



**IN THE MATTER OF THE EXAMINATION OF THE
EPPING FOREST DISTRICT LOCAL PLAN 2011-2033**

**MATTER 15: PLACES
ISSUE 2: POLICY P5 BUCKHURST HILL**

**PRE-HEARING STATEMENT ON BEHALF OF
BUCKHURST HILL PARISH COUNCIL**

(ID: 19STAT0018)

APRIL 2019

INTRODUCTION AND CONTEXTUAL MATTERS

1. Buckhurst Hill is a large village on the doorstep of Epping Forest, but is nonetheless the most densely populated village or town in the District. Despite this, Policy P5 of the emerging Local Plan proposes three allocations in Buckhurst Hill, one for approximately 31 homes (BUCK.R1), one for approximately 41 homes (BUCK.R2) and one for approximately 15 homes and retail floorspace (BUCK.R3).
2. For the reasons set out in its Regulation 19 representations, Buckhurst Hill Parish Council ("the Parish Council") considers each of these allocations to be fundamentally unsound. They represent a tiny contribution (a fraction of a percent) to the 11,400 units proposed under the Plan, and so are immaterial to the overall Plan strategy. They are in any event unnecessary, given the level of windfall development in Buckhurst Hill and elsewhere that can confidently be expected over the Plan period (but which the District Council has comprehensively underestimated). They are not realistically deliverable, but if they were to be delivered, they would cause irreparable harm to the Parish and those who live and work in it. They should therefore be removed from the Plan, or if that is not accepted, very much reduced in scale.

BUCK.R1 (POWELL ROAD)

Can the significance of locally listed 1 Powell Road be conserved or enhanced in light of the scale of the development proposed within its grounds?

3. 1 Powell Road (known as St Just) is an important locally listed building set in attractive gardens which adjoin the Linder's Field Local Nature Reserve immediately to the east. To the north of St Just is a row of reasonably substantial detached houses, and to the immediate south of its gardens is a care home, currently under redevelopment. St Just is noted in its local list entry as being "*substantial and imposing upon the streetscape, its scale being emphasized by its substantial roofscape and the multiple distinctive stacks breaking the roofline*". The gardens are largely undeveloped and link to the countryside to the north and east. St Just is notable for having been owned by Charles Linder (who had strong connections with the famous children's novelist Beatrix Potter). Mr Linder also owned the Linder's Field and he allowed locals to use his land for fetes and sports

days. In the early 1950s, he conveyed the Linder's Field to the Council's predecessor and it is now an important community and ecological resource.

4. The scale of development proposed (indeed anything more than a handful of houses) would harm the significance of St Just in two key respects. First, it would challenge the dominance it currently enjoys through its elevated position and detract from its spacious garden setting. Second, it would sever the historic connection between St Just and the Linder's Field. In both respects, the BUCK.R1 allocation would harm the significance of St Just, contrary to emerging Policy DM7 and Local Plan Objective A(iv).

What effect would the development have upon the purposes of the Green Belt?

5. The BUCK.R1 site forms one of the few open aspects within Buckhurst Hill and an important element of the limited remaining separation between Buckhurst Hill and Loughton, helping to prevent their perceived coalescence. Its development would therefore be contrary to the fundamental aim of Green Belt policy (paragraph 79 of the NPPF 2012), leading to sprawl and offending both the spatial and visual aspects of openness (see *Turner v Secretary of State for Communities and Local Government* [2017] 2 P. & C.R. 1), and it would also be contrary to the first two of the Green Belt purposes (paragraph 80 of the NPPF 2012).
6. The development would also harm the third Green Belt purpose (safeguarding the countryside from encroachment). That is particularly important in this context, given that the BUCK.R1 site immediately adjoins the Linder's Field Local Nature Reserve (which has an access along the southern boundary of the Site) and sits between the Nature Reserve and a small village green. The Nature Reserve is an important area of ancient woodland, scrub, grassland and ponds which provides essential habitat for many species of invertebrates, amphibians, reptiles, birds and mammals. The Parish Council is gravely concerned that development of the BUCK.R1 site will degrade the Nature Reserve and the wildlife corridor between it and the village green. Although the Appendix 6 Development Requirements require that development proposals

should be subject to “careful design and layout and, where appropriate, incorporate an ecological buffer to protect the identified ecological sites”, the Parish Council views this as totally inadequate to enable protection, let alone the ecological net gain required under Policy DM1 (and also a central plank of Government policy following the 25 Year Environment Plan).

7. The effect of the development would therefore be harmful to Green Belt aims and purposes. Moreover, the requisite housing in the Parish will be provided under windfall housing, rendering the BUCK.R1 allocation (as well as BUCK.R2 and BUCK.R3) unnecessary. The allocation therefore does not meet the exceptional circumstances test under paragraph 83 of the NPPF 2012.

Has the capacity of windfall sites been accurately estimated?

8. The Local Plan makes provision for 35 windfall properties per year from 2023 onwards (an 11-year period). As explained in the Parish Council’s Regulation 19 representations, that figure is acutely low and unsound; and as a result of it, windfall sites have been virtually ignored in the allocation of units within the Local Plan.
9. An analysis of Planning Applications throughout Buckhurst Hill shows that in the period from May to April each year the following permissions were granted for new dwellings: 2014/15 - 11 No; 2015/16 - 22 No; 2016/17 - 27 No; 2017/18 – 13 No; 2018/19 (partial year) – 13 No (total 76). A breakdown of these is included in the Appendix to this Statement. It should also be noted that the redevelopment of the nursing home in Roebuck Lane will result in the housing of more persons (albeit under a C2 use class). From this information, there is no reason to believe that at least 10 windfall dwellings will not be achieved each year in Buckhurst Hill alone (and many more than 35 a year in the District as a whole). This will exceed the numbers of dwellings the Local Plan is looking to deliver and render the Buckhurst Hill allocations unnecessary.
10. As well as removing the Buckhurst Hill allocations, the approach regarding windfall properties in the Local Plan needs to be amended generally, with a better recognition

of the impact of these properties and the additional effect these dwellings have on the local infrastructure (a notable issue in Buckhurst Hill, as a result of it being the most densely populated village or town in the District).

Should the development requirements in Appendix 6 require a new defensible Green Belt boundary along the short northern boundary of the site as well as the eastern boundary?

11. The Parish Council's primary position is that BUCK.R1 should be deleted from the Plan. However, if it remains as an allocation, it will be important that its boundaries are clearly defined and defensible (in accordance with the final bullet of paragraph 85 of the NPPF 2012). The Appendix 6 Development Requirements require a new defensible boundary along the eastern edge, but this requirement should plainly be extended to the equally vulnerable (albeit shorter) northern edge.

BUCK.R2 (QUEENS ROAD CAR PARK)

Overview

12. The Matters, Issues & Questions for BUCK.R2 focus on a number of specific matters, which are addressed below, but the Parish Council wishes at the outset to provide a brief overview of its position.
13. The Site is currently a car park (owned by the District Council) serving both the Buckhurst Hill underground station and Queens Road (which is the primary retail and commercial centre in Buckhurst Hill). For the reasons set out below, the Parish Council has strong concerns as to whether the Site can viably be redeveloped, especially without loss of the existing parking provision (noting that avoiding such loss is required by the Appendix 6 Development Requirements for the Site).
14. If parking cannot be provided as required by Appendix 6, the existing parking problems in the area (including the existing pinch-point junction of Queens Road, Princes Road and Victoria Road) will be exacerbated, which will harm amenity of residents and damage local businesses. And even if parking could ultimately be provided, the displacement of cars during construction would clearly be harmful.

15. Moreover, the Site is a narrow strip of land sandwiched between the busy (and noisy) underground line and suburban houses, limiting any development potential. The gain of up to 41 units could not be delivered without a devastating effect on the quality of life of the occupants of neighbouring properties (and in particular occupants of the adjoining houses in Briar Close and Forest Edge) both during construction and in the long term.

Can the required number of parking spaces for London Underground customers be provided?

16. The existing car park is well used between Monday and Friday, especially for commuter parking, and its popularity is likely to grow as a result of the recent introduction of step free access (with an entrance directly opposite the car park entrance), which has made access to both platforms at Buckhurst Hill Station more convenient. The station is particularly attractive to commuters because it is within TFL Zone 5, whereas Loughton and beyond are in Zone 6 (and consequently have higher fares to access central London).
17. The car park is therefore an important local resource, and the Appendix 6 Development Requirements rightly recognise the importance of retaining the existing number of car parking spaces for both London Underground customers and other users. Those Requirements also note the need for onsite residents' car parking (albeit suggesting that provision should be limited), visitor parking and parking for blue badge holders. Such requirements for adequate parking are obviously important, given that (as noted in the overview above) under-provision would exacerbate the existing parking problem and harm local residents and businesses.
18. However, to increase the amount of car parking on the Site in this way, while also developing up to 41 homes and ground floor retail units, presents profound (and the Parish Council suggests insuperable) challenges. The only ways of achieving this would be through substantial underground or multi-storey car parking, which would

increase the scale of development on site. This would make the viability position extremely challenging, as set out below. And it would also lead to greater harms to adjoining neighbours and businesses. Although there are 3-4 storey buildings on the north side of Queens Road, the majority of the Site is surrounded by bungalows and two storey 1930s housing, making any medium rise buildings out of character with the area. As noted above, such impacts would be devastating on occupants of neighbouring properties both during construction and in the long term.

Will the scheme be financially viable in light of the contributions required?

19. Given the small size of the Site, the constraints imposed by its location between a busy underground line and suburban houses, and the substantial challenges of securing adequate parking provision, there is no doubt that construction costs will be high and therefore viability will be extremely challenging. This is the largest allocation of dwellings in Buckhurst Hill proposed in the Plan. Contributions from it would, of course, be welcome, given that to date the Parish seems to be losing services rather than updating facilities, but the challenges of the Site are such that the Parish Council is very dubious about the viability of the allocation and its ability to make such contributions.

Will it be viable to provide affordable housing in line with Policy H2 of the Plan?

20. Paragraph A of Policy H2 states that in developments providing 11 or more homes the Council will require a minimum of 40% of the units to be affordable housing provided on site. However, this is subject to viability issues, as indicated by paragraphs D to G of the Policy. The Parish Council is concerned that the extremely challenging viability issues under this allocation will mean that affordable housing cannot viably be provided in line with Policy H2.

BUCK.R3 (LOWER QUEENS ROAD STORES)

What is the nature of the existing development upon this site and is it genuinely available/developable in light of the existing uses, including residential?

21. The western part of the Site contains a two-storey terrace development of 1960s and 1970s construction, consisting of four shop units on the ground floor (all of which are occupied and appear to be trading successfully) and 4 residential units above. The southern part of the Site contains two joined three-storey blocks of flats (containing 20 units) in similar style to the western building. In front of the buildings is an area of car parking which links to the vehicle access along Lower Queen's Road. There is undercroft pedestrian access under the western building to the subway under the Central Line tracks and step free access to both platforms of Buckhurst Hill Station. This undercroft also gives access from Buckhurst Hill East to the main shopping centre of Queens Road.
22. Given its existing residential and business uses, the Parish Council considers that the Site is not genuinely available/developable, but that if it is, the impacts of the allocation would be unacceptably harmful. In particular:
 - a. The existing shopkeepers and residents would face disruption and displacement, as explained below.
 - b. The loss of the shops on site (even if only during construction) will impact on local residents. There is a significant amount of both sheltered and retirement housing in the immediate vicinity, and the shops provide an essential service to the locality. Even temporary closure would have a significantly negative impact on large numbers of senior citizens and those with mobility issues. So too any temporary closure of the access to the pedestrian subway.
 - c. The net gain of 15 units would require additional parking. It is hard to see how this could viably be provided on site, and if it were not, the development would lead to the same kinds of harms to the existing parking problems in the area as under BUCK.R2. And, as with BUCK.R2, even if parking could ultimately be provided, the displacement of cars during construction would clearly be harmful.

What arrangements are necessary to relocate current shopkeepers and residents and would this represent fair treatment?

23. Given the existing residential and business uses on site, redevelopment will be highly disruptive and is likely to displace existing residents and shopkeepers. It appears from the Appendix 5 trajectory that the allocation is only expected to come forward in 2028/29, which leaves existing occupiers and owners in an intolerable position.
24. Unsurprisingly, therefore, the BUCK.R3 allocation has caused considerable disquiet and distrust amongst a significant number of residents and shopkeepers on site, who have frequently expressed their concerns to the Parish Council. Those concerns have not been assuaged by the District Council, and the Parish Council remains very concerned that shopkeepers and residents will be treated unfairly.
25. So far as residents are concerned, the allocation proposes a net gain of 15 dwellings on the site, but it is not clear what arrangements will be made for existing residents, and in particular what provision will be made for residents displaced during construction.
26. As for shopkeepers, the Appendix 6 Development Requirements require that development proposals must incorporate replacement local retail provision on the ground floor of the development. However, the Parish Council is concerned that the existing shops could not be relocated during construction and might be forced to close permanently. The four shop units are a small convenience store, a launderette, a café and a bicycle store. There are no other shop units in the vicinity, apart from the other side of the railway line in the main shopping area. The small convenience store serves the immediate community and would not survive a move to Queens Road where it would have to compete with Waitrose. Similarly, the café would be in direct competition with all of the food and coffee outlets in Queens Road. The launderette serves the local community and the bicycle store has a long-established customer base from within the surrounding area. The convenience store is particularly important for

residents of sheltered accommodation in the immediate vicinity as their access to Queens Road is via an underpass (through the units proposed for redevelopment).

27. The Parish Council is therefore highly doubtful that arrangements could be made to avoid unfair treatment of existing residents and shopkeepers.

Is there any specific reason to consider that this allocation might not be financially viable?

28. The allocation will require considerable redevelopment of the Site, which will inevitably be challenging, particularly if adequate parking is to be provided, but which will only give rise to an additional 15 units. The Parish Council doubts this could be achieved viably, particularly without incongruous high-rise development. Even if a viable scheme could come forward, the small number of units gained by this proposed development cannot outweigh the disruption to the existing businesses and residents and other harms.

Should the development requirements in respect of design seek to avoid high-rise development?

29. Yes. The Site currently contains 2 and 3 storey buildings. The surrounding area is a mixture of low rise and up to 4 storey developments. Any high-rise development would be out of keeping with the area. This would be apparent from a range of viewpoints, not least from Queens Road, from which it would form a visual block to the views across the Roding Valley towards Chigwell.