

Buckhurst Hill Parish Council

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January 26th, 2018

Epping Forest District Council Pre-submission version comments from Buckhurst Hill Parish Council.

Dear Sirs,

Please find detailed below the comments of Buckhurst Hill Parish Council to the EFDC Pre-submission Plan.

Settlement: **Buckhurst Hill**

Policy: **SP1**

Paragraph: **Table 2.3**

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

a) is legally compliant: **No**

b) Sound: **No**

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

c) Complies with the duty to co-operate: **Yes**

Question 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.

We consider that the Submission Version of the Local Plan is unsound in the following way:

Table 2.3 on Page 29 includes windfall properties as 35 per year for a period of 11 years for the whole of EFDC. This figure is **acutely** low. The basis upon which the figure of 35 windfall properties is derived appears to be seriously flawed and highly questionable; and why for only 11 years? An analysis of Planning Applications throughout Buckhurst Hill shows 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 addition to the numbers quoted in 2016/17 a further 14 dwellings were approved at West Lodge, Palmerston Road. From the above we have no reason to believe that at least 10 windfall dwellings will not be achieved each year in Buckhurst Hill alone.

Therefore, this does not comply with the requirement for the plan to be Positively Prepared or the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.

Question 7 – Please set out what changes you consider necessary to make the Submission Version of the Local Plan legally compliant or sound.

The figures relating to windfall properties in the Local Plan needs to be amended to reflect a more realistic figure across the District and with a better recognition of the impact of these properties and the additional effect these dwellings have on the local infrastructure.

Question 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.

Question 9 – If you wish to participate at the hearings, 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.

Question 10 – Please let us know if you wish to be notified when the EFD Local Plan is submitted for independent examination.

Yes.

Question 11 – Have you attached any documents with this representation?

No

Settlement: **Buckhurst Hill**
Site Ref: **BUCK.R1 (Land at Powell Road)**
Policy: **P5 Appendix 6**
Paragraph: **5.77**

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

a) is legally compliant: **Yes**

b) Sound: **No**

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

c) Complies with the duty to co-operate: **Yes**

Question 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.

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

The inclusion of this site fails in regard to Policy DM 7 Heritage Assets as the significance, appearance, character and setting of the Local Heritage Asset will be substantially changed. It also contravenes the Sustainability Appraisal which calls for limited release of Green Belt land to provide housing on the edge of settlements. The development of this land does not meet the exceptional requirements for the re-classification of Green Belt land as the requisite housing in the Parish will be provided under windfall housing. It is acknowledged there have been changes to the boundaries of this site since the Draft Local plan was published which would greatly reduce the number of dwellings achievable on this site but these changes do not enable the "exceptional requirements" rule to be met.

In April of 2016, EFDC refused permission for a retirement complex of 57 (fifty-seven) flats because it was far in excess of "limited infilling". Surely, given the recently reduced size of the site, the proposed number of dwellings i.e. 31 (thirty-one) must also be flats of some description and thereby still be far in excess of "limited infilling". The reality is that this site would not realistically support anything other than a handful of houses.

This site is currently designated as Green Belt. It also literally adjoins the "Linders Field" Local Nature Reserve (LFLNR). The "Development Requirements" of the site specific requirements (Appendix 6, Page 112) do make reference to LFLNR but do not adequately recognise or acknowledge the impact of development on the local flora and fauna in the adjoining Nature Reserve. This is of grave concern to local residents and the Parish Council. The "Development Requirements" do call for an ecological buffer "where appropriate" but this is totally inadequate.

Further, the Development Requirements mention "a new defensible boundary to the Green Belt to be established along the eastern edge of the site" but no mention of a defensible boundary to the northern edge of the site, which is equally vulnerable despite being the shorter edge.

The Development Requirements do recognise the uniqueness of this site but, if this scheme were to go ahead, then we would want to see aggressive conditioning and robust monitoring to ensure that the acknowledged Heritage is not neglected.

Question 7 – Please set out what changes you consider necessary to make the Submission Version of the Local Plan legally compliant or sound.

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. The amount of development available needs to be re-assessed with the reduced amount of site now available.

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

Yes

Question 9 – If you wish to participate at the hearings, 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.

Question 10 – Please let us know if you wish to be notified when the EFD Local Plan is submitted for independent examination.

Yes.

Question 11 – Have you attached any documents with this representation?

No.

Settlement: **Buckhurst Hill.**
Site Ref: **BUCK.R2 (Queens Road Car Park)**
Policy: **P5**
Paragraph: **5.77**

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

- a) is legally compliant: **Yes**
- b) Sound: **No**

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

- c) Complies with the duty to co-operate: **Yes**

Question 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.

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

The infrastructure section of the Development Requirements (Appendix 6, Page 114) for this site states that future development proposals should include the re-provision of the existing number of car parking spaces, provision of a limited amount of residents' parking spaces, car clubs/car sharing, visitor, blue badge parking and allowance for retail deliveries. In addition there are to be 41 dwellings and ground floor retail units. The solution to all this is "careful design and layout, which may include basement or undercroft car-parking". Given the size of the site, this will be a tremendous challenge and very possibly unrealistic to incorporate all of these requirements. Additionally, the costs involved in provision of these "requirements" must call into doubt the viability of providing "affordable housing" as part of this development.

Buckhurst Hill generally and the Queens Road/Princes Road vicinity in particular does not lend itself to mass development. Significant thought and planning needs to be given as to what infrastructure will be required to meet any additional development. Adequate infrastructure needs to be delivered and it needs to be delivered before any development takes place.

The reference to "Controlled Parking Zones" in the same infrastructure section of the Development Requirements, is undoubtedly in response to concerns expressed in earlier consultations relating to displaced parking to adjoining roads during development on the site. It is well-known that a number of commuters from outside Buckhurst Hill use this car park because of its proximity to Buckhurst Hill Underground Station adding to local residents parking and filling all the village's car parks. This is in no small measure because the station lies within TFL Zone 5; whereas Loughton and beyond are TFL Zone 6 with higher fares. Current experience clearly indicates that Commuter Parking, when faced with new parking restrictions, will just move the problem on to the next available roads. 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.

The Parish Council are also concerned at the detrimental impact this proposal will have on local businesses and assets. Buckhurst Hill is already the most densely populated settlement in the District and needs to develop its business and leisure facilities whilst retaining its character if it is to remain viable. The implementation of these proposals may very well damage trade in Queens Road.

Question 7 – Please set out what changes you consider necessary to make the Submission Version of the Local Plan legally compliant or sound.

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.

Question 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.

Question 9 – If you wish to participate at the hearings, 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.

Question 10 – Please let us know if you wish to be notified when the EFD Local Plan is submitted for independent examination.

Yes.

Question 11 – Have you attached any documents with this representation?

No.

Settlement: **Buckhurst Hill**

Site Ref: **BUCK.R3 (Stores at Lower Queens Road)**

Policy: **P5 Appendix 6**

Para: **5.77**

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

a) is legally compliant: **Yes**

b) Sound: **No**

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

c) Complies with the duty to co-operate: **Yes**

Question 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.

The inclusion of this site fails in regard to Page 3 of the 2017 Local Plan which states that proposals have to be economically viable for delivery by the market and be achievable. On what basis is the demolition of this existing asset and replacement economically viable? The proposal is to knock down twenty-four (24) flats and build thirty-five (35) a difference of just eleven. How can that be economically viable?

Any high rise development in this area would be out of keeping with the low rise and three storey developments in the immediate area. Appendix 5 to Policy SP 2 infers that development of this site could be expected in 2028/29. This leaves the existing occupiers, tenants and owners in an intolerable situation.

As mentioned above, the identification of this site has caused considerable disquiet and distrust amongst a significant number of residents and shopkeepers on the current site. Business owners and occupants of the affected properties regularly express their concerns to us. As a consequence leaseholders have the realistic problem of not being able to sell their properties because the site is now blighted. It has to be said that EFDC's treatment of these residents and shopkeepers has been woeful to date.

The Parish Council are also concerned at the detrimental impact this proposal will have on local businesses and assets. The importance of the shops and businesses currently on this site has seriously underestimated to residents. There is a significant amount of Sheltered Accommodation, Retirement Flats/Housing etc. accumulated in the immediate vicinity and the shops (the launderette and convenience store particularly) provide an essential service to the locality. Even the shortest closure would have a significant negative impact on a large number of senior citizens and less physically mobile residents.

Question 7 – Please set out what changes you consider necessary to make the Submission Version of the Local Plan legally compliant or sound.

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. Also to be taken into consideration is the position of the existing occupiers, tenants and owners.

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

Yes

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

To fully explain how in the view of the Parish Council, this particular scheme is economically unviable. 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. Also to put forward the views of the existing occupiers on this site.

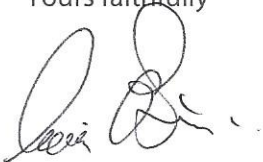
Question 10 – Please let us know if you wish to be notified when the EFD Local Plan is submitted for independent examination.

Yes.

Question 11 – Have you attached any documents with this representation?

No

Yours faithfully

A handwritten signature in black ink, appearing to read 'Kevin O'Brien', written over a horizontal line.

Kevin O'Brien
Clerk to the Parish Council.