

Report to the Council

Committee: Cabinet

Date 25 September 2018

Subject: Planning and Governance Portfolio

Portfolio Holder: Councillor J. Philip

Recommending:

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

1. Local Plan

The submission of the Local Plan to the Planning Inspectorate for independent examination continues to be delayed following a Planning Court injunction granted on 21 March 2018 preventing submission until legal proceedings have been concluded. This is despite the Plan being ready for submission. Members are aware that the continued absence of an up to date adopted Local Plan undermines the achievement of sustainable development in Epping Forest District in the public interest.

Although the High Court dismissed the legal challenge the claimants made an application for permission to appeal to the High Court which was refused on 13 July 2018. However the claimants have now submitted an application to the Court of Appeal for permission to appeal. We are currently waiting for that application to be determined by the Court of Appeal and understand it is being expedited, but we do not currently have a timeline for the decision.

I have written to The Rt Hon James Brokenshire MP, Secretary of State for HCLG requesting a meeting to bring this matter to his attention and explain this unfortunate delay.

2. Implementation of the Local Plan

Further recruitment is taking place to the newly formed Implementation Team, which was set up following funding totaling £150,000 from the MHCLG Design Quality funding stream to support the implementation of the Local Plan and supplement the DDF funding agreed by Cabinet on 7 December 2017. The team has in post a Principal Planning Officer, a Land Drainage Engineer and Countrycare Officer already seconded from elsewhere in the Council, plus an Urban Designer post through the Public Practice scheme, but have recently now been joined by a Project Coordinator, Strategic Infrastructure and Obligations Officer and another seconded Principal Planning Officer. The Implementation Manager, Lydia Grainger, joins on 1 October 2018.

Six Quality Review Panel's (QRP) and two Development Management Forum's have now taken place, the latest of which considered the planning application submitted by Quinn Associates for development not allocated in the LPSV at North Weald Golf Course land and the QRP will be considering the same development on 27 September 2018. The views of the QRP and issues raised by the Development Management Forum will be material planning considerations in determining planning applications (and will be reported to the relevant Committee). The QRP in particular will help ensure that any policy compliant new development is of a high quality and contributes to place making.

3. Epping Forest Special Area of Conservation and proposed mitigation strategy

I reported at the last meeting a proposed mitigation strategy to cover the management of visitor pressure and the management of air quality as a result of increased vehicular traffic because of the potential impact of the proposed growth on the Epping Forest Special Area of Conservation (SAC).

Meetings have taken place with relevant authorities, including the two other competent authorities: LB of Waltham Forest and Redbridge, the Conservators and Natural England to prepare an Interim Strategy. This Strategy will cover the measures required to mitigate the recreational pressures on the Forest from growth and will include the level of contributions to be sought together with proposals for the provision of Suitable Alternative Natural Green spaces (SANGs). An interim mitigation strategy is due to be considered by Cabinet on 18 October 2018 and will need Natural England agreement before we can take adopt this approach. This is unfortunately taking some time not least because Natural England have not been able to dedicate sufficient resource to help support the development of the strategy. I have also raised this concern in the same letter to James Brokenshire MP.

4. Neighbourhood Planning

At the request of the appointed examiner an exploratory meeting took place prior to the examination of the Chigwell Neighbourhood Plan on 5 September 2018. We are awaiting the outcome following this meeting as to how the Examiner wishes to proceed and expect to hear at the beginning of October.

5. Harlow and Gilston Garden Town

Work continues apace on the Garden Town. A capacity bid has recently been submitted to MHCLG to seek further funding to support the work – a decision on this is expected this month. There are now 13 workstreams underway (including a new workstream to consider the sustainable transport corridor implementation) which are being reported regularly to the Garden Town Board which meets regularly. The Council's representatives on the Board are currently Cllr Whitbread, Bedford and Philip. The terms of reference of the Board have been reviewed and an Independent Chair is to be appointed.

The Board is expected to agree the spatial vision and design charter at its next meeting following the recent community engagement. A draft transport strategy will be the subject of consultation in the next month or so.

6. Masterplanning

The Latton Priory and Water Lane Garden Town Masterplan areas are advanced in the signing of Planning Performance Agreement (PPA's); Latton Priory developers are engaging with officers in a series of masterplanning meetings. In respect of East of Harlow Masterplan Area, PPA discussions are ongoing, including possible location of Princess Alexandra Hospital.

On other Masterplan sites identified in the Local Plan Submission Version, two meetings have taken place on the North Weald Masterplan Area and a meeting with the site promoters and North Weald Parish Council was scheduled for 19 September 2018.

Two meetings have also taken place regarding the South Epping Masterplan Area and a PPA produced for signing. Engagement has taken place with the land owners and Epping Town Council.

A PPA is under discussion for Waltham Abbey Masterplan Areas and issued for South Nazeing Concept Framework.

6. Development Management

Building Control

The budget for Building Control for August 2018 is £41,410 and the annual budget for 2018/19 is £500,000.

BC's actual income for August 2018 (Period 5) is £35,340. To date in the first five months BC has exceeded budget twice and the actual to budget shortfall is £11,123; an average of just over £2,000 per month.

This means that it is possible that BC's income may end the financial year at £475,000 however it is expected that BC may be able to recover during the remainder of 2018/19 and achieve an overall income in the region of £480,000 to £490,000. This is supported by the three year summary of the last seven months of preceding financial years 2015/18 of the final seven months at an average of £269,287 per year compared to the current budget (final seven months) £269,440, which could possibly show the end of the financial year ending at £488,000.

Building Control's Income is directly linked to staff availability to follow up work and the recent loss of an experienced surveyor with substantial experience combined with zero response to two separate vacancy advertising exercises is indicative of the difficulties in growing BC Income in competitive and challenging marketplace conditions.

Development Control

Development Control continues to make extensive strides in planning income generation in 2018/19.

The first five months of 2018/19 show that DC Planning Application Income reached £653,257. This compares with budget of £438,040 an increase of £215,217 over budget. In addition the average monthly income for 2017/18 was £70,549 and to date the average monthly income for the first five months of 2018/19 is £130,651.

DC's Planning Application income for 2018/19 is expected to continue to increase to reach an expected turnover of £1,295,217 which if achieved will be a record £448,632 over DC Income of £846,585 for 2017/18.

DC Pre-Application Income continues to perform well against budget recording £47,294 as compared with the budget of £45,270.

This means that based on current trends it is possible that DC Income will achieve a high £1.4 to £1.5 million for 2018/19.

Workload of planning applications and pre-planning applications remains high, putting a strain on resources. There are a few vacancies but despite advertising it is proving difficult to fill them, but this is an issue Essex wide. Use of planning agency staff however, has helped to plug the gaps while jobs are advertised and await appointment.