

**EPPING FOREST  
LOCAL PLAN  
SUBMISSION  
CONSULTATION,  
JANUARY 2018  
LAND WEST OF  
PINNACLES, HARLOW**

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## Quality Assurance

<b>Site name:</b>	Land to the West of Pinnacles, Harlow
<b>Client name:</b>	Barratt David Wilson Homes (Eastern Counties)
<b>Type of report:</b>	Written Representations
<b>Prepared by:</b>	Paul Haggis BA (Hons) MSc
<b>Signed</b>	

<b>Date</b>	26 January 2018
<b>Reviewed by:</b>	Steven Butler BSc (Hons) MSc MRTPI
<b>Signed</b>	

<b>Date</b>	26 January 2018
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## Table of Contents

<b>1.0</b>	<b>Introduction</b>	<b>1</b>
<b>2.0</b>	<b>Responses to the Questions</b>	<b>2</b>
<b>3.0</b>	<b>The Opportunity – Land West of Pinnacles</b>	<b>8</b>
<b>Appendix 1</b>		
SITE LOCATION PLAN		
<b>Appendix 2</b>		
MASTERPLAN PROPOSALS		
<b>Appendix 3</b>		
COMPLETED REPRESENTATION FORM		

## 1.0 Introduction

- 1.1 These representations have been prepared on behalf of Barratt David Wilson Homes (Eastern Counties) (hereby referred to as “BDW”) in respect of Land west of Pinnacles, Harlow (hereby referred to as the “Site”). The extent of the Site totals 91 hectares and is identified by the red line on the plan at Appendix 1 of this document.
- 1.2 Land west of Pinnacles could deliver 1,100 new homes across the Plan period, as demonstrated by the Masterplan proposals attached at Appendix 2 of this document.
- 1.3 The Site is wholly within Epping Forest District but is directly adjacent to the built-up area of Harlow. BDW controls the Site and proposes that it is released from the Green Belt for residential development as part of this Local Plan review.
- 1.4 We therefore object to the Local Plan Submission Version on the basis that the site is not proposed for allocation for residential development.
- 1.5 The accompanying Masterplan document shows how development could be delivered on the Site. It should be noted that residential development is only proposed on part of the Site to enable the establishment of a significantly enhanced network of green infrastructure between Harlow and Roydon on the remaining, most significantly sized, part of the Site.
- 1.6 The specific policies in which this representation objects to are therefore as follows:
  - **Policy SP 2 – Spatial Development Strategy**
  - **Policy SP 4 – Development & Delivery of Garden Communities in the Harlow and Gilston Garden Town**
  - **Policy SP 5 – Garden Town Communities**
- 1.7 Taking account of the above, we respond to the questions set out in the Questionnaire which are of relevance to the Site.

## 2.0 Responses to the Questions

### Question 4 – To which part of the Submission Version of the Local Plan does this representation relate?

- 2.1 This representation relates to and objects to:
- Policy SP 2 – Spatial Development Strategy;
  - Policy SP 4 – Development & Delivery of Garden Communities in the Harlow and Gilston Garden Town; and
  - Policy SP 5 - Garden Town Communities

### Question 5 – Do you Consider this part of the Submission Version of the Local Plan:

#### a) Legally Compliant –

- 2.2 Yes.

#### b) Sound –

- 2.3 No. We consider that the Plan is **unsound** because it has not been positively prepared, is inconsistent with national policy and is therefore unsound.

#### c) Complies with the duty to co-operate –

- 2.4 Yes.

## Question 6 – Please give details of why you consider the Submission Version of the Local Plan is not legally compliant, is unsound or fails to comply with the duty to co-operate.

- 2.5 We view the Plan to be **unsound** because it has not been positively prepared and is not consistent with national planning policy, specifically because:
- It fails to plan for full objectively assessed housing need; and
  - It fails to recognise an adequate contingency of housing supply, taking account of suitable available sites.

### **Failure to plan for full objectively assessed housing need**

- 2.6 National Planning Policy Framework paragraph 47 requires local planning authorities to “*use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing...including sites which are critical to the delivery of the housing strategy over the plan period*”.
- 2.7 The Strategic Housing Market Assessment (SHMA, 2017) for the West Essex and East Hertfordshire Housing Market Area identifies an objectively assessed housing need (OAHN) of 51,700 new homes across East Hertfordshire, Uttlesford, Harlow and Epping Forest districts. For Epping Forest this equates to 12,573 new homes across the Plan period 2011-2033.
- 2.8 But the Local Plan Submission Version only proposes to deliver approximately 11,400 new homes across the same period, some 1,100 new homes short of OAHN. The Plan cites environmental, policy and infrastructure constraints as barriers<sup>1</sup> to meeting the full OAHN, but we consider that these are not sufficiently substantive to warrant a reduction in housing provision against the evidence. We are not aware of any other local planning authorities with similar spatial constraints (e.g. Green Belt) that have successfully demonstrated the soundness of such an approach at Examination, particularly in locations such as Harlow where significant growth is planned in any event. Suitable available sites, such as Land west of Pinnacles, could be sensitively developed in a way that would not have undue environmental or policy impacts or raise undue infrastructure burdens.
- 2.9 We therefore consider that the Plan has not been positively prepared because it fails to plan for full objectively assessed housing need in light of the evidence.

### **Failure to recognise sufficient housing land contingency**

- 2.10 Taking account of the above, we do not consider that the Council has taken sufficient enough care to allocate contingency sites in the event the Plan runs into difficulty at the forthcoming Public Examination, taking account of the Local Plan Submission timetable and also of emerging national planning policy factors.

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<sup>1</sup> Para 2.43

- 2.11 In September 2017 central Government issued its consultation “Planning for the right homes in the right places: consultation proposals”. This included a proposed draft methodology for the assessment of objectively assessed housing need, as part of an updated National Planning Policy Framework due to be published in Spring 2018. As an incentive to get up-to-date plans in place, in the absence of an up-to-date or strategic plan, it proposes that after 31 March 2018 the new method for calculating the local housing need would apply as a baseline for assessing five-year housing land supply. Under these proposals, Epping Forest District Council’s OAHN would increase from 514 units per annum (under the current assessment of need) to 923 units per annum (under the indicative draft methodology). In light of our above concerns regarding failure to meet OAHN, we are concerned at the Plan’s lack of contingency. It would be insufficiently flexible or robust enough to adequately address strategic planning issues that may arise at Examination.
- 2.12 These factors mean that the Plan has not been positively prepared and is inconsistent with national planning policy. It is therefore unsound.

- 2.13 Taking account of the above, we object to the following proposed policies as set out in the Plan:

**Policy SP 2 – Spatial Development Strategy**

- 2.14 We consider that Policy SP 2 is unsound because the evidence base is not sufficiently supportive of the Council’s proposed reduction in housing numbers compared with the full OAHN. This results in a shortfall of around 1,100 new homes which could be delivered on suitable available sites such as Land west of Pinnacles, which has capacity for 1,100 new homes. This site alone could meet the shortfall.
- 2.15 We consider that the Council has been unduly restrictive in assessing sites and the constraints to development; environmental, policy and infrastructure constraints are capable of being addressed through scheme design and planning contributions from developers and are not substantive enough to warrant a reduction on OAHN in themselves.

**Policy SP 4 – Development & Delivery of Garden Communities in the Harlow and Gilston Garden Town**

- 2.16 Policy SP 4 allocates three Garden Town Communities in the Harlow and Gilston Garden Town within Epping Forest District totalling 3,900 new homes. This is a proportion of the total 9,500 new homes to be delivered around Harlow in total.
- 2.17 We object to this policy on the basis Land west of Pinnacles is not proposed for inclusion as a Garden Community. Given our concerns raised in respect of the Plan’s soundness, there is no reason why the site could not deliver additional homes in accordance with the evidence base.
- 2.18 Paragraph 2.104 of the Submission Local Plan says that Epping Forest District, Harlow, East Hertfordshire Councils have been working in partnership and they recognise that the ‘*areas in and around Harlow present a number of opportunities to deliver growth of considerable scale and significance. Such growth is key not only to meet growing pressures of housing and infrastructure need locally, but also in delivering broader regeneration and change for Harlow*’.

- 2.19 The sustainable location of Harlow means that its fringes within Epping Forest are best placed to take the additional homes needed to make the Plan sound. This should include the Land west of Pinnacles.

**Policy SP 5 – Garden Town Communities**

- 2.20 Policy SP 5 confirms the sites proposed for allocation to support the spatial development strategy set out in Policy SP 2 and Policy SP 4. As it does not propose to allocate Land west of Pinnacles, we object to this policy.



**Question 7 – Please set out what change(s) you consider necessary to make the Submission Version of the Local Plan legally compliant or sound, having regard to the test you have identified in the question above (Positively prepared/ Justified/ Effective/ Consistent with National Policy) where this relates to soundness. You will need to say why this change will make the Submission Version of the Local Plan Legally compliant or sound. It will be helpful if you are able to put forward your suggested wording of any policy or text. Please be as precise as possible.**

**Policy SP 2 – Spatial Development Strategy**

2.21 This policy needs to be amended to say:

“A. Within the period 2011-2033 the Local Plan will provide for a minimum of 12,573 new homes allocated in accordance with the following sequential approach...”

“B. The new homes will be distributed as follows:

Sites around Harlow = 5,000”

**Policy SP 4 – Development & Delivery of Garden Communities in the Harlow and Gilston Garden Town**

2.22 “Land west of Pinnacles” should be allocated as a Garden Community in addition to the three other sites proposed for allocation that fall within Epping Forest District.

**Map 2.1 – Garden Town Communities around Harlow**

2.23 This map must be amended to include Land west of Pinnacles.

**Policy SP 5 – Garden Town Communities**

2.24 Land west of Pinnacles should be included within the allocated land for development for 1100 new homes.

**Question 8 – If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?**

2.25 Yes.

**Question 9 – If you wish to participate at the hearings, please outline why you consider this to be necessary:**

2.26 Our representations relate to matters of strategic planning that are best discussed in an Examination hearing environment.

**Question 10 - Please let us know if you wish to be notified when the Epping Forest District Local Plan is submitted for independent examination:**

2.27 Yes.

**Question 11 - Have you attached any documents with this representation?**

2.28 Yes:

- This report
- Appendix 1 – Site Location Plan
- Appendix 2 – The Masterplan document
- Appendix 3 – completed representation form

## 3.0 The Opportunity – Land West of Pinnacles

- 3.1 Land west of Pinnacles is suitable, available and development could be delivered within the Plan period. BDW has been promoting Land west of Pinnacles through the emerging Local Plan, during which time a masterplan has been formulated and refined. It can be seen from the attached masterplan document that the development of the site would offer numerous benefits, which to date we do not consider is fully appreciated by EFDC. These include:

### **Meeting affordable and market housing needs**

- 3.2 An allocation of Land to the west of Pinnacles could deliver the shortfall of housing between the numbers allocated within the local plan and the actual evidenced number. As an unconstrained greenfield site, it could deliver a range of market and affordable housing in accordance with EFDC's wider policy objectives.

### **Enhanced access to the Green Belt**

- 3.3 The masterplan proposals show that substantial green infrastructure on the site's western and northern sides would provide significant gains for the community, ensuring the long term beneficial use of the retained Green Belt land within the site for outdoor sport, recreation, enhanced landscape, amenity and biodiversity, in accordance with National Planning Policy Framework paragraph 81. This would offer substantial gains that we do not consider is fully appreciated by the evidence base at present.
- 3.4 The Harlow Strategic Site Assessment (2016) concludes that the development of the site would diminish openness of the Green Belt to a small extent and the gap between Harlow and Roydon would decrease. We consider that any impacts from development arising in respect of landscape, Green Belt openness, views to the Stort valley and coalescence could adequately be addressed through good design, as demonstrated by the masterplan proposals and as recognised by the Site Assessment document itself. We note that the proposed Water Lane Area allocation within the Submission Local Plan is similarly sited close to adjoining settlements, but appropriate mitigations have been taken against the coalescence of settlements. The same could be achieved on the Land west of Pinnacles.

### **Easily connected to existing infrastructure**

- 3.5 Despite claims in paragraph 2.43 that the full OAN for EFDC could not due to unspecified infrastructure constraints, the accompanying masterplan shows that Site could be easily connected to existing infrastructure without a requirement for major upgrades. With a low infrastructure burden, development could direct a higher proportion of any planning obligations towards meeting other policy objectives, such as affordable housing.

### **Public Realm improvements to Pinnacles**

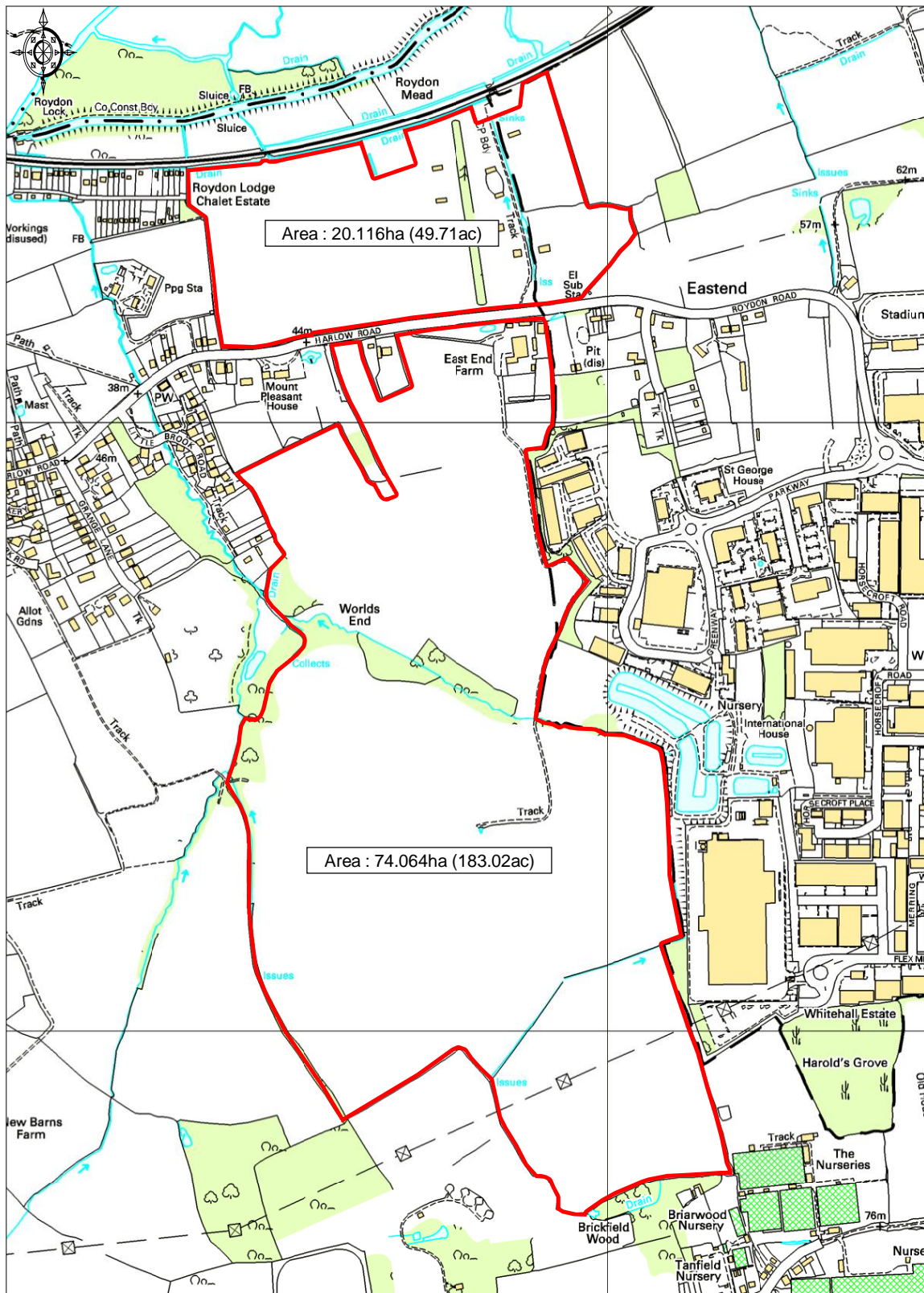
- 3.6 The prospect of developing Land west of the Pinnacles presents the opportunity to make substantial public realm enhancements to the main thoroughfares in Pinnacles, as identified on the masterplan document.

# APPENDIX 1

## SITE LOCATION PLAN

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# Land at East End Farm, Harlow



Ordnance Survey

© Crown Copyright 2008. All rights reserved. Licence number 100020449. Plotted Scale - 1:10000

Drawing Number : A. 29,057  
O.S. Ref. : TL 4110  
Date : 17/7/2008



## APPENDIX 2

# MASTERPLAN PROPOSALS

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# A Vision for West of Harlow

Lead Members presentation

November 2011



**1000 new homes**

**80,000 sq. ft. of employment land**



# Benefits

- 1. Meeting affordable and market housing needs**
- 2. Enhanced countryside accessible to the community**
- 3. Easily connected to existing infrastructure – no major upgrades required**
- 4. Extend and regenerate The Pinnacles**
- 5. Deliverable on consent Stand alone site – and helps facilitate wider delivery**





The  
Landscape  
Vision

The  
Neighbourhood  
Vision

**A vision for West Harlow** – A vision for the Green Belt

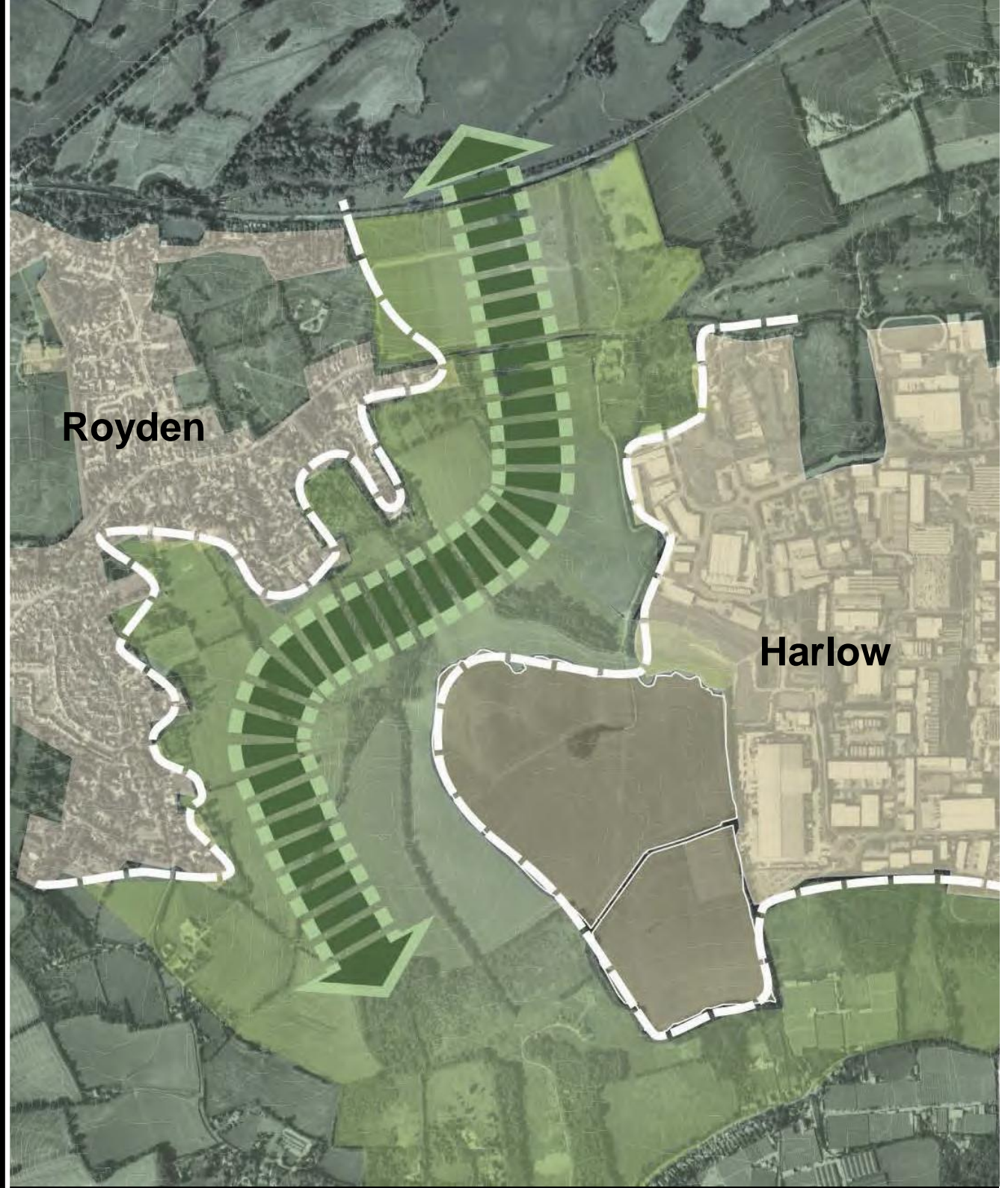


## **1. Meeting affordable and market housing needs**

- Available for delivery in the short to medium term
- Barratt have identified scope to delivery housing and employment need.
- Barratt is a leading house builder committed to provide urgently needed new homes.

## 2. Enhanced countryside accessible to the community

- Safeguard green valley





## 2. Enhanced countryside accessible to the community

- Safeguard green valley
- Enhance countryside





## 2. Enhanced countryside accessible to the community

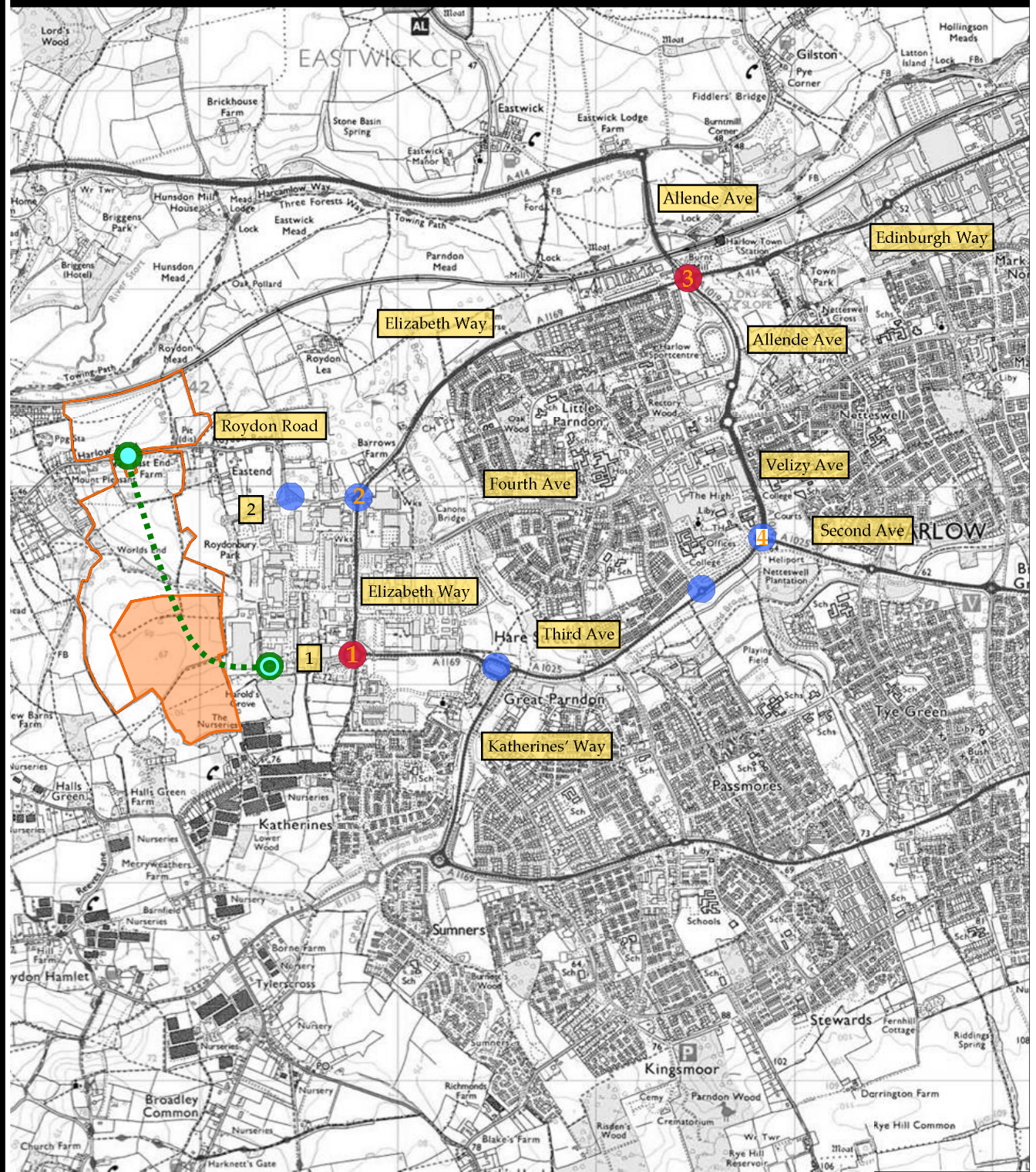
- Safeguard green valley
- Enhance countryside
- Improve access





### 3. Easily connected to existing infrastructure – no major upgrades required

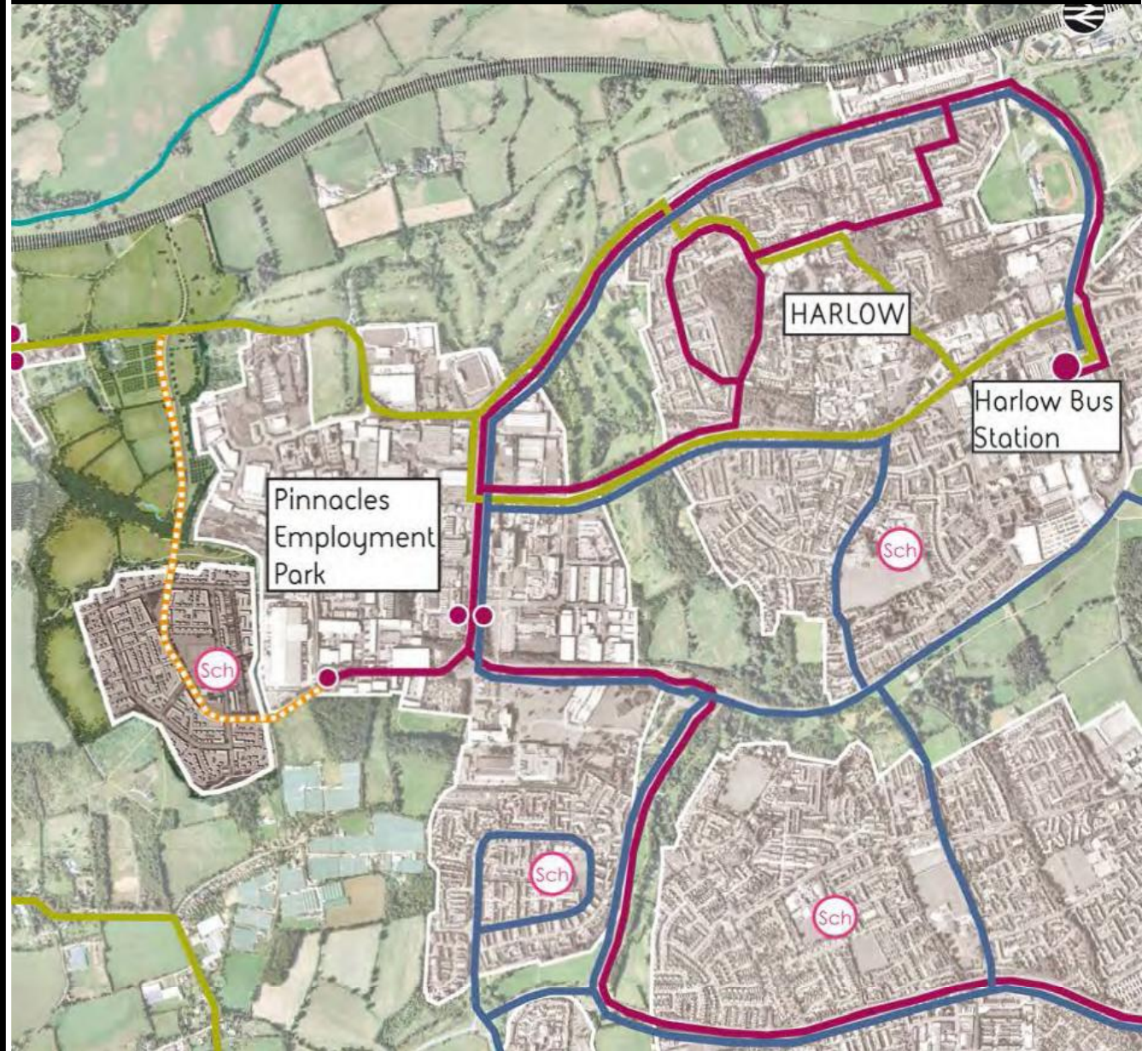
- Site utilises spare capacity on the highway network
- Supported by the Harlow transport model





### 3. Easily connected to existing infrastructure – no major upgrades required

- Site utilises spare capacity on the highway network
- Supported by the Harlow transport model
- Improves and extend bus network





#### 4. Extend and regenerate The Pinnacles

- Creating an attractive working environment
- Improved bus service; safe cycle routes
- Improves and extend bus network Improved bus service; safe cycle routes



## *A pedestrian and cycle friendly boulevard*





## *A pedestrian and cycle friendly boulevard*



*A 'Street' re-defined for pedestrians and cyclists*





A 'Street' re-defined for pedestrians and cyclists



*A pedestrian and cycle friendly boulevard*





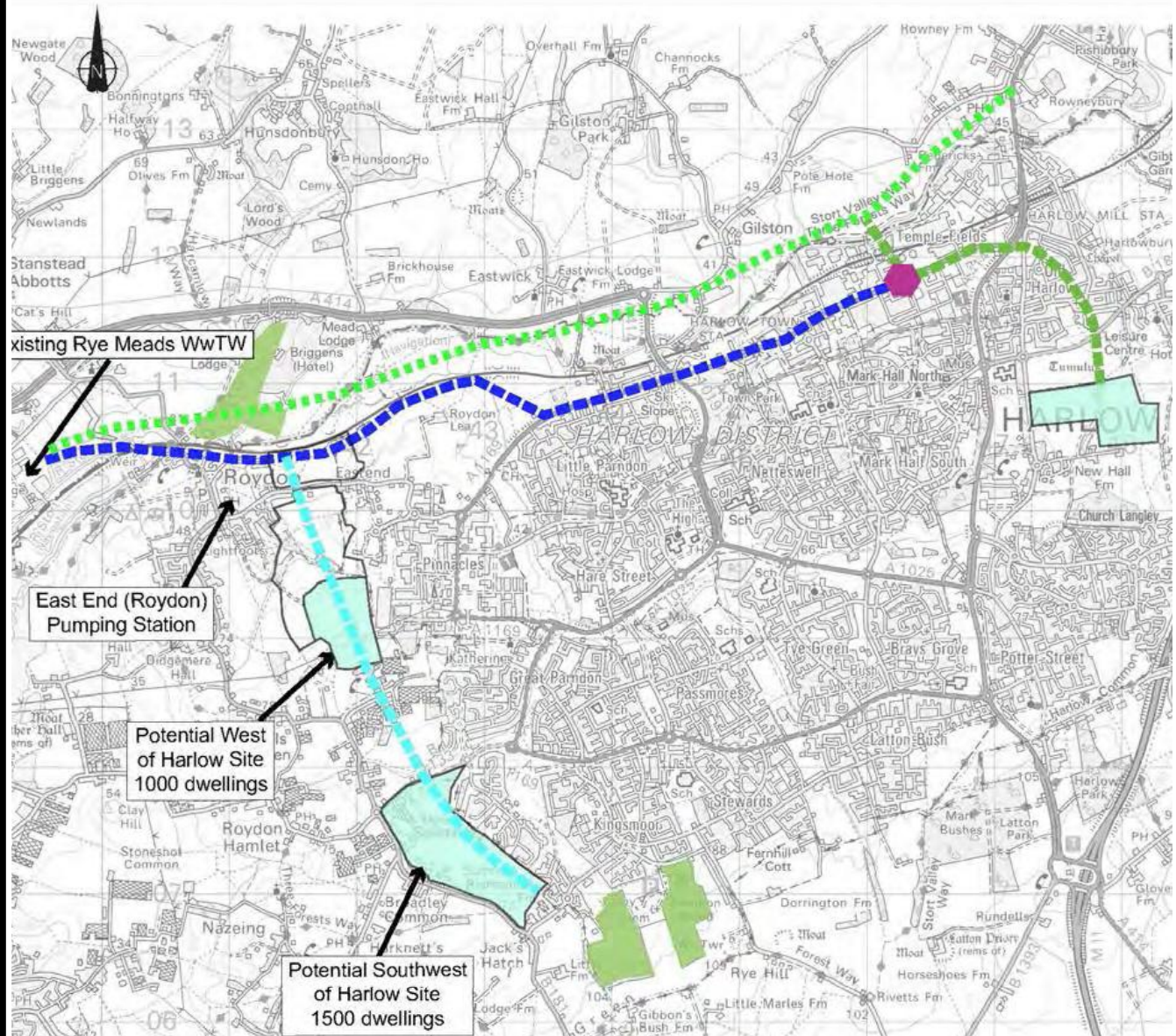
*A pedestrian and cycle friendly boulevard*





#### 4. Deliverable on consent Stand alone site – and helps facilitate wider delivery

- Existing infrastructure accommodates the scheme
- Cost effective
- Immediate delivery





# **In summary**

- 1. Meeting affordable and market housing needs**
- 2. Enhanced countryside accessible to the community**
- 3. Easily connected to existing infrastructure – no major upgrades required**
- 4. Extend and regenerate The Pinnacles**
- 5. Deliverable on consent Stand alone site – and helps facilitate wider delivery**

## APPENDIX 3

# COMPLETED REPRESENTATION FORM

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## **Representation form for Submission Version of the Epping Forest District Local Plan 2011-2033 (Regulation 19 publication)**

This form should be used to make representations on the Submission Version of the Epping Forest District Local Plan which has been published. Please complete and return by 29 January 2018 at 5pm. An electronic version of the form is available at <http://www.efdclocalplan.org/>

**Please refer to the guidance notes available before completing this form.**

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**Please return any representations to:** Planning Policy, Epping Forest District Council, Civic Offices, 323 High Street, Epping, Essex, CM16 4BZ

Or email them to: [LDFconsult@eppingforestdc.gov.uk](mailto:LDFconsult@eppingforestdc.gov.uk)

**BY 5pm on 29 January 2018**

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This form has two parts –

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

***Please attach any documents you wish to submit with your representation***

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### **Part A**

1. Are you making this representation as? (Please tick as appropriate)

a) Resident or Member of the General Public ☐ or

b) Statutory Consultee, Local Authority or Town and Parish Council ☐ or

c) Landowner ☐ or

d) Agent ☒

Other organisation (please specify)

## 2. Personal Details

Title	<input type="text" value="Mr"/>
First Name	<input type="text" value="Ray"/>
Last Name	<input type="text" value="Houghton"/>
Job Title (where relevant)	<input type="text" value="Head of Planning"/>
Organisation (where relevant)	<input type="text" value="Barratt David Wilson Homes (Eastern Counties)"/>
Address Line 1	<input type="text" value="c/o Bidwells"/>
Line 2	<input type="text"/>
Line 3	<input type="text"/>
Line 4	<input type="text"/>
Post Code	<input type="text"/>
Telephone Number	<input type="text"/>
E-mail Address	<input type="text"/>

## 3. Agent's Details (if applicable)

<input type="text" value="Mr"/>
<input type="text" value="Steven"/>
<input type="text" value="Butler"/>
<input type="text" value="Associate"/>
<input type="text" value="Bidwells"/>
<input type="text" value="Victoria House"/>
<input type="text" value="Victoria Road"/>
<input type="text" value="Chelmsford"/>
<input type="text" value="Essex"/>
<input type="text" value="CM1 1JR"/>
<input type="text" value="01245 250998"/>
<input type="text" value="steven.butler@bidwells.co.uk"/>

**Part B – If necessary please complete a separate Part B form for each representation**

4. To which part of the Submission Version of the Local Plan does this representation relate?  
(Please specify where appropriate)

Paragraph  Policy  Policies Map

Site Reference  Settlement  Please refer to attached report

5. Do you consider this part of the Submission Version of the Local Plan:

\*Please refer to the Guidance notes for an explanation of terms

a) Is Legally compliant Yes ☒ No ☐

b) Sound Yes ☐ No ☒

If no, then which of the soundness test(s) does it fail\*

Positively prepared ☒ Effective ☐

Justified ☐ Consistent with national policy ☒

c) Complies with the duty to co-operate Yes ☒ No ☐

6. Please give details of why you consider the Submission Version of the Local Plan is not legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or compliance with the duty to co-operate, please also use this box to set out your comments

Please refer to attached report

*(Continue on a separate sheet if necessary)*

7. Please set out what change(s) you consider necessary to make the Submission Version of the Local Plan legally compliant or sound, having regard to the test you have identified in the question above (Positively prepared/Justified/Effective/Consistent with National Policy) where this relates to soundness. You will need to say why this change will make the Submission Version of the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please refer to attached report

*(Continue on a separate sheet if necessary)*

8. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

☐

**No**, I do not wish to participate at the hearings

☒

**Yes**, I wish to participate at the hearings

9. If you wish to participate at the hearings, please outline why you consider this to be necessary:

Please refer to attached report

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

10. Please let us know if you wish to be notified when the Epping Forest District Local Plan is submitted for independent examination (Please tick)

☒

Yes

☐

No

11. Have you attached any documents with this representation?

☒

Yes

☐

No

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Signature:

Date:

26/01/2018

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