

**EPPING FOREST
DISTRICT LOCAL PLAN
EXAMINATION**

**MATTER 5: SITE
SELECTION
METHODOLOGY AND
VIABILITY OF SITE
ALLOCATIONS**

ID: 19LAD0055

HEARING STATEMENT

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MATTER 5 – SITE SELECTION METHODOLOGY AND VIABILITY OF SITE ALLOCATIONS

Introduction

- 1.1 This Matter 5 Statement has been prepared by Carter Jonas LLP on behalf of Chisenhale-Marsh Estates Company (CMEC). The Statement only responds to the Inspector's Questions which are relevant to CMEC's interests. It is noted that EFDLP is being examined against the 2012 version of the National Planning Policy Framework (NPPF1) and all references to national guidance relate to that document, unless otherwise stated.
- 1.2 CMEC submitted representations to the Epping Forest District Local Plan 2011-2033 (EFDLP) – Rep Id. 19LAD0055). CMEC is promoting land at Coopersale Cricket Club in Coopersale for up to 28 dwellings (Site Ref. SR-0405). The site selection methodology and the viability of site allocations related representations relevant to Matter 5 are as follows:
- Paragraphs 1.5 and 1.6 – Rep Id. 19LAD0055–1
 - Paragraphs 1.10 and 1.11 - Rep Id. 19LAD0055–2
 - Policy P12 – Rep Id. 19LAD0055–10

MATTER 5: Site Selection Methodology and Viability of Site Allocations

Issue 1: Have the Plan's housing allocations been chosen on the basis of a robust assessment process?

1. The Council should provide a summary of the process by which the Plan's housing allocations were selected. In particular:

b. How was the Site Selection Methodology (SSM) utilised in the Site Selection Report 2018 (EB805) established and is it robust?

- 1.3 It is considered that the Site Selection Methodology is robust and it covers the range of topics that would typically be expected in a site selection exercise. Stage 1 assesses sites against major policy constraints. Stage 2 is a quantitative and qualitative assessment of sites, including the impact on environmental and heritage designations and biodiversity, the value to the Green Belt, accessibility by public transport and to services, efficient use of land, landscape and townscape impact, and physical site constraints and site conditions. Stage 3 assesses sites against a scoring system in order to identify preferred allocation sites. However, as set out below, CMEC consider that the assessment process for the Site Selection Report 2018 [Doc Ref. EB805] is not robust and the outcome of the assessment for some sites including land at Coopersale Cricket Club in Coopersale (Site Ref. SR-0405) is inconsistent with earlier versions of the site selection process. For example, the Site Selection Methodology is unchanged from the 2016 and 2018 versions, but the outcome of the two assessment processes for land at Coopersale Cricket Club are completely different, in that this site was fully assessed in Site Selection Report 2016 and subsequently allocated in draft EFDLP, but the Site Selection Report 2018 process effectively involved a complete rerun of the assessment process and discounted this site at the initial stage of the process and it was not allocated in EFDLP.
- 1.4 The assessment of the land at Coopersale Cricket Club (and Coopersale and Theydon Garnon Primary School Playing Fields) (Site Ref. SR-0405) in the Site Selection Report 2016 [Doc Ref. EB801Giii] demonstrates that there are no significant constraints to development at the site, and in any event the promoted development would include a landscape buffer and additional landscaping. The Green Belt Assessment Stage 2 Report & Technical Annex 2016 [Doc Ref. EB705B] assessed the land at Coopersale Cricket Club against the purposes for including land within the Green Belt – see Parcel 048.1. The overall assessment of Green Belt harm for land at Coopersale Cricket Club (and Coopersale and Theydon Garnon Primary School Playing Fields) was 'low'. The site scored as 'relatively weak' against Green Belt Purpose 3

(safeguarding the countryside from coalescence) but for all other Green Belt purposes the site made no contribution.

c. What is the relationship between the SSM and the sequential approach to site selection set out in Policy SP2(A)?

- 1.5 The relationship between the Site Selection Methodology and the sequential approach in Policy SP2 is unclear. It is considered that the sequential approach in Policy SP2 has not informed the selection of sites, the Site Selection Methodology includes factors that are not referred to in the sequential approach e.g. landscape, and the decisions about sites which have been selected has taken into account factors that are not included in the sequential approach or the Site Selection Methodology.
- 1.6 There is no mention of sustainable development in Policy SP2, and it fails to mention access to sustainable modes of transport which should be a key part of any development strategy. It is considered that the proposed sequential approach in Policy SP2 has not actually informed the selection of sites in EFDLP. For example, the overall assessment of Green Belt harm for land at Coopersale Cricket Club (and Coopersale and Theydon Garnon Primary School Playing Fields) was 'low', and yet this site was not allocated.

d. What was the role of the Sustainability Appraisal in selecting between the various sites?

- 1.7 It is considered that the Sustainability Appraisal [Doc Ref. EB204] has not informed the selection (or deletion) of sites. The conclusion of Sustainability Appraisal for development at Coopersale (see pg. 125) comprising development within the settlement boundary and development in the Green Belt to the south east as the most suitable strategic option states that:

"This strategic option lies predominantly within the existing settlement boundary and encompasses an area of Green Belt to the south-east of Coopersale. The Green Belt Review: Stage 2 (2016) concluded that the loss of this area would have limited impact upon the Green Belt. Overall, this strategic option would maximise opportunities to focus development in the most sustainable locations within the settlement, which are in close proximity to existing community facilities, and to use previously developed land within the settlement (where this would maintain adequate open space provision within the settlement), in line with the land preference hierarchy set out in the Site Selection Methodology. This strategic option would also minimise any harm to the wider landscape around the settlement, and lies entirely within Flood Zone 1."

- 1.8 The evidence, and the evidence in the Green Belt Assessment and Sustainability Appraisal in particular, demonstrates that land at Coopersale Cricket Club could be reallocated for residential development. The site was allocated in draft EFDLP and there is no evidence in the Sustainability Appraisal to indicate that the site allocation should be deleted. The evidence of the Green Belt Assessment demonstrates that the site does not need to be included within the Green Belt.

e. Was any other evidence taken into account in the site selection process? In particular, how has the historic environment been taken into account? Have Historic Impact Assessments been undertaken as recommended by Historic England and, if not, is this necessary?

- 1.9 As set out above, the Site Selection Report 2018 process effectively involved a complete rerun of the assessment process, and as a consequence the land at Coopersale Cricket Club in Coopersale (Site Ref. SR-0405) was discounted at the initial stage of the process not allocated, despite the site being previously assessed and allocated at draft EFDLP stage. It appears that the assessment of the site incorrectly concluded that the land at Coopersale Cricket Club was not available, when detailed and comprehensive representations were submitted on behalf of CMEC at draft EFDLP (Regulation 18) stage and again at EFDLP (Regulation 19).
- 1.10 It appears that the emerging Epping Neighbourhood Plan influenced decisions to delete other allocations on the edge of Epping, but this is not mentioned as a reason to delete land at Coopersale Cricket Club since this site was discounted at the initial stages of the site selection process. It should be noted that relationship with emerging neighbourhood plans is not a criteria identified in the Site Selection Methodology in the Site Selection Report 2018, and is not referred to in the sequential approach in Policy SP2 in EFDLP. Therefore, it cannot be justified for the relationship with the emerging Epping Neighbourhood Plan to be used as a reason

to allocate or delete sites in the site selection process. In any event, the emerging Epping Neighbourhood Plan was not available when EFDLP was published at Regulation 19 consultation stage, or at the time that Appendix B of the Site Selection Report 2018 was prepared or subject to consultation. Therefore, the emerging Epping Neighbourhood Plan cannot be a reason to delete the previous draft allocation of land at Coopersale Cricket Club.

2. How were the conclusions reached about individual sites checked for accuracy and consistency? Were sites visited or were they assessed through a desktop process? What has been done to check the assessments in specific cases where their accuracy has been challenged e.g. Site SR-0596? (Reps 19LAD0012).

- 1.11 The land at Coopersale Cricket Club (Site Ref. SR-0405) is an example where the assessment process in the Site Selection Report 2018 is not accurate or consistent.
- 1.12 The outcome of the assessment process is inconsistent in particular because the land at Coopersale Cricket Club was assessed favourably in the Site Selection Report 2016 and subsequently allocated in draft EFDLP – see draft Policy P12 (SR-0405 (Coopersale Cricket Club and Coopersale and Theydon Garnon Primary School Playing Fields)). There is no evidence to support or justify the decision to delete this site at EFDLP Regulation 19 stage.
- 1.13 The land at Coopersale Cricket Club (Site Ref SR-0405) site was referred to in Appendix B1.2.1 - Residential and Employment Sites Discounted from the Assessment [Doc Ref. EB805B] – see pg.B64. The justification for the site states: *“Representation received to Draft Local Plan confirmed that proposed site allocation was no longer available for residential development”*. As set out above, this statement is incorrect, and was not checked for accuracy. The representations submitted to draft EFDLP (Regulation 18) stage and EFDLP (Regulation 19) stage on behalf of CMEC confirmed that the site was available and suitable for development, and a Development Framework Document was submitted with those representations to demonstrate the form and content of development at the site. The content of the representations to draft EFDLP is confirmed in Appendix B1.2.3 - Representations Received to Draft Local Plan Consultation [Doc Ref. EB805D] - see pg. B86. The Summary of Representations for the land at Coopersale Cricket Club site states: *“Representation submitted by site promoter supporting the allocation of the site in the draft Local Plan and commenting on the indicative capacity assessment, and providing additional information”*. Therefore, different parts of the Site Selection 2018 report make contradictory statements about the promotion of the site.
- 1.14 The findings and conclusions of the Council’s consultants are incorrect for Site Ref. SR-0405. The site is suitable and available for residential development. The site should be released from the Green Belt, as proposed at draft EFDLP stage, because the Green Belt Assessment demonstrated that development at the site would lead to ‘low’ harm to Green Belt purposes. There has been no change in circumstances or evidence to justify the decision to delete that draft allocation.
- 1.15 It is requested that the 2016 Site Suitability Assessment for the Coopersale Cricket Club land part of Site Ref. SR-0405 is inserted back into the site selection process and updated to reflect the later stages of the assessment process. It is requested that the land at Coopersale Cricket Club is allocated for up to 28 dwellings.
- 1.16 CMEC’s representations to Paragraphs 2.134 to 2.142 (Rep Id. 19LAD0055-9) and to Policy P12 (Rep Id. 19LAD0055-10) of EFDLP included detailed information on the form and content of the proposed development at the land at Coopersale Cricket Club site, which should be used to complete and update the assessment process. In summary, the key points to note which are relevant to the assessment of the site are as follows:
- The overall assessment of Green Belt harm for land at Coopersale Cricket Club was ‘low’.
 - The proposed development will include hedge and tree planting at the site boundary to provide a landscape buffer.
 - The proposed development would be suitably contained by the surrounding forest landscape and will not intrude on the character of the nature reserve/SSSI.
 - The proposed development would provide drainage infrastructure including a balancing pond.
 - There is sufficient land within the site to accommodate the proposed development and meet all space and amenity standards, and for hard and soft landscaping and for on-plot car parking.
 - The existing long distance footpath can be relocated to land immediately to the south of the site.

- The landowner can provide an alternative site for a cricket pitch on land that they own.

1.17 The Development Framework Document submitted with the representations to Policy P12 demonstrates that the site could accommodate up to 28 dwellings. The site specific technical evidence prepared for the site demonstrates that there are no constraints to development.

3. As raised in Matter 1, Issue 2, some sites which were proposed for allocation in the Regulation 18 version of the Plan are not proposed in the Regulation 19/submitted version and vice versa. Is this due to changes in the site selection process, or something else? Are the different conclusions reached about the relevant sites fully explained and justified?

1.18 The land at Coopersale Cricket Club (Site Ref. SR-0405) is an example of a site which was proposed for allocation in draft EFDLP but deleted at EFDLP Regulation 19 stage. As set out above in response to Issues 1 and 2 the decisions to delete this site is not fully explained or justified. There is no substantial new evidence or a change in circumstances to justify a decision to no longer allocate this site. There has been no change to the assessment or findings for the land at Coopersale Cricket Club in the Green Belt Assessment or Sustainability Appraisal. The assessment of the land at Coopersale Cricket Club in the Site Selection Report 2016 [Doc Ref. EB801Giii] demonstrates that there are no significant constraints to development at the site.

5. Now that the site selection process is complete for the purpose of making allocations in the Plan, is it necessary to include the sequential approach within Policy SP2(A)?

1.19 As set out above, it is considered that the sequential approach in Policy SP2 has not informed the selection of sites. For example, the overall assessment of Green Belt harm for land at Coopersale Cricket Club (and Coopersale and Theydon Garnon Primary School Playing Fields) was 'low'. The sequential approach gives preference to sites of least value to the Green Belt where such land needs to be released, and yet the land at Coopersale Cricket Club was not allocated in EFDLP and as such the sequential approach was not used in the selection of sites.

