

Epping Forest Local Plan – Representations on Behalf of Stallan Developments Ltd (January 2018)

Response to Draft Policy P 10

- 1.1 We act for a Stallan Nazeing Ltd who have an interest in Fernbank Nursery, Nazeing Road, Lower Nazeing, Essex, EN9 2JN. This site extends to an area of approximately 3.03 hectares and is broadly rectangular in shape, with vehicular access being provided to Nazeing Road to the south (please see attached site location plan under Appendix 1 and Site Layout Plan, Indicative Streetscene, Topographical Survey Plan and Access Arrangement Plan under Appendix 2).
- 1.2 An outline planning application for 50 dwellings, including means of access, was submitted in November 2016 and was refused on 28 July 2017 [REDACTED]. The application was refused for a single reason i.e. *“The proposal represents inappropriate development in the Metropolitan Green Belt which, by definition, is harmful to the objectives of including land in the Green Belt and is therefore at odds with Government advice contained in the National Planning Policy Framework, and policy GB2A of the adopted Local Plan and Alterations for which no very special circumstances sufficient to outweigh this harm to the Green Belt have been demonstrated.”*
- 1.3 Whilst the application was refused given its Green Belt designation, as part of the assessment of the application the Council accept that there are no constraints that would prevent the delivery of the development on this site i.e. highways, landscape, flood risk, archaeology, ecology, trees, contamination, listed buildings or residential and visual amenity.
- 1.4 We note that Draft Policy SP 2 confirms the future housing provision over the plan period of 11,400 new homes and at least 122 units will be accommodated in Nazeing. Draft Policy P 10 confirms the Council’s ‘preferred’ residential site allocations for Nazeing (as well as employment sites and infrastructure requirements), all of which are currently designated as Green Belt.
- 1.5 We also note that the ‘Report on Site Selection’ prepared by Arup (September 2016) informed the draft site allocations across the district, including those at Nazeing. We note that a further report has been published ‘Report on Site Selection’ (Issue v2) with Appendices A and D (December 2017). We note that ‘Appendix B Assessment of Residential Sites’ is not publicly available and we have been advised this would be finalised and published once the Local Plan Submission Version consultation event had been completed.

- 1.6 The 2016 'Report on Site Selection' (by Arup) included a 'Site Suitability Assessment' of the Fernbank Nursery site (Site 0160), as well as the sites being proposed for allocation (please see attached extracts under Appendix 3). This assessment provided a score against numerous criteria and this included "3.1" to "3.7" which relates to distances to rail station, bus stop, employment locations, local amenities, primary and secondary schools, and GP surgery.
- 1.7 The Fernbank site (0160) was given positive scores in respect of distance to bus stop (on Nazeing Road – 200m from the site), employment locations (Hillgrove Business Park – 700m to the west) local amenities (shops on Nazeing Road – 100m to the south), primary school (Nazeing County – 550m to the south east) and GP surgery (Nazeing Valley Health Centre – 800m to the north). It was given a neutral score in terms of distance from rail station (closest of which is Broxbourne – 2.5km to the west) and a negative score in terms of distance to nearest secondary school (closest of which is Stewards Academy – 8.6km to the north east). The Site Suitability Assessment prepared by Arup confirms that the Fernbank site (0160) is more accessible than each of the 4 sites being put forward for residential allocation in the draft Local Plan (i.e. NAZE.R1 to R4).
- 1.8 As outlined above, all the sites being put forward for allocation, as well the Fernbank Nursery site (0160), are currently designated as Green Belt. We note that the Fernbank Nursery site was assessed as part of a larger parcel of land within the Epping Forest District Green Belt Assessment: Stage 2 (August 2016). An extract from the Stage 2 assessment is attached to this note which relates to 'Parcel 066.5'. This includes the Fernbank site, along with land to the west and north. Whilst this assessment covers a larger area, the results of the assessment remain relevant to identifying the harm arising from the release of the site for development.
- 1.9 The Stage 2 assessment includes a summary of parcels contribution to the 'Purposes of Green Belt' (note it specifically excludes purpose 5 i.e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land). This confirms the parcel's contribution:
- **"Weak"** contribution towards the 1st Green Belt Purpose (*"to check the unrestricted sprawl of large built-up area"*). The assessment confirms that the parcel of land is close to Hoddesdon but is separated by the Lee Valley and any development within the parcel would not be perceived as sprawl from Lower Nazeing.
 - **"Relatively Weak"** contribution towards the 2nd Green Belt Purpose (*"to prevent neighbouring towns merging into one another is"*). The assessment confirms that the

parcel of land is close to Hoddesdon but ribbon development along Nazeing Road already extends out across much of the settlement gap. Again, the separation as a result of the Lee Valley would mean that broad coalescence would not occur.

- **“Moderate”** contribution towards the 3rd Green Belt Purpose (*“to assist in safeguarding the countryside from encroachment”*). The assessment confirms that much of the parcel is covered by glasshouses, with associated residential, but open fields to the western half to the south of Nursery Road. It confirms that that the houses at the southern end of Nursery Road and Nazeing Road limit the extent to which the area is perceived as countryside. Furthermore it concludes that the eastern half of the parcel (*which we note would include the Fernbank site*), on sloping ground has more relationship with the settlement than the flatter fields to the west and can be considered to make a relatively weak contribution to this purpose.
- **“No Contribution”** towards the 4th Green Belt Purpose (*“to preserve the setting and special character of historic towns”*). The assessment confirms that there is no relationship between the parcel and any historic town.

1.10 Therefore based on the Epping Forest District Green Belt Assessment it is clear that the Fernbank site provides a ‘weak’ or ‘relatively weak’ contribution to the 4 assessed Green Belt Purposes. In respect of the 5th purpose, i.e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land, we note that this was not assessed as part of the Council’s assessment. We are not aware of any derelict and / or other urban land in need of recycling. In fact there is clear evidence of the need to consider expansion into the Green Belt in order to maintain housing land supply, as confirmed by the draft Local Plan. Therefore we consider that the application site provides ‘no contribution’ to the 5th Green Belt Purpose.

1.11 We also note that the ‘Report on Site Selection’ (by Arup) provided a score against criteria ‘2.1 Level of harm to Green Belt’. The assessment confirmed:

“Site is within Green Belt, where the level of harm caused by release of the land for development would be very low, low or medium”

1.12 Whilst the site maybe defined as ‘greenfield’ due to the nature of the former agricultural use, the site contains significant areas of hardstanding, buildings and other structures. We consider that its release for development will not materially harm on the openness of the Green Belt. We consider it will result in a positive impact, as confirmed by the recently submitted planning application. The

submitted outline application / indicative scheme confirms that the level of built footprint will reduce by up to 80% and the building volume by up to 50%. Furthermore the indicative scheme includes a significant area of open space along the western boundary, beyond which is open fields. It is clear that the proposals will therefore result in an increase in openness of this part of the Green Belt by removing the existing glasshouses and hardstanding and provision of significant areas of open space / landscaping and new residential development

- 1.13 We have reviewed Arup's 'Site Suitability Assessment' in relation to sites 0011 (i.e. NAZE.R1), 0300 (i.e. NAZE.R3) and 0473 (i.e. NAZE.R4) (please see attached extracts). We note that under '2.1 Level of harm to Green Belt' this concludes that the level of harm caused by the release of these sites would be 'none'. We note that these sites were also assessed as part of a larger parcel of land within the Epping Forest District Green Belt Assessment: Stage 2 (August 2016). A further extract from the Stage 2 assessment is attached to this note which relates to 'Parcel 067.5' and 'Parcel 067.4' (as per attached), which includes sites 0011 ('NAZE.R1'), 0300 ('NAZE.R3) and 0473 ('NAZE.R4'). Whilst this assessment covers a larger area, the results of the assessment remain relevant to identifying the harm arising from the release of such sites.
- 1.14 As outlined above, the Stage 2 assessment includes a summary of parcels contribution to the 'Purposes of Green Belt' (note it specifically excludes purpose 5 i.e. to assist in urban regeneration, by encouraging the recycling of derelict and other urban land). This confirms the two parcel's made 'no contribution' to purposes 1, 2 and 4, however they made a '**strong contribution**' to purpose 3 ("*to assist in safeguarding the countryside from encroachment*"). In light of this it is unclear how the release of any of these sites from the Green Belt will result in 'no harm', as per the conclusion of the Arup's 'Site Suitability Assessment', carried out on behalf of Epping Forest DC.
- 1.15 We note from the above and attached extract from the 'Report on Site Selection' that despite its scoring it was determined that it '*should not proceed for further testing*' after Stage 3 of Arup's assessment (please see attached extract). We note that the difference between site 0160 and those suggested for allocation (in particular sites 0011 ('NAZE.R1'), 0300 ('NAZE.R3) and 0473 ('NAZE.R4') appears to relate to the 'Location' ranking. Site 0160 scored 5 (i.e. 'of greater value to the Green Belt if the land meets other suitable criteria for development') and the others scored 4 (i.e. 'of least value to the Green Belt if the land meets other suitable criteria for development'). We are unclear as to how Arup reached this conclusion and request that EFDC clarify how the 'Location' ranking was arrived at Stage 3. We have previously sought clarification from EFDC however no response has been provided.

- 1.16 In light of the above and attached, we are concerned that the assessments carried out by Arup and used to inform the current Local Plan site allocations under Draft Policy P 10 Nazeing are not robust. Furthermore, we consider that the release of our client's site at Fernbank Nursery (Site 0160) will result in limited harm to the green belt, in fact we consider that it will result in a positive impact due to the resulting enhancement and increase in openness of this part of the Green Belt. By comparison the proposed 'Residential Sites' 0011 ('NAZE.R1'), 0300 ('NAZE.R3) and 0473 ('NAZE.R4') provide a greater contribution towards Green Belt objectives (i.e. purposes 1 and 3) and are therefore of greater value to the Green Belt than our clients site at Fernbank Nursery.
- 1.17 Furthermore, as part the recent application assessment the Council have confirmed that there are no site constraints preventing the delivery of the Fernbank Nursery site for housing (i.e. highways, landscape, flood risk, archaeology, ecology, trees, contamination, listed buildings or residential and visual amenity). By comparison the development of sites 0011 ('NAZE.R1'), 0300 ('NAZE.R3) and 0473 ('NAZE.R4') falls partially within Flood Zone 3, the Council have confirmed that it may affect a Protected Species (Great Crested Newts) and a vehicular access solution for all three sites is yet to be determined / agreed. We are of the view that all three of the proposed residential allocations are outperformed by Fernbank Nursery in respect of its suitability and accessibility.
- 1.18 We do not consider that the draft Local Plan 'Justified'. The Council's decision to allocate the referenced residential sites (in particular NAZE.R1, R3 and R4) under draft 'Policy P 10 Nazeing' is not the most appropriate strategy and we highlight some clear concerns about the robustness and credibility of the evidence base which has informed this decision.
- 1.19 In response to Question 7 of the attached 'representation form', we consider that our client's site at Fernbank Nursery should be allocated for residential development under draft Policy P 10 as it is the most appropriate residential site when considered against those sites being put forward for allocation by the Council i.e. sites 0011 ('NAZE.R1'), 0300 ('NAZE.R3) and 0473 ('NAZE.R4') and will therefore ensure that the Submission Local Plan and is 'sound'.