

## **Paragon North Weald Ltd**

### **Local Plan Representations January 2018**

*Land owned by Mr J Foulds, Carswell, Rye Hill, Harlow, Essex CM18 7JG  
& Ms R Gemmill, 2 Bilsden Farm Cottages, Epping Road, Ongar, Essex CM5 0DF*

#### **Peter Brett Associates**

January 2018

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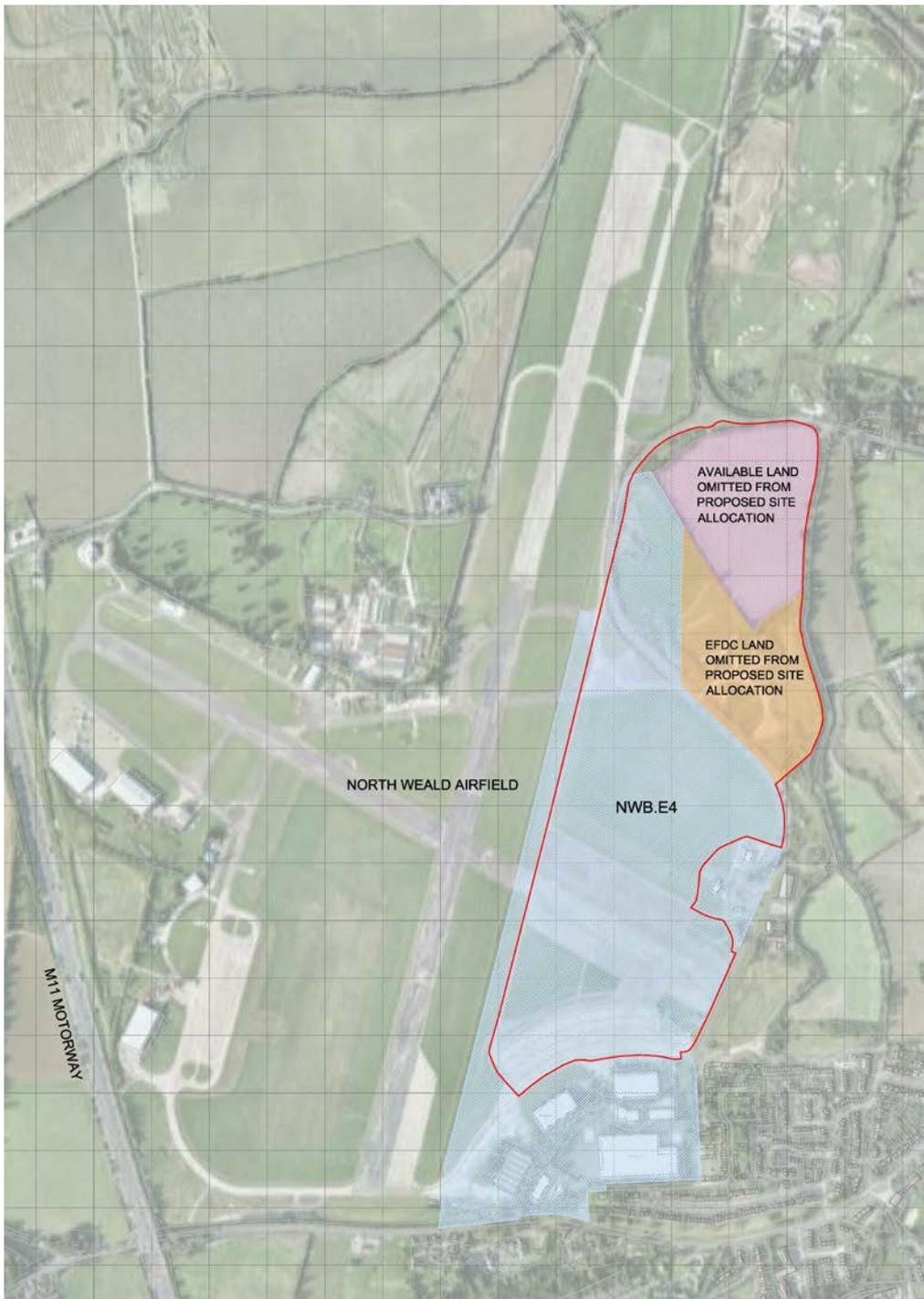


# 1 INTRODUCTION

## Our client and the land being proposed

1.1 PBA are instructed by **Paragon North Weald Limited** with regard to land outlined on the map below, described as “available land omitted from proposed site allocation”. The land is adjacent to the Council owned airfield land.

**Figure 1.1 Map of Paragon North Weald land (shown in pink)**



- 1.2 Paragon's land has been promoted through the development plan in two ways.
- Firstly, Paragon's land has been promoted as part of larger proposed strategic employment allocation. The larger portion of this proposed allocation is located to the east of the Paragon site, and is owned by Epping Forest Borough Council (SR-0930).
  - Secondly, Paragon's land has been promoted individually, as a development parcel in its own right (SR-0158B).
- 1.3 As a stand-alone site, the site was promoted for either housing or employment prior to the draft Local Plan consultation in 2016. But as set out in our previous representations to the draft plan, this site (SR-0158B) had been discounted by Arup in their site assessments because of a mistaken assumption that the site was liable to flooding.
- 1.4 As part of our representations to the draft Local Plan consultation, we provided technical evidence showing that this was incorrect and the parcel should not have been discounted for this reason.
- 1.5 Despite this evidence, correcting this mistaken assumption, the Paragon land (SR-0158B) was not considered as a site in the December 2017 site assessment work. It was only considered as part of the larger site (SR-0930) and dismissed without any actual evidence. Nor was it re-assessed as a possible housing site. We discuss this in more detail in section 3 of these representations.
- 1.6 It is our view that
- our client's site has been omitted from the development plan mainly due to errors or deficiencies in the evidence base; and
  - even when evidence correcting these evidential errors has been supplied (for example, regarding flooding on the Paragon site) that the omission from the plan has not been re-evaluated and these errors corrected; and
  - there is good evidence that Council has sought the wrong quantum and quality of employment land in the development plan. We set this evidence out in detail later in this paper.
- 1.7 But more generally, as an overarching concern, we note that most of the development plan employment land evidence has been submitted late or at best, alongside the Publication Draft Local Plan. While we understand that the Council has rushed publication of the plan, to meet the (now deferred) Standardised Housing Need method, this rush has resulted in evidence being available too late to positively inform the development plan. This meant, for example, that
- Paragon were not made aware that their site had been excluded from the Arup December 2017 Employment Land analysis until the publication draft Local Plan had been published. This late publication of evidence further compounded the earlier errors made in site assessment, and presented our clients with a *fait accompli*.
  - Errors appear to have been carried forward, and not corrected.

- Opportunities to correct mistakes have been explicitly rejected by the Council. Paragon asked to be part of a consultation process associated with Employment Land Review, via email to Council officers early in 2017. This was refused.
- Decisions have been made without a clear rationale. In this area, at North Weald, the Publication Draft Plan proposals for the airfield site differ significantly from those in the Council's Masterplan and the Draft Plan. This evolution is without any visible audit trail from the evidence.

1.8 The NPPF requires that local plans should maintain a robust evidence base from which they should assess *"the needs for land or floorspace for economic development, including both the quantitative and qualitative needs for all foreseeable types of economic activity over the plan period."* The Epping Forest Local Plan has allocated just 23 hectares (or 1.35 hectares per year) of new employment sites for the plan period (2016-33). Furthermore, the Submission Draft Local Plan estimates that only 3.22 hectares will be required up to 2021/22 (Appendix 5 – Trajectory for Employment Allocations). In our opinion, this is a significant underestimate the needs of business

1.9 In general, it is very difficult to see how the plan has been positively prepared.

## Recommendations

1.10 In order to make the plan sound, our recommendations are as follows.

1. The proposed allocation at NWB.E4 should be extended to cover the Paragon land (SR-930) so that the allocation can meet evidenced strategic employment needs. This is because we have shown that there is demand for a large warehousing scheme in this location, conjoined with the adjacent Council land which cannot be met within the proposed allocation at NWB.E4 as currently allocated.
2. The Paragon land should be considered as a local allocation for housing or local employment. This is because the site is deliverable for either use, contrary to incorrect flooding evidence.
  - As Local Employment: irrespective of whether the Paragon land is included within the terms of strategic allocation at NWB.E4, it remains the case that this land should be allocated as a local employment site to meet local employment needs. This is because we have evidence that the Council is promoting insufficient employment land.
  - As local Housing: whilst we are not providing housing evidence the site could be suitable for housing if the Council considers that additional housing land is required in this location.
3. That the Green Belt boundary be redrafted to ensure that it is defensible. There is no 'defensible' boundary between the east of the proposed Airfield allocation (NWB.E4) and the Paragon site (SR-0158B); the proposed boundary instead runs through open land. The proposed boundary appears to follow the extent of the Councils landowning in this part of the district as opposed to any landscape

feature, natural or manmade. This is contrary to NPPF 85 which requires the boundary to be defined using physical features that are likely to be permanent.

The far more logical, and compliant boundary, would appear to be south of Vicarage Lane / Merin Way in the north and Church Lane in the west. This would leave the Paragon site as 'white land' which could be considered by later plan reviews or when a more comprehensive masterplan for the wider Airfield site has been drawn up. Given the lack of clarity from the Council over their intent for the airfield, and a deficient employment evidence, this would appear to be a sensible alternative approach.

As a minimum we fail to see how the proposed site allocation in North Weald, and around the proposed airfield allocation, results in a NPPF compliant greenbelt boundary.

## 2 CONCERNS WITH SOUNDNESS

2.1 We do not consider the Publication Draft Local Plan to be sound for the following reasons:

- A) The plan has not been positively prepared:
  - Key areas of evidence needed to inform the evolution of the plan policies were not available until after the plan consultation document was issued. Most obviously, the Boroughs Employment Land Review (ELR) was not available until after the plan was published (and obviously not available at previous consultation stages). It post-dated the site assessment work by Arup; which dismissed sites from assessment, before the Council had identified its needs.
  - Our review of the Employment Land Review finds that the evidence fails to consider the genuine need for business as required by the NPPF:
    - It is informed by a single economic forecast when best practice would at least benchmark this view with other forecasting houses;
    - The single economic forecast is exceptionally low when benchmarked against an alternative, equally credible source (Experian) for the Functional Economic Market Area (FEMA) (60% higher);
    - The ELR was informed by very limited consultation with occupiers or agents;
    - Technically the document fails to recognise that the demand for many warehousing uses are poorly related to job growth calculations;
    - Fails to recognise that there is evidence on unmet demand for employment land in areas the evidence recognises are strongly related to Epping Forest. Most obviously London, which provided an evidence base demonstrating this well before the ELR was published;
    - There is a disconnect between the ELR market commentary and the reports conclusions; carried into the site selection;
    - The report fails to acknowledge market evidence provided at earlier consultation stages.
- B) Reflecting the deficient evidence, base insufficient land is proposed to meet the needs of business. So the plan will not be effective in meeting the needs of business.
- C) In the site selection process deliverable sites were incorrectly removed from consideration without evidence or audit:
  - Namely our clients proposed masterplan for a strategic distribution park at North Weald airfield was omitted from consideration as a potential site.
  - As a smaller, stand-alone site, our clients site was removed from consideration as a housing or employment site on erroneous assumptions (flood risk). This was not re-evaluated following the supply of technical evidence being provided to the contrary.

- D) The proposed greenbelt boundary in the North Weald area has been drawn without consideration of either a natural or manmade feature. Specifically with regards to the North East Corner of proposed site NWB.E4 where the boundary appears to reflect the Council's land ownership as opposed to any defensible feature.

# 3 THE SITE SECTION PROCESS

## Introduction

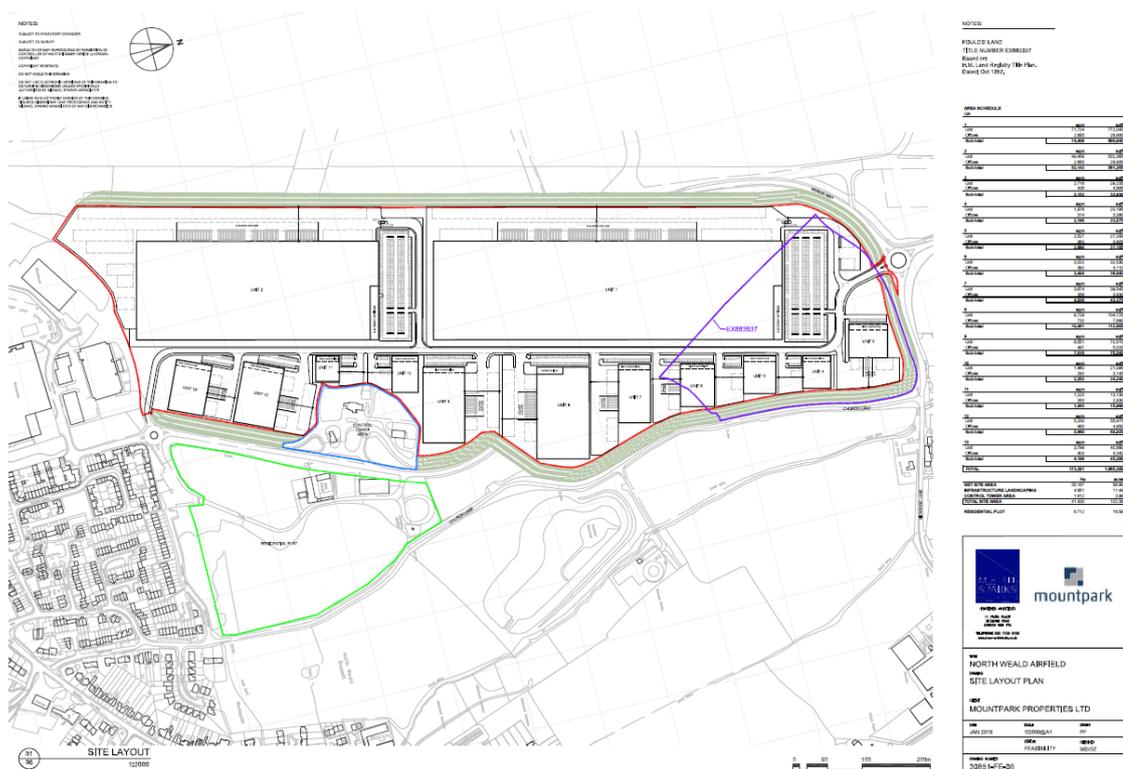
- 3.1 This chapter reviews the site selection process.
- 3.2 It identifies a series of weaknesses with the process.

## Reviewing the process

### The SR-930 Strategic Employment site concept was dismissed without evidence

- 3.3 In previous representations to the Council (December 2016), Paragon promoted a Strategic Employment site (SR-930) which was purposely designed and laid out to meet the growing needs of logistics firms. We also demonstrated that the site was deliverable, and a review of key delivery evidence had been undertaken to demonstrate this.

**Figure 3.1 Illustrative Masterplan of SR-0930**



- 3.4 It is not possible to understand from the Council's site selection evidence why this site concept has not been taken forward. In the assessment of employment sites (Arup, December 2017), it appears the site has been simply dismissed, in whole and also in part. The single line assessment (page A16) states:

*"This site should not proceed to the next stage. It is understood that the Council retains ownership and control of the Airfield. Given the Council's intentions to bring*

*forward a comprehensive proposal for the airfield, which includes the land submit to site SR-0930, this site will not continue to be considered”*

- 3.5 We can see no evidence as to what the “council’s intentions” are with regarding their site as a landowner. No evidence is presented in either the Employment Land Review or the Arup site assessments, and the Employment Land Assessment (2017) was only published alongside the final version of the development plan.

### **The airfield allocation included in the plan (NWB.E4) has been arrived at without evidence or rationale**

- 3.6 Whilst the Strategic Employment site concept (SR-930) was dismissed without evidence, the Council has promoted its own land as part of the Plan (NWB.E4). This was included in the Masterplan presented in December 2017 Employment Site Assessment.
- 3.7 It is unclear why or how the NWB.E4 proposed allocation has come forward in the shape and scale the publication draft plan now proposes.
- 3.8 The approach taken by the Council means that the Council’s evidence provides no robust evidence to dismiss out of hand a larger employment allocation, including the Paragon land, in this location. By not allocating strategic employment land the Plan fails to address an identified business need.

### **Figure 3.2 Extract of Masterplan from December 2017 Employment Site Audit**



### **An alternative proposal for a smaller employment (or housing site) was dismissed without evidence**

- 3.9 In previous representations (December 2016), we noted that an error appeared to have been made in early stage site selection work.

- 3.10 Technical work provided by Arup incorrectly indicated that the site was afflicted by flood risk.
- 3.11 Paragon provided, as part of the draft plan representations in December 2016, supporting technical evidence to correct this.
- 3.12 However, the corrective evidence provided by Paragon has been apparently disregarded. We can find no evidence as to why the Paragon land was not considered a part of the subsequent site selection process as a deliverable site. There does not appear to have been any re-assessment of the sites merits of development and in the December 2017 Employment Site Selection work our clients smaller site is omitted.
- 3.13 We have further concerns that, at the time of writing, the final housing site assessment work is unpublished and incomplete. The detailed tables to the December 2017 Housing Site Selection report are not included. The report simply says that they 'will follow'.
- 3.14 This is not acceptable at this stage in the plan process.

## 4 REVIEW OF THE EMPLOYMENT LAND EVIDENCE

### Introduction

- 4.1 In this section we look at the weakness in the employment land evidence. Were these weaknesses to be corrected, the amount of land needed in the district would be significantly higher.

### PBA's credentials

- 4.2 At the outset, it is helpful to explain PBA's credentials in handling employment land evidence.
- PBA has an very strong track record of undertaking Employment Land Reviews and providing Guidance on behalf of Government and other agencies on how best to approach employment land evidence.
  - PBA drafted Guidance for the majority of the English Regions, national Government (PPS 4) and the extant Guidance used in Wales (TAN 23, 2015). In this region, we recently worked with the EEFM (East of England Forecasting Model) economic forecaster and helped provide Guidance on using the EEFM to balance jobs and houses (April 2017).

### Reviewing the evidence

#### Evidence has relied on a single, relatively old economic forecast. This is unsafe

- 4.3 The ELR uses the East of England Forecasting Model (EEFM). For Epping Forest, this single model drives almost all the demand (net additional) for new employment space growth recommended in the evidence.
- 4.4 In our experience, it is not a sound approach to rely on only one model in isolation.
- Whilst it is a well-respected model, the East of England Forecasting Model is a product of only one of the three main economic forecasting houses in the UK. It is only one of three possible (forecast) views of the future economy in the area. It is recognised by the EEFM forecasters that one forecast cannot be taken as authoritative. Other equally respected forecasting houses reach different views.
  - We also note that it is, as far as economic forecasts go, reasonably old. Although 'badged' as the EEFM 2016, the model draws on 2014 based economic data (BRES 2014).
  - It is also the case here that the Council's consultants appear to distrust the EEFM 2016, given that they choose to rely on a distribution of growth shown in a superseded model run. Here we do not challenge this redistribution but note that this would have been a very strong justification for widening the evidence base beyond the single (and acknowledged flawed) forecast.

## Demonstrating a better approach: the results of triangulating data sources

- 4.5 We consider it best practice to benchmark the EEFM with one or both of the alternative forecasting houses available – before drawing conclusions.
- 4.6 Recently PBA, working for four Essex Local Authorities, undertook an analysis comparing the EEFM (2016) with more recent Experian forecasts. Experian are one of the alternative two national forecasting houses.<sup>1</sup> This evidence is currently part of the North Essex Examination in Public (EB/032).
- 4.7 We found that Experian was significantly more positive regarding future employment growth in the UK economy and in the Eastern Region. The table below illustrates this; taken from our report for Braintree, Colchester, Chelmsford and Tendring.
- 4.8 Job growth in the EEFM over the period 2014-36 is forecast at only 9% for the B class sectors, but 14% in Experian. This is over 55,000 jobs Experian estimates will require new employment space but omitted from the EEFM. For the whole economy, the difference is around 140,000 more jobs in Experian. So it can quite easily be seen that not even considering an alternative forecast could have significant continuances for local firms.

**Table 4.1 EEFM vs Experian for the Eastern Region**

	EEFM				EXPERIAN			
	2014	2036	change to 2036	%	2014	2036	change to 2036	%
<b>JOBS</b>								
Office	828,394	1,006,455	178,061	21%	788,752	965,862	177,111	22%
Industrial	303,180	234,982	-68,198	-22%	300,809	268,295	-32,514	-11%
Warehouse	200,876	210,605	9,729	5%	209,983	241,039	31,056	15%
<b>Total B class job</b>	<b>1,332,449</b>	<b>1,452,042</b>	<b>119,593</b>	<b>9%</b>	<b>1,299,544</b>	<b>1,475,196</b>	<b>175,653</b>	<b>14%</b>
<b>Non B Class Job:</b>	<b>1,636,839</b>	<b>1,907,250</b>	<b>270,411</b>	<b>17%</b>	<b>1,727,807</b>	<b>2,083,484</b>	<b>355,677</b>	<b>21%</b>
<b>Total All Jobs</b>	<b>2,969,288</b>	<b>3,359,292</b>	<b>390,004</b>	<b>13%</b>	<b>3,027,350</b>	<b>3,558,680</b>	<b>531,330</b>	<b>18%</b>

Source: PBA, Experian & EEFM

- 4.9 For this FEMA area, we have briefly looked at the most recent (December 2017) Experian model. This shows an alternative view, where job growth is 60% higher than that used in the Council evidence.
- 4.10 The Council's 'Moderated Baseline' makes provision for only 16,000 new jobs (16-33) whereas Experian December 2017 model run shows 26,000 over the same period.
- 4.11 We cannot make district level comparisons because the Council have chosen to redistribute growth around the FEMA, disbelieving the distribution in the original economic forecast. But it is clear that the Council's starting point for assessing the number of jobs is exceptionally pessimistic at the FEMA level, and this pessimism feeds through to the district level.

<sup>1</sup> The EEFM is based on a Cambridge model, Experian and Oxford are the two alternatives.

- 4.12 We cannot say that one or the other model is wrong. But what we can say is that this brief analysis demonstrates how unsound it is to consider only one forecasting house in isolation - especially when the Council's consultants themselves cast doubt on the robustness of the EEFM as applied in this area.

### **Employment provision is not aligned with housing provision. More employment land should be allocated in Epping to balance homes and jobs**

- 4.13 A further reason why the Council's evidence may under-estimate the demand for employment space in Epping Forest is that the population (and so labour supply) has not been aligned to the OAN and housing target.
- 4.14 The December 2017 ELR notes this lack of alignment. It states that this has been addressed by factoring in a number of known interventions (Section 3.2).
- 4.15 But none of the major adjustments relate to Epping Forest (Stansted, Harlow PHE and Harlow Regeneration / Enterprise Zone).
- 4.16 The assumption appears to have been made that these additional workers from the uplifted OAN in Epping Forest, commute out of the district for their employment.
- 4.17 The evidence should have better considered the alignment of jobs and houses in Epping, rather than making a series of policy-on assumptions about Epping residents having to commute over relatively long distances to work.
- 4.18 This problem could (and should) have been addressed by allocating additional employment land in Epping. As it stands, the Council has hard-wired unsustainable commuting patterns into the Plan.

### **The Plan assumes that other areas can meet their employment needs. This assumption is wrong**

- 4.19 The EEFM and the ELR makes the flawed assumption that relevant neighbours can meet all their own employment needs.
- 4.20 Given the weight of recent evidence from the GLA (which predates the ELR, but is not referenced) this is clearly an erroneous assumption. This is for two reasons. The first relates to the broad balance of employment land demand and supply and the second relates to specific logistics land provision. We deal with each in turn.
- 4.21 Recent GLA evidence, which PBA contributed to, concluded that London has reached a point whereby it can no longer meet the demand for employment land in full. The London Industrial Demand Study (LIDS) (2017) describes a radically changed employment land context, compared to earlier studies on this issue. London boroughs have been losing industrial land at a rate far in advance of that planned for. As a result, only three London Boroughs (Havering, Redbridge and Barking & Dagenham) should now be releasing employment land, whilst the remaining authorities should either be retaining employment land, or providing for additional allocations. This demand translates into some very significant increases in their requirement to provide for employment land. Motorway connected areas

nearby to North Weald are particularly affected. Enfield, for example, sees a requirement to 'provide capacity' at a very substantial scale (41.7 ha for employment land).

4.22 The GLA evidence is frank about the growth in demand for industrial land in the London market, and its implications for the wider south east. The report states that 'London's industrial property markets are having to respond to growing pressures of demand. The economy and population continue to grow and require servicing. Industrial land has been lost at a rapid rate with over 500 ha of land taken out of the supply between 2010-15. And what remains faces ever greater pressure from residential development.'<sup>2</sup>

4.23 Within this broader industrial land market context, logistics is a major sub-sector. Logistics accounts for around a third of jobs on industrial estates.<sup>3</sup> LIDS reports that there has been 'a small but steady decline in the total stock of warehouse floorspace in London' but that this is not because London's demand for warehousing has fallen but 'rather that demand is not being accommodated within its borders'. There is thus excess demand for warehousing space in London to service London's growing population.

4.24 LIDS has two scenarios which respond to this situation.

- LIDS' central projection assumes that "an increasing proportion of London's warehouse floorspace demand will be met from outside of its borders, but accommodates some growth in stock within London as well. Our central projection is for growth in warehouse demand of 280 ha over the period 2016-41".<sup>4</sup>
- LIDS has a second scenario entitled 'spatial substitution'. Like the central projection, this looks at the possibility of satisfying demand for warehousing land by using land outside London's borders. However, it assumes that this substitution happens to an even greater extent than the central projection. As the report states, "there is a lot of potential for spatial substitution between London and the Wider South East in the logistics sector. This is particularly the case to the east of London, due to land availability, and to the north of London where there is potential to service wider regional distribution networks"<sup>5</sup>

4.25 This evidence from the GLA was available well in advance of the production of the District's ELR. It is exceptionally surprising not to find explicit reference to this key evidence.

4.26 We should stress that this is not simply a London-related phenomenon. There is evidence of firms locating Regional Distribution warehouses in the district or nearby.

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<sup>2</sup> London Industrial Demand Study (June 2017) (209)

<sup>3</sup> Ibid (209)

<sup>4</sup> Ibid (210)

<sup>5</sup> Ibid (210)

- For example, in January 2018 Lidl stores announced they would take a single 23ha hectare site for a new single strategic warehouse adjacent to a new junction on the M1 near Luton. (part of the Houghton Regis North urban extension in Central Bedfordshire district CB/12/03613)
- Within the district the 80,000 sq metre Sainsbury's distribution facility at Waltham Abbey (within Epping district).

4.27 The implications for land at North Weald are clear.

- The base LIDS 'central scenario' relies on neighbouring authorities to provide warehousing space outside the London boundary. The North Weald site should be very much seen as part of this response.
- The role of North Weald in delivering parts of the 'spatial substitution' scenario. North Weald's location to the north east of London makes the site very valuable in the delivery of elements in this scenario which will be very important to London's future success.

4.28 These are markets which are intimately connected to future economic success, both for Epping Forest and the wider sub-region. Given London is unlikely to meet its own needs demand in this Borough is very likely to be higher. This should

### **The method used to calculate warehousing floorspace is very likely to result in an underestimate of floorspace demand**

4.29 As a final concern, we consider that it is exceptionally likely that the method used in the ELR fails to accurately address the need or demand for new warehousing space.

4.30 However, there is an increasing wealth of evidence suggesting that there is a poor co-relation between warehouse job growth, estimated from economic forecasts, and floorspace growth.

4.31 The GLA (in the evidence discussed above) no longer use employment numbers to derive the demand or need for warehouses in or around the Capital. Neither the East or West Midlands regions, and relevant work post RSS, use job forecasts to estimate the need or demand for warehousing.

4.32 The Council's evidence presented here uses the old method of calculating employment floorspace needed. This is very likely to result in an underestimate of the amount of employment floorspace needed as well as the quality and type in market demand.

### **Net additional floorspace provided is very low. The great majority of floorspace in the ELR is replacement space**

4.33 All evidence shows that warehousing and logistics is a growing market. This has been confirmed by JLL and also the Council's own consultants (Glenny) in the December 2017 ELR. When discussing logistics demand they state (Section 4.4):

- "Demand is expected to increase as a result of increasing use of ecommerce.

- The demand for large regional distribution centres will be maintained alongside the development of smaller local units located on urban peripheries that will meet the growing demands of online consumers”.

4.34 These statements seem very poorly aligned to the ELR’s conclusions. In terms of job growth in Epping Forest, the Council’s assumption appears to be almost zero job growth in the industrial sectors, which include warehousing. Also no allowance appears to have been made to address the very low levels of vacant space in the market which the report notices is below what they consider to be healthy (5.1.4).

4.35 This translates to low levels of floorspace provision. In net additional land terms, the Council is providing only 1,000 sqm of net additional floorspace for industrial use over the life of the development plan (~0.25ha). Almost all the 14ha new industrial land in the district (which includes warehousing) recommended in the December ELR is for replacement floor space (see table 3.5 of the Council’s ELR). We note that compared to the ELR’s recommendation, there is almost no additional over-allocation in the Local Plan to allow for any margin of error in the ELR’s calculations.

4.36 As a ‘common sense’ check this 14ha of industrial land in the ELR is roughly 50% of the land taken up by a single new warehouse in Epping for Sainsbury’s; and also 50% of the land being taken up by a single warehouse being developed for Lidl at the nearby new M1 junction near Luton. So, it appears that even at first glance, the 14ha could be a gross under-estimate knowing that this area is so attractive to large scale demand.

4.37 This is despite there being demand for warehouses in Epping Forest, as clearly evidenced by our market facing report from JLL. JLL’s conclusions are apparently in agreement with Glenn’s statements in the Council’s own ELR (in the December 2017 ELR).

## Summary

4.38 The primary evidence base informing the Local Plan is the December 2017 Employment Land Review. For a number of technical reasons we do not consider that this informs a sound policy. For the reasons set above, we consider this a deeply flawed assessment of business needs in the district, both for ‘normal’ employment uses and especially for strategic warehousing. We think that the analysis had led the Council to allocate too little land for employment uses.

4.39 Chronologically the ELR cannot have informed the site selection process, nor guided the scale of allocations to be made in the development plan. It was published after the submission of the Development plan and well after the Arup site selection work.

4.40 Weaknesses in the Employment land evidence could have been addressed should the evidence been made available in a timely manner (and not post publication), or had been subject to positive consultation. But given the timeline of evidence here this has not been possible.

4.41 As we show in the next sections of our representation our client has assembled a site that could meet the demand or need for larger logistics occupiers in a

sustainable manner. Our reading of the evidence suggests this opportunity has been overlooked partly because the need or demand for the land was not identified in a timely manner.

## 5 UPDATED DELIVERY EVIDENCE

- 5.1 In looking to bring forward the Land for development purposes we undertook a high-level assessment of potential constraints to development under the headings of Transport, Ecology, Flood Risk, Geotechnical and Utilities. These Technical notes were attached to our representations submitted in December 2016 at Appendix 5.
- 5.2 In response to the Submission draft local plan consultation (December 2017) we have reviewed the previously submitted Preliminary High Level Constraints Assessment report. Reproduced below under each of the headings is a summary of the conclusions for each of the topics.

### Transport

- 5.3 The anticipated release of land from part of the North Weald Airfield for development provides the opportunity to create a B8 logistics park with excellent access to the national Road Network via M11, but on a sustainable site on the edge of North Weald Bassett. HGV traffic accessing the strategic network from the site would not impact on the existing village.
- 5.4 A recent transport modelling assessment that has been undertaken by Essex Highways, on behalf of EFDC and Essex County Council (ECC), to assess the potential transport related effects of the district's emerging Local Plan. Whilst this has identified many constraints on the wider highway network, none of these are directly impacted by the proposed development.
- 5.5 The main highway issue relating to this site is the capacity of M11, Junction 7. This is currently operating above capacity during the peak hours. However, the construction of the new Junction 7A, which is due to be completed in 2021 will provide some relief. Some further improvements are however likely to be required to the junction to support the full development aspirations of both Harlow and North Weald.
- 5.6 The proposed employment development of the whole of the site, along with other proposed developments within North Weald Bassett provides an opportunity to fund key transport infrastructure enhancements, including potentially contributions towards improvements to Junction 7A as well as enhanced public transport services. The latter could include an enhanced bus link to Epping Forest, including to the Central Line Station. There are opportunities to link the site to the adjoining residential development within the village, with excellent walking and cycling links.
- 5.7 There appears to be no fundamental reason to prevent the proposed development from being implemented from a transport point of view.

### Ecology

- 5.8 An update desktop assessment was undertaken in respect of the Site with the findings set out in the table attached to the Technical Note.

5.9 The findings of the desktop review, identifies relevant ecological features, legislation and local planning policy, and sets out potential implications for the proposed future development of the Site for warehousing. No ecological considerations have been identified that would be a constraint to the allocation of the whole Site within the emerging local plan or to the delivery of a forthcoming employment development of the site. The current proposed indicative masterplan for development of the site (Drawing 30851-FE-10A, Michael Sparks Associates, 2016) allows capacity for ecological mitigation and enhancements to be accommodated, as necessary, within the finalised scheme design.

## Flood Risk

5.10A Flood Risk Statement (FRS) has been prepared in respect of the Site.

5.11 In accordance with the fundamental objectives of the National Planning Policy Framework (NPPF), the FRS demonstrates that:

- (i) The development is safe;
- (ii) The development does not increase flood risk; and,
- (iii) The development does not detrimentally affect third parties.

5.12 The Environment Agency (EA) Flood Zone map shows that a large portion of the site is located within Flood Zone 1 'Low Probability' of the North Weald Brook (as defined in NPPF Planning Practice Guidance (PPG) 'Flood Risk and Coastal Change' Table 1) as follows:

### **Flood Zone 1 'Low Probability' (less than 1 in 1000 (0.1%) annual probability of river or sea flooding**

5.13 The northeast corner of the site is however located in Flood Zones 2 and 3. Flood Zone 2 is defined as 'Medium Probability' (between 1 in 100 (1%) and 1 in 1000 (0.1%) annual probability of river or sea flooding. Flood Zone 3 is defined as 'High Probability' (more than 1 in 100 (1%) annual probability of river or sea flooding.

5.14 The proposals for the office aspect of the indicative development masterplan constitute a Less Vulnerability Classification land use, which is considered appropriate within Flood Zones 1,2 and 3 (reference NPPF PPG Tables 2 and 3).

5.15 The sequential test may need to be carried given part of the site is in Flood Zones 2 and 3 and in addition parts of the site are at low, medium and high risk of surface water flooding.

5.16 The flood risk mitigation strategy for the development consists of the following elements:

- Locate as much of the development in Flood Zone 1 'low probability of flooding;
- Maintenance of surface water flow route through the site;

- A minimum 300mm 'freeboard' is incorporated in ground floor levels for buildings close to surface water flood risk areas and appropriate profiling of exterior ground levels away from building entrances;
- Maintenance of surface water overland flow routes through the site.

5.17 In summary, the FRS demonstrates that the proposed development is safe and in accordance with the requirements of national and local planning policy.

## Geotechnical

5.18 Based on historical and current land uses on the Land, the potential risk associated with land contamination from past and current land use activity is generally low. There are risks from the use of the Land as an Airfield including hydrocarbons, organic pollutants and asbestos. There are not considered to be any significant site wide on-site sources of potential contamination that would impact the redevelopment of the Site.

5.19 There are several potential opportunities on the Site and these are summarised below:

- a. The Site does not lie within a source protection zone for groundwater therefore any impact of contamination of groundwater is very low.
- b. Soils on-site are likely to be classified as inert for off-site waste disposal and will generally be suitable for reuse, however, the final decision on waste classification is ultimately with the receiving landfill facility.
- c. Shallow foundations are likely to be suitable.

5.20 There are several potential constraints on the Site and these are summarised below:

1. Shallow infiltration drainage is unlikely to be suitable due to the cohesive nature and very low permeability of the underlying soils.
2. There may be locally contaminated areas particularly in the south of the Land underlying the apron and taxiway.

5.21 There are not considered to be any significant site wide on-site sources of contamination.

## Utilities

5.22 The initial assessment report undertaken in December 2016 has not been updated and the conclusions submitted at that time are still valid. They are repeated here for completeness.

5.23 The initial assessment found that there is no recorded National Grid Gas infrastructure or Thames

## 6 CONCLUSIONS

- 6.1 PBA understand from our client that the larger Site and indicative Masterplan had been the product of discussions with the Council as the landowner (as opposed to the planning authority). This follows on from Policy SP1 of the draft Local Plan which states that *“The Council will take a positive approach to the consideration of development proposals, reflecting the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will work proactively with applicants to find solutions for development proposals that help to improve the economic, social and environmental condition in the District.”* Chapter 6 on Infrastructure and Delivery reinforces this and further adds at paragraph 6.1 that this chapter of the Local Plan sets out the means by which the Council will implement the policies of the Plan. As set out in this chapter, the Council will seek to make full use of its powers as Local Planning Authority as well as through joint working with public and private sector partners and, where relevant, its role as landowner.
- 6.2 Appendix 5 of the draft plan deals with Housing, Employment and Traveller trajectories. In relation to the 10 hectares of land allocated at North Weald, the Council are estimating that 5ha will be delivered between 2022/3 and 2026/7 and the remaining 5ha between 2027/8 and 2031/2. That means no provision of new B class space for 5 years. That seems wrong and quite frankly ridiculous given the known demand at the moment. The JLL report attached as Appendix A to our representations demonstrates the demand and for the reasons set out elsewhere in our representations the Council appear to have ignored this. As demonstrated in this report the larger Site is a deliverable Site which the Council should be addressing.
- 6.3 The NPPF requires that local plans should maintain a robust evidence base from which they should assess *“the needs for land or floorspace for economic development, including both the quantitative and qualitative needs for all foreseeable types of economic activity over the plan period.”* The Epping Forest Local Plan has allocated just 23 hectares (or 1.35 hectares per year) of new employment sites for the plan period (2016-33). Furthermore, the Submission Draft Local Plan estimates that only 3.22 hectares will be required up to 2021/22 (Appendix 5 – Trajectory for Employment Allocations). In our opinion, this significantly underestimates the needs of business.
- 6.4 In order to make the plan sound, our recommendations are as follows.**
1. The proposed allocation at NWB.E4 should be extended to cover the Paragon land (SR-930) so that the allocation can meet evidenced strategic employment needs. This is because we have shown that there is demand for a large warehousing scheme in this location, conjoined with the adjacent Council land which cannot be met within the proposed allocation at NWB.E4 as currently allocated.

2. The Paragon land should be considered as a local allocation for housing or local employment. This is because the site is deliverable for either use, contrary to incorrect flooding evidence.
  - As Local Employment: irrespective of whether the Paragon land is included within the terms of strategic allocation at NWB.E4, it remains the case that this land should be allocated as a local employment site to meet local employment needs. This is because we have evidence that the Council is promoting insufficient employment land.
  - As local Housing: whilst we are not providing housing evidence the site could be suitable for housing if the Council considers that additional housing land is required in this location.
3. That the Green Belt boundary be redrafted to ensure that it is defensible. There is no 'defensible' boundary between the east of the proposed Airfield allocation (NWB.E4) and the Paragon site (SR-0158B); the proposed boundary instead runs through open land. The proposed boundary appears to follow the extent of the Councils landowning in this part of the district as opposed to any landscape feature, natural or manmade. This is contrary to NPPF 85 which requires the boundary to be defined using physical features that are likely to be permanent.

The far more logical, and compliant boundary, would appear to be south of Vicarage Lane / Merin Way in the north and Church Lane in the west. This would leave the Paragon site as 'white land' which could be considered by later plan reviews or when a more comprehensive masterplan for the wider Airfield site has been drawn up. Given the lack of clarity from the Council over their intent for the airfield, and a deficient employment evidence, this would appear to be a sensible alternative approach.

As a minimum we fail to see how the proposed site allocation in North Weald, and around the proposed airfield allocation, results in a NPPF compliant greenbelt boundary.



# **APPENDIX A JLL MARKET REPORT ON LOGISTICS**

**(Attached separately)**



## **APPENDIX B DELIVERY EVIDENCE**

**(Attached separately)**