

## **Report to the Cabinet**

**Report reference: C-007-2022-23**

**Date of Meeting: 18 July 2022**

**Subject: Implementation of the Local Plan: Update on progress**

**Responsible Officer: Nigel Richardson (01992 564110)**

**Democratic Services: Adrian Hendry (01992 564246)**

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**Epping Forest  
District Council**

### **Recommendations/Decisions Required:**

- (1) That the progress of Strategic Masterplans and Concept Frameworks, including the use of Planning Performance Agreements and the progress of other proposals at pre-application and application stage be noted (see Appendices A – D);**
- (2) To note the latest position in relation to the Examination of the Emerging Epping Forest District Local Plan following the appointment of a new Plan Inspector.**

### **Executive Summary**

Following the October 2018 Cabinet meeting which agreed the governance arrangements for the implementation of the Local Plan, the Policy and Implementation Team made a commitment to provide members with regular updates on the progress of Masterplans and Concept Frameworks within Epping Forest District to ensure that members are kept fully up to date.

This report is prepared by the Policy and Implementation Team to provide members with an update on the progress of Strategic Masterplans, Concept Framework Plans and Planning Performance Agreements (PPAs) within the District, including major projects and planning applications dealt with by the team. Scheduled meetings and workshops continue to take place with site promoters and developers in accordance with project plans agreed within PPAs. The majority of workshops/meetings continue to take place virtually but in-person meetings are being arranged for specific masterplan workshops.

The District's emerging Local Plan is progressing and at an advanced stage. As such, the Local Plan is being given substantial weight in the assessment of planning applications. The Council was notified 06 May 2022 that a new Planning Inspector, Jonathan Bore MRTPI, has been appointed to complete the Plan Examination. The most recent update dated 16 June 2022 (ED141) expresses the Inspector's aim of helping the Council to bring the Plan to an adoptable state as soon as possible with reference to the potential of achieving this by Autumn 2022. The Inspector outlines that changes are required to the text of the submitted Plan and the Main Modifications (published and consulted upon in 2021) in order to meet the tests of soundness as set out in the National Planning Policy Framework. The note sets out

a number of Actions for the Council and requires a new schedule of Main Modifications to be produced and consulted upon.

### **Reasons for Proposed Decision**

To ensure that members are kept fully up to date on the progress of Masterplans and Concept Frameworks and other major proposals being promoted within the District.

To comply with the Council's general obligations as a local planning authority and the requirements set out in national planning guidance.

### **Other Options for Action:**

Not to update members on the progress on the above issues would be contrary to the commitment made by the Implementation Team as noted in the 18 October 2018 Cabinet Report.

### **Report:**

#### **Strategic Masterplans, Concept Frameworks and other allocated sites**

1. [The Local Plan Submission Version 2017](#) (LPSV) promotes a joined up, collaborative and proactive approach to the planning and implementation of key strategic sites across Epping Forest District. The production of Masterplans and Concept Frameworks will ensure that development proposals are brought forward in accordance with the Council's priorities and policies and facilitate the delivery of necessary infrastructure.
2. Strategic Masterplans and Concept Frameworks provide an overarching framework to ensure that development is brought forward in a coordinated and coherent way in accordance with high quality place making principles. The planning applications which follow must demonstrate general conformity with an endorsed Masterplan or Concept Framework. As set out in the [18 October 2018 Cabinet Report](#), the Council's Local Plan Cabinet Committee (LPCC) has the authority to approve Draft Strategic Masterplans and Concept Frameworks for consultation. Following the six-week consultation period, Strategic Masterplans will then be taken to Cabinet for formal endorsement as a material planning consideration. The process for Concept Frameworks is broadly similar, however owing to their smaller scale, these will only be taken to LPCC once for formal endorsement.
3. As set out in paragraph 15 of the report to Cabinet on 18 October 2018 a commitment was made to provide members with regular updates on the progress of masterplans and concept frameworks within Epping Forest District to ensure that members are kept fully informed of the progression of each plan.

#### **Current progress on the masterplans**

##### **Harlow and Gilston Garden Town masterplans**

4. EFDC officers continue to liaise with key stakeholders across the five Harlow and Gilston Garden Town (HGGT) authorities and relevant site promoters. This is undertaken in the context of wider Garden Town activities. Key updates in terms of the Garden Town are:

- Endorsement of HGGT Transport Strategy by EFDC Cabinet to be a material planning consideration (Jan 2022)
  - Noting of the of the HGGT Local Cycling and Walking Infrastructure Plan (LCWIP) by EFDC Cabinet as evidence base (Jan 2022)
  - Approval of the Stort Crossings planning applications and Cabinet decision to make associated Compulsory Purchase Order (CPO) by East Herts District Council/ Harlow District Council (HDC) (Feb 2022)
  - Successful Department of Levelling Up, Housing & Communities (DLUHC) PropTech bid for HGGT Quality of Life Mapping and Monitoring project. The partnership has been awarded £228,800 to deliver social value mapping across the Garden Town, through digital and non-digital engagement on quality of life and wellbeing.
  - Successful DLUHC Pathfinders bid for Latton Priory Design Code project. EFDC have been awarded £120,000 funding to produce an authority-led design code for the Latton Priory Masterplan Area. The design code will be produced by the EFDC Implementation Team with collaboration and specialist input as required, over the course of 12 months. Content will focus on key aspects of the HGGT Vision, including modal shift, green infrastructure and socio-economic wellbeing. In line with the National Model Design Code, there will be significant community and local stakeholder engagement to promote provably popular design and to ensure a wide range of stakeholder input in shaping the new community. It is intended that the resulting design code will secure design quality on future applications for the masterplan area as well as providing a benchmark for quality and coding process for other EFDC and HGGT masterplans.
  - Successful Homes England Capital Funding bid for two transport-related projects: Newhall & Enterprise Zone Sustainable Transport Corridor (STC) Hub (£290,000) and New Garden Community STC Connectors project (£145,000).
5. Updates in relation to each of the HGGT masterplans:
- Water Lane
6. The Implementation team are seeking to re-engage the site promoters/agents for Water Lane following a period of paused work on the promoter's part. A re-engagement meeting was held with the promoters of West Katherines in May 2022 and a re-set PPA is being developed. A strategic Water Lane masterplan meeting is in the process of being arranged. The promoters are seeking clarity on the HGGT STC Connectors project and engagement on the route options and delivery of the STC.
- Latton Priory
7. Following good progress on the masterplan development and public engagement during 2019 a hiatus period has followed while the emerging is finalised. The main site promoters (Commercial Estates Projects Ltd and Hallam Land) have recently become re-engaged with the project and a revised PPA and work plan is currently being finalised between applicants, EFDC and HGGT partners. The work plan outlines a series of masterplan workshops, public consultation, liaison with partners at Essex County Council (Highway and Education), and HDC during 2022 and subsequent endorsement

of the masterplan targeted for Q1 2023. In tandem the promoters are looking to bring forward an outline planning application to be submitted alongside the endorsement of the masterplan and the relevant pre-application engagement for this is also in the process of being established. The Latton Priory Design Code project noted above is to be progressed in parallel and is being co-ordinated with the wider workstream.

- East of Harlow

8. In the absence of a master developer at present for the East of Harlow masterplan area, HGGT partners are reviewing design principles for the masterplan area in order to progress design and delivery thinking, with input from Urban Design, Landscape, SuDs, Transport, Education and Planning specialists from across the Garden Town partnership. This work is being led by the HGGT Urban Design Officer, with a core officer working group meeting fortnightly, and reports into the HGGT Placeshaping & Engagement Workstream. Lessons learnt on Garden Town masterplanning and design from these internal discussions are being shared across the partnership for consistency and understanding within teams such as the Implementation Team.
9. EFDC and HDC are meeting regularly with John Lawson Partnership (JLP) working on behalf of Princess Alexandra Hospital (PAH) to discuss the hospital relocation element in the East of Harlow strategic site. An Interim Planning Position Statement was agreed between the HGGT Partners and PAH in September 2021 and PAH continue to work on the submission of the outline business case (OBC) that Public Health England will need to make to the Treasury in due course.

#### **North Weald Airfield masterplan**

10. The Implementation Team have been engaged in ongoing discussions with the Council's consultants in respect of the North Weald Airfield masterplan. The Council as landowner undertook formal consultation on the draft masterplan between December 2021 and January 2022. The masterplan has subsequently been updated in response to formal consultation responses and officer comments. This is currently in the process of being finalised prior to the final masterplan being submitted to Cabinet for endorsement. The timing of endorsement is linked to the adoption of the emerging Local Plan as this provides the strategic framework within which this masterplan can come forward.

#### **North Weald Bassett masterplan**

11. A revised PPA has been signed by lead site promoter Countryside Properties in May 2022. The project programme set out in the PPA targets an endorsement of the Masterplan in August/September 2023. Topic based meetings and masterplanning discussions have commenced. A previous draft masterplan was referred to the Quality Review Panel in August 2021 and it was recognised that work on the masterplan was ongoing and should be referred back when key issues had been further developed.

#### **South Epping masterplan**

12. EFDC officers met with the site promoters for the South Epping masterplan area in September 2020 to discuss the Inspector's concerns regarding the proposed level of

housing on the site. The subsequent technical evidence prepared by their consultants has been reviewed and helped to inform the preparation of a position statement that has fed into the proposed Main Modifications for the emerging Local Plan. The site promoter is yet to engage in detailed masterplanning on the site pending the adoption of the new Local Plan.

### **Waltham Abbey North masterplan**

13. A PPA has been signed by the Waltham Abbey site promoters/developers, EFDC and Essex CC. Regular meetings are being held to discuss the masterplan. Informal public consultation was held with local residents and key stakeholders between mid-July and September 2021. Two virtual consultation events were also held to present the proposals and answer questions regarding the proposed draft Strategic Masterplan. The site promoters are currently reviewing the masterplan in light of feedback received.

### **Concept Framework Plans**

14. Discussions on the two Concept Framework Plans are still at an early stage in the process.

### **Other allocated sites**

15. Alongside the Strategic Masterplan and Concept Framework Plan sites, work has been progressing on other sites proposed for allocation within the emerging Local Plan that are not strategic allocations but constitute major development in the District. As with the strategic sites, some of these proposed allocations are further advanced than others, but officers are encouraged by the progress which has been made to date and work continues to progress their delivery.
16. The development proposals for the five Epping town centre sites (St John's Road, Cottis Lane, Bakers Lane, Civic Offices and Hemnall Street) that Qualis are promoting were heard by the Development Management Committee on 27th October 2021. Subsequently the related s106 Agreements were completed and planning permission for all five schemes approved on 25 February 2022.
17. Status of other allocated sites is included at Appendix B, including the recent dismissed appeal decision for a large scale warehouse and distribution centre with ancillary photo studio at Land North of Dowding Way, Waltham Abbey. The scale and height of the building being the reason the appeal was dismissed.
18. In addition, non-allocated sites are detailed at Appendix C. It is helpful to update that the North Weald Park/ Former North Weald Golf Course appeal has been withdrawn.

### **Update on Examination of the Emerging Local Plan**

19. The Council was notified 06 May 2022 that a new Planning Inspector, Jonathan Bore MRTPI, has been appointed to complete the Plan Examination. The most recent update dated 16 June 2022 (ED141), consistent with his earlier correspondence, expresses the Inspector's aim of helping the Council to bring the Plan to an adoptable state as soon as possible (with ED141 going further to reference to the potential of achieving this by Autumn 2022). The Inspector outlines that changes are required to the text of the submitted Plan and the Main Modifications (published and consulted upon in 2021) in

order to meet the tests of soundness as set out in the National Planning Policy Framework. The note sets out a number of Actions for the Council and requires a new schedule of Main Modifications to be produced and consulted upon. The Inspector's Actions include:

- Main Modifications required as a result of changes to the Use Classes Order
- Additional work to satisfy the Inspector that a five-year housing land supply will be available on the adoption of the Plan
- Main Modifications required in relation the reference to non-statutory documents such documents such as the Infrastructure Delivery Schedule and Strategic Masterplans
- Main Modifications necessary to streamline Policies DM2 and DM22 and so that Policy DM22 deals only with non-Epping Forest Special Area of Conservation air quality issues
- Additional questions on a small number of specific site allocations.

20. The Policy and Implementation Team is directing resources immediately to be able to respond on all of the Inspector's Actions as swiftly as possible and, upon agreement to a new schedule of Main Modifications, to undertake the required consultation in order to be able to move towards the conclusion of the Examination and the final adoption of the Plan.

### **Neighbourhood Plans**

21. Ongar Neighbourhood Plan is presented as a separate item to Cabinet 18 July 2022. This separate item seeks Cabinet's consideration of the recommendations within the Examiner's Report on the draft Ongar Neighbourhood Plan and agreement that the Plan, with proposed amendments, meets the basic conditions and for it to progress to a local referendum.

### **Resource Implications:**

As set out in the 18 October 2018 Cabinet Report, the successful delivery of the Garden Town and the other strategic sites within Epping Forest District will require considerable commitment of officer time from EFDC. The noting of the contents of this report do not give rise to additional resource implications.

### **Legal and Governance Implications:**

The work on the Strategic Masterplans, Concept Frameworks and Housing Action Plan has been developed in accordance with Government policy (NPPF and NPPG) and Planning Law.

### **Safer, Cleaner, and Greener Implications:**

The Local Plan contains a policy designed to promote the notion of making good places to live, work and visit. This will include safer by design principles, sustainable development, the provision of alternatives to the car, energy efficiency and environmental considerations as well as sustainable drainage systems and quality green infrastructure. Strategic

Masterplans and Concept Framework Plans will be the mechanism for these place-making measures to be delivered in identified Masterplan Areas.

**Consultation Undertaken:**

Some of the Strategic sites have been the subject of informal public consultation and engagement. However as set out in the Council's Masterplan and Concept Framework Plan Briefing note, these sites will be subject to public and stakeholder consultation in accordance with an endorsed Statement of Community Involvement.

**Background Papers:**

C-015-2018/19: Governance arrangements for Local Plan Implementation, 18 October 2018

Inspector's note to Epping Forest District Council (ED141) 16 June 2022

ED141 above and all updates in relation to the Local Plan Examination can be found at <https://www.efdclocalplan.org/>

**Risk Management:**

If the Council was not to take a pro-active stance on the delivery of Masterplans and major applications arising from the Local Plan, there is a real risk of or development occurring of a type that does not extract maximum value for the provision of social infrastructure and poor quality development may occur.