



## **Epping Forest Local Plan**

### **Examination Hearing Statement**

---

### **Matter 7 – Place-Shaping & General Masterplan Approach**

---

**Prepared by Strutt & Parker on behalf of City & Country (Stakeholder ID 19LAD0020)**

**January 2019**

## Context

1. Strutt & Parker have made representations on behalf of City & Country (Stakeholder ID 19LAD0020) throughout the preparation of the Epping Forest Local Plan, in respect of two sites:
  - Land at Bowes Field, Ongar (site reference SR-0120)
  - Land at Sheering Lower Road, Lower Sheering (site reference SR-0121)
2. Participation in the plan-making process included representations on the Local Plan Submission Version (LPSV) (Regulation 19) consultation: representations ID 19LAD0020-1 (in respect of Bowes Field, Ongar); and 19LAD0020-2 (Sheering Lower Road, Lower Sheering).
3. Land at Bowes Field, Ongar is proposed to be allocated for development through the LPSV (allocation ONG.R2) as part of the West Ongar Concept Framework Plan Area.
4. Land at Sheering Lower Road, Lower Sheering (SR-0121) has been rejected for allocation through the plan-making process, albeit – in our view – based on erroneous assessment of the site, and without justification.
5. This Hearing Statement is made in respect of the Epping Forest Local Plan Examination Matter 1 – Legal Compliance, and concerns Issue 4 (Has the Plan been informed by an adequate process of Sustainability Appraisal (SA)? Have the requirements of the SEA Directive and Regulations been met?).
6. This Hearing Statement seeks to avoid repeating matters already raised within our representations on the Regulation 19 iteration of the Local Plan.
7. This Hearing Statement addresses Issue 1 and 2 of Matter 7.

8. The LPSV was submitted for examination before 24 January 2019 – the deadline in the 2018 National Planning Policy Framework (NPPF) transitional arrangements for Local Plans to be examined under the 2012 NPPF. As such, these representations are made within the context of the 2012 NPPF; and references to the NPPF refer to the 2012 version, unless stated otherwise.

## **Issue 1**

### **Is the application of Policy SP3 to all allocated sites justified; and is it otherwise effective and consistent with national policy?**

#### **Question 2**

*Is this policy intended to apply to all allocated sites regardless of size? If so, should it be explained that not all will be expected, or able, to comply with all of the criteria? Should the policy also apply to windfall sites?*

9. The NPPF requires (at paragraph 154) policies included within a Local Plan to provide a clear indication as to how a decision-maker should react to development proposals. Policy SP3 is evidently unclear as to whether it is intended to apply to all allocated sites. The lack of clarity of the policy as currently worded renders it inconsistent with national policy and, thus, unsound.
10. We note that the preceding paragraphs to proposed Policy SP3 (paras.2.82 – 2.88) very much suggest that the policy is only applicable to the Masterplan Areas and Garden Communities. This would appear to be far more proportionate, and hence justified, than if intended to apply to all allocated sites. If this is indeed how the policy is intended to be read, we suggest it should be reworded to clarify this. If, however, the policy is intended to apply to *all* allocated sites, we would consider this disproportionate, unjustified, and presenting a risk to the timely delivery of housing (undermining the effectiveness of the plan).
11. As presently worded, SP3 could be applied inconsistently to all applications over 50 dwellings with no certainty for the applicant as to which matters may apply. The requirements for a site are better expressed in the individual policies relating to each allocation in the LPSV.

## Issue 2

**Are the Plan’s requirements for master-planning (as explained in paragraphs 2.89-2.102 and set out in Policies SP4, SP5 and certain Place policies) justified; and will they be effective in securing the timely delivery of comprehensively planned schemes?**

### Question 1

*Are the Plan’s requirements for Strategic Masterplans, Concept Frameworks, Design Codes and Panel Review necessary and proportionate having regard to the resources available to developers and the Council alike?*

12. We welcome the recognition at paragraph 2.99 of the LPSV that the requirement to prepare strategic masterplans can be disproportionate, and there are cases where the preparation of a concept framework instead would be appropriate.
13. We consider that a comprehensive and cohesive development can be delivered in West Ongar (proposed allocations ONG.R1 and ONG.R2) without the need to prepare a strategic masterplan. The West Ongar Concept Framework Plan Area comprises just two allocations (ONG.R1 and ONG.R2). Representatives of both parcels of land are working collaboratively on the proposed development. Both parties are committed to delivering the combined sites and a joint indicative masterplan was prepared and submitted alongside our LPSV representations to demonstrate how the sites could be delivered comprehensively.
14. We do have concerns with specific requirements proposed to be imposed in relation to the preparation of Concept Frameworks, particularly in relation to the proposed Quality Review Panel. The NPPF (paragraph 62) states that Local Planning Authorities should have local design review arrangements in place to “provide assessment and support to ensure high standards of design”, but provides nothing to support the idea the use of a design review panel be made an express policy requirement. On the contrary, the NPPF stresses at paragraph 173 that sites

identified in a Local Plan should not be subject policy burdens which threaten their delivery.

15. At paragraph 2.100 of the LPSV, it states that Concept Frameworks *must* be reviewed by the Quality Review Panel (Policy P4 states that they should be considered by a Quality Review Panel).
16. Whilst PPG<sup>1</sup> notes the advantages of a Design Review, it expressly states that developers can apply for planning permission without proposals going through this process – there is clearly not a general expectation that this be made a requirement. No justification has been provided as to why use of a Quality Review Panel should be made an express requirement in the case of Epping Forest District.
17. A Quality Review Panel should not be seen as the only mechanism for ensuring high quality design. We consider that the Quality Review Panel should be used as a tool to assist developers and the Local Planning Authority on a proportionate basis and having regard to individual sites' circumstances. As currently drafted, we consider the LPSV takes a somewhat draconian approach in relation to this issue, which imposes an additional stage in the decision-making process which will not be necessary for all sites.
18. Having regard to the above, we respectively request modifications to the LPSV, replacing the requirement for the Concept Framework Plans to be informed by the Quality Review Panel, with a requirement that high quality design be demonstrated through the preparation of the Concept Framework Plan.

---

<sup>1</sup> 035 Reference ID: 26-035-20140306