

## Epping Forest District Council Representations to the Draft Local Plan Consultation 2016 (Regulation 18)

Stakeholder ID	3411	Name	Toby	Haselwood (SR-0069-33)	Sworders on behalf of Land to the South of Epping and Theydon Bois
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Method	Letter
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Date	19/1/2017
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### Letter or Email Response:

Q6: The Draft housing and employment needs up to 2033. We have identified sites for housing which are suitable and available and can be delivered over the next 17 years. Local Plan has identified our draft strategy for meeting the • o Do you agree with the one box) proposed sites in (Draft Policy P 8)? (please tick Yes No Please explain your reasons for this • We support part iii) of Draft Policy P8 which proposes to allocate site SR-0070 in Theydon Bois for approximately 52 homes. Theydon Bois is a sustainable settlement, and is categorised as a large village in the draft local plan capable of providing approximately 360 homes over the plan period. It should be noted that the land directly to the north of the site is in the same ownership and some of this additional land, before the site rises up, is available either for further development or infrastructure, open spaces or other amenities. Furthermore, additional development can provide an opportunity to capture planning contributions and increases in land values to invest in local infrastructure and services within Theydon Bois. In addition, the creation of new households will further support schools, local shops and businesses and the public transport which serve the existing population. The site is in a suitable location for development in an edge of settlement location which constitutes a logical extension. Development of the site could enhance the character of the area; it is currently agricultural land that sits between the existing settlement and the central railway line. Development of the site is unlikely to have an adverse impact on significant or protected ecological sites. A site specific ecological appraisal will be undertaken prior to the submission of a planning application to ensure that there will be no impact on protected species. Detailed access design can be provided as part of a planning application. The Site Selection Report, scores the site positively in many areas, such as ownership, site availability, site viability, on-site physical infrastructure constraints, health, no mineral safeguarding area, no open space is lost as a result of allocation, provides opportunities to enhance green infrastructure and no material impact on central line capacity. Below are some points of clarification, where the site was scored either neutral or negative. 1 Ownership; the site is in one ownership and Sworders have been instructed to promote the site. As such, ownership is not a constraint to development. Marketability; the site owner is keen to sell the site or enter an agreement with a developer, however, in order to achieve best value, it will not be marketed until the Local Plan is further advanced. The fact that it is not being marketed now is no reflection of the availability of the site when the time is right or willingness of the site owner to release the site for development. The National Planning Practice Guidance (NPPG) (Paragraph: 020 Reference ID: 3-020-20140306) states that: "A site is considered available for

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development, when, on the best information available (confirmed by the call for sites and information from land owners and legal searches where appropriate), there is confidence that there are no legal or ownership problems, such as unresolved multiple ownerships, ransom strips tenancies or operational requirements of landowners. This will often mean that the land is controlled by a developer or landowner who has expressed an intention to develop, or the landowner has expressed an intention to sell." The availability of this site complies with this guidance and lack of marketing at this stage should not be considered a constraint. Site viability; We consider the site to be viable in the current market and consider that it could support a 40% affordable contribution, although if subsequently market conditions were to worsen, we appreciate that the affordable contribution could be revisited to ensure viability. Primary Schools; it is stated that the site is located more than 1km from a Primary School. However, this assumes access would be via car. An existing Public footpath pedestrian access to the Primary School is available over a distance of only 400 metres. The proposed allocation includes this footpath which could be enhanced as part of the development, to upgrade the surface. The Site Selection Report suggests that the proposed allocations in the settlement would lead to a shortage of current primary school places in the Schools Planning Area. Given the likely scale of development in and around Harlow during the forthcoming Local Plan period, together with the cross boundary working that this will require between Harlow and Epping Forest, it would be straightforward to absorb the requirement for secondary school places within Harlow, with those places funded via contributions from schemes such as this. Landscape impact; It is entirely appropriate to alter the Green Belt boundary in order to release the site for development, and is in accordance with national policy. The NPPF states at paragraph 83 that Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of a Local Plan. Whilst it is acknowledged that housing need alone does not constitute the exceptional circumstances necessary to release Green Belt, housing need combined with local conditions means that it is the logical option remaining to meet these needs. Insufficient appropriate land outside the Green Belt exists to meet the development needs of the district. The development strategy presented in Draft Policy SP 2 maximises opportunities for development around Harlow and also in locations within the existing settlements before considering a limited release of Green Belt land, using a sequential approach. Density has also been maximised in order to limit the extent of Green Belt release. 2 Sites SR-0070 is appropriate for Green Belt release; it is in a sustainable location and will help to deliver the housing needs of the district. The five purposes of including land within Green Belts are set out within paragraph 80 of the NPPF and are reproduced below followed by our comments: 1. To check the unrestricted sprawl of large built-up areas According to the Green Belt Review Stage 2, site SR-0070 lies within parcel 043.1 and makes no contribution to this purpose. 2. To prevent neighbouring towns from merging into one another According to the Green Belt Review Stage 2, parcel 043.1 only makes a moderate contribution to this purpose. 3. To assist in safeguarding the countryside from encroachment According to the Green Belt Review Stage 2, parcel 043.1 makes a strong contribution to this purpose. However, this assessment does not relate to the whole parcel. Site SR-0070 forms a very small part of this parcel and its development would not result in the encroachment of development into open countryside beyond the existing spread of the settlement, given that there is existing development and the central railway beyond it on both sides. 4. To preserve the setting and special character of historic towns. According to the Green Belt Review Stage 2, parcel 043.1 does not provide an important area of open land adding to the setting of Theydon Bois and its development would not affect the approach to Theydon Bois, since it is already protected by existing landscaping and does not form part of the open countryside. 5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land. According to the Green Belt Review Stage 2, parcel 043.1 makes a very high contribution to this purpose. However, as above, this relates to the whole parcel of which site SR-0070 forms only a very small part. Site SR-0070 is in an agricultural use, but it is surrounded on one side by existing residential development, by a railway line to another and an existing hedgerow to the South. Given the above we do not believe the development of this site would conflict with the purposes of including land within Green Belts. Future Green Belt Boundaries NPPF paragraph 85 outlines that when defining boundaries, local planning authorities should, "define boundaries clearly, using physical features that are readily recognisable and likely to be permanent." The guidance does not stipulate that these physical features should exist now. As such, the creation of features such as new dense hedgerows or tree belts to define new boundaries as part of the site allocation/green belt review process should be acceptable in principle. In this vein, our client is willing to commit to establishing new physical green belt boundaries such as enhancing existing hedgerows and new tree belts prior to the commencement of development, i.e. enforced by condition on any planning consent for the development, albeit this is envisaged to be provided on the land to the north of the site. The site is then excluded from consideration for allocation within the EFDLP through Stage 3 assessment of the site summarised within Appendix

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B1.5.2 of the 'Report on Site Selection'. Based on a fundamentally incorrect assessment of the impacts of introducing 1,200 new homes across 40 ha of land located to the west of Roydon, it is concluded that "this site is part of a strategic option which was judged to be a less favourable growth direction. This option would be most sensitive in landscape terms and would be harmful to the setting of the Lee Valley Regional Park".