



Ms L Phillips  
MA MSc MRTPI  
Epping Forest District Council  
Civic Offices  
323 High Street  
Epping  
Essex CM16 4BZ

Our ref: JAC/11933

23<sup>rd</sup> January 2019

Dear Ms Phillips,

## **MATTER 1 LEGAL COMPLIANCE FOR THE DRAFT EPPING FOREST DISTRICT COUNCIL LOCAL PLAN**

I refer to our earlier submissions in respect of the Local Plan as set out in our earlier correspondence. I have a significant concern that the Council have erred in the way they have prepared the plan.

This is in respect of two particular matters and I set them out in turn below.

### **Application of Green Belt Policy from the NPPF**

In my earlier submissions I have questioned the way in which the Council have applied their Green Belt methodology. I do not intend to repeat those submissions, but do want to explain why I consider the Council's methodology fails to meet national policy.

My point is a very simple one and in making this submission I refer to document EB801A Appendix A- Residential and Employment site selection methodology and in particular to page A21. I note particular reference to notes 5 and 6.

Paragraph 133 of the NPPF makes clear that the Government attaches great importance to Green Belts. The fundamental aim of Greenbelt Policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belt are their openness and their permanence.

Paragraph 134 then sets out 5 purposes of the Green Belt. I note that the Council have stated that for the stage 2 Green Belt Assessment a decision was made that individual Green Belt parcels should not be assessed against purpose 5 (to assist in urban regeneration) as it was not possible to distinguish the extent to which individual Green Belt parcels deliver against this purpose. To an extent I understand this position but it must surely relate to the settlement hierarchy.

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t. 01622 776226 e. [info@dhaplanning.co.uk](mailto:info@dhaplanning.co.uk) w. [www.dhaplanning.co.uk](http://www.dhaplanning.co.uk)

Maidstone Office, Eclipse House, Eclipse Park, Sittingbourne Road, Maidstone, Kent, ME14 3EN

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Very importantly, the Council have then also decided to treat purpose 3 i.e; to assist in safeguarding the countryside from encroachment; on a blanket basis on the assertion that the context of the district is one that is predominately rural in character where the majority of the districts Green Belt preforms strongly against this purpose.

I do not understand the Council logic in this respect and consider the position to be unreasonable.

In my submission it is entirely possible to undertake an objective assessment of the degree to which individual sites would impact by virtue of encroachment. This would, for example and as I have set out in my earlier evidence, relate to matters such as footpaths, lighting, the degree to which the site is enclosed by built development, the degree to which the site connects with the countryside, whether the location in rural or perhaps suburban in character.

I also note that the Councils Stage 1 and Stage 2 Green Belt reports were undertaken at a large site level. The first stage comprising parcels of many square miles, the second parcels of many hundreds hectares. The use of studies at such a macro scale renders the exercise of very limited value when considering individual site selection. I consider there should have been further site specific assessments.

In this respect, I also consider that the Green Belt Review Parcel boundaries, and the Green Belt Review is not undertaken at a fine enough grain to inform site selection. It is suitable to identify important buffers, but that is very different from a site selection process, where a detailed assessment of the contribution a site makes to openness, or the degree to which development of a site would 'encroach'.

I consider that the Councils methodology explains why rigorous and accurate consideration of Green Belt sites has not taken place.

I conclude that the lack of rigour in the assessment means that the Council have not tested all reasonable alternatives and cannot therefore conclude that the strategy is the most appropriate.

### **MATTER 1 ISSUE 2 QUESTION 3- DID THE COUNCILS CONSULTATION PROCESS PRIOR TO INVITING REPRESENTATIONS ON THE REGULATION 19 VERSION OF THE PLAN OFFER INTERESTED PARTIES THE OPPORTUNITY FOR MEANINGFUL ENGAGEMENT**

I have made a number of submissions in respect of representations not being taken into account and in particular in respect of sites not being reassessed where there were clear and obvious errors in the assessment process.

We rely on our original submissions but must put on record that as stated in our letter of 17<sup>th</sup> January 2018, we had become so frustrated with the process and the lack of rigour and the failure to correct errors that I chose to raise two questions to the portfolio holder Councillor J Phillips at a Council meeting. **(Please see attached Minute)** In particular I draw attention to the statement on page 5 where it is stated that the Council remains confident in its assessment of sites and a detailed exercise of rechecking sites would be unnecessary and would only serve to introduce delay to the plan making process.



We remain concerned that the Councils sieving process was based on inaccurate information and that its Green Belt review was only based on three of the five criteria.

Yours sincerely,

John Collins

Director  
John.Collins@dhaplanning.co.uk