



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

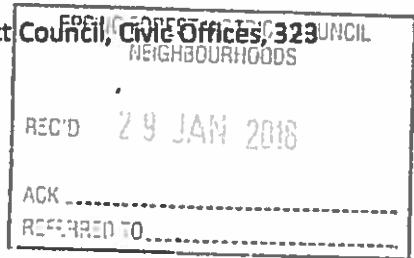
This form should be used to make representations on the Submission Version of the Epping Forest District Local Plan which has been published. Please complete and return by 29 January 2018 at 5pm. An electronic version of the form is available at <http://www.efdclocalplan.org/>

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 or Town and Parish Council or

c) Landowner or












d) Agent

Other organisation (please specify)

N/A

2. Personal Details

3. Agent's Details (if applicable)

Title		
First Name		
Last Name		
Job Title (where relevant)		
Organisation (where relevant)		
Address Line 1		
Line 2		
Line 3		
Line 4		
Post Code		
Telephone Number		
E-mail Address		



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) *Ch. 2. Strategic Policies*

Paragraph

page 17 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

*please see attached page chapter 2
Strategic Policies. P.15 of contents*

(Continue on a separate sheet if necessary)

Chapter 2 Strategic Policies, Vision and Objectives for Epping Forest District to 2033.

London Stanstead Cambridge Corridor (LSCC) Core Area Strategic Vision p17.

Paras 2.16, 2.17 .

Not Sound, not justified and not consistent with National planning policy NPPF.

I object strongly to the assertions made about the role of the LSCC vision and 'distribution of objectively assessed need across the West Essex / East Herts housing Market Area. This alludes to an economic concept influencing planning policy for the EFDC area.

The inclusion in the EFDC plan of objectives based on discussions between neighbouring councils (MoU) within such an area is unsound, due to being inconsistent with the NPPF, in being unjustified, in being ineffective in meeting the plans strategic objectives, and due to the lack of public consultation about the implications of the LSCCs objectives for the EFDC area. It is not acceptable that an intangible economic concept, such as the LSCC should be influencing EFDCs planning policies in this way; the LSCC is not elected or accountable to the EFDCs, or any other electorate. Neither has its aspirations for economic development been consulted on by them. And these aspirations do not take account of planning policies. This makes the plan unsound.



28.1.2018

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.

(Continue on a separate sheet if necessary)

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:

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:

28-1-2018

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) *Ch. 2 Strategic Context + Policies*

Paragraph
 Policy Policies Map

Page 48

Site Reference Settlement

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

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- b) Sound Yes No

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

Positively prepared Effective
Justified Consistent with national policy

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Please see attached Page. SP6. GB+ District Open Land

(Continue on a separate sheet if necessary)

POLICY SP6 Green Belt and District Open Land

Paras 2.135 – 2.138 Not sound, not consistent with the NPPF, not justified

This section argues that 'exceptional circumstance' are demonstrated due to the need to meet OAHN across EFDC and neighbouring local Councils, where GB land is a constraint for all, and the requirement to meet the needs of development 'where they arise', necessitates this. Document (BGP4 para 3.4) in the Draft local plan acknowledges that for the EFDC area, exceptional circumstances have not been met.

EFDC have chosen to meet in full its OAHN, despite national planning policy and planning case law to the contrary.

NPPF practice guidance also makes it clear that meeting OAHN should not take priority where adverse impacts would outweigh the benefits when assessed against NPPF policies to protect the GB NPPF (PPG 2.3). And, NPPF (Para 14 footnote 9) In the case of Calverton Parish Council v Nottingham County Council, the Judge made the significant statement (Para 50) that 'it would be illogical and circular to conclude that the existence of an Objectively assessed (housing) need, could, without more, be sufficient to ' amount to exceptional circumstances', within the Para 83 NPPF. (EWHC 1078 Admin 2015)

The document 'Green Belt and District open land' also asserts that 'there have been no alterations to GB boundaries since 1998. Since the concept of 'permanence' in the longer term central to GB protection policy, this assertion is irrelevant. NPPF Para 83



28.1.2018

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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:

To explain in more detail my representation arguments

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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:

28.1.2018

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) Ch. 5 Overview Site Selection Process

Paragraph Policy Policies Map Page 158 / 159.

Site Reference Settlement

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

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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

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Please see ~~pa~~ sheets 3,4 attached.

(Continue on a separate sheet if necessary)

THE PLAN IS UNSOUND DUE TO NOT BEING JUSTIFIED

CH 5. PLACES

In the case of Nazeing, Policy SP2 Page 157 paras 5.135,136 (Draft Local Plan 2016) (Residential sites) has identified residential sites through 3 spatial options:

- Expansion to the south that would be least harmful to the settlement character and the GB
- Western intensification and infill – provides opportunities to maximise existing urban brownfield land and lower performing GB sites immediately adjacent to the settlement
- Eastern / north – eastern infill and expansion – although less preferable to the previous 2 options, this option would be less sensitive in GB and landscape terms.

- In the Pre Submission Local Plan Chapter 5, Places, Policy P10, 5.135, the Western intensification and infill have been removed without documented reasons and the selection of Southern expansion over Northern and Eastern infill and expansion is highly subjective and lacks credible documented reasoning. This is unsound and not justified.

Residential sites chosen for Nazeing are virtually all within option 1; expansion south. The highest quality agricultural and GB land. That this option is 'least harmful to the settlement character and GB is not credible, when considered from the landscape and maintaining Nazeing's rural character' objective, as mentioned in the plan's 'Vision for Nazeing'

The spatial options assessment does not give reasons why option 3 expansion to the north and north – east is 'less preferable' but acknowledges that this option would be 'less sensitive in GB and landscape terms.

Looking at the site selection documents, it is noteworthy that various sites in this option ie Hoe Lane area were discounted due to potential harm to the openness of the GB, and the risk 'coalescence with Harlow. Whilst some sites in this area would undoubtedly be harmful to the openness of the GB, there are various remaining where the harm would be far less than to those at the southern end of Nazeing eg (0135A Stoneyfield), (0135B Ridge House) and Oakley Hall (0116), due to being redundant nurseries or commercial land. It is difficult to see how the risk of 'coalescence with Harlow is credible when considering the distance of these sites from Harlow. And particularly so, when a 'Garden Settlement' of > 2000 homes is proposed at Water lane, around Harlow, on GB land.

4

By not using the Hoe Lane sites, it can be argued that the option decided upon is also not consistent with the NPPF, as it ignores para 17 ' plans should encourage the effective use of land by reusing land that has been previously developed and is not of high environmental value.



28.1.2016

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please see sheet 5. attached

(Continue on a separate sheet if necessary)

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Yes, I wish to participate at the hearings

5.

Section 7.

Policy P10, Site reference R1 R2 R4

In order to ensure that the site selection for Nazeing is sound and consistent with National Policy, the following changes should be made:

The approach to different areas of EFDC should be amended in order to take account of those areas that contain a large proportion of derelict and uneconomic horticultural sites eg Nazeing.

This was the approach that the draft plan published in December 2016 was understood to be following.

Additionally, all land in the GB, should be objectively assessed against all 5 purposes of the GB as per NPPF para 80.

This would ensure that sites of a higher value in GB terms would not be concluded as being suitable for development.

The approach used by the EFDC plan was to omit 2 of the purposes of GB. This inevitably skewed the resulting conclusions of site selection.

There are numerous sites within Nazeing that were discounted after assessment; these should be re assessed as above, to arrive at a more objective and valid conclusion for the site selection process. Those below are a few.

SR 0583, SR0160, SR 0236, SR0010



28-1-2018

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Yes No

11. Have you attached any documents with this representation?

Yes No

Signature:

Date:

28-1-2018

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) *Statement of Community Involvement*

Paragraph Policy Policies Map

Site Reference Settlement

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Please see sheets 6.7

** Technical Information -*

Docs: -

District (2013)

*Docs. Community Choices Response
EB100.
EB100A.
EB122.*

(Continue on a separate sheet if necessary)

STATEMENT OF COMMUNITY INVOLVEMENT

There are various documents within the plan that demonstrates evidence of community involvement i.e. 'Options and Choices 2012; Reg.18 Consultation for the Draft Local Plan, published in December 2016.

As regards Nazeing, the 'options and choices' consultation demonstrated that over 75% of those responding did not agree with removing land from the GB, at the southern area of Nazeing (NAZB) for development. But did agree that 'brown sites' should be used for development. This was reiterated in the consultation carried out in Dec 2016 on the draft version of the plan, when the objections to releasing land in the south east of Nazeing rose to 94%. (p 100 of the consultation report EB122) proposed amendment of GB boundaries across the EFDC district has been the most frequently raised, and passionately argued issue throughout the plan preparation period. Most areas within the EFDC district expressed strong disagreement with the proposal to remove land from the GB in order to build homes. And agreed with the idea of re using 'brown sites' . Whilst this was a stated aim of the EFDC plan, this was not the reality.

No documented justification has been given for ignoring this consultation in respect of Nazeing, which has ample supplies of "brown sites".

Additionally, 169 sites were 'added' to the plan documents in 2017, for site assessment. (long after the DLP consultation response) There is no information as to the results for these sites. Although I understand from EFDC planning policy team that they contain possible employment areas, which would suggest 'brownfield sites' that may have contributed to less Green Belt sites being proposed for Nazeing

This is unsound, being not justified.



28-1-2019

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please see attached sheet 7.

(Continue on a separate sheet if necessary)

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No, I do not wish to participate at the hearings

Yes, I wish to participate at the hearings

SECTION 7.

Special options and Community Involvement

The rationale for selecting places and sites for Nazeing is either not available or poorly documented. Any reasons that are provided seem highly subjective eg 'less preferable', less sensitive to the landscape (expansion N/E) least harmful to the landscape' (expansion south)

Clear documentation for each location /special option , and specific sites within it, Which detail the reasons for rejection or choice of site should be provided.

There should be a clear audit trail for each site with documented information about meetings and processes together with names of those attending those meetings; This would make the whole process transparent and available for scrutiny. Eg there is no information in any site selection document as to reasons / process that the sites SR300a and SR300b were taken out of the identified allocated sites for residential development for Nazeing.

Similarly, the report by 'Remarkable Engagement' on the Draft Local Plan Reg 18 consultation in 2016, (EB 122) is purely an account of the responses given by consultees to specific questions. It gives no analysis or indication as to how the responses informed the Pre submission Plan, although this document is considered to be 'evidence' that apparently is a significant contributor to the pre submission plan And, presumably the reason for EFDCs decision to call the plan 'Your Plan ' !



28.1.2018

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Yes

No

11. Have you attached any documents with this representation?

Yes

No

Signature:

Date:

25.1.2018