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By hand and by email

23 April 2018

Dear Sirs

EFDC Local Plan consultations

This Society received an undated and unaddressed letter from EFDC on 26 March which thanked us for making representations under Regulation 20 and noted that we had made reference to the fact that, as some of the Appendices to the site selection report had not been published, we had not been able to comment on them. As a result we were invited to supplement our representations to take account of the Site Selection Report and Appendices.

No particular format for representations was specified in the letter.

We note that a number of documents on the EFDC website include a date which we believe indicates the publication date on the EFDC local plan website. Accordingly we believe we should be entitled to make supplementary and further representations on all of them, not only the sub-set of documents referenced by the EFDC letter.

In addition we assert the right to make supplementary and further representations on any part of the LPSV on which the additional material provides a fuller, better or additional appreciation of policies.

We have concluded that the following evidential documents have been uploaded subsequent to the closure of the Regulation 20 consultation:

EB502 which was approved by "S Jones" for issue on "11.12.2017" but it was uploaded to the EFDC website reference "uploads/2018/02/EB502".

EB713 Built Facilities Strategy Full Analysis and its related other reports were dated March 2018

EB714 Playing Pitch Strategy Full Analysis and its related other reports were dated March 2018

Site Selection 2018: all documents were uploaded March 2018

EB1608 Green Belt and District Open Land Background Paper was uploaded in March 2018

Our representations have been made accordingly.

A Duty to cooperate

1 On several earlier occasions I have drawn attention to the omission of responses from this Society from the published responses web page. I wrote most recently on 11 April but I have not had any acknowledgement or reply. The responses by this Society to the 2016 draft local plan and also the 2017-18 LPSV have not been published.

We strongly support publication of responses because it encourages openness and accountability among those who draft and amend policies. We also believe publication serves an important purpose in allowing others to review contributions so as to widen and deepen the debate about the local plan.

In our view the failure to publish our contributions, in our name, shows a lack of cooperation contrary to the requirements of the local plan process.

2 Towards the end of the consultation on the 2017-18 LPSV I asked for the period to be extended in view of the loss of effective time due to Christmas and New Year celebrations falling within the short 6 weeks allowed. EFDC offices were closed during the holiday period so the public were not able to access advice and support at that time. Many questions were unanswered by the time the consultation closed.

EFDC did not make available paper copies of the LPSV until after their offices re-opened following the Christmas holiday closure so those without access to the internet were unable to begin their analysis.

In my letter of 11 April I asked for the current consultation to be publicised. As noted earlier no response has been received from EFDC. This Society has learned that many interested members of the public were entirely unaware of the consultation exercise. While an email was received by this Society to inform us of the additional consultation period ending Monday 23 April, I did not receive that information and nor did my wife and nor did any individual members of our Committee who had made individual responses to the consultation.

Local press reports of a petition on the Epping Sports Centre caused us to contact its organisers and we learned they were unaware of the consultation exercise or how to respond to it.

This evidence shows that interested members of the public have not had an opportunity to respond to the current consultation because they have been (and many remain) uninformed about it.

In our view the failure to publicise the consultation shows a lack of cooperation contrary to the requirements of the local plan process.

3 Minutes of Working Groups for the Local Plan.
These appear to be unavailable to the public.

We represent this as an example of a lack of cooperation and openness.

B Soundness

1 The full Council meeting held on 14 December approved the draft local plan as its LPSV for consultation under Regulation 19. Subsequent to that meeting and the votes of Councillors a large volume of additional evidence has been published. This is dozens of documents, some of a highly technical nature, comprising hundreds of pages of cross-referenced material.

We do not know whether all of the evidence base was available to the Cabinet and Officers of the Council dealing with the LPSV, but if it was not available to them in a structured form then the draft LPSV itself cannot have been produced in a sound manner.

In our view the failure to publish all the evidence before the decision of Council was taken on the LPSV makes its decision unsound. Not only were Councillors not able to make a fully informed and balanced decision because of the absence of full evidence but the voting public were unable to make representations to Councillors which they could have done if the evidence base had been complete.

2. When the public were invited to comment on the LPSV their ability to fully appreciate the justification, weaknesses or validity of the policies put forward was restricted. Without the large amount of evidence published subsequently many conclusions drawn on the LPSV and evidence which had been disclosed would inevitably be modified, both for support, opposition or constructive modification of the LPSV.

In our view the failure to publish all the evidence before the consultation on the LPSV began makes the consultation void and accordingly the way the local plan process has been carried out is unsound.

3. The consultation version of the local plan ("LPCV") contained proposals for large scale development on the Green Belt at the north west of the district, adjacent to Harlow, and elsewhere near our neighbouring LPA. Information provided about the land proposed to be taken from the Green Belt for development was very limited and inadequate to support the standard of exceptional circumstances required by the NPPF.

Subsequent to the consultation under Regulation 19 the so-called "garden village" at Gilston has proceeded without following the procedures of a local plan. Instead the LPA has connived with other LPAs and the government to impose a large development on EFDC land without the involvement of the public.

We object to this procedure and to the substantive issue of taking the land from the Green Belt. Alternatives were not adequately considered, such as potentially to increase density of development within the large town of Harlow, whose Council appears keen to increase its population. Any such aspiration ought to be achieved within its existing borders by fully exploiting the space it has rather than by expanding as a "Harlow conurbation" into adjacent Green Belt.

The failure to make a good case, failure to consult and behind-the-scenes deals with other LPAs and the government make this development a particularly shoddy example of undemocratic decision making in local government. We believe the process and the decision to be deeply unsound.

C Site selection

a) As a general observation we noted that the criteria appear to have been applied very loosely. In reviewing the site selection methodology of EB805K we were not convinced that the assessments were robust, always founded on a cogent methodology or transparently arrived at.

Justifications for a site progressing through the selection procedure were often far from transparent and the reasons given were brief and formulaic. Similarly, the exclusion of potential employment sites was not clearly argued based on rigorous evidence and transparent decision making.

EB805D representations appear to be largely focussed on site promoters' views with little useful information to inform the decisions made. The summary of Community Choices Feedback gives a very brief and one dimensional summary and focusses only on sites to the exclusion of other policies on which representations were made.

EB805O-Appendix-B1.6.5-Technical-Assessment-Testing is a highly complex document and the lateness of its release has prevented us from carrying out a full appraisal of our views on site selection generally. The additional time allowed for representations has been insufficient. However, we draw attention to Alternative B: Exploring alternative travel patterns indicates a significantly lower housing requirement for Epping at 1,043 against 1,640 in the Plan with less traffic congestion. We consider that more consideration should have been given to transport, congestion, air quality and timely decisions on infrastructure (schools and hospitals, etc) and we doubt the soundness of the LPSV for those reasons.

These weaknesses and others amount to a lack of attention to public representations and process and accordingly amount to evidence of a lack of cooperation and a lack of soundness in the LPSV.

b) EB805J Detailed Methodology for More Detailed Assessment for Housing Sites

This gives the criteria for re-assessment of sites passed for the Plan (Tranche 1 and 2 sites). It also uses information obtained from a further 2017 survey of Promoters/Developers/Owners of these sites who could provide additional justification and information for their sites. The Survey details and questions are provided in EB805K appendix. This survey was after close of the consultation period and only open to Promoters/Developers/Owners.

By involving promoters in a consultation over a different time scale to the public suggests a bias by EFDC towards promoters. That suggests selective cooperation and accordingly it hints at a lack of soundness.

On specifics sites:

1. 2018/03/EB805P-Appendix-B1.6.6-Results-of-Identifying-Sites-for-Allocation.pdf Pages 10 to 15 summarise the reasons for site selection in Epping.

SR-0281-N St Johns Road Area justifies an allocation of 34 homes on 1.49 Hectares by reference to a 2012 design brief.

It says "A Development and Design Brief was prepared for this site and adopted as supplementary planning guidance in 2012. The site is in multiple ownership but the two parties are working collaboratively on a scheme and the site was identified as available within the first five years of the Plan period. It has no identified constraints or restrictions which would prevent it coming forward for development. The site is proposed for allocation."

We believe the reasoning to be unsound because:

- The information appears to be out of date as local people have been led to believe that EFDC now controls the entire site following contracts with Essex CC and Epping Town Council.
- A public consultation on the design brief showed the public did not want another supermarket. In the intervening period Councillors have put it about that Waitrose were to open a "food store" on the site. We understand that supermarket chain, and others too, have a much reduced appetite for additional outlets and no such anchor retailer has come forward. Accordingly the EDFC concept for the site is not supportable.
- Public consultation has repeatedly shown a wish for public facilities to be based on the site, including a replacement sports centre. A proposal for an arts cinema appeared to be generally welcome when it was informally made public. These facilities were not considered in the site selection study and accordingly decisions for this site are unsound.
- The number of dwellings proposed for such a large site appear to be far too unambitious. Rather than use Green Belt residents would welcome modest rise (three or four storey) high

density and high quality flats on this town centre site. Such an ambition appears fully aligned with the aspiration of an arts cinema and sports centre.

2. SR-0229 Epping London Underground Car Park and land adjacent to station

We repeat with emphasis our earlier representations on this site. Nothing in the Appendix B1.6.6 explains why the following aspirations have not been included in the LPSV:

2.1 Increased car parking for the station.

- Given the large numbers of additional houses proposed for the district and adjacent districts whose residents might reasonably be expected to choose to travel to central London using the Central Line, it would seem necessary to consider additional parking at the station.
- The large number of houses proposed for Epping South appears certain to generate additional car (or motor cycle/scooter and bicycle) journeys to Epping station. The site is too far for comfortable walking so alternative transport modes appear to be near certainties.
- The existing station car park is often full by 7:30 am. When football matches are scheduled at Stratford East London, the car park can fill at all times of the day and all days of the week.

2.2 Improved pedestrian access

- Pedestrians currently compete with cars and buses for the use of Station Approach and then increased passenger numbers seem likely to result in greater delay, inconvenience and danger because of limited space and poor layout.
- Users of the Central Line often get transport from the station, either by using the limited bus services or by private cars and taxis. Resulting congestion delays buses and frustrates all travellers, especially during inclement weather (hot, cold or wet).

2.3 Improved vehicle access

- Improved turnaround arrangements for public transport might increase its use

2.4 Improved station access

- Passengers have difficulty getting into and out of the station at busy periods. Limited automatic barrier capacity and restricted entrance doors, combined with limited access at the rear gate causes passenger frustration and delays

2.5 Protect local small businesses

- A builders merchants on the edge of the site provides a good service to local residents and local small businesses. It is under notice from TFL as its landlords in anticipation of development. Arrangements should be made to assist the business in getting a replacement site for continued trading near to Epping. The only alternative source of such materials in the town is itself unsustainable as it is located on a narrow one-way town centre road where both heavy delivery lorries and tradesmen's vans have difficulty.

We believe that TFL, as owners of the land proposed to be developed, and any developer should be required (under a S106 or otherwise) to address these issues as a precondition to planning approval for any development. We regret that the LPSV calls for contributions to unrelated ventures by any developer whereas the funds should be put towards improving passenger experiences.

3 SR-0347 Epping Sports Centre, Nicholl Road

The site allocation discussion states "infrastructure requirements has (sic) been dealt with through the Infrastructure Delivery Plan (2017). We assume this is a reference to the following document in which Paragraph 9.4.1.2 Existing Provision appears to be relevant.

[uploads/2018/03/EB1100-Draft-Infrastructure-Delivery-Plan-and-schedule-Arup-2016](#)

It notes that usage of sports facilities fluctuates through the day but no information is given about the impact that might have on the cost effectiveness of the site or what efforts might have been taken to encourage off-peak usage. There is a separate paragraph which refers to a new facility in Waltham Abbey. Local people have been led to believe a new sports centre will be provided for Epping “in the area”. A facility in Waltham Abbey would not be considered acceptable.

There is no indication of where a replacement Sports Centre would be located or what facilities would be available.

The site allocation report states “This site was identified as available within the first five years of the Plan period. It has no identified constraints or restrictions which would prevent it coming forward for development.”

There has been widespread concern that EFDC intends to provide a replacement sports centre in North Weald or even in Ongar. Meanwhile, a reported £1 million is to be spent on a refurbishment already under way at the Epping centre.

- The absence of clarity itself makes this site allocation unsound.
- A site far remote from Epping would be unsustainable because of the additional car journeys required and because some users would be unable to undertake the journey.
- Expenditure on the reported scale makes the development of the site in the first five years of the plan completely unsound as the waste of resources would be unacceptable, and accordingly it is unsound as presented.

4 SR-0348 and SR-0349 refer to car parks in the centre of Epping

The Epping Society repeats its earlier observations about these proposals. There must be increased town centre parking if the High Street retail businesses are to survive and increased traffic seems inevitable given the very large development at Epping South. The distance of that site from the High Street (and other near-centre public facilities) means pedestrian access is not a realistic option.

5 Epping Sanitary Steam and Laundry Co. Ltd, 17 Bower Vale

The rationale given for changing the use of this employment site to residential appears to be largely that buildings on the site are derelict, which fact is not disputed. However, whatever future use the site may be put to, it will need to be cleared and redeveloped. In view of the significant reduction in employment sites within the town over recent years it is inappropriate to change the use of this site as proposed.

Losses of employment sites have taken place because:

- Industrial premises on Centre Drive were changed to residential
- Many offices in the town centre have been converted to flats using Permitted Development rights

There is currently a shortage of commercial office premises, studios and light industrial sites in the town. If this site is lost to employment then there will be significantly reduced opportunities for local people to work here. In consequence additional car traffic will be generated as local residents are obliged to drive elsewhere to work. Accordingly this proposal is unsustainable.

6 SR-0977 Epping Library, St John's Road,

The allocation report notes the requirement to identify a replacement site for the library, but none has yet been disclosed and its size and facilities have not been disclosed. On this fact alone the proposal is unsound.

The site is opposite the large St John's Road site for which the 2012 design brief appears to be out of date and invalid. Accordingly it would be folly to allocate the library site for housing at this stage when it could be a key component of any attempt to link a revised St John's Road development plan with the High Street. It should be noted that pedestrian and vehicular access to St Johns Road is inadequate. The pedestrian constraints could not be readily overcome unless the road itself were to be closed to traffic, which would be unacceptable to residents. The constraint is the narrow pavement at the corner of St John's Church. The library site offers the possibility of routing pedestrians away from a busy junction without preventing alternative or more intense use of the site in future.

We submit that the proposal is unsound and leads to any development at the St Johns Road site being unsustainable.

7 Epping South comprising SR-0333, SR-0069/33, SR-069, SR-0113A, SR-0113B

Together these sites are put forward for allocation of [at least 950] houses on Green Belt land. There is nothing in the site allocation report to limit our criticism of this site in our earlier representation. In particular (and in addition where not covered in our earlier response):

7.1 For each of these sites the allocation report states "consideration of infrastructure requirements has been dealt with through the Infrastructure Delivery Plan (2017)". As noted above we have taken that to be a reference to the following document which we refer to as IDP17:

uploads/2018/03/EB1100-Draft-Infrastructure-Delivery-Plan-and-schedule-Arup-2016

In contrast to the brief and seemingly contented summary IDP17 states "Essex County Council maintains an extensive infrastructure network, however there is limited available funding for major new infrastructure investments. Significant levels of growth are planned for the District, which will place increasing pressure on existing transport services and create increased demand for new infrastructure." This does not provide any confidence that resources will be available to service the proposed large development and none have been identified.

7.2 EB502 Highway Assessment Report gives little cause for comfort in respect of highways generally. The large site at Epping South will generate significant additional vehicle movements which we believe to be underestimated in the report because:

- the site is too far from TFL Epping station for most people to walk;
- bus services are skeletal and there is no plan to run buses through Epping South which would be needed on a high frequency/high reliability schedule to have any hope of competing with cars;
- Schools are too far from the site (save for Ivy Chimney Primary school which is at capacity already) so car journeys are highly likely
- Health, shopping and other facilities are too far to walk – refer to our earlier representations for the distances.
- The Highway Assessment Report speculates that significant capacity improvements will be needed along the B1393 corridor between M11 Junction 7, Epping, Bell Common and Epping Forest including the Wake Arms roundabout. Local highways capacity stress exists at the following locations all of which would be obvious places for additional demand from residents at Epping South: Wake Arms, Station Road – St John's Road, Theydon Road Epping, Bury Lane Epping, A113 Ongar Rd/B172 Abridge Road – Abridge, Piercing Hill - Theydon Bois, B1393 Thornwood Road
- There has been no preparation of the public for near-term works at Wake Arms and the junction near the Bell Motel, each of which would require the use of Epping Forest land and the removal of Forest trees. Such matters have not been included in the Infrastructure or Highways reports and no consultation on such outcomes has been possible so far. Strong public opposition can be expected.

7.3 B1.6.5 Technical Assessment Testing

We draw attention to the first two of the issues considered in this technical assessment:

- whether transport impacts on Epping could be minimised;
- whether air quality impacts on Epping Forest could be minimised

These suggest a strong degree of concern in the LPA and they are issues which we believe have not been adequately answered. For example, we note that in 2018/04/EB805AI-Appendix-D-Traveller-site-selection there is a standard that requires travellers sites to be at least 150 m from a high voltage power line. The proposed development at Epping South is partly beneath such a power line. Please refer also to our representations in response to Regulation 20 when we drew attention to restrictions on travellers sites close to Motorways. It seems inconceivable that places of permanent residence could be located in less favourable locations than sites used by itinerant residents who would, accordingly, suffer less harm as a result of only short term exposure to the harm.

Accordingly we submit that Epping South is an unsustainable allocation without specific and funded solutions to the highways capacity issues.

Transport

Any development in Epping or communities to the north will increase passenger demand on the TFL Central Line. Unless travellers have specific reasons to travel to or through central London by motor vehicle the Central Line is the obvious choice of travel. This applies to residents outside Epping as well as those within the town. Significant numbers of passengers drive to Epping (and other places with TFL stations in the EFDC district) because alternative main line stations are less readily accessed and services are perceived as more expensive. Harlow stations do not operate Oyster card payment services and mainline stations to the east and south east of Epping are distant, difficult to get to because of overloaded roads and parking is difficult to come by.

These facts appear to local residents as obvious but no allowance appears to have been made in either the infrastructure evidence or in the transport evidence or modelling.

EB1100-Draft-Infrastructure-Delivery-Plan-and-schedule ("IDP") claims the TFL Central Line is 37% utilised in the district but that is not at all the point. Residents do not in large numbers travel by Central Line at busy times to access other stations in the district but to travel to London: some change lines at Stratford or elsewhere while others travel to the centre for work, medical reasons, education, shopping and other social purposes; work is the dominant reason for travel.

The IDP concludes that no stations in the district are nearing capacity on the basis that no evidence is available. We find this a very weak piece of evidence. The report states that "discussions about the implications of growth in Epping Forest District are ongoing with TfL" which does not represent evidence at all. It also states "By the 2020s, the Central Line (along with the Bakerloo, Piccadilly and Waterloo & City lines) will be operating the oldest trains and signalling on the network. TfL is progressing plans for a comprehensive renewal of these lines, including a single train fleet and signalling system. As part of this upgrade, TfL hope to add an additional 25% capacity to the Central Line by 2025."

We do not consider "hope" and a lack of information to be "evidence" and ongoing discussions do not constitute a plan.

Accordingly we conclude and represent that there is no workable transport plan for the district and certainly none to sustain substantial additional housing as proposed.

Sports facilities

Please refer to our remarks concerning the housing allocation at SR-0347 Epping Sports Centre, Nicholl Road. Many of those remarks relate directly also to sports facilities generally in the district.

The Epping Sports Centre is popular with large numbers of local residents, as evidenced by a petition presented to the Council. It is a place for healthy exercise, physical therapy, rehabilitation and social interaction. Its loss to Epping would be significant.

Epping has lost a Magistrates Court, police station, post office (just a counter now in a general store) and is scheduled to lose a registry office and library (subject to an unknown replacement somewhere in the area) and it will also lose its town hall as part of the St John's Road development. As a market town we have lost almost everything which is a community feature. To also lose the sports centre would render the town nothing more than a commuter town; perhaps that is the unstated objective of the local plan.

We submit that the loss to the town centre of the sports centre would be a severe blow. It would be unsustainable because the promised replacement would entail car journeys for those who could do so and a loss of participation.

The proposal to develop the Epping Sports Centre is unsound because no replacement has been disclosed and £1 million has been spent altering and refurbishing the centre and this project is still ongoing.

We reserve the right to bring these omissions to the attention of the Planning Inspector as examples of a failure by EFDC to properly consult and effectively engage with the community in the preparation of its Local Plan.

Yours sincerely



Vice Chairman The Epping Society
Chairman Local Plan Sub-committee