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Directorate of Neighbourhoods  
Epping Forest District Council  
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323 High Street  
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Essex.  
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Our Ref: SG/JAC/11933

2nd December 2016

## **SUBMISSIONS IN RESPECT OF EPPING FOREST DISTRICT COUNCIL DRAFT LOCAL PLAN CONSULTATION**

I refer to the Councils consultation on the draft Local Plan and set out below our submissions in this matter.

Our main submissions relate to the non-inclusion of our clients site at Grange Farm Lane as a housing site. We reiterate that the site is available and deliverable and could be considered to be part of the first 5 year housing land supply.

We are concerned that the site selection process has not been undertaken in a consistent or robust manner and in this respect set out below our comments on the site appraisal of Arup.

For your advice the site reference is SR-0435 which appears around page 28 of the Arup report. The land is identified as land north west of The Grange and north of Bramble Close, High Road, Chigwell. The site is referred to as in part large domestic garden and in part field. There is an indicative yield of thirty dwellings based at 16 dwellings per hectare.

We firstly make reference to the Arup Assessment to confirm a number of important matters.

### **Criteria 1.1**

In respect of 1.1 there is no significant impact on internationally protected sites.

### **Criteria 1.2**

There is no impact on nationally protected sites.

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**Criteria 1.3a**

The site is not located within or adjacent to Ancient Woodland.

**Criteria 1.3b**

No Ancient or veteran trees would be impacted upon.

**Criteria 1.4**

Arup concluded that the site is unlikely to impact on Epping Forest buffer land.

**Criteria 1.5**

Arup concluded there was no effect on BAP priority species or habitats.

**Criteria 1.6**

It was confirmed that the site has no effect as features and species could be retained or due to distance to local wildlife sites would remain unaffected.

**Criteria 1.7**

Flood Risk: Arup correctly identified the site as being within Flood Zone 1. i.e. There is no flood risk.

**Criteria 1.8a**

Arup concluded that no affect is likely on historic assets due to the distance from the site.

**Criteria 1.8b**

Arup identified that there could be some archaeological interest. In this respect we would submit that such matters could be covered by archaeological testing and or watching brief which would be covered by condition.

**Criteria 1.9**

Arup indicated that the site lies within an area which has been identified as being 'at risk' for air quality. We do not agree with this comment and in fact challenge it. The site lies a significant distance back from the main road and dispersal of particulates from the site would be considered to be good. In any event mitigation measures could be put in place as set out in the Arup assessment.

**Criteria 2.1**

In the assessment Arup conclude that the site is within the Green Belt where the level of harm caused by the release of the land for development would be high or very high. In short we simply do not understand this comment and it appears to run counter to their conclusions on sites that are



much more publicly visible. This particular site lies back from High Road and is bordered by two large development sites. It is then surrounded by existing residential development as well as the Beis Shammei School and the Chigwell Primary School that was recently subject to a significant scale of development approved at planning Committee.

**Distance to the nearest rail/tube station:** Arup conclude on this point that the site is a reasonable distance being between 1km and 4km to the nearest rail or tube station.

#### **Criteria 3.2**

Arup conclude that the site is between 400m and 1km from a bus stop. This is within the normally accepted distance.

#### **Criteria 3.3**

Arup conclude the site is within 1600 metres of an employment site/location. This is, in our view to take an overly simplistic view of employment locations. There are a number of significant employers located much closer than the 1600 metres stated and therefore we will this filter has been incorrectly applied.

#### **Criteria 3.4**

The distance to local amenities is stated as between 1km and 4km in the Arup assessment. Chigwell station is less than 1.4 km away. With numerous shops and employment opportunities closer than this. The closest of the shops in High Road is only about 1150 metres away. Within this distance there are sports facilities, schools, cafes and restaurants, a Church and Public House/Restaurant. In the opposite direction there is a golf course with associated facilities and a relatively short distance away of just over 2 kilometres on the opposite side of the M11 at Debden a very large industrial estate with offices and a wide range of employment opportunities.

The Arup report is therefore in our view inaccurate.

#### **Criteria 3.7**

It is stated that the site is between 1000 and 4000 metres from the nearest GP's surgery. This is considered an inaccurate statement.

#### **Criteria 3.8**

**Access to strategic road network.** In response to this Arup state that this is not applicable. It is not understood how this is the case when a connection to the M11 is a very short distance away.

#### **Criteria 4.1**

The majority of the site is Green Field but it is considered inappropriate to say that it is not adjacent to a settlement. There are now large scale developments immediately next to the site and these do connect to Chigwell. In our submission this must be the case otherwise the Council would not have agreed to the residential development at the school.



#### **Criteria 4.2**

Arup concluded that the development would involve the loss at best of the most versatile agricultural land (Grades 1/3). I am afraid this is an over simplification. The site is not connected to other agricultural land and represents a relatively small field that is now to be surrounded entirely by development. It would therefore not function efficiently as part of a wider agricultural land holding.

#### **Criteria 4.3**

The site does not involve the loss of public open space. This is a matter confirmed by Arup.

#### **Criteria 5.1**

We note that Arup agree that the site falls within an area of medium landscape sensitivity where the characteristics of the landscape are resilient to change and able to absorb development without significant character change. It is our submission that this is a very significant matter in determining whether or not this site should be removed from the Green Belt and indeed how the site fairs against other Green Belt sites the Council are looking to take out of the Green Belt. A concern is that Arup's conclusion on this point is at odds with that regarding impact on the Green Belt.

We consider it very significant that the access to our clients site already has lighting and a footway. In general the provision of such features can be considered highly urbanising. The fact that such features are already in place is therefore considered highly relevant in considering the sensitivity of the site to visual change.

#### **Criteria 5.2**

Arup conclude that the development is unlikely to have an effect on landscape character. This fully endorses the point we have made above.

#### **Criteria 6.1**

It is not understood how Arup conclude that there are topographical constraints. The site slopes gently from south-east to north-west. It is fairly level and there are no trees or other features within the site.

#### **Criteria 6.2a, 6.2b**

The site does not impede on gas or oil pipelines or powerlines.



### **Criteria 6.3**

The site does contain trees but any detailed layout could accommodate these and be respectful of root protection areas.

### **Criteria 6.4**

Arup conclude that there is potential for access to the site to be created through third party land and agreement for this to be put in place. It is stated that access would require an upgrade. We wish to place on record that the access route in front of the site itself is now public highway having been recently significantly upgraded and adopted. We attach confirmation of this as well as the Schedule showing the road within the County Highway Register.

### **Criteria 6.5**

We note that Arup concluded that there were no contamination issues identified on the site.

### **Criteria 6.6**

Arup concluded that there was low level congestion expected at peak times within the vicinity of the site such that there would be no significant traffic impact.

We consider that the Council's consultants should be asked to re-assess the site.

The site does not perform any of the functions or objectives of the green belt as set out in the NPPF being as it is now surrounded by development. The Arup assessment is therefore without evidential base and our concerns are that the site assessment procedure has not been rigorous, thorough or consistent when the site is compared against other competing sites. It is essential that sites are considered on an equal basis. To fail to do so is contrary to the NPPF and in our view makes the Council's site selection process unsound. We place on record that we will be making detailed submissions in this respect at later stages of the plan process.

From the above it is concluded that this site is of relatively low sensitivity for a Green Belt site, lies adjacent to other existing and current development sites as well as adjacent to those proposed by both the district and Parish Council. The site is connected by built development to the built up area of Chigwell and the development of the land would not be contrary to the objectives of the Green Belt in that the site is now surrounded by development on three or four sides with residential properties lying on the other.

You will note that we have significant concerns that Arup have concluded that our site would be harmful to the green belt if developed. Our concern relates to the fact that land on three sides has recently been granted planning permission or allocated for development such that the site no longer appears as, or functions as, part of the Green Belt. If the site does not meet the objectives of the Green Belt it is our submission that it should be excluded from it.



### **Other matters and submissions.**

In respect of figures 2.4 to 2.7 it is clear that the statistics as presented by the Council set out that the population breakdown and expected growth are such that there is a rapidly increasing 65+ age group.

Work undertaken by Christie and Co. has demonstrated that there is an urgent need for care bed spaces. It is our view that the draft plan sets out inadequate policy to meet the housing needs of that particular sector.

There is inadequate quantitative and qualitative assessment of needs for the elderly and those in need of care and respite care. This in our view means that the Councils identification of such has under-provided development sites, irrespective of the merits of each site.

With respect to Policy SP2 – It is submitted that land around Chigwell could deliver more than the 430 units identified.

Chigwell has a good range of services and the allocation of numbers does not appear to arise from proper and appropriate site assessment or from assessment of which settlements are the most sustainable.

The Council's strategy should be based on a thorough assessment of each settlement. Without this the whole strategy would be flawed and considered unsound.

### **Policy SP5 – Green Belt and District Open Land**

Any review of the Green Belt should be about whether the land identified as Green Belt actually serves any of the purposes of the Green Belt.

Alongside this any removal of land from the Green Belt should follow be able appropriate landscape and visual impact assessment.

It is our submission that the plan should assess the edges of settlements and identify that land which does not function as, or meet the objectives, of the Green Belt as set out in the NPPF.



We submit that the site as shown on the attached plan can be properly considered to now constitute an anomaly in the Green Belt. Development (as shown on the attached plan) has been permitted on land surrounding the site such that it no longer functions as part of the Green Belt.

In respect of Draft Policy P7 Chigwell - We have specific concerns in respect of Chigwell Nurseries, High Road as assessed under SRO478B as well as land assessed in respect of Chigwell Covent on site SRO588 on the Arup assessment.

It is our view that the first site is actually quite open and in fact seen as part of the wider Green Belt. The second site involves a setting of a Listed Building and this does not appear in our view to have been properly or correctly assessed.

In short we submit that the Council' draft plan is not founded on an accurate, consistent or appropriate evidence base.

We consider that our clients site should be re-assessed and that a more robust set of criteria should be used to determine which existing Green Belt sites should be considered appropriate for removal from the Green Belt.

If you have any queries on any of the above matters please contact me as soon as possible

Yours Faithfully,

A black rectangular redaction box covering the signature of John Collins. A small loop of the signature is visible to the left of the redaction.

John Collins.