

Epping Forest District Council Local Plan Progress Report

Local Councils' Liaison Committee – 29 March 2016

1) Local Plan timetable

The Local Development Scheme agreed by Cabinet on 11 June 2015 has the timetable for consultation on the draft plan scheduled for July 2016 to September 2016. This timescale is challenging.

The Government has made clear their expectation that all local planning authorities should have a post 2012 National Planning Policy Framework local plan in place. This includes intervening where no local plan has been produced by early 2017 to arrange for the plan to be written, in consultation with local people. The Government are currently consulting until 15 April 2016 on the criteria to inform their decision on whether to intervene to deliver this commitment. This is included within the technical consultation on implementation of planning changes arising from measures outlined in the Housing and Planning Bill that is currently being debated in Parliament. (Section 5 of this report refers). One of the penalties proposed for not having produced a plan, (it is not clear yet how this will be interpreted), is the loss of New Homes Bonus. It is clear that the Council needs to make good progress this year and to have consulted on our Draft Plan Preferred Approach as soon as possible. For this reason the focus of the Planning Policy Team is on the outstanding work needed to go out to consultation on the Draft Plan as soon as possible and so for the moment we will not be able to give as much resource to Neighbourhood Planning. The team will of course continue to provide advice and assistance by signposting to relevant material and grants available and will give regular updates to Local Plans Liaison Committee.

Duty to Cooperate

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 post SHMA work referred to below, the Board has considered other strategic issues including employment, Green Belt Review work. The Lea Valley Food Taskforce continues to develop a programme for the future of the glasshouse industry - one of the District's historic and still important sectors.

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).

2) Member Workshops

The purpose of the member workshops, that includes Town and Parish Council representation, is to inform Members of emerging key issues that the draft Local Plan will cover and to ensure that Members views and concerns are aired in order that they might be taken account of in the policy drafting.

Three workshops held in November 2015 considered potential policy approaches to:

- i) the Historic Environment, the Natural Environment and Green Networks,
- ii) Economic and Employment; and

iii) Affordable, older persons', accessible and custom build housing.

More recent workshops considered design matters on 28 January 2016 and input to stage 2 of the Green Belt study on 25 February 2016. All workshops have been well attended and Members have provided valuable information and opinions on the matters presented.

In respect of the Green Belt workshop, Members were afforded a short period (until 10 March), to send further comments on the parcel boundaries and to feed in local knowledge and views about the areas now being looked at in more detail. Officers have passed on all comments received to the consultants who are undertaking this piece of work.

Further workshops will be held covering additional matters including climate change, energy and flood risk and development management policies. A programme is being worked up for these sessions and once finalised Members will be advised of dates and arrangements accordingly.

3) Update on key evidence work

Work continues on finalising the evidence base reports which will be used to inform the policies included in the Draft Plan (Preferred Approach) that the Council consults on later this year.

Strategic Housing Market Assessment, Economic and Employment evidence

Work was completed in 2015 on these key pieces of technical evidence relating to housing and jobs numbers.

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 and was reported to Cabinet in October 2015. 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. Work is underway with the other SHMA authorities to consider the options for the most appropriate spatial distribution of growth across the area.

An Economic Evidence report for West Essex and East Herts commissioned jointly by EFDC and East Herts, Harlow and Uttlesford Councils was also reported to the October 2015 Cabinet meeting. 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.

These housing and economic evidence reports can be viewed via the Local Plan pages of the Council's website.

Green Belt Review

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.

Following completion of the Stage 1 work reported to Cabinet in September 2015, work on the Green Belt Review Stage 2 is being undertaken for the Council by external consultants LUC. The consultants' fieldwork and analysis has now largely been completed giving a finer grain assessment of the broad locations identified in the Stage 1 work. In particular, this will provide detailed evidence and information concerning the contribution different parcels of land make to the Green Belt purposes identified in the NPPF. This in turn will assist the Council in deciding:

- 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;
- Areas that may be least harmful in Green Belt terms if released from the Green Belt.

It therefore follows that, simply because a parcel, or part of the parcel, is being appraised as part of the more detailed work, this does not necessarily mean that it should / will be allocated for development in the emerging Local Plan, or that the Council would look favourably on a planning application.

As noted above, the consultants recently ran a workshop to ensure that Member views are appropriately taken account of in this work. Once the Stage 2 study has been completed, (now likely to be around mid-April), together with the other evidence the findings will be used to inform the Draft Plan (Preferred Approach).

Settlement Capacity Work

Fregonese Associates have made good progress on the settlement capacity study of the District's 10 largest settlements - namely Epping, Theydon Bois, Buckhurst Hill, Chigwell, Loughton/Debden, Waltham Abbey, North Weald Bassett, Chipping Ongar, Lower Nazeing and Roydon. This will provide the District with the information to determine the potential for additional capacity within existing settlements over and above that originally identified in the SLAA, and so minimise the potential need to utilise Green Belt land for any future growth. Like Stage 2 of the Green Belt Review, the results of this work will be used to inform, and be published alongside, the consultation Draft Plan Preferred Approach.

Transport

To help inform the best way to meet the objectively assessed housing need for the Strategic Housing Market Area identified in the work reported to Cabinet in October 2015, further transport modelling work is being undertaken by Essex County Council. This will look at the implications for the transport network of growth and how it can be distributed across the Housing Market Area. The outputs will then be considered by the districts and jointly by the four SHMA authorities at the Cooperation for Sustainable Development Board. This work is being progressed using support from ATLAS and facilitated by AECOM to undertake a sustainability appraisal on the impact of strategic growth options in the four authorities to meet the overall housing and employment figures for the SHMA area. Officers have met Natural England and the Conservators of Epping Forest to consider the impact on air quality in particular for Epping Forest itself.

Delays have been encountered in the strategic transport assessment using the VISUM model which has still not been signed off by Highways England. This is of concern because it could lead to a delay in completing the work to test the strategic options for growth in the SHMA area. A joint letter from the leaders of the four authorities to local MPs and relevant ministers was sent on 22 February 2016 seeking a

dedicated resource at senior level within Highways England to assist with the work so that Local Plans are not further delayed.

Other evidence base studies

Essex County Council is undertaking a Historic Environment Characterisation study of the District with a final report due this Spring. Town and parish councils are also to be asked for expressions of interest in participating in work leading to the establishment of a Green Infrastructure Framework for the District. The intention is that this work will produce a Corporate District-wide strategy and can be used to help inform policies in the emerging Local Plan as well as potentially support neighbourhood planning initiatives. A short report and presentation explaining more about this work is covered by a separate agenda item for this meeting.

4) Neighbourhood Plans

Moreton, Bobbingworth and the Lavers have finalised their draft Plan and submitted it to the Council. The plan has now been published and is currently being examined.

Eight other Parish and Town Councils have applied to designate neighbourhood planning areas for their areas (Chigwell, Epping, Buckhurst Hill, Theydon Bois, Loughton, North Weald Bassett, Epping Upland and Waltham Abbey). Many of these are now at early stages in scoping out and drafting their plans.

As noted below in section 5 there are proposals in the Housing and Planning Bill to streamline and simplify neighbourhood planning so that there would be automatic designation of whole parishes, statutory time limits on local planning authority decisions and powers for the Secretary of State to intervene to send a plan to referendum if there are delays or disagreements.

5) Housing & Planning Bill

The Housing & Planning Bill containing more than 140 clauses was published on the 13 October 2015 and on its passage through Parliament is currently being scrutinised at committee stage in the House of Lords. It is anticipated that the Bill will receive Royal Assent and be enacted by the autumn; this is likely then to be quickly followed by secondary legislation to bring its provisions into force. 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.

In addition to the proposals for neighbourhood planning and local plan making referred to earlier in this report other main changes included in part 6 of the Bill are:

- 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.
- 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.

Changes to the compulsory purchase regime are also included in the Bill and are aimed at making compulsory purchase "clearer, fairer and faster".

Technical consultation on implementation of planning changes

The Department for Communities and Local Government (CLG) is seeking views on the proposed approach to implementation of measures in the Housing and Planning Bill, and some other planning measures. Responses to the public consultation will inform the detail of the secondary legislation which will be prepared once the Bill gains Royal Assent.

The consultation period started on 18 February and runs until Friday 15 April 2016. The consultation document <http://tinyurl.com/z3a7l9h> sets out proposals that cover a wide range of development management and planning policy matters. Within EFDC Development Management and Planning Policy officers are currently considering the matters raised and questions posed in the document with a view to preparing a response to be sent by the Council.

Structured in chapters the following areas are covered in the document:

- Chapter 1: Changes to planning application fees.
- Chapter 2: Enabling planning bodies to grant permission in principle for housing development on sites allocated in plans or identified on brownfield registers and allowing small builders to apply directly for permission in principle for minor development.
- Chapter 3: Introduction of a statutory register of brownfield land suitable for housing development.
- Chapter 4: Creating a small sites register to support custom build homes.
- Chapter 5: Speeding up and simplifying neighbourhood planning.
- Chapter 6: Introducing criteria to inform decisions on intervention to deliver the Government's commitment to get local plans in place.
- Chapter 7: Extending the existing designation approach to include applications for non-major development.
- Chapter 8: testing competition in the processing of planning applications.
- Chapter 9: information about financial benefits.

Chapter 10: Introducing a Section 106 dispute resolution service.

Chapter 11: Facilitating delivery of new state-funded school places, including free schools, through expanded permitted development rights; and

Chapter 12: Improving the performance of all statutory consultees.