



**Epping Forest District Council
Local Plan Examination**

**Matter Statement 4
The Spatial Strategy &
Distribution of Development**

**Responses on behalf of
LF (Waltham Abbey) Limited
Respondent Number: 19LAD0119**

January 2019

CONTENTS

- 1.0 Introduction**
- 2.0 Response to Issue 1**
- 3.0 Response to Issue 2**
- 4.0 Response to Issue 3**
- 5.0 Response to Issue 4**

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1.0 INTRODUCTION

- 1.1 This Statement has been prepared by Turley, on behalf of Land Fund (Waltham Abbey) Limited (Land Fund) pursuant to Matter 4 (Spatial Strategy) of the Epping Forest District Council Local Plan Examination. Land fund is an experienced land promotion company with nationwide experience of bringing land forward for development.
- 1.2 Land Fund has a significant freehold land interest to the east of Waltham Abbey and is actively promoting their site to the south of Upshire Road, for residential development. Land Fund has submitted written representations in response to the Issues and Options Consultation 2012, the Draft Local Plan 2016 and the Submission Local Plan 2018.
- 1.3 Land Fund maintains its objection to a number of policies within the emerging Epping Forest Local Plan, as set out in the submitted representations. Namely; that the Local Plan is not positively prepared, is not justified, effective, or consistent with national policy. As such, the Local Plan cannot be considered sound in its current form.
- 1.4 The primary matters of concern relate to a spatial strategy which is heavily reliant on further cumulative growth around Harlow to create a large new Garden Community and a disproportionate amount of growth directed towards North Weald Bassett, which is acknowledged to be less sustainable than the three main towns.
- 1.5 There is also a lack of proportionate evidence, in the assessment of the suitability of the expansion of Waltham Abbey to the east, when compared to other alternatives.
- 1.6 Land Fund and its professional advisors have requested to participate in the relevant Matter 4 Hearing Session.

2.0 RESPONSE TO ISSUE ONE: DISTRIBUTION OF DEVELOPMENT

Does the distribution of development in the Plan place too much reliance upon the Garden Community sites around Harlow at the expense of testing the capacity of the other settlements in the District?

Q1: How was the amount of housing proposed in the three Garden Town sites allocated in Policy SP5 determined (3,900 dwellings in total)?

- 2.1 The scale of housing proposed at the three new Garden Town Communities (GTC's) of Latton Priory, Water Lane and East Harlow, broadly mirrors the proposed Green Belt allocations made by Harlow and East Hertfordshire to the north (Gilston).
- 2.2 The 3,900 dwellings in Epping Forest District are largely derived from the net available capacity of the proposed sites, taking into account any additionally required land uses (including the relocation of the Princess Alexandra Hospital) and relevant development management criteria. However, the total amount of housing proposed from these three GTC's is intrinsically linked to the overriding spatial preference of the Council, which does not represent the most sustainable spatial option for the district as a whole.
- 2.3 The three GTC's proposed to the South and West of Harlow were originally opposed by Harlow Council on the basis of insufficient transport capacity to accommodate the scale of growth proposed. Whilst the Harlow Council objection has subsequently been rescinded, the reality is that the presentation in the Local Plan of these three sites as having a spatial relationship contributing to a linked GTC, is misplaced.
- 2.4 The three proposed GTC locations are comparatively remote from Harlow town centre, and remote from the northern industrial area and town centre rail network, which are the key components of the original Harlow Masterplan. In contrast, Latton Priory will be highly accessible to Junction 7 of the M11, leading to likely dependence upon future car usage and less sustainable travel patterns from this site. The GTC's also have no spatial relationship with each other and will function as separate residential enclaves, rather than as a linked GTC.

Q2: Could a higher level have been accommodated and would this have reduced the impact of growth proposed elsewhere in the District?

- 2.5 The existing scale of growth proposed in the Epping Forest District at Harlow, as set out in the Local Plan, is excessive and a higher level cannot be sustainably accommodated by reason of; a) substantial deficit in terms of infrastructure funding and b) the inability of these GTC sites to deliver the full quantum of housing required over the Plan period.
- 2.6 This is evidenced by the poor past delivery performance of the respective Councils over the last five year period and the longer lead in times which associated with a larger scale of development.

- 2.7 With regard to infrastructure deficit, the Delivery Study for Harlow and the Surrounding Area (Infrastructure Delivery Plan) produced by Atkins in March 2018 for Harlow Council identifies a number of funding issues with the proposed new strategic sites, both within Harlow itself as well as for the sites proposed in East Herts and Epping Forest.
- 2.8 The IDP identifies that the total cost of infrastructure to support growth in Harlow was estimated to be £361.8m. The largest component of this cost is transport infrastructure at £192.9m, followed by education (£71.9m). However the total of committed, expected and developer funding was estimated to be £270m leaving a funding gap of **£91.7m**.
- 2.9 The IDP similarly assessed the infrastructure needs of the strategic GTC sites in East Hertfordshire and Epping Forest based on 7,000 new homes. The total estimated cost was calculated as being £304.4m and the residual funding gap of the infrastructure was identified as being **£154.3m**, excluding developer contributions, which Atkins were unable to estimate due a lack of information on potential viability.
- 2.10 The key infrastructure items identified by Atkins to enable growth in the Harlow Garden Community are; major transport infrastructure (M11 Junction 7 improvements) and new Secondary Schools, in Gilston, East Harlow and Latton Priory. Atkins also identified that the Princess Alexandra Hospital will move to a new location outside Harlow and this will also generate additional infrastructure needs. The scale of the Infrastructure deficit identified for the strategic GTC sites both within and outside Harlow is summarised in the table below (source: Atkins IDP, 2018, Executive Summary).

Infrastructure Requirement in Harlow (2017-2033) (£millions)

Infrastructure Category	Est Cost	Committed Funding	Expected Funding	Developer Contributions	Remaining Funding Gap
Transport	192.9	28.7	102.1	15.7	46.0
Education	71.9	22.2	5.0	33.1	11.6
Health & Social Care	32.0	15.9	3.1	2.8	10.2
Emergency Services	0.0	0.0	0.0	0.0	0.0
Community, Leisure and Sports	26.1	0.0	0.0	4.5	21.5
Open Space, Green Infrastructure	2.1	0.0	0.0	0.4	1.8
Utilities, Waste and Flood Defences	36.8	9.0	20.8	6.4	0.6
Total	361.9	75.8	131.4	62.9	91.7

Source: Atkins (2017) *may not sum due to rounding

Infrastructure Requirement for Strategic Sites Outside Harlow (2017-2033) (£millions)

Infrastructure Category	Est Cost	Committed Funding	Expected Funding	Developer Contributions	Remaining Funding Gap
Transport	143.5	18.8	71.8	TBC	52.9
Education	89.8	0.0	15.8	TBC	74.0
Health & Social Care	29.2	12.8	3.7	TBC	12.7
Emergency Services	0.0	0.0	0.0	TBC	0
Community, Leisure and Sports	12.7	0.0	0.0	TBC	12.7
Open Space, Green Infrastructure	1.8	0.0	0.0	TBC	1.8
Utilities, Waste and Flood Defences	27.5	0.0	27.5	TBC	0.0
Total	304.4	31.6	107.6	TBC	154.3

Source: Atkins (2017) *may not sum due to rounding

- 2.11 With regard to the housing trajectory of the Harlow GTC's and the delivery of the wider Harlow Garden Community, Paragraph 2.63 of the Local Plan sets out that the Council has taken a 'smoother and more realistic approach' to addressing under supply over a longer period. Paragraph 2.64 also confirms that overall **16,100** dwellings are identified in Harlow during the Plan period across the three constituent Councils, the composition of which, is set out in Table 2.2 of the Local Plan.
- 2.12 On the basis that no dwelling delivery from any of these strategic sites can realistically be expected until at least 2023, there will effectively be only a 10 year window in which to deliver all of these Harlow related dwellings across the three respective LPA areas at a combined annual rate of **1,610** dwellings per annum (dpa). However, this contrasts with the current (three year) average annual housing delivery rate from the combined three LPA's intending to deliver the Harlow Garden Community (HGC). The combined average housing delivery rate is currently only 1,182 dpa across the entire districts of the three constituent Councils (see table below).
- 2.13 Given that growth of Harlow over the ten year period from 2023 to 2033 is required to be sustained at 1,610 dpa, the current delivery performance of the combined Councils must therefore improve by 35% to service the needs of Harlow alone. However when assessed against a five year delivery average for these three combined LPA areas the annual average figure falls to 1,055 dpa which would require a 50% uplift in the district wide delivery to service Harlow. Similarly, taking Epping Forest in isolation, the five year delivery average is 295 dpa against a required share of the HGC of 390 dpa during the period 2023 -2033, which equates to a required average delivery uplift of 32% just to service Harlow, let alone the rest of the district.
- 2.14 The key points to be made are that given the acknowledged lead in times for strategic development and the stratified nature of the housing market within the wider Harlow development area, growth would be better dispersed throughout Epping Forest in the areas where economic growth is likely to be strongest. This should be primarily at the largest and most sustainable towns and most notably where significant investment in new employment floorspace is to be made such as at Waltham Abbey (50 hectares).

Local Authority	Annual Monitoring Year (No. of dwellings completed)					Five Year Totals
	2013/14	2014/15	2015/16	2016/17	2017/18	
Epping Forest	299	230	267	149	526	1,471
Harlow	126	204	225	340	281 *	1,176
East Herts	366	503	674	619	463 *	2,625
Total Housing Delivery p.a.	791	937	1,166	1,108	1,270	5,272

* Epping Forest Annual Monitoring Reports; Harlow Annual Monitoring Reports; Lichfield Housing Supply Report and East Herts Annual Monitoring Reports.

Q3: Conversely will the level of growth proposed elsewhere in the district be sufficient to support the vitality and viability of individual settlements over the Plan period?

- 2.15 For the reasons set out above, the spatial strategy is too disproportionately aligned to service the future needs of the new HGC, to the detriment of the vitality and viability of the existing settlements in the district such as Waltham Abbey.
- 2.16 The sequencing of site selection in favour of prioritised strategic growth at Harlow has resulted in other sustainable settlements, such as Waltham Abbey, wherein substantial new employment allocations are proposed, not being prioritised to the degree that should be expected.
- 2.17 The resolution is to reduce the scale of growth proposed at Harlow within the Plan period in favour of more proportionate growth at the most sustainable locations in the District, particularly those proposed for large scale future employment investment, such as at Waltham Abbey.

3.0 RESPONSE TO ISSUE 2

Beyond the Harlow area, is the distribution of development in the Plan justified having regard to the defined settlement hierarchy?

Q2: How was the settlement hierarchy set out in table 5.1 page114 defined, and is it justified? Has the settlement hierarchy informed the distribution of development and if not, what is its purpose?

- 3.1 The distribution of development beyond the Harlow area does not correlate with the settlement hierarchy as notably evidenced by the disproportionate growth proposed at North Weald Bassett (NWB). Given the existing transport infrastructure and locations of the most sustainable settlements in the District, there is a lack of spatial alignment between this existing key infrastructure and the land proposed to accommodate the most significant levels of growth.
- 3.2 This suggests that the assessment of sites was based primarily on a pre-determined spatial (or political) preferences, rather than on the merits of sites. The consequence is that sites which would have scored well under a detailed assessment, such as the site proposed at Waltham Abbey East, which are capable of providing housing more rapidly than either the Harlow GTC's or NWB, have been unnecessarily excluded.

Q4: Is it justified for North Weald Bassett (NWB) as a Large Village to be allocated more development than the towns of Loughton, Waltham Abbey and Ongar? More generally, would the proposed growth of NWB be disproportionate, particularly when development at nearby Thornwood and Hastingwood is taken into account?

- 3.3 The spatial strategy fails to recognise that a significant driver of housing demand in the Epping Forest District is for new homes in locations which have accessibility to London. Our concerns with the scale of growth proposed at the Harlow GTC's and the impact upon commuting patterns are set out above, but these concerns are compounded by the disproportionate scale of growth also proposed at NWB.
- 3.4 NWB is acknowledged by the Council to be the worst performing Large Village in the Settlement Hierarchy Paper and does not benefit from an existing rail link to London or anywhere else in the District. This will result in a substantial increase in car journeys to Epping to access the tube network or Harlow to access the rail network.
- 3.5 Notwithstanding this unsatisfactory assessment, NWB is proposed for the highest level of housing growth within its settlement category and is afforded the third highest level of growth in the District.

4.0 RESPONSE TO ISSUE 3

Is the distribution of employment land in the Plan justified in the light of the distribution of housing?

Q1: In the light of the housing growth proposed around Harlow, does the Plan's proposal to locate the majority of employment land at North Weald Bassett and Waltham Abbey risk creating unsustainable travel to work patterns? How will this be avoided?

- 4.1 The scale of new employment land proposed at Waltham Abbey is consistent with the economic growth potential of this sustainable main town. However there is a mismatch between the scale of economic aspiration and the number of new homes proposed.
- 4.2 As such, any future unsustainable travel to work patterns can be avoided by increasing the number of new homes proposed at Waltham Abbey , relative to Harlow and NWB.

5.0 RESPONSE TO ISSUE 4

Is the distribution of development justified in respect of the need for, and approach to, Green Belt release?

Matter 4, Issue 4, Question 2: Are the changes proposed to the Green Belt boundary informed by a robust assessment of the contribution made by individual sites to the purposes of the Green Belt (EB704A-B; and EB705A-B)?

- 5.1 We do not consider the Council's Green Belt assessment to be robust.
- 5.2 In relation to Green Belt matters, we will be represented at the hearings by Charles Crawford of LDA Design. Appendix 1.1 contains a summary of Mr Crawford's credentials, including his Green Belt work on behalf of Cambridge City and South Cambridgeshire District Councils.
- 5.3 In 2016, LDA Design undertook a Green Belt review in relation to the site we are promoting at Waltham Abbey. This document was submitted with our representations on the Submission Version Local Plan in January 2018.

The Council's Green Belt Assessment

- 5.4 The Stage 1 Green Belt Review (EB704A-B) developed the methodology to be used for both Stages 1 and 2, and identified the areas to be taken forward for more detailed assessment at stage 2. Since the areas in which we have interests were assessed in the Stage 2 report (EB705A-B), we make no comment on the adequacy of the Stage 1 Review. We have serious concerns about the adequacy of the Stage 2 Assessment for the reasons explained below.

1. Assessment Criteria for Purpose 3

- 5.5 In relation to Green Belt Purpose 3, the Planning Advisory Service document, Planning on the Doorstep: The Big Issues – Green Belt, states 'the most useful approach is to look at the difference between urban fringe – land under the influence of the urban area – and open countryside, and to favour the latter in determining which land to try and keep open, taking into account the types of edges and boundaries that can be achieved'. This makes clear that, when considering Green Belt land adjoining the urban edge, the urbanising influence of the adjacent built area should be a consideration.
- 5.6 This depends in part on the condition of the existing urban edge. For example, a well vegetated edge provides clear separation between the urban area and countryside so that the adjoining Green Belt land may have a strongly rural character. By contrast, an exposed urban edge lacking vegetation will mean that the adjacent Green Belt land is heavily influenced by the urban area, reducing its rural character and causing a degree of encroachment into the countryside.

The PAS guidance makes clear that land under the influence of the urban area makes a lesser contribution to purpose 3.

- 5.7 The criteria set out in table 3.2 for Purpose 3 omit consideration of this point, confining consideration of urban influence to existing development within the parcel and not considering the influence of urban development adjacent to it.

2. Assessment Criteria for Purpose 4

- 5.8 In relation to Purpose 4, criteria 15, 16 and 17 refer to the ‘setting’ and ‘historic significance’ of the historic towns and their heritage assets. To apply these criteria, it is essential to define the ‘setting’ and ‘historic significance’ of each town and the characteristics of the adjacent countryside that contribute to them. In relation to criterion 15, the table states that the Essex County Council Historic Towns guidance will be used, but the assessments of most of the parcels surrounding the historic towns simply state how close the parcel is to the historic core as identified in this guidance and do not explain how the parcel contributes to its setting. In relation to criterion 16, table 3.2 states that ‘this will be addressed’ but there is little evidence in the assessments of the parcels as to how the historic significance of the relevant town and its assets has been identified. In relation to criterion 17, table 3.2 refers to harm that would result from the removal of the Green Belt designation. This confusion between harm and contribution to Green Belt purposes is addressed at item 3 below.
- 5.9 In summary, criteria 15 and 16 are not addressed adequately in the assessment of individual parcels. Criterion 17 seeks to address harm, which is a separate matter from the performance of Green Belt purposes.

3. Assessment of Harm

- 5.10 Paragraph 3.25 states that ‘there is a direct relationship between the contribution of a parcel to Green Belt purposes and the extent of harm to the Green Belt that would be caused by its release’. Table 3.4 then correlates the degree of harm against the level of contribution to one or more Green Belt purposes.
- 5.11 Simplistically equating harm with contribution to Green Belt purposes is a fundamental failing of the assessment. Identifying the harm that would result from a Green Belt release should be an entirely separate exercise that follows after the assessment of performance of Green Belt purposes. Having identified the degree to which a parcel of land performs the various Green Belt purposes, the question to be asked is: To what degree would the performance of Green Belt purposes be reduced if all or part of the parcel is released from Green Belt? As in the Cambridge example at Appendix 3 (see Conclusion below), it can be the case that an area of land plays a substantial role in relation to Green Belt purposes but, if it is released from Green Belt, the adjacent land would maintain the performance of Green Belt purposes to largely the same degree so that there would be no significant harm to the Green Belt.

- 5.12 By equating harm with contribution to Green Belt purposes, the Council's assessment fails to make a proper assessment of harm, and its findings as to which areas of land can be released from or should be retained in Green Belt cannot be relied upon.

4. Reliance on a Single Purpose

- 5.13 There is a further failing in the assessment of harm in that the classification in table 3.4 only takes into account the highest scoring Green Belt purpose. The assessment does not at any point combine the consideration of all four purposes to provide an overall conclusion on the contribution a parcel makes to Green Belt purposes.
- 5.14 For example, a parcel that makes a strong contribution to one Green Belt purpose but no contribution to the other three would automatically be considered by the Council's assessment to be more important in Green Belt terms than a parcel that makes a moderate or relatively strong contribution to several purposes. This may or may not be the case for any individual parcel but must be assessed on a case by case basis. The Council's assessment fails to do this.

5. Exclusion of Purpose 3

- 5.15 Paragraph 4.11 explains that, because the majority of the District's Green Belt performs strongly against purpose 3, 'sensitivity testing' has been undertaken which assesses performance against purposes 1, 2 and 4 only. Paragraph 4.17 states that this 'may provide the Council with a better tool and evidence base upon which to make decisions about the performance of Green Belt across the District and those locations where Green Belt release may be more appropriate'. This advice is carried forward into the Conclusions and Recommendations at paragraph 5.4.
- 5.16 Given that Green Belt is inherently concerned with protecting the countryside from development, the suggestion that purpose 3 might be disregarded is bizarre. The study itself recognises this in paragraphs 4.15 and 4.16, which point out the implications that 'broad areas' of countryside and a number of entire small villages and hamlets would be assessed as making only modest contributions to Green Belt purposes if purpose 3 is ignored. The PAS guidance quoted under point 1 above makes clear that open countryside which is not influenced by urban areas should be regarded as more important to the Green Belt, yet the Council's assessment advises that disregarding purpose 3 may provide a better tool and evidence base, despite the contradictory consequences the report itself identifies.

6. Partial Release of a Parcel

- 5.17 The Response column on page 56 of the Stage 2 Assessment states that, where there are significant variations within a parcel in its contribution to Green Belt purposes, this is noted in the assessment. However, there is no indication that such variations are taken into account in assessing the overall performance of a parcel or in considering the scope for a Green Belt release.

- 5.18 Parcels appear to be simply assessed as a whole, with conclusions drawn based on the main extent of the parcel, without any consideration as to whether any part of the parcel could be released without compromising Green Belt purposes. Indeed, the following paragraph expressly states that identifying small areas that could be released for development without significant effects on the Green Belt was outside the scope of the study. As this work was not covered in any other study, there are therefore potentially suitable development sites that the Council has not considered.

Conclusion

- 5.19 Appendix 1.3 contains an excerpt from Mr Crawford's study at Cambridge which, as Appendix 1.1 explains, was supported by the Local Plan Inspectors. The example is the assessment of one of the Green Belt parcels adjoining the south edge of Cambridge, which resulted in the allocation of part of the parcel. It demonstrates how all the failings identified above in relation to the Epping Forest work can be addressed in a robust assessment.
- 5.20 Unfortunately, however, the Council's assessment, for the reasons given, is not robust.

APPENDICES

- 1.1 Credentials of Charles Crawford, MA (Cantab), DipLA, CMLI
- 1.2 Excerpt from Cambridge Local Plan Inspectors' Report
- 1.3 Excerpt from Cambridge Inner Green Belt Boundary Study (CIGBBS)
- 1.4 Excerpt from South Cambridgeshire Local Plan Inspectors' Report