

Name:

ELIZABETH BURN

Representation form: Consultation on the Main Modifications to the emerging Local Plan

Part B – Your representation on the Main Modifications and/or supporting documents

If you wish to make more than one representation, please complete a separate [Part B form](#) for each representation and clearly print your name at the top of this form.

4. Which **Main Modification number and/or supporting document** does your representation relate to? (Each Main Modification within the Schedule has a reference number. This can be found in the first column i.e. MM1, MM2 and each Supporting Document has a reference number beginning with ED).

Any representation on a supporting document should clearly state (in question 6) which paragraphs of the document it relates to and, as far as possible, your comments should be linked to specific Main Modifications. You should avoid lengthy comments on the supporting documents themselves.

MM no.

MM180

Supporting document reference

5. Do you consider this **Main Modification and/or supporting document**:
(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

☒

6. Please give details of why you consider the **Main Modification and/or supporting document** is not legally compliant or is unsound. 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.

MM180 – Policy P 8 (Theydon Bois) – THYB.R1 – Land at Forest Drive

Please add the following amendment/modification to the ‘Site Specific Requirements’, in order to reflect the presence of Tree Protection Orders, which were not included in the original site analysis.

If further Hearing Sessions are scheduled with respect to the Modifications to **MM180**, or aspects of **Policy P8: Theydon Bois**, I would be happy to attend and to make a representation, as appropriate.

7. Please set out what change(s) you consider necessary to make the **Main Modification and/or supporting document** 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.

This request relates to the ‘Development Guidance’ under the ‘Site Specific Requirements’ (Appendix 6), with respect to the proposed allocation in Theydon Bois referenced as **THYB.R1 (Land at Forest Drive)**.

These ‘Site Specific Requirements’ were discussed, by the Parish Council, at the Examination in Public, during the Hearing Session held on 16th May 2019, and some of the text submitted by Epping Forest District Council (‘EFDC’) at that time has now been added to form part of **MM180**.

As a Parish Councillor, I spoke on behalf of the Parish Council during that Hearing Session, and would like to acknowledge the additions made, in response to the concerns raised, particularly with respect to the need to retain the existing trees and hedgerow on the boundaries of this allocated site.

However, the earlier site analysis (at the time of the Regulation 19 Consultation) had not recognised the position of the Public Right of Way, known as ‘The Oak Trail’, immediately adjacent to the western boundary of the site, nor its importance

within the green infrastructure of the locality. It has been in existence for many years and, with the adjacent permissive path in the upper field, is the most popular footpath within the village: one which is also promoted by the City of London Corporation, whose Forest Buffer Lands further ascend Great Gregories Hill.

In response to an initial planning application, in February 2021, EFDC became aware that four mature Oak trees, and a multi-stemmed Ash tree, adjacent to the western boundary of the site, together with a mature spreading Oak in the garden of 86 Forest Drive (immediately adjacent to the southern boundary), would potentially be at risk from the site layout then suggested.

It was therefore felt appropriate to issue Tree Protection Orders for these six specimen trees, in order to secure their longevity and to preserve the visual amenity they provide. I would therefore request that reference be made to these Protected Trees within the 'Site Specific Requirements', and note that a number of the 'allocated sites' within the New Local Plan include reference to Protected Trees within the 'Development Guidance'.

In the interests of consistency, perhaps the suggested wording of a further Modification could be drawn from that used by EFDC elsewhere within the 'Site Specific Requirements' (Appendix 6). I believe the Parish Council have referenced this wording directly in their own response.

Please note your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change, as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage. ***After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.***

8. Have you attached any documents with this representation which specifically relate to an MM or supporting document?

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Yes

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No

Signature:

Elizabeth Burn

Date

22nd September 2021