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Dear Sirs

**EPPING FOREST DISTRICT DRAFT LOCAL PLAN SUBMISSION VERSION 2017  
LAND EAST OF CHURCH LANE /WEST OF HARRISON DRIVE (SITE REF. SR-0417)**

We write in response to the consultation currently being held by Epping Forest District Council (EFDC) in relation to the Draft Local Plan Submission Version (2017). The emerging Local Plan will establish strategic policies to guide development in the District, supported by themed district wide policies, development management policies and place specific policies and site allocations. We write on behalf of our client, Trustees of the Eldred Family Property in relation to the above site.

As a general comment, we note that the National Planning Policy Framework (NPPF) requires all Local Plans to be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how this presumption should be applied at the local level.

The NPPF states that local planning authorities should positively seek opportunities to meet the development needs of their area and Local Plans should meet objectively assessed needs with sufficient flexibility to adapt to rapid change. They should be consistent with the principles and policies of the NPPF and should be aspirational but realistic.

Paragraph 158 of the NPPF requires the use of a proportionate evidence base which provides adequate, up-to-date and relevant evidence about the economic, social, and environmental characteristics and prospects of the area. Paragraph 173 requires careful consideration of viability and costs. Plans should be deliverable and the scale of development identified in the Plan should not be subject to such obligations and policy burdens that their ability to be developed viably is threatened.

In responding to the Council's current Regulation 19 consultation, we have also made reference to the guidance set out in paragraph 182 of the NPPF, which requires Local Plans to be sound. To meet this requirement they should be:

- **Positively Prepared** – be based on objectively assessed development requirements, consistent with achieving sustainable development.
- **Justified** – be the most appropriate strategy based on proportionate evidence.
- **Effective** – be deliverable over its period and based on effective joint working.
- **Consistent with National Policy** – enable the delivery of sustainable development in accordance with the policies of the NPPF.

The following representations have been prepared with regard to these criteria and we set out below our comments on the soundness of the Draft Local Plan Submission Version (2017), taking into account its compliance with national planning policy.

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## **The Site**

The site is located within North Weald Bassett, North of George Avey Court and west of Harrison Drive. The site comprises agricultural fields with hedges forming the boundary. The site lies to the south of site ref. SR-0003 which was included in the Regulation 18 Draft Local Plan.

The site was included in the Regulation 18 Draft Local Plan for the delivery of 49 residential units. Both sites have been removed in the submission version local plan, creating a large gap between the proposed residential allocations and the employment allocation.

## **Representations**

The draft Local Plan does not include the site for residential development. The landowner has previously engaged with the Council as part of the Developer Forum sessions, however, has not been engaged by officers on a site specific basis and has not been advised as to why the allocation has been removed.

The site remains available for development with no significant site constraints that would prevent the delivery of the site for housing. North Weald Bassett will see significant amount of development through the Local Plan and it is considered that the delivery of this site will not lead to any greater impacts over those resulting and needing to be mitigated by the proposed 1,050 new homes already to be delivered.

Moreover, the draft Local Plan proposes to create a gap between the residential allocations to the north east of the existing settlement and the employment allocation off Epping Road. This gap will create a segregated settlement and through the deletion of these allocations, the Council has removed prospects for sustainable development that could create positive links between residential and employment allocations which would reduce travel to work times and provide an area of housing which does not rely on the car for access to work. It is a rare opportunity to create genuine modal shift in a semi-rural district which should not be overlooked.

Given the size of the deleted allocation of 49 homes, the site could come forward for development in a scale that would not significantly impact the existing area, whilst meeting an immediate need for housing. There are no impediments to the delivery of the site. In addition, given its location, contiguous with another deleted site, the site represents an opportunity to meaningfully plan for the wider delivery of housing in North Weald.

Notwithstanding the foregoing and the merits of the site, the process that has been undertaken to progress the Local Plan is flawed. The consultation has started before all the evidence base is ready and officers have stated that not all the evidence base has been completed. The Site Assessments are currently being updated and as such it is unclear why this site, amongst other has not been carried forward in the latest version of the Plan. It is entirely improper to expect landowners and their representatives to make representations to the Local Plan on this basis, when they are not fully informed of the evidence behind the Local Plan. In addition, the Sustainability Appraisal relies on this evidence, which has not been finalised and as such the whole approach to the Plan is questionable. The Plan is therefore not legally compliant as it has not been undertaken in line with the NPPF and guidance.

This is in an attempt to get the Plan submitted in advance of the 31<sup>st</sup> March deadline (for the standardised methodology), however, the Government has advised that this will not happen until the Summer 2018. Consequently it is recommended that the Council review the allocations and carry out another Regulation 18 consultation with a full evidence base in advance of submitting the Plan for examination.

With the imminent change to the assessment of housing need and the subsequent increase in housing need in EFDC to in excess of 900, the site will help to meet the identified through the delivery of a site that is available for development now with no significant constraints on delivery.

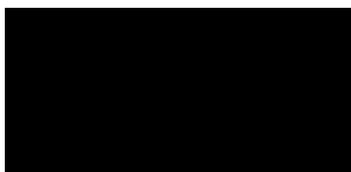
## Summary

The consultation and engagement process for the Draft Local Plan Submission Version (2017) is flawed and it is considered that both Members of the Council and the public have not been provided with the information necessary to properly consider the Plan and in light of the missing evidence base, the Plan is not sound.

It is considered that the Plan should not proceed to examination until the full evidence base has been consulted on and landowners/representatives have been engaged by Officers to resolve concerns over sites. Should the examination proceed, we reserve the right to appear at the Examination in Public should we wish to.

We look forward to confirmation of receipt of these representations. Please feel free to contact me if you have any queries or would like to discuss.

Yours sincerely



Thomas Higgins  
Development Surveyor