

Epping Forest District Council Representations to the Draft Local Plan Consultation 2016 (Regulation 18)

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| Method | Letter | | | |
| Date | 12/12/2016 | | | |

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Letter or Email Response:

Land at Oak Hill Road, Stapleford Abbots Representations to the Epping Forest Draft Local Plan Consultation - December 2016 We are writing on behalf of our client and family trust representative, **Redacted** in response to the consultation on the Epping Forest Draft Local Plan consultation. The Trust owns land to the south of Oak Hill Road (Site Location Plan enclosed), and is working toward bringing forward a sensitively designed and sustainable extension in the settlement of much needed new dwellings through the plan-making process. These representations identify a number of matters that are significant in ensuring the plan is found sound and legally compliant. These necessarily include the importance of making provision for the full objectively assessed development needs arising in the area for the whole of the Plan period, the duty to co-operate and providing sufficient land to accommodate growth from surrounding areas, as necessary. In this context **Redacted** can confirm the potential of land south of Oak Hill Road to assist the Council with accommodating the sustainable housing growth in the most suitable and deliverable locations. The merits of the site and ability to sensitively accommodate development are discussed further within these representations. Our client views the decision to prepare a new Local Plan as an exciting opportunity to consider options afresh and secure a viable and deliverable solution to the sustainable growth of Epping Forest District Council ("EFDC") and manage its future growth in the most sustainable locations. Background We understand that the requirement for a new Local Plan has arisen as EPDC's current plan policies in the Combined Policies of Epping Forest District Local Plan Alterations (1998) and Alterations (2006) published February 2008 Local Plan is now considered out of date. The Council's plan position therefore does not comply with the National Planning Policy Framework (published in 2012). As a consequence of this, these representations will also consider whether the proposed strategy identified in the document are sufficient to meet needs, and will be accommodated in the most sustainable locations. These representations will consider why the settlement of Stapleford Abbots, including the land south of Oak Hill Road, should be considered a sustainable location for future development. In summary, these representations will:

- Identify the relevant requirements of national planning law and policy for which the Council must be capable of demonstrating, in order for the plan to be found both sound and legally compliant; and
- Provide the Council with a context and background of the opportunities available for the site to contribute towards meeting its housing requirement.

Strategic Matters There are a number of strategic matters that are identified in the consultation document that are relevant to the determination of the most sustainable and deliverable options for the future development of the district. We will return to consider some further detailed matters relating to the OAN below, but in simple terms it is the responsibility of the Council to identify its OAN and plan to meet it. Furthermore, the NPPF (paragraph 182)

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requires that any Plan submitted to the Secretary of State for Examination must be capable of being found both legally compliant and sound and therefore places various duties on the Council, including, but not limited to, ensuring the Plan is in keeping with the requirements of the NPPF. NPPF Our client emphasises the importance in producing a Local Plan that is positively prepared, justified, effective and consistent with national policy in accordance with section 20 of the Planning and Compulsory Purchase Act 2004 (as amended) and the National Planning Policy Framework (NPPF). Paragraph 182 of the NPPF confirms that, to be sound, a plan must be: Positively prepared - the plan should seek to meet the objectively assessed requirements in terms of housing and infrastructure, including unmet requirements from neighbouring authorities where reasonable; Justified - the plan should be the most appropriate strategy and, based on proportionate evidence, be more appropriate than reasonable alternatives; Effective - the plan should be deliverable over its plan period and be based on effective joint working on cross-boundary strategic priorities; and Consistent with national policy - the plan should enable the delivery of sustainable development in accordance with the policies in the Framework. Enabling the delivery of sustainable development in accordance with the policies in the Framework is the golden thread running through the NPPF and it is therefore paramount that Local Plans are consistent with the objectives within the document to: • Widen the choice of high quality homes [9]; • Positively seek opportunities to meet the development needs of the area [14]; • Contain sufficient flexibility to adapt to rapid change [14]; • Be based upon and reflect the presumption in favour of sustainable development, with clear policies that will guide how the presumption in favour should apply locally [15]; • Respond positively to wider opportunities for growth [17]; • Set out a clear strategy for allocating sufficient land which is suitable for development in the area [17]; • Boost significantly the supply of housing [47]; • Meet the full objectively assessed housing needs of the housing market area and identify key sites that are critical to delivery of the housing strategy over the plan period [47]; • Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups [50]; • Set out the strategic policies for the area, including policies to deliver the homes and jobs needed in the area [156 & 178]; • Be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date [157]; • Identify land where development would be inappropriate due to environmental or historic significance [157]; and • Be deliverable and viable [173]. Duty to Co-operate Local planning authorities have a duty to co-operate on strategic planning issues that cross administrative boundaries. The purpose of the duty to co-operate is to ensure strategic priorities are properly co-ordinated and clearly reflected in Local Plans. The failure to demonstrate compliance with the duty to co-operate would render the plan incapable of being found legally compliant. The Council outlines it has undertaken various work to date, including housing, economy, infrastructure and Green Belt. However, recent examinations of Local Plans have confirmed that Inspectors will require robust evidence to be provided to show how a local authority has complied with the Duty to Co-operate. Examples include: (a) Clear evidence is required to show how joint working groups have influenced the provisions within a finalised local plan (Examination of Kirklees Core Strategy (April 2013)); (b) The unmet development needs of nearby local planning authorities should be given satisfactory consideration and co-operation with local planning authorities should be embedded as an integral part of the plan making process (Examination of Mid Sussex District Plan (December 2013)); and (c) There should be sufficient and robust evidence demonstrating that every effort has been made to cooperate with nearby local planning authorities and that cooperation should produce effective and deliverable policies on cross boundary matters (Examination of Runnymede Borough Council (April 2014)). Objectively Assessed Needs The previous housing target for EFDC was set by the East of England Plan (2008) which set a target for 3,500 net new homes over the period of the plan 2001-2021, equating to 175 homes per annum throughout the period. The most recent Strategic Housing Market Assessment was published in 2015 for West Essex and East Hertfordshire and concluded that East Herts, Epping Forest, Harlow and Uttlesford represent the best fit for the West Essex and Hertfordshire HMA and identified an objectively assessed need (OAN) of 46,100 over the emerging Plan period (2011-31), or an average of 2,095 homes per annum. The SHMA then considered the needs in each local authority which states EFDC should contribute 11,300 new homes, equating to 514 new homes per year over the plan period. Further, recently published population and household projections have indicated an increase in the need within the HMA to approximately 54,600 homes which the Council considers it is unable to meet as set out in the draft plan 'to provide for the full OAHN based on the 2016 figures would result in Local Plans which did not fully accord with other policies set out in the NPPF'. Nevertheless it is apparent that EFDC is required to meet a newly arising assessed need for housing that is substantially higher than the previously adopted housing target. As well as the overall need, the SHMA considers a wide range of housing indicators across the HMA, some of which its key conclusions for EFDC are as follows: • House prices in EFDC have tended to track those of Greater London rather than England as a whole (Figure 72, Page 94) which given the proximity to key transport nodes

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providing links to central London is unsurprising. It does; however, outline the strong pressure that London exerts on the housing market in EFDC which the Council should seek to improve as quickly and sustainably as possible; • The ratio of lower quartile house prices to incomes in EFDC (a key measure of affordability) is noticeable higher than the average for the overall HMA and has tended to track the trend in London rising from 7.5 to 11 over nine years (Figure 73, page 95); and • The SHMA concludes there is evidence across the HMA of a worsening position on the various market signal indicators. The data presented suggests the situation is considerably worse in EFDC than the average across the whole HMA. The draft plan also considers London's economic influence and therefore its close relationship with the district as part of a much wider housing market area, 'consequently, the District is not a self-contained economy, but an integral part of a functional economic geography that extends well beyond its boundaries' (Draft Plan, paragraph 4.36). We consider this should be adequately reflected in the overall housing need target for the District to aid the Greater London authority in meeting any unmet need in the capital. The most recent Annual Monitoring report (AMR) for EFDC also indicates that in the year 2014/15, 253 dwellings were completed per year. Despite this, EFDC confirmed in April 2016 that the Council is only able to demonstrate 1.35 year supply of housing based on the latest OAN. The new OAN figure indicates the scale of the housing need and a realisation that the Council needs to do all it can to encourage a rapid acceleration of housing delivery across the district on sites which are available, achievable and deliverable. In the context of under-delivery, the scope and capacity of suitable sites and the unquantified need to accommodate additional growth arising from the London HMA, the housing target should be expressed very clearly as a minimum.

Greater London Authority The Greater London Authority (GLA) has confirmed that growth in London is anticipated to increase from currently planned levels (32,000 homes per annum). London's projected housing need is expected to reach between 49,000 and 62,000 homes per annum. As a consequence of this high level of need, the GLA historically wrote to authorities within commutable distance of London to confirm that the 42,000 units per annum in its Further Alterations to the London Plan (FALP) still results in a significant shortfall that will need to be met by LPAs outside London. It stands as reason that areas, such as EFDC, have a significant role to play in accommodating London's growth.

Evidence base Our client supports the intention of the Council to prepare a plan consistent with national policy and guidance and supported by technical evidence which ensures the plan is prepared in a positive manner. An up-to-date evidence base should provide a sound basis for the plan and consultation on its content will help to ensure local communities and other interested parties are aware of the issues considered by the Council in the preparation of a Local Plan. The consideration of different options to meet needs should be developed using up to date studies to reflect the most recent information available. The Draft Plan Our client support the vision of the Council at paragraph 3.26 in directing development to the most sustainable locations and respecting the attributes of the different towns and villages; however, greater emphasis should be placed on ensuring key services and facilities in rural areas are protected from closure by providing modest development in the smaller settlements. Further, it is abundantly clear that there is a significant lack of previously developed land available in the District which could be utilised to provide much needed family homes. On this basis and in order to ensure the Council meets its OAN, greenfield land should be assessed on a case by case basis to ensure the tenure, mix and layout required to meet the housing target can be suitably accommodated. Greenfield land should be considered as a result of its ability to be flexible in its nature to deliver a wide variety of homes as quickly as possible.

Stapleford Abbots Stapleford Abbots has been identified as a Small Village in the Draft local plan following a review of its range of services in the Settlement Hierarchy Technical Paper in 2015 which concluded 'Stapleford Abbots is in the south east of the district, immediately adjoining the district boundary with Brentwood District. The settlement is quite sprawling, and is washed over by the Green Belt. There are some local services that would cater to some everyday requirements of residents, but for the majority of demands travel to larger nearby settlements would be necessary.' The attributes associated with the settlement emphasise its capability as a sustainable location for some further growth by recognition of the existing facilities for local people, which include a nursery/ school, shop, pubs and community hall facilities. The accessibility of these facilities by foot from all locations in the settlement is a substantial positive and the availability of public transport in the local area is considered to be of a good level, providing residents and employees with means of getting to other locations in the district and London. Due to its washed over Green Belt designation, the draft plan proposes release of a site west of the settlement for 10 units but considers 'there are no distinct spatial options to locating residential development with Stapleford Abbots' (Figure 5.21). Our client questions these conclusions of the Council which we consider are premature ahead of the publication of the Infrastructure Delivery Plan which will outline the required needs which arise from the proposed development. Figure 5.1 provides a clear indication of the varied number of small scale settlements which make up the built form across the District as evidenced at paragraph 2.17 that due to over 92%

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of the District bring rural in its nature, this has resulted in significant growth pressure on those town and district centres located toward the south of the District on the Central Underground Line. Amongst this identification of an extensive rural community is the capabilities of such places to provide employment which are vital for the rural economy and which should be supported by the Council (Paragraph 2.50). The NPPF sets out a number of core principles at Paragraph 17 which requires plan makers to take account of the different roles and character of different areas, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it. Our client maintains that improvements to the settlement of Stapleford Abbots can be made without detriment to the Green Belt on land which is available and suitable for development as supported by the Council's own site assessment. The Council has rightly sought to ensure some development can be accommodated by allowing some Green Belt release. However, the Council's desire to ensure the area continues to thrive whilst remaining desirable is unconfirmed within the draft plan which should identify the various opportunities to improve local community and green infrastructure in the settlement through development. Land at Oak Hill Road, Stapleford Abbots It has been recognised that the Council has, at best, enough sites to deliver 2,950 homes before significant growth is explored at Harlow (3,900 homes) therefore leaving a remaining requirement to be provided elsewhere in the District. Our client recognises the need to preserve the Green Belt and as a result, sensitively develop sites in accordance with their surroundings, but also the requirement to ensure the sites that are put forward for development are available, deliverable and achievable. In line with paragraph 83 of the NPPF, the Council should take this opportunity through the preparation of the emerging local plan to ensure the amended Green Belt boundaries are capable of enduring beyond the plan period and therefore ensure their intended permanence in the long term. The land at Oak Hill Road represents a logical and sustainable location to contribute to the future growth of the District and help meet its objectively assessed needs. The site is capable of meeting housing objectives outlined in the NPPF and NPPG in the context of its accessible location to community facilities and public transport. Furthermore, there are no recognisable constraints on the site, including no identified risk of flooding and no ecological issues which would impact possible development. Land at Oak Hill Road has been identified as having potential for development in the Council's land availability assessment associated with the emerging plan and is therefore capable of providing development in the early years of the plan period to provide for development that complements and enhances its surroundings. Green Belt Review Stage 1 (2015) The Council has undertaken an assessment of the Green Belt and their relative contribution to the purposes of the Green Belt designation as part of the Local Plan evidence base. Firstly, we note that this assessment was conducted by the Council instead of an independent organisation which therefore provides limited weight in its objectivity and independent nature. Whilst it is acknowledged the general principles should remain the same, the Council, in the interest of ensuring a sound plan, should consider commissioning an independent party to objectively confine its findings. The site is identified within Parcel DSR033 Land surrounding Stapleford Abbots which acknowledges the evidence of ribbon development at Stapleford Abbots. The document concludes that this particular parcel performs strongly in Green Belt Objective 3 (Assist in safeguarding the countryside from encroachment) and performs moderately in supporting Objective 1 (Check the unrestricted sprawl of large built-up areas). In light of the Council's initial conclusions of the wider Green Belt parcel the following table provides an assessment of the extent to which the land at Oak Hill Road would continue to meet the objectives (or otherwise) of the GB as set out in the NPPF once development has hypothetically taken place on the adjacent sites. These are assessed in turn below: 1. to check the unrestricted sprawl of large built-up areas -Stapleford Abbott is not a large built up area; -The site is defined by strong defensible boundaries formed by existing built up edges along Oak Hill Road and the tree line associated with existing residential development to the east and west of the site; and -Roads present recognisable permanent physical features to ensure boundary would not need to be altered during plan-period. 2. to prevent neighbouring towns merging into one another -The site would be surrounded by development to the west, north and east within the same settlement; -The site does not provide a gap between towns; and -As such the development of the site would not risk any coalescence of towns. 3. to assist in safeguarding the countryside from encroachment -Land around Stapleford Abbots is countryside; however, there is a clear and identified need to identify suitable sites within the countryside to accommodate EPDC's growth needs; -This area of the countryside is considered to be one of the least sensitive to change in the Borough, as per the Green Belt Assessment 2015 which concludes only 2 of the five national GB objectives are met (strongly and moderately) by the site; -As noted previously, the site would be surrounded by development to the west, south and east within the same settlement. 4. to preserve the settling and special character of historic towns -The site is not in or adjacent to any Conservation Areas, and has no Listed Buildings or other heritage assets of significance in the settlement; and -Nearest heritage designation is Butchers Farmhouse to the west of the

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settlement, which would not be affected by any development on the site. 5. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land -The Council's own assessment did not consider this objective; however, it is evidenced by the Council that greenfield site are required to meet its housing need and a previous strategy to support brownfield-led growth has already been maximised. Strategic Land Availability Assessment The site has previously been promoted through the Council's call for sites exercise under site reference CFS-SR-0242 where it was found in the headline assessment to be suitable and achievable for development outside of the Council's current policy and deliverable for a suggested total of 65 dwellings on the site. The SLAA suggests the site is relatively poorly located for local services and amenities despite being located opposite a bus stop and in proximity of a primary school/ nursery, public house, and community facilities. The site is also not classified as a flood risk or adjoining a flood risk area. The Council's own evidence base therefore concludes that the site is capable of accommodating some development. Integrating the development onto the existing residential settlement along Oak Hill Road would help to aid the visual amenity of these adjoining dwellings and would not be considered untoward from the existing ribbon development nature of the settlement. Plans for the site could also incorporate new landscape planting where there is need for screening and containment. Finally, we are aware that a community centre was granted consent in 1973 on the site (which was not at the time implemented). This establishes the principle of the development on the site. Conclusion Whilst it is inevitable, as with any development on greenfield sites, that there would be an element of impact on the site and surroundings, we conclude that development on the site could be mitigated and provide the following key benefits having a substantial positive impact for the future of EFDC as a whole:

- Contributing towards helping address the Council's key issues for the plan to address, including (but not limited to) preventing the merging of settlements and unrestricted sprawl of large built-up areas; ensuring sustainable development is achieved; and protecting local services in the District's rural areas and facilities in villages by providing a modest increase in population to help support and sustain the viability of such key services in Stapleford Abbots;
- Complementing and supporting the economic performance of the London Stansted Cambridge Corridor by ensuring sufficient homes are provided to accommodate existing and future employees and ensuring expenditure from this key workforce stays within the District to support other local businesses and economies; and
- Provide the flexibility for the Council to ensure it can maintain a five year supply of housing during the delivery of its strategic housing allocations at Harlow by realising the potential of smaller sites such as land at Oak Hill Road in its ability to deliver housing quickly.

In summary, these representations confirm that land south of Oak Hill Road is available, and deliverable to accommodate the much needed residential provision within the next five years within Epping Forest District. They also note the importance that is associated with local authorities demonstrating a sufficient supply of housing. In seeking to accommodate the additional growth, Stapleford Abbots is well placed to support the range of amenities that the settlement provides the local community and supporting local businesses. Thank you once again for the opportunity to respond to the draft Local Plan consultation. 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. *ATTACHED MAP OF SITE LOCATION PLAN*

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