

Report to the Council

Committee: Cabinet
Date: 17 December 2020
Subject: Planning and Sustainability Portfolio
Portfolio Holder: Councillor N Bedford

Recommending:

That the report of the Planning and Sustainability Portfolio Holder be noted.

1. Local Plan progress update

Following the hearing sessions for the Independent Examination of the Local Plan, the Inspector released her Advice on 2 August 2019. Within her advice the Inspector set out a number of changes to the Plan which are required to remedy issues of soundness in the form of Main Modifications (MMs).

In accordance with the high level programme in the Council's response to the Inspector, dated 24 April 2020, the Team worked hard to ensure that the final tranche of Main Modifications were submitted to the Inspector in September with a view to consultation on the MMs in October 2020. However, the Inspector wrote to the Council on 2 October 2020 (ED115) to advise that due to other work commitments during October and November it is likely that she will not be able to provide a full response immediately. As reported at the last full Council we still await further information from the Inspector with a clearer indication of the likely timeframe for her response and proposed timetable for consultation on the Main Modifications.

In the meantime, the Inspector wrote to the Council on 19 October 2020 to ask whether the amendments to the Use Classes Order which came into force on 1 September 2020 will impact the implementation of policies set out in the emerging Plan. The Council has responded that the changes do not impact on the soundness of the policies in the emerging Plan whilst recognising that in due course some of the policies may need to be updated to reflect the new definitions. In the light of the advance stage of the emerging Plan and the potential impact of COVID 19 on the recovery of town centres and the future of office floorspaces evidencing any impact of the changes would be difficult. The Council therefore proposes that this is best dealt with as part of a Plan review.

Following the letter to the Council from the Inspector on 16 July 2020 on the ONS 2018 Household projections (ED111) and the Council's response on 23 September 2020 (ED114 and ED114A), the Inspector has now consulted those who made Regulation 19 representations these documents. The consultation responses are available on the Council's local plan examination website pages - see <https://www.efdclocalplan.org/local-plan/consultation-on-2018-household-projections/>

Further work has progress to update Sustainability Appraisal – this is currently being undertaken by consultants AECOM and will be finalised once the MMs have been agreed ready for consultation. In addition, the Habitats Regulations Assessment is being updated

and the Air Pollution Mitigation Strategy is finalised to take account of feedback received from Natural England and the Conservators of Epping Forest. An Interim Air Pollution Mitigation Strategy is the subject of a separate report which will be published on the website shortly.

Once adopted, this will enable the Council to lawfully grant planning permission for new development that would result in a net increase in vehicle movements through the Epping Forest Special Area of Conservation.

2. Draft Green Infrastructure Strategy

The comments received are currently being addressed and the Final strategy will be brought back to Cabinet (programmed for the January 2021 meeting) for endorsement as a material consideration in the determination of planning applications, masterplans/concept frameworks and guide design and implementation processes.

3. Draft Sustainability Guidance

On 19 September 2019 the Council declared a Climate Emergency, including a resolution to do everything within the Council's power to make Epping Forest District Council area carbon neutral by 2030. To support the declaration and policies in the emerging Local Plan in relation to sustainable and high quality design and construction of developments the Council has produced two EFDC draft Sustainability Guidance documents for use across the District; one for Major Developments (10+ units) and one for Minor Developments (1-9 units). This was reported to Cabinet on 19 October and public consultation was undertaken for a six week period from 2 November 2020 to 14 December 2020. The responses will be considered and the final guidance will go back to Cabinet for endorsement as a material consideration currently scheduled for March 2021. Work is also underway to prepare a third document relating to the retrofit and refurbishment of existing buildings which will be the subject of consultation in Spring 2021. The intention is for this guidance to align with the work being projected by the Retrofit Working Group of the London Energy Transformation Initiative (LETI).

4. Harlow and Gilston Garden Town

A capacity fund bid was submitted to Homes England in early September for future funding, and the Garden Town is awaiting the outcome of this bid. Recent work has included the Sustainable and Healthy Living consultation running from 02 November to 14 December on the draft HGGT Sustainability Guidance and draft Healthy Garden Town Framework. Early drafts of the HGGT Communications and Engagement Strategies are also being prepared by officers for engagement with Members, partner officers and stakeholders.

Amended information is being submitted for the two Outline planning applications for the Gilston Area, and consultation on these revised applications by East Herts District Council is expected to begin shortly.

5. Development Management Planning Applications

Planning application income up to the end of October, including Pre-application fees, was £487,587, which is a shortfall of £328,213 against a budget estimate that is profiled on a 3-year actual average. This is at a similar income level (although still lower by about £50,000) to that received at this stage in 2017/18 compared with the relative high income received in 2018/19 and 2019/20.

However, we are expecting two major planning applications in December, which will each carry a comparatively substantial fee. In addition, a report updating on the Local Plan to the October 19th Cabinet updates that the Implementation Team has been proactively engaging with relevant site promoters to progress the Strategic Masterplan and Concept Frameworks in the District and whilst some are more advanced than others, it is picking up again and good progress has been made. Planning Performance Agreement (PPA) income is expected also over the next couple of months, which will cover the pre-application processes for masterplanning work.

Virtual Planning Committee meetings with public participation are being held in general on a weekly basis such that decisions are being taken with all relevant information available through Zoom. It continues to be generally well received by the public, acknowledging that we are trying to ensure that these committees are run as normal as possible. This includes a recent Development Management Forum for development proposed by Qualis for Cottis Lane and Bakers Lane sites in Epping.

6. North Weald Airfield Inland Border Facility

Her Majesty's Revenue and Customs (HMRC) is proceeding with works to establish a temporary Inland Border Facility at the airfield for a period of two years, commencing on 1 January 2021. The Government has made a Special Development Order (effectively granting planning permission for such facilities) that came into force on 24 September 2020, and HMRC are in the process of obtaining detail approval for the use of the site and associated buildings and development. Whilst the process does not include an ordinary planning consultation process, there is a requirement for an engagement strategy and report that records the views of any feedback received as part of the engagement period that spanned 14 days and ended on 29 October 2020. EFDC continues to be involved in discussions with HMRC and stakeholders (including the Police, highways authorities and North Weald Bassett Parish Council) to prepare for the commencement of operations on 1 January 2021 and to mitigate the impact of the activities on the locality. A financial contribution for environmental improvements in the locality is also under discussion. Periodic communications will be published on the Council's website to keep citizens informed. Further details of the facility may be viewed here: https://inlandborderfacilities.uk/?page_id=53

7. Development Management Service Charters

The Development Management Service has prepared and adopted Development Management and Enforcement Service Charters, confirming the principles for service provision and committing us to providing equitable, timely service provision in accordance with published standards. The Service Charters are awaiting publication on the Council's Website.