

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

Stakeholder ID	1956	Name	Joe Colletti Tomworld
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### Letter or Email Response:

Nazeing Proposed Site Allocations

Draft Epping Forest District Local Plan Autumn 2016

LOWER NAZEING, NORTH AREA.

SR-0888

(incorporating all of SR-0434 and part of SR-0301)

#### 1.0 Background

1.1 This objection is submitted on behalf of ....Redacted.... which operates from ....Redacted.... It is an objection to the Draft Epping Forest District

Local Plan as it relates to Nazeing. Objection is raised to the following issues:-

- a) Failure of the Draft Plan to recommend a review of the Green Belt boundary in the vicinity of some of the land described as Lower Nazeing North Area; and
- b) Failure of the Draft Plan to identify land promoted by ....Redacted.... (in collaboration with others) as a residential site in draft Policy P10 Nazeing.

1.2 It also raises objection to the five green field allocations for housing set out in draft Policy P10

Nazeing, namely:-

SR-0011 land at St Leonard's Rd for approximately 64 homes;

SR-0300a Land south of Nazeing for approximately 29 homes;

SR-0300b Land south of Nazeing for approximately 21 homes;

SR 0300c Land south of Nazeing for approximately 38 homes; and

SR- 0473 St Leonard's Farm for approximately 33 homes

on the basis that site ref SR- 0888 provides a more suitable site for allocation for housing when assessed against the Council's own evidence base. For this reason, I conclude that the consideration of sites has not demonstrated that all

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reasonable alternatives have been assessed consistently and thoroughly as required in order to pass the test of soundness set out in The

National Planning Policy Framework.

1.3 Following a meeting on 21st November 2016 with Local Plan officers, it became apparent that there is confusion over the precise land being promoted on behalf of ....Redacted.... due to an overlap between three of the site specific parcels that have been taken forward for analysis. The situation is this:-

? In the questionnaire provided by Arup in June 2016 the ....Redacted.... land was given the reference of SR-0888. I submitted representations (including several reports, as detailed in Section 7 below) in support of residential development of this land in response to that consultation.

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? The September 2016 Arup Site Selection Report for Nazeing includes in its Stage 2 Assessment of Residential Sites SR-0301 Lower Nazeing North Area which covers a total area of 21.84 ha. SR 0888 occupies some of SR-0301.

? The September 2016 Arup Site Selection Report for Nazeing also includes in its Stage 2 Assessment of Residential Sites SR-0434 Land north of Maplecroft Lane which covers 5.01ha. All of SR-0434 is owned by ....Redacted.... and is promoted for residential development. However, SR-0434 does not include all of the land which ....Redacted.... is promoting.

? The September 2016 Arup Site Selection Report for Nazeing appears not to have assessed SR-0888. The reason for this is not apparent.

1.4 In an attempt to clarify the situation this representation is supported by:-

? Plan ref. TOM/01 based on an OS 1:5000 extract which defines all of the land owned by ....Redacted.... and includes the layout of Phases 1 to 3 of the glasshouse development already built and in production and (hatched) the fourth phase for which construction has commenced.

? Plan ref TOM/02 based on the same OS 1:5000 which illustrates Arup's land parcels SR-0301 and, hatched, SR-0434, all of SR-0434 being in the ownership of ....Redacted....

? Plan ref TOM/03 based on the OS 1:5000 extract which provides an indicative route for the proposed road to connect the wood yard and Birchwood Industrial Estate through to Sedge Green/Peck's Hill and illustrates the extent of the two parcels of land at each end of the proposed route, namely

SR-0150 The Fencing Centre which has a draft allocation under policy P10 for approximately 33 homes; and

SR-0151 The Wood Yard at Birchwood Industrial Estate which is identified in the Nazeing section of the draft Plan for the provision of new employment uses.

1.5 It is understood from the meeting held on 21st November 2016 that SR-0301 (which includes most of the land being promoted by ....Redacted.... as well as land in the south east corner in the ownership of others) passed the Second Stage Site Assessment and is recorded in the SLAA as suitable, available and achievable for development but outside current policy due to location within the Green Belt. The same conclusions were reached with regard to SR-0434. The Stage 3

Arup Assessment then identified 5 strategic options for development around Lower Nazeing based on the 'best' fit sites for that settlement, vis:-

? Western intensification and infill

? Eastern/North Eastern Infill and Expansion

? Southern Expansion

? Eastern Expansion

? Northern Expansion

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These broad locations are identified on EFDC-S3-0011 Rev 1.

1.6 Three options are then listed as “more suitable”, viz:-

? Western intensification - provides opportunities to maximise existing urban brownfield land and develop on lower performing Green Belt sites immediately adjacent to the settlement;

? Eastern/North Eastern infill - would be less sensitive in Green Belt and landscape terms; and

? Southern - most preferred growth option as it would promote a sustainable extension of the settlement that would be least harmful to settlement character and Green Belt.

I set out my conclusions with regard to these three options in Sections 5 and 6 but in summary I concur with the justification for western intensification and eastern/north eastern infill but reject the conclusion that southward expansion would be least harmful in terms of settlement character and Green Belt impact. Moreover, the Council’s own evidence base shows that the conclusions for land to the south of the village are unjustified.

1.7 Detailed consideration is then given to each site falling within the three preferred Strategic Options. That for SR-0301, which is the general area described as Eastern/North Eastern Infill, states:-

Development of the northern part of the site may be harmful to settlement character and Green Belt. The southern part is less constrained and should be considered, noting that sensitive Master planning would be required to mitigate landscape impacts. This site should continue to be considered.

1.8 However, then under the heading of Site to Proceed to Stage 3 / 4 SR-0301 is dismissed. The reason for this decision is not apparent.

1.9 Turning to SR-0434 which is entirely ....Redacted.... land, the Stage 3 assessment states:-

The site scores poorly against a number of criteria including an HSE Safety Zone which would constrain site layout. However, it was felt that identified constraints could be overcome and the site should continue to be considered. But once more, under the heading of Site to Proceed to Stage 3

/ 4 SR-0434 is dismissed although again the reason for this decision is not apparent. Moreover, given that all of SR-0434 is covered by the wider SR-0301 the conclusions regarding an HSE Safety Zone appear inconsistent. The owners of ....Redacted.... are not aware of any reason why this land should fall within an HSE Safety Zone and hence the accuracy of this statement is challenged.

It was not raised as an issue when application EPF/2338/11 was under consideration as might have been expected if the site were within an HSE Safety Zone.

## 2.0 Site Description

2.1 The land forms part of Shottentons Farm and was acquired by ....Redacted.... in 2010. Shottentons Farm is a holding of about 37 hectares. In August 2012 planning permission EPF/2338/11 was granted for construction of two blocks of glasshouses of 3.1ha (Phase 3) and 6.2ha (Phase 4); an irrigation reservoir; two buffer tanks and access roads together with parking and landscaping. Another 3ha area of glass (labelled as Phase 1) located to the north was already in existence having been erected in 1998 and a further 3ha was under construction to the immediate north of that pursuant to EPF/1111/11. At the current time Phase 3 has been built and is in production and work has commenced on Phase 4. The area developed with glasshouses covers approximately 20ha of the total 37ha holding.

2.2 Level land is essential for modern glasshouse development. Due to the topography of the southern part of the ....Redacted.... land, construction of Phases 3 and 4 has involved considerable engineering works based on a cut and fill exercise. Parts of the site have been raised by up to 5 metres above existing land levels. In recommending approval for the development officers acknowledged that

“Whilst the development is massive and will be visible from vantage points, in this location between established nurseries it is not considered that its impact on the landscape is unacceptable”. However, the topography of the remaining land of about 17ha makes it unsuitable for further glasshouse development, hence its promotion for residential development.

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2.3 Although of lightweight construction, these glasshouses are large structures averaging a height of 6.8m to gutter level and approaching 8m to ridge. The approved glass to the immediate north of site ref 0434 is 424m long x 170m wide at its western end, narrowing to 125m to the east.

2.4 Hence in the immediate area to the north of site ref 0434 there will shortly be in excess of 15ha of productive glass, making this one of the largest horticultural enterprises in the Lea Valley and probably in the UK, with the result that the land being promoted by **...Redacted...** for residential development is entirely screened to the north by glasshouse development.

2.5 In the north west corner it abuts site ref 0150 Land at The Fencing Centre, Pecks Hill which has a draft allocation for approximately 33 houses which is fully supported. To the west it extends towards the rear gardens of dwellings fronting the east side of Pecks Hill before continuing along the north edge of a wooded rectangular parcel of land which fronts the north side of Maplecroft

Lane. Thereafter the land has a short frontage onto part of the undeveloped stretch of Maplecroft

Lane before stepping northward behind a single residential property to follow a hedged field boundary northwards before continuing east to abut the boundary with No 3 Nursery Lane, Hoe Lane (SR-0093), the wood yard (SR-0151) and Birchwood Industrial Estate (SR-0276). It is thus already surrounded by existing development on all sides making it a visually contained parcel of land.

3.0 EFDC Assessment of **...Redacted...** Land

3.1 Because SR-0888 appears not to have been assessed notwithstanding the fact that it includes all of SR-0434 and a significant part of SR-0301, this section relies upon the Council's conclusions for SR-0434 and, where different, SR-0301.

3.2 I therefore analyse the following:-

- a) The July 2016 Nathaniel Lichfield SLAA report;
- b) The August 2016 LUC Green Belt Assessment Stage 2 - part of Parcel 066.4; and
- c) The August 2016 Arup Site Selection Report Stage 2.

I set out below the conclusions of each.

3.3 The Nathaniel Lichfield & Partners 2016 SLAA entry for SR-0434 records the site as having area an area of 5.01ha and concludes that it is suitable for development but is within the Green Belt.

It should be noted that this assessment was made in 2013 before Phase 3 of the glasshouses had been constructed and before the significant engineering works associated with Stage 4 had commenced. It further notes that access would need to be improved. The same conclusions are given for SR-0301.

3.4 Within the Second Stage of the Council's Green Belt Review both SR-0434 and 0301 form part of parcel 066.4 although the north eastern corner of SR-0301 falls into 066.6. Parcel 066.4 covers a total area of 21.14ha of which SR-0434 covers just under 25% (5ha). It extends westwards to the rear boundaries of the residential properties that front Pecks Hill, eastwards towards the nurseries which are accessed by a private road off Hoe Lane which serves Birchwood Industrial Estate, south to the edge of Maplecroft Lane and north to what was a public footpath which has been diverted to the north of the glasshouse development.

3.5 In terms of performance against Green Belt purposes Parcel 066.4 is scored as follows:-

Purpose 1 Check Unrestricted Sprawl of Large Built Up Areas - NO Contribution

Purpose 2 Prevent Neighbouring Towns Merging - Relatively weak performance

Purpose 3 Assist in Safeguarding Countryside from Encroachment - Strong Contribution

In this regard the Assessment states that "These well hedged pasture fields form the northern and western slopes and summit of the hill on which most of the post war development in Lower

Nazeing is situated. The settlement edge is exposed in a localised context where the hillside rises above the housing, but the undeveloped slopes are important in limiting the extent of the settlement's influence on the wider landscape.

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This is particularly important in the context of extensive glasshouse horticulture extending northwards along Sedge Green and north east along

Hoe Lane; by helping to limit the visual connectivity between the inset settlement and the horticultural development the undeveloped hillsides limit the extent to which the latter is seen as an encroaching extension of the settlement form".

Purpose 4 Preserve Setting of Historic Towns - no contribution.

Purpose 5 Assist in Urban Regeneration - not assessed.

This led to the overall conclusion for Parcel 066.4 that the resultant harm to Green Belt purposes if this land were to be released from the Green Belt would be very high.

No part of Parcel 066.6 has been assessed as it was not carried forward. However, having regard to the totally enclosed nature of the entirety of 066.4 and the corner of 066.6 which falls within

Glinwell's ownership, it is submitted that the conclusions of the Green Belt Review apply equally across the totality of the land.

3.6 However, The Arup Site Selection Report August 2016 reaches a different conclusion for this

Parcel, commenting in respect of criterion 2.1 Level of harm to Green Belt that "The level of harm caused by release of the land for development would be very low, low or medium", whilst in respect of Landscape Sensitivity (criterion 5.1) it states that "The site falls within an area of medium landscape sensitivity - characteristics of the landscape are resilient to change and able to absorb development without significant character change".

3.7 I review in more detail the Arup Report findings for sites ref 0434 and 301 together with the draft greenfield allocated sites in section 5.

#### 4.0 Objection to Draft Green Field Allocations

4.1 SR-0011 Land at St Leonard's Rd and SR-0473 St Leonard's Farm.

4.1.1 SR-0011 is allocated for approximately 64 homes and SR-0473 for approximately 33 homes. Both lie to the south east of the village and were assessed under Green Belt Parcel 067.5. Parcel 067.5 covers a total area of 45.63ha of which the draft allocated land covers approximately 36% (8.73 ha for 0011 and 7.64ha for 0473).

4.1.2 The summary of the Second Stage Green Belt Review in respect of resultant harm to the Green Belt if Parcel 067.5 were to be released for development is VERY HIGH and the contribution which the parcel makes to Green Belt Purpose 3 Assist in Safeguarding Countryside from Encroachment is described as STRONG. It is noted that:-

4.1.3 "This parcel forms the western slopes and part of the summit, including upper north eastern slope of Perry Hill , a distinctive land form which is separate from the valley and hillside to the north on which Lower Nazeing is located. The hill forms part of the rural setting of the settlement and limits the extent of its influence on the wider landscape, so any development in this area would be viewed as encroachment on the countryside. .... The parcel only abuts the inset settlement edge in the north western corner of the parcel, where it is exposed to housing on Pound

Close and on the western side of St Leonards Road and relates better to the existing settlement in terms of topography. Contribution to safeguarding the countryside can therefore be considered moderate in this area".

4.1.4 Whilst it is understood that the proposed allocation for 64 homes does not extend up the hill, it inevitably covers a significant part of Parcel 067.5. The fact that the entry for SR-0011 in the Arup

Site Selection Report records this site as causing no harm to the Green Belt if released for development therefore flies in the face of the findings of the Green Belt Review which considers that the harm caused by development of Parcel 067.5 would be very high. No justification is provided for these anomalous conclusions.

4.1.5 I note that the entry for Site SR-0011 in the Nathaniel Lichfield & Partners 2016 SLAA, which records the site as suitable for development, is based upon an assessment made in 2012. This entry needs to be re-visited in the light of two subsequent refusals of planning permission for residential development (EPF/2009/15 and EPF/0937/16) on part of this land.

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4.1.6 Application (EPF/0937/16) for 49 residential units on the northern part of site SR-0011, together with a multi purpose sports hall and a drop off/pick up car park for the primary school, was refused as recently as September 2016 literally a few weeks before publication of the draft Plan. As well as inappropriateness within the Green Belt the application was refused because of detrimental impact on the character and appearance of the countryside.

4.1.7 The officer report in respect of EPF/0937/16 refers to the Council's Settlement Edge Sensitivity Study which places this area within "The Lower Nazeing Fringes" and describes the landscape setting as comprising an undulating patchwork of small to medium sized predominantly arable fields that are delineated by mature hedgerows. In terms of sensitivity, the landscape setting in this area is seen as a positive representation of the character typical of the area and is recorded as having an overall high landscape sensitivity to development and a moderate sensitivity to change.

The officer report further notes that "the urban gateway to the south of the site along the B194 marks a transition zone between the predominantly rural landscape and the start of the village.

The site subject to this proposal is on a visually significant slope (facing southwards) with a key pedestrian route passing east to west through the site". The recommendation of the Settlement Edge Sensitivity Study is that those landscape areas identified as high or moderate overall sensitivity are desirable to safeguard in landscape terms and are considered to have a significant role in contributing to the structure, character and setting of Lower Nazeing. The draft allocation of

SR-0011 for 64 homes when viewed in the context of the conclusions regarding the negative impact of a 49 dwelling development on this area of landscape made so recently is simply bizarre.

4.1.8 Even The Arup Site Selection Report Stage 2 records that as the proposals are for higher density development than existing housing in proximity to the site, development of SR-0011 is likely to affect the predominantly rural character of the area (criterion 5.2 Settlement Character Sensitivity). The Stage 3 Assessment for SR-0011 is that "It was felt that the southern part of the site would promote unsustainable development patterns. The northern part of the site is less constrained and it was felt that it may be possible to overcome contamination constraints and mitigate settlement character impact". This analysis led to the surprising overall conclusion that the whole of the site should proceed for further testing.

4.1.9 SR-0473 is subject to the same findings in the Green Belt Review so, as with SR-0011, the fact that its entry in the Second Stage of the Arup Site Selection Report records this site as causing no harm to the Green Belt if released for development similarly flies in the face of the findings of the Green Belt Review and the conclusions in respect of Settlement Character Sensitivity.

4.1.10 SR-0473 also raises concern with regard to the potential to adversely impact on the Lee Valley Special Protection Area in respect of criteria 1.1 Impact on Internationally Protected Sites and 1.2 Impact on Nationally Protected Sites. In total it is scored negatively in respect of nine criteria.

4.1.11 Despite these conclusions the third stage of the Site Selection Report again states that "It was felt that the southern part of the site would promote unsustainable development patterns, specifically ribbon development. The northern part of the site is less constrained and should be considered further, noting linkages to adjacent site SR-0011". Again, this analysis led to the inconsistent overall conclusion that the whole of the site should proceed for further testing.

4.1.12 This leads me to conclude that draft allocations SR-0011 and SR-0473 are both contrary to a significant part of the Council's evidence base and should not be confirmed. Allocation of these sites would also conflict with the emerging Plan's Vision for Nazeing which is that it should retain its rural character.

4.2 SR-0300 Land south of Nazeing.

4.2.1 This is subdivided into 3 parcels, vis:-

SR-0300a for approximately 29 homes;

SR-0300b for approximately 21 homes; and

SR 0300c for approximately 38 homes.

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All three sites lie to the south of Middle Street and were assessed as part of Parcel 067.4 of the Green Belt Review which covers 19ha of the total area of Parcel 067 which is 972ha. The draft allocations lie at the eastern end of parcel 067.

4.2.2 The summary of the Second Stage Green Belt Review in respect of resultant harm to the

Green Belt if all of this parcel were to be released for development is VERY HIGH and the contribution which the Parcel makes to Green Belt Purpose 3 Assist in Safeguarding Countryside from Encroachment is described as STRONG. The supporting text goes on to describe the western part of the Parcel which forms the northern slopes of Perry Hill but is silent on the eastern end where the proposed allocations are located.

4.2.3 Stage 2 of The Arup Site Selection Report is contradictory in its conclusions regarding SR- 0300. Under criterion 2.1 which addresses Level of Harm to Green Belt it records all three subsections of SR-0300 as causing no harm to the Green Belt if released for development. Yet against criterion 5.2 Settlement Character Sensitivity the same report states that:-

“The scale of the proposed development, the extent of the site and its location within a Conservation Area is likely to have a negative effect on the predominantly rural character of the area. Development may contribute to urban sprawl”.

4.2.4 Given that the checking of unrestricted sprawl of large built up areas is Purpose No 1 of Green Belt policy, this is an illogical conclusion to draw. Furthermore, the majority of Parcel 067 forms part of Nazeing Conservation Area, designation of which was undertaken primarily to protect the historic field pattern and resultant landscape character. It is extremely difficult to understand how site 0300 could be developed without causing harm to the character and appearance of the Conservation Area, something Arup themselves recognise.

4.2.5 The Arup Site Selection Report scores these sites positively only in respect of location within Flood Zone 1 and being within 1600m of employment opportunities.

4.2.6 Arup have recorded SR-0300 negatively in respect of nine criteria -

? Impact on Priority Species or Habitats

? Impact on the Conservation Area

? More than 4000m from the nearest secondary school

? That the majority of the sites are greenfield

? That development would involve the loss of good quality arable land

? That the sites fall within an area of medium landscape sensitivity, but qualify this by a statement that “The characteristics of the landscape are resilient to change and able to absorb development without significant character change”. However, there is seemingly no evidence to support this claim.

? Development could detract from the existing settlement character

? Topographical constraints may preclude development

? Query with regard to the availability of suitable access; and

? Potential contamination on site.

It also states incorrectly that the site is within 1000m and 4000m of the nearest rail or tube station (criterion 3.1).

4.2.7 Despite this analysis, Stage 3 of the Site Selection process states that whilst “The site is in a moderately sustainable location at the edge of Lower Nazeing”, it scores poorly against several criteria including settlement character sensitivity and landscape harm, but it was felt these constraints may be overcome”. As with SR-0011 and 0473 this led to the overall conclusion that the whole of site 0300 should proceed for further testing.

4.2.8 This leads me to the same conclusion that draft allocation SR-0300 is contrary to a significant part of the Council’s evidence base and should not be confirmed. Allocation of these sites would also conflict with the emerging Plan’s Vision for Nazeing which is that it should retain its rural character.

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5.0 Comparison of SR-0888 (which encompasses all of SR-0434 and a substantial part of SR- 0301) with SR-0011, 0473 and 0300

5.1 Since SR-0888 has not been assessed as an independent site, the following analysis is based on the second stage of the Arup Site Selection report for SR-0434. Further mention is made of SR-0301 where the findings differ from those for SR-0434.

5.2 Starting with the findings of the Council's Second Stage Green Belt Review, the conclusions for all these parcels of land was that the resultant harm that would be caused to Green Belt purposes if the land is released from the Green Belt would be very high. In all cases the reason for this was because development would represent encroachment into the countryside and thus conflict with Green Belt Purpose 3. However the same conclusion must be drawn in respect of the majority of greenfield land within the Green Belt. Hence this conclusion alone cannot be determinative in the selection of sites.

5.3 Site 0301 was also scored as making a contribution to Purpose 2 Preventing Neighbouring Towns from Merging, albeit it was considered that this contribution was relatively weak. However, given that Site 0301 is now, or will shortly be, completely enclosed to the north by massive glasshouse development (and the nearest town is Harlow which lies to the north east) I would dispute that conclusion.

5.4 The table below compares these parcels of land against relevant criteria taken from the second stage of the Arup Site Selection Report. I have omitted the following 20 criteria where all sites are given the same 0 score:-

- ? 1.3 Impact on Ancient Woodland
- ? 1.4 Impact on Epping Forest Buffer Land
- ? 1.6 Impact on Local Wildlife Sites
- ? 1.7 Flood Risk
- ? 1.8b Impact on Archaeology
- ? 1.9 Impact on Air Quality
- ? 3.2 Distance to Nearest Bus Stop - all sites within 400m to 1000m
- ? 3.3 Distance to Employment Allocations
- ? 3.6 Distance to Nearest Amenities (incorrectly listed in Site Selection Sheets as another 3.4)
- ? 3.8 Access to Strategic Road Network - not applicable to all sites
- ? 4.1 Brownfield and Greenfield Land
- ? 4.2 Impact on Agricultural Development
- ? 4.3 Capacity to Improve Access to Open Space
- ? 5.1 Landscape Sensitivity
- 12
- ? 6.1 Topography Constraints
- ? 6.2a Distance to gas and oil pipelines
- ? 6.2b Distance to power lines
- ? 6.3 Impact on Tree Preservation Order
- ? 6.5 Contamination Constraints
- ? 6.6 Traffic Impact

5.5 This leaves for comparison the following 12 criteria where the sites are scored differently:-

- ? 1.1 Impact on Internationally Protected Sites

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? 1.2 Impact on Nationally Protected Sites

? 1.3b Impact on Ancient/Veteran Trees Outside of Ancient Woodland

? 1.5 Impact on BAP Priority Species or Habitats

? 1.8a Impact on Heritage Assets

? 2.1 Level of Harm to Green Belt

? 3.1 Distance to the Nearest Rail or Tube station

? 3.4 Distance to Local Amenities

? 3.5 Distance to Nearest Infant/Primary School

? 3.7 Distance to Nearest GP Surgery

? 5.2 Settlement Character Sensitivity

? 6.4 Access to Site

5.6 I set out in the table below a comparison of these sites against the 11 criteria where the sites have been scored differently.

5.7 The following queries/anomalies arise from the above analysis:-

? With regard to the ....Redacted.... land and criterion 1.8a Impact on Heritage Assets - it has not been possible to identify any heritage asset which is potentially adversely affected.

? Given the findings of the Green Belt Review with regard to criterion. 2.1 Level of Harm to Green Belt it is not logical to score St Leonards Rd., St Leonards Farm and Lower Nazeing

0 in terms of harm caused by release of Green Belt land when the ....Redacted.... land is scored as -1, that is low, very low or medium.

? With regard to all sites and criterion 3.1 Distance to the Nearest Rail or Tube station - the nearest railway station is Broxbourne which is 1.5 miles west of Nazeing crossroads. 1.5 miles is approximately 2,415m (1 mile is 1,609 m). Hence, none of the sites are within 1000m of the nearest railway station and all are close to the 4000m distance. Logically, therefore, all sites should be scored the same against criterion 3.1. In any event it simply cannot be correct that St Leonards Farm and Lower Nazeing South are closer to Broxbourne Station than the other two sites when they are both further out from the crossroads.

6.0 Conclusions with Regard to The Comparative Exercise

6.1 There are many anomalies in the findings of The Arup Site Selection Report for all of these greenfield sites on the periphery of Nazeing which must be corrected before being accepted as part of the Council's evidence base.

6.2 All sites score broadly the same with regard to:-

Criterion 3.1 Distance to the Nearest Rail or Tube station

Criterion 3.4 Distance to Local Amenities

Criterion 3.5 Distance to Nearest Infant /Primary School

Criterion 3.7 Distance to Nearest GP Surgery.

6.3 Hence, for the purpose of this Regulation 18 consultation, accepting that harm will be caused by the release of any greenfield, Green Belt land, and assuming that all sites score equally negatively in this regard (although I suggest that a further detailed Green Belt Impact Assessment should be undertaken for each site) then the determining issues should be:-

Impact on Protected Species/BAP Habitats (criteria 1.1, 1.2, 1.3b and 1.5)

Impact on Heritage Assets (criterion 1.8a) and

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Settlement Character Sensitivity (criterion 5.2).

6.4 Site 0473 St Leonards Farm scores negatively against both criterion 1.1 Impact on Internationally Protected Sites and criterion 1.2 Impact on Nationally Protected Sites, the Arup Report stating that development would have a potential adverse impact on Lea Valley Special Protection Area and that it falls within an Impact Risk Zone so requires consultation with Natural England. It continues by stating that it is likely that mitigation to reduce the risk would be possible but there is no evidence for this statement and hence this conclusion is unsound.

6.5 Site 0300 Lower Nazeing South scores negatively against criterion 1.5 because the site encompasses the whole of a traditional orchard which is a BAP Priority Habitat and is between two buffer zones. The Arup report states that development is likely to directly affect the habitat but comments that mitigation can be implemented to address this. However, no indication is provided of what this mitigation might be and there is no evidence to suggest that Natural England has been consulted. Hence, this conclusion is similarly unsound.

6.6 Whilst SR-0434 also scores negatively because of having three ancient trees at the north edge of the site and adjoining a deciduous Woodland Priority Habitat (presumably the small area of woodland to the north of Maplecroft Lane) avoiding any impact on these features could be addressed through the planning application process. Hence, this is not seen as a constraint to development.

6.7 Site 0300 Lower Nazeing South also scores negatively against criterion 1.8a Impact on Heritage Assets because of location within Nazeing Conservation Area and proximity to a listed building. The Arup Report states that the effects could be mitigated, but again there is no evidence to support this comment. Moreover, given that the reason for designating Nazeing Conservation Area was primarily to protect the valuable landscape including an historic field pattern to the east of the village, and that the whole of site 0300 lies within the Conservation Area, it is very difficult to see how the effects of the loss of a valuable landscape can be mitigated by development. This must lead to the conclusion that development here could not pass the legal test imposed by

Section 72 of The Planning (Listed Buildings and Conservation Areas) Act 1990 which requires that a Local Planning Authority pays special attention to the desirability of preserving or enhancing the character or appearance of that area. Yet again, therefore, this conclusion is unsound.

6.8 For reasons of adverse impact on Internationally and Nationally Protected Sites in respect of SR- 0473 and adverse impact on BAP Habitats and Nazeing Conservation Area in respect of SR-0300, I conclude that the draft allocations on sites 0473 and 0300 should not be carried forward.

6.9 Whilst SR-0301 is similarly scored negatively against criterion 1.8a Impact on Heritage Assets there is no apparent reason for this. I consider it is likely to be an error and should not preclude the site from being carried forward.

6.10 This leaves for consideration criterion 5.2 Settlement Character Sensitivity. The assessment for site 0300 is particularly negative and only confirms the conclusion I have already reached. As far as the remaining three sites are concerned, 0011 and 0473 are scored the same with the comment that development could detract from settlement character and that as proposals are for higher density than neighbouring development, the character of the area could be affected. This is undoubtedly true of any development but can be controlled by application of relevant Development

Management policies. Hence, such comments cannot be determinative.

6.11 The conclusion for SR-0301 that the scale of development (potentially up to 650 dwellings) and the extent of site is likely to have a negative effect on rural character is understood but can be addressed. The ....Redacted.... land was promoted in response to the Issues and Options consultation issued in July 2012 which at that time sought 600 dwellings in Nazeing. The scale of development here is open to negotiation subject to issues raised in Section 7. The claim that development would contribute to urban sprawl is not accepted, however, because of the visually enclosed nature of the site.

6.12 Having regard to all of the above, it is apparent that the ....Redacted.... land is equally appropriate for allocation as a housing site as SR-0011 and demonstrably more suitable than SR-0473 and SR-0300. ....Redacted.... would be pleased to assist the Council with providing any further information that is required to bring forward a residential allocation on this land.

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## 7.0 Advantages of Development of The ....Redacted.... Land.

7.1 The ....Redacted.... land was initially promoted in response to Call for Sites in isolation from adjoining land. However, since 2013 ....Redacted.... has been co-operating with two other land owners as part of a consortium to promote a more comprehensive form of development adjoining the northern edge of Nazeing.

7.2 The other owners are Messrs J and J Wilkinson of The Fencing Centre (SR-0150) which occupies the north west corner of the site being promoted by the consortium as illustrated on TOM/03. Whilst Messrs Wilkinson (and other members of the consortium) are entirely supportive of the draft allocation for up to 33 houses on their land they are prepared to continue to co-operate with the consortium in bringing forward a comprehensive development of the land to the rear involving creation of a new access where Peck's Hill and Sedge Green meet.

7.3 The second land owner is E & J Properties Ltd (formerly The Elvidge & Jones Property Partnership) who own the wood yard proximate to Birchwood Industrial Estate. This abuts part of the eastern edge of the ....Redacted.... land. Currently the wood yard, together with the industrial units in Birchwood Industrial Estate and nurseries to the north (Former CWS Nurseries and Nursery No

3 Hoe Lane) all generate HGV traffic along Hoe Lane which is of poor alignment and restricted width. This gives rise to a poor environment for the adjacent residential properties and elicits much complaint from residents.

7.4 The proposal being promoted by the consortium is to construct a road to adoptable standards in an approximately east to west alignment from Birchwood Industrial Estate, through the wood yard, to the immediate south of the Phase 4 glasshouses on the ....Redacted.... land and thence to the bend where Peck's Hill and Sedge Green meet, with a new roundabout junction constructed on part of site 0150. See drawing TOM/03. All HGV traffic generated by the commercial uses listed in paragraph 7.3 above would then be diverted away from Hoe Lane and onto the new road. This proposal has been explored in a Transport Assessment prepared by EAS TP dated December

2013 a copy of which was originally submitted to the Council in January 2014 in both electronic and paper format, and is resubmitted in electronic format in support of this representation.

7.5 As well as removing much of the HGV traffic which currently uses Hoe Lane, the proposed road has another advantage of taking away from the crossroads in the centre of the village northbound HGV traffic which is heading towards Dobbs Weir Road and thence through to the A10. Based on traffic surveys undertaken in 2013 and recorded in The TA, that crossroads was already operating near capacity in 2013 so diversion of some HGV traffic away from that point would help to ease congestion.

7.6 The TA also puts forward proposals to introduce a right turn lane from North Street into Nazeing

Road at the crossroads, thus speeding up traffic flows by allowing vehicles turning left into Middle Street to move freely in accordance with the traffic lights without being held up by right turning vehicles; and the Nazeing Road approach would also be widened to two lanes at the junction to provide a dedicated right turn lane into St Leonard's Road with a short flare to allow straight ahead and left turn traffic to pass right turners without being delayed. There is enough land within the highway boundary to allow for these alterations.

7.7 A draft of the TA was reviewed by Essex County Council Highways and discussed at a meeting which took place in September 2013. In terms of the EAS impact assessment Essex CC commented that they:

- Agreed with the approach and content and concurred that a roundabout for the main site access would be the best approach and had been demonstrated to work well within capacity;
- Agreed that connection into the industrial estate, through the proposed development would be very beneficial as this would help remove at least some HGV traffic from Hoe

Lane;

- Felt that the scope of The TA could be a bit wider with regard to the impact on the network with other junctions possibly being considered to the north and south; and
- Felt that there was scope to improve the signalised junction over that which was proposed.

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Issues raised in the third and fourth bullet points can be addressed at either the Master Planning or planning application stages.

7.8 In order to fund the road, as well as assist in meeting the Council's housing need as identified for the Nazeing area, land to the south of the new road controlled by ....Redacted.... needs to be released from the Green Belt and allocated for housing through the emerging District Plan. Provision would be included for an appropriate level of facilities, subject to detailed discussion and viability assessment.

7.9 In addition to removing the HGV traffic generated by Birchwood Industrial Estate and the wood yard, another major advantage of providing improved access is that it would allow the wood yard to be redeveloped with industrial units. The wood yard has been promoted independently under SR-0151 for industrial development and is identified in the SLAA 2016 as suitable for commercial development but within the Green Belt. It is correctly recorded as previously developed land. The SLAA notes that there are trees subject to a TPO around the edge of the site (northern and western boundaries) but that the impacts of development could be mitigated. Hence the site is recorded in Chapter 5 of the Draft Plan at paragraph 5.174 (pp166) for provision of new employment uses.

7.10 The wood yard exists as a result of the previous lawful use of this site. Use as a wood yard commenced about 14 years ago. Largely because of the nature of the activity (dust creating) it

21 has been a constant source of complaint and residents of Hoe Lane want the wood processing to be replaced by a more neighbourly activity. It has also been subject to several fires believed to be the result of arsonist activity. However discussions held c2007/8 with Development Control officers established that such redevelopment would not be supported because of both its Green Belt location and additional traffic generation. Whilst allocation in the emerging District Plan as an employment site will allow the principle of redevelopment of the site with industrial units to be acceptable, it will do nothing to alleviate existing problems associated with HGV traffic. Hence the draft development strategy for Nazeing as set out in The Emerging Local Plan does not address the problem of the wood yard. Nor does it address that aspect of the vision for Nazeing which states that opportunities will be sought to improve the highway network and ease congestion. It is only the proposals promoted by the consortium which can fulfil this part of the vision.

7.11 In addition to providing a TA in support of the promotion of the ....Redacted.... land a Flood Risk Assessment was also submitted to illustrate that the site is capable of being developed without creating any risk of flooding elsewhere with incorporation of SuDS principles. A copy of the FRA is also provided.

7.12 The land would be developed in accordance with sustainability principles which would include recycling water from the roofs of the development for use in irrigation at the nursery. The nursery

is also considering installation of a Combined Heat and Power Unit (CHP) surplus heat from which could be used to heat the residential development.

7.13 Turning to the scale of development proposed, it should be noted that the documents submitted in January 2014 referred to a maximum of 600 houses because that was the number identified for Nazeing in the July 2012 Issues and Options Consultation. It was designed to demonstrate that provision could be made in a single location based on sound Master Planning principles. It is noted that the draft plan now proposes a significantly smaller number of dwellings (about 220) seemingly based on the classification of Nazeing as a "small village". This classification is disputed for reasons set out in a separate submission. However, ....Redacted.... and the consortium are prepared to consider a lesser scale of development dependent upon viability testing and would be pleased to enter into negotiations with the Council over the scale of development which could be considered appropriate.

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## 8.0 Conclusion

8.1 Stage 3 of the Site Selection Assessment itself concluded that as a strategic option infill development to the east/north east (which includes the ....Redacted.... land) was "more suitable" and would be "less sensitive in Green Belt and landscape terms" than other options. These are fundamental issues when the choice of sites to be released from the Green Belt for development are under consideration.

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8.2 The comparative analysis set out in Sections 5 and 6 demonstrates that the ....Redacted.... land scores as well with regard to other site selection criteria as the draft greenfield allocated sites. The failure to have carried it forward to Stage 3 assessment is thus not understood and must be rectified to avoid the plan being found unsound on the basis that the consideration of sites has not demonstrated that all reasonable alternatives have been assessed consistently and thoroughly.

8.3 In addition to being more suitable in terms of Green Belt impact and landscape sensitivity, development of the ....Redacted.... land offers many other advantages, as detailed in Section 7, and is clearly the only option which can help to address the issue of traffic congestion in the centre of the village caused by HGVs from the businesses along Hoe Lane, thus helping to fulfil the vision for Nazeing.

Jane R Orsborn BA Hons; Dip TP; MRTPI; DMS.

November 2016

Attachments:-

Transport Assessment

FRA

TOM/01

TOM/02

TOM/03