

**Planning Policy Forum**

**10.00 am, Tuesday May 14th 2013, Chelmsford Museum, Moulsham Street,  
Chelmsford, CM2 9AQ**

**NOTE OF MEETING**1. Introduction & Apologies

Jeremy Potter (Chair)	Chelmsford CC
Laura Percy	Chelmsford CC
Paul Calder	Essex County Council
Matthew Jericho	Essex County Council
Roy Lewis	Essex County Council
Phil Drane	Brentwood BC
Mark Sheppard	Southend BC
Tim Parton	Maldon DC
Morgan Slade	Thurrock BC
Matthew Winslow	Basildon BC
Carl Glossop	Basildon BC
Gary Guiver	Tendring DC
Sam Hollingworth	Rochford DC
Amanda Raffaelli	Castle Point BC
Colin Endean	Harlow DC
Paul Anderson	Public Health ECC
Colin Seward	Public Health ECC
Melanie Jones	Uttlesford DC
Emma Goodings	Braintree DC
Sarah King	Epping DC

Apologies received from Paul Macbride, Harlow DC and Ian White, Epping Forest DC.

2. House Keeping Matters

- Updates to the EPOA website are now being posted on the Uttlesford District Council website (<http://www.uttlesford.gov.uk/uttlesford/epoa.htm>)
- The EDI website is still there and may still need to be used as an archive but is no longer being updated
- Keith Holland has tentatively agreed to attend the EPOA meeting on the 12<sup>th</sup> November.

3. National Planning News

- The Growth & Infrastructure Bill has now become an Act (<http://services.parliament.uk/bills/2012-13/growthandinfrastructure.html>) with various implications:
  - I. Large scale applications can be fast tracked to PINS for a decision where there is a history of late determinations
  - II. An S106 agreement can be appealed on the grounds of viability

III. Permitted development changes including increases to householder extensions, change of use and with limited time periods

- Changes to temporary stop notices consultation outcome (<https://www.gov.uk/government/consultations/changes-to-temporary-stop-notices-consultation>)
- The final three Regional Strategies for the West Midlands, South West and North West have been revoked
- Amendments to CIL obliging Local Planning Authorities to pass on between 15% (capped) and 25% (uncapped) of CIL receipts to community or parish councils dependent on whether a neighbourhood plan is in place; or to spend the equivalent amount on behalf of the local community.
- Consultation currently being carried out by CLG into further changes to the Community Infrastructure Levy (<https://www.gov.uk/government/consultations/community-infrastructure-levy-further-reforms>)

The alterations seem to make it more onerous for local authorities to forward CIL, particularly for those who haven't started or haven't produced a draft charging schedule as yet.

- It is proposed to extend the date from April 2014 to April 2015 to get the levy in place, before limitation on the use of S106 start.
- Potential funding available to Local Authorities throughout the production of the Neighbourhood Plans. £5K when land is designated for a neighbourhood area, £5K once the neighbourhood group reaches pre-submission stage and £20K following a successful referendum and adoption of the plan
- First Neighbourhood plan has been adopted in Upper Eden in Cumbria
- General opinion that progress on neighbourhood planning in Essex is relatively slow.

#### 4. ECC Minerals and waste on NPPF Compliance of Plans and Updated County Matters Guide – Paul Calder ECC

General introduction on a new County Matters Guide:

- It has no statutory weighting and is intended as a guide which will aid officers and City/District/Borough council to assess if a development is a county matter or not
- Updates are provided in relation to European Directive legislation on waste and NPPF on minerals
- Provides details on waste development – B2 or Sui Generis this should aid in identifying what types of waste development maybe permitted within the use class order, e.g. B2 uses that have some waste involvement like the disposal of tyres etc
- The final publication of this document should be available within a month or so

NPPF Framework Compliance Checklist:

- In light of the changes brought in by the NPPF, many recent appeals are questioning whether a different decision would have been made under the new set of circumstances
- Important to provide consistency in decision making with the same interpretation of policy.
- It would be useful if each Authority could update the plan preparation schedule NPPF checklist section then the County can see who has gone through the process of assessing their policies against the NPPF setting out those which are still relevant and those which are out of date/non-complaint

- Important exercise as many authorities with a plan adopted post 2004 are undertaken formal compliance checks (Chelmsford City and Colchester for example)
- ECC uses local authority plans for matters relating to landscape and amenity for example in their decision making process. The existing Minerals Plan and waste Local Plan does have policy for protection of landscape and amenity however, it is best to support these policies with City/Borough/District policies.
- Important for ECC to have sight of local authorities employment land reviews if completed as this will be good local evidence assisting the county in preparing its replacement local plan
- ECC hoping to submit RMLP in July this year progressing to examination by October/November 2013. ECC minerals and Waste officer will provide more detail update and next meeting.
- There is a pressure to produce a RWLP as the waste framework directive discuss issues relating to infraction charges if the UK does not have an updated National Waste Plan which feeds into local plans. Fear that fines from Europe will be passed on to Local Authorities
- Again policy officers should have some more information on this for the next EPOA meeting. The NPPF conformity issue and the need to carry out this process will become more prevalent, particularly if the compliance assessment has not been undertaken

#### 5. Changes to Health Organisations and future interaction with Planning - Presentation from Graham Seward and Paul Anderson NHS/ECC:



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Health Planning.pptx

#### Where are we?

- Public health transfer from NHS to County Council
- Primary care trusts have now been dissolved and replaced by 5 GP Care Commissioning Groups
- Public health in Essex has gone to Upper Tier

#### Public Health Outcomes Framework

- 60 plus indicators that health boards are now working towards with the main three:
- Improved health of local populations
- Increased health life expectancy
- Reduce differences in life expectancy between communities

#### Quality of Life

- Marmott Review showed that poor health does not arise by chance
- Differences in health status reflecting differing social & economic conditions of local communities
- Local Government has more of a role to play in the determinants of health
- Need to change mentality and create an environment where healthy living is the easy option

#### What is the current Local Authority Practice?

- Does this work?
- What could we do better?
- What do planners want from public health?

### The public health role?

- Joint workshops/training
- Refresh HIA policies
- Assess local plans for health impact
- Support LPA response to HIAs received
- Public health evidence
- Translate NPPF section 8, what would that look like across Essex

### Next steps

- One Public Health Specialist (PH) has been allocated to each authority
- They can provide access to the NHS from April 2013
- Email contact at NHS property Services Ltd – [mepct.planning@nhs.net](mailto:mepct.planning@nhs.net)

### Facilitate Next Steps

- PH / Planners workshop to take place within first two weeks of July – date to be confirmed ASAP
- Bespoke HIA training specific to Essex
- Develop policies

### Discussion:

The quality of life issue is generally present in all plans but it is difficult to work out what this means as so many things contribute which are not easy to measure, such as design, open space etc, so it is difficult to end up with something tangible that joins up all the issues. From a HIA perspective, this is usually centred around how many GPs are required for a particular development. Therefore, evidence is the key if the local authority is to support a health impact policy. Providing one place to go in the form of a PH is a positive starting point and the presence of the local authority at certain working groups/workshops to provide updates will be useful in terms of how the local authority produces its policies.

### Questions:

Is the EPOA HIA policy useful, does it need updating/refreshing?

The main issue is how the HIA is used by the Local Authority in the decision making process. The quantitative data is easier to interpret than the qualitative but much of the time the local authority lacks the expertise to criticise the HIA in any meaningful way. Also health authorities generally contribute quite late in the planning process, reducing the potential weight of their comments, particularly when considered by a planning inspector. Therefore, the HIA becomes a tick box exercise for larger development proposals as the HIA seemingly does not provide sufficient justification as the sole reason for the refusal of a planning application.

In order to make the EPOA HIA policy more meaningful, then it needs looking at. The more evidence the better for the purposes of making a DM decision and there is interest in how it would influence the production of local plans.

### Actions:

**Create a small working group for training/updates which could also be used to review the EPOA HIA guidance and amend accordingly to bring in line with the NPPF. Also, it would be useful if a Local Authority would be interested in taking on a pilot exercise to undertake an HIA of an emerging Local Plan.** Please speak to relevant colleagues and contact J Potter if you can provide a pilot example or wish to be part of working group.

## 6. EPOA Gypsy & Traveller Accommodation Assessment: *Progress Report* Jeremy Potter

- Appointed consultants ORS who are also carrying out Basildon's assessment
- Andrew Taylor at Uttlesford is leading the project
- Survey/Questionnaire has been agreed with more telephone interviews being used
- ORS will very much concentrate on fact with very little policy steer. More to provide an audit without offering what to do with the information at a later stage
- Issues surrounding calculating the demand for G&T in bricks and mortar accommodation. This is generally difficult to gain information from registered providers but all efforts should be given to try and get information from Registered Providers.
- Colleagues were reminded that they need to provide any outstanding information that has been requested by ORS via Andrew Taylor, as quickly as possible.

### Basildon

- Stakeholder and G&T interviews will not be done again as it will feed into the Essex wide assessment with no conflict in the methodology
- The Basildon study differs to the Essex wide assessment as it will be looked at in four stages with Peter Brett Associates looking into potential locations and site design

### Questions:

What is the final output?

The assessment will calculate Gypsy and Traveller and Travelling Showpersons' pitches by district. It is to be a set of data that each local authority can determine for themselves what they want to do with it

Due to the nature of the work, colleagues raised concern that the effective project management from the consultants will be critical in order to keep the project on timetable.

### **Actions:**

**Jeremy Potter to relay comments to Andrew Taylor. All to provide any outstanding information to Andrew Taylor and provide contacts for Registered Providers with regard to contacting Gypsy and Travellers living in Bricks and Mortar.**

## 7. EPOA Demographic Study: *Progress Report*

- Original contract fixed term for 4 stages of work with Edge Analytics
- Discussed 4 options with Edge with indicative costs
- Option 1 & 2 based on previous models, Edge would do all the work
- Option 2 – one update per year; Option 1 – two updates a year
- Options 1 and 2 would deliver up to 6 scenario forecasts the definition of which would have to be agreed collectively by the group
- Costs based on forecasts for 24 authorities with all 17 authorities (EPOA members plus 2 Herts authorities) continuing to contribute
- Option 3 – one local authority would do all the forecasting on behalf of the other authorities
- Option 4 – each authority would produce their own forecasts in-house, this would probably lead to a drift away from joint working

- Option 1 & 2 would have the proviso for local authorities to commission additional scenario forecasts from Edge at their own expense
- Continuing need for demographic forecasts to cater for new releases of information by ONS and CLG
- Since the project finished new data has been produced that could be used, with available 2011 Census data, to update the forecasts published in Phase 3 of the original study:
  - ONS has re-calculated the mid-year estimates for 2002-2010, that enables re-estimation of recent trends in births, deaths and migration
  - CLG 2011-based interim household projections released. The Inspector for the Chesterfield Local Plan has asked the Council to assess the implications of the new projections for the Core Strategy.

Discussion:

Issues surrounding timing of Local Plan production, particularly when updates are only once a year, although individual authorities could request their own info under options 1 & 2

Option 3 - Issue of whether there is the willingness, expertise or money available for one authority to take on the project

Money issues if authorities drop out – authorities may be more inclined to stay in under the Duty to Cooperate as this would be detrimental to collective working but if one were to be lost, the cost would go up for the remaining authorities with no funding available from the EPOA budget. A commitment of 5 years from each participating authority would be preferred.

Option 2 – more regular data updates can be expensive and potentially not cost effective – e.g. £15,000 for 3 months work. However, Epping have commissioned additional work as the members were concerned with internal migration. The costs were quite high but it is an important issue for the Council.

Option 2 – agreed that this is the best option with a 5 year tie-in a reasonable amount of time

**Actions:**

**Put forward Option 2 as recommendation to main EPOA Group with a conditional commitment of at least 5 years from each participating authority**

**8. Duty to Cooperate**

- No specific issues discussed
- EPOA Duty to Co-operate Working Group to met 10/6/13 arising from Chief Executive Group meeting

**Actions:**

**Move standing item up the agenda at the next meeting in order to report back from the EPOA Working Group and for Tim Parton to present on what Maldon DC have undertaken as a case study.**

**Date of Next Meeting – 3<sup>rd</sup> September 2013**