

Response to Consultation on Appendices B and C of the Submission Version of the Local Plan (SVLP)

Response by Sanjeev Shah, Landowner/Promoter of Site SR-1010: Amar Nivas, 146 Hainault Road, Chigwell, Essex, IG7 5DL

Summary

The Submission Version of the Local Plan (SVLP) including Appendix B is not sound and Epping Forest District Council failed to follow proper legal procedure by adopting the SVLP on 14 December 2017. Appendix B is not sound because, amongst other reasons, the evidence base informing the Local Plan has included information that is not "adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area" as required by NPPF Paragraph 158. Furthermore, assessments have not in all cases been founded upon a cogent methodology, undertaken in a transparent manner, nor adequately documented.

The SVLP is unfair and procedurally improper. The rules of natural justice have not been followed and proper consultation has not been allowed. Appendices B and C, which provide critical information on site selection, were only published at the end of March 2018. **This post-dates the adoption of the SVLP by more than three months.** The SVLP has already been adopted by the Council, which prevents the consultation on Appendices B and C from being conscientiously taken into account. It is clear that the Site Selection Assessment documentation was only produced and published after the adoption of the SVLP, after commencement of application for judicial review of the SVLP, and after closure of consultation on the soundness of the SVLP. Advertising of consultation for appendices B and C of the SVLP has been minimal, the Council has not directly contacted interested parties who responded to the SVLP consultation, nor has the council's own website included information on how to comment on the appendices.

Appendix B, and thus the SVLP, fails to meet legitimate expectations, both procedural and substantive. Legitimate expectations for procedure have not been met, as the process has not included timely and adequate consultation. Legitimate expectations for substantive matters have not been met, as demonstrated by appendix B's site selection assessment. Individual sites have, at the early stages of site selection, been incorrectly classified both in absolute terms and in comparison to similar sites in similar locations. Incorrect classifications have not been corrected at any stage in the process, and these errors have directly led to inconsistent and unreasonable site selection recommendations. Three examples are provided below for clarity:

Table 1

Site Reference	Address	Classification Errors and Impact
SR-0478B	Part of Chigwell Nursery, 245 High Road Chigwell	This is a garden nursery on green belt land. It is neighboured by listed buildings. If the site selection methodology had been followed correctly, this site would not be proposed for allocation on the SVLP.
SR-0557	The Limes Farm Estate, Chigwell	This contains a large open green space that the draft neighbourhood plan sought to protect. Local objection to the Draft Local Plan to include this site was extremely high. In Appendix B, the site has been classified as Urban Brownfield (and qualitatively assessed as 100% brownfield), when Urban Open Space would be more accurate. There is no reference to the high number of objections within the Community Feedback section. As a result of

		this site being taken forward, there will be a loss of open green space.
SR-1010	146 Hainault Road, Chigwell	<p>This is a detached house in an area characterised by flatted developments, houses and commercial developments. Neighbouring houses have been classified as Urban Brownfield (and qualitatively assessed as 100% brownfield) with no impact on settlement character. This site has been classified as urban open space and detrimental to settlement character, with no supporting evidence. As a result, density has been artificially capped below efficient use of land, and there has been an incorrect and unfair site assessment.</p> <p>Criterion 1.3 of the Stage 4/6.4 Capacity and Deliverability Assessment states that the “Site is not subject to any known restrictions. No data is held on on-site restrictions.” However Appendix B1.6.6 notes that “On-site restrictions were identified”. This latter conclusion is unsubstantiated by the evidence-base of the SVLP.</p>

As shown in the section titled “Detailed Review”, the inconsistency of inputs are stark and unexpected. **As a consequence, the entire evidence-base for site selection cannot be relied upon by a competent professional as reasonable and accurate. This undermines the legality and soundness of the Local Plan.**

Required Changes to Site Selection Assessment and Submission Version of the Local Plan

At a minimum, the following corrections and changes are required.

Table 2: Factual Accuracy Corrections to make to ARUP Site Selection Assessment for Site SR-1010: Amar Nivas, 146 Hainault Road, Chigwell

Criteria	Site Assessment Error	Corrections to be made
Stage 6.2 Assessment		
3.4 Distance to local amenities	Site is between 1000m and 4000m from nearest town, large village or small village.	<p>Site is less than 1000m from Grange Hill shopping parade, Shell Petrol Station and Chigwell Parish Council, Victory Hall Community Centre, Chigwell Library, St. Winifred’s Church and open green space. The score should be uplifted. Classification to be corrected as:</p> <p>Site is less than 1000m from nearest town, large village or small village (Grange Hill).</p>
4.1 Brownfield and Greenfield Land	Majority of the site is greenfield land within a settlement.	<p>In line with definitions for the majority of similar neighbouring sites, this is a brownfield site and the score should be uplifted. Classification to be corrected as:</p> <p>Majority of the site is previously developed land within or adjacent to a settlement (Grange Hill)</p>
5.2 Settlement character sensitivity	<p>Development could detract from the existing settlement character.</p> <p>Proposed intensification</p>	<p>The character of the area is well-established as mixed use, predominantly flatted developments and single residential dwellings. The Council has recently attested this to the</p>

	development is of a significantly higher density than surrounding development and could impact on settlement character.	<p>Planning Inspectorate. See also aerial photo (Picture 1, page 5).</p> <p>Proposed intensification (12 no. flats) is significantly below approved development of the immediate neighbour at 126 Manor Road; the immediate neighbour to the south west (Silver Hind, 103 Hainault Road), and many other nearby developments (see Table 3, page 4).</p> <p>Classification to be corrected as: Development may improve settlement character through redevelopment of a run-down site or improvement in townscape.</p>
Stage 6.3 Assessment		
	<p>“the site scored poorly against settlement character sensitivity” Location Rank: 2 Site Category: 2</p>	<p>Remove reference to settlement character sensitivity. This claim is unsubstantiated and therefore in breach of fundamental principles for the development of the Local Plan. Set Location Rank to 1 Set Site Category to 1</p>
Stage 6.4 Assessment		
Land-Type	Urban Open Space	<p>Set to match assessment for similar neighbouring sites. Classification to be corrected as: Urban brownfield</p>
Density Constraints	<p>Settlement Character: Settlement character assessment and pre-application enquiry response indicate that the baseline capacity would need to be reduced to a maximum of around 50 dph to mitigate impact on local character. Density reduced accordingly.</p>	<p>Set to match assessment for neighbouring sites: No constraints: No constraints affecting site capacity identified. No capacity adjustment made.</p>
Local Setting	No adjustment made for local setting	<p>Set to match assessment for similar neighbouring sites:</p> <p>Planning Application submitted for 11 units. Officer comments concluded that proposed quantum of development is acceptable in principle.</p> <p>Higher density setting and character of surrounding development, therefore intensification of site is appropriate in this location.</p> <p>Action required: Increase density accordingly (SR-0895 benchmark of +100% to 117dph). Action required: Revise capacity to at least match application submission of 11 flats.</p>

For all relevant parts of the Local Plan, including Appendix B1.6.6 and Appendix 6, all references to constraints and restrictions for site SR-1010 should be removed as they are either not substantiated with up-to-date evidence or are based on incorrect methodology inputs. Housing capacity should be set at the minimum of 11 flats, in line with officer recommendations for the planning application EPF/0479/17.

Site SR-0478B (Chigwell Nursery) should be re-assessed at all stages with correct inputs, for example to accurately reflect Greenbelt status of this garden nursery and protected status of neighbouring sites.

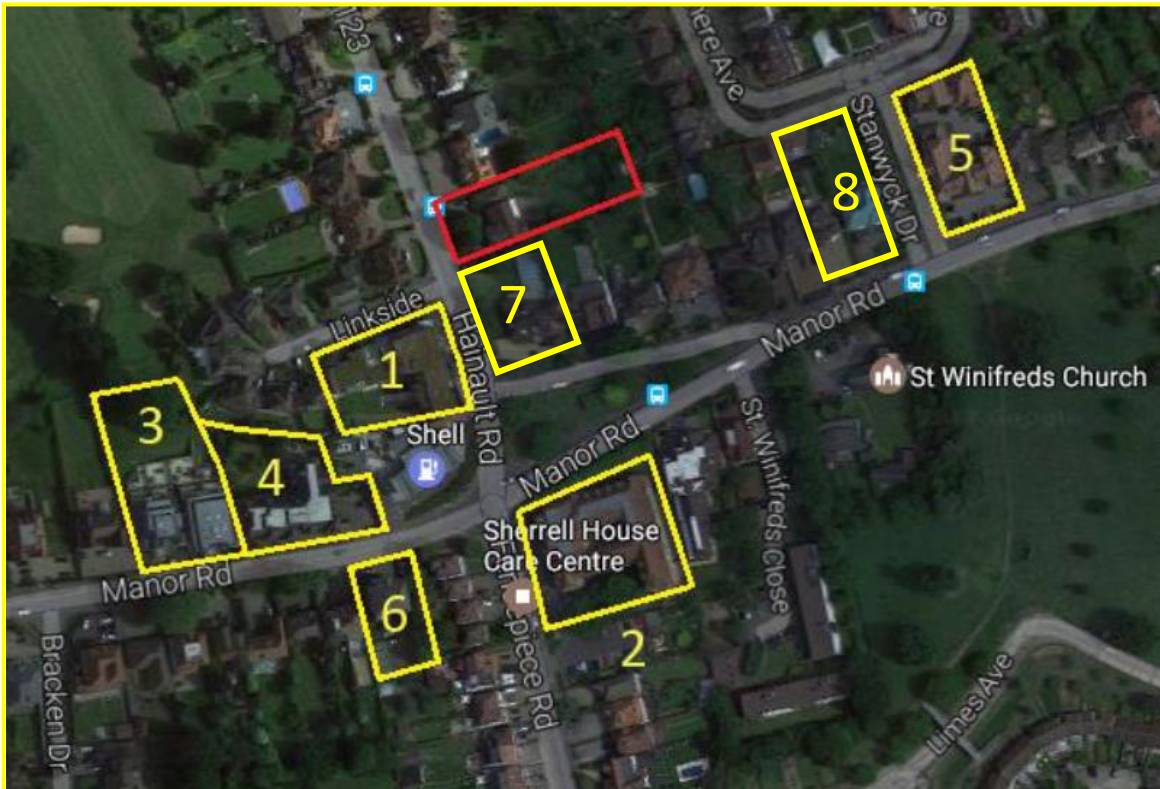
Site SR-0577 (The Limes Farm Estate) should be removed from the Submission Version of the Local Plan, given overwhelming community views against development of this open green space. At the very least, the site should be re-assessed at all stages, using correct and accurate inputs and classifications, such as recognition that it is urban open space and not brownfield.

Table 3

Rank	by Dwellings per Hectare	Approval Date	Site	No. Units	Size plot (Ha)	of Storeys (max)	Dwellings per Hectare	Distance from Appeal Site (km)
1		13/07/98	Montpellier House, 120-122 Manor Road	20	0.22	4	90.9	0.12
2		31/05/17	126 Manor Road	12	0.14	2.5	85.7	0.01
3		19/09/01	Burney Court, 113 Manor Road	5	0.07	3	71.4	0.13
4		30/09/15	9 Hainault Road	6	0.085	2.5	70.6	0.90
5		14/10/09	109-111 Manor Road	13	0.19	3	68.4	0.11
6		14/10/11	103 Hainault Road (Silver Hind)	14	0.21	4	66.7	0.02
7		21/07/17	140-142 Manor Road	14	0.21	2.5	66.7	0.15
8		26/04/17	160 Manor Road	5	0.075	3.5	66.7	0.30
9			Appeal site	11	0.17	3	64.7	0.00
10		01/03/16	Manor Hall, 144 Manor Road	10	0.18	2.5	55.6	0.20
11		20/01/88	Millbrook, 164 Manor Road	14	0.28	3.5	50.0	0.32
12		21/01/08	114-118 Manor Road	11	0.24	3	45.8	0.16
13		06/01/86	Manor Court, Manor Road	4	0.12	4	33.3	0.11
14		20/10/16	46 Stradbroke Drive	5	0.2	2.5	25.0	0.60

Appeal Site (row 9) is Site-1010: 146 Hainault Road

Picture 1



The aerial photo clearly shows that SR-1010 (red outlined plot) is in a neighbourhood of flatted developments. Plots 1-6 are all built out developments and plots 7 and 8 have received planning permission for flat development.

Picture 2



The site SR-1010 in present form would benefit from redevelopment to improve and enhance appearance.

Detailed Review

This section provides a detailed review of the assessments made for a subset of sites from the SVLP. This sufficiently demonstrates:

- Failure to comply with NPPF requirements for development of the Local Plan
- Material deviations from the Council’s own Site Selection Methodology
- Material inaccuracies in assessments leading to unfair and improper outcomes

Table 4 below looks through the Site Selection approach for sites, and covers stages 2/6.2 and 4/6.4. Please read the footnotes as they describe the issues.

Table 4

Sites	SR-1010 146 Hainault Road	SR-0896 126 Manor Road	SR-0557 The Limes Farm Estate	SR-0478B Part of Chigwell Nursery	SR-0895 105 Manor Road /281 Fencepiece Road	SR-0894 140-142 Manor Road	SR-0869 46 Stradbroke Drive	SR-0898 Grange Court
Stage 2/6.2 Assessment								
Site Notes	Single detached dwelling	One residential dwelling with garden ¹	Extensive residential area including shops and services including a police station. There is substantial elements of open space on site	Nursery ²	Two residential dwellings with gardens ³	Two residential dwellings with associated gardens and driveways	One residential dwelling and garden	Grade II listed Georgian House previously used by Chigwell School

¹ This is one of many examples where gardens within this particular area are defined as brownfield. Furthermore SR-0896 has been granted approval for a total of 12 flats at a density of 85.7 dph. There is a reasonable expectation for similar properties to be assessed in the same way.

² Allotments and nurseries are well-established as Greenfield and not Brownfield

³ Another example where gardens within this particular area are defined as brownfield. There is a reasonable expectation for similar properties to be assessed in the same way.

Site constraints	No constraints identified.	The density [100dph] could potentially be achieved through sensitive design due to its corner plot in an urban area.	Assuming the site is entirely redeveloped at 30dph, and that there are circa 450 dwellings already on site, this equates to a net increase of circa 228 dwellings. Just developing the green areas at 30dph would see an additional 200 dwellings.	None	The density [186dph] could potentially be achieved through sensitive design due to its corner plot in an urban area.	The density [78dph] could potentially be achieved through sensitive design due to its corner plot in an urban area.	The Council refused an application for the demolition of this house and the building of five flats due to the scale being out of keeping with the surrounding character. Assumed that it may be possible to erect 4 flats (3 net). ⁴	The pre-application request relates to the conversion of the Listed Building, as such no alterations need to be made to the density of the site to take account of the Grade II Listed Grange Hall on site.
2.1 Level of harm to Green Belt	Site is not located in the Green Belt.	Site is not located in the Green Belt.	Site is not located in the Green Belt.	Site is within Green Belt, where the level of harm caused by release of the land for development would be high or very high.	Site is not located in the Green Belt.	Site is not located in the Green Belt.	Site is not located in the Green Belt.	Site is not located in the Green Belt.
3.4 Distance to local amenities	Site is between 1000m and 4000m from nearest town, large village or small village.	Site is between 1000m and 4000m from nearest town, large village or small village.	Site is between 1000m and 4000m from nearest town, large village or small village.	Site is less than 1000m from nearest town, large village or small village.	Site is between 1000m and 4000m from nearest town, large village or small village	Site is between 1000m and 4000m from nearest town, large village or small village	Site is between 1000m and 4000m from nearest town, large village or small village	Site is less than 1000m from nearest town, large village or small village.
4.1 Brownfield and Greenfield	Majority of the site is greenfield	Majority of the site is previously	Majority of the site is previously	Majority of the site is previously	Majority of the site is previously	Majority of the site is previously	Majority of the site is previously	Majority of the site is previously

⁴ On appeal the Planning Inspector allowed the application for 5 flats on 20 October 2016 (APP/J1535/W/16/3152186)

Land	land within a settlement. ⁵ 60% greenfield site, within an existing settlement (Chigwell) ⁶ .	developed land within or adjacent to a settlement. 100% brownfield site, within an existing settlement (Grange Hill).	developed land within or adjacent to a settlement. 100% brownfield site ⁷ , within an existing settlement (Grange Hill).	developed land within or adjacent to a settlement. 75% brownfield site, within an existing settlement (Chigwell).	developed land within or adjacent to a settlement. 100% brownfield site, within an existing settlement (Grange Hill).	developed land within or adjacent to a settlement. 100% brownfield site, within an existing settlement (Grange Hill).	developed land within or adjacent to a settlement. 100% brownfield site, within an existing settlement (Grange Hill).	developed land within or adjacent to a settlement. 100% brownfield site ⁸ , within an existing settlement (Chigwell).
5.2 Settlement character sensitivity	Development could detract from the existing settlement character. Proposed intensification development is of a significantly higher density than surrounding development ⁹	Development may improve settlement character through redevelopment of a run-down site or improvement in townscape. Site is located within the settlement area and provides an	Development could detract from the existing settlement character. Part of the site is existing public open spaces ¹⁰ . Therefore, redevelopment has the potential to adversely affect	Development is unlikely to have an effect on settlement character.	Development is unlikely to have an effect on settlement character. Low density development ¹¹ is proposed which reflects the character of the area. Therefore, development is not likely to	Development could detract from the existing settlement character. The proposed density is higher than the neighbouring developments. Therefore, development is likely to affect	Development is unlikely to have an effect on settlement character. Low density development is proposed which reflects the character of the area. Therefore, development is not likely to have an impact	Development is unlikely to have an effect on settlement character. Impact on Grade II* Listed Building could be mitigated through sensitive conversion and sympathetic design, and is

⁵ SR-896 establishes that gardens in this area are considered brownfield, and not greenfield. Permission for 12 flats has been granted by the Council.

⁶ Site should be 100% brownfield, and settlement should be Grange Hill, as per its neighbour, SR-0896

⁷ This is a significant false statement and assessment within a critical criterion of the site selection. There are strong local community objections to building on this site. The site was targeted for classification as Public Open Space in the draft Chigwell Neighbourhood Plan.

⁸ The associated aerial photo clearly shows at least 50% of the site is green. Historically used for school playing fields

⁹ This is a significant false statement and assessment within a critical criterion of site selection. See aerial photo (Picture 1), and contradicting statements for SR-0896 and SR-0895 in adjacent columns.

	and could impact on settlement character.	opportunity for intensification. Therefore, redevelopment could enhance the character of the area.	the character of the area.		have an impact on the character of the area.	the character of the area.	on the character of the area.	not likely to impact on the Conservation Area or wider settlement character.
Stage4/ Capacity and Deliverability Assessment	6.4							
Land-Type	Urban Open Space	Brownfield urban site	Urban brownfield ¹²	Previously developed land in the Green Belt	Urban brownfield	Brownfield urban site	Urban brownfield	Urban brownfield
Notes	Single detached dwelling	One residential dwelling with garden ¹³	Extensive residential area including shops and services including a police station. There is substantial elements of open space on site	Nursery ¹⁴	Two residential dwellings with gardens	Two residential dwellings with associated gardens and driveways	One residential dwelling and garden	Grade II listed Georgian House previously used by Chigwell School

¹⁰ This statement demonstrates the severe inaccuracy of the assessment made for criterion 4.1. Furthermore, this site scores double negative on criterion 4.3 - Capacity to improve access to open space. Here it is noted that *“Additional dwellings proposed will predominantly be delivered through development on existing public open spaces. Although small areas of public open space could be retained in the development, this will not be equivalent to the public open space lost.”*

¹¹ The proposed density assessed was 186dph. In contrast, SR-1010 is 250m away and has proposed density of 70.6dph yet considered *“significantly higher density than surrounding development”*.

¹² This site contains allotments and it is well-established that allotments are Greenfield and not Brownfield

¹³ This is one of many examples where gardens within this particular area are defined as brownfield. Furthermore SR-0896 has been granted approval for a total of 12 flats at a density of 85.7 dph. There is a reasonable expectation for similar properties to be assessed in the same way.

¹⁴ This site is a nursery and it is well-established that allotments are Greenfield. Hence this cannot be Previously Developed Land in the Greenbelt. It is simply Greenbelt.

Policy Constraints (a) Major (b) Non-Major	(a) Not applicable (b) Not applicable	(a) Not applicable (b) Not applicable	(a) Not applicable (b) A small part of the site boundary is affected by the allotments located to the north and south of Limes Avenue where it meets Fencepiece Road.	(a) Not applicable ¹⁵ (b) Not applicable	(a) Not applicable (b) Not applicable	(a) Not applicable (b) Not applicable	(a) Not applicable (b) Not applicable	(a) Not applicable (b) Not applicable
Density Constraints	Settlement Character ¹⁶ : Settlement character assessment and pre-application enquiry response indicate that the baseline capacity would need to be reduced to a maximum of	TPOs: TPO likely to require reduction in density in order to provide adequate buffer.	Powerlines: Power Lines located in north of site, however not likely to pose a constraint to development.	Heritage - Listed Building: Listed buildings located near to site, however a reduction in capacity is not likely to be required to mitigate impact on setting. No density reduction made. ¹⁸	No constraints: No constraints affecting site capacity identified. No capacity adjustment made.	No constraints: No constraints affecting site capacity identified. No capacity adjustment made.	TPOs: TPOs located along northern and eastern site boundaries likely to require reduction in density in order to provide adequate buffers. Capacity adjusted accordingly.	Heritage - Listed Building: Sensitive conversion of the site likely to be supported, therefore baseline capacity not likely to require reduction. No capacity adjustment made.

¹⁵ Greenbelt Policy is a Major Policy Constraint that applies to this site. This is a critical error and/or misrepresentation.

¹⁶ Inconsistent with assessment for SR-0895 which has no constraints and is 250m away on the same road, and with SR-0896 which is next door.

¹⁸ This assessment is entirely inconsistent with the assessment for SR1010, which has no listed buildings in the vicinity. SR-0478B is a greenbelt site close to listed buildings. It should not be a candidate for development.

	around 50 dph to mitigate impact on local character. Density reduced accordingly. ¹⁷							
Local Setting	No adjustment made for local setting ¹⁹ .	Pre-application submission for 11 units. Officer comments concluded that proposed quantum of development is acceptable in principle. Capacity revised to match pre-application submission	The Estate is of a medium to high density character. The whole Estate should be comprehensively masterplanned and through this appropriate densities should be determined which reflect the urban character of the area. No local setting adjustment made.	Predominant urban form of surrounding area is generally detached properties in larger plots fronting the road. A reduction in density applied to reflect local character.	Higher density setting and character of surrounding development, therefore intensification of site is appropriate in this location. Density has been increased accordingly.	Planning application EPF/1142/16 received for 14 unit scheme resulting in net 12 additional units. Pre-app discussions concluded that proposed quantum is acceptable in principle. Density adjusted to match application.	Density reduced marginally to reflect lower density setting and character of surrounding development, and predominant urban form of with properties set in larger plots. Density reduced to account for setting.	The area of the site proposed for development is only the footprint of the existing building. The density has been adjusted to account for the absence of external space in the site boundary. ²⁰
1.3 On-site restrictions	Site is not subject to any known restrictions No data is held on on-site	Site is not subject to any known restrictions No data is held on on-site	Site is not subject to any known restrictions The promoter has confirmed	Site is not subject to any known restrictions No data is held on on-site	Site is not subject to any known restrictions No data is held on on-site	Site is not subject to any known restrictions No data is held on on-site	Site is not subject to any known restrictions No data is held on on-site	Site is not subject to any known restrictions No data is held on on-site

¹⁷ The DC Officer Report for the planning application for SR-1010 (EPF/0479/17) supported 11 flats, but this is not reflected and is more up-to-date.

¹⁹ Inconsistent with SR-0895, which notes: Higher density setting and character of surrounding development, therefore intensification of site is appropriate in this location. Density has been increased accordingly [by 100% to 117dph].

²⁰ Increase of 100% to 117dph

	restrictions.	restrictions.	that there are no on-site restrictions.	restrictions.	restrictions.	restrictions	restrictions.	restrictions.
3.1 Cumulative loss of open space in settlement	Score: single minus There is a current deficiency in the quantum of open space within this settlement. The cumulative impact of the proposed allocations would result in a reduction in land for open space. Proposed allocation SR-0557 will be subject to a comprehensive masterplan which may result in a short term reduction in amenity greenspace. However, the overall masterplan will	Score: 0 There are no identified deficiencies in the quantum of open space within the settlement, however the cumulative impact of the proposed allocations would result in a reduction in land for open space Proposed allocation SR-0557 would result in a potential reduction in designated managed open space in the settlement (c. 2.64ha). However, the site will be	Score: single minus There is a current deficiency in the quantum of open space within this settlement. The cumulative impact of the proposed allocations would result in a reduction in land for open space. Proposed allocation SR-0557 will be subject to a comprehensive masterplan which may result in a short term reduction in amenity greenspace. However, the overall masterplan will	Score: single minus There is a current deficiency in the quantum of open space within this settlement. The cumulative impact of the proposed allocations would result in a reduction in land for open space. Proposed allocation SR-0557 will be subject to a comprehensive masterplan which may result in a short term reduction in amenity greenspace. However, the overall masterplan will	Score: single minus There is a current deficiency in the quantum of open space within this settlement. The cumulative impact of the proposed allocations would result in a reduction in land for open space. Proposed allocation SR-0557 will be subject to a comprehensive masterplan which may result in a short term reduction in amenity greenspace. However, the overall masterplan will	Score: 0 There are no identified deficiencies in the quantum of open space within the settlement, however the cumulative impact of the proposed allocations would result in a reduction in land for open space Proposed allocation SR-0557 would result in a potential reduction in designated managed open space in the settlement (c. 2.64ha). However, the site will be	The site has not been included in the assessment as it is not proposed for allocation [<6 dwellings]	Score: single minus There is a current deficiency in the quantum of open space within this settlement. The cumulative impact of the proposed allocations would result in a reduction in land for open space. Proposed allocation SR-0557 will be subject to a comprehensive masterplan which may result in a short term reduction in amenity greenspace. However, the overall masterplan will

	seek to re-provide existing provision through reconfiguration.	subject to a comprehensive masterplan which will seek to re-provide existing provision.	seek to re-provide existing provision through reconfiguration.	seek to re-provide existing provision through reconfiguration.	seek to re-provide existing provision through reconfiguration.	subject to a comprehensive masterplan which will seek to re-provide existing provision.		seek to re-provide existing provision through reconfiguration.
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Table 5 below examines inconsistencies and inaccuracies at Stage 3/6.3 of the assessment:

Table 5: Stage 3/6.3

Site Ref.	Address	Settlement	Site Size (Ha)	Capacity (Units)	Site Suitability	Justification for Site Suitability	Site Rank			Site Category
							Flood Risk	Location	Agriculture ILand	
SR-1010	Amar Nivas, 146 Hainault Road, Chigwell, Essex, IG7 5DL	Chigwell	0.17	12	Suitable	This site scored well across most criteria at Stage 6.2, and is in a sustainable location within Chigwell. Although the site scored poorly against settlement character sensitivity, it was considered that this constraint could be overcome. The site continued to proceed.	1	2	1	2
SR-0895	105 Manor Road / 281 Fencepiece Road, Chigwell, Essex, IG7 5PN	Chigwell	0.07	11	Suitable	This site is in a sustainable location, close to Grange Hill station. It scored well against almost all criteria at Stage 2, and it was considered that the identified impact of air quality constraint may be overcome. The site therefore continued to proceed.	1	1	1	1
SR-0557	The Limes Estate	Chigwell	22.59	200	Suitable	This site is previously developed and in a sustainable location close to Grange Hill station. Subject to a comprehensive masterplan, the site provides positive regeneration and intensification opportunities. The site therefore continued to proceed.	1	1	1	1
SR-0869	46 Stradbroke Drive, Chigwell, Essex, IG7 5QZ	Chigwell	0.20	3	Suitable	This site scored well against all criteria at Stage 2 and is in a sustainable location within Chigwell. The site continued to proceed.	1	1	1	1
SR-0898	Grange Court, 72 High Road, Chigwell, Essex, IG7 6PT	Chigwell	0.42	14	Suitable	This site scored well across most criteria at Stage 2 and is in a sustainable location within Chigwell. It scored poorly against several criteria, including heritage impact as well as impact of air quality, but it was considered that these constraints could be overcome.	1	1	1	1

Site Ref	Address	Settlement	Site Size (Ha)	Capacity (Units)	Site Suitability	Justification for Site Suitability	Site Rank			Site Category
							Flood Risk	Location	Agricultural Land	
SR-0895	105 Manor Road/281 Fencepiece Road Chigwell Essex IG7 5PN	Chigwell	0.07	11	Suitable	This site is in a sustainable location, close to Grange Hill station. It scores well against almost all criteria, and it was felt that the identified air quality constraint may be overcome. The site should continue to be considered.	1	1	1	1
SR-0896	126 Manor Road, Chigwell, Essex, IG7 5PR	Chigwell	0.14	13	Suitable	The site scores well across almost all criteria and is in a sustainable location within Chigwell. It scores poorly in terms of impact on air quality but it was felt that it may be possible to overcome this constraint and the site should be considered further.	1	1	1	1
SR-0894	140/142 Manor Road, Chigwell, Essex IG7 5PR	Chigwell	0.18	12	Suitable	The site scores well across almost all criteria and is in a sustainable location within Chigwell. It scores poorly in terms of impact on settlement character but it was felt that it may be possible to overcome this constraint and the site should be considered further.	1	1	1	1

We continue to find inconsistencies and inaccuracies at stage 3/ 6.3 of the assessment.

SR-1010 is next door to SR-896, it is approximately 100 metres from SR-0895, approximately 250m from SR-0557 and 400m from SR-0894. It is similar in function, style and plot size to SR-0896, SR-0894, and SR-0869. There is no justification for SR-1010 being ranked at 2 for location, versus 1 for other similarly located sites.

The basis for the lower score is that SR-1010 has been incorrectly classified as urban open space, leading to a lower score for criterion 4.1. Such a classification is inconsistent with other similar sites including SR-0895, SR-0869, SR-0898, SR0896 and SR-0894. To deliver a legal and sound Local Plan, it is a reasonable expectation for similar sites to be classified consistently. Therefore the site SR-1010 should be corrected to rank 1 for Location and for Site Category. It is stated that the site scores poorly for settlement character sensitivity, but there is no justification or evidence presented to support such a score, and facts on the ground contradict the assertion being made. The claim is unfairly re-emphasised throughout the various stages of site selection, and this may distract from the fact that the core assertion is unsubstantiated. **It is a core requirement for the sound development of a Local Plan that assessments and conclusions are substantiated with evidence and that it is made available for public examination.**

The execution of stages 6.2 and 6.3 can also be seen as fundamentally flawed by reference to site SR-0478B. Insufficient consideration is given to the fact that this site scored very poorly in terms of damage to Green Belt Land, where it scored double minus for criterion 2.1.

Site Ref.	Address	Settlement	Site Size (Ha)	Capacity (Units)	Site Suitability	Justification for Site Suitability	Site Rank			
							Road Rank	Location	Agriculture Level	Site Category
SR-0478B	Part of Chigwell Nurseries, 245 High Road, Chigwell, Essex, IG7 5BL	Chigwell	1.66	50	Suitable	This site is in a sustainable location at the edge of Green Belt. It scored poorly against some criteria at Stage 2 but it was considered that these constraints may be overcome. If the site is brought forward, a defensible boundary to the Green Belt would need to be created.	1	3	3	3

By the defined methodology, SR-0478B should be ranked 7 for Location due to being on Green Belt, and not being surrounded by sites ranked 4, 5 or 6 that can be built out. In fact the site is neighboured by protected listed buildings. In addition, this is another example where criterion 4.2 has been incorrectly and inconsistently assessed. It is well established that garden nurseries are defined as Greenfield. Stage 6.2 has incorrectly classified site SR-0478B as Urban Brownfield. Had this site been accurately assessed at stage 6.2, the 6.3 scores would be significantly worse, as would 6.4 scores. This site, upon closer examination, appears that it should not have been allocated to the Local Plan.

Site SR-0557 provides another example where the execution of stages 6.2 and 6.3 can be seen as fundamentally flawed. This site is open public space and has park benches and litter bins in recognition of its use as communal open space. However it has been classified as Brownfield, not Greenfield. Development will result in the loss of the majority of this space with no immediate mitigation, yet stage 6.3 ranks this as a top category site.

Table 6 notes the corrections required to ensure factual accuracy of components of the ARUP Site Selection Assessment for Site SR-1010: 146 Hainault Road, Chigwell.

Table 6

Criteria	Site Assessment Error	Corrections to be made
Stage 6.2 Assessment		
3.4 Distance to local amenities	Site is between 1000m and 4000m from nearest town, large village or small village.	Site is less than 1000m from Grange Hill shopping parade, Shell Petrol Station and Chigwell Parish Council, Victory Hall Community Centre, Chigwell Library, St. Winifred's Church and local open space. The score should be uplifted. Classification to be corrected as: Site is less than 1000m from nearest town, large village or small village. (Grange Hill)
4.1 Brownfield and Greenfield Land	Majority of the site is greenfield land within a settlement.	In line with definitions for the majority of similar neighbouring sites, this is a brownfield site and the score should be uplifted. Classification to be corrected as: Majority of the site is previously developed land within or

		adjacent to a settlement (Grange Hill)
5.2 Settlement character sensitivity	<p>Development could detract from the existing settlement character.</p> <p>Proposed intensification development is of a significantly higher density than surrounding development and could impact on settlement character.</p>	<p>The character of the area is well-established as mixed use, predominantly flatted developments and single residential dwellings. The Council has recently attested this to the Planning Inspectorate. See also aerial photo below (Picture 1).</p> <p>Proposed intensification (12 no. flats) is significantly below approved development of the immediate neighbour at 126 Manor Road; the immediate neighbour to the south west (Silver Hind, 103 Hainault Road), and many other nearby developments (see table 1, page 4). Classification to be corrected as:</p> <p>Development may improve settlement character through redevelopment of a run-down site or improvement in townscape. (See current building in Picture 2, page 5)</p>
Stage 6.3 Assessment		
	<p>“the site scored poorly against settlement character sensitivity” Location Rank: 2 Site Category: 2</p>	<p>Remove reference to settlement character sensitivity. This claim is unsubstantiated and therefore in breach of fundamental principles for the development of the Local Plan. Set Location Rank to 1 Set Site Category to 1</p>
Stage 6.4 Assessment		
Land-Type	Urban Open Space	<p>Set to match assessment for similar neighbouring sites:</p> <p>Urban brownfield</p>
Density Constraints	<p>Settlement Character²¹: Settlement character assessment and pre-application enquiry response indicate that the baseline capacity would need to be reduced to a maximum of around 50 dph to mitigate impact on local character. Density reduced accordingly.²²</p>	<p>Set to match assessment for neighbouring sites:</p> <p>No constraints: No constraints affecting site capacity identified. No capacity adjustment made.</p>
Local Setting	No adjustment made for local setting	Set to match assessment for similar neighbouring sites:

²¹ Inconsistent with assessment for SR-0895 which has no constraints and is 250m away on the same road, and with SR-0896 which is next door.

²² The DC Officer Report for the planning application for SR-1010 (EPF/0479/17) supported 11 flats, but this is not reflected and is a more up-to-date expert assessment.

		<p>Planning Application submitted for 11 units. Officer comments concluded that proposed quantum of development is acceptable in principle.</p> <p>Higher density setting and character of surrounding development, therefore intensification of site is appropriate in this location.</p> <p>Action: Increase density accordingly (SR-0895 benchmark of +100% to 117dph).</p> <p>Action: Revise capacity to at least match application submission of 11 flats.</p>
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Appendix B1.6.6 makes reference to “On-Site Restrictions” being identified for Site SR-1010:

SR-1010	Amar Nivas, 146 Hainault Road, Chigwell, Essex, IG7 5DL	Chigwell	0.17	7	On-site restrictions were identified, but it was considered that these could be overcome, and that identified deficiencies in secondary school places would not adversely affect the achievability of the site; consideration of infrastructure requirements has been dealt with through the Infrastructure Delivery Plan (2017).
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However this is not substantiated by the evidence-base of the SVLP. In fact, criterion 1.3 of the Stage4/ 6.4 Capacity and Deliverability Assessment specifically sets out that the “Site is not subject to any known restrictions. No data is held on on-site restrictions.” Therefore the conclusions of the SVLP with regard to this site are not based on substantiated evidence and actually contradict the evidence-base made available for examination.

Appendix B1.6.4 makes reference to the Council’s “Settlement Character Study” and “pre-application enquiry responses”, which have been used to negatively score sites in respect of capacity and viability. Specific information has not been included in the evidence base. Not only does this prevent examination and the right of reply, it provides another example of assertions which are not substantiated impacting material components of the SVLP. The extract below is from Appendix B1.6.4, for site SR-1010. There is no evidence to support the negative scoring for settlement character.

Refining the indicative site density

Identified density constraints: Settlement Character

Constraints density adjustment: -15% (dph): 49.7

Justification for adjustment: Settlement character assessment and pre-application enquiry response indicate that the baseline capacity would need to be reduced to a maximum of around 50 dph to mitigate impact on local character. Density reduced accordingly.

Local setting: No adjustment made for local setting.

Local setting density adjustment: 0% (dph): 49.7

In fact, the Council very recently attested to the Planning Inspectorate that this and similar sites are in an area of mixed use characterised by flatted developments, businesses and single dwelling accommodation. SR-1010 is in the immediate vicinity of flatted developments of 3-4 storeys (see picture 1, page 5). This has not been reflected in the Settlement Character or Local Setting scores, and doing so would lead to an increase in the capacity and not a reduction in baseline density. Furthermore, the Council's Planning Department encouraged and supported a higher density for this site in planning applications, where the Planning Officer noted that it is a brownfield site in a sustainable location. From the Council's own evidence base, ("Settlement Capacity Study Epping Forest District Council" by Fregonese Associates), site SR-1010 is appropriate for development of 125.8 dwellings per hectare, or 21 units (see table below from the Study). This evidence has been ignored in favour of unsubstantiated assertions, which goes against NPPF requirements for the development of a Local Plan.

Epping Forest District: Settlement Capacity Study

Table 10: Density by Typology

Generalised Yield (Gross dph)	
Car Park / Sustainable Location	129.3
Large Site / Less Sustainable	64.7
Large Site / Sustainable	81.1
Small Site / Less Sustainable	44.5
Small Site / Sustainable	125.8