



## **Epping Forest Local Plan**

### **Examination Hearing Statement**

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### **Matter 15 – Places and Sites**

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**Prepared by Strutt & Parker on behalf of Croudace Homes (Stakeholder ID 19LAD0025)**

**April 2019**

## Context

1. Strutt & Parker have participated in the plan-making process on behalf of Croudace Homes (Local Plan Examination Stakeholder ID 19LAD0025) throughout the preparation of the Epping Forest Local Plan, including in relation to the promotion Land east of Epping Road, Roydon for residential development. This has included representations on the Local Plan Submission Version (LPSV) (Regulation 19) consultation (Representation ID 19LAD0025-1 and 19LAD0025-2) in respect of proposed policies SP2 and P9.
2. The LPSV proposes allocation of a small proportion of the wider area of land which has been promoted through the plan-making process by Croudace Homes (ROYD.R3). Two configurations of Land east of Epping Road, Roydon were considered through the preparation of the Local Plan, identified as sites SR-0306 and SR-0890 in the plan-making process. However, the proposed allocation ROYD.R3 is not commensurate with either.
3. As made clear in our representation on the LPSV, ROYD.R3 is not deliverable as currently proposed to be allocated.
4. This Hearing Statement is made in respect of Matter 15, Issue 2 of the Epping Forest Local Plan Examination; and, specifically, in relation to Policy P9 – Roydon.
5. We have sought to avoid repeating matters within this Hearing Statement which were raised within our representation on the Regulation 19 iteration of the Local Plan.
6. Two appendices accompany this Hearing Statement:  
  
Appendix A: LPSV Supplementary Representations  
Appendix B: Landscape and Green Belt Assessment

## Issue 2

**Are the Plan’s policies for the specific places and sites within the District justified, effective and consistent with national policy; and are the specific site allocations they include justified and deliverable?**

### **Policy P9: Roydon**

#### General Matters

7. We have raised concerns in relation to the LPSV’s approach to Roydon in response to other Local Plan Examination Matters – concerns which are considered to render the LPSV unsound unless addressed through modifications. Within our previous consultation responses we have set out how we consider the Local Plan’s approach to growth in Roydon is unjustified; inconsistent with national policy; that the meagre of levels of growth that are proposed for the settlement are not deliverable, and as such the Local Plan is ineffective in this respect; and that it cannot be said that the LPSV is positively prepared regarding its approach to Roydon. Matters within these representations are not repeated in detail here, but can be summarised as follows:
  - i) The LPSV proposes an unjustifiably low number of homes be provided in Roydon. The number of new homes it will facilitate will fail to sustain the vitality of the local community of Roydon, and cannot be considered sustainable.
  - ii) The LPSV fails to consider the settlement’s characteristics which make it a sustainable location to accommodate a proportion of the District’s housing needs. Most notably, it has failed to properly account for the fact that Roydon is the only settlement within the District which benefits from a

mainline railway station, and the potential sustainability benefits this provides.

8. Our concerns were set out within our LPSV representations (reference 19LAD0025) of January 2018, and remain. Indeed, since our representations were made our concerns have merely been compounded. In particular, we note:
  - Concerns in respect of additional traffic arising from increased traffic arising from growth in the District, and its impact on Epping Forest Special Area of Conservation – concerns which further underline the importance of directing proportionate growth to settlements which benefit from sustainable transport opportunities and are further removed from the Special Area of Conservation; and
  - The acknowledgement now by the Council that the LPSV will not meet housing needs within the early years of the plan period (Evidence Base reference EB410A).
9. We note the trajectories provided by the Council as an appendix to the Housing Implementation Strategy (2019) (EB410B) estimate that a mere 19 dwellings will be delivered in Roydon Parish based on existing commitments; and only 62 homes through proposed allocations (this includes 14 dwellings through proposed allocation ROYD.R3 which, as discussed later within this Hearing Statement, is not deliverable for this quantum).
10. Notably, the trajectories suggest no new homes will be provided at all within the village from 2024/25 until the end of the plan period. Given the NPPF requires a revised Green Belt to endure beyond the plan period, and the provision of new homes in Roydon is dependent on alterations to the Green Belt, the LPSV risks preventing provision of any new homes at all for the settlement from 2024/25 until an indeterminate point in the future.

11. It is hard to conceive how the Green Belt boundary currently proposed to be drawn around Roydon could achieve sustainable development for the settlement without having to be revised again before the end of the plan period. As such, as currently proposed the approach will either fail to deliver sustainable growth for the settlement; or will fail to ensure the permanence of the Green Belt beyond the plan period, contrary to the NPPF and undermining the integrity of the Green Belt.
12. The LPSV's approach to Roydon renders the Local Plan as currently drafted unsound. However, such defects can be cured through modifications which would entail a relatively limited delay in the plan-making process: one of the site's proposed to be allocated at Roydon (ROYD.R3) is capable of being modified such that it is suitable, available and achievable to accommodate a significantly greater number of homes than the LPSV currently proposes, ensuring a much more sustainable level of growth is directed to Roydon. This is discussed further within the following section of this Hearing Statement.

#### Site Specific Matters

13. We welcome the LPSV's confirmation that the direction of growth to an area of Roydon in which there is existing development to the east and south of the main settlement is considered sustainable, as demonstrated through proposed allocations, including ROYD.R2 and R3.
14. ROYD.R3 proposes allocation of part of site reference SR-0306 / SR-0890, but only a small proportion of this site. The LPSV proposes delivery of 14 dwellings through allocation ROYD.R3.
15. As the organisation the Council would be reliant on to delivery this aspect of the plan, Croudace Homes are uniquely well-placed to comment on the deliverability of proposals.
16. If the allocation and accompanying policies proposed within the LPSV were to be amended to encompass a larger area of land as per representations made to the

Council on behalf of Croudace Homes on Regulation 18 and 19 iterations of the Local Plan, such an allocation would be suitable, available and achievable.

17. However, as has been explained to the Council through formal consultation responses to the LPSV dating back to January 2018, and reiterated in response to consultation on the Housing Implementation Strategy in January 2019, the allocation as currently proposed within the LPSV is **not deliverable**.
18. As explained within representations to the Council on the LPSV (19LAD0025, paragraph 5.11), delivery of 14 dwellings on the extent of land proposed to be allocated would entail a density of development substantially higher than the surrounding development. At Appendix 6 of the LPSV, it is suggested that the indicative net density of development at ROYD.R3 would be 39 dwellings per hectare, which would vastly exceed that of adjoining development. This is of particular significance given that this is a small proposed allocation – it would not be possible, for example, to focus lower density development within areas adjoining the existing settlement, with higher densities within areas which had their own character distinct from the existing settlement. As we informed the Council through representations on the LPSV (paragraph 5.11 of 19LAD0025), we consider that even a capacity of 6-8 dwellings would represent an optimistic assessment of the proposed allocation.
19. Concerns as to deliverability of the proposed allocation set out in response to the LPSV were reiterated to the Council in January 2019 in response to consultation on a draft Housing Implementation Strategy. The Council response to these concerns (appendix 4 of EB410A) was to simply push back the projected year of the first completion for the site. However, there are no temporal aspects to the concerns raised – if the allocation were to proceed as currently proposed, issues cannot simply be resolved over time. Rather, issues are inherent to the current proposals.
20. ROYD.R3 is not available for the development as proposed through the LPSV, and we do not feel any developer would be prepared to deliver the site at the

density the policy necessitates at this location. Moreover we believe such a form of development would be unlikely to be found to be acceptable through the Development Management process, largely due to the significantly higher density of the proposed allocation than the immediately surrounding area.

21. Separately and additionally, having determined that an alteration to the Green Belt boundary at this location (as proposed by ROYD.R3) is suitable and justified – and mindful that Green Belt should only be altered in exceptional circumstances – we consider that it is then imperative to seek to maximise the benefits of such Green Belt release.
22. However, the LPSV fails to do so, and proposes Green Belt release at this location for what is comparatively very little benefit. There are opportunities to provide a significantly greater number of homes (as well as other benefits such a provision of public open space), through an alternative amendment to the Green Belt at this location. However, this opportunity has been overlooked and, unjustifiably, the LPSV proposes a much reduced form of this allocation to that which is sustainable and deliverable here.
23. Evidence has been provided to the Council as part of the plan-making process which confirms an alternative allocation comprising land proposed to be allocation through ROYD.R3 is suitable, available, achievable: site reference SR-0306; and an alternative, smaller element of this site: site SR-0890.
24. The Site Selection Report (2018) (reference EB805) appears to be the primary document for providing the justification for the rejection / selection of alternatives. Specifically, justification is set out in Appendix B1.1 of this report (reference EB805A). In relation to site SR-0890, it states:

“Site is proposed for allocation. The justification for the allocation can be found in Appendix B1.6.6.”

25. The justification at Appendix B1.1 makes no reference to the LPSV only proposing a small proportion of this site for allocation.

26. At Appendix B.1.1.6 (EB805P) it is stated that:

“This site [SR-0890] was identified as available and there are no identified restrictions which would prevent the site coming forward for development. However, as a result of the potential for harm to the landscape character across the eastern part of the site, as well as identified access constraints, it is proposed that development should be limited to the far western part of the site fronting Epping Road. This part of the site is proposed for allocation”

27. However, no evidence is provided to support such assertions regarding access and landscape concerns. Indeed, evidence has been provided to the Council which confirms these concerns are unfounded. An Access Appraisal was undertaken for the site, which confirms suitable vehicular access can be provided via Epping Road. This access was designed and agreed in principle with Essex County Council, the Highway Authority. In respect of landscape, allocation of site SR-0890 is supported by a Landscape and Green Belt Assessment which was submitted to the Council.

28. Delving further into the more detailed aspects of the Site Selection Report (2018), at Appendix B.1.4.2 (Part 3) (EB805Fiii), the assessment considers the Site SR-0890’s potential to accommodate 60 dwellings, and there are no indications here that the extent of the allocation must be significantly reduced in order to be suitable.

29. At Appendix B.1.6.4 of the Site Selection Report (2018) (EB805N), there is reference to a site boundary adjustment being required to SR-890 for it to be suitable, with the stated justification:

“Development should be limited to the property fronting Epping Road. This equates to 6% of the site area.”



30. However, no explanation is provided as to why this should be so. In any case, the proposed allocation ROY.R3 is not limited to land fronting Epping Road.
31. Site SR-0306 represents an alternative way in which ROYD.R3 could be amended to ensure it is available, achievable and suitable, albeit one which would make less of a contribution to meeting housing needs. The reason why a potential configuration of ROYD.R3 reflecting SR-0306 was rejected is set out within Appendix B1.1. of the Site Selection Report (2018) (EB805A), in which it is stated that whilst the site does have the potential to contribute to the District's five-year housing land supply, it was considered less favourable as it is:
- “Greenfield land not adjacent to a settlement and there are a sufficient number of sites within the settlement that are ranked more favourably”.
32. However, as was pointed out to the Council in our LPSV Supplementary representations (at paragraph 3.16) (a copy of which is provided as **Appendix A** to this Hearing Statement) back in April 2018, this is factually incorrect. The site *is* adjacent to the existing settlement. Despite this error having been pointed out to the Council through representations, it has yet to be rectified. Notably, in the time since the Council was alerted to this factual error, no other reason for the rejection of this potential configuration of ROYD.R3 has been provided.
33. No robust justification has been provided as to why the proposed ROYD.R3 should not reflect either of the configurations that have been put forward to the Council (SR-0306 or SR-0890). The Site Selection Report (2018) (EB805) purports to provide the reasons for the rejection of such configurations of ROYD.R3, but does not bear up under any scrutiny.
34. Within SR-0306, potential development parcels have been carefully identified through a Landscape and Green Belt Assessment (a copy of which was provided to the Council at the Regulation 18 and 19 stages of the plan-making process, and is provided here again as **Appendix B**). Development of such parcels at an

appropriate density would result in the provision of approximately 180 homes at this location. This includes approximately 120 dwellings on the element of the site comprising just SR-0890, which could be delivered as a smaller alternative.

Question 4: What effect would the development of the following sites have on the purposes of the Green Belt: ROYD.R1; R2; R3; R4?

35. The impact of development of an amended version of ROYD.R3 so that it reflects site SR-306 has been subject to a detailed Landscape and Green Belt Assessment, as discussed earlier within this Hearing Statement.
36. The Landscape and Green Belt Assessment concluded that SR-0890 (Site A in the assessment) makes a weak contribution to the purposes of the Green Belt, and that the eastern portion of SR-0306 (the remainder of SR-0306, excluding SR-0890) makes a relatively weak contribution. The report found that, with appropriate mitigation (which the *Calverton* judgment confirms should be given consideration) SR-0306 can suitably accommodate 7ha of developable land. 4 ha of which is within SR-0890 and made up of four development parcels; with the remaining element of SR-0306 assessed as being able to accommodate 3 ha of land at a lower density of development. Figure PR-0007 within the Landscape and Green Belt Assessment proposes a landscape led strategy for the development of the site, setting out the proposed development parcels, together with areas of open space and landscape enhancements to mitigate the impact of development.
37. Amendments to allocation ROYD.R3 and accompanying policy text within P9 to reflect these would provide an allocation accompanied by appropriate policies to ensure that the strategic purposes of the Green Belt are not undermined.

## **Remedying soundness issues regarding Matter 15 and Policy P9**

38. In relation to Matter 15, Policy P9 and the Local Plan's approach to Roydon, we consider necessary modifications include those to ensure a sufficient level of growth is directed to Roydon over the plan period. This is required in order to reflect the settlement's characteristics and its ability to sustainably accommodate a proportion of the District's housing needs; and the need to sustain the vitality of the village. In terms of achieving this, it is relevant to note that the LPSV already recognises that:
- a) Land adjoining existing development in Roydon within an area to the south and east of development (and therefore subject to a degree of enclosure) is a sustainable location for housing, and amendments to the Green Belt boundary are proposed here (ROYD.R2 and R3).
  - b) A proportion (albeit a small one) of SR-0306 is suitable for development.
39. As such, it is considered that there is particular merit in considering whether proposed allocation ROYD.R3 can be modified to assist in addressing matters of soundness with the LPSV.
40. As demonstrated within evidence submitted to the Council at Regulation 18 and 19 stages of the plan-making process, site reference SR-306 is suitable, available and achievable to accommodate 180 dwellings through a landscape-led development which would not harm the strategic purposes of the Green Belt. Such a development would also be far more in-keeping with the local character of Roydon than the form of development that would be required to be taken to achieve 14 dwellings on land currently proposed to be allocated at ROYD.R3. As such, amendment to ROY.R3 such that it corresponded to site reference SR-0306 would be justified, deliverable (and therefore helping to ensure an effective Local Plan), consistent with national policy; and would help ensure the Local Plan is positively prepared.

41. In the event that a smaller allocation than SR-0306 were deemed to be more appropriate in this instance and sufficient to ensure a sound Local Plan, then site reference SR-0890 represents a viable alternative option for a modification to ROYD.R3. This would deliver fewer new homes than an allocation reflecting SR-0890, but would still make a more positive contribution than the LPSV's current proposal in respect of ROYD.R3.