

Your ref: ELP.E1
Our ref: JB50322
DD: [REDACTED]
E: [REDACTED]
Date: 22 September 2021

Epping Forest District Council
Main Modifications Consultation Response
By email: MMCons@eppingforestdc.gov.uk

Dear Sir/Madam,

LAND NORTH OF A121, WALTHAM ABBEY (POLICY WAL.E8): REPRESENTATION TO MAIN MODIFICATIONS CONSULTATION ON BEHALF OF TRINITY HALL

This representation is made by Bidwells on behalf of Trinity Hall, which owns land at the above site proposed for allocation in the emerging Local Plan as part of policy WAL.E8. The emerging Plan is proposing to remove this land from the Green Belt and allocate it for the delivery of 10 hectares of B1c, B2 and B8 employment development. Trinity Hall continues to **support** the proposed allocation of this land for employment uses as part of WAL.E8.

Trinity Hall made representations to the Regulation 19 consultation in January 2018 and appeared at the Local Plan Examination in Public hearing session on 14 May 2019 to confirm this position and request minor amendments to policy WAL.E8. Some of the amendments requested have not been included in the Council's modifications, despite verbal assurances given by Planning Officers at the hearings. We explain this further below and urge the Inspector to consider our continued requests carefully before the Plan is adopted, to ensure it can be considered effective and sound.

We also request that further clarification is added to the new policy requirement to deliver a cycle connection over the M25 to Round Hills, as explained further below.

Subject to these amendments being made, we consider there is an urgent need to confirm the allocation of the site and support its delivery as soon as possible. There was strong demand for the uses proposed for allocation at the site when the Plan was submitted in 2018, and the impacts of the Covid-19 pandemic have only served to accelerate pre-existing market trends requiring more warehousing, goods processing and distribution capacity in highly accessible locations. The location of this site adjacent to the M25 and in close proximity to potential employees in Waltham Abbey means that the Council's approach to provision of employment in the District is remains wholly appropriate.

We have reviewed the proposed modifications to the strategic employment policies in the draft Local Plan and make the following comments.

Policy SP1

We note that Policy SP2 of the Regulation 19 Plan has now been renamed Policy SP1. Trinity Hall continues to **support** Policy SP1's proposed allocation of approximately 23 hectares of new employment land at appropriate locations across the District, as set out in detail in policy E1.

Policy E1

Trinity Hall continues to **support** Policy E1 (Employment). As confirmed in the Regulation 19 consultation, with the exception of a small parcel of land on the northern boundary which is owned by Epping Forest District Council (and which is not critical to its delivery) the land proposed for allocation is within a single land ownership and is available for development immediately. Indeed, Trinity Hall and Next Plc have jointly submitted a planning application for the development of the site in line with the aspirations of the emerging allocation which is currently pending consideration by the Local Planning Authority (EPF/1413/18). Trinity Hall intends to continue working with its commercial partners, the Council and other stakeholders to enable the delivery of the site as soon as possible.

The site is suitably located for commercial development with close proximity to Waltham Abbey and other towns housing a considerable potential workforce and it is adjacent to the M25, the A121 and the wider strategic transportation network. The site's strategically advantageous location on the M25, close to north London and with links to the M11, A1 and M1 towards the north of the country makes it ideally placed to accommodate a proposed distribution centre. Trinity Hall considers the site to be entirely suitable for its proposed use.

Policy SP6

Trinity Hall continues to **support** the Council's conclusion that exceptional circumstances exist to justify a revision to the Green Belt boundary. The emerging Local Plan's evidence base demonstrates that there is insufficient land outside of the Green Belt to meet the objectively assessed need for new employment land established in the Functional Economic Market Area (FEMA) Assessment. A revision to the Green Belt boundary is a necessity to ensure that the Plan is able to meet identified need for employment land in Epping Forest and the wider FEMA, and to ensure sustainable patterns of development are delivered.

Trinity Hall supports the proposed removal of the site from the Green Belt. Removing the whole site and using the M25 and A121 to enclose the new Green Belt boundary will ensure that it is clearly defined, readily recognisable and likely to be permanent, in accordance with the requirements of the National Planning Policy Framework.

Policy WAL.E8

Trinity Hall supports the principle of the proposed allocation but **requires amendments** to the wording of that policy to ensure its soundness. These amendments were identified in its representations to the Regulation 19 consultation and in its Hearing Statement (both attached for ease of reference) and they appeared to have been broadly agreed by the Council during the EiP hearing session of 14 May 2019, attended by Trinity Hall and Next. Nevertheless, not all of the changes are reflected in the Main Modifications or Additional Modifications published for consultation.

Most importantly, policy WAL.E8 identifies that the allocation's approximate net employment floorspace capacity is 40,000 square metres, derived from an indicative plot ratio of 0.4 combined with the allocated site area of 10ha. This plot ratio does not take into account the likelihood of mezzanines being installed, which would increase the net capacity of the site without increasing development footprint. It could therefore be considered misleading.

As currently worded, the policy might be interpreted as suggesting a maximum of 40,000 square metres of employment floorspace should come forward as part of the allocation, which may prevent additional mezzanine space. To remove any ambiguity, at the Regulation 19 stage we therefore requested that this section of the policy was reworded to state (with new text in red):

*"Approximate Net Capacity (GEA) 40,000 sq.m **excluding any mezzanine floorspace**"*

As highlighted in Trinity Hall's Hearing Statement and explained verbally at the hearing on 14 May 2019, the planning application prepared for the development of the site includes mezzanines and the technical work underpinning it takes their capacity into account to demonstrate that a higher quantum of floorspace is deliverable. In this context, as a solution to our request the Council verbally suggested during the EiP hearing that the reference to a 40,000sqm 'approximate net capacity' could be removed altogether, and the policy could rely on the 10ha allocation of land to control the quantum of development that comes forward. However, this has not been carried through the modifications proposed to the Plan.

We would accept the Council's suggestion or our suggested amendments to the wording of the policy. **We urge the Inspector to make either of these amendments to policy WAL.E8 before the Plan is finalised, to ensure it can be considered effective.**

Trinity Hall broadly welcomes the modifications that have been made to policy WAL.E8 since the hearings, including the removal of the suggestion that restrictions on the operating hours of HGVs servicing the site should be considered as part of routing management plan at the planning application stage, as requested in our representations. We note the addition of the requirement for a cycle connection to be provided from the site to Round Hills. We have no objection to this requirement assuming that this connection would utilise an adaptation to the existing pedestrian bridge and **request that the text is amended further to clarify this**. Providing a second bridge in this location has not been discussed previously with Trinity Hall or subject to feasibility testing to date, and we would object to such a policy requirement if it was confirmed.

National Planning Policy Framework

Paragraph 35 (examining plans) of the National Planning Policy Framework states that local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is formed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;
- c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.

We consider that the Council's approach to employment development and allocations in the emerging Local Plan is positively prepared, justified and consistent with national planning policy. However, we consider that the current wording of Policy WAL.E8 in respect of the floorspace capacity estimate and restrictions of HGV movement is unduly restrictive and could make the site less desirable to future occupiers. These matters should be clarified by the proposed amendments to the policy wording which will ensure clarity and flexibility for future occupiers and ensure that employment uses can be delivered quickly and effectively.

Conclusion

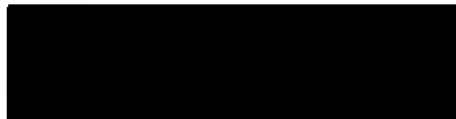
Trinity Hall is supportive of removal of land from the Green Belt, in this instance and proposed employment allocation WAL.E8. However, it considers that the policy wording should be **amended** to reflect the points above. In summary, these are as follows:

- Amend policy wording in respect of site capacity to rely on the 10ha of land allocated by WAL.E8 to control the amount of development that comes forward, or to confirm that the 'approximate net capacity' of the allocation, derived from a plot ratio, excludes potential mezzanine floorspace.
- Amend policy WAL.E8's infrastructure requirements to clarify that the cycle connection required over the M25 to Round Hills should be provided via an adaptation to the existing pedestrian bridge serving Round Hills, not a second bridge over the M25.

We consider that these amendments are reasonable and proportionate and will ensure that employment uses can be delivered at the site, without undue hindrance or burden.

Please let us know if you require additional details or would like to discuss this representation further.

Yours faithfully



Sam Metson BA (Hons) MA MRTPI PIEMA
Partner

Enc. Regulation 19 representations and Hearing Statement submitted by Trinity Hall

Copy: Bursar, Trinity Hall
Tim Rainbird, Quod (on behalf of Next)