

EPPING FOREST DISTRICT LOCAL PLAN

SUBMISSION VERSION - DECEMBER 2017

CHAPTER 3 Strategic Policies - SP2 SPATIAL DEVELOPMENT STRATEGY 2011 to 2013

And

CHAPTER 5 Places - Policy P10 NAZEING

1.0 Introduction

1.1 These representations are submitted on behalf of **TOMWORLD** which operates from

SHOTTENTONS FARM, PECK'S HILL, NAZEING, EN9 2NY and relate to:-

- a) Failure to meet the District's Full Objectively Assessed Housing need (FOAN) based on the population and household projections published in June 2016 by the Office of National Statistics and DCLG (policy SP2).
- b) Failure to properly assess the needs of the settlement of Nazeing and its correct position in the settlement hierarchy (paragraph 5.134).

1.2 Having regard to a) above they wish to put forward approximately 1.2ha of land located to the north of Maplecroft Lane, Nazeing, accessed from Maplecroft Lane for consideration as an additional housing site to help meet the established level of need. This site is illustrated on plan ref. TOM/01.

1.3 These representations address the issue of "soundness" having regard to the tests set out in paragraph 182 of The National Planning Policy Framework. It is the position of Tomworld that the Plan **has not been positively prepared** because it does not meet the full objectively assessed need for housing across the District. Nor has the development strategy been properly **justified**. The NPPF requires the Plan to be based on the most appropriate strategy, when considered against reasonable alternatives, based on proportionate evidence. To be adequate, the evidence base must be robust with assessments founded upon a cogent methodology, undertaken in a transparent manner and fully documented at key stages. Professional judgements require justification and site-selection decisions must be clearly explained. Additionally, they do not consider that the Plan is **consistent with national policy** since it fails "to boost significantly the supply of housing" as required by paragraph 47 of The National Planning Policy Framework. Finally, incorrect classification of Nazeing as "a small village" has resulted in a significantly reduced housing allocation from that which was initially being considered for the village, despite its good sustainability credentials. Thus, advice at paragraph 55 of The NPPF concerning sustainable development in rural areas has not been followed.

2.0 Not Positively Prepared

2.1 The Submission Plan is not based on the most up to date population and household projections. As stated at paragraph 2.17 a Memorandum of Understanding (MoU) has been agreed with the four District and two County Councils comprised in the SHMA. The document, which was signed in March 2017, clearly states (paragraph 2.3) that *“This Memorandum of Understanding is designed to address the distribution of OAHN as defined by the 2015 SHMA”*. At paragraph 2.4 it states that *“The purpose of this MoU is to ensure that the West Essex/East Herts authorities working together fulfil the following requirements:-*

- (i) *To meet in full the Objectively Assessed Housing Need of the West Essex/East Hertfordshire HMA, as addressed by the joint SHMA 2015 within the HMA.....”*

Epping Forest District's OAN as identified in the 2015 SHMA was for about 11,400 dwellings to 2033, representing an annual average of 518. However, the housing need established by the 2015 SHMA has been superseded by a document issued in July 2017 entitled “West Essex and East Hertfordshire Strategic Market Housing Assessment - Establishing the Full Objectively Assessed Need” produced by ORS. As set out in Figure 5 (Full Objectively Assessed Need for Housing by Local Authority 2011-33) of that report the OAN for both authorities was increased as a consequence of updated data. That for EFDC rose from about 11,400 to approximately 12,573 or an annual average of 572.

2.2 Thus, the statement at paragraph 2.15 of the Submission Plan that *“The 2015 Strategic Housing Market Assessment (SHMA) gives an up to date and policy compliant assessment of housing need over the Housing Market Area (HMA) for the period 2011-2033”* is demonstrably incorrect. The addition of the sentence *“Further partial updates were also undertaken in 2016 and 2017”* is meaningless and indeed, potentially misleading, when no further information is provided at this point in the Plan with regard to the updated requirement.

2.3 As part of the MoU it has been agreed that each constituent authority should meet its own identified need. Thus East Herts has planned for its higher figure of 18,396 (increased from 16,189) and even this number is anticipated to increase again following advice from the Inspector conducting the EIP when Main Modifications are published in spring.

2.4 As explored in Sections 4 and 5 below, the Council has failed to carry out a thorough analysis of all of its Green Belt land to determine what areas are required to remain permanently open. Hence it cannot reasonably cite the existence of Green Belt as a reason not to meet its FOAN. (See paragraph 2.43 of the Submission Plan).

2.5 Advice at paragraph 47 of The NPPF is very clear that in order to boost significantly the supply of housing local planning authorities should, inter alia, *“identify and update annually a supply of*

deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land". The Housing Trajectory at Appendix 5 indicates a total housing supply (recorded and projected) of 13,152 over the Plan period. Applying a 5% buffer to the FOAN of 12,573 gives a figure of 13,202 which is 50 more than the Housing Trajectory suggests is achievable. Increasing the buffer to 20% (which is arguable the more appropriate level to be provided) gives a requirement of 15,088. This is almost 2,000 dwellings more than the Plan provides. There is no suggestion from Table 2.3 of the Plan that any size of buffer has been applied. It is thus clear that the Submission Plan fails in a fundamental requirement to boost significantly the supply of housing across the District.

2.6 Moreover, several settlements have received significantly reduced housing allocations in the Submission Plan compared with the Regulation 18 version, one of which is Nazeing. The overall number of dwellings allocated in the Regulation 18 version was 10,980 but the Submission Plan reduces this to 9,816 representing a reduction of some 1164 or just over 10%. There is no clearly identifiable explanation within the Plan for this reduction which, as above, appears to fly in the face of government's desire to *"boost significantly"* the supply of housing.

3.0 Quantum of Proposed Housing in Nazeing

3.1 Tomworld re-iterate their objection raised in response to the Regulation 18 consultation concerning the Council's assessment of Nazeing as a "small village". This is considered to be fundamentally flawed and has resulted in a disproportionately small amount of new housing being allocated to the village.

3.2 The Adopted District Plan (Epping Forest District Local Plan 1996 and Alterations 2008) does not provide a Settlement Hierarchy for the District. A retail hierarchy is set out in which Nazeingbury Parade is classified as a "local" retail centre.

3.3 The "Community Choices Issues and Options for the Local Plan" consultation undertaken in July 2012 explored options for allocating in the region of 450 to 690 homes to the village depending upon which of two key spatial options (identified as "Possible Opportunity Areas") in the form of NAZ A and NAZ B were chosen. The larger figure would have come from NAZ A which lay to the north of the village (described as "Area to north of Maplecroft Lane and Shooters Drive") and included land owned by Tomworld whilst NAZ B ("Area to south of Pound Close/Middle Street") was thought to have capacity for about 450 dwellings and 3.2ha of employment land. The document noted that the parish had a population of about 4,000 making it similar in size to Theydon Bois. Tomworld responded to that consultation by submitting for consideration a site

falling within the NAZ A Area, sandwiched between their large glasshouse development extending to the northern side of Maplecroft Lane. Their submission site included the current promotion site (that is, the land verged red on TOM/01) plus the field immediately to the north (verged blue on TOM/01, together with other land in the company's ownership).

3.4 Reference to the fact that Nazeing was to be regarded as a "small village" emerged in the Draft Local Plan consultation version 2016. This had a consequential effect upon the quantum of development it was proposed to take with its draft housing allocation reduced from a range of between 450 to 690 down to just 220. Objections were raised to this during the Regulation 18 consultation on behalf of the site owners because of:-

- a) Failure of the analysis undertaken to determine The Settlement Hierarchy to pay due regard to the existence of employment opportunities within the District's settlements;
- b) Inaccuracies in the Appraisal Sheet contained within the Settlement Hierarchy Technical Paper in respect of Lower Nazeing; and
- c) Lack of any weighting given to facilities.

3.5 The Settlement Hierarchy Technical Paper September 2015 recognised that there is no set methodology for establishing a hierarchy and that a wealth of information exists which can be used to determine how settlements function in relation to each other and hence their place within a District's hierarchy. This is accepted and it is acknowledged that any hierarchy will thus be based on an element of subjective judgement. The approach chosen was to analyse each settlement against five key categories of

Education

Health

Transport

Retail and

Community Facilities.

Objection was raised to the fact that this analysis omitted any reference to the existence of employment opportunities within each settlement. Given that the Paper acknowledged that roughly half of the District's resident working population commute to London this was a surprising omission. Provision of housing alongside employment opportunities in order to help reduce the need to travel should be a key plank in the provision of sustainable development in any District and particularly in an area with such high levels of out commuting.

3.6 Lower Nazeing contains probably the highest levels of employment of any of the District's villages. Together with Roydon and Waltham Abbey it is the main centre within the Lee Valley of the horticultural industry. Horticulture and agriculture together provide just under 5% of the

District's employment, a significant proportion by modern standards. In addition to Tomworld which employs in excess of 80 staff and is one of the largest tomato growers in the UK, there are two other large horticultural sites in Nazeing – Valley Grown Nurseries in Paynes Lane and UK Salads in Netherhall Road – employing significant numbers of people.

3.7 In addition to horticulture there are other important employment centres, the largest being Hillgrove Business Park located on the north side of Nazeing Road which is the base for some 36 companies. Hoe Lane in Nazeing is another significant centre for employment with several industrial units on farms as well as larger sites at Birchwood Industrial Estate and Millbrook Business Park. Unfortunately there appears to be nothing in the Council's evidence base which quantifies employment within the parish but based on the number of active companies it will almost certainly be significantly higher than most other rural parishes within the District. The fact that no consideration has been given to the size of the local employment base when assessing the position of Lower Nazeing within the Settlement Hierarchy is therefore considered to be a serious deficiency which goes to the heart of the soundness of the Plan.

3.8 The Submission version of the Plan recognises the importance of these industrial estates by according them a formal policy designation under Part C Employment Sites of Policy P10 Nazeing. This lists seven existing employment sites –

- (i) NAZE.E1 – The Old Waterworks
- (ii) NAZE.E2 – Land west of Sedge Green
- (iii) NAZE.E3 – Bridge Works and Glassworks, Nazeing New Road
- (iv) NAZE.E4 – Hillgrove Business Park
- (v) NAZE.E5 – Birchwood Industrial Estate
- (vi) NAZE.E6 – Millbrook Business Park and
- (vii) NAZE.E7 – Land at Winston Farm

in accordance with Policy E1 which are to be retained and enhanced for employment purposes where proposals for the redevelopment, renewal, intensification, or extension of existing employment sites and premises for their existing use will be encouraged.

3.9 It was pointed out in Tomworld's response to the Regulation 18 consultation that the Appraisal Sheet contained within the Settlement Hierarchy Technical Paper in respect of Lower Nazeing included several inaccuracies. For example, in respect of education the web site for Nazeing Primary School says that it takes children from 4 years yet no recognition is given in the Appraisal to the existence of a nursery/childcare. In respect of community facilities there are a number of halls including St Giles Church Hall, Congregational Church Hall, Bumbles Green Leisure Centre and the hall at Nazeing Primary School all of which function as community halls yet

no recognition was given to the existence of these facilities. Existence within the parish of Lee Valley Regional Park with its extensive range of outdoor recreation facilities was also ignored. The Qualitative Analysis of Lower Nazeing noted, inter alia, that *“There are a number of services and facilities present that would also serve the wider rural area including smaller settlements such as Bumble’s Green and Nazeing village”*. It further records that Lower Nazeing has bus services connecting it to the higher order settlements of Waltham Abbey, Broxbourne and Harlow. Looked at in the round, therefore, it is considered that the evidence base justifies the designation of Lower Nazeing as a Large Village, and this is clearly what it is.

3.10 A further deficiency in the analysis is the lack of any weighting being given to facilities. This is particularly relevant under the heading of Retail where no additional weighting is given if more than one retail facility exists. Thus, the existence of a parade of shops in the heart of the village which provides a good range of convenience goods shopping including a minimarket, butcher, baker/sandwich shop, hot food take away, dry cleaners, news agent, hairdresser/beauty parlour and a pharmacy is scored just one point in the same way that a village with only one shop has been scored one. This approach misrepresents the true sustainability credentials of a settlement.

3.11 It is interesting to note that Nazeing Parish Council’s web site includes the following statements:-

“Nazeing is said to be one of the largest villages in the UK. It is a hive of activity where business is concerned and boosts many good pubs, beautiful churches and excellent leisure facilities such as golf, sailing, walking, cycling etc. Nazeing is within walking distance from the London Olympic White Water Rafting Centre at Lee Valley Park in Waltham Abbey. There is a railway station 2 miles away at Broxbourne and, of course, Lee Valley Regional Park which stretches an incredible 26 miles along the leafy banks of the river Lee from Ware, through Nazeing, to the Thames at East India Dock Basin”. This description, written by local people, is hardly supportive of the District Council’s categorisation of the settlement.

3.12 Having regard to all of the above it is considered that Nazeing should be re-classified as a Large Village together with Buckhurst Hill, Chigwell, North Weald Bassett and Theydon Bois. In terms of population Lower Nazeing had a figure of 3874 at the 2011 census. If the populations of Broadley Common & Epping Upland are added this gives a parish population of 5844. This is larger than both Theydon Bois (4062) and North Weald (4477) both of which are classed as “large villages”.

3.13 On the basis of its classification as a Small Village a total of 220 new dwellings were identified in the Regulation 18 version spread across six sites, vis:-

- i) SR-0011 (land at St. Leonard’s Road) – approximately 64 homes
- ii) SR-0150 (The Fencing Centre, Peck’s Hill) – approximately 33 homes

- iii) SR-0300a (land south of Nazeing) – approximately 29 homes
- iv) SR-0300b (land south of Nazeing) – approximately 21 homes
- v) SR-0300c (land south of Nazeing) – approximately 38 homes
- vi) SR-0473 (St. Leonards Farm, St. Leonards Road) - approximately 33 homes

3.14 The December 2017 Submission Plan does not set out a Settlement Hierarchy as such or provide any explanation as to the analysis underlying the distribution of housing across the District. There is no explanation for the decision to reduce the housing allocation to Lower Nazeing from 220 to 112. Paragraph 5.134 of Chapter 5 Places states that *“Policy SP 2 sets out the estimated likely number of homes the Council will plan for in Nazeing over the Plan period. The provision of approximately 122 homes has been informed by the aspiration for Nazeing to function as a small centre which is able to support the needs of the local community”*. Given that the Regulation 18 version had also identified Nazeing as a “small village” this statement goes no way to explaining the significant reduction in housing numbers.

3.15 That apart, an allocation of such a relatively small number of dwellings to what in reality is a large village with an extensive employment base is not in conformity with advice in The NPPF (paragraph 55) which encourages the allocation of housing to the more sustainable settlements. Planning Practice Guidance issued in May 2016 states that *“It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability and the role of housing in supporting the broader sustainability of villages and a smaller settlements. A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities”*.

3.16 Having regard to the above, Tomworld raises strong objection to the assessment of Nazeing as a “small village” and the consequential disproportionately small amount of new housing being allocated to the village.

4.0 Promotion Site and Failure to Justify Site Selections

4.1 The land proposed for housing development forms a small (approximately 1.2ha), rectangular parcel with a road frontage to Maplecroft Lane and is a natural infill between existing housing on the north side of Maplecroft Lane and the housing directly opposite. Maplecroft Lane is of good width and alignment and capable of taking the additional traffic that would be generated by a modest development of about 30 houses (assuming a density in the region of 25DPH). The northern boundary of the site would follow the line of the rear gardens of properties to the west, linking through to the rear boundary of a detached dwelling called “Oakley” which sits well back from Maplecroft Lane at the head of the cul de sac off the lane.

4.2 When the Regulation 18 Plan was issued in autumn 2016 it was apparent that NAZ B had been selected in preference to NAZ A. Tomworld therefore submitted a strong objection to the choice of land on the southern edge of the village on the basis that the Tomworld land is more visually contained than the land to the south of Nazeing, and that having regard to the massive scale of their glass house development to the north, would have minimal visual impact compared with the more exposed sites to the south of the village. It is a matter of regret to Tomworld that the Council has confirmed an allocation on part of the land to the south (NAZE.R1, 3 and 4) without having provided any explanation for rejecting the Tomworld land.

4.3 The Council's failure to have published Arup's updated site analysis work before the end of the current consultation period (so that those findings could have been fully considered and a response made) is a serious flaw in the site selection process which goes to the heart of the issue of whether the Regulation 19 Plan is properly justified in terms of site allocations. The site selection process for Nazeing has not been clearly explained, as required by The NPPF, and hence the Plan is not properly justified.

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January 2018

Attachment:-

TOM/01 Promotion Site