

## **Epping Forest Local Plan**

### **Examination Hearing Statement**

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#### **Matter 15 – Places and Sites (Policies P1-P15)**

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Prepared by Strutt & Parker on behalf of Countryside Properties Ltd (19LAD0095)

April 2019

## Context

1. Strutt & Parker have participated in the plan-making process on behalf of Countryside Properties (Stakeholder ID 19LAD0095) through the preparation of the Epping Forest Local Plan, and in relation to land at North Weald Bassett (NWB). This has included representations on the Local Plan Submission Version (LPSV) (Regulation 19) consultation (Representation ID 19LAD0095-1 and 19LAD0095-27).
2. Countryside Properties have the principal land interests in relation to the NWB residential site-specific allocations at P6 and NWB.R1 to R.5. They have control of NWB.R3, Land South of Vicarage Lane, proposed for allocation for approximately 728 homes; the largest of the 5 allocations at NWB.
3. Countryside Properties' overall position is one of firm support for the LPSV. To this end, Countryside Properties have signed a Statement of Common Ground (SoCG) which confirms the areas of agreement on the NWB Masterplan Area agreed with EFDC and the other NWB Masterplan Area landowners.
4. This Statement sets out some overarching concerns regarding matters of detail and soundness but, subject to some modest modifications to the LPSV, it is considered the Local Plan can be made sound.
5. This Hearing Statement is made in respect of Matter 15 – Places and Sites (Policies P1-P15). It addresses Issue 1, in so far as matters relate to Policy P6 NWB where we consider comments to be necessary; and Issue 2 relating to Policy P6.
6. We have sought to avoid repeating any matters which were raised within our representations on the LPSV unless we are drawing attention to any specific points of reference to aid clarity.

7. The following appendices accompany this Statement:

- Appendix A: Suggested modifications – Policy P6
- Appendix B: Transport Note – Icen
- Appendix C: North Weald Bassett Masterplan Area
  - The Site and Surrounding Features (Constraints)
  - Draft Illustrative Concept Plan
- Appendix D: Green Belt and Landscape Review – David Jarvis Associates Ltd

## **Issue 1: Are Policies P1-P15 justified, effective and consistent with national policy?**

### **Q1 Appendix 6**

8. As far as P6 NWB is concerned, it will be noted that, contrary to paragraph 5.91 of the LPSV, Appendix 6 (pages 117 – 124) provides no site specific requirements, or commentary in contrast to other site allocations in the document. In accordance with 5.13 of our Regulation 19 representations, it appears an error that Appendix 6 does not contain those requirements. It is questionable whether it is actually necessary to set out such requirements within Appendix 6 for this and perhaps other allocations, when the policies in the LPSV are intended to provide for site specific requirements.
9. We would suggest that it is only necessary for the wording of the policies for P1-P15 to set out site specific requirements and there is no need to repeat those requirements at Appendix 6.
10. We also note that page 123 of Appendix 6 refers to a “minimum net capacity” of 1,050. There are inconsistencies between the expression of capacity here, Policy P6 and that agreed in the SoCG where capacity is expressed as “approximately”. Notwithstanding our suggestion at 9 above, if Appendix 6 is to be retained, density should be expressed as “approximately” for consistency.

### **Q2 Infrastructure Requirements: P1 to P15**

11. As far as P6 is concerned, there are certain elements set out within the policy which may benefit from rationalisation or clarification to reflect the tests of the NPPF and matters agreed at 7.1 of the SoCG. We have therefore suggested some amendments to the policy in so far as it relates the North Weald Masterplan Area, provided at Appendix A to this Statement.

**Q5 Flood risk and air quality : Policies DM15 and DM22**

12. We support the deletion of the requirement for flood risk and air quality to be deleted from Policies P1 – P15 to avoid unnecessary duplication; this assumes Policies DM15 and DM22 are to be retained. Our proposed modifications to P6 at Appendix A take this into account.

**Q6 Maps : Site Allocations**

13. We would suggest that it is not necessary for the Map Legends to provide for other uses, including schools as specific site allocations. Certainly for strategic sites such as P6, the requirement set out by policy would be dealt with as part of the iterative Masterplan process confirmed at 15.1 of the SoCG and Part L (now M – EB1508H) of Policy P6.

**Issue 2: Are the Plan's policies for the specific places and sites within the District justified, effective and consistent with national policy; and are the specific site allocations they include justified and deliverable**

**Policy P6: NWB**

*General Matters*

**Q1 Impact upon Junction 7/7a of the M11.**

14. EFDC's IDP Part B Report [EB1101B] and IDP Delivery Topic Paper : Highways and Education Apportionment Addendum (EB1101E and E i) do not set any requirements for mitigation to Junction 7 or provision for Junction 7a of the M11 to enable the delivery of P6. EFDC's Statement on Matter 8 Issue 2 and Q1 – Garden Town Communities - is that the delivery of Junction 7a is "already fully funded". The improvements to Junction 7a are not therefore dependant on financial contributions from development to be allocated in the LPSV (para 20 page 7). It is our understanding that the planned growth at NWB can be accommodated by those improvements and by that funding. EB1101B also sets out the funding arrangements for Junction 7 by the development at Latton Priory (para 21) and as confirmed in the SOCG for Latton Priory, or in the longer term (paras 22 and 23).
15. Countryside Properties' Transport consultants, Icen, have provided further information which appears at Appendix B. This confirms at 1.7 that the predicted number of trips and percentage impact (1.7% - 1.9%) on the M11 J7 is expected to be negligible; in the order of two additional vehicles per minute during the AM and PM peaks. "Therefore, the impact is expected to be indiscernible from daily fluctuations in traffic and unlikely to have any severe effects".

**Q2 Public Transport Provision**

16. The Draft SoCG between EFDC and ECC Summary Update at EB1508A provides for modifications to promoting sustainable transport choices at 5.99a (page 7) and Part F or Policy P6 (pages 9 and 10). We support those proposed modifications.

17. We also support EFDC's highlighted point on the area of disagreement between EFDC and ECC, set out at pages 5 and 6 in EB1508A for the reasons set out by EFDC. We agree that ECC's suggested wording for the point for the planned growth at Epping and NWB is unrealistic; it would not be feasible "to ensure impacts on the wider road network are similar to existing levels".
18. The choice of NWB and Epping for strategic growth results from an extensive site selection process that has been the subject of detailed submissions up to and for this Examination. Transport mitigation measures for that growth is provided for in the LPSV and the associated policies as well as the IDP.
19. The SoCG entered into by the landowners and EFDC acknowledges the policy requirements at 2.6. Section 14 of the SoCG confirms that the parties are committed to the delivery 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 transportation. The Transportation Note at Appendix B confirms the opportunities to link into and provide for sustainable transport modes to accommodate the development.
20. Detailed work is already underway on the Masterplan process for NWB with the intention to align with an emerging North Weald Bassett Neighbourhood Plan (NWBNP). We have embarked on detailed consultation with the NWBNP Steering Group and carried out workshop sessions with EFDC and ECC. Having regard to EFDC's policy requirements, it is acknowledged that a key objective is to provide for increased public transport provision as part of site planning. This is reviewed at Appendix B to this Statement. Contact with providers has been established to take forward proposals for improved/increased public transport provision. Our initial Concept Masterplan at Appendix C illustrates proposals for bus access within the Masterplan Area.

### *Site Specific Matters*

21. As confirmed in the SoCG, the landowners and developers for the NWB Masterplan Area are to enter a Planning Performance Agreement and are working collaboratively on the preparation of a Masterplan. We have undertaken a series of detailed site assessments to understand site constraints and workshops with EFDC, ECC and the NWBNP Steering Group. We have been able to review site specific issues that will influence and inform the Masterplan process as part of that iterative process. An illustrative Concept Plan provided at Appendix C helps show how the site could be developed. Clearly the Plan will be subject to further refinement, detail and change as the process continues. The Illustrative Concept plan shows possible access locations and arrangements with final details to be agreed through the masterplan and consultation process. It is provided at this stage to illustrate that the Masterplan Area can come forward to meet the requirements of Policy P6. It is also helpful in showing how the matters raised in representations are being taken into account or addressed with regard to Q3 below.

### **Q3 North Weald Golf Club and R3**

22. For the purposes of this Statement, we do not provide a commentary on the reasons for the rejection of the North Weald Golf Club as an alternative to sites allocated within the Masterplan area. This is considered to be principally a matter for EFDC.
23. There are six fundamental reasons why R3 is entirely suitable for allocation:
- EFDC's Landscape Sensitivity Study 2010 (EB712) identified R3 as part of a larger area south of Vicarage Lane of Moderate Sensitivity to change rather than High (east of NWB) or having Urban Greenspace Character (North Weald Golf Club).
  - The sites making up R3 (SR77 and 0158A - Call for Sites references) were identified as part of the Allies and Morrison Masterplanning Study (EB1003A) as being suitable for growth in part of Option 2, and in total, as part of Option 3 of the three spatial options set out in the document. The Study (which was subject to local consultation and workshops) then went on to identify the site in all or part of 4 of the six growth scenarios (pages 120 to 125).



- It is critical to note that the site was proposed for allocation by EFDC in the 2016 Consultation Draft Version of the Local Plan (shown as sites SR0076 and 0158A). The proposal for the allocation was supported by evidence confirming its sustainability and sustainability for delivering housing to assist meet the vision for NWB set out in the Consultation and draft Policy P6.
- The proposed allocation of R3 should be viewed in the context of its location adjacent to the existing built up area of NWB on its southern and part eastern boundaries, the Primary School and Community Centre to the east of North Weald Airfield to the west. As such it already enjoys excellent community links to NWB and its facilities as an opportunity to provide a sustainable urban extension. Indeed, the proximity to the planned North Weald Airfield Masterplan Area would be a fundamental to the Vision set out for NWB to realise “a long term future as a larger provider of employment, housing and services within Epping Forest District”.
- The masterplanning process underway and illustrated in the accompanying appendices has been able to confirm that there are no overriding constraints to delivery. These are matters also dealt with at Para 24 below.
- R3 in combination with the other allocations that make up the Masterplan Area will make an important contribution to meeting the infrastructure requirements set out for P6 and the objectives for the Masterplan Area set out at L of the current LPSV in a coherent and coordinated manner.

24. Detailed environmental and infrastructure capacity is being undertaken as part of the Masterplan process. This has confirmed that there are no impediments to the development of R3. The objections in the representations made at Regulation 19 Stage have referred to the following matters:

- *Insufficient infrastructure* - Points of connection are available for all services. There is an intermediate pressure gas pipeline that passes through the site that requires an easement; this will be incorporated in the Masterplan. Assessment work has been undertaken for vehicular access. This confirms that Vicarage Lane will be capable of providing for access to the site and that it would be able to accommodate the traffic associated with the development and provide for bus services.
- *Flood risk and drainage* – A small area in the south western corner is Flood Zone 3. The vast majority of the site falls within Flood Zone 1 where there would be no

objections to housing. Surface water retention and / or drainage is being dealt with as part of the Masterplan process.

- *Land contamination* – Site investigations have shown that there is no risk from contaminated soils.
- *Loss of agricultural land* – Specific studies for R3 have shown that only 4ha is of 3a value. The rest, 34ha is 3b. This is not land of the highest quality. Moreover, the loss of agricultural land is in any event inevitable and necessary to meet EFDC's housing requirements.
- *Archaeology* – Investigations have shown that there are no significant archaeological interests on the site.
- *Environmental/smell nuisance*: Detailed odour assessments have been undertaken by accredited air quality consultants which show a limited impact at the south western corner of the site. This coincides with the area at higher risk of flooding and would not prevent the development of the site.
- *Ecology* – Investigations have shown that there will be no harm to any statutorily protected species. The Masterplan process can ensure retention and enhancement of biodiversity and habitat across the site. The SoCG at Section 12 confirms the agreed approach with EFDC to providing for Alternative Green Space (ANGS). The Concept Masterplan shows illustrative ideas for the achievement of on site open space having regard to 12.3 of the SoCG.
- *Loss of trees* – Protected trees will be retained. The Masterplanning exercise will provide for new landscaping across the site.
- *Loss of green land* – The site does not comprise of public open space. The Masterplanning process will provide for accessible open space and a network of footpath/cycle links to enable connectivity to open areas and the wider countryside.
- *Lack of facilities* – The requirements for the Masterplan provide for a new local centre to include community, retail and health facilities.
- *Air quality* – Any proposals for the site will be required to undertake an assessment in accordance with the policies of the Local Plan.
- *Loss of Green Belt* – This is dealt with at paragraphs 26 - 31 below.
- *Impact on residential amenity* – The early phase of the Masterplan process show that consideration is being given for a sensitive edge treatment where existing housing abuts the site. Green “buffers” can be part of that treatment.

**Q4 Conservation or enhancement of the heritage assets : requirements of legislation and national policy**

25. We have no objections to the wording of the policy being changed and amendments are suggested at Appendix A.

**Q5 What effect would the development of the following sites have on the purposes of the Green Belt**

26. This Statement is accompanied by an analysis of the Green Belt considerations relating to the allocations of NWB R1 – R5, prepared by David Jarvis Associates at Appendix D.

27. This provides a commentary on EFDC's evidence base that has led to the proposed allocations for NWB and the assessments of effect that development would have on Green Belt purposes. In particular:

- Settlement Edge Landscape Sensitivity Study (2010) (EB712) which shows the NWB Masterplan Area as a part of Area 2 and indicates that it makes only a moderate contribution to the openness of the Green Belt and a limited contribution in preventing neighbouring towns from merging into one another.
- The NWB Masterplanning Study (2014) (EB14) confirmed that any development in the location of the masterplan area shown in the LPSV (NWB.R 1-5) would probably have a lesser impact on the aim and purposes of the Green Belt because it has a limited role in preventing neighbouring towns from merging. Indeed, the existing settlement to the east and the airfield and M11 to the west means that this area of land is isolated from other nearby settlements.
- The Stage 1 Green Belt Review (2015) (EB704A) showed the masterplan area within Parcel DSR-010 and 011. It confirmed that the land plays a range of contributions across the purposes of the Green Belt and recommended that it go forward for a Stage 2 Review.
- The Stage 2 Green Belt Review (2016) (EB705A) which concluded that Parcel 010.2, which includes the masterplan area, makes only a moderate contribution to two of the purposes of the Green Belt, and no contribution to the remaining two

purposes assessed. Of the ten parcels assessed around NWB Parcel 010.2 emerged as one of the most suitable for development.

28. The DJA Note confirms the Masterplan Area is well enclosed and acts as infill, defined by the settlement to the south and east, Gullet Brook to the west and Vicarage Lane / A414 to the north, and is separated from the airfield by Church Lane and Gullet Brook and associated road and stream side vegetation. The allocation would form a logical extension to settlement.
29. Other areas around the edge of the settlement would be properly classed as outward extensions of the village.
30. The NWB Masterplan Area must also be viewed in the context of the further development of the airfield for employment uses. The NWB Airfield Masterplan Area contains NWB.E3 and E4 which have been identified for employment development. NWB.E3 is an existing site designated for employment uses. NWB.E4 is designated for employment uses with a further allocated expansion for B Use Class employment uses.
31. The release of the NWB Masterplan Area from the Green Belt would result in low harm to the purposes of the Green Belt as evidenced by EFDC's evidence base and its allocation is supported by the Green Belt Review.