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Your ref: Former Grange Farm
Our ref: 4554050v1

Planning Policy Team,
Epping Forest District Council,
Civic Offices,
323 High Street,
Epping,
Essex CM16 4BZ

26 June 2018

Dear Sir/Madam,

CHIGWELL NEIGHBOURHOOD PLAN REGULATION 16 REPRESENTATIONS FRONT SITE, FORMER GRANGE FARM, HIGH ROAD, CHIGWELL

We write to you on behalf of our client, London Square, in respect of the above Chigwell Neighbourhood Plan publication and examination currently being undertaken by Epping Forest District Council. These representations relate to 'Front Site, Former Grange Farm, High Road, Chigwell' ("Site 2"). The red line plan for Site 2 is attached at **Appendix 1**.

Site 2 was previously identified in the draft Pre-Submission Neighbourhood Plan as Site 'CV3: Former Grange Farm'. Given that the Site was identified as a suitable and deliverable housing site in the previous iteration of the plan, we are disappointed that it has been removed from the submission version of the plan without any prior notification or evidence to justify it.

We believe that the site remains suitable, available, and deliverable, and we are not aware of any objections to the proposed allocation of the site in either the draft Local Plan or the pre-submission Neighbourhood Plan carrying sufficient weight to warrant its removal.

BACKGROUND

Site 2 was acquired by London Square in January 2015 along with Site 1 which is located to the north east of Site 2 on Grange Farm Lane. Both Sites 1 and 2 originally formed part of 'Grange Farm' which was historically occupied for leisure and recreational uses as a camping ground. Grange Farm Centre is now located to the north of Site 2 providing recreational and sports facilities. Members resolved to grant planning permission for 43 residential units at Site 1 in November 2015 and permission was granted on 1 August 2016. Site 1 is currently under construction and due for completion in mid-2018. Site 1 does not form part of these representations but is referred to for context purposes. The red line plan for Site 1 is attached at Appendix 2.

Site 2 comprises approximately 0.7ha of land to the north of the centre of Chigwell. It is bounded by Grange Farm Lane on its eastern edge and the roundabout at High Road in the south. Bramble Close, which forms the western boundary is a cul-de-sac of one and two storey housing, part of which form the northern boundary.

Whilst Site 2 is located within the Green Belt in the currently adopted Epping Forest District Council Local Plan (1998 and Alterations 2006), it has been used since at least 2007 as a building compound for Site 1

and for other development projects further afield and is comprised mainly of hard standing and accumulated building materials.

REPRESENTATIONS TO DATE

Neighbourhood Plan Representations

Representations were then made to the Chigwell Parish Neighbourhood Plan Consultation (November 2016) in respect of Site 2 in support of Draft Policy CV3. The removal of the site from the Green Belt was supported, however the site's capacity to provide 20 units, as set out in the draft plan, was considered a density which would not make best use of the land available. It was considered that CV3 (ii) should be reworded to support a higher density development.

Local Plan Representations

The site in question has been promoted at every stage of the Local Plan process; both in terms of its release from the Green Belt and a residential site allocation.

In January 2018, we submitted representations to the Council to object to the removal of the Site from the allocations in the Submission Version of the Local Plan. At this time, Appendix B of the Site Selection Report was not available. Concern has been expressed regarding the process undertaken to confirm allocations as part of the Site Selection Assessment in relation to Appendix B. Appendices B and C were not available at the time of the publication of the Site Selection Report in December 2017. When these appendices were released in March 2018 Appendix B1.4.2 'Results of Stage 2' and Appendix B1.6.4 'Results of Capacity and Deliverability Assessments' were both dated March 2018. This would imply that Stages 2 and 3 were both undertaken retrospectively, i.e. after the publication date of the Site Selection Report in December 2017 which presents the results. Therefore, the process undertaken for both Stages 2 and 3 appears dubious.

The scoring of the Site against a number of criterion within Stage 2 of the Site Selection Assessment (as outlined in Appendix B1.4.2 'Results of Stage 2') causes further concern. Whilst this stage acknowledges the site to be 100% brownfield land, which we support, criteria 4.2 'Impact on Agricultural Land' scores a red double negative and it is acknowledged that *'development of the site would involve the loss the best and most versatile agricultural land (grades 1-3)'*. Given that the Site is covered in hard standing, it could not be considered 'best and most versatile agricultural land'. The Site has clearly been scored incorrectly against this particular criteria.

Furthermore, the scoring of the Site against criteria 6.2A 'Distance to Gas and Oil Pipelines' is of concern. The assessment states that *"some 86% of the site is in HSE inner and middle consultation zones. Although the inner zone is restricted to the northern portion of the site overall the site is constrained"*. It is noted that HSE guidance therefore 'advises against' development for the affected area. It is unclear how this conclusion has been reached with no supporting plans from the HSE provided as part of Appendix B. The HSE plan attached at **Appendix 2** demonstrates that the north western portion of the Site is within the inner/middle zone with the majority of the Site in the outer zone. The HSE 'do not advise against' residential development of the scale we have promoted the Site for in the outer zone. Therefore, the scoring on this matter was also incorrect.

Appendix B1.4.2 outlines the site constraints, which are said to include two tree preservation orders. The assessment states that *"the location of the 2 Tree Preservation Order trees in the centre of this site (there is also one on the boundary) will reduce the overall capacity of residential development"*. Given that the referenced trees do not exist, it would appear that a site visit was not undertaken as part of Stage 2.

Both Appendices B1.6.4 and B1.6.6 appear to assume that the extant planning permission associated with the site (which comprises three residential units rather than the four referenced by the appendices) is being built out and, as such, it is argued that the Site is therefore unlikely to have capacity for further development.

This is not the case in reality however. The landowner, London Square, use this site as a compound in connection with their neighbouring development and it has never been the intention to build out the extant permission, even though it has been technically implemented by the former landowner and therefore forms a material consideration in the planning history of the site. It should not have been assumed that this permission was being built out.

The Local Plan representations are relevant to this consultation, as it appears that the inaccuracies associated with the Local Plan evidence base have also misinformed the Neighbourhood Plan process; with Site 2 remaining in the Green Belt with no site allocation in the final draft versions of both documents.

SEVEN BASIC CONDITIONS

We believe that the Chigwell Neighbourhood Plan does not meet the requirements of the seven basic conditions as set out under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

Paragraph 14 of the NPPF sets out a *“presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking”*. For plan-making this means that local planning authorities should positively seek opportunities to meet the development needs of their area; local plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole or specific policies in this Framework indicate development should be restricted.

The 2016 Pre-Submission version of the Chigwell Neighbourhood Plan sought to deliver 400 new homes within the Parish over the Neighbourhood Plan Period across 14 different allocations. Conversely, the Regulation 16 version of the Neighbourhood Plan seeks to deliver 367 new homes across just three sites (without releasing any sites from the Green Belt). We would argue that strategy places an over-reliance on three large sites which may have complicated infrastructure requirements compromising their deliverability. A larger number of smaller sites allocated for development would assist with the flow of residential deliverability over the Neighbourhood Plan period, as shown in the 2016 Pre-Submission Version of the Neighbourhood Plan.

The residential allocation associated with Site 2 has been removed from the Chigwell Neighbourhood Plan, despite the site remaining suitable, available, and deliverable. We therefore believe that the making of the Neighbourhood Plan does not contribute to the achievement of Sustainable Development, contrary to Conditions 1 and 4 under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.

CONCLUSION

We believe that the site remains suitable, available, and deliverable, and we are not aware of any objections to the proposed allocation of the site in either the draft Local Plan or the pre-submission Neighbourhood Plan carrying sufficient weight to warrant its removal. The site does not play a significant role in the Green Belt. As such, it is concluded that the site should be removed from the Green Belt and should be identified for housing development for up to 60 residential units, since the removal of the Site from the submission version of the Local Plan and the Regulation 16 Version of the Neighbourhood Plan has not been justified with evidence.

We trust that the information provided above is clear, however if you require further clarity on any of the comments made please do not hesitate to contact us; we would be willing to meet with you to discuss our client’s aspiration for the site, if this is deemed to be of assistance.

I would be grateful if you could confirm safe receipt of the above representations.

Yours faithfully



Jessica McSweeney
Associate Partner

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APPENDIX 1 – SITE 2 LOCATION PLAN



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This drawing is protected by copyright.

Client London Square
 Project Chigwell Grange
 Title Site Location Plan
 Site 2

Drawn by MM Date 25/02/2016
 Scale 1:1250 @ A1
 No C165 P01

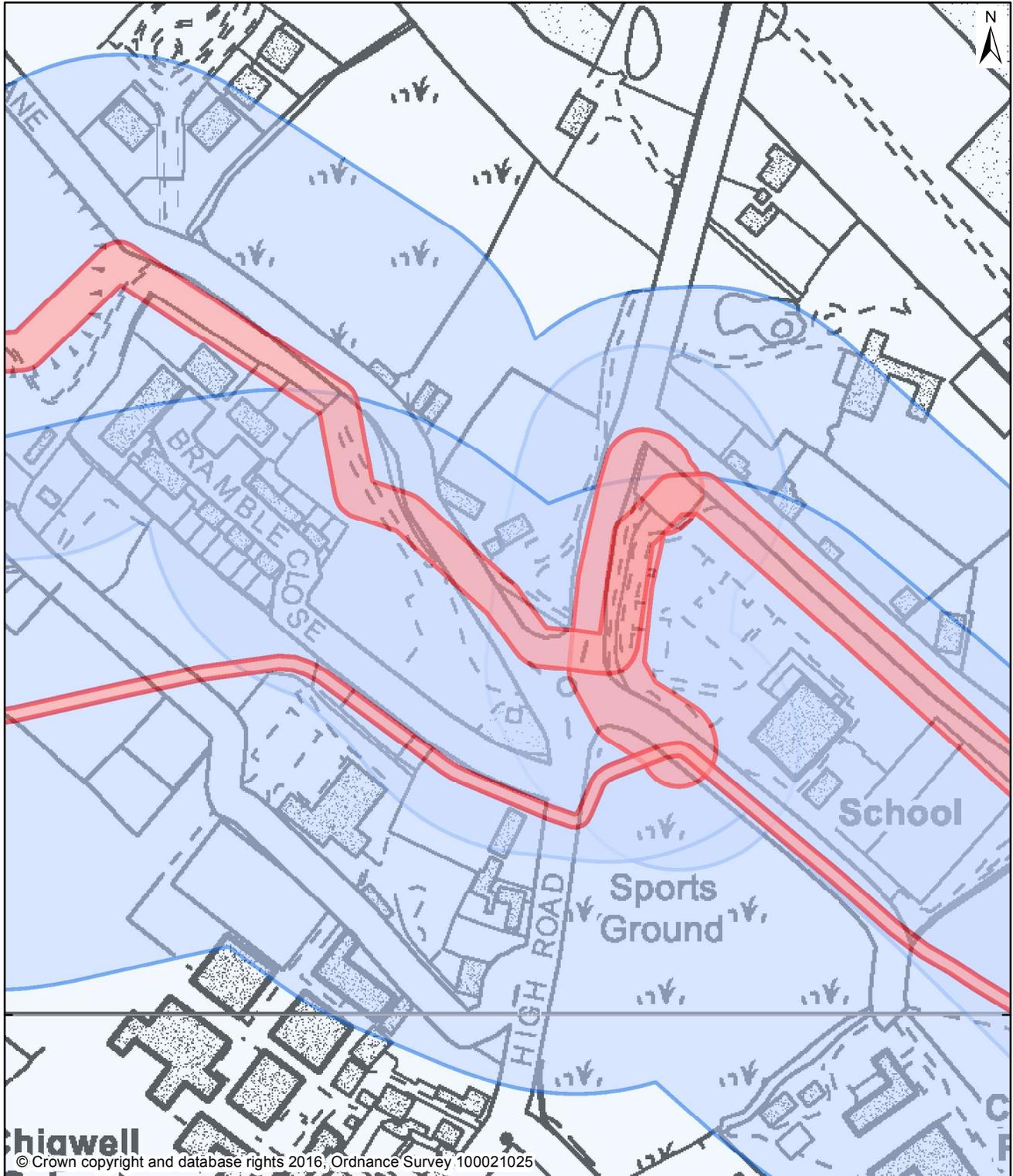


Chigwell Grange

Site Location Plan 1:1250

APPENDIX 2 – HSE PLAN

Consultation Zone Map



Legend

Administrative Boundary

- Local Authority
- Abolished LA
- County
- National Park
- Postcode intersecting LUP zone

Consultation Zone

- | | | |
|--------|-------|----|
| DPZ | Inner | CB |
| Middle | CD | CE |
| Outer | | |

- | | |
|----------------|--------------|
| Explosive Site | Nuclear Site |
| Interim Site | |

Note: Not all legend items may appear on the map. Not all map items are shown in legend (pipelines and drawn graphics).

1:2,500 Scale to A4
 Metres
 0 25 50

British National Grid



07/11/2016
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 OFFICIAL:
 SENSITIVE

