

Stakeholder Reference:
Document Reference:

Part A

Making representation as Resident or Member of the General Public

Personal Details		Agent's Details (if applicable)	
Title	Mrs		
First Name	Carina		
Last Name	Hill		
Job Title (where relevant)			
Organisation (where relevant)			
Address			
Post Code			
Telephone Number			
E-mail Address			

Part B

REPRESENTATION

To which Main Modification number and/or supporting document of the Local Plan does your representation relate to?

MM no: 33

Supporting document reference: C. 2021 Habitats Regulations Assessment, June 2021 (ED129A-B/EB211A-B)

Do you consider this Main Modification and/or supporting document of the Local Plan to be:

Legally compliant: No

Sound: No

If no, then which of the soundness test(s) does it fail? Consistent with national policy

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.

At least in WAL.E8 the ecological assessment may need updating. The ecological report noted several species of bats and there issue of potential loss of habitat: surveys would need to be undertaken to give a full picture of the habitats and roosts present. There are also residents reports of badger RTAs on Downing Way consistent with setts on or near the site.

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.

Further ecological assessment preferably by a neutral entity. Full reporting of.

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The council has not included a site in Theydon Bois as being too close, within 750 m from the SAC. Traffic from a development on WAL.E8 would be within that distance. This seems to be in contradiction to its previous decision not to build so close to the SAC.

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Remove sites from the LP likely to or may cause damage to the SAC.

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MM no: 33

Supporting document reference: B. Sustainability Appraisal Report Addendum, June 2021 (ED128/ EB210)

Do you consider this Main Modification and/or supporting document of the Local Plan to be:

Legally compliant: No

Sound: No

If no, then which of the soundness test(s) does it fail? Consistent with national policy

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No 'exceptional circumstances' NPPF para 83 are demonstrated to remove the area from Green Belt designation. An authority must demonstrate it has examined all other reasonable options. An example of where the examining inspector approved land for release in the case of Wyre Council gave reasons including:

Has a good range of services and facilities and is well served by sustainable travel modes including a railway station. This is simply not the case in Waltham Abbey.

In IM Properties Developments Ltd v Lichfield DC Patterson J states that para 84 is "clear advice to decision makers to take into account the consequences for sustainable development of any review of Green Belt boundaries. As part of that patterns of development and additional travel are clearly relevant.

The council have declared a Climate Change Emergency and therefore would need to consider if the removal of land from Green Belt is sustainable given the additional traffic pressures development would invariably mean including the release of harmful particulates both to human health and the the integrity of the SAC.

A declaration of a Climate Emergency and removal of land from Green Belt would seem counter intuitive.

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Keep the Green Belt land.

Signature: Carina Hill Date:
22/09/2021