

Report to Local Councils Liaison Committee

Date of meeting: 16 November 2015

Subject: Epping Forest District Local Plan - Progress

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Recommendations/Decisions Required:

That the Committee note the current position with regard to progress on the development of the new Local Plan for the Epping Forest District.

Report:

Local Plan Timetable

1. The revised Local Development Scheme agreed by the Cabinet on 11 June 2015 proposes that the next Local Plan consultation stage on the draft plan preferred approach is to be undertaken during summer 2016.

Reasons for delay in Local Plan Production

2. For a number of reasons, the principal ones for which are explained below, it has not been possible to meet the previous timetable; consequently the timings for each of the key stages have slipped by about a year. However, having now reviewed the position reached, the revised programme leading to adoption of the Local Plan in Sept 2018 represents a realistic and achievable timetable. A number of other districts have encountered similar problems with their timetable.
3. Production of the consultation draft preferred approach is dependent on completion of a number of key pieces of supporting evidence needed to underpin the policies in the draft plan. In particular the Strategic Housing Market Assessment (SHMA); undertaking a comprehensive district wide Green Belt Review and strategic transport work being undertaken by Essex County Council. Progress made on producing these key pieces of evidence is reported below.
4. There is also the need to take very seriously the statutory Duty to Cooperate – a number of Local Plans, including in Essex Uttlesford and Maldon, have been found unsound by Inspectors at examination because they have been perceived to be lacking robust, credible up to date evidence and/or failed in meeting the Duty to Cooperate.
5. Government policy changes, requirements and expectations signalled through both changes to the Government's online Planning Practice Guidance (PPG) and the recently published Housing and Planning Bill, brief details of which are provided below. Experience from recent Local Plan examinations indicates that Inspectors are attaching great weight to ensuring that guidance given in the PPG is being adhered to.
6. Delays in the strategic transport assessment focussed around Harlow and a potential new junction 7a on the M11. Essex County Council understands from discussions with Highways England that the £50million allocation previously identified is for Junction 7

where there is a 5 year plan considering improvement works. In terms of future growth however, it is not yet clear from the modelling, what capacity improvements to Junction 7 would support prior to bringing Junction 7A on stream.

Member Briefings and Workshops

7. Dates during November have now been set and advertised for holding a series of all Member, (including Town and Parish Council representation), evening briefing and workshop sessions. The first of these on 2nd November considered the Historic Environment, the Natural Environment and Green Networks. The purpose of these workshops are to inform members of emerging key issues that the draft Local Plan will need to cover and to ensure that Member views and concerns are aired at this formative stage so that they might be taken account of in the policy drafting.

Duty to Cooperate

8. Officers and Members continue to meet regularly with appropriate authorities, principally through the Cooperation for Sustainable Development officer group and Member Board, to consider a wide range of cross boundary issues. In addition to the SHMA, Employment and Green Belt Review work reported above, the Lea Valley Food taskforce continues to develop a programme for growth around one of the District's historic and still important sectors. The Lea Valley glass house industry was one of the matters considered at the Enfield, Essex and Hertfordshire Border Liaison Group Member meeting held on 29th October. This meeting also received presentations on Crossrail 2 and the Hertfordshire Transport Vision, both of which are currently the subject of public consultation.
9. Officers have also been involved in transport work being undertaken by the London Borough of Enfield, opposing reference to construction of a new access road in the North East Enfield Area Action Plan and are keeping a watching brief on wider transport work being undertaken as part of Enfield's Northern Gateway Access Package (NGAP). An update of the NGAP transport work was also provided at the recent Border Liaison Group Meeting.

Update on key evidence work

Strategic Housing Market Assessment, Economic and Employment evidence

10. The work has now been completed on these key pieces of technical evidence relating to housing and jobs numbers.
11. In relation to housing, an updated Strategic Housing Market Assessment (SHMA) has been produced in conjunction with the other authorities within our Housing Market Area: East Herts, Harlow and Uttlesford. The final SHMA was formally considered by the SHMA partners at the Cooperation for Sustainable Development Board meeting on 22nd September and was then subsequently added as part of the Local Plan evidence base together with the related economic and employment evidence following consideration at the 8 October Cabinet meeting.
12. What the SHMA provides us with is figures for Objectively Assessed Housing Need (OAHN) for Epping Forest District and the other three Districts named above. The OAHN figure in Epping Forest District is 11,300 dwellings up to 2033 but it is important to understand that this is not the housing target for the District. Although the Council has yet to determine its housing target, the production of the SHMA represents an important milestone towards doing so. Deductions can be made from the OAHN figure to take account of completions since April 2011, permissions already granted and also a windfalls allowance. Having established the housing need the next steps that need to be taken in order to establish a housing target include determining affordable housing need, considering constraints, policy aims and other evidence. It is therefore necessary

to take account of constraints such as areas of green belt and flood plains which indicate that development should be restricted. If, having completed the other pieces of evidence, it is demonstrated that our need cannot be met in Epping Forest District it will be necessary to discuss with our SHMA partners whether the objectively assessed need could be met by the wider SHMA area.

13. An Economic Evidence report for West Essex and East Herts commissioned jointly by EFDC and East Herts, Harlow and Uttlesford Councils has also now been finalised. Local Plan Inspectors pay particular attention to the need for jobs and housing requirements to be aligned. Therefore, this study was commissioned on the same basis as the Strategic Housing Market Assessment, to cover the four authorities and to inform all four Local Plans across the 'Functional Economic Market Area'. A second more detailed report covering 'Economic and Employment Evidence to Support the Local Plan and Economic Development Strategy' has also been completed for EFDC alone. It identifies jobs growth in the range of 400-455 additional jobs per year from 2011-2033 and provides a detailed analysis of the assessed economic need, in terms of employment floorspace and type to be provided through the EFDC Local Plan. This document also provides the floorspace breakdown of what this need might be in order to inform the new Local Plan.
14. These housing and economic evidence reports can be viewed via the Local Plan pages of the Council's website.

Green Belt Review

15. Government guidance and emerging Inspectors' reports make clear the need to undertake a comprehensive Green Belt Review of the entire District before the release of any Green Belt land is considered. It is important to remember that the outcome of the Green Belt Review is only one, albeit an extremely important, piece of the evidence base that will inform the Council's future plan-making decisions.
16. Following completion of stage 1 of the Green Belt Review for the District external consultants have now been appointed and over the autumn will be undertaking a more detailed assessment of the broad locations identified in stage 1. This stage 2 work will confirm at a more detailed level:
 - the areas where the Green Belt policy designation should remain;
 - any historic anomalies in the existing boundaries or locations where development has taken place, which may therefore suggest minor amendments to the Green Belt boundaries are required; and
 - areas that may be least harmful in Green Belt terms for potential development purposes.
17. If a parcel or part of the parcel is appraised as part of the more detailed work this does not mean necessarily that the parcel should or will be allocated for development in the emerging Local Plan or that the Council would look favourably on a planning application.
18. The Council is also undertaking a settlement capacity analysis of the 10 largest settlements in the District, namely Epping, Theydon Bois, Buckhurst Hill, Chigwell, Loughton/Debden, Waltham Abbey, North Weald Bassett, Chipping Ongar, Lower Nazeing and Roydon. The purpose of the work is to ensure that the District can address as much of its housing requirement as possible within our existing settlements, and so minimise the potential need to utilise Green Belt land for development. Like stage 2 of the Green Belt Review, the results of this work will be used to inform, and published alongside, the consultation Draft Plan Preferred Approach.

Neighbourhood Plans

19. Moreton, Bobbingworth and the Lavers have finalised their draft Plan which, following publication for a six week period for representations, goes forward to independent examination.
20. There are seven other Parish and Town Councils that have applied to designate neighbourhood planning areas for their areas which have been approved (Chigwell, Epping, Buckhurst Hill, Theydon Bois, Loughton, North Weald Bassett and Epping Upland). With the exception of North Weald Bassett and Epping Upland Parishes the areas approved cover the entire parish. Given the location of North Weald Bassett and Epping Upland Parishes, immediately adjacent to Harlow's administrative boundary, a number of important strategic cross boundary matters were identified that are not within the remit of a Neighbourhood Plan to address. The Council therefore decided that the northern edges of these parishes bordering Harlow should be excluded from the Neighbourhood Area designation.

Housing & Planning Bill

21. The Housing & Planning Bill was published on 13 October 2015. The Bill makes clear that the Government is serious about increasing housing and improving the housing regime in general. Measures have been included to streamline the planning process; to facilitate starter homes, self builds and building on brownfield land. It is proposed that more powers are given to the Secretary of State to take over plan making, decision taking and effectively impose financial penalties on local authorities with high-value vacant buildings.
22. Comprising of eight parts, the main planning changes included in part 6 of the Bill, include:
 - Neighbourhood planning - concerned that the neighbourhood planning process is too slow, Government has introduced changes which it hopes will combat this delay;
 - Local planning - changes to local planning are included to give the Secretary of State more power to intervene if local plans are not delivered effectively;
 - Local registers of brownfield land and permission in principle – a key element of the Bill is the creation of a new "permission in principle" provision which provides that planning permission in principle may be granted for development of land in England;
 - Planning permission - changes under this heading relate to the grant of planning permission by permitted development rights and by the Secretary of State when a local planning authority is deemed to be underperforming; and
 - Nationally significant infrastructure projects - as another means of boosting housing supply, the Bill provides the Secretary of State with a new power to grant development consent for housing which is linked to an application for a nationally significant infrastructure project.
23. Changes to the compulsory purchase regime are also included in part 7 of the Bill and are aimed at making compulsory purchase "clearer, fairer and faster".
24. The Bill will need to pass through three readings in both the House of Commons and the House of Lords and obtain Royal Assent before being enacted. This process is expected to take between 12 and 18 months. It seems likely that most of the planning provisions would subsequently require secondary legislation in the form of regulations to bring into effect.