

## Epping Forest District Local Plan - Modifications - MM209

### Comment on Behalf of Edit Residential on Modification to Site RUR.R1

We write to comment on Policy P 13 “Rural Sites in the East of the District” and the suggested amendment to the plan in respect of site RUR.R1, Avenue Home, Latton Common.

In the Reg 19 Submission Draft EFDC Local Plan site RUR.R1 was allocated for approximately 11 homes and was removed from the green belt.

The current proposed modifications, out for public consultation, continues to be allocated for 11 homes, but is now proposed to continue to be included in the green belt and a new requirement for any development proposal to demonstrate a ‘very special circumstances case’.. The wording of the modification is as follows:-

“Amend Green Belt boundary so that RUR.R1 remains in the Green Belt. Amend header and section under ‘Green Belt Boundary’ as follows:

~~Existing features in the landscape should be used as the new defensible boundaries to the Green Belt. As part of the development proposals the existing features along the southern and western edges of the site will need to be strengthened. The site is located within the Green Belt. Its location away from the existing urban edge means that it is appropriate for the site to remain within the Green Belt and not inset. Development proposals for this site must demonstrate very special circumstances to justify inappropriate development in the Green Belt. In determining whether very special circumstances have been met, the Council will give significant weight to the allocation of this site in this Local Plan.”~~

We support and welcome the sites continued allocation for approximately 11 homes. However, we object to the modification to include the site within the green belt and to require any future application to demonstrate ‘very special circumstances’ (VSC’s). The approach proposed in the modifications is inconsistent with the wider EFDC emerging plan and with the policy contained within the National Planning Policy Framework (2021).

The modification should either be deleted entirely (and the site should be removed from the green belt in line with the Submission Draft EFDC Local Plan), or alternatively the requirement for any scheme to demonstrate ‘very special circumstances’ should be removed from the amended text.

### National Green Belt Policy

The Government attaches great importance to Green Belts.

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
  - b) to prevent neighbouring towns merging into one another;
  - c) to assist in safeguarding the countryside from encroachment;
  - d) to preserve the setting and special character of historic towns;
- and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

It is evident that the land at Avenue Home fulfils none of the five purposes outlined above.

In terms of a), b) and c) the site sits between existing development on Latton Common and forms a clear element of the built up area of this part of the District. It does not act as a buffer between settlements, it does not prevent coalescence and nor is it required to safeguard the countryside from encroachment by development. It is not an isolated site that is required to protect openness.

Furthermore, as it forms part of the clear built-up area of Latton Common, the area of the green belt identified for 11 dwellings at Avenue Home does not preserve the setting and character of a historic town under criterion d) of the NPPF.

Finally, the site in question is clearly underutilised urban land (that is suitable for regeneration) so it also does not fulfil criteria e) of the five purposes of the green belt.

In the last iteration of the Local Plan, having established that the site doesn't fulfil a green belt function correctly identified it for 11 dwellings and proposed to remove it from the green belt.

We fully support the continued identification of the site for 11 units as it is an exemplary sustainable development opportunity that will deliver much needed housing to meet EFDC requirements. However, we object to the council's suggested modification to retain it as green belt as it clearly does not fulfil the 5 purposes for the green belt outlined in the NPPF. We also object to the requirement to demonstrate VSC's as part of any planning application.

In addition, to allocate the site both for development and to be retained in the green belt is inconsistent with guidance on green belt boundaries contained in the NPPF.

At paragraph 143 of the 2021 NPPF it is stated that:-

*"When defining Green Belt boundaries, plans should:*

*a) ensure consistency with the development plan's strategy for meeting identified requirements for sustainable development;*

*b) not include land which it is unnecessary to keep permanently open;*

*c) where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period;*

*d) make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development;"*

In terms of a) the site is allocated for 11 homes, so it is inconsistent for it to also be identified as green belt.

Criteria b) makes it explicit that the green belt should not include land that is unnecessary to keep permanently open. The Avenue Home site has been identified as one of the allocations required to deliver EFDC the homes it needs during the plan period. It is self-evident that the site is not intended to be kept permanently open and it therefore follows that a continued green belt allocation is unnecessary and in conflict with the NPPF.

In respect of c) and d) the site is an allocation for this plan period and has not been identified as safeguarded land for development beyond the plan period.

Taking the above into account, the proposed modification is not in accordance with paragraph 143 of the NPPF and should be deleted.

### Very Special Circumstances

In respect of the requirement in modification for any development on the site to demonstrate VSC's, this runs contrary to the NPPF and the requirement to plan for redevelopment in the green belt through the local plan process.

By identifying the Avenue House site for redevelopment, the emerging plan and EFDC have highlighted that the site is suitable for redevelopment. It is an unnecessary and superfluous requirement for an application to then demonstrate a VSC.

By allocating the site for approximately 11 homes, the plan has recognised that VSC's already exist to release the site for development (as per paragraph 149 of the NPPF) as the Avenue House site would constitute:-

*"limited infilling in villages"*

As a result of the allocation it is considered unnecessary (and a replication of policy) for any future application on the site to demonstrate a VSC case. Whilst any scheme on the site will quite correctly be required to ensure it adheres with all relevant policies in the Local Plan, the requirement to also demonstrate a VSC is wholly unnecessary owing to the sites allocation for 11 homes.

### Conclusions and Suggested Amendments

As set out in this representation, proposed modification MM209 is not in accordance with national planning policy guidance set out in the NPPF.

The council in the Submission Draft EFDC Local Plan, correctly identified land at Avenue House, Latton Common as a suitable, available and deliverable housing site and identified it for removal from the green belt and as an allocation for 11 homes.

In doing so EFDC confirmed that the site does not fulfil any of the 5 green belt purposes set out in the NPPF.

The modification to continue to include the site in the green belt and allocate it for approximately 11 homes is inconsistent with the above and is not in accordance with paragraph 143 of the NPPF.

In addition, it is considered unnecessary (and a replication of policy) for any future application on the site to demonstrate a VSC case. Whilst any scheme on the site will quite correctly be required to ensure it adheres with all relevant policies in the Local Plan, the requirement to also demonstrate a VSC is wholly unnecessary owing to the sites allocation for 11 homes.

The modification should either be deleted entirely (and the site should be removed from the green belt in line with the Submission Draft EFDC Local Plan), or alternatively the requirement for any scheme to demonstrate 'very special circumstances' should be removed from the amended text.