

Issue: 6

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Representor: Todcharm Limited

Representor number: RO/1083

Representor Agent: James Blake Associates Ltd.

Examination of Redbridge Local Plan 2015-2030

HEARING STATEMENT: ISSUE 6

Land at Roding Lane South, Redbridge

Are there exceptional circumstances that warrant altering Green Belt boundaries?

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EXAMINATION OF REDBRIDGE LOCAL PLAN 2015-2030

HEARING STATEMENT: ISSUE 6

Land at Roding Lane South, Redbridge

- 1.1 This Hearing Statement on behalf of Todcharm Ltd. has been prepared in respect of Issue 6: Are there exceptional circumstances that warrant altering Green Belt boundaries?
- 1.2 The Inspector will note that the Todcharm pre-submission (i.e. Regulation 19) representation is found in the document "Bidwells for Todcharm Ltd" which can be found on the Council's website at www.redbridge.gov.uk/media/3074/bidwells_todcharm-for-web_redacted.pdf. Those pre-submission representations were jointly prepared by Bidwells and James Blake Associates. James Blake Associates are now instructed by Todcharm Ltd. as their agent for the Hearing. Bidwells is no longer instructed, but James Blake Associates are being assisted by Andrew Blackwell, formerly of Bidwells but now at Wessex Environment Planning Limited.

STATEMENT

Q6 (i): Having regard to the NPPF, the housing targets in The London Plan, the policy approach of supporting growth without encroaching on the Green Belt, the identification of Green Belt in the London SHLA as a policy constraint (paragraph 2.40 of LBR 2.05) and the objectively assessed need for housing in the Borough should Green Belt sites be released for development as a matter of principle?

- 1.3 The answer is clearly yes. As the Council recognises in LBR1.04, the projected population growth in the Borough will generate significant development needs over the Plan period. Indeed, the objectively assessed housing need is nearly double that of the London Plan (2015) minimum housing target. However, the available non-Green Belt land is wholly insufficient to meet more than a fraction of development needs.
- 1.4 Given the high level of development need and the constrained land supply, there are clearly exceptional circumstances justifying release of Green Belt sites for the purposes of paragraph 83 of the NPPF. Not to release Green Belt land in suitable locations such as land at Roding Lane South (the representation site) would lead to an unacceptable and unsustainable level of unmet need.

Q6 (ii): Did the SHLA identify Green Belt sites as having “significant housing capacity” as indicated at paragraph 4.8 of the Spatial Strategy Topic Paper (LBR 1.04)?

- 1.5 Paragraph 4.8 of LBR1.04 asserts that it “should be noted that the Mayor’s SHLAA (2013) (LBR2.05) identified Ford Sports Ground, King George and Goodmayes Hospital Sites and Oakfield, all currently designated as Green Belt, as having significant housing capacity.” LBR1.04 provides no further details to justify this assertion, and it does not appear to be correct. With respect, the Council should either provide specific references to justify the assertion or withdraw it. In any event, Todcharm Ltd. does not accept that the Oakfields site has a “significant housing capacity,” or one that it is sustainable. LBR2.06 carries a 100% delivery probability of housing numbers from Oakfields, but such confidence is not warranted, since it is offered before any clarity has been given to alternative recreation provision. By contrast, the representation site offers certain delivery for at least 60 homes.

Q6 (iii): How would the release of Green Belt sites promote sustainable patterns of development?

- 1.6 Some Green Belt sites are in positions well placed to take advantage of public transport and easy pedestrian access to community facilities. Where they contribute little or nothing to the purposes of the Green Belt, these locations will promote sustainability by easing the need for private vehicular modes of travel. As set out in Todcharm Ltd’s pre-submission representations, the representation site is a highly sustainable location, which is well-related to the South Woodford Investment Area and which is an ideal location for residential development. The Inspector is invited to view the representation site, and to note the benefits of its location, including its juxtaposition to the local bus service route and short walking distance to the London Underground network.

Q6 (iv): Paragraph 4.31 of the Spatial Strategy Topic Paper (LBR 1.04) observes that without the release of Green Belt sites the Council would not be able to meet its infrastructure needs. What weight should be given to this consideration in determining whether exceptional circumstances exist?

- 1.7 Infrastructure needs may be relevant to a case on exceptional circumstances for the purposes of paragraph 83 of the NPPF. However, paragraph 4.31 is an assertion on the Council’s part, which needs evidential support if it is to be accepted. It is also notable that the development of Oakfields would result in a loss of well used playing fields. This is important social infrastructure. Alternative Green Belt sites such as the representation site have good access to existing schools to maintain a sustainable pattern of development.

Q6 (v): Is the methodology within the Green Belt Review Addendum (LBR 2.41.1) and the previous reviews robust and are its conclusions logical? In particular, is the interpretation of what is meant by “town” and “countryside” in this context reasonable? Have these terms been applied consistently?

- 1.8 So far as the treatment of the representation site is concerned, the answer is no. As set out in Todcharm Ltd’s pre-submission representations and **Appendix A** to this Hearing Statement, the methodology applied by Buchanan/Wardell Armstrong to Green Belt assessment has been inconsistent and erroneous. For example, the weighting given to the land at Roding Lane South (the representation site) has failed to consider the true physical and visual connectivity to the Green Belt along the River Roding. A sense of connectivity does not arise because of the embankment to the east of the River Roding at that point. The failure of the Council’s advisers (Buchanan and Wardell Armstrong), to conduct an internal site visit until December 2016 has led to this flawed approach to the matter. When properly assessed, it is clear that the representation site does not serve any of the paragraph 80 NPPF purposes and should be removed from the Green Belt.

Q6 (vi): What would be the impact of the proposed housing sites on the Green Belt in terms of its aims and purposes?

- 1.9 So far as the representation site is concerned, and as demonstrated in **Appendix A** to this Hearing Statement and the Green Belt Statement appended to Todcharm Ltd’s pre-submission representations, there would be no impact on the aims and purposes of the Green Belt, given its contained and “isolated” nature. The latter characteristic was recognised in the earlier Green Belt appraisal by Buchanan in May 2010.

Q6 (vii): To what extent should the provisions of paragraph 81 of the NPPF regarding planning positively to enhance the beneficial use of the Green Belt be taken into account?

- 1.10 Paragraph 81 has clear relevance to the plan-making process. An inconsistency with the application of paragraph 81 applies where Redbridge have allocated development on land at Oakfields. Redbridge should first have utilised sites (such as the representation site) which are poor in their Green Belt function before losing well used recreation land to development. The amenity deficit from the loss of playing fields counts against the social role required of sustainable development and therefore the soundness of planning policies (NPPF paragraph 7).

Q6 (viii): Are there any sites where land has been included in the Green Belt which it is unnecessary to keep permanently open?

- 1.11 Yes. The land at Roding Lane South (the representation site) is unnecessary to keep permanently open.
- 1.12 For this site, there is only one Green Belt purpose identified by the London Borough of Redbridge, namely "to assist in safeguarding the countryside from encroachment." The Council does not allege that the site contributes to any other Green Belt purposes. However, as demonstrated in the detailed Green Belt Statement at Appendix 1 to the Todcharm pre-submission representations and JBA's response to the Council's Green Belt Review Addendum (in **Appendix A** to this Hearing Statement) the representation site does not contribute to any Green Belt purposes. With respect, there has been representor frustration that an internal site visit by the Council's advisers (Buchanan and Wardell Armstrong), never took place until December 2016. This was after the publication of the Pre-Submission draft plan. Had there been a much earlier site visit, it is believed the Green Belt assessment would have been more accurately responsive to site characteristics and would have recognised that development would not result in encroachment into the countryside.
- 1.13 Appendix 2 to the Todcharm pre-submission representations reveals correspondence dating back to 2015 seeking engagement with the Council and their Green Belt advisers to explore matters of site detail and masterplan potential. This was never taken up by the Council and the first contact with Wardell Armstrong was in December 2016. There remains a lack of detailed response from Wardell Armstrong in their Green Belt Addendum 2017 (LBR2.41.1) to the points raised in representations and those made on site last December. In spite of the Council's adviser recognising, on site, how the raised western bank encloses the representation site (to prevent connectivity), his input to the 2017 Green Belt Addendum is dismissive but without fair and detailed analysis on the matter. The response fails to address the inconsistency in the western boundary of GB11 and the proposed removal of land between the River Roding and the top of the embankment from the Green Belt to the north of the Site.
- 1.14 The Inspector is invited to view the masterplan content in the Appendices to the Todcharm pre-submission representations. The representation site serves none of the Green Belt purposes and is poor in its physical condition. Ground conditions are also poor because of historic dumping of waste and through the presence of Japanese Knotweed. Yet through development, measures are possible to create a high quality, managed and publicly accessible open space with enhanced landscape and ecological conditions. The Ecology Statement in **Appendix C** demonstrates that the representation site is of local or district value only and that development in line with the masterplan is likely to lead to an overall positive benefit for biodiversity on the site. Hence, the

representation site should be removed from the Green Belt so as to facilitate the provision of a sensitive housing development on the site.

Q6 (ix): Are the proposed minor boundary changes and additions to the Green Belt justified by exceptional circumstances?

- 1.15 The changes to the Oakfields site are not justified for the reasons set out above. The suggested amendments in Figure 6 to the Green Belt Statement at Appendix 1 to Todcharm Ltd's pre-submission representations should be made so as to remove the representation site from the Green Belt.

Q6 (x): Is the Council satisfied that the Green Belt boundaries will not need to be altered at the end of the development plan period?

- 1.16 The inclusion of the representation site in the Green Belt is unjustified and creates an unclear and unjustified boundary in this location. Given this, and the likely high level of need at the end of the plan period, it is likely that the boundary in this location would need to be altered at that time if the representation site is not removed from the Green Belt in this Local Plan.

Q6 (xi): Have the proposed boundaries been defined clearly, using physical features that are readily recognisable and likely to be permanent?

- 1.17 As demonstrated in the detailed Green Belt Statement at Appendix 1 to the Todcharm pre-submission representations and JBA's response to the Council's Green Belt Review Addendum (in **Appendix A** to this Hearing Statement) the proposed boundary in this location is not clear and does not use physical features that are readily recognisable and likely to be permanent. By contrast, the amended boundary suggested by Todcharm Ltd. utilises the top of the embankment as a strong and logical boundary to the Green Belt, which is a physical feature that is both readily recognisable and permanent. The good sense of Todcharm Ltd's suggested amendment is readily seen from Figure 6 to the Green Belt Statement at Appendix 1 to Todcharm Ltd's pre-submission representations.

Proposed amendments

- 1.18 The proposed amendments required to make the Plan sound are set out in the Bidwells response to the Local Plan Regulation 19 Consultation. These are reproduced for the Inspector in **Appendix B**. These proposed amendments relate to the pre-submission version of the plan, and may require adjustment if other modifications to the Plan are made. In this regard, Todcharm Ltd. notes the Revised Appendix 1 (LBR 2.06.1). A proposed entry in that Appendix for the representation site is provided at **Appendix D** to this Hearing Statement.

Appendix A

Response to London Borough of Redbridge
Green Belt Review Addendum February 2017 (LBR2.41.1)

Appendix A

Response to London Borough of Redbridge
Green Belt Review Addendum February 2017 (LBR2.41.1)

Contents

- 1.0 Introduction
- 2.0 Redbridge Green Belt Review
- 3.0 Response to Green Belt Review Addendum
- 4.0 Conclusion

Appendix A

1.0 Introduction

- 1.1 This Statement has been prepared by James Blake Associates on behalf of Todcharm Ltd. to support its Hearing Statement to Issue 6: Are there exceptional circumstances that warrant altering Green Belt boundaries?
- 1.2 The document concerns an area of land adjoining the western side of Roding Lane South, south of the Spire Roding Hospital within the ownership of Todcharm Ltd. ("the Site").
- 1.3 This Statement specifically addresses the approach and conclusions of the London Borough of Redbridge Green Belt Review Addendum prepared by Wardell Armstrong (LBR2.41.1) and Appendices (LBR2.41.2 and LBR2.41.3) dated February 2017, particularly in relation to parcel GB11: Roding Hospital within which the Site is located.
- 1.4 This Statement should be read in conjunction with the Todcharm pre-submission representations – available at www.redbridge.gov.uk/media/3074/bidwells_todcharm-for-web_redacted.pdf - prepared by Bidwells in conjunction with James Blake Associates (JBA). Appendix 1 to those representations (entitled Green Belt Statement) provides a detailed assessment of the Site and its contribution (or rather its lack of contribution) to the purposes of Green Belt set out the National Planning Policy Framework (NPPF).

2.0 Redbridge Green Belt Review

- 2.1 The Wardell Armstrong Green Belt Review ("the Green Belt Review") LBR2.41 found that the majority of parcel GB11: Roding Hospital (sub-parcels GB11b and GB11c) no longer fulfils the objectives of national policy as set out in the NPPF paragraph 80. As such this land is proposed by the Council to be released from the Green Belt in the Pre-Submission Draft Local Plan.
- 2.2 The Site is the only part of GB11: Roding Hospital proposed to be retained in the Green Belt and which due to its size is proposed to be incorporated into the adjoining area of GB09: Roding Valley Park. The Green Belt Review at paragraphs 3.12.3 and 3.12.4, and subsequently at paragraphs 4.2.2 and 5.3.4 considers that the area fulfils the single purpose of "*safeguarding the countryside from encroachment.*" This contrasts with the assessment of GB09 which fulfils several purposes.
- 2.3 Section 3 of the JBA Green Belt Statement and supporting figures and photographs provides both a site specific and detailed analysis of the land south of the Spire Roding Hospital. This evidence supports the conclusions of the Green Belt Review that the area does not fulfil the

Appendix A

purposes of preventing sprawl, the merging of settlements or preserving the setting and special character of historic towns; however, it strongly disagrees with the conclusion that the Site safeguards the countryside from encroachment. This, like the wider parcel of GB11: Roding Hospital proposed to be released from the Green Belt, is due to the Site's visual and physical separation from GB09.

- 2.4 Section 4 of the JBA Green Belt Statement subsequently proposes modifications to the Green Belt boundary. The accompanying 'Figure 6: Green Belt Boundaries – Suggested Amendments' proposes the removal of the Site (identified as GB11a) from the Green Belt. To correct a discrepancy between the boundary of GB11 and GB09, land to the west (between the River Roding and the top of the embankment identified as GB11d) proposed by the Council to be removed from the Green Belt, along with the land to the south (GB11e) is recommended for retention.

3.0 Response to Green Belt Review Addendum

- 3.1 The Green Belt Review Addendum (the "Review Addendum") LBR2.41.1 and Appendices LBR2.41.2 and LBR2.41.3 dated February 2017 provide further detail on how the Green Belt parcels within Redbridge are said to contribute to the five purposes set out by the NPPF and considers the responses to the Pre-Submission stage of the Local Plan. This includes, at paragraph 1.1.6, representations on Land at Roding Lane South on behalf of Todcharm Ltd. which are further considered in Section 3.12 and more specifically paragraphs 3.12.4 to 3.12.11.
- 3.2 Paragraph 3.12.7 of the Review Addendum considers that the Site comprises "countryside" in the context of Redbridge and is visible as such from Roding Lane South and the footpath to the south. The area is therefore said to be physically and visually connected to land with a similar character to the north and south on the opposite bank of the River Roding, along with land to the immediate south within GB09 which is connected to the wider Green Belt.
- 3.3 The findings in the Review Addendum are supported by limited evidence and fail to respond to the analysis completed by JBA in Section 3 of the Green Belt Statement which confirms that:
- Although the area comprises grassland, scrub and trees, the area is vacant and neglected. This is unlike the character of the land to the west and south which forms an area of managed, publicly accessible open space that is part of the Roding Valley Park network;

Appendix A

- The Site is physically and visually separated from the River Roding by a steep embankment. This embankment is a continuous and permanent feature, which extends along the eastern side of the River and continues beyond the Site to the north;
- The embankment and the associated dense vegetation cover ensures that the adjoining area of the Site as well as the adjoining land use (including buildings such as the Roding Spire Hospital and Electricity Substation) to the north are entirely contained. As such, any development of the Site as proposed would not encroach on the “countryside” along the river corridor;
- Views from Roding Lane South are limited to the eastern edge of the Site; the topography and vegetation prevents views of the river corridor. As such the Site is closely related to the urban area to the north and east, as opposed to the open land along the river corridor to the west. This is in contrast to the land immediately to the south where there is clear intervisibility between the urban edge and the river; and
- Views from the public footpath to the south are largely restricted by vegetation alongside the route and on the southern edge of the Site.

3.4 In respect of boundaries, as demonstrated by Appendix 2 drawing ST15916-008: Detail of GB11 (LB2.41.3) the response in the Review Addendum fails to address the inconsistency in the western boundary of GB11 and the proposed removal of land between the River Roding and the top of the embankment from the Green Belt to the north of the Site. As set out in the Green Belt Statement paragraph 3.1.15 and as demonstrated by the views along the River (v04 and v06 in the Green Belt Statement), the embankment is fundamental to both the character and visual amenity of the River Roding corridor and should be retained in the Green Belt as proposed in Figure 6.

3.5 As set out in the Green Belt Statement paragraph 4.1.4 it is clear that the embankments on the eastern and southern boundaries provide a strong and logical boundary to the Green Belt; as a physical feature which is both permanent and readily recognisable.

4.0 Conclusion

4.1 The Green Belt Review Addendum provides limited further information in respect of the Site. The conclusion as set out in Section 5 of the JBA Green Belt Statement, contrary to the conclusions of the Council, confirms that the Site does not contribute to the National purpose of safeguarding the countryside from encroachment and is therefore land which is unnecessary to keep

Appendix A

permanently open. The boundaries of the Green Belt should therefore be amended in accordance with the suggested amendments set out in the Green Belt Statement Figure 6. The boundaries meet the requirement of the NPPF paragraph 85.

- 4.2 There is nothing that would preclude the development of the Site subject to normal planning and development management policies.
- 4.3 The vision set out in the Masterplan Document and Illustrative Masterplan (replicated for the Inspector as Appendix 3 to the Todcharm pre-submission representations) sets out how sustainable development provides a significant opportunity to enhance the Site by securing the management of existing vegetation and providing access to a significant area of multi-functional open space, as well as securing enhancements to landscape, biodiversity and green infrastructure in accordance with Local Plan Policies LP35, LP37 and LP39.

Appendix B

Extract from Todcharm Ltd. Publication Stage
Representation Form (Regulation 19)

Appendix B

Extract from Todcharm Ltd. Publication Stage Representation Form (Regulation 19)

Contents

- 1.0 Local Plan - Unsound
- 2.0 Proposed Solution and Modifications Necessary to Make the Local Plan Sound

Appendix B

**These details accompany, and should therefore be read with, the full report of representation submitted on behalf of Todcharm Ltd.
Objection is made to the retention of land at Roding Lane South within the Green Belt and failure to identify the land as suitable for residential development and public open space.**

1.0 Local Plan - Unsound

With a flawed approach to the Green Belt analysis the Council **do not have a sound plan basis** for the emerging Local Plan.

By choosing to dismiss the sustainable merits of the Representation Site (housing and public open space on a good public transport route) the plan has failed the four tests for soundness (paragraph 182 of the NPPF) as:

- 1) It has not been positively prepared
 - The scope to achieve development from a despoiled site (former landfill workings) that offers public open space with landscape / ecological improvements has been overlooked.
- 2) It is not justified
 - The Council have sought to place reliance on a wrongly applied Green Belt assessment and have not directly responded to the full counter evidence provided. Occasions to meet and discuss evidence issues with the authors of the Green Belt studies have been denied to test consistency with emerging policy for housing and open space.
 - There is insufficient recreational support from recognised sport and leisure consultees to justify another Green Belt release at Oakfield, Fairlop. This is an example where the Local Plan has leapt to a significant allocation prior to full engagement with consultees and the public and before properly testing reasonable alternative allocations.
 - As a result of these issues, the emerging Local Plan is not the most appropriate strategy and is based on defective evidence.
- 3) It is not effective
 - There is an urgent housing need and also policy encouragement for more open space. Delivery of houses in sustainable locations, and which are available, is key to this aim. The Plan is ineffective if it excludes such locations that are ideal for housing release incorporating (as in the case of the Masterplan proposals for the Representation Site) tree protection within significant proposed new open space.
 - To allocate land that is not available without known replacement of playing fields, such as at Oakfield, offers uncertainty of housing delivery.

Appendix B

4) It is not consistent with national policy

- As set out in the attached Green Belt Statement, the Council's Green Belt assessment is flawed and inconsistent with the NPPF. In particular:

- The Representation Site serves none of the paragraph 80 Green Belt purposes.
- The inclusion of the Representation Site in the Green Belt is unjustified having regard to the paragraph 85 criteria:
 - The inclusion risks the Plan failing to meet identified requirements for sustainable development;
 - The Representation Site is not needed to be kept permanently open (and open space can in any event be provided in conjunction with housing development on the Site without a Green Belt designation); and
 - The inclusion of the Representation Site does not define a clear boundary, using physical features that are readily recognisable and likely to be permanent. On the contrary, it ignores the obvious boundary formed by the eastern bank to the River Roding. By contrast, the enclosed Green Belt Statement's suggested amended boundary in this location is logical and fully consistent with paragraph 85.
- The manner in which the plan has assessed the site is also contrary to a core principle established in the NPPF paragraph 17 i.e.

"not simply about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives".

- The 'consequences' of retaining the Council's proposed Green Belt boundary in this location are the loss of much needed homes (which would incorporate the protection of trees and ancillary public open space). That is inconsistent with the principles of sustainable development.

2.0 Proposed Solution and Modifications Necessary to Make the Local Plan Sound

As set out above and in the enclosed Green Belt Statement, the Representation Site should not be included in the Green Belt. Furthermore, to remove it from the Green Belt would allow a sustainable housing development to come forward without removing the presence of trees on the western boundary of the Representation Site.

Any concerns about the impacts of development on the Representation Site on the GB09 area to its west do not require a Green Belt designation, but may simply be addressed through:

- Tree protection through management;
- Creation of functioning public open space; and

Appendix B

- Ecological management through legal agreement.

The retention of Green Belt only leaves the Representation Site as it is i.e. vacant with poor ground conditions and private. With a development proposal, as provided in the March 2015 Masterplan (Appendix 3 to the attached regulation 19 report of representations with 2016 Green Belt Statement), there is consistency with the aims of:

- Policy LP 2 Delivering Housing Growth
 - the Representation Site makes effective use for housing and public open space of an otherwise vacant area of land.
- Policy LP35 Protecting and Enhancing Open Spaces
 - new publicly accessible open space is provided
- Policy LP 37 Green Infrastructure and Blue Ribbon Network
 - this is particularly germane as the policy seeks measures to enhance green infrastructure, the biodiversity and water quality of the River Roding (it is to be noted that these very measures have repeatedly been offered in representations made to the Council in connection with the Representation Site since December 2014).
- Policy LP 39 Nature Conservation and Biodiversity
 - measures have been promoted as part of the Roding Land South redevelopment that meet this policy aim through enhancement measures for local habitats including along the River Roding.

In order to render the emerging Local Plan sound, the following modifications are proposed:

- Paragraph 6.1.7 should be amended to include reference to the Representation Site.

"The borough's Green Belt was last reviewed in the 1990s. To inform this Local Plan, the Council undertook a number of Green Belt reviews, to assess if areas of the borough's existing Green Belt still meet the purposes as set out in paragraph 80 of the NPPF. As Figure 22 shows, the 2015 Green Belt Review identified that the following areas of the Borough's Green Belt do not meet the NPPF purposes:

 - *Roding Hospital and Surrounding Area (parcels **GB11a**, GB11b and GB11c);"*

Appendix B

- Paragraph 6.1.8 should be amended to remove the final bullet:
“However, it also identified that the following additional areas and boundary amendments did meet the purposes of Green Belt:
 - *Land between Woodford Green (GB04) and Epping Forest Hatch and Woodford*
 - *Golf Course (GB05);*
 - *Boundary changes are recommended within Snaresbrook Crown Court and Walthamstow Forest (GB0S) and Claybury Hospital (GB06);*
 - *The area of the land within of Hainault Fields (GB13) comprising Forest Park Cemetery and Crematorium.”*
- Figures 22 and 23 and the Policies Map should be amended to bring them into line with the Suggested Amendments Plan in the enclosed Green Belt Statement.
- The Representation Site should be included as a Development Opportunity Site (for housing within Phase 1 and with an indicative development capacity of 60) within **Appendix 1** to the Plan.

Inclusion within Appendix 1 of the Redbridge Local Plan 2015-2030

Site address: Land south of Roding Hospital

Size: 2.8Ha Ward: Clayhall

Current use: Vacant

Proposed Use: Housing with public open space

Indicative Development Capacity: 60 dwellings

Phasing Period: 2015-2020

Planning Status: No current planning application or new permission

Appendix C

Ecology Statement
Land at Roding Lane South, Redbridge



Ecology Statement

Land at Roding Lane South, Redbridge

On Behalf Of:

Todcharm Ltd.

May 2017

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Contents:

1.0 Introduction 1

2.0 Methods 1

3.0 Legislative and Policy Framework 2

4.0 Current Ecological Value 5

5.0 Evaluation in Relation to SINC Criteria 7

6.0 Benefit of the Development..... 8

7.0 Conclusions 9

8.0 References..... 10

Tables:

Table 1: Summary Evaluation of Habitat and Species Features..... 7

1.0 Introduction

1.1 The statement relates to the proposed development of land off Roding Lane South as summarised in the Masterplan document (JBA, 2015).

1.2 The objectives of this ecology statement are to review and assess:

- The legislative and policy framework relating to nature conservation;
- The current ecological value of the site and the potential for protected and notable species;
- Whether the site, as part of the Roding Valley Site of Importance for Nature Conservation (SINC), merits being upgraded from a SINC of Borough Importance (Grade 1) to a SINC of Metropolitan Importance, noting that the River Roding itself is designated as a Metropolitan SINC;
- The extent to which development may be of benefit to habitat and species features; and
- To confirm whether development of the site would be contrary to NPPF or any adopted or emerging development plan policies relating to nature conservation.

1.3 The survey and assessment was carried out by Steve Parr BSc (Hons) MCIEEM, a suitably qualified ecologist, in May 2017.

2.0 Methods

Desk Study

2.1 The relevant national policies relating to nature conservation were reviewed along with policies relating to SINC selection in London, with specific reference to the following:

- National Policy Planning Framework (DCLG, 2012);
- Local planning policies of the London Borough of Redbridge (LBR) relating to ecology and nature conservation, as set out in the Redbridge Local Development Framework and the Redbridge Local Plan 2015-2030 Pre-submission Draft (LBR, July 2016);
- LBR Biodiversity Action Plan (LBR undated); and
- Process for selecting and confirming SINC in Greater London in an Advice Note by the London Wildlife Sites Board (LWSB, 2013).

Extended Phase 1 Habitat Survey

2.2 The field survey comprised an 'extended' Phase 1 Habitat Survey of the proposed development site. This is a standard technique for obtaining baseline ecological information whereby incidental records of fauna are also made during the survey; and the habitats identified are evaluated for their potential to support legally protected species and other species of conservation concern. The field survey method follows the published guidance (CIEEM, 2013).

2.3 The habitat survey was conducted in accordance with methods set out in the *Handbook for Phase 1 Habitat Survey* (JNCC, 2010), with all habitats within the site mapped and dominant species noted. Plant species nomenclature follows Stace (2010).

Constraints

- 2.4 Much of the site is comprised of dense bramble scrub and was impenetrable so not all areas of the site could be checked.

3.0 Legislative and Policy Framework

National Planning Policy

- 3.1 The National Planning Policy Framework (NPPF) Chapter 11, Section 109 outlines what the planning system should do to contribute to, and enhance the natural and local environment by:

- Protecting and enhancing valued landscapes, geological conservation interests and soils;
- Recognising the wider benefits of ecosystem services;
- Minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including establishing coherent ecological networks that are more resilient to current and future pressures.

Local Planning Policy

- 3.2 LBR has adopted policies relating to nature conservation within their 2008 Local Development Framework.

LBR Local Development Framework Borough Wide Primary Policies Development Plan Document (LBR, March 2008)

Policy E2 – Nature Conservation

The Council will protect and where appropriate enhance the Borough's natural heritage, including the Blue Ribbon Network, and landscape features.

Planning permission will be refused for development having an adverse impact on Sites of Nature Conservation Importance, Heritage Land, Green Corridors (as identified on the Proposals Map), the Roding Valley, protected trees and on important species.

The Council will not normally grant planning permission where development on land within or outside a Site of Special Scientific Interest will have an adverse effect on the site (either individually or in combination with other development). In considering adverse impact to Heritage Land, the Council will take into account the following:

- *Epping Forest: protect the special character and quality of the open space.*
- *Hainault Forest: protect vistas and skylines to and from the land from inappropriate development.*
- *Wanstead Park: protect the special character and quality of the open space.*
- *Wanstead Flats: protect the special character and quality of the open space.*
- *Claybury Ridge: protect the skyline and ridge from inappropriate development and protect the special character and quality of the ancient woodland and associated open space.*
- *Roding Valley Green Chain: preserve and enhance the open character and appearance of the Roding Valley. Particular emphasis will be placed on the promotion of outdoor leisure and*

recreation activities in the Valley and the creation, enhancement and protection of natural habitats

LBR Local Development Framework Core Strategy, Development Plan Document (LBR, May 2008)

Strategic Policy 2: Green Environment

Nature conservation, protection and enhancement of open space and mitigation of climate change will be achieved by:

- *Maintaining the existing Green Belt and Metropolitan Open Land boundaries shown on the Proposals Map where there will be a general presumption against inappropriate development, and by protecting other open spaces.*
- *Not normally granting planning permission where development on land within or outside a Site of Special Scientific Interest will have an adverse effect on the site either individually or in combination with other developments.*
- *Not permitting development on sites of Metropolitan, Borough or Local Importance as shown on the Proposals Map, unless it can be demonstrated that such development will not adversely affect the nature conservation values of the site.*
- *Implementing the objectives of any Biodiversity Action Plan prepared for the Borough.*
- *Enhancing and protecting the natural character of the Borough's waterways and their riparian areas in conjunction with the Blue Ribbon Network.*
- *Protecting the floodplain and reducing and managing fluvial, tidal, surface water and all other forms of flood risk.*
- *Minimising the release of pollutants (including CO₂) and other contaminants (including silt and sediment) into the Borough's air, waterways and soil.*
- *Protecting and where feasible extending habitat throughout the Borough and to areas beyond, by maintaining existing trees, native vegetation and open space and providing new areas of such vegetation (to include by linking existing fragmented areas) for the benefit of wildlife.*
- *Providing well-managed public access to sites of nature conservation importance and enhancement of public enjoyment of these sites through interpretive facilities and educational programmes.*
- *Using Tree Preservation Orders to safeguard significant trees, groups of trees and woodland areas.*

3.3 More recently, LBR has drafted a draft Local Plan for 2015-2030 (LBR, 2016), which includes a policy related to nature conservation which states that:

LP39: Nature Conservation and Biodiversity

1. *The Council will protect and enhance the borough's natural environment and seek to increase the quantity and quality of the borough's biodiversity by:*

- *Not permitting development which would adversely affect the integrity of Epping Forest SAC, except for reasons of overriding public interest, and only where adequate compensatory measures are provided. Any development within 2km of the boundary of the Epping Forest Special Area of Conservation shall be the subject of early discussions with the Local Planning Authority and a screening assessment under the Habitat Regulations Assessment must be carried out to assess the impact of the development on the SAC;*
 - *Protecting designated international, national and local sites of nature conservation importance including Sites of Special Scientific Interest covering parts of Epping Forest, Wanstead Flats and Hainault Forest and Sites of Metropolitan Importance for Nature Conservation (SMIs) covering the River Roding and Seven Kings Water Corridors;*
 - *Promoting the qualitative enhancement of biodiversity sites, including the Blue Ribbon Network, that improve access, connectivity and the creation of new habitats throughout the borough by maintaining trees, native vegetation and improving and restoration of open spaces and green infrastructure providing new areas of such vegetation for the benefit of wildlife; and*
 - *Working with partners and local conservation groups to improve conditions for biodiversity in the borough.*
2. *Seeking, where possible, new development to include measures to improve biodiversity and greening of the borough such as by green and brown roofs, rainwater harvesting, green walls, bird and bat nesting and roosting opportunities.*

Wildlife Legislation

- 3.4** The two principal wildlife statutes are the Conservation of Habitats and Species Regulations 2010 (the Habitats Regulations) that deal with internationally important sites and species, and the Wildlife and Countryside Act 1981 (the WCA) that deals with nationally important sites and species.
- 3.5** Certain habitats and species within discrete sites are protected as Sites of Special Scientific Interest (SSSI) under the WCA. A proportion of these are more strictly protected as proposed or designated Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Ramsar Sites under the Habitats Regulations. These designations protect features and resources listed as being of international importance from both direct and indirect effects arising from a range of issues including proposed development.
- 3.6** A range of species other than birds are protected from disturbance and destruction under the WCA through inclusion on Schedule 5. Certain species listed on Schedule 5 of the WCA, including all bat species and great crested newt *Triturus cristatus*, are also protected under Schedule 2 of the Habitats Regulations making them European Protected Species (EPS). Taken together it is illegal to:
- Deliberately kill, injure or capture any wild animal of EPS;
 - Deliberately disturb wild animals of any EPS in such a way to be likely to significantly affect:
 - The ability of any significant groups of animals of that species to survive, breed, rear or nurture their young; or
 - The local distribution of that species.
 - Recklessly disturb a EPS or obstruct access to their place of rest;
 - Damage or destroy breeding sites or resting places of such animals;
 - Deliberately take or destroy the eggs of such an animal;
 - Possess or transport any part of a EPS, unless acquired legally; and/or

- Sell, barter or exchange any part of an EPS.

3.7 Breeding birds are protected from deliberate destruction under the WCA. Certain species are further protected from disturbance at their nest sites being listed on Schedule 1 of the WCA. Common reptiles including common lizard *Zootoca vivipara*, slow-worm *Anguis fragilis*, grass snake *Natrix natrix* and adder *Vipera berus* are protected under the WCA; they are listed as a schedule 5 species and therefore part of Section 9(1) and section 9(5) apply; the Countryside and Rights of Way Act 2000 (CRoW) also strengthens their protection. Badgers are protected from sett disturbance and destruction under the Protection of Badgers Act 1992.

3.8 Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC) places a legal duty on Local Authorities to conserve biodiversity. Section 41 (S41) sets out a list of 943 species and habitats of principal importance. These species are known as England Biodiversity Priority (EBP) species and are those identified as requiring action under the former UK Biodiversity Action Plan (BAP) and which continue to be regarded as conservation priorities under the UK Post-2010 Biodiversity Framework.

3.9 Japanese Knotweed *Fallopia japonica*, along with a number of other introduced and invasive species, is listed under Schedule 9 of the WCA. Japanese knotweed is highly invasive and its rhizomes cause damage to built structures. Hence it is also classed as controlled waste under the Environment Protection Act (1990) and has therefore either to be removed and disposed of in a licenced landfill or the rhizomes buried to a depth of at least 5m.

4.0 Current Ecological Value

4.1 The site is approximately triangular (2.8ha) with the River Roding located to the west of the site and Roding Lane South to the east with a hospital to the north.

4.2 An area of wet woodland is located on the southern boundary of the site. There is public right of way through this area with a pedestrian bridge across the river and mown paths either side of the canalised river. The river is further protected by a bund that is up to 4m -5m high along the length of the site.

Habitats

4.3 The site may be divided into six Phase 1 habitat types and two boundary features:

- Broadleaved woodland
- Scattered trees
- Dense scrub
- Tall ruderal
- Poor semi-Improved grassland
- Fence

- 4.4** The southern edge of the site is dominated by broadleaved woodland including willow species *Salix* spp., ash *Fraxinus excelsior*, pedunculate oak *Quercus robur* and field maple *Acer campestre*. This narrow zone bordered the wooded lower ground to the south of the site. There were isolated patches of Japanese knotweed in this area. The fence was broken and rubbish dumped and the Japanese knotweed may have established from dumped rubbish.
- 4.5** Most of the site was a large, flat area of dense scrub, tall ruderal and scattered trees including sycamore *Acer pseudoplatanus*, ash, willow species and a patch of Wych elm *Ulmus glabra*. There were extensive stands of bramble *Rubus fruticosus* agg. and nettle *Urtica dioica* with a single path retained through the site bordered rank grassland and common plant species. There was much buddleia *Buddleia davidii* and laburnum *Laburnum anagyroides* as well as apple *Malus* sp. and cherry *Prunus* sp. trees.
- 4.6** The north-east section of the site is a field heavily-grazed by horses (although none were present at the time of survey) with patches of tall ruderal and scattered trees including cherry and elder *Sambucus nigra* and hawthorn *Crataegus monogyna*. The fencing and animal shelter were of rudimentary construction, with road barriers and some barbed wire.
- 4.7** The woodland habitats are assessed as being of District value and remaining scrub scattered trees and grassland habitats of Local value. This is justified because the habitats are widespread with no rare or locally notable species. The habitats suggest that the area has been not been actively managed, thus enabling early stage scrub and woodland succession, and invasion by a variety of introduced species.

Protected and Notable Species

- 4.8** The site was considered too isolated to hold badger and no setts or signs of presence such as latrines were recorded.
- 4.9** The site was considered of low to moderate value for commuting and foraging bats and the broadleaved trees were mostly too immature to support roost sites. The site is probably used by common and widespread species.
- 4.10** The site held a breeding bird community of widespread species including warblers, tits, finches, thrushes and corvids. Species present at the time of survey included blackcap, chaffinch, chiffchaff, greenfinch and whitethroat, magpie and carrion crow. No nightingale was heard. The breeding bird community was considered to be of Local value. The adjacent river held little egret and mallard and it and the wet ditches had potential for foraging kingfisher.
- 4.11** The site was considered too isolated for great crested newt, but may hold common species of amphibians and reptiles.
- 4.12** The site was considered of low to moderate value for invertebrates, principally for nectar-feeding species.

Summary Evaluation

Table 1: Summary Evaluation of Habitat and Species Features

Feature	Summary Description	Value	Confidence
Habitats	Southern woodland edge Remaining terrestrial habitats	District Local	High
Flora	Higher and lower plant species	Site	Moderate
Amphibians	Common species	Local	Moderate
Bats	Commuting and foraging for local and widespread species. The river may be a key commuting and foraging corridor.	Local/District	Moderate
Birds	Widespread species associated with scrub and woodland to utilise the site for breeding, foraging and wintering.	Local	Moderate
Invertebrates	Limited potential in habitats	Local	Moderate
Common reptiles	Potential habitat in edges of field and wet woodland as well as other habitats.	Site/Local	Moderate
Notable mammals	Moderate potential foraging habitat for European hedgehog	Site/Local	Moderate

5.0 Evaluation in Relation to SINC Criteria

5.1 SINC selection based on LWSB (2013) is a process of selection that is not absolute but relative and adopts the criteria first devised by the Nature Conservation Review (Ratcliffe, 1977). Since this is fundamental to the selection procedure, it is extracted with minor edits from the draft Guidelines for the Protection of SSSIs (Bainbridge *et al.*, 2012), which also adopted the same approach:

*In 1975, the Nature Conservancy Council began to develop formal guidelines to establish consistent criteria and standards throughout Great Britain for the selection of biological SSSIs. The criteria were based on those used in Ratcliffe (1977) for habitats (principally **naturalness, diversity, typicalness** and **size**), supplemented by provisions for rare species and important assemblages of animals or plants. The concept of 'Areas of Search' was also developed to ensure that for each habitat type there was both an adequate total area and a good geographical spread of SSSIs across Great Britain... Criteria were also developed for the selection of 'buffer land' around wetland and other SSSIs that required such protection.*

5.2 The SINC criteria have been expanded to include not only biodiversity values but human use values such as access and recreation. The list of criteria is set out below:

- Representation;
- Habitat rarity;
- Species rarity;
- Habitat richness;
- Species richness;

- Size;
- Ancient character;
- Recreatability;
- Typical urban character;
- Cultural or historic character;
- Geographic position;
- Access;
- Use;
- Potential;
- Aesthetic appeal; and
- Geodiversity interest.

5.3 The River Roding and small area to the south of the site encompassing the wet ditches, wet woodland has the highest value for its rare habitats and associated riparian species potentially including water vole, otter and kingfisher and freshwater invertebrate assemblage. These habitats are rare in London as are the species associated with them. Access to the river is well maintained and human use is an important component of the SINC. These habitats are evidently of **Metropolitan** value.

5.4 The site itself comprises habitats that are widespread in London and the Borough and do not support a notable assemblage of protected and notable species. The site supports a range of introduced, invasive species. There is currently no access to or organised habitat management within the site and the invasive introduced species are likely to be expanding their distribution.

5.5 The site is considered to be largely of **Local** value for its habitats, species and associated amenity value. Designation as a Borough SINC is only merited because the site is connected to the River Roding Metropolitan SINC as there is limited functional linkage to the wetland habitats.

LBR BAP Targets

5.6 The Roding Valley is identified as Green Corridor by the LBR BAP. The development of the Local value section of the site to development is not assessed as a significant loss especially if the development creates gardens that help meet habitat action plan targets related to wildlife friendly planting.

5.7 The natural habitats on site will be retained and enhanced with management aimed at promoting water vole conservation which is a Species Action Plan target species.

5.8 The design and long term management of the retained and enhanced habitats will specifically target priority wetland habitats and associated protected and notable species and this will be coupled with significantly improved access and recreation.

6.0 Benefit of the Development

6.1 The development will lead to the loss of a proportion of the scrub, scattered trees and poor semi-improved grassland habitats of Local value. However, the development will provide a significantly increased area of high value, wetland habitats which will offset the loss of these Local value terrestrial

habitats. The development will also maintain and enhance the buffer with the River Roding SINC. The development will enable access and recreation and remove introduced species.

6.2 Wetland habitats have become the key priority for restoration within the river Roding valley and the development will help meet Biodiversity Action Plan targets as being conducted through the Roding Enhancement Framework. The area to the south of the site is currently subject to ecology restoration works. The masterplan will provide enlargement of these wetland habitats along the western section of the site and hence create a new wetland block that is of Metropolitan SINC value and adds value to the River Roding SINC.

6.3 A buffer to the River Roding would require extension of some 25m to include the bund and a strip of woodland/scrub within the site. A wider buffer from human disturbance is not required as public access is enabled along the River by the mowing of paths either side of the river (with consequent disturbance to diurnal foraging birds etc.). A wider buffer for ecology reasons is not required because there is no functional linkage between the linear wetland and adjacent terrestrial habitats.

6.4 The principal ecological benefits of the development may be summarised as:

- Increasing the area of wetland habitats within the site and hence adding significant net biodiversity value to the River Roding Metropolitan SINC. This will be achieved by engineering a greater extent of wet ditch and riparian habitats within the site;
- Increasing access to the wetland habitats through a suitably engineered path network and enabling greater enjoyment of the site;
- Removing Japanese knotweed from the site;
- Managing wetland habitats and scrub encroachment through a long-term ecology management plan;
- Buffering the River Roding with functionally linked habitats; and
- Enhancing the Green Corridor through improved habitat quality and access and enjoyment.

7.0 Conclusions

7.1 The site is a small area of woodland, scrub and tall ruderal habitats of Local or District Value. It is considered that all potential adverse impacts from the proposed development upon the SINC and protected species may be successfully mitigated so as to accord fully with chapter 11 of the NPPF and LBR adopted and emerging local planning policies. It is likely that if the masterplan recommendations are followed that there will be an overall positive benefit for biodiversity on the site because of the proposed development.

8.0 References

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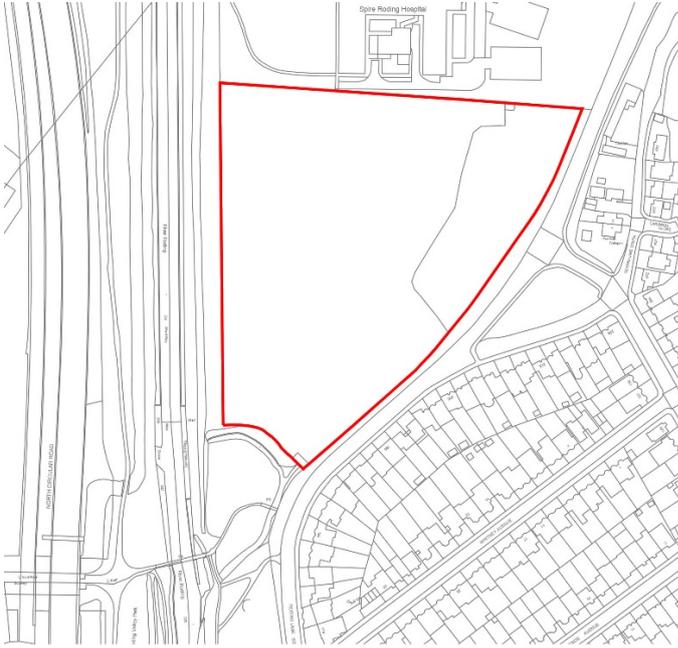
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Appendix D

Entry within Revised Appendix 1 of the Redbridge Local Plan 2015-2030 –
Development Opportunity Sites (LBR2.06.1)
Land south of Spire Roding Hospital, Roding Lane South

Land south of Spire Roding Hospital, Roding Lane South



LP Site Number: xxx

Site Name: Land south of Spire Roding Hospital, Roding Lane South

Investment and Growth Area: South Woodford

Site Area (ha): 2.8ha

PTAL: TBC

Ownership: Private

How site was identified: Representations

Existing/Previous Use: Vacant

Proposed Use: Housing and public open space

New Homes: 60

Retail Floorspace: 0

Employment Floorspace: 0

Proposed Site Allocation Description:

The site is proposed to deliver a new housing scheme of 60 dwellings with areas of open space.

Proposals should address distribution of open space to enhance existing green infrastructure and upgrade access to the River Roding.

The site is close to existing housing areas that are small in scale and new buildings will need to be sensitive to the amenity of neighbouring properties.

The site is located within a Site of Importance for Nature Conservation necessitating an appropriate design response to ensure biodiversity issues are properly addressed.

The site should be comprehensively masterplanned.

Social Infrastructure: None

Planning Designations:

Sites of Importance for Nature Conservation

Archaeological Priority Area

Plan Phase: Phase 1 – 2015-2020

Planning Status: No Current Planning application or new Permission