

MODIFIED OBJECTION

MM49 Policy DM4 Green Belt and MM113 Additions to Glossary

Objection is raised to the proposed amendment to **Part C (v) of DM4** when read in the context of the definition of 'Rural Communities' as proposed to be added to the **Glossary** in Appendix 1 by virtue of MM113.

Part C (v) of DM4

The submission version of Part C (v) of DM4 states:-

Limited infilling in smaller settlements and limited affordable housing related to smaller settlements, in accordance with Policy H 3;

The proposal is to amend Part C (v) of DM4 as follows:

"(v) Limited infilling in rural communities and limited affordable homes related to smaller settlements, in locations that are in accordance with Policy H 3".

MM113 states that:-

"Rural communities refers to the existing localities in the District that are not defined as 'Settlements' in Table 5.1".

Objection:

It is not clear why reference to 'smaller settlements' in the first part of criterion (v) of Part C of Policy DM4 has been removed and replaced with 'rural communities'. In accordance with MM113 it is proposed that 'rural communities' be defined as meaning *"the existing localities in the District that are not defined as 'Settlements' in Table 5"*.

There are 2 concerns:-

Firstly, the NPPF has consistently, ever since the first iteration was published in 2012, supported *"limited infilling in villages"*. This support is given irrespective of the size of the village but does not necessarily extend to smaller settlements that do not warrant classification as a village. Hence, it could be argued that *"limited infilling in rural communities"* is not compliant with the NPPF if the size of the rural community is not sufficient to warrant classification as a 'village'. As proposed to be modified, therefore, this part of Policy DM4 lacks precision and is potentially at odds with government advice.

Secondly, and as referenced above, paragraph 149 of the NPPF is supportive of *"limited infilling in villages"* that lie within/are washed over by the Green Belt. MM49 proposes a much more restrictive approach by restricting limited infilling to 'rural communities'. There is no valid justification for excluding sites proximate to, but outwith the defined boundaries of, the District's

large and small villages as defined in Table 5.1 (as proposed to be modified by MM76) from 'limited infilling'. As currently drafted, places such as Abridge, Nazeing and Roydon, being defined as settlements within Table 5.1, would not be regarded as 'rural communities' and would therefore be excluded from any possibility of infilling outside of their tightly defined village envelopes even though there is already built development well beyond the boundaries which apply to policy DM4.

In addition to the issue of compliance with the NPPF, which goes to the heart of the 'soundness' of the plan, there are practical implications from the proposed policy change. Exclusion of 'smaller settlements' from infilling, such as Abridge, Roydon and Nazeing and others as defined in Table 5.1 Settlements in Epping Forest District, must have some negative impact on the supply of windfalls outside of the District's urban areas and larger villages. The housing supply is dependent upon achieving about 280 units from windfalls over the lifetime of the plan.

The reason advanced for the suggested change ("*For consistency with amendments proposed to Policy H3*") is in any event not valid since, as made clear in paragraph 149 clause f) of the NPPF, limited affordable housing for local community needs may be acceptable in locations where open market housing might not be appropriate. Indeed, it is notable that one of the changes made between the original (2012) and 2018 iterations of the NPPF (subsequently carried forward) was to subdivide limited infilling in villages and limited affordable housing for local community needs into two separate categories, presumably for the very reason that each is subject to different considerations.

An issue also arises in respect of consistency between the supporting text to Policy DM4 Green Belt (which is not proposed to be modified) and the proposed MM. The supporting text quotes the Plan's definition of 'Infill Development', as set out on pp199 in the Glossary. Since this makes no qualification with regard to the size of the settlement (presumably because it applies throughout the District's urban areas as well as its villages) the qualification of 'limited' is added to 'infilling' with further explanation provided that "*Limited infilling also includes infilling of small gaps within built development. Limited infilling should be appropriate to the scale of the locality and not have an adverse impact on the character of the countryside or the local environment*". Hence, a reading of this text does not convey any suggestion that 'limited infilling' will not be considered acceptable within the District's Green Belt villages yet this is the inference of proposed MM49.

Action requested:

Either re-instate smaller settlements' into clause (v); or (preferably) reiterate the wording of the NPPF in Policy DM4 so that Part C (v) reads "limited infilling in villages and limited affordable homes in locations that are in accordance with Policy H3".

NB

There is an error in the text in the column headed "Reason for the change/source". MMX should be MM30 in respect of proposed modifications to Policy H3.

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