



Strategic Planning & Research Unit

**For and on behalf of
Peer Group Plc**

**Epping Forest Local Plan Examination
Response to MIQ's Matter 4: The Spatial Strategy/Distribution
of Development**

**The Ongar Park Estate
North Weald Bassett**

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MATTER 4: THE SPATIAL STRATEGY/DISTRIBUTION OF DEVELOPMENT

Issue 1: 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?

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

1.1 This appears to be determined by the physical capacity of the sites.

2. Could a higher level have been accommodated and would this have reduced the impact of growth proposed elsewhere in the district?

1.2 Increasing residential densities might have a detrimental impact on the rate of delivery of these sites and the range of housing mix.

3. 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?

1.3 The SA (EB404 paragraph 6.49 Option 3) suggests that a higher level of growth at North Weald Bassett is likely to have an enhanced positive effect compared to other options for communities in North Weald Bassett (NWB) as a greater level of housing development is proposed; and is more likely to take advantage of and maximise identified opportunities as well as better address existing issues for the village in relation to poor access to public transport and services/ facilities. The concentration of housing at Harlow therefore according to the Council's evidence base frustrates improvements in public transport and services and facilities at NWB. There is a balance to be struck as required by paragraphs 47 to 55 of the NPPF (2012).

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

1. What are the key factors which informed the distribution of development in the Plan beyond the Harlow area?

2.1 The distribution appears to have been unduly influenced by the 20 respondents to the NWB Community Workshop on 28 June 2014 (Allies and Morrison Master Plan Study 2014 – page 139 and 142) who allegedly stated a preference for large scale release to the north of NWB as opposed to smaller releases to the south (SPRU Objection to site selection consultation paragraph 2.12 – 2.14). These 20 respondents alleged view has been mis-used by the Council as justification for excluding consideration of other sites proposed in the Allies and Morrison Master Plan.

2.2 The exclusion of the Peer Group site in North Weald Bassett occurred prior to the SA consideration of reasonable alternatives and contrary to the sequential site selection strategy contained in the EFDC Draft Local Plan 2016 (paragraph 3.54), without any explanation for that shift in strategy.

2. How was the settlement hierarchy set out in Table 5.1 page 114 defined, and is it justified? Has the settlement hierarchy informed the distribution of development and if not, what is its purpose?

2.3 Settlement Hierarchy Technical Paper (EB1007 table 2) explains that the hierarchy is determined by the number of facilities recorded in a settlement (table 3). The results are not contested although it has the following limitations;

a. Simply counting facilities places the same weight on a public car park as, for

example, a school. This is plainly a failure to objectively weigh up the services, facilities, amenities and infrastructure capacity within the individual settlements;

- b. Locations with large populations but with lower levels of the services listed maybe downgraded and therefore mask the need for investment or intervention;
- c. Settlement population or size does not appear to have been a consideration.

- 2.4 SPRU's Objection to site selection consultation paragraphs 2.9 – 2.41 explain how the important decisions (steps 1 and 2) in the selection process (EB801 paragraph 2.65 page 23) were not undertaken in that report but were actually undertaken at an undocumented Local Plan Officer Working Group (13th and 14th June) (EB801 paragraph 2.67 page 23). The selection process purports to include feedback from Members and the results of Community Consultation (July 2012 to October 2012) which did not consult on all reasonable alternatives (for example the Peer Group site at NWB was not included or assessed), but there is no evidence from the Council to support that process or the outcome.
- 2.5 SPRU's Objection to site selection consultation (paragraph 2.12) also highlights that in the case of NWB the reported results of just 20 persons to the Master Plan exhibition (28 June 2014) supporting development to the north of the settlement have been used by the Council to simply discount the consideration of other reasonable alternatives at a very early stage of the plan making process. The Council has also lost or destroyed the records of that exhibition and the alleged public responses.
- 2.6 Lastly, SPRU's Objection to site selection consultation paragraph 2.53 – 2.56 highlights that the council have not followed their own site selection approach in paragraph 2.66 but instead have applied a test of "more or less" suitable sites or "strategically preferred options" (EB805AJ appendix B1.3 site selection 2018).
- 2.7 The failure of the Council to follow their own approach to site selection, the lack of assessment of reasonable alternatives in the SA and the undocumented decision making process, which has led to broad strategic decisions without supporting evidence, means that it is very difficult to determine the influence any of the evidence base has had on the final selection of sites including the evidence on settlement hierarchy.

3. Is the settlement hierarchy justified in respect of how employment opportunities were taken into account e.g. in Nazeing?

4. 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?

- 3.1 As highlighted above the evidential support for the site selection and allocation is lacking as there is no record of why key decisions and choices were made. In our Matter 1 response we highlighted that further discussion on alternatives was curtailed so that the Council could proceed to argue for a lower level of housing requirement under the 2012 Framework. The appropriate test to apply to NWB and all other suitable locations for housing development is sustainability, not quantity.
- 3.2 The Submitted LP justifies the level of development on the master planning process (paragraph 5.89) but as highlighted in SPRU's Objection to site selection consultation paragraphs 2.9 – 2.41 the master planning process and subsequent decision making has been seriously flawed, including the failure of the SA to consider reasonable alternatives.

3.3 Thornwood has 2 proposed allocation (124 and 48 dwellings) these are particularly large allocation given the small nature of this settlement and are too large to meet local needs (of which there is no evidence) but are not of a scale that would actually assist in the stated justification of allowing the settlement to become more self-sufficient (submitted LP paragraph 5.145).

3.4 Hastingswood has no residential development proposed.

5. Is the relatively limited growth at Buckhurst Hill and Theydon Bois as Large Villages justified by comparison to that proposed at Nazeing and Thornwood as Small Villages?

3.5 See above

Issue 3: Is the distribution of employment land in the Plan justified in light of the distribution of housing?

1. In 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? (Reps Harlow DC).

Issue 4: Is the distribution of development justified in respect of the need for, and approach to, Green Belt release?

1. Paragraph 14 of the NPPF generally requires that a Local Plan should meet the objectively assessed development needs of the area. However, it also confirms (via footnote 9) that Green Belt is one of the constraints which indicates that development should be restricted. How has this tension been resolved in favour of the conclusion that there are exceptional circumstances to justify the alteration of Green Belt boundaries? In particular:

a. How do the specific development needs of the District weigh against the importance given to Green Belt protection?

4.1 Two recent High Court judgments set out the process LPAs should take in releasing land from the Green Belt; firstly, IM Properties Development Ltd v Lichfield DC [2014] EWHC 2440 (Admin), Patterson J and secondly Calverton Parish Council v Nottingham City Council, Broxtowe Borough Council and Gedling Borough Council [2015] EWHC 1078 (Admin), Jay J.

4.2 In summary these set out that Green Belt release should happen in a two part process. It is necessary for the 'strategic' level exceptional circumstances for Green Belt release to be justified and secondly it is necessary for the site specific exceptional circumstances to be justified also.

4.3 SPRU Regulation 19 (appendix 11) contains the Welwyn and Hatfield Local Plan examination inspector's letter to the Council succinctly summarises the approach taken by other local planning authorities when considering Green Belt release, an approach which aligns with the aforementioned High Court judgments.

4.4 In the submitted LP the fact exceptional circumstances have not been identified and furthermore, the Council's objective of protecting the high valued Green Belt areas has not been achieved; sites which are of high value have been allocated in preference to sites of lower value. This approach is not consistent with the High Court judgments referred to above.

4.5 Paragraph 2.142 of the Plan sets out that the Council has sought to protect the high value Green Belt land wherever possible. This same sentence also states that the final

choice of sites has been informed by suitability and availability. It is not clear;

- a. how or when these issues have been considered by the Council,
- b. what evidence has informed these decisions or
- c. if exceptional circumstances have been considered for the release of Green Belt land on a site by site basis.

4.6 Paragraph 2.135 correctly references the Framework's requirement on Green Belt, stating that exceptional circumstances must be demonstrated. However, the Plan does not state that the exceptional circumstances for specific sites do exist, for those sites to be released from Green Belt.

4.7 Considering the Plan's objective, that high value Green Belt land will be protected wherever possible, it is surprising that several sites which are high value Green Belt (and Best and Most Versatile agricultural land) have been chosen in preference to sites which have a lower Green Belt (and agricultural) value. In this regard the Plan cannot be considered sound because it is not justified, and it is not consistent with National Policy.

4.8 Further to our comments on the Council's approach to the Green Belt assessment, Liz Lake Associates (LLA) Green Belt assessment undertook a detailed review of the proposed Green Belt release sites in North Weald Bassett (SPRU Regulation 19 Main objection, Appendix 5). This includes:

- a. Section 3 of the LLA Green Belt assessment undertakes an assessment of sites 1C and 2D (as identified in the Allies and Morrison Masterplan Study 2014), which are the sites being promoted by Peer Group.
- b. The LLA Green Belt assessment at paragraph 4.2.10 onwards, summarises that the release of the site promoted by Peer Group (1C and 2D combined) would not cause significant harm to the Green Belt. Furthermore, when compared to the Council's proposed allocations within the submission Plan, to the northwest of the settlement, the release of the Peer Group sites (1C and 2D) would cause significantly less harm to the Green Belt.

4.9 The assessment by Liz Lake Associates further demonstrates that the approach taken by the Council is not based on robust evidence and is not sound. The Plan cannot be considered to be justified in respect of its approach to the release of Green Belt.

4.10 It is the view of SPRU that, notwithstanding the Council's failures in the preparation of the submission Local Plan, there are exceptional circumstances that justify GB release at a strategic scale in accordance with the Framework 2012:

- a. Alteration of GB through a local plan review (paragraph 83)
- b. Alteration to reflect sustainable patterns of development channelling development to urban areas inside the GB boundary and to towns and village inset with the GB (paragraph 84). It should be noted that sustainable development include meeting the housing needs of the population and the development needs of the economy (Paragraph 7).

4.11 Background Paper on Green Belt and District Open Land for Draft Plan Consultation 2016 (updated 2018) (EB1608) this states (paragraph 3.4):

- a. That housing need of itself does not represent exceptional circumstances
- b. The council have sought to maximise development in non GB locations and that this would not meet the chosen level of development.

c. Public support for concentration of development at Harlow

b. What would be the consequences of not releasing Green Belt land to help meet development needs?

4.12 The consequences of not releasing any GB would be that both the economic and housing needs of the area will not be met in full, with a consequential failure to comply with national planning policy. While Framework 2012 footnote 9 suggest that GB is one of the policies that can justify not meeting needs in full, Paragraphs 178 – 181 make it clear that where needs are not being met in full then LPA's should engage with the Duty to Cooperate to meet these needs in neighbouring authorities.

4.13 The MoU between EFDC and adjoining authorities states that each area is to meet its own needs.

4.14 In these circumstances not releasing GB to meet the full housing requirement would render the present plan unsound and not legally compliant with the DtC.

4.15 On a wider basis failure to accommodate needs within the district will encourage people to seek similar environments outside of the constraints of the GB, this will lead to longer and less sustainable patterns of travel to work (especially those who might work in London). This redistribution of demand might still have serious impacts on the District as these increased travel movements could well the though the district back into London.

c. Have alternatives to Green Belt release been fully considered:

I. Has full use been made of previously developed land? Has a Brownfield Land Register been published and how has it been taken into account?

4.16 A review of the plan allocations with settlements suggest that the council have fully considered previously developed land outside of the Green Belt. However, the Council has failed to fully consider previously developed land within the Green Belt, which includes the Peer Group land in North Weald Bassett. We note that other Radio Station sites, like Rugby, have as a result of their previous use and retained structures have been considered suitable locations for housing development.

4.17 There are 91 sites capable of delivering some 2,143 dwellings on the Brownfield register but these either are allocated or have planning permission. The exception is two sites that have a capacity of 5 dwellings and are included in the SHLAA.

II. Has the density of development been maximised, on brownfield and greenfield allocations?

4.18 Given the land values and demand pressures it is considered that the density of development has been maximised in many of the existing sites with planning permission.

III. Could vacant homes be brought back into use? Have approximately 1000 properties in the Epping Area been empty for more than 6 months?

4.19 There are a number of reasons why dwellings might be recorded as empty of vacant, some may be just built, other maybe for sale so between vendor leaving and buyers moving in, some maybe in probate as the last householder has died, there is also periods of vacancy between rented tenants moving out and new ones moving in and lastly there are second homes and holiday homes.

4.20 Both the homeownership and rental markets require a level of vacancy in order to operate efficiently.

4.21 The table below shows that:

- a. Both the number and percentage of vacant homes has decreased since 2004
- b. That the percentage of long-term vacant has reduced to just 1.15% (426 dwellings)
- c. That vacant LA stock has increased to 152 dwellings

Table 1. Epping Forest analysis of vacancy rates

Local Authority Name	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Dwelling Stock	34,230	34,370	34,760	34,960	35,140	35,430	35,580	35,720	36,100	36,260	36,370	36,580	36,800	37,140
All Vacant	1,775	1,837	1,704	1,445	1,500	1,501	1,575	1,626	1,562	1,476	1,391	1,365	1,440	1,425
Long Term Vacant	821	934	753	558	611	607	680	708	647	451	431	374	429	426
LA stock	76	82	79	114	81	90	98	98	92	87	112	69	94	152
PRP general needs vacant	9	13	21	6	6	5	6	9	5	2	5	7	5	4
PRP general Long term vacant	..	4	12	1	1	2	2	0	1	1	3	1	3	2
Other public sector Vacant	3	5	4	10	9	7	8	9	10	11
Percentage of total stock vacant	5.19%	5.34%	4.90%	4.13%	4.27%	4.24%	4.43%	4.55%	4.33%	4.07%	3.82%	3.73%	3.91%	3.84%
Percentage of total stock long term vacant	2.40%	2.72%	2.17%	1.60%	1.74%	1.71%	1.91%	1.98%	1.79%	1.24%	1.19%	1.02%	1.17%	1.15%
Percentage of total vacant which are LA	4.28%	4.46%	4.64%	7.89%	5.40%	6.00%	6.22%	6.03%	5.89%	5.89%	8.05%	5.05%	6.53%	10.67%

Source: DCLG Tables 125 & 615

IV. Has the potential for windfall development during the Plan period been underestimated?

- 4.22 Table 2.3 of the Submission LP calculates Windfalls at 35 dpa for the last 11 years of the plan 2022 to 2033 providing for a total of 385 dwellings.
- 4.23 The Housing Implementation Strategy (EB410 appendix 3) highlights that there is a total of 716 dwellings on sites under 6 (334 + 706 + 563 + 182 + 16 –1085 on sites over 5).
- 4.24 Paragraph 3.6 (EB410) states that to avoid double counting between windfall sites and these existing commitments the Council has not made any windfall allowance in the first five years following the adoption of the Local Plan. This approach is supported.
- 4.25 The 35 dpa is based upon the SHLAA 2012 Table 10.1 Past Trends in Delivery of Windfall Housing in Epping Forest District and relates to small non-garden sites of 5 or less.
- 4.26 The exclusion of larger sites is correct as the council have made a thorough attempt to identify these but also the impact of an uptodate plan will be to lessen the opportunity for changing the use of sites or for residential redevelopment.

V. Could any other authority within the HMA have accommodated some of the District's housing need on non-Green Belt land?

- 4.27 According to our OAN assessment and table 4 matter 3 other areas notably Harlow and Uttlesford are already accommodating some of EFDC need as a result of the redistribution of the 6,200 adjustment in the SHMA (EB407).

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 (EB74A-B; and EB705A-B)? How were the findings of the Green Belt Review weighed in the balance with other planning considerations in the site selection process?

- 4.28 In response to questions 2.2 and 4.a) above we have identified serious shortcomings with the site selection process.
- 4.29 In terms of the GB assessment in EB704A-B the results for north and south of NWB highlights that the area to the south of NWB is either relatively weak/weak in fulfilling the Green Belt purposes. Whereas the area to the north is found to better serve the purposes of Green Belt (Relatively Strong/ Strong).

Table 2. Assessment of Green Belt parcels

GB purpose	North of NWB	South of NWB	ref
1 Unrestricted Sprawl	Relatively weak	Weak	Fig 6 page 18
2 Towns Merging	Relatively weak	Relatively weak	Fig 9 page 23
3 Encroachment	Strong	Strong	Fig 12 page 31
4 Historic Towns	No Contribution	No Contribution	Fig 13 page 34
Aggregated Score	Relatively Strong / Strong	Relatively Weak/ Weak	Fig 14 page 36

- 4.30 In general terms this would suggest that the impact on the Green Belt would be less for sites that are released to the south of NWB.
- 4.31 The more detailed assessment of Green Belt parcels is summarised in the next table. The objection site to the south of NWB falls within two within two parcels of this more detailed assessment. It is important to note that these two much larger parcels, unlike the objection site, have never been identified or promoted for development. Again the

site itself is much smaller and has not been assessed by the Council despite it being identified as a suitable alternative in the master planning exercise. It would be correct to conclude that the Green Belt impact of the smaller Peer Group site would be less than that assessed by the Council in the table below.

Table 3. Assessment of smaller Green Belt parcels

Site	1 Unrestricted Sprawl	2 Towns Merging	3 Encroachment	4 Historic Towns	Combined impact
Non allocated area to south of NWB (including Objection site)					
011.1 North Weald Bassett	No Contribution	Weak	Moderate	No Contribution	Moderate
011.2 North Weald Bassett	No Contribution	Relatively Weak	Relatively Strong	No Contribution	High
Area to North of NWB allocated for residential development					
10.1 North Weald Bassett	No Contribution	No Contribution	Relatively Weak	No Contribution	Low
010.2 North Weald Bassett	No Contribution	Moderate	Moderate	No Contribution	Moderate
010.3 North Weald Bassett	No Contribution	Moderate	Relatively Strong	No Contribution	High

Source: EB705A Table 4.1 page 29

- 4.32 By the council's own evidence base there would be a preference, in terms of the wider assessment, to favour development to the south of NWB, whereas the evidence advanced by the Council suggests that there is no material difference in Green Belt terms between land to the north or south of NWB. Conversely, the expert assessment from LLA on behalf of Peer Group (SPRU Regulation 19 appendix 5 to main submission) concludes, with rational explanation, that the southern option with NWB should be preferred. In any event, the Councils GB assessment appears to have had little influence on the choice of sites to be excluded from the Green Belt, where such exclusion was based on a flawed and irrational distribution strategy.
- 4.33 The lack of detectable influence of the GB study on site selection is not surprising given the timeline of decision taking by the Council in terms of NWB. SPRU has established, by a forensic assessment of the published documentation (which highlights the decision for Green Belt release) has been predetermined by the misinterpretation of the results from Allies and Morrison Master Plan community workshop session on 28 June 2014 some two years before the GB assessment in EB705A.
- 4.34 Despite the identification of the need to review land to both the north and south of NWB, Figure 18 page 44 the appendix of the Green Belt background Paper only considers sites to the north of NWB in appendix 2 of EB1608.
- 4.35 It can only be concluded that the Green Belt assessment is at best post-facto justification of political decisions already made, at least in the case of NWB.

3. Is the scale of Green Belt release proposed at NWB, Thornwood and Waltham Abbey justified and proportionate to the size of the existing built up areas?

- 4.36 In SPRU Regulation 19 main objection (Paragraphs 4.117 and 4.125 to 4.132) highlight that the allocation of sites; of NWB.R1 – Land at Bluemans, NWB.R2 – Land at Tylers Farm, NWB.R4 – Land at Chase Farm, NWB.R3 – Land south of Vicarage Lane and NWB.R5 – Land at The Acorns, Chase Farm are unsound. There is no justification for the allocation of these sites, including the justification of exceptional circumstances, set out in the submission Plan. This is particularly important because these sites have been identified in preference to sites which are clearly more suitable and sustainable, and which do not cause the loss of high quality agricultural land, whilst retaining the rectilinear character of NWB as required in the Draft Local Plan (see the requirement and contradiction in “Residential Sites – Spatial Options” page 153) and would have a lower impact to the Green Belt.
- 4.37 The proposal for 1,050 dwellings in NWB will increase the settlement of 2,014 dwellings (EB41007) by 80%. This is a disproportionate increase in the size of the settlement.
- 4.38 The proposed release at Thornwood is disproportionate to the size of the settlement of 969 persons and 446 dwellings (EB1007 table 3 and page 68) a further 172 dwellings would increase the size of the settlement by 39%.
- 4.39 The proposed 406 dwellings at Waltham Abbey is an increase in a settlement of 8,435 dwellings (EB41007) of 4.8% and this does not appear to be disproportionate given the size of the settlement and the level of available services.

4. How have anomalies in the Green Belt boundary been identified and does the need to correct them amount to the exceptional circumstances necessary to alter the boundaries? Should sites with planning permission for residential development in the Green Belt (such as land north of Ivy Chimneys Road, 10 Epping) be removed from the Green Belt? (See Repls 19LAD0022 re. land north of Ivy Chimneys Road, Epping).

5. Having regard to paragraph 85 of the NPPF, and to the potential for an increased level of housing need in the District to be identified in the future, how has the Council satisfied itself that Green Belt boundaries will not need to be altered at the end of the Plan period? Is it necessary to identify areas of safeguarded land between the urban area and the Green Belt?

- 5.1 The plan identifies no safeguarded land.
- 5.2 The Framework requires that Local Plans where necessary, to identify areas of ‘safeguarded land’ between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period. This is particularly important in the latter years and the expiration of the Local Plan because sites can only be released in the GB through a Local Plan or a review of the Local Plan. Failure to safeguard land now is likely to cause a cessation of housing delivery unless safeguarded sites are available.
- 5.3 The issue therefore is whether it is necessary to identify safeguarded land to meet long terms needs. In short:
 - a. All sites proposed for release from the Green Belt are envisaged to be fully developed by the end of the plan period (2033).
 - b. There is no indication that there will be a decrease in longer term needs to a level that could be met by the limited level of urban land in the existing settlements. As such, the only option will be further releases from the Green Belt, which should

be planned for now.

- c. There no evidence of a strategy that would divert demand to locations outside of EFDC

5.4 Epping Forest District is extensively covered by Green Belt and is within an area of high economic growth. Future development needs can only realistically be met through further Green Belt release.

5.5 As Green Belt boundaries are required to endure beyond the Plan period (NPPF paragraph 83), it is surprising that the Council has not identified any safeguarded land in the Local Plan. We consider that the Council's approach is unsound. Sufficient land to meet future housing needs beyond the Plan period should be safeguarded.

5.6 When considering the need to safeguard land for beyond the Plan period, the Council should also take into account of bullet point 2, paragraph 157, of the Framework;

"Local Plans Should;

be drawn up over an appropriate time scale, preferably a 15-year time horizon, take account of longer term requirements, and be kept up to date;"

5.7 Safeguarding land would help to ensure key objectives of Section 9 of the Framework are met:

- a. Paragraph 79;
- b. Paragraph 83;
- c. Paragraph 85.

5.8 We do not consider the Plan is consistent with national policy and is therefore unsound, it fails to take into account longer term requirements of the area and as a predominantly Green Belt authority, Safeguarded land should have been identified within the submission Local Plan.

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

Flood Risk

Notwithstanding that the Plan requires all residential development on allocated sites to take place within Flood Zone 1, has the potential impact of climate change been allowed for in the site allocation process? Should the relevant policies in the Plan require all residential development to take place in Flood Zone 1, allowing for climate change? Should this requirement relate only to the housing and ancillary development itself, and permit associated development such as amenity open space to be provided in higher risk zones?

2. The following allocations include some land within or adjacent to Flood Zones 2/3: SP5.2 (Water Lane Area); SP5.3 (East of Harlow); NWB.R3 (in North Weald Bassett); NAZE.R1 & R4 (in Nazeing); and LOU.R11 (in Loughton).

- a. Do the above allocations pass the Sequential Test required by paragraph 100 of the NPPF?
- b. Does the Strategic Flood Risk Assessment (Site Assessments) March 2018 (EB913) constitute a Level 2 Strategic Flood Risk Assessment? Has it considered site specific flood risk characteristics, including climate change?
- c. Are the above allocations required to pass the Exception test and, if so, do

they?

- 3. Document EB913 identifies several employment allocations in flood risk areas or which have watercourses running through them. Do these sites pass the Sequential Test and, if necessary, the Exception Test required by paragraph 100 of the NPPF?**

Water Quality and Wastewater Treatment

- 4. Is the level of growth and the distribution of development in the Plan justified in the absence of a specific strategic assessment to demonstrate that there is sufficient capacity in the water supply network and waste water treatment network to support it without detriment to the water environment? The Environment Agency has suggested that a Water Cycle Study could have been prepared, but that other evidence, including consultation with relevant service providers, could be sufficient. What is the evidence to demonstrate that the Plan is sound in this regard? Is the Council carrying out the three 11 actions suggested by the Environment Agency in its representations on Policy DM18?**
- 5. Thames Water has identified that significant infrastructure upgrades will be required to the Abbess Roding Sewage Treatment Works (STW), the Epping STW, the North Weald STW, the Stanford Rivers STW and the Thornwood STW in order to support planned growth. Furthermore, the impact of cumulative development in nearby Council areas upon the Deephams STW and the Rye Meads STW will need to be kept under review. Capacity at the Theydon Bois STW and the Willingdale STW might also need to be reviewed. What work is being undertaken in respect of these matters to ensure that the Plan's allocations are deliverable at the appropriate time?**

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?

Transport

- 1. Have the transport impacts of the Plan as a whole been tested? Has all necessary mitigation been identified and is there confidence that it can be delivered in time to support the proposed growth? Are there any remaining uncertainties or shortcomings?**
- 6.1 The impacts of the whole plan have been tested and Transport is identified as the reason why a higher level of housing cannot be accommodated (LP paragraph 2.42). Such an approach is not consistent with the NPPF.
 - 6.2 The Epping Forest District Council Submission Local Plan Highway Assessment Report December 2017 (EB502) states that that a combination of more ambitious sustainable transport and physical highway improvements could potentially mitigate the most significant impacts of the Local Plan, particularly when considered against the 2033 Do Minimum Scenario where no Local Plan growth is delivered (paragraph 6.1.13).
 - 6.3 EB502 states this is a robust worst-case in terms of traffic demand and supply assumptions as it does not yet account for the full benefits of all proposed mitigation. It also states the assessment has tested the total projected housing supply available rather than the lower future housing requirement for the district (paragraph 6.1.15).
 - 6.4 The SA (EB203) considered higher levels of growth and in terms of Highways and noted issues regarding the proposed level of growth around Harlow (page 25) and a lifting of

a restriction at Ware (page 30 footnote 31), but otherwise did not highlight traffic or highways as an overriding constraint.

- 6.5 The Council seems to suggest, but does not explain, that planned growth is dependent upon a “step-change” towards sustainable travel. What does this mean and how will the Plan facilitate it? What has been done to assess the need for increased public transport and how will this be provided? How will success be monitored?

Other Infrastructure

5. Does the Infrastructure Delivery Plan and Schedule (EB1101A & B) demonstrate that the development in the Plan can be served by adequate infrastructure at the appropriate time? Are there any significant omissions or funding gaps?

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