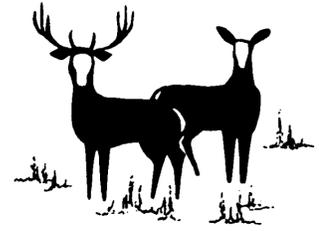


Theydon Bois and District
Rural Preservation Society
Affiliated to the Campaign to Protect Rural England

*Registered Charity No. 286364
Established 1943
Member of the Civic Trust*



c/o 26 Hornbeam Road
Theydon Bois, Epping
Essex
CM16 7JU

Forward Planning Team
Directorate of Planning & Economic Development
Epping Forest District Council
Civic Offices, 323 High Street
EPPING
Essex CM16 4BZ

1st February 2009

Dear Sir,

'Consultation on Options Development Plan for Gypsies and Travellers in Epping Forest'

The Society was formed in 1943 and currently has over 1700 subscription paying members in Theydon Bois. The principal aims and objects of the Society are:

To preserve the rural character of the countryside in and around Theydon Bois as an appropriate and natural complement to Epping Forest.

To resist all attempts of encroachment on the Green Belt.

The Society fully endorses the Response to Consultation on Options Development Plan for Gypsies and Travellers in Epping Forest prepared by TBAG as a joint submission by Theydon Bois Parish Council, Theydon Bois Action Group and Theydon Bois and District Rural Preservation Society.

The Society considers that the two nominated sites **20b** and **20c** in Theydon Bois, incorrectly stated as Theydon Garnon in the consultation document, are unsuitable for selection as pitches for both the Gypsy and Traveller and settled community because of the reasons detailed in the joint submission. They are in conflict with the aims of the Society and Green Belt Policy and this can be summarised as follows:

The most fundamental issue relates to the Green Belt status of each site. The Department of the Environment's Planning Policy Guidance Note 2 (Green Belts) is abundantly clear in its statement at paragraph 1.4 that **'The fundamental aim of Green Belt Policy is to prevent**

urban sprawl by keeping land permanently open' and goes on in paragraph 1.5 to set out the five main purposes of including land in Green Belts;

- - To check the unrestricted sprawl of large built up areas;
- - To prevent neighbouring towns from 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.

The presumption against inappropriate development in Green Belts, and this includes sites for Gypsies and Travellers, is not only highlighted in Planning Policy guidance but is specifically repeated in the Government's Circular 01/2006 Planning For Gypsy and Traveller Caravan Sites.

Paragraph 9 of the Consultation on Options paper acknowledges the harm to the Green Belt that inappropriate development causes, but points out that in 'cases of very special circumstances' it is necessary to consider the balance of harm against any benefits accruing from development.

The importance to the Green Belt of land close to the defined boundaries of a town cannot be overstated. As the District Council's Local Plan acknowledges at paragraph 5.42 "As well as protecting the character and openness of the Green Belt it is also necessary to maintain and protect its role as a recreational resource. This could be severely damaged by inappropriate developments ...which are inadequately landscaped. It is therefore necessary to control any such developments in the light of their impact on the Green Belt and in accordance with PPG2".

We are of the opinion that the importance of these sites to the Green Belt and their unsuitability as detailed in the joint submission out weigh any possible consideration of 'very special circumstances'. This view has been upheld by the many Planning Applications that have been refused by EFDC for Green Belt sites in the direct locality as detailed on page 5 of the joint submission answer to questions **20b** and **20c**.

Additionally there have been specific refusals by EFDC for applications adjacent to the nominated sites **20b** and **20c** that recognise the particular importance of maintaining the open character of this area of countryside located within the Metropolitan Green Belt and the importance of preventing traffic movements in the protected Coopersale Lane. Three of these went to appeal where the Inspectors dismissed the appeals and reinforced the EFDC view that there were no special circumstances for allowing development in this Green Belt location.

EPF/1594/05 Blunts Farm House, Coopersale Lane was refused;

"The site is within the Metropolitan Green Belt. The proposed works represent inappropriate development and are therefore at odds with Government advice, as expressed in PPG2, the policies of the adopted Local Plan specifically GB15, and the Approved Essex Structure Plan. The latter state that within the Green Belt permission will not be given, except in very special circumstances for the construction of new buildings or for the change of use or extension to existing buildings except for the purposes of agriculture, mineral extraction or forestry, small scale facilities for outdoor participatory sport and recreation, cemeteries, or similar uses which are open in

character. In the view of the Local Planning Authority the application does not comply with these policies because the replacement dwelling house is materially larger than the original house; and would be visually intrusive in the open countryside”.

As was EPF/1763/06 again for Blunts Farmhouse

“The site is within the Metropolitan Green Belt. The proposed works represent inappropriate development and are contrary to PPG2 and policies of the adopted Replacement Structure and Local Plan and Alterations, specifically GB15A unless the new building is no larger than the dwelling it replaces. In this case, the totality of the new building works on the site is materially larger than the building it replaces and would thus detract from the open character of the Green Belt. The design and appearance of the proposed dwelling is inappropriate and unsympathetic to its rural setting, contrary to policies DBE1, DBE4 and LL2 of the adopted Local Plan and Alterations 2006 and policies CS2 & NR1 of the adopted Replacement Structure Plan 2001”. This refusal was appealed and the appeal was dismissed by the Planning Inspector ref: APP/J1535/A/07/2034597 of 16 Aug 2007 where he concluded *“I have taken account of all other matters raised, but I find nothing else to outweigh the harm that I have identified to the Green Belt, due to inappropriateness and loss of openness, or to the character and appearance of the rural area. Accordingly I conclude that the appeal must be dismissed”.*

EPF/0493/06 Proposed Traffic Management Depot, Coopersale Lane was refused and the following appeal was dismissed in the Planning Inspectors report APP/J1535/A/06/2024334 of 3rd January 2007 as noted in on pages 8 & 9 of the joint submission answer to questions **20b** and **20c**. EFDC had also issued an Enforcement Notice that required the removal of the existing depot and made specific reference to the removal of Mobile Homes from the site together with the problems of highway safety in Coopersale Lane. This was again appealed and here the Planning Inspector dismissing the appeal against the Enforcement Notice ref: APP/J1535/A/07/2044672 of 16th Oct. 2007 noted:

“... there is no doubt in my mind that the removal of the mobile homes is an integral, indeed essential, part of restoring the land to its former condition and that the addition of a reference to mobile homes, within requirement (b), would thus be a minor variation amounting, in real terms, to no more than a clarification. Subject to my decision on the ground (f) appeal, I therefore take the view that it would be within my powers to make such a variation and that to do so would not be prejudicial to either main party”.

The Inspector goes on to make reference to highway safety in Coopersale Lane

“(21.) The use of Coopersale Lane by increased numbers of heavy vehicles would also be detrimental to highway safety, in that this is a rural road, without street lighting and with no footpath or verge, save where it crosses the motorway. Moreover, the motorway bridge has a 7.5 tonne weight limit, whilst the highway dangers are further compounded by what are clearly inadequate sight lines at the access to the site, notwithstanding that much of the traffic along the lane is unlikely to be travelling at the 60 m p h speed limit. (22.) The appellant has suggested that a legal agreement or condition could overcome any highway objection, and contends that the site has operated satisfactorily since early 2005 which, it is argued, is evidence of the lack of any adverse impact on highway safety. I do not accept the latter point. The evidence on this point is so clear that it would simply

be irresponsible to accept the argument that the use is not detrimental to highway safety simply because no accident has so far occurred. The appellant does not elaborate as to the sort of condition, or the terms of an agreement, aimed to overcome the highway objection. However, I find it hard to contemplate any condition, or agreement, which would overcome the various highway objections that arise in this case.

EFDC has in the past been consistent in finding no ‘special circumstances’ to allow development in this area of the Metropolitan Green Belt and has recognised the highway safety hazards in the historic important and protected Coopersale Lane. This stand has been upheld by The Planning Inspectorate on at least three occasions. It therefore should not select either of the nominated sites 20b and 20c in Theydon Bois for future development as Gypsies and Travellers provision.

Mr Peter Newton,
Chairman (for the Society)