

1. Background

- 1.1 These representations are made in response to Epping Forest District Council's (EFDC) invitation, undated but received via email on 26 March 2018, to supplement the representations that were made in response to consultation on the Epping Forest Local Plan Submission Version (2017) (Regulation 19) (LPSV) by Strutt & Parker, on behalf of City & Country, and in respect of land at Bowes Field, Ongar (site reference SR-0120 in the plan-making process).
- 1.2 Site SR-0120 is proposed to be allocated for residential development through Policy P4 of LPSV, as part the West Ongar Concept Framework area.
- 1.3 The invitation to supplement representations follows the publication of Appendices B and C to the Site Selection Report 2017.
- 1.4 These appendices include an assessment of the deliverability (suitability, achievability and availability) of potential sites for residential development; and provide the Council's justification for the rejection or selection of sites for allocation in the LPSV.
- 1.5 In addition, it should be recognised that the Sustainability Appraisal / Strategic Environmental Assessment (SA/SEA) published alongside the LPSV makes references to the Site Selection Report, in respect of the approach taken to selecting sites for residential allocation. As such, the Site Selection Report – including key appendices in which the justification for the rejection / selection of sites is set out and confirmed – is critical to the issue of the Local Plan's soundness and its legal compliance.
- 1.6 On 14 December 2017, EFDC agreed the publication of the LPSV for a six-week consultation period, followed by submission of the Local Plan to the Secretary of State.
- 1.7 Accordingly, the LPSV was published for pre-submission consultation for six-weeks over the 2017 Christmas period, with consultation closing on 29 January 2018. However, it has yet to be submitted.
- 1.8 Representations were made to this consultation on behalf of City & Country by Strutt & Parker in respect of site SR-0120 – land at Bowes Field, Ongar.
- 1.9 These supplementary representations should be read in conjuncture with the representations originally made in January 2018 in response to the Regulation 19 consultation. These representations focus solely on the Site Selection Report 2017, the publication of additional appendices to this since the close of the pre-submission consultation, and the relevance of this to the soundness / legal compliance of the Local Plan in respect of land at Bowes Field.

2. Assessment of SR-0120 (Land at Bowes Field, Ongar) through Site Selection Report 2017

- 2.1. Two iterations of the Site Selection Report have been published as part of the Local Plan evidence base: Site Selection Report 2016 and Site Selection Report 2017.
- 2.2. The Site Selection Report 2016 was published alongside the Regulation 18 consultation iteration of the Local Plan – the Draft Local Plan 2016 (DLP, 2016). The Site Selection Report 2016 had a key role in determining which sites were proposed for allocation in the DLP and which sites were rejected. It included the Council’s justification for the selection and rejection of sites in the DLP.
- 2.3. The Site Selection Report 2016 supported the allocation of SR-0120 for residential development, identifying it as suitable for development through 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.
- 2.4. Similarly, it is noted that the updated Site Selection Report 2017 also supports the allocation of the site, identifying it as suitable, available and achievable to help meet the District’s housing needs.
- 2.5. Within Appendix B1.4.2 of the Site Selection Report 2017, the site is assessed against a number of criteria, one of which is distance to the nearest primary school (criterion 3.5). Against this criterion, the site SR-0120 is assessed as having a neutral impact, with the commentary stating that it is between 1,000m and 4,000m from the nearest primary school. However, the site is less than 1km from Ongar Primary School, which the Essex County Council Commissioning School Places in Essex 2017-2022 document reports as having existing and projected capacity for additional pupils. As such, the site should be assessed as having a positive impact against this criterion.

- 2.6. In addition to the above, it is noted that the allocation of site SR-0120 is assessed as having a negative impact on the Green Belt by virtue of it being within the Green Belt. We suggest the Site Selection Report should acknowledge that the site can be developed without harm to the strategic purposes of including land in the Green Belt, as per paragraph 80 of the NPPF.
- 2.7. The Site Selection Report 2017 confirms that the site is suitable, available and achievable for residential development, and merits allocation for development. Accounting for the above points raised, it is considered that the site is even more suitable than the Site Selection Report 2017 assessment suggests.

3. Justification for allocation of site SR-0120 within the Site Selection Report 2017

- 3.1. The Site Selection Report 2017 also fulfils the role of setting out the reason for the selection / rejection of sites for allocation within Appendix B.
- 3.2. It is important that the reasons for the selection / rejection of sites for allocation is robustly set out within the plan-making process, to ensure the Local Plan is justified (and therefore sound). The issues is also relevant to the need to comply with the Environmental Assessment of Plans and Programmes Regulations (2004).
- 3.3. At Appendix B.1.6.6 it states that site SR-0120 is proposed for allocation for the following reason:

“This site was identified as available within the first five years of the Plan period. It has been marketed and has no identified constraints or restrictions which would prevent it coming forward for development. The site is proposed for allocation”

- 3.4. Whilst the above is not incorrect, we feel that it overlooks a number of substantial benefits of allocating the site which justify its allocation through the Local Plan.
- 3.5. 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. Further, 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 as assist in sustaining and enhancing the vitality of the town centre.

- 3.6. As detailed within our representations made on the DLP, considering the site against the purposes of including land in the Green Belt as set out at paragraph 80 of the NPPF, it is evident that its development would not undermine the strategic purposes of including land in the Green Belt.
- 3.7. EFDF has subjected the site to quantitative and qualitative assessment as part of the Site Selection Report 2017, which considered a host of factors relating to physical constraints and the sustainability of the development of the site for housing. Through this assessment, a number of positives have been identified, with the assessment evidently considering these to outweigh any potential harm.
- 3.8. Having regard to all of the above, it is suggested that the Site Selection Report 2017 should acknowledge the additional factors that result in the site meriting residential allocation. These include its sustainability and deliverability, and that its development would not undermine the strategic purposes of the Green Belt.

4. Overview

- 4.1. Information contained within Appendix B of Site Selection Report 2017 confirms that site SR-0120 is suitable, available and achievable for residential development; and that it represents a sustainable site for housing.
- 4.2. Indeed, site SR-0120 is considered to be even more suitable for housing than the Site Selection Report 2017 assessment process suggests.
- 4.3. It is important that the justification for the selection of the site for allocation is robustly set out.
- 4.4. The justification for the allocation of the site set out within the Site Selection Report 2017 does not expressly refer to a number of the positive impacts allocation of the site would have (including those identified within the Site Selection Report 2017 itself). The Council has evidence that provides robust justification for the allocation of the site – evidence which confirms the site is sustainable and deliverable – and it is suggested that the justification make reference to this.