

Report to the District Development Control Committee



**Epping Forest
District Council**

Date of meeting: 26 April 2005

Subject: St Johns School, Tower Road, Epping - Planning Application EPF/1400/04 for new secondary school and residential development.

**Officer contact for further information: Barry Land
Committee Secretary: Simon Hill**

Decisions Required:

- (1) The committee determines that in principle, subject to being satisfied that all other options have been considered, the Council accepts that very special circumstances may warrant an exception to Green Belt policy to enable a new school complex to be developed within the Green Belt;**
- (2) The committee determines whether:**
 - (a) any use of the Green Belt at St Johns School site to provide for enabling residential development would be unacceptable in principle, or**
 - (b) that very special circumstances may warrant an exception to Green Belt policy to permit enabling residential development to the extent shown on EITHER Options 1/3 OR Options 2/4, subject to being satisfied that (i) no other funding is available for the project, (ii) that all generated funds will be used for the new school, and to any other criteria agreed by committee; and**
- (3) The committee determines whether:**
 - (a) any relaxation of the Council's policy requirement for 30% affordable housing would be unacceptable in principle, or**
 - (b) that in the circumstances of this case officers continue to consider these proposals on the basis of a relaxation to EITHER 20% OR 10% affordable housing.**

Report:

Background

1. The current planning application for the redevelopment of the existing school site and part of its playing fields to provide residential development and for the erection of a new secondary school to the west on the remainder of the school playing fields has raised a number of issues of principle on which officers are seeking guidance from the committee in order to enable future negotiation and discussion between the applicants and officers.

2. This report then does not seek determination of the application, but guidance only on the issues highlighted below.
3. The planning application has been the subject of considerable public interest with the receipt of about 250 letters of objection raising issues concerned with the impact of the new school building in the countryside, traffic related matters and impact upon adjacent housing, but primarily about using Green Belt land for the new school and, most particularly, for new housing.

The Application and Options Submitted

4. The application as originally submitted showed a new, six-form entry secondary school developed on land comprising the western parts of the playing fields with new playing field facilities being laid out on the part of the site to the north. The site of the existing school together with fields immediately adjoining the school would be used for residential development. This amounted to 5.46 hectares being developed for housing. Only 2.56 hectares of the existing school site (largely the area covered by buildings) is outside the Green Belt and within the envelope of the existing built-up area. Therefore, almost 3 hectares of Green Belt land was to be used for new housing development.
5. Relevant to these issues the committee is reminded that the Council has a policy of requiring 30% of new housing to be provided as 'affordable' housing, usually housing for rent provided by a Registered Social Landlord. There is also supporting text to one of the Local Plan policies that in any sizeable residential scheme 10% of the site area should be provided as public open space.
6. Following an appraisal of the issues, discussions with officers and consultation between the applicants and other interested parties, the applicants have now submitted 4 options they are willing to pursue:
 - (a) Option 1 shows 4 hectares of residential development (1.44 hectares in the Green Belt), so long as only 10% of the dwellings are 'affordable', and a wedge of open space between the new housing area and the new school;
 - (b) Option 2 shows 4.71 hectares of residential development (2.25 ha. in the Green Belt, providing 20% of the dwellings as 'affordable' housing, and a wedge of open space of 0.75 of a hectare between the new housing and the new school;
 - (c) Option 3 is similar to option 1 except that the wedge of open space is between the new housing area and the existing housing; and
 - (d) Option 4 is similar to option 2 but with the open space between the new housing and the existing housing area.
7. These 4 options are attached.

Planning Issues

8. The application and the options submitted raise fundamental policy issues on which guidance is sought:

- (i) will the Council agree, in principle, the use of Green Belt land for the erection of a new school;
- (ii) will the Council agree, in principle, the use of any Green Belt land for new housing;
- (iii) will the Council agree any reduction from the normal requirement for 30% affordable housing and, if so, would 10% or 20% be acceptable.

(i) New Schools in the Green Belt

9. This proposal seeks to use Green Belt land for the provision of a new school building of two storeys with a floor area of some 12000 sq.metres, plus car park and other hard play areas or courts. Such a proposal does not fall within any of the categories of appropriate development in the Green Belt set out in either Government policy guidance or in development plan policies. It has to be regarded therefore as inappropriate development and, by definition, this is harmful to the Green Belt.
10. The St John's scheme is not the only scheme of this kind currently under consideration, there being a similar proposal in Waltham Abbey at the Leverton Primary School. Debden Park High School was also developed in the Green Belt though under different circumstances.
11. Where development in the Green Belt is inappropriate it is then necessary to consider whether any very special circumstances apply and the onus is on the applicant in each case to advance these circumstances. The applicants for St John's School have set out in detail why the current school facilities are below standard and why a refurbishment of the existing school is not viable economically, would not be practical logistically and would not give value for money to the local community since at the end of the process the community would still only have a renovated facility that would still fall short of current educational standards. It would also not be possible, both logistically and financially, to rebuild a new school on the site of the existing complex. The only option left is to build a new school on part of the existing playing fields.
12. Furthermore, the applicants argue, the local community would gain considerably by having a new school, meeting modern educational standards and enabling the continuation of the upgrading of the educational experience and achievements of St Johns School. This would encourage more local families to choose St Johns as the secondary school of their choice and reduce the numbers of children travelling away from Epping for their education.
13. Without going into further detail (which would be appropriate in the report for determination of the application) these arguments are the kind considered necessary in order to propound very special circumstances. Every application has to be treated on its own merits and options and viability will vary in each case.
14. As far as St. John's is concerned, the committee is asked to indicate to officers that the arguments made in respect of very special circumstances are apt and suitable and, in principle, may be seen to justify inappropriate development in this case.

(ii) Housing in the Green Belt as Enabling Development

15. In order to fund the building of a new school, capital has to be realised by the selling off of some of the school site for residential development. The site of the existing complex of buildings lies clear of the Green Belt but this has an area of 2.56 hectares and, on its own, is not sufficient to finance the new school. Further residential development is necessary over part of the Green Belt areas of the site in order to fully finance the building project. The applicants argue that 3.6 hectares of private housing for sale is necessary to fund the development, and if land is to be provided free for affordable housing, this area must increase.
16. The issue here is: if the new school cannot be funded from the redevelopment of the part of the site regarded as being within the built-up area, would the Council agree to any additional land in the Green Belt being used for housing as enabling development?
17. Residential development in the Green Belt has to be regarded as inappropriate development and therefore harmful to the Green Belt. Consideration has to be given to very special circumstances. The special circumstance in this case is, of course, that the residential development secures the provision of a new school required for all the reasons set out in paragraph 12 above.
18. The committee is asked to give an 'in-principle' indication of whether this community need could be seen as sufficient to justify permission for housing in the Green Belt and if so on what basis. For example, it is suggested that the committee would need to be convinced that there was no alternative method of funding the scheme - no public sector funding available for the project and that consideration had been given to a PFI project but was found to be inappropriate or unavailable. Further the committee might want reassurance that the amount of housing land would not generate more funds than necessary. Alternatively, the committee may wish to indicate that, at a time when there is considerable pressure to release Green Belt land for housing and when the Council has made its position on Green Belt release clear, residential development within the Green Belt at this location could not be countenanced.

(iii) Affordable Housing Provision

19. Although related to the amount of Green Belt land necessary for residential development, the issue of the amount of affordable housing to be required from the development should also be considered in its own right, for, after all, it is a reasonable position of the Council, despite the options submitted by the applicants, to stand on its current policies and indicate that no Green Belt land should be used for housing and that 30% of any housing must be affordable.
20. However, the applicants are asking that the Council's normal policy requirement of 30% affordable housing be relaxed either to 20% or even 10%. The committee will be aware of the need for affordable housing in the district identified in the Housing Needs Survey and more widely. The Local Plan Alterations propose increasing the current requirement to 40% because of the outstanding need, but 30% is the currently adopted policy requirement. The applicants argue that less land will be needed for housing (and more given as open space) if the Council were to relax the requirement and, in any event, value should be credited for the provision of a new school as benefiting the community to offset any shortfall in affordable housing provision.

21. The Head of Housing is of the view that we should be seeking 30% affordable housing but that a realistic view of the overall community benefits from the development would have to be looked at, but that 10% cannot be justified in any circumstances. Ideally he would wish to see 20%-25% general needs housing for rent and 5%-10% shared ownership.
22. The committee are asked to indicate whether future negotiations over this scheme could take into account a lower than normal affordable housing provision.

Conclusions

23. These are not the only issues that need to be taken into account when determining the application. However, they are basic issues on which guidance is sought to enable further discussions to take place to enable a scheme to be brought forward with all the necessary information for consideration as to whether permission should be granted or not.