Sustainability Guidance and Checklist and pre-recorded and accessible overview video available for viewing on HGGT website, with links to this from partner authority websites.
- Digital questionnaire / survey available for viewing and completing on HGGT website and Council Websites.
- Staffed online webinars and Q&A for particular stakeholder groups (e.g. Local residents and Community Groups, Developers, Members, Youth Councils, Partner Officers)
- Social Media awareness campaign (via HGGT, partner authorities and EFDC Comms Team).
- Notification of consultation via LPA Planning Policy databases and statutory consultees.

Non-digital engagement:

- Limited number of hard copy consultation packs on request: leaflet/ poster information to provide summary, and link/ QR Code to online document, and to provide hard copy of questionnaire/ survey.
 - A COVID-19 secure staffed event, with a small number of hard copies of the document and survey available for review and completion, if this is considered safe to do so.
16. Consultation arrangements will be put in place and will be advertised ahead of the consultation, in accordance with the Statement of Community Involvement.
17. The intention is to simultaneously consult publicly on the EFDC Sustainability Guidance documents (Major Developments and Minor Developments), the HGGT Sustainability Guidance and Checklists, and also the HGGT Healthy Town Framework (approved for consultation by the Council's Cabinet in March 2020). Therefore, particular attention will be given to explaining these separate documents, their purpose, use and audience, and where they align or diverge.
18. Following the consultation, the responses will be collated and where appropriate amendments made to the documents. The EFDC Sustainability Guidance documents (Major Developments and Minor Developments) and the HGGT Sustainability Guidance and Checklists will then return to Cabinet for formal endorsement as material planning considerations.

Resource Implications:

The work to support the draft EFDC Sustainability Guidance to be viewed alongside the emerging Local Plan is covered by the local plan budget and staff within the Local Plan and Implementation teams. Undertaking consultation during COVID-19, and the associated emphasis on printed information such as leaflets/ surveys, and enabling return postage, rather than in-person events and responses, may incur additional costs which will be met from the existing local plan consultation budget

Legal and Governance Implications:

EFDC Sustainability Guidance documents (Major Developments and Minor Developments) and the HGGT Sustainability Guidance and Checklist have been developed in the context of Government Policy (NPPF), Planning Practice Guidance and good practice.

Safer, Cleaner and Greener Implications:

The Sustainability Guidance seeks to take forward emerging Local Plan policies designed to promote the notion of making good places to live, work and visit. This will include sustainable development, sustainable transport, energy efficiency and environmental considerations as well as principles of socio-economic sustainability.

The delivery of the Sustainability Guidance will help to address the impacts of recreational pressure and air quality on Epping Forest Special Area of Conservation and will contribute to safer, cleaner, greener objectives by planning for sustainable development.

Consultation Undertaken:

For the EFDC Sustainability Guidance documents (which were based on the HGGT

Sustainability Guidance as appropriate) informal engagement has been undertaken with officers, the EFDC Leadership Team, Local Plan Implementation Forum and EFDC Councillors.

For the draft HGGT Sustainability Guidance and Checklist informal engagement has been undertaken with partner officers, the HGGT Quality Review Panel, UK Green Building Council, HGGT Developer Forum and HGGT partner authority Councillors

Background Papers:

- None.

Risk Management:

The use of these documents as material planning considerations will support the Council's objectives of achieving high quality and sustainable design in the district and reduce the risk of poor quality development.