

## ***Report to the Local Plan Cabinet Committee***



**Epping Forest  
District Council**

**Report reference:** **LPC-002-2018/19**

**Date of meeting:** **14 May 2018**

**Portfolio:** **Planning and Governance**

**Subject:** **Epping Forest District Local Plan Update**

**Responsible Officer:** **Alison Blom-Cooper** **(01992 564066).**

**Democratic Services:** **Gary Woodhall** **(01992 564470).**

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### **Recommendations/Decisions Required:**

- (1) That the update provided in relation to progress on the Local Plan be noted.**

### **Executive Summary:**

This report seeks:

- a) To update members on the work being undertaken to support the progression and implementation of the Local Plan.
- b) To update members on Neighbourhood Planning in the District.

### **Reasons for Proposed Decision:**

To provide members with an update on work being undertaken to support the progression and implementation of the Local Plan.

### **Other Options for Action:**

Not to advise members of the work being undertaken to support the progression and implementation of the Local Plan.

### **Introduction:**

1. This report has been produced to update Members on the work being undertaken to support the progression and implementation of the Local Plan. The Local Plan Submission Version (LPSV) establishes the policies and allocations that will be subject to independent examination. However, plan-making is an ongoing and iterative process, and work continues to develop the evidence base to support the Plan, and to develop the implementation strategy.

2. This report provides a short summary of ongoing work and includes anticipated dates for the publication of further reports and information which will need to be taken into account during the Independent Examination process following the submission of the Plan. Updates are also provided on several areas of work being undertaken across local authority boundaries and work to implement the Local Plan and ensure the timely delivery of the housing and infrastructure planned. It should therefore be read in conjunction with the existing evidence base, particularly the Duty to Cooperate Compliance Statement (EB119)

and the Housing Implementation Strategy (EB410).

3. A summary update on the progression of Neighbourhood Plans in the District is also provided.

#### **Report:**

4. The following provides an update on the key areas of work in progress to support the Local Plan.

Managing the Impacts of Growth across the West Essex and East Hertfordshire Housing Market Area (HMA) on Epping Forest Special Area of Conservation. Progress to develop a mitigation strategy following the signing of a Memorandum of Understanding (MoU) in February 2017 (EB1200)

5. Of particular importance within the HMA is the potential impact of growth on the Epping Forest Special Area of Conservation (SAC) as a result of increased pressure from visitors and air quality effects as a result of increases in traffic. The MoU, which has been agreed by the four authorities as well as Hertfordshire and Essex County Councils, Natural England and the City of London Corporation (Conservators of Epping Forest) requires the authorities to monitor any impact on the environmental quality of the Forest, and to introduce mitigation measures where these are necessary.

6. The governance arrangements for implementing the actions set out in the MoU have been established. It has been agreed that the Mitigation Strategy will comprise two strands covering the management of visitor pressure and the management of air quality. A visitor survey has been undertaken to update previous surveys using a more robust methodology that has been informed by best practice and surveys undertaken in other parts of the country. Revisions are currently being undertaken to the draft report and it is anticipated that the report will be 'signed off' by the relevant authorities by the end of April 2018. The report includes the identification of the Zones of Influence which will be used to clarify the extent to which contributions will be sought for the management of visitor pressures. The level of contributions will be determined by schemes that can be delivered by the Conservators of Epping Forest. It is anticipated that an interim visitor strategy, which comprises schemes which can be delivered in the short term, will be in place by June 2018). A longer term strategy will be developed over the Summer/Autumn 2018 period. This will be informed by the current review of the Epping Forest Management Plan being undertaken by the Conservators(a separate report from the Conservators is on the agenda for this meeting with progress in this area).

#### Transport Assessment Work

7. Further transport assessment work is currently being undertaken. This includes:

- developing in more detail a number of highway mitigation schemes, with a particular focus on junctions within the Epping Forest SAC area; and
- refining the transport modelling undertaken in support of the preparation of the Submission Local Plan Highway Assessment Report (EB502) (which identified that there was a need to refine a number of assumptions) and testing the more detailed highway scheme design.

8. The output of the work will be used to inform both a revised Transport Assessment Report and further air quality modelling. Both the transport and the air quality modelling will be run with and without highway mitigation schemes within the Epping Forest SAC area, but

will include the consideration of modal shift to be achieved through the implementation of sustainable transport schemes (as set out in Policy T 1 Sustainable Transport Choices) which forms part of the approach to mitigating the effects of development on air quality. Both strands of work are due for completion in May 2018.

9. In addition to the above, work is commencing on a 9 month programme of air quality monitoring to assess current air quality within the Forest. This will be used to provide a baseline to inform a longer term programme of air quality monitoring to be funded from developments over a certain size (as set out in Policy DM 22). It will also provide the opportunity to compare the predicted future air quality within the Forest derived from the modelling outputs referred to above with future data collected 'on the ground'. The approach to air quality monitoring has been supported by the relevant 'MoU authorities', as well as Natural England and the Conservators. It is anticipated that the modelling/monitoring work, together with Policies T 1 and DM 22 in particular, will form the basis of the air quality element of the Mitigation Strategy. It is the intention that the Mitigation Strategy will be in place by the end of 2018 and on-going outputs will be monitored through the Authority Monitoring report.

#### Proposed Memorandum of Understanding on the Distribution of Economic Need across the West Essex and East Hertfordshire Functional Economic Market Area

10. In 2017 Epping Forest District Council, Harlow Council, East Herts District Council and Uttlesford District Council commissioned Hardisty Jones Associates to produce an up to date Assessment of Employment Needs for the West Essex and East Herts Functional Economic Market Area (FEMA) (EB610). Following the completion of the study, the authorities have been working to produce a Memorandum of Understanding (MoU) that reflects the findings of the Assessment, and demonstrates an agreed approach to meeting future employment needs across the FEMA through emerging Local Plans. The MoU has been drafted and is to be considered by the Cooperation for Sustainable Development Member Board (which oversees cross boundary planning matters and ensures that Duty to Cooperate obligations are discharged across the HMA and FEMA area (and where appropriate beyond)).

#### Relocation/redevelopment of Princess Alexandra Hospital

11. The Cooperation for Sustainable Development Board (including Epping Forest District Council) continues to engage with senior representatives from the Princess Alexandra Hospital in Harlow. The Hospital, which is located on a highly constrained site near the town centre, faces a number of challenges in continuing to serve the needs of its catchment – the building needs major capital investment and there is no room to expand its services.

12. The preferred option is to relocate to a new site – two potential broad locations have been identified around Harlow: one within Epping Forest District (within the East of Harlow allocation – SP 5.3) and one in East Herts District (Gilston). The respective Local Plans for the two local planning authorities are currently showing potential provision for a hospital on these sites. In addition, the redevelopment/refurbishment of the Hospital at its current location is a further option which was identified in the Hospital Trust's 2017 Strategic Outline Case (SOC). Consequently, both relocation and development in situ options are being considered further as part of the Trust's current Outline Business Case (OBC) process.

13. Policy SP 5 of the Epping Forest District Local Plan Submission Version (LPSV) identifies that the East of Harlow allocation should include the provision of appropriate community and health facilities including approximately 14 hectares of land for a health and well-being hospital campus. Paragraph 2.131 of the LPSV also acknowledges that the site provides an opportunity to accommodate the relocation of the Hospital, subject to the

completion of further technical assessment work.

14. The Hospital Trust is currently preparing an OBC in order to apply for the necessary funding from Government. Planning consultants and transport consultants have been appointed by the hospital to assist with the work required to determine the preferred location for the new hospital campus and the preparation of the OBC. The Hospital Trust anticipates that a preferred site will be formally identified by July 2018.

15. The Council considers that the East of Harlow allocation can physically accommodate the relocation of the Hospital if required, and continues to work closely with representatives of the Hospital as work continues to select a preferred option. In the meantime, the process of producing a Strategic Masterplan for the East of Harlow site has commenced, and is considering how and where the hospital campus should be located on the site, subject to the outcome of the technical work being undertaken by the hospital and site promoter. The Hospital Trust intends to work closely with the Council and the site promoter in producing the Strategic Masterplan for the site. A meeting with the hospital and their consultants took place on 30 April 2018.

#### Harlow and Gilston Garden Town

16. Significant progress continues to be made in relation to the Harlow and Gilston Garden Town. A Project Director started in post in February 2018, and a Quality Review Panel has now been established. Work continues to finalise the Spatial Vision and Design Charter, and the Sustainable Transport Corridor Studies. It is anticipated that both studies will be considered by the Garden Town Board following consideration by the Quality Review Panel and developer/community engagement, and will directly inform Strategic Masterplans being produced for the Garden Town Communities in Epping Forest District.

17. Work is continuing with site promoters, Essex County Council and Harlow Council to put in place Planning Performance Agreements (PPAs) which will provide an agreed framework and project plan for the production of Strategic Masterplans for the Garden Communities. The PPAs and Strategic Masterplans will ensure that planning proposals for the sites will be 'front-loaded' and coordinated, whilst also ensuring the timely progression of planning applications and delivery. Further details in relation to implementation and delivery are set out below.

#### Local Plan Implementation and Delivery

18. The Council is making good progress in facilitating the timely delivery of housing and associated infrastructure in the District in accordance with the Housing Implementation Strategy (EB410). The Council is working with landowners and promoters of sites within 'Masterplan Areas' to develop Strategic Masterplans / Concept Frameworks in accordance with policy requirements. The Council fully recognises the importance of working proactively to deliver a significant step-change in the level of housing delivery in the District to meet objectively assessed needs over the Plan period, and to ensure that a five year supply of deliverable housing sites will be maintained, as illustrated by the Housing Implementation Strategy (EB410) and relevant Cabinet Reports (for example, EB107). An update on progress will be provided to the District Development Management Committee on 6 June 2018.

19. The Council established a Developer Forum in early 2017 (see EB1104 for the Terms of Reference) in order to provide a basis for the delivery of growth and infrastructure requirements identified within the Local Plan. The Developer Forum is split into two groups: the Garden Town Developer Forum; and the Developer Forum for other sites across the rest of Epping Forest District. The Developer Forum meets quarterly, and provides a basis for

ongoing discussions with relevant landowners, site promoters and stakeholders. It also helps to ensure that a joined up and 'frontloaded' approach is taken to the masterplanning, design, phasing and delivery of development of sites allocated within the Local Plan.

20. In June 2017 the Council agreed a Framework to guide the production of Strategic Masterplans (EB1106) and a Framework for Planning Performance Agreements (PPAs) (EB1105). In December 2017 the Cabinet considered the resources that would be required to implement the Local Plan and ensure the timely delivery of housing and infrastructure planned (EB113). Funding was agreed for the establishment of an Implementation Team to provide the necessary skills and resources to deliver the Strategic Masterplans, Concept Frameworks and Planning Performance Agreements associated with Local Plan allocations. A recruitment campaign has commenced to fill new posts created within the Implementation Team, and in the meantime, interim arrangements are in place to progress the work required.

21. Work to develop Strategic Masterplans / Concept Frameworks has commenced, and the Council is currently in discussions with a number of land owners / site promoters of allocated sites in relation to putting in place PPAs. Where appropriate, inputs from Essex County Council and Harlow Council will also be included within the PPAs in order to promote joined up and timely delivery.

22. The Council has established a Quality Review Panel. The first meeting of the Panel took place on 26 April 2018 to consider the pre-application proposal for Quinton Hill Farm – a site proposed for allocation in the LPSV (WAL.E8). The production of Strategic Masterplans, Concept Frameworks, Design Codes, and where appropriate, other planning proposals will be considered and informed through review at key stages by the Council's Quality Review Panel. In general, the Council will expect schemes of more than 50 homes or 5,000 square metres of commercial/other floorspace to be informed by review. Other smaller schemes which are complex or contentious may also be appropriate for review.

23. Following the submission of the Local Plan for independent examination, the Council will commence discussions with relevant landowners/site promoters through the Developer Forum to agree Statements of Common Ground in relation to the delivery requirements for key site allocations included within the Local Plan.

24. In March 2018 the Council published an updated Planning Policy Briefing Note ([http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note\\_Mar-2018.pdf](http://www.efdclocalplan.org/wp-content/uploads/2018/03/Planning-Policy-Briefing-Note_Mar-2018.pdf)). The Briefing note is intended to inform the development management process and ensure that the Council takes a consistent approach to determining planning applications following the publication (and submission) of the Local Plan Submission Version 2017.

#### Infrastructure Planning and Delivery

25. Building on the Infrastructure Delivery Plan (IDP) Parts A and B (EB1101A and EB1101B), a technical paper on infrastructure delivery is being produced. The purpose of the technical paper is to provide more information and certainty on infrastructure delivery, as well as a more general update on the work undertaken since the IDP was published. Discussions are ongoing with infrastructure providers, and particularly Essex County Council, in order to provide greater clarity on future infrastructure requirements, and to respond to representations received as part of the Regulation 19 Publication period.

26. The technical paper will include a high level framework for apportionment and pooling arrangements to be taken forward for key infrastructure (highways, public transport, education, health (GP surgeries), and open space, sports, green infrastructure and community facilities). The paper will provide more information on those external funding

sources outlined in the IDP, including: which ones are being considered; work currently ongoing to progress/secure funding; and any risks of funding not being in place and contingency measures for this. The paper will also cover the potential contribution of the Community Infrastructure Levy (CIL) in funding infrastructure delivery.

### Strategic Flood Risk Assessment

27. In 2017 the Council commissioned AECOM to provide further site specific analysis of flood risk (EB918) to supplement the Level 1 Strategic Flood Risk Assessment produced in 2015 to inform the Local Plan (EB909). The report has subsequently been finalised and will be submitted alongside the submission of the Local Plan.

28. As part of the Council's site selection process to identify future development sites for allocation in the Local Plan, the Council has taken a sequential approach to selecting sites, so that prioritisation has been given to those sites in Flood Zone 1. For a small number of sites, part of the site boundary is located in Flood Zones 2 and/or 3. However, for these sites, the indicative development capacity and the policy requirements associated with the site in the Local Plan make clear that development proposals should be located within Flood Zone 1.

29. The latest report assesses the flood risk posed to each of the development sites, based on available information and datasets. The report identifies which sites require the Exception Test and recommendations have been provided regarding the issues that will need to be addressed as part of a site specific Flood Risk Assessment (FRA) at the planning application stage.

### Neighbourhood Planning

30. There are currently ten designated neighbourhood plan areas in the District, meaning that 10 parish councils have started to prepare their own Neighbourhood Plans. Moreton, Bobbingworth and the Lavers Neighbourhood Plan is the most advanced in terms of its stage in preparation. The Plan was examined in 2016 but the independent examiner concluded that Plan did not meet all of the Basic Conditions, meaning that it could not proceed to referendum and the Council making the plan. The Parish is currently preparing to finalise and submit a revised Plan.

31. The Chigwell Neighbourhood Plan has recently been submitted to the Council for (Regulation 16) publication. Preparations are being made for the Plan to be published after the local elections in May 2018 for a period of 6 weeks. The Council has formally consulted Natural England in accordance with the Conservation of Habitats and Species Regulations 2017 in order to inform our appropriate assessment of the implications for the Epping Forest SAC of the Chigwell Neighbourhood Plan. The response will be placed on the council's website. Following the Publication of the Plan, the Council must arrange for an independent examiner to undertake an examination of the Plan against the Basic Conditions. Subject to the outcome of the examination, the Plan would then proceed to a local referendum. If the referendum result is positive the Council will then need to determine whether the Plan meets the basic conditions and determine whether to make the plan.

32. All other neighbourhood plans in progress including those for Buckhurst Hill, Epping Town, Epping Upland, Loughton Town, North Weald Bassett, Ongar, Theydon Bois and Waltham Abbey, are in their early stages of preparation. Amongst these parishes, Ongar, North Weald Bassett and Epping Town are currently the most active and are planning to undertake public engagement exercises over the coming months.

33. The Planning Policy Team, together with the Rural Community Council for Essex

continues to provide support to Parish and Town Councils wherever possible.

### **Resource Implications:**

The budget for the publication of the Local Plan Submission Version was approved as part of the Local Plan budget in December 2017. The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. This means that the equality information provided to accompany this report is essential reading for all members involved in the consideration of this report. The equality information is provided at Appendix 2 to the report”.

### **Legal and Governance Implications:**

The Council is required by national legislation to prepare and maintain an up to date Local Plan to set out the strategic priorities for the area and the policies that address these.

### **Safer, Cleaner and Greener Implications:**

The delivery of a Local Plan, informed by a robust evidence base, will contribute to safer, cleaner, greener objectives by planning for sustainable development.

### **Consultation Undertaken:**

All stakeholders including residents, local groups or businesses, statutory consultees and landowners were given the opportunity to make representations on whether the Local Plan Submission Version is legally compliant, sound and/or meets the Duty to Cooperate, in accordance with Regulation 19 of the Local Plan Regulations 2012 and in accordance with the Council’s Statement of Community Involvement.

### **Background Papers:**

All relevant Submission documents, including the evidence base, are available to view from the EFDC Local Plan website at <http://www.efdclocalplan.org/>

### **Risk Management:**

The Council needs to be seen to make timely progress on the preparation of a Local Plan to avoid the risk of intervention by the Secretary of State. In order to prepare statements of common ground further work is being undertaken by the team and discussions with key stakeholders. Work is also ongoing with the implementation of the local plan in order to provide evidence at the examination that the plan is deliverable and the Council can meet its five year land supply.