

Planning Policy Response

Application Number: EPF/1494/18

Site Address: North Weald Park Former North Weald Golf Course Rayley Lane
North Weald Bassett Essex CM16 6AR

Proposal: Hybrid planning application for outline planning permission (**all matters reserved except for points of access**) sought for up to 555 dwellings, including affordable and key worker housing; a 70-bed retirement accommodation (Class C3) and a 70-bed extra care/nursing care accommodation (Class C2); a two-form entry primary school with associated outdoor space and vehicle parking; a Special Educational Needs centre; Class D1 medical facilities; a local centre comprising a Class A1 retail space of up to 500 sq m and a community centre of up to 300 sq m; a sports hub with associated open-air sports pitches, a sports pavilion of up to 400 sq m; a scouts hut facility; B1 office space of up to 3,744 sq m; and formal and informal open space incorporating SuDS, a new Country Park, new planting/landscaping and ecological enhancement works; points of access including new roundabout on the A414. Full planning permission is sought for the erection of 135 dwellings including affordable housing (40%), open space, associated access off Rayley Lane and internal circulation roads, vehicle parking, associated services, infrastructure, landscaping and associated SuDS. For clarity - the total number of conventional dwellings proposed across the site is up to 690.

Policy Officer: Alison Blom-Cooper

The overall conclusion is that the application should be recommended for refusal on the grounds that it is contrary to national and local policy. The reasons for this are set out below.

The primacy of the development plan

- 1.0 As noted in National Planning Policy Framework (“NPPF”) paragraph 2, Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The NPPF must be taken into account in preparing the development plan, and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

The Epping Forest District Local Plan (1998) and Alterations (2006) and the Local Plan Submission Version 2017 (LPSV)

- 1.1 The Epping Forest District Local Plan (1998) and Alterations (2006) is forthwith noted as “the adopted development plan” and the Local Plan Submission Version (LPSV) as “the LPSV”. In accordance with paragraph 215 of the 2012 NPPF (paragraph 48 of the 2018 revised NPPF), *“due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)”*. The Council undertook an assessment of the consistency of adopted Local Plan policies against policies within the 2012 NPPF. The outcome of that assessment was reported to the Local Plan Cabinet Committee in March 2013 and is available at: <http://rds.eppingforestdc.gov.uk/ieListDocuments.aspx?CId=688&MId=7142>. This response has considered the extent to which the adopted development plan conforms to the NPPF 2018 for decision making purposes. The LPSV is required to conform with the NPPF 2012 when it is examined as it is expected to be submitted prior to 24 January 2019.
- 1.2 On 14 December 2017, at an Extraordinary Council meeting, Members approved the Local Plan Submission Version (LPSV) for publication. At the same meeting the Council also resolved to approve the LPSV as a material planning consideration in decision-making. This means that the policies in the LPSV, together with all relevant evidence base documents, should be taken into account as material planning consideration when determining planning applications and giving advice at the pre application stage.
- 1.3 In accordance with paragraph 48 of the revised NPPF 2018, when taking planning decisions, the Council may give weight to relevant policies in the emerging plan (the LPSV) according to:
- “a) the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
 - b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
 - c) the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the*

emerging plan to the policies in the Framework, the greater the weight that may be given).”¹

- 1.4 This means that Development Management officers and Councillors must give weight to those policies within the adopted Local Plan (1998) and Alterations (2006) that are consistent with the NPPF. They may also have regard to the LPSV, so far as material to the decision, and assess whether the proposal under consideration accords with the relevant LPSV policies in light of the three criteria set out in NPPF paragraph 48.

Planning Policy History

- 2.0 The site the subject of this application has a different boundary to that which was submitted as part of the Council’s Local Plan ‘Call for Sites’ exercise in 2008 (site reference SR-0179) and put forward for residential development. In 2014, the Council prepared a Masterplanning Study for North Weald Bassett. Part of the work to prepare the study included looking at the potential development sites known to the Council and appraising their suitability in terms of baseline analysis and community and stakeholder feedback. The Study went on to identify potential masterplanning spatial options. The site in question (SR-0179) was assessed as part of the preparation of the masterplan study, but it concluded that SR-0179 and SR-0467 were “...not considered to be appropriate for new development as they are located a considerable distance from existing development, so will not integrate effectively with North Weald Bassett’s existing settlement form. The sites also sit to the north-west of the settlement, towards Harlow and therefore may prompt concerns regarding coalescence with the town.” (North Weald Bassett Masterplanning Study 2014, p.101)
- 2.1 In 2016, the Council undertook a site selection process to inform the proposed allocation of sites in the Draft Local Plan. The site assessed was the site put forward in 2008 (SR-0179) and consisted of the land to the south of the A414. (The application site contains land to the north of the A414 as well). The findings of the site selection process found that although SR-0179 was considered as potentially suitable for development, the land in question is green field land in the Green Belt, and located away from an existing settlement. This meant it fell within the least preferred category of land (category 7) based on the Council’s sequential land preference hierarchy

¹ During the transitional period for emerging plans submitted for examination (as set out in paragraph 214 of the revised NPPF 2018), consistency should be tested against the previous Framework published in March 2012.

used for selecting sites (this is set out in paragraph 4.26 of the Site Selection Methodology see <http://www.efdclocalplan.org/wp-content/uploads/2018/02/EB801A-A-A-Site-Selection-Methodology-Arup-2016.pdf>) . The site therefore did not proceed through the Site Selection process and was not proposed for allocation in the Draft Local Plan 2016. It was also noted as part of this assessment that the site is located outside the preferred area identified in the 2014 Masterplanning Study due to it being located some distance from the existing settlement.

2.2 In response to the Regulation 18 consultation which took place in Autumn 2016, the site promoters made a representation commenting on the assessment of the site. The assessment of the site was reviewed as part of the 2017 site selection process and was reconsidered as part of Stage 6.3 (as set out in the Site selection methodology <http://www.efdclocalplan.org/wp-content/uploads/2018/03/EB805AK-Appendix-A-Site-Selection-Methodology.pdf>) since it was identified as potentially being able to contribute to the five year housing land supply. However, it was concluded that this benefit did not override the constraints previously identified including that the proposed development would harm the settlement character and promote an unsustainable development pattern in an isolated location, detached from the existing settlement. It was not proposed for allocation in the LPSV. The proposed development should therefore be refused on the grounds that:

- **it is contrary to the LPSV Policy SP 2 Spatial Development Strategy 2011- 2033 and is in an unsustainable location detached from the existing settlement.**

2.3 The owner/agent of the site submitted an objection to the Local Plan Regulation 19 publication and states that the site should be allocated in the LPSV (Stakeholder ID: 19LAD0073). All documents relating to the site selection process to can be found on the Council's Local Plan website at <http://www.efdclocalplan.org/> .

3.0 The principle of development of this site

3.1 The adopted Local Plan is clear in respect of land located within the Metropolitan Green Belt and Policy GB2A Development in the Green Belt, is found to be generally compliant with the NPPF 2012 and NPPF 2018. Policy GB2A notes *"Planning permission will not be granted for the use of*

land or the construction of new buildings.... in the Green Belt unless it is appropriate in that it is: “ . The policy then lists appropriate forms of development and the proposals under consideration do not comply with the policy.

- 3.2 The relevant policies in respect of development in the Green Belt in the LPSV are Policy SP 6 Green Belt and District Open Land and Policy DM 4 Green Belt. “Policy SP 6 Green Belt and District Open Land” states that *“the openness of the Green Belt will be protected from inappropriate development in accordance with national planning policy and Policy DM 4”*. “Policy DM 4 Green Belt” notes the purposes of the Green Belt, and that:

“B. Within the Green Belt planning permission will not be granted for inappropriate development, except in very special circumstances, in accordance with national policy.

C. The construction of new buildings is inappropriate development in the Green Belt. Exceptions to this are:...” The policy lists the exceptions at part C and other forms of development that may be appropriate in the Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt.

The proposed development under consideration does not comply with any of these categories.

- 3.3 National policy is clear in NPPF 2018 Paragraph 143. *“Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”* It goes on to note at Paragraph 144 *“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations”*.

- 3.4 NPPF 2018 paragraph 145 states *“A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt “* and states as an exception to the general green belt policy matters including:

“g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- *not have a greater impact on the openness of the Green Belt than the existing development; or*
- *not cause substantial harm to the openness of the Green Belt, where the development would re- use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”.*

3.5 The nature of the proposed development under consideration as new build on green field land does not therefore comply with any exception to national Green Belt policy in this regard. The proposed development is considered to be :

- **inappropriate development in the Green Belt by virtue of its characteristics as substantial new build**
- **likely to cause substantial harm to the Green Belt by virtue of a lack of effective integration with the existing settlement and proximity to Harlow causing the potential for coalescence, and causing substantial harm to the openness of the Green Belt.**

The Presumption in Favour of Sustainable Development

3.6 Paragraph 11 of the NPPF states: *“Plans and decisions should apply a presumption in favour of sustainable development:... For **decision taking** this means:*

c) approving development proposals that accord with an up to date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (7), granting permission unless:

i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (6); or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

Footnote 7 states: *“This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites.....”*

Footnote 6 states: *“The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those listed in paragraph 176) and/ or designated as Sites of Special Scientific Interest; land designated as **Green Belt**, Local Green Space.....”* [emphasis added]

3.7 As noted above the Council considers that the relevant Policies in the adopted development plan (and the LPSV) are in general conformity with the NPPF and should be given significant weight in decision making. However, even if this were a matter of contention, NPPF Policy 11 d) makes provision where such policies may be considered out of date to include at i. land designated as Green Belt in its provision to protect certain assets against the presumption in favour of sustainable development. The Council considers that in principle the proposals would therefore not trigger the presumption in favour of sustainable development and be contrary to national policy including national Green Belt policy even if the adopted Local Plan Green Belt policy was deemed out of date, and the LPSV policy is given little weight. The application should therefore be refused on grounds of:

- **being inappropriate development in the Green Belt as defined by national and local planning policy**

The consideration of ‘very special circumstances’ for inappropriate development in the Green Belt

4.0 The development site is located within the Green Belt and relevant national and local planning policies apply, in particular section 13 of the NPPF 2018. Very special circumstances (VSC) are needed to justify the approval of inappropriate development. Paragraph 144 of NPPF 2018 states that *“when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to*

the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.”

- 4.1 The NPPF 2018 does not define what is considered to be ‘very special circumstances’ – this is a matter to be weighed by the Local Planning Authority. The possible material considerations that might outweigh harm to the Green Belt are considered below and the applicant addresses them in the Planning Statement accompanying the planning application.

Housing Supply

- 4.2 A key material consideration is housing supply. Government policy as set out in the NPPF requires Local Planning Authorities to significantly boost the supply of housing – paragraph 59.
- 4.3 The principle of the provision of housing is supported by the LPSV 2017 which has identified sites for new housing development to meet the objectively assessed housing need by providing for a minimum of 11,400 homes for the plan period up to 2033. The proposed allocations in the LPSV provides for the identified need of 11,400 as set out in the Strategic Housing Market Assessment and a buffer to ensure delivery. The proposed allocations present a careful and thorough consideration of appropriate locations for housing development to 2033 which has sought to bear a wide range of characteristics of locations and sites together with the associated infrastructure implications as well as the impact on existing communities and the Green Belt. This response outlines the conclusions regarding the site under consideration at paragraphs 2.1-2.2 above. (See also site allocations documentation referenced at paragraph 2.2).
- 4.4 The adopted local plan does not make provision for the development of the site. LPSV Policy P 6 North Weald Bassett sets out the proposed allocations for residential, traveller and employment development on sites within North Weald Bassett. The site the subject of this application was not proposed for allocation in the Local Plan Submission Version 2017 for the reasons set out in Section 2. The site was considered to be in an unsustainable location due to it being removed from the existing settlement and it was felt that development in this location would not integrate effectively with North Weald Bassett’s existing settlement form. The sites proposed for allocation will cumulatively provide for the desired

growth in the settlement of approximately 1050 homes. The proposed development should therefore be refused on the grounds that:

- **it is contrary to LPSV Policy P 6 North Weald Bassett in that it is outside the locations identified for development in the plan**

- 4.5** The matter of a five year supply for housing is an important consideration both in relation to the application of the presumption in favour of sustainable development in the NPPF (paragraph 11) and with regard to a lack of supply constituting very special circumstances for inappropriate development in the Green Belt.
- 4.4** However, the context of an LPSV that is altering Green Belt boundaries and allocating land for a significant number of new homes to meet identified future housing requirements is critical to the circumstances with respect to five year housing land supply (as is the status of the land as Green Belt and potential harm to the Green Belt as outlined above). The LPSV is to be submitted to the Secretary of State for independent examination imminently. As noted in the Housing Implementation Strategy 2017 the plan will deliver a five year housing land supply throughout the period of operation and secure a 5.3 year supply for the period 2017/18 to 2021/22 when delivering the proposed allocations (refer paragraph 3.11). Indeed the delivery rate is expected to further accelerate from 2022 onward. The Council is well advanced in bringing forward some of the strategic sites in the plan – developing masterplans with promoters and engaging in Planning Performance Agreements to manage planning applications. This demonstrates that the proposed allocations in the LPSV are indeed deliverable.
- 4.4** In addition, the Council does not agree with the applicant’s conclusion that the NPPF ‘tilted balance’ in favour of the presumption in favour of sustainable development is currently engaged (paragraph 5.5 and 5.14 of the submitted Planning Statement). Failure to demonstrate a five year housing land supply would normally mean that paragraph 11(d) of NPPF 2018 (also see fourth bullet point of paragraph 14 of NPPF 2012), or the so-called ‘tilted balance’ is engaged. However, as noted in paragraph 3.6 and 3.7 above the NPPF also stipulates that where restrictive policy is relevant (as set out under footnote 6 of the revised NPPF 2018), the ‘tilted balance’ does not apply. This position is referred to and supported by the

Forest of Dean V SSCLG judgement² (see paragraph 18 of the judgement). It is therefore clear that the NPPFs 'tilted balance' toward presumption in favour of sustainable development is not engaged in this case because the proposed development is deemed to be inappropriate development in the Green Belt, which, in accordance with paragraph 11(d)(i) of NPPF 2018, is one of the '*...protect areas or assets of particular importance provides a clear reason for refusing the development proposed.*'

- 4.5 The lack of a current five year housing land supply does not constitute very special circumstances to relax the protection of the green belt and does not outweigh the material harm that would be caused by the application site to the Green Belt by virtue of its impact on openness by 'punching' a hole into otherwise open Green Belt land. It has been made clear in both the Ministerial Statement of 1 July 2013 and paragraph 034 of the Planning Practice Guidance that '*unmet housing need (including for traveller sites) is unlikely to outweigh the harm to the Green Belt and other harm to constitute the 'very special circumstances' justifying inappropriate development on a site within the Green Belt.*'
- 4.6 **In conclusion with respect to the five year housing land supply, in this case any lack of five year supply neither engages the 'tilted balance' in favour of the presumption in favour of sustainable development nor constitutes very special circumstances to approve inappropriate development in the Green Belt.**

Policy Compliant affordable housing

- 4.6 The proposed development is offering to meet the 40% policy requirement for affordable housing as set out in both Local Plan Policy H7A Affordable Housing (i) and LPSV Policy H 2 Affordable Housing. However, it should be noted that these are minimum policy requirements which all developments are expected to meet unless otherwise justified. It is not considered that meeting minimum policy requirements is sufficient to justify the VSC required for allowing the proposed development in the Green Belt.

² the *Forest of Dean District Council v Secretary of State for Communities & Local Government & Anor* [2016] EWHC 421 (Admin)

Provision of public facilities

- 4.7 Policy D 2 Essential Facilities and Services in the LPSV states that *'development proposals will only be permitted where they provide or improve the essential facilities and services required to serve the scale of the proposed development.'* The policy requirement is therefore very clear that it is the developer, not the 'public purse', that is liable to provide public facilities that are needed to support the development in question, including new school provision and other public facilities. Regardless of the source of finance, it is not considered that meeting minimum policy requirements for providing sufficient public facilities constitutes the VSC required for allowing the proposed development in the Green Belt. The argument made by the applicant is somewhat misleading and implies that if not financed by the developer, these public facilities would need to be paid for by the 'public purse'.

Sports and Community facilities

- 4.8 Policy D 4 Community, Leisure and Cultural Facilities (C) of the LPSV requires strategic and larger developments to *'make on-site provision for community, leisure and cultural facilities where feasible.'* Policy D 4 (F) states that *'Where opportunities exist, the Council will support the co-location of community, leisure and culture facilities and other local services.'* The proposed development includes a new multi-function club house and 4 playing pitches. While there is no specific local standard for planning pitches and community facilities, a development of this size would normally need to provide additional playing pitches and community facilities. Again, it is not considered that making policy compliant provision constitutes VSC.
- 4.9 In addition, it is also important to take into account the fact that the proposed development would result in the loss of an existing sports facility i.e. the Shooters Small Sided Football Centre. While new sports/community facilities are generally supported, there is no justification provided to show that the Shooters facility is either surplus to local requirement, or suitable replacement can be provided elsewhere. Paragraph 83(d) of NPPF 2018 states that planning policies and decisions should enable *'the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship'*. As such, the proposed development should be refused on the grounds that:

- **it is not compliant with the relevant requirements set out under paragraph 83 of NPPF 2018 and LPSV Policy D 4 Community, Leisure and Cultural Facilities in that it involves the unjustified loss of a sports facility.**

M11 Junction 7 improvement.

- 4.10 The impact of the development on M11 J7 is still to be examined by relevant highway agencies. It is understood that Highways England and Essex County Council will provide further comments on this matter but as it stands there is insufficient evidence that any such improvement works could be considered as VSC to justify the proposed development.
- 4.11 Given the above, it is not considered that the evidence put forward by the applicant, either individually or collectively, is sufficient to justify the VSC required to allow inappropriate development in the Green Belt.
- 4.12 In conclusion the Council does not consider that very special circumstances exist that suggest that the proposal should be approved even though it is considered to be inappropriate development in the Green Belt. Therefore:
- **in accordance with NPPF paragraph 144 the proposed development should be refused due to a lack of very special circumstances outweighing the benefits of the proposal.**

Further Matters

Flood Risk

- 5.0 Part of the site is within Floodzone 2 and 3 as defined by the Environment Agency's Flood Map. Policy DM 15 Managing and Reducing Flood Risk (E) of the LPSV requires that '*proposals within Flood zone 2 and 3(a) must be informed by a site specific Flood Risk Assessment (FRA) taking account of all potential sources of flooding and climate change allowances...*'. The Planning Practice Guidance also states that an FRA should '*demonstrate to the decision-maker how flood risk will be managed now and over the development's lifetime, taking climate change into account, and with regard to the vulnerability of its users.*' (PPG Paragraph: 030 Reference ID: 7-030-20140306)'.
- 5.1 The FRA submitted by the applicant concludes that there is no need to carry out Sequential or Exception Test because the proposed development is following the principle that development will be located in Flood Zone 1 and outside of Flood Zone 3 (Paragraph 5.1 of the applicant's FRA). While

in principle the Council accepts that no Sequential and/or Exception Test would be required if no development is to take place within Flood Zone 2 and 3, the FRA has failed to identify the full extent of Floodzone 2 and 3 taking into account climate change allowances. As such the proposal should be refused on the grounds that:

- **it is not in compliance with 155-165 of NPPF 2018, as well as Policy U2A Development in Flood Risk areas from the adopted Local Plan and LPSV Policy DM 15 Managing and Reducing Flood Risk.**

5.2 This position is also reflected in the objections received on the proposed development from the Environment Agency and the Council's Engineering, Drainage and Water Team.

Location and accessibility of public facilities

5.3 Paragraph 92(e) NPPF 2018 states that planning decisions should '*ensure an integrated approach to considering the location of housing, economic uses and community facilities and services.*' Whilst Paragraph 108(c) states that planning decisions should ensure that '*safe and suitable access to the site can be achieved for all users.*'

5.7 LPSV Policy SP 3 Place Shaping sets out a number of place shaping principles which all development will need to adhere to, including the need to '*(ix) deliver strong local cultural, recreational, social (including health and educational where required) and shopping facilities to support day-to-day needs in walkable neighbourhood.*'

5.8 In the Education Site Suitability Checklist submitted by the applicant, the site in question is deemed to be '*Well located in relation to other neighbourhood facilities and public realm*' and '*centrally located to the overall development or area the school will serve.*' According to the illustrative map and the Planning Statement, all of the proposed housing development and the new neighbourhood centre are to be located south of the A414. The new school and medical facilities will both be located on the other side of the road to the north of the A414. Given the current proposed layout the Council considers that it is likely that the school and the health facilities proposed will not be able to provide safe and suitable access in a 'walkable neighbourhood', as required by national and local policies. The proposed development is therefore contrary to these national and local policies and should be refused on the grounds that:

- **it is contrary to paragraphs 92 and 108 of the NPPF and LPSV Policy SP 3 Place Shaping in that it does not provide safe and suitable access for the users of the school and medical facilities proposed.**

Impact on the Epping Forest Special Area of Conservation (SAC)

- 5.9 Were the application to be considered appropriate development, the impact on the Epping Forest Special Area of Conservation would need to be mitigated. At the current time, decision notices for residential development within 6.2km of the SAC are not able to be granted. Please refer to the Epping Forest Special Area of Conservation (SAC) – Interim Position Statement July 2018 which is available on the Council’s website at <http://www.efdclocalplan.org/local-plan/planning-policy/> .

Applicants’ alternative Green Belt assessment

- 5.10 The applicant submitted an alternative Green Belt Assessment on the proposed development site and challenges the findings of the Council’s published Green Belt Assessment, which was produced to inform any potential Green Belt alteration in the emerging new Local Plan. Paragraph 136 of the NPPF 2018 states very clearly that *‘Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans’*. The Council is completely confident in the robustness of its Green Belt assessments, the merit of any potential Green Belt alteration should not, and cannot be determined through planning applications and can only be dealt with through the Local Plan examination. This is not therefore material to consideration of the application.

Infrastructure Capacity and Local Plan allocations

- 5.11 Policy CP3 New Development, of the adopted Local Plan states that in considering planning applications, the Council will need to be satisfied that *‘...the development can be accommodated within the existing, committed or planned infrastructure capacity of the area (or that sufficient new infrastructure is provided by the new development/developer)*. LPSV Policy SP 2 Spatial Development Strategy 2011-2013 (G) states that *‘Development*

proposals will be required to demonstrate that they accord with infrastructure requirements established through the Infrastructure Delivery Plan and all other policies of the plan).

- 5.12 The LPSV allocates approximately 1,050 new homes across five different sites to the north east of North Weald village. The location and quantum of these allocations are supported by robust evidence and detailed infrastructure requirements as set out in LPSV Policy P 6 North Weald Bassett and the latest Infrastructure Delivery Plan (EB1101A and EB1101B). To ensure these sites and associated infrastructure are developed in a comprehensive and coordinated way, the LPSV also requires development proposals in relation to these five sites must comply with a Strategic Masterplan formally endorsed by the Council.
- 5.13 While the LPSV does not preclude residential development in addition to the housing allocations in the Plan i.e. through windfall development, these windfall developments will have to demonstrate that they will not prejudice the delivery of adopted local plan allocations and planned infrastructure provision. The applicant will therefore need to assess the cumulative impact of the developments on future infrastructure capacity, taking into account LPSV allocations. The applicant's transport assessments have taken into account LPSV allocations in the surrounding area (although the validity of the assessment is to be verified by Highway England and ECC), however, it is unclear whether the proposed development has accounted for other infrastructure provisions that are set out in the IDP .

Conclusion

- 6.0 The application should be refused in accordance with NPPF paragraph 144 due to a lack of very special circumstances outweighing the benefits of the proposal in the Green Belt and due to the proposal being:
- **contrary to the Local Plan Submission Version 2017 Policy SP 2 Spatial Development Strategy 2011- 2033 in that it is in a location outside of the development strategy, and is in an unsustainable location detached from the existing settlement.**
 - **contrary to Local Plan Submission Version 2017 Policy P 6 North Weald Bassett in that it is outside the proposed allocations identified for development in the plan**

- **contrary to National Green Belt Policy in section 13 and paragraph 11 of the NPPF and Policies GB2A Development in the Green Belt of the Development Plan, SP 6 Green Belt and District Open Land, and DM 4 Green Belt, of the Local Plan Submission Version 2017.**
- **inappropriate development in the Green Belt by virtue of its characteristic as substantial new build and it is likely to cause substantial harm to the Green Belt by virtue of a lack of effective integration with the existing settlement and proximity to Harlow causing the potential for coalescence, and causing substantial harm to the openness of the Green Belt.**
- **contrary to national policy and Local Plan Submission Version 2017 Policy D 4 Community, Leisure and Cultural Facilities in that it involves the unjustified loss of a facility.**
- **contrary to paragraph 155-165 of NPPF 2018, as well as Policy U2A Development in Flood Risk Areas of the adopted Local Plan and Local Plan Submission Version 2017 Policy DM 15 Managing and Reducing Flood Risk.**