

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Council **Date:** Monday, 6 March 2023

**Place:** Council Chamber - Civic Offices **Time:** 7.00 - 8.14 pm

**Members Present:** Councillors M Sartin (Chairman), D Sunger (Vice-Chairman), I Allgood, C Amos, N Avey, R Balcombe, D Barlow, R Baldwin, N Bedford, P Bhanot, P Bolton, H Brady, R Brookes, L Burrows, S Heap, S Heather, H Kane, S Kane, H Kauffman, P Keska, J Lea, J Leppert, A Lion, T Matthews, J McIvor, L Mead, R Morgan, S Murray, C Nweke, M Owen, J Parsons, A Patel, S Patel, J Philip, Caroline Pond, C C Pond, R Pugsley, S Rackham, K Rizvi, P Stalker, D Stocker, B Vaz, C Whitbread, H Whitbread, J H Whitehouse, J M Whitehouse, K Williamson, D Wixley and S Yerrell

**Members Present (Virtually):** Councillors C McCredie

**Apologies:** R Bassett, E Gabbett, I Hadley, R Jennings, J Jennings, J Jogia and J Lucas

**Officers Present:** G Blakemore (Chief Executive), A Small (Section 151 Officer), J Gould (Interim Strategic Director), N Richardson (Service Director (Planning Services)), V Willis (Principal Planning Officer), G Woodhall (Team Manager - Democratic & Electoral Services), J Leither (Democratic Services Officer), T Carne (Corporate Communications Team Manager), P Maginnis (Service Director (Corporate Services)), S Mitchell (PR Website Editor) and R Moreton (Corporate Communications Officer)

**Officers Present (Virtually):** R Perrin (Democratic and Electoral Services Officer)

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### **75. WEBCASTING INTRODUCTION**

The Democratic and Electoral Services Manager reminded everyone present that the meeting would be broadcast live to the Internet, and that the Council had adopted a protocol for the webcasting of its meetings.

### **76. DECLARATIONS OF INTEREST**

(a) Pursuant to the Council's Code of Member Conduct, Councillor S Murray declared a non-pecuniary and non-prejudicial interest on item 4, Adoption of the Epping Forest District Local Plan 2011-2033, by virtue of being an ambassador of the Epping Forest Heritage Trust.

### **77. ANNOUNCEMENTS**

The Chairman welcomed Councillors and members of the public who were seated in the public gallery and watching via webcast. She advised that before we moved to the substantive part of the meeting that she would like to make some opening remarks.

Local Planning Authorities were required by legislation to develop local plans, and the Government had stated that Local Planning Authorities should have an up-to-date local plan in place by the end of 2023.

The Epping Forest District Local Plan 2011–2033 has been found ‘sound’ following independent examination subject to a number of Main Modifications. The Local Plan formed part of the Council’s Statutory Policy Framework. The spatial strategy and housing requirement established through the Local Plan accords with the approach agreed by way of Memorandums of Understanding entered into by the Council through the ‘Duty to Cooperate’.

The Council wrote to the Inspector requesting that they recommended such modifications to the Submitted Local Plan as may be necessary to make the Plan sound and legally compliant. The Inspector has found the Plan Sound subject to a number of modifications.

Those modifications now needed to be accepted in their entirety and no further changes could be made to the Plan as now proposed to be modified. This meant that it would not be appropriate to discuss the contents of the Plan.

#### **78. ADOPTION OF EPPING FOREST DISTRICT LOCAL PLAN 2011-2033**

**Mover: Councillor N Bedford, Place Portfolio Holder and Deputy Leader**

Councillor N Bedford stated that after a considerable amount of time that he was pleased that Epping Forest District Council (EFDC) had been given the green light, by the Independent Planning Inspector, to adopt the Epping Forest District Local Plan.

Councillors will see from the report there were two choices; (1) to agree to adopt the plan with the incorporation of all of the recommended modifications, or (2) not to adopt the plan. It was important that we have an up-to-date policy framework to enable the Council to properly manage and control development in the district and to ensure that we can fully protect our natural resources and environment.

Once the plan had been adopted, the Council would have a clear and robust strategy against which planning decisions for new homes could be made (including affordable homes), jobs and community facilities required over the next few years supported by the new infrastructure and, at the same time, protecting the environment. The new plan provided certainty for our communities as to what development would happen and where it would happen and this made it clear to developers the high standard that we expect from development within this District.

On 14 December 2017 EFDC agreed to publish, for comment, the Submission Version of the Epping Forest District Local Plan covering the period 2011-2033 and to submit the Plan to the Secretary of State for Examination. The submission plan was also endorsed as a material consideration in the determination of planning applications and enforcement decisions to which the Council have been able to use it for that purpose. At that same meeting the Council gave authority to officers to write to the independent Inspector appointed to carry out the Examination requesting recommendations of any modifications as may be necessary to the submitted Local Plan, to make the Plan sound and legally compliant, in accordance with section 20(7C) of the 2004 Planning and Compulsory Purchase Act.

The plan that was recommended to adopt was a modified version of that same plan. Those modifications have been identified by the Inspector as being necessary in

order for the submission plan to be found sound. Importantly, the modifications do not change the spatial strategy agreed by this Council or the housing requirement established for the District, which was based on our own assessment of need, not a nationally derived figure. The requirement can be met from the reduced number of allocated sites and reduced capacity of some sites within the final Plan. The modifications do not change our approach to a provision for jobs within the District through the protection and expansion of our employment floorspace or the approach to protecting our valuable natural assets including Epping Forest and the Lee Valley. Nor, crucially, do they change our approach to securing the infrastructure and services needed to support the development proposed.

This Council, by agreeing to publish and submit the plan, accepted that part of the plan's strategy allowed for the release of Green Belt land. That was the Council's choice as it became clear, having undertaken a considerable amount of work to maximise development within our existing towns and villages, including on brownfield land, that the only way we could meet the development needs of our District was to make that difficult decision. We had to demonstrate to the Inspector that exceptional circumstances existed and the Inspector was satisfied that this was the case.

Approximately 31,675ha of the District was designated as Green Belt. The amount of land currently in the Green Belt which will be removed in order to provide for new homes was just under 590ha (of which some 400ha was for the Garden Communities and just over 130ha for the North Weald Bassett, South of Epping and Waltham Abbey North Masterplan Areas) which equated to 1.86% of the District's Green Belt.

It was important that this figure was put into some context. A large amount of the Green Belt land to be released for new homes related to the strategic masterplan sites. As such the figure included land which was needed, for example, to provide for Suitable Alternative Natural Greenspace on a number of the sites (for example nearly 30ha of Green Belt land will be used for this purpose at Latton Priory), other large areas of green space (including within the East of Harlow and Waltham Abbey North Masterplan Areas), a number of primary schools (and in the case of Latton Priory a secondary school) as well as the provision of community facilities such as shops and health facilities. In the case of East of Harlow the allocation includes the land needed to support the relocation of the Princess Alexandra Hospital.

Some further land within the Green Belt will also be removed to provide new employment floorspace and to reflect the fact that there were some sites such as the Meridian Business Park and Distribution Centre and the residential estate immediately to the south at Waltham Abbey which are still technically within the Green Belt but were fully developed sites.

The implications of not adopting the Epping Forest District Local Plan 2011-2033 are set out in the officer's report on pages 7 and 8 of the agenda. Councillors may also wish to know that the Secretary of State for Levelling Up, Housing and Communities has discretionary powers to direct the Council to adopt the plan if he felt it necessary and appropriate to do so.

Councillor N Bedford therefore recommended to Council that the Epping Forest District Local Plan 2011 – 2033 be adopted in accordance with recommendations 1 to 4 as set out in the officer's report on page 5 of the agenda.

Five Councillors stood up and requested a recorded vote namely: Councillors C Whitbread, N Bedford, J Philip, H Whitbread and S Kane.

There voted for the recommendations (37) namely: Councillors I Allgood, N Avey, R Balcombe, R Baldwin, N Bedford, P Bhanot, P Bolton, H Brady, R Brookes, L Burrows, S Heather, H Kane, S Kane, H Kauffman, P Keska, J Lea, A Lion, T Matthews, J McIvor, L Mead, R Morgan, J Parsons, A Patel, S Patel, J Philip, C P Pond, R Pugsley, K Rizvi, M Sartin, P Stalker, D Stocker, D Sunger, B Vaz, C Whitbread, H Whitbread, K Williamson and S Yerrell.

There voted against the recommendations (9) namely: Councillors C Amos, D Barlow, S Heap, J Leppert, S Murray, M Owen, S Rackham, J H Whitehouse and J M Whitehouse.

Abstentions (3) namely: Councillors C Nweke, C C Pond and D Wixley.

Report as first moved **ADOPTED**.

**RESOLVED:**

That the Council agreed to Adopt the Epping Forest Local Plan 2011-2033 as detailed below:

- (1) Note the content of the Inspector's Report on the Examination of the Epping Forest District Local Plan 2011–2033 alongside the appended Schedule of Main Modifications (Appendix A and B to this report) and his conclusion that the Epping Forest District Local Plan 2011–2033 provides an appropriate basis for the planning of the District provided that a number of Main Modifications are made to it.
- (2) Adopt the Epping Forest District Local Plan 2011-2033 submitted to the Secretary of State for examination as amended by the Main Modifications and Additional Modifications (as identified in Appendix B and Appendix C to this report) as the statutory development plan for Epping Forest District (in accordance with Section 23 (3) of the Planning and Compulsory Purchase Act 2004 (as amended)) and use the Epping Forest District Local Plan 2011-2033 as the basis for planning decisions across the District (together with 'made' neighbourhood development plans where relevant).
- (3) Note that on adoption of the Epping Forest District Local Plan 2011–2033 and following the end of the six-week period for legal challenge that the following Development Plan Documents and associated Proposals Maps are revoked and should not be used for decision-making:
  - a) Those policies of the Epping Forest District Local Plan adopted January 1998 that had not previously been replaced; and
  - b) Epping Forest District Local Plan Alterations adopted July 2006.
- (4) Delegate to the Director of Planning, in consultation with the Portfolio Holder for Place, authorisation to make changes to text, graphics and layout of the Plan of a minor or inconsequential nature or in order to ensure consistency with the Main Modifications and Additional Modifications Schedules attached at Appendix B and C to the agenda report, as considered appropriate and necessary prior to the publication of the final version of the adopted Epping Forest District Local Plan 2011-2033 and associated Policies Map in accordance with the Town and

Country Planning (Local Planning) (England) Regulations 2012 (as amended).

**CHAIRMAN**