

Statement for the Epping Forest District Local Plan Examination

Matter 15: Places and Sites

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 15, Places and Sites, 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 July 2018.
- 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) and their own Twitter and Facebook sites.



2 ISSUE 1, QUESTION 6

Where the residential site allocations shown on the Maps are expected to accommodate other uses, such as schools and other services and facilities, should this be made clear on the Map Legends? In the case of schools specifically, is it necessary for the Maps to show a specific land allocation?

RESPONSE TO ISSUE 1, QUESTION 6

- 2.1 The role of the Local Plan is to give certainty regarding the delivery of the required infrastructure to support growth. We note the contents of the Government's Planning Practice Guidance which confirms that "Where sites are proposed for allocation, sufficient detail should be given to provide clarity to developers,, local communities and other interested parties about the nature and scale of development..." Therefore the maps should illustrate the full range of uses so that it is evident to all what is being planned for.
- 2.2 We are concerned that no specific site for a new primary school has been identified to accommodate the growth that has been proposed in the Plan. For each 1,000 dwellings, two forms of entry are required. All of the primary schools in Loughton have already expanded and do not have capacity to expand further. Further clarity on this is required. The 2012 NPPF states (para 157) that Local plans must plan positively for infrastructure, and this is also a matter of soundness – one of the tests of soundness set out in the 2012 NPPF is that plans must be 'positively prepared' which includes meeting the necessary infrastructure requirement.



3 ISSUE 2, POLICY P2

GENERAL MATTERS

1. Can Junction 5 of the M11 accommodate the proposed level of development? Can any necessary mitigation be achieved? (Reps HE).

3.1 Having read Highways England's response to the Regulation 19 version of the Local Plan, our view is that this raises issues of soundness. Highways England have stated in their response that "Development in Loughton is likely to have an impact upon M11 J5, this will need to be assessed and mitigated as appropriate". However, this is vague, with no evaluation of the impact of growth and whether it can be adequately mitigated. This raises concerns about whether development at Loughton is 'effective' in terms of the tests of soundness as it is not clear whether or not it is deliverable.

3.2 We are surprised that such an important issue has not been resolved at an earlier stage of the Local Plan process, given that the Council should have submitted a plan which they had assessed as being sound. We would expect to see modelling work carried out, to advise on whether or not there is a deliverable and timely solution. Junction 5 of the M11 only has south facing slips, therefore all traffic which wishes to exit from the north will have to use local roads,

3.3 Further to this, we have concerns about the inadequacy of this junction, which involves traffic leaving the M11 onto Chigwell Lane and the lack of any land available to mitigate the problems. The junction is bounded by

North-west: the Roding Meadows Nature Reserve (an SSSI) and the Rodings Meadows green space

North-east: the Langston Road Industrial Estate (and in particular, the Council's new retail park)

South-east: open land within the Green Belt

South-west: open land within the Green Belt



2. Should the Primary Shopping Areas and Primary Frontages in Loughton High Road (Map5.4) and Loughton Broadway (Map 5.5) include the Sainsbury's stores in order to reflect their contribution to the retail character of the area?

- 3.4 In terms of Sainsbury's Debden: this is very close to the existing shopping area, and "anchors" the shopping centre – it would therefore be a justified approach for this to become part of the Primary Shopping Area.

SITE SPECIFIC MATTERS

3. LOU.R1 & R2 (Underground Cap Park Sites): Can the quantity of development proposed be achieved without excessively high-rise development? Could high rise development be accommodated here if necessary in compliance with Policy DM9? (Reps Loughton TC).

- 3.5 EFDC have stated that they see these developments as possible low rise buildings. However, there is not sufficient clarity on whether this is deliverable. Given that the site area of LOU.R1 is only 1.62 hectares, and the site is expected to deliver 165 dwellings, this is a very high density of development. The existing car parking spaces are expected to be retained, and there are a number of other policy requirements, including the provision of retail uses. Overall the site specific requirements are very onerous, with no clear plan regarding whether or not the site can accommodate these uses. Equally, LOU.R2 has a site area of 1.66 hectares and is expected to deliver 192 dwellings, together with employment and retail uses and the re-provision of the existing number of car-parking spaces. Both of these sites are therefore likely to be high-rise in order to deliver them as proposed by the site specific requirements.
- 3.6 A further point of concern to the LRA in relation to this issue is the effect on parking in the town if residents and commuters are unable to use a station car-park for an extended period (which could be a year or more) during construction work.
- 3.7 We think that this would create a very significant burden on those who use the car-park, and on residents who would be subject to even greater on-street parking outside their homes.



4. LOU.R5 (Jessel Green Masterplan Area): Is this allocation justified with particular reference to the value of the site as open space to the local community?

a. Was the open space integral to the design and layout of the original estate? If so, would its development now be harmful to the character and appearance of the area?

3.8 No. the allocation is not justified. Firstly, it is unsound due to specific inconsistency with the open space policies set out in the NPPF (2012). The site is allocated as open space in the adopted development plan for Epping Forest District.

3.9 As set out in our response to Matter 1, the National Planning Policy Framework (2012) makes it clear (paragraph 74) that existing open space should not be built on unless there are specific circumstances to justify its loss. These include an assessment showing that the open space is surplus to requirements, or the loss being replaced by equivalent or better provision in terms of quantity and quality in a suitable location or the development being for alternative sports and recreational provision, the needs for which clearly outweigh the loss. The updated NPPF from 2019 contains similar wording, without any weakening of the position. The new paragraph is clearer than the 2012 version in that it replaces bullet points in the 2012 version with the word or, indicating that at least one of the lettered options must be met.

3.10 Additionally, the site is highly valued and well-used by local residents as is evident from the outcomes of the public consultation on the Local Plan.

3.11 Yes, the open space was integral to the design and layout of the original estate. Jessel Green (proposed allocation LOU R5) was specifically set aside as public urban open space by the London County Council (LCC) when they developed the estate in the 1940s. Our clients have recently obtained a map of 1948 that demonstrates this; and in explanatory text adds that the LCC added a further 6 acres of level ground to make it fit for ball games. A copy of this has been sent to the Programme Officer as a hard copy under separate cover as appendix 1 to this document.

3.12 Its development now would be harmful to the character and appearance of the area, as has been demonstrated by the public reaction to the proposal. This has been firmly against the proposal throughout, and evidence has been supplied about the use of the green for recreation, and the accompanying health benefits.



3.13 Given the emphasis elsewhere in the plan on the need to preserve - and to increase the amount of green space in the District, it is astonishing that EFDC has persisted in including the site for development. To build on Jessel Green while requiring the provision of SANGS elsewhere seems perverse, particularly as EFDC remain silent on potential SANGS sites (possibly because they are aware that in the very crowded south-east of the District there would be little or no suitable land available for SANGS).

3.14 We also note that, after comments from the Conservators about the impact of various potential developments, EFDC chose not to allocate a very similar site in Theydon Bois, but did not do the same on Jessel Green.

b. Would open space provision within Loughton remain acceptable with the development of this site? By what standard? Is appropriate alternative space available to existing residents who specifically use Jessel Green?

3.15 No. The assessment of the LRA is that the quantum of open space provision will not be acceptable in Loughton if the site is developed. However EFDC have provided no standards on which to judge the provision of open space; although there are some proposed standards in the Open Space Strategy of 2017, these have not been developed into a policy for the District.

3.16 Existing residents use Jessel Green because it is convenient and can be accessed without a car or bus journey – key considerations for families with children and for the elderly and other less mobile groups, and for the provision of sustainable, non-polluting access. It is noteworthy that the Open Space Strategy sets out that Loughton has a requirement for a public park – when the existing open space at Jessel Green fulfils a number of the roles of a public path.

3.17 Other than the far smaller Rochford Green, there is no other suitable alternative space available on foot.



c. Is it justified to allocate the site before the outcome of the Town/Village Green application is known? If the application succeeds, what would be the implications for this allocation?

3.18 No. It is not justified to allocate the site at this stage, given the outstanding village green application. The proposed allocation should be removed from the Plan.

d. Is the Council as landowner committed to the delivery of this site?

3.19 The Council appears committed to the delivery of the site, in the face of long-standing and considerable public opposition. However, we had understood that at an earlier state in the preparation of the Plan, one reason for this was that they saw it as deliverable in the first 5 years of the Plan, thus assisting with meeting their initial 5-year target. However, we now understand that they propose deferring the preparation of a Master Plan – and any development – until towards the end of the plan period, which makes their continued determination even less explicable.

e. How have consultation responses made during the preparation of the Plan been taken into account in making the decision to allocate this site?

3.20 It appears to us that in reality the Council have taken virtually no notice of the consultation responses. The changes they have made to the proposed proportion of the Green to be developed have failed to reflect the overwhelming public response that there should be no development of any part of the Green (and indeed they failed to provide any rationale for either the original proposal or for the changes).

3.21 At the hearing session for Matter 1, the Council sought to justify that they had listened to the consultation responses by reducing the amount of the site to be used for residential development. However, this is disingenuous. The consultation responses did not seek for a reduction in the area of the site to be developed; they wanted the allocation to be removed from the Plan. It is also relevant that paragraph 74 of the NPPF (2012) states that loss resulting from development should be replaced by.... “equivalent or better provision in terms of quantity **and** quality (our emphasis) in a suitable location”. This self- evidently has not been done.



3.22 The Council has not taken the consultation responses into account; this is a failing in terms of regulation 22 of the Town and Country Planning Act which sets out that the Council must submit a statement as part of the submission to the Secretary of State that includes information explaining how the regulation 18 representations were taken into account. Whilst they have submitted a statement, this does not include the required explanation.

5. What effect would the development of Site LOU.E2 have on the purposes of the Green Belt?

3.23 The development of site LOU.E2 (expansion of Langston Road Industrial Estate for industrial uses) would conflict with several of the five purposes of Green Belt designation and is therefore inappropriate. We are particularly concerned that it would result in urban sprawl and encroachment into the countryside. The Pyrles Brook is the natural Green Belt boundary; encroachment onto the Theydon Bois side of the brook would breach that boundary and the strategic Green belt gap.

3.24 Development of the Langston Road Industrial Estate (LOU.E2) would also have the direct effect of increasing vehicle traffic movements to and from the site, leading to an inevitable worsening of air quality in the surrounding area and in the Epping Forest SAC.

3.25 It would have the indirect effect of further increasing the pressure for more housing in the area, again leading to an inevitable worsening of air quality in the surrounding area and in the Epping Forest SAC. This is neither sensible nor sustainable.