

# Epping Forest District Council

## Submission Local Plan – Additional Consultation May 2018

### Response on behalf of The Crown Estate

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#### 1. Site Selection for Policy P4: Chipping Ongar

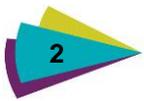
The Crown Estate owns Site SR-0112 in South West Chipping Ongar. Amec Foster Wheeler submitted comments to the Epping Local Plan Submission Version in January 2018. The Council has since published the updated site selection evidence Appendices B and C produced by Arup December 2017, which supports the allocations in the Local Plan, including those at Chipping Ongar. However, having now had the opportunity to review this evidence it is clear that Policy P4, which includes site allocations at Chipping Ongar, is not sound. The evidence demonstrates that the allocation and SA process is fundamentally flawed. The Council's own evidence demonstrates that The Crown Estate's Site (SR-0112) out performs many sites proposed for allocation and should be allocated in preference to some of the other sites.

NPPF Paragraph 182 sets out the four tests for soundness against which local plans will be assessed. This includes the test of 'justified'. In order for the plan to meet this test the plan should make '*the most appropriate strategy when considered against other reasonable alternatives*'. Therefore, to meet this test the Local Planning authority must demonstrate that consideration has been given to other reasonable alternatives to demonstrate that the submitted plan is adequately justified. The Crown Estate has a number of concerns in this respect and does not feel that the Policy P4 meets the test of justified.

The Council has failed to fully justify the exclusion of land to the south-west of Chipping Ongar SR-0112 which presents a more sustainable option. Within the Appendix B1.1 Overview of Assessment of Residential Sites, site SR-0112 removal from consideration was detailed thus:

*"The site was identified as available within the first five years of the Plan period, and there are no identified restrictions which would prevent it coming forward for development. However, it was considered that other sites in Ongar would enable the Council to focus growth to the north of the settlement, which is the preferred location for growth. While it is proposed to allocate a limited number of residential units in the south of the settlement in order to provide the desired growth for the settlement, this site could only be accessed via Stanford Rivers Road. It was considered that this access could not be achieved without causing harm to an identified BAP Habitat. As such, this site was considered to be less preferable compared to other sites to the south of the settlement and therefore is not proposed for allocation."*

However, there is a clear disparity between the overall conclusion above, with the site proformas provided in document EB805Fii. On the issue of BAP habitats, this concludes that the site is '*likely to affect BAP habitats*



*but the effects could be reduced through mitigation*'. Furthermore, the landscape framework which screens the site would be retained, thereby limiting impacts on BAP habitats. Whilst some modest vegetation removal/trimming might be required along Stanford Rivers Road, both the Council's proposals map<sup>1</sup> and the Government's Magic Website<sup>2</sup> show the vegetation strip along the road as being outside the BAP designation. There is scope to compensate for any modest vegetation removal on the Crown Estate's significant landholding in this location.

There is also a clear inconsistency in the assessment of BAP habitats. Sites ONG.R1, ONG.R2 and ONG.R5 are also considered to impact on BAP habitats but the issue is not seen as insurmountable.

A safe means of access can be provided onto A113 Stanford Rivers Road. There are two potential access solutions: a priority junction; or a new roundabout. The final solution would be dependent on the scale of development proposed and further discussions with the Highways Authority.

In terms of sustainable links, given the site's proximity to local community facilities and services, all of which are accessible by sustainable transport modes, it is considered that the site represents a sustainable option for housing. The site has excellent pedestrian and cycle links which are already in place and require little improvement. This includes an existing footpath linking the site to Chipping Ongar Primary School which is immediately adjacent to the site boundary. Schools are noted as being a key cause of peak hour traffic. Therefore, a particular advantage to locating development next to schools exists, to promote sustainable travel and reduce peak hour car based trips.

The table below summarises the scores for all of the proposed allocations in Chipping Ongar taken from the updated site selection evidence (Appendices B and C produced by Arup December 2017) and compares this with site SR-0112 which is not proposed for allocation.

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<sup>1</sup> Combined Policies of Epping Forest District Local Plan 1998 and Alternations 2006 (published 2008)

<sup>2</sup> <http://magic.gov.uk/MagicMap.aspx>

Assessment Criteria	Sites Proposed for Allocation in Policy P4										South West Chipping Ongar SR-0112N
	Scoring ONG.R1	Scoring ONG.R2	Scoring ONG.R3	Scoring ONG.R4 east	Scoring ONG.R4 west	Scoring ONG.R5	Scoring ONG.R6	Scoring ONG.R7	Scoring ONG.R8		
1.1 Impact on Internationally Protected Sites	0	0	0	0	0	0	0	0	0	0	0
1.2 Impact on Nationally Protected Sites	0	0	0	0	0	0	0	0	0	0	0
1.3a Impact on Ancient Woodland	0	0	0	0	0	0	0	0	0	0	0
1.3b Impact on Ancient/Veteran Trees outside of Ancient Woodland	0	0	0	0	0	0	0	0	0	(-)	(-)
1.4 Impact on Epping Forest Bufferland	0	0	0	0	0	0	0	0	0	0	0
1.5 Impact on BAP Priority Species or Habitats	0	0	0	0	0	0	0	0	0	0	(-)
1.6 Impact on Local Wildlife Sites	0	0	0	0	0	0	0	0	0	0	0
1.7 Flood Risk	(++)	(++)	(++)	(++)	(++)	(++)	(++)	(++)	(++)	(++)	(++)
1.8a Impact on heritage assets	0	0	(+)	(+)	0	(+)	0	0	(-)	0	0
1.8b Impact on archaeology	(-)	(-)	(-)	(-)	(-)	(-)	(-)	(-)	(-)	(+)	(-)
1.9 Impact on air quality	(-)	(-)	0	0	(-)	0	(-)	(-)	(-)	(-)	(-)
2.1 Level of harm to Green Belt	(--)	(--)	(-)	(--)	(--)	(--)	(-)	(-)	(+)	(+)	(-)
3.1 Distance to the nearest rail/tube station	(-)	(-)	(-)	(-)	(-)	(-)	(-)	(-)	(-)	(-)	(-)
3.2 Distance to nearest bus stop	(+)	(+)	(+)	(+)	(+)	0	(+)	(+)	(+)	(+)	0
3.3 Distance to employment locations	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)	(+)
3.4 Distance to local amenities	(+)	(+)	0	0	0	(+)	0	0	0	0	0
3.5 Distance to nearest infant/primary school	0	0	0	0	0	(+)	0	0	0	0	0
3.6 Distance to nearest secondary school	(-)	(-)	(-)	(-)	(-)	(-)	(-)	(-)	(-)	(-)	(-)
3.7 Distance to nearest GP surgery	(+)	(+)	(+)	(+)	(+)	0	0	0	0	0	0
3.8 Access to Strategic Road Network	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
4.1 Brownfield and Greenfield Land	(-)	(-)	(-)	(--)	(-)	(-)	(-)	(-)	(-)	(++)	(-)
4.2 Impact on agricultural land	(--)	(--)	(--)	(--)	(--)	(--)	(--)	(--)	(--)	0	(--)
4.3 Capacity to improve access to open space	0	0	0	0	0	0	0	0	0	0	0
5.1 Landscape sensitivity	(--)	(--)	0	(--)	(--)	(--)	0	0	0	0	0
5.2 Settlement character sensitivity	0	0	(-)	(-)	(-)	0	0	0	(+)	(+)	(-)
6.1 Topography constraints	(-)	(-)	(-)	(-)	0	0	0	0	0	0	0
6.2a Distance to gas and oil pipelines	0	0	0	0	0	(-)	0	0	0	0	0
6.2b Distance to powerlines	0	0	0	0	0	0	0	0	0	0	0
6.3 Impact on Tree Preservation Order (TPO)	(-)	(-)	0	0	0	0	0	0	0	(-)	0
6.4 Access to site	(+)	(+)	(-)	(+)	(+)	0	(+)	(+)	(+)	(+)	0
6.5 Contamination constraints	0	0	(-)	0	0	0	(-)	(-)	(-)	(-)	(-)
6.6 Traffic impact	(-)	(-)	N/A	(-)	(-)	(-)	0	0	N/A	N/A	(-)

The Crown Estate Site SR-0112 out performs four of the proposed allocated sites (ONG.1, ONG.R2, ONG.R4 & ONG.R5) on the level of harm to the Green Belt and landscape sensitivity. Site SR-0112 only has one significant negative score on agricultural land, as with all greenfield options in the town. It scores equally with all other proposed allocated sites with regard to assessment criteria including, impact on internationally and nationally protected sites, impact on Epping Forest buffer land, impact on wildlife sites, flood risk and distance to employment sites. Whilst the Council feels justified in allocating sites nearer to the north of the town as they have better access to some community facilities, this does not override the significant Green Belt and landscape impacts. In addition, as noted above, there is a particular advantage to locating development near to primary schools as part of a sustainable development strategy.

Evidence based work undertaken by the Council and summarised above, demonstrates the advantages of site SR-0112 over other development options around Chipping Ongar and therefore the strategy in Policy P4 is not justified:

- ▶ Landscape: Development at site SR-0112 would be visually well contained by the existing landscape framework. The Council’s site selection report also concludes that site SR-0112 is within an area of low landscape sensitivity ‘able to accommodate development without significant character change’. Conversely, the Council’s site selection evidence concludes that sites ONG.R1, ONG.R2, ONG.R4 and ONG.R5 as being within an area of high landscape sensitivity being ‘vulnerable to change and unable to absorb development without significant character change’. These sites therefore receive a significant negative score. The release of land at site SR-0112 being in the least sensitive location should be given priority.



- ▶ Green Belt: The Council's site selection report also concludes that site SR-0112 would be less harmful to the Green Belt than sites ONG.R1, ONG.R2, ONG.R4 and ONG.R5. These sites receive a significant negative score in respect of level of harm to the Green Belt. The allocation of eight sites around the settlement edge many of which the Council acknowledges would be harmful to the openness of the Green Belt, would result in an incremental and piecemeal erosion of the Green Belt which could be avoided through a longer-term approach and the allocation and safeguarding of land for future development on land owned by The Crown Estate at south west Chipping Ongar which the assessment concludes would be less harmful to the Green Belt.

Therefore, assessing the reasons above it appears that discounting Site SR-0112 does not reflect the findings within the evidence base produced by Arup December 2017. It does not demonstrate that this is the most appropriate strategy when compared against reasonable alternatives. In line with the Council's evidence base site SR-0112 should be a priority for release from the Green Belt for the reasons outlined above. In summary, the site provides a highly deliverable and developable site in line with guidance in the NPPF. In particular, the site is available now, it offers a suitable location for development and is achievable with a realistic prospect that housing could be delivered within five years. The site is deliverable because:

- ▶ It is not covered by any strategic constraints which would prevent development. The site is not at risk of flooding and the area proposed for development is entirely located in Flood Zone 1 (lowest probability of flooding). It is within a single ownership allowing long term comprehensive planning and deliverability with the land free of significant constraints.
- ▶ It presents a logical and sustainable location for new housing provision. The site can deliver a high-quality development set within a mature landscape setting, to assist in meeting the significant development needs in the District. Although located within the Green Belt, the site makes a limited contribution to the openness of the Green Belt and should be considered for release. Areas suggested for development represent a natural rounding off, of the existing settlement edge utilising the established landscape framework.
- ▶ The Crown Estate is willing to bring the site forward. The site is currently in agricultural use which does not hinder it being brought forward within five years. The site can deliver a high-quality development to assist in meeting the Local Plan requirement, including a mix of dwellings as well as a proportion of affordable homes to meet local needs.