

ESSEX PLANNING OFFICERS ASSOCIATION**MINUTES – 12 September 2019**

| ATTENDEES | | |
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| Graham Thomas – Chairman Jeremy Potter- Chelmsford CC Nigel Richardson- Epping Forest DC Richard Greaves- Essex CC Graham Norse- Tendring DC Matt Leigh – Maldon DC Simon Cairns – Colchester BC Amanda Parrott – Basildon BC Charlie Sweeney – Basildon BC Tanusha Waters- Harlow DC | Guests Mark Curle- Chair of Essex Developers Group Shaun Scrutton – Rochford representing CEOs' Joy Thomas – ECC Infrastructure (item 4) Lee Heley- ECC Housing Growth Brian Horton - Housing Advisor, SELEP Alethea Evans – Essex CC (item 4) Lewis Herbert – Place Services (item 6) | |
| | Agenda item | |
| 1 | Apologies Kevin Walters, Leigh Nicholls, Ian Vipond. Emma Goodings, Ian Butt and Catherine Bicknell. | |
| 2. | Minutes and Matters Arising from previous meeting Health Impact Assessment Guidance- now available on the Essex Design Guide website- GT to circulate link | GT |
| 3. | Notice of AOB: | |
| 4. | Essex Developer Contribution Guide Joy gave a presentation on the key changes to the Essex Developers Contribution Guide due in 2020. She outlined the key changes and the timetable for the pending consultation which is expected start on 31 October to 12 December 2019. The current EDC Guide which was based on 2015 research and financial information was published in 2016. Joy explained that her briefing note had been circulated to EPOA colleagues which set out key changes to the guide since the 2016 version. There was a discussion regarding who would collect contributions/make provision for blue light services – LPAs'. There was support from EPOA for the Guide to include text on how this is dealt with due to cross border implications. Mark Curle offered to communicate the EDC Guide with the newly formed skills group and the forthcoming consultation/engagement stage. Epping recognised there will be a need to for IDPs to be revisited in light of these changes. Clarification was sought on who and when to consult at County on infrastructure. This will be: <ul style="list-style-type: none"> • 750+ (or sites with cumulative impacts) = Matthew Thomas Growth & Development team who are also providing the specialist support for strategic developments and supporting the Garden Communities. • For the smaller sites (+20 to ~750) = Joy Thomas Infrastructure Planning team | Mark C |

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| | <p>Ultimately, the County will respond consistently in relation to the updated Guide requirements, regardless of the team involved.</p> <p>Jeremy referred to the fact that the Guide is useful to confirm the infrastructure needs and associated costs. He also referenced the fact that there remains a negotiation at the point of planning applications for many sites, due to viability considerations. He also explained that Local Plan sites from now on in, will need to be policy compliant and the issues of development viability in relation to up to date Local Plans should no longer be an issue of contention. Applications which are not policy compliant will be refused.</p> <p>Shaun added that he would encourage the County to be more transparent about where money is spent and where it will be spent in future.</p> <p>Joy explained that Infrastructure Funding Statements required by Dec 2020 will bring transparency on spending for both the County and Districts. There was a call for developers to be recognised, whereby in some areas' where publicity is made of the fact that a developer for example is funding a new primary school, public opens space and affordable homes. This provides positive publicity for house builder in what they are doing to mitigate impacts and invest in making improvements for communities.</p> <p>Brian suggested that we should formalise the benefits of developer contributions through making the requirement to advertise the S106 contributions on the hoardings boards surrounding development sites to advertise the positive contributions to infrastructure, as a result of the development being built.</p> <p>Action: EPOA and Developers Group workstream to promote the benefit to communities of contributions - how they are paid for, why and what they are delivering.</p> | <p>Lee/Brian</p> |
| <p>5.</p> | <p>Housing Delivery Test - Update and next steps</p> <p>An EPOA sub-group has met several times in 2019 to consider how the Essex authorities' influence and response to HDT which is seen to be an extremely blunt mechanism which could have several perverse unintended consequences. The sub- group has agreed a range of actions and these were reported to the EPOA.</p> <p>One action was to write to and engage with MHCLG to help refine the HDT process and help shape this. Following an exchange of letters Steve Quartermain the Planning Director at MHCLG has responded positively, offering a meeting which is likely to take place in October.</p> <p>Action: share the EPOA letter to MHCLG with all</p> <p>The HDT sub-group are undertaking an evidenced pieced of work on a local authority by local authority approach to housing delivery. This will allow us to contrast our local evidence-based data to be compared with the predictions published by various national consultants/sources. A template has been circulated to all of the authorities but has yet to be completed by all. All LPAs' are encouraged to provide the required information to help build a realistic picture of their district. It is information that will be required if we are to be able to work constructively with MHCLG.</p> <p>The scoping template circulated by Basildon is detailed, but necessary and it was noted that Rochford have completed already. Deadline agreed to be extended to October.</p> <p>Action: All authorities to respond to two data templates to allow discussion at next EPOA. (Alethea to circulate to EPOA representatives in case individuals are not part of the HDT sub group)</p> <p>Next HDT sub-group will meet in December.</p> | <p>Graham</p> <p>All</p> |

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| | <p>A perspective was offered by Mark Curle on behalf of developers working in Essex. He raised a concern that delivery rates for the next HDT monitoring period will not be as high as hoped.</p> <p>HDT is not supported by developers generally, and there is a concern it will bring an opportunity for promoters who will be able to trade sites with planning permission more easily without any consequential increase in delivery.</p> <p>Lee asked whether EPOA colleagues understood the role that planning authorities have in releasing land to combat land promoter activity. Lee reflected that there is a choice to be made in releasing land, even if it is more land than you believe is needed, in locations local politicians can support, rather than waiting to be challenged at appeal in undesirable locations. Jeremy supported this as a powerful tool, and particularly in relation to affordable housing delivery.</p> <p>Mark cautioned that HDT presents a real risk to those developers of the strategic and larger sites, who are investing considerable sums on infrastructure and site scoping prior to submission of a planning application or receipt of a permission. He added that labour and materials availability will present a delivery risk for the delivery of the largest sites.</p> <p>Graham asked for an update on labour availability. Mark commented that better wages in London is a big draw for construction workers in Essex, and this is being exacerbated due to slower growth in counties surrounding London. The labour market is focusing on certainty of work, and the higher wages, offered in London, which is a risk to the construction sector in Essex.</p> | |
| Coffee Break | | |
| 6. | <p>EPOA Training and Development Lewis presented the draft EPOA planning training programme 2019/20</p> <p>EPOA training is now administered through Place Services rather than ARU. The past set of planning training sessions focused on viability, health, affordable housing, design and biodiversity.</p> <p>Next workshop/training series will run from Jan through to May 2020. Planning is underway now for a number of sessions. Lewis outlined the draft programme with a focus on:</p> <ul style="list-style-type: none"> • New/junior planners • Design/urban design • Landscaping and design • Planning law, with a focus on where to find information on recent changes • Enforcement and enforceable conditions <p>Suggestions from the group:</p> <p>Split of the enforcement and conditions session- these could be two sessions.</p> <p>A focus on householder extensions or more bread and butter developments- to encourage perfecting basics/foundations.</p> <p>Providing effective handouts and materials as necessary</p> <p>Sessions need to cover DM and Policy angles.</p> <p>Data quality and monitoring.</p> <p>If there was a site visit, this should include an opportunity to learn from appeal losses or less favourable elements, not necessarily just focusing on good examples of planning.</p> <p>Action: Lewis will finalise the programme. Graham will circulate to EPOA</p> | Lewis |

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| | <p>members to market with their teams and publish on the EDG website.</p> <p>Action: Alethea to help Lewis to coordinate topics for a member training session in July 2020. Using joint portfolio holder intelligence.</p> | <p>Graham</p> <p>Alethea</p> |
| 7. | <p>RAMS Progress and next steps</p> <p>A progress report was circulated on the work of the steering group by JP.</p> <p>Jeremy thanked the steering group for their hard work on the RAMS issue- it is recognised by EPOA that the issues have been tricky to grapple with and the joint group have worked really well together to address issues which is a real credit.</p> <p>Legal advice came from two sources and this has been worked through. The main issue of defining the right threshold was considered by the sub-group in July. This has been resolved with the conclusion that it must be 1 net additional dwelling. The decision was taken that individual authorities will make decision on how contributions will be collected, as there are a range of methods available (including UU and direct payment).</p> <p>Spending of contributions collected has been resolved by the conclusion that collections in one zone of influence will be spent in the same zone. Chelmsford have been identified as the accountable authority, and an agreement is being set up to implement this. This agreement will include costs incurred through this management activity by CCC.</p> <p>All engaged EPOA members have been asked to endorse the RAMS SPD by the end of the year to enable consultation on this to commence early in the new year.</p> <p>All EPOA members present agreed the recommendations and the programme of work ahead for the evidence and SPD.</p> <p>Action: Claire/Jeremy will confirm agreement of the recommendations by EPOA members present on 12th Sept and request those not present to formally agree.</p> | <p>All LPAs' endorse SPD</p> |
| 8. | <p>Brexit – Implications for Planning</p> <ul style="list-style-type: none"> • Sec of State – determined Planning Applications • Impact on key sectors, i.e. waste and haulage sites. <p>Nigel gave over view of recent planning consultation on use of a site for haulage vehicle border checking (to avoid queues at Dover etc in the event of a no deal exit from the EU) in Epping Forest, next to M11. This was a courtesy consultation by government, and both EFDC and ECC were given 24hrs to respond. If there is a no deal decision, this may be a start of a number of similar activities by government. No other authorities have received any similar activity to date. Tanusha noted that Harlow were not notified but will be impacted, as a predicted 700 vehicles will go through the site per day, with impacts at J7.</p> <p>Shaun noted the work of the Essex Resilience Forum- who have prepared a risk assessment exploring impacts across a huge range of sectors in the event of a no deal or deal options.</p> | |
| 10 | <p>Update on the Gypsy and Traveller – Transit site Study</p> <p>Transit site work is underway to scope project and agree conclusions through a sub group- an MOU will be produced which will need to be agreed by EPOA chiefs in December. Meeting set for 20th Sept.</p> <p>Project plan includes a wide range of detailed work. Cost implications for the project will include additional survey work.</p> <p>Action: EPOA meeting in December must consider MOU for scope of work, timetable and costs so that the project can move forward.</p> | <p>AP Dec item</p> |

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| 11. | <p>Planning Portfolio Holders agenda – 24 September</p> <p>Group discussion on topics of interest to portfolio holders, various volunteers to cover topics were agreed.</p> <p>Action: Alethea to follow up with EPOA officers to pull together the presentations and leads for the session.</p> | |
| 12. | <p>Strategic Development Updates and NSIP Applications</p> <ul style="list-style-type: none"> • Successful HIF bids - Chelmsford/Colchester/Tendring • Bradwell Power Station • Lower Thames Crossing • Stansted Airport | |
| 13. | <p>AOB</p> <p>Livewell Guidance - EPOA Endorsement agreed.</p> <p>Mineral Local Plan Review- Richard Greaves The County Council are undertaking an assessment of the need to review the Mineral Local Plan (adopted in 2016). Initial indications support the need for a review, and therefore some initial engagement with districts and other organisations will take place in the coming months prior to a formal decision being taken.</p> <p>CIL/S106/Viability- Alethea Evans Alethea noted the potential support from ECC to bring forward CIL in one or more authorities in Essex. Maldon are keen to take up this support and others are welcome to express an interest.</p> <p>Housing: Lee reported on the work of 'Essex Prevents' a cross partnership looking at homelessness across Essex. A sub group has formed to explore the linkage with affordable housing needs and provision. Developers have been engaged already and Lee would like to come and talk to planners about it.</p> <p>Graham asked Lee to prepare a presentation to cover the issue in more detail and to identify the ask of planners.</p> <p>Action: to add an agenda item for the 5th December meeting for Lee or Dawn French to attend.</p> | Lee/Dawn |
| | <p><u>Date Next EPOA meetings 2019/20</u></p> <p><i>5 December 2019, and 19 March 2020</i></p> | |