

# Statement for the Epping Forest District Local Plan Examination

## Matters 13 and 14

*Prepared For*  
**Loughton Residents  
Association**

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CHARTERED TOWN PLANNERS

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## 1 INTRODUCTION

- 1.1 We enclose representations to Matter 13 (Transport) and Matter 14 (Infrastructure and Delivery) of the Epping Forest District Local Plan Examination on behalf of our client the Loughton Residents Association (LRA).
- 1.2 We have limited our response to the key issues of relevance to our client.
- 1.3 We understand that the Plan is being examined under the transitional arrangements, meaning that the relevant national policies are set out in the National Planning Policy Framework (NPPF) of 2012. Where appropriate, we have also referred to updated National Policy as set out in the NPPF of February 2019.
- 1.4 Loughton Residents Association is a very active group of local residents who care for Loughton and its environment. Their membership is around 1,000 households, and they have been in existence for nearly 40 years. They are independent of any political party. They seek, and listen to, the views and concerns of Loughton residents and take action in support. They have a majority of the councillors on the Loughton Town Council, and councillors on Epping Forest District Council & Essex County Council. They have their own regular printed and email newsletters to residents, their own website ([www.LoughtonResidents.org.uk](http://www.LoughtonResidents.org.uk)) and their own Twitter and Facebook sites.



## 2 MATTER 13: TRANSPORT

### ISSUE ONE

**Has regard been had to the Mayor of London's draft Transport Strategy and London Plan in proposing Policy T1 and are its provisions clear and effective?**

#### **Specifically related to TfL and the Central Line**

- 2.1 The Plan seeks to deliver growth on the Central Line corridor. It should be remembered also that this corridor is virtually all within the ZOI for the Epping Forest SAC, and it is our contention that the Plan cannot be regarded as sound when alternative strategies to place growth away from the SAC have not even been considered (see our response [HRA]). This apart, there are important concerns over the capacity of the Central Line to safely and in reasonable comfort accommodate additional passengers to meet the demand which will be generated by the Plan as drafted, particularly during the early years of the Plan period.
- 2.2 The Transport Assessment Report (TAR, EB503) itself specifically acknowledges the operation of the Central Line at or above capacity during peak hours (Table 4-5 and 4-6, page 21). This is a situation which is unlikely to be resolved by the time that the development in the Plan at Jessel Green is intended to come forward. The new rolling stock and signalling needed to deliver significant capacity increase cannot be provided until at the earliest 2030. It is therefore our contention that any growth in the Central Line corridor (and hence the ZOI for the SAC) should not be factored in until the first revision of the Plan, expected 2025.
- 2.3 It is noted that Policy 16 of the Mayor's Transport Strategy (2018) specifically looks to transform London's rail system with updates and an increase in capacity of 80% by 2041, to tackle overcrowding. Figure 25 of this Strategy document (included below) shows that the intended tube upgrades are only partially funded, which raises concerns regarding whether they are genuinely deliverable. It also observes that the overcrowding on existing infrastructure (including the tube lines) will need to be in part resolved through the delivery of new infrastructure, such as Crossrail 2, which will release the pressure on the existing infrastructure but is not intended to open until 2030, and has suffered particular doubt over funding, such that it may never materialise at all.



2.4 It is acknowledged that Proposal 63 of the Mayor’s Transport Strategy states the Mayor’s intention to invest in the capacity and reliability of the tube network. The text supporting this proposal sets out no timings or proposals relating to the Central Line.

2.5 Reasons for constraint on the capacity of the Central Line are as follows:

- The size of the tunnels is established therefore there is no possibility of increase in carriage size.
- The limited length of platforms in central London prevents any increase in train length
- The frequency of trains is limited by the signalling system. Any potential improvements to this can deliver only very limited additional capacity.
- The fare structure (whereby underground is less expensive than National Rail trains from outlying areas) means that the trains are crowded on departure from the terminus at Epping, and additional passengers cannot easily board in Loughton or on points further south.
- London Transport removed in 1990 the second turnback siding at Debden, so capacity for increasing capacity between Debden, Loughton and places south is now even more limited than it was historically.

2.6 These concerns remain an issue in the context of the evidence now available. TfL uses its own definition of the word “capacity”, which appears to be based on the number of persons that can be crammed into Tube cars, again dependent on extensive standing; as many as 5 persons per square metre. We consider this might be acceptable for two or three station journeys in Central London, but for a journey of from 11 to 15 miles, such as from the Central Line stations in Epping Forest, the DfT measure of persons in excess of seating capacity (PIXC) is more appropriate. (see, for example, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/728526/rail-passengers-crowding-2017.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/728526/rail-passengers-crowding-2017.pdf))

2.7 There has still been insufficient analysis of capacity at different points on the line at varying times of day, in the context of the location and extent of growth proposed. I.e., the locations of growth do not necessarily increase demand in the areas where there is capacity. For example; the Infrastructure Delivery Plan [EB1100] (page 23) states that TfL’s RODS data indicates that, on the five stations at the end of the Central Line in Epping Forest District, peak hour capacity is around 37% utilised. However, we have done our own study on the seating capacity of trains via



a Freedom of Information request (see para 7 above), which indicates that seating capacity is already exceeded on westbound trains entering Loughton station.

- 2.8 However, there was no available data on the capacity of individual stations at that time, i.e. the number of passengers that could be accommodated by the station premises and its facilities at any one time and no evidence that any stations are nearing total capacity. However, it is understood that concerns were expressed by residents through previous consultation on the Local Plan that certain stations are constrained. Subsequently, the representations made by TfL have set out that there may be capacity issues at stations which need addressing during the Plan period. This therefore remains a matter of uncertainty.
- 2.9 Loughton Town Council note the submissions made by TfL to the Plan; in these they specifically state that crowding relief and therefore the capacity of the Central Line will not be known until Crossrail has fully opened, which it has just been announced is likely to be delayed until 2021. The reliance on Crossrail and the timing of this creates risk and uncertainty around the extent and timing of improvements needed to the Central Line to alleviate future capacity constraints. The Plan should not therefore be reliant on this.
- 2.10 TfL's submission also highlights the need for improvements to the entry and exit capacity of some stations as a result of the planned growth and that this "could best be achieved through CIL or s106 contributions toward station access and capacity improvements." There is no clear reflection of this in the Plan or accompanying IDP.
- 2.11 Furthermore, the TfL responses states that "It will be important that Epping Forest District Council require developers to prepare an assessment of station capacity and put forward proposals to mitigate any impacts where this is likely to be an issue." It is unclear from this requirement as to how a developer is expected to assess the capacity of various stations and then make proposals on a situation which TfL are stating can be acceptable. It is also unclear as to how the requirement and extent of improvements can be assessed and tested as part of a single development coming forward and as to how much certainty this provides in terms of future improvements to the Central Line by requiring improvements in this incremental manner. Again, this is something that should be looked at holistically so that any necessary improvements can be coordinated.



- 2.12 There is therefore no certainty as to the timing or delivery of the improvements which undoubtedly would be required to the Central Line to meet capacity demand, yet it remains the Council's approach to prioritise growth around Central Line stations. Furthermore, the impact will be more keenly felt in the stations towards the end of the line on the branch line of the Central Line, for example at Loughton, where a significant proportion of additional growth is specifically located.
- 2.13 It is the case of Loughton Town Council that the phasing and timing of growth around the corridor should be reduced (as set out in Loughton Town Council's submissions in relation to Matter 15) and reconsidered so that it is later in the Plan period to allow for the planned improvements to the Central Line in advance of development in these areas. We endorse these representations and consider that this would be a justified response to this matter. However, given the issues that have already been identified with the spatial strategy and the lack of proper consideration of reasonable alternatives for the location of growth in the District through the Sustainability Appraisal, it would be a justified approach for the Inspector to ask the Council to undertake a more fundamental review of the spatial strategy.

## ISSUE 2

**Will Policy T2 be effective in protecting the land for future transport schemes from development.**

**Q1 Is it necessary to list the particular schemes for which land is required to be safeguarded?**

- 2.14 Firstly, part A of the policy is far too generic and requires clarity. If specific areas of land are required for future transport schemes, these should be defined, spatially, on the policies map to enable the land to be safeguarded and the policy to be capable of being delivered.
- 2.15 Yes. Specific schemes should be listed. But the Plan is currently unclear about what transport schemes are required to deliver the growth set out in the Plan, and the Highways England representations at Regulation 19 stage do not add any clarity, referring to (for example) 'assessment and mitigation' rather than tangible solutions.
- 2.16 Furthermore, there are uncertainties as to the delivery of the schemes. The Representations submitted by Loughton Town Council have highlighted concerns over the bottleneck locations



where junction improvements are required. This is exacerbated by the boundaries of the Forest, which are a constraint to development.

- 2.17 The growth in Loughton will exacerbate the impact on transport and highways and journeys through the Forest area, as recognised by the Plan. This was set out further and specifically in relation to Matter 15.
- 2.18 The IDP (EB1100, page 17) notes that “congestion is an issue within towns throughout the District. Discussions with ECC have highlighted in particular that the road through the centre of Epping (B1393) currently experiences significant congestion problems, particularly around Ivy Chimneys/Bell Common traffic lights and Wake Arms roundabout. This is partly due to the significant flow of residents to London, and to the town centre. The B181 between North Weald and Epping also experiences significant pressure. Similarly, routes through Loughton are congested. Congestion around Loughton is exacerbated by the fact that Junction 5 of the M11 has no northbound slip road, which subsequently draws traffic into the surrounding areas to access the motorway.” This draws traffic through the very centre of the SAC. This issue is also reflected in the Epping Forest Local Plan Highway Impact Assessment (Technical Notes 1-8) (2013 onwards) scenario based modelling.
- 2.19 We are aware of a proposal being considered by Essex County Council to change the right-hand west-bound lane of Rectory Lane into a right-turn lane (for Station Approach), this will severely restrict the west-bound flow of traffic through the junction at The Broadway and inevitably lead to much longer traffic queues there at peak hours. This was the situation which prevailed before the road was widened. Similarly, an ECC casualty reduction scheme awaiting implementation will *reduce* the northbound capacity of the A1168 to a marked degree.
- 2.20 Loughton Town Council retain concerns in relation to the impact of increased traffic on these junctions and the extent of this impact in the context of the approach to modelling which assumes future improvements to bus routes and the Central Line to assist in reducing car reliance. The timing and extent of such improvements is uncertain, therefore there remains a significant likelihood that the impact of traffic on these junctions will be worse than assumed in the modelling which supports the assumptions of the Plan.
- 2.21 The Modelling in the Epping Forest Local Plan Highway Impact Assessment (Technical Notes 1-8) (2013 onwards) shows that by 2036, the majority of junctions across the District had at least



one arm operating above capacity. The impacts of development against this background growth analysis is likely to result in an increasingly congested and unreliable road network. Work was also done to understand opportunities for mitigation at particular junctions. Following this work it was recognised that a shift in modal share towards public transport will be required to support growth in a sustainable way and evidence provided by Jacobs at the Examination into the Local Plan, Matter 4, Issue 6, confirmed that even further improvements to sustainable transport modes may need to be achieved to achieve car reduction targets in the Plan. The Plan makes no provision for how any increases in public transport will be funded; there has been a steady reduction in the District of both commercial and Essex County Council/TFL subsidised bus services over many years.

- 2.22 The TAR 2019 includes specific improvements to road junctions in the Plan period, but the majority of these are on Forest land. There is uncertainty in terms of both the delivery of these improvements in this context and the ecological and air quality impact of the increase in road capacity in the forest, which needs to be considered in the context of the HAR.
- 2.23 Not only has the Plan not adequately considered the impact in terms of air quality on the Forest as a result of the extent of traffic and improvements required (as set out in relation to Matter 1 Issue 5), but there is also insufficient certainty that the land is available to improve these junctions and that the impact of any such improvements will be acceptable on the Forest. Furthermore, these are not in areas where exchange land is available in the vicinity to assist in the mitigation of impact. Even if exchange land were to be available, it is not within the District Council's power to compel the Conservators to make such exchanges; therefore there is no certainty regarding delivery.



### 3 MATTER 14

#### ISSUE 1

##### Overview

- 3.1 Representations submitted by Loughton Town Council which are supported by the LRA have made the case that the Local Plan does not provide adequate robust evidence as to how the infrastructure needed to deliver the development in the Plan will be achieved. The Plan places too much reliance on developers to deliver vital infrastructure improvements which Epping Forest District Council will be unable to control. Without these contributions, there will be a deficit in the infrastructure which can be provided which will not only affect the amount of growth which can come forward, but also the quality of life of the area. Expecting developers to provide infrastructure on a case by case basis is not the necessary holistic approach to deliver the growth set out in the Plan as a whole. Some infrastructure requirements are more than site-wide.
- 3.2 The Plan has set out the extent of infrastructure improvements which may be required to facilitate the delivery of development anticipated by the Plan. The Council have not as yet undertaken the viability work to inform CIL or made a decision as to whether CIL will be adopted by the Council in the Plan period, yet the supporting documentation, for example the Infrastructure Delivery Topic Paper [EB1101C] sets out the provisions relating to s106 and CIL, reflective of national guidance.
- 3.3 As no work on viability has been done, it is not known whether the necessary infrastructure contributions to deliver the growth set out in the Plan will make development proposals unviable. There is a caveat in policy D1 (c(ii)) which allows a developer to provide their own viability work to demonstrate that full mitigation is unviable. This is a concern as it means that key elements of infrastructure which have been assessed as necessary to deliver a scheme may not come forward, based on a developer's own evidence. This is not a sound approach.
- 3.4 The policy should make clear the weight and relevance of the Essex County Council Developers Guide to Infrastructure Contributions.
- 3.5 At page 22 of the IDP Topic Paper, indicative figures are given for CIL rates in neighbouring Boroughs, as follows:



Figure 1 Indicative CIL charges

Type of development	Indicative charge (minimum)	Indicative charge (maximum)
Residential development – Waltham Abbey <sup>13</sup> and Harlow strategic sites	£80sqm	£100sqm
All other residential development	£150sqm	£225sqm
Retail development	£80sqm	£100sqm
All other development uses	£0sqm	£0sqm

- 3.6 At paragraph 5.6, for comparison, it is noted that Chelmsford’s Charging Schedule is set at £164 for residential and £197 for A1 retail and £114 for other retail, whilst Brentwood’s Draft Charging Schedule set rates for consultation at £200 for residential, £200 for food supermarket, and £125 for all other retail.
- 3.7 It is noted that the CIL viability work has not yet been undertaken, however the discussions at Matter 5 of the Examination into the Local Plan noted a potential rate of up to £225 per sqm for CIL and £3,000 per dwelling s106 cost, which was deemed a conservative estimate. In the context of the above comparisons in the IDP, however, these figures are high.

**Q1 Is Policy D1 clear that any infrastructure necessary to support development must be provided up front/ in time to serve the development?**

- 3.8 No. This is not what the policy says, and there are various caveats whereby the infrastructure may not be delivered.
- 3.9 There are extensive requirements in relation to infrastructure provision to support the growth in the Plan and a burden of this lies in and around Loughton.
- 3.10 We support the statement by Loughton Town Council that, in the context of this infrastructure burden and the identified funding gap in the IDP there is inadequate clarity in the Plan as to the expectations of developers of the timing and approach to delivery of infrastructure requirements to support growth as set out in the Plan. Further work needs to be undertaken to ensure that the Policy is clear in its expectations, supported by evidence that this is deliverable to ensure a sustainable pattern of future growth.



#### **Question 4**

3.11 As set out in our response to Question 1, above, we are concerned that Part C enables the option of development going ahead, based on a viability assessment provided by the developer, without the required infrastructure being delivered. This also has wider implications if the infrastructure has greater than site-specific implications. This would not be a justified approach and the policy should be modified accordingly.