

Report to the Cabinet

Report reference: C-049-2023/24

Date of meeting: 18 March 2024



**Epping Forest
District Council**

Portfolio: Place (Cllr Nigel Bedford)

Subject: Endorsement of the Latton Priory Strategic Design Code

**Responsible Officer: Nigel Richardson / Krishma Shah
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Recommendations/Decisions Required:

- (1) To note the process undertaken and the outputs from the public consultation on the Draft Latton Priory Strategic Design Code undertaken between October 2023 and January 2024.
- (2) To agree that the Draft Latton Priory Strategic Design Code (Appendix A) be formally endorsed in order for it to be taken into account as an important material consideration in the determination of future planning applications, and to inform pre-application advice, assessing planning and any other development management and implementation related purposes relating to the site.
- (2) To agree that the Planning Services Director, in consultation with the Place Portfolio Holder, be authorised to make minor amendments to the Latton Priory Strategic Design Code prior to publication.

Executive Summary:

EFDC were awarded £120,000 by the Department of Levelling Up, Homes and Communities (DLUHC) to produce a design code for the Latton Priory Strategic Masterplan area; one of the three Harlow and Gilston Garden Town (HGGT) communities within, or part of, the District. The Council's adopted Local Plan (Policies SP2 Placeshaping and SP3 Development and Delivery of Garden Communities in the Harlow and Gilston Garden Town) requires '*Design Codes to be produced which accord with the principles established by the endorsed Strategic masterplans*' for Strategic Masterplan sites. The strategic masterplan framework (SMF) for Latton Priory was produced by site promoters' consultants and endorsed at Cabinet on 10.07.2023.

Building on the mandatory spatial principles established in the SMF and the site-specific requirements set out in the Local Plan (Policy SP4 Garden Communities), the strategic design code establishes site-wide strategies and requirements under key themes, including nature, movement, public spaces, built form, identity and resources. The design code focuses particularly on strategies to encourage sustainable movement and create a high-quality public realm with the aim of realising a vibrant and resilient new neighbourhood in line with the Garden Town Vision. As well as supporting Policies SP2 and SP3, The Latton Priory Strategic Design Code supports other policies within the adopted Local Plan, including those relating to green and blue infrastructure (Policies SP6 and DM5), sustainable transport choices (Policy T1) and high-quality design (Policies DM9 and DM10).

The formal public consultation on the design code comprised public events in Epping and Harlow, a digital platform and survey and the opportunity to email or discuss the scheme by phone. Hard copy surveys were made available and hard copies of the design code were placed at key locations in Epping and Harlow. Workshops were held with Epping Youth Council and Harlow Youth Council. A member briefing and workshop was held with HGGT and partner authority Members, local Ward and Parish Councillors, the local MP and North Weald Bassett Parish Council invited. Whilst the formal public consultation period ran for 6 weeks until 11th December 2023, the consultation remained open for contributions until 12th January 2024.

Alongside consultation with the public, statutory consultee feedback was sought, including ECC county and national authorities. Feedback from developers/ site promoters was sought via a design code workshop at a HGGT developer forum and through ongoing collaboration with the site promoters and their consultants. Usability and deliverability of the code was also tested through a testing exercise with an architectural practice and a testing workshop with Frame QRP panel members. A design code testing report is appended to this report (Appendix D) as well as a Highways technical response undertaken in response to comments from Essex Highways (Appendix E).

Since the consultation period ended, the design code has been reviewed and amended to incorporate and respond to the consultation responses, where appropriate. Key points raised during the consultation, and responses to these, are outlined in the report below and set out in more detail in the Consultation Report, which is appended (Appendix B). Statutory consultee responses are covered in more detail in the Consultee response report (Appendix C).

Following this review and amendments to the design code, officers are of the view that meaningful public consultation has been undertaken, and the Strategic design code can now be formally endorsed to support high-quality development proposals to come forward.

Reasons for Proposed Decision:

- To ensure that future development proposals for Latton Priory meet the District and Garden Town ambitions for high-quality, sustainable development. The Strategic design code has undergone extensive development by EFDC officers and specialist consultants and changes have been undertaken where appropriate. This has included review of the emerging Strategic Masterplan by EFDC's Quality Review Panel (QRP) and following receipt of responses to formal public consultation. The Strategic design code is considered to be suitable for endorsement as an important material consideration in the determination of any planning applications and will be taken into account as such. It will also be used to inform the provision of pre-application advice and other development related purposes
- 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 agree the Latton Priory Strategic Design Code can be endorsed, which would mean that there would be no authority-led design code to guide the delivery of development on the Latton Priory Masterplan Area and help to achieve the Garden Town ambitions and Local Plan objectives of high-quality and sustainable growth.

Report:

Introduction

1. Following a successful bid, EFDC were one of 25 authorities that were awarded funding to produce local design codes by the Department for Levelling Up, Homes and Communities (DLUHC) under the Pathfinder Pilot Programme. This followed the publication of the National Model Design Code (NMDC) and an update to the National planning Policy Framework (NPPF) in 2021 that requires that *'all local planning authorities should prepare design guides or codes consistent with the principles set out in the National Model Design Code, and which reflect local character and design preferences'*.

2. The funding was used to produce a design code to set design standards for the Latton Priory Strategic masterplan area, allocated in the Local Plan as one of three new Harlow and Gilston Garden Town (HGGT) communities within, or part of, EFDC. The intention is for the strategic design code to be endorsed to have material weight as a planning consideration for future developments proposals within the Latton Priory masterplan area.

3. The draft strategic design code establishes site-wide strategies and requirements in line with the Garden Town Vision and Local Plan Policies including those relating to Strategic Masterplans and Garden Communities (Policies SP2, SP3 and SP4), green and blue infrastructure (Policies SP6 and DM5), sustainable transport choices (Policy T1) and high-quality design (Policies DM9 and DM10).

Context

4. The Latton Priory Masterplan Area is located to the south of Harlow immediately outside the urban area, within the administrative area of EFDC. It is located in Hastingwood, Matching and Sheering Village Ward and North Weald Bassett Parish.

5. The Local Plan Policy SP4 (Garden Town Communities) envisages that the Latton Priory site will deliver a minimum of 1,050 homes, 1ha of employment land, up to 5 traveller pitches and a range of infrastructure and facilities including, amongst others, a primary school, a secondary school (or an all-through school), sustainable drainage systems, suitable alternative natural greenspaces (SANGs), a local centre, and a sustainable transport corridor connecting the site to Harlow centre and beyond.

6. The Council's Local Plan (Policies SP2 Placeshaping and SP3 Development and Delivery of Garden Communities in the Harlow and Gilston Garden Town) requires *'Design Codes to be produced which accord with the principles established by the endorsed Strategic masterplans'* for Strategic Masterplan sites.

7. The strategic masterplan framework (SMF) for Latton Priory was produced by site promoters' consultants with input and scrutiny from EFDC officers and HGGT partners. The Latton Priory SMF was endorsed at Cabinet on 10.07.2023. The strategic design code has been produced by the EFDC Planning Implementation Team and builds on the mandatory spatial principles established in the SMF and the site-specific requirements set out in the Local Plan.

8. Whilst it is intended that the strategic design code informs all future proposals, an outline application for most of the site area is expected to be submitted in the first half of 2024. Whilst the strategic design code may help to inform design discussions on the outline application, it will be used to guide future Reserved Matters Applications.

Design code aims and Objectives

9. Through the funding received and the opportunity to produce an authority-led design code, the primary aim is to embed high-quality, sustainable and coordinated design into the strategic development framework, consistent with the principles set out in the National Model Design Code (NMDC), National Design Guide (NDG), local and national policy and HGGT principles.

10. Within this is an objective to embed community and stakeholder aspirations into the development framework and provide clarity about design expectations for communities and stakeholders, which should help to smooth the planning process at later stages and accelerate housing delivery.

11. The design code is intended to be a clear and straightforward tool for those preparing future planning applications and for those assessing future planning applications. It is intended to put in place key strategic principles that are essential to meet the keys aims for the new Garden Community whilst also providing flexibility and inspiring creativity and innovation in future proposals.

12. By producing the design code predominantly in-house and through utilising best-practice in the design code process, it is envisaged that in-house design and engagement skills will be enhanced and that the learnings and outcomes will be used to improve the quality of processes and output on other Strategic Masterplan sites and Garden Communities.

Design Code Process

13. The design code process has largely followed the guidance set out in the 'National Model Design Code Part 1 – The Coding Process', which describes the stages of Analysis, Vision and then Code. In the context of the Latton Priory Strategic Masterplan Framework development by the site promoters' consultants, some of the stages were adapted to reflect the existing baseline information available and the opportunity to coordinate with the emerging masterplan framework.

14. Baseline analysis included a review of relevant policy and guidance documents for the District and the Garden Town as well as key national policy and guidance. The following documents helped to inform the vision, scope and content of the strategic design code:

- EFDC Local Plan
- HGGT Vision including 'principles for healthy growth'
- HGGT Design Guide
- EFDC Green Infrastructure Strategy
- EFDC Latton Priory landscape character assessment
- EFDC/ HGGT Sustainability Guidance
- HGGT Transport Strategy
- HGGT Healthy Garden Town Framework
- HGGT Latton Priory Access Study
- HGGT Measures to achieve mode share
- HGGT Transport Strategy
- HGGT Sustainable Transport Corridor placeshaping principles
- HGGT draft stewardship charter
- HGGT quality of life survey recommendations

15. Existing information on the site held by EFDC and gathered as part of the allocation and SMF process informed the understanding of the existing place. This was supplemented by officer site visits and helped to inform a site-specific vision and design code.

16. To avoid duplication of previous consultations, community views were incorporated at analysis stage through a review of the previous consultations undertaken as part of the Latton Priory SMF process. This included feedback from themed workshops held in 2019 on 'Sustainable movement and transport', 'nature, green and open spaces, landscape and water', 'community hub and stewardship' and 'homes and living'. Emerging Neighbourhood Plan' policy ideas for the 'North Weald Basset Neighbourhood Plan' were also reviewed to understand local priorities and aspirations.

17. Officers were engaged at the analysis through online workshops to help inform the project scope and priorities. These were attended by a variety of EFDC teams, such as Community and Wellbeing and Homes and Communities as well as officers from the Garden Town and partner authorities including Harlow, Essex and East Herts.

18. The baseline information analysis informed a set of design ambitions to be achieved at Latton Priory through the strategic design code work. The design ambitions are intended to be site-specific, concise and shaped to fit in with NMDC themes. For each design ambition, a set of objectives and strategies were established to describe how those ambitions can be achieved, and these inform the strategies and rules that follow in the code. Baseline analysis and resulting strategies and objectives are collated in a Stage 1 report.

19. Specialist transport consultants were appointed to reviewing the site-wide strategies and produce code for street and junction types to help support the Garden Town target for 60% of journeys starting in the new Community to be via active or sustainable modes.

20. In order to ensure that the emerging design code addressed the needs of residents who might be otherwise under-represented, a series of public-realm focused design workshops were held with primary and secondary school children in Epping and Harlow as well as Harlow Youth Council members. A workshop was also held with a group of older people through Voluntary Action Epping Forest. The workshops were organised by Rainbow Services and jointly facilitated by EFDC officers and Rainbow Services.

21. The draft strategic design code has been produced through partnership working in the context of its location and Garden Town status. Regular input has been provided by the HGGT Placeshaping and engagement workstream and there has been liaison with the HGGT quality of life monitoring and stewardship charter development teams. Regular workshops were held with officers from Essex County Council Highways and Harlow Council. Workshops were also held with the site promoters' consultants to facilitate coordination between the SMF and the emerging code.

22. The development of the design code has been supported and monitored throughout by DLUHC and the Office for Place. This has included two design reviews with specialist expertise at the Design Council. In line with EFDC requirements for strategic sites, the draft design code has also been reviewed twice by the EFDC/ HGGT Quality Review Panel to ensure that it is successfully addressing the key aims of the District and the Garden Town. The latest QRP report is attached as an appendix to this report (Appendix F).

23. A HGGT Member Briefing took place on Thursday 31st August, with invites to HGGT Board Members, EFDC and HDC Cabinet members and relevant local ward and parish councils in both Epping Forest and Harlow Districts. The Design Code Project team presented the draft Strategic Design Code and consultation plan. Members were then invited to ask questions or provide comments on the presentation. These included queries/ comments on:

- securing timely delivery of public assets and infrastructure,
- strategies for encouraging active travel and the use of car barns to reduce the impact of car parking on the public realm,

- accessibility of streets including shared surfaces and the design of open spaces,
- accessibility of the consultation including the use of digital and in-person engagement,
- provision of healthcare facilities,
- the use of modal filters to create quiet streets and a permeable street network for walking and cycling,
- legibility of the coding plans,
- EV charging,
- cycle parking,
- separation of cycle lanes and footpaths,
- wider road and transport infrastructure including potential closing of Rye Hill Rd south of the proposed access to cars and STC layout.

These have been addressed within consultation clarifications and amendments as noted in the Consultee Responses Report (Appendix C). Where applicable, these will also be addressed in the HGGT strategic transport work that is ongoing.

Formal public consultation

24. A formal public consultation on the draft Strategic design code took place between October 2023 and January 2024. This represented an extended 10-week period of consultation.

25. The consultation was promoted through EFDC and HGGT websites, press releases (e.g Epping Forest Guardian), newsletters and targeted social media campaigns to Harlow and Epping residents and stakeholders. Emails were sent to registered email addresses, EFDC and Harlow Councillors, the local MP and North Weald Parish Council. Posters were provided to the Civic offices and the Discover Harlow Community Hub as well as other community locations.

26. The formal consultation comprised public events in Epping (Thornwood Village Hall) and Harlow (Latton Bush Centre) at weekends and evenings, a digital platform and survey and the opportunity to email or discuss the scheme by phone. Hard copy surveys were made available and hard copies of the design code were placed at key locations in Epping and Harlow. Workshops were held with Epping Youth Council and Harlow Youth Council.

27. Alongside consultation with the public, statutory consultee feedback was formally sought, including ECC county and national authorities.

28. Feedback from developers/ site promoters was sought via a design code workshop at a HGGT developer forum on 5th December 2023 and through ongoing collaboration with the Latton Priory site promoters and their consultants. Usability and deliverability of the code was also tested through an exercise with an architectural practice and a testing workshop with Frame QRP panel members. The report from this testing work, including key recommendations is attached as an appendix to this report (Appendix D).

29. The following key themes emerged from the public consultation (See Appendix B for details):

- Integration with surrounding area, including borders, connections and existing infrastructures. This ranges from area-wide considerations such as public transport networks, to treatment of borders and the continuation of landscaping from the new development into existing streets
- Ensuring high quality of design and construction of the new buildings
- Impact on views from existing homes on the edge of Harlow, which currently look out over fields, and the enjoyment of people who currently go for walks there. It was suggested by respondents that putting lower buildings on the Harlow boundary, or a green buffer might mitigate this.
- Concerns over the location of the travellers' site allocation, which was thought to be too central
- Maintenance of green and public spaces was a priority, with questions asked about who would

be responsible for funding and managing this.

- Strong support for measures to address climate change, including using green streets
- Nature and green space – especially fields, hedgerows and woodland - is part of the local identity. Minimising impact on existing natural habitats while including greenery and green spaces in new streets and public spaces were therefore strongly supported.
- Safety and security in public spaces. Good lighting and surveillance are considered paramount on streets, cycle routes, car barns and other public spaces. However, people still favour cctv over natural surveillance provided by overlooking.
- Variety of built forms is important, with many people disliking what they see as characterless 'slabs'

30. The following key themes emerged from the stakeholder consultation and design code testing (See Appendix C consultation comments tracker, Appendix D design code testing report and Appendix E Highways technical report for details):

- Clarifications on servicing or technical requirements e.g. for waste or SANG
- Comments about suitability of streets for adoption. Further work commissioned in response, to address these concerns, particularly around street widths and corner radii (Appendix E).
- Alignment with County standards such as Essex Design Guide or draft Essex Parking standards.
- Suggestions to improve usability, including graphics and editing to reduce text.
- General support for principles, particularly around green infrastructure, active travel and sustainability.
- Suggestion to review extents of coding on building typologies and building line to ensure sufficient flexibility.
- Suggestion to review the number of rules to ensure priorities are clear
- Suggestion to provide a compliance tracker to aid enforcement of the code.
- Suggestion to further explore the identity of Harlow, Epping and Thornwood.
- Security is a key concern and opportunities to address it in the code should be taken.
- Ensuring public spaces and streets are accessible, e.g. for those with mobility or sight issues.

31. Across the public consultation and some stakeholder consultation, strong concerns were raised about the impact of development beyond the scope of the Design Code, which are to be addressed through the wider planning process. These included:

- The impact of increased traffic on local roads, in particular Rye Hill Road and the B1393. Respondents said roads were already congested and that more households moving into the area would exacerbate the problem.
- Pressures on social infrastructure, particularly healthcare and schools, and the provision of these facilities at the same time as homes, rather than later.
- Pressures on water – reservoirs and sewage – as well as increased risk of flooding
- Local disruption during construction.

32. Since the consultation period ended, the design code has been reviewed and amended to incorporate and respond to the consultation responses, where appropriate. Details on the points raised during the consultation, and responses to these, are described in the following documents:

- Appendix B - Consultation report
- Appendix C – Consultee response report
- Appendix D – Design code testing report
- Appendix E - Highways technical report

33. A member briefing and workshop was held on 11th January 2024. Invitees included HGGT Board and partner authority Members, local Ward and Parish Councillors, the local MP and North Weald Bassett Parish Council. EFDC officers presented the design code including a recap of the context of the Latton Priory Masterplan Area site and relationship between the strategic design

code, the endorsed Strategic Masterplan Framework and how these two documents will inform future planning applications. This was followed by an overview of the way the code is structured and the section headings of 'nature', 'movement', public space', 'built form', 'identity' and 'resources'. The presentation included an anticipated timeline to endorsement and a summary of the public and stakeholder consultation that was undertaken as well as feedback from the HGGT developer forum and how the design code has been tested by to help refine usability and deliverability.

34. Following the presentation, Members recognised the efforts of the design code team and wider HGGT partnership in delivering the code and the potential for positively influencing placeshaping in the District and the Garden Town. It was requested that the design code should be presented at EFDC Place Scrutiny Committee to ensure that a wider range of Members were given the opportunity to feedback prior to Cabinet.

35. The Place Scrutiny Committee considered the Latton Priory Strategic Design Code on 27th February 2024. The Committee received assurance that public and stakeholder consultation had been undertaken and feedback from that consultation was being incorporated into design code amendments or addressed through the wider planning process as appropriate. Frequently Asked questions (FAQs) would be developed to address some of the issues raised and these will be made available on the design code engagement website along with a comments and response tracker. Infrastructure and high-speed broadband requirements were addressed in the Local Plan and would form part of the planning process. The Committee commended the report to Cabinet for approval.

Latton Priory Strategic Design Code

36. The final draft Latton Priory strategic design code proposed for endorsement is enclosed at Appendix A and is summarised as follows:

37. The strategic design code addresses the public-realm and the structure of the development at Latton Priory to help deliver a place that is high-quality, coordinated and integrated in its context. By focusing on strategic infrastructure, opportunities of the site and best practice design principles for promoting health, community and social vibrancy and sustainability, the design code seeks to embed foundations of a place where people and nature can thrive, whilst leaving scope for innovation, creativity and variety in future applications and detailed design codes.

38. The scope focuses on those key aspects of the NMDC that strongly relate to the public realm and the design ambitions of the code including 'nature', 'public spaces', 'movement', 'built form', 'identity' and 'resources'. There is a particular emphasis on design that encourages sustainable movement to help meet the modal shift target of 60%. The movement section explores strategies to build in a culture of active and sustainable travel at every scale of design. This is supported by the other sections with the objective of realising a vibrant and resilient new neighbourhood in line with the Local Plan and the Garden Town vision.

39. Each section starts with a site wide strategy diagram or set of site wide strategies setting out the key components of that strategy and accompanied by principles and rules. The components are then described or illustrated. Wording includes general principles followed by a series of 'must', 'must not', and 'should', 'should not' rules and recommendations. The intention is that 'musts' are always followed and 'shoulds' followed unless deviation is justified through technical reasoning or because an alternative approach better achieves the design ambitions. The format is intended to be legible, straightforward to understand and enforceable.

40. The design code addresses the following strategic topics:
- i. Strategic framework. Includes stewardship strategy building on draft HGGT stewardship charter and sets out requirements for the process of planning, designing and maintaining community assets.
 - ii. Nature. Sets out the overall green and blue infrastructure strategy and requirements such as minimum 'urban greening factor' score. Also sets out key design principles of various components of the green infrastructure such as the greenway and street trees.
 - iii. Movement. Sets out site-wide strategies that help to achieve the objectives of a high-quality, safe and healthy place where active travel is encouraged. This includes strategies for an active travel network, vehicular movement and a street type hierarchy as well as approaches to parking design, but not parking numbers.
 - iv. Public space. Sets out the key requirements for streets and spaces forming the public realm. This includes typical sections and key requirements for different types of streets and key open spaces, such as the community plaza.
 - v. Built form. Sets out an approach to typologies and locations for density as well as rules around the building line along various streets to support street hierarchy and character.
 - vi. Identity. Sets out requirements for achieving variety in frontages that support wayfinding and local distinctiveness by drawing on aspects of the built form of Harlow and Epping.
 - vii. Resources. Sets out key site-specific requirements for climate resilience, mitigation and futureproofing at the masterplan stage such as the need for blocks that work with solar orientation for energy efficiency in use.

Conclusion

41. As part of the HGGT partnership agreement the development of the Latton Priory Strategic Design Code has been developed by EFDC officers in consultation with ECC and HDC. Officers consider that the Strategic Masterplan Framework fulfils the intentions of the EFDC Local Plan in enabling meaningful public consultation, and will lead to high quality development, supporting national policy and the following EFDC Local Plan strategic and transport and development management policies:

- Policy SP1 – Spatial Development Strategy 2011 – 2033
- Policy SP2 – Place Shaping
- Policy SP3 – Development and delivery of Garden Communities in the Harlow and Gilston Garden Town
- Policy SP4 – Garden Communities
- Policy SP5 - Green Belt and Local Greenspace
- Policy SP6 – The Natural Environment, Landscape Character and Green and Blue Infrastructure
- Policy T1 – Sustainable Transport Choices
- Policy DM5 – Green and Blue Infrastructure
- Policy DM9 – High Quality Design
- Policy DM10 – Housing Design and Quality
- Policy DM11 – Waste Recycling Facilities in New Development

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 design codes has been developed in accordance with Government policy (NPPF and NPPG) and Planning Law.

Safer, Cleaner and Greener Implications:

The design code builds on policies in the Local Plan and principles of the HGGT Sustainability Guidance that support sustainable development, to help deliver a place that mitigates contribution to climate change and is designed to withstand a changing climate. Key measures include well considered blue and green infrastructure, strategies to promote and encourage a shift to sustainable modes of travel, site layout principles in line with passive solar design for reduced energy use. Safety is also addressed in public realm design, with the promotion of compact walkable neighbourhoods, maximising natural surveillance and minimising potential clashes between different road users, particularly around play spaces.

Consultation / Scrutiny Undertaken:

Presented at Place Scrutiny Committee on 27th February 2024.

- Appendix B – Consultation report
- Appendix C – Consultee response report
- Appendix D – Design code testing report
- Appendix E - Highways technical report
- Appendix F – Latest Quality Review Panel report

Background Papers:

N/A

Risk Management:

The production and use of a design code as a material planning consideration will support the Council's objectives of achieving high quality and sustainable design at Latton Priory and reduce the risk of design that fails to meet the objectives.

Equality:

An Equality Impact Assessment was carried out and there was no significant impact.