

EFDC: Local Plan Examination

Hearing Statement

Matter 14: Infrastructure & Delivery

Thursday 25th April 2019

Participant No. 19AD0113

Introduction:

David Lock Associates (DLA) act for the Fairfield Partnership (TFP) who control land within the South Epping Masterplan Area (SEMPA). This is designated as ***EPP.R2 Land South of Epping East – approximately 500 homes*** in *Policy P1 Epping* in the Epping Forest Local Plan Submission Version 2017. DLA & TFP have actively participated in meetings with District Council officers and other stakeholders to progress the South Epping Masterplan.

1.0 ISSUE 1

Will Policy D1 be effective in securing the infrastructure necessary to support development before it takes place?

1. *Is Policy D1 clear that any infrastructure necessary to support a development must be provided up-front/in time to serve the development?*

1.1 TFP does not agree that it is necessary for all infrastructure to be provided upfront and in advance. For the SEMPA it is anticipated that the infrastructure required to support the development and the timings for implementation will be agreed as part of the masterplanning process.

2. *Should Part A and the relevant supporting text explain that infrastructure and services for which contributions etc. could be sought might be derived from made Neighbourhood Plans as well as from the Infrastructure Delivery Plan? (Reps Chigwell PC).*

1.2 TFP considers that generally all detailed infrastructure and services requirements should be included in the Local Plan.

3. *In Part B, how would a potential developer find out specifically which items of infrastructure might be required as part of their scheme? Is this clear?*

1.3 Developers of allocated sites such as the SEMPA can refer to the site specific policies and requirements in order to understand which items of infrastructure might be required as part of their scheme. All infrastructure requirements funded by planning obligations should have regard to Paragraph 56 of the NPPF, which states

“Planning obligations must only be sought where they meet all of the following tests:

(a) necessary to make the development acceptable in planning terms;

(b) directly related to the development; and

(c) fairly and reasonably related in scale and kind to the development.”

1.4 TFP considers it would be helpful if the Local Plan made this explicit.

4. *In Part C, is it intended that all the clauses (i)-(iv) should apply for an exception to be considered on viability grounds? If Part C(i) did not apply,*

would this risk development proceeding that could not be supported by infrastructure? Would this be justified?

1.5 No comment.

2.0 ISSUE 2

Are the requirements of Policy D2 concerning Health Impact Assessments (HIA) justified, effective and consistent with national policy?

1. *Is it clear in the policy wording and the supporting text that the purpose of HIA concerns wider health and well-being matters beyond health infrastructure?*
- 2.1 No comment.
2. *Essex County Council has indicated that the Department of Health does not issue guidance on HIA. Do the references within the policy require updating? Is specific guidance on the matters to be covered required within the Plan itself?*
- 2.2 Any health-related infrastructure requirements should be subject to the tests in Paragraph 56 of the NPPF, which have been set out above.
3. *What type of information is expected in a HIA and how will developments respond to their recommendations?*
- 2.3 No comment.
4. *Is there value in requiring HIAs for allocated sites, or should the health impacts already have been assessed through the plan-making process?*
- 2.4 TFP considers that for the SEMPA relevant health impacts will be considered through the masterplanning process.
5. *Is the threshold for the production of an HIA at 50 dwellings proportionate?*
- 2.5 TFP does not consider that an HIA should be required to be submitted with planning applications for allocated sites where health impacts have been considered through the masterplanning process, as the masterplan will respect the identified health impacts.

3.0 ISSUE 3

Is Policy D3 justified in requiring developers to fund improvements to utilities infrastructure where capacity issues exist?

1. *Is it correct that utility providers have a duty to provide services to new development? If so, is Part B justified?*

3.1 TFP considers that for allocated sites such as the SEMPA, which are anticipated and have been subject to extensive consultation, utility providers should provide all necessary improvements to utilities infrastructure. Policy D3 should reflect this requirement.

4.0 ISSUE 4

Is Policy D4 effective?

1. *For the purpose of Parts B and C, how will a developer know specifically whether and what community infrastructure is required as part of the scheme?*
- 4.1 TFP considers that for the SEMPA relevant community infrastructure requirements will be considered through the masterplanning process, and informed by the site specific policy relating to Epping. These requirements should be subject to the tests in Paragraph 56 of the NPPF, which have been set out above.
2. *In relation to Part C, is it necessary to define strategic, larger and smaller developments, or is this clear elsewhere in the Plan?*
- 4.2 Reference could potentially be made to allocated sites and associated on site provision requirements. Any requirements should be subject to the tests in Paragraph 56 of the NPPF, which have been set out above.
3. *What is the purpose of having separate criteria in parts G and H? Are they intended to apply to different types of development? Why is marketing required in Part H but not Part G?*
- 4.3 No comment.

5.0 ISSUE 5

Are Policies D5-D7 justified, effective and consistent with national policy?

1. *No specific questions.*
- 5.1 Policy D5 requires applicants submitting planning applications for major development proposals to demonstrate how high speed broadband infrastructure will be accommodated within the development. TFP has no objection to this requirement.
- 5.2 Policy D6 sets out that the Council will support the preparation of Neighbourhood Plans. The draft Neighbourhood Plan for Epping is supportive of the South Epping Masterplan Area.
- 5.3 Policy D7 relates to annual monitoring. TFP has no objection to this Policy.