

Report to the Council

Committee: Cabinet

Date 19 September 2019

Subject: Planning Services Portfolio

Portfolio Holder: Councillor J Philip

Recommending:

That the report of the Planning Portfolio Holder be noted.

1. Local Plan progress update

Following the close of the hearings sessions for the Local Plan on 11 June 2019, the Inspector issued her advice on 2 August on the changes to the Plan that would be required to remedy issues of soundness. This requires the Council to undertake some additional work in order to agree with the Inspector the final suite of Main Modifications (MMs) to the Plan which will be subject to public consultation in due course. The advice sets out a number of actions required in order to finalise MMs which will then be subject to sustainability appraisal and an updated Habitats Regulations Assessment (HRA) prior to consultation on the Main Modifications. The Inspector will then finalise her report having regard to any consultation responses received and submit her final report. Assuming the Inspector finds that the plan is sound it will then go back to the Council for adoption.

The exact timeline for all of this is currently being considered and at the time of writing the programme of work has not yet been agreed with the Inspector. One of the key issues identified is the robustness of the Habitats Regulations Assessment. Given the representations made by Natural England and the Conservators of Epping Forest the Inspector has not been able to conclude beyond reasonable scientific doubt that the Plan will not adversely affect the integrity of the Epping Forest Special Area of Conservation until further work has been taken towards resolving it. In particular the Inspector has asked the Council to update the HRA modelling which will involve undertake additional transport modelling and air quality modelling which requires careful scoping with the relevant consultants and agreement with Natural England on the methodology to be used. This will then feed into a final mitigation strategy addressing both the recreational and air quality impacts on the Forest

2. Neighbourhood Planning

A date for the referendum of the Moreton, Bobbingworth and the Lavers Neighbourhood Plan has been set for 26 September 2019 and assuming that the referendum results in a yes vote the Plan will be reported to Full Council on 5 November 2019 to be 'made'. It will then form part of the statutory development plan for the District.

3. Harlow and Gilston Garden Town

The Council has now appointed a Lead Officer for the Garden Town. Simone Williams joined on 5 August 2019 and will be supporting the work of the team to bring forward strategic sites around Harlow as well as inputting into the other Garden Town workstreams.

Homes England have announced a further Garden Town Communities Capacity Fund Bidding Round for the 2019/20 Financial Year and a funding bid has been submitted. 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.

4. Delivering Infrastructure in the District

In order to ensure that the infrastructure to support the proposed growth in the District the Council has 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.

5. Development Management Performance

For the first quarter of the 2019-20 financial year, planning application turnaround decision times for Major types was 100% (13 decisions), Minor types just under 95% (91 out of 96 decisions) and Other types, which are in the main householder extensions, just over 93% (280 out of 300 decisions). Despite some recruitment difficulties, this represents a good performance although there are some planning applications where decisions cannot be issued because of the on-going Epping Forest Special Area of Conservation matter referred to in 1 above.

Out of a total of 36 appeal decisions made in the same period, only 4 (11%) were allowed, which again represents a very good performance.

6. Enforcement

Rapid multi-agency working between planning enforcement, the police and the crime & community safety in early September prevented a digger attempting to remove a bund at Birchfields former illegal travellers site in Epping Lane, Stapleford Tawney while a tarmac lorry and caravans waited to go on the site. Two local police response team cars and two senior officers from Planning Enforcement armed with the relevant injunction paperwork averted a breach on site. It's good to report effective multi-agency working that prevented this from becoming what would otherwise have been a long, expensive and drawn out affair to get the potential occupants off the land.

7. Development Management Planning Fee Income

The first five months of 2019/20 show that Planning Application Income is £405,260. This compares with budget of £543,320 and shows a decrease of £138,060 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 five months plus budget for the remaining seven months is £1,061,940.

Delay in the adoption of the new Local Plan and the continued objections from Natural England and Conservators of Epping Forest to our Habitat Regulations Assessment would appear to be a reason why the large fee applications are not currently being submitted.

DC Pre-Application Income continues to perform well against budget recording £89,722 as compared with the budget of £45,070. An overall budget projection of five months actual and seven months budget is £149,512.

Based on current trends it is possible that Development Management Income will record an overall income of £1,200,000 for 2019/20.