

Stakeholder Reference:

Document Reference:

Part A

Making representation as EFDC/LTC Ward Councillor

Personal Details		Agent's Details (if applicable)
Title	Mr	
First Name	Leon	
Last Name	Girling	
Job Title (where relevant)	Councillor	
Organisation (where relevant)	C/O Epping Forest District Council	
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Part B

REPRESENTATION

To which part of the Pre Submission Epping Forest District Local Plan does this representation relate?

Paragraph: 1.10

Policy: P 2 Loughton

Policies Map: Yes

Site Reference: LOU.R5

Settlement: Loughton

Do you consider this part of the Pre Submission Local Plan to be:

Legally compliant: Don't Know

Sound: No

If no, then which of the soundness test(s) does it fail? Positively prepared

Complies with the duty to co-operate? Don't Know

Please give details either 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; or of why the Submission Version of the Local Plan is legally compliant, is sound or complies with the duty to co-operate. Please be as precise as possible. Please use this box to set out your comments.

I consider the submission version of the Local Plan unsound as it has failed to keep to its overall sales pitch to the public: "This is your Local Plan. This is our opportunity as a community to ensure development in Epping Forest District takes place how and where we want it to". Cllr John Phillip, Portfolio Holder for Planning Policy, EFDC.

Community Visioning consultation 2010/11

The Community Visioning Consultation in 2011 sought to understand what the planning issues are for the local community and how people would like to see the area develop in the future:

- Q1: What do you think the priorities are for the District over the next 20 years?
- 32.4% (the largest response) said 'Protect & enhance green spaces' (not focused solely on greenbelt)
- Q2: What planning issues do you think most need to be addressed in your local area? 20.6% (the largest response) said 'Protect green spaces' (not focused solely on greenbelt)

Community Choices (Issues & Options consultation) 2012

3,556 real responses were received

The site now known as LOU.R5 (formally in the other Local Plan documents called 'Urban Open Space between Jessel Drive and Goldingham Avenue, Loughton) was not included in Loughton's list of sites. See question 41, page 115 of the 'Planning our Future' Issues & Options for the Local Plan. Even though EFDC intended to keep the site in scope for the Local Plan.

They failed to gauge public opinion on this site, even though they knew the public would be against it.

Regulation 18 draft Local Plan 2016

In 2016, the council consulted with the public. Residents in Loughton wrote in large numbers to object to site SR-0361 (Colebrook Lane/Jessel Drive Amenity Open Space), page 127 being included in the list of Loughton sites in Draft Policy P 2 Loughton. The community on the Debden housing estate use this site for recreational use.

The EFD Regulation 19 Submission Local Plan has been published with a period of public consultation for the public to make representation of its soundness. A petition <https://www.change.org/p/independent-inspector-help-a-community-save-jessel-green-before-it-s-too-late> started on Friday 5th January 2018 objecting to site LOU.R5 being included in the EFD Local Plan and seeking its removal from the list of sites and the issuing of Village Green status. In the three weeks before the Regulation 19 soundness consultation deadline ended 4,600+ individuals have signed the petition.

Epping Forest District Council full council meeting - Thursday 15th December 2017

Amendment moved by Councillor CC Pond and Councillor D Wixley

Subject: 'To remove from chapter 5 any site which is public urban open space

Epping Forest District Councillors voted:

- 16 for
- 30 against
- 4 abstentions

This was not a unanimous decision, it was a 'gun to a head' scenario, as many Cllrs described the situation.

- The EFD Local Plan has failed to listen to the public and their democratically elected representatives, who overwhelmingly want to 'protect Urban public open green spaces'. A reduction of 25% development is not listening it's a token gesture.
- The EFDC Local Plan timescale has been accelerated due to interventions imposed by central government, which has prevented members (Cllrs) from having time to reconsider alternatives to Jessel Green (LOU.R5).
- The public and local ward members have campaigned to exclude Jessel Green from the LP process for a minimum of 7 years.

The public have not effectively been listened to.

To reflect this, a group of Loughton residents started a petition on Friday 5th January 2018 empowering people to voice their frustration over EFDC's decision to continue including Jessel Green (site LOU.R5) as a proposed housing development site.

I have uploaded a copy of the petition website for the inspector's reference.

Please set out what change(s) you consider necessary to make the Pre Submission 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 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.

It is my opinion that the Local Plan can be made sound, if EFDC remove site LOU.R5 from the list of sites to reflect that it has taken into account 7 years of public, Councillors and other parties (e.g. Loughton Town Council's) input into the Local Plan process.

Epping Forest District Council has rightly produced the Local Plan ensuring an additional 10-15% housing allocation was incorporated within the Plan, to allow for any land owners (including EFDC) who may wish to remove their site from the Local Plan, without the risk of the councils overall housing allocation being achieved.

On Page 121 of the submission version paragraph 5.33 should be replaced with, 'In its commitment to promote healthy communities, Jessel Green shall be designated as a 'Local Green Space' as having unique importance to the local community as a vital recreation space and connection point for the local community. This is consistent with National Policy in promoting healthy communities, specifically it is fully compliant and aligns with the requirements as set out in NPPF para 77, to provide this status to spaces that are particularly valued by the local community.

Therefore, on page 122 site LOU.R5 (Jessel Green) of the Regulation 19 Submission Local Plan should be removed from the list of residential sites under section B, Policy P2 Loughton.

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 oral part of the oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Site LOU.R5 Jessel Green has been by far the most contentious site chosen within the LP. I am one of the Town and District Councillors, whose residents are effected. My role is to speak on behalf of those that rightly know this decision is unfair, unsound and I wish to express that at the hearing.

REPRESENTATION

To which part of the Pre Submission Epping Forest District Local Plan does this representation relate?

Paragraph: 1.23, 1.44, 2.27, 2.76, 2.88, 4.44-4.54, 5.33

Policy: P 2 Loughton

Policies Map: Yes

Site Reference: LOU.R5

Settlement: Loughton

Do you consider this part of the Pre Submission Local Plan to be:

Legally compliant: Don't Know

Sound: No

If no, then which of the soundness test(s) does it fail? Positively prepared,Effective,Justified,Consistent with national policy

Complies with the duty to co-operate? Don't Know

Please give details either 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; or of why the Submission Version of the Local Plan is legally compliant, is sound or complies with the duty to co-operate.

Please be as precise as possible. Please use this box to set out your comments.

Para 1.23 (page 5) The District is largely rural and over 92% of the land is currently designated as being in the Metropolitan Green Belt.

Para 1.44 (page 9) A District-wide review of the green belt has been undertaken to identify the potential for future development. The Continued protection of the remaining Green Belt

Para 2.27 (Vision for the District page 19 & Local Plan Objectives page 20) to protect Epping Forest and Buffer lands, wildlife, historic sites, registered parks and gardens.

Para 2.76 (page 30-31) Policy SP2 2 Spatial Development Strategy 2011-33 does not refer to Local Open Space designation sites

Para 2.88 (page 34) Policy SP 3 Place Shaping does not refer to protecting Urban Public Open Spaces with Local Open Space designation

There is a focus in the Plan regarding reviewing and protecting the Greenbelt, but nowhere in the Plan does it refer to seeking to review the District's local urban public open spaces (which the intensely developed areas use for recreational purposes). EFDC has failed to list sites to receive Local Open Space designation away from 'holes in the Greenbelt', which is non-accessible to many members of the public in the built-up areas, to ensure adequate access to recreational space in the future.

Apart from the 'Green Belt Boundary Alterations' map on page 51 of the Submission version 2017 LP there is nowhere else within the document that lists all sites that have been designated with Local Open Space status, except for holes in the Greenbelt. EFDC contradict their own document – page 87 of the Submission Version 2017 LP titled 'Designated and Undesignated Open Spaces – Para 4.44-4.54.

- Green spaces must be located within easy reach of the communities they serve.
- To say that Epping Forest is in easy reach of communities in the Debden housing estate is unrealistic and quite frankly inaccessible for most people.
- The Corporation of London also is very concerned with Epping Forest being used for recreational purposes and realise on sites like Jessel Green to ease pressure on Epping Forest.
- 'Protecting and improving the impressive range and quality of places for enjoyment of the outdoors, sport and nature conservation in the District' is also listed as an “important issue”.

In respect to the allocation of Jessel Green, site LOU.R5 for a housing development, the plan is unsound, as non-compliant with NPPF National Guidance Paras 73, 74, 76 and 77 for the following reasons:?

1. The evidence provided by the EFDC Open Space Strategy Nov 2017 by 4 Global identifies a significant shortfall in recreation space for young people. Furthermore, the Open space audit of March 2009 commissioned by EFDC for Loughton states that Jessel Green was well used by young people and its use has grown significantly since then. Building on this location will therefore create a further deficit in open recreational space, which is counter intuitive and contrary in the extreme to the healthy community objectives that EFDC aspire to, in its commitment to National Planning Policy.
2. Loughton residents through its Local Town Council have identified Jessel Green as having special importance as a Local Green Space, specifically as a highly utilised and valuable recreation space at the heart of Loughton. This request and requirement made by the Loughton community through its elected representatives, Loughton Town Council has not been taken into account by EFDC and its consultants ARUP, despite an overwhelming petition and response from local residents to the proposals for residential development on this open space. To confirm, this open space is enjoyed by all ages and abilities throughout the year, which culminates in an annual event, which brings together 1000s of residents across the district to a community fun day. This location therefore has a unique significance and provides an incredibly valuable service in connecting the community.
3. There is no provision in the plan for replacing this valuable recreation space, if built on, so again is not compliant with National Planning Policy.

A report Green Spaces: The Benefits for London identified the following benefits that open spaces deliver:

- Economic benefits: Green spaces result in cost savings for government related health expenditure can attract businesses to locate and encourage tourism;
- Health and wellbeing: Green spaces can play a vital role in promoting healthy lifestyles, reducing stress

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The National Planning Policy Framework (NPPF) (2012) introduced a new designation – Local Green Space (LGS), which would enable green areas of particular importance to local communities to be designated, and rule out development other than in very special circumstances, in a similar manner to Green Belt. ?

On Page 121 of the submission version paragraph 5.33 should be replaced with, 'In its commitment to promote healthy communities, Jessel Green shall be designated as a 'Local Green Space' as having unique importance to the local community as a vital recreation space and connection point for the local community. This is consistent with National Policy in promoting healthy communities, specifically it is fully compliant and aligns with the requirements as set out in NPPF para 77, to provide this status to spaces that are particularly valued by the local community.

Therefore, on page 122 site LOU.R5 (Jessel Green) of the Regulation 19 Submission Local Plan should be removed from the list of residential sites under section B, Policy P2 Loughton.

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 oral part of the oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

As previously stated I am one of the Parish & District Councillors, which residents are affected by the councils decision. My residents expect me to represent them at the hearing.

REPRESENTATION

To which part of the Pre Submission Epping Forest District Local Plan does this representation relate?

Paragraph: 2.144

Policy: P 2 Loughton

Policies Map: Yes

Site Reference: LOU.R5

Settlement: Loughton

Do you consider this part of the Pre Submission Local Plan to be:

Legally compliant: Don't Know

Sound: No

If no, then which of the soundness test(s) does it fail? Positively prepared,Effective,Justified,Consistent with national policy

Complies with the duty to co-operate? Don't Know

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Policy SP 6 Green Belt and District Open Land (page 51)

B. District Open Land

The same level of protection will be applied to areas of District Open Land as is applied to Green Belt. The Key characteristics of District Open Land are their openness, permanence, local significance, wildlife value and/or public accessibility.

It is not necessary for each of these characteristics to be present to be designated or retained as such.

Designation of District Open Land

The description provided by EFDC implies again that the designation of District Open Land merely applies to the alterations to the Green Belt Boundary, where land has been removed, which now creates holes in the green belt.

I think the EFDCs assessment is wrong. The areas identified do not serve local communities and there is no evidence that these identified sites are used by the community for recreational purposes. There are also no identified designation sites in Loughton, one of the major towns in the District. This not a fair representation of the district. There should be Local Open Space designation across the District including the built-up areas.

Key characteristics of District Open Land

Openness

Jessel Green (site LOU.R5) has 8.03 Ha – It is the most significant open space on the Debden housing estate. Throughout the Draft and submission Local Plan Jessel Green is referred to as public open space.

Permanence

When the Debden estate was initially designed and built site LOU.R5 Jessel Green was designed to provide an open space for the public to enjoy for recreational purposes.

I have uploaded a copy of the following for the local plan inspectors reference:

- The London Metropolitan Archive – 1945 estate scale model – view 1

These images show the Debden housing estate in its infancy. Jessel Green has always had a significant presence on the estate as a recreational space.

Local significance

Fields in Trust (FIT), which is full support of protecting site LOU.R5 Jessel Green, has conducted research which has indicated that 81% of local planning authorities express quantity standards for open space as “hectares per 1,000 population.” This has enabled comparison across England and Wales, and is the most widely used metric for open space standards. ?

Within the Debden housing estate (Loughton settlement) population census Loughton Fairmead Ward 4,317, Loughton Broadway Ward 4,233. Total estimated population 8,550. This is not including any growth figures during the period of the Local Plan. In which EFDC have earmarked substantial development in one section of Loughton.

Many green spaces on the Debden estate are not fit for recreational purposes due to:

- Close proximity to major roads
- Natural obstructions/obstacles – e.g. flowers/planting, trees, streams, land levels
- Private land – e.g. two secondary school sites with their own private sports facilities

Jessel Green (site LOU.R5) is the only suitable recreational space, which provides suitable accessibility and caters for every kind of recreational need, including community events, which no other site in Loughton offers in the same way.

Loughton Town Council applied to Essex County Council for site LOU.R5 to be issued with Village Green status in December 2013. I believe EFDC should grant the site Local Open Space designation as it is used frequently by the local community.

Please set out what change(s) you consider necessary to make the Pre Submission 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 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.

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Yes, I wish to participate at the oral part of the oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

As stated previously I am one of the ward Cllr which residents were/are affected by the decision to keep site LOU.R5 in the LP and they expect me to speak on their behalf.

REPRESENTATION

To which part of the Pre Submission Epping Forest District Local Plan does this representation relate?

Paragraph: 2.25 & 2.26

Policy: P 2 Loughton

Policies Map: Yes

Site Reference: LOU.R5

Settlement: Loughton

Do you consider this part of the Pre Submission Local Plan to be:

Legally compliant: Don't Know

Sound: No

If no, then which of the soundness test(s) does it fail? Positively prepared,Effective,Justified,Consistent with national policy

Complies with the duty to co-operate? Don't Know

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Para 2.25: The Conservators of Epping Forest are charged with the duties and responsibilities for conserving and protecting Epping Forest under the Epping Forest Act 1878. Epping Forest Land covers 5% of the District, and together with the Buffer Lands, over 7% of the District. It is a major public recreation and tourist destination, which makes a major contribution to the provision of open space within the District. The Forest is protected by Site of Special Scientific Interest status and is designated as a Special Area of Conservation (SAC). As the competent authority under the Conservation of Habitats and Species Regulations 2017, the Council is subject to statutory duties to ensure that plans and projects will not adversely affect the integrity of the Epping Forest SAC and the reasons for its designation. There are identified issues in relation to poor air quality in and around the Forest and also pressures as a result of its recreational opportunities. The Council is committed to working with partners to address these issues.

Para 2.26: The future conservation and enhancement of Epping Forest through the management of potential impacts as a result of development and potential opportunities to enhance its biodiversity is supported by the Local Plan.

The Corporation of London – Conservators of Epping Forest submitted a response to the Draft Local Plan 2016.

Page 3

Other positive planning for green spaces ?

'An examination of the maps with this Regulation 18 Plan makes it clear that housing and employment development dominate at the expense of other planning'. 'It is noticeable that the opportunity has not been taken to map the Green Arc or other green infrastructure ambitions of the Council'. ?

page 8

'At Loughton The Conservators would disagree with the proposed loss of green space at Borders Lane and Jessel Green. The latter site in particular, if lost, would place considerable pressure on the nearby Forest and also would seem to be in contradiction to the green infrastructure policies in the draft Plan. Such a large green space is currently valuable and has considerable potential to be developed for both access and for wildlife'.

The LP Inspector should be aware EFD's neighbouring authority The London Borough of Waltham Forest is also in the process of producing their Local Plan. The Corporation of London are very concerned as future development is sandwiching Epping Forest on all sides. Public Open Green spaces are vital to ensure that residents use these sites for the greater proportion of their recreational activity.

I believe the Corporation of London is so concerned about the current reduction in public accessible open spaces and the pressure that puts on the future of Epping Forest that they are submitting strong objections again to the Regulation 19 Local Plan.

Please set out what change(s) you consider necessary to make the Pre Submission 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 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.

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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 oral part of the oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Ward Councillor speaking on behalf of a ward dramatically affected by the decision to keep site LOU.R5 in the LP.

REPRESENTATION

To which part of the Pre Submission Epping Forest District Local Plan does this representation relate?

Paragraph: 5.1, 5.3 & 5.4

Policy: P 2 Loughton

Policies Map: Yes

Site Reference: LOU.R5

Settlement: Loughton

Do you consider this part of the Pre Submission Local Plan to be:

Legally compliant: Don't Know

Sound: No

If no, then which of the soundness test(s) does it fail? Positively prepared, Justified, Consistent with national policy

Complies with the duty to co-operate? Don't Know

Please give details either 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; or of why the Submission Version of the Local Plan is legally compliant, is sound or complies with the duty to co-operate.

Please be as precise as possible. Please use this box to set out your comments.

Epping Forest District Council have failed to release their 'Site Assessment' work alongside the Regulation 19 Local Plan consultation. This has made it very difficult and some would say unfair for landowners, developers and local residents, parish councils, ward members and other stakeholders to understand the council's justification in removing, adding or keeping sites within the Local Plan.

As a ward councillor for Loughton Broadway Ward representing a half of the Debden housing estate in Loughton I have received 493 separate emails from residents raising objections to Jessel Green and Limes Farm Open Spaces remaining in the Local Plan. I merely highlight this, as other sites have been suggested by residents, for the independent inspector's consideration.

I have uploaded a copy of the resident's email to ward members for the local plan inspectors reference:

During the Epping Forest District Council full council meeting dated Thursday 15th December 2017 an alternative site was proposed to the Planning and Governance Portfolio Holder. However, the reason given by the Portfolio Holder, Leader of the Council, and the council's legal Barrister was that removing sites at this stage could affect the Plan being submitted in time to the Independent Inspector before central government impose higher housing allocations. Additional legal advice was given that night that if members approve the Plan as it stands further discussions could be had as the Inspector stage progresses, without central government intervention.

I call into question the soundness of how some sites have been assessed as non-viable and removed since the Draft Local Plan 2016, for reasons such as flooding risk, impact on the Green Belt/Epping Forest, yet site LOU.R5 Jessel Green should have been removed for the same reasons, based on particular sites which have been removed.

I have uploaded copies of other documents relating to this matter for the independent inspectors consideration, because I, my Councillor colleagues, residents and landowners are still unaware why some sites remained in the LP and other sites were not in scope.

Please set out what change(s) you consider necessary to make the Pre Submission 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 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 independent inspector should have the opportunity to hear objectively from landowners and developers offering alternative housing settlement sites to LOU.R5 Jessel Green.

Cllr Jon Philip (EFDC planning and Governance Portfolio Holder) has said throughout the process that if 'people' do not like/wish a particular site included in the Local Plan then they MUST find alternative sites.

Sites have been proposed but deemed not in scope by EFDC.

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 oral part of the oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

As previously stated, I am the ward Councillor for a controversial site in the Local Plan and my residents wish me to speak on their behalf.

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

Yes

Signature: Leon Girling Date: 28/01/2018