

The logo for Theydon Bois Action Group features the text 'Theydon Bois' in a green, sans-serif font above 'Action Group' in a larger, bold, orange, sans-serif font. The text is centered within a light green triangle that points downwards.

Theydon Bois Action Group

PROTECTING THE VILLAGE OF THEYDON BOIS

The Planning Policy Team
Directorate of Neighbourhoods
Epping Forest District Council
Civic Offices
323 High Street
Epping
Essex CM16 4BZ

10th December 2016

Ref: EFDC LOCAL PLAN RESPONSE

Please find below responses to the Draft Local Plan Questionnaire.

Q1 The Vision

Strongly Disagree

EFDC claim that the Draft Local Plan will provide homes for our children and grandchildren and will protect our Green Belt and enhance our natural environment. This is not true. Homes are not being provided simply for the existing and future residents from within the District and massive incursions will be made into the Green Belt with the loss of many clearly definable Green Belt boundaries, contrary the Government Policies in their National Planning Policy Framework (NPPF) and countless Ministerial Statements about protecting "our precious Green Belts" and promises made in the Government's 2015 Conservative Party Manifesto!

EFDC's 2012 "Issues & Options-Consultation Document-for the Local Plan" states at para 2.5, that there "is a **fairly small** (approximately 200) net gain of population most years, purely from the District's existing residents." This would only amount to a few thousand new homes actually being required over the next 20 years and not the 11,400 proposed up to 2033. Outward migration from London, people who **want** to live here but do not necessarily **need** to live here, inflates the EFDC population projection figures and impacts detrimentally on the Metropolitan Green Belt, which was created to protect the countryside around London. EFDC, and **especially Councillors**, should proactively challenge Government, to ensure that developers are required to build new homes on London brownfield land first, rather than effectively "forcing" Local Authorities to alter their Green Belt boundaries to accommodate artificially high housing "Needs", at Examinations in Public of Draft Local Plans by the Planning Inspectorate, which is, after all, an Executive Agency of the Government's Dept for Communities & Local Government. I would ask EFDC not to be bullied by Government's time scales for production of the new Local Plan, neither should the **loss of revenue** from the "New Homes Bonus" to the Council, in the event of it not meeting the deadline for the Local Plan, be taken as an incentive for expediency in producing a Local Plan which is clearly inappropriate for this District's needs and with its natural constraint of being 92.4% Green Belt. Other issues which EFDC and Councillors should take forward with Government is "Land Banking" by developers who get planning permission and then do not proceed with development until they can maximise their profit. This may not be a major factor within the District but it is a contributing factor towards the general thrust for more, artificially, enhanced housing numbers and

will clearly impact detrimentally on our District.

The Government's NPPF at para 83, makes it clear that, in the preparation of a new Local Plan, **"Green Belt boundaries should only be altered in exceptional circumstances"** and EFDC in its Background Paper on Green Belt and District Open Land (BGP4) makes it clear at para 3.4, that these **exceptional circumstances do not exist** within Epping Forest District. It states that: *"The level of need identified for Epping Forest District is not, in itself, sufficient justification for amending Green Belt boundaries."* However, the report then goes on to argue that the desire by Harlow Town to expand, along with the wishes of a commercial grouping, the London Stansted Cambridge Consortium (EFDC is a member), to develop along the M11 Corridor, does justify EFDC taking land out of our Green Belt. Again, I would not wish for the **potential revenue to EFDC**, as income from rates on Harlow development on Epping Forest District Green Belt land to be a factor influencing decision makers in EFDC on our new Local Plan.

Finally, it is widely recognised that it was Government "policy" under the previous Chancellor of the Exchequer and Prime Minister, to build our way out of the 2008 Recession. It is now timely, under the new Government administration, for EFDC and Councillors to actually engage in protecting our "precious Green Belt land" by not bowing to perceived pressures from the Government's Planning Inspectorate. The issue of Brexit will also compromise the validity of any population forecasts both nationally and within Epping Forest District and I note that much of the totally unrealistic, 23% increase proposed for Theydon Bois is projected towards the end of the new Local Plan period.

The EFDC Vision as it stand is untrue and misguided.

Q2 Distribution of new housing across the District

Strongly Disagree

There is no justification for increasing the size of Theydon Bois by some 360 houses, a 23% increase. This is not sustainable in terms of lack of provision of services such as schools and doctors facilities. The Central Line is already running at peak capacity, despite the latest statements by TfL to the contrary. Government policy says that when drawing up Green Belt boundaries, Local Planning Authorities should promote sustainable patterns of development and this is not the case here. To be sustainable, development should be focussed on the District's towns which already have good infrastructure and facilities and not sites that have merely been put forward by landowners for profitable development but are clearly low on sustainability.

Q3 Proposed development around Harlow

Strongly Disagree

I disagree with the loss of our Green Belt land to the redevelopment of Harlow and the fact that this is being used as "Exceptional circumstances" to allow EFDC to alter Green Belt boundaries when no case exists within Epping Forest District itself - See EFDC Background Paper 4 - even though such development **would create an income stream for EFDC** through revenue from rates levied. This proposal would, through the aspirations of the London Stansted Cambridge (Development) Consortium, also drive a brownfield development wedge through our Green Belt along the M11 Corridor.

Any Harlow expansion should utilise land already within the town through regeneration and redesign. Neither do I think that the desired Harlow expansion should proceed under the guise of some sort of "Garden City", which seems to have been seized on by interested parties, possibly

including EFDC, as a means of obtaining funding from Central Government. The concept of garden cities or villages is good but they should not be tacked on to existing established developments but rather be purpose designed and built entities outside of the Green Belt!

Q4 Proposed shopping areas

Focussing primary shopping areas around towns would seem sensible but it should not be to the detriment of existing local facilities in villages and smaller settlements.

Q5 Proposals for new employment developments

New employment sites should be allocated towards the District's towns and larger settlements who are happy to expand in a sustainable manner. The proposed Theydon Bois site to the South of Coopersale Lane is a nonsense and would appear to indicate a "desk top" review by consultants. It is used as a Highways Depot for the M11 Motorway and therefore has a strategic purpose. It would be entirely inappropriate for an employment or commercial site as Coopersale Lane is a narrow, Protected Historic Lane and EFDC has previously refused such planning applications for Blunts Farm which is quite close by.

Q6 Proposed sites in Theydon Bois

Strongly Disagree

Disagree with development of all the 4 Green Belt sites in Theydon Bois. The proposal for 360 new homes in Theydon Bois is **vastly excessive** and would amount to a 23% increase in the size of our village. The site selection has not been thought out logically and 3 of the sites were not in EFDC's selection in their 2012 Issues & Options Consultation Document. So what has changed? The 3 new sites to the East of the Central Line were put forward by landowners, for reasons of profit, and do not form part of a clear and effective sustainable development strategy, neither do they comply with the Government's strict Green Belt Policy in the NPPF at para 85 bullet point 6, which states that:

"When defining (Green Belt) boundaries, local planning authorities should:-

Define boundaries clearly, using **physical features that are readily recognisable and likely to be permanent**"

The railway line and its embankment forms the **clear and recognisable boundary** to the East of Theydon Bois village. It is **permanent** and has been there for some 150 years. Para 83 of the NPPF also stresses that when preparing or reviewing the Local Plan, "Authorities should consider the Green Belt boundaries having regard to **their permanence in the long term**, so that they should *be capable of enduring beyond the plan period.*"

The only definitive and permanent Green Belt boundary is the railway line and this cannot be breached. Any land features such as hedges or ditches to the East of the line do not represent a permanent feature, as they can be removed or filled in by culverting, and as such would not constitute a "likely to be permanent" Green Belt boundary and would be contrary to Government policy in the NPPF.

All 3 sites to the East of the railway line make a highly significant contribution to the landscape character of the rural area and the historic environment at the clearly defined settlement edge of Theydon Bois village.

Specifically:-

* **The Old Foresters Site, SR-0026B**, is very prominent and highly visible from the Great Gregories / City of London public open space on rising land to the West of the railway line. It is also traversed by a well used Public Right of Way. EFDC have, in recent years, refused planning permission for two separate applications to use the land for a commuter car park. Importantly, the Planning Inspector, in 2012, dismissed an Appeal (APP/J1535/A11/2164695) for a 2 storey building for a training and leisure facility for children in foster care and their carers, using the **whole** of the 15 plus acre site. The Planning Inspector covered the *Openness of the Green Belt and the Character and Appearance of the Area* in para 7 and stated that:-

"The site is separated from the built up residential area to the west by the embankment supporting the Central Line. There are protected trees along the southern and western boundaries of the site and the open countryside to the north, and east. While there are a few buildings in the wider area, and the M25 is visible from the site, the locality has a predominantly rural character and appearance."

In his Appeal Dismissal, at para 21, the Inspector concluded that:- *"The harm by reason of being inappropriate development is due substantial weight as is the effect on the openness of the Green Belt. To this must be added the significant harm to the character of the areaIt follows that in this case the social and economic benefits do not outweigh the environmental harm and thus the proposal does not constitute sustainable development."*

AND- this Appeal Decision Dismissal for the site in question was **only for the construction of a 2 storey building** and the retention of a single storey porta-cabin.

***Part of Thrifts Hall Farm, SR-0026C**. This is classic Essex meadow land and part of this site is described as a "**Sensitive Historic Landscape: Pre 18th Century Field**", in the EFDC Landscape Sensitivity Study carried out in 2009 by Chris Blandford Associates. This means that the field in its present form dates back to the 1600's! It is therefore a highly important landscape feature and, additionally, its loss to housing would also have a severe and detrimental impact on the setting of the adjacent Grade 2 listed, historic, Parsonage Farm, to which this field and also the, half acre, old allotment site (now owned by TfL) once belonged. A Public Right of Way runs through this meadow land and is part of a wider network connecting Theydon Bois with Theydon Garnon Church, Fiddlers Hamlet, Ivy Chimneys, Epping and Abridge.

***The Old Allotment Site-TfL Land- SR-0228ii**. Building on this half acre site would also breach the permanent settlement boundary of the railway line and compromise the integrity of the permanent Green Belt boundary contrary to policies in the NPPF. It originally formed part of the larger fields (SR-0026C) associated with the nearby, historic, Grade 2 Listed Parsonage Farm. It has been incorrectly described, in the Draft Local Plan site selection criteria, as being a car park and a commercial yard. It is neither. It was briefly used as an operational site many years ago for about 6 months when repairing the roof of the station platforms. It is Green Belt land and still continues as a wildlife and biodiversity feature despite being interfered with by TfL in an unsuccessful attempt to build a car park without express planning permission. It has a Public Right of Way running through it adjacent to the railway station. This public footpath is heavily used as it connects with a network of other public footpaths through the open countryside to the East of the railway line and is used as a starting point for ramblers from Theydon Bois Station who use it to gain access to the open countryside, which is all Green Belt land.

Other issues which relate to the unsustainability of all the sites to the East of the railway line for proposed housing, are the lack of provision for more students in the school at Orchard Drive and the shortcomings of the doctors surgery which has been reduced to 4 days a week coverage. Despite TfL now "back pedalling" and saying that their Central Line service now has capacity, locals know that this is not the case. This appears to be a somewhat unattractive ploy now put forward by TfL in an attempt to justify their financial desire to develop all the car parks of their Central Line stations

within the District, so as to justify that the tube will be able to cope with the increased passenger numbers caused by their development aspirations.

Q7 Proposed infrastructure provision

Strongly Disagree

There does not appear to be any specific requirements or details for infrastructure with most being generalised and difficult to quantify as being part of a new development. It cannot be guaranteed that the infrastructure will be provided in the right place at the right time

Q8 Interim Sustainability Appraisal

The interim sustainability appraisal does not support the wide dispersal of development in and around the large and small villages of the District. Regarding Theydon Bois - the Appraisal sets out the basis for assessing sites in the Green Belt, that it was - "To enable sufficient sites to be considered to maximise existing sustainable transport links within the settlement". This is clearly not the case here as the transport links are already at capacity and the overloaded underground station is poorly served by the existing road network and bus services, such that any new development designed and located to use the station will further add to the congestion and over crowding already evident on the trains.

Q9 Other policies proposed in the Draft Local Plan

I strongly disagree with the **proposed abandonment of our Local Plan Green Belt Policies** in favour of Draft Policy SP5, which effectively says see Chapter 9 of the NPPF. This appears to be put forward for reasons of expediency on the part of EFDC and is in fact contrary to the opening two paragraphs of the NPPF.

Para 1 states that the NPPF "Provides a FRAMEWORK within which **local people** and their accountable **councils can produce their own distinctive local** and neighbourhood **plans, which reflect the needs and priorities of their communities.**"

Para 2 states that "**The NPPF must be taken into account in the preparation of local plans**"

It is vital that we continue to have Local Plan Policies covering the Green Belt and issues such as details of "Limited Infilling", "Disproportionate Extensions", "Preventing the increase in size of residential curtilages through amalgamation with adjacent agricultural fields" and taking "Basement Volumes into account in overall proposed size increases", for example.

Neither do I consider that these matters can be addressed through Neighbourhood Plans.

EFDC's Counsel, Mr Beard, examined our Local Plan Green Belt Policies for compliance with the NPPF and his Report was approved by Cabinet. This report will serve as a firm basis for continuing our much needed Green Belt Policies whilst avoiding duplication with existing NPPF Policies, possibly the case with GB2A.

On Landscape Policies, I strongly disagree with the abandonment of Policy LL3, relating to Settlement Edge. This was recently cited by the Planning Inspector in dismissing the Appeal for 13 Flats on the site of the Sixteen String Jack PH at Theydon Bois.

On Basement Policies, I take issue with the coverage of 50% of garden space with underground

basement development as part of a basement to the dwelling house. The GPDO does allow single storey above ground development in gardens (up to 50%) for purposes incidental to the use of a dwelling house but the development CANNOT be attached to the main house. This non-attachment to the main house is being ignored in your proposed new Basement Policy.

Recent post NPPF Planning Inspectors' decisions relating to extensions / replacement buildings, along with basements to dwellings in the Green Belt, have deemed that the volume of the basement, even though it cannot be seen above ground, must be taken into account in deciding whether the overall proposed increase in size is disproportionate.

Sincerely

Dr John Warren
Chair, Theydon Bois Action Group