



Historic England

## **Examination of Epping Forest Local Plan**

### **MATTER 8: Garden Town Communities**

### **Historic England, Hearing Statement**

**21 February 2019**

Historic England is the principal Government adviser on the historic environment, advising it on planning and listed building consent applications, appeals and other matters generally affecting the historic environment. Historic England is consulted on Local Development Plans under the provisions of the duty to co-operate and provides advice to ensure that legislation and national policy in the National Planning Policy Framework are thereby reflected in local planning policy and practice.

The tests of soundness require that Local Development Plans should be positively prepared, justified, effective and consistent with national policy. Historic England's representations on the Publication Draft Local Plan are made in the context of the requirements of the National Planning Policy Framework ("the Framework") in relation to the historic environment as a component of sustainable development.

# Historic England Hearing Statement

## Introduction

- 1.1 This statement addresses the Inspector's questions with regards Matter 8 of the Local Plan.
- 1.2 This hearing statement should be read alongside Historic England's comments submitted at previous consultation stages of the Local Plan.

## Matters and Issues for Epping Forest Local Plan

### MATTER 8

#### ***Issue 3: Are the criteria in Policy SP4 justified, effective and consistent with national policy?***

1. Will the criteria within Policy SP4(C) ensure that sufficient regard is had to the historic environment, including built heritage; townscape; archaeology; and designed landscapes, in planning generally for the Garden Town Communities? (Reps HE).

As currently drafted, no. The Council proposed as part of our Statement of Common and Uncommon Ground, which at the date of this Hearing Statement has not been finalised, wording which Historic England accepts will address our concern regarding criterion (xvi) of SP4. This needs to be combined with appropriate assessment and wording for the site specific policies within SP5. The wording agreed in principle in respect of SP4 follows:

*C(xvi) 'Create distinctive environments which relate to the surrounding area, protect or enhance the natural and historic landscapes, systems and wider historic environment, provide a multi-functional green-grid which creates significant networks of new green infrastructure and which provides a high degree of connectivity to existing corridors and networks, and enhances biodiversity'*

#### ***Issue 4: Are the site allocations (SP5.1, SP5.2 & SP5.3) in Policy SP5 sound and deliverable?***

##### Site SP5.1: Latton Priory

5. Will Policy SP5(F) effectively preserve or enhance the setting of designated and non-designated heritage assets to the south of the site, including Latton Farmhouse; Latton Priory; two scheduled monuments; and two moated sites? (Reps HE).

The allocation of Latton Priory and the policy in SP5.1 has been based on insufficient evidence. In the Council's evidence base (ARUP, Report on Site Selection, EB805Fiii) SR-0046A-N is classified as 'effects can be mitigated' through sensitive layout locating development away from the scheduled monuments of Latton Priory and the moated site to east and utilising landscape features, good design and good screening. However, this conclusion is not evidenced, is not based on a heritage impact assessment and neither are the mitigation measures identified included in the policy. As there hasn't been a heritage impact assessment we cannot see how the evidence is present to set the boundary of the allocation, demonstrate how harm has been avoided, or that the mitigation measures proposed are appropriate.

This is not disproportionate for a strategic allocation which potentially has significant impacts on designated heritage assets. This is required to inform the selection of sites, the appropriate boundaries for site allocations, their capacity, the policy wording, the avoidance of harm, and how harm can be mitigated to ensure a site is

an acceptable allocation has been properly evidenced. For similar allocations in other authorities, this evidence has been present. It should be clear how harm has been avoided and mitigation measures should be included in the policy linked to concept diagrams which have shown buffers and means of mitigation e.g. indicative location of country parks or areas where height / density / massing needs to transition. None of this is present for this allocation at Latton Priory.

Should the Inspector be minded to find the allocation sound in planning terms without a heritage impact assessment forming part of the evidence base, HE advise that additional policy references in respect of the historic environment are required, one of which should require a heritage impact assessment:

*“A full Heritage Impact Assessment must be prepared. This assessment should inform the design of the proposed development. Development will need to conserve, and where appropriate enhance, the significance of designated heritage assets, both on site and off site. Harm should be avoided in the first instance. This includes the harm to the significance of heritage assets through development within their settings. Only where harm cannot be avoided should appropriate mitigation measures be incorporated into the design, as identified through the Heritage Impact Assessment.”*

#### Site SP5.2: Water Lane Area

8. Historic England states that this site includes part of the Nazeing and South Roydon Conservation Area and three Grade II Listed Buildings. Has regard been had to them in making this allocation and will Policy SP5(G) ensure they are preserved or enhanced? Will the setting of the numerous heritage assets in close proximity also be preserved or enhanced? (Reps HE).

As with Latton Priory, in the Council's evidence base (ARUP Report on Site Selection, EB805Fiii) the various parcels of land making up the Water Lane area have assessments which are not supported. Extracts from the assessments follow below:

1,100 dwellings. (-) Adj and partially within conservation area. Impact on conservation area and settings of scheduled monument to north-west and listed buildings to south. Possible mitigation through sensitive layout (developing east of site not west) and high quality design / materials. (page B582)

Land at Tylers Cross Farm. 31 dwellings. Listed buildings on site reduces capacity for development by c. ½. (-) Within conservation area and site contains four GII listed buildings. Density to be reduced or substantial harm caused to setting and significance of listed farm buildings. Possible mitigation through high quality sympathetic design and far fewer dwellings than proposed. (page 553)

Land at Bourne Farm (next to Tylers Farm) 65 dwellings at 30 dph. (-) Within conservation area but possible for development of high quality design/materials and appropriate layout. (page 554)

Water Lane Cottage and adjacent field (next to Bourne Farm). 131 dwellings 30dph. (-) Within conservation area but possible for development of high quality design/materials and appropriate layout. Possible development along road to minimise landscape impact. (page 577)

1,000 dwellings (-) SW of site within conservation area – designated due to surviving historic landscape and settlement pattern – potential harm to character. Broadley Common linear historic settlement so development could erode this. Mitigation - limiting development to NE of site. (page 557)

27 dwellings 30dph. (-) Within conservation area. Development to rear of plot contrary to historic pattern of development and potentially harmful – possible mitigation through reduction in density, appropriate layout, high quality design / materials. (page 580)

135 dwellings (100 market homes and 35 affordable). (\*) Unlikely to impact owing to distance. (page 562)

However, these conclusions are not evidenced, are not based on a heritage impact assessment and neither are the mitigation measures identified included in the policy. As there hasn't been a heritage impact assessment we cannot see how the evidence is present to set the boundary of the allocation, demonstrate how harm has been avoided, or that the mitigation measures proposed are appropriate. There also does not appear to be a cumulative assessment of impact, which we would normally expect to see given much of this site is within the conservation area or surrounding landscape and the conservation area is designated in part owing to historic settlement pattern and landscape.

This is not disproportionate for a strategic allocation which potentially has significant impacts on designated heritage assets. This is required to inform the selection of sites, the appropriate boundaries for site allocations, their capacity, the policy wording, the avoidance of harm, and how harm can be mitigated to ensure a site is an acceptable allocation has been properly evidenced. For similar allocations in other authorities, this evidence has been present. It should be clear how harm has been avoided and mitigation measures should be included in the policy linked to concept diagrams which have shown buffers and means of mitigation e.g. indicative location of country parks or areas where height / density / massing needs to transition. None of this is present for this allocation at Water Lane.

Should the Inspector be minded to find the allocation sound in planning terms without a heritage impact assessment forming part of the evidence base, HE advise that additional policy references in respect of the historic environment are required, one of which should require a heritage impact assessment:

*“A full Heritage Impact Assessment must be prepared. This assessment should inform the design of the proposed development. Development will need to conserve, and where appropriate enhance, the significance of designated heritage assets, both on site and off site. Harm should be avoided in the first instance. This includes the harm to the significance of heritage assets through development within their settings.*

*Only where harm cannot be avoided should appropriate mitigation measures be incorporated into the design, as identified through the Heritage Impact Assessment.”*