

Stakeholder Reference:
Document Reference:

Part A

Making representation as Statutory Consultee, Local Authority or Town and Parish Council

Personal Details		Agent's Details (if applicable)
Title	Mr	
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Part B

REPRESENTATION

To which part of the Pre Submission Epping Forest District Local Plan does this representation relate?

Paragraph:

Policy: SP 2 Spatial Development Strategy 2011-2033

Policies Map: No

Site Reference: None of the above

Settlement: Chigwell

Do you consider this part of the Pre Submission Local Plan to be:

Legally compliant: Yes

Sound: No

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

Complies with the duty to co-operate? Don't Know

Please give details either 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; or of why the Submission Version of the Local Plan is legally compliant, is sound or complies with the duty to co-operate. Please be as precise as possible. Please use this box to set out your comments.

The spatial strategy is positively prepared, is justified and ought to be effective in general and in respect of its provisions for Chigwell as set out in Policy P7. The acknowledgement of Neighbourhood Plans contributing to housing supply in C(iv) is welcomed. However, the Parish Council objects to A(iv) as it is too narrow in its valuing of urban open space solely in quantitative terms. It is therefore not consistent with NPPF policy on local green space (§76-77) or the local amenity value of land (§110) and may also be in conflict with heritage policy (§126) where the open space forms the setting to heritage assets.

Please set out what change(s) you consider necessary to make the Pre Submission Local Plan 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 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.

(iv) Sites located on open space within settlements where such selection would maintain adequate open space provision within the settlement and would be consistent with the heritage and design policies of the Local Plan;

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

No, I do not wish to participate at oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

REPRESENTATION

To which part of the Pre Submission Epping Forest District Local Plan does this representation relate?

Paragraph: 2.90

Policy: SP 3 Place Shaping

Policies Map: No

Site Reference: CHIG.R6

Settlement: Chigwell

Do you consider this part of the Pre Submission Local Plan to be:

Legally compliant: Yes

Sound: No

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

Complies with the duty to co-operate? Don't Know

Please give details either 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; or of why the Submission Version of the Local Plan is legally compliant, is sound or complies with the duty to co-operate.

Please be as precise as possible. Please use this box to set out your comments.

The Parish Council generally supports the the policy but it should be modified to recognise the positive contribution that neighbourhood plans can make to place shaping to be consistent with NPPF policy on neighbourhood planning (§16, §184 and §185). Specifically, EITHER the reference to Limes Farm in §2.90 should be qualified in §2.91 by stating that the strategic masterplan will come forward as part of a review of the Chigwell Neighbourhood Plan within the plan period and the Parish Council as qualifying body has committed to doing so (see also representation on Policy P7). OR the reference should be deleted, and the matter dealt with only through Policy P7. As the Parish Council has made this commitment and as neighbourhood plans have already been used effectively to manage the planning of estate regeneration programmes in England, this modification is required to ensure the policy is consistent with NPPF policy on neighbourhood planning (§16, §184 and §185).

Please set out what change(s) you consider necessary to make the Pre Submission Local Plan 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 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.

Add new sentence to the end of §2.91 thus, "However, the regeneration of the existing residential estate at Limes Farm requires a different approach to masterplanning. Chigwell Parish Council has committed to undertaking a review of its Neighbourhood Plan later in the plan period and to incorporating the strategic masterplanning of Limes Farm as part of its scope. This will provide an appropriate means of engaging the local community and other stakeholders in planning positively for this important project, whilst embracing all the key strategic masterplanning principles set out in this policy."

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 at the oral part of the oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The use of neighbourhood plans in planning for estate regeneration is a recent innovation but entirely consistent with the Government's estate regeneration strategy and with the NPPF on the benefits of neighbourhood planning. It is important that the examination hears evidence of this innovative practice.

REPRESENTATION

To which part of the Pre Submission Epping Forest District Local Plan does this representation relate?

Paragraph:

Policy: H 1 Housing mix and accommodation types

Policies Map: No

Site Reference: None of the above

Settlement:

Do you consider this part of the Pre Submission Local Plan to be:

Legally compliant: Yes

Sound: No

If no, then which of the soundness test(s) does it fail? Justified

Complies with the duty to co-operate? Don't Know

Please give details either 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; or of why the Submission Version of the Local Plan is legally compliant, is sound or complies with the duty to co-operate. Please be as precise as possible. Please use this box to set out your comments.

The Parish Council objects to part D as it is inconsistent with Policy H2 on Affordable Housing and should be deleted as unnecessary. Policy H2 correctly provides for exceptions to delivering affordable housing in its part E and as explained in the text (§3.15).

Please set out what change(s) you consider necessary to make the Pre Submission Local Plan 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 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.

Delete Part D from the policy.

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

No, I do not wish to participate at oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

REPRESENTATION

To which part of the Pre Submission Epping Forest District Local Plan does this representation relate?

Paragraph: 5.101

Policy: P 7 Chigwell

Policies Map: Yes

Site Reference: CHIG.R6

Settlement: Chigwell

Do you consider this part of the Pre Submission Local Plan to be:

Legally compliant: Yes

Sound: No

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

Complies with the duty to co-operate? Don't Know

Please give details either 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; or of why the Submission Version of the Local Plan is legally compliant, is sound or complies with the duty to co-operate. Please be as precise as possible. Please use this box to set out your comments.

The Parish Council considers that §5.101 should accurately explain the role and scope of the Chigwell Neighbourhood Plan in complementing the provisions of Policy P7. The Plan will have been submitted and possibly examined and made proper to the adoption of the Local Plan.

It considers that the vision and part C of the policy are modified to correct an error, as both fail to identify the Community Hub as the most important local infrastructure priority, as proposed in the Chigwell Neighbourhood Plan and as identified in the evidence base of the Local Plan (i.e. the Infrastructure Delivery Plan (Part A report, December 2017, §9.3.4 and Fig 37, p86) and the Infrastructure Delivery Schedule (Part B Report, December 2017, Refs CHG19-CHG21, pp40-41)). In its current form, part C is inaccurate and therefore unjustified.

In line with the modification to policy SP3, it considers that part G on Limes Farm should be modified that part H should be deleted and replaced to be consistent with national policy on neighbourhood planning (§16, §184 and §185). In addition, and for the same reason, part I be modified, as the Parish Council has made a commitment to undertaking a review of the Chigwell Neighbourhood Plan within the plan period and as neighbourhood plans have already been used effectively to manage the planning of estate regeneration programmes in England.

Please set out what change(s) you consider necessary to make the Pre Submission Local Plan 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 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.

Add to §5.101 thus, "The Plan has been submitted for examination and referendum and may be made prior to the adoption of the Local Plan. The vision and policy provisions of the Local Plan and Neighbourhood Plan are complementary. The Local Plan has had to make such provisions in respect of planning for the release of land from the Green Belt for development, as this is not a matter for neighbourhood plans."

Amend the Vision thus, "... Key priorities for infrastructure in the Parish are the provision of a new Community Hub serving the whole Parish, sustainable transport ..." and thus, "... will be explored through the comprehensive social, economic and environmental regeneration of Limes Farm (delete remainder in sentence)".

Amend part G thus, "... comply with the Strategic Masterplan that forms part of a review of the Chigwell Neighbourhood Plan that will be prepared and made to enable the delivery of new homes in the plan period." Part H should be deleted and replaced thus, "The Neighbourhood Plan will adopt the strategic masterplanning principles of Policy SP3 to a comprehensive redevelopment programme is proposed, that makes proper provision for the interests of the existing homeowners, residents and businesses and that ensures no net loss of affordable homes." Part I should be amended thus, "In addition to the requirements set out above, the Neighbourhood Plan must make provision ...".

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 at the oral part of the oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

See representation on SP3.

REPRESENTATION

To which part of the Pre Submission Epping Forest District Local Plan does this representation relate?

Paragraph:

Policy: P 7 Chigwell

Policies Map: Yes

Site Reference: CHIG.R7

Settlement: Chigwell

Do you consider this part of the Pre Submission Local Plan to be:

Legally compliant: Yes

Sound: No

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

Complies with the duty to co-operate? Don't Know

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Please be as precise as possible. Please use this box to set out your comments.

The Parish Council objects to part B(vii) CHIG.R7 Land at Chigwell Convent as it is inconsistent with NPPF policy on neighbourhood planning (§16, §184 and §185), on development of a designated local green space (§78), on protecting land with local amenity value (§110) and on conserving and enhancing heritage assets (§126, §129 and §133).

The proposed allocation is also in conflict with Local Plan policies SP3(vi)/(vii)/(viii)/(xi) on place shaping, DM6 on open spaces and DM7 on heritage assets. The land is proposed to be designated a Local Green Space in the Chigwell Neighbourhood Plan Policy CHG10. It is likely the Plan will have been examined and made before the Local Plan is adopted. The Plan evidence base demonstrates how the land meets the NPPF §77 tests and its Sustainability Appraisal compares the proposal with that of Policy 7(vii). The Appraisal notes the inaccurate assessment of the land in the Local Plan evidence base (Residential Sites for Stage 2 Assessment in Chigwell, September 2016, Ref 0588), which fails to properly identify the land forms part of the setting to two listed buildings/structures or to accurately define the negative effect/substantial harm of development on the designated heritage assets. That evidence report also wrongly considers that the development of the land may improve the settlement character and contains no analysis to indicate that the land is either 'run down' or provides an opportunity to 'improve the townscape'. The proposal is therefore unjustified.

The Appraisal notes that the Neighbourhood Plan makes provision for one additional housing site allocation to the Local Plan Policy P7 that is of a similar quantum and that the need for housing development of Chigwell Convent is not necessary to meet the local housing need. It therefore concludes that the reasonable alternative of developing the land scores poorly against the Neighbourhood Plan proposal.

No evidence is available to demonstrate that NPPF §129 and §133 have been complied with, in respect of quantifying the substantial harm to the heritage assets, of how the harm caused by a housing scheme of 28 dwellings can be mitigated, or of defining the public benefits that outweigh that harm. The proposal is therefore unjustified and inconsistent with national policy and should therefore be deleted from Policy P7.

Please set out what change(s) you consider necessary to make the Pre Submission Local Plan 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 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.

Delete site CHIG R7 from the policy.

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 at the oral part of the oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

The proposed site allocation has serious technical weaknesses that result in it being unjustified. The LPA may seek to submit new evidence to the examination to attempt to address these weaknesses. In which case, the Parish Council may wish to present the counter evidence of its own heritage expert witness.

REPRESENTATION

To which part of the Pre Submission Epping Forest District Local Plan does this representation relate?

Paragraph:

Policy: D 1 Delivery of Infrastructure

Policies Map: No

Site Reference: None of the above

Settlement:

Do you consider this part of the Pre Submission Local Plan to be:

Legally compliant: Yes

Sound: No

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

Complies with the duty to co-operate? Don't Know

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Please be as precise as possible. Please use this box to set out your comments.

The Parish Council considers that the policy needs to acknowledge that proposals for local infrastructure investment may also be derived from made neighbourhood plans to bring it into line with national policy (NPPF §185 on neighbourhood planning) and CIL provisions for investing infrastructure funding in the local charging area.

Please set out what change(s) you consider necessary to make the Pre Submission Local Plan 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 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.

Amend part A thus, "... as identified through the Infrastructure Delivery Plan or through a made Neighbourhood Plan". Amend part F thus, "... consider prioritising contributions in line with the IDP Schedule and with the provisions of a made Neighbourhood Plan, and phasing ...".

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

No, I do not wish to participate at oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

REPRESENTATION

To which part of the Pre Submission Epping Forest District Local Plan does this representation relate?

Paragraph:

Policy: D 6 Neighbourhood Planning

Policies Map: No

Site Reference: None of the above

Settlement:

Do you consider this part of the Pre Submission Local Plan to be:

Legally compliant: Yes

Sound: No

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

Complies with the duty to co-operate? Don't Know

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Please be as precise as possible. Please use this box to set out your comments.

The Parish Council considers that the policy needs to properly reflect the positive provisions of NPPF § 16, § 183-§ 185 to be consistent with national policy, rather than stating only the strategic policy constraints on neighbourhood plans. In addition, the supporting text should better explain the complementary relationship between the Local Plan and made and future neighbourhood plans in the District in terms of policy making and implementation to reflect local circumstances, especially in respect of the Green Belt. On that point, the Parish Council is mindful of potential changes that may be made to the NPPF in 2018 that enable neighbourhood plans to plan more positively for development in the Green Belt than is presently the case.

Please set out what change(s) you consider necessary to make the Pre Submission Local Plan 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 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.

Add new part B thus, "The Council will encourage and support neighbourhood plans to bring forward complementary visions and non-strategic development policies to shape and direct development in designated neighbourhood areas".

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

No, I do not wish to participate at oral examination

If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary:

Please let us know if you wish to be notified when the Epping Forest District Local Plan is submitted for independent examination

Yes

Signature: Neil Homer Date: 29/01/2018