

EPPING FOREST DISTRICT LOCAL PLAN - SUBMISSION VERSION 2017
REPRESENTATIONS BY ASPBURY PLANNING LIMITED ON BEHALF OF
FREETOWN HOMES

1.0 INTRODUCTION

- 1.1 These representations upon the Submission Version of the Local Plan are submitted by Asbury Planning Limited as agent on behalf of Freetown Homes.

REPRESENTOR/OBJECTOR:

Freetown Homes

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AGENT:

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- 1.2 The Representor is the freehold owner of land bounded by Hainault Road, Courtland Drive/Chigwell Brook and the Central Line Railway (see attached Plan 1), *Chigwell*, Essex which it proposes should be allocated for housing-led mixed-use development (the '*Omission Site*').
- 1.3 The Representor has made representations to objected to all previous drafts of the Plan.
- 1.4 The Representor **OBJECTS** to the Draft Local Plan on the basis that is **UNSOUND**. The Representor wishes to submit evidence to and participate in the examination of the Plan in due course.

1.5 The Representor submits that draft Local Plan is unsound because it:

- has not been **positively prepared**: It has not been prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
- is not **justified**: It does not amount to the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
- is not **effective**: It is not deliverable over its period; and
- is not **consistent with national policy**: It does not enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework ('The Framework').

1.6 The measures that are required to render the Plan sound are:

- to significantly increase the housing provision over the plan period to deliver the full and properly calculated objective assessed need (OAN) for the District;
- to deliver more development early in the plan period to address the accumulated significant under-supply in housing in the first five years of the Plan Period to date (reflecting also previous under-supply) and to ensure that a supply of housing in accordance with paragraph 47 of the Framework is available upon the adoption of the Plan;
- to adopt and apply a more sustainable distribution strategy for (housing) development which more effectively reflects and delivers: a better/closer relationship to the (intrinsically sustainable) built up area of Greater London; access to the most sustainable modes of transport; release of Green Belt land which contributes least to the purpose of including land in the Green Belt and is in the most sustainable locations;
- to allocate sites that are demonstrably sustainable both in terms of their location and their characteristics;
- to deliver development of a location and character that is relevant to the market;

- to carry out more comprehensive and rigorous review of Green Belt boundaries in order to ensure that only land that meets the purposes of including land in the Green Belt and needs to be so included remains therein and to make proper provision for development needs;
- to delete from the Green Belt and to allocate the Omission Site - land bounded by Hainault Road, Chigwell Brook/Courtland Drive and the Central London Underground Line for housing-led (about 200 dwellings) mixed-use development on the terms proposed by the Representor - in the Local Plan.

2.0 AMPLIFICATION AND EXPLANATION OF THE REPRESENTATIONS/OBJECTIONS

- 2.1 The Representor notes and endorses the strategic context and characteristics of the Local Plan area, the key issues for the Plan to address and the Vision and Objectives for Epping Forest District to 2033, but contends that the Plan as presently formulated does not accord with these parameters and would fail to fully and effectively deliver its own strategy. There is a significant disconnection between the Vision and Objectives and what is proposed in the Plan which goes to its fundamental soundness.
- 2.2 It is strongly suspected and asserted by the Representor that an undue (political) sensitivity to the views of local residents generally and in specific locations (such as Chigwell) has resulted in a failure to provide for adequate levels of needed development, including housing development, in the right places, a less than rigorous approach to the review of Green Belt boundaries (including an excessive reliance on historic boundaries), especially in the south of the District and, consequently, an inadequate provision for development and a strategic locational imbalance. Whilst the benefits of development on the edge of Harlow are understood and acknowledged by the Representor, it considers that the strategic and sustainability benefits of the location of new development on the edge of the Greater London conurbation, within which parts of the Plan Area already, lie have been underrated, whilst at the same time, the assumed sensitivity of the Green Belt around the conurbation edge has been overrated in the Plan and the Green Belt Review has not been undertaken in a consistent and objective manner.

This has meant that opportunities for (more) sustainable development (well-integrated with the existing pattern of development and with existing infrastructure) that will also deliver needed development (including market and affordable housing) *early* in the Plan period, crucially addressing a significant cumulative historic under-supply and which will not harm or compromise the Green Belt, have been overlooked (or even consciously neglected) unnecessarily.

2.3 The Omission Site is one such opportunity. The Objector has already supplied extensive and detailed analytical information relating to the Site, demonstrating its intrinsic sustainability and the absence of spatial planning constraints, as well as its ability to deliver CIL compliant environmental, infrastructure and community benefits.

2.4 In the light of the foregoing and with regard to the specific provisions of the Draft Plan, the Representor:

2.4.1 [Supports Policy SP1 - 'Presumption in Favour of Sustainable Development'](#). However, for reasons already noted, it is considered that insufficient weight has been given to this policy and the principles it encompasses in the formulation of the Plan to date. Moreover, its effectiveness as a *development management* tool in future has been inhibited by, amongst other things, an unduly and unnecessarily conservative approach to the review of the Green Belt.

2.4.2 [Objects to Policy SP2 - 'Spatial Development Strategy 2011 to 2033'](#). The Representor has consistently drawn attention to methodological flaws in the calculation of Objectively Assessed need in response to previous iterations of the Plan, leading to inadequate provision for housing development in the Plan. As the Plan moves towards and through the Examination Stage and data is updated, the Representor will submit detailed and specific analysis of OAN process and outcomes, pointing clearly to the need to review and increase both the OAN figure and the (net) provision for housing, using the standardised methodology published for consultation by the Government in September 1917.

In the meantime, the Representor notes that it appears that the Plan fails to take any account of the September 2017 announcement by the Government in relation to OAN methodology which, if applied would result (assuming no *other* changes based, for example, on the spatial apportionment of houses within the SHM Area) in an increase in housing provision from 11,400 dwellings (518 dwellings per annum) to some 20,000 dwellings (923 dpa). This is consistent with the figures previously proposed by the Representor.

2.4.3 Notwithstanding the assertion that overall provision in the Plan Area over the Plan Period is significantly and materially deficient, the Representor contends that the *distribution* of development set out in the Policy is unsound. Greater emphasis should therefore be placed on development in sustainable locations in the southern part of the Plan Area, within and adjoining the London conurbation, including through the medium of Green Belt releases. A simple pro-rata increase in allocations in specific locations based on the quantitative increase in provision applying the standardised methodology would result in the following:

Settlement	Allocated Housing Draft LP	Allocated Housing Standardised Methodology
Sites around Harlow	3900	6950
Epping	1305	2333
Loughton	1021	1817
Waltham Abbey	858	1527
Ongar	590	1050
Buckhurst Hill	87	155
North Weald Bassett	1050	1870
Chigwell	376	670
Theydon Bois	57	101
Roydon	62	110
Nazeing	122	217
Thornwood	172	306
Coopersale, Fyfield etc.	91	162
Rural East	41	73

The Representor is *not* advocating that this approach should be adopted mechanically across all the identified locations. Reallocation would be required based on a fresh Green Belt Review and appropriate landscape, environmental and settlement/infrastructure capacity assessments, which may or may not admit of the requisite increase in the identified settlements and/or require the identification of new locations. In the case of the latter and without prejudice to the contention that *Chigwell* and the *Omission Site* are highly sustainable locations capable of accommodating an appropriate scale of development, careful consideration should be given to a spatial strategy that provides for an increased proportion of development in accessible locations in and on the edge of settlements adjoining the London conurbation in the south of the District. However, the Objector contends that the pro-rata increase *could* be applied in *Chigwell* and be accommodated by the removal of the Omission Site from the Green Belt and its allocation in the Plan. The detailed analysis of the Site undertaken by the Representor, as already supplied to the LPA in previous Local Plan rounds, demonstrates that this step could be taken without harm to the Green Belt and the purposes of including land therein and without harm to other interests of acknowledged importance and accords with the allocation criteria in Clause A of SP2..

2.4.4 **Supports Policy SP3 - 'Place Shaping'**. The Representor's proposals for high quality development on the Omission Site, which have been placed in the public domain and have been the subject of public consultation, accord fully with this Policy (and each of the fourteen criteria. As such it would amount to an exemplar project for this Policy.

2.4.5 The Representor supports the review of the boundaries of the Green Belt but considers that the process to date has been flawed and inadequate, being predicated on a development requirement for the Plan Area that is too low (see above). Nor has the exercise been genuinely comprehensive. Thus the opportunity has not been taken to fully and objectively review Green Belt boundaries to remove manifest anomalies and land that does not need to be subject to Green Belt protection by reference to the purposes set out in the Framework and at paragraph 2.134 of the draft Plan.

Furthermore, since Green Belt reviews are supposed to cover *more than one* plan period, given the extent and constraining impact of Green Belt in the Plan Area, consideration should also have been given to the removal of land from the Green Belt not only to meet the realistic development needs under this Local Plan, but also to meet long term development requirements beyond the current Plan Period through protection as 'White Land'. Thus the review has been short term and short-sighted. Thus, the Representor **objects** to the **proposed amendments to the Green Belt boundary** and to the associated/resulting **settlement boundaries/inset envelopes**, including to **Map 2.5** and to the **Proposals Map** and clause A of **Policy SP6**. The Representor supports the maintenance of Green Belt controls in the Plan Area, subject to the more rigorous and comprehensive review of boundaries advocated above reflecting both development needs in the short- and long-term and a genuinely objective assessment of the need for Green Belt controls by reference to the purposes of including land therein.

- 2.4.6 **Supports Policy SP7 - 'Natural Environment, Landscape Character and Green and Blue Infrastructure'**. It considers its other representations herein, including advocacy of the allocation of the Omission Site in the Local Plan are fully consistent and comply with the terms of this Policy.
- 2.4.7 **Supports Policy H1 - 'Housing Mix and Accommodation Types'**. It considers its other representations herein, including advocacy of the allocation of the Omission Site in the Local Plan, which it proposes should and does comply with this Policy. However, it considers that the Plan as presently constituted occasions an internal conflict with this Policy in that it will prevent or inhibit provision of a genuine range of residential accommodation by virtue of its inadequate overall quantitative provision.
- 2.4.8 **Supports Policy H2 - 'Affordable Housing'**. It considers its other representations herein, including advocacy of the allocation of the Omission Site in the Local Plan, which it proposes should and does comply with this Policy. Thus, it considers that the level of affordable housing proposed (40%) is appropriate and necessary.

However, it considers that the Plan as presently constituted occasions an internal conflict with this Policy in that it will prevent or inhibit provision of the requisite level of affordable housing by virtue of its inadequate overall quantitative provision.

- 2.4.9 **Supports Policy T1 - 'Sustainable Transport Choices'**. It considers its other representations herein, including advocacy of the allocation of the Omission Site in the Local Plan, which it proposes should and does comply with this Policy. Thus, it considers that the criteria set at Clauses A to G inclusive of the Policy are appropriate and necessary.
- 2.4.10 **Supports Policy DM1 - Protection and Improving Diversity**. It considers its other representations herein, including advocacy of the allocation of the Omission Site in the Local Plan are fully consistent and comply with the terms of this Policy in its entirety, including Clauses A to I inclusive.
- 2.4.11 **Supports Policy DM3 - Landscape Character, Ancient Landscape and Geodiversity**. It considers its other representations herein, including advocacy of the allocation of the Omission Site in the Local Plan are fully consistent and comply with the terms of this Policy.
- 2.4.12 **Supports Policy DM4 - 'Green Belt'**. Subject to the caveats entered in respect of the Green Belt Review at 2.4.5 above. This draft Policy is consistent with national policy.
- 2.4.13 **Supports Policy DM5 - 'Green and Blue Infrastructure'**. It considers its other representations herein, including advocacy of the allocation of the Omission Site in the Local Plan are fully consistent and comply with the terms of this Policy in its entirety, including Clauses A to C inclusive.
- 2.4.14 **Supports Policy DM6 - 'Designated and Undesignated Open Spaces'**. It considers its other representations herein, including advocacy of the allocation of the Omission Site in the Local Plan are fully consistent and comply with the terms of the relevant clause (A) of this Policy in its entirety.

- 2.4.17 **Supports Policy DM7 - 'Heritage Assets'**. This Policy is consistent with national policy and good practice. The Representor considers its other representations herein, including advocacy of the allocation of the Omission Site in the Local Plan are fully consistent and comply with the terms of the relevant clauses of this Policy (A to D) in their entirety.
- 2.4.18 **Supports Policies DM9 - 'High Quality Design' and DM10 - 'Housing Design and Quality'**. The Representor's proposals for high quality development on the Omission Site, which have been placed in the public domain and have been the subject of public consultation, accord fully with these Policies (and each of the specific criteria in both policies. As such it would amount to an exemplar project for these Policies.
- 2.2.19 **Supports Policy DM11 - 'Waste Recycling Facilities on New Development'**. The Representor's proposals for high quality development on the Omission Site, which have been placed in the public domain and have been the subject of public consultation, accord fully with the this Policy.
- 2.4.20 **Supports Policy DM15 - 'Managing and Reducing Flood Risk'**. The Representor's proposals for high quality development on the Omission Site, which have been placed in the public domain and have been the subject of public consultation, accord fully with this Policy (and each of the specific criteria in both policies. As such it would amount to an exemplar project for this Policy. The Omission Site lies predominantly in flood Zone 1.
- 2.4.21 **Supports Policy DM16 - 'Sustainable Drainage Systems'**. The Representor's proposals for high quality development on the Omission Site, which have been placed in the public domain and have been the subject of public consultation, accord fully with this Policy. As such it would amount to an exemplar project for this Policy.
- 2.4.22 **Supports Policy DM17 - 'Protecting and Enhancing Watercourses and Flood Defences'**. The Representor's proposals for high quality development on the

Omission Site, which have been placed in the public domain and have been the subject of public consultation, accord fully with this Policy. As such it would amount to an exemplar project for this Policy.

2.4.23 **Supports Policy DM18 - 'On-site Management and Re-use of Waste Water and Water Supply'**. The Representor's proposals for high quality development on the Omission Site, which have been placed in the public domain and have been the subject of public consultation, accord fully with this Policy. As such it would amount to an exemplar project for this Policy.

2.4.24 **Supports Policy DM19 - 'Sustainable Water Use'**. The Representor's proposals for high quality development on the Omission Site, which have been placed in the public domain and have been the subject of public consultation, accord fully with this Policy. As such it would amount to an exemplar project for this Policy.

2.4.25 **Supports Policy DM20 - 'Low Carbon and Renewable Energy'**. The Representor's proposals for high quality development on the Omission Site, which have been placed in the public domain and have been the subject of public consultation, accord fully with this Policy. As such it would amount to an exemplar project for this Policy.

2.4.26 **Supports Policy DM22 - 'Air Quality'**. The Representor considers its other representations herein, including advocacy of the allocation of the Omission Site in the Local Plan are fully consistent and comply with the terms of this Policy. An air quality assessment of the proposed development on the Omission Site has already been undertaken and demonstrates no harmful impacts.

2.4.27 **Objects to Policy P7 - 'Chigwell'** and the supporting **'Settlement Vision'** therefor on the basis primarily of the failure to include and allow for the allocation of the Omission Site.

2.4.28 The Representor further considers that **Policy P7 B (vi) - CHIG R6 - 'Limes Farm'** (100 dwellings) is inappropriate and harmful to the character and amenity of that estate, is unrealistic and ultimately undeliverable within the Plan Period. It is noted that P7 H already accepts that development here would only occur towards

the end of the Plan Period. It is considered that, because of the uncertainty of delivery, this proposed allocation does not meet the terms of the footnotes to paragraph 47 of the Framework.

2.4.29 The Omission Site would amount to a sustainable Green Belt release, ensuring the character and identity of Chigwell is maintained in accordance the 'Vision'. The Site would also meet the terms of Clauses P7 C, D, E and F.

2.4.30 It is proposed that the Omission Site, which amounts to some 15.5 hectares, should be removed from the Green Belt and be allocated for a housing-led mixed-use development comprising:

- Approximately 200 new homes. These would be a mix of executive, family, starter and affordable homes with generous (public and private) outdoor space;
- A nursing/care home;
- A site for a new purpose-built primary school for Chigwell;
- Small offices/professional consulting rooms (including, subject to agreement with the relevant NHS Trust and GP Practice, a satellite primary healthcare centre);
- Pedestrian and cycle routes within the site connecting to the wider network of footpaths/ public rights of way around it, so as to enhance accessibility to local facilities, to public transport, and to the countryside for everyone;
- Incorporating measures to optimise the sustainability of the development, including a green travel plan, energy efficient design and construction, renewable energy features, recycling, a sustainable urban drainage system, measures to promote healthy lifestyles and biodiversity enhancement, consistent with a number of the above-cited draft Local plan Policies.

2.4.31 The Representor also owns the land to the east of the Omission Site (the balance of SR-0098), extending as far as Vicarage Lane. It is proposed that this land should remain in the Green Belt and in agricultural use, but with landscape and ecological enhancement, improved (managed) public access and long-term management measures to maintain its landscape, visual and environmental value.

2.4.32 The Omission Site is in a highly sustainable *strategic* location within the wider physical confines of Chigwell, which is part of the continuously built-up area of the Greater London conurbation.

It is also in a highly *locally* sustainable location within Chigwell, immediately adjoining Chigwell LU Station, on a scheduled bus route, directly adjacent to the settlement centre, which accommodates a range of shops and other facilities, including the Library and Victory (community) Hall. The comprehensive proposals for the substantial redevelopment of the latter facilities, which are the subject of a current planning application by the Chigwell Parish Council (and which, incidentally, involves a significant incursion into the existing Green Belt immediately adjoining the Omission Site), strongly underpins/reinforces the nodal and intrinsically accessible location of the Site.

2.4.33 In light of the above, the Representor challenges the analysis set out at paragraphs 5.102 and 5.103 (first and second bullet points).

2.4.34 The Representor **supports Policy D1 - 'Delivery of Infrastructure', Policy D2 - 'Essential Facilities and Services' and Policy D4 - 'Community Leisure and Cultural Facilities'**. The Representor considers its other representations herein, including advocacy of the allocation of the Omission Site in the Local Plan, are fully consistent and comply with the terms of these Policies. A comprehensive infrastructure assessment of the proposed development on the Omission Site has already been undertaken and demonstrates no harmful impacts subject to appropriate mitigation. The proposals for the Omission Site provide for an on-site primary school, primary healthcare facility, a nursing/care home and extensive on and off-site open space provision amongst other facilities and the Representor is agreeable to appropriate CIL compliant financial contributions to other new or expanded local facilities.

2.3.5 The Representor has no specific view/comment on the following Policies:

- SP4 - 'Development and Delivery of Garden Communities';
- SP5 - 'Garden Town Communities';

(subject to a review of the scale of development consequent upon the upward adjustment of OAN and of housing provision in the Plan);

- H3 - Rural Exceptions (Housing);
- H4 - Traveller Site Development;
- E1 - Employment Sites;
- E2 - Centre Hierarchy/Retail Policy;
- E3 - Food Production and Glasshouses;
- E4 - The Visitor Economy;
- T2 - Safeguarding of Routes and Facilities;
- DM2- Epping Forest SAC and the Lee Valley SPA;
- DM8 - Heritage at Risk;
- DM12 - Subterranean Basement Development and Lightwells;
- DM13 - Advertisements;
- DM14 - Shopfronts and On-Street Dining;
- DM21 - Local Environmental Impacts, Pollution and Land Contamination;
- P1, P2, P3, P4, P5, P6, P8, P9, P10, P11, P12, P13, P14, P15 - Settlement Vision and Policies etc.;
- D5 - Communications Infrastructure ;
- D6 - Neighbourhood Planning