

Stakeholder Reference:

Document Reference:

Part A

Making representation as Statutory Consultee, Local Authority or Town and Parish Council

Personal Details		Agent's Details (if applicable)
Title	Cllr	
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Part B

REPRESENTATION

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

Paragraph: 2.3

Policy: SP 1 Presumption in favour of sustainable development

Policies Map: Yes

Site Reference: None of the above

Settlement: Buckhurst Hill

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

Legally compliant: No

Sound: No

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

Complies with the duty to co-operate? Yes

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.

This policy fails in terms of being positively prepared and justified.

The plan states that it expects 35 windfall dwellings per year in the plan period. Study of recent planning applications in Buckhurst Hill alone show that in the period from May 2014 to April 2017 the following permissions were granted for new dwellings (we have excluded annexes):- 2014/15 - 11, 2015/16 - 22 and 2016/17 - 12. In the year 2016/17 a further 16 dwellings were approved at the West Lodge site. These applications were approved in the most densely populated parts of Epping Forest, that there is little room to put windfall sites and yet in that period we achieved 33% in the year 2014/15, 70% in the year 2015/16 and 35% (rising to 80% if you include West Lodge) in the year 2016/17 and this is in Buckhurst Hill alone. It is likely these figures will be considerably higher across Epping Forest as a whole and the 35 figure is astonishingly low and likely to be highly inaccurate. It is likely the Buckhurst Hill will achieve 10 or more windfall sites per year.

Therefore this demonstrates that the local plan is not positively prepared and justified when considering the alternatives.

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 policy needs to be re-evaluated and reassessed to give a more realistic figure for windfall properties across the district and the impact they will have on infrastructure.

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:

To fully explain how inadequate attention has been made throughout the Local Plan for windfall dwellings and the impact they have on local infrastructure. This is most significantly pronounced in Buckhurst Hill which is the most densely populated area on a percentage basis in the whole of EFDC.

REPRESENTATION

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

Paragraph: A (PAGE 79)

Policy: DM 1 Habitat protection and improving biodiversity

Policies Map:

Site Reference: BUCK.R1

Settlement: Buckhurst Hill

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

Complies with the duty to co-operate? Yes

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.

As is mentioned elsewhere policy the DM1 states at section A: "all development should seek to deliver net biodiversity gain in addition to protecting existing habitat and species." In terms of site Buck.R1 insufficient priority has been given to the impacts on the flora and fauna of this site. This site adjoins Linder's Field Local Nature Reserve and it is unclear on how building on the site will lead to a biodiversity net gain and how the impact on the flora and fauna of the neighbouring reserve will not be detrimentally impacted. Both the nature reserve and one Powell Road were at one time parts of one complete site belonging to the Linder family, a family important to the history of Buckhurst Hill.

It is hard to justify sites being included that may contradict this policy as noble aim as it is. I'm sure this is not the only site in Epping Forest where this will be a prescient issue.

Insufficient consideration has been given on how to achieve such high policy aims with the inclusion of certain sites into the 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.

A further review of such sites needs to be undertaken to ensure that a net gain is actually achievable in terms of biodiversity and how any developments can realistically achieve such a goal through the design of their gardens and properties and that where appropriate sites are removed given what I've already said about windfall sites being underestimated.

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:

To fully explain why such developments as Buck.R1 to cause a net loss to biodiversity and how this needs to be addressed.

REPRESENTATION

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

Paragraph: 5.77

Policy: P 5 Buckhurst Hill

Policies Map:

Site Reference: BUCK.R1

Settlement:

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

Legally compliant: Yes

Sound: No

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

Complies with the duty to co-operate? Yes

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.

This policy is unsound on the basis that has not been Positively Prepared nor Justified.

The inclusion of this site will have an adverse effects on a Local Heritage Asset. 1 Powell Road and its garden were once owned by the Linder family, a significant family in the history of Buckhurst Hill. Part of the original site is now Linder's Field Local Nature Reserve. Thus the inclusion of this site fails policy DM 7 Heritage Assets in that the significance, appearance, character and setting of the Local Heritage Asset will be substantially changed.

It also fails in regard to the Sustainability Appraisal. This calls for very limited release of the green belt to meet housing need on the edge of settlements. The site does not meet the need for reclassification as the housing need will be amply met by windfalls in the analysis I have done elsewhere. There has been a reduction in the site itself since the draft local plan and thus it makes meeting the numbers stated less achievable.

In April 2016 EFDC's Planning Subcommittee South turned down an application on this site 57 retirement flats. This was because it failed to meet exceptional circumstances and was not limited in filling. The current proposal of 31 dwellings must also be flats and thus again would surely more than would be the case in limited in filling.

The site is currently in green belt and is next door to Linder's Field Local Nature Reserve. I and many residents are deeply concerned about the impact of any scheme on the flora and fauna of the nature reserve. The reserve was once part of a much bigger site owned by the Linder family and was given to Buckhurst Hill by the family many years ago. The "Development Requirements" state that any scheme should incorporate an ecological buffer where appropriate. It is wholly inadequate to fails to recognise fully the impact of such a development on the flora and fauna of the nature reserve. One of the stated aims of the local plan in terms of green infrastructure is to strengthen the biodiversity assets of the district. Policy DM1 states all development should seek to deliver net biodiversity gains in addition to protecting existing habitat and species. It is wholly unclear how this is going to be achieved by allowing such a scheme, and has the potential to have the reverse effect.

Further to this the "Development Requirements" require a defensible boundary on the eastern edge of the site for the green belt but there is no mention of the northern edge. Admittedly this is a shorter edge but its omission shows the plan has not been prepared as well as it might have been.

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.

This site needs to be reassessed based on a sounder assessment of windfall properties and the impacts on infrastructure any development will have. The amount of development needs to be reassessed based on the reduction of the site that is now available.

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:

To fully explain how inadequate attention has been made throughout the Local Plan for windfall dwellings and the impact they have on local infrastructure, especially in Buckhurst Hill which is the most developed area on a percentage basis in the whole of EFDC. Also to put forward the views of safeguarding the Green Belt.

REPRESENTATION

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

Paragraph: 5.77

Policy: P 5 Buckhurst Hill

Policies Map:

Site Reference: BUCK.R2

Settlement: Buckhurst Hill

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

Legally compliant: Yes

Sound: No

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

Complies with the duty to co-operate? Yes

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.

This policy is unsound on the basis that has not been Positively Prepared nor Justified.

This site faces huge challenges. It is trying to incorporate 41 dwellings plus groundfloor retail units. In the "Development Requirement" on page 14 it states "proposals should incorporate the reprovision of existing car parking places for London Underground customers and users of the Small District centre in the development" it will try and achieve this through "careful design and layout, which may include basement or undercroft car parking." In addition there is talk of car clubs would/cars sharing or pooling arrangements, visitor parking and spaces for blue badge holders.

Given the size of the site this is going to be extremely difficult to achieve in its entirety. The cost of this, especially if they include basement or undercroft car parking would make this an unviable prospect. It may call into question whether they can achieve the affordable housing aspect of such proposals. No mention is made of social housing.

There is reference to controlled parking zones. This is a response to the facts of commuter parking. People coming in from other parts the district and beyond to pay the prices of TfL zone five. This is a problem affecting surrounding roads. It is known that commuters use this car park so that they can use Buckhurst Hill station. The next town out Loughton is in zone six and thus people use the car park site in the village to attain the cheaper rates of zone five. This is in addition to residents and shoppers.

Experience has shown when parking restrictions are brought in it just moves the problem on to another set of roads. Insufficient work has been done on the problem of commuter parking in the local plan and certainly how to deal with it. The problem is likely to get worse before it gets better. . Insufficient consideration of the impact of commuter parking from outside of the area/District, combined with the already existing car parking deficit and the need for additional parking management measures is a thread running throughout the Local Plan but will be felt most acutely in Buckhurst Hill.

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 would be necessary for EFDC to significantly reconsider adopting this site given that the list of requirements to developers of this site is at best described as challenging and unlikely to be economically viable without some significant concessions on the part of EFDC. Further, the proposed density of development and the significant impact that it will have on local infrastructure, especially traffic and parking management.

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:

To fully explain how inadequate consideration has been given to the economic viability of such a development, as well as the adverse impact that development on this site will have on local roads by way of on-street parking both during and after construction. As well as insufficient thought given to the traffic management and parking management arrangements.

REPRESENTATION

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

Paragraph: 5.77

Policy: P 5 Buckhurst Hill

Policies Map:

Site Reference: BUCK.R3

Settlement: Buckhurst Hill

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

Legally compliant: Yes

Sound: No

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

Complies with the duty to co-operate? Yes

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.

The plan is unsound on this site. On page 3 point 1.7 it states proposals in the plan have to be economically viable. The proposal is to knock down 24 flats and rebuild for a net gain of 15 flats. Taking the figure up to 39 flats. Many of the current flat owners have long-term leases. There are four shops on site as well three of which are long standing concerns. The cost of dealing with the leases, knocking down the current flat and replacing them is economically unviable.

If they are proposing a high-rise development to get the sufficient space for extra flats then this would be entirely out of keeping with the area which is almost exclusively low rise dwellings.

On page 3 point 1.8 the social impacts must be considered. Apart from the moving of current flat owners the effects on the shop owners and the service they provide to the local community must be considered and as yet has not been. The launderette that serves this sites is not only used by people far and wide in the community but also local restaurants in Queens road that find it a handy place to go. This shop along with the other three have had their businesses blighted by being considered as part of the plan.

EFDC has treated both the residents and shop owners in a less than helpful manner. They were not even aware that where they live and work was part of the local plan until I informed them.

When the number of sites that could be delivered through windfalls will probably be higher than EFDC claim and including of this site in the local plan with its questionable economic viability and no consideration of the social impacts as yet on this site it would be a good idea to have it removed.

When the number of sites that could be delivered through windfalls will probably be higher than EFDC claim and including of this site in the local plan with its questionable economic viability and no consideration of the social impacts as yet on this site it would be a good idea to have it removed.

Parking is also an issue at this site. Mention is made of Controlled Parking Zones and car clubs/car sharing or pooling arrangements, visitor parking blue badge holders. This site is inadequate for current residents parking needs, Let alone for users of the shops. Nearby streets already have commuter parking as this is handy for them being in TFL zone five. Commuters would prefer to come to Buckhurst Hill Station as the nearest town Loughton is in zone six and therefore more expensive. It is therefore EFDC's assessment of this site is inadequate in terms of parking provision.

In terms of alternatives there is the number 549 bus service that runs once every 70 minutes and is wholly inadequate to get people, especially the elderly and disabled to stop using their cars and facilitate the step change EFDC would like to see. Policy T1 seeks to “promote transport choice, improvements to public transport services and supporting infrastructure.” A better bus service would facilitate people at this site using public transport and making it easier for the elderly to get to other sites further afield. No improvements have been promised at any of the three sites in Buckhurst Hill or highlighted and there is no stated aim to keep them as they are at the current level of service. This means this has the potential to fail spectacularly in Buckhurst Hill.

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.

Consideration needs to be given to the economics of this site and its suitability for development in relation to neighbouring properties. This site needs to be re-assessed following the changes that need to be made to the amount of windfall properties incorporated in the Local Plan. Social impacts need to be considered as well on this site with special reference to the position of the existing occupiers, tenants and owners. Also a review of the aims of policy T1 (ii) are going to be met at this site.

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:

To fully explain my view and that of my residents that this particular scheme is economically unviable and the social impact of this is having on occupiers of the site. In addition, how inadequate attention has been made throughout the Local Plan for windfall dwellings and the impact they have on local infrastructure, especially in relation to Buckhurst Hill, which is the most developed area on a percentage basis in the whole of EFDC.

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

Yes

Signature:  Date: 29/01/2018