

# ***Report to the Council***

**Committee: Cabinet**

**Subject: Planning Services**

**Portfolio Holder: Councillor J Philip**

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**Recommending:**

**That the report of the Planning Portfolio Holder be noted.**

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## **1. Local Plan progress update**

Following the close of the hearings sessions for the Local Plan on 11 June 2019, the next steps are as follows:

- a) Preparation of a schedule of potential Main Modifications required to make the plan sound to be agreed with the Inspector – many of these were discussed at the hearings themselves;
- b) At the close of the hearing sessions, the Inspector advised that she will be writing to us with her initial advice as to whether there are any further modifications necessary and whether any further work is needed to support them. The original intention was to do this by the 12 July 2019, however the Council was advised on 11 July that it is now not possible for the letter to be with the Council by this date, but the delay is likely to be relatively short.
- c) A Sustainability Appraisal and Habitats Regulations Assessment of the effects of the proposed Main Modifications will be required
- d) A six week consultation on the main modifications and any associated Sustainability Appraisal and Habitats Regulations Assessment will need to take place
- e) Inspector to finalise her report having regard to any consultation responses received
- f) Assuming that the Inspector finds that the plan is sound it will then go back to Council for adoption

The exact timeline for all of this cannot be determined until we hear from the Inspector with her initial advice but the Council will be working to ensure that we take the plan forward for adoption as soon as possible. Further information is available in the Inspectors closing remarks <http://www.efdclocalplan.org/wp-content/uploads/2019/06/ED77-Inspectors-Closing-Remarks-at-hearing-session-11.6.19-.pdf> and on the Council's local plan examination pages of the website <http://www.efdclocalplan.org/>

## **2. Epping Forest Special Area of Conservation and proposed mitigation strategy**

Following the review of the 2019 Habitats Regulation Assessment, Natural England has maintained its objection to the Local Plan Submission Version. This is one of the matters that the Inspector is giving consideration to before providing advice as to whether any Main Modifications are necessary, the precise nature of any requisite changes, and whether any further work is needed to support them.

The Final Mitigation Strategy for the Epping Forest SAC will comprise two elements:

- a) Addressing recreational impacts; and
- b) Addressing the air quality impacts

The approach to the mitigation of recreational pressures is set out in the Interim Approach to Managing Recreational Pressure adopted by the Council on 18 October 2018. The projects, proposals and costs set out in the Interim Approach were provided by the Conservators of Epping Forest (as the Forest's custodians) and have been supported by Natural England. This includes the proposition that opportunities for SANG provision will be investigated further, recognizing that such provision is already being sought as part of the masterplanning of some strategic site allocations. Further work is being undertaken to finalise the strategy and a further visitor survey is programmed for early September. Once this is complete it will be subject to a review of the projects set out in the current Interim Approach. This will then need to be agreed by key stakeholders, including Natural England and the Conservators of Epping Forest.

With regard to air quality impacts it is proposed that the strategy will build on existing national and international initiatives, which in their own right will contribute to an improvement in air quality over the course of the Plan period, as evidenced by the air quality outputs of the updated Habitats Regulation Assessment 2019. Considering the Epping Forest SAC within Epping Forest District as a whole, it is considered by the Council that these national and international initiatives, combined with the other initiatives identified in the Local Plan Submission Version would result in a net reduction in nitrogen deposition and therefore result in no adverse effect.

A report on the proposed strategy was considered by Cabinet on 11 April 2019 giving delegated powers to the Portfolio Holder to agree the action plan. This is delayed pending resolution of the outstanding objections from Natural England and the Inspector's advice is awaited. The objective of the strategy is to provide a framework for providing reasonable certainty that there will be no adverse effects on the integrity of the Epping Forest SAC air quality over the course of the Plan period as a result of development, taken alone and in combination with other plans and projects.

These will be supported by a number of specific measures ranging from the application of planning conditions where appropriate, to secure, amongst other things, the provision of electric vehicle charging points, travel information packs for new occupiers of development, through to a commitment to develop a Sustainable Transport Strategy, to maximise opportunities for travelling by means other than the car. The 'approach' will also provide details relating to the need to secure on-going monitoring of air quality within the Epping Forest SAC through financial contributions from development.

### **3. Neighbourhood Planning**

Cabinet considered a report on the Moreton, Bobbingworth and the Lavers Neighbourhood Plan on 11 July 2019. The Examiners report was received by the Council on 17 June 2019 and recommended that with modifications the Neighbourhood Plan meets the basic conditions and should proceed to a local referendum. Taking into account the recommendations in the Examiner's Report the Cabinet agreed that the draft MBL Neighbourhood Plan meets the basic conditions and should proceed to referendum. A date for the referendum has been set for 26 September 2019.

### **4. Harlow and Gilston Garden Town**

Homes England have announced a further Garden Town Communities Capacity Fund Bidding Round for the 2019/20 Financial Year and a funding bid will be submitted by 26 July 2019. A total of £6m is available across the 23 Garden Towns and villages which is a reduction from

the total amount available for 2018/19.

## **5. Delivering Infrastructure in the District**

In order to ensure that the infrastructure to support the proposed growth in the District the Council has developed a Developer Contributions Strategy which was agreed by Cabinet on 11 July 2019. The guidance provides details on how, what and when planning obligations will be used and the approach to viability for proposed sites in the District to determine the appropriate level of developer contributions to be sought. It is important for the Area Planning Committees and District Development Management Committee to ensure that when granting planning permission reference is made to the identified infrastructure requirements set out in the Council's Infrastructure Delivery Plan and supporting documentation which have been developed to support the Local Plan in order to ensure that the appropriate provision is made.

## **6. Implementation of the Local Plan**

Cabinet considered a report on 11 July 2019 on progress on the Implementation of the Local Plan. The Implementation Team have been proactively engaging with relevant site promoters to progress the Strategic Masterplan and Concept Framework process and some of the smaller allocation sites. Some sites are more advanced than others, but good progress has been made to progress delivery in accordance with the Housing Trajectory which supports the plan.

A Quality Review Panel was established in April 2018 and the panel has undertaken 17 reviews of sites within the District. An annual report will be published shortly. The Planning Advisory Service has recently published (June 2019) a research report on good development management in which the Epping Forest District Council Quality Review Panel has been used as a case study.

## **7. Staffing**

Management appointments have recently been made, which will see a new Service Manager for Development Management start in early September when Andrew Marx joins us from the London Borough of Islington. Lydia Grainger has been confirmed as the Joint Implementation Team Manager and Vicki Willis as the Local Plan and Policy Team Manager, both of whom are currently in similar roles at EFDC.

## **8. Development Management**

The first three months indicates a significant reduction in Planning Income mainly due to a decrease in high fee earning Major Applications.

It is considered likely that Development Management 's income pattern will improve throughout the course of 2019/20 and this is supported by the increase in Pre-Application Income which is currently 33% higher than the corresponding period April to June 2018.

### **Development Management Planning Fee Income**

Development Management's Income from April-June 2019 is under budget at £219,161 (budget £432,460) and comprises of 18% of the overall budget set at £1,200,000 for 2019/20. However, the target to achieve for June 2019 is 25% of budget and it is quite possible that the reduced income is able to be improved as the year progresses.

The main reason for the decrease in Planning Income is mainly due to a reduction in large fee major planning applications. For example; from April to June 2019 all Major Applications have been under £10,000 except for one at £15,246. This is likely to be attributed to the delay in the adoption of the new Local Plan and the on-going delay in issuing planning permissions

following Natural England maintaining its objection to the Local Plan Submission Version following their review of the 2019 Habitats Regulation Assessment.

This is contrasted to last year in the period April to June 2018 when our budget for the first three months of 2018/19 was exceeded by a massive £231,388 with one application for Re-development – North Weald Park (500 homes) taking in a fee of £121,645.

### **Development Management Pre-Application Fee Income**

Development Management's Pre-Application Income from April-June 2019 is £59,861 (budget £21,170) and the three months actual plus remaining nine months budget is an indication that that Pre-Application Income may reach £141,361 for the year compared to the budget of £104,860.

This is positive news as it is a preliminary indication of the interest in gaining Pre-Application advice. Pre-Application Income for 2016/17, 2017/18 and 2018/19 has averaged £115,000 and current indications that we will increase our Pre-Application Income quite significantly above this. More importantly it appears to also indicate that planning activity levels may well increase for the latter part of 2019 and 2020.