

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

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Letter or Email Response:

Dear Sir/Madam Land East of Chipping Ongar - Regulation 18 Local Plan Representation Executive Summary This statement provides representations to Epping Forest District Council's (EFDC) Regulation 18 (Preferred Options) consultation on the Emerging Local Plan (2011-2033) on behalf of Cirrus Land Ltd and L&Q New Homes Ltd (L&Q). The representation supports the site promotion of the Land East of Ongar Castle, Chipping Ongar (EFDC ref SR-0914). During the preparation of the Regulation 18 version of the Local Plan, the full extent of the site was not assessed by EFDC. Instead a reduced version previously considered in the 2012 SHLAA was assessed (EFDC ref SR- 0315). Therefore, this report clarifies the land ownership and extent of the promotion. The full representation comprises the following documents: § Regulation 18 Consultation Report (this document) -Savills § Site Location Plan -Savills § Heritage Report -CgMs § Landscape and Visual Assessment - LDADesign § Green Belt Review - LDADesign § Initial Transport Appraisal - IcenProjects § Review of OAN in Epping Forest Report - SavillsResearch Development to the East of Ongar Castle offers the opportunity to revive the setting of the currently overgrown and neglected grounds of Ongar Castle and reinvigorate it as an integral part of the town. Rather than the proximity of the site to the castle and the nearby conservation area being a constraint to development, the site and the proposed redevelopment provides a unique opportunity to provide access to and substantially enhance the setting of the heritage asset. This is considered to be a particularly strong justification for the sites allocation in the Local Plan. The statement specifically addresses questions 1, 2, 3, 6 and 9 of the consultation questionnaire through the critical analysis of the Council's housing requirement and site selection process. In relation to question 1, this representation finds that the East Herts and West Essex SHMA requires updating in line with the guidance of the PPG and the recommendations of the LPEG report in order to accurately assess the OAN of EFDC. Savills research shows that by using the appropriate methodology, the OAN of EFDC would increase from the Council's quoted figure of 13, 278 dwellings to a minimum of 22,319 dwellings across the plan period (2011-2033). Further review of the SHMA and SHMA update evidence is therefore required. In addition, Savills find that, based on the current housing target of the draft Local Plan, EFDC have at least 5 years of significant under delivery by the time the plan is adopted. This will also need to be increased in line with the OAN findings. The Council should therefore use a 20% buffer when assessing its 5 year supply. It is recommended that consideration is given to the front-loading of the housing trajectory of the plan, with more dwellings coming forward in the earlier part of the plan period to help alleviate the impact of such persistent under delivery. In terms of questions 2 and 6, there are several inaccuracies in the assessment of the site East of Ongar Castle in the EFDC site selection report. The assessment fails to recognise the significant benefits of the site such as landscape improvements, traffic relief and enhancements to the heritage asset. There were also inaccuracies in the judgements made about veteran trees, local wildlife areas and access to local amenities amongst other criteria. As such, a new set of recommended

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scores is provided, supported by the documents submitted with this representation. Question 3 relates to the distribution of dwellings across the District including a significant proportion to be allocated south and west of Harlow. However, Harlow Council recently passed a motion which precluded the development of housing in this area of Harlow which falls in the EFDC boundary. Therefore, for the Local Plan to allocate housing in these locations would result in a failure in the Councils' Duty to Cooperate, calling into question the 'soundness' of the plan. As such, it is recommended that the 3,100 houses that Harlow Council have objected to be reallocated across the District. This includes addressing the current imbalance of allocations across the District. At present, there is a disproportionate level of development being potentially allocated in the west of the District. This includes a higher proportion of housing being proposed in each of the other 3 'town's in the District as well as in North Weald Bassett, which is described as a larger village which should be addressed. Question 9 relates to specific policies of the draft Local Plan. A number of policies that require updating in accordance with the evidence provided in this representation. In addition, the affordable housing policy H2 needs to be amended so that the proposed 40% affordable housing provision is set as a target rather than a minimum provision, in the interests of flexibility and viability in accordance with the NPPF. Overall, the report highlights that much more evidence is required to justify robustness of the draft Local Plan before it can be considered to be positively prepared, justified, effective and consistent with national policy. A re-assessment of both the overall strategy of the plan, as well as the opportunities and benefits of a housing allocation for 800-1000 dwellings East of Ongar Castle, is therefore required. Statement of Purpose 1.1. The purpose of this statement is to provide representations to Epping Forest District Council's (EFDC) Regulation 18 (Preferred Options) consultation on the Emerging Local Plan (2011-2033). This statement is provided on behalf of Cirrus Land Ltd and L&Q New Homes Ltd (L&Q) in support of the site promotion of the Land East of Ongar Castle, Chipping Ongar (EFDC refSR-0914). 1.2. The full extent of the site which is being promoted is set out in the introduction and includes a site location plan. During the preparation of the Regulation 18 version of the Local Plan, the full extent of the site was not assessed. Instead a reduced version previously considered in the 2012 SHLAA was assessed (EFDC ref SR-0315). This has led to some confusion over the site referencing and boundary. Section 2 of this report clarifies the land ownership and extent of the promotion. It is therefore requested that this representation be considered in the context of the full site area being promoted. 1.3. The statement specifically addresses questions 1, 2, 3, 6 and 9 of the consultation questionnaire through the critical analysis of the Council's housing requirement and site selection process. 1.4. The full representation comprises the following documents: § Regulation 18 Consultation Report (this document) - Savills § Site Location Plan - Savills § Heritage Report - CgMs § Landscape and Visual Assessment - LDA Design § Green Belt Review - LDA Design § Initial Transport Appraisal - Icen Projects § Review of OAN in Epping Forest Report - Savills Research Introduction The Site and the Proposals 2.1. The site is known as the Land East of Ongar Castle, Chipping Ongar and has been assigned the reference SR-0914 under the Council's call for sites process. It is located within the Ongar Ward of Epping Forest to the east of the District. The town of Chipping Ongar is laid out along a north to south spine road which forms the High Street and local centre for the area. The historic town contains many historical features such as listed buildings and the scheduled monument to the east of the town, known as Ongar Castle. The proposed site is located to the eastern edge of the town, with residential development and the scheduled monument bounding the site to the west. To the north, the site is bounded by the existing residential edge of the village, an open field and the A414 (Chelmsford Road). To the east and south, the site is bounded by the River Roding and agricultural land in the countryside beyond. 2.2. The site measures approximately 74 hectares and is promoted for approximately 800 - 1,000 residential units with generous areas of public space, particularly for the setting of the castle and a wide green infrastructure corridor along the river. Figure 1 shows the extent of the proposed site. 2.3. The development of this land has the potential to deliver significant benefits to the town of Chipping Ongar as well as significantly contributing to the Council's housing requirement. The site is well located for new residential development. Firstly, the site is within close proximity to the town centre with access to the facilities it provides. 2.4. At the site East of Ongar Castle, the land falls gently to meet a strong existing natural boundary, the River Roding. In addition, the site provides the opportunity for a new access road from the north to the south of the site. Development to the east of the town offers the opportunity to revive the setting of the currently overgrown and neglected grounds of Ongar Castle and reinvigorate it as an integral part of the town. Rather than the proximity of the site to the castle and the nearby conservation area being a constraint to development, this site and the proposed redevelopment provides a unique opportunity to provide access to and substantially enhance the setting of the heritage asset. This is considered to be a particularly strong justification for the site's allocation in the Local Plan. It should be noted that the enhancement of such heritage assets

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is promoted in draft Policy E4. 2.5. The site also has the potential to relieve traffic congestion in the town due to the proposed provision of a link road through the site, joining the A414 to the North and Stondon Road to the South. This would also have a beneficial impact on the town centre, reducing traffic in the High Street and creating a more pleasant shopping, leisure and business environment. 2.6. It is proposed that a new development could provide: § 800-1000 new homes of mixed type and tenure § A new castle garden, open to both residents and tourists § Additional car parking close to the High Street § Artisan workshops and retail outlets § An alternative route to relieve congestion on the High Street § Enhanced, extended and relocated parking areas, sensitively designed adjacent to the castle gardens § Improved customer footfall for the High Street § A new nursery and primary school § A new health centre which includes doctors, dentists and pharmacy § Affordable housing and starter homes for first time buyers § A range of open and green spaces, including a natural green corridor running along the river edge, allotments, community gardens and orchards § Enhanced sports facilities

Figure 1: Site Location Plan Background 2.7. The majority of this site has been included in both the 2012 and 2016 Strategic Housing Land Availability Assessment (SHLAA) and call for sites exercises undertaken by EFDC. In 2012, the site was included in the SHLAA as an 'officer identified site'. The SHLAA found that the site was suitable for development within the Green Belt but was undeliverable due to the lack of certainty as to its availability. The assessment for this site found that the site was suitable for the development of 1,289 residential units. Despite being outside of the existing policy boundary, the development of the land was categorised as achievable. In the 2012 SHLAA, the potential for delivery was questioned as a result of the land ownership uncertainty. However, the current promoter of the site is now able to confirm that the land is available for development. Figure 2 shows the extent to which the site was assessed in 2012 as an officer identified site. Figure 2: EFDC 2012 and 2016 Site Assessment Area Source: EFDC Developer Meeting Note SR-0315 2.8. In 2016, the site was put forward during the call for sites exercise which has informed the Preferred Options version of the emerging Local Plan. This was reviewed to the same area extent as in 2012, which excludes the northern and southern most sections of the site as submitted to the Council. However, Savills has received confirmation in writing from EFDC that the site will be reviewed again during the regulation 19 (Pre-Submission) preparations, this time taking the full extent of the site into account (letter dated 21 September 2016 ref 16.9.21.1, respondent ref RR-0440, Site ref SR-0914). 2.9. The outcome of the Preferred Options Site Selection process found that "the site is part of a strategic option which was judged to be a less favourable growth direction. This option would significantly harm the Green Belt, compromising the setting of Ongar, and is also more sensitive in landscape terms". However, important aspects of the site have not been fully considered due to the assessment of a smaller site area than proposed which reduces access opportunities and increases density. In addition, key opportunities of the site's development have not been sufficiently examined such as better public transport services and improved environment in the Chipping Ongar District Centre through the delivery of a relief road through the site. In addition, the site provides a significant opportunity to create a betterment to the historic character of the area by increasing the accessibility to Ongar Castle and providing and enhanced setting to the heritage asset. 2.10. Other important benefits are outlined within the documents which seek to address the concerns set out within the Site Selection evidence which demonstrates that this site should have received a more positive scoring within the stages of the process. Vision of the Local Plan 3.1. There are aspects of the Council's visions of the Local Plan that Cirrus Land and L&Q are in agreement with. We do not dispute the overall intentions of the vision for Epping Forest District. However, it is questioned whether the aims of the Local Plan can be achieved through the draft policies outlined in the draft Local Plan. 3.2. The Draft Vision for the District (as set out on page 30, paragraph 3.26) sets out the aims for the EFDC by 2033. It is considered that the key aims which are relevant to the promotion of the site at Chipping Ongar are that by 2033: § residents continue to enjoy a good quality of life; § new homes of an appropriate mix of sizes, types and tenures to meet local needs have been provided and well integrated communities created; § development respects the attributes of the different towns and villages; § development needs will be met in the most sustainable locations; § a distinctive and attractive network of town and village centres will have been maintained; § access to places by public transport, walking and cycling will be promoted; and § significant residential development will be located near Harlow to support the economic regeneration of the town. 3.3. The draft Local Plan also sets out objectives to help achieve this aim. Objective B (p.31) addresses housing. The housing objectives are: § to make provision for objectively assessed market and affordable housing needs within the District, to the extent that this is compatible with national planning policy; § to ensure that new homes provide an appropriate mix of sizes, types, forms and tenures to meet local needs and create balanced, mixed and well-integrated communities. This includes supported housing for elderly people and other groups with special needs; and § to make

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provision for the identified needs of the Travellers and Travelling Showpeople. 3.4. Quality of life is dependant on the sufficient assessment of and provision for the needs of the residents of the District. Not only is this related to the housing needs of the District but also the need for open space, transport links, traffic relief, character of towns and vitality of centres. Our preliminary housing review demonstrates that there are partial failings in the evidence base leading to a significantly reduced housing requirement. This representation demonstrates that these overall aims and objectives cannot be achieved through the current provisions of the draft Local Plan. 4.

Question 1 4.1. Q1: The vision is to ensure an enhanced quality of life for the people of Epping Forest District, to provide new homes, jobs and infrastructure to meet the identified needs of the District, and support the local economy, while protecting Epping Forest District's Green Belt and environment. (3.26, Chapter 3). 4.2. Do you agree with the overall vision that the Draft Local Plan sets out for Epping Forest District? ☒ Strongly agree ☐ Agree ☐ No opinion ☐ Disagree ☐ Strongly disagree Housing Need Starting point 4.3. The aim of providing new homes of an appropriate mix of sizes, types and tenures to meet local needs is inherently linked to the accurate assessment of the Objectively Assessed Housing Need (OAN) of the District. Paragraph 47 of the NPPF states that "to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period". 4.4. The National Planning Policy Guidance (PPG) states that household projections published by the Department for Communities and Local Government should provide the starting point estimate of overall housing need (Paragraph 15). In 2016, a Strategic Housing Market Assessment (SHMA) Update Paper, commissioned by the 4 HMA Authorities of Epping Forest, Uttlesford, Harlow and East Hertfordshire was published. This sought to update the 2015 SHMA in light of the publication of 2014 household projections. This saw an uplift in total number of new homes required from 46,100 in 2015 to 54,600 in 2016 across the HMA. This equates to approximately 13,300 new homes required in Epping Forest over the plan period, an increase from the 2015 figure of 11,300 dwellings.

4.5. Paragraph 15 of the PPG also states that the household projection-based estimate may require adjustment to reflect factors affecting local demography and household formation rates which are not captured in past trends. The example given is that formation rates may have been suppressed historically by under-supply and worsening affordability of housing. The assessment will therefore need to reflect the consequences of past under delivery of housing. In addition, paragraph 17 states that plan makers may consider sensitivity testing, specific to their local circumstances, based on alternative assumptions in relation to the underlying demographic projections and household formation rates.

4.6. This approach is mirrored by the recent Local Plan Expert Group (LPEG) recommendation. Due to the fact that some local migration trends can be influenced by short term factors, the LPEG report recommends that planmakers should assess migration based upon a longer term, ten year trend. It states that the higher figure of the ten year migration trend and the official projections should be used, with the approach being applied consistently across of the whole HMA.

4.7. However, both the 2015 SHMA and the 2016 SHMA update make downwards adjustments to the demographic baseline need. The change arises from using custom ten year migration trends in preference to the official population projections (which are based on five year trends). The basis for the change is that the official projections are "very unstable" (section 2 of EFDC SHMA Review).

4.8. In the 2015 SHMA the main change to the demographic starting point was arrived at by moving to a longer, older migration baseline (10 years from 2001-11 vs. the standard 5 year baseline used in official projections, which was 2007-12 for the 2012-based population projections). In the 2016 SHMA Update the approach is altered

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slightly, using an up-to-date 10 year baseline (2005 to 2015) and household formation rates from the 2014-based projections.

4.9. Whilst the use of the latest data is welcome, there are still two issues with this approach:

§ The 10 year baseline is clearly influenced by the very low net migration seen in 2007-10, which was a period covering the financial crisis and subsequent recession. The weak economy and housing market would have suppressed migration during that time so it is unlikely to be representative of future behaviour.

§ The household formation rates in the 2014-based projections are likely to be too low. They project forward the recent trend of suppressed household formation, which may not accurately reflect the true need.

4.10. Given the potential impact of recessionary factors on migration behaviour we would suggest the official 2014-based projections remain the best starting point. The LPEG recommendation is to sensitivity test a ten year migration baseline but only allowing the possibility of revising upwards. Reversing the adjustment in the SHMA and using the 2014-based projections takes the projected growth in the number of households in Epping Forest back to 14,374 households over the plan period.

4.11. It is also necessary to review the impact of a change in household formation rate. The 2016 SHMA update uses the rates from the 2014-based household projections, which are the most up-to-date available at time of writing. However, the household formation projections for the whole HMA only increase by 2.1% from between the 2012-based and 2014-based projections. This is not in line with the 7.8% increase in population projections between the 2012- and 2014-based figures, which suggests that average household size is not falling as much as previously expected, and therefore that household formation may indeed be being suppressed, potentially due to lack of supply and affordability issues.

4.12. The LPEG recommendations state that local authorities to consider the household representative rates in order to account for historic undersupply of new homes between the 2008 and 2012 based projections. In particular, it stresses the importance of comparing the rates of the 25-44 year age group. Savills analysis shows that the household formation rate of the 25-44 year age group has been suppressed in the HMA relative to the 2008 based projections (Figure 3 of the EFDC SHMA Review). The result of this is concealed households in the 25-44 year age group across the HMA and therefore raises concerns over the sustainability of the long term provisions of the Local Plan and is a limitation to the claim that the Local Plan will maintain the quality of life for residents due to the continued suppression of household formation in this key age group.

4.13. The LPEG recommendations suggest a simple method to remedy this, using a blended rate recovering half of the difference in the 25-44 year old rate between the 2008-based and latest projections by 2033. When taking consideration of the impact of household formation suppression on the overall household representative rate, this equates to a need for an additional 852 households between 2011 and 2033 (38.7 per year) in Epping Forest.

4.14. Adding this to household projections above takes the total projected growth over the plan period to 15,226 households for Epping Forest, equating to 15,942 dwellings (based on difference between dwellings and households from 2011 Census as per the SHMA).

Table 1: Calculating the Demographic Starting Point (Table 3 of Savills SHMA review)

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Source: Savills using ONS, DCLG (figures may not sum due to rounding)

* Note: Conversion based on difference between dwellings and households from 2011 Census as per the SHMA

Employment

4.15. Paragraph 18 of the PPG states that “plan makers should make an assessment of the likely change in job numbers based on past trends and/or economic forecasts as appropriate and also having regard to the growth of the working age population in the housing market area. Any cross-boundary migration assumptions, particularly where one area decides to assume a lower internal migration figure than the housing market area figures suggest, will need to be agreed with the other relevant local planning authority under the duty to cooperate. Failure to do so will mean that there would be an increase in unmet housing need”.

4.16. The 2015 SHMA concludes that a shortfall of 7,800 workers would arise over the 22 year plan period based on the level of household growth which found that the shortfall in workers translates into a requirement for an uplift of 5,600 additional homes in the HMA. However, the imbalance between jobs and workers is not present in the 2016 SHMA Update. The increased population growth resulting from using the 2014-based projections covers the amount of workers previously expected. No new modelling on employment growth has been carried out so this is potentially not a very robust assumption; we would recommend further analysis to ascertain whether the additional population generates further economic growth and therefore a higher workforce requirement.

4.17. In terms of commuting, in the 2015 SHMA found a large increase in both in- and out-commuting to and from the HMA. Given the proximity of London and its strong links to the HMA, reducing out-commuting would be very difficult, but housing the in-commuting workers in the HMA could be done if more household growth was provided for.

4.18. The jobs growth forecast for the HMA suggests that 12,000 additional in-commuters will be drawn in over the 22 year plan period, when in the absence of major infrastructure upgrades it would surely be preferable to house these workers locally. There is no district breakdown so, assuming each district takes a share equal to its overall share of need, this equates to 2,942 additional in-commuters in Epping Forest District.

4.19. At HMA level the SHMA states that 7,800 additional workers translates to a requirement for 5,600 dwellings. Keeping the workers to dwellings ratio constant, the additional in-commuters in each district is equivalent to 2,112 additional dwellings in Epping Forest.

Market Signals

4.20. Paragraph 19 of the PPG states that the housing need starting point should be adjusted to reflect market signals. These can include land and house prices, rental rates, affordability, rate of development and overcrowding such as concealed households. Paragraph 20 states that in areas where an upward adjustment is required, plan makers should set this adjustment at a level that is reasonable. The more significant the affordability constraints (as reflected in rising prices and rents, and worsening affordability ratio) and the stronger other indicators of high demand (e.g. the differential between land prices), the larger the improvement in affordability needed and, therefore, the larger the additional supply response should be.

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4.21. Significant problems with affordability is a key indicator of the market undersupply relative to demand. Savills SHMA review (Figure 7) shows that house prices over the current cycle (i.e. indexed back to the 2008 peak) in Epping Forest District where higher than all of the other 3 districts in the HMA, the regional and national comparators, and Eastleigh Borough Council (the comparator set out in the 2015 SHMA). Over a shorter period (12 months to August 2016) all four HMA districts appear stronger than the comparators, with Harlow having seen the most growth in the past year (Figure 8 of the SHMA Review).

4.22. This level of affordability is assessed by DCLG which indicators showing both the House Price Ratio and the Rental Affordability Ratio. Savills research shows that affordability has worsened much more in the HMA than in Eastleigh or England (Figure 9 of the SHMA Review). It shows that the 2015 SHMA comparator District Eastleigh had a House Price Ratio increase of 11% between 2013 and 2015 whereas Epping Forest has a ratio increase of 24%.

4.23. It is also important to consider the rate of development in each District. Figure 10 of the SHMA Review shows the annual change in dwelling stock in each district. It shows that Eastleigh provided 14.9% additional housing stock over the 15 year period from 2001-2016, with the figure for England being 11.6%. Epping Forest only provided 7.2% over the same period, worsening the problem.

4.24. The official guidance on scale of uplift is not clear, suggesting only that it should be 'reasonable' and sufficient to be 'expected to improve affordability'. The evidence above shows that the districts of the HMA have significantly higher affordability pressures than the national average and compared to Eastleigh, the single comparator chosen in the 2015 SHMA. Epping Forest is particularly unaffordable and has seen very low levels of supply over a sustained period.

4.25. The 2015 SHMA suggested a 20% uplift was appropriate for the whole HMA and this was retained in the 2016 update, but there is no evidence to show whether this would have any impact on affordability. Whilst it is acknowledged that the impact of increased housing supply on affordability is difficult to quantify, Savills has taken guidance from works of leading academics (as detailed in section 4.4 of the Savills SHMA review). Taking this methodology, it is judged that the HMA authorities require an uplift of between 30-50%. By applying a 40% figure across the HMA, this results in a conservative estimate for Epping Forest where a 50% uplift was found to be required (section 4.4 of the Savills SHMA review).

4.26. This results in an uplift of 6,377 units (40%) on Epping Forest DC over the plan period (290 per annum). Adding this to the demographic starting point equates to 22,319 units over the plan period (1,014 per annum) in Epping Forest.

Table 2 - Accounting for market signals (Table 4 of the Savills SHMA Review)

Source: Savills Research (figures may not sum due to rounding)

Neighbouring unmet needs

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4.27. The Savills research paper also calls into question the impact of the silence in the Draft Local Plan on the inability of London to meet its own housing needs. This could add a significant number of new homes to the housing requirements in the HMA. This is not acknowledged in the Draft Local Plan.

4.28. Section 6 of the Savills SHMA review states that the evidence in London suggests that it is limited by land constraints and can only meet housing need of 42,000 per annum. Meanwhile the London SHMA estimated that potential household formation is in the region of 49,000 to 62,000 per annum. Taking a mid-point of 55,500 suggests that there could be around 13,500 households seeking housing outside of London every year in addition to the normal trend. Although not a perfect indicator, the 2015 ONS internal migration data shows that 283,000 people moved out of London in the year to June 2015. Of those, 8,890 moved to the East Herts and West Essex HMA, and the destination for over half of those (4,570) was Epping Forest. If we assume the same proportions, then that would imply that the HMA would need to house an additional 424 of the 13,500 households every year that London cannot; Epping Forest's share of this would be 218 per annum. This lack of acknowledgement is a substantial weakness of the evidence base of the draft Local Plan and is therefore a clear area for further detailed modelling.

Summary of Savills analysis of OAN

4.29. Overall, the Savills research paper highlights areas of weakness and making suggestions for alternative calculations where appropriate. It also considers how the proposed LPEG recommendation may affect the OAN calculation. In conclusion, the analysis of full objectively assessed housing need is shown below. It finds a potential OAN for EFDC as 29,227 dwellings across the plan period, equating to 1,328 per annum.

Table 3 - Calculating full objectively assessed housing need (Table 5 of the Savills SHMA Review)

Source: Savills using ONS, DCLG (figures may not sum due to rounding)

4.30. The minimum figures alone are a very significant increase on those proposed in the 2016 SHMA update, an increase of 42% across the HMA. For Epping Forest, the housing requirement increases by 68%. Table 6 compares all the proposed housing need figures just for Epping Forest. This finds a minimum OAN of 22,319 dwellings over the plan period, equating to 1,014 per annum which excludes commuting and London overspill.

Table 4 - Summary of proposed housing requirements (Table 6 of the Savills SHMA Review)

Source: Savills Research, council evidence

Critique of the Local Plan Housing Target

Objectively Assessed Housing Need

4.31. As previously stated, paragraph 47 of the NPPF states that "to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period".

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4.32. The 2016 SHMA Update Paper found that an uplift in total number of new homes was required from 46,100 in 2015 to 54,600 in 2016 across the HMA. This equates to approximately 13,300 new homes required in Epping Forest over the plan period, an increase from the 2015 figure of 11,300 dwellings.

4.33. However, the draft Local Plan fails to meet this requirement, stating the infrastructure constraints mean that only 11,400 new homes can be accommodated during the plan period, approximately 1,900 less than the OAN and only 100 more than the OAN figure of 11,300 based on 2012 household projections. This equates to less than 1% uplift in the housing target despite a 16% increase on OAN. The Local Plan states that the justification for this is that any higher housing provision on the District would render other requirements of the Local Plan to be inconsistent with the requirements of the NPPF.

Table 5: Evolution of OAN in Housing Market Area and Epping Forest (for Plan Period 2011-2033)

Environmental and infrastructure constraints

4.34. The PPG paragraph 4 states that the assessment of development needs, is an objective assessment of need based on facts and unbiased evidence. It is acknowledged that paragraph 45 of the PPG states that in assessing the housing need of a District, the LPA must establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period, and in so doing take account of any constraints such as Green Belt, which indicate that development should be restricted and which may restrain the ability of an authority to meet its need upon a thorough review of the constraints and evidence base.

4.35. However, paragraph 4 of the PPG is clear that plan makers should not apply constraints to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, viability, infrastructure or environmental constraints. Instead, these considerations will need to be addressed when bringing evidence bases together to identify specific policies within development plans.

4.36. EFDC state that "considering that EFDC is a District covered by 92% Green Belt, further evidence on the capacity of the District to deliver housing taking into account the environmental and physical constraints is required to conclude an appropriate housing target for the plan period in the District. The SHMA identified needs which will need to be rigorously tested through the plan making process, taking account of other evidence including the green belt review and settlement capacity studies. These studies, along with other evidence, will help the District identify an appropriate housing target for the District as part of the emerging Local Plan". This evidence does not appear to be currently available.

4.37. This suggests the EFDC approach to reducing the OAN due to such constraints does not align with the intentions of the national guidance due to the approach to classing the Green Belt as an overall constraint especially without clear robust evidence for doing so. Instead, Councils "need to consider Strategic Housing Market Assessment evidence carefully and take adequate time to consider whether there are environmental and policy constraints, such as Green Belt, which will impact on their overall final housing requirement".¹

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4.38. It is important to note that during the recent Mid Sussex District Plan Examination, the Inspector raised concerns with the Council's approach to reducing the OAN as a result of infrastructure and environmental constraints. Mid Sussex had claimed that there was a 'tipping point' as which a certain level of housing provision would render the Local Plan to have a negative impact in terms of infrastructure and the environment. However, the Inspector questioned the validity of this claim, finding that there was little evidence to support when such 'tipping point' would occur. In addition, the Inspector considered that the Council had not given sufficient consideration to the potential mitigation measures. He stated that sites should be considered on the balance of sustainable objectives, with pressing need for housing being used as an example that would alter that balance². This is particularly relevant to infrastructure which can be mitigated and improved with new development.

4.39. There is no supporting evidence to substantiate the claim that infrastructure and environmental constraints require the reduction of the housing target of the draft Local Plan from the SHMA OAN figure. Indeed, many documents state that these constraints exist but no evidence of the exact constraints that have informed this decision is provided.

4.40. The implication of this is that the housing target set out in the draft Local Plan is artificially low due to constraints which lack adequate evidence. The Local Plan does not therefore meet the requirements of the NPPF or the PPG and cannot be considered sound.

Supply methodology

4.41. The NPPF paragraph 47 states that "to boost significantly the supply of housing, local planning authorities should...identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20%.

1 Strategic Housing Market Assessments letter to Planning Inspectorate by Minister of State for Housing and Planning dated 19 December 2014.

2 Mid Sussex District Plan Examination: Inspector's initial questions (housing), 15 September 2016.

(moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land".

4.42. Whilst early in the plan making process, we believe that the methodology for assessing 5 year housing land supply should be addressed prior to the Pre-Submission publication. Savills has undertaken a review of the level of supply across the EEP plan period. This is based on the Council's Annual Monitoring Report (AMR) 2014/15 and the delivery rates (and delivery assumptions for the year 2015/16) set out with the document. The AMR is based upon the housing target set out in the EEP of 175 per annum (3,500 between 2001-2021). However, the most recent SHMA OAN figure (2016 SHMA update) should form the basis for the target during the plan period. This would result in EFDC having a cumulative shortfall of 1,978 units since the SHMA base date of 2011. The surplus of housing from the end of the EEP period is not included as this will have been taken into account during the SHMA calculation.

Table 6: EFDC shortfall since SHMA based date (2011) using 2016 SHMA OAN (604dpa)

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Source: Savills Planning

4.43. It is acknowledged that the OAN does not necessarily form the actual housing target of a District once other constraints are considered. However, even based upon the housing target of the Local Plan (518 units per annum), the Council would have a shortfall of 1,548 dwellings since the base date of the SHMA (2011).

Table 7: EFDC shortfall since SHMA based date (2011) using draft Local Plan target (518 dpa)

Source: Savills Planning

4.44. As such, it is considered that in accordance with paragraph 47 of the NPPF, the Council has a history of persistence under-delivery and should therefore use a 20% buffer when considering its 5 year housing supply.

4.45. In addition, it is recommended that the consideration is given to the front-loading of the housing trajectory of the plan, with more dwellings coming forward in the earlier part of the plan period to help alleviate the impact of such underdelivery.

Conclusion

4.46. It is concluded that the housing target of the Draft Local Plan is currently too low to meet the needs of the District. Whilst it is acknowledged that the SHMA figure does not always equate to the housing target due to various constraints, we strongly object to the application of an overall constraint across the District without robust evidence of what the infrastructure and environmental constraints are and what measures could be put in place as mitigation. In accordance with paragraph 4 of the PPG, plan makers should not apply constraints to the overall assessment of need. Similarly, as per the Mid Sussex District Plan examination, the 'tipping point' at which the provision of housing begins to have a detrimental impact on the District needs to be more accurately quantified to justify such an approach.

4.47. Savills research shows that there are a number of issues with the assessment of the OAN across the HMA authorities. Whilst the 2016 SHMA found an OAN of 13,278 dwellings across the plan period (2011- 2033) the Savills SHMA review found that by correcting the methodology (by accurately considering migration rates, employment, household formation rates, market signals and London's unmet housing need) that the OAN should be 22,319 dwelling in EFDC over the plan period, an increase of 68% on the 2016 SHMA update.

4.48. In addition, it is shown that based on both the 2016 SHMA OAN and the reduced housing target of the draft Local Plan, the Council has a record of persistent under-delivery of housing and should therefore apply a 20% buffer on top of the housing requirement when assessing the 5 year land supply position.

4.49. It should be noted that Savills also raise concerns about the delivery of the draft site allocations within EFDC to the South and West of Harlow. However, this is covered in detail in Section 6: Question 3.

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5. Questions 2 and 6

5.1. This section will seek to address both questions 2 and 6 of the Regulation 18 consultation form. This is because the responses to both questions relate to the site selection process undertaken during the Draft Local Plan preparations to date as well as the opportunities and constraints of the site East of Ongar Castle. Therefore, it is requested that this section be considered as the formal representation to both questions 2 and 6.

Question 2

5.2. Q2: The Council has considered a range of alternatives (which are detailed in the Draft Local Plan) and has concluded that the main settlements in the District are the most appropriate areas for new housing. The Council is proposing an approach which maximises opportunities for development around Harlow and also in locations within the existing settlements before considering a limited release of Green Belt land (see Draft Policy SP2).

5.3. Do you agree with our approach to distribution of new housing across Epping Forest District?

☐ Strongly agree

☐ Agree

☐ No opinion

☐ Disagree

☐ Strongly disagree

Question 6

5.4. Q6: The Draft Local Plan has identified our draft strategy for meeting the housing and employment needs up to 2033. We have identified sites for housing which are suitable and available and can be delivered over the next 17 years.

5.5. Do you agree with the proposed sites in Chipping Ongar (Draft Policy P4)?

☐ Yes

☐ No

Site selection process

5.6. The draft allocations set out in the Reg 18 version of the Local Plan have been chosen through a site selection process which analysed sites submitted to the Council through its call for sites exercise. This formed a 5 stage process.

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- § Stage 1: Major policy constraints
- § Stage 2: Quantitative and qualitative assessment
- § Stage 3: Identify candidate Preferred Sites
- § Stage 4: Deliverability
- § Stage 5: Sustainability Appraisal/Habitats Regulation Assessment of candidate Preferred Sites

5.7. Stage 1 of the process, which assessed whether the site had any major policy constraints, reviewed the sites submitted through the call for sites exercise, by adopting the same methodology as a SHLAA assessment which filters out sites that were considered unsuitable. This meant that sites were filtered out in the SHLAA process because they are: a duplicate site; subject to extant planning permission; being promoted for non-housing or employment uses; subject to an existing continuing use; and/or located outside the boundary of Epping Forest District, were not assessed.

5.8. It was also required that the sites be greater than 0.2 hectares in area, or capable of delivering six or more dwellings to be assessed. The land east of Chipping Ongar passed this stage 1 assessment.

5.9. The site east of Ongar Castle reached Stage 2 of the site selection process having passed Stage 1. At Stage 2, a quantitative and qualitative assessment was undertaken. The assessment criteria were subject to a 'Red-Amber-Green' (RAG) rating system, to assess the relative attributes of each site. Thirty two criteria were involved, which were grouped into the following categories:

- § Impact on environmental and heritage designations and biodiversity
- § Value to Green Belt
- § Accessibility by public transport and to services
- § Efficient use of land
- § Landscape and townscape impact
- § Physical site constraints and site conditions

5.10. The five point scale included two levels of negative impact, indicated by (-) or (--) depending on severity; a neutral level indicated by (0) and two levels of positive impact, indicated by (+) or (++) depending on the level of benefit. The site scored the following in each of these categories:

- § Negative (--): 4 criteria
- § Negative (-): 9 criteria
- § Neutral (0): 14 criteria
- § Positive (+): 4 criteria
- § Positive (++): 0 criteria

5.11. Based on this assessment, the site selection report considered that "the site is part of a strategic option which was judged to be a less favourable growth direction. This option would significantly harm the Green Belt,

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compromising the setting of Ongar, and is also more sensitive in landscape terms”3. The site did not therefore progress to Stage 3 of the process. We strongly object to these conclusions and consider that the site should have progressed to Stage 3 of the process.

5.12. Through various technical assessments (including Transport, Landscape, Green Belt Review and Heritage as attached to this submission) we believe there are inaccuracies in the scoring and assessment process. These are addressed below in the context of the site selection criteria categories.

3 Report on Site Selection, Appendix B.1.1: Overview of Assessment of Residential Sites

Impact on environmental and heritage designations and biodiversity

1.3b Impact on Ancient/Veteran Trees outside of Ancient Woodland

5.13. The site assessment found that there are two Ancient trees located in the east and west of the site which may be affected by development. This attracted a negative rating in the RAG system. However, the criteria for attributing negative rating includes the potential for mitigation of the impacts. Yet without opportunity to provide details of such mitigation due to the site being withdrawn from the selection process, the Council is not in the position to assess the potential mitigation measures. The site is strategic in scale and any future masterplan would respect and integrate the existing features. There would be no impact on the veteran trees which would be assessed and protected as necessary.

5.14. It is therefore considered that the negative rating should not be applied where the Council would consider mitigation. Instead a neutral rating would be more appropriate.

1.6 Impact on Local Wildlife Sites

5.15. In terms of wildlife impacts, the criteria for the negative rating received for this site states that “features and species in the site may not be retained in their entirety but effects can be mitigated”. However, it is considered that this judgement is inaccurate as the comments indicate that the site is adjacent to Clatterford End Plantation Local Wildlife Site but not that it is within the site or would its retention be at risk. It also acknowledges that whilst there could be some indirect effect on some of the Local Wildlife Site, such effects can be mitigated.

5.16. As such, it is considered that a neutral rating is appropriate.

1.8a Impact on heritage assets

5.17. The assessment found that the development of this site would result in loss of a heritage asset or significant impact that cannot be mitigated. The comments made relate to the site's proximity to the scheduled monument to the west of the site's boundary, known as Ongar Castle.

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5.18. However, an assessment has been undertaken by CgMs Heritage Consultancy in support of the development of this site. Due to the self-contained nature of the proposed development within an enclosed area, the environmental impacts on non-designated and designated heritage assets are only considered within a 300m buffer zone. It was found that the area is surprisingly secluded and a true appreciation of the area to be developed is only gained by accessing the trackways passing through the site. Furthermore, the mound, comprising the Motte, at Castle Ongar is densely wooded and there are no views from the Scheduled Monument either towards the proposed development site or towards Chipping Ongar.

5.19. CgMs concluded that the proposed development will have no impact on the settings of the majority of the designated heritage assets within the 300m buffer area assessed. The lack of impact is largely due to the secluded nature of the proposed development site. It was also concluded that the proposed development will have a minor/negligible impact on the settings of a Scheduled Monument and two designated heritage

assets within a 300m buffer of the site boundary. However, mitigation comprising design, tree and hedge planting would eliminate these impacts.

5.20. Ongar Castle is also owned by the landowner of the proposed development site. One of the developments benefits is that it would provide an enhanced setting for the Castle and increase its accessibility compared with its current isolated location away with limited public access. It is proposed that the site could provide a new castle garden, open to both residents and tourists and a visually enhanced, extended and relocated parking area, sensitively designed adjacent to the castle gardens.

5.21. Overall, the CgMs reports that the proximity of the heritage assets in relation to the study site would not preclude appropriately scaled and designed development, subject to appropriate heritage mitigation measures (page 3 of the CgMs report)

5.22. It is therefore considered that a positive score is most appropriate for this criterion of the assessment.

1.8b Impact on archaeology

5.23. It was considered in the site selection report that a lack of previous disturbance of the ground east of Chipping Ongar was indicative of a high likelihood for the discovery of high quality archaeological assets on the site. As such the site was attributed a negative score in the RAG rating.

5.24. However, the findings of the CgMs Report are contrary to this assumption. It states that existing national policy guidance for archaeology enshrines the concept of the 'significance' of heritage assets. Significance as defined in the NPPF centres on the value of an archaeological or historic asset for its 'heritage interest' to this or future generations. The report reviews the potential for significant archaeological potential of the site over various historical periods. It was found that there are no heritage assets of 'significance' (as defined in NPPF glossary) on the site (paragraph 4.9.2 of the CgMs report).

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5.25. It is therefore considered that there is little robust justification for the negative score attributed to the criterion, and instead it is judged that a neutral score is more appropriate.

Value to the Green Belt

2.1 Level of harm to Green Belt

5.26. The site selection report attributed a negative score to this criteria. The Council's justification for this was that the site is within Green Belt and that "the level of harm caused by release of the land for development would be high or very high". This assessment of harm is based upon the EFDC Green Belt Review (stages 1 and 2).

5.27. A review of the Council's EFDC Green Belt review has been undertaken by LDA Design. They have identified a number of weaknesses of the Green Belt Review and its implications for the site selection process. Procedurally, the LDA report finds that there is no attempt in EFDC's stage 2 review to produce an overall aggregated score for each parcel, which was the basis for the determination of harm to Green Belt purposes at stage 1. Instead, a rather simplistic approach is taken that relates the contribution to Green Belt purposes of each parcel directly to Green Belt harm. This distorts the contribution made by each parcel. No explanation is provided in the review to support this method of assessment.

5.28. Also, the site was assessed against the land parcel 023.2 of the Stage 2 review (section 4.1 of LDA Green Belt Review). The site does fall within this area of assessment but the parcels also include land outside of the site area. This has implications for assessing the site's suitability for value of the site to the Green Belt in the site selection process as some areas of value are not proposed for development. For example, the result of the LDA assessment of the site itself for purpose 3 (to assist in safeguarding the countryside from encroachment) is less than parcel 023.2 for reasons including the presence of strongly defined boundaries on the eastern and southern edges of the site which would provide permanent strong defensible Green Belt boundaries preserving the countryside beyond from encroachment.

5.29. In addition, the LDA result for purpose 4 (to preserve the special character of historic towns) is less than the EFDC assessment of parcel 023.3 because the site forms the immediate setting to the east of Chipping Ongar, particularly the castle, but much of the historic core faces inwards away from the site, and removal of the site from the Green Belt and subsequent development could alter the setting of the castle but this does not need to be in a negative way. The development provides the opportunity to allow public access to the heritage asset and to create an attractive and usable setting to the castle as part of any development, giving prominence and access to this substantial asset of the town (sections 4.1 and 6.0 of LDA Green Belt Review).

5.30. The LDA assessment also reviews the value of other proposed development sites in the Green Belt surrounding Chipping Ongar. This assessment indicates that only one site in the Green Belt around Chipping Ongar would result in very low harm if it were released from the Green Belt. All other sites have a similar level of suitability for Green Belt release as the site east of Ongar Castle (section 5.0)

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5.31. In light of the LDA assessment a case can be made for the exclusion of the site from the Green Belt. Any impact of the development on the Green Belt should be considered in the context of the constrained nature of Chipping Ongar as a whole and the advantages to the setting of Ongar Castle that can be offered through carefully considered development proposals, as well as an established need for new housing. The comparison between alternative sites presented in the LDA report highlights the equally constrained nature of other potential development sites around Chipping Ongar, which wouldn't be able to offer the same degree of benefit to the town (section 6.0 of LDA Green Belt Review).

5.32. Given that the site has an equal impact level than almost all other sites in Chipping Ongar and its potential to provide substantial benefits to the historic setting of Ongar Castle, it is considered that a positive score is appropriate.

Accessibility by public transport and to services

3.4 Distance to local amenities

5.33. The distance to local amenities criteria was assessed twice during the site selection process with regards to the site east of Ongar Castle. The positive rating attributed to the access to local services in the town is not dispute. However, the second rating relates to the access to a secondary school. This received a negative score. The site area which this representation covers includes an additional land parcel to the north allowing for access to the A414. This would result in an increased in accessibility to the Academy by all modes of travel (Figure 4.4 of Initial Transport Appraisal).

5.34. It is therefore considered that the distance to local amenities for both the town centre and secondary school criteria should received a positive rating.

Efficient use of land

4.3 Capacity to improve access to open space

5.35. The assessment of the site concluded that the development is unlikely to involve the loss of public open space and was therefore attributed a neutral score to this criteria. However, the assessment makes no provision for the amount of new public open space and green infrastructure that will be delivered within the development. The development will include significant amounts of publicly accessible open space, amenity space and green infrastructure.

5.36. To the west of the site, near to Ongar Castle, the proposals include a new castle garden, open to both residents and tourists and a visually enhanced, extended and relocated parking area, sensitively designed adjacent to the castle gardens. Through the rest of the site, the provision of a range of open and green spaces, including a natural green corridor running along the river edge, allotments, community gardens and orchards is provided as well as the potential for providing enhanced sports facilities.

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5.37. As such, it is considered that the proposal should be considered as having a positive contribution to the settlement and reflected as such in the rating of the criterion.

Landscape and townscape impact

5.1 Landscape sensitivity

5.38. The site selection report gave a negative rating to the site. This was due to their assessment that the site falls within an area of high landscape sensitivity, vulnerable to change and unable to absorb development without significant character change. This assessment is based, at least in part, upon the Epping Forest Settlement Edge Landscape Sensitivity Study (EFSELSS), 2010.

5.39. An assessment of the EFSELSS has been undertaken by LDA Design. It found that the EFSELSS has a number of shortcomings in its method and application, and the judgements and conclusions given for the whole LSA do not all apply to the detail of the Site itself (section 4.2.3 of the LDA Landscape and Visual Assessment). It found that the site is less sensitive than the judgement given for the whole Landscape Sensitivity Area and does have capacity for the proposed development. It noted that the assessment of sensitivity to change in the EFSELSS is made irrespective of the type of change proposed and that when considering the residential nature of the proposals as an extension to any existing settlement, the land is not of 'High' overall sensitivity to this type of development. This would be reserved to other types of development that do not respond positively and sensitively to the local urban and rural context such as large scale industry.

5.40. Overall, the LDA Landscape and Visual Report find that's, in the context of landscape sensitivity, The Site can accommodate sensitively designed residential development while retaining key sensitive landscape/environmental features that are considered desirable to safeguard. The proposed residential development is appropriate to the character of this urban edge setting (section 4.2.4)

5.41. It is therefore considered that a neutral rating be attributed to this criterion of the site selection report.

5.2 Settlement character sensitivity

5.42. The site was also attributed a negative rating for this criteria of the assessment due to its location adjacent to Ongar Castle. The site selection report also states that, considering the scale of the proposed development and its area coverage, it is likely to have a negative affect the rural character of the area and that development may contribute to urban sprawl.

5.43. However, the LDA Landscape and Visual Assessment finds that the rural landscape of around Chipping Ongar is well vegetated, with many areas of woodland, strong hedgerows and numerous hedgerow trees. This woodland generally limits visibility of the lower valley slopes, with Chipping Ongar seen on the skyline above the woodland. Local roads and A-roads are generally lined by hedgerows and trees, which substantially reduce views of the wider landscape for road users (section 3.2.2).

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5.44. In addition, the report finds that whilst the EFSELSS does not differentiate between the impacts of different types of development, residential proposals are much more compatible with rural settings than other types of development such as industrial. Further more, it finds that existing residential development on the eastern edge of the town, particularly south of Cripsey Brook and north west of the site, is clearly visible from the Site and countryside adjacent to the Site, and this has an urbanising influence on the character of the 'rural' landscape which reduces its sensitivity to further residential development (section 4.2.3).

5.45. The assessment of this criterion is also inconsistent with the Council's Green Belt Review. Part of the rationale for attributing the negative rating is that the development may contribute to urban sprawl. Both Stages 1 and 2 of the EFDC Green Belt Review found that the assessed land parcel in which this site falls (023.2) makes no contribution to purposes 1 or 2 of the Green Belt which seek to check the unrestricted sprawl of large and built-up areas and prevent neighbouring towns merging into one another. It is therefore inappropriate to consider this a restriction to the development of the site.

5.46. Furthermore, as previously stated the impact on the character of the town has to be considered in the context of the benefits of the proposed development. It is considered that the enhancement of the setting to the heritage asset, the provision of open space, relief from traffic congestion and the more appropriate landscape setting of the edge of the town provide opportunities to enhance rather than detract from the character of the area.

5.47. It is therefore considered that a positive rating should be attributed to the criterion of the site selection report.

Physical site constraints and site conditions

6.4 Access to site

5.48. The access to the site was deemed to be a positive attribute in the assessment. However, when considering the full extent of the site being represented, the access potential is far greater. The site location plan shows that in addition to the site area considered at the Regulation 18 stage of the plan

making process, there are additional areas to the north and south of the site included in the promotion. These areas provide additional access to the site both from the A414 and Stondon Road to the south.

5.49. It is therefore considered that the access criteria should be given a higher positive rating (++) 6.6
Traffic impact

5.50. Traffic impact was judged to be a neutral aspect of this site promotion. The site selection report stated that the area around the site is expected to be uncongested at peak time, or the site is below the site size threshold where it would be expected to affect congestion. However, there is little evidence that the benefits of the development on traffic impact have been considered in the site selection process.

5.51. The site proposed to include a relief road from the A414 to the south-west of the site, allowing for a reduction in traffic using the High Street. Not only would this have a beneficial impact by reducing traffic congestion

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but also promotes a better environment in the centre of the town through traffic reduction (paragraph 5.2 of Initial Transport Appraisal).

5.52. The development site also benefits from excellent access to the wider highway network and a range of strategic route choices, meaning that potential traffic generated by the site would be distributed across the network and thus reduce the potential impact on any key links and junctions (paragraphs 5.5-5.6 of).

5.53. The proximity of the High Street and excellent connections for pedestrians and cyclists, means that residents of the site would benefit from direct access to the range of key facilities and amenities within Ongar town centre, as well as existing bus stops and the wider connections they provide (part 5 of the Initial Transport Appraisal).

5.54. It is considered that the assessment should attribute a higher positive score (++) to the traffic impact criterion.

Summary

5.55. As a result of the assessments of the above criteria considered during the site selection process it is concluded that a number of criteria have been inaccurately assessed. The site should therefore be re-assessed taking into consideration the benefits of the scheme and the highlighted errors in the process undertaken at the Regulation 18 preparation stage. These revised scores that have been attributed by this report, supported a series of technical documents, are set out below.

Table 8: Table of adjusted site scores

5.56. This demonstrates that the site provides significant benefits to the Town as well as the overall strategy of the District and should therefore be considered at Stage 3 (and beyond) during the review of the site selection process during Regulation 19 preparations.

6. Question 3

6.1. Q3: In order to support delivery of homes around Harlow, the Council has identified strategic sites to the west, south and east of Harlow. The sites will be comprehensively planned to ensure the provision of a mix of housing, local centres, community and educational facilities, open space and new transport provision (Draft Policy SP3).

6.2. Do you agree with the proposals for development around Harlow? (please tick one box)

☐ Strongly agree

☐ Agree

☐ No opinion

☐ Disagree

☐ Strongly disagree

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6.3. The key consideration when addressing this question is the duty to cooperate with neighbouring authorities. The duty to cooperate was created in the Localism Act 2011, and amends the Planning and Compulsory Purchase Act 2004. It places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of Local Plan preparations in the context of strategic cross boundary matters (paragraph 1 of thePPG).

6.4. As part of the plan-making process, cooperation with neighbouring authorities is required for the plan to be found “sound”. Cooperation is required to ensure the effectiveness of the plan (on of the 4 tests of soundness as set out in the NPPF paragraph 182) as an Inspector will assess whether it is deliverable within the timescale set by the Local Plan and if it demonstrates effective joint working to meet cross boundary strategic priorities. Without soundness of the plan, it cannot be adopted.

6.5. Paragraph 3 of the duty to cooperate PPG states that LPA’s do not need to agree but should make every effort to secure necessary cooperation on strategic cross boundary matters. During the preparations of the draft Local Plan for EFDC and those for the other 3 HMA authorities, the four councils formed a ‘Cooperation for Sustainable Development Member Board (the Co-op Member Board).

6.6. In September 2016, the Co-op Member Board produced a Memorandum of Understanding (OAN MoU) which sought agreement of the 4 Councils on the spatial distribution of the housing requirements across the HMA. This included a total need of 51,100 new homes across the HMA during the plan period (11,400 in Epping Forest) with 16,100 of these to be located in and around Harlow (Figure 5 of the OAN MoU). Many of these 16,100 would be located in Epping Forest DC, comprising 3,900 new homes over 5 sites located south and west of Harlow (Figure 6 of the OAN MoU). This is informed the EFDC draft Local Plan which outlines these sites as draft housing allocations (Draft policy SP3: Strategic Allocations Around Harlow).

Table 9: Draft Policy SP 3 Strategic Allocations around Harlow

6.7. However, Harlow DC held a Special Council Meeting on 31 August 2016, where it voted against any of the proposed housing development being located to the south or west of Harlow. This resulted in the objection to the developments of the sites to the south and west such as Latton Priory, Sumners West and Katherines East, all of which are located within the Epping Forest District area. This makes up 3,100 units of the 3,900 units that the draft Local Plan allocates around Harlow.

6.8. As this motion was passed only weeks before the publication of the EFDC draft Local Plan, the Plan continues to propose that the aforementioned sites to the south and west of Harlow be allocated for housing. As such, there is now a clear conflict between the strategy objectives of the HMA authorities. It also brings into question the suitable allocation of housing sites, as without the allocation of the three sites above, which could comprise of approximately 3,100 units, these would need to be reallocated. This could put further pressure on the sources of supply, increasing the housing requirement for the remaining parts of the District from 4,500 to 7,600 across the plan period. This is however, based on the housing requirements set out in the draft Local Plan which we have already established is artificially low and does not accord with the provisions of the NPPF or thePPG.

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6.9. As such, it is considered that without adjustment to the distribution of housing across the Epping Forest District, the authority will fail in its duty to cooperate. Without adjustment, the Local Plan will be found unsound. At present, the vast majority of the sites allocated in the draft Local Plan are located in the west of the District.

6.10. Whilst it is acknowledged that there are more settlements located in the west, Chipping Ongar is the only settlement defined as a 'town' which is located in the East (Table 4, Settlement Hierarchy Paper, 2015) and is therefore considered an appropriate location for more additional new housing. As a town, Chipping Ongar is described as having a good range of services and facilities including good public transport links.

6.11. Yet, Chipping Ongar has been initially allocated significantly fewer homes (600 dwellings) than all of the other first tier towns, with particular reference to Epping and Loughton which have been allocated 1640 and 1190 new dwellings respectively. Further, North Weald Bassett has been allocated 1590 new dwellings despite the settlement being designated as a 'larger village' in the Settlement Hierarchy Paper. This suggests an attribution of too greater weight on the development of the west of the District.

6.12. As shown in figure 1 of the Settlement Hierarchy Paper (Settlement Categories Map), there are many hamlets in the East of the District. By accommodating additional growth at Chipping Ongar, additional facilities can be provided within the town as well as a significant benefit to the highways capacity of the area, public transport provisions and the local heritage assets.

6.13. It is therefore considered that the distribution of housing across the District needs to be considered in light of the recent resolution but Harlow Council and in accordance with the Council's Settlement Hierarchy Paper.

7. Question 9

7.1. Q9: Do you wish to comment on any specific policies in the Draft Local Plan?

7.2. As a result of the discussion set out in the previous sections of this report, Savills consider that there are a number of draft policies that require amendment in line with the representations made. This comprises of:

§ Draft Policy SP 1: Presumption in Favour of Sustainable Development

§ Draft Policy SP 2: Spatial Development Strategy 2011-2033

§ Draft Policy SP 3 Strategic Allocations around Harlow

§ Draft Policy P 4: Chipping Ongar Draft Policy H 2 Affordable Housing

7.3. In addition to the amendments to the above policies, it is also considered that the draft Local Plan's position on affordable housing delivery needs to be addressed. Draft policy H2 states that "on development sites which provide for 11 or more homes, the Council will seek a minimum of 40% of those homes for affordable housing".

7.4. In order for the policy to be effective, it would need to be achievable. Savills has concerns that the draft policy is not sufficiently flexible or based on an understanding of the available evidence base. Where the draft policy is

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not effective, it fails to have regard to NPPF paragraph 182. The NPPF is clear on the need for 'competitive returns' to enable a willing landowner and developer to proceed with development. Value is clearly linked to the planning system, and hence the level of affordable housing is clearly a relevant factor.

7.5. It is therefore noted that to be effective, draft policy H2 should require a 'target', consistent with overarching affordable housing policy. Numerous Inspectors' decisions have supported the use of a target, rather than set level of provision. The draft policy should require a 'target' of 40% of affordable.

8. Conclusions

8.1. This report provides representations to Epping Forest District Council's Regulation 18 consultation of the draft Local Plan for the District. This is submitted on behalf of Cirrus Land Ltd and L&Q New Homes Ltd in support of the proposed development site at East of Ongar Castle, Chipping Ongar (SR-0914). The report responds directly to the pertinent questions of the consultation questionnaire.

8.2. In relation to question 1, it is concluded that the East Herts and West Essex SHMA requires updating in line with the guidance of the PPG and the recommendations of the LPEG report in order to accurately assess the OAN of EFDC. Savills research shows that by using the appropriate methodology, the OAN of EFDC would increase from the Council's quoted figure of 13,278 dwellings (SHMA update 2016) to a minimum of 22,319 dwellings across the plan period (2011-2033). Further review of the SHMA and SHMA update evidence is therefore required.

8.3. In addition, it is considered that EFDC should consider their approach to five year land supply. Savills find that, based on the current housing target of the draft Local Plan, EFDC have at least 5 years of significant under delivery by the time the plan is adopted. This will also need to be increased in line with the OAN findings. The Council should therefore use a 20% buffer when assessing its 5 year supply. In addition, it is recommended that consideration is given to the front-loading of the housing trajectory of the plan, with more dwellings coming forward in the earlier part of the plan period to help alleviate the impact of such persistent underdelivery.

8.4. In terms of questions 2 and 6, this report concludes that there are several inaccuracies in the assessment of the site East of Ongar Castle in the EFDC site selection report. The site selection assessment for the site failed to recognise the significant benefits of the site such as landscape improvements, traffic relief and enhancements to the heritage asset. There were also inaccuracies in the judgements made about veteran trees, local wildlife areas and access to local amenities amongst other criteria. As such, a new set of recommended scores, supported by the documents submitted with this representation, has been provided to inform the Council's reassessment of the site at Pre-Submission preparation stage. As stated in the report, Savills have received confirmation in writing that this site will be reassessed.

8.5. Question 3 relates to the distribution of dwellings across the District as proposed in the draft Local Plan. This includes a significant proportion to be allocated south and west of Harlow. However, Harlow Council recently passed a motion which precluded the development of housing in this area of Harlow which falls in the EFDC boundary. Therefore, for the Local Plan to allocate housing in these locations would result in a failure in the Councils' Duty to Cooperate, calling into question the 'soundness' of the plan. As such, it is recommended that the 3,100 houses that Harlow Council have objected to be reallocated across the District.

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8.6. At present, there is a disproportionate level of development being potentially allocated in the west of the District. Only 600 dwellings are being proposed at Chipping Ongar which is the only 'town' in the east of the District. This is less than all other first tier 'towns', as well as significantly less than the proposed allocations at North Weald Bassett, which is described as a larger village due to the lesser extent of accessibility to local services and amenities. It is therefore recommended that additional housing is located to Chipping Ongar to address this imbalance.

8.7. Question 9 relates to specific policies of the draft Local Plan. This report sets out a number of policies that require updating in accordance with the evidence provided in this representation. In addition, it concludes that the affordable housing policy H2 needs to be amended so that the proposed 40% affordable housing provision for any new housing scheme is set as a target rather than a minimum provision, in the interests of flexibility and viability in accordance with NPPF paragraph 182.

8.8. Finally, this report has highlighted that much more evidence is required to justify robustness of the draft Local Plan before it can be considered to be positively prepared, justified, effective and consistent with national policy. It is therefore requested that both the overall strategy of the plan as well as the opportunities and benefits of a housing allocation for 800-1000 dwellings East of Ongar Castle needs to be reassessed.

This submission comprises the following documents. Due to file sizes these will be sent in 8 separate emails. Those attached to each email are in bold.

- Feedback Form
- Regulation 18 Consultation Report - Savills
- Site Location Plan - Savills
- Heritage Report - CgMs
- Landscape and Visual Assessment - LDA Design
- LVA Figures - LDA Design
- LVA Photos - LDA Design
- Green Belt Review - LDA Design
- GB Figures - LDA Design
- GB Photos - LDA Design
- Initial Transport Appraisal - Icen Projects
- Review of OAN in Epping Forest Report - Savills Research

I'd be grateful for confirmation of receipt.

Regards

ATTACHED: 161212 Land East of Ongar Castle - Reg 18 Representations.pdf

161212 Draft Local Plan Questionnaire - East of Ongar Castle Final.pdf

Draft Local Plan Questionnaire.pdf

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

161208 Location Plan Chipping Ongar.pdf
Transport Strategy_Chipping Ongar_Dec16_Rev1.pdf
Epping Forest SHMA review v3.pdf
HS_12.16_completed_compressed.pdf
4823_LVA.pdf
4823_LVA_figs-compressed.pdf
4823_LVA_photos-compressed.pdf
4823_GB_Review_161212.pdf
4823_GB_Figs-compressed.pdf
4823_GB_Photos-compressed.pdf