

Chelmsford office

Strutt & Parker
Coval Hall
Rainsford Road
Chelmsford
Essex CM1 2QF
Telephone 01245 258201



ChelmsfordPlanning@struttandparker.com
struttandparker.com

David Coleman – Project Manager Planning Policy
Epping Forest District Council
(By Email only)

Direct dial: 01245 254646
Direct fax: 01245 254865
Email: Richard.Clews@struttandparker.com

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Dear David,

May I wish you a belated happy new year and thank you for considering the site allocation CHIG. R5 and for coming back to me at the end of December regarding the PDL matters for our site.

I would firstly like to clarify that we appreciate the Council's position and by no means are we proposing for this to become in anyway adversarial. My client prides itself on developing good working relationships with Local Authorities, and we do hope that as part of CHIG.R5, Epping Forest District Council (EFDC) are pleased with my client's transparent approach to the planning process and discussing matters such as those in this letter.

As there have been a number of emails travelling back and forth, I thought it would be useful to clarify my client's proposals for the site. As per the attached landscape note, we are seeking to amend the allocation boundary to include the area proposed within the Signature Care Home Planning Application (SCH). The SCH represents a significant reduction in the overall built form on the site and also opens up the northern part of the site as green space. This approach was supported during the public consultation (of the SCH), and we believe will have the continued community support during the determination of the planning application as it was widely acknowledged that the existing buildings did not contribute positively to the local landscape. Without repeating much of the content within this letter, this proposal would represent a positive impact upon the green belt and landscape as a whole (this is confirmed by two independent experts), as well as delivering a development that seeks to contribute towards meeting an acute need for high dependency care (including but not limited to dementia and end of life care) in a highly sustainable location.

I have taken the opportunity to itemise out the points raised in your email (dated 19/12/18) and have clarified our position in relation to these points. The purpose of this is to ensure there aren't any crossed wires, and that EFDC are fully aware of the additional work that has been undertaken to inform my client's position.

- **The Council acknowledge that in addition to the allocated area of CHIG.R5, part of the site outlined in red (as shown on the plan attached to this and the earlier email) is Previously Developed Land (PDL) – this includes car parking / hard standing in the southern part.**

We agree that the area identified constitutes PDL, but we do not agree that this is the full extent of the area of PDL within the area edged red.

You have previously confirmed that the buildings within CHIG.R5 do constitute PDL along with the car parking and hard standing in the southern part of the land edged red. Given that the excluded buildings form part of the Garden Centre and its operation as a whole, we would urge you to consider those buildings to also comprise the Garden Centre, or at least form part of the curtilage of those buildings



that you do consider to be a Garden Centre (and therefore PDL). It is clear from both on-site investigations and aerial imagery that these excluded buildings are not in agricultural or forestry use.

Treating the above as a technical interpretation of the NPPF, it cannot be disputed that regardless of whether the complete site (all of the land edged red) is or is not considered as constituting previously developed land, there is a clear presence of built form. This presence of built form materially alters the quality of the land, and in turn the contribution it makes towards the Green Belt and the surrounding landscape. Therefore, a sequential approach of releasing greenfield Green Belt sites prior to exploring opportunities such as the land in question is not sound (NPPF paragraphs 137-138) – this point is further explored in the landscape note attached and the report prepared by PRP (submitted with the Signature Care Home Planning Application).

- **The lane (or track) which is used for the fork lift to move goods to the storage areas at the rear of the site (north of car park and hard standing) is deemed by EFDC to be a logical separation of the site, as it has a more open and agricultural feel**

The artificial separation of the site by this track appears to be a judgement reached as a result of the previous promotion of the site in 2010/11, prior to my client's involvement. This was carried over into the Local Plan and all representations submitted by my client in respect of the emerging Local Plan have clearly set out that the site is promoted as one site. Whilst we appreciate that there is a March 2018 SHLAA Assessment (SR-0586), you are already aware of our concerns as to the consistency of these assessments, and that in our view, it doesn't reflect our proposal relating to built form only with the remaining area opened up for additional landscaping / POS (as per the landscape plan). Our landscape consultants, Lockhart Garratt (LG) have concluded that the artificial separation of the built form within the site is not justified from a landscape and visual impact or Green Belt impact perspective (please refer to the attached note), and therefore it is of both LG's and my client's opinion that this is not a sound approach to assessing the site as a whole.

In addition to this point, LG also concluded that by separating the site as CHIG.R5 currently does, and allowing the remainder of the site to go into disrepair as a result of it becoming surplus to requirements (due to the allocated part of the Garden Centre under CHIG.R5 being developed), there would be a negative impact upon the Green Belt when compared to developing out the site in accordance with the Signature Care Home Planning Application, which as detailed in the PRP Green Belt Assessment has a slightly beneficial impact upon the Green Belt when compared with what currently exists.

As previously stated, the red area on the attached plan is considered by EFDC to be partially PDL and partially land that was last occupied by agriculture, while the area allocated within CHIG.R5 is considered PDL. We can confirm that the entire site is in the same use with open air storage being clearly visible on aerial photographs across the red area, and across the entire site via a site visit. Combined with acceptance that the southern part of the red land is PDL, we disagree that the track, which is used to move goods around the site, or the *openness* of this part of the site, provides any meaningful rationale to determine that there are separate activities between one part of the site and the other. In relation to the definition in the NPPF, it does not require planning permission for the existing use, only that the use is not agriculture or forestry. This is clearly demonstrated to the satisfaction of EFDC for the allocated area.

- **When applying the Site Selection Methodology utilised by Arup as part of the site selection process, the site did not proceed to further testing**

My client has undertaken an assessment of CHIG.R5 with the requested amendments using the methodology produced by Arup, to provide a direct comparison to the three sites considered as part



of the Site Selection process at Chigwell Garden Centre. As shown in the table below, the options assessed are:

- a) SR-0478A: This area was assessed by EFDC and was not consistent with the area promoted by my client, and as a result we are unsure as to the reasoning for this assessment area being included in the Site Assessment work;
- b) SR-0478B: The current CHIG.R5 allocation within the LPSV (eLP);
- c) SR-0586: The area submitted by my client in 2017; and
- d) Proposed Site: The requested allocation area (highlighted orange – as per the attached landscape plan). The requested allocation area includes the proposals within the Signature Care Home Planning Application in that the existing built form (of the land edged red on the attached location plan) is reduced and replaced with a 100-bed care home.

Site Name	<i>SR-0478A (other assessment – area not promoted by the Developer)</i>		<i>SR0478B (Current CHIG.R5 allocation within the Emerging Local Plan)</i>		<i>SR0586 (Site Suitability Assessment)</i>		Proposed site – as promoted by the Developer	
Assessment area								
Criteria								
1.5 – Impact on BAP Priority Species or Habitats	(-)	<i>Features and species in the site may not be retained in their entirety but effects can be mitigated.</i>	0	No effect as features and species could be retained or due to distance of BAP priority habitats from site.	0	No effect as features and species could be retained or due to distance of BAP priority habitats from site.	0	Site has no effect as features and species could be retained. There could be a slightly beneficial impact from the reduction in the built form area as a result of the demolition of the northern commercial storage buildings.
2.1 – Level of harm to Green Belt	(--)	Site is within Green Belt, where the level of harm caused by release of the land for development would be high or very high.	(--)	Site is within Green Belt, where the level of harm caused by release of the land for development would be high or very high.	(--)	Site is within Green Belt, where the level of harm caused by release of the land for development would be high or very high.	0	Site is within Green Belt, but the level of harm caused by release of the land for development would be none. As concluded by two independent landscape experts, the demolition of existing buildings and reduction in development footprint would have a slightly beneficial impact on the Green Belt.
3.1 – Distance to the nearest rail/tube station	0	Site is between 1000m and 4000m from nearest rail of tube station.	(+)	Site is less than 1000m from the nearest rail or tube station.	(+)	Site is between 1000m from nearest rail of tube station.	(+)	The site is located c. 530m from the tube station.
4.1 – Brownfield and Greenfield Land.	(-)	<i>Majority of the site is greenfield adjacent to a settlement. 100% greenfield Site.</i>	(++)	<i>Majority of the site is previously developed land within or adjacent to a settlement. 75% Brownfield site</i>	(-)	<i>Majority of the site is greenfield land adjacent to a settlement.</i>	(++)	The majority of the site is previously developed land adjacent to a settlement. The development proposed represents a reduction in the footprint of built form. This involves the redevelopment of a predominantly brownfield site which is the sequentially preferred approach under the Site Selection Methodology (para.4.26-27)
4.2 – Impact on	(--)	<i>Development would involve the loss of the best and most versatile agricultural land</i>	(--)	<i>Development would involve the loss of the best and most versatile agricultural land</i>	(--)	<i>Development would involve the loss of the best and most versatile agricultural land (grades 1-3)</i>	(0)	Development of the site would not result in the loss of agricultural land.

agricultural land		<i>(grades 1-3)</i>		<i>(grades 1-3)</i>				The land is identified as Grade 3 within the Agricultural Land Classification Map Eastern Region (ALC008); however, this is an indicative map which does not assess individual parcels. The proposed site is not in agricultural use, and is not capable of being farmed due to the presence of built form. It is noted that it is not possible to score (+) or (++) in the methodology on this factor.
5.1 – Landscape Sensitivity	(-)	<i>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.</i>	(-)	<i>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.</i>	(-)	<i>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.</i>	(0)	Two independent landscape assessments have been produced that demonstrate development on the site can be successfully accommodated with a beneficial impact on the landscape capable of being achieved, due to the current unsightly built form being present on the site. It is noted that it is not possible to score (+) or (++) in the methodology on this factor.
6.1 – Topography constraints	(-)	<i>Topographical constraints exist in the site but potential for mitigation.</i>	(--)	<i>Topographical constraints in the site may preclude development.</i>	(--)	<i>Topographical constraints in the site may preclude development.</i>	(0)	No topography constraints are identified in the site. The area promoted for development is not constrained by its topography and the levels across the site are not significant in any case. Topographical surveys have been produced and a planning application for the steepest part of the site has been submitted, demonstrating that topography is not a constraint. Proving scheme for the site demonstrate the proposed level of development can be identified on the area specified for allocation. Footnote 11 of the Methodology (appendix A) acknowledges that this criterion should not be given undue weight when deciding which sites proceed to Stage 3. It is also noted that it is not possible to score (+) or (++) in the methodology on this factor.

The table above clearly demonstrates that by assessing the site using updated information from the technical reports produced, the proposed amendment to CHIG.R5 has an improved score when compared against the existing CHIG.R5 allocation and previous site assessments.

In addition to the points raised above, I thought it would also be useful to add that an Alternative Site Assessment (ASA) was produced as part of the Signature Care Home Planning Application, looking at the availability of any other sites to accommodate a 100-bedroom care home within 4-5 miles of the Site. This ASA concluded that there were no other alternative sites available that would meet the acute need for highly specialist care (including but not limited to dementia and end of life care) proposed by Signature Senior Lifestyle. Both Scott Properties and Signature Senior Lifestyle would be happy to discuss the current and future needs of the ageing population, with a view to assisting the Council as part of their Emerging Local Plan.

To support the above, two extracts have been taken from the Planning Statement that accompanies the Signature Care Home Planning Application. The figures quoted have been taken from the Needs Assessment, which also forms part of this planning application.

“The assessment of the provision of elderly care home beds within the catchment area as of 2019, considering all planned schemes, shows a significant unmet need of 829 bedspaces. However, only one of the four planned schemes are currently being developed and a more realistic measure of demand and supply sees this shortfall increase to 962 market standard bedspaces.” (para.3.11(a))

“There is currently a 46% shortage of dedicated dementia beds within the CNPA catchment area, which represents 699 beds.” (para.3.11(b))

We appreciate the time taken to read this letter, and would like to reiterate our commitment to working with EFDC. Please do take the contents of this document as a sincere demonstration of this point. We hope that as part of the additional work produced, EFDC will be able to change their mind-set towards the proposal for the inclusion of the excluded built form, and to alter the allocation boundary of CHIG.R5 as per the attached landscape plan. Any further feedback EFDC is able to give regarding the site would be greatly received by my client.

Please do not hesitate to contact me if you would like to discuss further.

Yours sincerely,

Richard Clews

Associate Director BA(Hons) DipTP

Enc. Landscape Summary Note (18-12-18) by Lockhart Garratt
Landscape Design Strategy (11-12-18) by Lockhart Garratt
Chigwell Site (28-11-18) Division Plan

CC. Nigel Richardson Epping Forest DC
Alison Blom-Cooper Epping Forest DC
Ian Ansell Epping Forest DC
Rob Scott M. Scott Properties Ltd