

# **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Local Plan Cabinet Committee                      **Date:** Thursday, 17 October 2019

**Place:** Council Chamber, Civic Offices, High Street, Epping                      **Time:** 7.30 - 8.40 pm

**Members Present:** J Philip (Chairman), A Lion and H Whitbread

**Other Councillors:** P Bolton, R Brookes, S Heap, H Kauffman, C P Pond, C C Pond, J H Whitehouse, J M Whitehouse and D Wixley

**Apologies:** N Bedford, S Stavrou and C Whitbread

**Officers Present:** N Richardson (Service Director (Planning Services)), A Blom-Cooper (Interim Assistant Director (Planning Policy)), V Willis (Team Manager (Local Plan and Planning Policy)), I Braddick (Planning Policy (Implementation - Urban Design)), V Messenger (Democratic Services Officer) and S Mitchell (PR Website Editor)

**Also in attendance:** P Maxwell (Chairman of the Quality Review Panel)

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## **1. WEBCASTING INTRODUCTION**

The Chairman made a short address to remind attendees that the meeting would be broadcast live to the Internet and would be capable of repeated viewing, which could infringe their human and data protection rights.

## **2. DECLARATIONS OF INTEREST**

There were no declarations of interest pursuant to the Council's Member Code of Conduct.

## **3. MINUTES**

### **RESOLVED:**

That the minutes of the meeting held on 22 November 2018 be taken as read and signed by the Chairman as a correct record.

## **4. TERMS OF REFERENCE**

The Cabinet Committee noted its Terms of Reference, as amended by the Leader of the Council in June 2012.

## **5. PRESENTATION - LOCAL PLAN UPDATE**

The Interim Assistant Director (Planning Policy) gave a presentation to members that provided an update on the current status of the Local Plan. The same presentation had also been shown at the Members Briefing prior to this Local Plan Cabinet Committee meeting.

The Local Plan Submission Version (SV) had been submitted for examination in September 2018. A series of public hearings had been held by the Local Plan Inspector from February to June 2019. Appendix 6 had been submitted in addition to the Local Plan SV as part of the LP policy and set out the site specific requirements for each site allocation.

The Inspector's response was received by the Council on 2 August 2019 and had contained a number of actions that the Council needed to take. It set out further work that was required including a number of main modifications. The main modifications included a sustainability appraisal and an updated Habitats Regulations Assessment (HRA) as the Inspector had not been able to prove beyond all reasonable 'scientific' doubt, the robustness of the HRA, which would involve undertaking additional transport modelling and air quality modelling. The Inspector had accepted the proposed housing requirement of 11,400 new dwellings, employment areas and traveller sites for the District. Further discussions with Transport for London (TfL) would be required in connection with the Local Plan sites at Loughton and Debden Station car parks in relation to the limit of the height of the developments, as a greater quantity of development was being proposed by TfL than in the Local Plan. A review of site capacity work in the South Epping masterplan was also required as was the deletion of the proposed allocations at Jessel Green (Loughton) and Limes Farm (Chigwell).

The undertaking of additional scoping work in order to meet the Inspector's concerns had taken longer than Planning Policy had hoped and there would be further sustained appraisal work. Updating and revising the transport and air quality modelling would be necessary for the HRA to understand the vehicle fleet mix for traffic using the Epping Forest Special Area of Conservation (SAC). A meeting had been arranged for early next month with Natural England to update and agree the methodology to be used. This would feed into a final mitigation strategy addressing both the recreational impact on the Forest and the air quality impact across the whole of the District.

In relation to what the Council was doing regarding the current position with planning application permissions, a statement was available on the website. A review of all planning applications was underway to see which ones could be granted, if there would be no increase in average daily travelling. The Council was taking further legal advice in relation to the extent that other planning applications could impact on the SAC and air quality, and a report on this progress would be going to Cabinet in December 2019.

When the additional work had been completed, a formal 6-week public consultation would be required. The Inspector would look at the comments received before sending a final report. Finally, the Local Plan would then go forward to Council for adoption.

Councillor A Lion thanked the Interim Assistant Director (Planning Policy) for this very detailed report and said that a milestone step-by-step plan to show how the Local Plan was progressing would be useful. Also, on the non-allocated sites, would there be supporting information on planning applications that covered any mitigation issues that needed to be put in place, so that those reports would accompany planning applications going to the planning committees? The Interim Assistant Director (Planning Policy) replied that firstly as the current work was planned to last until mid-May 2020, the Council would be sending monthly reports back to the Inspector. The Inspector would guide the Council on what it could put into the public domain and a report giving an update on Local Plan implementation would be going to Cabinet in November 2019 and the Planning Portfolio Holder would be providing a similar report

to Council. Regarding non-allocated sites, the Council would cautiously deal with planning applications for these in accordance with the Council's strategy under policy SP2. It was important because non-allocated sites were over and above the site allocations and not part of the Local Plan and the transport and air quality monitoring.

Councillor C C Pond asked if the officer could confirm for clarity that the modelling of future flows of traffic etc would be made on the basis of the omitted or modified sites as identified by the Inspector being excluded? Could the officer also say when the future of the car park developments in Debden and Loughton would be sure, given that this was dependent on TfL, without any information, to obey the Inspector's injunction in the Inspector's letter of 2 August 2019? The Chairman and Planning Portfolio Holder, Councillor J Philip, replied that the Council clearly had to take full regard of the Inspector's advice in that letter. The nationally defined space standards were important as space was important for people to be able to live properly as was good design. If the Inspector had specifically instructed the Council to take something out or do further work, it would. The Inspector had asked the Council to come to an agreement with TfL on these two station car park sites and a response was expected from TfL at the end of the month. The Council would make it clear that it could move forward on its site proposals for these station sites, or it could remove these two Local Plan sites altogether. The Interim Assistant Director (Planning Policy) said that in paragraph 38 (a) of the Council's response to the Inspector, it was proposing to re-run the traffic and air quality modelling to take account of the main modifications proposed and similarly any deletions or changes in the capacity of sites.

Councillor H Kauffman was concerned about the TfL approach generally as any development of those sites should include an upgrade of the station sites. There was no disabled (DDA) access into Loughton Station and that any benefits from that development were focussed on station improvements so TfL could concentrate on running the trains and make improvements to that service. The Chairman replied that the Council's infrastructure delivery plans were a key section of the Local Plan. Building better places to live not just houses, was central to what the Council wanted, and to make sure the quality of places developed was as good for residents as possible.

Councillor D Wixley asked if the main modifications were taking a number of houses out of the Local Plan and if no new site allocations were needed, would more houses be squeezed on to the remaining sites and how would that work? The Chairman replied that when the Council submitted its Regulation 19 (Local Plan SV responses), it was already providing more than the housing allocation of 11,400 houses. It also knew that some sites looked viable but might not come forward within the timeframe. The Inspector did want the Council to look at its numbers - the minimum numbers rather than target numbers. If developers said that they could make better use of their land, then this would be assessed, especially if this meant the Council could take less Green Belt land.

## **6. PRESENTATION - QUALITY REVIEW PANEL**

The Interim Assistant Director (Planning Policy) outlined the background to the Quality Review Panel (QRP) that started in 1924 at the Royal Fine Arts Commission until 1999. It then came under the Commission for Architecture and the Built Environment (CABE) from 1999 to 2011. Regional panels were set up from 2009 and the Design Council CABE took the lead from 2011. The Government's National Planning Policy Framework (NPPF) of 2012 reviewed the current design quality standards. This was reinforced by the NPPF updated in February 2019 that reinforced design arrangements. QRPs strived to achieve an emphasis on design. Therefore, good design was important and a key aspect of sustainable development.

The Council had set up this process and the QRP was established in April 2018 primarily to try and improve design in the District and the Harlow and Gilston Garden Town developments. There were a number of design policies within the Local Plan. In the Local Plan SV there was provision that all schemes of 50 plus homes, 5000 square metres of commercial floorspace and other floorspace were expected to go to the QRP. This would also include smaller complex schemes or possibly those that were locally significant. The QRP, chaired by P Maxwell, was comprised of eighteen environment and build design experts, and its Terms of Reference were on the website. The Panel acted as a critical frame to ensure the delivery of high quality developments. The Chairman of the Panel and four other members reviewed developments and provided a written report. Reviewing developments was easier to do in the preliminary stages and these reports would be confidential. The reports would be non-confidential when planning applications were submitted to the Local Planning Authority and would be appended to any subsequent planning committee meeting. The Local Plan design policies strengthened policy DM9 (high quality design) and policy SP3 (place shaping).

The Chairman of the Panel, P Maxwell, gave a brief overview of his background as a design director, who had worked in the public sector developer side for fifteen years spanning suburban to infrastructure developments. He was involved with the regeneration of Stratford. This incorporated the design of the Queen Elizabeth Olympic Park, the Chobham Manor neighbourhood for 5,500 homes, and the cost construction risk of the Stratford waterfront development that included the University of East London and the ECL Partnership. The QRP reviews would see projects through the pre-application phase to the final planning application stage with support from the planning and urban design officers of the Council and Garden Town, who would highlight when it was appropriate to go to the Panel. Most Panel members were senior director level in their specialisations.

Nearly every site visited by the Panel so far was remarkable in a different way, but it was often shocking that applicants did not understand. The QRP was there to give critical but helpful advice and challenge the sense of place. It was there to look at inclusivity. Would these homes be open and equitable for all, and suitable for families and old people etc? It would challenge developers on sustainability. If the proposal was for a commercial development, was there a business plan behind the scheme? This was particularly important for the retail sector at the moment, as it was a very tough industry to be in. The development process included quality and functionality, and how infrastructure and roads were laid out. It would also look at how developers intended to engage at appropriate points and proactively engage with the local community.

Looking ahead there was the St John's Road development, which would have a large impact on the high street and the wider area. The Council was taking the lead to deliver a quality development. Other development projects included the Borders Lane playing fields and wellness centre, and North Weald Airfield. As QRP joint chairman for both the Council and Harlow and Gilston Garden Town, the Latton Priory masterplan site had key issues for the Panel to ensure standards set would be being met. Ultimately success was dependent on the achievements of all sites working together.

Councillor A Lion asked about sustainability on two issues, infrastructure and the environment. In respect of integration of a sustainable infrastructure, how was it going to be managed outside developments? For example, on narrow rural roads where would cycle tracks go? Would cycle tracks be laid out across new developments and how would that impact on those sites? In relation to environmental sustainability, how was this being tackled in terms of PVC, heat pumps and insulation

etc. The Panel Chairman replied that the Garden Town was focussing on all four garden town areas individually and collectively. There was a large amount of existing housing and therefore, edge of town developments would not be isolated but linked into other neighbourhoods. The QRP was aware of the differences to metropolitan developments where there was good public transport. The key to sustainability was about behaviour change which had to happen now. On environmental standards, there were aspirations within the design guide for higher standards, but it was not specifically stipulated. The Harlow and Gilston Garden Town was setting a high boundary in modal shift. Therefore, there should be a similar boundary to environmental performance. The Government was looking at building regulations and was consulting on this at the moment. With the Garden Town the QRP was taking a wider view, e.g. on boilers, but it was difficult, particularly for councillors to take proper advice.

Councillor H Whitbread had concerns about aspirational dialogue in relation to future proofing developments. The new towns in the 1950s were aspirational, but 60 years down the line, they were not so good. How could the QRP ensure that current/future developments would be good in the long term? The Panel Chairman replied that the QRP had a number of experts who had been through this process. It was important to make sure that if it was a good design, that this was delivered through the planning conditions officers would write to help future proof design. In terms of functionality, that new homes were laid out properly internally to allow families to grow, and that neighbourhoods were well laid out and well managed. It was better to go for design that lasted over time and that developers were doing enough analysis to overcome this.

Councillor R Brookes remarked that she cycled locally but it was often a terrifying experience on the roads in the District, and not a safe experience. Taking account of her interest in 'leisure' monitoring, the Council would be building a new leisure centre on the St John's Road site and Epping was historically a market town. Many people in the District still drove cars and there was a need to make some new provision for cars at the leisure centre. The Panel Chairman said he would not specifically answer on this development, but for the Harlow and Gilston Garden Town there was an aspiration to make sure of modal shift as developments needed to be future proofed. Provision allowed for those who could not walk etc. It was about being sensible so there was flexibility. Councillor J Philip confirmed that there was no masterplan yet for the St John's Road site.

Councillor C C Pond commented on a car free development in Stratford and whether the Council should be producing no parking developments when they were situated close to public transport. Also, to what extent did planning departments take notice of the Essex Design Guide as it was very influential? The Panel Chairman replied that the Essex Design Guide gave useful advice and was important to developers on how to design but the Panel would not formally say, 'complied with the Essex Design Guide'. Generally the Panel did not support car free developments, but would look at how close a development was to public transport and look at vehicle movements to ensure these were managed properly.

Councillor J M Whitehouse asked for examples of recent developments that supported sense of place and what was the QRP looking for from a developer? The Panel Chairman referred to the recent development in Loughton, near to Sainsbury's, which was authority-led. The majority of developments seen were the standard housebuilder response and thus slightly disheartening. He was referring to what was appropriate from developers regarding the setting. A neo classic design in a rural location would probably be out of character. Also, in Newhall, east of Harlow, some build design elements were good and others not so good.

The Chairman, Councillor J Philip, thanked the Chairman of the QRP for attending this meeting.

**7. ANY OTHER BUSINESS**

The Cabinet Committee noted that there was no other urgent business for consideration at the meeting.

**8. EXCLUSION OF PUBLIC AND PRESS**

The Cabinet Committee noted that there was no business which necessitated the exclusion of the public and press from the meeting.

**CHAIRMAN**