

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

Stakeholder ID	3869	Name	Keeley and Glen Matthews & Butler
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Date	12/12/2016
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Letter or Email Response:

We are writing this document to object specifically in relation to the following Sites for Allocation: - SR-0445 SR-0333B SR-0069/33 SR-0069 SR-01138 23 Homes 24 Homes 255 Homes 79 Homes 244 Homes The above allocations are a total of 625 homes, representing approximately 38% of the total 1633 homes allocation for Epping. Having reviewed the documents that make up the Draft Local Plan (DLP), we believe that the decision to include these areas within the plan are flawed and need to be reconsidered. This document will identify evidential areas of concern, where it is apparent that the fundamental considerations within the DLP for the sites does not appear to have been followed. It will also identify concerns relating to these sites ever becoming a reality and offer alternative locations that are better suited and have previously been considered by Epping Forest District Council for development during previous reviews. Page 8 of the Draft Plan identifies the key considerations that the DLP sets out. Items worthy of note are:

- Policies to ensure that development delivers high quality, sustainable homes that drive the quality of design and maintain the quality built and natural environment.
- Policies to support a sustainable transport and road infrastructure network.
- Proposals to deliver a Draft Infrastructure Delivery Plan (IDP) to demonstrate the infrastructure requirements necessary to support the site allocations.

Summary of Principal Concerns It is beyond belief that such a significant amount of housing could be considered on these sites. Detailed responses are given to specific points later in the document, but this summary is intended to highlight the main concerns that we have. It does not appear to us that the sites have been assessed using the detailed criteria set out in the DLP. Our concerns are as follows:

- Green Belt Extension The encroachment into the Green Belt is a major concern. The Council's own assessment process has indicated that the sites score poorly against harm to the Green belt with the summary recommendation to keep the sites in the process being worded in a very vague way which would by no means satisfy the criteria to demonstrate an exceptional case, which is required by the National Planning Policy Framework (NPPF).
- Site Selection, Suitability and Availability We note from documents within the DLP that site SR-0445 has an allocation of 23 homes. We do not believe that the area shown on drawing EFOC-OP-0005-Revlas 'proposed residential site allocation' for SR-0445 would sustain that level of homes. We are also aware that a Restrictive Covenant currently exists on the property that limits this site to a single dwelling house., therefore how can the plan allocate 23 homes to that site? In addition, we are aware that there is no direct access to Ivy Chimneys Road from SR-0445, SR- 0069/33 and SR-0069, without passing over land which is not in the ownership of the parties owning those sites. Whilst all the above points can be addressed through legal means, it is not clear from the DLP whether the necessary permissions or removal of Covenants are possible, therefore it must be challenged as to whether, at this moment in time, any of these sites can be considered as being available to provide the allocation within the plan. We fail to see how the OLP can therefore be signed off, as 38% of the Epping Allocation will be in doubt. The

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

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sites are located adjacent to the M25 which is clearly a significant risk for health in respect of air quality and noise in any housing design. The site is also crossed by high voltage cables supported from pylons, again a further potential health risk. Whilst these factors can be accommodated into any design, these factors will be of relevance on any subsequent planning application and will severely affect the financial viability of any proposed development schemes and therefore prospective developers. As it is likely that more than 35% of the homes will be required to be affordable, compliance with relevant codes for construction will be challenged by these health risks. The site is also bisected by a public footpath. *ATTACHED 2 MAPS SHOWING FOOTPATH* Traffic Infrastructure A simple review of the sites in relation to adjacent properties identifies that there is currently only one access point to the site, which as noted above would need permission and agreement of a third- party landowner to its use. This is currently a farm track that leads to Ivy Chimneys Road. The track will not be of sufficient width to accommodate the access road to a major development, without the adjacent Greenacres site also being utilised. If this is the case then it would also mean that the anticipated 23 homes, or lesser amount as noted above, on that site would not be achieved. The access would need to be two way and accommodate large vehicles including refuse and fire engines. Ivy Chimneys Road is already a very busy road, especially at peak commute times and drop off and pick up times at Ivy Chimneys Primary School, with a blatant disregard for any speed restrictions that are in place. An increase in traffic both during construction and on completion of the proposed sites noted above would be a serious traffic safety risk in all surrounding roads, as well as causing gridlock. The primary route for commuting traffic to leave the area will be to head towards the junction with Epping High Road. This junction is heavily congested, as noted within your own reports, and will not be able to take additional traffic without significant traffic improvement works. This will clearly be a major challenge as the junction lies within the Bell Common Conservation Area. Such an increase in traffic will clearly impact upon the air and noise quality of the existing residents in addition to safety and such practical issues as actually getting out of our drives! It is also difficult to understand how any improvements to Ivy Chimneys Road to accommodate increased volumes of traffic could be achieved. The road is bounded tightly by other land ownerships, so any width increase at existing pinch points will be impossible. Detailed Explanations for items noted above. Green Belt. Within document BGP4, clause 1.2 states that; ..the National Planning Policy Framework (NPPF) states at paragraph 83 that, once established, Green Belt boundaries should only be altered under exceptional circumstances, through the preparation of the Local Plan. The clause goes on to say that:- The purpose of the paper is to explain the approach which the Council has taken to review existing Green Belt boundaries in the District and to identify the exceptional circumstances that justify the alterations of existing Green Belt boundaries to accommodate planned development. From our reading of BPG 4, it is far from clear as to what the exceptional circumstance are. Noting that the Government sets out that Green Belt serves five purposes: • to check the unrestricted sprawl of large built-up areas; • to prevent neighbouring towns merging into one another; • to assist in safeguarding the countryside from encroachment; • to preserve the setting and special character of historic towns; and • to assist in urban regeneration, by encouraging the recycling of derelict and other urban land. The definition of exceptional is not well defined within the NPPF and is subject of much case law, it is clear the extensive realignment of the Green Belt boundary to accommodate the above referenced site allocations will be open to considerable challenge. Indeed, it is stated within your own documents that the need to make provision for development needs is not an exceptional requirement. In addition to the above need for the definition of exceptional to be made clear, we also noted from a review of the supporting documents that there was a strong case for Parcel 044.2 assisting in safeguarding the countryside for encroachment and a Relatively Strong case for the parcel preserving the setting and special characteristic of the Historic Towns, the fact that it lies adjacent to the Bell Common Conservation area, its green open land contributing through its rising topography. This area of land is also a significant 'green' boundary for Epping that can be seen from the M25 for many miles as you approach from the East. We do not see that the following statement referring to Site Allocation SR-0333Bi, within the supporting document, can be considered as supporting an exceptional case to move the Green Belt boundary: - This Site is located sustainably. It scores poorly against several criteria, including air quality and Green Belt harm, but it was felt that these constraints may be overcome. Future design should consider localised parking and traffic constraints. This site should continue to be considered. Such a statement does not appear to give a solid basis for considering a site that is 'available now achievable for delivery within 5 years'. Greenacres (SR-0445) We understand from our neighbour a representative of EFDC Planning Department has advised that site allocation was based upon a 'Call for Sites' review, which we understand means that if a landowner had expressed a previous interest in development of their land and approached the Council's Planning department then a site was included in the review for inclusion in the plan. When this draft plan was published in September 2016, we approached our neighbours about the allocation of 23 houses on their land. They

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

were, at that time, shocked that their property had been included in this way within the plan. They did say that they had previously approached the Council to build two properties on the land, but not 231. We also understand that should this property remain in the OLP and the Green Belt boundary was changed, it is highly unlikely that our neighbours would ever be granted planning permission to develop only two houses on this plot. More significantly, a review of the Property Register held at the Land Registry for Green acres identifies that there are specific Covenants that restrict this property to one dwelling house. We have also noted that there appears to be a discrepancy within the calculation of homes that are allocated to this site, irrespective of the Restrictive Covenant noted above. The OLP identifies within the below allocation area, 23 homes, relating only to the northern part of the site. *ATTACHED ONE MAP* However, within the 'Residential Sites for Stage 2 Assessment in Epping' document, this site was appraised as the whole 1.2 Ha, which gave an adjusted dwelling count of 27 homes, see below. *ATTACHED ONE SATELLITE MAP* We do not believe that the indicated area for SR-0445 can sustain 23 homes, including associated amenity space and parking. Moreover, we believe that site SR-0445 is really part of the overall strategy for the access road to the larger site allocations behind, as the site was previously in the ownership of John Padfield, who also currently owns the larger plots. Site Access As discussed in the summary of principal concerns, we are aware that access to sites SR-0445 and SR-069/33 are across land owned by the Corporation of London, see below extract from the Land Registry website. The 'Residential Sites for Stage 2 Assessment in Epping' document states the following: - SR-0445 SR-0069/33 Suitable access to site already exists. Potential for access to the site to be created through third party land and agreement in place, or existing access would require upgrade. It is not clear whether these statements relate to existing agreements for existing use or agreements for the intended increased use and obvious infrastructure revisions to the access arrangements. *ATTACHED ONE MAP* Infrastructure Delivery and Viability Transport Any infrastructure should be delivered to ensure that the safety of the public is not compromised and the Draft Infrastructure Development Plan (IDP) states that traffic improvements will need to reduce effects of traffic congestion. Ivy Chimneys Road is already a very busy road with congestion at peak times and regular bus routes. The area around Ivy Chimneys School is extremely busy during the drop off and collection period. We assume that traffic will not be directed through Centre Drive but directed towards Theydon Road and its junction with the B1393 High Road. Page 17 of the Arup report identifies Ivy Chimneys/Bell common junction a significant congestion area which is currently operating noticeably above capacity. How can the junction expect to work with the addition of construction traffic to build the sites and associated vehicles from the additional 625 homes? Our understanding of the OLP is that any shortfall in the funding required to accommodate any infrastructure requirements are anticipated to be funded through developer contributions from the strategic sites (through either s.106 or CIL payments). Viability This raises a significant concern regarding the viability of these sites. Even if it were possible to carry out the required transport infrastructure works to both access and support the developments within the existing road network, the cost would be significant. Any development viability will be expected to support the associated s.106/CIL payments. As previously noted, the sites will have significant risks associated with the proximity to the M25 and HV Pylons and cables. This will increase build costs and reduce expected sales values for these properties. It is also anticipated that, following recent political pressure within local government, a minimum of 35% of the homes will be required for affordable homes. This further reduces the income returns on the sites. The sites will also require significant capital investment into primary utility services. All the above items raise concerns as to whether the sites are viable and will ever be developed. Alternative Sites During the October presentation of the OLP by Councillor John Philip he noted that any objection should be supported evidentially and offer alternative site locations. If existing brownfield sites within the existing Green Belt boundary around Epping cannot support the required housing and it is inevitable that Green Belt land is affected, we note that Site Reference SR-0334 is noted as having a low/very low sensitivity to harm to Green Belt. This parcel also benefits from being adjacent to an existing estate, which will clearly be in a better position to support the increased housing. We believe that previous Council reviews for travellers sites did include these areas, so a precedence has been set. Conclusions We believe that our objection has evidenced that the sites referenced within the Ivy Chimneys area are neither sustainable or available for inclusion in the OLP. All the sites are dependent upon the change to the Green Belt boundary and as noted, for this to happen an exceptional case needs to be presented. Based on the information within your own supporting documents we fail to see how this can be achieved, bearing in mind that there are other sites in Epping that will have less of an impact on the Green Belt if utilised. Your own reports identify that the existing highways infrastructure in this area is exceeding capacity, and without any detailed infrastructure plan, it is not possible to see how the existing infrastructure can be improved to sustain the increase in housing in the area. Access to any sites will involve legal agreements with third parties, and it is not clear within the OLP as to whether these will be granted.

Response to the Draft Local Plan Consultation 2016 (Regulation 18)

Access to the larger development parcels is not possible without site SR-0445. The existing farm track will not be sufficient to provide suitable access to the sites. The inclusion of site SR-0445 is clearly not sustainable, as the existing Restrictive Covenant precludes any more than one dwelling being present on the land. This site should therefore be removed from the OLP as it is clearly not available for inclusion. Clearly if that is the case then, the remaining site will not be possible to be developed as the existing access is not suitable. The development of these sites has significant health implications for the new housing through proximity to M25 and HV Pylons and cables. Existing residents would also be exposed to increased health risks through increased activity on Ivy Chimneys Road and the reduction in air quality. We do not believe that these sites will be financially viable.