

Epping Forest District Council: Examination of the Local Plan, 2011-2033

Pre-Hearing Statement – Response to Inspectors Matters, Issues and Questions

MATTER 4: The Spatial Strategy/Distribution of Development

Issue 4: Is the distribution of development justified in respect of the need for, and approach to, the Green Belt release?

1. Introduction

- 1.1 These representations have been prepared by Kember Loudon Williams on behalf of Croudace Strategic, the owner of Land at Stonards Hill, Epping. The land was previously referred to by the Council as being incorporated within the following land parcels: EPP-B, SR-046ii, DSR 049 & 049.1. This site is identified below in red (Figure 1) and is situated to the north east of the town.
- 1.2 Croudace Strategic have promoted the site for housing through the Local Plan process and have previously provided representations in respect of the site. The representations to date were also supported by technical reports on Landscape, Highways and Ecology that demonstrate the site's suitability for housing. Notwithstanding this work, this site did not proceed beyond Stage 3 of the Local Plan site selection process, which formed part of the ARUP Site Selection Report 2018.



Figure 1: Land at Stonards Hill outlined in red.

- 1.3 These representations focus on the Inspector's Examination into Epping Forest District Council's (EFDC) Local Plan, in particular Matter 4, Issue 4.2 of the Inspectors Matters Issues and Questions (MIQs) document, dated November 2018. We will respond to the two questions raised by the Inspector below in turn. In view of our client's interests, the responses are naturally focused on Epping and the various growth scenarios considered.



2. **QUESTION 1: Are the changes proposed to the Green Belt boundary informed by a robust assessment of the contribution made by individual sites to the purposes of the Green Belt (EB74A-B; and EB705A-B)?**
- 2.1 We submit that the proposed changes are not informed by a robust assessment of the contribution made by individual sites to the purposes of the Green Belt, for the reasons below.
- 2.2 Firstly for clarification purposes we confirm that EB74A-B refers to EFDC's Green Belt Review: Stage 1 and Green Belt Review Methodology (both 2015); and EB705A-B refers to the LUC Stage 2 Green Belt Review and Technical Annex (both 2016).
- 2.3 The Council's current focus and the lion's share of housing growth for Epping is focused to the south of Epping under proposed site allocations EPP.R1 & EPP.R2. The below context plan shows the site allocations proposed for Epping, including the south Epping Masterplan Area (EPP.R1 & EPP.R2).

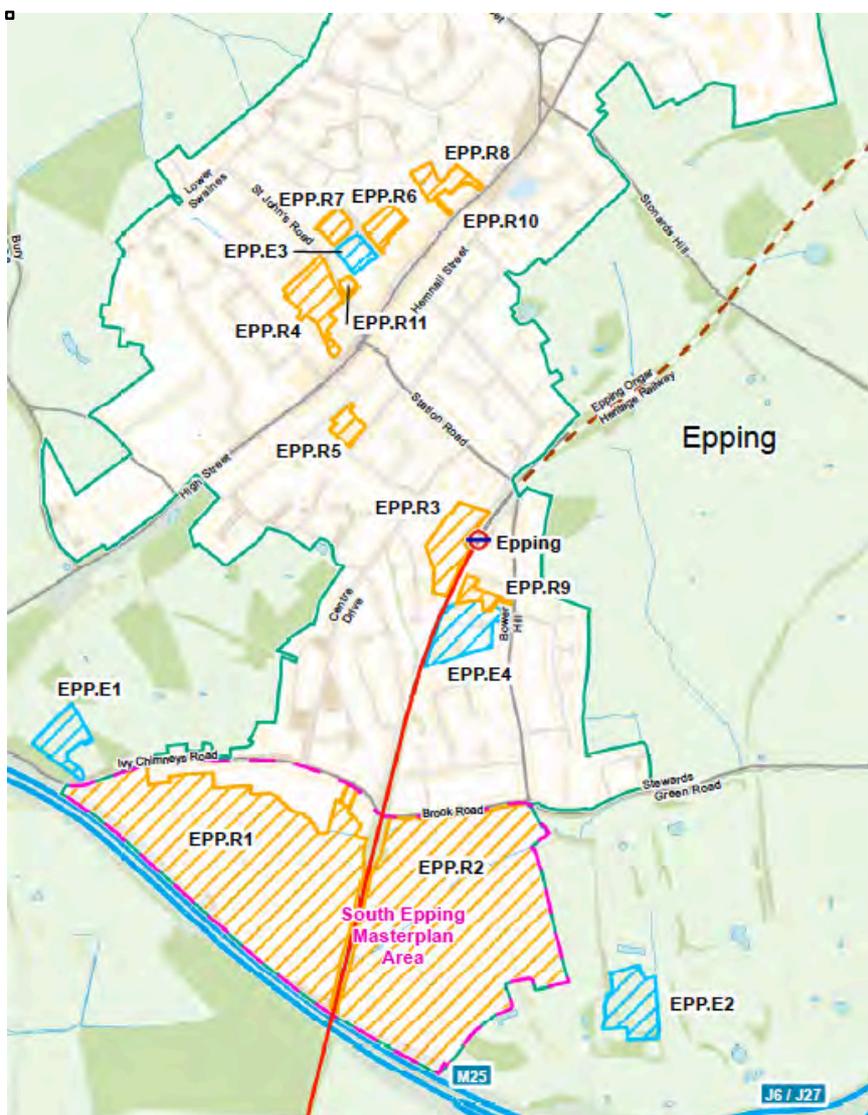


Figure 2: Map taken from EFDC Local Plan Submission Version 2017 showing Site Allocations in Epping



2.4 These sites are referred to differently in the Local Plan evidence documents. The ARUP Site Selection Report (2018), refers to the proposed allocations EPP.R1 & EPP.R2 being formed of various sites. Five sites make up the proposed allocation EPP.R1, including: SR-0333Bi, SR-1002, SR-0445, SR-0069 & SR-0069/33 (see below figure 3). As shown below, EPP.R2 is made up of SR-0113A & B (south of Brook Road sites).



Figure 3: Site Selection Report breakdown of Proposed allocated sites EPP.R1 & EPP.R2

2.5 The LUC Green Belt Review, stage 2 (2016) refers to the sites as:

- 044.2 (land south west of Epping) as belonging to the EPP.R1 land parcel; and
- sites 045.1 (land south east of Epping, Land south of Brook Road) and 0.45.2 (also land south east of Epping, Land south of Brook Road) make up EPP.R2.

For the purposes of these representations, reference to the “South Epping Sites” will refer to the site references given by the LUC Stage 2 Green Belt Review (2016).

2.6 The proposed allocation of the south Epping sites (044.2, 045.1 and 045.2 in the Stage 2 Green Belt Review 2016), completely contradicts the findings of the LUC stage 2 Green Belt Review 2016 which establishes the release of these green belt sites for development would result in the highest level of harm (“very high”) when assessed against the four main Green Belt purposes. It is difficult to see how the same sites were then considered appropriate by EFDC for release from the Green Belt and described in the ARUP Site Selection Report 2018 (Appendix B1.6.6) as being “*more preferable in terms of landscape sensitivity and Green Belt harm than other sites around Epping*”.

2.7 Figure 2 below, formed part of KLV’s representations made to EFDC in January 2018 and compares the assessment findings of the LUC Stage 2 Green Belt Review (2016) according to the four identified purposes of the Green Belt. Land at Stonards Hill to the east of Epping (site reference 049.1), is compared against the three South Epping Sites (044.2, 045.1 and 045.2).

Green Belt Purposes	Parcel's Contribution to the Purposes of Green Belt			
	Stonards Hill	South Epping Sites		
	Site 049.1	Site 044.2	Site 045.1	Site 045.2
1st Green Belt Purpose (Check the unrestricted sprawl of large built up areas)	No Contribution	No Contribution	No Contribution	No Contribution
2nd Green Belt Purpose (Prevent neighbouring towns from merging into one another)	Relatively Weak	Moderate	Relatively Weak	Moderate
3rd Green Belt Purpose (Assist in safeguarding the countryside from encroachment)	Relatively Strong	Strong	Strong	Strong
4th Green Belt Purpose (To preserve the special character of historic towns)	Moderate	Relatively Strong	Relatively Weak	Relatively Strong
Summary of Resultant Harm	High	Very High	Very High	Very High

Figure 4: Comparison of Green Belt Sites table

2.8 As can be seen above, conclusions are correctly drawn in our view that each of the three southern Epping sites would result in significant harm to the purposes of the Green Belt if released for housing.

2.9 Sites 044.2 (south west of Epping) and 045.2 (south east of Epping, south of Brook Road) make a greater contribution to purposes 2 (merging of neighbouring towns) and 4 (preserving the special character of historic towns) of the Green Belt than Land at Stonards Hill (049.1). In addition, all three southern sites contribute more in terms of purpose 3 (safeguarding the countryside from encroachment) than Land at Stonards Hill (site 049.1). In brief the reasons for the southern sites scoring higher in terms of harm were that they:

- All sites lie closer to a neighbouring “town”, Theydon Bois, than Land at Stonards Hill (049.1) to North Weald Bassett. It should be noted that Theydon Bois is only very slightly separated from another “town” Loughton which forms part of the London urban area;



topography in each site, meaning they are visible from the wider countryside and are felt to safeguard the countryside from encroachment from Epping; and

- due to the close proximity to the historic core and conservation area to Epping, they were felt to contribute more to the historic setting of Epping than Land at Stonards Hill.

2.10 The stage 3/6.3 assessment, Appendix B1.5.2 of the Site Selection Report 2018, concluded that a southern expansion of Epping was one of two suitable strategic options considered out of a possible five options, in addition to the “*intensification*” of the town option.

2.11 Here the findings of the LUC Stage 2 Green Belt Review (2016) for the southern sites are discussed. It appears that ARUP, who undertook the Site Selection Report 2018, inaccurately concluded that one of the southern sites 045.1 (south-east of Epping and south of Brook Road) was “*considered to have low impact on the Green Belt if released*”. This is wholly incorrect as the overall conclusion in the LUC Stage 2 Green Belt Review 2016, as detailed in figure 4, was that the overall resultant harm to all Green Belt purposes would be “very high” if the site was released for housing.

2.12 Furthermore, in justifying the strategic South Epping growth option in Appendix B1.5.2, of the Site Selection Report 2018, ARUP considered the sensitivity of the southern sites as “*varied*”, due to the aforementioned inaccuracy and by focusing solely on the 4th Green Belt Purpose – Preserving the Setting and Special Character of the Historic Town of Epping.

2.13 ARUP imply that although two of the southern sites (044.2 & 045.2) scored “relatively strongly” against purpose 4, due to the Council’s assessment in respect of this purpose being applied inconsistently at settlement level, less weight should be attributed to the results for purpose 4. I quote from Appendix B1.5.2 of the Site Selection Report 2018 that with regards considering the southern expansion of Epping, “*while the Green Belt Review Stage 2 (2016) concluded that both of these score relatively strongly against Purpose 4, preserving the setting and special character of the historic town of Epping, further analysis by the Council indicates that the Purpose 4 assessment has been applied inconsistently when considered at the settlement level*”.

2.14 It is unclear how ARUP have arrived at this conclusion, given the lack of further justification noted elsewhere and importantly due to the LUC Stage 2 Green Belt Review (2016) still being referenced as a current evidence document without any further updates after 2016. If EFDC concede that their Green Belt assessment process was applied inconsistently at settlement level, this would surely would have led to a reassessment or a Stage 3 Green Belt Review being undertaken?

2.15 We therefore find ARUP’s justification for pursuing the south of Epping as a legitimate growth option is flawed, and more importantly the Council is deficient for supporting ARUP’s conclusions. This again raises the fundamental inconsistencies between the findings of the Stage 2 Green Belt Review 2016 and the Site Selection Report 2018.

2.16 In particular, the ARUP Site Selection Report has been confusingly dated 2018, due to its Appendices B and C only being published in March 2018, almost three months after the Local Plan Submission Version 2017 was produced. Appendix B1.5.2 mentioned above, in addition to other Appendices, were not available to Councillors or the public ahead of the decision to submit the draft Plan (taken on the 14th December 2017). It is most unusual for an evidence document to be produced after the main policy document it was intending to support was published. These appendices were not consulted on until their publication on the 14th March



2018, but no changes are proposed to the draft Plan, nor the decision to submit the Plan for examination been revisited. How, therefore, can the Council say it has reached an informed decision?

- 2.17 As we have maintained in past representations, these inconsistencies cast considerable doubt on the suitability of south of Epping as a strategic growth option in Green Belt terms, particularly when there are less sensitive sites that are sustainable and deliverable in the Plan period. Stage 2 of the Green Belt Review 2016 deemed the release of the Land at Stonards Hill site (049.1) as being “less sensitive” than releasing the South Epping Sites (044.2, 045.1 & 045.2) and is worthy of further consideration.
- 2.18 On the basis of the above analysis and previous representations, it is essential now that the District Council explain precisely why its current “preferred strategic growth solution”, which proposes to release Green Belt land to the south of the town, directly undermines the findings of its own Green Belt Review (LUC Stage 2 Green Belt Review 2016). This is wholly inconsistent and contrary to para 35 of the National Planning Policy Framework (NPPF) which states that for a Local Plan to be found sound it must be justified, based on “proportionate evidence”.



3. QUESTION 2: How are the findings of the Green Belt Review weighed in the balance of other planning considerations in the Site Selection process?

3.1 The performance of a particular site against the five purposes of the Green Belt is one of many interests of acknowledged importance used to appraise land parcels as part of a site selection process.

3.2 According to the site selection methodology, paragraph 4.16 of the Site Selection Report 2018, the six categories for assessment are listed as follows:

- Impact on Environmental and heritage designations and biodiversity;
- Value to Green Belt;
- Accessibility to public transport and to services;
- Efficient Use of Land;
- Landscape and Townscape Impact;
- Physical Site Constraints and Site Conditions.

It would be reasonable to assume that a balanced approach in the consideration of each of the above matters is given to compile each assessment.

3.3 However as detailed above, in the Site Selection Report prepared by ARUP in 2018, the findings of Stage 2 of the Green Belt Review (2016) have been incorrectly interpreted in relation to the aforementioned “Southern Sites” (see Appendix B1.5.2 of the Site Selection Report 2018). The misinterpretations made by ARUP led them to take these sites (044.2, 045.1 & 045.2) further for consideration despite the conclusion in the Green Belt Review Stage 2 (2016) of “very high” resultant harm to the Green Belt if released for development, which they ignored. This provided a “false” perception to the suitability of these sites.

3.4 If ARUP have misjudged the implications of releasing the “southern sites” from the Green Belt, it implies that the site selection process as a whole is inconsistent and has not balanced other considerations equally.

3.5 Contrary to the conclusions drawn in the individual Site Assessments for the “Southern Epping Sites” (044.2, 045.1 and 045.2) of Stage 2 of the Green Belt Review 2016, the ARUP Site Selection Report 2018 (Appendix B1.5.2) considered that “*..these parcels only make a limited contribution to the overall setting of the town and furthermore, there is no visual relationship between these parcels and the most historic parts of Epping. Therefore, on balance, it is considered that the loss of these areas would be less harmful to the overall historic setting of Epping than other strategic options.*” This view led to further consideration of the sites being given based on incorrect assumptions (see above paragraphs 2.12-2.14).

3.6 Interestingly, the LUC Stage 2 Green Belt Review 2016 said exactly the same about the Land at Stonards Hill site (049.1) – that the site has no physical or visual relationship with the historic core of the town. Notwithstanding this, and unlike the “South Epping Sites” it was still concluded to be unsuitable for development in the ARUP Site Selection Report 2018. Again, raising contradictions and flawed reasoning.

3.7 It is also worth noting that the site selection methodology section, in Section 3 of the ARUP Site Selection Report 2018 does not make reference to the Green Belt Reviews: Stage 1 (2015) or LUC Stage 2 (2016) as part of the evidence documents relevant to the site selection process – which is unusual considering it refers specifically to the documents in justification for site selection.



- 3.8 Appendix B1.6.6 of the ARUP Site Selection Report 2018 acknowledges that the southern sites would support the aspirations of the emerging Epping Neighbourhood Plan, which identifies more growth to the south of Epping. As the Neighbourhood Plan is at a very early stage of preparation and the Town Council have only just carried out early engagement with the community over the issues Epping faces, it is wholly inappropriate to give any material weight to this plan. Draft policies are yet to be developed, and the draft plan would then need to go through examination in public and possible public referendum before being formally “made”.
- 3.9 In conclusion, it is submitted that the site selection process, with relation to the release of the “South Epping Sites” (044.2, 045.1 & 045.2) from the Green Belt, and as detailed in ARUP’s Site Selection Report & Appendices 2018, is completely flawed and based on contradictory information. We submit that the proposed allocation of the masterplan South of Epping area (including sites 044.2, 045.1 & 045.2) should be reconsidered, due to inaccurate justification given by ARUP as to the suitability of these sites for allocation, with relation to their value to the Green Belt.
- 3.10 Whilst the need to release Green Belt land for new housing in Epping has been established, the release of land must be based on the findings of the Local Plan evidence base. The complete disregard of the findings of the LUC Green Belt Review 2016 undertaken, totally undermines the Local Plan process and confirms our view that the EFDC Local Plan (Submission Version) 2017 should be deemed unsound by the Inspector. The remainder of Green Belt sites (such as Land at Stonards Hill) should be carefully reconsidered in light of the evidence base.
- 3.11 We would take this opportunity to again look at the merits of Land at Stonards Hill (049.1) as being suitable for development. In brief it is in a sustainable location for new development, with excellent links to public transport, and is within close walking distance to access the shops and local facilities of the town centre, including employment and healthcare services. All key facilities are within 800 to 1200 metres of the site. Landscape, Ecology and Highways Assessments have all been undertaken which support development of the site for housing. In addition, the Land at Stonards Hill is well defined and contained by the existing railway line to the east, which would ensure that its development would not set a precedent for future encroachment of development into the Green Belt, beyond the railway line.
- 3.12 It is maintained that all reservations raised by EFDC through the site selection process regarding Land at Stonards Hill (049.1), including landscape sensitivities, impact on Green Belt and setting of the historic environment can be overcome through appropriate design. Finally previous queries regarding the loss of trees and woodland are unfounded as Croudace have always maintained trees and woodland will be protected and moreover, any development will include improvements to the existing recreation ground and community facilities which adjoin the site to the north.
- 3.13 In line with the above we include as Appendix 1, the “Development Principles Plan” for Land at Stonards Hill. This confirms the woodland areas of the site will be protected as part of any development on the site, with necessary ecological enhancements and improvements identified once detailed Ecological surveys have been undertaken. In addition, green routes through the site will provide recreation benefits and better accessibility.



APPENDIX 1

DEVELOPMENT PRINCIPLES PLAN





KEY:

-  SITE BOUNDARY
-  ESTABLISHED WOODLAND OF SEMI-MATURE AND MATURE TREES: ASH WOOD AND HIGH WOOD
-  POOR QUALITY THORN, HEDGEROW AND TREES (SYCAMORE)
-  TREE-LINED CUTTING / EMBANKMENT TO RAILWAY LINE
-  ARABLE LAND
-  PONDS
-  BURIAL GROUND
-  EPPING ONGAR RAILWAY LINE
-  RESIDENTIAL PROPERTIES BACKING ONTO SITE
-  LAND FALLING AWAY TO EAST AND SOUTH-EAST
-  STRONG DEFENDABLE BOUNDARY TO COUNTRYSIDE
-  HIGH VISIBILITY FRONTAGE
-  CHILDREN'S PLAYGROUND - EXISTING
-  STONARDS HILL RECREATION GROUND: LOCAL HUB: OPPORTUNITY TO LINK FACILITIES/ACCESS
-  COMMUNITY / RECREATION BUILDINGS
-  EASTERN GAS BOARD 12 METRE EXCLUSION ZONE
-  TRANSCO 190m PIPELINE

- ①** PRINCIPAL VEHICULAR ACCESS FROM STONARDS HILL - CREATE STRONG PEDESTRIAN/VEHICULAR ROUTES TO 'ORGANISE' THE DEVELOPMENT.
- ②** RETAIN WOODLAND AREAS - IMPROVE AND INTEGRATE WITH GREEN ROUTES THROUGH THE NEW HOUSING.
- ③** IMPORTANT VISUAL AND PHYSICAL LINK BETWEEN STONARDS HILL RECREATION GROUND AND NEW HOUSING. CREATE A STRATEGIC GREEN CORRIDOR THROUGH THE SITE TO LINK THE WOODLAND AREAS WITH THE RECREATION GROUND.
- ④** FORM A CENTRAL 'GREEN' FOCUS FOR THE NEW HOUSING TO CREATE A SENSE OF ARRIVAL.
- ⑤** POSSIBLE AREAS FOR NEW HOMES - A MIX OF ACCOMMODATION WILL BE PROVIDED WITH AN EMPHASIS ON FAMILY HOMES.
- ⑥** RECREATION AND COMMUNITY FOCUS - PROMOTE LINKS WITH NEW AND EXISTING COMMUNITIES AND IMPROVE FACILITIES FOR WIDER BENEFIT.
- ⑦** PHYSICAL SEPARATION AND PROTECTIVE SCREEN TO PRESERVE THE AMENITIES OF 'OLD PASTURES'.
- ⑧** INTEGRATE MOVEMENT NETWORKS WITH EXISTING PUBLIC FOOTPATHS TO PROVIDE DIRECT ACCESS ON FOOT TO ST. MARGARET'S HOSPITAL, STONARDS HILL RECREATION GROUND AND THE TOWN CENTRE.
- ⑨** INTRODUCE NEW LANDMARK BUILDINGS TO CREATE FOCAL POINTS IN VIEWS INTO THE SITE AND ACROSS THE RECREATION GROUND.