



# Phase 2

**EPPING FOREST DISTRICT COUNCIL:  
Examination of the District Local Plan 2011 – 2033**

**Examination Statement:**

**MATTER 5: Site Selection Methodology and  
the Viability of Site Allocations**

On Behalf of

**Bloor Homes Ltd**

**February 2019**

**Our Ref: C16133**

**Phase 2** PLANNING & DEVELOPMENT LIMITED

---

## 1. Introduction

- 1.1 The following Examination Written Statement has been prepared on behalf of Bloor Homes Ltd, who has land interests to the north east of the settlement of Ongar (Site ref SR-0051), and has made representations to the Submission draft of the Local Plan, promoting the land for housing, possibly as a first phase of a wider development to achieve a bypass for the town and other benefits.
- 1.2 As requested, this Statement does not duplicate those representations, but addresses where relevant the issues raised by the Inspector in her Matters, Issues and Questions relating to Matter 5, Site Selection Methodology and the Viability of Site Allocations, within the context of the 2012 Framework, which given the submission date of the Plan will be used as the basis for assessment.
- 1.3 It will use the same issue headings set by the Inspector, as follows.

---

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

- 1.4 In the subsidiary questions, the Inspector has reflected many of the queries and concerns that were raised by our clients. In particular we raised concerns over the full availability of the Site Selection Report at the time of the consultation of the Reg 19 Plan, which the Council acknowledged was not available in terms of the assessment of individual sites until after the consultation. This discords with the advice of para 182 of the 2012 Framework which states that local planning authorities must justify their Local Plan as “the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence”, which is a key test of soundness. Whilst we are aware of the CK Properties judgement and shall not therefore dwell on the matter, notwithstanding the legal position the lack of a significant part of the evidence base does diminish the transparency of the process in favour of expediency.
- 1.5 In the same vein, it has been noted that the Council stated during discussion on Matter 1 that they had in any case offered a meeting with promoters of omission sites a chance to meet. That is not the case, as although during the site selection process we understood that officers did meet with some with larger sites, in response to requests for meetings on other sites officers advised Phase 2 Planning a number of times that they had been given a clear steer by Members only to talk to those whose sites were proposed for allocation. The Council also held a number of Developer Forums to discuss the Local Plan and its detail, but only those whose sites were proposed for allocation were invited to attend.
- 1.6 With regards to point 1 of Issue 1, clearly we await the Council's response to this in their Statement and at the Examination. However, it is clear that policy SP2 sets out a strategy which does not rely on the scale or sustainability of settlement types, but instead a reliance on a sequence of locations dictated by flood risk, open spaces, brownfield land, Green Belt etc. and is thus a constraint led approach, rather than one which is based on locational housing need or wider sustainability factors, including an assessment of the benefits that some sites could bring which could outweigh some of the constraints, and it is not clear how any such benefits were assessed, if at all.
- 1.7 As set out in our response to the Reg 19 Plan, we have concerns over the order of the factors within the sequential approach, for example the identification of previously developed land in the Green Belt and greenbelt/green field land on the edge of settlements below the use of urban open spaces. This has generated considerable objection within those settlements affected by the loss of valued open spaces, which are clearly more sensitive than the loss of brownfield sites within the Green Belt and sites which adjoin urban areas.
- 1.8 In this regard the Council's response to the Inspector's point 4 within Issue 1 is awaited.

- 
- 1.9 In addition, given the Plan's alleged emphasis on sustainability, the inclusion of development allocations on rail station car parking areas as PDL and therefore a higher level within the sequential order, is questioned as this could lead to more travel by private motor vehicle (Inspector's point 6).
- 1.10 At the time of our representations, the specific justification for the inclusion of a number of smaller sites within Ongar as allocations was questioned due to the lack of the site selection assessments, and we identified our view in our representations on the deficiencies with each of the allocations, which we will not repeat here. However the Inspector will note the concerns to these sites raised by the Ongar Neighbourhood Plan Group in their representations, which they will no doubt develop at the Examination.
- 1.11 At the time of the Reg 18 consultation, the question was raised by the Council on whether consultees agreed with the then proposed allocation, as the draft Local Plan made clear that the ARUP Site Selection Report 2016 had informed key decisions in respect of site allocations.
- 1.12 We reviewed the criteria, scores and qualitative assessment within the Arup report, and in particular in relation to the proposed allocation sites within Chipping Ongar, together with the Stage 2 assessment of our client's land (Site Reference SR-0051) at London Road.
- 1.13 These scores were shown on a comparative assessment prepared Phase 2 Planning, attached as Appendix 1, recorded as scored by Arups, but corrected in the final row by Phase 2 for the reasons set out within the attached.
- 1.14 With regard to points 2 and 3. We await the Council's comments on these and will comment in response at the Examination as necessary.
- 1.15 In response to point 5, we consider that some form of explanation in the Plan should be given to the sequential approach to site selection in order that the reader of the Plan can understand its rationale, without prejudice to our points on the order and justification of each factor. The policy however is far too long and tries to cover a multitude of issues, including site selection, housing delivery and employment delivery, and the latter 2 could form separate policies, and/or the level of detail instead contained within lower case text.

## Issues 2, 3 and 4.

- 1.16 We have no specific comments to raise on these issues.

---

## Conclusions on Matter 5

- 1.17 In relation to matter 5, it is submitted that the Plan is not sound as it relates to Ongar, and that the Plan should be amended by reordering the sequential site selection and take account of a site's sustainability and potential benefits. However, we await the Council's response to the Inspector's MIQ and will respond accordingly.

---

## Appendix 1

## **Extract from Reg 18 Representation on Site Selection Methodology:**

Our response was set out as follows under the following headings, with reference to the criteria set out in the Arup Assessment relating to each site. However, at that stage we noted from an Arup presentation in the summer of that year that the scores and qualitative assessments are based largely on GIS data “and professional judgement”, and this formed the basis of the attached assessment.

### **Criteria:**

#### 1.1 Impact on Internationally Protected Sites

#### 1.2 Impact on Nationally Protected sites

#### 1.3a Impact on Ancient Woodland

#### 1.3b Impact on Ancient/Veteran Trees outside of Ancient Woodland

#### 1.4 Impact on Epping Forest Buffer Land

#### 1.5 Impact on BAP Priority Species or Habitats

#### 1.6 Impact on Local Wildlife Sites

No unexpected impacts identified, and no comments in response.

#### 1.7 Flood risk

Most sites including land at the London Road site located within Zone 1.

#### 1.8a Impact on heritage assets

#### 1.8b Impact on archaeology

The scores for all sites are expected given that archaeology is unknown, with the exception of site SR-0186, which identifies the possibility of archaeology being found, but considers this possibility to be low without any additional justification. We have therefore corrected this in the final row within appendix 1 to be the same for all sites.

#### 1.9 Impact of air quality

No impact identified, and no comments in response, although we would query why site SR-184 scores as neutral compared to sites SR185 and 0186.

#### 2.1 Level of harm to Green Belt

It is interesting to note that the scores on impact to the Green Belt are identical, possibly reflecting the fact that the Green Belt Assessment August 2016 notes that all GB land on the edge of Chipping Ongar performs at least one Green Belt purpose, leading to the conclusion within that study that the summary of harm to GB purposes by new development on each of the areas studied around Chipping Ongar is either ‘high’ or ‘very high’. This is partly due to landscape and topographical factors which will be addressed below.

#### 3.1 Distance to the nearest rail/tube station

#### 3.2 Distance to nearest bus stop

#### 3.3 Distance to employment locations

#### 3.4 Distance to local amenities

#### 3.5 Distance to nearest infant/primary school

#### 3.4 Distance to local amenities

#### 3.7 Distance to nearest GP surgery

These appear to be an accurate assessment, and no comments are made.

### 3.8 Access to Strategic Road Network

No impact identified, and no comments in response.

### 4.1 Brownfield and Greenfield Land

This assessment scores as minus 1 where greenfield land is involved which relates to all sites, but with an additional deduction where the site is distant from the settlement boundary.

No comments are made in response to this.

### 4.2 Impact on agricultural land

### 4.3 Capacity to improve access to open space

No harmful impact identified, and no comments in response.

### 5.1 Landscape sensitivity

### 5.2 Settlement character sensitivity

### 6.1 Topography constraints

It is noted that a number of the sites would have an impact of the character of the settlement unlike the land at London Road which has a neutral score. However 2 sites are claimed not to have a topographical impact which we would query, as it is clear that Chipping Ongar is located between two areas of high land at the north and south linked by a ridge of high land running along the High Street and beyond. As such the settlement is characterised by having land that slopes down away from all settlement boundaries which raises issues of visibility and the ability to contain the impact of development which affects all sites. As such we have corrected the assessment to apply a negative figure to all sites.

### 6.2a Distance to gas and oil pipelines

### 6.2b Distance to power lines

### 6.3 Impact on Tree Preservation Order (TPO)

### 6.4 Access to site

### 6.5 Contamination constraints

No impact identified, and no comments in response.

### 6.6 Traffic impact

There appears to be inconsistencies in the scores between the sites on this issue. Clearly any development will have some traffic impact, and the scores have been corrected to be consistent.

We attach our comparative assessment of the sites within the attached. This shows that there is not a great deal of difference between many of the sites, although site SR-0067i scores relatively poorly as it does include land that is not proposed to be allocated.

As such, there does not appear to be any overriding environmental or sustainability reason why the land at London Road should not be allocated for housing, either instead of or in addition to allocations already proposed given the issues of overall strategy for the delivery of housing identified earlier.





4.1 Brownfield and Greenfield Land	-1	-1	-2	-1	-2	-1	-1
4.2 Impact on agricultural land	-2	-2	-2	-2	-2	-2	-2
4.3 Capacity to improve access to open space	0	-1	0	0	0	0	0
5.1 Landscape sensitivity	-2	-2	-2	-2	-2	-2	-2
5.2 Settlement character sensitivity	0	-1	-1	-1	-1	0	0
6.1 Topography constraints	-1	-1	0	0	-1	-1	-1
6.2a Distance to gas and oil pipelines	0	0	0	0	0	0	0
6.2b Distance to power lines	0	0	0	0	0	0	0
6.3 Impact on Tree Preservation Order (TPO)	0	0	0	0	0	-1	0
6.4 Access to site	1	1	1	1	1	1	1
6.5 Contamination constraints	0	-1	0	-1	0	0	0
6.6 Traffic impact	-1	0	0	-1	-1	-1	0
<b>TOTAL</b>	-9	-14	-5	-7	-7	-7	-6
<b>Phase 2 Corrected Total</b>	-9	-15	-9	-8	-7	-7	-7
	<b>KEY</b>						
	(++)	2					
	(+)	1					
	0	0					
	(-)	-1					
	(--)	-2					



# Phase 2

PLANNING &  
DEVELOPMENT  
LIMITED