

Report to the Cabinet

Report reference: C-034-2019/20

Date of Meeting: 26 March 2020



**Epping Forest
District Council**

Portfolio: Planning Services – Cllr Philip

Subject: Implementation of the Local Plan: Update on progress

Responsible Officer: Alison Blom-Cooper (01992 564066)

Democratic Services: Adrian Hendry (01992 564246)

Recommendations/Decisions Required:

That the progress of Masterplans and Concept Frameworks, including the use of Planning Performance Agreements and the progress of other proposals at pre-application and application stage be noted (see Appendices A- D);

Executive Summary

Following the October 2018 Cabinet meeting which agreed the governance arrangements for the implementation of the Local Plan, the Implementation Team made a commitment to provide members with regular updates on the progress of Masterplans and Concept Frameworks within Epping Forest District to ensure that members are kept fully up to date.

This report therefore provides members with an update on the progress of Strategic Masterplans, Concept Frameworks and Planning Performance Agreements within the District.

Although there has been a delay in the securing the adoption of the Local Plan, the strategic sites are progressing well and are currently on track to meet the delivery of housing noted within the Housing Implementation Strategy Update 2019 (see [EB410A](#) and [EB410B](#)).

The Council is continuing to work proactively to identify an interim approach to address the backlog of planning applications held in abeyance following the advice from Natural England pending completion of the additional Habitats Regulations Assessment. Leading Counsel's advice is awaited on the lawfulness of any proposed interim approach.

Reasons for Proposed Decision

- To ensure that members are kept fully up to date on the progress of Masterplans and Concept Frameworks and other major proposals being promoted within the District.

Other Options for Action:

Not to update members on the progress on the above issues would be contrary to the commitment made by the Implementation Team as noted in the 18 October 2018 Cabinet Report.

Report:

Strategic Masterplans, Concept Frameworks and other allocated sites

1. [The Local Plan Submission Version 2017](#) (LPSV) promotes a joined up, collaborative and proactive approach to the planning and implementation of key strategic sites across Epping Forest District. The production of Masterplans and Concept Frameworks will ensure that development proposals are brought forward in accordance with the Council's priorities and policies and facilitate the delivery of necessary infrastructure. Such an approach is an important step towards boosting the timely delivery of high quality development and infrastructure within the District.
2. Strategic Masterplans and Concept Frameworks provide an overarching framework to ensure that development is brought forward in a coordinated and coherent way in accordance with high quality place making principles. The planning applications which follow must demonstrate general conformity with an endorsed Masterplan or Concept Framework. As set out in the [18 October 2018 Cabinet Report](#), the Council's Local Plan Cabinet Committee (LPCC) has the authority to approve Draft Strategic Masterplans and Concept Frameworks for consultation. Following the six-week consultation period, Strategic Masterplans will then be taken to Cabinet for formal endorsement as a material planning consideration. The process for Concept Frameworks is broadly similar, however owing to their smaller scale, these will only be taken to LPCC once for formal endorsement.
3. As set out in paragraph 15 of the report to Cabinet on 18 October 2018 a commitment was made to provide members with regular updates on the progress of masterplans and concept frameworks within Epping Forest District to ensure that members are kept fully informed of the progression of each plan.
4. The LPSV has identified site allocations which should be subject to the Strategic Masterplanning approach (see LPSV para 2.90 and 2.91). These include the following masterplans:
 - Latton Priory
 - Water Lane
 - East of Harlow
 - North Weald Bassett
 - North Weald Airfield
 - South Epping
 - Waltham Abbey North

And Concept Frameworks (see LPSV paras 2.99 and 2.100) for sites in:

- West Ongar
- South Nazeing.

Inspector's advice following examination hearings

5. Work continues to progress the Actions identified by the Inspector following the hearing sessions for the Independent Examination the Local Plan held between February and June 2019. The Inspector's Advice to the Council on 2 August 2019 ([ED98](#)) and her subsequent reply dated 25 November 2019 ([ED102](#)) sets out a number of changes to the Plan which are required to remedy issues of soundness in the form of Main Modifications.
6. The Actions identified within the advice are being progressed and the Council's latest response to the Inspector, dated 21 January 2020, sets out the high level programme of work that is being undertaken to establish the precise form of MMs that are required and agree these with the Inspector ([ED104](#) and [ED104A](#)). This recaps the way in which the Council is approaching matters relating to the Habitats Regulations Assessment (HRA) and updating and consolidating the Infrastructure Delivery Plan and viability documents supporting the Local Plan. Following discussions with the Council's consultants and dialogue with Natural England including the incorporation of their comments the Council will be submitting the agreed methodology to the Inspector for the updated HRA. In accordance with the high level programme agreed with the Inspector the Council submitted the second tranche of Main Modifications (MMs) during the week commencing 27 January 2020. Comments have now been received on this and work is progressing on the third tranche of MMs.
7. As previously reported the Council is continuing to work actively to resolve the current situation that has restricted housing and economic development coming forward in the District since 2018 and is working with Natural England to identify potential opportunities to address the backlog of underdetermined applications. The report to Cabinet on [6 January 2020](#) confirmed that the Council has undertaken a comprehensive review of all the applications held in abeyance and of those, identified 15 applications that could be determined. Release of these permissions will allow the construction of 34 dwellings across a number of schemes, development of a hangar at the North Weald Airfield, and provision of accommodation for 31 nursery workers in two schemes. The list remains under review. In the meantime, the Council continues to undertake work to identify whether an interim approach to managing atmospheric pollution impacts on the EFSAC can be identified to address the backlog of applications. The Council continues to work with Natural England and to consider the options as set out in the January Cabinet report. Leading Counsel's advice is currently awaited on the lawfulness of the options for granting planning permission for new development prior to the completion of the additional HRA. The Council is also in regular dialogue with MHCLG and other authorities that find themselves in a similar position in order to identify potential solutions.

Current progress on the masterplans

8. Work on the masterplans for the Garden Town sites has continued with EFDC officers liaising with key stakeholders across the 5 Garden Town authorities and relevant site promoters. EFDC and Harlow District Council (HDC) met in early February to discuss the masterplanning options for the land at East of Harlow. HDC

is arranging a subsequent meeting with EFDC and the main site promoter Miller Homes to discuss and agree how to progress the masterplan.

9. With respect to Latton Priory, the Garden Town Partners are commissioning a piece of work to evaluate the provision of the access road and sustainable transport corridor to Latton Priory. This is needed to address Action 15 identified by the Inspector in her advice note of 2 August 2019 (EB98) and her comments set out in paragraph 33 of that note to review the access proposed to service the site and either modify it or provide further justification for its route. Until this work is completed it is difficult to progress the masterplan work further.
10. A series of meetings have been held between EFDC and the main site promoters at Water Lane to discuss key technical matters, including site access and the Sustainable Transport Corridor (STC). ECC has been involved in these meetings and EFDC continues to liaise closely with them on key matters.
11. The Implementation Team has been proactively engaging with relevant site promoters to progress the other Strategic Masterplan and Concept Frameworks in the District. Some strategic sites are more advanced than others, but good progress has been made. Meetings have been held with the site promoters/developers for the North Weald Bassett, South Epping and Waltham Abbey North Masterplan areas. For the North Weald Bassett Masterplan area there have been meetings with the site promoters and Neighbourhood Plan Steering Group to discuss the green infrastructure/SANGS proposals on 7 February 2020. The North Weald Bassett Neighbourhood Plan Steering Group held community consultation events in December 2019 and has since met with EFDC officers.
12. Initial internal meetings on North Weald Airfield have been undertaken and the contract for masterplanning has now been let based on the project brief agreed at April's Cabinet meeting. Officers are preparing a Planning Performance Agreement in relation to the masterplanning programme.
13. EFDC officers met with the site promoters for the South Epping masterplan area in December to discuss the Inspector's concerns regarding the proposed level of housing on the site and sought to agree a way forward in order to demonstrate certainty over delivery. Since then, site promoters met with EFDC Officers in February to update them on the technical evidence being prepared to address the Inspector's concerns.
14. The site promoters for the Waltham Abbey North Masterplan area are preparing a community engagement strategy and have been working with EFDC officers to agree the details of a Planning Performance Agreement. Meetings have been held in January and February 2020 to agree the masterplanning programme and timescales for preparing a masterplan for the site as a whole. Discussions on the two Concept Frameworks are still at an early stage in the masterplan process.

Other allocated sites

15. Alongside the Strategic Masterplan and Concept Framework sites, the Implementation and Development Management Teams have been progressing some of the smaller sites proposed for allocation within the LPSV. As with the strategic sites, some of these proposed allocations are further advanced than others, but officers are encouraged by the progress which has been made to date and work continues to progress their delivery in accordance with the Housing Trajectory.
16. The development proposals at St John's site for a mixture of commercial and residential uses, including a leisure centre, are at an advanced stage and were reviewed by the Council's Quality Review Panel in October. A separate report on the Epping Town Centre sites, in particular St John's, Cottis Lane and Bakers Lane has been prepared for March's Cabinet. The Roundhill residential development proposals were reviewed by the Quality Review Panel in July and officers continue to discuss refinements to the proposals.
17. A revised planning application was submitted in October 2019 for the Next development proposals at land at Dowding Way. Although the new application represents an amendment to the previous scheme, it has been subject to detailed design discussion with EFDC officers and sent for review to the Quality Design Panel. The application was due to be considered at the District Development Management Committee (DDMC) on 22 January 2020 but was withdrawn from the agenda at the request of the applicant, Next PLC, in light of a holding objection from Highways England. The Council continue to work with the applicant and Highways England to resolve these issues and those matters concerning the Epping Forest Special Area of Conservation (SAC).
18. Appendix A provides an update on the progress of the Masterplans and Concept Frameworks; Appendix B provides an update on the progress of each of the strategic and other allocated sites and Appendix C provides information on other proposals on non allocated sites over 0.2 hectares in size or more than 6 dwellings. Appendix D provides information on the schemes reviewed by the Quality Review Panel.

Resource Implications:

As set out in the 18 October 2018 Cabinet Report, the successful delivery of the Garden Town and the other strategic sites within Epping Forest District will require considerable commitment of officer time from EFDC. The noting of the contents of this report do not give rise to additional resource implications.

Legal and Governance Implications:

The work on the Strategic Masterplans and Concept Frameworks has been developed in accordance with Government policy (NPPF) and Planning Law.

Safer, Cleaner, and Greener Implications:

The Local Plan contains a policy designed to promote the notion of making good places to live, work and visit. This will include safer by design principles, sustainable development, the provision of alternatives to the car, energy efficiency and environmental considerations as well as sustainable drainage systems and quality green infrastructure. Strategic

Masterplans and Concept Frameworks will be the mechanism for these place-making measures to be delivered in identified Masterplan Areas.

Consultation Undertaken:

Some of the Strategic sites have been the subject of informal public consultation and engagement. However as set out in the Councils Masterplan and Concept Framework Plan Briefing note, these sites will be subject to public consultation in accordance with an endorsed Statement of Community Involvement.

Background Papers:

C-015-2018/19: Governance arrangements for Local Plan Implementation, 18 October 2018

C-027-2019/20: Implementation of the Local Plan: update on progress 6 January 2020

Inspector's advice after hearings (ED98) 2 August 2019

Housing Implementation Strategy EB401A and B January 2019

Habitat Regulations Assessment (EB209) January 2019

Risk Management:

If the Council was not to take a pro-active stance on the delivery of Masterplans and major applications arising from the Local Plan, there is a real risk of or development occurring of a type that does not extract maximum value for the provision of social infrastructure and poor quality development may occur.