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Your ref: Chigwell Grange Reps  
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Local Plan Regulation 19 Representation  
Planning Policy Team  
Epping Forest District Council  
Civic Offices  
323 High Street  
Epping  
Essex CM16 4BZ

29 January 2018

Dear Sir/Madam,

## **EPHING LOCAL PLAN SUBMISSION VERSION CONSULTATION REPRESENTATIONS FRONT SITE, FORMER GRANGE FARM, HIGH ROAD, CHIGWELL – SR-0601**

We write to you on behalf of our client, London Square, in respect of the above Local Plan Consultation currently being undertaken by Epping Forest District Council. These representations relate to 'Front Site, Former Grange Farm, High Road, Chigwell' ("Site 2"), with a site reference of 'SR-0601'. The red line plan for Site 2 is attached at Appendix 1.

Site 2 has been promoted for release from the Green Belt for the purposes of residential development in previous stages of consultation. Given that the site was identified as a suitable and deliverable housing site in the previous iteration of the plan, we are disappointed that it has been removed from the submission version of the plan without any prior notification or evidence to justify it.

### **BACKGROUND**

Site 2 was acquired by London Square in January 2015 along with Site 1 which is located to the north east of Site 2 on Grange Farm Lane. Both Sites 1 and 2 originally formed part of 'Grange Farm' which was historically occupied for leisure and recreational uses as a camping ground. Grange Farm Centre is now located to the north of Site 2 providing recreational and sports facilities. Members resolved to grant planning permission for 43 residential units at Site 1 in November 2015 and permission was granted on 1 August 2016. Site 1 is currently under construction and due for completion in mid-2018. Site 1 does not form part of these representations but is referred to for context purposes. The red line plan for Site 1 is attached at Appendix 2.

Site 2 comprises approximately 0.7ha of land to the north of the centre of Chigwell. It is bounded by Grange Farm Lane on its eastern edge and the roundabout at High Road in the south. Bramble Close, which forms the western boundary is a cul-de-sac of one and two storey housing, part of which form the northern boundary.

Whilst Site 2 is located within the Green Belt in the currently adopted Epping Forest District Council Local Plan (1998 and Alterations 2006), it has been used since at least 2007 as a building compound for Site 1 and for other development projects further afield and is comprised mainly of hard standing and accumulated building materials.

### **PLANNING HISTORY**

In terms of extant and implemented planning permissions relating to Site 2, these split the site into three plots. It should be noted that all of the separate permissions relating to the replacement buildings originated in 1991 (1182/90), when permission was sought to extend and refurbish Grange Farmhouse (Plot 1) and replace two derelict dwellings on Plots 2 and 3. These permissions were renewed in 1997 and again in 2002 (see below), however by this time the derelict buildings on Plots 2 and 3 had completely disappeared.

#### **Plot 1**

EPF/0916/12 - Plot 1, Front Site Former Grange Farm High Road Chigwell Essex IG7 6DP - Certificate of lawful development for proposed replacement dwelling and associated access and services, as detailed on application EPF/1452/06 – Lawful 2012.

EPF/1452/06 - Erection of new replacement dwelling – Granted in 2006.

The officer report notes that:

*“...The erection of three new dwellings at the entrance to Grange Farm (in what is known as ‘green land’) is an integral part of the approved and expected development for Grange Farm as a whole. The fact that the dwellings have largely disappeared over time should [not] raise academic concerns about ‘replacements’ for the delay in replacing them is part of the overall delay in reaching a conclusion to the issues at Grange Farm”.*

It is assumed that the above meant to say ‘...should not raise academic concerns...’ meaning that the delay in replacing the original buildings was considered a non-issue.

#### **Plot 2**

EPF/0917/12 - Plot 2, Front Site Former Grange Farm High Road Chigwell Essex IG7 6DP - Certificate of lawful development for proposed construction of new dwelling and associated access and services, as shown on application EPF/1453/06 – Lawful 2012.

EPF/1453/06 - Renewal of planning permission EPF/0645/02 for demolition of existing dwelling and erection of new dwelling (known as plot 2) – Granted 2006.

The officer report associated with planning permission EPF/0645/02 states:

*“...the proposed development will take place on a well screened site, located some distance back from the public highway. As such it is considered that it will not be unduly conspicuous in its wider setting and would not therefore harm the open character and appearance of the Green Belt. Moreover, if the curtilage of the proposed dwelling is laid out as a private garden, large areas of unsightly hard surfacing will be removed from the site... the development will retain the majority of natural screening at the site..”.*

#### **Plot 3**

EPF/0918/12 - Plot 3, Front Site Former Grange Farm High Road Chigwell Essex IG7 6DP - Certificate of lawful development for proposed demolition of existing bungalow and erection of new dwelling and associated access and services under permission EPF/1454/06 – Lawful 2012.

EPF/1454/06 - Renewal of planning permission EPF/0646/02 for demolition of existing bungalow and erection of new dwelling house on site of derelict dwelling known as plot 3 – Granted 2006.

### **REPRESENTATIONS TO DATE**

Over the past 24 months, we have prepared a number of representations, made on behalf of London Square, in respect of Site 2.

Site 2 was promoted through the EDFC Call for Sites (March 2016) for up to 60 proposed residential units. Since the site is located within the Green Belt, the case for its removal from such a designation comprised of the following elements:

- The site is considered previously developed land;
- The land benefits from numerous planning permissions, which have been implemented and could be built out at any time;
- The site lies within a 'broad location for further assessment' as part of Stage 2 of the Council's Green Belt Boundary review;
- The site would contribute to the provision of a five year housing land supply; and
- The site forms part of the wider Grange Farm development, which comprises 47 dwelling houses and a sports pavilion accessed via Grange Farm Lane.

Site 2 was then promoted through the EDFC Draft Local Plan Issues and Options consultation (October 2016). The consultation document proposed the removal of the site from the Green Belt and an allocation for 30 homes as part of Draft Policy SP7. Whilst the principle of removing the site from the Green Belt to accommodate residential development was supported, the aim of Draft Policy SP7 to provide 30 homes was objected to by London Square, with representations noting that this number of homes would not deliver the most sustainable form of residential development on Site 2, potentially compromising the District's ability to deliver the number of homes needed during the Local Plan period.

Representations were then made to the Chigwell Parish Neighbourhood Plan Consultation (November 2016) in respect of Site 2 in support of Draft Policy CV3. The removal of the site from the Green Belt was supported, however the site's capacity to provide 20 units, as set out in the draft plan, was considered a density which would not make best use of the land available. It was considered that CV3 (ii) should be reworded to support a higher density development.

Lastly representations were made to the Infrastructure Delivery Plan (May 2017), and comments put forward in respect of Site 2 echo those set out in the above representations.

In addition to the above representations, Carter Jonas attended EDFC's Developer Forum meetings (regarding progress on the Local Plan) on:

- 09/09/2016
- 02/12/2016
- 24/02/2017
- 19/05/2017

## **PRE-APPLICATION DISCUSSIONS**

Proposals for Site 2 have been subject to two pre-application meetings with Epping Forest District Council. A scheme for 65 units was presented for pre-application advice on 31<sup>st</sup> October 2016. At the meeting, the case officer, Ian Ansell, noted that he was comfortable with the design approach subject to further information on the following three points:

- Key views to justify the proposed scale;
- The proposal comprised of 1 and 2 bedroom units but this would need to include some 3 bedroom apartments as well to improve the proposed mix; and
- Clarification on the PADHI restrictions associated with the site given the underground pipeline.

We agreed to prepared the above information and return for a follow-up meeting, which was held on 21<sup>st</sup> December 2017. A scheme for 57 units was presented and sought to respond to the Ian Ansell's previous comments.

## KEY CONSIDERATIONS

### DCLG Standardised Methodology for Housing Requirements

On 14<sup>th</sup> September 2017, the Department for Communities and Local Government (DCLG) published a consultation on their proposed reform to the methodology for the calculation of local authorities' housing need. In addition to this consultation, a table detailing every Local Authority's amended housing need figures was published. Many Local Authorities have experienced extremely large increases or decreases in their identified housing requirements when compared to their previously defined Objectively Assessed Need (OAN).

Of particular importance is the increase in housing needs that Epping Forest has experienced. The Epping Forest OAN is predicted to increase from 514 dwellings per annum to 923 dwellings per annum when the Standardised Methodology comes into effect. This represents an increase of 409 dwellings per annum, revealing an acute and intense housing need.

It has been noted that the Council intends to proceed with an accelerated plan production programme in order to ensure the plan is capable of submission before 31 March 2018. However, the Council will be aware that it has a legal duty to only submit a plan for examination that it believes to be legally compliant and capable of being found sound. At this stage, we have concern that the approach taken by the Council to the potential for an increased housing target arising from the Standardised Methodology may put the future of the Local Plan at risk.

### Lack of Justification for Council's Complete Volte Face on Site 2

Site 2 was identified for allocation within the Epping Forest Draft Local Plan (2016) for approximately 30 homes. Its identification was justified by evidence such as Site Selection (Sept 2016) and the SLAA. The Site has since been removed from the current consultation on the submission version of the Local Plan.

In line with paragraph 83 of the NPPF, the Council should take this opportunity through the preparation of the emerging Local Plan to ensure that the amended Green Belt boundaries are capable of enduring beyond the Plan period and therefore enable their intended performance in the long term. Since the Council should seek to identify additional sites to demonstrate that it is capable of addressing existing and future growth requirements, there appears to be a lack of evidence to justify the removal of the Site from the submission version of the Plan.

Appendix B of the Site Selection Report 2017 (assessment of residential sites) has **not** been made available as part of technical supporting information; this is a key piece of analysis and we have been advised by the Council that this is not going to be made available until 6 weeks after the consultation on the submission version of the Local Plan closes. As such, we do not consider this consultation process to be valid or lawful and we reserve the right to comment on supporting information (which is said to be part of the Local Plan's evidence base) when it is publically available. As such, we argue the submission version of the Local Plan to be unjustified, and therefore unsound.

### Green Belt

Epping District is largely rural and over 92% of the land is currently designated as being in the Metropolitan Green Belt. Whilst continuing to protect the Green Belt, the Council has acknowledged that there is very little land remaining in the District within the settlements that is not already developed. As such, in order to meet future needs, a District-wide review of the Green Belt has been undertaken to identify the potential for future development.

London Square recognises the need to preserve the Green Belt and, as a result, sensitively develop sites whilst respecting their surroundings, but also the requirement to ensure the sites that are put forward for development are available, deliverable and achievable. Epping Forest District Council has undertaken a Green Belt Review, which consists of two stages.

The Stage 1 Green Belt Review concludes that Site 2, which is identified as being within the wider Parcel 'DRS-035' (Land North, West and East of Chigwell), makes a relatively strong/ strong contribution to the Green Belt. In particular, it is suggested that the broader parcel prevents unrestricted sprawl of large built-up areas, and assists in safeguarding the countryside from encroachment.

In the Stage 2 Green Belt Review Site 2 is identified as being located within the narrower sub-Parcel '035.7'. The report concludes that the smaller parcel makes a moderate contribution to preventing unrestricted sprawl of large built-up areas, and makes a strong contribution to preventing neighbouring towns from merging and assisting in safeguarding the countryside from encroachment. The Review therefore assesses the resultant harm to the Green Belt purposes to be very high if the parcel is released from the Green Belt. We do not however, consider this conclusion to be valid for Site 2 since it makes up only a very small part of Parcel '035.7' and has been grouped with land that displays very different characteristics. The Site is bounded on all of its three sides by development; the south western and north western boundaries are adjacent to the residential accommodation associated with Bramble Close (which is part of a continuous ribbon of development from Chigwell Village to the south), the eastern boundary adjacent to Grange Farm Lane is also adjacent to existing residential development and the tip of the triangular shaped subject site reaches the high road with the development associated with Chigwell County Primary School beyond. These features do not provide a rural setting for the site and therefore it is considered that the development of the Site would not result in encroachment into the countryside. Thus conclusions relating to the parcel's Green Belt purposes do not, in our view, apply to Site 2.

Green Belt Stage 2 sub-parcel '035.8' is located on the opposite side of the High Road to the subject site and covers the area of land including Chigwell County Primary School. The total area of sub-parcel 035.8 is 27.97 hectares. Whilst vastly different in size to sub-Parcel '035.7' (which is 175.63 hectares), '035.8' displays similarities in terms of form of landscape; specifically Site 2 is not dissimilar to that of '035.8' where the Green Belt boundary is now proposed to be amended to remove the County Primary School. Given these similarities as well as the small size of the subject site which is contiguous with the southern boundary of sub-Parcel '035.7', we believe the most appropriate action would be for the Council to adjust the Green Belt boundary to remove Site 2.

Furthermore, the draft Chigwell Neighbourhood Plan 2016 consultation document noted in respect of Site 2 specifically that *"The majority of the site was used in conjunction with Grange Farm and is considered previously-used land. The enclosed nature of the site means that it makes no effective contribution to the essential open character of the Green Belt"*.

Therefore, when the Site is assessed against the five purposes of the Green Belt (as set out in paragraph 80 of the NPPF, the proper conclusions to be drawn are that:

- The development of the Site 2 would not result in the unrestricted sprawl of large built-up areas. Put simply, the site is a small well-contained site within a small settlement. It is contained within the wider built parameters of the settlement and would deliver new housing to support the local community. It would not result in unrestricted sprawl nor is it located adjacent to a large built up area. Therefore, the development of the site would not harm this purpose;
- The development of Site 2 would not result in neighbouring towns merging into one another. Since the site is small and is bounded by development on two of its three sides, its development would not result in any merging of towns. As such, the development of the site would not harm this purpose;
- The development of Site 2 would reduce pressure on the need to release more sensitive sites for development. It is surrounded to the north and west by urbanised features and its development would not encroach into the open countryside. The majority of the site itself is covered by concrete or hardstanding and has been in use for a substantial period of time as a construction compound surrounded by hoardings. It is acknowledged by the Parish Council that the site is considered to "make no effective contribution to the Green Belt". Furthermore, it is very apparent from any aerial inspection that the Green Belt in reality starts from the eastern side of Grange Farm Lane. As such, the

development of the Site would play a significantly less harmful role when compared to alternative sites identified in the emerging Local Plan;

- The development of Site 2 would not damage the aim of preserving the setting and special character of historic towns. The settlement of Chigwell is not a town and the development of the site would assist in protecting the setting and special character of other historic towns by reducing the quantum of development that needs to be identified within or adjoining them; and,
- The development of Site 2 would assist in the future viability and vitality of Chigwell, in particular by providing a site which would be particularly well-suited for the development of smaller units. Its contribution to urban regeneration would be limited, but the need for Green Belt releases to identify sufficient land for housing growth is established in the Local Plan. As such it is incumbent on the Council to maximise the opportunities available.

This assessment confirms that Site 2, when objectively assessed against the above five purposes of the Green Belt, plays a very limited role. As such, the decision to remove the proposed allocation of the site in the current submission version of the Local Plan is not justified in the context of its role in the Green Belt. A plan showing the removal of Site 2 from the Green Belt by extending the existing defined built up area of Chigwell slightly to the north and west is attached at Appendix 3.

## CONCLUSIONS

The above representations oppose the decision of Epping Forest District Council to remove Site 2 from the submission version of the Local Plan. We believe 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 carrying sufficient weight to warrant its removal. As such, it is concluded that the site should be removed from the Green Belt and should be identified for housing development within the submission version of the Local Plan for up to 60 residential units, since the removal of the Site from the submission version of the Local Plan has not been justified with evidence; and the site does not play a significant role in the Green Belt.

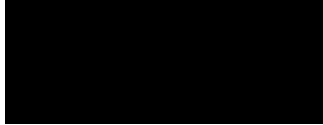
In the terms of the Calverton case [2015] EWHC 1078 (Admin) at para 51:

- i. OAN in EFDC is plainly acute and intense (and the DCLG methodology suggests there are much greater needs than the Council has assessed);
- ii. there is very limited availability of brownfield land for development in EFDC (Site 2 is effectively one such site, given its history of planning permissions and construction compound use);
- iii. failing to make use of a site such as Site 2 can only increase the pressure to release a greater volume of more valuable Green Belt land elsewhere in EFDC's area;
- iv. there are sound, site specific reasons for releasing and developing Site 2; and
- v. the fact that the site is effectively surrounded by development and has no connectivity with the broader Green Belt at this location will reduce consequent impacts upon the purposes of the Green Belt to the lowest reasonably practicable extent. This could be reinforced by the form of any planning permission subsequently granted.

We would be very grateful for confirmation that these 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 aspiration for the site, if this is deemed to be of assistance.

Yours sincerely



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**APPENDIX 1 – SITE 2 LOCATION PLAN**





**APPENDIX 2 – SITE 1 LOCATION PLAN**





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# Chigwell Grange

## Site Location Plan 1:1250



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Client London Square  
Project Chigwell Grange  
Title Site Location Plan

Drawn by rb Date 10.2013  
Scale 1:1250 @ A1  
Nº C164 P01

**APPENDIX 3 – CHIGWELL AMENDED GREEN BELT BOUNDARY**



