

# Epping Forest District Council

## Chigwell Neighbourhood Plan

### Regulation 16 Publication response form

This form may be photocopied or downloaded from the website. Further printed copies can also be obtained from the Council. **Please return by 4pm on Tuesday, 26 June 2018.**

This form can be returned by e-mail to [LDFconsult@eppingforestdc.gov.uk](mailto:LDFconsult@eppingforestdc.gov.uk) by post to **Planning Policy, Civic Offices, High Street, Epping CM16 4BZ**. Email is the Council's preferred method of receiving comments, as it will help us to handle your representation quickly and efficiently.

Comments are invited, regarding whether the draft Chigwell Neighbourhood Plan and supporting documentation fulfil the "basic conditions", as required by paragraph 8 (1) (a) (2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011).

If you wish to make comments about the draft Neighbourhood Plan, please specify which of the seven "basic conditions" you are commenting on. Comments should set out a justification as to why you consider that the basic condition has **NOT** been met, or why you consider that the basic condition has satisfactorily been met. You can also suggest improvements or modification to the draft Neighbourhood Plan.

All comments will be forwarded on to the appointed examiner for the Chigwell Neighbourhood Plan. You should not assume that there will be an opportunity to add further information, although the examiner may request additional information from you, based on the matters he/ she identifies for examination.

The regulations require that any representations made during the consultation period for the Chigwell Neighbourhood Plan must be submitted to the examiner together with a summary of the main issues raised. Therefore, comments cannot be treated as confidential, although personal addresses will not be made publicly available.

Epping Forest District Council will consider all representations made if returned by the deadline. However, please note that late representations will not normally be accepted.

| Personal Details          |                                       | Agents Details (if applicable) |  |
|---------------------------|---------------------------------------|--------------------------------|--|
| <i>Organisation Name:</i> | Environment Agency                    | <i>Organisation Name:</i>      |  |
| <i>Contact Name:</i>      | Lisa Mills                            | <i>Contact Name:</i>           |  |
| <i>Address:</i>           | Alchemy Office,<br>Welwyn Garden City | <i>Address:</i>                |  |
| <i>Postcode:</i>          | AL7 1HE                               | <i>Postcode:</i>               |  |
| <i>Tel:</i>               | ██████████                            | <i>Tel:</i>                    |  |
| <i>Fax:</i>               |                                       | <i>Fax:</i>                    |  |
| <i>E-mail:</i>            | ████████████████████                  | <i>E-mail:</i>                 |  |

# Part 1

Seven “basic conditions” form the statutory requirements for the draft Neighbourhood Plan. These require that the Neighbourhood Plan:

**Please tick the relevant basic condition / supporting documents and submit a separate Part 2 form for each of the basic conditions / supporting documents you are commenting on**

|  |          |
|--|----------|
| a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the order (or neighbourhood plan).   |          |
| b. having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order. This applies only to Orders. |          |
| c. having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order. This applies only to Orders.  |          |
| d. the making of the order (or neighbourhood plan) contributes to the achievement of sustainable development.  | <b>X</b> |
| e. the making of the order (or neighbourhood plan) is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).  |          |
| f. the making of the order (or neighbourhood plan) does not breach, and is otherwise compatible with EU obligations.   |          |
| g. prescribed conditions are met in relation to the Order (or plan) and prescribed matters have been complied with in connection with the proposal for the order (or neighbourhood plan).  |          |

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|--|--|
| Other supporting submission document and supporting documents. Please specific which document you wish to comment on:<br>_____ |  |
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## **Part 2**

### **Question 1**

**Why do you consider that the draft Chigwell Neighbourhood Plan and/ or supporting documents do/ do not meet the specified “basic condition”?** Please provide a brief summary of your comments.

The neighbourhood plan does not mention the potential to open up the Chigwell Brook culvert, therefore maximising sustainable development.

**Detailed explanation and proposed modifications.** Please give further details of your opinion and the reasons for it, as well as any proposed improvements or modifications to the Plan (continue on a separate sheet as necessary).

Thank you for your consultation on the above Neighbourhood Plan. We received your consultation on 15<sup>th</sup> May 2018.

We are a statutory consultee in the planning process providing advice to Local Authorities and developers on pre-application enquiries, planning applications, appeals and strategic plans. Together with Natural England, Heritage and Forestry Commission we have published joint advice on neighbourhood planning which sets out sources of environmental information and ideas on incorporating the environment into plans. This is available at:

<http://webarchive.nationalarchives.gov.uk/>.

We do not have any substantial input to make to the plan as many of the wider environmental issues concerning the Environment Agency will be covered by Epping Forest District Council's Local Plan. We do however have some brief comments to make regarding Policy CHG6 'Supporting Local Shops' as proposed in the plan.

#### **Policy CHG6: Supporting Local Shops**

The neighbourhood plan designates the Brook Parade as a village centre. The Chigwell Brook, identified as a main river, runs in a culvert through this site. We would expect all opportunities to be taken to open up the culvert and provide a more naturalised section of watercourse with any further development at this location. By opening up the culvert, we identify this as a great opportunity to provide both aesthetically pleasing amenity space and biodiversity enhancements.

With any development alongside watercourses, consideration should always be given to the requirements of the Water Framework Directive (WFD), which includes causing no overall deterioration in water quality or the ecological status of any waterbody. Opening up the culvert here would help to improve the ecological status of the Chigwell Brook. This will contribute to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures, as outlined in paragraph 109 of the National Planning Policy Framework (NPPF). Article 10 of the Habitats Directive also stresses the importance of natural networks of linked habitat corridors to allow the movement of species between suitable habitats, and promote the expansion of biodiversity. River corridors are particularly effective in this way. Such networks and corridors may also help wildlife adapt to climate change.

All future development at this location must also comply with the requirement to provide an 8 metre undeveloped buffer zone measured from the centre line of the culvert. However, there

may be potential for this to be negotiated if the channel is opened up.

Any development within eight metres of the Chigwell Brook may also require a permit under the Environmental Permitting (England and Wales) Regulations 2010 from the Environment Agency. This permit is separate to and in addition to any planning permission granted. Any development taking place within this proximity of the watercourse without a permit could be breaking the law.

### Question 2

The appointed examiner will consider all representations received by the deadline (**4pm, Tuesday 26 June 2018**). Normally, the examiner will seek to consider all responses through written representations. However, occasionally an examiner may consider it necessary to hold hearing sessions to discuss particular issues.

Please indicate whether you would like to request to be heard before the examiner at the Neighbourhood Plan Examination Hearing: ~~Yes~~ / No

If you have indicated that you wish to attend the Examination, please explain why you consider this to be necessary. Please note that this is entirely at the discretion of the examiner:

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### Question 3

Please indicate whether you wish to be notified of either or both of the following:

The publication of the recommendations of the Neighbourhood Plan Examiner

YES / ~~NO~~

Final "making" (adoption) of the Neighbourhood Plan by Epping Forest District Council

YES / ~~NO~~

|                                     |                              |
|-------------------------------------|------------------------------|
| <b>Signature:</b><br><br>Lisa Mills | <b>Date:</b><br><br>25.06.18 |
|-------------------------------------|------------------------------|

Thank you for taking the time to respond.