

INDEPENDENT EXAMINATION OF THE EPPING FOREST LOCAL PLAN 92011-2033

MATTER 4: The Spatial Strategy/Distribution of Development Hearing Statement by: Freetown Homes Representor Number 19LAD0097

1.0 Response to Inspector's Matter 4, Issue 1

1.1 With regard to **Question 1**, the Representor looks to hear the Council's explanation as to how the amount of housing for the three Garden Town Sites has been derived with interest. In the Representor's view this appears to have been a fairly arbitrary exercise, based on very high level assumptions.

1.2 The Representor is concerned as to the framing of **Question 2** as it implies that the impact of growth elsewhere than in the Garden Town Sites is necessarily harmful. These Sites are, and should be, only one element of a comprehensive, Plan-wide strategy for the distribution and delivery of needed housing in the District. The Representor submits that it is necessary and appropriate to take a conservative view of the capacity of these sites for a number of reasons:

- It is widely recognised and accepted that large sustainable urban extensions such as these have long lead in terms, consequent upon the need to fund and deliver the necessary strategic infrastructure and upon 'marketing constraints' arising from the size of the sites and amount of housing potentially available in these locations and with other large urban extensions around Harlow and nearby towns. Such sites are unlikely to make a meaningful contribution to urgently needed housing delivery in Epping Forest until later in the Plan Period. In the meantime it is necessary to front-load delivery on smaller available sites in sustainable locations.
- In the event that these Sites **do** prove to be capable of delivering more housing than is assumed in due course this will can be regarded as a bonus helping to address OAN, including the increased level OAN which the Representor thinks is necessary (see response to Matter 3 within the Plane Period and beyond).

- Once allocated, there is always a temptation to make large allocations, whether they be SUEs or New Towns/Villages convenient ‘dumping grounds’ for housing growth which it is politically inconvenient to accommodate elsewhere because of local opposition. This tendency for Councils to put “all their eggs in one basket” invariably results in under-delivery. It is important, therefore, that the Garden Town sites remain a proportionate and realistic component of a balanced (both numerically and geographically) distributional strategy.

1.3 The answer to Issue 1, Question 2 is: **“Possibly, yes, but it is neither necessary, nor desirable at this stage to assign additional capacity to these sites, certainly at the cost of provision elsewhere in the Plan Area.”** (see also the answer to Q3 below)

1.4 The answer to Issue 1, Question 3 is a categorical: **“No!”** The Representor considers (see Statement in relation to Matter 3) that the Plan’s estimate of OAN is wrong and seriously deficient and that a significantly greater quantum of housing is required to – and *can* - be accommodated in the Plan Area without harm to interests of acknowledged importance. Notwithstanding that contention, it is vitally important that whatever level of development is provided for in the Plan, this should be distributed in sustainable locations across the District for the following reasons:

- To support the vitality and viability of a range of individual settlements over the plan area;
- To respond to opportunities to exploit the physical, environmental (including opportunities for rational and proportionate Green Belt releases), and infrastructure capacity of settlements to accommodate additional development in a sustainable manner;
- To ensure that all communities in Epping Forest accept their fair share of new housing development;
- To provide locational variety and choice of housing across the Plan Area in response to the geography of the local housing market, market demand and need (including in respect of affordable housing) and to ensure that all communities have access to an appropriate amount and tenure of housing to meet their needs.

The acute issue of affordability and shortage of affordable housing in the HMA as a whole and in Epping Forest in particular are especially relevant in this context.

2.0 **Issue 2: Beyond the Harlow area, is the distribution of development in the Plan justified having regard to the defined settlement hierarchy?**

2.1 In relation to **Question 1**, the Representor is not all clear as to the key factors which informed the distribution of development in the Plan Area beyond Harlow.

2.2 It is axiomatic that, in the interests of achieving sustainable development, growth outside the Harlow area *should* be informed by the Settlement Hierarchy contained in in Table 5.1 on Page 114 of the Submission Draft Plan. It follows from this that most new development should be directed to the ‘Towns’ and ‘Large Villages’. (**Question 2b**)

2.3 In this context it is arguable that certain settlements such as *Chigwell*, which has a population of some 10,000, a wide range of facilities, excellent transport links and is effectively part of the built up area of Greater London and across most of its extent has a distinctly urban character, should be more properly classified as a ‘Town’ in the context of the Settlement Hierarchy. **In this context the answer to Question 2a is: “No.”** However, the Representor is concerned that the debate is not unduly deflected by arguments about classification.

2.4 Furthermore, since the Towns and Large Villages are self-evidently the most sustainable locations for new development the focus of the Green Belt Review should have been directed to such locations as well as being informed by a realistic assessment of OAN. The Representor considers that no such rational and objective exercise has been undertaken and that the location and site selection process has been altogether more random/haphazard and subjective than it purports to be and has been deeply contaminated by political considerations.

2.5 In the Representors submission a more rigorous definition of the settlement hierarchy and a closer adherence to it in locating development in the District would have led to a more sustainable pattern of development than that proposed by the Plan.

Such a pattern could, in turn, have been achieved by a more rigorous, rational, objective and consistent approach to the Green Belt Review, which would have revealed suitable locations and sites that do not compromise Green Belt principles, or cause harm to other interests of acknowledged importance.

2.6 Although the Representor has no view on or specific answer to **Questions 3, 4 and 5**, it considers they raise legitimate concerns about the justification for the Settlement Hierarchy and for the Site Selection/Distribution process. In relation to **Q5**, the Representor would add: ***“Is the relatively limited growth at Chigwell (with or without the CHI.R6 [Limes Farm] allocation, which the Representor considers to be flawed and fundamentally undeliverable) justified by comparison to that proposed elsewhere, including in certain Small Villages?”***

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

3.1 It is recognised that, so far as Waltham Abbey is concerned, a key consideration in the identification of additional employment land has been the proximity and access to the M25 Motorway. The access to/from the M11 for North Weald Bassett is not as good. The Representor considers that a case can be made for additional employment allocations carefully juxtaposed with the proposed Garden Town Allocations and M11 Junctions 7 and 7a.

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

4.1 The Plan, including its Evidence Base, notably the Green Belt Review, fails to demonstrate that a genuine attempt has been made to fully accommodate OAN (at its proposed or at enhanced levels) within the Plan Area. In the Objector’s submission the Council pre-empted a full, fair and objective exercise to explore meeting the full OAN by unfounded assumptions concerning the capacity of the Metropolitan Green Belt in Epping Forest to accommodate

substantial release in appropriate sustainable locations without prejudice to the purposes of including land in the Green Belt.

These pre-emptive assumptions coloured both the criteria adopted in the Green Belt Review and the rigour with which they were applied. Amongst other things, the selection of areas for assessment was faulty, with, in some cases, a failure to disaggregate areas for assessment resulting in the blanket rejection of potential candidate sites because they formed part of a much larger area assessed. Thus, for example the Representor's 'Omission Site' at Chigwell, was included in a more extensive, more open and more prominent area to the east, the release of which obviously would have had a much greater adverse impact on the purposes of including land in the Green Belt.

- 4.2 It is undeniable that when the majority of current (Metropolitan) Green Belt was designated by Local Planning Authorities in the 1950's and 1960s – in a radically different social, economic, demographic and spatial planning climate - the approach was not selective and involved washing over virtually all existing open (and indeed some substantially developed areas) irrespective of their quality and the extent to which they truly fulfilled the five purposes of including land in Green Belts. The presumption was, therefore to include, rather than to exclude land and to draw Green Belt boundaries very tightly around settlements. Whilst this may have been a legitimate response to the then threat of widespread sporadic and ribbon development, the iconic status of Green Belt and particularly political sensitivities meant that those boundaries were effectively set in stone, taken as an automatic constraint and never revisited through successive development plans. Little thought was given to the long term implications in terms of sustainability and the accommodation of needed development within the area where that need arises, especially for Local Authorities, such as Epping Forest, entirely within the Green Belt and where something over 90% of the administrative area is subject to Green Belt control. The accommodation of development became somebody else's problem to be met "elsewhere".
- 4.3 Against this historic background the assumptions made by many in Green Belt areas that **all** Green Belt is precious, equally valuable and **any** release is, therefore, ipso facto, harmful, is clearly fallacious and unjustified. This is as true of Epping Forest District as it is of any other Green Belt Authority.

But these are deeply ingrained, in many senses unconscious prejudices held by the public at large, elected members and some professionals and they tend to predispose local planning authorities against full, objective and rigorous reviews of Green Belt boundaries and the Representor considers that this is what has happened in the case of Epping Forest. Fearful of the political implications, the Authority has undertaken a partial, incomplete and unnecessarily conservative Green Belt review. It is contended that there is no evidence that a rigorous review, with more robust criteria, applied more objectively, would necessarily result in loss to the Green Belt of land clearly performing a demonstrably critical and well-established Green Belt function.

4.4 The Representor's answers to the Issue 4 questions are as follows therefore:

4.4.1 **Question 1: In the absence of compelling evidence of demonstrable harm to the strategic function and objective of the Green Belt in the Plan Area, the Plan should not seek to restrict development, but rather should provide for the full OAN of the Area, however that is quantified. Given the urgent and pressing need for development and the extent of Green Belt coverage in the Plan Area, exceptional circumstances clearly exist to justify the relaxation of Green Belt boundaries.**

4.4.2 **Question 1a: Having regard to the foregoing the very significant and urgent development needs of the District outweigh the importance given to Green Belt protection as it applies to the *whole* of the existing Green Belt. The essential role and function of the Green Belt in the Plan Area will not be compromised by selective Green belt releases in appropriate locations, which need to be more extensive than are presently contemplated.**

4.4.3 **Question 1b: There would be serious adverse consequences for the delivery of needed homes and jobs if Green Belt land were not released. The severe restriction upon development would prevent the provision of housing in terms of quantity and of variety and choice, would have significantly adverse impacts on affordability and on the delivery of affordable housing. The delivery of sustainable development would be inhibited.**

4.4.4 **Question 1c:** The Representor considers that the Evidence Base of the Local Plan demonstrates that alternatives to Green Belt release have been fully considered. The geography of the Plan Area and the long term-term impact of tightly-drawn Green Belt boundaries has resulted in intensive pressure on and development of available land outside the Green Belt, including urban brownfield land. This has already manifested itself in unsatisfactory ‘town-cramming’, pressure on urban greenspace and competition between high value housing and other lower value development, such as employment, with adverse sustainability consequences. This situation would be exacerbated without measured Green Belt releases in sustainable locations.

4.4.5 **Question 1c, i:** All the evidence is that full use has been made of available brownfield land;
Question 1c, ii: Evidence indicates that assumed densities have been maximised taking account of the character of the area in which allocations might occur.

Question 1c, iii: The capacity for vacant homes to contribute to meeting housing need in place of new build is widely over-estimated. The Representor sees no reason to expect that the Plan Area possesses any greater capacity for vacant homes to meet identified need in place of new housing.

Question 1c, iv: The Representor does not consider the potential for windfall development has been underestimated. Given the maturity of the areas concerned and the pressures identified in 4.4.4 above, the Representor considers the potential for further windfall development to be low and to further decline over time.

Question 1c, v: The Council has clearly thoroughly examined the scope for other authorities in the HMA to accommodate part of its OAN through the Duty to Co-operate process. Given the character of the area, including the extent of Green Belt within the HMA as a whole, together with other environmental, infrastructural and political considerations and the extent of the OAN in the other Councils comprising the HMA, the Representor considers that there is no realistic scope to export development to other parts thereof therefore. Suggestions that Epping Forest’s OAN could be accommodated ‘elsewhere’ in what is a highly constrained HMA are fanciful and effectively amount to ‘kicking the can down the road’.

- 4.5 The answer to **Issue 4 Question 2** is: **“No”**. For reasons given above, the Representor reiterates the contention that the Green Belt review has been undertaken in a half-hearted, incomplete and technically faulty manner, resulting in a significant under-estimate of the capacity for Green Belt releases. The exercise lacked ambition, commitment and robustness and was characterised by questionable, subjective assumptions and assessment. Insufficient regard has been had to the policy set out paragraphs 138 and 139 of the Framework.
- 4.6 The starting point for the Review ought to have been a full assessment of OAN and of other development requirements (including for employment), together with a sensible projection of needs beyond the Plan Period (so as to provide a broad quantification of land that might need to be released from the Green Belt, but safeguarded and not, therefore, allocated and brought forward during that Period [Framework paragraph 139c])). At the same time, the need to promote sustainable patterns of development (Framework paragraph 138m and 139a)) should have led to a focus on Green Belt around the Towns and Large Villages, particularly those well-served by public transport, such as the Representor’s ‘Omission Site’ site at Chigwell. In the current climate, characterised by a pressing need for development, especially housing, the overarching parameter ought to have been not retaining land in the Green Belt which it is unnecessary to keep permanently open (Framework paragraph 139 b)).
- 4.7 Whether land released from the Green Belt might need to be kept open for reasons *other* than Green Belt purposes (for example because of its landscape, visual, ecological, recreational value, or because of potential adverse drainage impacts etc.) can be addressed through international and national designations and through relevant development plan policies
- 4.8 The Representor has no comment on **Questions 3** and **4**. In relation to **Question 5**, see 4.6 above.

5.0 Issue 5: Is the distribution of development justified in respect of the approach to flood risk; and to protecting water quality?

5.1 The Representor has no comment on this Issue.

6.0: Issue 6: Is the distribution of development justified in respect of its effect upon transport and other infrastructure in the District? Will the Plan be effective in securing the infrastructure necessary to support proposed growth.

6.1 The answer to the first part of the Question encompassed by **Issue 6** is: **“No.”** As with doubts as to the extent the defined settlement hierarchy has informed the distribution of development, so there must be questions as to the extent that that distribution has had regard to transport (especially public transport) accessibility and capacity and other to the presence and capacity of other infrastructure.

6.2 The Representor has already expressed reservations as to deliverability, certainly in the short/medium term, of the three large Garden Town Sites. Experience suggests that, without strong infrastructure delivery plans and positive intervention, coordination or relevant agencies and active management by the local planning authority, delays will occur.

6.3 The answers to **Questions 1 and 2** are therefore that the Representor doubts whether the transport impacts of the Plan as a whole have been tested. Where large strategic mitigation (as opposed to development-funded mitigation for individual sites, there must be doubt as to whether it can be delivered in time to support growth. Equally the Responder is sceptical that the Plan has embraced a step change towards sustainable travel and to fully utilise non-car based travel modes.

**Asbury Planning Limited
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