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Dear Ms Copsey,

## **London Borough of Redbridge: Examination of the Redbridge Local Plan 2015-2030**

On behalf of our client Crest Nicholson (Eastern), please find attached a Hearing Statement for the Redbridge Local Plan 2015-2030 Examination which we have prepared on their behalf and which relate to land at Tomswood Hill.

In addition, we wish to register our request to attend the forthcoming Local Plan examination hearings relating to these matters on Wednesday 7 June 2017.

We would be grateful if you would acknowledge receipt of these representations and inform us of any procedural requirements in advance of the Local Plan examination hearings.

Please do not hesitate to contact Layla Vidal-Martin or me if you have any queries.

Yours sincerely,



**Daniel Lampard**  
Senior Director

Copy            Mark Bedding – Crest Nicholson (Eastern)

# **Hearing Statement Examination of the Redbridge Local Plan**

**Issues 5 and 6**

**Hearing Date Wednesday 7th June 2017**

Crest Nicholson (Eastern) Ltd

Land at Tomswood Hill, Claybury Hospital

12 May 2017

**LICHFIELDS**

12214/DL/ZT  
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## 1.0 Introduction

1.1 This Hearing Statement has been prepared by Lichfields, on behalf of Crest Nicholson (Eastern) Limited (Crest) in relation to Issues 5 and 6 identified by the Inspector.

### Summary

1.2 Lichfields have submitted representations to the earlier iterations of the Redbridge Local Plan (RLP) in January 2013, December 2014 and September 2016 (hereafter “our representations”).

1.3 These representations focus on housing need and Crest’s view that it is appropriate and necessary for land at Tomswood Hill (identified as site GB12D in the Green Belt Review Addendum (February 2017) (GBRA 2017) prepared by Wardell Armstrong) to be released from the Green Belt as it does not accord with the purposes of the Green Belt and is an appropriate location for residential development.

1.4 The accompanying analysis that we have submitted on behalf of Crest confirms that is capable of providing around 60 dwellings across private and affordable tenures with significant open space provision in a sustainable location. This is capable of delivery, without any requirement for significant infrastructure provision, within the early stage of the plan.

1.5 Our January 2013 representations undertook a detailed assessment of, amongst other matters, the site, an indicative proposed development, the visual impact of the proposed development and the benefits arising from such a development (see January 2013 representations). We have also assessed the site’s sustainability credentials<sup>1</sup> (see December 2014 representation – pgs 5/6) and its performance against the Green Belt purposes (see September 2016 representations – pgs 3 and 4).

1.6 This Hearing Statement amplifies the earlier substantive representations from Crest, addresses the subsequent documents forming part of the RLP evidence base and specifically responds to the following Inspectors Questions :

- Issue 5 : Housing Growth and Affordable Housing – Questions (iii) and (v); and
- Issue 6 : Green Belt Boundaries – Questions (i), (iii), (v) and (viii)

### Structure of Hearing Statement

1.7 This Statement :

- Sets out an overview of Crest’s concerns regarding the soundness of the LBR (section 2.0)
- Sets out their responses to the Inspectors Questions on Issue 5 (section 3.0) and Issue 6 (section 4.0); and
- Sets out our conclusions (and changes sought to the LBR) in section 5.0

### Other Matters

1.8 Finally, and whilst not pertinent to Issues 5 and 6 we note that our concerns relating to Policy LP35 and Figure 23 (within our September 2016 representations) relating to anomalies within the Open Space analysis within the LBR remain unresolved (and are not addressed by the subsequent evidence base documents) and we request that these matters are considered by the Inspector.

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<sup>1</sup> on the basis of the Indicative Sustainability Criteria within the Draft Redbridge Local Plan Preferred Options Report Extension – Alternative Development Strategies (November 2014)

## 2.0 Overview

- 2.1 As expanded upon below Crest's concerns are that the RLP is not sound, when assessed against the relevant legislative and NPPF tests as it is not (a) positively prepared, (b) justified, (c) effective and (d) consistent with national policy on the following basis.

### Housing Need

- 2.2 The London Plan (as amended) (Policy 3.3) recognises "*the pressing need for more homes in London*" and requires Boroughs to "*seek to achieve and exceed [our emphasis] the relevant minimum borough annual average housing target in Table 3.1*" which is 1,123 addition homes per annum for LB Redbridge"
- 2.3 It also states (para 3.19) that "*Boroughs should use their housing supply targets in Table 3.1 as minima, augmented with additional housing capacity to reduce the gap between local and strategic housing need and supply.*"
- 2.4 A range of other indicators, as identified in both Crest's September 2016 representations (pg 2) and the SHMA Update 2017<sup>2</sup> show a range of housing need figures ranging from 1,884 to 2,019 dwellings per annum. These figures are all prior to any adjustment for market signals – the SHMA Update 2017 (para1.29) noted that the 2015 SHMA identified that a 15 % uplift was appropriate.
- 2.5 The SHMA Update 2017 concluded (para 1.31) that the OAN based on the central trend is 2,278 dwellings per annum.
- 2.6 Over the 15 year plan period these figures identify a range of housing need from 28,260 to 34,170 dwellings.

### Housing Targets

- 2.7 The LBR seeks the provision of just 18,774 dwellings over this period with 72 % of these (13,447 dwellings) identified in the five investment and growth areas and 14 % anticipated as arising from "*windfalls*".
- 2.8 The most recent housing delivery data provided by LBR<sup>3</sup> (2016) identifies that Redbridge's housing delivery for the past five years has averaged 359 new homes per year with the delivery of just 258 homes in the most recent year identified (2014/15).
- 2.9 The Issues identified by the Inspector in respect of the RLP include potential concerns regarding the delivery of housing sites identified by LBR. These include (Issue 5) questions (iv) whether the identified allowance for windfall sites is justified, (v) whether housing delivery in the period 2015 – 2020 is "*on track*", (vi) and (vii) whether the density assumptions and other assumptions analysis for the Opportunity Sites are appropriate, realistic and reasonable and (ix) whether the sites relied upon for the supply of housing deliverable and developable.

### Green Belt Release

- 2.10 Crest concur with LBRs assessment (most recently within CED001 pg 2) that "*the Council has demonstrated exceptional circumstances for altering the Green Belt – its high levels of housing*

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<sup>2</sup> Outer North East London Strategic Housing Market Assessment : Update for Redbridge (April 2017)

<sup>3</sup> RLP Pre Submission Draft (July 2016) figure 12

*need and other development needs, heavily constrained land supply and lack of brownfield land represent ‘exceptional circumstances.’”*

- 2.11 However in a context where (i) housing need is extremely high, (ii) they consider that the RLP does not make adequate provision to either respond to the London Plan (LP) requirement to plan to exceed the LP housing target need or “close the gap” with OAN and (iii) there are questions about the delivery and capacity of identified sites Crest consider that the release of further appropriate sites from the Green Belt and their allocation for residential development is appropriate.
- 2.12 They also note that the within the Sustainability Appraisal of the Redbridge Local Plan (March 2017), Option 4<sup>4</sup> which tests the highest level of development as a reasonable alternative assesses a strategy which would lead to a total of 23,106 dwellings – far short of the 28,260 to 34,170 dwelling range identified above. This is further evidence that the emerging RLP is not sound.

### **Land at Tomswood Hill, Claybury Hospital**

- 2.13 Specifically, as highlighted in our earlier representations (see above), their assessment is that the site<sup>5</sup> does not meet any of the Green Belt purposes, is in part comparable to other sub-parcels of land (which are either side of this parcel) identified under GB12 of the Green Belt Review which are put forward for Green Belt release within the LBR, forms a sustainable location for residential development and is capable of delivering an appropriate form of residential development including private and affordable housing tenures and a significant level of open space.
- 2.14 Crest’s September 2016 representations noted that the Green Belt assessment underpinning the LBR to date had not formed a ‘fine grain’ analysis. LBR have sought to rectify this with the GBRA 2017, which undertakes a specific assessment of this site (see paras 3.13.17 to 3.13.23) which suggests it’s retention in the Green Belt.
- 2.15 Crest have the following concerns about this subsequent 2017 analysis :
- i The GBRA 2017 (para 1.1.9) notes recent criticisms about other reviews focussing on “local interpretations and applications of the Green Belt purposes set out in the NPPF.” Notwithstanding this it then proceeds (paras 2.1.8 to 2.1.11) to set out it’s own definition of “countryside.” This includes both “undeveloped land beyond the urban edge that is used for agriculture (arable or pasture), woodland or land otherwise categorised as “Open Access Land” under the Countryside and Rights of Way (CroW Act)” as well as their “reasonable interpretation” of countryside as a number of specified uses (including sports pitches / amenity grassland areas) “where such land is contiguous or connected with other more conventional countryside as defined above.”
  - ii Crest are concerned that this methodology lacks sufficient robustness for assessing such a key issue. Our previous analysis (January 2013 – pg 8) is that the site “is not open countryside (nor is it an important open space) . . .it constitutes unmanaged scrubland.” More recently our September 2016 representations noted (pg 7) that “the land at Tomswood Hill is privately owned and as such does not naturally lend itself to public open space uses.” Finally the visual impact assessment within our January 2013 representations (para 2.4) demonstrates that

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<sup>4</sup> Option 4 – Higher urban densification / higher GB release

<sup>5</sup> GB 12 d within the Green Belt Addendum Review by Wardell Armstrong 2017

the site “does not contribute to the ‘openness’ of the Claybury Green Belt given its contained location”.

- iii In addition we do not consider that the GBRA 2017 applies sufficient weight to both the boundary effect of “Hazel Lane” to the west of the site which in conjunction with the land with substantial tree cover (further west) provides a clear boundary from the adjoining “countryside<sup>6</sup>” and this influence on the extent of its connection with the adjoining “countryside.” Conversely the assessment of both sites GB 13 and GB14b (paras 13.14.1 and 13.15.2) recommends that these parcels are released as the railway line “creates a strong physical boundary.”
- iv Furthermore the approach disadvantages smaller sub - parcels of land as the retention of these are generally considered to “assist in the safeguarding of the countryside” where adjoining sub-parcels are proposed for retention. Conversely it creates a situation where much more substantial Green Belt parcels (eg parcel G16b) are proposed for Green Belt release in their entirety they are no longer considered to assist in such safeguarding.
- v Finally these concerns are amplified on the basis that the GBRA 2017 concludes that this is the only Green Belt purpose that the site fulfils<sup>7</sup>. The inconsistent application of a methodology which Crest considers is not robust would prevent it from making a valuable contribution to housing provision (as highlighted above and in earlier representations).

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<sup>6</sup> Our 2013 representations (para 4.5) noted “the site is largely screened by the topography and dense vegetation of Claybury Woods”

<sup>7</sup> Recognising (para 3.13.19) that “it does not prevent sprawl and does not prevent the merging of settlements”

## 3.0 **Response to Issue 5**

3.1 This section of our Hearing Statement responds to the questions identified by the Inspector using his numbering.

### **Question 5 (iii)**

3.2 As outlined above the assessments of OAN for LBR are around 68 % to 103 % higher than the “*minima*” London Plan target for LBR. Irrespective of questions regarding the anticipated delivery of the housing supply, this significant difference, accompanied by the LP requirement to “*close the gap*” between local and strategic housing need and supply means that the RLP should be planning to meet a significantly higher level of housing need. The absence of such an approach means that the submitted plan cannot be considered sound as it is not “*positively prepared*” or “*justified.*”

### **Question 5 (v)**

3.3 It is difficult to gauge housing delivery in the period 2015 – 2020 in the absence of LBR data subsequent to the 2013 AMR. We have however noted that the Inspector has highlighted a series of questions about the housing delivery strategy.

3.4 Furthermore past performance (see Submission Draft RLP Figure 12) indicates that delivery in the period 2010 – 2015 (at c. 359 per annum) falls substantially short of both the adopted and emerging Local Plan targets (of 760 and 1,123 dwellings per annum – as minima).

### **Summary**

3.5 Crest’s fundamental concerns about both housing targets (Q iii) and recent housing delivery / the future housing delivery strategy (Q v) emphasise the need for the LBR to have a robust strategy. As expanded upon in section 4.0 the scope for appropriate Green Belt release as part of this strategy.

## 4.0 **Response to Issue 6**

### **Question (i)**

- 4.1 As noted above we concur with LBR's assessment CED 001 (page 2) that the Council has demonstrated exceptional circumstances for altering the Green Belt. However for the reasons set out above we consider that the release of additional Green Belt land for residential development is appropriate and necessary.

### **Question (iii)**

- 4.2 The release of the Crest site from the Green Belt would give rise to two significant benefits for the promotion of patterns of sustainability development namely:
- 1 Our indicative Sustainability Analysis of the site (September 2016 representations table 1) identified 6 positive elements, 2 neutral elements and no negative elements. This is consistent with the fact that it falls within a residential area and adjacent to recently permitted residential development; and
  - 2 Failure to "*close the gap*" between housing delivery and housing need in LBR would not deliver sustainable development. In addition to the negative economic and social implications of failing to provide sufficient new residential development within Redbridge the knock on implications would include increased transport for residents beyond Redbridge (in terms of travel for employment and other purposes) to facilities both within Redbridge and elsewhere. A limited amount of this travel is likely to be by non car means.

### **Question (v)**

- 4.3 We have set out our concerns regarding the methodology and approach of the GBRA 2017 within to our assessment above. We do not seek to repeat this analysis here but in summary they include
- 1 Deriving an original definition of "*countryside*"<sup>8</sup> which is inconsistent with the earlier Crest representations and not considered appropriate by them;
  - 2 Giving insufficient consideration to the impact of site boundaries
  - 3 Failing to apply the methodology consistently across all the sites

- 4.4 If these concerns were appropriately addressed we consider that a revised assessment would recommend the release of our client's site for development – consistent with our earlier representations (see 2013 representations section 2, subsequent visual impact assessment – section 4 and September 2016 representations pages 2 and 4) which assessed the site against the same NPPF Green Belt criteria.

### **Question (viii)**

- 4.5 For the reasons set out both above and within our earlier representations we do not consider that it is necessary for our client's site (GB12D) to be retained within the Green Belt.

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<sup>8</sup> We note that this is a specific query raised by the Inspector in respect of the question

5.0

## Conclusions

5.1

Our analysis in relation to this site which dates back to 2013 has been updated in the light of subsequent events (including the updating of parts of the evidence base).

5.2

Our analysis has identified that:

- 1 There is a substantial level of housing need within LB Redbridge and this is far higher than the London Plan housing target for the Borough;
- 2 The London Plan requires the borough target to be treated as a minima to assist in closing the gap with the level of housing need identified;
- 3 LBR has consistently failed to meet the level of housing sought within the current Local Plan – which is significantly lower than that now within the London Plan;
- 4 In addition to the historic under delivery of housing provisions there are questions about the anticipated level of delivery arising from the submission RLP;
- 5 LBR accept that there are “*exceptional circumstances*” for the release of Green Belt land for residential development – but we do not consider that in these circumstances they are seeking to release sufficient Green Belt land;
- 6 LBR have not assessed the implications of meeting, or coming close to meeting, the housing need identified in the SHMA within the RLO. They only specifically sought to assess the appropriateness of retaining Site GB12D in the Green Belt at a late stage (February 2017). We have concerns about both the methodology that the GBRA 2017 follows and the subsequent application of this; and
- 7 Our assessment is that the site does not meet the Green Belt purposes and should be released for residential development. This would result in appropriate development in this sustainable location (where other residential development has recently been permitted), give rise to a number of economic and social benefits and assist in meeting the Borough’s pressing housing need.

## Changes sought to Local Plan

5.3

In light of the issues outlined above, the following amendments are sought to the following sections of the RLPPSD (July 2016):

- Paragraph 6.1.7 and accompanying Figure 22 relating to Green Belt Release should be amended to include the subject site at Tomswood Hill;
- For clarity the release of land at Tomswood Hill from the Green Belt and it’s subsequent allocation for residential development (alongside the inclusion of all sites proposed for residential development) should be identified within Appendix 1 ‘Development Opportunity Sites’ of RLPPSD. This should also make clear that the subject site is also available within the next 5 year period.

5.4

These are in addition to our comments (September 2016) in respect of Policy LP35 ‘Protecting and Enhancing Open Spaces’ and associated Figure 23 ‘Green Belt and Open Spaces.’

5.5

Without the amendments sought above our clients do not consider that the Pre-Submission Draft Local Plan can be considered sound particularly with regards to being “*positively prepared*” or “*justified*”.