



WHITE PEAK Planning

## Matter 31 Hearing Statement:

North Hertfordshire Local Plan Examination:  
Further Matters, Issues and Questions

On behalf of Bloor Homes

January 2021

Ref: 2012.002

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**Bloor Homes**

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**Authorised for and on behalf of White Peak Planning Ltd.**

A handwritten signature in black ink, appearing to read 'Rob White', written over a horizontal line.

**Rob White  
Director**

This report takes into account the particular instructions and requirements of our client. It is not intended for and should not be relied upon by any third party. Any such party relies on this report at their own risk.



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# 1.0 Introduction

## 1.1 Background

- 1.1.1 This Statement has been prepared by White Peak Planning on behalf of Bloor Homes.
- 1.1.2 Bloor Homes control a substantial tract of land within the area identified in the Local Plan submission version as the Land East of Luton allocation (site references: EL1 and EL2).
- 1.1.3 The remainder of the allocation (Site EL3) is controlled by The Crown Estate and combined, the 'East of Luton' sites are proposed to be allocated in the North Hertfordshire Local Plan for the development of 2,100 dwellings, with 1,950 of these dwellings intended to contribute towards meeting Luton's unmet housing need.
- 1.1.4 Bloor Homes submitted an outline planning application to North Hertfordshire District Council (NHDC) in 2017 for the majority of sites EL1 and EL2 (planning application reference: 17/00830/1) for up to 1,400 new homes, as well as a local centre, primary school and all-through school.
- 1.1.5 Alongside the Bloor Homes application, The Crown Estate submitted an outline planning application to NHDC (ref: 16/02014/1) in 2016 for 660 new homes covering Site EL3 of the Land East of Luton allocation.
- 1.1.6 The application documents can be viewed on the Council's website via the following link: <https://pa2.north-herts.gov.uk/online-applications/>.
- 1.1.7 In respect of this matter, Bloor Homes has already made representations to the Regulation 19 consultation and submitted Hearing Statements to the Examination, including Hearing Statements Matter 10 Luton (Cockernoe) dated January 2018 and Matter 24 East of Luton dated February 2020.

## 2.0 Responses to Inspector's Further Matters, Issues and Questions

### 2.1 Issue 31.1

***'Are the main modifications proposed in relation to Policy SP9 and its supporting paragraphs (FM001, FM002 and FM003) necessary for soundness? Are they justified, effective and consistent with national policy?'***

- 2.1.1 Policy SP9, as proposed to be modified by FM001, should be amended to allow for the circumstance on strategic sites in which a development proposal for a strategic site has progressed to an advanced stage. In these situations, it would be impossible to prepare a strategic masterplan, and hence to comply with the policy, even if the proposal was acceptable in all other regards. The East of Luton sites, for example, have already reached the planning application stage, as set out in paragraphs 1.1.4 and 1.1.5 of this statement. In this regard, the word "normally" should be inserted into the sentence,

**"To ensure sites are comprehensively planned and delivered planning applications should normally be preceded by and consistent with an agreed masterplan."**

### 2.2 Issue 31.7

***'Are the main modifications proposed in relation to Policy SP19: Sites EL1, EL2 and EL3 (FM009) necessary for soundness? Are they justified, effective and consistent with national policy?'***

- 2.2.1 The 2021 version of the NPPF does not specifically set out that development plans should require 'Strategic Masterplans' for strategic sites. However, it does set out what development should aim to secure.
- 2.2.2 Notwithstanding the absence of masterplan guidance in the NPPF, where development proposals are at an early stage on strategic sites, it is good planning to provide a masterplan to guide the development. Whilst not essential for soundness, the paragraphs inserted into SP19 by MM083/FM009 are justified, effective and consistent with national policy.
- 2.2.3 As set out in FM009, it is appropriate that a Strategic Masterplan should be agreed between the landowner/developer and the Council. It is also important that an application on any part of the site should be assessed against its contribution to the Strategic Masterplan.
- 2.2.4 It is also essential that provision is made for situations in which applications have already been submitted to the Council as set out in the paragraph which reads:
- 2.2.5 **"Where applications have already been submitted to the Council a Strategic Masterplan should be agreed prior to the or as part of the grant of planning permission"**.

- 2.2.6 The East of Luton sites (EL1, EL2 and EL3) are longstanding planning proposals, which, through masterplanning and stakeholder consultation, have been amended to form planning applications over a period of fifteen years. For these sites, it would not be appropriate to start at the beginning of the masterplanning process. If deemed necessary, it would be possible to produce a Strategic Masterplan by bringing together the work that has informed and supported the planning applications. The Strategic Masterplan could then be agreed prior to or as part of the grant of planning permission.
- 2.2.7 However, neither policy SP9 or SP19 provide information as to how Strategic Masterplans would be agreed. In the absence of the detail for the mechanism of agreement, the proposed amendments to the policy cannot be supported at this time.

### *Comprehensive development*

- 2.2.8 The proposals being brought forward by Bloor Homes and by The Crown Estate complement each other and will deliver a sustainable development which functions well over the lifetime of the development. Extensive engagement has been undertaken with North Hertfordshire District Council and their respective statutory consultees along with several public consultation exercises; the schemes have been demonstrably improved through this process.
- 2.2.9 The two parties have worked closely together throughout the planning process to date to ensure that their proposals complement each other. Bloor Homes submitted its planning application for EL1 and EL2 (ref: 17/00830/1) in 2017, six months after The Crown Estate submitted its application for EL3 (ref: 16/02014/1). This gave ample time for Bloor to finesse their scheme to ensure alignment with the EL3 scheme. For example, the joint access proposals were consulted on with Hertfordshire County Council highways officers to ensure that the phased delivery of the allocation could be brought forward and that neither party was prejudiced from doing so.
- 2.2.10 Accompanying the planning applications are detailed Environmental Impact Assessments (EIA). These have necessarily undertaken a cumulative assessment of both proposals using the submitted complementary masterplans. There have been no objections to the submitted EIAs nor any suggestion that the cumulative assessment process based on these masterplans is in any way deficient or has not dealt with the allocation comprehensively.

### *Stakeholder consultation*

- 2.2.11 Bloor Homes and The Crown Estate have both submitted planning applications for their respective East of Luton sites. In each case there has been extensive pre-application engagement with the Council, statutory consultees and the local community, submission of a masterplan and formal consultation within the statutory determination period.
- 2.2.12 These consultations have included the key elements of masterplanning relevant to this allocation, including access by all modes; amount, type and distribution of formal and informal green infrastructure; nature and location of new schools; nature and location of community facilities and local centre; location and nature of drainage infrastructure.

- 2.2.13 The East of Luton sites have, therefore, been through a thorough Council and stakeholder engagement process. The engagement has resulted in tangible changes to both developers' schemes through an ongoing dialogue with stakeholders, for example in relation to the detail of school provision and its delivery.
- 2.2.14 This encompasses the process that would be followed to produce a Strategic Masterplan for the allocation, as well as a detailed masterplan for each site. To be required to repeat this process would not be a justifiable or effective use of the planning process and be inconsistent with the thrust of the NPPF to increase significantly the delivery of housing.