

EPPING FOREST LOCAL PLAN

EXAMINATION PRE-HEARING STATEMENT BY CHIGWELL PARISH COUNCIL

MATTER 14.2 (POLICY D1 INFRASTRUCTURE & DELIVERY)

Introduction

This short statement by Chigwell Parish Council relates to the provisions of Policy P7 of the Local Plan, and specifically to its Parts C and D in relation to infrastructure requirements. The Parish Council has submitted other statements relating to other elements of Policy P7 (see: Statement 5.1.1 on site selection, Statement 5.1.4 on Chigwell Convent, Statement 7.2.2 on Limes Farm and Statement 15.2 on infrastructure requirements).

Inspector Matter

Issue 1: Will Policy D1 be effective in securing the infrastructure necessary to support development before it takes place?

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?

Statement

Policy D1 on the delivery of infrastructure requires new development to contribute to the improvements to local infrastructure to help accommodate an increase in demand resulting from new users. Its Part A requires proposals to have regard only to the provisions of the Infrastructure Delivery Plan and its Part F allows for viability constraints to prioritise contributions, but only in line with the provisions of the Schedule to the Delivery Plan.

The supporting text (§6.7) notes that Policy D1 will be implemented alongside other policies of the Plan in these respects. It is assumed that such policies include the Places policies of Chapter 5, e.g. P7 Chigwell. As noted in the Parish Council's Statement 15.2 on Policy P7 there is ambiguity in respect of the way in which the policy and Vision for Chigwell address specific infrastructure requirements in the Parish and how they relate to the Infrastructure Delivery Plan and Schedule. It is noted that there is no cross reference in Part C of Policy P7 to Policy D1.

The 2012 NPPF is not explicit on the role envisaged for neighbourhood plans in planning for local infrastructure improvements. However, it states that, "Parishes and neighbourhood forums can use neighbourhood planning to set planning policies through neighbourhood plans to determine decisions on planning applications". To that end, the Planning Practice Guidance (§41-045 dated March 2014) states that, "A qualifying body may wish to consider what infrastructure needs to be provided in their neighbourhood area alongside development such as homes, shops or offices." It then states (in §41-046) that, "A qualifying body should set out in their draft neighbourhood plan the prioritised infrastructure required to address the demands of the development identified in the plan."

The 2019 NPPF is now explicit on this matter. Its §28 states that, “Non-strategic policies should be used by ... communities to set out more detailed policies for specific areas, neighbourhoods or types of development ... this can include ... the provision of infrastructure ...”.

The Parish Council remains committed to bringing forward a neighbourhood plan for the Parish in the future. There are also other neighbourhood plans coming forward in the District. The ability of a neighbourhood plan to address local infrastructure needs and priorities for improvement is commonly an important driver of plan making. Qualifying bodies must therefore have confidence that the District Council will attach the same weight to the infrastructure policies of a made neighbourhood plan as it will its Local Plan policies. As per 2019 NPPF §30, unless there are over-riding strategic reasons to differ, the District Council should accept that a made neighbourhood plan infrastructure policy takes precedence over the provisions of the Delivery Plan and Schedule when prioritising infrastructure projects in securing financial contributions.

In which case, parts A and F of Policy D1 need to be modified to include the ability of a made neighbourhood plan to identify infrastructure requirements in addition to the Infrastructure Delivery Plan and Schedule.