

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 29th January 2018 at 5pm. An electronic version of this 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 to: LDFconsult@eppingforestdc.gov.uk

BY 5pm on 29th 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 **Resident**
- b) Statutory Consultee, Local Authority or Town and Parish Council, or
- c) Landowner, or
- d) Agent

Other organisation (please specify)

2. Personal Details

3. Agent's Details (if applicable)

Title **Ms**

First Name **Elizabeth**

Last Name **BURN**

Job Title

Organisation

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone No.

E-mail Address



The following representation is submitted to Epping Forest District Council, in response to the Regulation 19 Consultation on the Submission Version of the Local Plan. A PDF copy has been forwarded to Planning Policy, together with a hard copy delivered to the main reception of Epping Forest District Council.

Please acknowledge receipt in due course.

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

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 ?

Paragraph

Policy

'Local Plan Objectives'

Policies Map

Site Reference

Settlement

District-wide

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

a) Legally compliant

b) Sound **NO**

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

Positively prepared

Justified **✓**

Effective **✓**

Consistent with National Policy

c) Complies with the Duty to Co-operate

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 legal compliance, soundness of the Local Plan or compliance with the Duty to Co-operate, please also use this section to set out your comments:

Unsound in so far as the objectives of the Strategic Policies should be included in the 'Local Plan Objectives', to provide a consistent approach to 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.

Having previously participated in the 'Issues and Options Consultation', in 2012, and the 'Draft Local Plan Consultation', in 2016, I have been following this process for some time, and am involved with a number of community groups. However, I would wish to state that the views expressed below are entirely my own, since this is an individual response, and not one which is intended to be reflective of the opinion of any other party.

'Local Plan Objectives'

Within the 'Local Plan Objectives', there is a complete absence of any reference to the conservation of the natural environment and green infrastructure of the District. The landscape character, and its inherent contribution to the setting and historic heritage of many of the settlements, is the most predominant feature of our 'green and pleasant land'. The 'Vision' should also be a more aspirational statement, but neither this, nor the 'Objectives', reflect the importance of these aspects as detailed in the new strategic policy, SP 7: The Natural Environment, Landscape Character and Green, and Blue, Infrastructure.

Whilst protecting the Green Belt could serve to preserve the 'openness' of those areas within its designation, this is a different aspect of policy to that called out in SP 7, which also recognises the social and economic viability of the countryside, as well as the connectivity between green infrastructure and open spaces within the settlements.

Policy SP 7 is one of the most dynamic policies to be added to the New Local Plan, so I would reasonably have expected to see more of its objectives reflected in both the 'Vision' and the 'Local Plan Objectives'. Would it be possible to amend these, in order to provide a consistent approach within the structure of the Local Plan ?

Additionally, Epping Forest District Council could benefit from undertaking a number of dedicated, locally-based, Workshops on topics such as Green and Blue Infrastructure, since none of the 'Member Workshops', recorded in the 'Statement of Community Involvement', included participation by local amenity or community groups. The 'Open Space Strategy' (4global) focuses mainly on 'designated' open spaces and does not adequately address the issue of green infrastructure, since that was not part of its brief. More evidence-based work on this aspect would, therefore, be helpful to secure community engagement and developer awareness.

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

YES, I would like to participate at the Hearings

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

More specifically, with reference to Policy DM 4, below

(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).

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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 ?

Paragraph

Policy

DM 4 – Green Belt (and DM 9 - High Quality Design)

Policies Map

Site Reference

Settlement

District-wide

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

a) Legally compliant

b) Sound

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

Positively prepared

Justified **✓**

Effective **✓**

Consistent with National Policy

c) Complies with the Duty to Co-operate

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 legal compliance, soundness of the Local Plan or compliance with the Duty to Co-operate, please also use this section to set out your comments:

DM 4 – Omission of Policy criteria on Green Belt

DM 9 – Omission of Supplementary Planning Document

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.

Development Management Policies

DM 4 Green Belt

I would express many of the same concerns I raised at the time of the Draft Local Plan Consultation in 2016, with respect to the absence of any detailed policies on Green Belt. Most of this re-drafted Policy can be gleaned from the NPPF and the text doesn't expand on it, except for the useful inclusion of a definition for 'limited infilling'.

However, if 'inappropriate development' within the Green Belt is 'harmful by definition' then any development that IS allowed – either because it falls into one of the limited number of exceptions, by being then 'not inappropriate', or by way of 'very special circumstances' – should be assertively 'managed' within clearly-defined criteria.

I also believe that I am correct in saying that it falls within the remit of the Local Authority to construct policies which, whilst being compliant with those of the NPPF, may add more specific criteria, in order to establish a detailed, informed and consistent policy document to assist Officers and Councillors, when determining applications at a local level.

Importantly, a Local Plan is also, in effect, a 'working document' ie: it needs to be clear, concise and transparent to all those who wish to utilise the planning process – including those deemed to be stakeholders and/or consultees. It is supposed to provide policies which are readily 'accessible', even by those who are not planning practitioners and, in particular, to those who are applicants, agents and interested parties.

With respect to the 'replacement of buildings', there would generally be criteria included with respect to the extent (if any) that they may be replaced by a 'materially larger' building – with some indication as to how this would be assessed (in EFDC's Current Local Plan the focus has tended to be on 'volume', but those of significantly greater footprint, and/or height, have also been deemed

'inappropriate', since such increases would impact negatively on the 'openness' of the Green Belt).

Increases in the size of residential curtilages have also been resisted, as these, along with the addition of garden paraphernalia, tend to lead to a greater 'urbanisation' of the rural landscape.

With respect to 'extensions' to residential buildings, it is not uncommon to see, within a Local Plan, some indication as to what would be deemed to 'result in disproportionate additions' – and, again, this is often interpreted in terms of volume, footprint, height and bulk, especially when the resulting structure would also be visually conspicuous.

Personally, I would be of the view that setting assessment criteria does not compromise the ability of the decision-maker to determine each application on its own merits, nor in accordance with any other relevant policies, but rather allows for a consistent approach, since, without at least some criteria set out in policy, the evaluation can become highly subjective.

It is not a case of setting actual dimensions, but of detailing those aspects that will be taken into account when Officers make the initial assessment, and/or offer pre-application advice.

Having viewed a number of Development Plans from other Local Authorities, the approach taken by Epping Forest District Council, on this important aspect of policy, does not seem justifiable – particularly since it is anticipated that some 92% of the District will remain within the Green Belt during the Plan period.

If the concern is that the Government may update the policies within the NPPF from time to time, then this possibility is already foreseen within the Framework, as Local Authorities are expected to have in place the mechanism to review their Plans within a timely schedule.

It would be better to have some guidance incorporated into the Green Belt Policies now, even if this has to be by way of a Supplementary Planning Document, which is one approach.

DM 9 High Quality Design

Separately, on the issue of Supplementary Planning Documents, I note that no mention is made to the 'Essex Design Guide' (2005) in the Evidence Base.

Was it intended to provide any 'Key Evidence' on this policy, and that of DM 10: 'Housing Design and Quality' ?

If Epping Forest District Council intends to adopt a new 'Design Guide', when will it be available, and will there be an opportunity for public consultation on this document ?

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:

If necessary to provide any further information required to justify the argument made. I would also be interested in observing the Examination in Public, if this is allowed, at the discretion of the Planning Inspector.

(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).

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

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Paragraph

Policy

DM 6 – Designated and Undesignated Open Spaces

Policies Map

Site Reference

Settlement

District-wide

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The Policy should include provision for a higher level of protection for “Local Green Space which is especially meaningful to a community”, as referenced in paragraph 4.52, and Chapter 8 of the NPPF.

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DM 6 Designated and Undesignated Open Spaces

I would express concern that 'reasonable access to alternative open space' may not recognise the many different 'leisure' uses of such spaces – some casual and occasional, some sport and fitness orientated, some organised, and some involving the wider community in publically-held events. The complex function of such spaces, and their importance to the local community, requires more detailed analysis than this Policy provides when considering whether the land should be considered for development.

I also believe that there is a need to set more specific assessment criteria, with a greater level of protection for long-established open spaces (whether or not they are currently designated), in accordance with Chapter 8 of the NPPF. This is particularly so in areas with high levels of 'affordable' (ie. social) housing, including in particular within the Debden estate, where the open green spaces form an intrinsic part of the townscape setting.

I am fortunate enough to live in a village characterised by the beauty of its landscape setting, but the open green spaces of the more densely-populated council-owned estates are equally important to the well-being of residents there.

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

Signature: **Elizabeth Burn**

Date: 25th January 2018