



---

East Herts District Council  
District Plan  
Examination in Public

Hearing Statement by  
Andrew Martin - Planning Ltd

on behalf of

Cambrils Limited

---

PART 2

Chapter 8 - Sawbridgeworth

---



## 1.0 INTRODUCTION

- 1.1 This hearing statement has been prepared by Andrew Martin - Planning (AM-P) on behalf of Cambrils Limited.
- 1.2 Cambrils Limited is promoting some 2.7 hectares of previously developed land to the west of the River Stort and south of Station Road, to the east of the centre of Sawbridgeworth. Known as the Esbies Estate this land currently contains a mix of established uses and is in need of regeneration and enhancement. Access to the site is via Station Road in the north. The site is divided into a number of plots located to either side of a central north-south internal access road. The majority of the site is previously developed land (PDL). To the north and south is open land. A towpath alongside the River Stort runs along the eastern side of the site. To the west the land rises within the Forebury residential estate. The site has an extensive planning history, having been used for leisure accommodation purposes with a larger number of plots. However it has been progressively changing and continues to do so today, with a current emphasis on residential use. The site has been the subject of a great number of planning enforcement appeals over the years relating to its residential use and for the storage of mobile homes and issues relating to gypsy and traveller accommodation.
- 1.3 Esbies has been promoted for housing development at various stages of past Local Plans and the current emerging Local Plan. It is featured in the Sustainability Appraisal (SA), as well as in key evidence base documents such as the Strategic Land Availability Assessment (SLAA).
- 1.4 Esbies was proposed as an allocation for comprehensive residential development in the previous Local Plan for East Herts District, in order to improve its appearance and remedy various breaches of planning control. Late objection to the draft Deposit Local Plan by the Environment Agency in 2000, and to the Re-Deposit version in November 2004, led to the allocation being deleted on the grounds of flood risk. However, the Inspector appointed to examine that Plan recognised the site's potential and the likelihood that it would come forward for development in the future.
- 1.5 Work subsequently undertaken by Peter Brett Associates finds the majority of the site to be located in Flood Zone 1. Previous objections by the Environment Agency are now addressed and when taken with other relevant planning considerations there is considerable merit in the redevelopment of this site for housing and its formal allocation in the emerging Local Plan.
- 1.6 Objection has been raised to the Development Strategy in the emerging Local Plan in terms of the housing target and sources of supply. We acknowledge that the Council has undertaken further work on the District's Objectively Assessed Housing Need (OAHN), but we continue to have concerns regarding the Council's ability to meet its short term needs, in the first five years of the Plan. The examination hearing sessions that have taken place in respect of Part 1 of the Plan have discussed its lack of flexibility. The Inspector has stressed that it is important for the Plan to be flexible so that it does not stop sustainable development.



- 1.7 This statement reiterates and expands upon the Green Belt arguments set out in our previous statement, which call into question the robustness of the Green Belt assessment undertaken by the Council and whether a macro level study that refers to large parcel sizes can be relied upon to assess small specific sites being proposed for development. Esbies does not share the characteristics of the much larger parcel of land within which it has been grouped. The site does not serve any of the five purposes of the Green Belt set out in the NPPF, but instead forms part of the urban area of the town. It is tightly constrained by strong boundaries and its redevelopment, unlike the allocated housing sites in the emerging Local Plan, would not lead to unrestricted sprawl into the open countryside.
- 1.8 To ensure that the revised housing target is met we submit that there is a need to allocate additional small to medium sized sites, such as the Esbies Estate, that can be delivered in the early years of the Plan. The latest Government housing policy proposal document, issued on 14 September 2017 is at consultation stage and the Local Plan Inspector has stated that as we do not know the outcome of the final document it would only be given limited weight. The Inspector has accepted however that the draft document does show the Government's proposed 'direction of travel'. This also applies to the DCLG figures that accompany the consultation document.
- 1.9 This hearing statement supplements formal representations made to the emerging Local Plan in May 2014 and December 2016 and the hearing statements to Part 1 of the Plan, on behalf of Cambrils Limited. It considers the Inspector's Matters and Issues for Part 2 of the Hearing Sessions (ED127).



## 2.0 CHAPTER 8 – SAWBRIDGEWORTH – POLICIES SAWB1 - SAWB5 (INCLUSIVE)

***Issue 2 “How and why was the planned level chosen ahead of other potential options? Is the site selection methodology robust and transparent?”***

***and***

***Issue 4 “Is the Plan sound in its choice of sites to be removed from the Green Belt?”***

- 2.1 We have argued in representations to previous versions of the emerging Local Plan, that the Green Belt review for the District has been conducted on a fairly wide area level rather than on a site by site basis. As such the individual merits of a site such as Esbies are overlooked. A plan at Appendix 1 represents an extract from the EHDP Pre-Submission Consultation Local Plan – November 2016, Sheet E, Sawbridgeworth Inset Map 23. This identifies the proposed housing allocations SAWB2, SAWB3 and SAWB4 and the Esbies Estate. The plan clearly demonstrates that the Esbies represents a highly sustainable location for new housing. It is well related to the town centre and its range of services and facilities, together with local employment and services within the nearby former Maltings buildings on the opposite side of the River Stort, as well as the railway station. It can be seen that Esbies does not make any contribution to the purposes of the Green Belt, which tightly constrains the settlement of Sawbridgeworth.
- 2.2 It has been established at previous Local Plan hearing sessions that the level of growth required in the District will inevitably require the release of Green Belt land. Objection is raised to the Local Plan allocations for housing in Sawbridgeworth, notably SAWB2, SAWB3 and SAWB4, on land to the north and south of West Road and to the north of the town respectively. As the plan at Appendix 1 shows at a glance, in Green Belt terms the allocated sites are not preferable to Esbies. All three allocated sites would extend further into the Green Belt and impact more on the openness of the countryside around the town of Sawbridgeworth than would the Esbies Estate. Unlike Esbies, the proposed allocation sites are not previously developed land.
- 2.3 The Green Belt review for the District fails to recognise the specific characteristics of the site that would attract government support in terms of its redevelopment for housing.
- 2.4 The Green Belt Topic Paper prepared for the Local Plan examination confirms at paragraph 3.4 that release of the Green Belt is required in order to meet housing need. It confirms that there are few brownfield sites within the District that are available for development. We submit that the status of Esbies as PDL should warrant special attention especially when it has then been inappropriately placed in a Green Belt parcel to which it is clearly separate and very different in terms of characteristics.
- 2.5 The Council commissioned independent consultants to undertake an assessment of Green Belt land in East Herts, taking into account the five purposes contained within the NPPF (Green Belt Review 2015, GRB/001). In this Esbies is linked with land to the south of Sawbridgeworth (parcel 54) and is rejected on the basis of the Green Belt role being performed by that much wider area. In contrast to the PDL that comprises Esbies and which is currently an eyesore, the wider parcel of land between Sawbridgeworth and Harlow is



described as a mosaic of woodland, managed pasture and wet grasslands. It is said to include a Country Park, Registered Parks and Gardens and other important Wildlife Sites. Its protection as Green Belt ranks as 'paramount' largely due to the need to ensure separation from Harlow. The narrow strip of land in the north of this parcel that comprises Esbies bears no relation to land described above which is covered by other important environmental designations. A description of Parcel 54 clearly demonstrates that Esbies Estate does not share the important characteristics of land to the south with which it has been grouped. In the context of housing need and the shortage of brownfield land, Esbies should be the subject of a detailed site assessment as recommended by the 2013 Green Belt Review. In the absence of this, the site selection methodology cannot be found to be robust and transparent.

- 2.6 The lack of comparative assessment of Esbies, against other development proposals in the town, is confirmed in the settlement appraisal for Sawbridgeworth which confirms at paragraph 7.6 that:
- “ Three sites were submitted to the east of the town, south of Station Road. One of these sites, known as Esbies, has previously been in use for some time as an unauthorised Gypsy and Traveller site. While all three sites are located within the Green Belt, this area was not assessed through the Green Belt Review. Nevertheless development of these areas would lead to clear coalescence issues in terms of the relationship of the town with Lower Sheering. Development would also be likely to have a negative impact on the environmental quality of the river-scape. These areas are therefore considered to be less preferable than the proposed allocations.”*
- 2.7 We object to this lack of detailed assessment, which has resulted in a site of little or no Green Belt significance being prevented from contributing to the need for housing in the town. This would result in a lost opportunity to enhance the nearby Conservation Area and the adjoining River Stort landscape.
- 2.8 An update to the Council's Strategic Land Availability Assessment (SLAA) in 2017 similarly ignores the development potential of Esbies. At this point it is relevant to refer to the comments of the Inspector appointed to examine the previous Local Plan. The Inspector saw no reason to reject the potential development of the western portion of the site on Green Belt grounds, but saw the merits of retaining a buffer zone to the east to improve the river landscape and prevent coalescence with development on the other side of the River. Extracts from the Inspector's report setting out views on developing part of the site, have been submitted with previous representation made on behalf of Cambrils Limited.
- 2.9 The final SA considers other sustainability issues in comparing the various options for development. It is submitted that its conclusions are open to challenge. At pages 98 to 106 a summary table compares the various sites against key sustainability criteria. Esbies is referred to on page 102 as "Land west of the River Stort and south of Station Road". This scores favourably when considered against the sites that have been allocated for development in Sawbridgeworth. Indeed, if a numerical score is applied then SAWB2 scores 36, SAWB3 scores 38 and SAWB4 scores 37. Esbies scores 36. In addition, we challenge some of the SA findings. Esbies scores better than the allocated sites in terms of key sustainability issues such a proximity to services and facilities such as schools and the train



station. Its access to employment area is incorrectly interpreted. Its scores poorly in terms of proximity to the Conservation Area but this fails to recognise the improvement that redevelopment of this PDL site could bring. The score in respect of Flood Risk is wrong because this fails to recognise that most of the site is now found to be in Flood Zone 1.

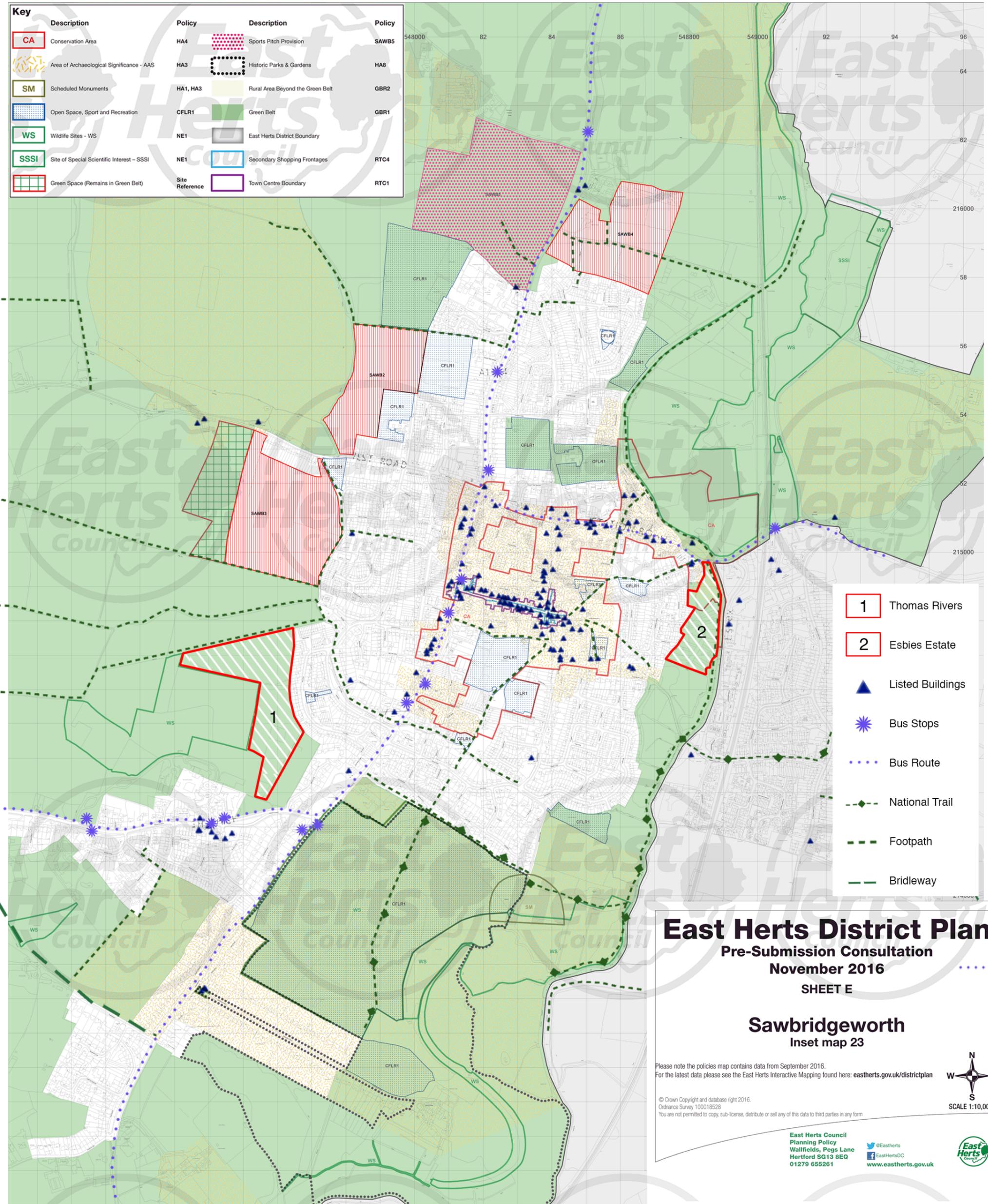
- 2.10 Any comparative assessment with the allocated sites in West Road and north of Sawbridgeworth needs to consider transport impact issues and the need for infrastructure upgrades to the west of the town. Development of the scale proposed along West Road will have significant infrastructure requirements.
- 2.11 We confirm objection to the SA and its supporting evidence base in the form of the Green Belt Review and SLAA. The comparative assessment of Esbies with allocations to the west and north of Sawbridgeworth demonstrate findings that are both flawed and based upon incorrect information. This is insufficient to justify the allocations SAWB2 and, SAWB3 and SAWB4 and rejection of Esbies at this settlement.



## APPENDIX 1

East Herts District Plan : Proposals Map Sheet E  
Sawbridgeworth Inset Map 23 revised to show  
Thomas Rivers and Esbies Sites

Key		Policy	Description	Policy	Description
CA	Conservation Area	HA4	Sports Pitch Provision	SAWB5	
AAS	Area of Archaeological Significance - AAS	HA3	Historic Parks & Gardens	HA8	
SM	Scheduled Monuments	HA1, HA3	Rural Area Beyond the Green Belt	GBR2	
OS	Open Space, Sport and Recreation	CFLR1	Green Belt	GBR1	
WS	Wildlife Sites - WS	NE1	East Herts District Boundary	RTC4	
SSSI	Site of Special Scientific Interest - SSSI	NE1	Secondary Shopping Frontages	RTC1	
GS	Green Space (Remains in Green Belt)	Site Reference	Town Centre Boundary		



- 1 Thomas Rivers
- 2 Esbies Estate
- Listed Buildings
- Bus Stops
- Bus Route
- National Trail
- Footpath
- Bridleway

**East Herts District Plan**  
**Pre-Submission Consultation**  
**November 2016**  
**SHEET E**

**Sawbridgeworth**  
**Inset map 23**

Please note the policies map contains data from September 2016.  
 For the latest data please see the East Herts Interactive Mapping found here: [eastherts.gov.uk/districtplan](http://eastherts.gov.uk/districtplan)

© Crown Copyright and database right 2016.  
 Ordnance Survey 100018526  
 You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form



**East Herts Council**  
 Planning Policy  
 Wallfields, Pegs Lane  
 Hertford SG13 8EQ  
 01279 655261

@Eastherts  
 EastHertsDC  
[www.eastherts.gov.uk](http://www.eastherts.gov.uk)



Land at Thomas Rivers Site and Esbies shown on East Herts District Plan Inset Map 23 - Sawbridgeworth		
Drawing	Revision	Revision detail
Drawn By CH	Date 10/17	Scale NTS

**Andrew Martin**  
**Planning**  
 Planning Design Development



Town Mill | Mill Lane | Stebbing | Dunmow | Essex | CM6 3SN

Telephone: 01371 855855 Fax: 01371 856201 Email: [info@am-plan.com](mailto:info@am-plan.com) Website: [www.am-plan.com](http://www.am-plan.com)