

Epping Forest Local Plan Submission Version

Statement of Common Ground

Water Lane (Site) Policy SP 5.2

February 2019

Between:

- 1) Epping Forest District Council (EFDC) – the Local Planning Authority**
 - 2) Manor Oak Homes Ltd**
 - 3) The West Katherines Consortium (Comprising Taylor Wimpey, Persimmon Homes Limited & Martin Grant Homes)**
 - 4) Mr & Mrs Scofield**
 - 5) Mrs Marshall**
 - 6) Chelmsford Diocese Board of Finance (CDBF)**
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Summary

This statement of Common Ground has been prepared by the above parties to assist the Epping Forest District Council (EFDC) Local Plan (LP) Independent Examination by setting out the areas of agreement in respect of the delivery of the Water Lane Garden Town Community identified in Policies SP4 (Development & Delivery of Garden Communities in the Harlow and Gilston Garden Town) and SP 5 (Garden Town Communities), herein referred to as ‘the Site’. which is identified for allocation as part of the EFDC Local Plan Submission Version (2011-2033) (LPSV).

Manor Oak Homes Ltd are promoting the majority of land east of Epping Road contained within the southern portion of the Site (known as West Sumners). The West Katherine’s Consortium are promoting the majority of the area north of Water Lane (known as West Katherines). Mr & Mrs Scofield, Mrs Marshall and the CDBF are the land owners of parcels of land situated immediately to the south of Water Lane.

Background

EFDC has prepared a Local Plan which will cover the period 2011 to 2033.

The Local Plan Submission Version 2017 (LPSV) policies are supplemented by the Infrastructure Delivery Plan (IDP) – Part A and Part B Reports (EB1101A and EB1101B), and the emerging Harlow and Gilston Garden Town (HGGT)

Infrastructure Delivery Plan, which provide details of the infrastructure requirements for the site.

The key policy requirements for the Site are as follows:

- At least 2,100 homes up to 2033;
- 0.5 hectares for up to 5 traveller pitches within the allocation;
- Strategic 'green infrastructure' comprising natural/semi natural open space, walking and cycling routes, flood mitigation and wildlife space and new Green Belt defensible boundaries as indicated on the map;
- Provision of an appropriate level of Natural Green Space to mitigate the impact of the development of the Site on Epping Forest Special Area of Conservation;
- Provision of a local centre(s);
- Provision of new primary school accommodation with Early Years and Childcare provision on land of at least 2.5 hectares;
- Contributions towards new secondary school provision within the Garden Town or elsewhere to meet the needs arising from the development of the Site;
- The provision of appropriate community facilities on site;
- Contributions toward appropriate health facilities either on or off site;
- Securing appropriate necessary highway and transport improvement works to support the growth;
- Provision of satisfactory water supply and waste water network infrastructure for occupants; and
- Facilitating bus services and the delivery of direct pedestrian and cycle links between housing and the facilities that serve them.

Representations

All Parties agree that they support the sites allocation in the LPSV and have made Regulation 20 representations to the Council in response to the publication of the LPSV.

Latest Position

Manor Oak Homes Ltd entered into a Planning Performance Agreement (PPA) on 25/07/18. The Council is working with the West Katherine's Consortium towards entering into a PPA. No agreement is yet in place with Mr & Mrs Scofield, Mrs Marshall or the CDBF, however the Council would seek to enter into an agreement with these land owners.

The PPA process promotes efficient and effective joint working, front loads the planning process and assists in focusing the issues that will need to be addressed as part of the Strategic Masterplanning process and prior to the submission of planning application(s).

Engagement has taken place and is in ongoing between some of the parties, EFDC, Harlow District Council (HDC) and Essex County Council (ECC), along with other stakeholders in relation to the future delivery of various parts of the Site. Those

parties that have not been involved in previous discussions have been in contact with EFDC and are seeking to engage with all key stakeholders in bringing forward development on the Site.

All parties agree that a co-ordinated approach will be taken to the production of a single high level Strategic Masterplan for the Water Lane allocation site that would underpin detailed Strategic Masterplans for individual parcels of land within the Site which comprise the Water Lane allocated site, including West Katherine's - north of Water Lane, the parcels of land immediately south of Water Lane, and West Sumners – the southernmost portion of the Site. An indicative high level Strategic Masterplan is to be presented to the Quality Review Panel (QRP) in March 2019 and is to be produced, finalised and agreed by all parties.

All parties are seeking to work collaboratively and constructively with Epping Forest District Council, Harlow District Council and Essex County Council to progress the production of a high level Strategic Masterplan for the Site, in accordance with Policies SP 3 and SP 4 of the LPSV. Appendix 1 provides a summary of the emerging progress in developing Strategic Masterplan options for the sites.

It is anticipated that Draft Strategic Masterplans will be subject to public consultation in 2019, with formal endorsement by Epping Forest District Council and Harlow District Council to follow thereafter.

Areas of Common Ground

General:

All parties support the Water Lane Area allocation.

The parties agree with the overall vision and objectives that the LPSV sets out for Epping Forest District and the strategy to locate major development within Garden Town Communities adjoining the Harlow urban area.

The parties support the principles of the Housing Policies:

- Policy H 1 Housing Mix and Accommodation types
- Policy H 2 Affordable Housing
- Policy H 3 Rural Exception Sites

The parties support the principles of the Transport Policies:

- Policy T 1 Sustainable transport choices
- Policy T 2 Safeguarding of routes and facilities

The parties agree that these are: positively prepared; justified; effective; and consistent with national policy, in accordance with paragraph 35 of the National Planning Policy Framework.

The parties agree that the Water Lane site is developable in accordance with paragraph 47 of the National Planning Policy Framework (2012).

All parties agree that the Site comprises a suitable location for housing development and that there is a reasonable prospect that the totality of the Site is available and could be viably developed at the point envisaged, in accordance with Footnote 12 of the National Planning Policy Framework.

The parties agree that part of the residential development at the Site is considered to be deliverable within the first 5 years post adoption of the Local Plan (i.e. between 2019/20 to 2024/25). In line with the Housing Trajectory, 400 homes are considered deliverable within this period.

Housing:

The parties agree that the Site is capable of delivering the quantum of housing in accordance with the policy SP2 and Harlow and Gilston Garden Town Communities policies SP 4 and SP 5, included within the LPSV and the updated Housing Implementation Strategy (HIS) (EB410A and EB410B).

Infrastructure/viability:

A Garden Town Infrastructure Delivery Plan (IDP) is being produced for the Harlow and Gilston Garden Town. The IDP is being produced by Arup, on behalf of the Garden Town authorities:

- Harlow District Council;
- Epping Forest District Council;
- East Herts District Council;
- Essex County Council; and
- Herts County Council.

The purpose of the Garden Town IDP is to:

- identify the infrastructure required to support housing and employment growth across the Garden Town, when it needs to be delivered and how much it is expected to cost;
- identify which sites will be expected to deliver or contribute to infrastructure; and
- apportion estimated infrastructure costs to specific sites.

The work draws together previous studies undertaken by the Councils and other stakeholders. In particular, the work builds upon the three IDPs produced by East Herts District Council, Epping Forest District Council and Harlow District Council.

Separate work on strategic viability is also being produced on behalf of the Garden Town local authorities. The Harlow and Gilston Garden Town Viability Study (produced by HDH Planning and Development) will assess the viability of the strategic sites within the Garden Town, taking into account the infrastructure requirements established by the IDP.

Both the IDP and Strategic Viability Study are being informed by an ongoing process of engagement with stakeholders, including infrastructure providers and

developers. This accords with national planning policy and best practice. The findings of the Studies will be reported to the Garden Town Developer Forum and endorsed by the Garden Town Board in Spring 2019.

The infrastructure required to support the delivery of the Garden Town sites is identified and set out within respective Infrastructure Delivery Plans, and the viability of these requirements is assessed through District level Viability Studies, in order to inform and support Local Plans. However, the production of the Garden Town IDP and Viability Study recognises the need to coordinate the planning and delivery of complex strategic infrastructure over the entire plan period (and beyond) across the entirety of the Garden Town, covering three District Council areas and two County Council areas.

Once complete, the Studies will then be endorsed by the respective local planning authorities of the Garden Town as material planning considerations for decision-making, and will form key planning policy documentation alongside Local Plans. The County Councils will also endorse the documents alongside existing strategies relating to the delivery of infrastructure.

All parties support the above approach and are working constructively with relevant Local Authorities in order to progress this work in a timely and robust manner.

Flood Risk:

The Environment Agency's Flood Map confirms that the majority of the Site lies within Flood Zone 1 (land assessed as having a less than 1 in 1000 annual probability of river or sea flooding) with an area along the Parndon Brook within Flood Zones 2 and 3.

All parties agree that the quantum of residential development and associated education facilities and local centre can be directed to and accommodated within those areas of the site at lowest flood risk (Flood Zone 1). Furthermore, in line with the National Planning Policy Framework, inappropriate development in areas at risk of flooding shall be avoided.

Drainage:

All parties agree that the proposed development will make provision for drainage, via a mains sewer system and surface water via a sustainable drainage system (SUDS). It is agreed that an objective of a SUDS scheme is to control run-off emanating from development in such a way as to not increase the run-off rates beyond that of the existing run-off, thereby not increasing the risk of flooding.

All parties agree to make provision for ongoing stewardship arrangements regarding SUDS.

Ecology:

Limited priority habitats are on the Site and all parties agree that these are not a constraint on the overall delivery of the site. The intended public open space, Suitable Alternative Natural Green Space (SANGS), green infrastructure and

landscaping and retention of trees will all ensure the opportunities for biodiversity and movement of species are retained and enhanced.

Part of the Water Lane allocation site is located 5.75km from the Epping Forest Special Area of Conservation (SAC), which is identified primarily for its habitat value in respect of beech trees and wet and dry heaths. The Site will include greenspaces to meet the recreational needs of future residents of Water Lane and an appropriate level of SANGs will be needed to reduce visitor and recreational pressure from Epping Forest Special Area of Conservation (SAC) arising from those parts of the development within the Zone of Influence.

Only part of the proposed Garden Town Communities within Epping Forest District falls within the Zone of Influence however a strategic approach is to be taken to maximise the opportunities that exist to provide sufficient meaningful areas of open space with the necessary attributes to attract new residents, and some existing residents, to use that space.

Opportunities exist to ensure that the Site meets its leisure and recreational needs and give rise to a reduced pressure on the Epping Forest SAC. The Habitat Regulations Assessment (2019) sets out the requirements for developments and the Strategic Masterplan will seek to comply with these requirements.

All parties are exploring the options for providing appropriate SANGS across the Harlow and Gilston Garden Town at a level relevant to development on the allocation Site, along with the potential payment of an appropriate "financial contribution to access management and monitoring of visitors to the Epping Forest SAC".

Subject to this, all parties agree that the potential granting of planning permission for new development at Water Lane is not likely to have a significant effect on the Epping Forest SAC (either alone or in combination with other plans or projects).

Transport:

All parties are committed to facilitating the timely delivery of necessary highway and transport infrastructure improvements, including bus services and direct pedestrian and cycle links between housing and the facilities that serve them as well as necessary highway and transport improvements.

The parties are also committed to the delivery of the relevant elements of the east/west Sustainable Transport Corridors as they apply to the Water Lane site, along with the establishment of an integrated, accessible and safe transport system which maximises the use of the sustainable transport modes of walking, cycling and the use of public and community transport.

Education:

It is agreed that the site should provide at least 2.5ha of land for educational uses to include a new primary school and Early Years and Childcare provision in addition to contributions towards a new secondary school provision within the Garden Town and Early Years Facilities based on the needs arising from the development.

The location, design parameters and delivery arrangements for new education provision will be set out within the Strategic Masterplan for the Water Lane allocation site, in accordance with the Infrastructure Delivery Plan.

Affordable housing:

All parties agree that the site should provide a mix of different size dwellings and tenures including affordable housing, informed by housing needs identified by the latest evidence, including the Strategic Housing Market Assessment (EB405).

The mix of the affordable housing will be aligned to the identified need for affordable housing in the District.

All parties agree that if there is a need, the site will provide opportunities for the provision of custom and self-build housing plots in line with emerging Local Plan Policies H 1 and SP 4 and shaped by the Strategic Masterplan for the Water Lane allocation.

Landscape and Open Space:

All parties agree that the Site requires provision of development within a landscape framework in order to mitigate visual impact on the surrounding landscape. The details of this are to be agreed as part of the Strategic Masterplan process.

Inspectors Matters, Issues & Questions

MIQ Matter 4 Issue 5 question 2: The parties agree that the allocation site passes the Sequential Test required by paragraph 100 of the NPPF and that no built development will be permitted within Flood Zone 2/3, except for essential infrastructure and water compatible developments.

MIQ Matter 8 Issue 4 question 7:

The West Katherine's Consortium currently has options over a significant proportion the land allocated at West Katherine's. In addition, the West Katherine's Consortium is contracting on additional land within the allocation and has an option on c.10ha (26 acres) of land to the north of Old House Lane which is capable of being used for mitigation, should it be needed. The remaining landowners within the West Katherine's section of the allocation who do not form part of the West Katherine's Consortium support the land coming forward for residential re-development. West Katherine's Consortium are leading on producing a detailed Strategic Masterplan for the West Katherine's parcel to the north of Water Lane. The other landowners who do not form part of the West Katherine's Consortium will have the ability to input into this Strategic Masterplan for this area.

The West Katherine's Consortium currently controls a substantial proportion of the allocation between Old House Lane in the north and Water Lane in the south. Currently, this includes the ability to form means of access from Water Lane in a manner which has been discussed with and is agreeable to the Local Highway Authority. In addition, it also means that the boundary adjoins the adjacent established residential area of Katherine's to the east. Furthermore, the land

currently under West Katherine's Consortium control would allow for the phased delivery of on-site infrastructure including a two-form entry primary school, local centre, sport/recreational facilities and green infrastructure.

There is a reasonable prospect that the totality of the Site will become available and could be viably developed during the plan period. Furthermore, the West Katherine's Consortium comprises national house builders with a strong track record of delivery. Phases of residential development at West Katherine's area are deliverable within the first 5 years post adoption of the Local Plan (i.e. between 2019/20 to 2024/25).

Manor Oak Homes has control over a significant proportion of the land allocated at West Sumners and are leading on the production of the detailed Strategic Masterplan for this parcel. Other landowners within the West Sumners area of the allocation will have the ability to input into this Strategic Masterplan.

The land within Manor Oak Homes control forms a continuous parcel that lies between Epping Road to the south, Parsloe Road to the east and the existing Sumners and Kingsmoor neighbourhoods to the north and east. It is capable of access by all modes of travel from Epping Road, Parsloe Road and Bradley Road within the existing Sumners neighbourhood and of providing on-site SANGs. It offers the opportunity to provide necessary infrastructure and support facilities either on-site or off-site (or both) as part of the regeneration of the existing Sumners Hatch Local Centre.

The West Sumners parcel is available and there is nothing to suggest that it could not be viably developed at the point envisaged with phases of residential development capable of delivery within the first 5 year period post the adoption of the Local Plan (2019/20 – 2024/25) as assumed by the Council's housing trajectory.

Mr and Mrs Scofield, Mrs Marshall and CDBF are the landowners of a substantial parcel of land c.6ha (15 acres) in size which is situated immediately to the south of Water Lane. This parcel, which is capable of access by all modes of travel from Water Lane, is available for development and is capable of delivery within the first 5 year period post the adoption of the Local Plan (2019/20 – 2024/25).

MIQ Matter 8 Issues 4 question 8: All parties agree that policy SP 5(G) and DM 7, along with the control through the Master planning process and the Harlow and Gilston Garden Town Design Guide are sufficient to ensure that the Water Lane allocation will lead to less than substantial harm to the Nazeing and South Roydon Conservation Area and other Heritage Assets. The means of achieving this will be set out within the Strategic Masterplan for the site.

Milestones

All parties envisage the following key milestones:

Q3 2019 - Submission of Strategic Masterplan to EFDC

Q4 2019 - Submission of planning application

Phasing and Delivery

The parties agree that the allocation shall be phased and delivered in line with the Council's Housing Trajectory as follows:

2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	2031/32	2032/33
100	200	200	200	200	200	200	200	200	200	200


Conclusion

The parties agree that development at the Water Lane site would make a significant contribution to the need for housing, including affordable housing, in the District.

The parties are committed to continue to work together to secure the delivery of the site in accordance with the policies, requirements and principles set out in the EFDC Local Plan Submitted Version.

Signed

On behalf of Epping Forest District Council:

Name: 

Date: 20/2/19

On behalf of Manor Oak Homes Ltd:

Name:

Date:

On behalf of The West Katherine's Consortium:

Name:

Date:

On behalf of Mr & Mrs Scofield:

Name:


Date:

On behalf of Mrs Marshall:

Name:

Date:

On behalf of The Chelmsford Diocese Board of Finance:

Name: 

Date: 20th February 2019

Signed

On behalf of Epping Forest District Council:

Name:

Date:

On behalf of Manor Oak Homes Ltd:

Name:...



Date: ...20th February 2019.....

On behalf of The West Katherine's Consortium:

Name:

Date:

On behalf of Mr & Mrs Scofield:

Name:

Date:

On behalf of Mrs Marshall:

Name:

Date:

On behalf of The Chelmsford Diocese Board of Finance:

Name:

Date:

Signed

On behalf of Epping Forest District Council:

Name:

Date:

On behalf of Manor Oak Homes Ltd:

Name:

Date:

On behalf of The West Katherines Consortium (Comprising Taylor Wimpey, Persimmon Homes Limited & Martin Grant Homes):

Name: 

Date: 21 February 2019

On behalf of Mr & Mrs Scofield:

Name:

Date:

On behalf of Mrs Marshall:

Name:

Date:

On behalf of The Chelmsford Diocese Board of Finance:

Name:

Date:

Signed

On behalf of Epping Forest District Council:

Name:

Date:

On behalf of Manor Oak Homes Ltd:

Name:

Date:

On behalf of The West Katherine's Consortium:

Name:

Date:

On behalf of Mr & Mrs Scofield:

Name: ..FRANCESCA HILL - SWORDERS (AGENT)

Date:20/2/19.....

On behalf of Mrs Marshall:

Name: ..FRANCESCA HILL - SWORDERS (AGENT)

Date:20/2/19.....

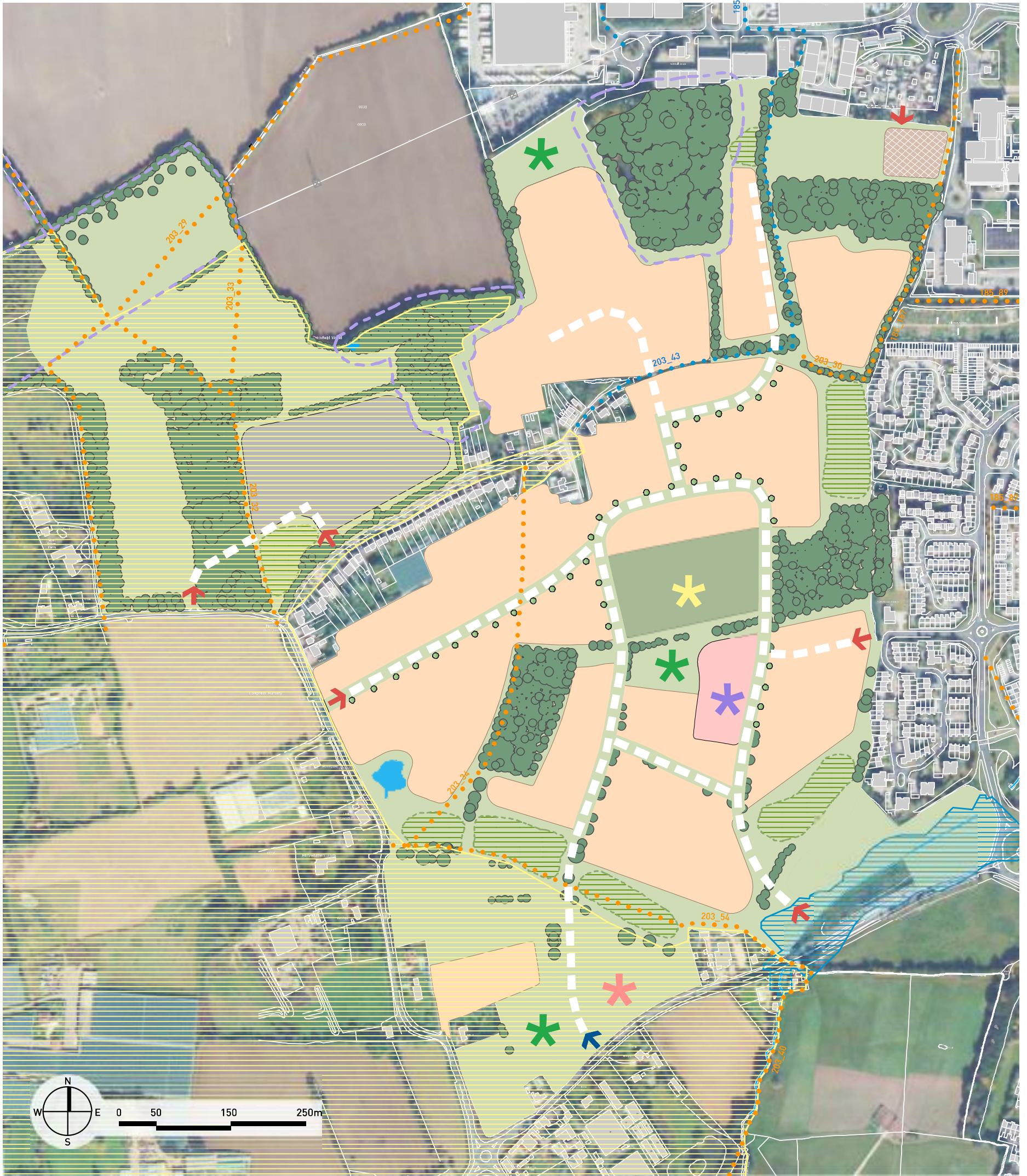
On behalf of The Chelmsford Diocese Board of Finance:

Name:

Date:

APPENDIX 1 – Progress on Strategic Masterplan options

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KEY

- POTENTIAL DEVELOPMENT
35.2HA
- GREEN INFRASTRUCTURE
- EXISTING VEGETATION
- PRIMARY SITE ACCESS
- POTENTIAL SECONDARY SITE
ACCESS

- PRIMARY VEHICULAR
MOVEMENT
- NAZEING & SOUTH ROYDON
CONSERVATION AREA
- FLOOD ZONES 2 & 3
- LOCAL WILDLIFE SITES /
ANCIENT WOODLAND (WITH
15M MINIMUM BUFFER)
- POSSIBLE TRAVELER SITE
FOR 5 PITCHES

- EXISTING WATER BODIES
- POTENTIAL LOCATION FOR
ATTENUATION AREAS
- EXISTING PROW
- EXISTING BRIDLEWAY
- POSSIBLE FUTURE
DEVELOPMENT
3.441HA

- POSSIBLE LOCATION FOR
CHILDREN'S PLAY AREAS
- POSSIBLE LOCATION FOR
SPORTS PITCHES
- POSSIBLE LOCATION FOR
PRIMARY SCHOOL
- POSSIBLE LOCATION FOR
MIXED USE AREA
- PROPOSED NEW STREET
TREES

WEST KATHERINES - CONCEPT FRAMEWORK PLAN

Pegasus
Design



KINGSMOOR

BROADLEY
COMMON

120475

SAND
D. T. HA

Concept Masterplan - 04

Draft Strategic Masterplan
West Summer
For: Manor Oak Homes



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DATE	TIME	STATUS	REMARKS
14/02/19	PM/5:00	PM	MANO170325 CMP-04

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