

One Chapel Place
London
W1G 0BG

T: 020 7518 3200
F: 020 7408 9238

Your ref: Fyfield SR-0049
Our ref: 4406402v1

Planning Policy Team
Neighbourhoods Directorate
Civic Offices
323 High Street
Epping
Essex
CM16 4BZ

23 April 2018

Dear Sir/Madam,

EPPING LOCAL PLAN SUBMISSION VERSION SUPPLEMENTARY CONSULTATION REPRESENTATIONS LAND SOUTH-EAST OF CHIPPING ONGAR ROAD, FYFIELD – SR-0049

We write to you on behalf of our client, Countryside Properties, to take the opportunity to supplement our previous consultation representations submitted to Epping Forest District Council (EFDC) in January 2018 to take into account the finalised version of the Site Selection Report and Appendices. This submission relates to land to the south-east of Chipping Ongar Road in Fyfield (“the Site”), with a reference of ‘SR-0049’.

It should be noted that, the decision to engage in this consultation must not be taken as an endorsement of the approach of the Council consultation process to date.

At the time of the consultation on the submission version of the draft Local Plan, Appendix B of the Site Selection Report 2017 (assessment of residential sites) was not made available as part of technical supporting information. At that stage we identified the absence of this key piece of analysis as a significant concern. Our concern was expressed in the context of Paragraph: 014 (Reference ID: 12-014-20140306) of the National Planning Policy Guidance (PPG), which confirms, inter alia, that:

- Appropriate and proportionate evidence is essential for producing a sound Local Plan;
- The evidence needs to inform what is in the plan and shape its development rather than being collected retrospectively; and
- Local planning authorities should publish documents that form part of the evidence base as they are completed, rather than waiting until options are published or a Local Plan is published for representations.

In the case of the late publication of this evidence it is clear that the provisions of the PPG were not complied with by the Council. Indeed, at the time of the submission of the previous representations we were advised by the Council that this it was holding back publication of vital evidence until after the close of the consultation on the submission version of the Local Plan. As such, our concerns remain even before we consider the content of the late evidence.

BACKGROUND

These supplementary representations relate to the land to the south-east of Chipping Ongar Road, controlled by Countryside Properties, which has been promoted for release from the Green Belt for the purpose of residential development in previous stages of consultation.

In January 2018, we submitted representations to the Council to oppose the decision to remove the Site from the submission version of the Local Plan. At this time, Appendix B of the Site Selection Report was not available. Even with the late publication of this additional evidence we remain of the view that the Site remains suitable, available and deliverable, and we are not aware of any objections to the proposed allocation of the site in the draft Local Plan. It is our view that the absence of any representations (to our knowledge) confirms that there can have been no matters raised in the consultation on the draft Local Plan by third parties of sufficient weight to warrant its removal, therefore we must conclude that the Council has come to this conclusion on its own evidence.

A summary of the Site Selection Assessment, in relation to the subject Site, is provided below:

- Stage 1 of the Site Selection Assessment identifies any sites that are subject to major policy constraints identified in the NPPF, or by reference to local considerations. At this stage the Site was considered to be entirely or partially unconstrained.
- Stage 2 undertakes more detailed quantitative and qualitative assessment of sites to identify their relative suitability for housing development. Although the Site scored poorly against criteria including 'landscape sensitivity' and 'impact on agricultural land', it continued to proceed to Stage 3.
- Stage 3 identifies the candidate Preferred Sites, which best meet the Council's preferred growth strategy. At Stage 3 of the assessment, it was acknowledged that the Site scored poorly in terms of landscape impact but, given it is partially wrapped around by existing development, it was considered that this constraint could be overcome.
- Stage 4 assesses the availability and achievability of the sites to enable decisions to be made about sites to allocate and ensure the Council could demonstrate a sufficient housing trajectory over the Plan period. At this stage deficiencies in primary and secondary school places and GP surgeries were identified but it was considered that these would not adversely affect the achievability of the Site.
- Despite the above, the Site has not been proposed for allocation since, on balance, it was considered that an alternative site assessed in Fyfield is *"more suitable and would provide for a scale of growth that is more appropriate to the settlement"*.

The below representations should be read in conjunction with those submitted in January 2018 and outline the reasons why we oppose the removal of the Site from the submission version of the Local Plan.

KEY CONSIDERATIONS

Preparation of Appendices

There is concern regarding the process undertaken to confirm allocations as part of the Site Selection Assessment in relation to Appendix B. Whilst Appendices B and C were not available at the time of the publication of the Site Selection report in December 2017, the Council have stated that Appendix B, along with the other appendices to the report, has not been amended. It is therefore unclear as to why Appendix B1.4.2 'Results of Stage 2' and Appendix B1.6.4 'Results of Capacity and Deliverability Assessments' are both dated March 2018. The date of the document would appear to imply that Stages 2 and 3 were both undertaken after the publication date of the Site Selection Report in December 2017 which presents the results. Whether this is an anomaly, or an ex-post facto attempt to remedy holes in the evidence base is unclear.

Critique of Appendix B1.4.2 (Results of Stage 2 and Stage 6.2 Assessment Part 4)

The scoring of the Site against criteria 5.1 'Landscape Sensitivity' within Stage 2 of the Site Selection Assessment (outlined in Appendix B1.4.2) causes further concern. The assessment scores the Site a red double negative and states that the *"Site falls within an area of high landscape sensitivity – characteristics of*

the landscape are vulnerable to change and unable to absorb development without significant character change". The Site has clearly been scored incorrectly against this particular criteria; the Site lies adjacent to the settlement of Fyfield and unlike other sites, is bounded by urban features including the residential dwellings to the north, and the Village Hall and Sports and Leisure Field to the east. Given that the Site is wrapped by the existing development in Fyfield, we do not consider the landscape to be highly sensitive as suggested by the Council.

Scale of Growth

The submission version of the Local Plan identifies Fyfield as being within the same tier of the settlement hierarchy as Nazeing, Roydon, Sheering, and Thornwood. Given the same position of these settlements within the settlement hierarchy, the scale of growth of each village could be expected to be broadly comparable if the justification for the removal of site SR-0049 from the submission draft Local Plan is to be considered logical and reasonable. As the number of units proposed to be allocated within these settlements totals 440 dwellings (an average of 110 per settlement and ranging between 62 and 172) we do not agree with the statement within the assessment that the alternative site (SR-0935) *"would provide for a scale of growth that is more appropriate to the settlement"*.

This clearly demonstrates that the scale of growth proposed across settlements in the same tier as Fyfield exceeds that which would be brought about through the allocation of site SR-0049 and Gypsy Mead. The inclusion of site SR-0049 within the submission version of the Local Plan would bring forward a more appropriate scale of growth that is in line with other comparable settlements.

Affordable Housing Delivery

The NPPF identifies at paragraph 7 that socially sustainable development involves proposals that support strong, vibrant, and healthy communities, where there is a supply of housing to meet the identified needs, and future needs of the area, to support the health, social and cultural well-being of the community.

We understand that there is concern amongst local residents regarding the need for affordable housing in the village; this was highlighted within the Fyfield Parish Appraisal Questionnaire & Action Plan (2008). Our site, and thus a larger and more appropriate scale of growth in Fyfield, could provide the much needed affordable housing in Fyfield, which is unlikely to be wholly provided by the proposed allocation for 14 units at Gypsy Mead.

Viability of the Settlement

In terms of economically sustainable development, the NPPF identified that this involves developments contributing to building a strong, responsive, and competitive economy, through ensuring sufficient land of the right type at the right time is released for development to support growth and innovation.

Fyfield contains a range of facilities and services within the submission version of the Local Plan. The draft Local Plan also identified support for the rural economy in the District. We are aware that the local shop and post office in Fyfield, which provide a key service to this village, is suffering from a lack of vitality which is resulting in concern over its future viability. Furthermore, there is evidence that the local school is under capacity and is having to bring in pupils from Ongar to maintain classroom sizes. The increase in population in the area, which would be brought about by the delivery of development that would follow the allocation of our Site, will help to sustain local services and businesses by increasing the customer base and viability of the local services.

CONCLUSIONS

In light of the above representations, we believe that the draft Local Plan is unsound in relation to the proposed allocation of housing growth at Fyfield. Firstly, we are unclear as to when Stages 2 and 3 of the Site Selection Assessment were undertaken as both are dated March 2018 which is after the publication date of the Site

Selection Report (December 2017). Secondly, we believe the evidence provided in Appendix B is unsound given that there are a number of inaccuracies with regard to the site reference SR-0049's constraints, suitability and deliverability.

Even with the late publication of this additional evidence we remain of the view that the Site remains suitable, available and deliverable; that the evidence presented for the removal of the site is inadequate and illogical; and there are no other matters of sufficient weight to warrant its removal from the draft Local Plan as an allocation.

As such, it is concluded that the site should be identified for housing development within the submission version of the Local Plan for up to 85 residential units, or at the very least, should be removed from the Green Belt, for the following reasons:

- The Site contributes positively to the settlement;
- The scale of growth in Fyfield is not consistent with other comparable settlements in the District;
- The Site would enable the delivery of much needed affordable housing in Fyfield; and
- The Site would help to sustain local services and businesses by increasing the customer base and viability of the local services.

We would be grateful for confirmation that these supplementary representations have been received and confirm that we would like to be involved in future stages of the Local Plan process including the examination of the Plan and the assessment of future evidence base documents.

We trust that the information provided above is clear, however, if you require further clarity on any of the comments made please do not hesitate to contact us; we would be willing to meet with you to discuss our client's aspirations for the site, if this is deemed to be of assistance.

Yours sincerely

PP 

David Churchill
Partner

E: David.Churchill@carterjonas.co.uk
T: 0207 518 3348
M: 07826 893359