

23 September 2021

The Savills logo consists of the word "savills" in a lowercase, sans-serif font, colored red, set against a solid yellow rectangular background.

MM Consultation 2021
Planning Policy
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Dear Sir/Madam,

EPHING FOREST DISTRICT DRAFT LOCAL PLAN MAIN MODIFICATIONS LAND NORTH OF ABRIDGE ROAD, THEYDON BOIS

We write in response to the consultation currently being undertaken by Epping Forest District Council (EFDC) in relation to the Main Modifications to the Epping Forest District Local Plan Submission Version (2017). Savills, on behalf of our client, Redrow Homes, have previously made representations in relation to the above site at various stages through the Local Plan process.

This site was previously allocated at Regulation 18 stage for 121 new homes and was disappointingly removed prior to consultation on the Regulation 19 Draft Local Plan. It is disappointing again that despite clear and convincing justification having been previously provided by Savills to support the allocation of this site, it has been given no further consideration as part of the Main Modifications.

Having now reviewed the proposed Main Modifications to the Draft Local Plan, Savills hold concerns in relation to the adopted methodology of the Council in seeking to meet its housing need. From the outset, the Council's housing targets have been conservative and amongst the sites that have been allocated there appears to be little evidence to suggest that the timescales for delivery are achievable in reality, when considering that the majority of large sites which were originally programmed to come forward in 2020/21 do not yet have planning permission and because of the requirement for strategic masterplans to be prepared in relation to these sites. There remains a considerable lead-in time before development could likely proceed and we do not consider that this has been sufficiently accounted for. There exists a need to allocate sites which are more realistically capable of coming forward early in the plan period, and the subject site firmly meets that criteria.

The Site

The site is located within Theydon Bois, to the north of Abridge Road and to the east of the railway line. The site comprises low grade agricultural land, in the form of open fields with some hedgerow planting marking field boundaries.

To the west of the site, beyond the railway, is the settlement of Theydon Bois comprising residential dwellings, a local centre and Theydon Bois London Underground Station. To the north, east and south of the site are predominantly open fields with some sporadic existing development. Adjacent to the site at the northeast is open land which has been subject to engineering operations.

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The site is located within Flood Zone 1 and is currently designated as Green Belt. The site is not located within a Conservation Area and does not contain any heritage buildings.

Previous Representations – Draft Local Plan (2016)

EFDC previously identified Theydon Bois as a location for housing growth within the Regulation 18 consultation version of the Local Plan (Draft Local Plan, 2016), which allocated this site for indicatively 121 residential dwellings (Site Allocation Ref. SR-026C) and 354 dwellings for Theydon Bois as a whole, across multiple site allocations. At this stage, Savills made representations in support of the draft allocation (Savills letter dated 12 December 2016).

Our representations noted that the wider site comprises an area of approximately 10 hectares and has the capacity to deliver approximately 400 residential dwellings, as identified in the Indicative Capacity Assessment in the Site Selection Report (2016). The Site Selection Report (2016) considered the site to be unconstrained, being located within the settlement buffer zone; outside of Flood Zone 3; outside of a designated site of importance to biodiversity; not constrained by Epping Forest; and outside HSE Consultation Zones Inner Zone. Where the site scored poorly against certain detailed criteria, it was considered that it would be possible to overcome these constraints. Further, the site is available for development and deliverable within the first 5-years of the plan period.

Draft Local Plan Submission Version (2017)

In the intervening period between consultation on the Regulation 18 Local Plan (2016) in late 2016 and the Regulation 19 Draft Plan (2017) in early 2018, Savills attended the Developer Forum conducted by officers at the Council. At no point during these sessions was there an indication that the site would no longer form part of the allocated sites at Theydon Bois, or that the number of units to be allocated at Theydon Bois would be significantly less in the Regulation 19 version of the Local Plan. Further, neither Redrow or the landowner were approached by officers in respect of the perceived concerns over the allocation of the site, despite several requests for site specific meetings by Savills.

Overall, the approach to consultation was extremely disappointing and inconsistent with both the spirit of the NPPF, and recommended consultative nature of preparing Local Plans. If our client had been approached during this period, it would have been possible to address officers' and Members' concerns, which we understand related to the impact of residential development on the Epping Forest Special Area of Conservation (SAC) and the comments received from the Conservators of Epping Forest in 2016.

The Draft Local Plan (Submission Version) was consulted upon in the absence of further site assessment and as such, the reasons for the site being deselected were not made clear. In any case, Savills made representations at that time and it was not until April 2018 that this further information was made publicly available, at which stage Savills again made representations, as discussed below.

Further Draft Local Plan Submission Version (2017) Consultation – Site Selection

EFDC undertook further site selection work in March 2018 following consultation on the Pre-Submission Draft Local Plan in January 2018. This site selection assessment identified issues with the allocation and concluded that the site should not be allocated for residential development.

Although the site was proposed for allocation in the Draft Local Plan (2016) and remains available within the first five years of the Plan period it is not proposed for allocation. Responses received through the Regulation 18 Draft Local Plan consultation indicated that the site is less preferred by the community as a result of the scale of growth proposed. Additionally the Conservators of Epping Forest raised concerns around the overall scale of growth proposed in

Theydon Bois, which is located in close proximity to the Epping Forest SAC, and the potential effects arising from recreational pressure and air quality. The Conservators identified the need for a SANG to compensate for the scale of growth, which may adversely affect the deliverability of the site. It was considered that other sites in Theydon Bois were more preferable in terms of their overall suitability and if allocated they would provide the desired growth in the settlement. This site is not proposed for allocation.

In April 2018, Savills made representations to the publication of the site selection assessment setting out our disagreement with the above conclusion. A discussion of each of the specific issues raised in this conclusion is provided overleaf.

Addressing Comments from the Local Community

Whilst it is noted that the Draft Local Plan Feedback Consultation Report identified concerns regarding local infrastructure capacity and the Council's summary of the key issues raised during the Regulation 18 consultation (presented to Cabinet on 11 July 2017) stated that there had been concerns raised that the sites proposed to the east of the railway line would feel separate to the existing settlement, Theydon Bois is considered to be a highly sustainable location, even more so when compared with other highly constrained settlements in the district. Theydon Bois is therefore considered an ideal location for growth, in particular to provide new homes and the north-eastern expansion area within the subject site is considered to be the most suitable strategic option to accommodate the expansion of the settlement.

It is necessary for the Council to balance the views of the local community with the need for housing delivery in the most sustainable locations. However, as highlighted above, we have concerns that the objections of the local community within Theydon Bois have been placed above these needs, which is not a sound approach to plan making.

Since the Regulation 18 Local Plan was initially consulted upon in late 2016, there has been a significant reduction in the number of new homes allocated in Theydon Bois from 354 to just 57, despite it being a highly sustainable second tier settlement, serviced by the London Underground. The level of growth now proposed for Theydon Bois is not reflective of its sustainable location and will not enable the Council to meet local housing needs in the most sustainable manner.

Addressing Comments from the Conservators of Epping Forest / Suitable Alternative Natural Greenspaces (SANG)

The concluding assessment of the site referenced above makes reference to concerns raised by the Conservators of Epping Forest around the overall scale of growth proposed in Theydon Bois and the impact this would have on the Epping Forest Special Area of Conservation (SAC). The Conservators identified the need for a Suitable Alternative Natural Greenspace (SANG) to compensate for the scale of growth and had concerns that this may in turn adversely affect the deliverability of the site allocations.

In the first instance, we note that the Conservators proposed mitigation to combat any issues arising from the growth of the settlement, it did not advocate the reduction of development in principle. In addition, it is important to note that the Conservators did not raise concerns with the development of this site specifically. As set out earlier in this letter, Theydon Bois is a sustainable settlement which should accommodate growth. We consider the reduction in the growth proposed for the settlement to be inappropriate and not justified by the comments from the Conservators.

Draft Policy DM2 provides the required mitigation to ensure there is no harm to the SAC from the development proposed in Theydon Bois, including through ensuring both provision of and access to sufficient SANGs. Given this site has clearly been able to demonstrate its capacity to accommodate a SANG, it remains unclear why this should have prevented the allocation of this site.

The proposals for the site have had regard to requirements of the emerging plan and to the draft Green Infrastructure Strategy, with the site having been demonstrated to be able to provide 3.56ha of SANGS, mitigating the impact on the SAC in its entirety. As such the concerns of the Conservators could have been easily overcome and the impact on the SAC should not be a reason as to why it hasn't been allocated.

The site is large and well connected by Public Rights of Way and includes two local wildlife sites. This area is thus protected from development to ensure a development of the site would not have a detrimental impact and a SANG would additionally provide a new space for high levels of recreation, together with management of the wildlife sites. The development of this site would therefore lead to enhancement for recreation and wildlife and an important biodiversity benefit for the Epping Forest SAC.

Alternative Site Allocations

The concluding assessment of the site provided above states that *"other sites in Theydon Bois were more preferable in terms of their overall suitability and if allocated they would provide the desired growth in the settlement"*. However, as set out in our response to the Regulation 19 (Savills letter dated 29 January 2018) it is not considered that these allocations are suitable or sufficient to provide appropriate growth within Theydon Bois.

The Draft Local Plan Proposed Submission Version (2017) only allocates three sites for housing within Theydon Bois, resulting in the total provision of 57 new dwellings only. This is compared to the previous Local Plan consultation version which allocated five sites with a total capacity of 354 new dwellings.

Two of the sites proposed for allocation (THYB.R1 and THYB.R2) were carried forward from the previous version of the Draft Local Plan, albeit the indicative capacity of each site has been reduced, in the case of THYB.R1 – from 52 to 39 homes; and THYB.R2 – from 19 to 12 homes. The remaining site (THYB.R3) comprises a small, highly constrained parcel of land which will make very limited contribution to meeting local housing need. In the first instance, the site is in existing use as private traditional residential dwellings and it is not clear if the site is in fact available or deliverable. In addition, we reiterate that the Theydon Bois and District Rural Preservation Society and Theydon Bois Parish Council identified potential constraints relating to flooding, landscape and heritage impacts, trees and light pollution, which could very likely impact the deliverability of the site.

It is notable that the site assessment process identified the north-eastern expansion of Theydon Bois, where the site is located, to be the least harmful to surrounding designations including the SAC, compared to other areas of expansion to the settlement. This further evidences that the site should not have been deselected on this basis.

Main Modifications

Housing Supply and Delivery

It is noted that the Inspector had suggested that alternative sites should be identified to meet the Council's housing need. In response, the Council has asserted that amendments to the allocations within the submission version Local Plan are such that the Council can meet its housing requirements without the need to allocate additional land for housing.

The revised stepped-trajectory put forward by the Council to meet its housing need across the plan period gradually increases in the number of new homes provided up to 769 per annum from 2025/26 onwards. It is relevant to note that the Council has been significantly under delivering new homes in recent years and has performed poorly against the Housing Delivery Test (HDT). Over the last 5-years, the number of new homes built within the district has ranged from 149 – 564 per annum, well short of the 769 the Council predicts it will deliver from 2025 onwards, even in the

best if these years. From the evidence that is available, Savills holds significant concerns that the number of new homes the Council is envisaging from 2025 onwards is extremely unrealistic and unachievable.

It is noted that many of the large strategic sites allocated within the draft Plan and identified to come forward within the first 5-years if the Plan do not yet have planning permission. Given the complexity of developing such sites and the need to prepare Strategic Masterplans as part of the planning process, we are concerned that the years provided in which housing is assumed to be delivered are simply unrealistic, highlighting that insufficient deliverable sites have been allocated.

In seeking to satisfy the Inspector that the housing targets can be met without allocating further sites for housing, the Council have compressed the delivery of its allocated sites, in some cases considerably. From Savills extensive experience working with national housebuilders in Essex, we hold significant concerns that the build-out rates being suggested are simply not achievable, both from a local market perspective and in terms of a developer's physical capacity to deliver. We believe, from review of the Main Modifications, there is a clear need to allocate further sites for housing, to address both existing unmet need and future housing needs.

Harlow District Council Objection

Further to the above, it is noted that a considerable proportion of the allocated homes are situated within 'Garden Communities around Harlow'. The Council will be aware that Harlow District Council have agreed to oppose development in these locations due to resident concerns regarding the impact of such a significant number of new homes on Harlow, casting further doubt as to whether this Plan will enable the Council to realistically meet its housing need.

Theydon Bois

Theydon Bois is a sustainable settlement, which has its own centre, containing various facilities including shops, restaurants, a school and a doctors surgery. In addition Theydon Bois London Underground station provides excellent accessibility to London and there is also easy access to the M11 and M25 motorways.

The allocation of 57 residential units in such a sustainable settlement is not a sound approach and conflicts with national planning policy. Epping Forest District includes a number of highly constrained settlements that are not sustainably located, whereas Theydon Bois is an excellent location for residential allocations, as identified above, which will not undermine the overall spatial strategy identified in the Local Plan.

Apart from reference in the Vision to a desire to retain the character and local feel in Theydon Bois, there has been no sound reason to reduce the number of residential units so significantly from the Regulation 18 version of the Local Plan. It is therefore extremely disappointing at this stage that despite the Inspectors advice to review the allocations which were removed between Regulation 18 and Regulation 19 stage, further consideration of this site and its ability to provide homes for the district does not appear to have been given.

The allocation of the site SR-026C for housing is considered to represent an excellent opportunity for the sustainable development of up to 121 residential dwellings. This would make best use of the site and optimise development in a sustainable location, adjacent to Theydon Bois Underground Station and adjacent to an existing settlement.

Summary

The consultation and engagement process for the Draft Local Plan Submission Version (2017) has been flawed throughout and Members of the Council and the public were not provided with the information necessary to properly consider the Plan at the appropriate stages, with very little information provided as to why several sites were removed between the Regulation 18 and Regulation 19 stages of the Plan, particularly around Theydon Bois, which is a highly sustainable location to accommodate a greater proportion of the District's growth than is now proposed. It is



disappointing that despite strong justification for an allocation of this site, it has not been given any further considered as part of the Main Modifications.

Our clients are extremely disappointed that site SR-026C was removed from the Local Plan and at the lack of sound justification, or appropriate engagement, in making this decision. The development of our clients site would result in the appropriate release of Green Belt land, in order to provide much needed housing on an unconstrained site in a highly sustainable location. The site has the potential to accommodate a number of dwellings to make a much needed increased contribution to the District's housing supply, whilst providing on site mitigation of the impact on the Epping Forest SAC through the provision of SANGs. The development of the site would accord with the principles of sustainable development as set out in national planning policy and we therefore see no reason why the site allocation has been removed.

It is apparent that the assumptions upon which the Council has relied in order to demonstrate its capacity to meet its housing need are flawed and in Savills' view, there is a clear need for additional sites to be allocated for housing. At present, Savills' have significant concerns as to the soundness of the Local Plan being put forward and believe strongly that the number of homes projected to be delivered on an annual basis is highly unrealistic, therefore only exacerbating existing issues associated with the undersupply of housing within the District.

We look forward to confirmation of receipt of these representations. Please feel free to contact me if you have any queries or would like to discuss.

Yours sincerely

Taylor Vernon
Senior Planner