



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)

2. Personal Details**3. Agent's Details (if applicable)**

Title	<input type="text" value="Mr"/>	<input type="text" value="Mr"/>
First Name	<input type="text" value="Roy"/>	<input type="text" value="Paul"/>
Last Name	<input type="text" value="Bridger"/>	<input type="text" value="Atton"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate Director"/>
Organisation (where relevant)	<input type="text" value="G E Bridger Ltd"/>	<input type="text" value="JB Planning Associates"/>
Address Line 1	<input type="text" value="c/o Agent"/>	<input type="text" value="Chells Manor"/>
Line 2	<input type="text"/>	<input type="text" value="Chells Lane"/>
Line 3	<input type="text"/>	<input type="text" value="Stevenage"/>
Line 4	<input type="text"/>	<input type="text" value="Herts"/>
Post Code	<input type="text"/>	<input type="text" value="SG2 7AA"/>
Telephone Number	<input type="text"/>	<input type="text" value="01438 312130"/>
E-mail Address	<input type="text"/>	<input type="text" value="paul.atton@jbplanning.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

Please see paragraphs 5 to 12 of enclosed representation.

(Continue on a separate sheet if necessary)

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.

Please see paragraph 21 of enclosed representation.

(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:

In order to enable the content of our written representations to be fully investigated through an oral examination.

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:

Paul Atton

Date:

29.1.18

Introduction

1. These representations are made on behalf of GE Bridger Ltd, who are the landowners of The Breaches, Galley Hill Road, Waltham Abbey, EN9 2QA. These representations relate to the Regulation 19 Consultation on the Epping Forest District Draft Local Plan 2011-2033.
2. The land at The Breaches is a brownfield site in the Green Belt, where at present there are a number of long established industrial/employment and storage uses, including buildings and yard areas.
3. GE Bridger Ltd have previously promoted this site for either residential or employment re-development.
4. G E Bridger Ltd confirm that they support the proposed allocation of the site – Breaches Farm, Galley Hill Road under the terms of Policy E1 – Employment Sites; Policy P3 – Waltham Abbey (WAL.E2 Land at Breaches Farm) as an existing employment site allocation (Appendix 6 – Page 80).

Policy E1 – Employment Sites

5. Whilst G E Bridger Ltd support Policy E1 - Employment Sites within the emerging local plan and the Council's approach to the allocation of both existing and new employment sites, we consider that the policy (as presently worded) is inconsistent with the NPPF (2012). The policy should be more strongly worded and supportive of both new and existing employment development. We set this out further in the paragraphs below.
6. We note the location of Epping Forest District within the London-Stansted-Cambridge Corridor and the Council's approach to employment generation, encouraging new industries including food and life sciences, start-up space, growing on space, general support for small and medium sized enterprises. We support the policy objective of Policy E1, the policy seeking to encourage renewal or intensification of existing employment sites.

7. We recommend that within the ambit of Policy E1, that there should be a formal definition of “employment use” within the policy. The definition should be set out in the Local Plan. The definition should encompass the full range of business (B Class) uses including research and development, bio-science, food and life sciences, commercial, storage and warehousing uses.
8. With regard to the specific wording of Policy E1 – Employment Sites, we do not consider that as presently drafted, that it is positively prepared or consistent with national policy within the NPPF. We have set out the relevant paragraphs (18-22) of the National Planning Policy Framework (NPPF 2012) in full below:-

Delivering Sustainable Development

Building a strong, competitive economy

18. ***The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country’s inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future.***
19. ***The Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.***
20. ***To help achieve economic growth, local planning authorities should plan proactively to meet the development needs of business and support an economy fit for the 21st century.***
21. ***Investment in business should not be over-burdened by the combined requirements of planning policy expectations. Planning policies should recognise and seek to address potential barriers to investment, including a poor environment or any lack of infrastructure. Services or housing, in drawing up Local Plans, local planning authorities should:***

- *set out clear economic vision and strategy for their area which positively and proactively encourages sustainable economic growth;*
- *set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;*
- *support existing business sectors, taking account of whether they are expanding or contracting, and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances;*
- *plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries;*
- *identify priority areas for economic regeneration, infrastructure provision and environmental enhancement; and*
- *facilitate flexible working practices such as the integration of residential and commercial uses within the same unit.*

22. *Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being use for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocation employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.*

9. More specifically, with regard to Policy E1A (i) given the commitment to securing economic growth within the NPPF, we contend that Policy E1A should go further than as presently drafted. It should say that “proposals for the redevelopment,

renewal, intensification or extension of existing employment sites and premises for their existing use will be **strongly** encouraged”.

10. With regard to Policy E1A (ii) as worded, this also does not seem to be consistent with the NPPF Paragraph 21 third bullet point. This is because the requirement to demonstrate through evidence including marketing of a site is more than is required by national policy. In particular, Paragraph 22 of the NPPF says that Councils should not seek to hold on to existing employment sites where there is little prospect of their redevelopment. More specifically, Policy E1A (ii) makes no reference to the NPPF requirement for a regular review of existing employment land allocations.
11. With regard to Policy E1A (iii), and the requirement for mitigation measures in the form of contributions to local employment training and small business growth programmes supported by the Council, we point out that any financial contributions are required to meet the statutory tests of reasonableness as set out in Regulation 122 of the CIL Regulations. (see further below).
12. It follows that with regard to Policy E1 C, the Council should **strongly** support and encourage the development of flexible local employment space to meet the employment and economic needs of the district. As presently worded, Policy E1C does not go far enough in our opinion, having regard to the need to give significant weight to the support of economic growth within paragraph 19 of the NPPF.

Policy P3 – Waltham Abbey

13. As noted above, G E Bridger Ltd support the existing employment allocation for The Breaches (WAL.E2 – Land at Breaches Farm) and which is within Policy P3 Waltham Abbey - C – Employment Sites. We have noted, that within the policy is a heading – Infrastructure Requirements – Section F.
14. We note that whilst the Council will **expect** new development in Waltham Abbey to contribute proportionately towards a list of infrastructure items within Policy P3 F, again, we point out that any contributions towards social and community infrastructure (both in the generality/site specific) must comply with the statutory tests within the CIL Regulations.

15. We have copied below the relevant statutory regulation:

Regulation 122 on use of planning obligations:

(1) This regulation applies when a relevant determination is made which results in planning permission being granted for development.

(2) A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is –

(a) Necessary to make the development acceptable in planning terms;

(b) Directly related to a development; and

(c) Fairly and reasonably related in scale and kind to development.

16. CIL Regulation 122 sets out the statutory tests of necessity, directly related to the development and fairly and reasonably related in scale and kind to the development. We therefore contend that as presently worded, Policy P3 F is not consistent with national policy and should be re-worded as follows:

“Specifically, development in Waltham Abbey will be expected to contribute proportionately towards the following infrastructure items, (having regards to the tests of necessity and reasonableness set out in the CIL Regulations) towards the following infrastructure items:-”

Appendix 6 – Site Specific Requirements for Site Allocations

17. We confirm that G E Bridger Ltd support the proposed allocation WAL.E2 – Breaches Farm, Galley Hill Road, Waltham Abbey EN9 2AH as set out within Appendix 6 – page 80. With reference to the site description, we recommend that this is amended to read more accurately as follows:
18. **“The site comprises various buildings/sheds/structures in longstanding industrial, commercial and storage use with associated hard-standings. It is bounded to the east by Galley Hill Road, and by agricultural land to the North. South and West”.**



Epping Forest District Local Plan 2011 – 2033 (Regulation 19 Consultation)

Representations on behalf of GE Bridger Ltd

Proposed Amendments to Policy wording

19. There should be a definition of “employment” stated in the Local Plan.
20. Policies E1 A and P3 F should be re-worded to ensure consistency with the NPPF and the CIL Regulations.
21. Policy E1 A Employment Sites should be re-worded to say..... **“Proposals for the re-development, renewal, intensification or extension of existing employment sites and premises for their existing use will be strongly encouraged”**.
22. Policy P3 F Waltham Abbey should be re-worded to say **“Specifically, development in Waltham Abbey will be expected to contribute proportionately towards the following infrastructure items, (having regards to the tests of necessity and reasonableness set out in the CIL Regulations) towards the following infrastructure items:-”**
23. The text box Appendix 6 - WAL.E2 should be re-worded to say **“The site comprises various buildings/sheds/structures in longstanding industrial, commercial and storage uses with associated hard-standings. It is bounded to the east by Galley Hill Road, and by agricultural land to the North. South and West”**.
24. We would like to appear at the Examination in Public to explain the above objections when it convenes later in 2018.

PA/1427/sf
29 January 2018