

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

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Method	Letter				
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Letter or Email Response:

These representations to the Draft Regulation 18 Local Plan are submitted on behalf of our clients, **...redacted...**, who own land identified as **...redacted...**, Theydon Bois. The site is shown on the plan attached as appendix 1 to this response. Although the site has been considered as part of the Local Plan process via the Arup Site Assessment report, with the latter indicating that feedback has been received, the site has not been promoted in the past. The following sections will in addition to outlining our proposal for the residential allocation of **...redacted...**, also respond to matters raised both within the Draft Local Plan itself, and in particular to the evidence base. Our main response will be to chapter 5 in relation in providing more background to the site, and in response to the Arup site assessment in order to demonstrate that the site does not have any insuperable constraints and is deliverable within a quick timescale, ensuring the District's housing needs are met without delay. The Council has set 9 questions as part of this consultation, which we respond to in the following chapters within this report under the following Chapter headings. Chapter 3 Section 2 - Q1. Do you agree with the overall vision that the Draft Local Plan sets out for Epping Forest District? (See paragraph 3.26, Chapter 3). Section 3 - Q2. Do you agree with our approach to the distribution of new housing across Epping Forest District? (See Draft Policy SP 2, Chapter 3). Section 4 - Q3. Do you agree with the proposals for development around Harlow? (See Draft Policy SP 3, Chapter 3). The draft Local Plan identifies the Housing Market Area for Epping Forest District Council (EFDC) to include the four local authority areas of East Hertfordshire District Council (EHDC), EFDC, Harlow District Council (Harlow) and Uttlesford District Council (UDC). The 2015 SHMA prepared by Opinion Research Services (ORS) indicated an OAN of 46,100 new dwellings of which 11,300 (24.51%) were attributed to EFDC for the period 2011 to 2033 (514 per annum). However, based on an updated OAN, provided by ORS to take account of DCLG 2014 household projections, the OAN for the HMA is considered to be 54,608, of which ORS assigned 13,278 to EFDC (604 per annum). In setting EFDC housing requirement paragraph 3.45 of the draft Local Plan explains that various options for housing delivery and distribution were considered by the Co-op Member Board in a range from 48,300 to 57,400 new dwellings (the latter we presume to be the 2016 SHMA OAN of 54,608 plus 5% buffer as required by paragraph 47 of NPPF) as set out in the Strategic OAHN Spatial Options Study for the West Essex and East Herts authorities (AECOM, August 2016). Under the higher range of dwellings tested AECOM attributed 14,152 new dwellings to EFDC for the plan period (643 per annum). From the information contained in the draft Local Plan it is difficult to identify what the Council believes to be its Objectively Assessed Housing Need (OAN), and we have concerns that the adoption of a Housing Target at 51,100 is not justified - although the explanation at paragraph 3.35 of the draft Local Plan states blanket reasons of infrastructure, environment and policy considerations for not meeting the full HMA OAN

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but this is not explained in detail. In order for the Plan to be robust and defensible at the Examination, this needs more specific justification. Spatial Strategy Epping Forest District Council has acknowledged that “exceptional circumstances” do exist to justify the release of land from the Green Belt in order to meet its OAN (paragraph 3.87 of the draft Local Plan). The next step is to select the most sustainable sites in the most suitable locations. We support the identification of Theydon Bois as a “Large Village” within the settlement hierarchy set out in Figure 5.1. The Spatial Strategy is also absent of any flexibility and contingency to address non-delivery or delay of larger allocations within the Local Plan. For example the Local Plan is centered around delivering 3,900 dwellings on the edge of Harlow under the duty to co-operate. However, the implications of Harlow’s recent decision at the Special Council Meeting on the 31st August 2016 to reject sites to the south and west of the town at Latton Priory, West Sumners, and West Katherines puts at risk the supply of 3,100 dwellings. Again, this needs specific justification for the Plan to be robust.

Chapter 4 Section 7 - Q6. Do you agree with the proposed sites in your area? (See Chapter 5) The draft Local Plan makes clear that the ARUP Site Selection Report 2016 has informed key decisions in respect of site allocations. We have reviewed the criteria, scores and qualitative assessment within the Arup report, and in particular in relation to the proposed allocation site east of the railway line at Thrifts Hall Farm site ref SR-0026C. Our response can be set out as follows under the following headings, with reference to the criteria set out in the Arup Assessment relating to both sites. However, at this stage we note from an Arup presentation in the summer that the scores and qualitative assessments are based largely on GIS data “and professional judgement”, and this will form the basis of the following.

Criteria: 1.1 Impact on Internationally Protected Sites On the Coppice site this is adjudged to have a significant effect, on the basis of “a risk of urbanisation eg from fly tipping, fires, invasive species)”. This it can be argued applies to all sites close to Epping Forest, and is a matter that can be controlled at application stage through proper boundary treatment etc. It can be argued that pressures from recreational use from a much larger site such as Thrifts Hall would have an equal or greater impact. As such we do not consider the assessment of this criterion to be objective. 1.2 Impact on Nationally Protected sites As with the above, ...redacted... is scored lower than Thrifts Farm, despite being a much smaller less impacting site, and despite the ‘qualitative assessment’ recognising that mitigation can reduce any risk. 1.3a Impact on Ancient Woodland 1.3b Impact on Ancient/Veteran Trees outside of Ancient Woodland 1.4 Impact on Epping Forest Buffer Land Despite being scored against on this criteria which justifies this on the basis that the site is adjacent to ancient woodland which would directly result in loss or harm to Ancient Woodland that cannot be mitigated, this is not justified, as the site is wholly outside of the Ancient Woodland, shown on the GIS plan below (with site below this for reference) and a buffer within the development together with no direct access into the woods would ensure that no harm results. Indeed the site scores as neutral with the next 2 criteria which notes that there are no ancient or veteran trees within the site, and that the site is unlikely to have any impact on the Epping Forest Buffer Land. *ATTACHMENT OF SITE PLAN* 1.5 Impact on BAP Priority Species or Habitats 1.6 Impact on Local Wildlife Sites No impact identified, and no comments in response. 1.7 Flood risk Both ...redacted... and Thrift Farm noted as being located within zone 1 and so no impact. 1.8 a Impact on heritage assets 1.8b Impact on archaeology The assessment for Thrift Farm states that “there is a medium likelihood that further archaeological assets may be discovered on the site, but potential is unknown as a result of previous lack of investigation”, and such scores a neutral 0. However, the same criteria assessment for ...redacted... states that “existing evidence and/or a lack of previous disturbance indicates a high likelihood for the discovery of high quality archaeological assets on the site” despite the fact that there is similarly no evidence for this, coupled with the fact that ...redacted... is a fifth of the size of Thrift. Despite this it scores as negative. As such there is clearly a degree of unquantified inconsistency and subjectivity within the results, debasing the weight that can be given to them. 1.9 Impact of air quality 2.1 Level of harm to Green Belt No impact identified, and no comments in response. 3.1 Distance to the nearest rail/tube station 3.2 Distance to nearest bus stop 3.3 Distance to employment locations 3.4 Distance to local amenities 3.5 Distance to nearest infant/primary school 3.4 Distance to local amenities 3.7 Distance to nearest GP surgery At its nearest point, the ...redacted... site is 1093m from local amenities, and therefore is scored below Thrifts Hall as being over 1000m, despite the furthest point of the latter being some 825m using the road network. However, we calculate the distance to the primary school to ...redacted... as being less than 1000m and therefore should not be scored down on this criteria. Indeed the distance from the centre of Thrifts Hall is more than 1000m using Promap, and so this is incorrectly recorded. 3.8 Access to Strategic Road Network No impact identified, and no comments in response. 4.1 Brownfield and Greenfield Land For Thrift Hall it identifies that the “majority” of the site is greenfield under the score section, but notes under the qualitative tab that it is a 100% greenfield site. As such it should be scored with 2 negative scores, not one. ...redacted... is recorded as being 95% greenfield, whereas even from a cursory view it contains a large number of

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buildings, access road and hardstandings. The Arup qualitative assessment states that the site is “95% greenfield” which is entirely inaccurate. We calculate that the previously-developed area is around 0.4ha of a 1.9ha site are, meaning that around one-fifth to one quarter of the site is previously-developed. As a consequence, for both ...redacted... and Thrift Hall to score the same under this criteria is not credible in the slightest. 4.2 Impact on agricultural land 4.3 Capacity to improve access to open space No harmful impact identified, and no comments in response, although if ...redacted... does not involve the loss of agricultural land, then this criteria must be a positive, not neutral as has been recorded. 5.1 Landscape sensitivity 5.2 Settlement character sensitivity 6.1 Topography constraints We note that the scores for the latter 2 criteria are identical between the 2 sites. However, the ...redacted... site is better related to existing development and does not introduce development into an area beyond a well-defined settlement and Green Belt boundary where the landscape and settlement impact would clearly be far higher for Thrift Hall. Despite this, it is claimed by Arup’s that the development of ...redacted... despite its relationship with existing development and being a potential development site one-fifth the size of Thrift Hall, would score lower than Thrift Hall, which again is simply not credible as an objective assessment. 6.2a Distance to gas and oil pipelines 6.2b Distance to power lines No impact identified, and no comments in response. 6.3 Impact on Tree Preservation Order (TPO) It is noted that the Thrift Hall site includes TPO trees, unlike ...redacted... 6.4 Access to site Whilst the comments regarding the need for access across third party land are noted for Thrift Farm, the same is not correct for ...redacted... which has direct road frontage and 2 existing access points. This has been reviewed and the site has excellent sight lines within the ownership of the objectors. As such, again it is not credible for the ...redacted... site to be scored as negative, the same as Thrift Farm. 6.5 Contamination constraints It is noted that ...redacted... scores negatively under this criteria as there is potential for farm contamination. However, given that the assessment recognises that this can be mitigated, then the site should score as neutral. 6.6 Traffic impact Given that the access to the rail station and shops is via a single road across the rail line which is congested at peak times, it is again not credible to claim that the area around Thrift Farm would be ‘uncongested at peak times’. We attach our comparative assessment of the 2 sites within appendix 2 of this response. This as set above is based on the Arup scores but amended to take account of our views as set out above. This shows that the ...redacted... site scores as a positive 3 compared to minus 8 for Thrift Hall. Even if the landscape and settlement character as taken as equal, perhaps together with topographical constraints, then there would still be a five point advantage of ...redacted... over Thrift Hall, though we would argue that this amendment in the scores would not be justified. Summary and Conclusions We therefore object to the proposed allocation of site SR-0026C Land at Thrift Hall Farm, and instead propose the allocation of land at ...redacted..., on the basis that:

- Theydon Bois is correctly identified as a large village with a range of services;
- The Thrift Hall site breaches the clearly and robustly-defined settlement/Green Belt boundary of the railway line, leading to the risk of sporadic and less controlled development such as that at ...redacted...;
- There are no constraints to development at ...redacted... that cannot be overcome by appropriate mitigation if required at planning application stage;
- The ...redacted... site scores more positively than the Thrift Farm site using the Arup criteria;
- The site can deliver housing within a short period of time, as well as contribute positively to the Council’s community needs, unlike Thrift Hall Farm which is too large for the settlement of Theydon Bois; will not be developed quickly creating uncertainty; and would be difficult to contain in the future.

We have no confidence in the thoroughness and therefore credibility of the Site Deliverability Assessment prepared by Arup, and the qualitative assessment conclusions, which have been challenged as above. We trust the above comments will be taken in to account as the draft Local Plan is progressed. *ATTACHMENT OF SITE PLAN* *ATTACHMENT OF SITE SUITABILITY ASSESSMENT*

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