

Representations to the North Weald Bassett masterplanning presentation boards

13th July 2014

By David Smith –

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On Behalf of John Foster – Land Owner of site SR-0195 - Land adjoining the Hyning, Vicarage Lane, North Weald, CM16 6AP

1. These comments are made in response to the masterplan presentation boards posted on the Council's website. The comments are made further to and in addition to the comments pertaining to the masterplanning that I previously submitted directly to Allies and Morrison on 8th April 2014. I append a copy of those comments here for reference.
2. My previous submissions rationally set out that on the balance of evidence base currently informing the Planning Our Future Consultation, the land adjoining the Hyning (SR-0195) presents an eminently legitimate and sustainable development option which must be given full and appropriate consideration when the development options are taken forward via the masterplanning and future LDF documents. Moreover, I am firmly of the opinion that it is illogical and erroneous that the site was not included within the Planning Our Future Consultation Document as a development option – especially, it would appear, drawing comparisons with other North Weald Bassett development options identified.
3. I am therefore extremely surprised that once again it appears that the potential of bringing forward site SR-0195 for development has been given limited consideration in the masterplanning options put forward; other than as part of scenario A option 3 and Scenario B option 3.
4. Firstly, there is no indication as to the weight that has been attributed to existing studies in respect to the masterplan options. The Council has commissioned numerous studies which form part of the evidence base for its drafting of the Local Plan. The studies include the Strategic Land Availability Assessment (SLAA), the Landscape Character Assessment (LCA) and the Settlement Edge Landscape Sensitivity Study (SELSS). There is no reference to the importance attributed to these documents. These documents at the very least should be the starting point for any masterplanning exercise that ultimately comes forward. Of particular relevance there is no indication of the extent to which the participants in the various workshops were aware, or made aware, of the key aspects of these supporting documents. As has previously been submitted, these documents identify that site SR-0195 is an eminently sustainable development option for North Weald Bassett.

5. It is also not clear the extent to which the masterplanning exercise is an extension of the Issues and Options paper and whether the masterplanners have had recourse to the full range of representations made during that process. It will be essential for any masterplan, if it is to be declared sound, to properly evidence the full range of representations that have been received and to demonstrate the extent to which it has responded to each and every one of those representations and the reasons for why.
6. Secondly, despite being identified on the 'call for sites' plan (Presentation Board 1), the site is not included on the plan identifying the areas which the workshop considered suitable and/or unsuitable for housing (Presentation Board 2). The workshop therefore did not identify site SR-0195 as unsuitable for development. Rather it appears that they were not even asked to consider it as an option. Despite the evidence base and my previous submissions, it appears that the workshop were still not being asked to consider all potential development options. If not all development options are being afforded suitable consideration in the workshop meetings, even if just to quickly dismiss certain ones as unsuitable, this brings into serious question the openness of the process and the effectiveness of the consultation for bringing forward a 'sound' and sustainable masterplan.
7. John Foster and I were present at the Landowners Q&A session earlier in this year. That event was to up-date landowners. Other than the submission of formal submissions to Allies and Morrison there were no other opportunities to influence the outcome of the masterplan. Despite our submissions, neither John Foster nor I has received any further contact in advance of the publication of the presentation boards.
8. I have also previously made representations to the Planning Our Future: Issues and Options paper. Again, I have not seen any response to those detailed submissions.
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..... the effectiveness of the stakeholder engagement that has been undertaken thus far and consequently the 'soundness' of any masterplan that may be produced off of the back of that. If there exists an eminently viable and sustainable development option, it follows that such should be given full and robust consideration as part of any masterplan exercise for the settlement; even if that process leads to the discounting of the site on sound planning grounds. Despite my representations to both the Issues and Options Paper and to the Masterplanning exercise, I still remain to be presented with any substantiated and robust reasons for the continued lack of serious consideration of site SR-0195 as a primary site for meeting North Weald Bassett's development aspirations/requirements.
10. On Presentation Board 2, the diagram of constraints identifies safety and congestion issues around the two traffic junctions adjacent to site SR-0195. However, the subsequent diagram of opportunities identifies junction improvements and capacity enhancements to those junctions, together with a potential complementary centre on Tylers Green. It follows that the congestion and highways safety concerns identified need not prove a barrier to development in this locality and indeed the site (SR-0036) immediately to the south of SR-0195 has been identified as one for development in all options of development scenario A.
11. On Presentation Board 4 there is a plan identifying 'Significant defensible Green Belt boundary features'. However, this plan does not identify the Bridleway that runs along the north of the settlement edge that forms a firm delineation between the settlement and the agricultural landscape beyond. Whilst certain of the land to the south of the bridleway

does lie within the existing Green Belt (including site SR-0195, The Hying and the industrial units to the west of site SR-0195), in identifying the various Landscape Setting Areas (including Landscape Setting Area 3) the SELSS identified this bridleway as a delineation between the settlement and its landscape setting to the north. Moreover, the omission of the industrial units, the Hying and site SR-0195 from the SELSS identified Landscape Setting Area 3 is not a surprise and indicates that these sites do not contribute strategically or significantly to the structure, character and setting of the settlement. Given the firm delineation given by the bridle way to the north of site SR-0195 and the form of development as it has evolved north of the A414, the undeveloped nature of site SR-0195 is anomalous and is likely to be the result of its unavailability at the time of the settlement expansion rather than a planned check on the settlement boundary. In this situation the Green Belt boundary in this location is poorly defined. The release of site SR-0195 for development, which does not sit within any strategically important Landscape Setting Area, therefore presents an opportunity to strengthen the Green Belt boundary premised around the importance, significance and defensibility of SELSS identified Landscape Setting Area 3.

12. Where a site makes no meaningful landscape or functional contribution towards the identified purposes of Green Belt land, it is unnecessary to keep the land permanently open such that serious consideration must be given to allocation of the site for development pursuant to paragraph 85 of the NPPF. It follows that site SR-0195 should be seriously considered as a primary development site for delivering North weald Bassett's development aspirations, irrespective of whether site SR-0036 is promoted.
13. Site SR-0036 falls within the SELSS identified Landscape Setting Area 2. Despite that, and the contribution it currently makes to the setting of the settlement, it is being promoted for release under development options 1 to 3; rather than just options 3 as with site SR-0195. For the avoidance of doubt I confirm that I raise no objection to the release of this site (either in whole under scenario A or part under scenario B) provided that is identified as a sustainable response to delivering the development needs. It is however difficult to understand why, if site SR-0036 is identified for release in options 1 and 2, site SR-0195 is not.
14. In this instance, the release of site SR-0195 in conjunction with the release of site SR-0036 (especially that part north of the A414) would facilitate the delivery of a coherent cluster of new development on the edge of the existing settlement; which would undoubtedly strengthen the settlement's northern boundary and secure a more lucidly defined and 'defensible' Green Belt. It is acknowledged that the delivery of such a coherent cluster of development in this location would need to deliver the newly improved road junctions and other necessary infrastructure necessary to facilitate delivery (including affordable housing). It is however also without doubt that the costs of such infrastructure can be more easily subsumed against a greater quantum of development, thus significantly improving the public benefit that could be derived from the developments. That notwithstanding, for the reasons I have already set out it remains that the release of SR-0195 as a primary development option is not dependent upon a concurrent release of the part of site SR-0036 north of the A414.

Conclusion,

15. On the balance of evidence base currently informing the Planning Our Future Consultation the land adjoining the Hying (SR-0195) presents an eminently legitimate and sustainable development option which must be given increased consideration when the development options are taken forward via the masterplanning and future LDF documents. It is illogical that the site was not included within the Planning Our Future Consultation Document as a development option nor within options 1 and 2 of the

masterplanning scenarios A and B – especially, it would appear, drawing comparisons with other North Weald Bassett development options identified. I have significant concerns with the weight being attributed to the existing evidence base documents and to the way this information is being fed into the masterplanning process. If not all legitimate development options are being afforded suitable consideration in the workshop meetings, even if just to quickly dismiss certain ones as unsuitable, this brings into serious question the openness of the process and the effectiveness of the consultation for bringing forward a ‘sound’ and sustainable masterplan. Moreover, where a site makes no meaningful landscape or functional contribution towards the identified purposes of Green Belt land, it is unnecessary to keep the land permanently open such that serious consideration must be given to allocation of the site for development pursuant to paragraph 85 of the NPPF. It follows that site SR-0195 should be seriously considered as a more primary development site for delivering North weald Bassett’s development aspirations – not just in options 3.

APPENDIX – submitted by email to A&M

Representations in advance of the North Weald Bassett masterplanning study

8th April 2014

By David Smith –

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On Behalf of John Foster – Land Owner of site SR-0195 - Land adjoining the Hyning, Vicarage Lane, North Weald, CM16 6AP

Policy Context:

1. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions.
2. The NPPF identifies three dimensions to sustainable development: economic, social and environmental. As is set out in the NPPF, these dimensions give rise to the need for the planning system to perform a number of mutually dependent roles including, amongst others, ensuring that sufficient land of the right type is available in the right places and at the right time to support growth; providing the supply of housing required to meet the needs of present and future generations; and contributing to protecting and enhancing our natural, built and historic environment (Para 7 & 8).
3. Whilst one of the core land-use planning principles underpinning plan making is to promote the vitality of our main urban areas and protect the Green Belts around them, there is also a need to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs (paragraph 17 of the NPPF). There is a presumption that Local Planning Authorities will boost significantly the supply of housing (Chapter 6), whereby LPAs are expected to identify and update annually a supply of deliverable sites sufficient to provide for five years worth of housing against their objectively assessed housing requirements with an additional buffer of 5% to ensure choice and competition in the market for land. In addition, LPAs are expected identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15.
4. In the context of the various mutually dependent roles of the planning system, the policies for protecting Green Belt land are set out at chapter 9 of the NPPF.
5. Paragraph 79 of the NPPF sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics

of Green Belts are their openness and their permanence. Paragraph 80 sets out the five purposes that the Green Belt serves:

- 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 – NB: the SELSS confirms that North Weald Bassett is not historic town; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

6. In drawing up its local plan, Epping will have a duty to review its current Green Belt boundaries, balanced against the need to promote sustainable patterns of development (para 84). In accordance with paragraph 85 of the NPPF, when defining Green Belt boundaries, local planning authorities should, amongst other criteria:

- ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;
- not include land which it is unnecessary to keep permanently open; and
- define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

Site Specific Considerations

7. Site SR-0195 (Land adjoining the Hying, Vicarage Lane, North Weald, CM16 6AP) lies to the north of North Weald Bassett, at the very edge of the settlement boundary. The land forms two parcels of land dissected by the Hying – both parcels accessible directly from Vicarage Lane.

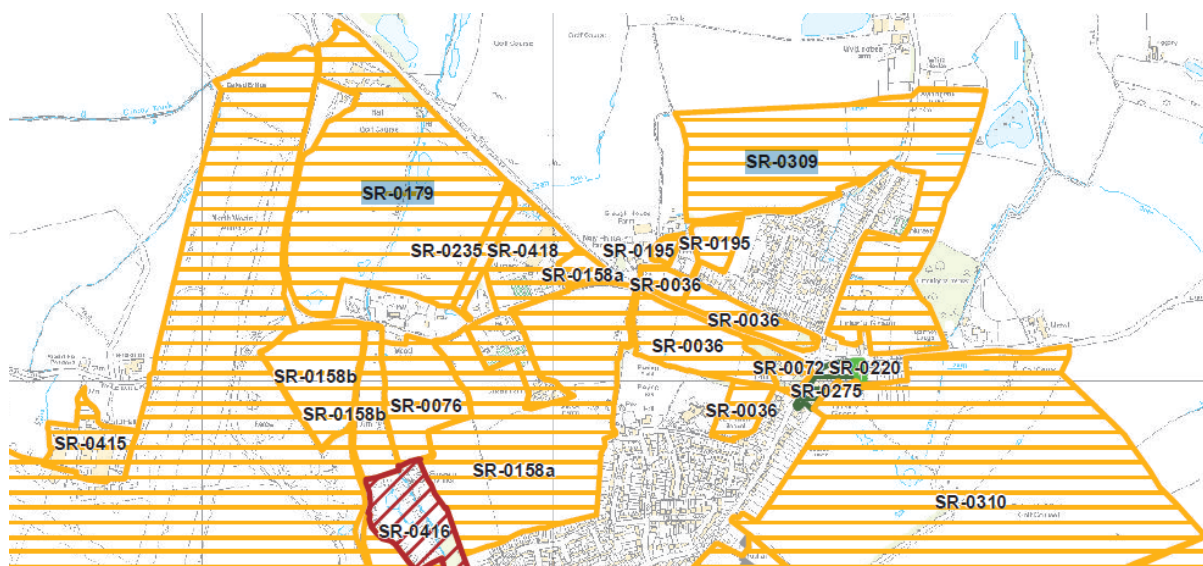


Figure 1: Land adjacent to the Hying: Site SR-0195 in the call for sites.

8. The site is bounded to the south by bungalow properties which face directly onto Vicarage Lane, to the east by a worked field, to the west by industrial units and to the north by a bridleway that forms a firm delineation between the site and the agricultural landscape beyond. Mature hedgerows and hedgerow trees run along the eastern, northern and western boundaries of the site, affording limited views into or across the site. Whilst currently open land, it serves no recreational or agricultural purpose and has

not done in recent history. Whilst certain private views across the site are afforded from the rear of the Vicarage Lane bungalows, the site contributes little to any landscape character or function of any public benefit in this location. Moreover, given the firm delineation given by the bridle way to the north of the site and the form of development as it has evolved north of the A414, the undeveloped nature of the site is anomalous and is likely to be the result of its unavailability at the time of the settlement expansion rather than a planned check on the settlement boundary.

9. In January 2010, Chris Blandford Associates produced for the Council a **Settlement Edge Landscape Sensitivity Study (SELSS)**. This assessment sought to provide a landscape sensitivity study of areas around the principal settlements to inform policy within the Epping Forest District Local LDF. It also outlined the extent to which these areas of landscape contribute towards the purposes of including land within the Green Belt and how they contribute now, and potentially in the future, towards Green Belt objectives.
10. As already described, the boundary of the site is lined with mature hedge rows and/or trees which, where appropriate and desirable, could be safeguarded. The boundary between the site and the neighbouring built development is identified in the SELSS as a Soft Green Urban Edge. However, of acute significance the site is not identified as a part of a Landscape Setting Area (Figure 11.1 – see below). In addition, the development of the site would not prejudice the Key Pedestrian/Recreation Route which currently runs along the northern boundary.



Figure 2: Figure 11.1 of the SELSS – Visual Character

11. The SELSS confirms that the site is not subject to any critical and less critical environmental designations related to nature conservation, the historic environment, landscape and other aspects such as protected flood plains (figure 11.3).

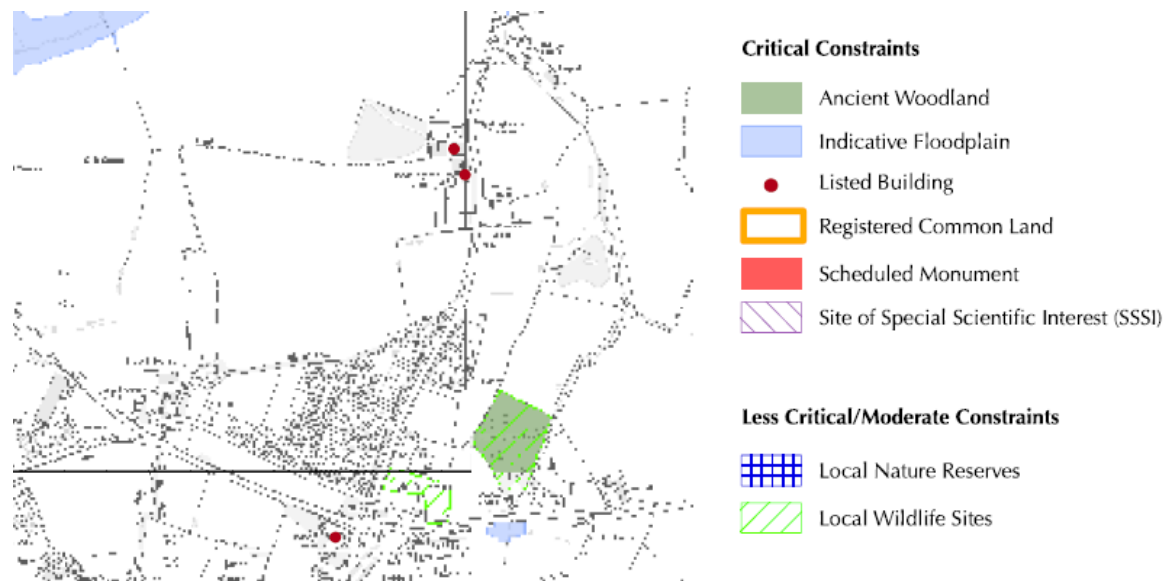


Figure 3: Figure 11.3 of the SELSS – Designated Environmental Constraints

12. Given that the site lies adjacent to, but is not included within, Landscape Setting Area 3 it must be assumed that the site as it currently exists does not contribute strategically or significantly to the structure, character and setting of the settlement. Neither is the omission of the site from Landscape Setting Area 3 a surprise, where the bridleway along northern boundary of the site provides for the natural and distinctive break in landscape character at the settlement edge. Moreover, the site does not contribute in any meaningful way to the fundamental aims and purposes of including land within the Green Belt.
13. Whilst the site is identified as 18th-19th century field enclosure within the SELSS, this identification did not justify the inclusion of the site within the Landscape Setting Area 3. Neither did the identification of other similarly identified 18th-19th Century field enclosures preclude the inclusion of those sites as potential development options within the Planning Our Future Consultation Document. 18th-19th century field enclosure therefore does not automatically mean that such sites either contribute significantly to landscape character or that those sites should not be considered for development.
14. As per the SELSS, those Landscape Setting Areas which are identified as having a high or moderate overall sensitivity to change are desirable to safeguard in landscape terms and are considered to have a significant role in contributing to the structure, character and setting of the settlement. Both Landscape Setting Areas 2 and 3 are identified as having moderate sensitivity to change. The land adjacent to the Hyning does not fall within either of the identified strategic Landscape Setting Areas and therefore it must be assumed that sensitive development would not harm any aspects of identified importance of the structure, character and setting of the settlement. Other sites identified in potential areas for growth NWB-A and NWB-B in the Planning Our Futures document do, by contrast, fall within those Landscape Setting Areas and therefore must be considered 'moderately sensitive' to change (figure 4).

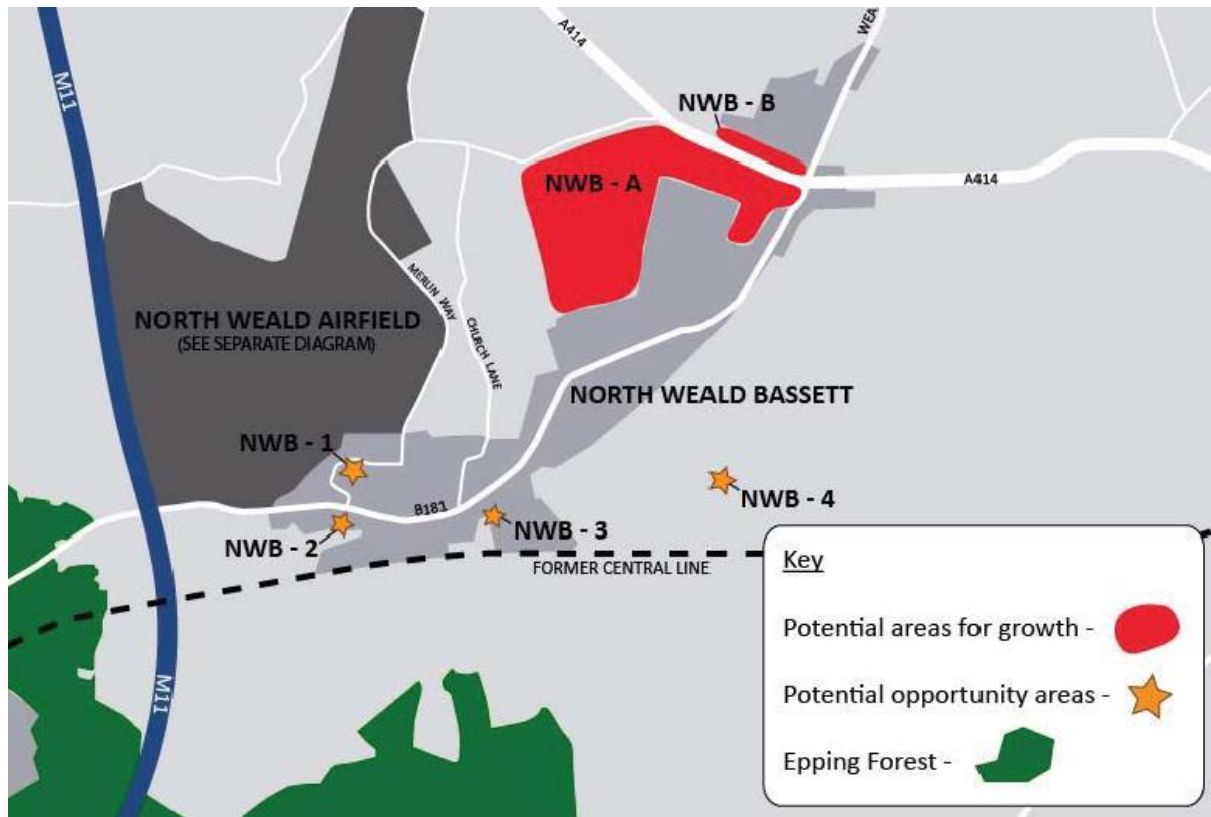


Figure 4: Diagram 4.16 of the Planning Our Future Issues and Options Document – Potential Development Options for North Weald

15. The SELSS identifies that Landscape Setting Area 3 makes a moderate contribution to the openness of the Green Belt, makes a major contribution towards checking unrestricted urban sprawl, makes a limited contribution towards preventing neighbouring towns from merging, makes a moderate contribution to safeguarding the countryside from encroachment and makes a limited contribution to assisting urban regeneration by encouraging the recycling of urban land. In the first instance it must be assumed that if the land adjoining the Hynning made any significant or moderate contributions to any of the identified purposes of including land within the Green Belt then it would have been logically included within the identified Landscape Setting Area. In the second instance, the development of the site would not in any way diminish the contributions of Landscape Setting Area 3 to the fundamental aims and purposes of including land within the Green Belt.
16. In its conclusion, the SELSS sets out that the landscape setting to North Weald Bassett and North Weald Airfield is considered to play a role in fulfilling the following objectives:
 - *To provide opportunities for access to the open countryside for the urban population:* There are several key pedestrian routes which cross the landscape, connecting the settlement with adjacent landscapes;
 - *To provide opportunities for outdoor sport and outdoor recreation near urban areas:* There are two areas of urban greenspace at the settlement edge;
 - *To secure nature conservation interest:* There are several sites of nature conservation interest and areas of Ancient Woodland within the landscape setting to the settlements; and
 - *To retain land in agricultural, forestry and related uses:* A relatively high proportion of the land within the landscape setting of the settlements is under one of these uses.

17. The development of the land adjoining the Hyning would neither prejudice nor undermine any of these objectives.
18. Given the conclusions of the SELSS (and specifically the omission of the site from the identified Landscape Setting Area 3), it must follow that the site as it currently exists does not meaningfully serve any of the purposes of Green Belt land as set out at paragraph 80 of the NPPF. Where the site makes no meaningful landscape or functional contribution towards the identified purposes of Green Belt land, it is unnecessary to keep the land permanently open such that serious consideration must be given to allocation of the site for development pursuant to paragraph 85 of the NPPF. The bridle way running along the northern boundary of the site provides a natural, logical, legible, clear and physical delineation for the settlement boundary and can be reasonably safeguarded through the release of the site for development.
19. The NPPF is explicit in its direction that Green Belt boundaries should not include land which it is unnecessary to keep open (paragraph 85). In this context site SR-0195 should be prioritised in a sequential test for identifying development opportunities so as to promote more sustainable patterns of development. It is only through the release of sites such as SR-0195 (which do not fall within the strategically identified Landscape Character Areas and do not meaningfully contribute to the fundamental aim of Green Belt policy) that the LPA will be able to properly afford robust and stringent protection to those other sites that are identified as having more intrinsic Green Belt value.
20. The SLAA has already identified the land adjoining the Hyning as suitable, available, achievable, deliverable and developable.
21. Other than the existing Green Belt designation, there are no other site constraints in planning terms that would restrict the development of the site. As part of the site appraisal undertaken via the SLAA, no critical strategic or local constraints were identified which could not be suitably mitigated. Moreover, the site is not within a Flood Risk Zone; is not within a SPA, SAC, SSSI, NNR, ESA or Ancient Woodland; does not contain or sit adjacent to a listed building, scheduled ancient monument or historic park and garden; is adjoining an existing boundary settlement; is not a local nature reserve or local wildlife site; does not contain any protected trees; is not being considered for development in the Minerals and waste Plan; is sufficiently distant from gas and electricity infrastructure; and is not within or adjacent to a Conservation Area.
22. In the 'Analysis of sites not selected' (released under FOI request 37794E) the reasons for not including the land adjoining the Hyning are two fold. Firstly, it stipulates that the site is open land and its development would have a moderate adverse impact upon the landscape character. Secondly, the fact that it is 'on [the] very edge of [the] settlement' is identified as a barrier. These comments however are not substantiated in any way.
23. It is not clear where this identified 'moderate' harm to the landscape derives from. It certainly does not flow from the SELSS where, despite sitting directly adjacent to Landscape Setting Area 3, site SR-0195 was not considered worthy of inclusion within that strategically designated area. As is already set out herein, the exclusion of the land adjoining the Hyning from the designated Landscape Setting Area 3 must mean that in the professional opinion of the commissioned author of the SELSS the site does not meaningfully contribute towards the landscape at this settlement edge nor to the purposes of including land within the Green Belt – either now or in the future. At worst, the redevelopment of the site would represent a minor adverse impact upon the landscape character of the vicinity; which would be far outweighed by the planning benefits of releasing land from the Green Belt to meet the identified development

requirements of North Weald Bassett and the Borough and by the ability to more stringently protect other Green Belt land that is actually identified in the SELSS as having intrinsic value and which would otherwise need to be released for development to meet the development requirements.

24. In the Epping Forest Landscape Character Assessment (LCA) (Chris Bland: January 2010) the land adjoining the Hynning is identified as having a Ridge and Valley character type (figure 3.1) – as is all the land surrounding the built up environments of North Weald Bassett, including opportunity areas NWB-A and NWB-B. The North Weald Ridges and Valleys Landscape Character Area (area F5) is large and situated towards the centre of the District, to the south of Jack's Hatch to Church Langley Farmland Ridges (E1) Landscape Character Area and to the north of Epping Forest Ridge (D2) Landscape Character Area. It includes all land not currently within the settlement boundaries.

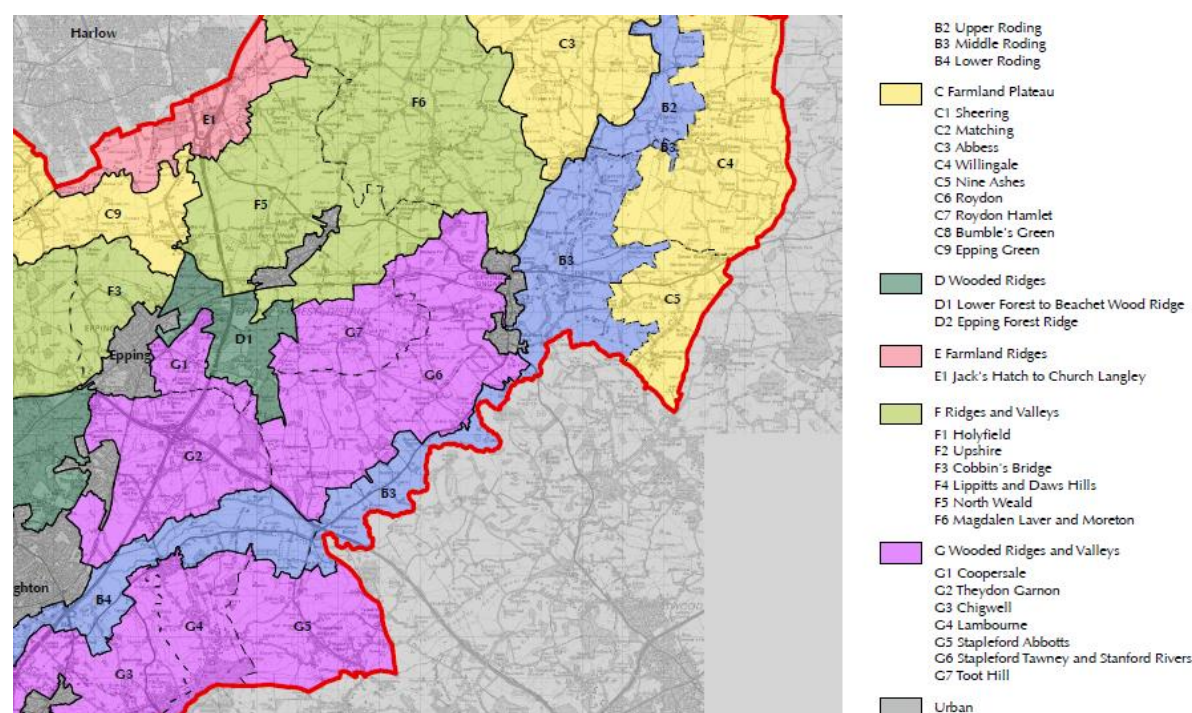


Figure 5: Figure 3.1 of the Landscape Character Assessment – Landscape Character Types and Areas

25. Given the extent of the character area, it is more than reasonable to assume that not all parcels of land that sit within that character area contribute homogenously to the visual, historic land use and ecological characteristics of the overall character area; and that the overall sensitivity to change of the North Weald Ridges and Valleys Landscape Character Area, as identified within the Character Assessment, would not apply uniformly across the whole of the character area. In the case of the Land adjoining the Hynning, the site most certainly does not provide public views to the existing urban edge of North Weald Bassett from surrounding areas of farmland, nor provide open and framed views across a patchwork of arable fields. In addition, the hedges and hedgerow trees along the northern boundary of the site that are of importance can be safeguarded in any development option. Moreover, for the purposes of identifying potential land for development the sensitivity to change identified in the Landscape Character Assessment needs to be applied with a certain degree of flexibility, having regard to the site specific characteristics.

26. In this regard it is telling that the SLAA acknowledges the existing Green Belt designation of site SR-0195 but otherwise identifies the site as 'suitable' for development. It is also telling that whilst the Land Character Assessment identified the land adjoining the Hyning as falling within the North Weald Ridges and Valleys Landscape Character Area (area F5), the same author did not see fit to include the site within Landscape Area 3 of the co-jointly produced SELSS. Furthermore, it should be borne in mind that the Landscape Character Assessment identifies the potential for expansion of the urban edges of North Weald Bassett as key planning and land management issues – but it does not preclude it. The release of the land adjoining the Hyning would neither challenge nor prejudice the suggested Landscape Planning Guidelines or the Suggested Land Management Guidelines included at 3.7.32 of the Landscape Character Assessment.
27. In any event, even if it is deemed that the site would cause adverse impact on the landscape character of this area (as asserted in the 'Analysis of sites not selected'), that harm would be no worse than that which would be experienced by the release for development of the sites contained within the potential growth areas of NWB-B and NWB-A. All of these sites are located within Landscape Setting Area 2 which, as set out at paragraph 11.5.2 of the SELSS, is attributed a 'moderate sensitivity to change'. This is the same result as for Landscape Setting Area 3, which the land adjoining the Hyning has been explicitly excluded from. It must therefore logically follow that if NWB-A and NWB-B are included as development options, the land adjoining the Hyning must also be given full and serious consideration as a development option.
28. In terms of being at the very edge of the settlement, it is irrational in the context of delivering sustainable patterns of development that such should prove a barrier to considering the land adjoining the Hyning as a potential opportunity area. The site is no more at the very edge of the settlement than potential areas of growth NWB-A and NWB-B. If anything, the identification of NWB-B actually lends weight to the concurrent bringing forward of land adjacent to the Hyning as a development cluster either side of Vicarge Lane. Whilst at the edge of the settlement, for the reasons set out above the existing 'soft green urban edge' (see figure 2) does not constitute a defensible green belt boundary in the same way as the existing bridleway and SELSS identified Landscape setting areas to the north of site SR-0195 do. The fact that site SR-0195 is at the very edge of the settlement but not within the landscape setting area makes the site eminently suitable for release as the landscape impacts will be less and future occupiers will be conveniently located to utilise the existing infrastructure and services. These all add to the delivery of sustainable patterns of development. The release of land that pushes further out into the Green Belt has the effect of creating more dispersed patterns of development which is unsustainable, which challenges the historic settlement pattern and which undermines the function and purpose of Green Belt land.
29. Moreover, the development of site SR-0195 would not fundamentally challenge the historic form or character of the settlement. It would undoubtedly develop land to north of the settlement, but it would not actually push into the SELSS identified Landscape Character Area 3. The SELSS quite clearly identifies Landscape Character Area 3 as the physical, strategic and necessary check to urban sprawl to the north of North Weald Bassett.

Conclusion

On the balance of evidence base currently informing the Planning Our Future Consultation (the Strategic Land Availability Assessment (SLAA), the Landscape Character Assessment (LCA) and the Settlement Edge Landscape Sensitivity Study (SELSS)) the land adjoining the Hyning (SR-0195) presents an eminently legitimate and sustainable development option

which must be given full and appropriate consideration when the development options are taken forward via the masterplanning and future LDF documents. Moreover, it is illogical that the site was not included within the Planning Our Future Consultation Document as a development option – especially, it would appear, drawing comparisons with other North Weald Bassett development options identified.