



## **Epping Forest District Local Plan Submission Version 2017**

**Land South of Vicarage Lane, North Weald Bassett (NWB.R3)**

---

**Representations on behalf Countryside Properties**

January 2018

Site Name:	Land south of Vicarage Lane, North Weald Bassett
Client Name:	Countryside Properties
Type of Report:	Representations on Local Plan
Prepared by:	Andy Butcher Dip Tp MRTPI
Approved by:	James Firth
Date:	29 <sup>th</sup> January 2018

**COPYRIGHT © STRUTT & PARKER.** This publication is the sole property of Strutt & Parker and must not be copied, reproduced or transmitted in any form or by any means, either in whole or in part, without the prior written consent of Strutt & Parker. The information contained in this publication has been obtained from sources generally regarded to be reliable. However, no representation is made, or warranty given, in respect of the accuracy of this information. We would like to be informed of any inaccuracies so that we may correct them. Strutt & Parker does not accept any liability in negligence or otherwise for any loss or damage suffered by any party resulting from reliance on this publication.

**CONTENTS**

1.0 Introduction..... 4  
2.0 Strategic Policies ..... 6  
3.0 Chapter 3 - Housing Policies..... 14  
4.0 Chapter 4 - DM Policies ..... 15  
5.0 Chapter 5 – Places – North Weald Bassett..... 17

## **1.0 Introduction**

- 1.1 These representations have been prepared by Strutt and Parker on behalf of Countryside Properties. They are submitted pursuant to Epping Forest District Council's (EFDC) Submission Version of the emerging Epping Forest District Local Plan (EFDLP) and in particular, to the proposed residential allocation of land at North Weald Bassett under Policy P6.
- 1.2 The representations set out Countryside's position, who have the principal land interests in relation to the North Weald Bassett residential site-specific allocations at NWB.R1 to R.5. They have control of NWB.R3, land south of Vicarage Lane, which is proposed for allocation for approximately 728 homes, the largest of the 5 allocations at North Weald Bassett. The allocation is also the single largest allocation in the EFDLP after the sites at Water Lane Harlow and East of Harlow. It is therefore a critical component of EFDC's land supply for the EFDLP. The representations provide comments on the relevant policies relating to those interests in the EFDLP.
- 1.3 Representations to support the allocation of NWB.R3 have previously been made on behalf of the landowners in the Community Choices Exercise in 2012 and then by Countryside Properties at Draft Local Plan stage (December 2016). This followed the Council's own commissioned work presented in the North Weald Bassett Masterplanning Study of 2014. The site's sustainability and deliverability for housing has therefore been demonstrated through the plan-making process, culminating in its proposed allocation in the EFDLP.
- 1.4 Countryside's overall position is one of firm support for the EFDLP and this is expressed where relevant in these representations, albeit with some overarching concerns, notably in relation to certain elements of the Strategic, Housing and Development Management Policies, those relating to Policy P6 and the intended housing delivery for North Weald Bassett during the Plan period.

- 1.5 Where such concerns are raised, specific changes to the relevant policies are sought and these are indicated in the following representations in order to assist in EFDC making the Plan more robust and improving its soundness in terms of being positively prepared, effective, justified and consistent with national policy.
  
- 1.6 Countryside requests the right for its professional advisors to provide further responses on any matters appropriate to their land interests at the relevant sessions of the Examination of the submitted Local Plan.

## 2.0 Strategic Policies

### Vision for the District

2.1 The Vision for the District set out at 2.27A is supported. As one of the main settlements in the District, the location of carefully planned development at North Weald Bassett provided for at Policy P6 and particularly NWB.R1 to 5 will contribute significantly to EFDC’s housing needs to meet the Local Plan objectives. Countryside Properties have undertaken detailed site assessments and these confirm that there are no barriers to delivery of development. As a consequence, the expressed objectives for Environment and Design, Housing, Infrastructure and Movement and dealing with Climate Change and Flood Risk can all be achieved and delivered in the allocation of these sites.

### Policy SP2- Spatial Development Strategy

2.2 Policy SP2 proposes a total of 11,400 dwellings be provided in the District between 2011 and 2033. At the same time, the EFDLP acknowledges housing need for the same period is 11,700 and the SHMA update (2017) indicates a need for 12,573 homes. These discrepancies will no doubt be a source of concern to others making representations and will need to be addressed before submission of the Plan for Examination in order to ensure that the Local Plan is to be sound. The proposed number of homes should at the very least be aligned with housing needs to meet the requirements of national policy.

2.3 At 2.62 the EFDLP confirms that the level of housing that EFDC are planning to deliver represents a step change from previous plans and strategies and previous rates of delivery. This issue is graphically illustrated at the Housing Trajectory at Appendix 5. It is particularly important that the EFDLP should ensure that the development potential of identified sites is maximised and work positively and pro-actively with key stakeholders, including developers, to ensure that the homes planned for delivery can be brought forward. We note that at 2.61 of the EFDLP, it is suggested that the strategic sites will not begin delivering new homes until later in the Plan period. This not the case with NMB.R3. Indeed, this is contradicted by the supporting evidence to the EFDLP referred to in Section 5 of these representations. There are no overriding constraints to the delivery of this allocation and we anticipate that it can come forward earlier in the Plan period as set out at Section 5. This relies on EFDC adopting a flexible

approach in assisting that delivery and we have concerns that the process elements of Policy SP3 would not achieve that objective for the reasons set out at Section 2.

2.4 The Spatial Strategy set out at Policy SP2 is nevertheless supported in its identification of North Weald Bassett for 1,050 homes. Indeed, as the third largest proposed allocation in the EDLP (after the Garden Communities at Water Lane, Harlow and 1,305 homes Epping) the proposals for North Weald Bassett are a fundamental component of the Strategy. It is Countryside Properties' intention to bring forward the site at NWB.R3, which is the largest site within the allocations for North Weald Bassett, at the earliest opportunity on adoption of the EFDLP.

2.5 However, within the drafting of the Policy, it is questionable whether it is necessary to say that the new homes will be allocated in accordance with a sequential approach at (i) to (viii) when the allocations have been identified in the EFDLP following that approach. It is also suggested that the approach should be set out as supporting text to the policy. Part B should then set out the sources of supply which could include commitments and the new Local Plan allocations.

2.6 At paragraph 2.81 reference is made to the Housing Trajectory at Appendix 5 of the EFDLP. It is clear that EFDC will need to address a significant shortfall in housing land supply. There are two potential approaches to be taken. 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. 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).

2.7 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. Nevertheless, the housing trajectory in Appendix 5 confirms that EFDC is proposing to adopt the Liverpool method to addressing backlog by seeking to make up existing shortfall over the entirety of the plan period. Furthermore, and in any case, we

are concerned that the trajectory is somewhat contradictory with completions on Local Plan allocation sites anticipated from 2018/19 although The Local Plan is not scheduled to be adopted until after this year, in May 2019.

2.8 Having regard to the above it is important that the EFDLP provides greater clarity to enable sites, that have been demonstrated as being sustainable and deliverable (including NWB.R3), to be delivered in a timely manner, and that requirements placed on their delivery are not overly burdensome. In this regard, we have concerns regarding Policy SP3 and these are set out at paragraphs 2.10 to 2.12 below.

2.9 In terms of site NWB.R3, we note that the EFDLP Part A Report (Infrastructure Delivery Plan (IDP)) projects completions on the site from 2026. This is in conflict with the Housing Implementation Strategy, which suggests housing completions from 2021/22. It is our view that the IDP provides for a too long “lead in” period. Whilst a large site, there is no justification for the suggestion that development is to commence six years after adoption of the Local Plan. An independent research of housing delivery conducted by Nathaniel Lichfield Partners (January 2017) suggests that sites of up to 500 units take on average 2.5 years between application submission and permission. Countryside is an experienced developer and there would be an expectation that the time period between submission and permission could be less, particularly if EFDC accepts an opportunity to “front load” proposals before Plan adoption so that, on adoption, a permission could be secured earlier. As the major developer of the residential sites at P6 Countryside estimate that development could commence within two years of adoption i.e. 2021. Against this background, EFDC are respectively requested to note the inconsistency with the EFDLP Submission Version, as published, and confirm that the Trajectory at Appendix 5 and that contained in the Housing Implementation Strategy will be taken forward in the EFDLP when submitted for Examination.

### **Policy SP3 - Place Shaping**

2.10 The approach to Strategic Masterplans set out by Policy SP3 is broadly supported. Countryside have a proven track record of bringing forward developments within such a framework and are seeking to embark on that process with EFDC for North Weald Bassett to deliver the proposed allocation. We intend to put forward a Masterplan to meet the objectives of the EFDLP, integrate new facilities to benefit residents, deliver

necessary supporting infrastructure and place an emphasis on landscape-led public spaces. As a homebuilder rather than as a land promoter, Countryside are able to ensure that in evolving a Strategic Masterplan for North Weald Bassett the practicalities of creating attractive residential environments and delivering development are considered at the planning stage. There is an established consultant team in place to take this work forward. Furthermore, Countryside can simultaneously evolve specific residential proposals alongside this process, meaning that the planning and subsequent delivery of new homes can avoid delays associated with land promoter allocations.

2.11 In taking forward the Local Plan allocation at site NWB.R3 and wider policy requirements for a Strategic Masterplan, Countryside are proposing:

- Use a landscape-led approach
- Apply the principles of place making
- Deliver necessary infrastructure
- Work in partnership
- Build high quality homes

2.12 Countryside has already undertaken a number of background studies, which will form a useful starting point for taking forward a Strategic Masterplan for North Weald Bassett. We would take forward a wider discussion with local stakeholders at the conceptual stage of preparing the Strategic Masterplan.

2.13 However, the detailed approach and process set out at 2.89 to 2.101 of the EFDLP is considered overtly prescriptive and likely to present a barrier to timely and effective delivery in respect of the North Weald Bassett Masterplan and NWB.R3. Whilst this may be justified for the Garden Communities this blanket proposed approach to strategic masterplans is neither proportionate nor flexible to assist EFDC in delivering the homes that the District needs in line with the step change to delivery that the EFDLP has identified.

2.14 In particular and as far as Countryside's interests are concerned at North Weald Bassett, we note that :

- Figure 2.1 indicates an intention that Strategic Masterplans are to be adopted as Supplementary Planning Documents (SPDS) following adoption of The Local Plan. It is considered that such an approach is not proportionate for all Masterplans and certainly not for North Weald Bassett. Attention is drawn to para 153 of the NPPF which clearly states that any additional development plan documents should only be used where clearly justified; SPDS should be used to help applicants make successful applications or aid infrastructure delivery and should not be used to add unnecessarily to the financial burdens on development. As indicated above, Countryside Properties have every intention of bringing forward a Strategic Masterplan for the site but we are concerned that it does not hinder early site delivery, which we consider should be a priority for the EFDLP for the reasons set out at 2.3. EFDC's Local Development Scheme (2017) does not identify the intention to prepare such SPDs and clearly, because of time and resource constraints, these are not being considered as part of the EFDLP. The procedures for approval can be time consuming and adoption is subject to the Regulations 11-16 of the Town and Country Planning Regulations 2012. As SPDs may also necessitate the preparation of a Strategic Environmental Assessment. It is considered that the process of EFDC endorsement for Strategic Masterplans would be sufficient to enable the masterplans to be a material planning consideration for the consideration of future application(s). It would also give EFDC sufficient comfort in ensuring that the principles as agreed hold significant weight in any decisions on future applications. Such a process could align with the emerging EFDLP and the preparation of an outline planning application.
- Whilst there are no objections to the the principle of design codes it is considered that this could be a part of the consideration or requirement of an outline application and accompanying design and access statement. By introducing the codes as part of an outline application there is the ability to ensure full engagement with key stakeholders and a proper endorsement by EFDC as part of a permission.
- We note that detailed design proposals must be informed a Quality Review Panel. Currently, the precise role, membership and terms of reference for such a Panel have not been agreed by key stakeholders, including landowners and developers. Whilst a Panel could add value to the process of developing

masterplans this will need the agreement of those parties to ensure that there is a proportionate and consistent approach. Without certainty on the arrangements for the Quality Review Panel, it is certainly considered unrealistic and unnecessary to place a requirement in the EFDLP for these proposals without further clarity and agreement. It is therefore considered that this requirement should be deleted from 2.101 of the EFDLP as well as Policy DM9 relating to High Quality and Design (Part C) and part M of Policy P6.

- 2.15 Against this background, it is considered that Policy SP3 and the supporting text, as well as Figure 1.2, should be substantially amended and we would welcome further discussions with EFDC on this matter at the earliest opportunity and before the EFDLP is presented for Examination. Our principal concerns relate to the process that would enable the bringing forward of an important element of the Council's supply. The policy is inflexible and would be likely to hold up delivery. In our view, it would be entirely feasible to provide for development proposals to accord with a masterplan approved by the Council with clarity on the elements that need to be included within that masterplan. It is not necessary for this to be dealt with as an SPD and the requirements could be dealt with as part of an iterative process linked to an outline planning application.

#### **Policy SP6 The Green Belt and Map 2.5**

- 2.16 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 as well as necessary in order to ensure the Local Plan is positively prepared.
- 2.17 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).”

- 2.18 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.
- 2.19 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.
- 2.20 Indeed, the most recent (2017) update confirms that the need for Epping Forest District is 12,573 homes between 2011 and 2033.
- 2.21 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 a review of the Green Belt boundaries and the need to allocate for housing development of land currently allocated as Green Belt in the current, but out-of-date, Development Plan.
- 2.22 Accordingly, it is evident that exceptional circumstances exist which justify review of the Green Belt boundary through the Local Plan, in accordance with paragraph 83 of the NPPF.
- 2.23 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).
- 2.24 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.

2.25 We fully support the proposed boundary alterations to the Green Belt in so far as this relates to North Weald Bassett to enable the proposed allocations set out in Policy P6 to come forward. This has been justified in the supporting evidence to the EFDLP and the specific assessment of Green Belt set out in the Allies and Morrison Masterplanning Study (2014). In particular:

- The North Weald Bassett Masterplanning Study (2014) confirmed that any development in the location of the masterplan area shown in the EFDLP (NWB.R 1-5) would probably have a lesser impact on the aim and purposes of the Green Belt because it has a limited role in preventing neighbouring towns from merging. Indeed, the settlement to the east and the airfield and M11 to the west means that this pocket of land is isolated from other nearby settlements.
- The Stage 1 Green Belt Review (September 2015) showed the masterplan area within Parcel DSR-010 and 011. It confirmed that the land plays a range of contributions across the purposes of the Green Belt and recommended that it go forward for a Stage 2 Review.
- The Stage 2 Green Belt Review (August 2016) which concluded that Parcel 010.2, which includes the masterplan area, makes only a moderate contribution to two of the purposes of the Green Belt, and no contribution to the remaining two purposes assessed. Of the ten parcels assessed around North Weald Bassett Parcel 010.2 emerged as one of the most suitable for development.

### **3.0 Chapter 3 - Housing Policies**

#### **Policy H1 – Housing Mix and Accommodation Types**

3.1 Whilst Countryside Properties generally support EFDC's requirements set out in the policy, we share and support the views of the Home Builders Federation (HBF) in that:

- Part A provides no guidance on what EFDC consider to be an appropriate and acceptable mix of housing and accommodation types contrary to para 154 of the NPPF.
- Part B requires applicants to provide evidence to justify the mix of homes in making planning applications.

3.2 As indicated by the HBF, EFDC need to provide a clear indication as to the expected housing mix in order to ensure proper decision making as required by the NPPF.

#### **Policy H4 – Traveller Site Development**

3.3 Countryside note that the allocations for traveller sites includes NWB.T1 - land west of Tylers Green for up to five pitches. Whilst the needs for traveller site development are understood, it is questionable whether that shown is the most suitable or sustainable location given the specific requirements of this form of accommodation. The question arises as to whether such an allocation would be better placed on land within the ownership of EFDC at the North Weald Airfield masterplan area to reflect the mixed use nature of a traveller site.

## **4.0 Chapter 4 - DM Policies**

### **DM4 – Green Belt**

- 4.1 It is not at all clear why the EFDLP repeats the provisions of the NPPF within this policy. This is not necessary for the Plan. We would suggest that the matter could be more appropriately dealt with by a simple reference to the protection of the Green Belt and reference to inappropriate development not being approved except in very special circumstances.

### **DM9 – High Quality Design**

- 4.2 Attention is drawn to our concerns and objections relating to the strategic masterplan process, design codes and quality review panel set out at Section 3 above.

### **DM10 – Housing Design and Quality**

- 4.3 Countryside Properties share and support the views of the HBF in respect of Part A of the Policy and the issues relating to prescribed Space Standards regarding need, viability and timing.
- 4.4 We agree with HBF that there is insufficient justification as required by Planning Practice Guidance. If it is intended to take forward the Standards for Examination such justification should first be provided and consulted upon.

### **DM15 – Managing and Reducing Flood Risk**

- 4.5 The requirements under Part D (iii) of the Policy are considered unnecessary. This requirement really only applies where development is taking place in areas of high flood risk. EFDC has undertaken an assessment as part of the Plan process to identify proposed site allocations outside of such areas, in line with the sequential approach required by Policy. It is considered that this element of the Policy should be reworded to provide clarity to confirm that it should be applied only within areas of floor risk.

#### **DM16 – Sustainable Drainage Systems**

- 4.6 It is considered that DM16 provides for an overtly prescriptive approach, particularly when there is a Design Guide on Sustainable Drainage Systems (SuDS) published by Essex County Council that is the principal practice guidance. It is suggested that the Policy should be simplified to cover a requirement for all major developments to incorporate water management measures to reduce surface water run-off and ensure that it does not increase flood risk elsewhere with the principal method of use of SuDS.

#### **DM20 – Low Carbon and Renewable Energy**

- 4.7 Whilst Countryside support the objectives of the policy, the requirement at Part D to require strategic masterplans to demonstrate how potential for district heating can be provided are overtly prescriptive and unnecessary. The requirement places an unnecessary burden for the preparation of a strategic masterplan when the viability, functionality and availability considerations have not been fully tested. We could not find any documentation published in the technical evidence base which would justify this approach. It is considered that this element should be deleted from the policy on the basis that there is sufficient encouragement to developers to consider low carbon and renewable energy under Part A to C.

## **5.0 Chapter 5 – Places – North Weald Bassett**

- 5.1 EFDC's approach of directing a proportion of the District's growth to North Weald Bassett and the Vision for the village is considered sound and is supported. The 2014 Masterplanning Study prepared by Allies and Morrison has set the framework for the approach taken in the Local Plan. North Weald Bassett is clearly a sustainable location to accommodate additional housing growth and additional residential development at North Weald Bassett will have positive social and economic impacts.
- 5.2 As such it will be important to ensure that, where any impediments to growth are identified, such as any wider infrastructure deficits, it is incumbent on EFDC to be as pro-active as possible in helping to remove those constraints and Countryside are committed to working with EFDC to meet this objective.

### **Policy P6 – North Weald Bassett**

- 5.3 The allocation of site NWB.R3 in the EFDLP is considered sound and is supported. The site is sustainable and deliverable for residential development, either alone or in combination with the adjoining sites that have been identified at NWB.R, 1, 2, 4 and 5). The site's sustainability and deliverability has been confirmed through the plan-making process, previous submissions and by the Council's evidence base including the Masterplanning Study.
- 5.4 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. Notwithstanding the absence of this Report, it is relevant to note that NWB.R3 was proposed to be allocated in the DLP (2016) (Site SR- 0158A) and that the site assessment work which accompanied this version of the Local Plan justified the allocation of the site.

- 5.5 The site benefits from a very good relationship to the existing settlement of North Weald Bassett. It is located in close proximity to the village centre: a range of services and facilities will be accessible from new homes on the site; provision of new homes here will assist in sustaining and enhancing the vitality of the village centre and meet the objectives of the Vision for North Weald Bassett.
- 5.6 Site NWB.R3 was identified as suitable for housing through the Draft 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.
- 5.7 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 were proposed for allocation in the DLP.
- 5.8 Site NWB.R3 and the adjoining sites that make up the strategic allocation for North Weald Bassett have therefore been through a rigorous assessment process, and been found to be appropriate for allocation for development – the proposed allocation of site NWB.R3 is therefore justified and consistent with national policy.
- 5.9 Site NWB.R3 is being actively promoted by an established house-builder with a proven 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 NWB.R3 for housing is therefore considered effective, and will contribute towards ensuring the Local Plan is positively prepared.
- 5.10 Site NWB.R3 could be delivered independently of the proposed adjoining allocations. However, it is equally deliverable as part of a comprehensive development as part of a Strategic Masterplan, the process of which is dealt with elsewhere in these representations.

- 5.11 We do have some concerns with specific elements of Policy P6 in relation to the North Weald Masterplan Area for North Weald and suggest changes to ensure it is effective.
- 5.13 It is noted that Part A of the Policy states that proposals for development should accord with the site-specific requirements set out at Appendix 6 of the EFDLP. However, other than a Plan showing the allocations, which is consistent with Map 5.12 of the EFDLP, those for NWB.R 1 to 5 are not set out. It is therefore assumed that the site-specific requirements are as set out at Part L of the Policy P6, but this should be articulated at Appendix 6.
- 5.14 At Part K of Policy P6, it states that development of sites NWB.R1 to 5 and TWB.T1 must comply with a Strategic Masterplan. For the reasons set out at Section 2, we have objections to the intended approach to the Strategic Masterplanning process as set out in the EFDLP. It should be recognised that Masterplans will not be available for testing through the examination process for the EFDLP. We would suggest that the wording should be amended to require development proposals to accord with a masterplan approved by the Council. Furthermore, it should be noted that the sites identified for allocation are not in the control of one landowner or developer. As such, it is considered that the policy should be 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).