

PART A

1. Are you making this representation as?

Councillor Jon Whitehouse, Councillor Janet Whitehouse, Councillor Cherry McCredie

| | |
|------------------|------------|
| Title | Clr |
| First Name | Jon |
| Last Name | Whitehouse |
| Address Line 1 | [REDACTED] |
| Line 2 | [REDACTED] |
| Post Code | [REDACTED] |
| Telephone Number | [REDACTED] |
| E-mail Address | [REDACTED] |

PART B

4. To which part of the Submission Version of the Local Plan does this representation relate?

| | |
|--------|--|
| Policy | SP2 Spatial Development Strategy 2011-2033 |
|--------|--|

5. Do you consider this part of the Submission Version of the Local Plan:

| | |
|--|---|
| b) Sound | NO |
| If no, then which of the soundness test(s) does it fail* | Positively prepared Effective Justified |

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.

| |
|----------------------------------|
| See response to Policy P1 Epping |
|----------------------------------|

7. Please set out what change(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.

| |
|---|
| Allocation of housing to Epping reduced to a level consistent with the infrastructure that could be delivered. We note it would be possible to remove both sites EPP.R1 and EPP.R2 and still deliver the 11,400 minimum number of houses to be built without undermining the overall plan strategy. |
|---|

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

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:

| |
|--|
| In order to explain fully our representation and to take into account parts of the evidence base not yet published including the site selection evidence and other representations |
|--|

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

Yes

11. Have you attached any documents with this representation?

No

PART B

4. To which part of the Submission Version of the Local Plan does this representation relate?

| | |
|--------|--|
| Policy | H1 Housing Mix and Accommodation types section F |
|--------|--|

5. Do you consider this part of the Submission Version of the Local Plan:

| | |
|--|-----|
| b) Sound | YES |
| If no, then which of the soundness test(s) does it fail* | |

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 policy is supported but paragraph 3.5 explains the purpose of the policy purely in terms of their potential ease of adaptation, when issues of design and local character are also relevant in some locations (e.g. the Orchards estate in Epping). |
|--|

7. Please set out what change(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.

| |
|--|
| The plan should make clear that the impact on local character and loss of uniformity of design is a relevant consideration when the loss of bungalows is proposed. |
|--|

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

Not on this issue.

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

| |
|--|
| |
|--|

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

Yes

11. Have you attached any documents with this representation?

No

PART B

4. To which part of the Submission Version of the Local Plan does this representation relate?

| | |
|--------|--|
| Policy | T2 Safeguarding of Routes and Facilities |
|--------|--|

5. Do you consider this part of the Submission Version of the Local Plan:

| | |
|--|-----------|
| b) Sound | NO |
| If no, then which of the soundness test(s) does it fail* | Effective |

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 policy should also reference the need to safeguard land at Epping Station required for the future potential extension of the Central Line or interchange of the Central Line with the Epping / Ongar Line in order to promote opportunities for sustainable transport in line with policy T1 and national planning policy. |
|---|

7. Please set out what change(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.

| |
|---|
| Include land at Epping Station required for the future potential extension of the Central Line or interchange of the Central Line with the Epping / Ongar Line in the category of safeguarded land. |
|---|

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

Not on this issue.

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

| |
|--|
| |
|--|

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

Yes

11. Have you attached any documents with this representation?

No

PART B

4. To which part of the Submission Version of the Local Plan does this representation relate?

| | |
|--------|--|
| Policy | DM12 Subterranean, Basement Development and Lighting |
|--------|--|

5. Do you consider this part of the Submission Version of the Local Plan:

| | |
|--|-----|
| b) Sound | YES |
| If no, then which of the soundness test(s) does it fail* | |

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 policy is supported as it helps mitigate the potential impact of basement development on residential amenity and the character of the area in line with national planning policy. |
|--|

7. Please set out what change(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.

| |
|--|
| |
|--|

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

Not on this issue.

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

| |
|--|
| |
|--|

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

Yes

11. Have you attached any documents with this representation?

No

4. To which part of the Submission Version of the Local Plan does this representation relate?

| | |
|----------------|--|
| Policy | P1 Epping |
| Site reference | EPP.R1 Land South of Epping, West EPP.R2 Land South of Epping, East |
| Settlement | Epping |

5. Do you consider this part of the Submission Version of the Local Plan:

| | |
|--|--|
| a) Is legally compliant | NO |
| b) Sound | NO |
| If no, then which of the soundness test(s) does it fail* | Positively prepared Effective Justified Consistent with national policy |

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.

- 1) The plan is not legally compliant with regard to site EPP.R1 because there was no Regulation 18 consultation on the use of the site for 455 dwellings. The Regulation 18 consultation consulted on three sites in this area: Site SR-0069/33 (land south of Epping – approximately 255 homes), site SR-0333Bi (Epping south-west area – approximately 24 homes) and site SR-0445 (Greenacres, Ivy Chimneys Road – approximately 23 homes) totalling approximately 302 homes. The replacement of these sites by site EPP.R1 – approximately 450 homes – represents an increase of 49 percent. This is a substantial and material change which should have been subject to full consultation.
- 2) With regard to Policy P1 the plan fails to meet infrastructure requirements and therefore fails the *positively prepared* test.
 - a) Infrastructure requirements are set out in various places in the evidence base, including the *Infrastructure Delivery Plan* (Arup, 2017), *EB502 Highway Assessment Report* (Ringway Jacobs 2017).
 - b) A common factor to all the Highways modelling is the B1393 corridor experiencing high levels of congestion, queuing and delay (e.g. EB502, p36). Apart from traffic that drives west through the Epping Forest SAC to Theydon Bois via Theydon Road and Piercing Hill, and traffic that “rat-runs” east via Stewards Green Road to reach Coopersale or Fiddlers Hamlet all traffic will join the B1393 corridor at the Theydon Road traffic lights, Station Road roundabout or Stonards Hill junction where it will join the extra traffic through Epping generated by the town centre developments and Latton Priory.
 - c) The Highways Assessment Report demonstrates that even using optimistic assumptions about model shift many junctions in Epping will be over capacity. This conflicts with policy T1 which states development proposals should not result in unacceptable increases in traffic generation and with the objective set out on para 2.33 of the submission local plan to “support sustainable transport choices to reduce the need to travel by car”
 - d) The evidence from Essex County Council acknowledges that the majority of junctions along Epping High Street at already at or over capacity (e.g. EB502, p30) but the Highways Assessment Report is unable to identify suitable interventions to increase capacity even in

the most general terms for Station Road and St John's Road roundabouts (Epping), Bury Lane roundabout (Epping) (EB502 p.23). This reflects the physical and environmental constraints that restrict the potential to improve these junctions and which are also to some extent present at the other junctions in Epping.

- e) The impact of traffic congestion is exacerbated by the decision taken to local the vast majority of Epping's housing growth is proposed in South Epping where the highways network is already very congested at peak times and constrained by physical factors including the narrow railway bridges at Brook Road and Bower Hill (on the route from south Epping to Epping Station and the town centre).
 - f) Modal shift of the extent required is unlikely to be achieved given the decision to focus Epping's growth at a location distant from the town centre, at the bottom of a big hill. The most direct walking routes from the western part of the South Epping site requires residents to travel via unmade and unlit muddy public footpaths through Epping Forest land (Shepherds Meadow and Bell Common). The potential to upgrade these links to realistic everyday walking and cycling routes is limited by the need of the City of London to preserve the natural aspect of the forest, which is incompatible with tarmac paths and street-lighting.
 - g) The plan relies heavily on improved and more frequent bus routes but in the absence of bus regulation in Epping and the county council's shrinking bus subsidy budget this is aspirational and speculative and cannot be relied on.
- 3) The plan fails to demonstrate that expansion of Epping to the south is the most appropriate spatial option (para 5.13) when considered against the reasonable alternatives and therefore fails the *justified* test.
- a) The decision to locate three-quarters of Epping's housing growth at the two South Epping sites (EPP R.1 and EPP R.2) is not consistent with the reasons the council gives in paragraph 5.13. It is not correct to assert that development of sites EPP R.1 and EPP R.2 "maximises opportunities to focus development in close proximity to Epping London Underground station." Other sites (in Epping and elsewhere in the district) are closer to underground stations. The extra land added to site EPP.R1 between the Reg 18 consultation and submission plan is the furthest from the station.
 - b) In the absence of sufficient information – including site proformas – in the evidence base about the post Reg 18 site selection process, the council has not demonstrated that this is the most appropriate spatial option. The evidence available suggests a fairly arbitrary approach to site selection. For example the reason given for the withdrawal of one site (concerns raised by the Epping Forest Conservators) applies equally to South Epping.
 - c) Concentrating development on sites remote from the town centre will do little to support the council's aspiration for town centre to "remain a successful destination" especially given the location of the development at the bottom of a hill and the reduction in town centre parking spaces envisaged in the plan (though the greater use of controlled parking zones and take up of existing parking spaces by residents of proposed new developments).
 - d) The main vehicular routes into EPP.R1 will have a significant impact on Epping Forest as most traffic will need to travel through along Theydon Road to the Theydon Road junction with Epping High Road, which passes alongside and through the forest, or alternatively along Theydon Road and Piercing Hill which also bisects Epping Forest. This impact has been exacerbated since the Regulation 18 consultation by the addition of an extra 150 homes.

- 4) The evidence submitted with the plan and by other public bodies shows the policy is unlikely to be deliverable and therefore Policy P1 fails the *effective* test.
- a) The topography of the south Epping sites, presence of the motorway, railway and high-voltage electricity line and the tendency of the land to flood means the ability of the sites to deliver all the infrastructure set out in the Infrastructure delivery plan and meet other plan requirements such as 40 per cent affordable housing is a greater challenge on the South Epping sites than on other sites in the district. In particular the need to bridge the central line, protect residents from the effects of living close to the M25, and improve road junctions and pedestrian / cycling linkages off-site will be expensive even where deliverable.

7. Please set out what change(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.

Allocation of housing to Epping specifically South Epping reduced to a level consistent with the infrastructure that could be delivered. It would be possible to remove both sites EPP.R1 and EPPR.2 and still exceed the required housing allocation of 11,400.

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

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:

In order to explain fully our representation and to take into account parts of the evidence base not yet published including the site selection proformas and other representations

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

Yes

11. Have you attached any documents with this representation?

No

4. To which part of the Submission Version of the Local Plan does this representation relate?

| | |
|----------------|---|
| Policy | P1 Epping |
| Site reference | EPP.R3 Epping London Underground car park |
| Settlement | Epping |

5. Do you consider this part of the Submission Version of the Local Plan:

| | |
|--|-----------|
| b) Sound | NO |
| If no, then which of the soundness test(s) does it fail* | Effective |

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 policy (appendix 6) should also reference the need to safeguard land at Epping Station required for the future potential extension of the Central Line or interchange of the Central Line with the Epping / Ongar Line in order to promote opportunities for sustainable transport in line with policy T1 and national planning policy.
- Retail uses should be limited to small-scale facilities to serve the need of travellers and residents in order to avoid detracting from the function of the town centre and attracting additional vehicular traffic that would cause additional congestion and conflict with station users
- Controlled Parking Zones are just one form of parking restriction. Policy should also allow for contributions towards implementation of Residential Parking Zones and other forms of restriction, where appropriate.

7. Please set out what change(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.

Include land at Epping Station required for the future potential extension of the Central Line or interchange of the Central Line with the Epping / Ongar Line in the category of safeguarded land. Clarify policy with regard to retail use and parking zones.

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

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:

| | |
|---|--|
| In order to explain fully our representation and to take into account parts of the evidence base not yet published including the site selection proformas and other representations | |
|---|--|

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

Yes

11. Have you attached any documents with this representation?

No

PART B

4. To which part of the Submission Version of the Local Plan does this representation relate?

| | |
|----------------|-----------------------------|
| Policy | P1 Epping |
| Site reference | EPP.R5 Epping Sports Centre |
| Settlement | Epping |

5. Do you consider this part of the Submission Version of the Local Plan:

| | |
|---|--|
| b) Sound | NO |
| If no, then which of the soundness test(s) does it fail* | Justified Consistent with national policy |

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.

The built facilities strategy (Built Facilities Strategy (4 Global 2017) EB710) identifies under-provision of sports halls in the district including the Epping area (current undersupply of 6.6 courts). Even if a new facility is developed at North Weald it does not make up the deficit, especially once the additional demand created by the local plan is accounted for (a 13 court deficit). Any replacement facility needs to be easily accessible by the growing population of Epping.

7. Please set out what change(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.

Add "in Epping" after replacement leisure facilities.

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

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:

In order to explain fully our representation and to take into account parts of the evidence base not yet published including the final version of the Built Facilities Strategy and other representations

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

Yes

11. Have you attached any documents with this representation?

No

PART B

4. To which part of the Submission Version of the Local Plan does this representation relate?

| | |
|----------------|---|
| Policy | P1 Epping |
| Site reference | EPP.R4 St John's Road EPP.R6 Cottis Lane Car Park EPP.R7 Bakers Lane Car Park EPP.R8 Civic Offices EPP.R11 Epping Library |
| Settlement | Epping |

5. Do you consider this part of the Submission Version of the Local Plan:

| | |
|---|-----------|
| b) Sound | NO |
| If no, then which of the soundness test(s) does it fail* | Effective |

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.

The Highways Assessment Report fails to show how the capacity issues at the St John's Road and Station Road roundabouts will be overcome or how the additional demand for parking will be accommodated in the town centre. This includes parking displaced from the Civic Centre site if developments leads to a reduction in staff car parking spaces.

7. Please set out what change(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.

Evidence that demonstrates how the cumulative effect of development on these sites can be mitigated in terms of air pollution, congestion and parking

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

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:

In order to explain fully our representation and to take into account parts of the evidence base not yet published.

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

Yes

11. Have you attached any documents with this representation?

No

PART B

4. To which part of the Submission Version of the Local Plan does this representation relate?

| | |
|----------------|-----------------------------|
| Policy | P2 Loughton |
| Site reference | LOU.R5 Land at Jessel Green |
| Settlement | Loughton |

5. Do you consider this part of the Submission Version of the Local Plan:

| | |
|--|--|
| b) Sound | NO |
| If no, then which of the soundness test(s) does it fail* | Justified Consistent with national policy |

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.

The inclusion of urban open land for residential development undermines and is contrary to other plan policies including access to green space and informal recreation. This is especially significant for an area with a higher proportion of flatted development than many other parts of the district

7. Please set out what change(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.

Reduction in the number of dwellings or removal of the site from the plan.

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

Not on this issue

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

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

Yes

11. Have you attached any documents with this representation?

No