

Representations on Epping Forest District Local Plan Submission Version (Regulation 19)

On behalf of City & Country

In respect of Bowes Field, Ongar

January 2018



1. Background and overview

- 1.1 These representations on the Epping Forest Local Plan Submission Version (LPSV) are submitted by Strutt and Parker on behalf of City & Country, and in respect of the proposed residential allocation of land at Bowes Field, Ongar.
- 1.2 The site is identified as site SR-0120 in the Council's plan-making process, and is proposed for allocation for development as ONG.R2 through Policy P 4 and as part of West Ongar Concept Framework area.
- 1.3 A plan showing the site is provided as **Appendix 1** to this representation.
- 1.4 The site comprises approximately 3.3 hectares of grassland adjoining the existing settlement boundary and located to the north of the town centre of Ongar, just south of the A414 at the Four Wantz roundabout. The site is relatively featureless, with the exception of trees and hedges on the boundaries, which act to contain the site. It is adjacent to the residential development, The Pavilions and Great Lawn to the south-east, with Bowes House to the north-east.
- 1.5 The site's sustainability and deliverability for housing has been demonstrated through the plan-making process, culminating in its proposed allocation through the LPSV.
- 1.6 Representatives of this site have been working collaboratively with those of the adjoining site which forms the other part of the West Ongar Concept Framework area (ONG.R1) and there is an agreed understanding between the parties of the need to ensure a comprehensive development of the sites.
- 1.7 The principle of the allocation of site SR-0120, and that of the West Ongar Concept Framework, proposed through the LPSV is considered sound, but there are specific elements of the LPSV which we consider render the LPSV as currently worded unsound. These defects can be cured through relatively modest modifications to the LPSV, as explained within this representation.

2. Local Plan objectives

- 2.1. Objective B i) of the LPSV is "to make provision for objectively assessed market and affordable housing needs within the District, **to the extent that this is compatible with national planning policy**" [emphasis added].
- 2.2. The NPPF is clear that Local Plan should be prepared on a strategy that seeks to meet objectively assessed housing need in full, i.e. national planning policy requirements needs be met in full. As such, the proposed caveat to objective B i) is unnecessary and unhelpful, and we suggest it be removed.

3. Policy SP2 – Review of the Green Belt in order to meet objectively assessed housing needs

- 3.1 The principle of reviewing the Green Belt as currently allocated in the now out-of-date Development Plan in order to meet development needs is considered justified, effective, consistent with national policy and necessary in order to ensure the Local Plan is positively prepared. Indeed, we have concerns that additional land to that which the LPSV proposes be allocated for development is required to be allocated in order to ensure the Local Plan is sound.
- 3.2 National planning policy places great emphasis on the need to significantly boost housing land supply, and to ensure Local Plans meet housing need. The NPPF sets out the core planning principles, which should underpin plan-making and decision-taking. These including the following:
- “Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. (NPPF paragraph 17).”
- 3.3 The Local Plan must be ‘sound’ in order for the Council to be able to adopt it. The National Planning Policy Framework (NPPF) confirms at paragraph 182 that if a Local Plan is to be sound it must be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development.
- 3.4 There is a current acute shortage of housing within Epping Forest District, and the wider housing market area, as identified through the West Essex and East Hertfordshire Strategic Housing Market Assessment (SHMA, 2015), and subsequent updates.
- 3.5 Indeed, the most recent (2017) update confirms that the need for Epping Forest District is 12,573 homes between 2011 and 2033.
- 3.6 The Council has undertaken a review of the amount of residential development that can be accommodated within the District through various sources of supply. The Local Plan evidence base has clearly demonstrated that objectively assessed housing needs cannot be met without review of the Green Belt boundary and the allocation for housing development of some land currently allocated as Green Belt in the current, but out-of-date, Development Plan.
- 3.7 Accordingly, it is evident that exceptional circumstances exist which justify review of the Green Belt boundary through the Local Plan, as per paragraph 83 of the NPPF.
- 3.8 Furthermore, the NPPF confirms that the preparation of a Local Plan is the appropriate vehicle through which changes to the Green Belt boundary should be made (paragraph 83).

- 3.9 Having regard to the above, the principle of reviewing the Green Belt boundary and allocating land for housing through the Local Plan is supported. This approach is supported by national policy, and is necessary in order to prepare a sound Local Plan.
- 3.10 We have concerns that the LPSV as currently proposed does not allocate sufficient land to ensure a sound Local Plan.
- 3.11 Policy SP2 proposes a total of 11,400 dwellings be provided in the District between 2011 and 2033. At the same time the LPSV acknowledges housing need for the same period is 11,700. If the Local Plan is to be sound the issue vis-à-vis the proposed number of homes proposed and the requirements of national policy must be addressed.
- 3.12 In order to ensure that the revised Green Belt boundaries will not need to be reviewed again before the end of the plan period (a requirement of the NPPF, as per paragraph 85); and that the Local Plan meets the requirement to meet development needs with sufficient flexibility to respond to rapid change (NPPF, paragraph 14) the Local Plan may need to allocate additional land for housing that currently proposed through the LPSV.
- 3.13 In light of the above concerns, it is particularly imperative that the Local Plan should ensure that the development potential of identified sites is maximised.

4. Policy SP2 – accompanying housing trajectory

- 4.1. The housing trajectory which the LPSV and policy SP2 is projected to deliver is set out within Appendix 5 of the LPSV.
- 4.2. There are two potential approaches to address shortfall in housing land supply. The first, the 'Liverpool approach' is where the shortfall is spread across the remaining Plan period and is sought to be met over this period. The alternative, the 'Sedgefield approach', seeks to make up the shortfall within the five-year period.
- 4.3. The PPG is clear that the Sedgefield approach should be applied where possible, stating:
- "Local planning authorities should aim to deal with any undersupply within the first 5 years of the plan period where possible. Where this cannot be met in the first 5 years, local planning authorities will need to work with neighbouring authorities under the 'Duty to cooperate". (PPG, Paragraph: 035 Reference ID: 3-035-20140306).
- 4.4. The Sedgefield approach is also clearly more closely aligned with the requirements of the NPPF and the need to boost significantly the supply of housing and address under delivery.
- 4.5. Nevertheless, housing trajectory in Appendix 5 confirms that the LPSV is proposes to adopt the Liverpool method to addressing backlog, i.e. by seeking to make up existing shortfall over the entirety of the plan period.

- 4.6. Furthermore, and in any case, we are concerned that the trajectory is somewhat optimistic, with completions on Local Plan allocation sites anticipated from 2018/19. The Local Plan is not scheduled to be adopted until after this year, in May 2019.
- 4.7. Having regard to the above it is imperative that the LPSV enables sites that have been demonstrated as being sustainable and deliverable (including sites SR-0120) to be delivered in a timely manner, and that the requirements placed on their delivery are not overly burdensome.
- 4.8. In terms of site SR-0120, the Epping Forest District Council Local Plan Part A Report (Infrastructure Delivery Plan) projects completions on the site from 2021/22 (referenced CHIP.R3 in this report). This is considered very much feasible, subject to policies in the Local Plan supporting its delivery.

5. Policy P4 – direction of growth to Chipping Ongar

- 5.1. The LPSV's approach of directing a proportion of the District's growth to Chipping Ongar is considered sound and is supported.
- 5.2. As set out within our consultation response to the Draft Local Plan (2016), the EFDC Settlement Hierarchy Technical Paper (September 2015) identifies Chipping Ongar as being at the top of the District's settlement hierarchy (along with Epping, Loughton/Debden, Waltham Abbey).
- 5.3. Chipping Ongar is an established community with a population of 6,251 which benefits from a substantial range of facilities and services which serve residents of the town itself, as well as those of surrounding rural communities. As cited in the EFDC Settlement Hierarchy Technical Paper (September 2015) these include:
 - Established High Street with range of stores and services
 - GP surgeries
 - Post office
 - Supermarket
 - Primary schools
 - Secondary School (including sixth form)
 - Public houses and restaurants
 - Community facilities
 - Leisure centre
 - Sports and recreation centres
 - Public spaces and green areas
 - Library
 - Regular bus services to neighbouring settlements

- 5.4. Chipping Ongar is clearly a sustainable location to accommodate additional housing growth. Having regard to the findings of the EFDC Settlement Hierarchy Technical Paper (September 2015, it is one of the four most sustainable settlements to accommodate growth.
- 5.5. Additional residential development at Chipping Ongar will have positive social and economic impacts.
- 5.6. The provision of additional homes to meet housing need, including affordable homes to meet affordable housing need, represents a substantial social benefit for Chipping Ongar. The provision of additional homes will also help support the vitality and vibrancy of Chipping Ongar, helping support local services and facilities, which represents a further positive social impact. By directing additional homes to Chipping Ongar, a location from which services, facilities and employment opportunities are accessible alternatives to the private car, the Local Plan will help assist in ensuring equality of access for those without use of a private car – this should be recognised as a further positive social aspect of this strategy. Development will have positive local economic impacts (as discussed further below), which in turn will have resultant positive impacts on well-being.
- 5.7. Development of additional homes results in intrinsic local and wider economic benefits; which Chipping Ongar will benefit from if additional growth is directed to the town through the Local Plan. Employment relating directly to the construction of the development will have positive economic and social impacts; as will jobs relating to the supply chain which will be supported during the construction period. Development of additional homes at this site will also engender sustained local economic benefits relating to additional local expenditure, with additional expenditure on goods and services by future occupiers of the site on first occupation of their new homes, on home set up cost, and on an ongoing basis in local shops and services in the local area.
- 5.8. Ensuring a proportion of the District’s housing growth is directed to Chipping Ongar will also have environmental benefits: it will reduce pressure on more environmentally sensitive areas to accommodate development; and it will direct development to a location which is less dependent on private car use than other, less well-located sites, with resultant environmental benefits.

6. Policy P4 – proposed allocation of sites

- 6.1 The allocation of site SR-0120 as site ONG.R2 in the LPSV is considered sound and is supported.
- 6.2 The site is considered sustainable and deliverable for residential development, either alone or in combination with the adjoining land (ONG.R1). The site’s sustainability and deliverability has been confirmed through the plan-making process and by the Council’s evidence base.
- 6.3 We are concerned that the Epping Forest District Local Plan Site Selection Report (2017) Appendix B – Assessment of Residential Sites has not been published alongside this Regulation

19 consultation. We understand that it will be published in due course and we reserve the right to submit further comments on this once it has been published.

- 6.4 Notwithstanding the absence of the Epping Forest District Local Plan Site Selection Report (2017) Appendix B, it is relevant to note that site SR-0120 was proposed to be allocated in the DLP (2016) and that the site assessment work which accompanied this iteration of the Local Plan justified the allocation of the site.
- 6.5 The site benefits from a very good relationship to the existing settlement boundary of Ongar and this site could be developed without a negative impact upon the linear form of the existing settlement.
- 6.6 Furthermore, it is located in close proximity to the town centre: a range of services and facilities will be accessible from new homes on the site; and provision of new homes here will assist in sustaining and enhancing the vitality of the town centre.
- 6.7 As noted previously within this representation, exceptional circumstances are clearly present which necessitate review of the Green Belt boundary. It is appropriate to consider the strategic purposes of including land in the Green Belt, and how the allocation of sites may impact on this, with a view to ensuring the Green Belt continues to achieve its intended purposes. The purposes of including land in the Green Belt are set out at paragraph 80 of the NPPF are as follows:
- to check the unrestricted sprawl of large built-up areas;
 - to prevent neighbouring towns merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and
 - to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.
- 6.8 The fifth purpose listed above (in relation to encouraging reuse of derelict land) is only relevant where there are a sufficient number of such sites to meet the District's development needs. Clearly, there is not in the case in this instance.
- 6.9 Taking the other purposes of including land in the Green Belt, and considering the site in relation to each of these:

Check unrestricted sprawl of built-up areas

- 6.10 The site is well defined by surrounding residential development to the northern, eastern and southern boundaries, and its eastern boundary is well-defined by existing trees and hedgerows. The site is being proposed for allocation through the Local Plan process (an appropriate mechanism to review the Green Belt boundary, as confirmed at paragraph 83 of the NPPF); and will enable provision of a new, robust Green Belt boundary which will ensure

restriction of the extent of development in the future, negating any potential for unrestricted urban sprawl.

To prevent neighbouring towns merging (coalescence)

- 6.11 The site is situated adjacent the settlement boundary of Ongar and poses no risk of merging with other settlements. The nearest significant settlement to Ongar is North Weald located approximately 3 miles to the west. The development of the site would not give rise to the potential for coalescence.

To assist in safeguarding the countryside from encroachment

- 6.12 The site is bounded by existing residential development on three sides. Over half of the perimeter of the site is surrounded by existing residential development. The proposed development would not project into the open countryside and would have little impact in terms of encroachment on the countryside.

To preserve the setting and special character of historic towns

- 6.13 The site is unrelated to the Chipping Ongar Conservation Area, located to the south. The site does not perform an important function in respect of the special character of Chipping Ongar, and its development would not undermine the setting of the town.
- 6.14 In respect of the allocation of the proposed site and its impact on the Green Belt, it is very pertinent to note that the site has been assessed through the Epping Forest District Green Belt Assessment: Stage 2 (as site 13.3). This confirmed the site's lack of contribution to the purposes of the Green Belt, with the exception of purpose 4 (preserve the setting and special character of historic towns). Whilst we disagree with the assessment in respect of this site and its contribution to purpose 4, for the reasons set out above, it is relevant to note that the Local Plan clearly considers the site suitable for allocation even if one were to accept the findings of Epping Forest District Green Belt Assessment: Stage 2 in relation to purpose 4.
- 6.15 Site SR-0120 was identified as suitable for housing through the Local Plan 2016 site assessment process – an iterative process through which sites were appraised through four stages: major policy constraints; quantitative and qualitative assessment (through which sites were considered against 33 assessment criteria); identification of preferred candidate sites; and deliverability. Following this, preferred candidate sites were subject to sustainability appraisal and Habitats Regulation Assessment, which considered proposed sites alone and in combination.
- 6.16 The 2016 site assessment process considered sites against a host of factors relating to physical constraints and sustainability, with a view to identify sites development of which would conform to the NPPF. Only sites that were found to have performed positively at each stage of the process are proposed for allocation in the DLP.

- 6.17 Site SR-0120 has been through a rigorous assessment process, and has been found to be appropriate for allocation for development – the proposed allocation of site SR-0120 is justified and consistent with national policy.
- 6.18 Site SR-0120 is being actively promoted by an established house-builder with a track record of delivering homes within the region. If allocated through the Local Plan, EFDC can be confident in the site's delivery and that it will contribute towards meeting housing need. Allocation of site SR-0120 for housing is therefore considered effective, and will contribute towards ensuring the Local Plan is positively prepared.
- 6.19 Site SR-0120 could be delivered independently of the proposed adjoining allocation. However, it is equally deliverable as part of a comprehensive development which includes land proposed to be allocated as ONG.R1 as part of the West Ongar Framework Plan Area. Representatives of both parcels of land are working collaboratively on the proposed development. Discussions have been held during the preparation of these representations, to confirm that both parties remain committed to delivering the combined sites and a joint indicative masterplan has been prepared to demonstrate how the sites could be delivered comprehensively (see **Appendix 2**) provides an illustrative masterplan showing how a comprehensive development across both sites could be accommodated.
- 6.20 This masterplan shows how an integrated development with pedestrian and cycling interconnectivity encompassing both sites can be delivered, and in a way that entails the provision of additional landscaping to further strengthen the new Green Belt boundary. It also shows how development can be implemented, respecting the character of the High Street and with the retention of tree along this part of the application site; along with the provision of additional public open space and landscaping within the site.
- 6.21 Access appraisal work has been undertaken which demonstrates how suitable access to the site via High Street can be achieved (**Appendix 3**).

7. Policy P4 – West Ongar Concept Framework / Appendix 6

- 7.1 The principle of the comprehensive development of ONG.R1 and ONG.R2 is supported.
- 7.2 As noted elsewhere within these representations, discussions have been held during the preparation of these representations and both parties remain committed to delivering the combined sites. An indicative masterplan has been prepared jointly by the parties to demonstrate how the sites could be delivered comprehensively.
- 7.3 We would note, however, a comprehensive development of the two sites could be delivered without the Local Plan including a requirement to prepare a Concept Framework Plan. It is noted that proposals for the development of the site will also be subject to a Quality Review Panel and it is proposed that a movement framework is required to be provided.

- 7.4 Furthermore, we do have some concerns with specific elements of Policy P4 in relation to the West Ongar Concept Framework and suggest changes to ensure it is effective.
- 7.5 At Part I of Policy P4 it states that development of sites ONG.R1 and ONG.R2 will be required to be in accordance with a Concept Framework Plan. It should be recognised that the Concept Framework will be a non-statutory planning document which will not be tested through an examination process. As such, we agree with the representations we understand are being made on behalf of ONG.R1 that, as a matter of principle, it cannot be used to set policies or determine development proposals which one could infer the policy as currently worded intends. We suggest that this element of the policy is reworded to make clear that is not the intention or how the policy will be applied.
- 7.6 In respect of Policy P4 Part J and Park K, it is noted that these require Concept Frameworks to be undertaken jointly by the applicants and endorsed by the Council prior to the submission of any planning application. However, the Policy fails to set out what the position would be, or how the decision-maker should approach the determination of applications, if agreement cannot be reached or if the Council do not endorse them. We agree with the representations we understand are being made on behalf of ONG.R1 that such provisions must be included to ensure that the policy is flexible to respond to changing circumstances and to ensure that it is deliverable (and as such effective), in accordance with the NPPF (paragraphs 157 and 182, respectively).
- 7.7 As set out elsewhere within our representations, we do have concerns that the housing trajectory set out within Appendix 5 of the LPSV is somewhat optimistic; and that, whilst completions on site SR-0120 / ONG.R2 from 2021/22 as envisaged is deliverable, this will require policies in the Local Plan which support its delivery.
- 7.8 As such, it is of particular importance that Policy P4 includes a mechanism to enable development to come forward on sites ONG.R1 and ONG.R2 in the event that a Concept Framework is not agreed.
- 7.9 We agree with the suggestion that additional text be added to Policy P4 to ensure that it is effective, and would echo the request we understand is being made by representatives of the inclusion of a Part L to cover the eventuality where a Concept Framework has not been agreed, namely the inclusion of the following text:
- Where a Concept Framework is absent, development proposals in relation to sites ONG.R1 and ONG.R2 should comply with the site-specific requirements set out in Appendix 6 and should be accompanied by a Layout and Design Statement to address the place shaping principles as defined in Policy SP3, as appropriate to the scale of development proposed.
- 7.10 We do not object to the requirement to ensure appropriate transport infrastructure accompanies development. We would add that it is important that any requirements placed on developers are in accordance with the Community Infrastructure Levy Regulations 2010, and in particular Regulation 122 which makes clear that planning obligations must be

- (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.

- 7.11 The transport improvements proposed – in particular highway improvements – will help ensure other developments in and around Ongar are acceptable in planning terms, and the Local Plan should make clear that all developments will make appropriate and proportionate contributions. Such potential mechanisms for ensuring this include Community Infrastructure Levy (CIL) which – as per paragraph 6.16 of the LPSV – we note the Council is considering introducing.
- 7.12 The proposed access via High Street is deliverable, as confirmed through accessibility appraisal work undertaken (and provided as **Appendix 3** to this representation) and this will clearly necessitate the loss of some trees along High Street.
- 7.13 However, we do not consider that the LPSV's proposed limit of one access is justified. Whilst the High Street access deliverable, the site could potentially benefit from an additional vehicular access. Vehicular access via A414 could assist in reducing traffic speeds in this area to speeds more appropriate for this residential area, resulting in a benefit. The LPSV does not set out any justification limit the possibility of this. The imposition of a limit of a single vehicular access to the site would also unjustifiably rule out other potential benefits, including that two vehicular access points would not require provision of a loop road, which would be feasible but potentially reduce the number of dwellings that could be provided on site / limit layout options. In addition, a second vehicular access could also serve as potential emergency access.