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Representation to Submission Version 2017 Epping Local Plan

Iceni Projects Limited on behalf of
Constable Homes Limited

January 2018

ICENI PROJECTS LIMITED
ON BEHALF OF CONSTABLE
HOMES LIMITED

Iceni Projects

London: Flitcroft House, 114-116 Charing Cross Road, London, WC2H 0JR
Glasgow: 2/1 Mercantile Chambers, 53 Bothwell Street, Glasgow, G2 6TS

t: 020 3640 8508 | **w:** iceniprojects.com | **e:** mail@iceniprojects.com
linkedin: [linkedin.com/company/iceni-projects](https://www.linkedin.com/company/iceni-projects) | **twitter:** [iceniprojects](https://twitter.com/iceniprojects)

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2017 Epping Local Plan**

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APPENDICES

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1. INTRODUCTION

- 1.1 This representation is made on behalf of Constable Homes Limited, an operating subsidiary of the Anderson Group ('Anderson Group' hereafter). Anderson Group are an experienced developer with significant experience of promoting and delivering legacy development in Epping Forest District. The company is in the final stages of securing an interest in a strategic landholding on the southern edge of Loughton. A site location plan is provided at Appendix 1.
- 1.2 The Anderson Group has major concerns with the emerging Epping Forest Local Plan (Regulation 19 Plan) and consider that the plan is neither legally compliant nor sound. This representation identifies the failings and urges the Council to rethink its approach by undertaking significant further work to inform a revised Local Plan approach.

2. RELEVANT BACKGROUND

Anderson Group

- 2.1 Anderson Group was founded in 1987 as a groundworks and civil engineering business. Over the past 30 years, they have grown to become one of the largest privately-owned construction companies in the South East. They continue to undertake major groundworks, civil engineering and remediation projects within the development sector, including for a number of house builders. The Anderson Group also operating a successful and thriving development business which undertakes commercial and residential developments across London, East Anglia and the South East. The Anderson Group specialises in the delivery of complex sites that are considered by most to be undevelopable.
- 2.2 Anderson Group has successfully delivered exemplar development in Epping Forest over many years. They are an important stakeholder in the District, as they are a developer who not only successfully promotes, but also successfully delivers high quality development, which Epping Forest District desperately needs, given its housing delivery problems.
- 2.3 Most recently, the company delivered a signature education and training centre for the National Autistic Society together with enabling residential development at Chigwell Grove. The development comprised a 3,500 square metre building set within a sensitive landscaped environment, and 60 new homes. The company now seeks to deliver a further exemplar development at Woolston Manor Golf Club on the southern edge of Loughton Broadway.

Woolston Manor Golf Club

- 2.4 Woolston Manor Golf and Country Club adjoins the southern (Loughton Broadway) side of Loughton and has functioned as a Golf and Country Club for many years. Given the vast number of golf courses in the area, the business has tried to supplement the golf club with hosting events at function rooms within the main Clubhouse that are available for conferences, parties and weddings.
- 2.5 The site is strategically located with superb infrastructure links, located at the junction to the M11 and adjoining the southern end of Loughton, with the southern edge of the site within a ten-minute walk (0.5 miles) of Debden Underground Station.
- 2.6 The land lies wholly within the Metropolitan Green Belt but contains significant buildings which at times attract significant numbers of people to the site, almost entirely by private car, given the excellent road links and the clubhouse and conference facilities being a good 30-minute walk (1.5 miles) to the underground station.

- 2.7 Like many golf courses, the business is currently struggling to sustain itself given the combination of falling participation numbers playing golf and the abundance of golf courses in the area. The golf club has exhausted its options through its dual use as a conference facility and wedding/party venue and accordingly, the Anderson Group seeks in partnership to sensitively develop the site for mixed-use development, possibly including uses such as education, community, commercial, strategic open space and residential, that can optimise the site's superb infrastructure links and function as a successful and sustainable extension to Loughton.
- 2.8 Parts of the Woolston Manor site lie in Flood Zones 2 and 3, though these areas lie in close proximity to the M11, and so are naturally suited to strategic open space and less vulnerable uses such as commercial development, with the land in Flood Zone 1 ideally suited to residential.
- 2.9 These representations are not the only reps made in relation to the Woolston Manor site and our points seek to compliment and elaborate on representations made by others.

3. THE PLAN'S SPATIAL DISTRIBUTION OF GROWTH

- 3.1 Loughton is the District's largest town and is correctly identified in the settlement hierarchy as a main town. Given its connectivity to public transport and strategic highway infrastructure however, we consider that the town's potential to sustainably accommodate growth has been underplayed, with low levels of growth identified (only 1,085 homes and 4,000sq.m of additional B1 development) relative to the wider Plan commitments.
- 3.2 It is our contention that the levels of growth identified for Loughton are insufficient for one of the most sustainable locations in the District and that the Council's strategy has skewed large amounts of growth away from the most sustainable locations to areas that are far less sustainable, such as the peripheral locations identified for urban extensions on the edges of Harlow.
- 3.3 The Council's identified growth locations around Harlow are presented in the Local Plan as a linked Garden Town, but in reality, the extensions have, at best, a very weak spatial relationship with one another and fail to deliver the sustainability benefits that a community of circa 4,000 homes could deliver if delivered in one location. Furthermore, the identified locations are remote from Harlow town centre, remote from the rail network and will likely lead to greater car usage and less sustainable travel patterns than could be achieved by focusing growth at the most sustainable locations in the District.
- 3.4 The vision for the District outlined in Paragraph 2.27 requires homes to be delivered in the most sustainable locations. The Plan is unsound on the grounds of being not positively prepared, effective or justified because it simply does not do this.
- 3.5 Figure 1.1 of the Submission Local Plan (contained at Appendix 2) is a diagram that denotes the transport infrastructure and key settlements in the District, which provides a good starting point for locating growth. In comparison, Map 2.5 of the Local Plan (also contained at Appendix 2) shows the areas that have been proposed for Green Belt release to accommodate significant development.
- 3.6 It is apparent from these two diagrams that there is an extremely weak level of synergy and spatial alignment between the key infrastructure/settlements and land being removed from the Green Belt to accommodate significant levels of growth. This reveals that sustainability and sound plan making was absent in key decision taking and spatial choices at the heart of the spatial strategy presented in the draft Plan.
- 3.7 The Anderson Group is concerned with the soundness of the spatial strategy for the District and the level of growth allocated to Loughton and also has concerns regarding the suitability of some of the

identified locations within Loughton. It is considered that the needs of the area can be better met through the sensitive development of Woolston Manor.

4. FIVE YEAR HOUSING LAND SUPPLY

- 4.1 Our contention is that the Council cannot demonstrate a 5 year housing land supply (5YHLS) at this time and that the Plan has not responded adequately enough to a serious and sustained housing delivery problem in the District across a number of years.
- 4.2 Our assessment of the Council's 5YHLS position in the Submission Plan differs significantly from the assessment presented in the Council's Housing Implementation Strategy, which forms a key part of the evidence base. From using established methodology wholly consistent with the approach and assumptions recently taken by the Inspector at the East Herts Examination-in-Public, we consider the Council has a **3.72 years supply**¹.
- 4.3 Whilst we acknowledge 5YHLS is a constantly shifting needle, we consider that the Submission Version cannot be sound at this time for the following reasons:
- It is not positively prepared as it does not meet the short-term housing requirement of the District;
 - It is not justified or effective, as it is not the most appropriate spatial strategy to deliver housing in the short term; and
 - It does not conform with the delivery of sustainable development in accordance with the NPPF.
- 4.4 This affects the following sections of the Submission Version:
- Policy SP2: Spatial Development Strategy 2011-2033.
 - Policy H1 Housing mix and accommodation types.
 - Paragraphs 2.60, 2.61, 2.62, 2.63, 2.66, 2.134 and 2.142.
 - Map 2.5 Green Belt Boundary Alterations.

¹ It is noted that the Housing Trajectory in Appendix 2 of the Housing Implementation Strategy is incorrect with respect to the phasing of housing identified between 2017-2022 and differs from the Housing Allocation Phasing within Appendix 4 of this report. Appendix 4 has been relied upon for our assessment of the 5YHLS position.

5. GREEN BELT ASSESSMENT

5.1 In our opinion, the Green Belt evidence used to support the Submission Version does not provide a robust evidence base for decision taking with respect to the location of Green Belt release and the development choices reached. Moreover, in our opinion the approach followed is deeply flawed for the following reasons:

- The Green Belt Stage 2 Assessment has discounted an obvious and logical Green Belt release site (land parcel DSR-030) on the basis that part of the site falls within the flood plain. This approach is clearly erroneous and contrary to the approach outlined in Paragraph 3.14 of the Stage 2 Report, which indicates that in the absence of a distinct feature on the ground that corresponds to the edge of the constraint, the parcel may include the constraint within it, which is clearly the case with land parcel DSR-030.
- The decision to omit land parcel DSR-030 is even more difficult to fathom, given the land's proximity to the settlement and underground station and the fact that the land had been classified as a broad location and one of only a few locations concluded to be weak/relatively weak performing Green Belt in the Stage 1 Assessment.
- The Green Belt Stage 2 Assessment is overly reliant on subjective assessment without measurable, transparent and replicable criteria and parameters and does not clearly define a set of measurable parameters for each of the purposes against which to assess the contribution of a parcel to the Green Belt.

5.2 On this basis, the location of Green Belt release within the Submission Version is considered unsound for the following reasons:

- It is not justified as it is based on an evidence base that is not robust and has discounted a key land parcel based on it being partially constrained. Furthermore, it is unclear how and why some parcels have been sub-divided between Stage 1 and Stage 2 to create even more
- The assessment has not applied or built in any consideration of sustainability credentials into the methodology and this has resulted in Green Belt release with little or no alignment to town centres and key transport infrastructure within the District

5.3 This affects the following sections of the Submission Version:

- Policy SP2: Spatial Development Strategy 2011-2033.
- Policy SP6 Green Belt and District Open Land.

- Policy DM4 Green Belt.
- Paragraphs 2.66, 2.134 and 2.142.
- Map 2.5 Green Belt Boundary Alterations.

6. FUTURE GROWTH REQUIREMENTS AND EXTENT OF GREEN BELT REVIEW

- 6.1 NPPF Paragraph 85 requires Local Planning Authorities to be satisfied that Green Belt boundaries will not need altering at the end of the development plan period.
- 6.2 It is evident from the Government's AON figure of 923 dwellings per annum (which the Plan does not plan for or even reference the existence of) greatly exceeds the Council's AON figure of 518 dwellings per annum provided for in the proposed Submission Version. Accordingly, there will need to be a significant increase in housing provision in the District in the next plan period and further Green Belt release is certain to be required to be released as part of a Local Plan review within the next 5 years as part of the next Plan review.
- 6.3 The Plan has not given any consideration to this point and no consideration has therefore been given to long term Green Belt boundaries and future growth locations. The Council's Green Belt boundaries will need to be amended again within 5 years and this constitutes poor forward planning and an approach that is not consistent with national planning policy set out at Paragraph 85 of the NPPF. Furthermore, this Plan is not therefore positively prepared and neither is it justified nor effective.

7. CONCLUSIONS

7.1 The Anderson Group consider the Epping Forest Regulation 19 Plan to be unsound and not legally compliant for the following reasons:

- The Plan does not result in the Council fixing its 5 year land supply shortfall
- The Plan plainly does not direct growth to the most sustainable locations, as required by the Vision. Moreover, the Plan has selected largely unsustainable locations, poorly related to the infrastructure of the District, at odds with its settlement hierarchy and with no evidence base to support the approach
- The Green Belt Assessment methodology is fundamentally flawed, with a highly suitable piece of land from the Stage 1 Assessment omitted from Stage 2 due to partial flood constraint.
- The Green Belt Review is fundamentally flawed as it has ignored the NPPF requirement for Local Planning Authorities to be satisfied that Green Belt boundaries will not need altering at the end of the development plan period. It is evident that Green Belt boundaries will need to be amended as part of the Plan review within 5 years and no consideration has been given to a long-term development strategy for the Borough in this regard

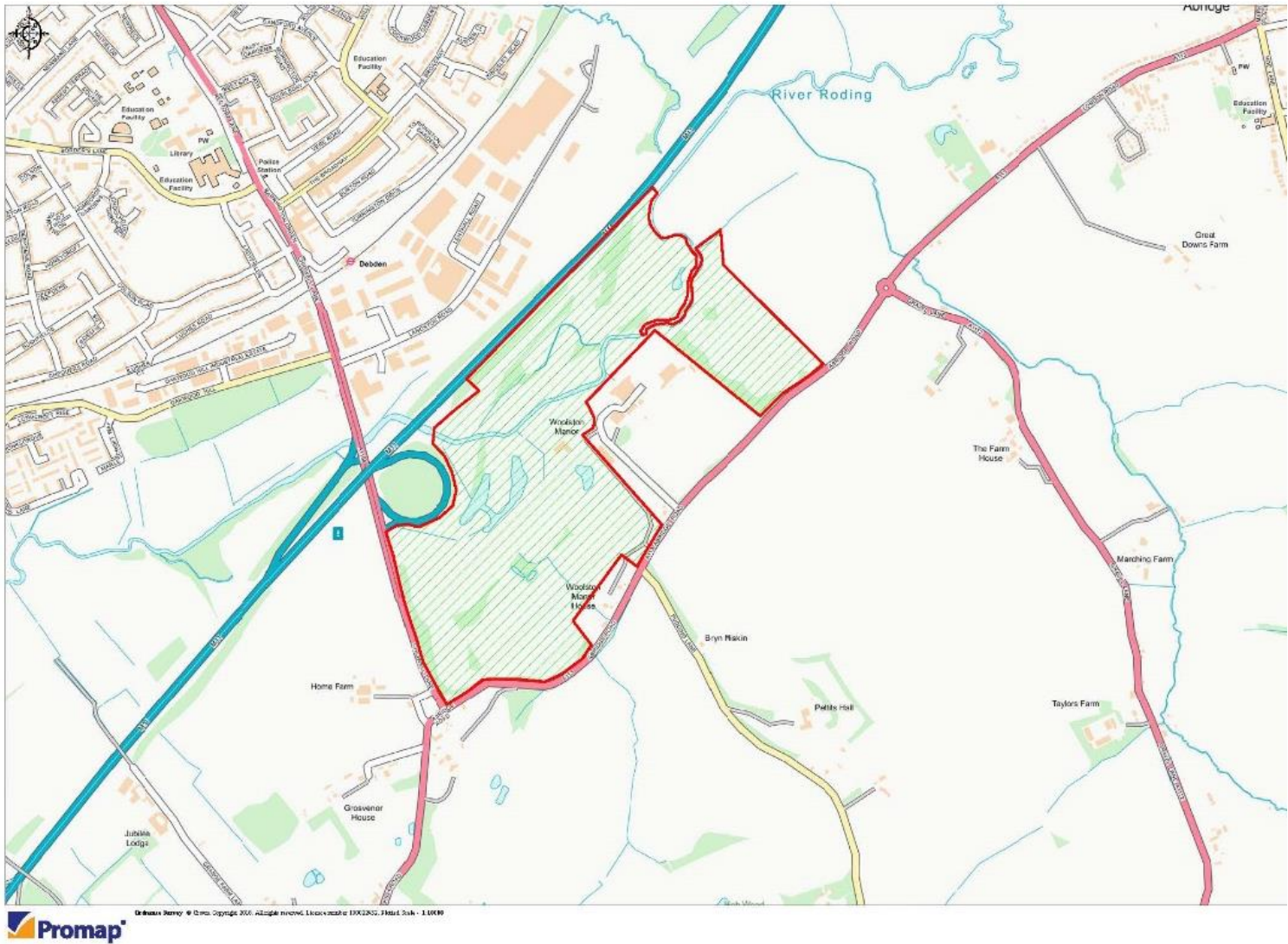
7.2 The Anderson Group consider that the Plan should have identified Woolston Manor for development for the following reasons:

- It is in a sustainable location in close proximity to a wide range of services and facilities. It is located within easy walking distance of Debden Underground Station, which is on the Central Line into London, and a number of local bus stops.
- It is available now. The site is in single ownership and is not the subject of any long-term lease or other landownership constraint which would preclude its delivery.
- It offers a suitable location for mixed-use development, one of only a few locations that the Council's Green Belt Review considered to weakly perform against the tests of Green Belt set out in national planning policy.
- The development of the site is achievable within the next five years. Subject to it being released from the Green Belt and allocated for mixed-use development, it is proposed to submit a planning application to allow works onsite to begin as soon as is practically possible.

From the company's Chigwell Grove development, EFDC will recognise that the Anderson Group implement planning permissions at soon as practically possible in order to assist with meeting a number of objectives set out in its planning policy documents. It is clear therefore that Woolston Manor offers a realistic prospect that residential dwellings can be delivered in the short term, and notably within the first five years of the Plan period.

A1. LOCATION PLAN

Woolston Manor Golf Club, Loughton



A2. LOCAL PLAN DIAGRAMS

A2.1 Local Plan Figure 1.1



A2.2 Local Plan Map 2.5

