



MATTER 5

RESPONSES OF LOUGHTON TOWN COUNCIL ("LTC")

ISSUE 1

Housing Allocation Site Selection

Have the housing allocations been chosen on the basis of a robust assessment process?

1. Representations submitted by Loughton Town Council argued that the assessment process has not been robust in that it has not been reflective of the wider consultation process. In particular, when consultation was undertaken at the 'Community Choices' stage, it did not include Policy P2 (v) LOU R5, therefore it cannot be said that the identification of this site and its inclusion was supported by consultation.
2. The baseline evidence, namely Site Selection Report (document EB805) states that it is prepared in accordance with the NPPF, paragraph 158, which requires that Plans should be prepared "*using a proportionate evidence base*".
3. The assessment is in accordance with a process, however it is not clear as to whether the process has been sufficiently robust to be proportionate in accordance with this requirement.
4. The five stages of the assessment of sites in the Site Selection process are set out at paragraph 2.15 of document EB805. It is not clear as to how the stages of this assessment relate to the Plan and the objectives therein.
5. The Site Selection document then goes on to identify that there was provision, following consultation, to review the sites again (in a Stage 6) and "*where there are clear planning reasons the Council may then alter the assessment or discount draft site allocations.*"

6. The document goes on at paragraph 2.80 to explain that sites were considered in the context of the following:

“In terms of the distribution of residential development across the District, feedback from the Community Choices consultation and other stakeholders indicated that:

- growth should be spread across the District rather than focussed in specific settlements;*
- development potential within existing settlements should be maximised, focusing on brownfield land with higher densities where possible, before releasing land in the Green Belt;*
- opportunities for growth of North Weald Bassett should be maximised and;*
- development proposals should support the realisation of the emerging settlement visions.”*

7. All sites judged to meet these criteria could then be taken forward for further assessment. In the context of the sequential assessment in SP2, however, there is no mention in this assessment of the value of open space within settlements as a priority. Having set out in the ‘Community Visioning’ document that the “protecting of open spaces” was the highest priority in the Plan, this should also have been reflected in these priorities in the assessment of sites.

8. At paragraph 2.82 (EB805), it is noted that *“The indicative capacity arising from suitable sites within categories 1 to 4 were not considered to provide sufficient flexibility. It was anticipated that the number of sites deemed to be suitable, available and achievable and their associated development capacity would reduce following the further capacity and deliverability assessment. Also, some settlements had none or very little land located within the first four categories and it was felt that more sites should be put forward for testing in these locations in order to support a distributed pattern of growth across the District and assist in the realisation of the emerging settlement visions. Therefore, all suitable sites located in Green Belt adjacent to the settlement (whether that be land of greater value or*

most value to the Green Belt) within the following settlements were identified for further testing.”

9. This appears to suggest that, having applied specific criteria, it became apparent that there would not be enough capacity from the sites which met those criteria and at this stage, more sites which did not necessarily meet the criteria were included for consideration, which puts into question the robustness of this process.
10. In appendix B1 6.6 to EB805 (at B1099) in the assessment of Jessel Green it is said that *‘on site constraints were identified’* but that these could be overcome. It is not clear as to what these are or how they could be satisfactorily overcome, but again, in the context of the NPPF, it is preferable to deliver sites without constraints than to have to mitigate against impact.
11. Furthermore, this assessment seems to be identifying constraints on the site itself in the context of the impact of its delivery, rather than considering the wider impact in terms of loss of open space, in an already constrained area, which is a significant impact of its development. Whilst it is noted that, on the basis of capacity work, at paragraph 2.137 of EB805, the *“site allocations amended and overall quantum of development reduced on managed open spaces in response to representations to the Draft Local Plan and additional urban brownfield sites promoted in 2017”*, this does not adequately reflect the impact of the development or mitigate against it or show a robust assessment process in concluding that any development of this site continued to be acceptable. It is LTC’s case, as will be discussed at a later meeting, that LOU R5 should never have been selected or, if selected, should subsequently have been removed.

Question 4. Is the Sequential Approach in SP2(A) justified, particularly in respect of the value placed on open spaces within settlements?

12. In answer to the Inspector’s two questions, LTC submits:

- (i) If Policy SP2A is merely a reflection on what is alleged to have been the historic site selection process, then it is unnecessary, bearing in mind that such process has already been undertaken, and also it may not be entirely accurate.
 - (ii) If it is meant to be a strategic policy to determine future housing development, then it is incomplete since it is silent as to an important strategic objective, namely protection of the SACs.
 - (iii) Moreover, it is also unhelpful in that it refers to the adequacy of OS provision within a settlement, without identifying how that adequacy is to be determined. That omission runs throughout the Plan: see, for example Policy DM6B.
 - (iv) Given the importance of retaining well used OS, sequence (iii) should be down-graded in the sequential approach to follow (vii).
13. SP2(A) sets out the sequential approach to the delivery of sites and at iv, states that *“sites located on open space within settlements where such selection would maintain adequate open space provision within the settlement.”* The representations submitted by Loughton Town Council have clearly set out the lack of open space in the town of Loughton, and that the town is already heavily constrained by its location between the Forest to the west and the flood plain to the east. In this context, there is limited locations in which it can grow, but also has resulted in limited open space in the town as a result of its growth to date.
14. The first priority in the ‘Community Visioning’ document which commenced the consultation on this Local Plan, was ‘Protecting and Enhancing Green Spaces’. It is not therefore clear how the Plan has evolved from this strong priority to protect green spaces, to one where the development on open spaces is acceptable in the context of the sequential assessment set out in SP2.
15. Furthermore, in the case of Jessel Green, the development of this site cannot result in retention of ‘adequate open space provision within the settlement’ as it

will result in the loss of a significant amount of valuable and well used open space in an already constrained area.

16. That is not in accordance with paragraph 152 of the NPPF which states that:
“Local planning authorities should seek opportunities to achieve each of the economic, social and environmental dimensions of sustainable development and net gains across all three. Significant adverse impacts on any of these dimensions should be avoided and, wherever possible, alternative options which reduce or eliminate such impacts should be pursued. Where adverse impacts are unavoidable, measures to mitigate the impact should be considered. Where adequate mitigation measures are not possible, compensatory measures may be appropriate”.

17. The development on open space in areas which are already constrained in this regard, will have a social and environmental impact which cannot be adequately mitigated and further alternative options should be considered before such sites than is set out in the sequential approach in SP2.

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