

**alan wipperman & co.
property & town planning
appendix a to the response to the epping forest local plan
submission copy for mr mark gregory.**

Response to the Epping Forest District Local Plan Submission Copy 2018 for Mr Mark Gregory.

Appendix A to the Response Form Parts A and B.

1. Mr Mark Gregory is, with other family members, the owner and a proprietor of Farm Tyres on Sewardstone Road, Sewardstone in Waltham Abbey Parish, although it has a London Postcode. He is the owner, or effectively owner, of all the land edged red on the ownership plan submitted to the Epping Forest Call for Sites in 2017. This document is attached showing the site comprising property titles edged red.
2. He instructed me to respond to the Call for Sites after a refusal of planning permission for the conversion of the bungalow, formerly known as Headlands, and now known as Little Gregories, which he had acquired for the family business to expand into, in a mixed business and residential use. The decision notice with the reasons for refusal is attached.
3. The reasons for doing this were twofold. The main reason was that the refusal of planning permission had now given rise to considerable uncertainty over whether there would be scope for any further expansion of the Farm Tyres business on their current site, which the purchase of Headlands was intended to provide; and secondly, even if with this purchase and use of Headlands the scope for any further expansion was extremely limited. The adjoining property owner was not prepared to sell any land for any further extension of the Farm Tyres business to the south. If Headlands cannot be used for further expansion then the Farm Tyres site use will likely be maximised in the next five years. The recent grant of a Certificate of Lawful Proposed Use for hand car washing will assist in this regard. If permission is eventually given for the use of the former Headlands site, in whole or part for an extension of the Class B2 use then the site potential for expansion will likely last 10-15 years.
4. This refusal was a matter of significant concern given the reason for refusal number 2. This could bring the need to relocate sooner. It states: *"The proposed use will result in a significant increase in the levels of activity in and around the site and create the likelihood of excessive noise pollution for neighbouring residential dwellings. The use will therefore materially detract from the living conditions of neighbouring dwellings and, as such, is contrary to the requirements of Paragraph 17 of the National Planning Policy Framework and policies DBE2, DBE9, and RP5A of the adopted Local Plan and Alterations.* The decision was issued 26th May 2017 and after some consideration by the Gregory Family I was then instructed to respond to the Call for Sites.
5. I had called Epping Forest Planning Policy Team and had been advised that it was not too late to submit a Call for Sites Form to allow it to be considered as part of the Strategic Environmental Assessment. (Undertaken by Messrs Arups). I duly completed a Call For Sites Response. This is attached. It shows the extent of the site and location and I considered when it was submitted it could still have been assessed as part of the SEA. It was submitted in writing and by email 31 July 2017.

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- 6 Unfortunately after a number of inquiries I was eventually advised it would not be included in the SEA or the Local Plan.
- 7 Likewise I later sought to bring the site to the attention of the Local Planning Authority in its work on the Brownfield Register.
- 8 I also complained of the lack of response to senior staff, copy letter attached. No replies or acknowledgments were ever received. (Letters to Mr McNab. 6th and 26th September 2017).
- 9 In preparing this Response I have also been seeking advice as to the publication of the Authority's Brownfield Register. Emails attached. I have been unable to obtain a link to the Register or any advice on the Authority's website of the status of the Register, nor received any reply until the afternoon of the 24th January 2018. It states:
- Dear Mr Wipperman,*
I am sorry for the late response as it took me longer than expected to investigate. In essence, the Council well aware of the requirement to have a register in place, we are in the process of producing a Brownfield Register and we are looking to publish the register around mid-February.
I am sorry as this may not help with your query much but I hope it at lease helped clarify the Council's position.
Tai Tsui
Planning Policy Projects Officer| Planning Policy |Redacted.....
Epping Forest District Council | Civic Offices | 323 High Street | Epping | Essex | CM16 4BZ.
- 10 I have never experienced so many emails and other correspondence sent to an Authority, and telephone messages left to be ignored for so long, with such prolonged indifference and failure to respond, or even acknowledge until the above. It is now clear that the Brownfield Register has been significantly delayed and is not to be available or to be co-ordinated with the Local Plan Submission Copy Consultation.
- 11 It must follow that similar lack of communication with others is likely to have taken place. There must be concern that the Authority's consultation process and community involvement on this Plan is flawed, affecting both the evidence base for this Plan, and the soundness of it, at least with respect to brownfield land.
- 12 A further detailed Response on the Planning Matters is in Appendix B.

Alan Wipperman BA MRICS MRTPI C Dip AF

26 January 2018.

ATTACHMENTS REFERRED TO FOLLOW.

**THE CALL FOR SITES SUBMISSION MADE 31 JULY 2017 BY POST AND EMAIL TO EFDC
PLANNING POLICY:**

alan wipperman & co.
property & town planning
mill house little bardfield essex CM7 4TN
tel. & fax: 01371-811488
mobile: 07946-450222
e-mail: alanw@alanwipperman.co.uk

31 July 2017

Planning Policy – Call For Sites
Neighbourhoods
Epping Forest District Council
Civic Offices
High Street
Epping Essex
CM16 4BZ

Dear Sirs

RE: FARM TYRES SITE, SEWARDSTONE ROAD, LONDON E4.

Further to my telephone inquiries I understand that it is not too late to submit a Call For Sites Form although the Arup SEA has been undertaken, as the next version for consultation on the Local Plan will not be issued for some time yet perhaps as late as December 2017.

I would also like to point out that part of the site now being out forward has been included in a submission, presumably by another party, reference SR-0291, land rear of Butler's Drive. I attach a copy of the relevant page from the Arup Assessment Report. Of the land submitted 90% was considered to be greenfield and it is reasonable to assume the land that was not greenfield land was the land included in the site assessed owned or controlled by Mr Gregory.

All the land now being submitted in this response to the Call for Sites is or will be solely owned and controlled by Mr Mark Gregory, the proprietor of Farm Tyres, all as shown edged red on the plan. (Mr Gregory is the sole beneficiary of his Mother's Estate and parts of the property still held in her name will be transferred to him in due course by the Executors).

All the land edged red comprises the Farm Tyres business land and the bungalow formerly known as Headlands acquired recently by Mr Gregory. These areas and uses mean that all the land owned and controlled by Mr Gregory is previously developed or brownfield land.

Appropriate weight and priority therefore needs to be given when considering this land as it can be made available within 5 years for development.

Accordingly the land should also be added to the Authority's Brownfield Register which is I assume under preparation and to be made available in due course.

Please note that there is also a small additional area shown approximately hatched in red which is held on informal licence and has been used by Farm Tyres for many years in conjunction with the main Farm Tyres use. This land is owned and controlled by another party but it too is brownfield land.

I would be grateful if the receipt of this submission can be acknowledged and await comments and any advice you can provide as to how the submission will be dealt with.

Yours sincerely

.....Redacted.....

Alan Wipperman BA MRICS MRTPI C Dip AF

Copy: Mr M Gregory

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Document file reference: EFDC 17310

Page No:1



Call for Sites Submission Form

If you want to promote a site or sites for potential development then please complete and return this form. You will receive an acknowledgement of your submission. Please retain this for your records.

All submissions must be accompanied by an ordnance survey map clearly showing the boundaries of the site outlined in red.

All submissions are made on a without prejudice basis. It must be stressed that in seeking available sites the Council is making no commitment in respect of which sites may be selected to be take forward into the new plan.

Please complete a separate form for each site, to the best of your knowledge and return to:

LDFConsult@eppingforestdc.gov.uk or

Planning Policy
Neighbourhoods
Epping Forest District Council
Civic Offices, High Street
Epping
Essex CM16 4BZ

Do submit sites that:

- are likely to become available for development in the next 15 years.
- Could accommodate 5 or more dwellings or are greater than 0.5 hectare in size (except Traveller sites).
- Could be suitable for employment uses

Do not submit sites that:

- Already have planning permission unless a different form of development is proposed.
- Are entirely outside the district boundary

Fill Your Details													
Name	ALAN WIPPERMAN												
Company (if relevant)	ALAN WIPPERMAN & CO.												
Address	MILL HOUSE LITTLE BARDFIELD BRAINTREE ESSEX												
Postcode	CM7 4TN												
Telephone	01371-211488												
E-mail	alanw@alanwipperman.co.uk												
I am (please tick all those that apply)	<table border="0"> <tr> <td>A Landowner</td> <td><input type="checkbox"/></td> <td>A Land Agent</td> <td><input type="checkbox"/></td> </tr> <tr> <td>A Planning Consultant</td> <td><input checked="" type="checkbox"/></td> <td>A Developer</td> <td><input type="checkbox"/></td> </tr> <tr> <td>A Registered Social Landlord</td> <td><input type="checkbox"/></td> <td>Other (specify)</td> <td><input type="checkbox"/></td> </tr> </table>	A Landowner	<input type="checkbox"/>	A Land Agent	<input type="checkbox"/>	A Planning Consultant	<input checked="" type="checkbox"/>	A Developer	<input type="checkbox"/>	A Registered Social Landlord	<input type="checkbox"/>	Other (specify)	<input type="checkbox"/>
A Landowner	<input type="checkbox"/>	A Land Agent	<input type="checkbox"/>										
A Planning Consultant	<input checked="" type="checkbox"/>	A Developer	<input type="checkbox"/>										
A Registered Social Landlord	<input type="checkbox"/>	Other (specify)	<input type="checkbox"/>										

Fill Site Details							
Site Address	FARM TYRES SEWARDSTONE ROAD SEWARDSTONE WALTHAM ABBEY LONDON E4 7RH						
Site area (hectares)	TOTAL: 1300 SQ. METRES (550.81 SQ. METRES - RESIDENTIAL)						
Grid reference Easting	538337						
Grid reference Northing	198117						
Current Use(s)	BUSINESS/EMPLOYMENT DWELLING HOUSE						
Relevant Planning History (if known)	<table border="0"> <tr> <td>FARM TYRES</td> <td>FORMERLY 'HEADLANDS'</td> </tr> <tr> <td>EDF/235/1999</td> <td>EDF/0700/17</td> </tr> <tr> <td>PERMISSION FOR TYRE DEPOT BUILDING & USE</td> <td>REFUSAL OF CHANGE OF USE OF THE EXISTING BUNGALOW TO OFFICES & TYRE STORAGE & RESIDENTIAL MANSIONETTE</td> </tr> </table>	FARM TYRES	FORMERLY 'HEADLANDS'	EDF/235/1999	EDF/0700/17	PERMISSION FOR TYRE DEPOT BUILDING & USE	REFUSAL OF CHANGE OF USE OF THE EXISTING BUNGALOW TO OFFICES & TYRE STORAGE & RESIDENTIAL MANSIONETTE
FARM TYRES	FORMERLY 'HEADLANDS'						
EDF/235/1999	EDF/0700/17						
PERMISSION FOR TYRE DEPOT BUILDING & USE	REFUSAL OF CHANGE OF USE OF THE EXISTING BUNGALOW TO OFFICES & TYRE STORAGE & RESIDENTIAL MANSIONETTE						

12a Proposed Future Use(s)		Proposed number of units or floorpace or pitches (for garages etc)
Use		
Residential	<input checked="" type="checkbox"/>	15-20 DWELLINGS.
Affordable Housing	<input type="checkbox"/>	
Employment (please specify)	<input type="checkbox"/>	
Retail (please specify)	<input type="checkbox"/>	
Gypsy/Travellers Site	<input type="checkbox"/>	
Utility (please specify)	<input type="checkbox"/>	
Community Facility (please specify)	<input type="checkbox"/>	
Other (please specify)	<input type="checkbox"/>	

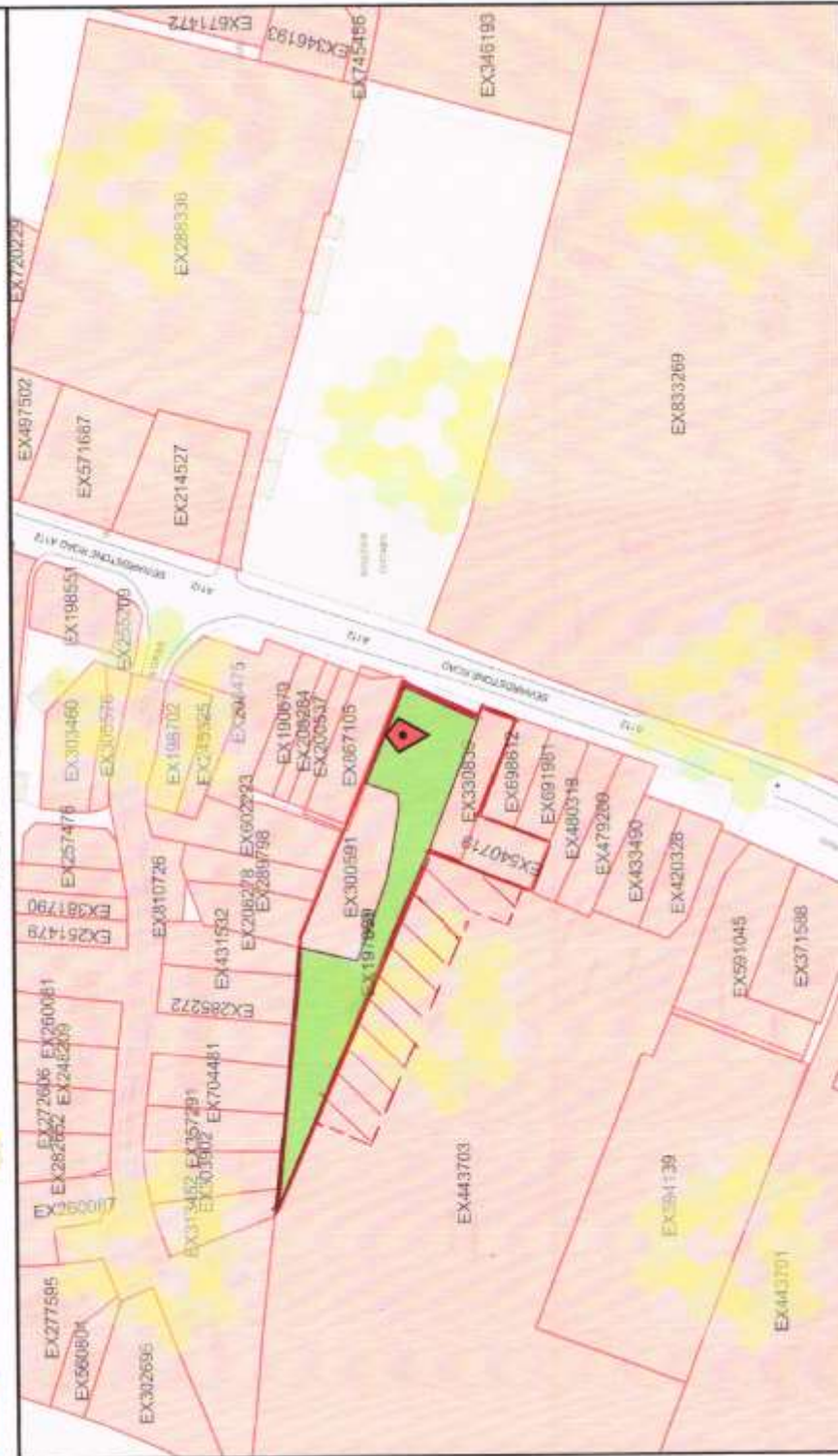
12b Market Interest	
Please choose the most appropriate category below to indicate what level of market interest there is in the site.	
	Comments
Site is owned by a developer	<input type="checkbox"/>
Site is under option to a developer	<input type="checkbox"/>
Enquiries received	<input type="checkbox"/>
Site is being marketed	<input type="checkbox"/>
None	<input checked="" type="checkbox"/> OCCASIONAL INTEREST NOT PROGRESSED TO DATE.
Not known	<input type="checkbox"/>

12c Utilities	
Please tell us which of the following utilities the site has access to (note: the Council's own information systems will determine policy constraints such as flood risk, green belt etc.)	
(i) Mains Water Supply	<input checked="" type="checkbox"/>
(ii) Mains Sewerage	<input checked="" type="checkbox"/>
(iii) Electricity Supply	<input checked="" type="checkbox"/>
(iv) Gas Supply	<input checked="" type="checkbox"/>
(v) Highways	<input checked="" type="checkbox"/>
(vi) Public Transport	<input checked="" type="checkbox"/>

6a Factors affecting availability	
	Yes/No
Are there any ransom strips?	NO
Does the site have covenants?	NO
Does the site require relocation of the current use?	YES
Are there any physical constraints (e.g. topography/trees/other features)	NO
If there are constraints are there any interventions available to overcome them?	YES

7a Site Ownership	
Please record details of the ownership of the site. If there is multiple ownership please record on a separate sheet and mark on the site plan.	
Name	MR. MARK GREGORY (B.FAMILY) - 1 ADDITIONAL AREA:
Address	FARM TYRES SEWARDSTONE ROAD SEWARDSTONE WALTHAM ABBEY LONDON E4 7RH. (SHOWN HATCHED) MR. GARY DIMMOCK BARNFIELD HOUSE SEWARDSTONE ROAD CHINGFORD LONDON E4 7RH.
Has this owner indicated support for you proposed development?	MR GREGORY EITHER OWNS OR IS THE BENEFICIARY OF LAND REGISTEREDRedacted.....Redacted..... TRANSFERRED TO HIM. LAND OWNED OR CONTROLLED EX 197009, EX300591, EX330839 & EX540719. (SEE PLAN) ADDITIONAL AREA SHOWN HATCHED

6b Timescale for availability	
Please indicate the timescale for availability. Please only indicate immediately if the site is cleared.	
Immediately	<input type="checkbox"/>
Up to 5 years	<input checked="" type="checkbox"/>
5 – 10 years	<input type="checkbox"/>
10 – 15 years	<input type="checkbox"/>
If the site is not available immediately please state why.	FARM TYRES WISH TO COMPLETE THEIR PLANNED ON SITE EXPANSION AFTER WHICH NO FURTHER EXPANSION IS POSSIBLE. FURTHER GROWTH & DEVELOPMENT OF THE BUSINESS WILL REQUIRE A RELOCATION IN 4-5 YEARS TIME; THERE THE SITE CAN BE RELEASED FOR REDEVELOPMENT.



0 5 10 15 20 25 30 35 40 50 μm

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Data last updated 10:00pm 14 JULY, 2017

Map scale 1:1250

Site Suitability Assessment

Site Reference: SP-0281
Parish: Watlington Acrey
Settlement:
Size (ha): 1.7
Address: Severstone Lane, Rear of Bullers Drive

Primary use: Housing
BLAA notes: None

BLAA yield: 51 dwellings
BLAA source for baseline yield: Assumption based on 30 dph

BLAA site constraints: None

Site selection adjustment: None

Community feedback: The Council did not consult on a growth location which covers or is near to this site.

Criteria	Score	Qualitative Assessment
1.1 Impact on Nationally Protected Sites	10	Effects of siting the site for the proposed use are not likely to be significant as no National Sites are located within 2km of Epping Forest Special Area of Conservation.
1.2 Impact on Nationally Protected sites	10	Due to the development type (residential), development of the site is likely to have a low impact on the Nationally Protected sites. It is likely that the effects of the proposed development will be negligible.
1.3a Impact on Ancient Woodland	0	Site is not located within or adjacent to Ancient Woodland.
1.3b Impact on Ancient/Wilderness Trees (outside of Ancient Woodland)	0	No Ancient or Wilderness trees are located within the site.
1.4 Impact on Epping Forest Buffer Land	0	Site is unlikely to impact on Epping Forest Buffer Land.
1.5 Impact on SSSI Priority Species or Habitats	0	No effect on habitats and species would be expected due to distance of SSSI priority habitats from site.
1.6 Impact on Local Wildlife Sites	0	Site has no effect on habitats and species would be expected due to distance of local wildlife sites from site.
1.7 Flood risk	10	Site is within Flood Zone 1.
1.8a Impact on Heritage Assets	10	No effect on heritage assets due to distance from site.
1.8b Impact on Archaeology	10	There is a low likelihood that buried archaeological assets would be discovered on the site.
1.9 Impact on air quality	10	Site has not been identified as being at risk of poor air quality, but it is likely that the site could be mitigated or reduced.
2.1 Level of land to be built on	10	Site is within Green Belt, which the level of land to be built on is high or very high.
3.1 Distance to the nearest railway station	10	Site is more than 400m from the nearest rail or tube station.
3.2 Distance to nearest bus stop	10	Site is within 400m of a bus stop.
3.3 Distance to employment locations	10	Site is more than 1000m from an employment location.
3.4 Distance to local amenities	0	Site is between 1000m and 4000m from nearest town, large village or small village.
3.5 Distance to nearest primary school	0	Site is between 1000m and 4000m from the nearest primary school.
3.6 Distance to local amenities	0	Site is between 1000m and 4000m from the nearest secondary school.
3.7 Distance to nearest GP surgery	0	Site is between 1000m and 4000m from the nearest GP surgery.
3.8 Access to Strategic Road Network	10	Not applicable.
4.1 Greenfield and Greenbelt Land	10	Majority of the site is greenfield land but is within the Green Belt.
4.2 Impact on agricultural land	10	Development would involve the loss of the best and most valuable agricultural land (grades 1 & 2).
4.3 Capacity to improve access to open space	0	Development unlikely to improve access to open space.
5.1 Landscape sensitivity	0	The site falls within an area of low landscape sensitivity - characteristics of the landscape are able to accommodate development without significant character change.
5.2 Settlement character sensitivity	0	Development is unlikely to have an effect on settlement character.
5.3 Topography constraints	0	No topography constraints are identified on the site.
6.1a Distance to gas and oil pipelines	0	Gas or oil pipelines do not pose any constraint to the site.
6.1b Distance to power lines	0	Power lines do not pose a constraint to the site.
6.2 Impact on Tree Preservation Order (TPO)	0	The intensity of site development would not be constrained by the presence of protected trees within or adjacent to the site.
6.3 Access to site	10	Access to site is not a constraint.
6.4 Contamination constraints	10	Potential contamination on site which could be mitigated.
6.5 Traffic impact	10	Low level congestion expected at peak times within the vicinity of the site.



DECISION NOTICE RELATING TO LITTLE GREGORIES, FORMERLY HEADLANDS BUNGALOW. REFUSAL 26TH MAY 2017:

Our Ref: EPF/0700/17

TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning General Development Orders
PLANNING DECISION NOTICE



Governance Directorate
Civic Offices,
323 High Street,
Epping,
Essex CM16 4BZ

An electronic version of this
decision notice is available
on our website:
www.eppingforestdc.gov.uk/iplan

Case Officer was: Sukhvinder Dhadwar
Direct Line: 01992564597
Email: sdhadwar@eppingforestdc.gov.uk

To: DPA (London) Ltd
25 Tudor Hall
Brewery Road
Hoddesdon
Herts
EN11 8FP

Proposal: Change of use of the existing bungalow and its curtilage from residential use to offices and tyre storage at ground floor level and a residential flat.

Location: Farm Tyres, Sewardstone Road, Waltham Abbey, Essex, E4 7RH

In pursuance of the powers exercised by the Local Planning Authority this Council do hereby give notice of their decision to **REFUSE PERMISSION** for the development described above, for the reasons listed below.

Signed

A handwritten signature in black ink, appearing to read 'N. Richardson'.

N. Richardson
Assistant Director, Development Management

Date: 26 May 2017

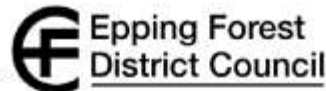
Reasons for Refusal

1

The proposal provides an unacceptable standard of residential accommodation for future occupiers of the proposed flat as a result of inadequate ceiling heights, lack of adequate private amenity space and mutual overlooking between the two uses. The proposal is therefore contrary to paragraph 17 and chapter 7 of the National Planning Policy Framework, policies DBE8 and DBE11 of the adopted Local Plan and Alterations, DM9 and DM10 of the emerging Draft Local Plan Consultation Stage and the DCLG's Technical Housing Standards - nationally described space standards.

Our Ref: PL/EPF/0700/17

TOWN AND COUNTRY PLANNING ACT 1990
Town and Country Planning General Development Orders
PLANNING DECISION NOTICE



- 2 The proposed use will result in a significant increase in the levels of activity in and around the site and create the likelihood of excessive noise pollution for neighbouring residential dwellings. The use will therefore materially detract from the living conditions of neighbouring dwellings and, as such, is contrary to the requirements of paragraph 17 of the National Planning Policy Framework and policies DBE2, DBE9 and RP5A of the adopted Local Plan and Alterations.

Informatives:

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and, due to the harm which has been clearly identified within the reasons for the refusal, approval has not been possible.

This decision is made with reference to plan numbers: 1260: 003, 004, 005 (Site Plan), 005 (Proposed Plans), 006, Design and Access Statement.

NOTES RELATING TO PLANNING APPLICATIONS TOWN AND COUNTRY PLANNING ACT 1990

1. If the applicant is aggrieved by the decision of the Local Planning Authority to refuse permission or approval for the proposed development, he may appeal to the Secretary of State for Communities and Local Government, in accordance with Section 78 of the Town and Country Planning Act 1990. If an Enforcement Notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against the Local Planning Authority's decision on your application, then you must do so within 28 days of the date of the Enforcement Notice or within 6 months of the date of this notice, whichever period expires earlier. In all other cases, if you want to appeal then you must do so within 6 months of receipt of this notice. (Appeals must be made on a form which is obtainable from the Planning Inspectorate, Customer Support Unit, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel: 0303 444 5000, or online at the following website: www.planningportal.gov.uk/pes) The Secretary of State has power to allow a longer period for the giving of a notice of appeal but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the statutory requirements, to the provisions of any development order, and to any directions given under the order. He does not in practice refuse to entertain appeals solely because the decision of the Local Planning Authority was based on a direction given by him. There is no time limit for appealing against a decision relating to a Certificate of Lawful Use or Development.
2. If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State for Communities and Local Government and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council of the County District in which the land is situated a purchase notice requiring that Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.
3. In certain circumstances, a claim may be made against the Local Planning Authority for compensation, where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of an application to him. The circumstances in which such compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990.

Emails sent to ldfconsult@eppingforestdc.gov.uk, most recent 24th January 2018 10.25am regarding the Local Plan and the Brownfield Register:

Dear Sirs

I refer to my email below and I can still not find a link on the Council's website to a brownfield register despite the requirement to produce one by the 31 December 2017.

I must take it that the Council has not yet published one despite commencing the Local Plan consultation on the 18th December and it ending on the 29th January 2018. I will prepare a Response accordingly.

Please advise when the Brownfield Register is available to view.

Yours faithfully

Alan Wipperman

From: Alan Wipperman [<mailto:alanw@alanwipperman.co.uk>]
Sent: 18 January 2018 11:39
To: 'ldfconsult@eppingforestdc.gov.uk' <ldfconsult@eppingforestdc.gov.uk>
Cc: 'Trinity Clerks' <clerks@trinitychambers.com>
Subject: FW: RE BROWNFIELD REGISTER AND THE LOCAL PLAN SUBMISSION CONSULTATION.

Dear Sirs

Further to my phone call and message which was not responded to I emailed the Local Plan Team (below) as I still cannot seem to find the brownfield register on the Authority's website.

Given the importance of the Register to the preparation and consultation on the Submission Copy Local Plan I would have thought it should have been available by now.

Please advise if it is available and if not whether it will be available before the 29th January?

Yours faithfully

Alan Wipperman

From: Alan Wipperman [<mailto:alanw@alanwipperman.co.uk>]
Sent: 12 January 2018 10:00
To: 'ldfconsult@eppingforestdc.gov.uk' <ldfconsult@eppingforestdc.gov.uk>
Cc: 'Trinity Clerks' <clerks@trinitychambers.com>
Subject: RE BROWNFIELD REGISTER AND THE LOCAL PLAN SUBMISSION CONSULTATION.

Dear Sirs

I am instructed in the matter of the current Submission Copy Local Plan and would like to view the Brownfield Register.

However despite checking it still does not appear to be on your website or the link thereto does not work.

I therefore telephoned earlier this week and a Planning Duty Officer advised where the link was for this and he confirmed it was broken or not yet operational.

He then kindly walked to the section dealing with the Register as he could not get a reply on the phone and came back to advise me all were in a meeting and someone would call me back taking my name and number. Unfortunately no one returned my call.

I would appreciate advice as to when, how or where the Register can be seen so I can consider it and the Local Plan and make appropriate representations regarding brownfield land as it is clear greenfield land is being allocated in the Plan.

It is my understanding the Authority was obliged to prepare and publish a Register by the 31st December 2017 and I have been viewing other Authority Registers since the New year.

I trust I am not missing something? Please advise.

Yours sincerely

Alan Wipperman

Alan Wipperman (Mobile 07946 450222).

**alan wipperman and co
mill house
little bardfield
essex CM7 4TN**

tel. and fax: 01371 811488

The information in this email and any attachment to it is for the sole use of the recipient individual or named parties as addressed and referred to above. Therefore if you are not the intended recipient please be aware that any disclosure, copying, distribution, or use of the contents of the information herein or attached herewith is not permitted. If you have inadvertently received this electronic communication, in error or otherwise, please notify the sender by telephone or email immediately and delete from your computer or any associated network. This email has been sent in good faith and computers are checked for viruses but the email, contents, and attachments may contain software viruses which could damage your computer system. Alan Wipperman and Co. will not accept liability for any damage you may sustain.

Letter as sent to Epping Forest on the matter of the Local Plan Call for Sites:

alan wipperman & co.
property & town planning
mill house little bardfield essex CM7 4TN
tel. & fax: 01371-811488
mobile: 07946-450222
e-mail: alanw@alanwipperman.co.uk

23 August 2017

Planning Policy – Call For Sites
Neighbourhoods
Epping Forest District Council
Civic Offices
High Street
Epping Essex
CM16 4BZ

Dear Sirs

RE: FARM TYRES SITE, SEWARDSTONE ROAD, LONDON E4.

I refer to my letter of the 31st July with a Call For Sites Form completed and await acknowledgment of receipt of my letter and form. I refer to my letter of the 10th August seeking confirmation as well to which I have had no reply.

Can you kindly please confirm receipt.

Yours sincerely

Alan Wipperman BA MRICS MRTPI C Dip AF

Copy: Mr M Gregory

alan wipperman & co.
property & town planning
mill house little bardfield essex CM7 4TN
tel. & fax: 01371-811488
mobile: 07946-450222
e-mail: alanw@alanwipperman.co.uk

6 September 2017

Mr Derek McNab
Director of Neighbourhoods and Deputy Chief Executive
Epping Forest District Council
Civic Offices
323 High Street
Epping Essex
CM16 4BZ

Dear Mr McNab

RE: EPPING FOREST DISTRICT PLAN – REGULATION 19 PUBLICATION DRAFT OF THE LOCAL PLAN. THE FARM TYRES SITE, SEWARDSTONE ROAD, LONDON E4.

I write to express my concern at the eventual response from your Authority to my letters seeking acknowledgment from the Planning Policy Team, long after a completed response to the Call for Sites in relation to the preparation and adoption of the Authority's Local Plan was submitted.

I called the Planning Policy Team in July and was advised that if I completed a Call for Sites form it could still be considered, and if appropriate, added to the Local Plan documents to be produced later this year, sometime towards the end of the year.

I was instructed to submit the Call for Sites Form by Mr Gregory and did so on the 31st July 2017.

Despite requests for acknowledgment I finally received a letter, copy attached, un-signed, from no particular person in the Policy Team, dated 31st August 2017, with no reference for reply. The letter advises that as the submission was after the 31 March 2017, the site could not now be considered, making reference in "legalese" to the various regulations for Local Plan making, as though these prohibit the Authority from any discretion. I do not believe as a matter of law the Authority is statute barred from considering this site now.

This is particularly the case since, not only your own Officer's advice over the telephone indicated it was possible, but also because I have drawn the Planning Policy Team's attention in the submission I made to the following matters:

- (i) The site is brownfield, previously developed land and therefore would therefore priority and weight in the release of land for development, whether in the green belt or not. Your Authority is having to consider releasing greenfield/green belt land to meet objectively assessed housing need.
- (ii) The site will now become available within the Plan period. This was not certain in March 2017.
- (iii) The site has been partially assessed already by Arups in their Strategic Environmental Assessment as part of another site previously submitted by another party. This was referred to.
- (iv) The site would provide new housing in a sustainable location.

I also understand that your Authority does not have a 5 year demonstrable supply at present against the objectively assessed housing need.

alan wipperman & co – a firm regulated by the RICS

The National Planning Policy Framework requires a pro-active and positive approach by local planning authorities and I am rather surprised by this response that I have finally received. Para. 182 requires plans to be positively prepared. This reply is far from positive.

Para. 186 requires positive decision taking. The decision relayed in this reply is not positive.

Most importantly in plan-making Authorities should take a positive approach and seek opportunities as part of Para. 14 to meet their development needs. This unsigned letter, which may be a partly standard response is a complete failure to meet this requirement of the NPPF, especially so if the demonstrable 5-year housing supply is in doubt. Para. 187 also requires Authorities to look for solutions rather than problems.

Perhaps your Authority should reconsider the approach being taken in this case, rather than setting out in writing how to challenge the Plan? This is in effect encouraging my client to challenge the Plan when it is produced and that it is not a collaborative approach?

I am also particularly concerned that there has been no effort on the part of your Planning Policy Team to invite my client to seek registration of the site they own on the Authority's Brownfield Register which they are no doubt working on at present? As inclusion on the Register could now lead to a permission in principle application surely the Authority should welcome this and encourage information and registration?

I would be grateful if you could take this complaint up with your Planning Policy Team and let me know if on re-consideration the site can still be considered? If not then representations will have to be made in due course, in which event reference will be made to this letter.

Can you also please advise if the site will be included on the Brownfield Register and whether any forms or submissions are required for this by your Authority?

Finally I confirm I would indeed like to be automatically notified of future updates regarding the Local Plan and my details are set out above.

Yours sincerely

Alan Wipperman BA MRICS MRTPI C Dip AF

Copy: Mr M Gregory

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26 September 2017

Mr Derek McNab
Director of Neighbourhoods and Deputy Chief Executive
Epping Forest District Council
Civic Offices
323 High Street
Epping Essex
CM16 4BZ

Dear Mr McNab

**RE: EPPING FOREST DISTRICT PLAN – REGULATION 19 PUBLICATION DRAFT OF THE
LOCAL PLAN. THE FARM TYRES SITE, SEWARDSTONE ROAD, LONDON E4.
EFDC BROWNFIELD REGISTER FOR 31 DECEMBER 2017.**

I refer to my letter of the 6th September to which I do not appear to have received either a reply or acknowledgment.

Given matters are moving forward and your Authority's Pre-Submission Local Plan will likely be published January-February 2018, (reply to telephone inquiry last week), and the inclusion of many more greenfield green belt sites will now be almost inevitable following the Ministerial Statement of the 14th September (giving an indicative housing target of nearly 80% additional homes per annum in the EFDC area); thus the inclusion of this brownfield site now appears to be even more desirable and important in the light of the National Planning Policy Framework? The consultation paper on the methodology and targets will fall heavily on your Authority given the timetable for the Local Plan.

Therefore since the date of my letter, is there not all the more need for a pro-active positive response from your Authority and its Officers to the submission of this site to the Call for Sites, especially when it has been part assessed by Arups already?

I also refer to the preparation of your Authority's Brownfield Register which will have to be published by the 31st December 2017. There does not appear to be any invitation to submit sites for consideration on your website. However other authorities are inviting responses, e.g. St Albans, copy extract enclosed. The above site should be on the Register. Please confirm that it will be, or at least considered?

Your earliest reply would now be appreciated.

Yours sincerely

Alan Wipperman BA MRICS MRTPI C Dip AF

Copy: Mr M Gregory