

**EPPING FOREST
DISTRICT LOCAL PLAN
EXAMINATION**

**MATTER 15: POLICY P1
EPPING**

ID: 19LAD0121

HEARING STATEMENT

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MATTER 15 – POLICY P1 EPPING

Introduction

- 1.1 This Matter 15 Statement has been prepared by Carter Jonas LLP on behalf of Pigeon Investment Management Ltd (Pigeon) to respond directly to the Inspector's questions for this Matter. The Statement only responds to the Inspector's Questions which are relevant to Pigeon's interests. Representations were submitted to the Epping Forest District Local Plan 2011-2033 (EFDLP) on behalf of Pigeon (Id. 19LAD0121). Pigeon are promoting land East of Epping for a residential-led mixed use development for around 400 dwellings (or greater)(Site Ref. SR-0153), which is generally consistent with the 2016 draft EFDLP (Regulation 18) which proposed at least 930 homes shared between South (not the Regulation 19 South) and East, but with East having a frontage onto Stewards Green Road included to provide independent access to East Epping and south being land east of the railway line. Pigeon has also promoted a more extensive area of land at East Epping based on Garden Settlement principles, replacing the allocation of 950 homes South of Epping. Alternatively, East Epping could in full or part supplement the South Epping preferred allocation.
- 1.2 East Epping has been promoted as a site that could deliver a mix of uses providing added benefits for Epping, including: a range of housing typologies including a high proportion of bungalows and self-build plots; a high quality mixed use community hub which could include a local convenience store and doctor's surgery and car parking to serve the local facilities and nearby tube station; a C2 Care Village; Primary School site; potential leisure centre with sports pitch provision; and an Eastern link road between Steward's Green Road and Stonards Hill which would assist in reducing traffic having to travel through the Town Centre.
- 1.3 The Pigeon representations relevant to Matter 15 including Policy P1: Epping and Site Specific Matters: EPP.R1 & R2 (South Epping Masterplan Area) are as follows:
 - Vision for Epping – Rep Id. 19LAD0121–23
 - Policy P1 – Rep Id. 19LAD0121–24

MATTER 15: Policy P1 Epping

Policy P1: Epping

General Matters

1. Should Part K concerning the Strategic Masterplan for South Epping recognise the constraint presented by the National Grid High Voltage Electricity Overhead Line which crosses allocated sites EPP.R1, R3 and E1? (Reps N Grid).

- 1.4 It is considered that the high voltage electricity overhead line located on the southern boundary of the proposed South Epping allocation should be referred to in Part K of Policy P1. An appropriate safety clearance buffer will need to be incorporated into the South Epping site to take into account the overhead line. The presence of the overhead line will have implications for the amount of land available for development at the site, the design and layout, and the location of landscaping and open space.

Site Specific Matters

5. EPP.R1 & R2 (South Epping Masterplan Area):

Is this allocation justified in respect of the following matters:

a. Is the area a sustainable location for significant expansion considering its relationship to the existing town centre, particularly in respect of distance and topography? How will additional traffic be managed if it is necessary for new residents to use a car?

- 1.5 It is considered that the South Epping site is less sustainable in transport terms and less accessible by sustainable modes of transport in comparison to other options for residential development on the edge of Epping, including the site promoted by Pigeon at land East of Epping. In order to be sound, it needs to be demonstrated that the most sustainable locations have been selected for allocation in EFDLP.
- 1.6 Transport sustainability should and must be a key factor in determining the spatial strategy for development. Land East of Epping is well positioned to integrate with the existing urban area of Epping and provide a significant number of sustainable transport trips – taking full advantage of its proximity to the public transport hub at Epping Underground Station and services and facilities in Epping High Street and surrounding area.
- 1.7 MLM have prepared figures to show walking distances and the topography for the South Epping and East of Epping sites – see **Appendix 1**.
- 1.8 The Amenity & Accessibility Plan for South Epping shows actual 400m, 800m and 1,200m walking catchments from a point of origin at the northern boundary of the eastern land parcel of South Epping. The catchments show the existing services and facilities that are accessible from the site within a 5, 10 and 15 minute walk respectively. Epping Underground station would be accessible within a 1,200m walk from the point of origin – this is not considered to be within an ‘acceptable’ walking distance for commuting journeys based on Table 3.2 of the IHT publication ‘Guidelines for Providing for Journeys on Foot’. Epping High Street and its associated services and facilities would be more than a 1,200m walk from the point of origin.
- 1.9 The Amenity & Accessibility Plan for East of Epping shows actual 400m, 800m and 1,200m walking catchments from a point of origin at the western boundary of land East of Epping. The catchments show the existing services and facilities that are accessible from the site within a 5, 10 and 15 minute walk respectively. Epping Underground station would be accessible within a 400m walk from point of origin – this is a ‘desirable’ walking distance for commuting journeys based on Table 3.2 of the IHT publication ‘Guidelines for Providing for Journeys on Foot’. Epping High Street and its associated services and facilities would be accessible within a 1,200m walk from the point of origin.
- 1.10 Figure 3 shows the topography of Epping in the form of contour mapping. It shows that gradients increase from south to north. Analysis of Figure 3 confirms that the gradient changes from land East of Epping to key local destinations are far more favourable than those from South Epping:
 - A walking trip from South Epping to Epping High Street would involve a gradient increase from 59m AOD to 107m AOD. The corresponding walking trip from land East of Epping would involve a lesser gradient increase from 74m AOD to 107m AOD.
 - A walking trip from South Epping to Epping Underground Station would involve a gradient increase from 59m AOD to 87m AOD. The corresponding walking trip from land East of Epping would involve a lesser gradient increase from 74m AOD to 87m AOD.
- 1.11 It is considered that the closer proximity and more favourable topography between land East of Epping and Epping Underground Station and High Street would also provide benefit to and encourage a higher proportion of walking and cycling journeys from land East of Epping.
- 1.12 The analysis of walking catchments and topography presented above is supported by Journey to Work transport modal share data from the 2011 Census which shows that South Epping (represented by Census Zone ‘Epping Forest LSOA 006D’) is very likely to have less sustainable travel patterns and a greater level of car dependency compared to land East of Epping (represented by the Census Zone ‘Epping Forest LSOA 006B’) – with a corresponding car driver modal share of 46% and 42% respectively.
- 1.13 Therefore, it is considered that the allocation at South Epping will not meet transport related sustainability objectives and will be heavily car reliant, because of the distance from the Town Centre and Epping Station as well as the topography which requires a more challenging uphill walk into Epping, which will further discourage the use of more sustainable transport options
- 1.14 In addition, it is considered that the decision not to allocate the site promoted by Pigeon, at land East of Epping, means that an opportunity has been missed to direct development to a highly sustainable location on the edge of Epping which is accessible to the facilities within the Epping Town Centre and Epping Station by

walking and cycling. The site is less than 5 minutes' walk from the station with the ability to deliver an enhanced footpath link. The site also benefits from good bus service provision and the town centre is also within acceptable walking and cycling distances, representing a genuine opportunity to achieve a modal shift with transport choices alternative to the private car. The proposed 'hub' mix of uses within the land Epping of East site will also promote sustainable travel choices. It is considered that the decision to not allocate land East of Epping for a residential-led mixed use development means that the sustainable development and transport related objectives will not be met.

- 1.15 Pigeon's representations to Policy T1 of EFDLP were accompanied by a Transport Representations Report (prepared by MLM). The Report included an assessment of traffic impact associated with three different strategic development scenarios on the edge of Epping i.e. 950 dwellings at South Epping (as proposed in EFDLP), 950 dwellings at East of Epping, and a combined scenario of 550 dwellings at South Epping and 400 dwellings at East of Epping.
- 1.16 MLM's Transport Representation demonstrated that 950 dwellings at land East of Epping would have a reduced traffic impact on the operation of key junctions on the B1393 corridor compared to 950 dwellings at Epping South – as a result of the lower car driver modal share that is expected at land East of Epping.
- 1.17 MLM's Transport Representation also included an assessment of the traffic impact of a potential new link road through land East of Epping between Stewards Green Road and Stonards Hill. The link road would provide an alternative vehicle route between Brook Road / Stewards Green Road and the north of Epping. The assessment was based on the potential transfer of 10% of vehicle trips away from the capacity constrained St. Johns Road / Station Road double mini-roundabout and Bury Lane mini-roundabout – providing some relief for these key junctions on the B1393 corridor.

b. What are the implications of its location adjacent to the M25 for air quality and noise?

- 1.18 It is considered that the close proximity of the M25 to the southern boundary of the South Epping site would have implications for air quality and noise within the proposed development, and these factors would need to be taken into account in the design and layout. A buffer will need to be incorporated into the layout of the proposed development to ensure that appropriate separation distances are provided between residents and the M25, in order to provide a suitable living environment and protect residential amenity.

g. Is it financially viable in light of the constraint presented by the Central Line dividing the masterplan area? Is a "bridge" over the railway the only possible means of achieving connectivity (Part (vi))?

- 1.19 It is noted that Epping Town Council support for the proposed South Epping allocation is conditional on the delivery of transport infrastructure projects – see Epping Town Council representations Rep Id. 19STAT0005-1. It is clear from Epping Town Council's representations that adequate infrastructure must be delivered before development, and that new roads including crossing the railway line are critical to development at South Epping. The Town Council's aspirations for transport and connectivity are set out in the emerging Epping Town Neighbourhood Plan (draft published May 2018 v.10) – see pg. 19. The Neighbourhood Plan identifies a number of transport infrastructure projects which it considers are necessary for the South Epping development, which include a "new road to serve the South Epping development - from B1393 / Ivy Chimneys Road / Theydon Road eastwards (beside route of M25) including a new bridge or tunnel crossing the railway".
- 1.20 MLM on behalf of Pigeon estimate that the cost of providing a bridge over the railway to be between £3m and £6m. It is requested that the developer of the proposed South Epping development provide information about the funding and delivery programme for the new bridge, and confirm that the proposed development would remain viable and that policy compliant levels of affordable housing can be provided at the site.

h. Is it justified to require the development to be phased?

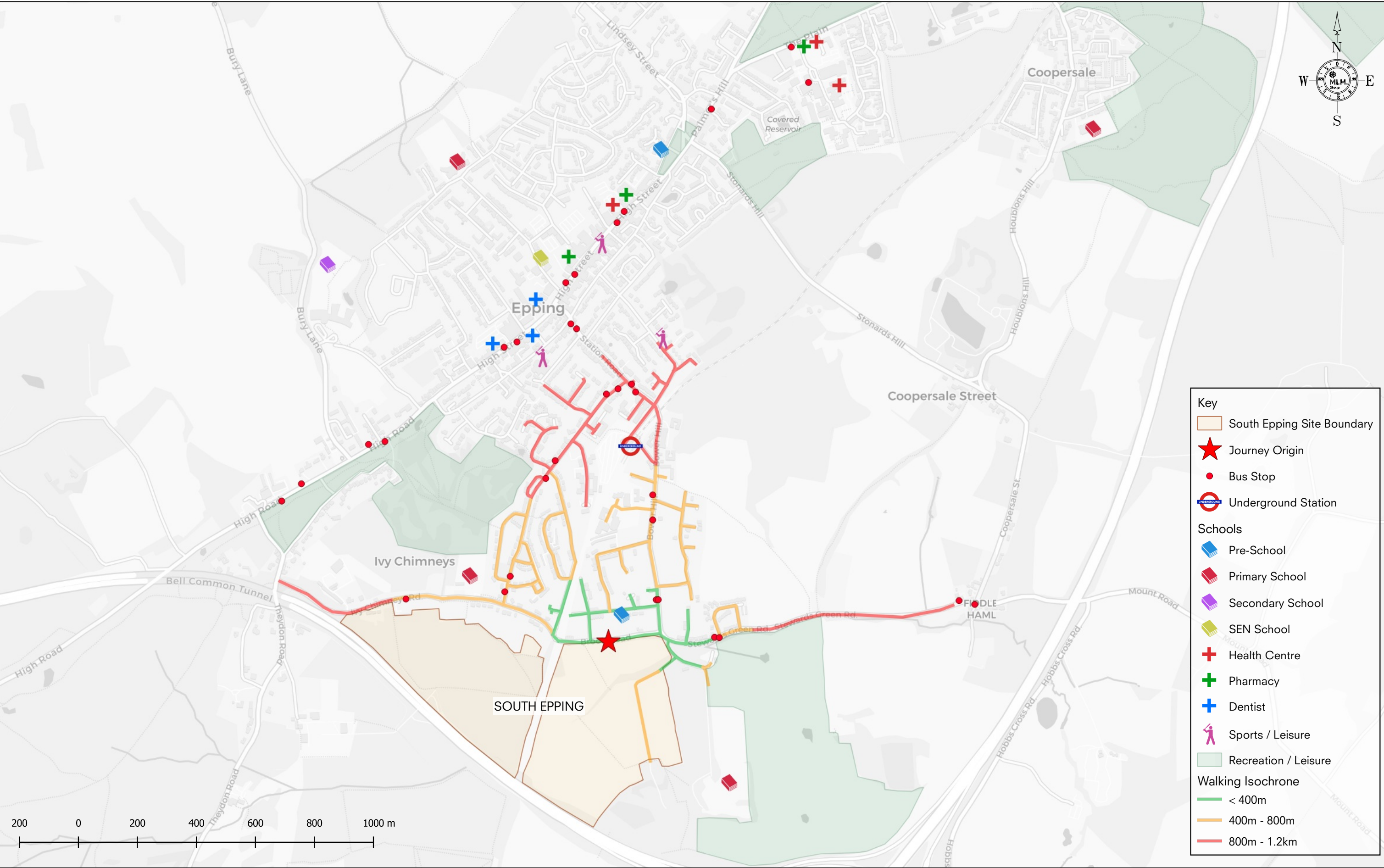
- 1.21 It is noted in the Housing Implementation Strategy Update 2019 Appendix 5 and 6 [Doc Ref. EB410B] that housing is expected to be delivered at South Epping from 2023/24 onwards. It is noted from earlier examination hearing sessions for EFDLP that the Council has accepted that the larger strategic allocations

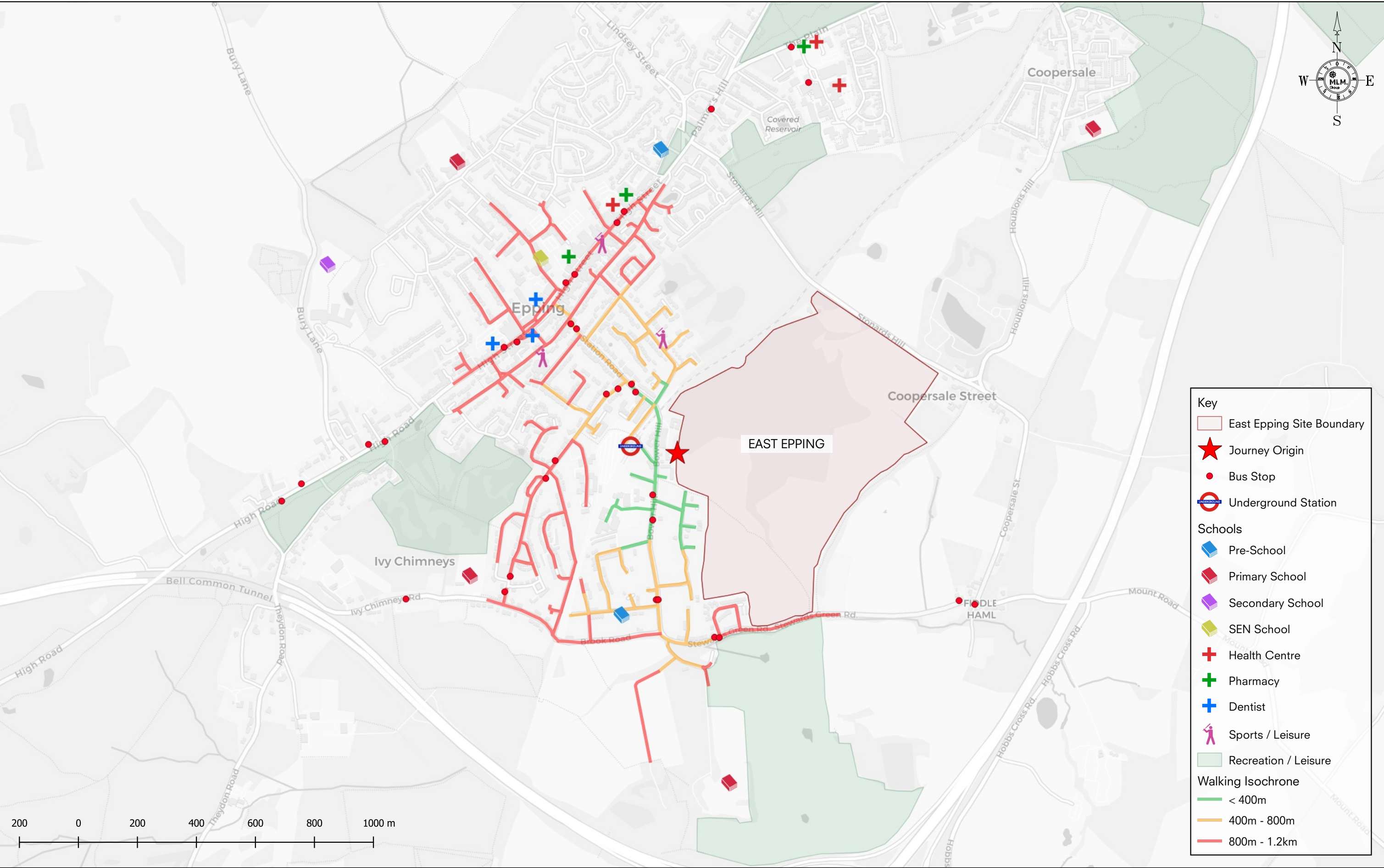
would be delivered towards the middle and end of the plan period. The delay to the delivery of the larger sites represents a negative outcome for the supply of housing and affordable housing in particular. As set out in Pigeon's representations and explained at the examination hearing sessions, the decision to delete land East of Epping from EFDLP has resulted in a development strategy that seeks to delay the delivery of growth and avoids meeting housing needs until later in the plan period. It is considered that the reallocation of land East of Epping would increase the supply of housing and affordable housing in a sustainable location for development.

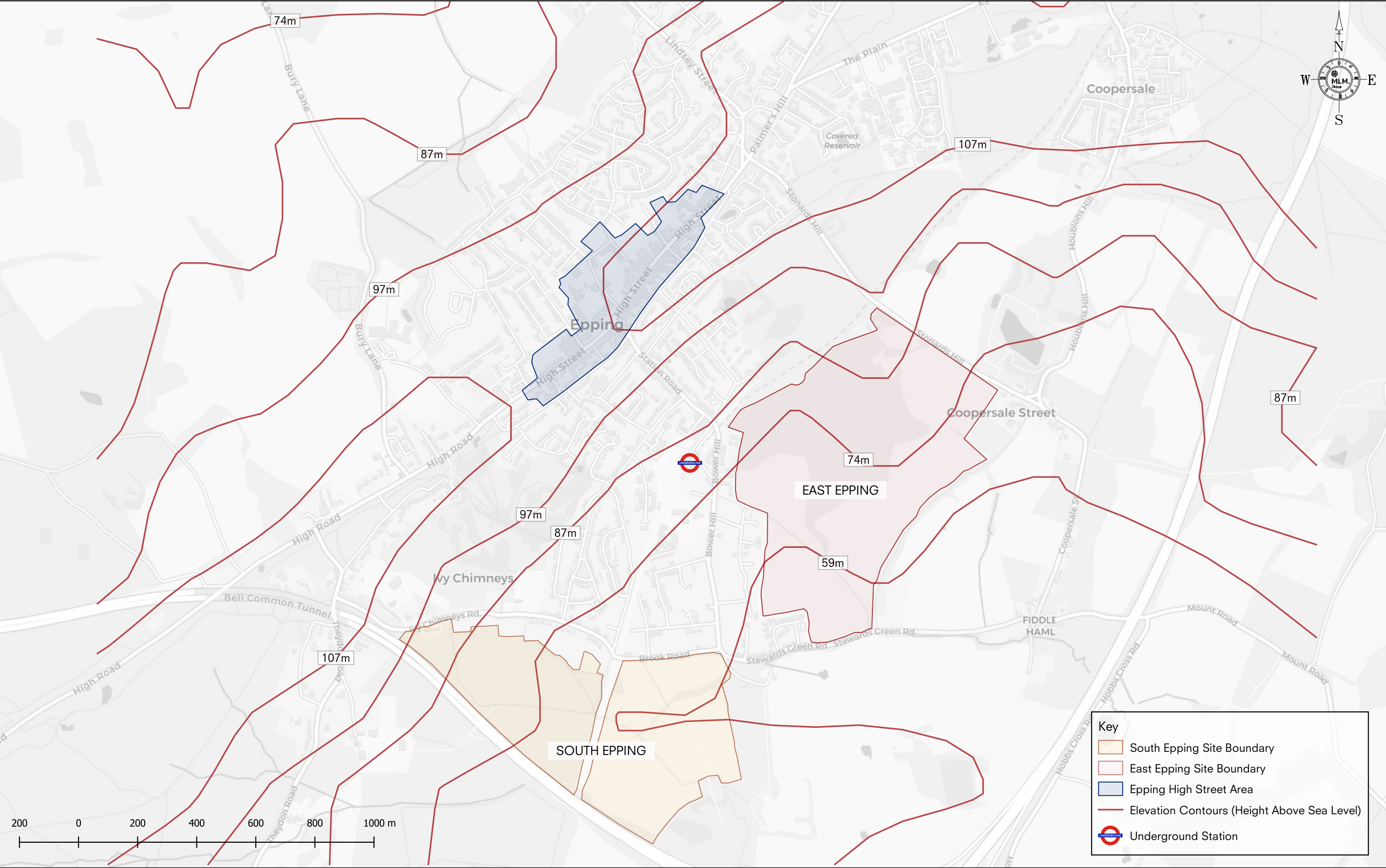
i. What effect would the development of this area have on the purposes of the Green Belt?

- 1.22 Pigeon's representations to Paragraph 2.134 to 2.142 of EFDLP and the Matter 4 Hearing Statement (Issue 4 in particular) commented on the findings of the Green Belt Assessment [Doc Refs. EB704A-B and EB705A-B]. In summary, it is considered that the findings of the Green Belt Assessment Stage 2 Report have not properly informed the selection of sites for Green Belt release. The land promoted by Pigeon at East of Epping scored lower against the Green Belt purposes when compared with the South Epping site, and as a result development at land East of Epping would be less harmful to Green Belt purposes.
- 1.23 The previous comments on the findings of the Green Belt Assessment can be summarised as follows:
- The overall assessment of parcel contribution to Green Belt purposes contained within the Green Belt Assessment Stage 1 Report concluded that parcels of land at South Epping (Ref. 041, 042, 043, 044, 045, 054) scored between 5 and 9 points; in comparison the parcels of land East of Epping (Ref. 046, 047) scored 5 points.
 - The overall assessment of Green Belt harm in the Green Belt Assessment Stage 2 Report concluded that each of the land South of Epping sites (Parcels 044.1, 044.2, 045.1 and 045.2) are all given a 'Very High' harm rating; in comparison the land East of Epping site (Parcel 046.1) has a 'High' rating.
 - The overall assessment against Green Belt purposes in the Green Belt Assessment Stage 2 Report concluded that the land at South Epping (Parcels 044.2, 045.1 and 045.2) all score 'Strongly' and 'Relatively Strongly' against at least two of the GB purposes (Purpose 3 - safeguarding countryside from encroachment, and Purpose 4 - preserve the setting and special character of historic towns); in comparison the land East of Epping scored 'Relatively Strong' for Purpose 3 and 'Moderate' for Purpose 4.
- 1.24 The overall assessment of Green Belt harm was subsequently reviewed and amended within the Site Selection Report 2018 (Appendix B.1.4.2). The South Epping sites (Parcels 044.2, 045.1 & 045.2) remains either 'High' or 'Very High', whereas the assessment for the land East of Epping site (Parcel 046.1) was downgraded to 'Low' or 'Low – Medium'.
- 1.25 Therefore, the findings of the Green Belt Assessment demonstrate that the South Epping site makes a strong or relatively strong contribution to the Green Belt purposes related to safeguarding the countryside from encroachment and preserving the setting and special character of historic towns). The overall harm to the Green Belt from development at South Epping would be either high or very high. In these circumstances, there is no evidence to support the decision to release land at South Epping in preference to land East of Epping.
- 1.26 Bradley Murphy Design Ltd prepared a Landscape & Visual Appraisal to support the representations of The Fairfield Partnership to EFDLP. Section 4 of the Appraisal included an assessment of the Green Belt purposes of the promoted site - EPP.R2 Land South of Epping (East). Liz Lake Associates has undertaken a critique of the findings of the BMD Appraisal, which is provided in **Appendix 2**. In summary, Liz Lake Associates conclude that the BMD assessment of Green Belt for the South Epping (East) site is flawed, and the findings of the Green Belt Assessment prepared for the Council are robust and should be preferred.

APPENDIX 1: AMENITY & ACCESSIBILITY PLANS AND ELEVATION COUNTOUR PLAN







**APPENDIX 2: LIZ LAKE ASSOCIATES CRITIQUE OF GREEN BELT
ASSESSMENT FOR SOUTH EPPING**

Epping Forest District Council Local Plan Examination 2019

Matter 15: Green Belt issues South of Epping

**In response to submissions made by BMD and Fairfield Partnership regarding
Land South of Epping**

On behalf of Pigeon Investment Management Ltd (as promoters of land to the
East of Epping)

(and to be read as an Appendix to the Matter Statement prepared by Carter
Jonas)

APRIL 2019

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File name:	2219 Matter 15 GB South Of Epping 2019.04.15
Date Issued:	23rd April 2019

1 Technical Note regarding the Inspectors Question on Green Belt Matter 15 relating to land South of Epping

Inspectors Questions: “i. What effect would the development of this area have on the purposes of the Green Belt? “.

- 1.1.1 BMD on behalf of Fairfield Partnership carried out a “Green Belt Appraisal” (Section 4 of their Report). They have made several flawed judgements, which are at odds with the Council’s Stage 1 and 2 reports on GB.
- 1.1.2 They conclude findings at 4.1.2 and 4.1.3 on page 24 of their report which are contradictory to the Council’s own Assessments and the accepted approach(es) to GB Assessment and the NPPF.
- 1.1.3 BMD make several fundamentally incorrect claims at 4.1.2, 4.1.3 and 4.1.4 of their report, as if to allege there is no harm to the GB resulting from such a large scale strategic allocation, including the following incorrect claims,
- “Development of Site A has a Low potential to lead to unrestricted sprawl”
 - “Development of Site A would not result in the merging of settlements”
 - “Site A does not perform a critical role in safeguarding the countryside from encroachment”
 - “Development of Site A would have no effect on the setting and special character of historic towns” and,
 - “Site A itself does not perform a critical role in separating the built-up area of Epping and the nearest settlement at Theydon Bois....” and,
 - “.....would not erode the expansive area of separation between Epping and Theydon Bois.....”.
- 1.1.4 The evidence to counter against the above claims is primarily set out in the Council’s Stage 1 (ARUP) and 2 (LUC) GB Assessments, as well as the Evaluation of Setting Area (CBA).
- 1.1.5 At the heart of GB Policy is NPPF paragraph 79, which states the fundamental aim Green Belt policy is “to prevent urban sprawl by keeping land permanently open”.
- 1.1.6 PAS guidance (Planning Advisory Service) states that the assessment of the performance of the Green Belt should be restricted to the Green Belt purposes

and should not consider other planning considerations, such as landscape, which should be considered in their own right. In this regard it is accepted that Green Belt is a largely spatial requirement and not a visual one.

NPPF Purpose 1: Checking Unrestricted Sprawl of large built up areas

BMD report	ARUP Stage 1 GB Report (this is BMD's mistaken assessment of Parcel DRS- 036, which is land at Chigwell)	LUC Stage 2 GB Report	CBA Evaluation of Setting Area
4.1.2 "Development of Site A has a low potential to lead to unrestricted sprawl".	Relatively Strong Contribution (no contribution for parcel 45)	No Contribution* (*since not defined as a 'large built up area')	Major

1.1.7 Many GB studies rely on a dictionary definition for sprawl as part of the approach. Oxford English Dictionary (OED) definition of sprawl:

- *"Spread out over a large area in an untidy or irregular way". A group or mass of something that has spread out in an untidy or irregular way. 'a sprawl of buildings'. The disorganized and unattractive expansion of an urban or industrial area into the adjoining countryside. 'the growth of urban sprawl'.....".*

1.1.8 **Comment:** The land south of Epping would without question represent outward sprawl of the built-up area of the town and extend the settlement outward into the countryside; it is plain by definition (OED), in spatial terms (physical change) and visually. The land would form the outmost extents of the settlement beyond any existing boundary edge.

1.1.9 The assessment appears to rely on a flawed approach to defensible boundaries, where one boundary is reliant on providing a strengthen wooded edge to the M25, but is constrained by existing pylon infrastructure (easement/ offsetting), whilst another boundary appears to be undefined and newly formed by proposed planting (not restricting sprawl). It cannot be said that there is Low potential for sprawl from this parcel, both the contribution to the Purpose and the harm caused would be greater.

NPPF Purpose 2: Prevent neighbouring towns from merging

BMD report	ARUP Stage 1 GB Report	LUC Stage 2 GB Report	CBA Evaluation of Setting Area
4.1.2 <i>"Development of Site A would not result in the merging of settlements".</i>	Moderate Contribution (no contribution for parcel 45)	Moderate Contribution* (*there would be a notable reduction in the size of the current 1.1km gap.)	Moderate

- 1.1.10 **Comment:** It is clear that there would be a clear reduction in the size of the current 1.1km gap, and it would now form the now narrowest part of the settlement gap between Epping and Theydon Bois, in physical terms, spatial terms and by measurement. It would represent an uncharacteristic change to the open undeveloped land between two settlements and which would increase the perception of the proximity of the towns to each other.

NPPF Purpose 3: Safeguarding the countryside from encroachment

BMD report	ARUP Stage 1 GB Report	LUC Stage 2 GB Report	CBA Evaluation of Setting Area
4.1.2 <i>"Site A does not perform a critical role in safeguarding the countryside from encroachment".</i>	Strong Contribution (Strong contribution for parcel 45)	Strong Contribution* (*landscape parcel is intact and rural with the existing development well integrated. Topography is pronounced, parcel is not adjacent to settlement and would comprise encroachment, including in views)	Moderate

- 1.1.11 **Comment:** It is fundamentally clear that there would be a change to the purposes of keeping land open in physical terms and spatial terms. It would represent an uncharacteristic change to the open undeveloped land which would increase the perception of encroachment in the rural landscape. The fundamental purpose of keeping land open would be severely eroded as a consequence and therefore the land does form a critical role in maintaining this purpose.

NPPF Purpose 4: Preserve the setting and special character of historic towns

BMD report	ARUP Stage 1 GB Report	LUC Stage 2 GB Report	CBA Evaluation of Setting Area
4.1.2 <i>"Development of Site A would have no effect on the setting and special character of historic towns".</i>	No Contribution (no contribution for parcel 45)	Relatively Strong* (*...the parcel contributes to its setting [the town] and the perception of its ridgeline as a historic market town.)	Moderate

1.1.12 **Comment:** It is clear that there would be views of the three towers referred to in the assessment, as being on the High Street. It is likely that this view would be impacted if strategic development were to occur within the parcel and the evidence is clear that the parcel contributes to this purpose.

Site Suitability Selection Report (Sept 2016, EB801E, F, G)

1.1.13 In the report for Site Selection (which has 2 stages within it), the stage 2 refers to Value to Green Belt (criteria 2) and level of Harm (criteria 2.1).

1.1.14 South east of Epping (Site refs 113A and 113B combined) scores (--) [double negative] on both areas of land south east. (Note, similar score for the land south west of Epping too – parcels 069 and 069/ 33). The report states that,

- *“site is within green belt, where the level of harm caused by the release of the land for development would be high or very high” (EB801Giii).*

1.1.15 It also states under Qualitative Assessment,

- *“Majority of the site is in a high sensitivity Green Belt parcel maintaining the historic setting of Epping and if released may harm the purposes of the wider green belt. A smaller area of lower sensitivity in the north is severed from the wider Green Belt.”*

1.1.16 By comparison, the land East of Epping scores (-) [single negative – i.e. less harm], where

- *“the level of harm caused by the release of the land for development would be very low, low or medium”. The same score is applied to other parcels east of Epping – e.g. parcel 0343.*

1.1.17 For the east of Epping, existing Green Belt boundary strength is recognised and the limited harm, since,

- *“Almost all of the site is located in a medium sensitivity Green Belt parcel; planted buffers along the eastern edge limit intervisibility with the countryside. If the site was released it would have limited harm to purposes of the wider green belt”.*

Summary

- 1.1.18 The overall assessment of parcel contribution to Green Belt purposes contained with the EFDC Stage 1 GB Assessment shows that land East of Epping (046, 047) scored 5 points and made a consistently lower contribution compared to parcels of land South of Epping (041, 042, 043, 044, 045, 054) which scored between 5-9 points. Parcels 046 and 047 contributed only to GB Purpose 3, whereas land to south of Epping contributed in various ways to three of the GB Purposes.
- 1.1.19 The overall assessment of Green Belt harm for each of the land South of Epping sites (Parcels 044.1, 044.2, 045.1 & 045.2) contained within the in the LUC Stage 2 GB Assessment are all given a 'Very High' harm rating, whereas the assessment for the land East of Epping site (Parcel 046.1) has a 'High' rating. Parcels 044.2, 045.1 and 045.2 all score Strongly and Relatively Strongly against at least two of the GB purposes, whilst by contrast 046.1 scores this only in relation to GB purpose 3. The scores show that land East of Epping is consistently providing less of a contribution to Green Belt than South of Epping, which equates to the lower 'harm' rating.
- 1.1.20 In terms of other planning considerations, there are differences between the sites in terms of landscape impact as set out in the Site Assessment Report (2016), with land South of Epping in an area of medium landscape sensitivity and land East of Epping in an area of high landscape sensitivity overall (ie the whole LCA), however these are large areas of land covering a broad assessment and it is considered that proposals to the East of Epping will relate more closely to the settlement edge which has an existing influence, and where the urban edge is felt and the land more able to accommodate change. In addition, as set out in the East of Epping Promotion Document (submitted with Pigeon's representations) the proposed development will include strategic landscaping at the site boundary and retain existing hedgerows to help integrate development and provide a robust defensible Green Belt boundary.
- 1.1.21 We note that the findings of the land East of Epping site (Site Ref. SR-0153) on the Green Belt topic states that: *"Almost all of the site is located in a medium sensitivity Green Belt parcel; planted buffers along the eastern edge limit inter-visibility with the countryside. If the site was released it would have limited harm to purposes of the wider Green Belt"*.

Liz Lake Associates, April 2019