

**EPPING FOREST
DISTRICT LOCAL PLAN
EXAMINATION**

**MATTER 4: THE
SPATIAL STRATEGY /
DISTRIBUTION OF
DEVELOPMENT**

ID: 19LAD0055

HEARING STATEMENT

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MATTER 4 – THE SPATIAL STRATEGY / DISTRIBUTION OF DEVELOPMENT

Introduction

- 1.1 This Matter 1 Statement has been prepared by Carter Jonas LLP on behalf of Chisenhale-Marsh Estates Company (CMEC). The Statement only responds to the Inspector's Questions which are relevant to CMEC's interests. It is noted that EFDLP is being examined against the 2012 version of the National Planning Policy Framework (NPPF1) and all references to national guidance relate to that document, unless otherwise stated.
- 1.2 CMEC submitted representations to the Epping Forest District Local Plan 2011-2033 (EFDLP) – Rep Id. 19LAD0055). CMEC is promoting land at Coopersale Cricket Club in Coopersale for up to 28 dwellings (Site Ref. SR-0405). The spatial strategy and distribution of development related representation relevant to Matter 4 is as follows:
- Paragraphs 2.134 to 2.142 – Rep Id. 19LAD0055–9

MATTER 4: The Spatial Strategy / Distribution of Development

Issue 4: Is the distribution of development justified in respect of the need for, and approach to, Green Belt release?

1. Paragraph 14 of the NPPF generally requires that a Local Plan should meet the objectively assessed development needs of the area. However, it also confirms (via footnote 9) that Green Belt is one of the constraints which indicates that development should be restricted. How has this tension been resolved in favour of the conclusion that there are exceptional circumstances to justify the alteration of Green Belt boundaries? In particular:

- 1.3 Paragraphs 84 and 85 of NPPF1 also highlight the relationship between sustainable development and the Green Belt. Paragraph 84 states:
- “When drawing up or reviewing Green Belt boundaries local planning authorities should take account of the need to promote sustainable patterns of development. They should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary.”*
- 1.4 Paragraph 85 states that: *“When defining boundaries, local planning authorities should: ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development;...”*
- 1.5 It is the delivery of sustainable development that is the key aim of the planning system, and the protection of the Green Belt should not be given priority over the three strands of sustainable development. The Green Belt is a planning policy tool and not an environmental designation. It is considered that national guidance and policy supports decisions to review and amend Green Belt boundaries for sustainable development reasons, including to meet identified development needs. Approximately 92% of the land within Epping Forest District is designated as Metropolitan Green Belt, and larger parts of the neighbouring districts within Essex and Hertfordshire on the north eastern edge of London are also covered by Green Belt. There is no shortage of Green Belt land in this part of the country, but there is a shortage of sustainable sites for residential development that are not located in the Green Belt. It is inevitable that land will be released from the Green Belt in this area to meet identified development needs through EFDLP (and in a future review to meet local housing needs derived from the standard methodology in NPPF2) because no other realistic alternatives exist.
- a. How do the specific development needs of the District weigh against the importance given to Green Belt protection?*
- 1.6 As set out above, Paragraph 85 of NPPF1 clearly indicates that development needs should be met, and that Green Belt boundaries should be defined (and amended) to ensure that those identified needs are met. If the

neighbouring authorities were not also covered by substantial areas of designated Green Belt land, then there may be an opportunity for Epping Forest to seek to transfer some of its housing needs to those neighbouring authorities through the DtC; but that is not an option since those neighbouring authorities are also having to release land from the Green Belt through their respective plan-making processes. Therefore, releasing land from the Green Belt in Epping Forest District is the only realistic option to meet identified development needs.

- 1.7 The objectively assessed need for housing is dealt with in Matter 3. As set out in CMEC's Matter 3 Statement, the housing requirement is much higher than proposed in EFDLP and that housing requirement will increase substantially in the future under the standard methodology. As such, further land should be released from the Green Belt and safeguarded land should be identified to meet future development needs through EFDLP.

b. What would be the consequences of not releasing Green Belt land to help meet development needs?

- 1.8 If land is not released from the Green Belt in Epping Forest then the identified development needs, including for housing and affordable housing, will not be met. Those development needs will not be met elsewhere within the HMA (East Hertfordshire, Harlow and Uttlesford) either because those authorities also contain significant areas of designated Green Belt land, and land is already being released from the Green Belt in those neighbouring areas through their respective plan-making processes. In any event, as set out in CMEC's Matter 1 Hearing Statement, the authorities within the HMA already agreed to meet their own needs through the DtC process. It would be unacceptable to simply ignore identified development needs, and it would be contrary to national guidance to do so e.g. Paragraphs 7 and 47 of NPPF1. There are other consequences associated with not meeting development needs. For example, commuting distances will increase for those that work within Epping Forest District but cannot afford to live in the area or neighbouring areas, with an associated increase in the cost of travel and an increase in pollution levels.

c. Have alternatives to Green Belt release been fully considered:

- i. Has full use been made of previously developed land? Has a Brownfield Land Register been published and how has it been taken into account?*
- ii. Has the density of development been maximised, on brownfield and greenfield allocations?*
- iii. Could vacant homes be brought back into use? Have approximately 1000 properties in the Epping Area been empty for more than 6 months?*
- iv. Has the potential for windfall development during the Plan period been underestimated?*
- v. Could any other authority within the HMA have accommodated some of the District's housing need on non-Green Belt land?*

- 1.20 As set out above, there are limited alternatives to releasing land from the Green Belt if identified development needs are to be met. There is a limited amount of previously developed land within Epping Forest District, and such sites which are available and suitable have been assessed and allocated in EFDLP. The reuse of previously developed land is not always a straightforward option, for example a number of existing car parks are allocated in EFDLP for residential development but this approach is likely to make town centres less attractive and discourage commuters from using train services if less parking is available. It might be possible to increase the density of development, but those densities will need to reflect the character of the surrounding area and for development on greenfield (or Green Belt) sites on the edge of settlements the densities are typically much lower. There may be a limited number of vacant properties within Epping Forest District that could and should be brought back into use, but the process of doing that can be complex and time consuming because long term vacant properties are typically the result of legal, financial or ownership issues and disputes. The potential for windfall development has not been underestimated, and in any event such development is uncertain and is typically small scale and does not deliver sufficient quantities of housing or affordable housing to meet development needs. As set out above, there is limited opportunity for development needs to be met by neighbouring authorities within the HMA since those authorities are also covered by designated Green Belt land. The solution is to release additional land from the Green Belt, including land at Coopersale Cricket Club in Coopersale, which is promoted for up to 28 dwellings.

2. Are the changes proposed to the Green Belt boundary informed by a robust assessment of the contribution made by individual sites to the purposes of the Green Belt (EB74A-B; and EB705A-B)? How were the findings of the Green Belt Review weighed in the balance with other planning considerations in the site selection process?

- 1.21 The Green Belt Assessment Stage 2 Report & Technical Annex August 2016 [Doc Ref. EB705A and B] assessed potential development sites against the five purposes for including land within the Green Belt. The CMEC site at land at Coopersale Cricket Club, was assessed in the Green Belt Assessment (part of Parcel Ref. 048.1). Table 4.1 in the Green Belt Assessment Report provides a summary of the assessment for the sites against each of the Green Belt purposes and an overall assessment of harm. The overall assessment of Green Belt harm for land at Coopersale Cricket Club (and Coopersale and Theydon Garnon Primary School Playing Fields) was 'low'. As set out in the Land at Coopersale Cricket Pitch Development Framework Document submitted with the CMEC representations to Policy P12 [Rep Id. 19LAD0055-10], the proposed development will include hedge and tree planting at the site boundary to provide a landscape buffer. It is clear from the assessment of the site in the Green Belt Assessment that development of land at Coopersale Cricket Club would have limited impact on Green Belt purposes. Therefore, we conclude that the evidence in the Green Belt Assessment has not informed the site selection process, which is an unsound outcome because it is not effective.
- 1.22 In addition, as set out in CMEC's Matter 1 Hearing Statement, the outcome of the Sustainability Appraisal has not informed the policies or site allocations in EFDLP. CMEC intend to comment on the Site Selection Assessment process in more detail in the Matter 5 Hearing Statement. In summary, there are significant inconsistencies between the assessments undertaken for the land at Coopersale Cricket Club site (Ref. SR-0405) in the Site Selection Report 2016/7 [Doc Ref. EB801G – see EB801Giii pg.67-111] and the Site Selection Report 2018 [Doc Ref. EB805B – see pg.B64]. The land at Coopersale Cricket Club was assessed in the Site Selection Report 2016/7 with no significant constraints identified and the site was subsequently allocated in draft EFDLP, whereas the Site Selection 2018 process incorrectly concluded that the site was not available and discounted it at the initial stage of the process; CEMC submitted representations to draft EFDLP (Regulation 18) and pre-submission EFDLP (Regulation 19) stage to confirm that the site was available for development.

5. Having regard to paragraph 85 of the NPPF, and to the potential for an increased level of housing need in the District to be identified in the future, how has the Council satisfied itself that Green Belt boundaries will not need to be altered at the end of the Plan period? Is it necessary to identify areas of safeguarded land between the urban area and the Green Belt?

- 1.25 EFDLP does not mention safeguarded land, and there is no evidence that this matter has been considered by the Council in the Green Belt Assessment or any other Examination document. The Green Belt boundary in Epping Forest District is extensive and surrounds the largest settlements and most sustainable locations for development. Therefore, the Council cannot have satisfied itself that the Green Belt boundaries will not need to be altered at the end of the plan period for EFDLP i.e. by 2033.

