

Report to the Local Plan Cabinet Committee



Report reference: *LPC-002-2012/13*
Date of meeting: *2 July 2012*

**Epping Forest
District Council**

Portfolio: Planning
Subject: Local Plan – Issues & Options Consultation Document
Responsible Officer: Amanda Thorn (01992 564543)
Democratic Services Officer: Gary Woodhall (01992 564470)

Recommendations/Decisions Required:

- (1) To agree that the “Community Choices – Issues & Options” document can be published for consultation, and that the Portfolio Holder for Planning be authorised to agree any further minor amendments which may be necessary;**
- (2) To agree that the Sustainability Appraisal of the Issues & Options document prepared by Scott Wilson/URS can be published for consultation;**
- (3) To agree that the consultation period will run for 8 weeks from Monday 30 July to Friday 21 September 2012; and**
- (4) To agree the draft questions attached to this report to guide responses to this consultation document, and to authorise the Portfolio Holder for Planning to agree further minor amendments prior to the commencement of the consultation period.**

Executive Summary:

Following the publication of the National Planning Policy Framework (NPPF) in March 2012, the Council is required to produce an up to date Local Plan. The timetable is challenging, but necessary to ensure that the district has continued Local Plan coverage.

Community Choices covers a wide range of issues including options for potential growth targets, possible distribution patterns and locations for growth. It also identifies a number of policy issues which need to be addressed, including Green Belt, historic and natural character, transport, economic development and the Community Infrastructure Levy.

The proposed consultation period will be between 30 July and 21 September 2012.

Reasons for Proposed Decision:

To meet the timetable as previously agreed by Members to prepare a new Local Plan for the District as quickly as possible.

Other Options for Action:

To agree the Community Choices consultation document for public consultation with some amendments

Not to agree the Community Choices consultation document for public consultation

To require that Scott Wilson/URS undertake further work on the prepared Sustainability Appraisal prior to public consultation

Not to agree that the Sustainability Appraisal is published for public consultation

To require an alternative period of public consultation.

To not agree the draft consultation questions for publication, or to agree the questions with some amendments.

All of the above alternative options would cause a delay to the publication of the Community Choices – Issues & Options consultation document, and would therefore cause delay to the overall timetable for achieving an adopted Local Plan.

Report:

1. The Council has made a commitment to replace the existing Local Plan. This is largely in response to the publication of the National Planning Policy Framework (NPPF – March 2012), but also to reflect a need for the District to accommodate necessary growth in a planned manner, rather than in an ad hoc response to planning applications.

2. The NPPF replaces all of the previous Planning Policy Guidance notes and all but one of the Planning Policy Statements with a single shorter document. By its nature, the guidance that is provided is more succinct, leaving much detail to be covered in Local Plans. The NPPF gives a short transitional period until March 2013. After this date the adopted Local Plan policies (1998 and Alterations 2006) will no longer be in effect if they are not in conformity with the NPPF. It is therefore vital that in order to protect the most sensitive parts of the district, a revised Local Plan is put in place as quickly as possible. The emerging Local Plan will cover the period to 2033.

3. Previous reports to this Cabinet Committee (and its predecessor – LDF Cabinet Committee) have set out a challenging timetable which seeks to produce a Local Plan as quickly as possible. The first stage is to consult on the Issues & Options paper. This consultation period seeks views on the issues, determining whether those identified are the correct ones; and invites comments on the potential options available to address these issues.

“Community Choices” – the Issues & Options paper

4. The proposed consultation document is contained within Appendix 1. It must be stressed that the Issues & Options consultation document is not a policy document, and at this stage does not commit the Council to any particular course of action. The options presented here are those that are considered reasonable for further investigation, and may eventually form part of the final Local Plan. Issues have been identified on the basis of the available evidence, and responses received from the Community Visioning exercise undertaken at the end of 2010.

5. The draft document proposed for consultation is split into a number of chapters which set out the key issues and potential options for the District up to 2033.

6. Chapters 1 and 2 introduce the document, and provide a series of key facts about the District to establish the context within which the Local Plan is being prepared. General figures

are included around historic and estimated population growth, migration, and key features of the District. There are also a number of brief profiles on the largest settlements in the district, identifying key features. The draft Vision and Aims are included at the end of this section. The LDF Cabinet Committee was asked to agree draft Vision, Aims and Objectives for the Core Strategy in August 2011. Now that the Council is preparing a full Local Plan rather than a Core Strategy, a slightly different approach is required. Whilst the general direction of the agreed Vision, Aims and Objectives has been retained, the detailed wording has not been at this stage. The detailed objectives will follow as the Local Plan is prepared, and will be informed by the consultation responses received over the summer.

7. Chapter 3 concerns the Green Belt and the character of the District. The continued protection of the Green Belt is the priority for residents of the District, and therefore this issue is addressed at the outset and the potential options for growth later in the document are included with this in mind. It is clear that amendments to the Green Belt boundary will be needed in the period to 2033 to accommodate the growth needs of the District. No significant changes to the Green Belt boundaries in the district have been made since they were first established, and no housing or employment land allocations have been made since the last full Local Plan was adopted in 1998.

8. One of the key principles of Green Belt policy is to maintain separation of Distinct settlements. The draft consultation document includes a number of areas that could be identified as “Strategic Green Belt Gaps” in order to protect this element of separation. These are primarily in the south of the District, separating Buckhurst Hill, Loughton, Theydon Bois and Epping. There are further areas around Chigwell where the inner Green Belt boundary prevents the outward spread of the Greater London area, and between the western edge of Harlow and Roydon.

9. Chapter 4 presents the reasonable options for the levels of growth that could be included in the Local Plan, and the potential strategies for distribution of this growth. In the longer term the East of England Plan (EEP) is due to be abolished, but this has not yet happened and no timetable has been published by CLG for this. In the meantime, the EEP remains part of the Development Plan for the district, and the Council must continue to take this into account. However, the NPPF (para 47) requires that Local Plans must meet “...the full, objectively assessed needs for market and affordable housing...”. In order to investigate this fully, the Community Choices document also includes alternative options for levels of growth based on population projections using different assumptions which would determine the appropriate level of growth. Three possible targets for housing growth are included within the document, covering a range of between 7,700 and 11,500 new homes.

10. Less detailed information about job growth is known at this stage. Potential options have been presented from the information available within the Employment Land Review and Town Centres Study (3,960 jobs), and secondly the East of England Plan review (3,917 jobs). Officers are aware that further research will be needed, both in terms of updating available evidence to take into account the changes in the economic markets over last few years, and to investigate in more detail the types of business that already exist within the District. This work should also look at any aspirations the Council or businesses may have for creating economic clusters that do not currently exist within the District.

11. Epping Forest Council, in common with all local authorities in England, must make planned provision for growth, and is required to be able to demonstrate 5-years of housing land supply at any point. If this land supply cannot be shown, the Council will be in a much weaker position to refuse planning applications for development which is considered inappropriate.

12. Further to a consideration of overall growth targets, the Community Choices

document also presents a number of possible distribution options. Key decisions that must be taken early in the preparation of the Local Plan are whether (i) growth on the periphery of Harlow should be supported, and (ii) land should be allocated for development on the boundaries of Harlow but within Epping Forest District. Whilst the EEP is due to be abolished, growth in this area can still be considered as a reasonable option for the Local Plan. Under the Localism Act 2011 the Council has a “Duty to Cooperate” with adjoining authorities, and Harlow Council has continued to make clear its aspiration for regeneration within the town. A level of growth to help to deliver this regeneration may be appropriate. Five potential options for directions of growth around Harlow, within Epping Forest district, have been identified at this stage, drawing on evidence that has been jointly prepared between Epping Forest, Harlow & East Herts Councils.

13. In considering the remainder of Epping Forest District, a number of potential spatial distribution options have been identified. All of these have been presented both including and excluding growth on the periphery of Harlow, therefore demonstrating the potential impact on the remainder of the District. Taking into account the findings of the Community Visioning exercise previously completed, a proportionate distribution pattern was investigated – i.e. the largest towns would accommodate the largest level of growth. However, it was clear from the outset that the largest town in the District (Loughton) is the most constrained. Epping Forest is to the north west, with the River Roding flood plain to the south east, and small but strategic areas of Green Belt to the south west and north east. It is therefore not reasonable to take a proportionate distribution pattern forward as it cannot be delivered. The options that have been included take into account the currently identified capacity in Loughton and Buckhurst Hill, and whilst further land may be identified throughout the continued preparation of the Local Plan, at this stage this is the best available information.

14. The spatial options that have been identified are:

- (a) Proportionate distribution;
- (b) Transport focus – Proportionate distribution;
- (c) Transport focus – Equal distribution;
- (d) Development focus away from Central Line - Proportionate distribution;
- (e) Development focus away from Central Line – Equal distribution;
- (f) Large settlements - Proportionate distribution; and
- (g) Large settlements – Equal distribution.

15. It is also possible for respondents to the consultation to suggest alternative growth targets and distribution patterns, although these must be supported by robust and up-to-date evidence.

16. An analysis of the potential opportunity areas within existing settlements, and possible areas for expansion outside of existing towns and villages, is presented. It is important to stress at this point that the Council is required to consider **all reasonable options** during the preparation of the Local Plan, and as a result significantly more land than would be required under any of the growth options has been identified. For the majority of these areas, a change in policy approach will be required in order to deliver development. Within existing settlements, such changes could include possible alterations to existing designated employment areas or leisure uses.

17. In considering the possible areas for expansion of towns and villages, all of these areas are within the Green Belt. For most of these areas there will be existing constraints of various kinds which could preclude development in whole or in part. At this stage, it is important that every reasonable option is fully considered in an open and transparent way.

18. The consultation process will request that residents and other stakeholders provide comments and evidence on their preferences for the future growth of the District. It is also an opportunity for additional growth areas to be suggested at this point.

19. Chapter 5 considers the issues around the delivery of new housing in the district, including density, the provision of affordable housing, design and sustainability. The Council must also consider the most appropriate way of making provision in future for the Gypsy, Roma & Traveller communities. Options on this latter issue are provided within the consultation document for comment (paragraph 5.7).

20. Chapter 6 identifies the issues relating to economic development, including town centres, employment land and the rural economy. Short profiles for each of the main town centres are presented, including potential opportunities for change (in connection with identified opportunity areas in Chapter 4). As per paragraph 10 of this report, less information is known at present about the numbers and types of new jobs that may be needed in the district over the period to 2033, although some general trends are identified. For the rural areas of the district, any provision of economic opportunities will need to be balanced against Green Belt policy. One of the key issues to be addressed by the Local Plan is the policy approach that should be taken to the horticultural glasshouse industry in the western part of the District. The Council has had a long standing policy of containing this use to particular areas, although it is becoming clear that the needs of the industry are changing significantly. There are a number of issues that need to be addressed around the future of the industry, and managing the decline of (in particular) the smaller sites that are no longer in use for horticulture.

21. Chapter 7 identifies issues around transport and movement, particularly recognising that congestion on local roads, the capacity of the Central Line, and HGV traffic in rural areas are significant issues for the District.

22. The potential introduction of the Community Infrastructure Levy (CIL) (Chapter 8) is a key part of the new Local Plan. From April 2014 CIL will largely replace Section 106 agreements as the mechanism for levying payments from new development for the provision of infrastructure (including community infrastructure) in association with the grant of planning permission, other than for the securing of payments for on-site requirements and affordable housing. The setting up and adoption of a CIL charging regime needs to be prepared in conjunction with the Infrastructure Delivery Plan (IDP) that is a key part of the Local Plan. The IDP will identify the infrastructure that is currently planned and budgeted for by providers, and will identify what else is needed in the district to support new or existing development. Any CIL payments introduced by the Council would then be used to fund infrastructure and community benefits which are not already funded from capital programmes.

23. Finally, Climate Change (Chapter 9) and Community Facilities (Chapter 10) are addressed. Identified issues include addressing and mitigating against the impacts of climate change within new development, flood risk management and carbon reduction. In respect of Community Facilities issues include methods by which existing services can be protected and retained, and where new facilities could be provided. This includes matters of accessibility and location.

Sustainability Appraisal

24. All local plans are required to be assessed in accordance with the European Strategic Environmental Assessment Regulations, which have been included within Sustainability Appraisal requirements in England. Scott Wilson/URS have been retained to prepare the Sustainability Appraisal of the Issues & Options consultation document, and have produced a broad assessment of the options that have been put forward at this stage. This assessment considers the advantages and disadvantages of those options, and provides information which will be used in determining which are most appropriate for the District. The Sustainability Appraisal process will be used in conjunction with the outcomes of public consultation and further technical research.

25. The Sustainability Appraisal will be available for comment during the consultation period, and will be published as a supplementary Appendix to this agenda when it is completed.

Consultation arrangements

26. Subject to the agreement of this Cabinet Committee, the consultation period for the Issues & Options will be between **Monday 30 July** and **Friday 21 September 2012**. Officers accept that holding the consultation period over the main holiday period, when there are a number of major sporting events being held, is not ideal. However, it is necessary in order to achieve the quick preparation of the Local Plan. For this reason, the consultation period has been extended from the statutory minimum of 6 weeks to 8 weeks.

27. Consultation documentation will be published on the Council's website, and respondents will be encouraged to submit comments using a new online consultation system. Hard copies can be made available on request, and copies will be deposited at a number of locations around the District for those that do not have access to the internet.

28. A number of methods will be used to advertise the consultation and encourage residents and key stakeholders to get involved. The methods that will be used include:

- (a) extensive use of the Council's website, including Facebook and Twitter where appropriate;
- (b) information leaflet delivered to every household and business address in the District;
- (c) letter/email to residents, businesses and interested parties that have registered on the Local Plan Consultee Database to advise that the consultation period has started;
- (d) mailshot to statutory undertakers and other key stakeholders;
- (e) leaflets handed out at Central Line stations – commuters have previously been identified as a “hard to reach” group;
- (f) exhibitions and workshops held in various locations around the District – these will be held at the beginning of September so that the main holiday period is avoided;
- (g) positive engagement with Town / Parish Councils, including specific meetings to ensure the key messages and reasons are understood; and
- (h) press briefings / releases as necessary.

29. It is important that the consultation questions strike the right balance between allowing

residents and stakeholders to give their full responses, but ensuring that these responses can be easily analysed in order to meet the overall timetable for preparation of the Local Plan. Draft questions are attached at Appendix 2. The questions will be published as part of the online system referred to above, and paper versions of the questionnaire will be available on request.

Next Steps

30. Following the end of the consultation period, the responses received, and the findings of the Sustainability Appraisal and any further technical studies, will be used to bring forward a Preferred Strategy. It is currently intended that this next step will be published for consultation from January 2013.

Resource Implications:

Within identified Local Plan budget as revised – Cabinet 11 June 2012

Legal and Governance Implications:

Preparation of a Local Plan is required by the Planning & Compulsory Purchase Act (2004) as amended.

Safer, Cleaner and Greener Implications:

The Local Plan seeks to plan for the necessary growth of the district over the period to 2033, taking into account the character of the district and the existing infrastructure constraints.

Consultation Undertaken:

Some consultation and briefing sessions have been held for relevant stakeholders on a number of evidence base documents in the recent past.

Informal consultation has been undertaken with Management Board and Cabinet.

Background Papers:

Previous reports to Local Development Framework Cabinet Committee

National Planning Policy Framework (March 2012) -

<http://www.communities.gov.uk/documents/planningandbuilding/pdf/2116950.pdf>

Impact Assessments:

Risk Management

None identified.

Equality and Diversity

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications?

No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken?

*** An Equality Impact Assessment will be carried out prior to the commencement of the Issues & Options consultation period ***

What equality implications were identified through the Equality Impact Assessment process?
N/A.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
N/A.