

Supplementary Committee Agenda



**Epping Forest
District Council**

Local Plan Cabinet Committee Monday, 3rd September, 2012

Place: Council Chamber
Civic Offices, High Street, Epping

Time: 7.00 pm

Democratic Services: Gary Woodhall
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**8. ASSESSMENT OF PURPOSES OF INCLUDING LAND WITHIN THE GREEN BELT
- PROPOSED METHODOLOGY (Pages 15 - 24)**

(Director of Planning & Economic Development) To consider the attached report (LPC-004-2012/13).

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Report to the Local Plan Cabinet Committee



**Epping Forest
District Council**

Report reference: *LPC-004-2012/13*
Date of meeting: *3 September 2012*

Portfolio: Planning

Subject: Assessment of purposes of including land within the Green Belt -
Proposed Methodology

Responsible Officer: Jennifer Cordell (01992 564481).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

(1) That an assessment against the purposes of including land within the Green Belt using the methodology in Appendix 1 of this report be conducted by the Council.

Executive Summary:

The Council is presently consulting on areas for potential growth for the next plan period to 2033. In order to achieve even the lowest level of growth required over the next 20 years, some Green Belt release will be required

Previous work in the Strategic Land Availability Assessment looked at whether areas were available or deliverable. The purpose of a Green Belt assessment is to follow the SLAA work and determine which areas from those being considered are the least harmful to release from the Green Belt. Any release of Green Belt land must be carried out in the context of the five purposes of including land in the Green Belt. This work must be carried out with close reference to existing guidance in the National Planning Policy Framework (NPPF).

Members must consider a methodology for assessing the impacts of releasing the various sites to assist in determining which sites would cause the least harm to the purposes of including land within the Green Belt. Officers have suggested the proposed methodology in Appendix 1.

The Green Belt assessment will be carried out around the same time as further Sustainability Appraisal work. The recommendations of the Green Belt assessment can then be used alongside the results of the consultation and further evidence gathering to help Members identify the best range of sites/areas to consider for further testing prior to potential allocation.

Reasons for Proposed Decision:

To allow officers to conduct an assessment to assist Members in progressing land allocations and in turn progressing the new Local Plan.

Other Options for Action:

- To not approve a methodology for an assessment against the purposes of the green belt. This would mean there was no procedure in place to remove land that accords with existing national policy (the NPPF). This would potentially result in unsound decisions to

remove areas from the Green Belt or, should no land be removed, the Local Plan would not be able to make sufficient land allocations to accommodate the District's growth over the next Plan period. Failure to plan for growth would result in the risk of ad hoc development on a piecemeal basis through planning applications without sufficient infrastructure. The Plan would also be found unsound.

- To carry out further assessments of the Green Belt or research, resulting in delays to the Local Plan process.

Report:

Background

1. The Council is going to have to make tough decisions about where future growth will go. The responses received from the community and from stakeholders (including landowners and infrastructure/utility groups) will assist in ruling some locations out. It is anticipated, however, that a significant number of options will remain and there needs to be an objective assessment of these.

2. A proposed assessment of the purposes of including land within the Green Belt will enable officers to apply a transparent and uniform test to all remaining options for release. Those that remain can then be modelled for sustainability, flooding and transport purposes to provide a clearer range of best options to be included in the Draft Plan.

3. Such an assessment is possible in exceptional circumstances as set out in paragraph 83 of the NPPF. The Council's need to provide a continuous 5-year supply of housing, when insufficient urban sites are available will provide exceptional circumstances to justify the release of some land. A sound methodology to select areas for removal is essential for reference at examination.

4. Any assessment carried out must conform with the guidance available in the NPPF, namely paragraphs 79-92. The assessment should consider impact on the openness and permanence of the area of land and the five main purposes for including land in the Green Belt:

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

5. These issues must all be included in order for any review to conform with the objectives of the NPPF and be found sound at EIP.

6. Para 81 encourages positive use of the Green Belt, suggesting that beneficial uses include:

- access to outdoor sport and recreation;
- retention and enhancement of landscapes;
- visual amenity;
- biodiversity, and
- improvement of damaged and derelict land.

7. Officers are of the view that these opportunities should be incorporated into the assessment, as to carry out the study based only on constraints would fail to identify positive opportunities which could influence decisions around land release.

8. The template used for the Council's review has been based upon those used elsewhere. This has been amended to reflect the specific nature of the District in Epping Forest. There is no standard methodology for this assessment although officers have sought to identify best practice from elsewhere to inform this work.

9. The draft methodology is attached at Appendix 1. It will be applied to all the potential areas for growth put forward in the Community Choices consultation (Issues and Options) and any additional areas considered to be reasonable that may be submitted during the consultation period. There are a number of areas where additional review may be necessary including, where development has already taken place (for example Meridian Park/Sainsbury's distribution centre, Waltham Abbey), and instances where existing boundaries may not form adequate defensible boundaries.

Next Steps

10. Finalise the methodology incorporating any comments from Members.

11. The methodology will then be used by officers to assess the opportunity areas (where these are within the Green Belt). The potential areas for growth will be assessed against the purposes of including land within the Green Belt. Such an assessment will also provide an opportunity to consider whether changes need to be made in response to completed developments (for example, where the Green Belt boundary cuts across rear gardens). The results of the assessment can be used alongside consultation responses and other evidence to assist Members' decision making for developing the preferred option.

12. A series of workshops is proposed in November with Members and Town and Parish Councils. These workshops will look further at the options for potential growth in the context of the results of the Green Belt assessment, the consultation responses and other evidence based material. Members will then consider all the evidence to select growth options for further testing prior to inclusion in the Draft Plan. This Draft Plan will then be subject to further consultation.

Resource Implications:

It is proposed that this work be carried out by the Forward Planning team, therefore no additional budget is required.

Legal and Governance Implications:

Local planning authorities are required to identify a rolling 5 year land supply to support growth. The assessment will assist in achieving this land supply.

Safer, Cleaner and Greener Implications:

The delivery of a Local Plan, informed by a robust Evidence Base, will contribute to safer, cleaner, greener objectives, by planning for sustainable development.

Consultation Undertaken:

The assessment methodology will be circulated to the Local Plan Cabinet Committee in advance of the meeting.

Background Papers:

National Planning Policy Framework (2012).

Impact Assessments:

Risk Management

The NPPF published on 27 March provides a 12 month interim period for using existing Local Plan policies. After this time Councils will be reliant on the NPPF when issuing decisions on applications unless emerging Plans have been published. Should emerging Plan documents have been published, varying degrees of weight may be given to emerging policies. Any delay in adopting a methodology for Green Belt assessment will restrict progress with the new Local Plan, which in turn may leave the District without locally based policies after the NPPF 12 month interim period.

Equality and Diversity

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? No

What equality implications were identified through the Equality Impact Assessment process?
An Equalities Impact Assessment is being prepared for the Issues & Options.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
N/A.

Assessment against the purposes of including land within the Green Belt - Proposed Methodology

Once the general extent of a Green Belt has been approved, boundaries should only be altered in exceptional circumstances. It is therefore necessary to assess which land within the Green Belt can make a significant contribution to meeting long term growth which would be least damaging to the purposes and integrity of the District's Green Belt .

When assessing an area that is only partially in the Green Belt, only assess the part that is Green Belt.

GB purposes, criteria for assessing areas:

National Planning Policy Framework (NPPF) para 79 states that 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 permanence. Para 80 sets out the 5 purposes of Green Belt:

Purpose	Criteria and definitions	Assessment
1. Check the unrestricted sprawl of large built up areas	<p>Intended to stop continuous spread of settlements and encourage brownfield regeneration. The following criteria will be used to judge whether an area being developed would result in unrestricted sprawl:</p> <p>i. Would development of the area lead to/ constitute or extend ribbon development YES/NO</p> <p>ii. Would development result in an isolated development area not connected to existing boundaries YES/NO</p> <p>iii. Is the area well connected to a settlement? Does it have two or more boundaries with the existing built up area? YES/NO</p> <p>iv. Would development of the area effectively 'round off' the settlement pattern YES/NO/PARTIAL</p> <p>v. Would development breach natural features or infrastructure which provide an obvious and defensible barrier between the existing urban area and undeveloped land? YES/NO</p>	<p>Assessment</p> <p>i. If response yes, high potential for unrestricted sprawl</p> <p>ii. If response yes, result would be isolated development, high potential for urban sprawl</p> <p>iii. If an area has several boundaries with the adjacent urban area (well connected), then there is lower potential for urban sprawl. If only one boundary with urban area, this would 'jut out' or not be as well related and has more urban sprawl potential.</p> <p>iv. If response yes, development would 'round off', low potential for unrestricted sprawl</p> <p>v. if yes, higher potential for urban sprawl.</p> <p>Overall conclusion: Development of the area would result in either: High potential to lead to unrestricted sprawl OR Low potential to lead to</p>

Purpose	Criteria and definitions	Assessment
		unrestricted sprawl (Delete response which does not apply)
2. Prevent neighbouring towns from merging	<p>It is impossible to define a minimum distance that there should be between settlements. The important consideration is whether development would appear to result in the merging of built up areas. Topography and features such as watercourses and major roads can act as barriers preventing merging. The assessment should therefore ask:</p> <p>i. Do natural features and infrastructure provide a good physical barrier or boundary to the area that would ensure that development was contained? YES/NO</p> <p>ii. Would development of the area lead to physical connection of two or more settlements? YES/NO</p>	<p>i. If yes, the features or infrastructure will prevent the merging of neighbouring towns.</p> <p>ii. If yes, this purpose of the Green Belt would be lost.</p> <p>Overall conclusion: Development of the area would lead to coalescence/merging of settlements OR Development of the area would not result in the merging of settlements OR Development of the area would not result in actual merging of settlements but:</p> <p> i) does not make good use of any physical barriers/there is no defensible boundary and/or ii) would significantly reduce the Green Belt gap between settlements.</p> (Delete response which does not apply)
3. Assist in safeguarding the countryside from encroachment	<p>This is an assessment of the extent to which the Green Belt constitutes 'open countryside' i.e. having countryside characteristics (e.g. fields in active agricultural use, patterns of dominant hedgerows, openness where any buildings do not dominate the landscape) . The assessment should therefore ask:</p> <p>i. Is there a strong, defensible boundary between the existing urban area and the adjoining countryside – wall, watercourse, main road, hedgerow etc (as opposed to garden boundaries) YES/NO</p>	<p>i. If yes, this boundary should be recognised as the permanent edge of the settlement , and development should not be permitted outside the boundary, unless provision is made for adequate replacement boundaries which will be defensible for the period of this Plan.</p>

Purpose	Criteria and definitions	Assessment
	<p>ii. Does the area include areas of woodland, trees or hedgerows that are protected or significant unprotected tree/hedge cover. YES/NO</p> <p>iii. Would the development of the area result in significant adverse impact as identified in the Settlement Edge Landscape Sensitivity Study YES/NO</p> <p>iv. Does the area include any grade 1, 2 or 3a (high quality) agricultural land? YES/NO</p> <p>v. Are any existing buildings in the area dominant in the landscape? YES/NO</p>	<p>ii. If yes, any development which is permitted should ensure that these natural features remain the dominant landscape feature to protect the characteristics of the local countryside.</p> <p>iii. If yes, no development should be permitted unless measures are included which adequately replace significant landscape features or which minimise adverse impacts</p> <p>iv. If yes, explore the potential availability of other land in the locality of lower agricultural quality before reaching a decision on the development of this land</p> <p>v. If yes, the development may not amount to encroachment of the countryside. If no, the earlier tests in this section should be applied.</p> <p>Overall conclusion: The area performs an important role in safeguarding the countryside from encroachment OR The area does not perform an important role in safeguarding the countryside from encroachment</p> <p>(Delete response which does not apply)</p>
<p>4. Preserve the setting and special character of historic towns</p>	<p>Many towns and villages have historic features, so this assessment focuses on whether development would be adjacent to conservation areas, or significant groups of listed buildings, or other features of historic significance.</p> <p>Where a development is adjacent* to such a feature, it may still be able to preserve the setting and special character if designed sensitively . This is a matter of judgement at initial area selection stage.</p> <p>* adjacent is either abutting the current boundary or only separated by a road that is not included in the boundary.</p> <p>For the assessment:</p> <p>i. Is the development adjacent to a conservation area, significant group of listed buildings or other historical. features? YES/NO</p>	<p>i. If yes, the development should respect and protect, or add positively to, the special character of the area</p> <p>Overall conclusion:</p>

Purpose	Criteria and definitions	Assessment
		<p>Development of the area would have no effect on the setting and special character of historic towns OR</p> <p>Development of the area would have an effect on the setting and special character of historic towns, which could be mitigated against through appropriate detailed design OR</p> <p>Development of the area would have a significant adverse effect on the setting and special character of historic towns</p> <p>(Delete response which does not apply)</p>
<p>5. Assist in urban regeneration, by encouraging the recycling of derelict and other urban land</p>	<p>Not to be included within GB assessment because the Local Plan policies will encourage regeneration within the urban area. In the District the existing urban brownfield areas have already been identified and are not sufficient to meet the future growth demands in the District.</p>	<p>N/A</p>
<p>Additional criteria:</p>		
<p>6. Positive use of the Green Belt. This suggests that potential or actual beneficial uses such as;</p> <ul style="list-style-type: none"> a. access to outdoor sport and recreation, b. retention and enhancement of landscapes and visual amenity c. biodiversity, and d. improvement of damaged and derelict land; <p>should be considered in this assessment.</p>	<p>The assessment should consider or ask..</p> <ul style="list-style-type: none"> i. Does the area provide an opportunity to improve accessibility to sport or recreation facilities through the provision or relocation of such facilities to the area? YES/NO ii. Does the area provide access to the countryside – footpaths, bridleways across the land, or is it a designated park/greenspace? YES/NO iii. Does the area include sites of national or local significance for nature conservation? YES/NO iv. Does the area provide an ecological corridor between known communities of protected species? YES/NO v. Does the area provide opportunity to improve damaged/derelict land? YES/NO 	<ul style="list-style-type: none"> i. If yes, does this result in the potential reuse of an urban site? for other forms of development, reducing the need to release Green Belt land for those purposes? ii. If yes, can these facilities be retained or adequately replaced in the new development?. iii. If yes, can the areas be retained and adequately protected? In the case of locally significant sites only, can they be adequately replaced elsewhere in the development site? iv. If yes, can the corridor be retained and adequately protected? v. If yes, the potential area for growth may improve the landscape and make use of a damaged/derelict site. <p>Overall conclusion: The area provides opportunities for</p>

Purpose	Criteria and definitions	Assessment
		<p>beneficial uses of the Green Belt if developed.</p> <p>OR</p> <p>The area does not provide opportunities for beneficial use of the Green Belt if developed.</p> <p>OR</p> <p>The area provides a mix of opportunities and concerns were it to be developed.</p> <p>(Delete response which does not apply)</p>
		<p>NB Within each “purpose” section, the overall conclusion is taken from each of the criteria assessed.</p>
<p>OVERALL CONCLUSION FROM EACH SECTION OF THE ASSESSMENT FOR THIS AREA:</p>		

A scoring or weighting system has not been applied, as an area may have only one applicable criterion as opposed to many. Even one factor, however, may be so significant that the overall effect on Green Belt purposes is very significant. Development of an isolated area is likely to create urban sprawl, but could satisfy all other Green Belt purposes. Developing such a location may be judged to have a more significant effect on the purposes of Green Belt than, eg development which would ‘round off’ a settlement where that area performs a role in safeguarding the countryside from encroachment.

The end comments box is the overall conclusion having assessed all of the purposes of including land in the Green Belt.

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