

Representation form for Submission Version of the Epping Forest District Local Plan 2011-2033 (Regulation 19 publication)

This form should be used to make representations on the Submission Version of the Epping Forest District Local Plan which has been published. Please complete and return by 29 January 2018 at 5pm. An electronic version of the form is available at <http://www.efdclocalplan.org/>

Please refer to the guidance notes available before completing this form.

Please return any representations to: Planning Policy, Epping Forest District Council, Civic Offices, 323 High Street, Epping, Essex, CM16 4BZ

Or email them to: LDFconsult@eppingforestdc.gov.uk

BY 5pm on 29 January 2018

This form has two parts –

Part A – Personal Details

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Please attach any documents you wish to submit with your representation

Part A

1. Are you making this representation as? (Please tick as appropriate)

- a) Resident or Member of the General Public or
- b) Statutory Consultee, Local Authority of Town and Parish Council or
- c) Landowner or
- d) Agent

Other Organisation (please specify)

2. Personal Details**Title**

Mr

First Name

Graeme

Last Name

Watt

**Job Title
(where relevant)****Organisation
(where relevant)****Address Line 1**

c/o Agent

Line 2**Line 3****Line 4****Post Code****Telephone
Number****E-mail Address****3. Agents Details (if applicable)**

Mrs

Francesca

Hill

Sworders

The Gatehouse

Hadham Hall

Little Hadham

Ware

SG11 2EB

01279 771188

Francesca.hill@sworders.com

Part B – If necessary please complete a separate Part B form for each representation

**4. To which part of the Submission Version of the Local Plan does this representation relate?
(Please specify where appropriate)**

Paragraph Policy Policies Map

Site Reference Settlement

**5. Do you consider this part of the Submission Version of the Local Plan:
*Please refer to the Guidance notes for an explanation of terms**

a) Is Legally compliant Yes No

b) Sound Yes No

If no, then which of the soundness test(s) does it fail*

Positively prepared

Effective

Justified

Consistent with national policy

c) Complies with the Duty to co-operate Yes No

6. Please give details of why you consider the Submission Version of the Local Plan is not legally compliant, is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance, soundness of the Local Plan or compliance with the duty to co-operate, please also use this box to set out your comments

This representation is made on behalf of the landowners of site refs: RUR.E10- Land at Little Hyde Hall Farm, Sheering and RUR.E11- Land at Quickbury Farm, Sheering.

We object to Part A (i) and (ii) of Policy E 1 which advises that the redevelopment, renewal, intensification or extension of existing employment sites and premises for their existing use will be encouraged and that the change of use of existing employment sites or premises (whether designated or undesignated) to other uses will not normally permitted respectively.

This wording is unduly restrictive as it as it indicates that the Council would resist proposals which are not for the existing use regardless of whether or not the proposed use is one that generates employment. In this respect the policy has not been positively prepared as by seeking to retain existing uses rather than encouraging all employment uses the policy is inconsistent with National Policy. One of the NPPF's core planning principles is to proactively drive and support sustainable

economic development and Paragraph 21 requires investment in business not to be overburdened by the combined requirements of planning policy expectations and policies to be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances. Restricting appropriate development to existing uses only is unduly restrictive and does not enable flexibility for employment sites and premises to evolve. Other uses that could be appropriate but which the policy seeks to resist could be other uses within the traditional Business Classes or the service industry.

Furthermore in respect to rural employment sites Paragraph 28 of the NPPF requires planning policies to support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. It advises that Local Plans should support the sustainable growth and expansion of all types of business and enterprises in the rural area, both through the conversion of existing buildings and well-designed new buildings. Restricting the type of use considered acceptable to the existing use only does not take a positive approach to sustainable development and hinders the opportunities for sites to evolve and expand to respond to economic circumstances. Again the policies wording is unduly restrictive as it would tie sites and premises to their existing uses and would not enable landowners to develop and diversify their rural business as supported in Paragraph 28 of the NPPF.

We request word 'existing' be removed from parts A(i) and (ii) to enable appropriate flexibility. This is required to ensure that the Policy is positively prepared, is not unduly restrictive and is consistent with the NPPF.

Part A (iii) outlines that proposals which will result in the loss of employment space will be expected to provide mitigation measures in the form of contributions to local employment training and small business growth programmes supported by the Council. There appears however to be no evidence underpinning this requirement and therefore such a requirement is not justified. We object to the suggestion that such a contribution will be required for any proposal that results in the loss of employment space is inconsistent with the NPPF which is clear in Paragraph 204 that planning obligations should only be sought where they meet all the following tests.

- Necessary to make the development acceptable in planning terms;
- Directly related to the development; and
- Fairly and reasonably related in scale and kind to the development.

Introducing such a contribution requirement does not meet these tests and each development and its impact must be considered on a case by case basis.

We request part A(iii) be removed as it is unjustified and not consistent with the NPPF. With respect to sites washed over by the Green Belt, Paragraph 90 of the NPPF advises that the re-use of buildings in the Green Belt is not inappropriate. It does not specify the type of use which is appropriate but only requires the new use to preserve the openness of the Green Belt.

Furthermore paragraph 89 of the NPPF allows the limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use. Again it does not stipulate that the redevelopment must be for commercial purposes or indeed for the same purposes that the building and land are currently being used for.

By having a one size fits all policy which covers all designated and non-designated employment sites regardless of their location and including sites washed over by Green Belt, such as Quickbury Farm and Little Hyde Hall Farm, the policy is unduly restrictive and contradicts the NPPFs guidance with respect to the re-use of buildings and previously developed land in the Green Belt. The policy has therefore not been positively prepared.

Given the over allocation of new employment sites which is confirmed in Paragraphs 3.43 and 3.49 and Table 3.1 of the Plan, plus the elements of employment required within the strategic allocations it does not appear to be necessary to rely on these Green belt sites, restricting their ability to diversify in line with clear NPPF guidance.

We request the omission of sites which are washed over by Green Belt from the Policy as it restricts the ability for these sites to be developed in line with the NPPF. The NPPF sets out clear guidance in relation to the re-use of buildings and previously developed land in the Green belt which can be relied upon and the inclusion of these sites in the policy is inconsistent with this guidance and therefore unjustified.

7. Please set out what changes(s) you consider necessary to make the Submission Version of the Local Plan legally compliant or sound, having regard to the test you have identified in the question above (Positively prepared/Justified/Effective/Consistent with National Policy) where this relates to soundness. You will need to say why this change will make the Submission Version of the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

- a) We request word 'existing' be removed from parts A(i) and (ii) to enable appropriate flexibility. This is required to ensure that the Policy is positively prepared, is not unduly restrictive and is consistent with the NPPF.
- b) We request part A(iii) be removed as it is unjustified and not consistent with the NPPF.
- c) We request the omission of sites which are washed over by Green Belt from the Policy as it restricts the ability for these sites to be developed in line with the NPPF. The NPPF sets out clear guidance in relation to the re-use of buildings and previously developed land in the Green belt which can be relied upon and the inclusion of these sites in the policy is inconsistent with this guidance and therefore unjustified.

These modifications are required to ensure that Policy is effective, justified and consistent with national policy as required by paragraph 182 of the NPPF

8. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination?

No, I do not wish to participate at the hearings

Yes, I wish to participate at the hearings

9. If you wish to participate at the hearings, please outline why you consider this to be necessary:

The above comments raise a number of significant issues that cannot be adequately dealt with by written representations alone and would be most appropriately debated at the oral hearings.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

10. Please let us know if you wish to be notified when the Epping Forest District Local Plan is submitted for independent examination (Please tick)

Yes No

11. Have you attached any documents with this representation?

Yes No

Signature:



Date:

25/01/2018