

Report to the Council

Committee: Cabinet

Date: 28 July 2015

Subject: Planning Policy

Portfolio Holder: Councillor R Bassett

Recommending:

That the report of the Planning Policy Portfolio Holder be noted

Local Plan timetable

The revised Local Development Scheme agreed by Cabinet on 11th June 2015 proposes that the next stage of consultation on the draft plan/preferred option is to run in the summer of 2016.

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

Reasons for delay in Local Plan Production

- Production of the consultation preferred option draft plan is dependent on completion of key pieces of supporting evidence needed to underpin the policies in the draft plan. In particular the Strategic Housing Market Assessment (SHMA), -jointly commissioned with Harlow, East Herts and Uttlesford; undertaking a comprehensive district wide Green Belt Review; strategic transport work being undertaken by Essex County Council and additional work required to complete the Strategic Flood Risk Assessment as a result of changes to the Government's Planning Practice Guidance.
- 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 recently 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.
- Specialist Planning Counsel Mark Beard recently advised members of the need to undertake a comprehensive Green Belt Review of the entire district: new Government guidance and emerging Inspectors' reports make it clear that this is expected before the release of any green belt is considered – much of the Stage 1 Green Belt work (now being finalised see below) has been done in house and has taken a considerable resource.
- Government changes to policy in relation to strategic flood risk has meant that as part of the existing brief, consultants were asked to undertake additional work to produce a Level 1 "compliant" SFRA.

- Government policy changes, requirements and expectations signalled through changes to the Government's online Planning Practice Guidance (PPG). 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.
- Delays in the strategic transport assessment focussed around Harlow and a potential new junction 7a on the M11 using the new VISUM modelling – initial results necessitated further work. A public exhibition updating on the progress made with this work is being provided by Essex County Council during July.

1) Update on key evidence work

Strategic Housing Market Assessment update:

One of the key pieces of evidence work is an update of our Strategic Housing Market Assessment (SHMA) in conjunction with the other authorities within our Housing Market Area: East Herts, Harlow and Uttlesford. Finalising this work was delayed by the need to take account of the latest CLG household projections released at the end of February and additional work required to test the links between employment / job and housing target assumptions across the whole SHMA area.

Preliminary Inspectors' conclusions on Cambridge City and South Cambs Local Plans vindicate the need to ensure the SHMA is completed based on the latest available information.

We received the final SHMA report on 9th July that was to have been considered by the SHMA partners at the Cooperation for Sustainable Development Board meeting on 15th July. However we have had some questions raised by Uttlesford on the report and we need to address these before we can take it to the Coop Board. A new date for this will be arranged as soon as possible. Once need has been assessed the authority should take account of any constraints such as green belt which indicate that development should be restricted. Subsequent meetings of the Member Board, which EFDC now chair, will need to discuss how the objectively assessed need could be met by the wider SHMA area if the evidence indicates that our need cannot be met in Epping Forest District.

Economic and employment evidence:

Hardisty Jones has provided a final draft their findings on economic and employment evidence on the 10th July to support both the Local Plan and Council's overall Economic Development Strategy. We are currently reviewing this draft and it will be also be reported to the Cooperation for Sustainable Development Board meeting alongside the SHMA report which it matches with.

Green Belt Review:

Phase 1 of the Green Belt Review in the District has now been completed and the findings were presented at a special meeting held on Monday 15th June briefing the Local and Town Councils and to which all District Council members were also invited.

Phase 1 undertakes a comprehensive high-level review of all Green Belt land across the District to identify its contribution to the Green Belt, as stipulated in the NPPF. It identifies both the primary functions of the Green Belt, which deliver the national

purposes, and in particular whether there are areas of the Green Belt land which no longer contribute towards the national purposes or contribute the least to these.

Following the 15th June meeting there is a 6 week period (until 27th July) providing an opportunity for District, Town and Parish members to comment on factual errors in the draft report and an accompanying settlement hierarchy technical paper prior to reporting the findings to Cabinet on 3rd September and agreeing the methodology for then undertaking the more detailed work in the autumn to be undertaken by external consultants.

Strategic Land Availability Assessment

An update of the Strategic Land Availability Assessment has been undertaken as part of the Local Plan evidence base.

Strategic Flood Risk Assessment

Work updating the Stage1 SFRA has now been finalised following a presentation in April by the consultants given to Cabinet. This work has informed the sieve as part of the first phase of the Green Belt Review.

Plan viability

Work on Local Plan viability is being undertaken by Dixon Searle Partnership, will also inform policy choices on affordable housing policy and Community Infrastructure Levy / S106. Following the presentation to members in May, officers have just received the stage 1 report for this work.

The initial view of the consultants is that it should be possible to charge Community Infrastructure Levy for residential and retail uses if the Council wishes to pursue this option. Consideration of this matter is a separate agenda item.

Transport

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. This access road, NGAR, has been withdrawn from their area action plan. We are keeping a watching brief on wider transport work being undertaken as part of Enfield's Northern Gateway Access Package.

Air Quality

Officers are awaiting the outcome of the strategic transport modelling work before progressing.

Member Briefings and Workshops

- We have recently held member presentations on economic viability, the Green Belt Review Stage 1 and the associated settlement hierarchy work, Local Plan progress and, informed by Mark Beard's experiences, lessons learnt from recent Local Plan examinations. It was gratifying to hear that, when questioned, Mark Beard stated in his opinion we are doing things correctly, basing decisions on firm evidence and working extensively with our neighbours and learning from other examinations. To rush things or to try to

work with out of date evidence or without agreements with neighbours will just lead to the plan being found unsound

- The exact content of further briefings and workshops will be dependant on completion of various reports that have been commissioned and updates of information we have received and impacts on our plan. As soon as we have confirmed dates officers will let members know.

2) Duty to cooperate:

Officers (and Members) continue to meet regularly with the appropriate authorities to consider a wide range of cross boundary issues including the update to the SHMA and identifying the objectively assessed housing need, the approach to Green Belt reviews being carried out by several authorities, and identifying the functional economic area.

3) Neighbourhood Plans:

Moreton, Bobbingworth and the Lavers are coming close to submitting their draft Plan. EFDC officers are working with the Parish Council advising on the submission documentation and have completed a screening opinion on the requirement for Strategic Environmental Assessment and a Habitats Regulations Assessment which is a necessary part of the process.

There are six other Parish and Town Councils that have applied to designate neighbourhood planning areas for their entire areas, five of which have been approved (Chigwell, Epping, Buckhurst Hill, Theydon Bois and Loughton). The application from the sixth, North Weald Bassett Parish, was considered at the 11th June Cabinet meeting and was more complicated. Given the location of North Weald Bassett Parish, immediately adjacent to Harlow's administrative boundary and a number of strategic cross boundary matters identified that are not within the remit of a Neighbourhood Plan to address, the Council decided that the north western part of the Parish, should be excluded from the Neighbourhood Area designation. North Weald Parish are considering a Judicial review of this decision.

4) Lea Valley Food Task Force Update

It is continuing with the support of a very broad cross section of stakeholders, to explore opportunities for growth consistent with the districts aspirations. Work continues to focus on key areas highlighted by partners as crucial to future success.

Planning

The Chairman has had several meetings with his counterpart at Lea Valley Regional Park, to explore the issues of concern, and update on the work of the Task force, to enable a more innovative and consensual approach to supporting business development in and around the park area, in line with recent announcements from central government . The Park Authority is appealing against the refusal to allow them 'leave to appeal' following the Judicial review, which found comprehensively in favour of Epping Forest District Councils position. We have heard that they will be allowed to appeal against the decision by the first judge that he could not see any grounds for an appeal. We believe this will be heard in December. The Chairman has also met with the National Chairman of the NFU who recently visited the Lea Valley Glass Houses to explain the approach to joint working being pioneered locally, which the NFU are very supportive off.

A planning workshop, with planning officers from neighbouring authorities is being hosted in September and will be Chaired by the Chairman of the Lee Valley Trust, which has taken on responsibility for the park's main attractions and Olympic venues. This will look at the paper prepared by the Taskforce around planning issues and barriers to a joint approach across the Lea Valley with regard to Glass house development.

A new report, commissioned by the Task force, on behalf of the LSCC, examining the range and value of food assets along the corridor was launched at the LSC Annual Conference. This details the strength of the current food sector offer, in terms of horticulture, processing and technology from London to Peterborough. The Agri-tech report is available on the LSCC website. The partnership is organising a Food Symposium, with major interests in the business community, academic and research assets to be hosted in Cambridge. This will look at the opportunities for connecting the industry better, and draw up a range of objectives that the LSCC will be asked to pursue.

New Qualification

Epping Forest College is working with LANTRA and Essex County Council to develop a new bespoke qualification which would be accredited nationally and become the benchmark for training in the glasshouse industry. This work is funded by ECC and undertaken on behalf of the task force. The new qualification will be in place by September with additional modules and accreditation to be followed soon after. Discussions are at an early stage about establishing a new Glass House Academy, based within the industry that would have onsite learning support in a dedicated centre for employees and linked to the development of the new qualification.

Funding Opportunities

The Task force, following detailed examination and advice, has decided not to pursue the EU Interreg opportunity. It has been working with other organisations who could become the accountable body, for the UK leg of the three nation project, to enable a bid to proceed, with the task force to be engaged in a support role. Negotiations are ongoing.

The task force was one for the keynote speakers at the launch of the SELEP Rural Strategy, following a new collaboration with Produced in Kent which represents the food industry, focused on growing in the Kent area. SELEP has announced the two areas for its September funding call will be food and tourism. A joint meeting with produced in Kent and the Chief executive of SELEP is being organised. A delegation from DEFRA, SELEP and the Rural Payments Agency have asked to visit the glasshouses and look at how they may be able to access more funding support to aid development.

Institute for Food Security

One of the main aspirations is to boost research and development, and the knowledge based economy in the district. The task force has secured £25k to fund a feasibility study into the establishment of a new facility to coordinate research and development with a specific focus on coordinating UK research on horticulture under glass on one site. A further £5,000 is being sought from external partners to commission consultants to undertake this study.