

Committee Agenda



**Epping Forest
District Council**

Cabinet

Monday, 24th October, 2005

Place: Civic Offices, High Street, Epping
Room: Council Chamber
Time: 7.00 pm
Committee Secretary: Adrian Hendry (Research and Democratic Services)
Email: ahendry@eppingforestdc.gov.uk Tel:01992 564246

Members:

Councillors J Knapman (Leader) (Chairman), S Barnes (Deputy Leader) (Vice-Chairman), R Glozier, M Heavens, D Jacobs, S Metcalfe, Mrs C Pond, D Spinks and C Whitbread

PLEASE NOTE THE START TIME OF THE MEETING THE COUNCIL HAS AGREED REVISED PROCEDURES FOR THE OPERATION OF CABINET MEETINGS. BUSINESS NOT CONCLUDED BY 10.00 P.M. WILL, AT THE DISCRETION OF THE CHAIRMAN, STAND REFERRED TO THE NEXT MEETING OR WILL BE VOTED UPON WITHOUT DEBATE

- 1. APOLOGIES FOR ABSENCE**
- 2. DECLARATION OF INTEREST**

(Head of Research and Democratic Services) To declare interests in any item on this agenda.

- 3. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs 6 and 25 of the Council Procedure Rules contained in the Constitution require that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order 6 (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks' notice of non-urgent items is required.

4. LOCAL PLAN ALTERATIONS REDEPOSIT (Pages 5 - 180)

(Planning and Economic Development Portfolio Holder) To consider the attached report (C/064/2005-06).

5. RESTRUCTURE OF PLANNING AND ECONOMIC DEVELOPMENT SERVICES (Pages 181 - 202)

(Planning and Economic Development Portfolio Holder/Finance and Performance Management Portfolio Holder) To consider the attached report (C/063/2005-06).

6. EXCLUSION OF PUBLIC AND PRESS

To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the paragraph(s) of Part 1 of Schedule 12A of the Act indicated:

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

To resolve that the press and public be excluded from the meeting during the consideration of the following items which are confidential under Section 100(A)(2) of the Local Government Act 1972:

Agenda Item No	Subject
Nil	Nil

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report does not include published works or those which disclose exempt or confidential

information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

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Report to the Cabinet & Full Council



**Epping Forest
District Council**

Report reference: C/ 064 /2005-06

Dates of meetings:

Extraordinary Cabinet – 24 October 2005

Extraordinary Full Council – 27 October 2005

Portfolio: Planning and Economic Development

Subject: Local Plan Alterations Redeposit

Officer contact for further information: Ian White (01992 56 4066)

Committee Secretary: Adrian Hendry (01992 56 4246)

Recommendations/Decisions Required:

- (1) To agree officers' responses to the representations made on the Redeposit;**
- (2) To agree that the Alterations should proceed to Public Inquiry (programmed for late February 2006);**
- (3) To authorise the Portfolio Holder for Planning and Economic Development to take decisions on subsequent changes to policies and text, prior to the commencement of the Inquiry, following further negotiation with objectors (as explained in para 3.5 of the report); and**
- (4) To authorise the Portfolio Holder for Planning and Economic Development to adopt the Local Plan Alterations following receipt of the binding Inspector's Report in the particular circumstances described in para 5.3 of the report.**

1. Background

- 1.1 The Government has indicated on many occasions that development of land is best regulated under a plan-led system. It is therefore incumbent upon the Council to keep the Local Plan as up-to-date as possible, particularly in the current circumstances when the development planning system is being significantly changed (by the Planning and Compulsory Purchase Act 2004), and the possibility of a 'policy vacuum' is emerging (see para 4.4 of the report).
- 1.2 The current Local Plan was adopted in January 1998. This means, because of all the procedures that had to be followed in its preparation, that much of the information it contains is based on conditions that applied in the early 1990s. Since 1998, much Government policy has been updated, the Replacement Essex Structure Plan was adopted in April 2001, and the Council's Housing Needs Survey (2003) identified significant problems with the provision of affordable housing.
- 1.3 Experience of policy implementation, particularly through appeal decisions, suggested that some policies either needed reconsideration or at least fine tuning, and some new policies were needed. In agreeing to review the Plan, the former Development Committee recommended in 2000 that the Alterations should focus on those matters which are essential.
- 1.4 The aims of the Alterations have therefore been to:
 - (a) focus resources on matters which are essential and would have a most useful outcome for the future of the district;

(b) to be as cost effective as possible, making the best use of limited resources.

1.5 Some other local authorities chose to completely review their Local Plan and prepare a new one. Altering the Local Plan, as this Council decided to do, is the most efficient and effective choice – and the recent changes to the planning system confirm this was the correct route to follow.

2. The Content of the Alterations

2.1 Development Committee recommended in 2000 that a more comprehensive account of the whole sustainability agenda was needed, guided particularly by PPG3: Housing (2000) (and subsequently reinforced by PPG13: Transport (2001)). This includes developing more detailed policies for the use of land in urban areas, encouraging a sequential approach to development and making provision for more sustainable travel patterns. Other issues agreed for inclusion by the Executive Committee in 2002 included (i) a review of Policy E13 (glasshouses) – mainly as a result of Inspectors' comments at appeals; (ii) updating relevant policies to take account of PPG25: Development and Flood Risk (2001); (iii) reviewing the provision for affordable housing (now given greater emphasis by the Council's Housing Needs Survey (2003)); (iv) assessing the protection that can be given to community facilities as a result of on-going concern about their loss to, mainly, housing and especially in villages; and (v) a more general review of Green Belt policies, including rural diversification, following on from the Rural White Paper (2000) and a number of appeal decisions. Government policy in PPS7: Sustainable Development in Rural Areas (2004) added to the need for changes to the Green Belt chapter.

2.2 A conscious decision was taken by the Council not to include a review of Green Belt boundaries, or the allocation of new housing and employment land (although these were originally intended to be included in a second set of Alterations). The East of England Plan (EEP), now due for adoption in 2007, will set new housing and employment targets for the district up to 2021. It would be premature to start allocating sites when the final totals are not yet known, nor how location specific the recommendations of the EEP will be. (This approach is supported by GO East, and council officers have been in regular contact with staff at the regional office to ensure that this remains the case. This is also apparent in GO-East's approval in March of the Local Development Scheme.)

2.3 However, a significant number of representations on the Alterations have questioned this approach, particularly the lack of new housing land allocations, but these have not been accepted as objections because they address issues which Members had agreed should not be included in the Alterations. It is worth noting that the housing target of the Structure Plan was exceeded in this district by April 2003, eight years ahead of schedule. Permission for housing still continues to be granted on windfall sites where this use satisfies all other relevant Plan policies.

2.4 Several representations have been made about other text and policies which are not being changed from the Adopted Plan version. These have also not been accepted as 'duly made' representations because they do not address the subject matter of the Alterations.

2.5 Summaries of representations on the redeposit and of officers' responses are shown in Annex B. These replies have been agreed by the Portfolio Holder for Planning and Economic Development, but officers will give an oral update at the meeting if there have been further negotiations and changes.

3. Progress of the Alterations

3.1 Production of the Alterations initially followed the guidance in PPG12: Development

Plans (1999). A Key Issues document was issued for public consultation in December 2003. The First Deposit was published in June 2004 (over 800 responses received), and the Redeposit in July 2005 (over 500 responses received). Under the 'old' local plans system a 'modifications' stage was possible after the Public Inquiry, depending on the authority's response to the Inspector's report. The new development planning system being introduced by the Planning and Compulsory Purchase Act 2004 (see below) does away with the modifications stage – in future all Public Inquiry reports will be binding on the local authority.

- 3.2 The removal of this stage applies to the Alterations as a result of Transitional Arrangements which now apply to those plans which will be adopted after the 2004 Act came into effect. The Binding Inspector's Report is a key part of the 2004 Act, designed to speed up the process of producing local plans. The Transitional Arrangements also changed the consultation process which the Alterations have undergone. The entire Alterations had to be re-deposited so that comments could be made on any part of the document – i.e. all the content of the First Deposit (where there was a change from the Adopted Plan), and the changes to the Alterations arising from consultation on the First Deposit. The appendices to this report summarise the representations received on the Redeposit and officers' responses to the comments – they are arranged by chapter of the Redeposit document.
- 3.3 PPS12: Local Development Frameworks (2004) – which has now replaced PPG12 - advises that authorities should no longer prepare pre-Inquiry changes. GO-East, after discussions with the Planning Inspectorate, has agreed that the Council can prepare a list of proposed 'minor' changes in an attempt to address some of the points which have arisen in the Redeposit consultation. This list will be sent to the Inspector before the Inquiry and he will decide whether the proposed change is sufficiently minor (a) not to justify further consultation or (b) that it does not need to be considered in public at the Inquiry. This will determine if these changes can be made prior to the Inquiry. If they can, officers would then approach those who made the representations to try and agree that the proposed change meets their concerns and therefore the original representation can be withdrawn. The intention behind this is to reduce the number of representations that will need consideration at the Public Inquiry, and therefore to save some time.
- 3.4 Where the Inspector determines that any of the 'minor' changes do need to be considered in public, officers will take no further action on these now, but will present the case for change at the Inquiry. Members' consideration of the proposed changes in the appendices to this report is therefore crucial now. The text in the appendices will form the basis of discussions with objectors about withdrawing their objections before the Inquiry, and the basis of the Council's case for matters that do go to the Inquiry.
- 3.5 Recommendation (c) of this report seeks authority for the Portfolio Holder to take decisions on subsequent changes to policy and text. The intention behind this is to allow for further minor changes to be made which could mean that objectors are persuaded to withdraw from the Inquiry. If it becomes apparent that less minor changes might be beneficial, it is of course open to the Portfolio Holder to bring these back before Members. In view of the timetable this is a sensible approach.

4. Implications of not Proceeding with the Alterations

4.1 Avoiding a policy vacuum

Under the Planning and Compulsory Purchase Act 2004 (which came into effect on 28 September 2004) structure plans are being abolished and local plans will be replaced by the Local Development Framework. Adopted structure and local plans will retain their development plan status for a period of three years from commencement of the Act. For plans in preparation (which includes the Alterations),

the three-year period will commence from the date of their adoption.

- 4.2 As paragraph 1.2 states, parts of the Local Plan are out of date (which prompted the Council to start preparing the Alterations). The Council's latest stance on seeking affordable housing is set out in its Supplementary Planning Guidance (SPG), as amendment to adopted policy in the Plan. More importantly it is also out of date (i) as regards the Housing Needs Survey of 2003, and (ii) in ideas for seeking affordable housing in circumstances other than just new housing schemes. SPG is being replaced by Supplementary Planning Documents which have to go through more formal procedures of production, and cannot therefore be so easily revised.
- 4.3 The Council has made substantial use of policies in the Replacement Structure Plan, especially as the Local Plan has become more out of date. However the Structure Plan will be abolished in September 2007 (under the 2004 Act) and its policies will fall if they have not been incorporated into a newer plan (eg the Alterations). In fact the Core Policies of the Alterations have largely been adapted from the Core Strategy of the Structure Plan.
- 4.4 All this means there will be a lack of sufficiently robust and up to date local planning policy – a 'policy vacuum'. The Alterations, if adopted, would go a long way to filling that vacuum. Some East of England Plan (EEP) policies should also help, once these have been adopted by the Secretary of State.
- 4.5 Members will be aware of the proposals in the Draft EEP for very large amounts of development in the district up to 2021. When the EEP is adopted, probably early in 2007, this Council will be in the position of having to give effect to the EEP in its adopted/final form through a 'core strategy' local development document (LDD) and a land allocations LDD. On GO-East's approved timetables, these documents will not be adopted until 2009 and 2011 respectively. Developers and/or landowners are unlikely to wait until then to submit development proposals. Large planning applications may be submitted for, say, south and west of Harlow or for land at North Weald (not necessarily including the Airfield) after September 2007 when the Replacement Structure Plan is abolished (under the provisions of the 2004 Act). The applications could even be submitted before EEP is adopted, eg in 2006. If the latter happens, the Council would not be able to rely on the EEP as its policies would not be adopted.
- 4.6 Officers hope this scenario will not arise, but it might. This would also be in the context of Government emphasis on the delivery of increased housing numbers – so refusing an application on the grounds of prematurity might not carry the weight the argument normally does. The dangers of planning applications for large scale housing and other development quickly become apparent, eg in not securing as much affordable housing or S106 benefits/infrastructure (probably on appeal) as we might.
- 4.7 Risks of Legal Challenge
- These could occur under various circumstances. If the decision was taken to abandon the Alterations now, there could be a challenge, especially from landowners potentially affected by the glasshouse land allocations. Other circumstances concerning adoption and the Strategic Environmental Assessment deadline are discussed below.
- 4.8 What do we do instead

It is within the power of the Secretary of State to direct any local authority to produce LDDs where there has been a failure to prepare them in accordance with the published Local Development Scheme. In the case of this Council, if the decision is taken not to proceed with the Alterations, there could be a direction to bring forward the Core Strategy and Land Allocations LDDs prior to the final approval of the EEP.

This could lead to costly (there will be Public Inquiries for the LDDs) and abortive work if substantial changes are made to the EEP as a result of the Secretary of State's Proposed Changes.

- 4.9 Any decision to abandon the Alterations would require an amendment to the Local Development Scheme. This would have to be agreed by GO-East who would have to be satisfied about the reasons for the change. Part of GO-East's consideration would be whether the decision would enable the authority to more quickly address national issues such as meeting housing numbers emerging from the EEP. For the reasons given above, it is felt that this case cannot be made – i.e. the key time is the adoption of the EEP, because until that time any work on land allocations etc could be abortive. (There would also be the problem of how to allocate Draft EEP housing proposals when this Council's stance is set firmly against the quantities of development proposed in the Draft EEP.) This approach would still have the problem of entering a period of policy vacuum – i.e. no further work on the Alterations coupled with the inevitable delay in getting the first LDDs adopted. GO-East is currently not able to advise on the implications for Planning Delivery Grant if the LDS is substantially amended.
- 4.10 At its meeting on 12 September 2005, Members of the Environmental and Planning Services Standing Panel expressed the view that it was sensible and correct to proceed to the Public Inquiry. This view has been reported to Overview & Scrutiny Committee by the chairman of the Panel.

5.0 Strategic Environmental Assessment

- 5.1 Any plans with environmental implications cannot be adopted after 21 July 2006 unless they have been prepared in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004 (the SEA Regulations) – a requirement that originally comes from an EU Directive. With the benefit of hindsight it would have been preferable for the Alterations to have been prepared in accordance with the Regulations, but when the programme started, it was believed:
- that the Alterations would have been adopted long before the July 2006 deadline;
 - at the time that officers lacked the resources and expertise to deal with the requirements of the Regulations, and so consultants would need to have been employed;
 - the expense, whether on consultants or in staff time was therefore unnecessary.
- 5.2 Staff shortages for at least the last year have delayed progress of the Alterations and Members should be aware that the timetable for adoption before 21 July next year is now very tight. (The timetable is outlined in Annex A) The programme for the Public Inquiry leading to adoption has been discussed with GO-East and the Planning Inspectorate. Both believe that the deadline can be met, but Members should be aware that there is a chance that it may not be possible to adopt before 21 July next year. This would obviously weaken the Council's ability to deal with applications for significant housing development, as discussed above. Any attempt to adopt after the SEA deadline (without having met the SEA requirements) could be subject to legal challenge.
- 5.3 If the Inquiry lasts for longer than the projected three weeks (which includes allowance for the Inspector's site visits), or there are other delays, there is a chance that the Council will not be able to formally adopt the Alterations following the Inspector's report before the SEA deadline. This situation will be reviewed when the Inspector's draft report is received (for proof reading) and Members advised

accordingly. In the light of these particular circumstances, Members are asked to agree that authorisation should be given to the Portfolio Holder for Planning and Economic Development to adopt the Inspector's report in order to meet the SEA deadline. The undesirable alternative, should any delay mean that the deadline is not met, is not to adopt the Alterations (despite the existence of the Binding Report), but to use the policies in the Alterations in the sense that they would have been adopted if the SEA deadline had not intervened. This situation is vulnerable to challenge at subsequent appeals. The view of the Head of Legal, Administration and Estates is set out in paragraphs 5.5 to 5.10 of this report.

- 5.4 A 'voluntary' SEA was produced by a small planning consultancy when it became apparent that the Alterations might not be adopted by the SERA deadline. It was published with the Redeposit. While it has no legal standing, and will not be considered at the Public Inquiry, it is believed that its findings show that the process of preparation of the Alterations has broadly followed the requirements of SEA. If the SEA deadline is not met, it would assist in demonstrating that the (unadopted) Alterations have considered sustainability issues.
- 5.5 The Head of Legal, Administration and Estates in consultation with Counsel has considered the various scenarios described above.
- 5.6 If the Council were to abandon the Local Plan Alterations Process now, there is a reasonably limited risk of Judicial Review of the Council's decision. However, it would leave the Council in limbo for a significant period of time reliant on an outdated development plan and in a weakened position in relation to resisting controversial applications. Indeed if the Council continued to resist applications on outdated policies the risk of costs awards against the Council at each planning inquiry is greatly increased.
- 5.7 The above advice is equally applicable if the Council proceeds to the Inquiry but misses the date for adopting the plan. The date is 21 July 2006 and cannot be extended. The Council could not adopt the Plan after 21 July 2006 without a Strategic Environmental Assessment and this cannot be prepared retrospectively.
- 5.8 The cost of Judicial Review proceedings can vary greatly depending on the nature of the challenge, the robustness of any defence we make and the duration of the preparation/hearing. In any event, Judicial Review proceedings would not be expected to cost less than £30,000. In addition, if unsuccessful the Council would probably have to pay the other parties' costs.
- 5.9 In practical terms Counsel advises that we must meet the 21 July 2006 deadline. (There is a specific officer at the Planning Inspectorate who can be contacted such that the Inspector is aware of the timetabling difficulties.)
- 5.10 The only circumstance where Counsel has advised abandoning the process is when it is absolutely impossible to meet the deadline. At that stage further work would be abortive. Having unadopted Alterations with a voluntary SEA is better than nothing, but should not deflect the Council from making every possible effort to meet the 21 July deadline.

6. Costs

- 6.1 The Government's intention is for development plan inquiry practice to move towards a more inquisitorial, rather than adversarial, style. At this stage, it is not known how many objectors will appoint legal representatives to present their case, and it is therefore difficult to assess the level of legal support that the Council will require for the Public Inquiry. Officers suspect that such support may be required for glasshouses, Stapleford Airfield (possibly), and some aspects of housing, particularly the provision of affordable units.

- 6.2 Some estimates have been made on costs based on needing legal representation for the entire Inquiry. This means that costs are anticipated to be significantly lower than stated below, but by showing the highest possible costs there should be no unwelcome surprises at a later date.

Item	Detail	Cost
Inspector - £679 per day/ £91.76 per hour *	Preparation for Inquiry (approx 8 days)	£5,432 **
	Inquiry (8 days sitting + 4 days site visits)	£8,148 **
	Reporting time (44 days)	£29,876 **
	Travelling expenses (42 pence per mile or re-imburement of public transport fares)	Not yet known
	Subsistence (e.g. hotel (approx £50-60 per night) and meal costs)	Approx £600 + meal costs
Legal Representation	Advice up to Inquiry	£25,000
	Attendance at Inquiry	£15,000
Programme Officer	Preparation for during and after the Inquiry	£15,000
Consultants' Fees		£60/hour ***
Total		£99,056 ****

* Daily and hourly rates for the Inspector are set by the Planning Inspectorate

** Approximate costs based on model provided by the Planning Inspectorate

*** This has been quoted by the RAC – fees for a housing consultant are not known

**** This figure excludes consultants' fees, as the time involved and some rates are not known at this stage

- 6.3 It is not possible to give even approximate costs for travelling expenses or need for a hotel/subsistence costs for the Inspector, as the Council is not permitted to know where the Inspector lives. However, it is assumed that if hotel accommodation will be needed, this will cost in the region of £50-£60 per night at the Quality Inn in Epping (The Bell).
- 6.4 Should legal representation be necessary for a longer period than anticipated (if, for example, the Inquiry lasts longer than anticipated, or more preparation work is needed), each additional day will be charged at £1,500. Fees may also be needed for consultancy input regarding glasshouses and affordable housing viability.
- 6.5 Since proceeding to Redeposit, the Portfolio Holder and officers undertook to keep under review the costs and benefits of continuing with the Alterations. They have done so in the meantime and do so again in this report. The costs, as set out above, are largely proportional to the length of the Inquiry and would have to be borne at some point. In view of section 4 of this report on the implications of not proceeding, it would be a risk to try and defer the costs or delay incurring them until the Inquiries into LDDs.
- 6.6 Delaying having up to date policy may well lead to higher costs in appeals. Members made provision in the DDF budget some years ago for preparing the Alterations and the Inquiry. This money has been carried forward and is still available. The whole approach of doing Alterations (instead of a new local plan as other authorities have done or are doing) is the most cost effective one.
- 6.7 There is a risk of not meeting the SEA deadline, now due largely to circumstances outside of our control. Officers consider (as a result of legal advice) that the Alterations should proceed to the Public Inquiry and that every effort needs to be made to adopt them before the SEA deadline of 21 July 2006.

Reason for decision: Members need to make decisions on officers' proposals for changes to the Redeposit (in the light of representations received as a result of the consultation exercise). These decisions will guide officers in further negotiations and, more particularly, in presenting the Council's case at a Public Inquiry (currently programmed to commence on 21 February 2006).

Options considered and rejected: To abandon the Alterations and move immediately to preparing Local Development Documents under the Local Development Framework (LDF). This could leave the Council open to legal challenge, and would certainly weaken the Council's case in dealing with applications and at appeals. There are likely to be applications for major residential development in the near future, as a result of the proposals in the Draft East of England Plan. These could be submitted before formal adoption of the East of England Plan, and almost certainly well before any new policies could be adopted under the LDF. Many Adopted Local Plan policies would now not be particularly effective in dealing with such applications (and policies in the Replacement Structure Plan may be lost before then).

Consultation undertaken: Key Issues, First Deposit, Redeposit, and then numerous respondents to the Redeposit where officers felt that negotiation could result in withdrawal of objections. GO-East and the Planning Inspectorate have confirmed that, within reasonable limits, this procedure is acceptable, even although official guidance is that no pre-Inquiry changes should be made.

Resource implications: As described in the report and in 'Budget provision' and 'Personnel' below.

Budget provision: Payment for Programme Officer, Inquiry Inspector, possible legal representation (as outlined in the report), and some consultancy fees for the Inquiry (to provide background information on the glasshouse industry in general and in the Lea Valley in particular, and possibly to provide further information on the viability of the affordable housing proposals) from Local Plan DDF budget. Otherwise from existing CSB resources.

Personnel: Mainly from existing resources, although Programme Officer will be employed until after the end of the Inquiry. There may be a need for some consultancy work on specific issues, particularly glasshouses and possibly affordable housing.

Land: Not applicable.

Community Plan/BVPP reference: BV200

Relevant statutory powers: Planning and Compulsory Purchase Act 2004 ; Planning Policy Statement 12: Local Development Frameworks ; Town and Country Planning (Transitional Arrangements) (England) Regulations 2004

Background papers: Too numerous to list fully – the Adopted Local Plan (1998) the First Deposit Alterations, the Redeposit Alterations, the Voluntary SEA, the Replacement Structure Plan (2001), the Housing Needs Survey (2003), the RAC Report on the glasshouse industry (2003), the separate consultant's report on E13 glasshouse designations (2005) and the various Planning Policy Guidance Notes (PPGs), Planning Policy Statements (PPSs) and Circulars -as referred to in the appendices.

Environmental/Human Rights Act/Crime and Disorder Act Implications: The Alterations allow the Local Plan to address the issue of sustainable development in a more comprehensive and effective fashion. More specific policies address social issues such as the provision of affordable housing and the retention of community facilities.

Key Decision reference: (if required)

ANNEX A – Current Timetable for LP Alterations

24 October – Special Cabinet

27 October - Special Full Council

October/November – Inquiry questionnaire (Programme Officer)

W/c 21 November - establish draft Inquiry programme (Programme Officer)

22 November – Pre-Inquiry meeting

December to February – officers to prepare proofs for use at Inquiry

21 February to 3 March – Inquiry sits

6 to 10 March – Inspector’s site visits

28 April - Receipt of draft Binding report

9 working days for Council fact check of draft report (2 to 12 May)

20 working days for Planning Inspectorate check of Council comments (15 May to 12 June)

14 July – projected date of adoption of Alterations (need to allow time for Public Notice in local and other papers, after return of final Binding Report)

21 July SEA deadline

ANNEX B - Summary of Responses to the Redeposit

Chapter 4A – Core Policies

This is a new chapter for the Local Plan and the policies (which are closely based on already adopted policies in the Replacement Structure Plan) are intended to address the implementation of sustainable development objectives – a key requirement of the new development planning system. Issues covered include energy conservation and renewable energy, sustainable building, development patterns and transport, economic development, and protecting the quality of the rural and built environment. Adoption of these important strategic policies will ensure the continuation of some Structure Plan policies (as amended to apply to this district) beyond the initial three year ‘saved’ period. The policies are also intended to form the basis of the Core Strategy in the new development planning system. PPS12 advises that ‘the core strategy should set out the key elements of the planning framework for the area. It should be comprised of a spatial vision and strategic objectives for the area; a spatial strategy; core policies; and a monitoring and implementation framework with clear objectives for achieving delivery.’

As a result of the representations made on the Redeposit, a number of changes are being proposed for both policies and paragraphs in the chapter. The most significant involve CP4 (currently titled Sustainable building) and CP7 (Urban form and quality). The changes essentially involve their restructuring with other minor additions. Although the purpose and intention of these policies is not significantly changed, it seems unlikely that the Inspector would be able to accept the changes as minor. Other policies where less significant changes are proposed are CP2 (Quality of the rural and built environment), CP9 (Sustainable transport) and CP10 (Renewable energy schemes). Minor changes are also proposed for paras 4A.7, 4A.22; 5.35a,36a 45a (Green Belt) and 14.7a (Utilities). New paragraphs 4A.6b and 17b are also proposed. Officers believe that most, if not all, of these proposed changes may be acceptable to the Inspector.

Chapter 5 – Green Belt

Changes in this chapter result mainly from experience of implementing the Adopted Plan policies, in particular some appeal decisions, or in the case of site specific policies, because circumstances have changed. Several policies are unaltered but GB3 (Built recreational developments), GB9 (Extension of non-residential buildings), GB12 (Farm shops) and GB20 (Former Royal Ordnance Site) are deleted, the latter because redevelopment of the site has been completed. There are two new policies – GB9A (Residential conversions) and GB17B (Removal of agricultural occupancy conditions). Policies which have been significantly amended are GB8A (Change of use or adaptation of buildings), GB14A (Residential extensions), and GB15A (Replacement dwellings). Designations of new glasshouse sites are proposed and some extensions to existing sites. Some de-designations are also put forward.

A number of objections have been made to GB8A, and officers are recommending some changes to the supporting text and the addition of one sentence to the policy to address some of the issues raised. There is concern about granting permission for extensions to industrial buildings (which were previously agricultural) in the Green Belt. The Alterations have addressed this problem by deleting original policy GB9, but officers also feel that a comment in the text about removing permitted development rights in appropriate cases would be helpful. Comment has also been made about the ten year period in criterion (iv) dealing with works to buildings. Officers believe this period can be justified but the text needs a fuller explanation. Both changes are relatively minor and it is hoped that the Inspector will accept them as such.

Another objection to GB8A (and 9A) concerns potential conflict with policy CP4 (Sustainable building) with respect to energy conservation priorities and impact on conversions to listed properties. Officers acknowledge that this is a fair point and accept the case that heritage conservation should, at least for the foreseeable future, take precedence over energy conservation issues. Two amendments to the supporting text are proposed and one sentence is suggested as an addition to the policy. In themselves they do not alter the intention of the policy, but officers do not know if the Inspector will be able to accept these as minor modifications.

An objection to policy GB9A pointed out that, with the deletion of the final paragraph from the First Deposit version (which suggested that converted buildings should be offered to Registered Social Landlords), there was now a conflict with paragraph 5.49a where this was still mentioned. Officers accept this, although the confusion was not deliberate. A minor re-wording in the paragraph is proposed which the Inspector should be relaxed about. Retaining the possibility of use of conversions for affordable housing is still considered to be important to address the pressing need for such accommodation in rural areas, although it is accepted that this cannot be justified as a policy, and that the total across the district which could be so used is probably very small.

Concern about justification for 40% residential extensions (policy GB14A) is accepted and an addition to the text is proposed which explains that this figure is derived from an analysis of recent permissions. Officers hope this amendment will be seen as minor.

In response to a representation about the 'agricultural community' in criterion (iv) of policy GB17B, officers are proposing the inclusion of more explanatory text in paragraph 5.89a. It is again hoped that this change will be accepted as minor by the Inspector.

Two very minor changes are proposed in response to representations about paragraph 5.98a (Former radio station site, North Weald) and 5.100a (Grange Farm). These address possible ambiguities in the existing text and should be accepted as minor changes.

Chapter 6 – Heritage Conservation

The only change proposed to this chapter is a new policy for 'locally listed' buildings – ie identifying those which do not quite meet the standards for national listing, but which nevertheless contribute to the historic, architectural or visual character of the district. This

policy has been welcomed by most respondents, and only a minor re-wording of text is proposed to address issues raised in comments on the Redeposit. Officers hope this will be accepted as a minor change by the Inspector.

Chapter 8 – Recycling & Pollution

Only policy RP5 (Adverse environmental impacts) needed amendment following some problems with its application to particular cases. It was worded in too specific a fashion, and the more general wording now proposed will mean it can be applied to a wider range of circumstances, and is more in line with the more generic wording of policies now being promoted by the Government. Representations made on the Redeposit mean that officers are now proposing a minor change to the policy and the replacement of para 8.19a with a rewritten paragraph. It is hoped that the Inspector will regard these changes as minor.

Chapter 9 – Housing

The housing chapter has been largely re-written in the Alterations to take account of the requirements of PPG3: Housing (2000 and 2005 updates) and Circular 01/2005: Residential Density. Briefly, the changes that have been proposed include policies that promote the use of previously developed land over greenfield land where possible; housing density and mix; affordable housing provision; and the application of Lifetime Homes Standards. Adopted policies H3 (Assessing sites outside the Green Belt), H7 (Achieving mobility housing), H8 (Negotiating provision of mobility housing), H9 (New housing to be 'visitable'), H10 (Conversion of upper storeys in town centres) and H13 (Changes of use from residential) are all deleted without direct replacement, as they are either now not necessary or are replicated in another part of the Plan. No further housing land allocations are being made at present as explained above in the Background. The complex issue of land for gypsy/traveller sites is not being dealt with by these Alterations, but will be addressed as soon as possible following the final approval of the EEP and the completion of an Essex County Council study into the need for these sites.

Only three changes are proposed to the housing chapter as a result of representations made on the Redeposit. It is anticipated that all will be considered as minor by the Inspector, as the changes only seek to improve the clarity of policies and supporting text rather than introduce anything new.

A minor addition is proposed to para 9.44a to clarify that affordable housing will only be sought in converted buildings where there is a net increase in the number of units. This provides clarity in the affordable housing policies, whilst not decreasing the number of sites where affordable units can be sought.

Minor changes are proposed to H6A(ii), again to provide additional clarity on when affordable housing might be sought in rural areas. Circular 06/98 sets thresholds both in terms of the number of dwellings to be provided and the area of the development site. The policy that appears in the Redeposit does not provide thresholds in terms of the site area, which has been subject to an objection from GO East. Appropriate site size thresholds have therefore been added to the policy to provide clarity, and also to help prevent lower density developments being put forward.

The issues of the adoption of Lifetime Homes Standards as Council policy has provoked many responses, the majority of which request that the policy is either removed or significantly "watered down". Officers do not consider the requirements are unduly onerous and will be of benefit to all sectors of the community. The aim of these Standards is to ensure that people are not forced to move simply because their home cannot be easily adapted to meet their future needs. Adaptation may be necessary for a variety of reasons, including illness and accidents. However, the Lifetime Homes Standard is also designed to take into account the different needs that people may have throughout their lives. For example, wider doorways and halls will help when manoeuvring a pram or wheelchair; a downstairs toilet and space that can be converted into sleeping space could help those with a temporary mobility problem; and space for a stairlift will help those who can no longer manage the stairs. This last point is considered particularly important now fewer bungalows

are being constructed due to land use and density constraints. A minor alteration is proposed to paragraph 9.58a, which allows limited flexibility in the application of the Lifetime Homes Standard in relation to homes that are provided for specific groups, e.g. sheltered housing, which have their own standards to comply with.

Outstanding objections remaining from the First Deposit include many relating to the allocation of housing land, which will be dealt with as outlined above in the Background. The thresholds at which affordable housing is sought, and the percentage of the total development that is provided as affordable, are both issues that have not been resolved as part of negotiations between officers and objectors. These are two of the most substantial matters that will proceed to the Inquiry.

Chapter 10 – Employment

Three changes are being made to this chapter: (a) Policy E4 (Retention of employment sites) is replaced by two policies which address protection of, and alternative uses for, employment sites. The main reason for the changes has been the gradual but significant loss of such sites to other uses, mainly housing. Quite apart from possibly missing the Structure Plan's employment land targets, this gradual loss of such uses could eventually endanger the creation or retention of sustainable communities; (b) a new section and policy on farm diversification – this has been introduced partly in response to the increasingly positive approach being advocated by Government guidance and partly to deal with a gap in policy coverage identified by development control officers; (c) a completely revised section on the Lea Valley Glasshouse Industry (the Redeposit version being a further completely revised version of the First Deposit text and policies) – the need for this emerged from a number of appeal decisions and was subsequently confirmed by a Council-commissioned report from Reading Agricultural Consultants (RAC).

(a) Retention of employment sites The only change being proposed is to make the criteria of policy E4A more obviously individual rather than treating them as collective – ie connecting each of the criteria by 'or'. Officers believe this is a minor change, but as it could be argued to change the interpretation of the policy, the Inspector may not be able to agree that this is minor. GO-East retain reservations that this policy is contrary to recent amendments to PPG3: Housing, which requires that a favourable approach should be taken to applications for housing or mixed use development on sites allocated for employment use, but where sites are no longer needed for these uses. Officers believe that the particular situation the Council is in at present (ie Structure Plan housing targets exceeded 8 years early, and some doubt about meeting employment land targets) is a good reason for justifying this policy approach.

(b) Farm diversification No changes to the Redeposit are proposed.

(c) Lea Valley Glasshouse Industry It would be an understatement to say that this issue is complex and controversial. As it is a form of agriculture it is deemed to be an appropriate use in the Green Belt. Horticulture was practised in the Lea Valley for at least most of the last century and the industry experienced periods of expansion and decline. Problems of dereliction coupled with inappropriate uses led to the introduction of a specific glasshouse policy in the Local Plan For Roydon, Nazeing and Waltham Abbey (1989). This specified areas where new glass would be permitted, but outside these areas, development would not be permitted, despite the use being 'appropriate'. The current Adopted Local Plan modifies this approach slightly by permitting expansion onto sites adjacent to the designated areas in particular circumstances. Problems of dereliction and inappropriate uses persist although officers believe that these issues are not as significant as they were in the late 1970s and 1980s, and the policy of concentration is felt to have at least partially contributed to this improvement.

The main cause of concern now is traffic, with the local community arguing strongly that the rural roads of Nazeing and Roydon simply cannot cope with the number and size of HGVs. The industry is facing growing competition from the EU and further afield, and the increasing monopoly of the supermarket chains and their rigorous quality standards impose other demands on the growers. This leads to 'round the clock' working, particularly in the packhouses, and raises another bone of contention

with local residents, as it means more HGV traffic on unsuitable roads but also at unsocial hours. There is also significant concern that the packhouses and some glasshouses are dealing primarily with imported goods, not only adding to traffic worries, but raising questions about the validity of these uses. Other questions involve landscape impact, gradual change to inappropriate uses in the Green Belt (eg garden centres), and the old problem of dereliction leading to pressure for redevelopment for housing. Another issue raised was justifying the need for more land when some glasshouses or whole designated areas appeared to be un- or under-used. On top of all this, the industry now appears to be entering a period of expansion, partly identified in some appeal decisions. The RAC report has identified a demand for 50ha new glass over the next ten years.

While glasshouse horticulture has changed greatly over the years, both in terms of the demands being placed on it and in terms of technological change, the Lea Valley industry is still characterised by it being run on a family basis, consisting mainly of a large number of relatively small independently run units. This inevitably means that some units are more productive or active than others and that pressure, or need, for expansion varies significantly from one holding to the next. Officers are in no doubt, however, that the most modern units, of which there are several examples in the Valley, are very good examples of 'hi-tech' industry.

The Alterations have attempted to make provision for the projected demand, while taking account of, and addressing, the genuine and understandable concerns of the local community. Officers believe that there is no ideal or correct solution to all the problems that are raised by this issue. Even although the Redeposit was entirely restructured and rewritten in an attempt to address the representations made the first time round, many objections have been made to the content of the Redeposit. What seems very clear is that, if the land allocations being proposed are ultimately adopted, the Council will have to give very serious consideration to the use of compulsory purchase powers to implement the Alterations. Similarly, because of the many representations which have been made about this topic, officers believe that a detailed survey of traffic movements in the Nazeing area is justified, and that the local community should be actively involved in deciding what needs to be included in the study and in liaising with any consultants who may be appointed.

Changes are proposed for para 10.104b, adding a table or text to summarise the areas of de-designated and new glasshouse areas, and to describe the reasons for defining two types of de-designation. Para 10.104n is modified to accommodate an objection from GO-East, which officers have reluctantly accepted. Two drafting errors on the Figures are also listed for correction, and part of one site proposed for immediate de-designation is now suggested for inclusion as 'potential de-designation'. It is proposed that E13A is replaced by a slightly modified version of E13C from the First Deposit. This latter is obviously a major change which will have to be considered at the Inquiry.

Chapter 11 – Town Centres

This is a replacement chapter which originally took account of PPG6: Town Centres and Retail Developments (June 1996), although this has now been superseded by PPS6: Planning for Town Centres (April 2005), leading to further changes in the Redeposit. PPG3: Housing (March 2000) and PPG13: Transport (April 2001) contain further advice about town centre uses, the latter in particular endorsing the sequential approach to location. Policy STC7 of the Adopted Plan (Controls in primary and secondary shopping frontages) had also proved difficult to implement because of problems with interpretation.

The objectives of the chapter, in line with Government guidance, are to (i) define a hierarchy of centres, and (ii) actively promote and manage change by adopting a pro-active, plan-led approach to town centres. The emphasis has moved slightly from concentrating on retail provision to ensuring that town centres retain and attract a variety of uses which are appropriate to their location – the essence being to promote the vitality and viability of the

centres. A significant change from the Adopted Plan has been to move away from the fairly traditional primary/secondary frontage approach to one of defining key frontage. This change has been brought about partly because of difficulties with policy STC7 as outlined above, but also as a result of regular monitoring of the main centres to keep track of changes in use. A figure of 70% retail in the key frontages has been identified as the amount necessary to ensure that the town centres retain a mix of uses which will ensure their vitality and viability.

As a result of representations on the Redeposit, changes are proposed for policy TC1 (Town centre hierarchy) and the related para 11.7a. The policy will be strengthened by the proposed changes and the new issue of Retail Impact Assessment will be introduced to the paragraph. It is unlikely that the Inspector will be able to accept these changes as minor. More minor changes, essentially just updating, are proposed for paras 11.14a and 11.22a.

Chapter 12 – Recreation, Sport & Tourism

Only policy RST10 (Roydon Lodge Chalet Estate) has been amended in the Alterations to take account of Supplementary Planning Guidance which was adopted in September 2003. A new paragraph links this policy with policies U2A and U3A which deal with flood risk – the estate being in the floodplain of the River Stort. The Environment Agency has indicated that the amendments are satisfactory. No changes are proposed as a result of representations on the Redeposit.

Chapter 13 – Community Facilities

The Alterations introduce a new policy which addresses the retention of such facilities. Pressures for change of use, usually to housing, have gradually increased over the years. In the interests of creating and maintaining sustainable communities, it is important that proper consideration is given to the retention of such facilities when they are threatened by such development proposals. Some representations to the Redeposit have supported the policy, but others have questioned its validity in the absence of a comprehensive audit of such facilities. Other comments have confused infrastructure provision with community facilities and there have been requests for a more detailed list of relevant facilities to be included. Minor changes to the policy and supporting text are proposed to meet some of the objections. Officers again believe that the Inspector should view these changes as minor.

Chapter 14 - Utilities

Policies U2 and U3 of the Adopted Local Plan have been updated in the light of PPG25: Development and Flood Risk (July 2001), and as a result of detailed consultation with the council's Land Drainage section following experience of flooding within the district. New policies addressing Flood Risk Assessment Areas and Sustainable Drainage Systems have been introduced. Minor changes to three paragraphs (14.7a, 14.10a and 14.10b) are proposed as a result of the representations. Officers are also suggesting a complete rewriting of U2A, including a retitling (from 'Floodplain proposals' to 'Development in flood risk areas'). This is obviously a major change which would have to be considered at the Inquiry.

Chapter 17 – Sustainable Transport

PPG13: Transport (2001) necessitated a replacement chapter. The emphasis now is on reducing the need to travel, especially by car, although acknowledging that there must be limits to this in a district which is still 90% rural in terms of land take, and has limited public transport serving the rural areas. Other Government aims which need to be reflected in policies include promoting more sustainable transport choices and promoting accessibility to jobs and services etc by sustainable transport.

Maximum car parking standards, transport assessments, travel plans and a policy for the safeguarding zone of Stansted Airport are also introduced.

The First Deposit included a specific policy for Stapleford Airfield. This was intended to address the seemingly reasonably straightforward issue of building accommodation and renewal. Instead it disturbed a hornets' nest of concern from local residents with issues of noise and disturbance, times and height of flights, increased flying activity etc being frequently mentioned. The policy was deleted from the Redeposit and this has led to counter-

objections arguing that such a policy is needed to ensure the future viability of the airfield. Officers are recommending no change to the Redeposit, but that the issue is addressed under the Local Development Framework following a much more detailed study of all the issues that are involved.

Apart from some minor updating, particularly concerning the Epping to Ongar Line, the only significant changes being proposed to the Redeposit involve policy ST9 (Stansted Aerodrome Safeguarding) and paragraph 17.41a. In both cases representations have been made by the British Airports Authority (BAA), and officers consider that the suggestions (with a few small changes) are an improvement on the Redeposit policy and supporting text. While the functioning of the policy will not be greatly affected by the proposed changes, officers believe that the Inspector is unlikely to be able to accept these as minor amendments.

Chapter 18 - Implementation

Policy I1 was originally updated in order to take account of government Circular 01/97. Since the Alterations process commenced, this has been superseded by Circular 05/2005: Planning Obligations. Although this does not propose significant changes, amendments to the Redeposit are necessary – these involve changes to criteria (vi) and (vii) of policy I1A. These amendments should be considered as minor by the Inspector.

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Appendix 1

Redeposit Responses

Core Policies

Redeposit Responses
Core Policies

Policy/ Par CP1-10	Respondent Reference 0168 / Environment Agency
Representation 00002R	Agent Reference -
Representation Suggests inclusion of various environmental issues, especially in relation to the protection of various types of wildlife habitats.	
Officer Response It is accepted that the matters raised are of strategic environmental significance, but it would be difficult and indeed unnecessary to mention all matters in detail. It is suggested that adding a "catch all" wording to part (v) of Policy CP2 will adequately cover most matters. Others could be dealt with by future SPD, and future versions of the Local Development Scheme could include this and make reference to Environmental Impact Assessments.	
Officer Recommendation Amend criterion (v) of CP2 to: 'Preserving and enhancing the biodiversity and networks of natural habitats of the area, including river and wildlife corridors and other green chains.' Add new para (4A.6b) to immediately follow policy CP2: ' Criteria (i), (ii), (iv), and (v) are intended to draw attention to, and protect or enable mitigation of, the very wide variety of 'non-designated' sites which have importance, or potential value, for wildlife conservation. Such sites will include previously developed land (brownfield sites) and other urban habitats where the use, or lack of use, of land has allowed wildlife to prosper. Buffer strips along watercourses will also receive protection to allow the normal processes of erosion and deposition to take place, with consequent implications for the creation and retention of wildlife habitats. In dealing with proposals for development of land, particular attention will be paid to the prevention of fragmentation of linked, or potentially linked, wildlife habitats.' Existing para 4A.6 to be renumbered as 4A.6a.	
Member Decision	

Policy/ Par CP1-10	Respondent Reference 0142 / A&G Cooper
Representation 00195R	Agent Reference -
Representation Support all Core Policies	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP1	Respondent Reference 0168 / Environment Agency
Representation 00003R	Agent Reference -
Representation Suggests start of (i) be amended to read.. "Avoid or at least minimise" Objection withdrawn as this wording is now included in the Redeposit. (The Agency submitted representations on the First Deposit too late for them to be considered at that stage.)	
Officer Response Withdrawn objection noted.	
Officer Recommendation No action	
Member Decision	

Policy/ Par CP1	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00231R	Agent Reference -
Representation Supports strengthened Core Policy	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par 4A.6	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00232R	Agent Reference -
Representation Supports the inclusion of the "Green Arc " within the policy	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP2	Respondent Reference 0168 / Environment Agency
Representation 00004R	Agent Reference -
Representation Policy should include mention of green chains and corridors - to facilitate spread of native species and to prevent isolation. This is a strategic issue that should be considered for all development.	
Officer Response See response to Representation 0002R above	
Officer Recommendation As 0002R	
Member Decision	

Policy/ Par CP2	Respondent Reference 0168 / Environment Agency
Representation 00005R	Agent Reference -
Representation Policy should also mention sustaining and enhancing the urban environment with cross reference to section 74 of CRoW Act, PPS9, UK and Local BAPs and the Habitats Directive.	
Officer Response See response to Representation 0002R above	
Officer Recommendation As 0002R	
Member Decision	

Policy/ Par CP2 (vii)	Respondent Reference 0026 / Thames Water
Representation 00050R	Agent Reference -
Representation Supports changes	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP2	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00233R	Agent Reference -
Representation Supports inclusion of sewerage infrastructure in policy	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP2	Respondent Reference 0243 / RSPB
Representation 00256R	Agent Reference -
Representation Expresses concern about lack of mention of SSSIs in plan and nature conservation protection in general. Would agree to withdraw objection subject to rewording of plan to make link between CP2 and Policy NC1 and PPS9	
Officer Response These issues are covered in the nature conservation chapter in the Adopted Local Plan which is not being reviewed at this stage. However a form of words could be added to part (vi) of the policy to create the required cross reference.	
Officer Recommendation Add to criterion (vi): ', in compliance with Policy NC1 and PPS9'.	
Member Decision	

Policy/ Par CP2 and 3	Respondent Reference 0028 / Nazeing Parish Council
Representation 00464R	Agent Reference -
Representation Supports policies but expresses concerns about lack of monitoring and enforcement	
Officer Response Concerns are acknowledged but these are implementation and management, rather than policy, issues applicable to the whole plan and not just the Core Strategy.	
Officer Recommendation It is intended that the Annual Monitoring Report (a requirement of the new planning system) will be gradually extended to address as wide a range of issues as possible. Enforcement resources depend on political decisions about priorities. No change to plan.	
Member Decision	

Policy/ Par CP3	Respondent Reference 0168 / Environment Agency
Representation 00006R	Agent Reference -
Representation Mention should be made of flood risk	
Officer Response This issue is dealt with in Polcies U2A, U2B and U3A	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP3	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00234R	Agent Reference -
Representation Supports provision of sufficient new infrastructure as a new element of the policy.	
Officer Response Support noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP3	Respondent Reference 0316 / Cllr J Whitehouse
Representation 00408R	Agent Reference -
Representation Policy does not specify that the new development /developer could provide sustainable means of transport. Suggests adding at end of paragraph (ii)..."(or that sufficient sustainable means of transport is provided by the new development/developer in line with the Local Transport Plan)"	
Officer Response This issue is dealt with fully in policy ST1 and in the proposed additions to the text of Para 4.A7	
Officer Recommendation No change	
Member Decision	

Policy/ Par 4A.7	Respondent Reference 0168 / Environment Agency
Representation 00007R	Agent Reference -
Representation Suggest adding floodplains and flood risk to examples in text. Now accept that this would make the plan too detailed and is unnecessary. Objection withdrawn .	
Officer Response Withdrawn objection noted.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 4A.7	Respondent Reference 0246 / Epping Forest PCT
Representation 00336R	Agent Reference 0041 / Lawson Planning Partnership
Representation Definition of "infrastructure" should be broadened to include mention of social infrastructure like health care.	
Officer Response The paragraph is intended to include all required infrastructure. However greater clarity may be obtained by adding the words "all necessary" before "additional" in line 1.	
Officer Recommendation Add 'all necessary' before 'additional' in line 1 of para.	
Member Decision	

Policy/ Par 4A.8-4A.17	Respondent Reference 0316 / Cllr J Whitehouse
Representation 00409R	Agent Reference -
Representation This section of the plan will make a positive contribution to improving the sustainability of development in Epping Forest district	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par 4A.15	Respondent Reference 0168 / Environment Agency
Representation 00008R	Agent Reference -
Representation Suggests mentioning native species tree planting and creation of green chains in design, but subsequently agreed this is more appropriate for SPD and objection is withdrawn.	
Officer Response Withdrawn objection noted.	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP4	Respondent Reference 0094 / Loughton Residents Association
Representation 00038R	Agent Reference -
Representation All planning applications should include a statement of proposed measures to promote energy conservation.	
Officer Response Following negotiations objector accepts that CP5 covers this point. Objection now withdrawn.	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP4	Respondent Reference 0100 / GO East
Representation 00074R	Agent Reference -
Representation Consider the wording "where appropriate " does not provide sufficient certainty. Should be replaced by "where viable". Last sentence is unnecessary as first sentence makes it clear policy applies to conversions. Suggest deletion .	
Officer Response "Where appropriate " is better than "where viable". Viability is only one aspect of appropriateness (albeit a significant one) . So, "where appropriate" includes viability (and 4A.19 refers to BATNEEC anyway). There may be instances where something that is not usually seen as viable is appropriate in the circumstances, and the policy as written allows for this. The point about repetition is accepted, but officers believe the policy would read better if the last sentence were kept and the proposed change in the first sentence deleted.	
Officer Recommendation Delete "including conversions" in line one.	
Member Decision	

Policy/ Par CP4	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00235R	Agent Reference -
Representation Continues support for the policy.	
Officer Response Support noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP4	Respondent Reference 0149 / Sworders
Representation 00345R	Agent Reference 0039 / Sworders
Representation	
Policy could lead to conflict between requirements of this policy and policies GB8A , GB9A and PPG15 in relation to the promotion of energy conservation measures over conservation in the renovation/change of use of historic barns and listed buildings. Such developments should be judged against the latter policies and guidance only and not CP4.	
Officer Response	
It is accepted that there could be a conflict in this situation. However, as technology moves forward, there may be opportunities to incorporate such measures into conversions in a satisfactory way. These should not be lost. Also it should be remembered that many "sustainable design techniques" are relatively "low tech" and relate to good planning/ innovative design, rather than using new technology. Listed buildings are, however, an irreplaceable and finite resource and it is therefore considered that conservation objectives should carry greater weight than sustainability factors. There are of course relatively few listed buildings compared to the new developments that will be allowed over time (and where energy saving overall will be far more valuable and easier to achieve). Equally not all conversions of buildings under GB8A and GB9A apply to listed buildings, so there will be no reason why this policy should not apply in other circumstances. However, mention of the need to follow good sustainable building/design techniques could usefully be cross referred to policies HC10, GB8A and 9A.	
Officer Recommendation	
Add a new paragraph immediately after policy CP4 to read: " <u>It is accepted that incorporating new energy saving technologies into the conversion of listed buildings may present difficulties in preserving the historic fabric, character or setting. However, many improvements can be made by innovative design and/or sympathetic alterations. Conversions will therefore be required to use such techniques as far as they are compatible with policy HC10 of the Adopted Plan, and policies GB8A and 9A of the Alterations.</u> " This new para should be numbered 4A.17b, with the existing 4A.17 becoming 4A.17a. Amendments are also suggested for paragraphs 5.35a, 5.36a, 5.45a and policy GB8A - see the Green Belt Chapter schedule for details.	
Member Decision	

Policy/ Par CP4	Respondent Reference 0316 / Cllr J Whitehouse
Representation 00410R	Agent Reference -
Representation	
Policy should make reference to (and support) microgeneration measures where appropriate.	
Officer Response	
It is accepted that the promotion of new energy saving technologies is at the forefront of sustainable development. However it is not practical to list all possible types of technologies that may be available. This also goes against current government advice to keep policies general and criteria based. Broadening the second sentence in the policy should assist in meeting this objection. Giving more examples of such technologies (as mentioned in the objection) in para 4A.12 may also assist.	
Officer Recommendation	
That the second sentence in the policy be reworded as: ' <u>Appropriate measures to utilise renewable energy resources and new energy saving/generating technologies as may become available , should be provided within new buildings or developments</u> '. That the last sentence of Para 4A.12 be amended to read: ' <u>(such as passive stack ventilation and microgeneration) in the structure of individual new buildings and the overall design of developments.</u> '	
Member Decision	

Policy/ Par CP5	Respondent Reference 0316 / Cllr J Whitehouse
Representation 00411R	Agent Reference -
Representation	
Policy implies that measures listed in (i) to (v) are only relevant where a sustainability report is required. Policy should be re-ordered and re-named to make it more general and remove requirement for a sustainability report for small developments .The title of Policy CP4 should also be renamed as this policy relates to energy conservation rather than sustainable building	
Officer Response	
It is accepted that the policy could usefully be reordered and renamed. The policy is actually seeking to promote sustainable building and the Sustainability Report is one means to this end. The renaming of Policy CP4 is also accepted , in that it clarifies the actual scope of the policy.	
Officer Recommendation	
1 That policy CP4 be renamed ' <u>Energy Conservation</u> ' . 2 That policy CP5 be renamed ' <u>Sustainable Building</u> ' . 3 That policy CP5 be re-ordered and amended to read...." <u>Planning permission may be refused for proposals which the council believes do not do enough to conserve energy, make the most efficient use of water and other resources, recycle waste or protect environmental features and local amenities. Where possible, proposals for new development, or for the conversion or re-use of sites and buildings should incorporate measures which</u> " (Retain criteria (i) to (v) as in Redeposit draft)"The council may require that proposals for new development, or for the conversion or re-use of sites or buildings, demonstrate in a 'Sustainability Report' how various aspects of sustainability (including those in criteria (i) to (v) above) have been taken into account. The report should address the siting, massing, design, orientation and layout of development, and the construction and life-cycle of buildings.'	
Member Decision	

Policy/ Par 4A.21	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00236R	Agent Reference -
Representation	
Accept that policy CP2 (v) covers the matter of protecting diversity in relation to this paragraph. Withdraw earlier objection.	
Officer Response	
Noted	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par CP6	Respondent Reference 0168 / Environment Agency
Representation 00009R	Agent Reference -
Representation	
Policy should recognise value of urban sites which often include wildlife. Derelict land may also have developed into valuable habitats that should not be lost. Now accepts that this point is covered elsewhere in core policies . Objection now withdrawn	
Officer Response	
Withdrawn objection noted	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par CP6	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00237R	Agent Reference -
Representation Welcome and support new criterion (viii)	
Officer Response Support noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP6	Respondent Reference 0246 / Epping Forest PCT
Representation 00339R	Agent Reference 0041 / Lawson Planning Partnership
Representation Support the concept of this policy to concentrate development in accessible urban areas	
Officer Response Support noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par 4A.22	Respondent Reference 0168 / Environment Agency
Representation 00010R	Agent Reference -
Representation Suggest the following bullet point be included....."Development in flood plains will be resisted" . Now accept that this is covered elsewhere in the plan. Objection withdrawn.	
Officer Response Withdrawn objection noted.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 4A.22	Respondent Reference 0134 / M Gregory & 0135 / Mr & Mrs T Gregory
Representation 00179R & 00180R	Agent Reference 0026 / Alan Wipperman & Co
Representation The paragraph better reflects a more sustainable approach to development	
Officer Response Support noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par 4A.22	Respondent Reference 0149 / Sworders
Representation 00343R	Agent Reference 0039 / Sworders
Representation The paragraph should make it clear that conversions in the countryside should be determined under policies GB8A and GB9A and not be subject to the sequential approach set out in PPS7	
Officer Response The paragraph is intended to set out the broad principles for the sequential approach as set out in government guidance. Conversions should be considered in this context, as they could have implications for increased car journeys. There could however be instances where this general approach should be set aside but these are unlikely to be restricted to conversions. The paragraph could usefully be slightly amended to reflect the benefit of some flexibility in determining applications on their merits.	
Officer Recommendation In the last sentence, add ' normally ' before 'be resisted'.	
Member Decision	

Policy/ Par 4A.26 (First Deposit)	Respondent Reference 0168 / Environment Agency
Representation 00011R	Agent Reference -
Representation This now refers to para 4A.24 of the redeposit. Suggests that the following sentence be included in the policy....." The second and third options inevitably involve the loss of some natural resources , which will require mitigation, and/or compensation".	
Officer Response The other core policies (in particular CP5) adequately cover this issue	
Officer Recommendation No change	
Member Decision	

Policy/ Par 4A.27-29 (First Deposit)	Respondent Reference 0168 / Environment Agency
Representation 00012R	Agent Reference -
Representation The policy (CP7) should stress the contribution of urban areas and brownfield sites to wildlife and that these areas should be protected and enhanced accordingly.	
Officer Response It is considered that these issues are adequately dealt with in other core policies (CP2 and 5) of the Alterations and policy NC4 in the Adopted Plan.	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP7	Respondent Reference 0095 / North Weald Bassett Parish Council
Representation 00440R	Agent Reference -
Representation The last sentence of the policy should be supported by the creation of a new policy. The statement should be a stand alone commitment and not added comment to a detailed policy.	
Officer Response Policies ST1 and CP6 already cover the commitment to make the fullest use of urban land for development (in line with the sequential approach). There is therefore no need for a further stand-alone policy statement. However it may be useful to link this policy, which is intended to guide development in such urban locations, more clearly to the other policy statements.	
Officer Recommendation That the policy be reordered and reworded to read: <u>'In line with policies CP6 and ST1, one of the Council's primary objectives is to make the fullest use of existing urban areas for new development before locations within the Green Belt. In view of this primary objective, the environmental quality of existing urban areas will be maintained...'</u> Rest of policy up to and including criterion (iv) to remain unchanged. Delete last sentence.	
Member Decision	

Policy/ Par CP8	Respondent Reference 0068 / English Heritage
Representation 00390R	Agent Reference -
Representation Support reference to "conservation -led regeneration". Satisfies previous representation.	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP9	Respondent Reference 0034 / Essex County Council
Representation 00071R	Agent Reference -
Representation Proposed change to CP9 (iii) overcomes previous objection	
Officer Response Support noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP9	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00238R	Agent Reference -
Representation There is continued support for this policy, and the revised wording is considered stronger in relation to accessibility and public transport	
Officer Response Support noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP9	Respondent Reference 0095 / North Weald Bassett Parish Council
Representation 00441R	Agent Reference -
Representation Delete "be expected to" from first sentence. This will strengthen the commitment to the aim.	
Officer Response The suggestion is accepted. However the substitution of " required " for "expected" will make the policy even firmer and will enable the council to positively seek such enhancements as part of any planning consent.	
Officer Recommendation In first line of policy, replace 'expected' with ' <i>required</i> '.	
Member Decision	

Policy/ Par 4A.32-4A.37 & CP10	Respondent Reference 0242 / British Wind Energy Association
Representation 00219R-00230R	Agent Reference -
Representation A number of detailed comments are made on the content of these paragraphs and the policy. Most relate to the promotion of wind energy in the context of renewable energy overall.	
Officer Response These objections, whilst raising some very valid points , are considered not appropriate for inclusion in the Core Policy. They could however be considered for inclusion in SPD. This will require an amendment to the current LDS as at present such SPD is not proposed.	
Officer Recommendation No change to text or policy. Review of LDS could be considered to allow for SPD on this subject.	
Member Decision	

Policy/ Par CP10	Respondent Reference
Representation	Agent Reference -
Representation Should have a title	
Officer Response	
Officer Recommendation Insert ' - <i>Renewable Energy Schemes</i> ' as title to policy.	
Member Decision	

Policy/ Par CP10	Respondent Reference 0100 / Go East
Representation 00075R	Agent Reference -
Representation The policy should be reworded to clarify that renewable energy schemes may be acceptable if impacts are minimised and/ or mitigated against. In line with PPS22, criteria should be included to allow the council to judge impacts on local landscape /nature conservation designations	
Officer Response The requirements of PPS22 are understood. However the policy reflects the criteria set out in the nature conservation policies NC1 and NC2 which are not being reviewed at present. There is no need therefore to repeat those in CP10 .The requirement to reflect PPS22 is accepted, and in any event securing appropriate mitigation and minimising environmental impacts are good planning practices. The issue should therefore be covered in the policy.	
Officer Recommendation That the final part of the policy, after 'and/or planning conditions' be amended to read: <u>'that (a) appropriate mitigation measures are provided to ensure compliance with criteria (i) to (iv) above, and other relevant policies in the plan and, (b) the application site is fully returned to a condition appropriate for its previous use when or if the scheme is decommissioned or becomes redundant.'</u>	
Member Decision	

Policy/ Par CP10	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00239R	Agent Reference -
Representation Continue strong support for this important core policy. It has been further strengthened by the revised wording	
Officer Response Support noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP10	Respondent Reference 0095 / North Weald Bassett Parish Council
Representation 00439R	Agent Reference -
Representation Earlier comments are restated	
Officer Response The parish council objected to the wording of CP10 (iii) which it wished to be altered to secure protection of existing aviation features in the district (Stapleford Aerodrome and North Weald Airfield). Developers of wind generation schemes which may impact on such sites have to consider the safety aspects before applications are submitted.	
Officer Recommendation No change	
Member Decision	

Appendix 2

Redeposit Responses **Green Belt**

Redeposit Responses
Green Belt

Policy/ Par 5.4a	Respondent Reference 0333 / Siraj Karbhari
Representation 00516R	Agent Reference -
Representation Fully supports the Redeposit and particularly supports this paragraph - to check the unrestricted sprawl of large built up areas.	
Officer Response Noted.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 5.13a	Respondent Reference 0333 / Siraj Karbhari
Representation 00517R	Agent Reference -
Representation Supports District Council's approach, as set out in paragraph 5.13a and the three bullet points it contains.	
Officer Response Noted.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 5.14a	Respondent Reference 0315 / Martin Grant Homes, Persimmon Homes, George Wimpey
Representation 00425R	Agent Reference 0047 / Pegasus Planning Group
Representation Reiterate previous objections to the Local Plan Alterations, particularly that comprehensive review of the Green Belt boundaries in the District does not form part of the Alterations. It will not be possible to protect the Green Belt against future development requirements of the East of England Plan.	
Officer Response It has been made clear throughout the Local Plan Alterations process that housing land allocations will not be made until after the East of England Plan has been adopted, now expected to be at the beginning of 2007. Following the finalisation the East of England Plan, the Council will begin work on the Local Development Framework to take into account its requirements. This will include a Green Belt boundary review and land allocations. This approach is as set out within the Epping Forest District Local Development Scheme 2005 and supported by Go East.	
Officer Recommendation No change	
Member Decision	

Policy/ Par GB1	Respondent Reference 0246 / Epping Forest Primary Care Trust
Representation 00340R	Agent Reference 0041 / Lawson Planning Partnership
Representation It is requested that the Green Belt designation is removed from land identified on the southern side of Honey Lane, to enable its development for health care purposes to proceed.	
Officer Response A Green Belt boundary review (except for glasshouse allocations) does not form part of the Alterations for the reasons set out in the First Deposit, but information will be used in a future GB review under the new LDF system. This does not negate the right to make a formal planning application, which would be determined upon its individual merits.	
Officer Recommendation No change	
Member Decision	

Policy/ Par GB1/ 5.15	Respondent Reference 0095 / North Weald Bassett Parish Council
Representation 00438R	Agent Reference -
Representation Calls for the reinstatement of the former paragraph 5.15 on page 33 of the Redeposit copy. This is essential for preservation of the Green Belt.	
Officer Response Not accepted - this paragraph was deleted as it is no longer needed because it refers to the rationale behind the changes to the Green Belt boundary for the 1998 Local Plan.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 5.16 - 5.22	Respondent Reference 0100 / GO East
Representation 00094R	Agent Reference -
Representation Deletion of text will effectively include four sites in the Green Belt unless they have already been removed, and the provisions of the paras are no longer relevant.	
Officer Response Sites were removed from Green Belt by Adopted Local Plan and are shown as excluded on Proposals Map. (GO-East confirmed on 19/09/05) that this objection is withdrawn.)	
Officer Recommendation No change	
Member Decision	

Policy/ Par GB6	Respondent Reference 0003 / Mr C F Gibbons
Representation 00495R & 00496R	Agent Reference -

<p>Representation</p> <p>The statements about garden centres and farm shops are feebly worded and do not reflect the true position locally or in many other places in the country. Therefore I am objecting to the statements and insist they should be strengthened. At the same time they should be grouped under one heading which I have called rural retail outlets. (see paragraph 3 [representation reference 00497R] below). Garden centres, farm shops and PYO (pick your own) establishments are basically retail outlets in a rural setting. Not only do they attract large delivery trucks, but when successful they attract hundreds of motorists visiting to look around, purchase goods or maybe have refreshments in the almost obligatory refreshment room.</p>
<p>Officer Response</p> <p>Not accepted. The policy approach taken in GB6 (Garden Centres) is clear, and it is not felt that further clarification is required. In any event this policy remains unaltered from the Adopted Plan, and so cannot be altered at this stage. Specific policy for farm shops is being deleted because this issue is addressed by other policies within the plan, particularly policy GB2A (Development in the Green Belt), policy GB8A (Change of Use or Adaptation of Buildings), and policies within the Town Centres chapter.</p>
<p>Officer Recommendation</p> <p>No change</p>
<p>Member Decision</p>

Policy/ Par GB6	Respondent Reference 0003 / Mr C F Gibbons
Representation 00498R	Agent Reference -
<p>Representation</p> <p>Policy should be easy to formulate and the planning process and enforcement easy to apply. Why is there such a problem?</p>	
<p>Officer Response</p> <p>Policies need to be reviewed regularly as circumstances change, government guidance is changed and as a result of individual interpretation by applicants and Appeal Inspectors. Level of enforcement which can be applied is dependent on the resources which can be made available - this is a management and not a policy issue.</p>	
<p>Officer Recommendation</p> <p>No change</p>	
<p>Member Decision</p>	

Policy/ Par 5.33a	Respondent Reference 0246 / Epping Forest Primary Care Trust
Representation 00337R	Agent Reference 0041 / Lawson Planning Partnership
Representation	
<p>It is noted that the Council intends to carry out a comprehensive review of the Green Belt boundaries as part of the Local Development Framework exercise. However, in the interim a suitable policy basis is required to enable development proposals to be considered as interpreted from the related policies of the Replacement Structure Plan. With this in mind, it is noted that the bullet points set out in paragraph 5.10a allow for 'inappropriate' development in very special circumstances which include limited infilling. A related policy is the negatively worded Policy GB7A (Conspicuous Development) which does not provide specific criteria to enable acceptable development proposals to go ahead. It is requested that the text in paragraph 5.33a is supplemented with suitable wording to acknowledge that under special circumstances when limited infilling is proposed and where relevant criteria are met, suitable development proposals may be permitted.</p>	
Officer Response	
<p>Not accepted - the Adopted Local Plan was in conformity with the original Structure Plan and the Alterations have been produced to conform with the Replacement Structure Plan. Paragraph 5.33a is considered to be in accordance with the Replacement Structure Plan, as there are only minor changes from the original version, and the County Planner has not objected to the changes. It is therefore not necessary for it to be amended. Policy GB7A relates to a specific issue, but should be seen in conjunction with other policies within the Plan, particularly those in the Green Belt chapter. Proposals for development within the Green Belt, including limited infilling will continue to be assessed in accordance with all relevant policies of the development plan - ie Replacement Structure Plan, Adopted Local Plan and Alterations to the latter.</p>	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 5.35a	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00240R	Agent Reference -
Representation	
<p>Essex Wildlife Trust is now satisfied that the potential for protected species (such as bats and barn owls) is adequately addressed in paragraph 5.35a, together with protection under policy NC4. We now withdraw our earlier objection.</p>	
Officer Response	
Noted.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par GB8A	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00241R	Agent Reference -
Representation	
<p>Essex Wildlife Trust is now satisfied that the potential for protected species (such as bats and barn owls) is adequately addressed in paragraph 5.35a, together with protection under policy NC4. We now withdraw our objection to GB8A (registered at the First Deposit Stage). We also support inclusion of the word "significant" in criterion (iii).</p>	
Officer Response	
Noted.	

Officer Recommendation No change
Member Decision

Policy/ Par GB8A	Respondent Reference 0149 / Sworders
Representation 00333R	Agent Reference 0039 / Sworders
Representation Paragraph 27 (v) of PPS 1 is not reflected in the drafting. This indicates that whilst local authorities should seek to provide improved access to jobs and services they should recognise that "this may be more difficult in rural areas." The original construction of the final paragraph of GB8A is clearly intended to control the visual intrusion of development and its side effects (i.e. in the form of vehicle parking and open storage). By inserting the words "commuting (especially by car)" a sustainability judgement is made in regard to change of use of rural buildings which is not commensurate with the reality that to achieve a living and working countryside - i.e. sustainable development - it will be necessary to admit that not all rural developments will be seen as part of achieving this end, albeit that we recognise that this has to be addressed in a balanced way. This is adequately addressed in the transport chapter. PPS7 makes no differentiation between office and storage use.	
Officer Response Not accepted - Additional text in policy adds clarity to approach taken in paragraph 5.40a to enable the Council to support a genuine need to diversify but limit the impact on the countryside and the environment by minimising traffic generation. The use of 'significant' in criterion (iii) and also within final paragraph of the policy text allows leeway in relation to this matter. This is a balanced approach to achieving sustainable development within the context of a Green Belt location.	
Officer Recommendation No change	
Member Decision	

Policy/ Par GB8A	Respondent Reference 0052 / D and E Borton
Representation 00456R	Agent Reference -
Representation There is a risk that once a building has been granted change of use under this section, the owner or user will try to expand. This will lead to industry and/or commercial activities on a random basis in the Green Belt. The example of Birchwood in Hoe Lane, Nazeing is cited as an example. Suggest adding an additional criterion (vi) stating 'subsequent permissions for additions to or expansion of a building in the Green Belt or for different use of adjoining land relating to an earlier consent for change of use under this section (or earlier versions) will not be granted'.	
Officer Response The extension to Birchwood was granted under policy GB9 of the Adopted Local Plan (Extension of non-residential buildings). The Alterations delete this policy, which means that in future applications for extensions to buildings which have had a change of use will be assessed under policy GB2A of the Alterations. Officers believe this will give adequate control, but also suggest that the supporting text could be modified to indicate that consideration will be given to removal of permitted development rights in appropriate cases.	
Officer Recommendation Add new penultimate sentence to paragraph 5.42a - <i><u>'In appropriate cases a condition may be attached to a permission removing specific categories of permitted development rights eg extensions.'</u></i>	
Member Decision	

Policy/ Par GB8A (iii)	Respondent Reference 0149 / Sworders
Representation 00349R	Agent Reference 0039 / Sworders
Representation	
<p>Whilst we welcome the change to criterion (iii) of the policy, we have concern in regard to changes made to criterion (iv). Under either Prior Notification or in regard to a planning application under Policy GB11 for any agricultural building the applicant must prove that the building is reasonably necessary for the purpose of agriculture. In the case of a Prior Notification building if the agricultural uses ceases within 10 years then the building must be taken down. Consequently, it is at the application stage that reasonable agricultural need is established. If the building subsequently becomes redundant this will be due to changes in farming practice rather than putting up a building with a view to securing an alternative use. For example, many grain stores have been put up during the last 10 years, however, owing to a significant reduction in the price of wheat in real terms many farmers are now selling their grain into a pool such as 'Cam Grain' whereby the grain is stored centrally rather than on farm. This also enables the farmers to opt out of having to upgrade their stores to meet ever higher hygiene standards. Since the applicant would have had to justify that there was reasonable agricultural need upon putting up the building the criteria whereby the council is satisfied that the building was not completed with a view to securing alternative use are somewhat superfluous, given that if there was agricultural need for the building (i.e. it was built purely in order to generate an alternative use) then the building should not have been given consent in the first instance.</p>	
Officer Response	
<p>Support for change to criterion (iii) noted. In respect of criterion (iv), the ten year period brings the policy into line with the GPDO as explained in the response to Representation 00087R below. This criterion gives certainty for all those involved in the development of agricultural buildings - ie it emphasises that the council's policy is simply intended to adhere closely to the General Permitted Development Order 1995.</p>	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par GB8A (iv)	Respondent Reference 0052 / D and E Borton
Representation 00457R	Agent Reference -
Representation	
<p>The change to the text to (iv) is an improvement but it leaves the onus of proof of intention with the Council. That may be hard. So, we suggest that the applicant be forced to justify works within the 10 years as being for agricultural purpose. Text could possibly be amended by inserting "all evidence provided by the applicant supports the fact that' between 'that' and 'works' in criterion (iv).</p>	
Officer Response	
<p>The proposed change does not strengthen or improve the policy. The statement 'The Council is satisfied that' in criterion (iv) indicates that existing records will be checked and that the Council can request additional material from the applicants, so all necessary controls are in place.</p>	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par GB8A (iv)	Respondent Reference 0100 / GO East
Representation 00087R	Agent Reference -
Representation	
To be consistent with PPG2, the policy GB8A (iv) should be reworded to apply to development carried out in the last four years, or alternatively, the supporting text should provide an explanation of why this longer period is justifiable within the district.	
Officer Response	
Officers believe that the longer period of ten years can be justified, but it is accepted that further explanation within the supporting text is required.	
Officer Recommendation	
Add to paragraph 5.41a - ' <u>A ten year period is used within criterion (iv) as this accords with the General Permitted Development Order 1995, Part 6 Class A2(5), in relation to agricultural buildings and operations. Where following works for the erection, significant extension or alteration of an agricultural building, the use of the building permanently ceases within ten years from the date when the works were substantially completed, the building or extension should be removed unless the planning authority has agreed otherwise in writing.</u> '	
Member Decision	

Policy/ Par GB8A (iv)	Respondent Reference 0149 / Sworders
Representation 00332R	Agent Reference 0039 / Sworders
Representation	
We have significant concerns in regard to 'works done' as opposed to just buildings erected. Many traditional buildings require constant ongoing maintenance and, similar to any house, periodically require a significant overhaul such as the replacement of the roof. For listed buildings this is a legislative requirement. There are concerns that without clarification, this policy will be used to refuse planning consent for the conversion of buildings which have been repaired in the last 10 years when in fact these repairs are merely ongoing maintenance. Moreover, the Prior Notification provision in regard to removal after 10 years relates only to the erection of buildings and extensions.	
Officer Response	
Clarification of what is meant by term 'works' has now been provided as part of response to representation 000087R above. This is sufficient to address concerns expressed in the representation.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par GB8A (iv) / 5.41a	Respondent Reference 0028 / Nazeing Parish Council
Representation 00466R	Agent Reference -
Representation	
The text of paragraph 5.41a is stronger than the policy GB8A (iv). The Council will not find it easy to prove alleged purpose for agricultural or horticultural was not really intended. Instead the applicant should be required to prove his lawful intention and the policy should say so, ie 'The applicant is able to prove that all works within the last ten years were completed for the purposes of agriculture or horticulture and not for any other purpose.'	
Officer Response	
As response to Representation 00457R above. The wording of criterion (iv) covers this, because the Council will still have to be satisfied by the applicant's proof.	
Officer Recommendation	
No change	

Member Decision

Policy/ Par GB8A (v)	Respondent Reference 0039 / G. Nicastro
Representation 00396R	Agent Reference -
Representation	
GB8A (v) introduces a novel concept alien to both PPS7 and PPS2 [PPG2]. No reference to justify the inclusion of these elements in the decision process for the re-use of agricultural buildings. The prime mover in both PPS2 and PPS7 is the overriding concept of re-use of agricultural buildings as a means to check a tendency to dereliction and decay. There is little point in interjecting a preference for employment generating uses. The policy should be neutral on the type of re-use that can be permitted. Criterion (v) and concluding paragraph of policy should be deleted.	
Officer Response	
Not accepted - policy is in line with paragraphs 1.3 and 2.1 of PPS6: Planning for Town Centres (April 2005) which state that development should be focused in existing centres in order to strengthen or regenerate them. It is also intended to be complementary to paragraph 11.56a and policy TC6 of this plan. The policy is also in line with para 17 of PPS7: Sustainable Development in Rural Areas (August 2004) which states that 'Re-use (of buildings) for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations, and for some types of building.'	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par GB9A / 5.44	Respondent Reference 0100 / GO East
Representation 00088R	Agent Reference -
Representation	
Whilst PPS7 states that planning authorities should set out the criteria where the conversion and re-use of a building in the countryside would be permitted, we are concerned that the wording of this policy to a large extent reflects PPG2. Additionally including chattels such as children's play equipment and other matters that are beyond the scope of planning in paragraph 5.44a is inappropriate. GB9A should be worded to remove duplication of PPG2 and rather indicate how national policy/guidance will be applied at the local level. Additionally, the wording 'and the associated paraphernalia of modernising living accommodation (e.g. flower gardens, garages, play equipment, lines of washing)' should be deleted from paragraph 5.44a.	
Officer Response	
Not accepted - policy does not 'duplicate' PPG2. The wording is intended to give guidance to potential applicants by listing a range of factors which will be taken into account when changes of use to residential are being considered. The quoted wording from para 5.44a (which is included in the Adopted Local Plan) explains why it is important to have control over such changes of use, precisely because some of the consequences, which may have adverse effects on rural locations, are outside planning control.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par GB8A & GB9A	Respondent Reference 0149 / Sworders
Representation 00345R	Agent Reference 0039 / Sworders
Representation	
There is a potential conflict between these policies and policy CP4	
Officer Response	
See commentary on policy CP4 (representation 00345R) in relation to these objections.	

<p>Officer Recommendation</p> <p>1 .That the following text be added to the end of para 5.35a... <u>" Finally, conversions can present opportunities for upgrading energy saving measures in older buildings, and introduce sustainable design and construction techniques. Many of these are inherently "low tech" or involve little alteration to the building`s fabric or character and can therefore be readily assimilated into designs as required by policy CP4"</u></p> <p>2 That sentence 4 in para 5.36a be amended to read<u>"This is to ensure that the latest Building Regulations are taken into account, and that , in line with policy CP4, sustainable design/ construction techniques are used wherever possible."</u></p> <p>3 That the following text be added to the end of poliy GB8A. <u>" Wherever possible, conversions will employ sustainable design and construction techniques as required by policy CP4"</u></p> <p>4 That the following be added to the end of para 5.45a: <u>"The requirements of policy CP4 shall apply to all conversions, but where the building is listed, only measures which can be implemented without adversely affecting its fabric, character or setting will be accepted, in accordance with policy HC10."</u></p>
<p>Member Decision</p>

Policy/ Par 5.49a	Respondent Reference 0149 / Sworders
Representation 00342R	Agent Reference 0039 / Sworders
<p>Representation</p> <p>Although the paragraph has been altered in the Redeposit, the deletion of the final paragraph of the Policy GB9A has resulted 5.49A being contradictory to the revised drafting.</p>	
<p>Officer Response</p> <p>Not accepted - paragraph 5.49a has been retained because in appropriate circumstances conversions for affordable housing may be feasible and suitable. A minor change to the fourth sentence should address the concern of the objectors - replace 'must' with 'may'.</p>	
<p>Officer Recommendation</p> <p>In fourth sentence of para 5.49a, replace 'must' with <u>'may'</u>.</p>	
<p>Member Decision</p>	

Policy/ Par GB10	Respondent Reference 0003 / C F Gibbons
Representation 00499R	Agent Reference -
<p>Representation</p> <p>The interesting point about this section is its brevity considering the number of words written about much lesser topics throughout the document.</p>	
<p>Officer Response</p> <p>This section has not been materially altered (aside from minor technical amendments) from the Adopted Local Plan and is therefore not part of the Alterations. The section is considered sufficient for its purpose.</p>	
<p>Officer Recommendation</p> <p>No change</p>	
<p>Member Decision</p>	

Policy/ Par GB10	Respondent Reference 0003 / C F Gibbons
Representation 00500R,00501R,00502R & 00503R	Agent Reference -
Representation Area earmarked as a proposed water sports centre by the Lee Valley Regional Park Authority, which is just a few hundred yards from the Nazeing boundary, should be mentioned in the Redeposit. This water sports centre is a massive local project which is due to open in only four year, but has not even at this late stage featured in the planning document under consideration. It is hoped this is done before the Public Inquiry where the topic will be raised by myself if no one else elects to do so.	
Officer Response Not accepted - as the proposed centre does not lie within the boundary administered by this plan, it is neither necessary nor appropriate for this matter to be referred to. As an adjacent authority the Council should be consulted at appropriate times, such as at the application stage, and the Local Plan policies will be used to formulate a response.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 5.53a	Respondent Reference 0316 / Jon Whitehouse
Representation 00412R	Agent Reference -
Representation Object to deletion of entirety of original paragraph 5.53a. Measures such as these are necessary in order to control the gradual agglomeration of utilitarian buildings in rural locations. If applied sensitively the policy need not hinder reasonable farm diversification. However the reference to a Farm Plan is unnecessary and should remain removed.	
Officer Response Paragraph 5.53a was deleted in its entirety in response to a number of convincing objections at the First Deposit stage. Criterion (ii) of GB11 should help to ensure that new farm buildings are not detrimental to their setting or locality, thus at least minimising the spread of the more 'utilitarian' designs.	
Officer Recommendation No change	
Member Decision	

Policy/ Par GB13	Respondent Reference 0316 / Jon Whitehouse
Representation 00413R	Agent Reference -
Representation Support objectives of policy but no reference is made to maintaining a suitable range of dwelling size and type in the area. Add new paragraph (v) "The need for an appropriate range of dwelling sizes and types in the locality to meet identified housing need."	
Officer Response Policy is not included in Alterations so therefore cannot be altered at this stage. The matter of maintaining a suitable range of dwelling size and type is, however, addressed in generic Policy H4A - Dwelling Mix.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 5.60a	Respondent Reference 0316 / Jon Whitehouse
Representation 00414R	Agent Reference -
Representation Support inclusion of reference to dwelling sizes and types as it is important to ensure that any locality's housing stock is not disproportionately loaded towards larger houses and bares some relation to the need identified in the Housing Needs Survey.	
Officer Response Noted.	
Officer Recommendation No change	
Member Decision	

Policy/ Par GB14A	Respondent Reference 0100 / GO East
Representation 00089R	Agent Reference -
Representation We note that the percentage of additional floorspace threshold has been increased from 25% to 40%. Although paragraph 5.63a provides a rationale for the need to allow a degree of flexibility, no rationale has been provided for the increase to 40%. We consider an allowance of up to 40% may conflict with the overriding need to protect the openness of the Green Belt and that the reasonable requirements of modern living standards might, in most cases, be achieved by the previous percentage of 25% and therefore might be a better reflection of PPG2 para 3.8 (b)'s provisions to strictly control the extension of re-used buildings in the Green Belt. Council should provide a justification for the increase in the floor space threshold from 25% to 40% and demonstrate 40% is compatible with the principles and objectives of PPG2. If it cannot be demonstrated that the 40% is justifiable, then the threshold should be amended accordingly.	
Officer Response Accepted - GB14A (iii) was amended in response to objections to the First Deposit and further clarification on reasoning for the 40% figure is required. Concern about impact on openness of Green Belt is addressed by criterion (i) of policy and the various criteria of para 5.61a. The 40% figure has been derived from analysis of a number of recent permissions in the district.	
Officer Recommendation Add after last sentence of 5.63a - <i>'The figure of 40% is based on an analysis of permissions over recent years. The Council believes that, in association with the other criteria of policy GB14A, environmental and social objectives can be met.'</i>	
Member Decision	

Policy/ Par GB14A	Respondent Reference 0310 / Keith Wright
Representation 00385R	Agent Reference -
Representation Policy GB14 A (iii b) should be re-instated as the general public has a right to clear and unambiguous information. Insertion of the excised policy GB14A (iii b) would clearly indicate that whatever the size of the original building no extension would exceed 40 square metres.	
Officer Response Not accepted - analysis of decisions over recent years has shown that permission has been granted for extensions in excess of 40 sq m. The Redeposit still provides transparency and consistency for all parties as potential areas of ambiguity - 'total floor space' and 'original building' are clearly explained as terms.	
Officer Recommendation No change	
Member Decision	

Policy/ Par GB17A	Respondent Reference 0149 / Sworders
Representation 00344R	Agent Reference 0039 / Sworders
Representation	
Paragraph (vi) is too draconian. Whilst the reasons for controlling permitted extensions to tied houses is acceptable and understood, it is wholly unacceptable and draconian to require that control is exercised, for example to cover the painting of the exterior of the building and the provision of hard surfaces. Amend GB17A (vi) and paragraph 5.81a to clarify that only permitted development rights in regard to extensions will be removed.	
Officer Response	
Not accepted - the standard approach for removing permitted development rights is via the use of a planning condition, therefore any such condition would need to meet the tests for use of a planning condition as set out in Circular 11/95: Use of conditions in planning permission. Criterion (vi) indicates that such powers would only be used 'where appropriate' - this is most likely to be in dealing with proposed extensions, but there will be other circumstances where 'minor operations' could have a potentially significant impact on a rural setting, including the repainting of the exterior of the building.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par GB17B(iv)	Respondent Reference 0039 / G. Nicastro
Representation 00397R	Agent Reference -
Representation	
GB17B (iv) - This additional limb to the policy needs to be removed in its entirety. As it currently stands, it is far too vague, and should be deleted in its entirety.	
Officer Response	
Accepted (in part)- GB17B (iv) was added as response to Representation 00807 from the First Deposit stage. This was made by a planning consultancy which specialises in agricultural matters. It is considered that criterion (iv) adds to the purpose of the policy and as such should be retained, but that it would benefit from clarification within the supporting text.	
Officer Recommendation	
Amend first sentence of paragraph 5.89a to read - ' <u>When assessing need via the production of a survey of the agricultural community within the locality for the dwelling</u> '. Insert new third sentence: ' <u>The survey should test existing need via direct marketing of the holding but also establish any potential demand in the near future (i.e. over the next 3- 4 agricultural cycles) that could be generated via planned expansion by individual holdings.</u> '	
Member Decision	

Policy/ Par GB18 & 5.95a	Respondent Reference 0095 / North Weald Bassett Parish Council
Representation 00437R	Agent Reference -
Representation	
Clarification required for word "interpretation" in line 8 of paragraph 5.95a.	
Officer Response	
This paragraph is unaltered from the Adopted Plan, and so cannot be altered at this stage. What is probably intended is some form of interpretation board explaining the function and construction of the Redoubt and linking this to other sites on the north of the Thames.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par GB18 & 5.98a	Respondent Reference 0170 / D Stallan
Representation 00030R	Agent Reference -
Representation I wish to support the proposals to retain the "green wedge" from the village to North Weald Station.	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par GB18 & 5.98a	Respondent Reference 0170 / D Stallan
Representation 00031R	Agent Reference -
Representation Due to recreational use of the land by residents/customers of the PH, objecting to the continued proposal to take the area of land behind the Kings Head PH out of the Green Belt.	
Officer Response Apart from updating, this para is not part of the Alterations, because it is not addressing new housing land allocations, or related releases of Green Belt land. The situation and the statement in this paragraph will be reviewed under the new LDF system.	
Officer Recommendation No change	
Member Decision	

Policy/ Par GB18 & 5.98a	Respondent Reference 0095 / North Weald Bassett Parish Council
Representation 00432R	Agent Reference -
Representation Re-writing of paragraph in relation to land behind the Kings Head to state must not be deleted from the Green Belt.	
Officer Response As response to Representation 00031R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par GB18 & 5.98a	Respondent Reference 0095 / North Weald Bassett Parish Council
Representation 00433R	Agent Reference -
Representation Clarification required to ensure wording in this policy does not support the development of another golf course on this site. The requirement for the policy must be met by the recently completed Blakes facility.	
Officer Response Paragraph 5.97a states that planning permission was granted in 1998 for a golf course (inter alia) and that the redevelopment of the site subject to the policy is virtually complete. For clarity, the text could indicate that this includes the construction of the golf course.	
Officer Recommendation In para 5.97a add after 'complete' in the penultimate line: <u>'(including the golf course)'</u> .	
Member Decision	

Policy/ Par GB18	Respondent Reference 0168 / Environment Agency
Representation 00013R	Agent Reference -
Representation The protection of hedgerows and other ecologically important features should be included in this policy to ensure that these aspects are taken into account in any future planning applications for the adjacent site.	
Officer Response This is not necessary as these issues are adequately addressed in other policies within the Adopted Plan, in particular policies NC4, LL2 and LL10.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 5.100a	Respondent Reference 0316 / Jon Whitehouse
Representation 00415R	Agent Reference -
Representation Support policy but current wording makes it appear as if it is a requirement for the sports pavilion and interpretation centre to be one building. Whilst this appears to be the favoured option at the moment it is not a requirement and a minor wording change would make this clearer. Suggest inserting "an" between "and" and "interpretation"	
Officer Response Accepted	
Officer Recommendation Insert ' <u>an</u> ' between 'and' and 'interpretation' in paragraph 5.100a	
Member Decision	

Policy/ Par GB19	Respondent Reference 0316 / Jon Whitehouse
Representation 00416R	Agent Reference -
Representation No reference within policy to formal recreation (i.e. pitches), insert new paragraph (iii) requiring provision of sports pitches (and relevant ancillary facilities such as sports pavilion/ equipment storage)	
Officer Response The policy is unaltered from the adopted plan, and so cannot be altered at this stage. As para 5.100a makes clear, the Section 106 Agreement accompanying the permission does make provision for formal recreational facilities (pitches and a sports pavilion).	
Officer Recommendation No change	
Member Decision	

Policy/ Par 5.106a [5.103a]	Respondent Reference 0168 / Environment Agency/
Representation 00014R	Agent Reference -
Representation	
The Agency suggests the addition of the following sentences to this paragraph:(xxxix) To safeguard designated sites and protected species; (xl) To safeguard and where possible enhance biodiversity habitats and species; (xli) To safeguard and where possible enhance green chains and corridors ([including river corridors); (xlii) To safeguard and where possible, enhance the wider countryside in both urban and rural areas.	
Officer Response	
The environmental implications section (paragraphs 5.103a - 5.106a) within the Green Belt chapter, refers to overarching objectives set out in chapter 4 of the Adopted Local Plan. As neither chapter 4, nor this section of the Green Belt chapter were included in the Alterations, it is not possible to amend these objectives now. In any event objectives set out in paragraph 5.103a are sufficiently generic to cover the points raised in the representation.	
Officer Recommendation	
No change	
Member Decision	

Appendix 3

Redeposit Responses **Heritage Conservation**

Redeposit Responses
Heritage Conservation

Policy/ Par 11.1a	Respondent Reference 0068 / English Heritage
Representation 00389R	Agent Reference -
Representation Support change to paragraph relating to conservation-led regeneration	
Officer Response Support noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par HC13a & 6.65b	Respondent Reference 0316 / Jon Whitehouse
Representation 00417R	Agent Reference -
Representation Para (a) should be deleted, and first sentence of Para 6.65b reworded to read...." To be included in the Local List a building should satisfy at least one of the following criteria".	
Officer Response The first criterion in the para is considered to be the most important. The authenticity and integrity of the building must be fundamental to its inclusion in the Local List, as it is for the Statutory List. The suggested deletion of the first paragraph cannot therefore be supported. However it is accepted that alterations to such buildings can have been sympathetically made which would not detract from their merit . A change to the text to recognise that situation would be beneficial.	
Officer Recommendation That the second sentence of part (a) of para 6.65b be amended to read" <u>If they have been unsympathetically altered,..</u> "	
Member Decision	

Policy/ Par 6.65a	Respondent Reference 0095 / North Weald Bassett Parish Council
Representation 00436R	Agent Reference -
Representation The local list should be published and made available every year and not 5 yearly as suggested in the text.	
Officer Response The preparation of the Local List is a time- consuming exercise . Whilst annual reviews would be an ideal goal, they would be logistically impossible to achieve and would also tend to undermine the validity of the initial assessment. 5 yearly reviews are considered sufficient .	
Officer Recommendation No change	
Member Decision	

Policy/ Par HC13A and all text	Respondent Reference 0003 / Mr C F Gibbons
Representation 00504R-00508R	Agent Reference -
Representation Supports policy. Requests swift action to implement.	
Officer Response Note support. Local List programmed for completion before the end of 2005	
Officer Recommendation No change	
Member Decision	

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Appendix 4

Redeposit Responses **Recycling & Pollution**

Redeposit Responses
Recycling & Pollution

Policy/ Par RP5A	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00242R	Agent Reference -
Representation Welcome recognition of potential adverse impacts on wildlife in the policy. Original objection withdrawn	
Officer Response Withdrawal of original objection noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par 8.21A	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00243R	Agent Reference -
Representation Strongly support this paragraph	
Officer Response Support noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par RP5A	Respondent Reference 0168 / Environment Agency
Representation 00001R	Agent Reference -
Representation Water should be added to list of pollution receptors in both paras (i) and (ii) of the policy	
Officer Response It is accepted that the pollution of water from development can be a serious issue, especially to wildlife habitats and public health. Adding it to the list of receptors in part (i) is therefore supported. Part (ii) of the policy seeks to protect sensitive development from pollution and water pollution is covered by the general phrase 'adverse environmental conditions'.	
Officer Recommendation Amend criterion (i) to read.... <u>"air, ground, water or light pollution....."</u>	
Member Decision	

Policy/ Par Chapter 8	Respondent Reference 0168 / Environment Agency
Representation 00015R	Agent Reference -
Representation Mention should be made in this chapter that noise, vibration,dust,light should not adversely impact on wildlife	
Officer Response This issue is mentioned in criterion (i) of policy RP5A	
Officer Recommendation No change	
Member Decision	

Policy/ Par RP5A	Respondent Reference 0068 / English Heritage
Representation 00391R	Agent Reference -
Representation	
Mention "archeology and historic features" after ..."species and habitats" at the end of criterion (i).	
Officer Response	
These factors, whilst relevant, are not considered as fundamental as water quality to the pollution issue(see objection 0001R above). Other policies in the Heritage Conservation chapetr of the Plan also deal with protecting the historic environment in more detail. The policy could become largely a list of factors which by definition cannot be exhaustive and would make the plan repetitive. That said however, it is useful to revisit the background text and its relationship to the policy, to see if any changes could be relatively simply made which would aid clarity , explain the policy better, and meet the objection at the same time.	
Officer Recommendation	
That para 8.19a be replaced with... <u>"Some types of development or land use may be unacceptable when sited next to, or near, housing and other sensitive locations such as protected wildlife and historic sites. Excessive outputs of, for example, noise, smell, dust, vibration or light can all cause unacceptable problems in the wrong locations or where they cannot be properly controlled. Conversely, sensitive new developments or uses should not be located next to or near existing uses which would result in unacceptable environmental problems or conflicts."</u>	
Member Decision	

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Appendix 5

Redeposit Responses **Housing**

Redeposit Responses
Housing

Policy/ Par 9.12a	Respondent Reference 0174 / Mr A Lanni
Representation 00394R	Agent Reference 0044 / Sewell & Hawkins Architects
Representation The granting of planning permission does not equate to new dwellings becoming available. Housing gain from permissions should be reduced by the percentage take-up shown from the previous 10-15 years.	
Officer Response The number of dwellings that have been given planning permission is only used as an indicator of those that will come forward over the coming months and years, as this provides more certainty than estimating those that will be provided on development sites. As shown in Table 3a, the number of housing completions has already exceeded the housing allocation given by the Structure Plan. No further allocations will be made until the East of England Plan has been approved. In the meantime, the number of units completed per financial year will continue to be monitored, as required by the Planning & Compulsory Purchase Act 2004.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H1A	Respondent Reference 0134 / M Gregory & 0135 ? Mr & Mrs T Gregory
Representation 00177R & 00178R	Agent Reference 0026 / Alan Wipperman & Co
Representation RSS should be given weight as emerging policy now and interim allocations should be made, or the Alterations should be abandoned in favour of work on the LDF process. Provision should be made for pro-rata housing allocations e.g. approx 5,000 dwellings which is not an arbitrary figure (see Officer Response to First Deposit comments)	
Officer Response It has been made clear throughout the Alterations process that housing land allocations will not be made until after the East of England Plan (EEP) has been adopted, now expected to be at the beginning of 2007. Following this the Council will begin work on the Local Development Framework to take into account the requirements of the EEP. This will include a green belt boundary review and land allocations. This approach is supported by GO East. The requirement in this objection for an allocation of approximately 5,000 dwellings to be provided on a pro-rata basis is inappropriate, as this will not allow a properly planned, sequential and sustainable approach to be taken with regard to new development that is required by the EEP, and it is not yet known how location-specific that plan will be.	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP1	Respondent Reference 0085 / D Crolla & J Kox
Representation 00371R	Agent Reference 0012 / Matthews & Goodman
Representation Objection to Policy CP1, but this matter is more appropriately dealt with under Policy H1A as further land allocations for housing are suggested.	
Officer Response See 00177R above	

Officer Recommendation No change
Member Decision

Policy/ Par H1A	Respondent Reference 0161 / Schweir Farms Ltd
Representation 00429R	Agent Reference 0027 / Strutt & Parker
Representation Policy is too restrictive. It is premature of Epping Forest to state there will be no further provision for housing land within the plan period. It should include the flexibility of RSS14 for a plan period up to 2021. Land allocation at Moreton suggested.	
Officer Response See 00177R above	
Officer Recommendation No change	
Member Decision	

Policy/ Par H1A	Respondent Reference 0162 / Robert Padfield Ltd
Representation 00430R	Agent Reference 0027 / Strutt & Parker
Representation Policy is too restrictive. It is premature of Epping Forest to state there will be no further provision for housing land within the plan period. It should include the flexibility of RSS14 for a plan period up to 2021. Land allocation at Weald Bridge suggested.	
Officer Response See 00177R above	
Officer Recommendation No change	
Member Decision	

Policy/ Par H1A	Respondent Reference 0166 / Mrs A Mingay
Representation 00428R	Agent Reference 0027 / Strutt & Parker
Representation Policy is too restrictive. It is premature of Epping Forest to state there will be no further provision for housing land within the plan period. It should include the flexibility of RSS14 for a plan period up to 2021. Land allocation at New House Farm, Harlow suggested.	
Officer Response See 00177R above	
Officer Recommendation No change	
Member Decision	

Policy/ Par 9.13a	Respondent Reference 0315 / Martin Grant Homes/ Persimmon Homes/ George Wimpey
Representation 00426R	Agent Reference 0047 / Pegasus Planning Group
Representation It will not be possible to accommodate the level of growth anticipated by the East of England Plan without requiring the development of greenfield sites at the edge of the existing urban area of Harlow. In the circumstances it will not be possible to "protect" the green belt as the accommodation of necessary development will plainly arise on land presently located within the extent of the green belt.	
Officer Response See 00177R above	
Officer Recommendation No change	
Member Decision	

Policy/ Par H2A	Respondent Reference 0094 / Loughton Residents Association
Representation 00039R	Agent Reference --
Representation As the amount of development on previously developed land has historically been between 80-90% in this district we consider that the Council should immediately adopt a target of 80% in H2A, rather than waiting for a review when RPG14 comes into force.	
Officer Response It will not be possible to sustain such a high target as is proposed. It is more appropriate to set a slightly lower target which allows for some flexibility where necessary. The review that will follow the final publication of the East of England Plan is more likely to reduce the target, particularly taking into account the draft recommendations in the Plan (e.g. development of greenfield land at North Weald and to the south and west of Harlow).	
Officer Recommendation No change	
Member Decision	

Policy/ Par H2A	Respondent Reference 0141 / The Fairfield Partnership
Representation 00164R	Agent Reference 0028 / David Lock Associates
Representation	
Potential for damaged land such as redundant glasshouses in sustainable locations adjacent to urban areas to be included in the definition of previously developed land, with such locations being promoted ahead of undeveloped land as suitable for redevelopment. Previously developed land is a finite resource and therefore it should be expected that planning permission granted using this type of land will decline in future. 70% target may prove too ambitious. The Council should revert back to the 60% national target as per PPG3.	
Officer Response	
It has been made clear in the revised employment chapter in relation to glasshouses, that non-agricultural uses will not be considered appropriate on derelict or underused glasshouse sites, at least until a future review of the Plan. In accordance with current guidance, horticultural glasshouses are agricultural and are therefore not considered as previously developed land (PPG3, Annex C). It is accepted that over time the amount of previously developed land available will not be sufficient to meet the housing requirements of the emerging RSS. However, para 9.17a states that this target will be reviewed (as part of the LDF process) following the publication of the final version of the East of England Plan. At present, as no significant land allocations are being made there is no reason why residential development should not be primarily provided on previously developed sites.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H2A	Respondent Reference 0246 / Epping Forest PCT
Representation 00351R	Agent Reference 0041 / Lawson Planning Partnership
Representation	
Support for approach taken to the re-use of previously developed land for housing purposes. It should be noted that through the Plan period as part of modernisation programmes, surplus institutional land and assets are likely to come forward for redevelopment within the existing built up areas, where redevelopment for housing is likely to be a suitable re-use of the land.	
Officer Response	
Support for policy - no further comment.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 9.19a	Respondent Reference 0094 / Loughton Residents Association
Representation 00040R	Agent Reference --
Representation	
All new large developments where residents may have small children should include some safe areas suitable for (supervised) play near to homes, where such amenities are lacking within walking distance of the development.	
Officer Response	
Repeat representation from First Deposit. The requirements from developments in the form of S.106 agreements are set out in policy I1A. It is not necessary to be prescriptive when dealing with the need for play space as such needs will vary between areas of the district. Play areas and public open space are addressed by policies RST8 and DBE7 of the Adopted Local Plan.	
Officer Recommendation	
No change	

Member Decision

Policy/ Par H3A	Respondent Reference 0168 / Environment Agency
Representation 00016R	Agent Reference --
Representation The Agency recommends the inclusion of the following: (vii) Demonstrate integration of renewable resources	
Officer Response It has been demonstrated by developments such as BedZED and BowZED that the density of a development does not need to be lessened to allow the incorporation of renewable energy technology. Officers do not consider that this suggestion will aid arguments for either higher density development or the inclusion of renewable energy sources. The issue is addressed in the Core Policies chapter.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H3A	Respondent Reference 0094 / Loughton Residents Association
Representation 00047R	Agent Reference --
Representation Parking levels that are sufficient for residential development - would like to see higher parking standards in the district as it is common for people to own a car and to be visited by callers in a car/van. Public transport in the district does not provide a network allowing easy travel throughout the district, this is significantly different to cities such as London. The impact of overspill parking on neighbouring dwellings/roads and the wider settlement needs to be acknowledged and managed.	
Officer Response Repeat representation from First Deposit. Previous response still stands "Maximum parking standards have been adopted as SPG since 2001 (Essex Planning Officers Association) and are applied consistently throughout the district. This approach is also advocated in PPG3, which aims to encourage people to use other forms of transport than the private car. It would be contrary to government and local policy to adopt a different approach, as well as being at odds with the principles of sustainable development." Para 17.31a also advises 'The standards also allow a degree of flexibility depending on the location of the new development - eg a town centre location with good access to public transport and other services is likely to have less need for parking than more rural or isolated locations where cars may be the only realistic means of transport.'	
Officer Recommendation No change	
Member Decision	

Policy/ Par H3A	Respondent Reference 0100 / GO East
Representation 00095R	Agent Reference --
Representation Policy does not indicate that higher densities will be permitted where appropriate. Change "at least 30-50" to " in the range of 30-50".	
Officer Response The proposed change will not encourage higher densities to be provided. It will only encourage development within this density, not any higher densities. The wording as in the Redeposit sets the lowest density range that is considered appropriate, and the inclusion of "at least" informs developers that higher densities are acceptable. Para 9.20a further supports this.	

Officer Recommendation No change
Member Decision

Policy/ Par H3A	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00244R	Agent Reference --
Representation Support for policy, particularly part (i)	
Officer Response Support for policy - no further comment.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H3A	Respondent Reference 0316 / Mr J Whitehouse
Representation 00353R	Agent Reference --
Representation Support for policy on minimum housing density	
Officer Response Support for policy - no further comment.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H4A	Respondent Reference 0100 / GO East
Representation 00090R	Agent Reference --
Representation No indication is given in the policy or the supporting text as to what general mix will be sought nor what constitutes a smaller dwelling - number of bedrooms, number of habitable rooms, floor space etc? It is not clear that the Housing Needs Survey includes sufficient information to able to determine what impact a particular development will have on the mix of housing relative to existing housing stock in the local area.	
Officer Response Para 9.22a sets out that the range of dwellings required on a site will be derived from the Housing Needs Survey in place at the time. Page 52 of the 2003 Housing Needs Survey shows there is a greater requirement for two and three bedroomed properties. However, this is a figure that may alter, and therefore it is more appropriate to leave this level of information only in the supporting document and not in the text or policy of the Local Plan. The need for a particular type or size of dwelling will be determined on a site-by-site basis, taking into account the requirements of the Housing Needs Survey and the Housing Waiting List (when considering the need for affordable housing).	
Officer Recommendation No change	
Member Decision	

Policy/ Par H4A	Respondent Reference 0128 / Fairview New Homes
Representation 00181R	Agent Reference 0023 / RPS Planning
Representation Plan should allow sufficient flexibility for the composition of residential development to be determined by developers at the time. Such requirements increase the complexity of development which may make it unviable, especially on smaller sites. Policy should recognise the variety in housing types and location of sites that come forward on different development sites and the potential for the combination of these sites to meet the housing needs of the local area.	
Officer Response H4A allows for flexibility, although makes the point that there is a recognised need for smaller dwellings. The policy states "The Council will require that provision is made for a range of dwellings, including an appropriate proportion of smaller dwellings, to meet identified need on a site-by-site basis." If it is therefore not appropriate to provide a number of smaller dwellings (e.g. one or two bedroomed properties) because there is no need for them, or the character of the existing area makes this unsuitable, then other options will be examined.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H4A	Respondent Reference 0089 / Cllr Janet Whitehouse
Representation 00331R	Agent Reference --
Representation Support for policy. When land allocations are made for housing would like consideration to be given to the "Residential Village for Older People" concept.	
Officer Response Support for policy - no further comment.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H4A	Respondent Reference 0316 / Jon Whitehouse
Representation 00418R	Agent Reference --
Representation Strongly support H4A proposal.	
Officer Response Support for policy - no further comment.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 9.32a - 9.35a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00074R	Agent Reference 0038 / Level Ltd
Representation Utilising housing waiting list information is not a robust indicator of housing need, nor will it capture all households in need as there will be certain households unable to access the housing market who will not register as there may be a belief that they would not qualify. It is well known that assessing housing waiting lists provides a very inaccurate picture of need for intermediate tenures. Similarly there will also be households who register as an insurance policy. Also have concerns that the Housing Needs Assessment does not complete a picture of whole housing need as it only assesses affordable needs and pays scant regard to the needs of the general housing market, notwithstanding that the needs assessment itself may be flawed. Housing Needs Survey should be re-analysed together with the signs of a decreasing housing waiting list suggests the housing need is not as great as is suggested.	
Officer Response It is accepted that Housing Waiting List information is not a particularly robust indicator of housing need, for the reasons expressed by the respondent. It is for this reason that the main data source used is the latest Housing Needs Survey. However Housing Waiting List information is another legitimate factor used to inform housing need within the District. The Housing Needs Survey has been produced by recognised consultants in this field, in accordance with ODPM guidelines on undertaking such assessments. Questionnaires were used to ascertain the number of people in need for all forms of tenure, in all income groups, across the district, not just affordable housing. It is therefore not considered that the Assessment is flawed, or that it has failed to take account of some sectors of people in need. The latest Housing Needs Survey shows a marked increase in the need for affordable housing, compared to the previous Housing Needs Survey. Therefore, the housing need of people in lower income groups in need of affordable housing is increasing.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Affordable housing policies	Respondent Reference 0049 / Furlong Homes
Representation 00035R	Agent Reference 0049 / Fibbens Fox Associates
Representation Previous comments given in relation to affordable housing policies still stand	
Officer Response Refer to First Deposit comments and responses.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Affordable housing policies	Respondent Reference 0333 / Siraj Karbhari
Representation 00519R	Agent Reference --
Representation Support for EFDCs approach to environmentally friendly affordable housing policy.	
Officer Response Support for policy - no further comment.	
Officer Recommendation No change	

Member Decision

Policy/ Par H5A	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00075R	Agent Reference 0038 / Lewvel Ltd
<p>Representation In determining the "suitability" of a site for affordable housing the full range of factors listed in para 10 of circ 06/98 should be taken into account. It is not believed that these factors are adequately covered in other parts of the text and should properly form part of the policy itself. Two further criteria should be included in policy H5A. (vii) whether the provision of affordable housing would prejudice the realisation of other planning objectives that need to be given priority in development of the site; (viii) the need to achieve a successful housing development.</p>	
<p>Officer Response It is not necessary to repeat national guidance held in Circ. 06/98. The text within policy H5A sets out the matters that will be considered in addition to the elements set out in Circ 06/98. The proposed new criteria are not necessary and could result in developments that are not sustainable or appropriate to the area. Proposed (vii) is not necessary, as this is matter for individual negotiations. Proposed (viii) is too vague, and no indication is given on what comprises a successful development.</p>	
<p>Officer Recommendation No change</p>	
<p>Member Decision</p>	

Policy/ Par H5A	Respondent Reference 0100 / GO East
Representation 00096R	Agent Reference --
<p>Representation Policy effectively covers in less detail those matters set out in policies H6A & H7A and is therefore unnecessary. Delete H5A and if the term "suitable" needs to be defined this should be included in the text supporting H7A.</p>	
<p>Officer Response Policy H5A is included to show the intention of EFDC to seek affordable housing on suitable sites, as required by Circular 06/98. The policy is necessary as it defines what is considered suitable within the District.</p>	
<p>Officer Recommendation No change</p>	
<p>Member Decision</p>	

Policy/ Par 9.42a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00078R	Agent Reference 0038 / Levvel Ltd
Representation	
<p>Council is proposing a reduction in threshold for the provision of affordable housing on the basis of substantial housing need and limited housing supply derived from windfall sites. However, the para states that the housing supply figures will be amended following the adoption of the East of England Plan. It is suggested that this will trigger a further review of the Local Plan or its successor in re-assessing site thresholds. Proposing a site threshold reduction now is considered premature. Retain thresholds as per 06/98.</p>	
Officer Response	
<p>The Development Plan currently comprises RPG9, the Essex & Southend-on-Sea Replacement Structure Plan (RSP) (adopted 2001) and the Epping Forest District Local Plan (adopted 1998). The RSP will remain in place until 2011, or the East of England Plan (EEP) is adopted, whichever is sooner. It is expected the EEP will be finally approved at the beginning of 2007, and this will trigger a review of local planning policy and a move into the Local Development Framework system. This is clearly set out on page 8 of the Redeposit. At present the housing allocations set out in the RSP have been met and exceeded. As no further land allocations can properly be made at present, and given the level of need for affordable housing demonstrated by both the Housing Needs Survey and the Housing Waiting List, it is appropriate to lower the thresholds at which affordable housing is sought in order to address housing need in the District. In any event, the amount of housing proposed in the Draft EEP (550 p/a) will not be sufficient to meet the identified housing need (642 p/a) even if 100% were given over to affordable housing.</p>	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 9.44a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00079R	Agent Reference 0038 / Levvel Ltd
Representation	
<p>The council needs to demonstrate that, by adding the phrase "including conversions and changes of use", the policy is economically sustainable in development viability terms, as conversions will incur additional costs. The council has not demonstrated that any of its affordable housing policies have been subjected to any testing of the policy position in terms of development viability, this should not be delegated to the applicant at application stage which would place an additional burden on applicants and council officers in determining planning applications.</p>	
Officer Response	
<p>"Including conversions and changes of use" is not an addition from the First Deposit, but has simply been moved within the sentence for additional clarity. On the basis of land values and the cost of construction it is considered in all but exceptional circumstances these requirements will be feasible. It is therefore the responsibility of the applicant to provide information which demonstrates that these requirements will make a development unviable. Where unviability can be proven, negotiations will be entered into, in order to reach a satisfactory compromise. However, this will require a more "open book" approach by developers.</p>	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 9.44a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00080R	Agent Reference 0038 / Levvel Ltd
Representation In addition, in terms of conversions the policy should be clarified so that it will only apply where there is a net increase in the number of units.	
Officer Response This addition would provide extra clarity to the paragraph.	
Officer Recommendation Add the following to para: (including conversions and changes of use, <u>where there is a net increase in the number of units</u>)	
Member Decision	

Policy/ Par H6A & H7A	Respondent Reference 0100 / GO East
Representation 00091R	Agent Reference -
Representation Both policies seek a different contribution level to affordable housing depending on whether the site is greenfield or brownfield. While generally speaking brownfield land may be more expensive to develop than greenfield land, the approach is considered overly simplistic as it does not make similar concessions to other factors affecting the economic feasibility of developing a particular site and hence the affordable element sought. It is preferable that a uniform affordable housing element is set, and in negotiation, a developer would have the opportunity to demonstrate that the cost of developing a particular site warrants a reduction in the amount of affordable housing sought.	
Officer Response Circ 06/98 states that when considering policies for affordable housing, the economics of provision is one of the factors that must be taken into account. In general terms PDL costs more to develop than greenfield land, and therefore in taking the economics of provision into account the distinction as drafted in the policy is considered appropriate. However, a developer is still able to seek to negotiate a reduction in the amount of affordable housing, if warranted due to particular site costs.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H6A & H7A	Respondent Reference 0100 / GO East
Representation 00092R	Agent Reference -
Representation	
The policies indicate affordable housing will be sought from developments comprising two or three dwellings or more. This is a significant reduction from the thresholds in Circ. 06/98 and "Planning for Mixed Communities". Whilst the consultation paper indicates this may be a suitable approach, no justification is given in the policies or supporting text. Policies only indicate a dwelling threshold, whilst the Circ indicates that both a dwelling and site size threshold should be used.	
Officer Response	
Para 5.4.5. of "Our Countryside: The Future - A Fair Deal for Rural England" (DETR November 2000) (The Rural White Paper) states "Local authorities should negotiate an appropriate element of affordable housing and there is no reason why, in small villages if there is evidence of need and subject to financial viability, they should not seek to match every new market house with an affordable home." It is not considered that this is a financially viable approach to take for all sites that might become available for development, and therefore the approach in the Redeposit is put forward. The justification for this approach is given in para 9.44a, which shows there is a large unmet need for affordable housing in rural areas. The policies will be amended to incorporate a site size threshold as well as a dwelling threshold.	
Officer Recommendation	
The following additions will be made to H6A: (ii) (a) ...greenfield site, <i>and the site is 0.1ha or larger.</i> (ii) (b) ...previously developed site, <i>and the site is 0.2ha or larger.</i>	
Member Decision	

Policy/ Par H6A	Respondent Reference 0128 / Fairview New Homes
Representation 00182R	Agent Reference 0023 / RPS Planning
Representation	
Strongly object to reduction in thresholds, contrary to Circ 06/98. Proposed changes to PPG3 in various consultation documents have not yet been adopted.	
Officer Response	
The change to thresholds follows as a direct consequence of the recommendations of the Housing Needs Survey (2003) and increasing need for affordable housing. Local circumstances (e.g. the position of the emerging RSS and the location of the district in the Green Belt) dictate that smaller sites come forward more frequently than large sites. Circ 06/98 allows for thresholds to be lowered where exceptional local constraints are demonstrated. It is considered that the above constitutes such a need. Emerging government guidance set out in "Planning for Mixed Communities" further supports lower thresholds where appropriate.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H6A	Respondent Reference 0149 / Sworders
Representation 00347R	Agent Reference 0039 / Sworders
Representation New para (ii) is unacceptable if it is deemed to apply to rural residential conversions, refer to rep concerning para 5.49a. Should clarify that this policy does not apply to the conversion of rural buildings.	
Officer Response Residential conversions will only be permitted in accordance with policy GB9A where they fall within the Green Belt. If an existing building is converted for residential use, and in accordance with the change made following rep 00080R above, affordable housing will be sought as per policy H6A. Where new residential units result from the conversion of rural buildings, and it is considered suitable for the provision of affordable units under H5A, affordable housing will be negotiated as part of the development.	
Officer Recommendation No change (but see addition following rep 00080R above in relation to para 9.44a)	
Member Decision	

Policy/ Par H6A	Respondent Reference 0095 / North Weald Bassett District Council
Representation 00435R	Agent Reference -
Representation The Council reiterates previous comments for more realistic targets.	
Officer Response The previous response to the Parish Council still applies. There is significant housing need in the district, and prior to the final approval of the East of England Plan no major land releases will be made. Housing development is therefore currently coming forward from windfall sites, which are generally small sites that cannot accommodate large numbers of dwellings. It is thus appropriate that the threshold at which affordable housing is sought is also reduced. If no action is taken, the number of affordable dwellings gained will continue to be very low, and the level of need will continue to rise.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 9.46a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00084R	Agent Reference 0038 / Levvel Ltd
Representation	
Council has not demonstrated that it has considered the needs of households requiring intermediate housing (including key workers) of a variety or tenures which are not exclusively shared ownership. The Housing Needs Survey underestimates the needs of this group and, as a whole, over estimates need for affordable housing.	
Officer Response	
Recent research by ODPM has demonstrated that the need for intermediate rents and shared ownership schemes for key workers is low, when compared to the take up of the Homebuy loan scheme. A recent redevelopment scheme (Abbey Heights, Waltham Abbey) completed within the district specifically for key workers, using the Government's definition comprised some shared ownership properties along with some intermediate rented housing. The shared ownership and intermediate rented properties proved very difficult to sell/rent. Homebuy has the advantage with the assistance of a loan, of allowing key workers to purchase the property of their choice, rather than renting part or all of their home. There is no evidence to show that there is significant need within this district for key worker housing, whilst the need for affordable housing for rent continues to rise significantly.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H7A	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00081R	Agent Reference 0038 / Levvel Ltd
Representation	
Intent of the policy to "seek the provision of at least 40%" is not clear and provides no certainty for any developer in undertaking appraisals for development opportunities in the borough. Wording conflicts with para 9.49a which states that, where Housing Corporation grant is not forthcoming, a lower percentage of affordable housing will be sought. Percentage sought is predicated on needs alone and is taken directly from the recommendations of the housing needs consultant, without giving consideration to the local factors of development.	
Officer Response	
First point about the "intent of the policy" is not accepted. It is clear that the Council will seek at least 40% of all new dwellings as affordable housing. The reason for this is that the Housing Needs Survey identified extremely high levels of housing need and the main opportunity to help meet this need is through the provision of affordable housing on large sites. Where appropriate, a higher figure may be sought (perhaps in light of an updated Housing Needs Survey), but only in exceptional circumstances will a lesser amount be accepted. H7A and para 9.49a should not be read in isolation, and para 9.49a provides the flexibility required by Circ 06/98 (i.e. that economics of provision should be taken into account). Where Housing Corporation grant is not forthcoming, a lesser percentage of affordable housing may be accepted - as is explained in para 9.49a. This is a matter for detailed negotiation at the application stage. The Council's position from the outset is made clear from the policy and supporting paragraph. The recommendations of the Housing Needs Survey forms the main part of the reason for increasing the percentage of affordable housing, however it is not the only consideration. The East of England Plan (EEP) will not be finally approved until the beginning of 2007, and therefore land allocations will not be made until after this time. In the meantime, housing need continues to rise, and the supply of available housing land is constrained. This is in addition to the Green Belt nature of the district which precludes large scale development. It is therefore considered that the approach taken is justified both in terms of need and local factors.	

Officer Recommendation No change
Member Decision

Policy/ Par H7A	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00082R	Agent Reference 0038 / Levvel Ltd
Representation The policy for settlements of less than 3,000, when considering previously developed sites should be clarified so that affordable housing will be sought only where there is a net gain of dwellings. Policy will not encourage redevelopment or rejuvenation of village housing to meet the needs of the community. Policy provision of having stepped thresholds will, for developments of three and four dwellings, have the same outcome for the developer of two units for sale. This will not promote the most efficient use of land and will encourage 3 dwellings on land that could accommodate 4. Council has not demonstrated that any account has been taken of economic & development viability of these small sites, particularly on previously developed sites.	
Officer Response See 00080R above in relation to para 9.44a. There is an unmet need for affordable housing in rural areas, as evidenced in para 9.44a of the Redeposit. There is a huge difference between the amount of affordable housing needed and provided in rural areas in this district, and therefore a significant change is required in order to meet the identified need. Where a site is considered to be under developed policies on density (H3A) and the requirements of PPG3 will be considered. The final paragraph of both policies H6A and H7A indicates that the reason for the different thresholds being given is to take account of differing construction costs. It is therefore not accepted that the Council has not demonstrated account has been taken of economic & development viability.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H7A	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00083R	Agent Reference 0038 / Levvel Ltd
Representation The use of an upper percentage requirement of 50% in both parts of the small settlement policy has no basis in either planning policy justification, housing needs based justification or development viability considerations. Delete "50%" from (ii) a & b. Replace 33% with a lower percentage.	
Officer Response The Rural White Paper gives the justification for this policy approach (see 00092R above). Housing need in rural areas has been demonstrated in para 9.44a of the Redeposit and can be further justified when local constraints are taken into account (e.g. the position of the emerging RSS and the location of the district in the Green Belt). The viability of development is the main driver for setting two different thresholds for the provision of affordable housing in rural areas. It has been recognised that development on previously developed land is often more expensive than on greenfield land, and different thresholds have been set accordingly.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H7A	Respondent Reference 0128 / Fairview New Homes
Representation 00183R	Agent Reference 0023 / RPS Planning
Representation	
40% is unjustified. Circ. 06/98 sets out "an element" of affordable housing should be sought on suitable sites. This element should be sought through negotiation & policies for affordable housing should set "indicative" targets for specific sites. As such, the expected minimum target provision should not be included within the local plan policy other than as an indicative target.	
Officer Response	
The appropriate element of affordable housing to be sought is considered to be 40% of the total number of units. There is an increasing level of need in the district evidenced from the Housing Needs Survey (2003), which is coupled with a Green Belt location and the uncertainty of the emerging East of England Plan. Where it is proven that this level of affordable housing will make a development unviable, negotiations will be entered into, and a lesser percentage may be accepted in accordance with para 9.49a. Including the percentage in the policy gives applicants a clear indication of what will be sought on suitable sites, which therefore provides certainty for developers.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H7A	Respondent Reference 0246 / Epping Forest PCT
Representation 00350R	Agent Reference 0041 / Lawson Planning Partnership
Representation	
Object to the proposed deletions in H7A & para 9.46a. Significant difficulties in providing suitable housing for a number of the Trust's key worker employees has been experienced. Reinstatement of previously drafted H7A could help ease current and likely future housing issues within the district.	
Officer Response	
Recent research by ODPM has demonstrated that the need for intermediate rents and shared ownership schemes for key workers is low, when compared to the take up of the Homebuy loan scheme. A recent redevelopment scheme (Abbey Heights, Waltham Abbey) completed within the district specifically for key workers, using the Government's definition comprised some shared ownership properties along with some intermediate rented housing. The shared ownership and intermediate rented properties proved very difficult to sell/rent. Homebuy has the advantage with the assistance of a loan, of allowing key workers to purchase the property of their choice, rather than renting part or all of their home. There is no evidence to show that there is significant need within this district for key worker housing, whilst the need for affordable housing for rent continues to rise significantly.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H7A	Respondent Reference 0095 / North Weald Bassett District Council
Representation 00434R	Agent Reference -
Representation Council wishes to see the wording altered by removing the words "at least" and reinstatement of the word "expect" in order to strengthen the commitment to this policy.	
Officer Response This change was made in response to an objection by GO East. It was considered that "The Council will expect..." was a statement of intent and should therefore be changed to "seek" in accordance with guidance in Circ 06/98. The use of the words "at least" provide a stronger policy which will not preclude the Council from seeking a higher amount of affordable housing should it become appropriate to do so.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H7A & 9.49a	Respondent Reference 0312 / Cllr Pat Brooks
Representation 00387R	Agent Reference -
Representation This is not strong enough to secure the level of affordable housing needed. If it is stated that we may "accept a lower proportion of affordable housing" developers will always find a reason why it is not possible. Para 9.49a should be re-written to make it stronger.	
Officer Response Circ 06/98 states that when considering policies for affordable housing, the economics of provision is one of the factors that must be taken into account. Whilst at least 40% will always be sought at the outset it is important to recognise that this might not always be possible, and therefore it must be shown that alternative arrangements may be negotiated.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 9.49a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00076R	Agent Reference 0038 / Levvel Ltd
Representation Council needs to clarify that the maximum subsidy a developer can make is to reduce the land value of affordable housing to nil, as recognised in para 9.48a.	
Officer Response It is not the case that the maximum subsidy a developer can make is to reduce land value to nil. Applications for grant funding are competitive, and therefore grant is more likely to be provided if the Housing Corporation consider the development will give good value for money. In order, therefore, to gain funding a developer may agree to provide a higher rate of subsidy to attract funding, for the affordable housing, which in itself would bring in more external funding which may make the development overall, and the affordable housing in particular, more viable. This has happened on a number of developments within the District in the past. However, the wording does not place any compulsion on the developer.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 9.49a, 9.50a & 9.51a	Respondent Reference 0100 / GO East
Representation 00097R	Agent Reference -
Representation It is not clear what the justification is for seeking a level of developer subsidy equivalent to 40% where it has been demonstrated that, relative to a site's viability, 40% affordable housing provision will not be sought. A more flexible approach needs to be adopted in order to ensure that when pursuing the 40% developer subsidy (equivalent to the provision of 40% affordable housing) and when this renders a site unviable, that the 40% may be reduced.	
Officer Response Considering the extensive housing need in this district, the maximum number of affordable units must be gained from all suitable sites. Where it has been proven that a development will not be viable if 40% of the total number of units are affordable, a developer will still be required to provide the same level of subsidy for a lesser number of units. However, this will result in less land being given over to affordable housing therefore allowing a larger profit to be made as more open market dwellings can be provided.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 9.49a	Respondent Reference 0119 / Leach Homes
Representation 00205R	Agent Reference 0019 / Jeremy Peter Associates
Representation It is not clear what the council intend by the amendment made. Further clarification is required as to what form this subsidy entails given that in normal circumstances, it is the land, which is provided for free as the requisite subsidy. If the intention is for developers to make up shortfalls in grant funding by providing more than the land, then this could place a costly burden, which could threaten the overall viability of the development.	
Officer Response See 00097R above	
Officer Recommendation No change	
Member Decision	

Policy/ Par H8A	Respondent Reference 0316 / Jon Whitehouse
Representation 00419R	Agent Reference -
Representation Support objectives of policy but wording of para (ii) "beyond the first occupier" implies that it is open to second and subsequent occupiers to sell at market prices notwithstanding the title of the policy and explanatory text. Replace "beyond the first occupier" with "in the future".	
Officer Response Point not accepted. This policy very clearly sets out that affordable housing will be secured by a legal or other agreement, to ensure that the benefit of the affordable property is passed on to all those households including and after the first occupier.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H9A	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00032R	Agent Reference 0035 / The Planning Bureau Ltd
Representation Would like assurance that developers of specialised housing for the elderly will not have to comply with policy H9A. Provision of category II sheltered housing is a specific needs based form of housing, and delivers an alternative choice to "Lifetime Homes".	
Officer Response A common sense approach will be taken. Where a particular type of needs based accommodation is being provided, it will not be necessary to impose further conditions. A minor addition to the supporting text will allow this level of flexibility.	
Officer Recommendation Addition to end of 9.58a: <u>"Where specific needs based dwellings are being provided e.g. sheltered housing or for those with special needs, this requirement may be relaxed as other suitable alternative standards may apply."</u>	
Member Decision	

Policy/ Par H9A & 9.57a to 9.60a	Respondent Reference 0175 / McCarthy & Stone (Developments) Ltd
Representation 00077R	Agent Reference 0038 / Levvel Ltd
Representation Flexibility in the text is desirable but it needs to be clarified that this is not just for economic reasons. Certain of the Lifetime Homes standards can be very challenging to achieve if rigidly applied and can lead to inappropriate housing design that may not best meet housing needs. Policy should be deleted, and supporting text should remain as an aspiration. There is no justification on housing needs basis to require that all housing meets this standard. Part M of Building Regulations adequately covers the need for all housing to be designed and constructed to an appropriate standard.	
Officer Response Para 9.58a is being amended in response to 00032R above, to indicate flexibility. PPS1 (para 13(v)) states "Development plans should also contain clear, comprehensive and inclusive access policies – in terms of both location and external physical access. Such policies should consider people's diverse needs and aim to break down unnecessary barriers and exclusions in a manner that benefits the entire community." The implementation of the Lifetime Homes standard will benefit the entire community as it will enable more people to stay in their homes should their physical needs change. Spatial planning is intended to "go further than traditional land use planning" (PPS1 para 30) and it is therefore appropriate that issues such as the accessibility of dwellings for those with a disability is considered at the design stage. The Housing Needs Survey shows there is a need for more dwellings that can meet the requirements of those with a disability, as 5,326 households have someone with a mobility problem and 78% of wheelchair users do not live in an adapted dwelling.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H9A	Respondent Reference 0100 / GO East
Representation 00093R	Agent Reference -
Representation	
Principles are acknowledged, but to require all new housing to meet this standard is overly onerous. Meeting Lifetime Homes standards are beyond the scope of planning, and would be considered under Building Regulations. Para 30 of PPS1 indicates that planning policies should not replicate or cut across within the scope of other legislative requirements.	
Officer Response	
Para 9.58a is being amended in response to 00032R above, to indicate flexibility. Para 30 of PPS1(part (v)) also states that development plans should contain clear, comprehensive and inclusive access policies. Whilst it is accepted that planning policy should not cut across the scope of other legislative requirements, it is considered in order to meet the government's spatial planning agenda that such detail should be considered at the design stage in order that any external implications of these requirements are fully assessed.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H9A	Respondent Reference 0136 / House Builders Federation
Representation 00167R	Agent Reference -
Representation	
Object that all homes should be built to Lifetime Homes standards. There is no justification in planning terms for this requirement. The Standards have no legislative backing. Planning requirements should not cut across other legislative requirements. This is a matter already dealt with by Part M of the Building Regulations. While it may be appropriate for planning authorities to seek to negotiate for a proportion of dwellings to meet this standard, it is considered excessive & unwarranted to require a specific percentage to be built to such standards. Attention drawn to appeal decision, and recent Nottingham City Council Local Plan Inquiry Inspector's Report.	
Officer Response	
Under the government's requirement for a move into spatial planning, it is appropriate that the accessibility of new dwellings is considered at the design stage. PPS1 (para30) supports this approach. Whilst some of the requirements of the Lifetime Homes Standard are replicated in Part M of the Building Regulations, they also include further requirements which allow the government's accessibility agenda to be met. Only in very exceptional circumstances will these standards be relaxed in new dwellings. The standard has been adopted by the Housing Corporation Scheme Design Standards, and it is the government's view that there should not be a marked difference between affordable and open market housing. The Nottingham Inspector's Report is not fully quoted and also states "Part M of the Building Regulations provides a minimum requirement, but there is nothing to say that the Council cannot insist on houses to LHS." This policy has been adopted in other Plans (e.g. The London Plan, policy 3A.4), and other recent Inspector's reports (e.g. Braintree District Local Plan December 2004) support this approach. Therefore in the interest of providing accessible housing the policy will remain.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par H9A	Respondent Reference 0128 / Fairview New Homes
Representation 00184R	Agent Reference 0023 / RPS Planning
Representation Council should seek only a proportion of new homes to conform with these standards. Policy should state only 10% of new homes should conform with this standard.	
Officer Response This standard should be met in all but the most exceptional cases. Only where it can be proven that the requirements will make a development physically or economically unviable will the Council consider relaxing the requirements.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H9A	Respondent Reference 0074 / Barratt Eastern Counties
Representation 00200R	Agent Reference 0010 / Carpenter Planning Consultants (& Bidwells)
Representation Policy is unnecessary as it duplicates and goes beyond statutory provisions of Part M of the Building Regulations. Housing Corporation Scheme Development Standards also include specific requirements in relation to accessibility of affordable homes. Requirement will place an additional & unnecessary burden on developers of both private market and affordable dwellings. Proposed policy should be deleted.	
Officer Response See 00167R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A	Respondent Reference 0100 / GO East
Representation 00101R	Agent Reference -
Representation Circ 01/94 sets out wherever locations should be identified for gypsy sites they should be included in the Plan, where this is not possible an authority may include a criteria based policy. Emerging guidance in Planning for Gypsy & Traveller Sites (Consultation Paper 2004) indicates where there is an assessment of unmet need then suitable locations should be identified and criteria based policies should be used to supplement those locations. No explicit information is given, but the text implies there is an unmet need. It is understood an Essex-wide assessment of need is being undertaken. It is not clear how any future assessment of need will be taken forward by the authority in line with the emerging guidance. Text should be expanded to indicate when an assessment will be undertaken, and how any identified need will be addressed in the future.	
Officer Response This policy does not form part of the Alterations and changes will not be made to the policy itself. Para 9.69a sets out the most up-to-date information on the status of any needs assessment that may be undertaken. It is also shown in the approved LDS that Gypsy / Traveller site issues will be dealt with in a future DPD when the outcome of the East of England Plan is known.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A	Respondent Reference 0028 / Nazeing Parish Council
Representation 00459R	Agent Reference -
Representation Policy relegates the business activities by gypsies by a comment in para 9.68a. The matter is effectively deferred to another place. This ignores reality and is not strong enough. Add new criterion.	
Officer Response See 00101R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A	Respondent Reference 0028 / Nazeing Parish Council
Representation 00460R	Agent Reference -
Representation Policy is behind the times. There should be mention that conditions will be made stipulating that (i) no "bricking in" of mobile homes will be allowed - they must remain mobile; (ii) no sheds or storage; (iii) no commercial vehicles; (iv) no trade.	
Officer Response See 00101R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A / H11A	Respondent Reference 0003 / C F Gibbons
Representation 00489R	Agent Reference -
Representation Matters in relation to GB5, H10A & H11A should be dealt with together.	
Officer Response See 00101R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A / H11A	Respondent Reference 0003 / C F Gibbons
Representation 00490R	Agent Reference -
Representation Minutiae such as para 9.72a should be removed from policy statements and placed elsewhere in the document so the policy stands alone and can be clearly understood.	
Officer Response Officers disagree strongly that the contents of this para are 'minutiae'. In the context of considering the issue of travelling showpeople, it is important to acknowledge what provision is being made in the district. The para does not, in any way, interfere with the understanding of the policy.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A / H11A	Respondent Reference 0003 / C F Gibbons
Representation 00491R	Agent Reference -
Representation Traditional view of gypsies is they live in caravans travelling to various sites for work nearby. Sites can now contain many different elements, all within the Green Belt. EFDC policies and enforcement record do not measure up to the realities of the "real world".	
Officer Response See 00101R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A / H11A	Respondent Reference 0003 / C F Gibbons
Representation 00492R	Agent Reference -
Representation Thurs 25th Aug 2005, half a "mobile home" was being unloaded at Tylers Cross Nursery, Epping Road. Traffic flow was interrupted for a considerable time. Nowhere in EFDC policies is the reality of gypsy/mobile home policy addressed.	
Officer Response See 00101R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A / H11A	Respondent Reference 0003 / C F Gibbons
Representation 00493R	Agent Reference -
Representation Appendix I from "Notes on Nazeing" shows the gypsy/mobile home sites in the Nazeing/ Roydon area. The list should be published as an appendix to the policy for all sites across the district. Once the redeposit work advances full details of such sites will be requested from EFDC under the Freedom of Information Act.	
Officer Response Para 9.69a of the Redeposit indicates that an assessment of gypsy/traveller needs will be undertaken, but that this should reflect a more regional approach, given the area which many gypsies operate in. The information supplied by the objector will be a useful contribution to this assessment.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H10A / H11A	Respondent Reference 0003 / C F Gibbons
Representation 00494R	Agent Reference -
Representation It is believed EFDCs record on gypsy issues is poor. EFDC should be striving for a positive effective record in dealing with gypsy and mobile home issues locally.	
Officer Response Officers believe this comment is particularly unfair. The council's record on gypsy issues is good. The problem lies with the time it takes to deal with all the legal complications arising from the serving of injunctions and dealing with Human Rights legislation. It is acknowledged that time is a problem, particularly for residents who have been disturbed, or felt threatened, by some of the larger encampments which have established themselves recently, but the council has eventually been successful in achieving their removal.	
Officer Recommendation No change	
Member Decision	

Policy/ Par H13	Respondent Reference 0094 / Loughton Residents Association/
Representation 00041R	Agent Reference -
Representation Concerned that H13 has been deleted. It would continue to be valid and useful and should be retained with a possible exception added in relation to mixed-use sites and Town Centres, which are covered elsewhere.	
Officer Response Representation repeated from First Deposit. Officer response still stands. "It is not necessary to retain this policy, as paragraph 11.43a now recognises the importance of housing in town centres, but also seeks to control this to ensure it is not to the detriment of town centres."	
Officer Recommendation No change	
Member Decision	

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Appendix 6

Redeposit Responses **Employment**

Redeposit Responses
Employment

Policy/ Par E4A	Respondent Reference 0100 / GO East
Representation 00098R	Agent Reference -
Representation The policy conflicts with para 42(a) of PPG3 which requires local planning authorities to adopt a favourable approach to applications for housing or mixed use development on sites allocated for industrial or commercial use, but where the sites are no longer needed for that use. Policy should either be deleted and reliance placed on PPG3, or reworded to reflect PPG3's presumption in favour of the redevelopment of sites for housing. Such a rewording would require the removal of criterion (iv).	
Officer Response This issue was raised by other objectors in relation to the First Deposit. The policy is intended to reflect the particular circumstances of the district now. The Replacement Structure Plan housing target was exceeded in April 2003, and planning permission continues to be granted for housing on windfall sites where other planning policies are satisfied. There is still some concern, however, that the Structure Plan employment land targets may not be met. Demand for housing in the district will always be high, because of proximity to London. While there remains uncertainty about achieving employment land targets, and in the light of some employment sites being used for housing, this policy approach is considered appropriate for the district, despite the recent guidance of PPG3 (adopted January 2005). It would be galling to have to release Green Belt land for employment uses because all suitable sites had been used for housing.	
Officer Recommendation No change	
Member Decision	

Policy/ Par E4A	Respondent Reference 0240 / Wates Landmark
Representation 00204R	Agent Reference 0040 / Wilks, Head & Eve
Representation Support the policy which recognises the importance of retaining employment sites. Unchecked loss of such sites will clearly be prejudicial to employment opportunities in the district.	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par E4A	Respondent Reference 0240 / Wates Landmark
Representation 00207R	Agent Reference 0040 / Wilks, Head & Eve
Representation Support this policy which recognises the importance of retaining employment sites in employment use unless it can be demonstrated that the site is no longer required/viable for employment purposes. Unchecked loss of such sites will clearly be prejudicial to employment opportunities in the District.	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par E4A	Respondent Reference 0145 / Gould Property Investments
Representation 00216R	Agent Reference 0030 / Fenn Wright
Representation	
Policy does not specify whether the criteria are collective or individual - application of the policy is therefore unclear and open to challenge. Guidance is given in para 10.54a only for criterion (iv) - this suggests that other criteria are of lower worth or credibility. Policy is therefore misleading and it is difficult to see how a fair and balanced judgement of the issues can be arrived at. (a) Include the word ' <u>either</u> ' after the 'that' in the last line before the criteria and the word 'or' after each of the criteria; (b) delete para 10.54a.	
Officer Response	
The criteria of the policy were intended to be considered individually and the proposed wording in (a) reinforces this, so this suggestion is accepted. (b) is not accepted as the para is intended to describe the requirements that will satisfy criterion (iv), ie defining more clearly what is meant by 'demonstrable lack of market demand'.	
Officer Recommendation	
Accept (a) and reword Policy E4A accordingly. No change as regards para 10.54a.	
Member Decision	

Policy/ Par E4B	Respondent Reference 0145 / Gould Property Investments
Representation 00215R	Agent Reference 0030 / Fenn Wright
Representation	
(a) Definition of 'community needs' is vague and should be addressed in the plan by reference to specific community requirements rather than a wish list. Define community needs by reference to actual policy requirement or future requirements where justified by adopted policy, research or independent appraisal. (b) Inclusion of affordable housing as a possible community need is contrary to the council's own employment policy E4A and para 10.52a. Such a use does not generate employment and it is difficult to see why an exception should be made for this and not private housing. Arbitrary inclusion of affordable housing does not sit well with PPG3 guidelines on delivery of mixed communities or policies H5A, H6A and H7A.	
Officer Response	
The district comprises 6 main settlements, a number of large villages, several smaller villages and other rural settlements. Each locality has its own particular community requirements which will change over time. It is therefore not possible to be prescriptive about community needs. The Housing Needs Survey highlighted the very significant district-wide need for more of this type of accommodation, which is why an exception is being proposed, rather than for private housing (where a ready market exists). The para merely suggests that this use 'may' be appropriate in some circumstances. While affordable housing may not generate employment as such, it may permit the start-up, or continuation of, small local enterprises, by providing affordable accommodation in reasonable proximity to such activities. The point about PPG3 and delivery of mixed communities is not accepted - in the section on 'Creating Mixed Communities', para 11 of PPG3 specifically mentions securing 'an appropriate mix of dwelling size, type and affordability' - this would not be achieved if the re-use of such sites was opened up to private or market housing. The last point about not sitting well with Redeposit policies H5A (Provision for affordable housing), H6A (Site thresholds for affordable housing) and H7A (Levels of affordable housing) is simply not understood.	
Officer Recommendation	
(a) No change ; (b) No change	
Member Decision	

Policy/ Par E4B	Respondent Reference 0145 / Gould Property Investments
Representation 00217R	Agent Reference 0030 / Fenn Wright
Representation	
Policy assumes that there is a need for alternative uses which fulfil community need, but does not address how that need is to be identified or proven. Council should not prejudge such needs until case has been proven by way of the Local Plan process. No new additional community facilities have been identified in Chapter 13 contrary to the previous Plan. Policy is likely to lead to sterilisation of redundant employment land and buildings contrary to para 42(a) of PPG3.	
Officer Response	
Response to objection 00215R explains why it is not possible to be prescriptive about community needs. Para 13.71a (essentially unchanged from the First Deposit) is intended simply to give an indication of the range of uses which could comprise community needs. Criteria in policy, and guidance in para 10.54a, are intended to clarify circumstances where change to other land uses will be permitted - this should enable applicants to prepare case and minimise risk of land sterilisation.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par E4B	Respondent Reference 0121 / Cygnet Health Care Ltd
Representation 00446R	Agent Reference 0020 / Leith Planning
Representation	
Support principles encapsulated in Policy E4B and para 10.55a, which could provide framework to enable redevelopment of employment land for healthcare use. Class C2 uses employ significant numbers of staff. Given decline of manufacturing base within economy, further consideration should be given to enabling C2 uses on employment sites (where environment is conducive to C2 use) without burden of proving that they are no longer needed for employment use.	
Officer Response	
There is nothing to stop applications being made for C2 uses on redundant employment sites, and the opportunity should be taken to highlight the employment requirements of such uses. Obviously the locational, environmental and service requirements of C2 uses are different from those of commercial or industrial uses, but if particular sites may be suitable for C2, the employment argument could satisfy the purpose and criteria of Policy E4A.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 10.88a - 10.104i	Respondent Reference 0142 / A & G Cooper
Representation 00194R	Agent Reference -
Representation Glasshouses will extend the growing season with artificial light - this is already happening. Such light from these huge areas would be devastating for wildlife and could affect the amenity value of people's homes and their quality of life (human rights). Place conditions on light pollution either to reduce it or to install blinds to minimise the effect.	
Officer Response This is not, so far, an issue in the Lea Valley, but accept that artificial lighting may be gradually introduced. Policy RP5A addresses light pollution and would allow the use of conditions as suggested.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.88a - 10.104i	Respondent Reference 0142 / A & G Cooper
Representation 00193R	Agent Reference -
Representation Proposed expansion will require additional gas turbines to generate heat. This could be detrimental to the environment and a potential health hazard. The council should undertake a review of the environmental effect of the huge increase in the use of gas turbines before designating new areas.	
Officer Response Gas turbines will have to meet rigorous environmental standards outside the planning system. In any event, growers are likely to install energy efficient systems to minimise energy costs. In a more general sense, this issue is already addressed by policies CP1(i) and CP5.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.88a - 10.104i	Respondent Reference 0142 / A & G Cooper
Representation 00191R	Agent Reference -
Representation Increases in glasshouses will provide very little employment for the area because of automation. Accessibility for workers from economically disadvantaged areas is contrary to policies that try to reduce traffic movement. Move the glasshouse industry to areas with higher unemployment.	
Officer Response New technology inevitably reduces the need for employees, but the glasshouse industry is no different from any modern commercial activity in this sense. Parts of Waltham Abbey are economically disadvantaged, so the allocation of the WA1(R) site north of Parklands may help to address this issue in terms of offering some local employment which can be easily accessed by foot, cycle or public transport.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.88a - 10.104s	Respondent Reference 0313 / Crest Nicholson (Eastern) Ltd/
Representation 00356R	Agent Reference 0045 / RPS Planning
Representation RAC report demonstrated the need for further growth in the district, but there was no study or assessment undertaken to establish which sites were most suitable.	
Officer Response RAC report was intended to provide strategic overview of state of glasshouse industry. Work by officers, backed up by separate consultant's report, addresses the issue of site selection.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.88a - 10.104s	Respondent Reference 0003 / C F Gibbons
Representation 00480R	Agent Reference -
Representation Visits to all the glasshouse sites were carried out in the summers of 2004 and 2005. It was surprising how many changes had taken place. As The RAC research was carried out in 2002/3, it should therefore not be given too much credence.	
Officer Response The most significant conclusion of the RAC report was the prediction of demand for additional glasshouses over the next ten years. This was based on an analysis of applications in the district over the period 1991 to 2002, assessment of trends elsewhere in the country and abroad, and discussions with local growers about likely demand over the next decade. On the basis of the general nature of this objection, it is hard to see how the conclusions of the study can be challenged or given less credence.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.88a - 10.104s	Respondent Reference 0003 / C F Gibbons
Representation 00481R	Agent Reference -
Representation Figures quoted from the RAC research on land occupied by glasshouses appear only to be 'guesstimates' up to 2001. No decisions on the future of local Nazeing and Roydon glasshouse provision should be made on such tenuous data. Council should have accurate figures for glasshouse sites, identifying area of glass, packing sheds, staff facilities, truck parking, waste land etc. This can then be used as a reliable base line on which future plans can be based to calculate amount of land that might be allocated for new glasshouse and facilities, and how much extra glasshouse capacity, if any, is required so that additional areas are only allocated if all other criteria on redundancy and dereliction are met.	
Officer Response Para 10.93a of the Redeposit mentions a separate consultant's study which was intended as a more detailed supplement to the RAC study. The former, which was not quite finalised when the Redeposit was published, (but which will be available for the Public Inquiry) concentrates entirely on the Lea Valley while the latter is necessarily a more strategic overview of the state of the glasshouse industry. Some of the more detailed findings from the former study have been quoted in the text of the glasshouse section. The amount of detail being requested in the objection is considered to be excessive. The point is made in para 10.104c that any new glasshouse allocation will have to make some provision for infrastructure, over and above that for glass. Requirements for infrastructure will vary from site to site, depending on what is already present, and the physical constraints of sites.	

Officer Recommendation No change
Member Decision

Policy/ Par 10.88a - 10.104s	Respondent Reference 0003 / C F Gibbons
Representation 00482R & 00487R	Agent Reference -
Representation Nothing is included in the text with accompanying tables to indicate the additional areas added to each site or in total to all sites. No business organisation would make decisions with such little data presentation. All proposals appear to be where someone has used a pencil to draw lines to extend existing glasshouse sites. The council should produce current and accurate 'numbers' to support future glasshouse policy.	
Officer Response Accept that the text would benefit from a summary of all the proposed changes - the final figures were not quite available when the Redeposit was published. The total proposed for immediate de-designation (5 sites) is 17.07ha and for potential de-designation (4 sites) is 27.37ha. The total proposed as extension to existing E13A areas (5 sites) is 18.82 ha. The total for the 5 new sites is 81.62ha (although 11.79 of this is at the south end of Paynes Lane and is already almost fully developed). In summary, de-designated and potential de-designated sites total 44.44ha. Extensions and new areas total 100.44 ha, so if all proposals went through, there would be a net increase of 56ha glasshouse land. All sites proposed for extension or as new sites have been visited and assessed.	
Officer Recommendation <u>Add new para or table to text (para 10.104b) summarising the proposed changes in area terms.</u>	
Member Decision	

Policy/ Par 10.88a - 10.104s	Respondent Reference 0003 / C F Gibbons
Representation 00483R & 00484R	Agent Reference -
Representation Glasshouse omission sites appear to include an even wilder use of pencil, adding parcels and even whole swathes of land. When these maps were created, was Roydon and Nazeing Conservation Area considered as there is no mention of it in the text. Figure 2 deals with an area where the road infrastructure is inadequate and which will suffer from increased traffic when Broxbourne Bridge is built.	
Officer Response Omission sites are not part of the Alterations and are not supported by the Council. They were suggested as part of the consultation response to the First Deposit, and have been published as a separate document to enable the Inspector to assess public opinion. The council has no further role to play regarding these sites.	
Officer Recommendation N/A	
Member Decision	

Policy/ Par 10.88a - 10.104s	Respondent Reference 0003 / C F Gibbons
Representation 00486R	Agent Reference -
Representation Clarification might be sought from Tesco's and the local Trading Standards Officer about what 'Packed in the UK for Tesco Stores' really means	
Officer Response This is not a comment on the content of the Redeposit and so cannot be treated as a valid objection.	
Officer Recommendation No appropriate action.	
Member Decision	

Policy/ Par 10.88a - 10.104c	Respondent Reference 0168 / Environment Agency
Representation 00017R	Agent Reference -
Representation The following should be included - Proposed areas for glasshouses should not create negative impacts on river corridors and/or wildlife sites. Bird strike issues should be considered when determining these areas.	
Officer Response River corridors and wildlife sites are included in the criteria of para 10.104d. The issue about bird strikes is not understood.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par 10.88a - 10.104s	Respondent Reference 0341 / R A Ward
Representation 00534R	Agent Reference -
Representation Reading should not be a first choice for sourcing the survey since it is a prime agricultural university which tends to promote these interests. Its choice may tend to imply a bigotry within EFDC to achieve a preconceived result.	
Officer Response RAC were selected in a normal process of competitive tendering. It is sensible to ask specialist consultants to deal with specialist issues. There was no 'preconceived' result - officers had no idea what the results of the study would be and it was commissioned partly on the basis of Appeal Inspectors' comments which are partially quoted in para 10.95a. RAC have assured officers that there is no connection between them and Reading University.	
Officer Recommendation No action	
Member Decision	

Policy/ Par 10.88a - 10.104s	Respondent Reference 0341 / R A Ward
Representation 00545R	Agent Reference -
Representation	
Planning should have done a better job by failing to implement a survey which is (a) impractical and viewed uncommercially; (b) does not take local wishes into account early enough to avoid time wasting; and (c) which has diverted funds away from more beneficial use.	
Officer Response	
Officers do not know if this is aimed at the RAC report, the Redeposit, or the whole Alterations process. It is a strongly held opinion which officers disagree with, but it is difficult to treat it as a specific objection to the Redeposit.	
Officer Recommendation	
No action	
Member Decision	

Policy/ Par 10.89a	Respondent Reference 0313 / Crest Nicholson (Eastern) Ltd
Representation 00400R	Agent Reference 0045 / RPS Planning
Representation	
Correlation between competition from abroad and need to achieve economies of scale (by building larger glasshouses) to match lower prices is a significant leap in logic where council has failed to make any direct link. No proof that 'current trend' for larger glasshouses is likely to continue.	
Officer Response	
Figure 2.1 of the RAC report (on page 11) shows the distribution of glasshouse area in five size groups over the period 1991 to 2001. This information has been sourced from the DEFRA June census and shows quite clearly that the numbers of holdings in the smaller size groups are falling quite significantly. It is beyond question, therefore, that the average size of a holding in the UK is considerably larger than it was 25 or even 10 years ago. In separate correspondence, RAC advise that the average size of a tomato holding is now 3.6 ha which they estimate as being 10 times the figure of 25 years ago. It is also beyond question that UK producers have faced increased competition from imports, particularly Spain, which has exerted pressure on both prices and production in the home market - this is covered in detail in Section 2 of the RAC report. At the same time, the major retailers have increased their dominance of the market and now account for about 80% of fresh products marketed in this country They deal only with a few suppliers, or Category Managers as they are known. The glasshouse industry's response to these factors has been to seek economies of scale in production efficiency, which has led to the increase in the average size of glasshouse units. Companies remaining in the sector have increased in size, while many of the smaller companies have ceased production altogether. RAC advise that the attempt by small growers to supply the main retailers through co-operatives has not generally been successful. This is again due to 'diseconomies' of scale in production costs, but also because management overheads (eg complying with increasingly onerous customer audit requirements and legislation) are common to any site, irrespective of size. All the evidence points to the need to increase production scale, especially for food crops, and to make provision for larger production sites to accommodate this need. The RAC report quotes one of the major growers in the district at appeal stating that a holding of 4ha was now the minimum economic size. That appeal was six years ago, and RAC advise that 'one of the largest glasshouse buildings internationally' considers that the standard size for new glasshouse sites is now 10ha.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 10.89a	Respondent Reference 0341 / R A Ward
Representation 00536R	Agent Reference -
Representation	
Rapid dispatch to the market is essential. The almost full hegemonic basis of the market increases pressures on margins and so overhead costs have to be minimised for satisfactory trading ie low staff, low as possible rates, fuel and heating costs and transport. High throughput more than in-house growth of products will be the maxim, certainly for the next ten years.	
Officer Response	
This issue is more generally addressed in para 10.89a. Growers obviously want to minimise costs and this explains the continuing need to achieve economies of scale with new glasshouse construction. In terms of reducing transport costs for the London and British markets, it is obviously sensible to encourage production in the Lea Valley rather than in Spain, Portugal or North Africa.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 10.90a	Respondent Reference 0313 / Crest Nicholson (Eastern) Ltd
Representation 00402R	Agent Reference 0045 / RPS Planning
Representation	
In none of the other areas (Humberside, Lincolnshire and West Sussex) have councils made significant allocations for new glasshouses. It is not envisaged that there will be a requirement at either national or local level for allocations on the scale proposed by this council. Indeed the other authorities have identified that there are sufficient redundant or under-used glasshouses more suited to development.	
Officer Response	
In the Chichester District Local Plan - First Review (1999) four 'Areas for Horticultural Development' were defined, with areas of 65, 80, 130 and 180 ha - ie all considerably larger than the objection site (WA1) at 33.8ha. It would seem reasonable to assume that there would be no need for Chichester to add to these allocations in emerging policies given the substantial areas adopted recently and which are still being developed. The RAC report also referred to ongoing feasibility studies in East Yorkshire where local growers are seeking to rationalise the glasshouse industry by concentrating on a smaller number of sites, including a horticultural 'park' of 80 to 120ha at Goole. This indicates that in two of the most important areas of glasshouse production in the country, concentration of production onto a smaller number of larger sites has already taken place or is desired by growers to take place.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 10.91a	Respondent Reference 0313 / Crest Nicholson (Eastern) Ltd
Representation 00401R	Agent Reference 0045 / RPS Planning
Representation	
<p>Relevance of issues discussed in this para to policy and Local Plan allocation is questionable, and council has failed to make a satisfactory link. Issue of immigrant workers is not unique to Spain and Portugal but is also a significant issue in the UK. The Health and Safety Commission (HSC) indicates that there are 64,000 casual employees in the horticulture/agriculture sectors in the UK, with particular concentrations in the fresh produce and packhouse sectors. The following quote is from an HSC Report of December 2004: 'Because farmers and growers are finding it increasingly difficult to source indigenous labour, they are relying extensively on migrant workers - from both EU and non-EU countries. Many are prepared to work in unpleasant conditions for comparatively poor wages.'</p> <p>Identifying this issue as particular to other countries, such as Spain and Portugal, gives an unclear picture, when in fact the UK is perhaps equally reliant on migrant workers. Highlighting pesticide issues in these other countries is also somewhat redundant in the light of impending EU legislation which will bring Spain and Portugal, as well as Britain, into line as regards pesticide and chemical use. This will therefore become a non-issue.</p> <p>We fail to understand what the council is trying to achieve in including this paragraph. The council seems to be attempting to address wider EU problems of labour costs, pesticide types and levels, and competing pressures on water supplies, but only loosely linking these to issues in the Epping Forest area. The paragraph seems to imply that these 'problems' in the foreign markets will result in a consumer/retailer preference for British grown produce, but there is no evidence to back this assumption up.</p>	
Officer Response	
<p>It is certainly true that immigrant labour is not unique to our overseas competitors. The RAC report, however, highlighted that the very low wages paid to North African workers in Spain (and the frequent illegal nature of employment) have led to social tensions and incidents of civil unrest. Some retailers, in concerns about ethical trading, are now taking an interest in the employment and living conditions of staff both in the UK and of overseas companies that are supplying them. This is not entirely altruistic and partly stems from concerns about food safety, through hygiene issues related to staff conditions and facilities. RAC advise that wage rates have risen in Spain and Spanish producers are likely to face increased labour costs in the future, which could begin to undermine one of their competitive advantages over UK producers.</p> <p>The RAC report indicated that harmonisation of pesticide use will disadvantage Spanish producers, particularly against the background of growing consumer antipathy towards pesticide use, but this does not mean it will become a 'non-issue'. The legislation will have the greatest effect on those who make the greatest use of those inputs. Producers in southern European countries, such as Spain, are heavily dependent on pesticide use and are constrained from using alternative strategies (such as biocontrol) by general pressure from high pest and disease incidence. They will be at a major competitive disadvantage through the reduction of pesticide use. (RAC advise that their yields are already low by comparison with UK producers.) UK producers lead the world in reduced pesticide use and in taking measures to protect the environment. Some UK retailers are even imposing restrictions which go beyond those demanded by UK and EU legislation and are banning 'legal' pesticides. Many of these pesticides are already not used in the UK, so their loss will cause no problems. RAC consider that the approach by UK producers will prove an increasing market advantage.</p> <p>They also believe that the sophisticated glasshouses and production systems used in the UK offer the best security of supply possible. In contrast, the low technology production systems in southern Europe in unheated, polythene-clad structures make crops there much more vulnerable to adverse weather conditions. RAC cite early frost and snow in Morocco and Spain this year which killed many salad crops - this increased demand for British produce, which has made higher prices this year as a result. There is also increasing interest in, and therefore pressure to supply, fresh product of high nutritional value and flavour. RAC state that there is ample evidence that fresh, locally produced crops are superior in these respects. The Government is currently actively promoting dietary improvement, not least for children and again not least by promoting increased consumption of fruit and vegetables. All these issues suggest that increasing support should be given to UK production of horticultural crops.</p> <p>Overseas producers face significant problems and issues. The home and overseas industries will have their own competitive advantages in different areas, and these will change over time. RAC stress that it is too simplistic to assume that the UK industry is unable to compete with overseas competition, and that there is therefore no need to expand the UK industry.</p>	
Officer Recommendation	
No change	

Member Decision

Policy/ Par 10.91a	Respondent Reference 0341 / R A Ward
Representation 00535R	Agent Reference -
Representation Talks with two principal nurseries local to this site reveal a major necessary policy trend towards increased importation - this is the supreme control over prime costs. Nurseries in Spain have been purchased to source many products and general imports from Spain and North America are essential to limit prime cost.	
Officer Response This issue of increased competition/importation from abroad is addressed in the response to Representation 00401R above.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.92a	Respondent Reference 0313 / Crest Nicholson (Eastern) Ltd
Representation 00403R	Agent Reference 0045 / RPS Planning
Representation Previous policies suggest that the council carefully selected the locations in which further glasshouse growth should be accommodated - this, however, does not justify the need for an increase in glasshouses in the district.	
Officer Response Previous policies were based on an analysis of the industry as it was in the early 1980s. Policies in the Redeposit are based on the RAC 2003 report, the separate consultant's report (2005), and an assessment of a large number of sites in the Lea Valley in 2004 and 2005. The conclusions of this work are that (a) there is a demand which cannot be met by existing designations and (b) more land is needed, subject to individual sites meeting the requirements of other Local Plan policies.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.93a	Respondent Reference 0313 / Crest Nicholson (Eastern) Ltd
Representation 00357R & 00404R	Agent Reference 0045 / RPS Planning
Representation It would seem logical to promote the 37ha already designated land before allocating new land. This is not the approach taken by the council.	
Officer Response Para 10.104d indicates that it is the council's intention that this already available land is used.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.94a & 10.95a	Respondent Reference 0313 / Crest Nicholson (Eastern) Ltd
Representation 00405R	Agent Reference 0045 / RPS Planning
Representation The information about non-implemented permissions is contrary to para 10.93a which mentions 37ha being readily available for development. If permissions are not being implemented, this suggests that there is not a desperate need for existing land allocations, let alone additional land.	
Officer Response Para 10.94a outlines the reasons why some permissions have not been implemented. The 37ha is made up of a significant number of small sites, some of which may not be economic to develop now, given the increasing need to lower costs of production, as described in the response to Representation 00400R above. It would obviously be preferable for as much of this land to be developed for glasshouses as is feasible before further development takes place on new sites but (a) this ignores the fact that the Lea Valley industry comprises a large number of independent holdings, each of which has differing requirements for the future; and (b) it is quite perverse to argue that, because this area of 37ha exists that there is not a need (or demand) for further allocation.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.97a	Respondent Reference 0313 / Crest Nicholson (Eastern) Ltd
Representation 00355R & 00406R	Agent Reference 0045 / RPS Planning
Representation If 3.8 ha glasshouse per annum are needed to maintain production, and slightly over 4ha/annum have been permitted over the period 1991 - 2002, and taking into account the level of unimplemented permissions, the district is currently overprovided. The take-up of glasshouse land is much slower than that being provided or suggested. The 'need' for new glasshouses requires further justification as to where it should be distributed and whether it is truly necessary.	
Officer Response The policies of the Alterations are not intended to 'maintain production' but to address likely demand for expansion over the next ten years. The issue of unimplemented permissions is addressed in para 10.94a and the response to Representation 00405R above. Applications made to the council indicate that there is continuing demand for new glasshouses rather than overprovision.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.104a	Respondent Reference 0033 / Campaign to Protect Rural Essex (CPRE (Essex))
Representation 00395R	Agent Reference -
Representation Support your policy of concentrating future development of new (glasshouse) land into carefully chosen places.	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.104b	Respondent Reference 0100 / GO-East
Representation 00102R	Agent Reference -
Representation	
<u>(a) Justify distinction between the de-designation and potential de-designation allocations. Text should describe whether the de-designation is a necessary response to other considerations (eg industry requirements).</u> (b) Unclear whether the new sites perform better than the de-designated sites, in terms of the criteria outlined in para 10.104d. Thorough comparison of the existing designated areas (where there is unused capacity) is needed before further designations occur. This would prevent 'over-designation' - otherwise the policy of containment will be undermined.	
Officer Response	
(a) Accept that more description should have been in the text. Areas for immediate designation are where no glasshouses are present, or change of use has occurred, or where there is no sign of horticultural activity. Areas for potential de-designation are where activity appears to be moribund. Glasshouses may still be present but are probably little used. Significant changes to other land uses have not (yet) occurred. The purpose of allocating these sites as 'potential de-designation' is to give an early warning of the council's intentions. Glasshouse policy will probably not be reviewed for a number of years, and the intervening period should be sufficient to determine whether there will be any revival of interest in horticultural use. Some sites, especially those in the Pick Hill area of Waltham Abbey, are now considered to be quite poor locations because of restricted access through residential areas. (b) Para 10.94a outlines some of the drawbacks with the 'designated area' approach - ie just because an area is designated does not mean that it will be used for glasshouses. As such, 'over-designation' is unlikely to become a problem. If all the proposed land allocations are adopted, the net change will be an increase in glasshouse land of 56ha, where the RAC study concluded that 50 ha new glass was a realistic target over the next ten years. Allowing for infrastructure provision, 56 ha of land is not going to produce 50 ha of glass, but taking into account the 37ha of land potentially available within designated sites (identified in the separate consultant's report), there is a chance that the additional land provision will be sufficient for the projected demand for new glass. It has not been possible to carry out a 'thorough' comparison of the designated and new sites. All sites, old or new, have their own potential advantages, problems or other issues. The proposed new sites would allow for expansion, taking into account current standards for minimum economic size. Existing areas, proposed for de-designation, suffer by comparison. There is no straightforward answer to this issue.	
Officer Recommendation	
<u>(a) Add more text to para 10.104b as described, or as separate new paragraph.</u> (b) No change	
Member Decision	

Policy/ Par 10.104b	Respondent Reference 0033 / CPRE (Essex)
Representation 00382R	Agent Reference -
Representation	
Support proposed deletion of glasshouse allocations on land which, although once used for it, has no prospect of being used for it again.	
Officer Response	
Noted	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par E13A	Respondent Reference 0101 / Lea Valley Growers Association (LVGA)
Representation 00064R	Agent Reference 0001 / S Hayhurst
Representation Objects because the policy would drastically reduce the amount of land available for glasshouse development compared with the First Deposit. The Redeposit does not adequately cater for the development needs of the glasshouse sector.	
Officer Response The intention of the Alterations has been to make provision for 50 ha new glass to meet the RAC's projected demand over the next ten years. As explained above, the new provision actually totals 100.44ha land and 37ha land have also been identified as potentially available within existing sites. Allowing for infrastructure provision, this amount of land should be able to meet comfortably the development needs of the sector.	
Officer Recommendation No change	
Member Decision	

Policy/ Par E13A	Respondent Reference 0101 / LVGA
Representation 00065R	Agent Reference 0001 / S Hayhurst
Representation Supports the 2 major allocations at Parklands and Sedge Green and the other small additions. But the benefits of these are skewed disproportionately in favour of a few growers who either own the sites or would be well placed to extend their nurseries on to them - should it be possible to overcome the considerable legal, financial, topographical, infrastructural and ownership constraints.	
Officer Response The practical difficulties of bringing designated sites into productive horticultural use have been acknowledged in para 10.94a. If the policy of containment is to be continued however (in the interests of protecting the wider countryside), there is no alternative to the designated area approach. The identification of the new sites has been the result of detailed studies, including many site visits, by officers and consultants over the last 2 years. The results of the Key Issues and First Deposit consultation exercises have also been important in ending up with the proposals included in the Redeposit. There is no simple or easy solution to this problem. The changing requirements of the industry, and the range of policy and physical constraints present in the Lea Valley necessarily limit and restrict opportunities for further significant glasshouse expansion.	
Officer Recommendation No change	
Member Decision	

Policy/ Par E13A	Respondent Reference 0101 / LVGA
Representation 00067R	Agent Reference 0001 / S Hayhurst
Representation	
There is no explanation in the policy or its supporting text of how the word 'suitable' will be interpreted. This requirement is crucial to all growers wishing to expand on to adjacent land. The council is taking a much harder line than in the adopted plan where expansion onto adjacent sites was acceptable subject to some conditions. It is unreasonable to expect a grower to acquire a site within a glasshouse area unless that site is adjacent to his existing nursery and is genuinely available.	
Officer Response	
The council is taking a harder line on expansion onto adjacent sites precisely because it is allocating an additional 100 ha (gross) of glasshouse land in the Redeposit. The council also believes that any attempt to define 'suitable' may not actually be helpful , because it could constrain the range of discussion or arguments about particular cases. What may be considered 'suitable' could vary widely from site to site, and should really be assessed on a case by case basis. Obviously all other relevant plan policies will be used in reaching decisions on applications, and may influence the interpretation of 'suitable'.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par E13A	Respondent Reference 0141 / Fairfield Partnership
Representation 00162R	Agent Reference 0028 / David Lock Associates
Representation	
Policy E13A should be expanded to set out the process of de-designation identified in para 10.104b in the interest of clarity and to promote soundness.	
Officer Response	
As set out in response to objection 00102R above (in relation to para 10.104b)	
Officer Recommendation	
As for 00102R	
Member Decision	

Policy/ Par E13A	Respondent Reference 0013 / Valley Grown Nurseries
Representation 00169R	Agent Reference 0001 / S Hayhurst
Representation	
Amend policy E13A to make it clear that when assessing planning applications for the extension of an established nursery on to land adjoining the glasshouse area within which it is located, it should not be required to prove that there are no other suitable sites within any of the glasshouse areas in the Lea Valley, but solely that there are no suitable sites within the particular glasshouse area within which it is located. Policy should be reworded: Planning permission will be granted for new and replacement glasshouses within areas identified for this purpose on the Alterations Proposals Map subject to other policies in this Plan.	
Officer Response	
This policy was introduced to replace policy E13C of the First Deposit, and it was worded in a more restrictive fashion to reflect that additional land was being proposed for glasshouses. On reflection, officers feel that the policy as it now stands is unrealistic and that the re-introduction of a slightly reworded E13C addresses the issues raised in the objection, and will continue to meet the overall objective of containing glasshouse expansion within designated areas. Officers acknowledge that the re-introduction of this amended policy may be slightly controversial for some objectors and also raises the issue of the interpretation of 'small-scale' and 'modest'. If Members agree to this amendment, the whole issue of this replacement policy can be fully discussed at the Inquiry.	
Officer Recommendation	
Replace E13A with: <u>'Planning permission will be granted for new and replacement horticultural glasshouses within areas identified for this purpose on the Alterations Proposals Map. Glasshouses will not be permitted outside the areas subject to this policy unless the proposed development is either:</u>	
<ul style="list-style-type: none"> (i) <u>a replacement of, or a small-scale extension to, a glasshouse or nursery outside the areas identified on the Alterations Proposals Map; or</u> (ii) <u>necessary for the modest expansion of a glasshouse or existing horticultural undertaking on a site at the edge of an area identified on the Alterations Proposals Map which is unable to expand because all the available land is occupied by viable glasshouse undertakings, or there is no suitable land (including redundant glasshouse land) in the glasshouse areas identified on the Alterations Proposals Map; and in all cases the proposal will not have an adverse effect on the open character or appearance of the countryside.'</u> 	
<u>Glasshouses will not be permitted outside the areas subject to this policy unless the proposed development is either:</u>	
<u>(a) a replacement of, or an extension to, a glasshouse or nursery outside the areas identified on the Alterations Proposals Map; or</u>	
<u>(b) necessary for the expansion of a glasshouse or existing horticultural undertaking on a site at the edge of an area identified on the Alterations Proposals Map which is unable to expand because all the adjoining land in the glasshouse area is unavailable.</u>	
Member Decision	

Policy/ Par E13A	Respondent Reference 0142 / A & G Cooper
Representation 00197R	Agent Reference -
Representation Support policy but are concerned about 'suitable' land. Where will new glasshouses go - into the Lee Valley Park, conservation areas, common land etc. Viability of glasshouse industry, in the long term, needs full review, particularly in the light of global warming, and the huge environmental issues associated with the industry. No expansion until a full review of the Local Plan.	
Officer Response Para 10.104d outlines the criteria which will be taken into account in assessing glasshouse expansion. All other relevant plan policies will also be used. Conservation areas, the Regional Park and common land are all addressed by these policies. The RAC study assessed the viability of the industry over the next ten years, and included an assessment of energy and environmental issues. Glasshouse allocations can be justified under the procedures to adopt Alterations to the Local Plan.	
Officer Recommendation No change	
Member Decision	

Policy/ Par E13A	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00245R	Agent Reference -
Representation Withdraw objection to E13C in First Deposit (now E13A)	
Officer Response Noted	
Officer Recommendation No action	
Member Decision	

Policy/ Par E13A	Respondent Reference 0039 / G Nicastro
Representation 00398R	Agent Reference -
Representation Subject to other policies in this plan' can make this policy subordinate to other plan policies - especially GB10 (development in the Lee Valley Regional Park) and GB7A (conspicuous development). These words could thus have the unintended effect of working against the planning authority's policy of recognising the importance of the glasshouse industry. The words should be deleted.	
Officer Response Accept - the words are unnecessary in any event because all relevant policies apply in all cases - ie the plan should always be treated as a whole.	
Officer Recommendation Delete ' <i>Subject to other policies in this plan'</i> from the first sentence of the policy.	
Member Decision	

Policy/ Par 10.104g	Respondent Reference 0101 / LVGA
Representation 00066R & 00072R	Agent Reference 0001 / S Hayhurst
Representation In order to realise the objective of making Sedge Green and Parklands available for glasshouse development, the council would not only have to overcome potential unwillingness of site owners, but a really detailed Action Plan would need to be prepared to promote and oversee implementation. LVGA is sceptical that council would have the will or devote necessary resources to bring such a Plan to fruition.	
Officer Response The difficulties of implementation are understood, but any more direct involvement by the council will depend on the individual circumstances prevailing at the time. It is recognised that suitable sites for further glasshouse expansion in the Lea Valley are now very limited, and that some landowners are awaiting the outcome of the East of England Plan in the hope of achieving residential development. These issues, and many others, will have to be fully considered before the council will contemplate the use of compulsory purchase powers.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.104g	Respondent Reference 0142 / A & G Cooper
Representation 00192R	Agent Reference -
Representation The use of compulsory powers to purchase land is extremely worrying for private individuals, small businesses etc who would have little defence against an ever-growing and demanding glasshouse industry. Delete this para or be more specific about the use of these powers.	
Officer Response As response to Representation 00461R below.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.104g	Respondent Reference 0305 / B Hibberd (Abbey View Nursery)
Representation 00321R	Agent Reference -
Representation Inclusion of compulsory purchase powers is crucial to the success of the Plan. Farmers are holding onto their land in the hope that they will obtain permission for housing.	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.104g	Respondent Reference 0028 / Nazeing Parish Council
Representation 00461R	Agent Reference -
Representation	
Introducing compulsory purchase to encourage glasshouse development is outrageous. The principle of 'eminent domain' for public purposes is questionable but for private development it is totally wrong. Compensation to the landowner cannot be fair if the local planning authority is supporting one party. Delete this para completely.	
Officer Response	
The power to purchase land compulsorily is contained within section 226 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004. Ultimately the authority of the Secretary of State is required, and the planning authority can only pursue this action if it is satisfied that the acquisition will facilitate the carrying out of development / redevelopment or improvement to the land, or if it is required for a purpose which is necessary to achieve in the interests of the proper planning of the area. The local authority can also only exercise the power where the development/redevelopment or improvement will achieve either promotion or improvement of economic, social or environmental well-being of the area. The powers to act are therefore carefully regulated by statute, and the council will only contemplate such action in extreme circumstances. The Local Plan Alterations are attempting to make reasonable provision for glasshouse expansion over the next ten years, in an area where there is constant pressure for housing development, currently exacerbated by expectations from the East of England Plan. If glasshouses are unable to expand onto approved sites, because of, for example, land 'hoarding', there will inevitably be pressure for expansion (of an appropriate use in the Green Belt) onto less suitable sites. In such circumstances, the council believes that, in the interests of the proper planning of an area, consideration of the use of compulsory purchase powers is a valid option.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 10.104i	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00247R	Agent Reference -
Representation	
Strongly support CP4 in achieving water efficiency gains in modern glasshouse units. Use of SUDS have added benefit of creating new wildlife habitats.	
Officer Response	
Noted	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 10.104k	Respondent Reference 0320 / Charlgrove Securities
Representation 00452R	Agent Reference 0042 / Phillips Planning Services Ltd
Representation	
This para confuses the intentions of policies E13A and E13B. The former identifies suitable sites and does not say anything about alternative uses, so the second half of the first sentence should be deleted after 'containment'. Similarly delete the 4th sentence of the para beginning 'The policy should therefore be seen'	
Officer Response	
The para addresses the circumstance where, on appeal, permission was granted for an alternative use within a glasshouse area. It is not intended to confuse the purpose of policies E13A and B and explains in more depth why the council wishes to see only permissions for glasshouses in the designated areas. It is hoped that this slightly more detailed background will prevent the recurrence of the appeal decision. While the approach may be seen as being favourable to glasshouses, it is important to put this in the context that such a use is appropriate in the Green Belt, and that the policy is therefore a constraint on glasshouse development elsewhere in the Green Belt, ie trying to emphasise that other uses should not be permitted in the glasshouse areas.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par E13B	Respondent Reference 0100 / GO-East
Representation 00103R	Agent Reference -
Representation	
This policy seeks to protect the E13A areas through the refusal of applications that undermine E13A. The proper operation of E13A should direct glasshouse development to the defined areas (and that permission would not be granted outside these areas) - so this should render E13B unnecessary. It should be deleted.	
Officer Response	
The key here is the 'proper operation' of E13A. It was an appeal decision which permitted an alternative use in a glasshouse area. The council therefore believes that E13B is needed, if only to emphasise the point that the designated areas should be for glasshouses only.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par E13B	Respondent Reference 0039 / G Nicastro
Representation 00399R	Agent Reference -
Representation	
The policy overly protects the glasshouse industry from the winds of change. It is not the function of the planning system to provide economic protection to a favoured group - E13B(ii) should be deleted in its entirety.	
Officer Response	
The policy has to be seen in the context of E13A which is a policy of quite severe constraint on an appropriate use in the Green Belt. These constrained areas, in turn, merit protection to ensure that glasshouses can expand. For the reasons given in response to representations 00425R and 00103R, the council thinks the policy should be retained unaltered.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par E13B	Respondent Reference 0320 / Charlgrove Securities
Representation 00451R	Agent Reference 0042 / Phillips Planning Services Ltd
Representation Policy conflicts with empowering purpose of E13A and para 10.104k (as objected to above - representation 00452R). It should be deleted or modified to allow for changed circumstances and the competing demands of other land uses, with clear criteria set out for the circumstances in which other uses will be considered, including changes arising from reviews of the development plan.	
Officer Response E13A imposes constraints on an appropriate Green Belt use. E13B is needed to ensure that these areas are protected from other uses, which may be able to locate elsewhere within the Green Belt. Any modification to the policy could weaken it and allow other uses in the glasshouse areas, which would ultimately mean that more glasshouse land would have to be identified (if suitable sites can be found).	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.104l	Respondent Reference 0028 / Nazeing Parish Council
Representation 00463R	Agent Reference -
Representation Lea Valley Growers Association is a trade lobby and any consultation must be biased. Either delete para or add 'recognising that its advice will tend to be in support of the industry and must be countered by advice from conservation, environmental and residents' groups'.	
Officer Response In dealing with applications for development, the council will seek appropriate advice from all relevant parties, and treat any responses on their merits.	
Officer Recommendation No change	
Member Decision	

Policy/ Par E13C	Respondent Reference 0101 / LVGA
Representation 00068R & 00069R	Agent Reference 0001 / S Hayhurst
Representation	
Revised policy goes too far and is biased against growers. Accepts that it is probably reasonable for council to take steps to prevent extensive dereliction that can result from disused glasshouses. But situation is entirely different when considering other types of building - why should packing sheds and other buildings ancillary to production process be considered any differently from barns or grain stores? Why should they be considered differently from any other inappropriate development permitted in the Green Belt, such as large equestrian or other buildings? The council has not proposed a policy that these types of buildings should be demolished when they become vacant.	
Officer Response	
This policy approach is being proposed against the background of growing local concern about traffic impact on local roads in the Nazeing and Roydon areas. Part of the traffic is attributable to glasshouses and packhouses, but other contributions are made from traffic generated by previously agricultural buildings which are now in alternative commercial or industrial use. Officers believe that the policy is justified on the grounds of these particular local circumstances. Packhouses are inappropriate in the Green Belt and permission is therefore granted only in the case of very special circumstances. Officers believe that the localised nature of packhouse distribution (essentially the northern half of the Lea Valley in the district) coupled with the growing problem of traffic generation from re-used agricultural buildings in the Roydon/Nazeing area is sufficient local justification for a policy which is contrary to Government policy.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par E13C	Respondent Reference 0141 / Fairfield Partnership
Representation 00163R	Agent Reference 0028 / David Lock Associates
Representation	
Object to last sentence. It should be clarified to refer to new glasshouses only.	
Officer Response	
Policy deals only with new glasshouses, as is evident from its title and the first sentence. Amendment is not needed.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par E13C	Respondent Reference 0142 / A & G Cooper
Representation 00196R	Agent Reference -
Representation	
Derelict sites are a long and still existing problem. Packhouses should not be given change of use, but can the council enforce this when Government policy looks to reuse derelict buildings.	
Officer Response	
For the reasons given in response to Representations 00068 and 00069R above, officers believe it is valid to promote this approach because of particular local circumstances.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par E13C	Respondent Reference 0313 / Crest Nicholson (Eastern) Ltd
Representation 00367R	Agent Reference 0045 / RPS Planning
Representation Approach is not in accordance with 'sustainable' approach which seeks development which is economically, environmentally and socially sustainable. This approach seeks to maintain any sites that have been used for glasshouses for that use, not considering whether this is sustainable in economic, social or environmental terms. This is contrary to Government advice.	
Officer Response The policy is intended to ensure that sites are returned to a condition appropriate to their previous use, if horticulture is no longer practised. This is considered to be a sustainable approach for a Green Belt location, as it will be environmentally and socially acceptable, and economic considerations should be dealt with through legal agreements and performance bonds.	
Officer Recommendation No change	
Member Decision	

Policy/ Par E13C	Respondent Reference 0315 / Martin Grant Homes
Representation 00423R	Agent Reference 0047 / Pegasus Planning Group
Representation Last sentence of policy is unreasonable in relation to potential timescale involved with a Local Plan Review, and may create an unnecessary barrier to acceptable development. More appropriate wording should be included which allows the local authority some flexibility to assess a potential site on its merits. Area to the west of Katherines (in Harlow) would constitute a sustainable urban extension of Harlow, but the policy could be interpreted to preclude this.	
Officer Response Other than for glasshouses, these Alterations do not deal with new land allocations. This is in order to accord with the timetable for adoption of the East of England Plan. Work will commence on new housing and employment land allocations in 2007, when the Regional Plan is adopted. The glasshouse area at Old House Lane in Roydon (which is west of Katherines) is currently actively used for horticulture, with some new glasshouses recently being built. It is unlikely that this site would therefore be considered for an urban extension to Harlow.	
Officer Recommendation No change	
Member Decision	

Policy/ Par E13C	Respondent Reference 0028 / Nazeing Parish Council
Representation 00467R	Agent Reference -
Representation	
Supports a tough stance on packhouses. Their recent expansion has been exploited and has led to considerable lorry nuisance. Not only are foreign imported products being brought in, but cheap labour as well. There is light pollution and much 'out of normal hours' traffic. When horticultural uses cease, buildings should not become available for industry. Delete the words 'at least until a future review of the plan' from the policy.	
Officer Response	
It is recognised that traffic issues in the Nazeing area justify further research to assess extent of problem and what the main causes are. Traffic associated with glasshouses and packhouses obviously contributes to the issue, but more needs to be known about traffic generated by commercial uses occupying buildings which were previously used for agriculture. Words at end of policy should be retained to reflect reality of situation - circumstances inevitably change and, at some time in the future, some sites may become suitable for alternative, non-agricultural uses.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par 10.104n	Respondent Reference 0100 / GO-East
Representation 00104R	Agent Reference -
Representation	
Key area of concern is whether a local authority can legitimately require, through a legal agreement, and relative to the tests set out in Circular 05/2005 (Planning Obligations), and therefore the sope of Section 106 arrangements, the removal of buildings and other works lawfully erected on a site that is unrelated to a planning proposal (other than by common ownership). Planning obligations should be used to make acceptable development that would otherwise be unacceptable in planning terms, subject to the five specified tests being met (ie relevant to planning; necessary to make the development acceptable in planning terms ; directly related to the development ; related in scale to the development ; and reasonable in all other respects).	
Officer Response	
Officers reluctantly accept the legal case being made by GO-East. While it may be possible to achieve removal of buildings through the use of discontinuance orders, it will not be possible to require de-contamination of soil (glass, chemicals etc) which was the second strand of the proposed use of Section 106 obligations on vacated sites. This is particularly unfortunate as the argument about decontamination costs has been used before, and will be again no doubt, to make the case for residential redevelopment of derelict glasshouse sites - ie it being argued that the higher land values will help to pay for decontamination. Whilst we understand the local authority's desire to avoid sites becoming blighted, the approach outlined in para 10.104n is contrary to the tests outlined in Circular 05/2005 - the acceptability of the proposal which is subject to application does not depend, or relate in planning terms, to works lawfully carried out at the site that is to be vacated. So, requiring remedial works to the vacated site does not meet, in particular, the tests relating to the obligation being (i) 'necessary to make the proposal acceptable in planning terms, or (ii) directly related to the development.'. Should the authority have concerns about the subsequent use of a vacated site, it can pursue these matters through alternative measures eg discontinuance orders pursuant to Section 102 of the Town and Country Planning Act 1990 to ensure removal of buildings from a site.	
Officer Recommendation	
In the last sentence of para 10.104n, replace everything after 'may use' with <u>'discontinuance orders to ensure the removal of buildings on the vacated site where this is considered appropriate to encourage a new use for the land.'</u>	

Member Decision

Policy/ Par 10.104o	Respondent Reference 0142 / A & G Cooper
Representation 00189R	Agent Reference -
Representation Object to any further expansion of packhouses - they are served by 44 ton vehicles and the Government is considering the use of 86 ton vehicles. The 44 ton vehicles already cannot pass each other without mounting kerbs (eg Nazeing village) - no increase in packhouses in Roydon or Nazeing.	
Officer Response Para 10.104q addresses packhouse expansion. The concerns of the objectors are noted, and it is recognised that traffic issues in Nazeing are seen as a problem by the local community.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 10.104q	Respondent Reference 0003 / C F Gibbons
Representation 00485R	Agent Reference -
Representation It is believed that a great deal of fully or partially grown horticultural products are being imported via the glasshouse sites in Nazeing and Roydon. Such activities should be monitored and only carried out in designated industrial areas. Planning officers should be able to use their statutory powers to establish the type of activities being carried out now on glasshouse sites and envisaged for the future.	
Officer Response The final sentence of 10.104q addresses this issue as far as new packhouses are concerned. It is believed that some glasshouses deal with imported young plants which they then bring on to maturity. This process is still likely to qualify as horticulture and would therefore be deemed to be an appropriate use in the Green Belt. Para 10.104p discusses the location of packhouses on glasshouse sites, as compared with industrial areas.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Figures 10.B1 to 10.B7	Respondent Reference 0101 / LVGA/
Representation 00070R & 00073R	Agent Reference 0001 / S Hayhurst
Representation Very disappointed that majority of sites in First Deposit are shown as deleted in Redeposit, and that only a few of the Association's suggestions for additional areas have been included. A significantly greater number of sites should be identified to overcome all potential restraints on development. For many growers there are no opportunities for expansion, other than on to adjoining land adjacent to their glasshouse area. The additional sites previously suggested should be allocated to reflect the reality.	
Officer Response The Redeposit proposals actually total 81.62ha for new glasshouse land. This comprises 29.64ha (N1 on Figure 10.B2); 5.62ha (N2 on 10.B2); 11.79ha (N3 on 10.B3) - most of this is already built; 32.80ha (WA1 on 10.B4); and 1.77ha (S1 on 10.B7). Proposed extensions to existing glasshouse areas total 18.82 ha., although most of these are already developed. In addition, about 37ha has been identified on existing sites which are immediately available for development. A balance has to be struck between making too much provision to allow for the wide range of constraints that may apply (including land ownership), and making too little provision by not making adequate allowance for infrastructure. While not minimising the problems of implementation, officers believe that the proposals will make adequate provision for an additional 50 ha of glass over the next ten years. If the policy of containment is to be continued, it is not possible to make provision for each and every grower to be able to expand onto adjacent land, in addition to allocating a further 100 ha of glasshouse land. A balance has to be found between making adequate provision for projected needs and protecting the environment and landscape of the district.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Figure 10.B1	Respondent Reference 0141 / Fairfield Partnership
Representation 00160R & 00162R	Agent Reference 0028 / David Lock Associates
Representation One consideration in de-designating glasshouses is the potential for new strategic development. Land at Old House Lane represents an important opportunity for the strategic expansion of Harlow. The Draft East of England Plan identifies the south and west of Harlow as a strategic growth location and EFDC acknowledge this area as having some capacity in their response to the East of England Plan. The area should be de-designated for glasshouses either now, or as part of the potential de-designation the next time policy is reviewed.	
Officer Response De-designation of glasshouses has been determined by whether glasshouses are still present, and if so, whether there are signs of positive horticultural activity. Old House Lane is an active area of horticulture where some extensions have recently been built. It is not an area which is appropriate for de-designation and an alternative area would have to be found in the locality as replacement. The Council has opposed the allocation of any land to the south and west of Harlow in its response to the EEP.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Figure 10.B1	Respondent Reference 0236 / E J Weatherill
Representation 00173R	Agent Reference -
Representation Objecting to the de-designation of land on the south side of Hamlet Hill. Greatly reduce my options for using the land - recently I have been talking to the owner of the adjoining land about a joint horticultural enterprise. Include the area in the proposed retained E13A.	
Officer Response If there is real potential for a revival of horticultural activity on part of this site (no plan showing ownership boundaries was submitted with the objection), it does not seem unreasonable to change the designation to 'potential de-designation' - ie it will be considered for full de-designation the next time policy is reviewed, unless in the meantime horticultural activity becomes a reality. See also Representation 00431R below.	
Officer Recommendation Once ownership boundaries have been established, change the designation of the objector's site to 'Potential de-designation'.	
Member Decision	

Policy/ Par Figure 10.B1	Respondent Reference 0304 / A Millett
Representation 00431R	Agent Reference 0043 / URPS

Representation

Object to de-designation of Clouds, Hamlet Hill, Roydon. Remove reference in para 10.104b to de-designation of sites. There is no evidential basis for immediate de-designation, nor may there be for future de-designation as part of glasshouse policy review. The First Deposit made no suggestion that existing glasshouse designations were in need of 'rationalisation' or provided any evidence to suggest that there was a necessity to de-designate land. In the Redeposit, there is very little substantiation of the need for, or objective of, de-designation. There is no reference to the land use or planning objectives of de-designation. While Green Belt policy regards horticultural development as appropriate in the Green Belt, the 2004 Planning Act means decisions have to have regard to policies in the development plan. National policy on appropriate development will have little weight should sites cease to be identified on the Proposals Map. At the very least, the proposal to de-designate within a short timescale is an interference with the owner's right to respect for his property. The planning authority must have regard to the Human Rights Act and be measured against the public good, so the proposal to de-designate sites should have a sound planning basis. De-designation may be a 'knee-jerk' reaction to representations received on the First Deposit. The proposed de-designations are virtually insignificant in overall area terms compared to the extent of remaining and new designations. If there is not a widespread problem with abandonment and dereliction, is there a clear policy behind the policy of de-designation.

The council should continue its policy approach of encouraging renewal by continuing existing designations. The council proposes to counter future dereliction problems (policy E13C) by requiring the return of land to an appropriate condition. The de-designation proposal seeks to apply this retrospectively to existing sites scheduled for de-designation. This may be counterproductive to good stewardship and stifle any future prospect of beneficial use. De-designation neglects consideration of niche areas of horticultural production - significant possibilities may exist for smaller sites, notwithstanding that there may be no present horticultural activity. Old glasshouses (horticultural production ceased in the mid 80s) on the Clouds site have been gradually dismantled with the long-term intention of establishing a modest niche enterprise.

There is no evidence that the proposal to de-designate is founded on a robust or credible evidence base as required by PPS12. Delete the proposal to de-designate this site. Bearing in mind the possible benefits arising from shared facilities and greater flexibility with increased land area, it would be logical to further reconsider de-designation of the entire E13 site where Clouds sits in the middle. If the council does not accept that the site should be removed from de-designation, our request would be that its position is reviewed as part of the future review of glasshouse policy, given the on-going restorative work and my clients' future intention to establish a viable enterprise.

Officer Response

Some of this representation is partially addressed by the response to Representation 00102R above (in relation to para 10.104b), where officers have acknowledged that more needs to be said to justify the two types of de-designation. Officers believe that the approach can be justified because the overall policy for glasshouses has been to contain expansion within designated sites to minimise landscape impact. As a result of the RAC findings, the policy review this time has been seeking additional designations to meet the projected demand for 50ha new glass. It became apparent to officers over the last two years' site visits that some of the designated areas were either mainly inactive as far as glasshouse horticulture was concerned, or appeared to have completely changed use. In the interests of continuing the policy of containment, but this time designating additional land, it seemed entirely appropriate to propose de-designation of those sites where very little or no glasshouse activity was apparent.

It is wrong to suggest that de-designation will be used to apply E13C retrospectively to existing sites. The policy wording and title of E13C make it quite clear that this will apply only to new, replacement or extensions to glasshouses. The niche market for horticulture is not being ignored - as stated above, 27.07 ha of land are proposed for 'potential de-designation', so if a case can be made for niche horticulture before the next policy review of glasshouses, all that land is potentially available for this use. The objector advises that horticultural production ceased in the mid 1980s (ie nearly 20 years ago) and that buildings have been gradually dismantled in the intervening period. No applications have been made for new glasshouse use of the site. Officers therefore believe that, in these circumstances, it was entirely appropriate to identify the site for immediate de-designation. Officers are prepared to accept the suggestion that the designation be changed to 'potential de-designation' to allow the owner to achieve the ambitions of building a small niche-based glasshouse. This relates directly to the similar request on the adjoining site which is the subject of Representation 00173R above.

Officer Recommendation**Change designation to 'Potential de-designation'**

For the reasons given earlier a 'two stage' approach to de-designation was considered to be sensible. The overall intention is to retain a core of sites which are actively used for glasshouse horticulture, rather than including some areas where activity has ceased with little or no chance of it reviving. This latter case reduces the credibility of the overall approach and does lead to suspicion of the effectiveness of the policy. As new areas are being proposed for glasshouses, it is the right time to assess the condition and activity of the existing sites, although officers acknowledge that this should have been introduced earlier in the process of preparing the Alterations - but the evidence for de-designation only emerged after many site visits and inspections. Officers do not accept that the proposed de-designations are 'virtually insignificant' in overall terms' - sites proposed for immediate de-designation total 17.07ha, and those for potential de-designation 27.37ha.

Member Decision

Policy/ Par Figures 10.B2 & 10.B4	Respondent Reference 0101 / LVGA
Representation 00071R	Agent Reference 0001 / S Hayhurst
Representation Benefits of the 2 major allocations are skewed disproportionately in favour of a few growers, should it be possible to overcome the considerable development constraints.	
Officer Response As response to Representation 00065R above (in relation to E13A).	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B2	Respondent Reference 0142 / A & G Cooper
Representation 00187R	Agent Reference -
Representation Area N1 - this is a huge expansion - almost double the existing site. This would no doubt double the existing traffic in Sedge Green and Nazeing. Traffic assessments must be completed and a new route out north to the A414/A10 should be found before designating this site for glasshouses.	
Officer Response It is the intention that this site should be accessed from Sedge Green rather than Hoe Lane to the east. It is unlikely that traffic would be doubled because existing growers adjoining the site are most likely to take advantage of the new allocation - HGVs serving the area are more likely therefore to be more efficiently used, so while traffic may increase, it will not be anywhere near double the volume. The area may benefit from a traffic survey and management study but it seems very unlikely that links to the north for the A414 and A10 could be established. Dobbs Weir Road (leading to the A10), for instance has a 7.5 tonne weight restriction, and local roads to the north through Roydon towards the A414 are unsuited to HGV traffic.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B2	Respondent Reference 0138 / ECC Highways
Representation 00257R	Agent Reference -
Representation Area N1 - the only way this area could be accessed is via existing areas of glass, so it is either via Sedge Green or Hoe Lane. The former is a Secondary Distributor and therefore we would wish to resist this. We may allow access but only if the highest design standards/specification are met. The highway network in Hoe Lane is substantially sub-standard.	
Officer Response Para 10.104d indicates that access should be concentrated on Sedge Green and HGV movements in Hoe Lane should be reduced. It is accepted that traffic management measures and improved highway design standards would be needed to accommodate increased traffic.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B2	Respondent Reference 0028 / Nazeing Parish Council
Representation 00363R	Agent Reference -
Representation Object to inclusion of site N1 on traffic grounds. Access will only be via Hoe Lane which is under tremendous pressure. Possible alternative route via Sedge Green is only theoretical and, in any case, would produce more HGVs in North Street. Exclude the site.	
Officer Response Para 10.104d indicates that the preferred access route should be via Sedge Green. Conditions and Section 106 obligations may be used to control or restrict access, and to encourage co-operation of growers to provide a joint access to the enlarged site from Sedge Green. It is accepted that this would necessarily increase traffic in North Street and traffic management measures would have to be investigated in more depth.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B2	Respondent Reference 0033 / CPRE (Essex)
Representation 00383R	Agent Reference -
Representation Not challenging your conclusion that new land must be allocated for development. The outcome south of Thorndon Common (site N1), on land between existing businesses, seems reasonable.	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B2	Respondent Reference 0052 / D & E Borton
Representation 00458R	Agent Reference -
Representation Object to the continued inclusion of N1. Para 10.101a recognises some of the problems but ignores the effects of other industrial developments in Hoe Lane. There are now substantial industrial sites at Millbrook, Stoneshot and Birchwood, plus unauthorised activities carried out at Barham and others. All of these produce considerable HGV movements plus commuter traffic and a continuous flow of various deliveries. Conditions as to hours are ignored and no enforcement by EFDC is visible. Hoe Lane is only 13 feet wide and two lorries cannot pass without one reversing. In this context it does not make any sense to expand the glasshouse areas in and around Hoe Lane. More glass means more lorries and more trouble. Delete N1.	
Officer Response The inadequacy of Hoe Lane for existing levels of HGV traffic, let alone any increase, is recognised in para 10.104d. The intention will be to ensure, through conditions and Section 106 obligations and the co-operation of growers, that the new development, and ultimately the major part of this expanded glasshouse area, are accessed only from Sedge Green.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B2	Respondent Reference 0138 / ECC Highways
Representation 00258R	Agent Reference -
Representation	
Area N2 - the only way this area could be accessed is from Hoe Lane, so the concerns regarding the sub-standard highway network apply.	
Officer Response	
In the short term, access would have to be from Hoe Lane, but in the longer term, officers hope that access can be arranged from Sedge Green along the lines described in para 10.104d. Part of this site has recently been granted permission for glasshouses (see last sentence of para 10.99a).	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par Fig 10.B3	Respondent Reference 0013 / Valley Grown Nurseries
Representation 00170R	Agent Reference 0001 / S Hayhurst
Representation	
Wish to expand, not only on the land to the north (which is included in a proposed glasshouse area), but also on to land to the south, which is outside the designated area. Allocation of land elsewhere in the Lea Valley is of no consequence to us - essential that any expansion we undertake provides economies of scale which enable us to drive down the unit costs of production and therefore improve our competitiveness with other growers. Unreasonable to expect us to abandon all the investment on this site and start again somewhere else from scratch. Land to the south is cut off from the main area of the Lee Valley Regional Park and is close to the steep valley side (of Clayton Hill). Structural landscaping around the perimeter would minimise visual impact, and there may be scope to enhance the Park's facilities. There would be no significant increase in traffic along Paynes Lane as a result of the development.	
Officer Response	
It is appreciated that this is a very successful nursery which is on a very constrained site. The Alterations have tried to make provision for 50ha additional glass over the next ten years, but it is not possible to allocate land which is immediately suitable to all growers wishing to expand. There are 3 main areas of concern about this proposal: (a) Paynes Lane is very narrow and unsuitable for HGV traffic - it has a small number of passing places but these are quite inadequate for the normal sized HGVs. The Highway Authority is also concerned about the Paynes Lane/Nazeing Road junction. It is understood that the proposed southern extension would not lead to a significant increase in HGV traffic, but this by itself does not address the existing inadequacy of the Lane itself, and the Highway Authority would need to consider the implications for the safe operation of the junction; (b) the proposed site as an addition to N3 is entirely within the Lee Valley Regional Park, and that authority wishes the impact of glasshouses on the landscape and recreational enjoyment of the Park to be minimised; (c) the proposed southern extension is directly into open and attractive countryside. Structural landscaping may eventually help to screen the proposed new glasshouses, but it is likely that this would take many years to be effective. While officers are sympathetic to the long term aims of the growers, they conclude that the proposed southern extension of N3 cannot be accepted on the grounds of inadequate highway access, impact on the Lee Valley Regional Park, and intrusion into Green Belt countryside.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par Fig 10.B3	Respondent Reference 0142 / A & G Cooper
Representation 00188R	Agent Reference -
Representation	
N3 - this site is located within the Lee Valley Regional Park and is served by a private single track lane, where highway issues have been identified. The lane serves some residential properties. Without expansion, nurseries cannot meet the economies of scale required in the long term, as shown in Omission Sites Figure 3. This proposal would lead to long-term pressure for expansion southward into the Regional Park. The area is not required as defined in para 10.104d. Remove N3 from the redeposit.	
Officer Response	
The proposal to designate this site as a glasshouse area is simply a recognition of the reality. The site is now almost fully developed with new glasshouses and has been particularly successful in recent years - it would be illogical not to acknowledge this. There is already pressure for southward extension, and these issues are addressed in the response to Representation 00170R above. This pressure would come irrespective of the proposed designation. Para 10.104d described the two main sites for proposed glasshouse expansion, and this site in particular was not included in those calculations precisely because it is already almost fully developed.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par Fig 10.B3	Respondent Reference 0138 / ECC (Highways)
Representation 00259R	Agent Reference -
Representation	
N3 - the only means of access is via Paynes Lane. This would lead to the intensification of use of the Paynes Lane/Nazeing Road junction as well as Nazeing Road itself. The latter is a Main Distributor and therefore we would wish to object to this area being accessed via Paynes Lane/Nazeing Road.	
Officer Response	
The proposed designation is merely a recognition of development that has been permitted in recent years. The site is now virtually fully developed and any further glasshouse construction within the proposed designated area would have an insignificant effect on total traffic movements.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par Fig 10.B3	Respondent Reference 0028 / Nazeing PC
Representation 00462R	Agent Reference -
Representation	
Pleased to see the deletion of the northern part of RN4 (from the First Deposit). There is no logic to the retention of the southern part, now numbered N3. It is unsuitable through size and location. Its designation will lead to pressure for expansion in a southerly, western and eastern direction as shown in the Omission Sites document. Delete N3.	
Officer Response	
This designation merely recognises the reality on the ground. The other points are addressed by the responses to Representations 00170R and 00188R above.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par Fig 10.B3	Respondent Reference 0033 / CPRE (Essex)
Representation 00554R	Agent Reference -
Representation We are surprised to see an allocation in the Lee Valley Park - N3 - where land north of it, on either side of Paynes Lane, is shown for deletion from the allocation. In principle, we do not believe new industrial development will be appropriate in the Park.	
Officer Response It is believed that the Park Authority is relatively relaxed about designation on the east side of Paynes Lane, particularly where it is simply recognising the reality of the situation. Glasshouse horticulture is included as a form of agriculture, and is therefore deemed to be appropriate in the Green Belt.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B3	Respondent Reference
Representation	Agent Reference -
Representation	
Officer Response Drafting error - the site marked N2 in the top right corner should be N1.	
Officer Recommendation Change N2 to <u>N1</u>	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0138 / ECC (Highways)
Representation 00260R	Agent Reference -
Representation Object to access via the former Lea Valley Nursery site because the B194 (Crooked Mile) is a Main Distributor. Parklands is a secondary distributor and we would wish to resist access being taken from here. We may allow access but only if our highest design standards/specifications are met. It may be possible to provide access off Galley hill Road but this would necessitate substantial improvements to Galley hill Road itself as well as the junction with Parklands.	
Officer Response Officers believe that the full extent of frontage on Crooked Mile is easily sufficient to allow for access to be designed to the highest standards. The site was previously used for glasshouses with access onto Crooked Mile.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0309 / Councillor P Brooks
Representation 00325R	Agent Reference -
Representation	
Object to extent of proposal for new glasshouses (WA1). Some extension to existing sites is acceptable. It should not impact on the residential areas on the south side of Parklands and in Crooked Mile. Reduce area to create a buffer with residential areas.	
Officer Response	
Para 10.104d indicates that effective landscaping schemes would be required for this site, particularly to screen and soften the view from the south. It is believed that growers would also prefer this, as the planting reduces the potential for vandalism, particularly close to residential areas. The landscaping would obviously present a buffer to adjoining houses and would similarly reduce the area available for glasshouses.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0313 / Crest Nicholson (Eastern)
Representation 00358R	Agent Reference 0045 / RPS Planning
Representation	
WA1 - it is our understanding that no site appraisal or sequential test has been undertaken in order to establish that the Parklands site is the most suitable one for new glasshouses/packhouses, let alone the extent proposed in this allocation.	
Officer Response	
The understanding is incorrect. The site has been visited and appraised over the last two summers and the factors listed in para 10.104d have been taken into account in its selection.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0313 / Crest Nicholson (Eastern)
Representation 00359R	Agent Reference 0045 / RPS Planning
Representation	
WA1 - The concentration of such an expanse of glasshouse in one area will significantly impinge on the openness of the Green Belt, and will therefore be contrary to the objectives of PPG2. Although glasshouse development is 'agricultural', the scale of allocation would result in adverse visual impact - exacerbated by the topography of the site that rises from west to east. There would be a substantial negative impact on the countryside, given the harsh and industrialised nature of the buildings and operations. Such an expanse of glasshouse development is likely to have an adverse impact on the visual amenity and outlook of adjacent residential properties, particularly those in the Parklands estate. The allocated area extends over what is currently open countryside, effectively allowing it to be occupied with glasshouses, packhouses and hardstanding. The change in outlook for residents will be substantial and negative.	
Officer Response	
Para 10.104h indicates that better landscaping than hitherto will be required. In areas close to residential development, growers favour dense landscape planting to minimise the possibility of vandalism. Officers believe that effective landscape planting will minimise any impact on the local landscape, and provide an attractive edge to the residential extent of the town and a useful buffer between houses and horticulture. The site is big enough to allow for the design and implementation of these effective screens. The land rises to the north so the landscape will contain the development when viewed from that direction.	

Officer Recommendation No change
Member Decision

Policy/ Par Fig 10.B4	Respondent Reference 0313 / Crest Nicholson (Eastern)
Representation 00360R & 00361R	Agent Reference 0045 / RPS Planning
Representation WA1 - Location of site is such that visual impact of development would significantly harm important views from the town centre, and specifically the Abbey Grounds from the surrounding countryside to the northeast of the town centre. As the height of glasshouse buildings is increasing, development will have an even greater visual impact.	
Officer Response As response to representation 00359R.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0313 / Crest Nicholson
Representation 00365R	Agent Reference 0045 / RPS Planning
Representation WA1 - Para 15 of PPS7 states that planning authorities should continue to ensure that the quality and character of the wider countryside is protected, and where possible enhanced. Authorities should 'have particular regard to any areas that have been statutorily designated for their landscape, wildlife or historic qualities where greater priority should be given to restraint of potentially damaging development.' E13A is contrary to this as it would allow potentially damaging development in a green belt - a statutorily designated site.	
Officer Response Green Belts are not a statutory designation for landscape, wildlife or historic issues. Agriculture is an appropriate use within Green Belts and as glasshouse horticulture is a form of agriculture, it is also an appropriate use in the Green Belt. Paras 10.92a and 10.104a explain the background to the policy approach pursued by the council - ie containment or concentration to minimise the impact on the wider countryside. E13A is a continuation of this approach, albeit making provision for 50ha new glass to meet anticipated demand over the next 10 years. The site WA1 has no statutory landscape, wildlife or historic designations.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0313 / Crest Nicholson (Eastern)
Representation 00366R	Agent Reference 0045 / RPS Planning
Representation	
Not strictly a direct objection to the content of the Redeposit, but wish to express concern about consultation process. Landowners along Crooked Mile and at nearby sites were given formal notification that E13A was under review. But the owners of 'Chasefield Park' were not formally consulted. We wish to object in relation to the notification process, because the landowner has not been given sufficient time to express views.	
Officer Response	
The Redeposit was specifically sent to the agent and applicant (signed as the owner) listed in the decision notice EPF/2111/04 which itself was sent on 22 December 2004 (a refusal of permission for residential development). Officers understand that there has been no change of ownership in that time and that the agent is still involved with the site - the latter has, in fact, made separate representations about this site.	
Officer Recommendation	
No action	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0313 / Crest Nicholson (Eastern)
Representation 00372R & 00373R	Agent Reference 0045 / RPS Planning
Representation	
WA1 - E13A would allow not only glasshouses but also associated infrastructure such as packing and distribution warehouses. We consider that such uses are not in keeping with the open character of Green Belts and require very special circumstances. We do not consider that such 'special circumstances' have been demonstrated in bringing forward the allocation of the Parklands site, particularly given the large-scale commercial development that would inevitably follow.	
Officer Response	
Officers are essentially in agreement with this point - ie that packhouses are inappropriate and would therefore require very special circumstances to justify permission (see para 10.104q). If WA1 is adopted as a glasshouse site and planning permission is sought for a packhouse, then will be the time to consider the 'very special circumstances' argument.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0313 / Crest Nicholson (Eastern)
Representation 00374R & 00375R	Agent Reference 0045 / RPS Planning
<p>Representation Allocation for intensive glasshouse use would have inappropriate adverse impact on amenity of neighbouring residential properties. Lea Valley Nursery had area of 2.14ha - allocated area is 33.8ha, some 13 times the size of the former use. The council's Development Brief of 2000 states 'The amenities of local residents have suffered because of activities on site, particularly involving retail and the traffic/parking associated herewith.' We consider that logically, the use of an area fourteen times the size of this as glasshouses, with associated storage and distribution, would have a far greater impact on the local residents. Properties adjacent on the east and directly opposite on the west side of Crooked Mile will undoubtedly be adversely affected, over and above the previous, relatively small scale use.</p>	
<p>Officer Response The site has a chequered planning history following the decline of nursery use in the mid 1980s. Enforcement notices have dealt with at least the following uses - stationing, repair and maintenance of vehicles; storage of mechanical plant and various materials and other structures (including telephone kiosks, skips and building materials); sorting, packing and distribution of produce not grown on the land; display for sale of goods, materials and produce not grown on the land; display for sale, and sale of, live birds; placing of mobile building for use as an office. Other uses which have taken place include stationing of motor vehicles and trailers; assembly and storage of double glazing units; cafe, and garden centre. An Article 4 direction to remove permitted development rights for the holding of a market was confirmed by the Secretary of State in 1989. Most of these uses are obviously inappropriate in the Green Belt, and there can be no doubt that the operation of some of them (especially the markets) caused significant disturbance to residential amenities because of the amounts of traffic generated and the timing of some of these uses (eg Sundays). Development of an area of this size for glasshouses will of course generate traffic - HGVs and the cars of employees, but nothing like the level of traffic attracted to a Sunday market. The site is of sufficient size and flexibility, however, that landscaping, layout and design can minimise any adverse effects on nearby residential properties.</p>	
<p>Officer Recommendation No change</p>	
<p>Member Decision</p>	

Policy/ Par Fig 10.B4	Respondent Reference 0313 / Crest Nicholson (Eastern)
Representation 00376R & 00377R	Agent Reference 0045 / RPS Planning
<p>Representation WA1 - Main impact on residential properties, and main concern of residents is likely to be that of traffic. Increased number of HGVs and other commercial vehicles, particularly at unsociable hours, will have adverse impact on local residents, and those using the roads. Even with the growers' best intentions, development of the glasshouse industry over an area 14 times the size of the Lea Valley nursery is likely to have a substantial negative impact. The resulting traffic movements to and from the site will inevitably lead to harmful impacts upon the residential amenities of residents along Parklands, Crooked Mile and Galley Hill, and, particularly given the nature of the traffic, may be detrimental to road safety.</p>	
<p>Officer Response As the last two sentences of the response to Representation 00374R & 00375R above. Officers question whether the amount of traffic generated by glasshouse development of this site will be significant in the overall context of current traffic use of Crooked Mile and Parklands.</p>	
<p>Officer Recommendation No change</p>	

Member Decision

Policy/ Par Fig 10.B4	Respondent Reference 0313 / Crest Nicholson (Eastern)
Representation 00378R	Agent Reference 0045 / RPS Planning
Representation WA1 - The existing junction at the south of Crooked Mile is not suitable to facilitate the manoeuvring of 12m articulated vehicles, and would therefore jeopardise the safety of local residents and other users.	
Officer Response The current junction may be sub-standard, but there is sufficient frontage on Crooked Mile to allow the design of a junction which will meet the current highest highway standards.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0313 / Crest Nicholson (Eastern)
Representation 00379R & 00380R	Agent Reference 0045 / RPS Planning
Representation WA1 - The site would benefit from some sort of residential development or designation as part of the Local Plan. This would be more environmentally and socially sustainable than glasshouses. The location is highly sustainable in terms of proximity to the town centre and this form of development could be undertaken without detriment to the wider area. The proposed allocation would discount this use and result in the loss of previously developed potential housing land.	
Officer Response The Alterations do not deal with housing allocations. The Draft East of England Plan, which will set new housing targets for 2021, is not due for adoption until 2007. It is not known how location specific its recommendations will be, but Waltham Abbey is not mentioned in the Draft Plan as a favoured location. Sites which are potentially suitable for glasshouse expansion, even within the Lea Valley, are few and far between - the criteria in para 10.104d inevitably restrict the supply. This site could make a major contribution to the projected demand for new glass over the next ten years. There are many other sites in the district which could contribute to meeting the district's future housing needs. Development of this site for housing (without assessing its merits for this use) would seriously limit the district's potential to meet the demand for new glasshouses.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0313 / Crest Nicholson (Eastern)
Representation 00381R	Agent Reference 0045 / RPS Planning
Representation	
<p>Proposals are contrary to PPS7 objectives, such as: (a) promotion of thriving and sustainable rural communities, ensuring people have decent places to live, by improving the quality and sustainability of local environments and neighbourhoods; (b) good quality, sustainable development that respects and, where possible, enhances local distinctiveness and the intrinsic qualities of the countryside; (c) discouraging development of 'greenfield' land and ensuring it is not used wastefully; (d) promoting a range of uses to maximise potential benefits of countryside fronting urban areas. These objectives are fundamental to the planning system. The proposed allocation undermines them, and should therefore not be supported.</p>	
Officer Response	
<p>These comments entirely ignore the fact that glasshouse horticulture is an appropriate use in the Green Belt, and it is not clear from the objection precisely how permitting an appropriate use in this location 'undermines' the objectives of PPS7. The proposed site allocation helps to meet a locally derived demand for expansion of an industry which has existed in the Lea Valley for most of the last 100 years. It could provide some employment opportunities for local residents, and strong arguments can be made about 'food miles' in terms of serving the London area market, and other sustainability issues as regards pesticide use and 'biocontrol' where UK practice leads the world (see response to Representation 00401R above). Officers also believe it is more than ironic that the objectors' comments mention discouraging development of greenfield land when their client's interest is to achieve residential development of at least part of the site. Officers also contend that it would not be 'wasteful' to use this greenfield site for an appropriate Green Belt use, particularly given that the opportunities for glasshouse expansion elsewhere in the Lea Valley are now seriously constrained.</p>	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0033 / CPRE (Essex)
Representation 00384R	Agent Reference -
Representation	
<p>Unhappy with the allocation north of Waltham Abbey as this means yet more of the Green Belt , right on the edge of the built-up area and part of its open background in surrounding countryside, would be sacrificed to building.</p>	
Officer Response	
<p>Para 10.104d makes it clear that effective landscaping schemes would be expected to minimise the impact of the development, especially when viewed from the south. Topography and existing hedgerows will help to minimise landscape impact when viewed from the north. Although there is concern about building in the Green Belt, the objector should be aware that glasshouse horticulture is an appropriate Green Belt use.</p>	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0341 / R A Ward
Representation 00537R	Agent Reference -
Representation Objections 00534 - 00536R above (in relation to 10.88a - 10.104s, 10.89a and 10.91a) point to commercial success being unlikely and contrary to current trends. This proposal is more likely to create a derelict site. We have yet to consider how viable Chinese development in this area may later become, although more than ten years away.	
Officer Response The RAC report has identified a 10-year demand for 50ha new glass, suggesting that the market for expansion is very healthy. The site satisfies the requirements of para 10.104d and is adjacent to the existing active nursery (Abbey View). The site is currently unused with a number of derelict buildings, so the proposal for an appropriate economic use can only improve its condition and appearance.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0341 / R A Ward
Representation 00538R - 00540R	Agent Reference -
Representation There would be a substantial new level of heavy lorry traffic in an area incapable of supporting it. The Abbey presents itself as an historic town, generating an ambience that is strongly degraded by being a highway for continental lorries, completely contrary to why people live here. By such use, from Essex County Council, police and their consultants, this will not improve safety on Crooked Mile, as would other available proposals.	
Officer Response Officers question whether the amount of traffic generated by this site would be significant in the context of the traffic already passing through the town. The Crooked Mile frontage is of sufficient length to permit the design and construction of an access which will meet the highest safety standards.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0341 / R A Ward
Representation 00539R	Agent Reference -
Representation The proposed use for Chasefield Park is low quality for a main entrance to this town.	
Officer Response There was a lot of glasshouse dereliction in the 1970s and 1980s in the Lea Valley, and this has inevitably affected local reaction to glasshouse development. The glasshouse industry is now very 'hi-tech' and operating to high environmental standards to reduce costs of production and to meet the stringent requirements of the major buyers. Officers consider that modern glasshouse development is very definitely not 'low quality'.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0341 / R A Ward
Representation 00541R	Agent Reference -
Representation A proposal exists to develop the site for housing, which includes substantial affordable units, an area where the council may well have to improve its level of performance.	
Officer Response Two applications for residential development on the site have recently been refused on Green Belt grounds. The Alterations are not dealing with new housing land allocations for reasons explained elsewhere. The Alterations are addressing the issue of affordable housing.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0341 / R A Ward
Representation 00542R	Agent Reference -
Representation EFDC Planning Services have already identified the site as being of outstanding sustainability in the area, which asset would be wasted by the proposed usage.	
Officer Response Officers understand that this is an interpretation of discussions when the applications for residential development were being considered. It is more likely that what was said was that this site is more sustainable than other Green Belt locations given its relative proximity to Waltham Abbey town centre. The term 'outstanding sustainability' does not really mean anything, and is therefore unlikely to have been used. The proximity to the town, of course, makes the site eminently suitable for employment use in sustainability terms.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0341 / R A Ward
Representation 00543R	Agent Reference -
Representation The close to imminent advent of the projected build figures from the ODPM will make the site of primary significance in helping Waltham Abbey to contribute satisfactorily to EFDC meeting these targets.	
Officer Response It is not known how location specific the conclusions of the East of England Plan will be, but it is not expected that Waltham Abbey will be proposed as a location for new housing.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0341 / R A Ward
Representation 00544R	Agent Reference -
Representation Later site use has been provisionally projected for use as a substantial school as discussed with ECC. It has bus routes, more than adequate space and on-site parking to meet all demands.	
Officer Response Noted, but the response to Representation 00543R is relevant.	

Officer Recommendation No change
Member Decision

Policy/ Par Fig 10.B4	Respondent Reference 0341 / R A Ward
Representation 00546R	Agent Reference -
Representation The site agent and the owner do not wish this use for the site	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B4	Respondent Reference 0341 / R A Ward
Representation 00547R	Agent Reference -
Representation Should a CPO approach be used, it will be opposed at all stages. Compensation for the loss of some 19 buildings could well be £millions. Present residents would need adequate local rehousing.	
Officer Response Noted. It is obviously hoped that CPO would not have to be used, but in any event, it is not the intention of this policy and land allocation to require the rehousing of residents.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B5	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00246R	Agent Reference -
Representation Pleased that the E13 areas are being proposed for de-designation and that WA3 (from the First Deposit) is not being continued with. Withdraw earlier objection.	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B5	Respondent Reference 0085 / D Crolla & J Kox
Representation 00370R	Agent Reference 0012 / Matthews & Goodman
Representation Support the deletion of WA3 (from the First Deposit) and the likely de-designation of E13 allocations to sites to the east of Galley Hill Road. Object on the grounds that land to the east of Galleyhill Road should be redesignated for housing. If this is not upheld, it should come up for such redesignation to meet the requirements of the East of England Plan.	
Officer Response The Alterations are not making housing land allocations. The East of England Plan will set new housing targets, but it seems unlikely at this stage that Waltham Abbey will be selected as a location for much new housing.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10.B5	Respondent Reference 0103 / A Lanni
Representation 00392R	Agent Reference 0044 / Sewell & Hawkins
Representation Pickfield Nursery is shown as a potential de-designated area. This is not sustainable - the extremely high cost of de-contaminating the land can only be met as a by-product of suitable development. It should be re-classified as a site for general housing - this is the only development vehicle which can provide funds for the de-contamination of the land.	
Officer Response The Alterations are not making housing land allocations for reasons explained above and in the First Deposit and Re-deposit. While the East of England Plan will set new housing targets for the period up to 2021, it seems unlikely that Waltham Abbey will be selected as a location for much new housing.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 10B.5	Respondent Reference 0103 / A Lanni
Representation 00393R	Agent Reference 0044 / Sewell & Hawkins
Representation Object to designation of part of the site as a 'County Wildlife Site'. The site is heavily contaminated and we believe its wildlife value must be lost. The designation should be removed.	
Officer Response Designation of Wildlife Sites is not part of the Alterations. The allocation was made in the early 1990s and a resurvey would be justified when Wildlife Sites are reviewed.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par Fig 10.B6	Respondent Reference 0138 / ECC (Highways)
Representation 00261R	Agent Reference -
Representation	
S1 - The A112 (Sewardstone Road) is a Radial Feeder and we would wish to resist access off this road. Access may be allowed but only if the highest design standards/specification are met. The frontage onto Mott Street seems inadequate to provide access but it may be possible to provide access via existing areas of glasshouse. This access, Mott Street and its junction with the A112 need improvements to meet design standards.	
Officer Response	
This is a relatively small extension to the existing areas of glass and officers envisaged that existing accesses would be used. It is not felt that its development would result in any significant increase in traffic, so the need for design improvements seems unnecessary in terms of overall highway priorities.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par Fig 10.B6	Respondent Reference 0314 / Trinity Hall
Representation 00407R	Agent Reference 0046 / Rapleys LLP
Representation	
Object to deletion of E13A from land enclosed by A121, M25 and Sewardstone Road. While most of the relevant area is in active agricultural use, the westernmost parts are derelict, having previously been occupied by demolished farm buildings and facilities. The reinstatement and active use of this land is an appropriate planning objective, which can be achieved through the more intensive and active use of the remainder of the redesignation site. This land is particularly well suited to glasshouse uses, in terms of vehicular accessibility and defensible boundaries, defined by major roads. Para 10.101a identifies the main cause of concern to be traffic, especially the number and size of HGVs. This site, possibly uniquely for this area, offers close, convenient and direct access to the M25 without any effect on residential areas or properties. The land is a single parcel, which is well suited to any scale of glasshouse use, and is sufficiently large to provide for any necessary screening for adjoining uses. The topography is well suited, without any visual, noise, traffic or any other type of adverse effect.	
Officer Response	
The reasons for not continuing with sites SS1 and SS2 (from the First Deposit) are (a) access; (b) relative isolation from other areas of glass and (c) sufficient capacity has been found elsewhere in the Lea Valley. The Highway Authority was concerned about access onto both Sewardstone Road (the A112), partly because of the proximity of the roundabout to the south, and onto the A121, which is now classed as a Main Distributor. SS1 and SS2 made more sense if SS3,4 and 5 had survived from the First Deposit, as these linked with the small area of existing glass in Avey Lane. However, there were compelling reasons why SS3, 4 and 5 were deleted from consideration and this leaves SS1 and 2 rather isolated from existing glass, contrary to the overall approach of containment. As the Alterations make provision for 100ha (gross) additional land, and 37ha has been identified as available for development within the designated areas, enough provision is being made to meet the projected demands of the next ten years. While the objector's comments about accessibility to the M25 and defensible boundaries are accepted, officers have residual doubts about the visual impact on the residents of Beechfield Walk. This estate is abutted by roads on three sides and the farmland is the only area of open land adjoining the houses. If this were developed fro glasshouses, the outlook from the estate would be adversely affected. Landscape screening could offer some mitigation, but the area of land available for such planting must be relatively limited.	
Officer Recommendation	
No change	

Member Decision

Policy/ Par Fig 10.B7	Respondent Reference 0303 / P Rumsey
Representation 00427R	Agent Reference 0027 / Strutt & Parker
Representation Park Farm Nursery should not be de-designated, but retained as an existing nursery site.	
Officer Response Agree - this was a drafting error.	
Officer Recommendation Include Park Farm Nursery as part of the E13A area in Sewardstone (South)	
Member Decision	

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Appendix 7

Redeposit Responses **Town Centres**

Redeposit Responses
Town Centres

Policy/ Par 11.1a	Respondent Reference 0068 / English Heritage
Representation 00389R	Agent Reference -
Representation Support additional bullet point relating to conservation-led regeneration. Withdraw previous objections	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par 11.3a	Respondent Reference
Representation	Agent Reference -
Representation	
Officer Response Insert second bullet point which was included in the First Deposit, but as the result of a printing error has been excluded from the Redeposit.	
Officer Recommendation Change as per officer response	
Member Decision	

Policy/ Par TC1	Respondent Reference 0100 / GO East
Representation 00099R	Agent Reference -
Representation It remains unclear how policy will be applied in practice due to lack of certainty in the wording. In particular concerned about the phrase ...'in principle, support proposals which should'.	
Officer Response It is the overall intention of the policy to protect , promote and enhance all town centres in the hierarchy, for economic, social, and sustainability reasons. It is accepted that the policy wordings should be strengthened to emphasise this. In order to assess the impacts of development fairly, and to properly implement the policy, "Retail Impact Assessments" may be required. These should objectively set out how the development will impact on both the centre concerned and other nearby centres as appropriate. A requirement for such an assessment should be written into the supporting text.	
Officer Recommendation In the second part of the policy (ie after the hierarchy), replace 'in principle, support' with <u>'permit'</u> . Add the following to para 11.7a <u>'Conditions may be attached to any planning permission limiting: (a) the types of goods sold; (b) the amount of floorspace for each type of goods; and (c) the ability to increase floorspace through permitted development rights. A Retail Impact Assessment may be required in particular cases. This would be expected to deal with all relevant issues as set out in Chapter 3 of PPS6, but the scope will be altered to include other matters as may be considered relevant.'</u>	
Member Decision	

Policy/ Par 11.14a	Respondent Reference 0172 / W Morrison Supermarkets PLC
Representation 00061R	Agent Reference 0036 / Peacock and Smith
Representation Para should be altered to reflect the change in ownership from Safeway to Morrison	
Officer Response Whilst the suggested change would reflect the current ownership situation, company names may change again during the life of the plan. In any event they are irrelevant for planning purposes. An amendment is proposed which will reduce the likelihood of the plan becoming time-limited. The objector has confirmed that this revised wording is acceptable, and the objection will be withdrawn if it is adopted.	
Officer Recommendation That the last sentence be deleted and the second sentence be amended to read ... " <u>It has a number of "high street" chainstores, which are complemented by several independent retailers (particularly ladies fashion boutiques) and three large supermarkets.</u> "	
Member Decision	

Policy/ Par 11.22a	Respondent Reference 0316 / J Whitehouse
Representation 00420R	Agent Reference -
Representation Comment on accuracy - Epping no longer has a fishmonger, other than the Tesco counter, and two (not several) bakeries. No mention is made of the significant office employment uses in the town centre - eg the council offices, Leonard Stace, police station, magistrates' court and smaller offices above shops and in Hemnall Street and Bakers Lane.	
Officer Response All comments accepted. Para needs to be updated, and it is appropriate to make mention of office employment.	
Officer Recommendation In first sentence of 11.22a, delete 'several bakeries and a fishmonger' and replace with ' <u>and two bakeries, although a third bakery and a fishmonger both closed down in 2005.</u> ' Add after second sentence: ' <u>There is significant other employment with the main District Council offices located at the north end of High Street. Smaller offices above shops and in Hemnall Street and Bakers lane add to the variety of the centre.</u> '	
Member Decision	

Policy/ Par 11.25a	Respondent Reference 0316 / J Whitehouse
Representation 00421R	Agent Reference -
Representation Not clear why potential development should be restricted to eastern car park (the town centre boundary now includes both car parks), although there are significant issues to be considered. Policy should specifically refer to the need for parking provision for St John's Road community buildings - community hall, adult education centre, library, register office and church.	
Officer Response Mention of the 'eastern car park' is unchanged from the Adopted Plan (para 11.39). This was presumably selected because it directly abuts buildings in the town centre. Town centre car parks are intended to serve all users, so there is no need to specifically mention the needs of St John's Road community buildings. The amendment to para 11.25a (in the Redeposit) indicates that a study of parking provision in Epping would be needed if some development of the existing car parks were to take place.	
Officer Recommendation No change	

Member Decision

Policy/ Par TC3	Respondent Reference 0168 / Environment Agency
Representation 00018R	Agent Reference -
Representation Policy should mention the impact of development on landscape, heritage and /or biodiversity.	
Officer Response These matters are already covered in Core Policies CP1 and CP2, and the more specific policies in the Heritage and Nature Conservation chapters and the Landscape and Landscaping chapter. There is no need to repeat them here.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 11.48a	Respondent Reference 0246 / Epping Forest Primary Care Trust
Representation 00341R	Agent Reference 0041 / Lawson Planning Partnership
Representation Objector confirmed by e-mail on 5th September that he did not wish to object to this para as the point he was making is covered in the objection (00338R) to policy TC4 below.	
Officer Response N/A	
Officer Recommendation No action	
Member Decision	

Policy/ Par TC4	Respondent Reference 0246 / Epping Forest Primary Care Trust
Representation 00338R	Agent Reference 0041 / Lawson Planning Partnership
Representation The 30% limit for non retail uses in all town centres is considered too rigid and prescriptive. The policy should allow for more flexibility for other uses that may be valuable in the town centres .	
Officer Response The limit of 30% non -retail was arrived at after thorough studies of all the town centres over time. The differences lie in the areas to be allocated for the policy in each centre. The figure allows for a significant amount of non-retail uses for each town centre, because it does not include the 'non-key' frontages, and officers consider this should be sufficient to allow for a proper balance of retail and non-retail uses. The figure also gives a degree of certainty to decision makers and applicants. If the policy were to be altered as suggested, it would mean that the LPA would have to revert to "first principles" in assessing each application.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 11.45a-11.53a	Respondent Reference 0094 / Loughton Residents Association
Representation 00421R	Agent Reference -
Representation The plan should adopt different retail frontage percentages for different centres, at the highest defensible level. The limit at Loughton Broadway especially should not be reduced from the current (June 04) 83.1% to 70%.	
Officer Response The limit of 30% non-retail in key frontages was arrived at after thorough studies of all the town centres over time. The differences lie in the length of key frontages to be allocated in each centre. Whilst it is accepted that the fixed percentage would allow quite a significant change in Loughton Broadway, officers do not believe that a persuasive planning argument can be made which differentiates The Broadway from the other town centres in the district. This means that such a figure would be particularly difficult to defend at appeal. With a limit of 30% non-retail in the key frontage, officers still believe that The Broadway would still have a very positive balance of retail/non-retail (as should the other town centres). It will therefore still operate efficiently in its role as a smaller town centre.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 11.A2A	Respondent Reference 0023 / Epping Town Council
Representation 00048R	Agent Reference -
Representation Ignores the existence of Tesco and the adjacent parades of shops (which are mostly in A1 or A2 uses). It would appear sensible to include the stretch of frontage as a third 'key frontage'. In addition, the shops at the top of Station Road should be further considered for inclusion.	
Officer Response Tesco and the adjacent parades could be added to the key frontage for Epping town centre. This would increase the total length of frontage from 485.5m to 567m and increase the percentage of retail from 71.3 to 73.9%. The disadvantage of this approach is that the increased percentage could mean that a frontage of the length equivalent to the Co-op could be lost to retail use and the 70% target would still be retained. They feel it is more important to concentrate on key frontage in what is traditionally accepted as the town centre (ie where the Co-op is located), rather than the Tesco location, which is slightly separate. Officers also feel that there are related potential disadvantages in including Tesco, given the length of 'dead' frontage it presents to High Street. As regards Station Road, permission was granted in September 2005 for redevelopment of nos 1 to 7A. The existing 5 units will be replaced with 4 slightly larger ones with a condition that 50% of the new units are in A1 use. In these circumstances it would not be possible to include the new development as key frontage.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 11.A3A	Respondent Reference 0321 / Avenue Investment Limited
Representation 00453R	Agent Reference 0049 / Derek Horne Associates
Representation Object to inclusion of nos 151 to 309 High Road (SE side) as opposed to nos 207 to 309 in the First Deposit.	
Officer Response The extension of key frontage was a response to a representation from Loughton Town Council and Residents Association. Officers believe this makes sense as it will include the new Marks and Spencer store.	
Officer Recommendation No change	
Member Decision	

Policy/ Par Fig 11.A3A	Respondent Reference 0321 / Avenue Investment Limited
Representation 00454R	Agent Reference 0049 / Derek Horne Associates
Representation 151 to 309 High Road are identified as 3 separate sections and should be treated as such, but we understand for the purposes of policy TC4 that the council will consider these as a single frontage. Likewise the 2 sections identified on the north-west side of the High Road. There should be no difference between identifying separate key frontages for opposite sides of the road which are physically and functionally separate - any more than having separate key frontages on the same side of the road that are physically and functionally separate. Also object to no 199 being identified as key frontage as it is isolated from and separate from other shop frontages.	
Officer Response The key frontage is broken to reflect road junctions and the Church which is set back from the road with open land to the front. The key frontage calculations are based on the total frontage in the centre (ie the combined figure from both sides of the road plus all the frontage on one side even if it is broken into separate lengths). Officers do not agree that such frontages are functionally separate - they all contribute to the offer and variety of individual centres and therefore should be looked at as a whole. For this reason, officers believe it is logical to include no 199 in the key frontage as it is part of the main shopping frontage of the centre, even although it is not currently in A1 use.	
Officer Recommendation No change	
Member Decision	

Appendix 8

Redeposit Responses **Recreation, Sport & Tourism**

Redeposit Responses
Recreation, Sport & Tourism

Policy/ Par entire chapter	Respondent Reference 0095 / North Weald Bassett Parish Council
Representation 00444R	Agent Reference -
Representation Parish Council calls for more work on this chapter in light of the successful London Bid for the 2012 Olympics. The Council should recognise the potential gains for the District by encouraging development for sport, tourism, health & economic growth.	
Officer Response A full review of this chapter does not form part of the Alterations. This matter is more appropriately dealt with within the framework of the East of England Plan and the Local Development Framework.	
Officer Recommendation No change	
Member Decision	

Policy/ Par RST1	Respondent Reference 0095 / North Weald Bassett Parish Council
Representation 00443R	Agent Reference -
Representation This policy should "actively encourage" recreational, sport and tourism development.	
Officer Response A full review of this chapter does not form part of the Alterations. This chapter will be reviewed as part of the move into the Local Development Framework.	
Officer Recommendation No change	
Member Decision	

Policy/ Par RST10A	Respondent Reference 0168 / Environment Agency
Representation 00025R	Agent Reference -
Representation Para 12.55a refers to Policy U2A, and it is considered the proposed wording is satisfactory. It may be advisable for the Council to consider carrying out a strategic flood risk assessment for this area to determine the 1 in 100 year modelled flood envelope.	
Officer Response Support for proposed wording - no comment necessary. The Council will consider the need for the suggested assessment in due course, dependent on resources available.	
Officer Recommendation No change	
Member Decision	

Appendix 9

Redeposit Responses **Community Facilities**

Redeposit Responses
Community Facilities

Policy/ Par Chapter 13	Respondent Reference 0017 / HM Prison Service
Representation 00037R	Agent Reference 0003 / Paul Dickinson & Associates
Representation Plan makes no provision for a new prison in Epping Forest district . This area has been identified as a strategic location for a new prison	
Officer Response This objection repeats that made at First Deposit stage, when it was rejected as being inappropriate to be dealt with then, as it did not form part of the Alterations. No other contact has been had with the prison service since then, so the view remains the same. It is also considered that major decisions on the strategic location for a new prison should be dealt with at regional spatial strategy level and not at Local Plan (district) level.	
Officer Recommendation No change	
Member Decision	

Policy/ Par CP12 and Paras 13.71a and 13.71b	Respondent Reference 0307 / JTS Partnership
Representation 00386R	Agent Reference -
Representation The plan does not reflect advice in PPS12 (paras B3 to B5 of Annex B) relating to the strategic provision of infrastructure. No evidence of "need" is provided to support general policy presumption against loss of facilities in the absence of a comprehensive audit of existing provision. Definition of "community facility" is too broad, and by mentioning land uses subject to other policies in the plan, CF12 repeats others in the plan.	
Officer Response The paras mentioned in PPS12 consider strategic infrastructure in the context of new provision to serve major development - this issue is addressed by policy CP3 of the Redeposit. Policy CF12 addresses the protection of community facilities. These have come under considerable pressure for redevelopment or change of use of late, and are considered important to protect and retain in the interests of promoting sustainable communities. The policy was purposefully drawn wide to allow full consideration of the potential to retain as wide a range of facilities as possible. Each application would need to be assessed on its merits, but the policy is likely to apply particularly to rural areas where the pressure on local facilities has been severe, and where loss can be critical to the community involved. The lack of a "strategic audit" at this stage in the plan is not considered an issue, as this exercise will be undertaken when applications are submitted following adoption of the East of England Plan and major infrastructure and community facility provision have to be determined (as set out in PPS12) to underpin the required housing growth. In terms of resource commitment, it is difficult to keep such a comprehensive audit reliably up to date, and the most appropriate time to carry out such an audit is when an individual facility becomes the subject of an application for change of use. As the policy itself does not name any community facilities, there is considered to be no duplication of other policies in the plan.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 13.71a	Respondent Reference 0316 / Mr J Whitehouse
Representation 00422R	Agent Reference -
Representation Para should give more examples of community facilities in order to better demonstrate the range of facilities covered by the policy.	
Officer Response It would be very difficult, and indeed undesirable, to try to provide a comprehensive list to cover all types of facilities. There is a limit to the usefulness of such lists, and it is almost inevitable that something significant will be left off, or will be identified at a later stage. Conversely it is suggested that revised wording be provided to use generic terms instead . This would offer the greatest flexibility in implementing the policy and help prevent it becoming time-limited.	
Officer Recommendation Replace first two sentences of para 13.71a with: "Community facilities provide a wide range of leisure, health, social and cultural services for all residents of the district. They are often essential for modern living, provide important focal points for the local community and are frequently critical for the less advantaged or mobile in society."	
Member Decision	

Policy/ Par 13.71b, and CF12	Respondent Reference 0145 / Gould Property Investments
Representation 00218R	Agent Reference 0030 / Fenn Wright
Representation Definition of "community needs" is vague and should be addressed by a list of community requirements rather than a "wish list" . Difficult to see how a fair and balanced judgement of the issues can be arrived at by this process.	
Officer Response As responses to Representations 0386R and 0422R above.	
Officer Recommendation As response 0422R above	
Member Decision	

Policy/ Par CF12	Respondent Reference 0246 / Epping Forest PCT
Representation 00352R	Agent Reference 0041 / Lawson Planning Partnership
Representation	
<p>Policy should not seek to restrict alternative uses of existing facilities to other similar uses before residential. PCT has sites that will become surplus over the plan period and will need the enhanced revenue from residential value to enable future investment in the service. More flexibility is needed in the policy to allow for this type of situation. Requested that a new sentence be added to para 13.71a to read...." The council will not grant planning permission for development which would result in the loss of any health, educational, or other community related facility, unless it can be clearly demonstrated that there is no longer a need for the current use or previous one, or that the facilities will be replaced, either within the new development or in another suitable location".</p>	
Officer Response	
<p>Whilst the main thrust of the policy is clear and should remain, it is accepted that there may be situations where alternative development of a local facility could be allowed provided that adequate safeguards are met. This issue must, however, be seen as applying across the board and not just for the benefit of a particular use or sector. The respondent's argument is not fully accepted as it should be perfectly possible for this type of site to be identified well in advance (indeed the EFPCT should be undertaking this work now to meet the possible requirements of the East of England Plan, and therefore liaising with the council) so that the sites would not be treated as effectively 'windfall' but could be programmed into the plan. However the form of words suggested could, with slight amendments, be usefully added to para 13.71a. As well as recognising the issue, this would also tie the text in better with the policy itself, which does recognise that this type of development could be acceptable.</p>	
Officer Recommendation	
<p>Add the following as a new penultimate sentence in para 13.71a....."However it is recognised that there may be situations where development could be allowed, provided it can be clearly shown that the facility concerned is no longer needed or that it will be adequately replaced in a suitable location, and that no other identified local facility needs the site. "</p>	
Member Decision	

Policy/ Par CF12	Respondent Reference 0121 / Cygnet Health Care
Representation 00447R	Agent Reference 0020 / Leith Planning Ltd
Representation	
<p>The tests for alternative uses for existing facility sites are too lenient. Applicants should be required to demonstrate that the site is not required for any other community service (including independent hospitals/nursing homes).</p>	
Officer Response	
<p>The suggested wording in response to representation 0352R above partly deals with this objection. However the wording of the policy text itself could usefully be clarified on this point, to allow for the widest options for finding a replacement community use.</p>	
Officer Recommendation	
<p>In second sentence of second paragraph of the policy, replace 'a particular' with 'another'.</p>	
Member Decision	

Policy/ Par CF12	Respondent Reference 0121 / Cygnet Health Care
Representation 00448R	Agent Reference 0020 / Leith Planning Ltd
Representation The plan should be more specific in making allocations and setting policies for the provision of future community facilities	
Officer Response The current local plan review is not dealing with detailed matters on this type of development. These will be dealt with in future Local Development Documents.	
Officer Recommendation No change	
Member Decision	

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Appendix 10

Redeposit Responses **Utilities**

Redeposit Responses
Utilities

Policy/ Par Chapter	Respondent Reference 0168 / Environment Agency
Representation 00019R	Agent Reference -
Representation The following should be included: 'The Council will seek opportunities to restore floodplain areas. Connected with this is the restoration of river channels and restoration of natural/river and channel processes. Both will help to alleviate flood risk in a natural, more sustainable way. Opportunities should be sought through planning gain and through master planning/framework processes.'	
Officer Response Agree that the sentiment of this representation should be included.	
Officer Recommendation Add following sentence to end of para 14.7a: <u>'Where appropriate, opportunities will be sought through planning obligations to restore floodplain areas, including the restoration of river channels and natural river and channel processes.'</u>	
Member Decision	

Policy/ Par U2A	Respondent Reference 0168 / Environment Agency
Representation 00021R	Agent Reference -
Representation	
Suggests alterations to policy to better reflect PPG25 (Development and Flood Risk). Suggests a range of amendments to set out various detailed criteria and other matters to be taken into account in determining planning applications.	
Officer Response	
The need to reflect the general guidance in PPG 25 is accepted. However many of the changes suggested are considered too detailed to be set out in the Local Plan. They would be better included in future SPD or a technical guidance note. This would require updating of the LDS. As regards the policy itself, it is considered that it currently reflects PPG25, and this is explained in the text (paras 14.8a and 14.9a). However, there would be benefit in reordering and rewording the policy to more clearly reflect and explain the broader hierarchy of risk and the general criteria the council (and the EA) will use to assess developments. A requirement to provide a Flood Risk Assessment, to demonstrate how flooding matters will be dealt with by any proposed development, could also usefully be included. This would avoid doubt and ensure consistency with policy U2B which relates to the council's own defined Flood Risk Assessment Zones. There is also a minor grammatical error in line 2 of (i) of U2A which requires correction.	
Officer Recommendation	
1 That the title of Policy U2A be amended to read " <u>Development in Flood Risk Areas</u> " to better reflect its broader scope .	
2 That policy U2A be reworded as follows: " <u>Development proposals within the Environment Agency's currently defined Flood Risk Zones, will be determined in accordance with a sequential approach as set out in PPG25. This will be, in order of priority:</u>	
<u>a) areas with little or no flood risk</u>	
<u>b) areas of low to medium risk</u>	
<u>c) areas of high risk</u>	
<u>d) areas of Functional Flood Plain.</u>	
<u>In accordance with this order of priority, the council will only permit development in areas of Functional Flood Plain if :</u>	
<u>a) It involves use of land only, and would not increase flood risk or danger from flood risk,</u>	
<u>OR</u>	
<u>b) It is proven to be essential infrastructure which cannot be located elsewhere. No such development will be allowed if it would cause any negative impacts on any part of the flood regime of the watercourse involved. Development in High Risk areas, will only be allowed if:</u>	
RETAIN REMAINDER OF POLICY (i) to (v) BUT INSERT " <u>AS</u> " AFTER "INCORPORATED " IN LINE 2 OF (i) <u>Development in all other Flood Risk Areas, will be allowed under this policy, provided that suitable flood minimisation and/or mitigation measures are included as part of the development. All applications for proposals for development in Flood Risk Areas will be required to be accompanied by a Flood Risk Assessment. covering matters (i) to (v) above, to be carried out to the satisfaction of the Council and/or the Environment Agency.</u>	
3 That consideration be given at the review of the LDS to including SPD on detailed matters relating to development and flood risk	
Member Decision	

Policy/ Par U2A	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00248R	Agent Reference -
Representation Support changes to policy in relation to sequential approach and mitigation requirements. Withdraw earlier objection.	
Officer Response Noted.	
Officer Recommendation No change	
Member Decision	

Policy/ Par U2A, U3A,U3B & paras 14.7a to 14.10a	Respondent Reference 0085 / D Crolla & J Kox
Representation 00369R	Agent Reference 0012 / Matthews & Goodman
Representation Support revisions relating to flood alleviation, and in particular the Cobbins Brook scheme which will enhance the suitability of land to the east of Galley Hill Road for housing.	
Officer Response Noted. The Alterations are not considering new housing allocations.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 14.10a	Respondent Reference 0168 / Environment Agency
Representation 00022R	Agent Reference -
Representation Complete replacement of this para is recommended, with the new text comprising 3 paragraphs.	
Officer Response Rather than complete replacement, officers feel that some amendments/additions to the existing para are more appropriate.	
Officer Recommendation Insert after first sentence: <u>'The defined zones are intended as a consultation tool and so should not be used to make an absolute judgement of flood risk. If development is proposed within a Flood Zone, the applicant should carry out an appropriate flood risk assessment to consider the specific flood risk at that location.'</u> Delete sentence 'The Agency Plans now show Zones 2 and 3'.	
Member Decision	

Policy/ Par U2B	Respondent Reference 0100 / GO East
Representation 00100R	Agent Reference -
Representation	
It is not indicated how the 50 and 235 sq m will be calculated eg extent of buildings or hardstandings etc. Requiring an Assessment for all developments over 235 sq m is potentially onerous where no consideration is given to the location of the development in areas that are not prone to flooding. In these circumstances, securing site drainage in accordance with the hierarchy prescribed in the Building Regulations would be expected to mitigate potential impacts of a development to an appropriate level.	
Officer Response	
The figures refer to buildings rather than hardstandings and an explanatory sentence will be added to para 14.10b. The requirement for a flood risk assessment for any development over 235 sq m outside a Flood Risk Assessment Zone is in an attempt to adopt a holistic or whole catchment approach to assessing the potential impacts of such developments. Any development will have an associated surface water run-off which will have to discharge into a watercourse or surface water sewerage system, which in turn will have to discharge into a river. Any uncontrolled increase in the rate of flow into this system can lead to excess flows, and therefore increased flood risk, further down the system, and not necessarily within this district. Between September 2004 and September 2005, there were 47 developments of over 235sq m in the district (the average area was 350 sq m). This represents an increase in impermeable area of 16,450 sq m. Although these would drain into different catchments, without policy U2B there would have been no chance of requesting the submission of a flood risk assessment, or for subsequent mitigatory measures to control runoff. Without these measures of control, as explained above, this level of development could have exacerbated the risk of flooding downstream. All the latest guidance from DEFRA, CIRIA, the EA and other best practice points to flood risk management now being based on a catchment-wide approach. There are about 1000m of 'ordinary watercourse' in the district with associated local flood risk, and any unmitigated development (ie which would result in increased surface water discharges) could raise the potential for flooding. There are also about 900 properties in the district which remain at risk of flooding from ordinary watercourses, and not all of them are in Flood Risk Assessment Zones. The 235 sq m figure derives from the permitted agricultural building limit of 465sq m (ie after that, planning permission is required). The figure has been set at effectively half of that limit, on the grounds that there are many more non-agricultural developments being implemented than new agricultural buildings.	
Officer Recommendation	
Add new last sentence to para 14.10b: <u>'The figures of 50m2 and 235m2 refer to the area of new buildings.'</u>	
Member Decision	

Policy/ Par U2B	Respondent Reference 0128 / Fairview
Representation 00185R	Agent Reference 0023 / RPS
Representation	
Object to requirement for Flood Risk Assessments for proposals outside a flood risk assessment zone which exceed 235 sq m. This is unnecessary and overly onerous given the reduced risk of flooding in these areas.	
Officer Response	
The justification for the approach is given in the response to Representation 0100R above.	
Officer Recommendation	
No change	
Member Decision	

Policy/ Par U3A	Respondent Reference 0026 / Thames Water
Representation 00051R	Agent Reference -
Representation Support changes to policy	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par U3A	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00249R	Agent Reference -
Representation Continues to offer its support for this amended policy.	
Officer Response Noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par U3B	Respondent Reference 0168 / Environment Agency
Representation 00023R	Agent Reference -
Representation Suggests replacing the policy and para 14.10e with more detailed information on sustainable drainage systems (SUDS).	
Officer Response Officers are not persuaded that the proposed text is wholly appropriate for a Local Plan because it is quite detailed and technical. It is felt that, as the policy promotes consultation with the Environment Agency, there is no need for inclusion of the proposed text, and consequently no need to amend or replace the existing policy and supporting paragraph. Much of the suggested information could usefully be included in SPD if such a document is programmed in the LDS.	
Officer Recommendation No change.	
Member Decision	

Appendix 11

Redeposit Responses **Sustainable Transport**

Redeposit Responses
Sustainable Transport

Policy/ Par Whole chapter	Respondent Reference 0093 / Highways Agency
Representation 00036R	Agent Reference -
Representation We are pleased to note that the draft Plan has been amended to largely incorporate the comments we made at First Deposit stage. We have no comments to make on the revised policies and text in the Redeposit Plan.	
Officer Response Noted.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par Whole chapter	Respondent Reference 0003 / C F Gibbons
Representation 00468R	Agent Reference -
Representation Object to the lack of relevant content of these sections as well as accuracy of the information.	
Officer Response This comment is of too general and sweeping a nature to enable possible amendments to be identified.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par Whole chapter	Respondent Reference 0003 / C F Gibbons
Representation 00471R	Agent Reference -
Representation Subject of local traffic flows to, from and through Nazeing by cars and heavy trucks is not understood by members of EFDC Planning Department who ignore the location of Nazeing on the county boundary between Essex and Hertfordshire.	
Officer Response This is not the case. Officers and members are aware of the concern local residents have expressed about traffic conditions in the Nazeing area, and consideration is being given to the commissioning of a traffic survey to analyse the problems and identify possible solutions.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par Whole chapter	Respondent Reference 0003 / C F Gibbons
Representation 00472R	Agent Reference -
Representation Location of Nazeing on the county boundary leads to natural tendency for the majority of socio-economic activity to be drawn towards the A10 road in Hertfordshire.	
Officer Response As second sentence of response to Representation 00471R above. Officers and members also appreciate that Nazeing roads support traffic to and from the A10 in Hertfordshire, but the problems of in- and out- migration are common to most of the smaller settlements in the Harlow/London area.	
Officer Recommendation No change.	

Member Decision

Policy/ Par Whole chapter	Respondent Reference 0003 / C F Gibbons
Representation 00473R	Agent Reference -
Representation Nazeing has been described as "five miles from anywhere".	
Officer Response Noted	
Officer Recommendation No change.	
Member Decision	

Policy/ Par Whole chapter	Respondent Reference 0003 / C F Gibbons
Representation 00475R	Agent Reference -
Representation 2001 census identifies the number of cars owned by local residents. It fails to identify the number of 'white van' and truck traffic generated with the opening of local industrial developments on former farm and glasshouse sites as well as the growth in continental and UK based trucks associated with the importation of salad and other horticultural products and growth of local pack houses. Local roads have not been enhanced to accept this growth.	
Officer Response As second sentence of response to Representation 00471R above.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par Whole chapter	Respondent Reference 0003 / C F Gibbons
Representation 00476R	Agent Reference -
Representation There is a lack of reality in comments about local bus services. Many of the statements within the Redeposit are flawed.	
Officer Response The objector is making the point that rural transport links between eg Nazeing and Epping are poor, and he recounts the problems his children experienced in travelling to Broxbourne for school. These issues are known and understood by the council and the Redeposit is neither flawed nor showing a lack of reality as regards rural public transport. Paragraph 4A.7 emphasises this point: 'Rural areas may not have good access to sustainable transport. Proposals for development and changes of use in such areas will thus need to be considered in light of the nature and volume of trips they would generate; the existence of, or opportunity for, sustainable travel; and alternative locations available (where appropriate).' This approach is endorsed by policies CP3(ii) and ST1. One of the main points about a 'sustainable' approach to development is to ensure that development is concentrated where, inter alia, public transport can help to reduce the reliance on the car. The emphasis throughout the document, following the sequential approach, is therefore to focus development on those settlements which have a reliable public transport system and other services. Paragraph 17.11a (quoting the Essex Local Transport Plan (July 2000)) states 'EFDC faces considerable transportation problems...It comprises a mix of rural and urban communities and this generates a large number of car journeys to and from the towns. A lack of readily available rural public transport exacerbates this problem.' Although this document has now been superseded by the 2006 version, this basic description is still apt and accurate, and worth quoting in the Alterations.	

Officer Recommendation No change.
Member Decision

Policy/ Par Whole chapter	Respondent Reference 0003 / C F Gibbons
Representation 00478R	Agent Reference -
Representation The fact that Nazeing residents use the A10 road and Broxbourne station just across the county boundary in Hertfordshire has been completely ignored in the Redeposit. This makes other statements about local transport completely invalid. A fresh look should be taken on the whole subject and rewritten on the present realities and achievable objectives instead of a series of wish statements.	
Officer Response As second sentence of response to Representation 00471R above. It is also quite clear from para 17.11a (despite the missing text) that that Broxbourne (and other stations) are known to be a valuable part of the transport infrastructure serving the district.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par Figure 17	Respondent Reference 0342 / EFDC (Highways)
Representation 00059R	Agent Reference -
Representation Can the new highway hierarchy be incorporated as there are quite a few changes from the previous one.	
Officer Response As response to Representation 00262R below.	
Officer Recommendation As response to Representation 00262R	
Member Decision	

Policy/ Par Figure 17	Respondent Reference 0138 / ECC (Highways)
Representation 00262R	Agent Reference -
Representation This is now out of date	
Officer Response ECC has now supplied an updated plan which will be used for the Adopted version of the Alterations.	
Officer Recommendation Figure 17 to be replaced with the up-to-date diagram supplied by Essex CC and para 17.9a to be consequently updated.	
Member Decision	

Policy/ Par Figure 17	Respondent Reference 0003 / C F Gibbons
Representation 00474R	Agent Reference -
Representation Figure 17: Road Hierarchy indicates the neglect of the reality of Nazeing's location within a road system traversing the Hertfordshire and Essex boundary. This has been confirmed by the 'head in the sand' attitude and failure of EFDC to take any action in dealing with the increase in traffic flows into the Roydon and Nazeing area expected with the opening of a bridge over the railway line at Essex Road, Hoddesdon.	
Officer Response See response to representation 00262R above. The objector will now be aware, as a result of separate correspondence, of the action taken by the council concerning the Essex Road bridge. This included objecting to the proposal in the Local Plan and seeking Counsel opinion on the chances of challenging the legality of the planning permission which was subsequently granted. As far as this council is concerned, the outcome has been completely unsatisfactory, and we share the concerns of the objector about impact on local roads. But it is quite wrong to say that the council adopted a 'head in the sand' attitude.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par 17.11a, 17.18a, 17.17a & 17.28a	Respondent Reference 0089 / Cllr Janet Whitehouse
Representation 00330R	Agent Reference -
Representation Although the aims of these proposals are understandable, I have reservations about them and recommendations to grant applications need to be taken with great care. Parking on our roads is a very real problem and developments with no or insufficient parking make this worse. Public transport to London is good but not to elsewhere. The lack of on-site parking provision (in 17.28a) seems likely to result in parking in nearby streets unless there is a public car park nearby. Consideration needs to be given to transport links between the office and likely home areas, and problems of recruitment. I support para 17.17a. I want a realistic appraisal of the public transport available for each application and not a general presumption that because public transport exists it is therefore suitable for the needs of the residents.	
Officer Response The approach taken is in accordance with present national planning policy to better integrate transport and land-use planning, and promote integrated and sustainable transport choices. Where appropriate the transport chapter ensures that transport assessments and travel plans can be requested to check that modes of transport other than the private car are taken into account and encouraged. It is inherent to this chapter and other policies that there is a recognition that public transport cannot meet modern day requirements for commuting and other aspects of day-to-day life. This will inevitably influence decisions on land use, the location of development and the provision of on-site parking.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par 17.11a	Respondent Reference 0003 / C F Gibbons
Representation 00469R - 00477R	Agent Reference -
Representation	
The officer recommendation and the member decision relating to First Deposit comments concerning Roydon and Broxbourne Stations indicate that they have no knowledge of the area and certainly have not travelled by train from either Broxbourne or Roydon stations. To say the train service 'offers a limited service to London' makes the stations sound like old fashioned train 'halts'. These are factually incorrect and condescending statements. Broxbourne station with approximately 200 trains a day is a major link in and out Nazeing for workers commuting as well as for leisure pursuits. A timetable for Broxbourne station is supplied.	
Officer Response	
The objector has either misread or misinterpreted para 17.11a (where, unfortunately, two words are missing). The para definitely says that Roydon station offers a limited service to London - this is quite simply because fewer trains stop at Roydon than at Broxbourne. The para goes on to say 'Other stations on the line (Waltham Cross, Broxbourne, Harlow Town, Cheshunt and Sawbridgeworth) are used by residents of the district and provide a valuable....' The missing text is <u>'transport link'</u> . While it is unfortunate that the text was lost, the intention of the para was to indicate that there are stations close to the district boundary which are important to commuters, but the one rail station in the district offers a more limited service.	
Officer Recommendation	
No change.	
Member Decision	

Policy/ Par 17.11a	Respondent Reference 0003 / C F Gibbons
Representation 00470R	Agent Reference -
Representation	
Paragraph 17.11a repeats the same farrago of misinformation.	
Officer Response	
As response to Representations 00469R/00477R above.	
Officer Recommendation	
No change.	
Member Decision	

Policy/ Par 17.11b	Respondent Reference 0138 / ECC (Highways)
Representation 00263R	Agent Reference -
Representation	
Needs to refer to ECC having now signed off the LTP2	
Officer Response	
Accepted.	
Officer Recommendation	
Add new second sentence in paragraph 17.11b: <u>'It has now been signed off by Essex County Council and has been submitted to the Department for Transport (September 2005).'</u>	
Member Decision	

Policy/ Par ST1	Respondent Reference 0342 / EFDC (Highways)
Representation 00058R	Agent Reference -
Representation	
Can this be worded so that a contribution can be sought and kept until other contributions are obtained to provide or improve service. This would help in securing contributions from smaller developments.	
Officer Response	
The policy has been written in a generic fashion to allow flexibility in using S106 agreements. Circular 05/2005 (Planning Obligations) includes the 'tests' that must be satisfied to determine whether obligations can be entered into. Key to this is that the obligations must be directly related to the proposed development (such that development ought not to be permitted without them). Obligations are not to be used solely to resolve existing deficiencies in infrastructure provision, or to secure contributions to the achievement of wider planning objectives that are not necessary to allow consent to be given for a particular development. This appears to indicate that the particular suggestion of the Representation may be on the borderline of what is acceptable within the guidelines of the Circular, and that the text of the policy is therefore better left unchanged. The Council intends to produce a Supplementary Planning Document (SPD) in 2007 to provide more detailed advice in relation to S106 contributions, eg to enable the 'pooling' of developer contributions (The Circular also addresses this in paras B21 to B24).	
Officer Recommendation	
No change.	
Member Decision	

Policy/ Par ST1	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00250R	Agent Reference -
Representation	
Policy ST1 has been modified to include consideration of infrastructure and rural public transport (among other issues). EWT continues to offer its support to this important policy.	
Officer Response	
Noted.	
Officer Recommendation	
No change.	
Member Decision	

Policy/ Par ST1	Respondent Reference 0149 / Sworders
Representation 00348R	Agent Reference 0039 / Sworders
Representation Policy ST1 indicates that unless change of use proposals are located adjacent to bus routes, these will be refused. This is clearly not the intention of either PPS1 or PPS7 and in consequence the new sub paragraph in the policy beginning 'In rural areas...' should be deleted. Then insert after first sentence in Policy ST1 the words 'whilst recognising that this may be more difficult in rural areas.'	
Officer Response Disagree - the policy states that, in rural areas, 'preference will be given to locations with access to regular public transport services.' This does not imply that proposals have to be located adjacent to a bus stop to be approved, but it is clearly sensible to take this into account if the proposed development has transport implications. A community transport initiative providing regular access to the application site could satisfy the policy. Clearly reconciling competing elements of sustainable development is difficult within rural areas, and ST1 should be considered in the context of other policies within the plan, but it is important that the purpose of this policy, to promote sustainable transport choices throughout the District, is retained.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par ST1 (iii)	Respondent Reference 0134 / Mr M Gregory & 0135 / Mr & Mrs T Gregory
Representation 00175R & 00176R	Agent Reference 0026 / Alan Wipperman & Co
Representation Further objection and proposed amendment in the light of the Council's response to objections and proposed amendments previously submitted as the Council do not wish to recognise the potential within rural areas and Green Belts for providing or enhancing existing communities with limited travel and energy demands and which can reduce these demands by the existing community. Add to ST1 (iii) Or where additional development can augment and improve access to public transport, shops etc for existing communities.'	
Officer Response Disagree - officers think this proposal is trying to justify development in the Green Belt on the grounds that it can help to support existing rural services eg shops and public transport. The scale of development that would be likely to have a significant impact on the viability of such services would be likely to seriously challenge the protection of the Green Belt, with no long term guarantee that the services would continue.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par ST2	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00251R	Agent Reference -
Representation Policy ST2 has been modified to include other issues, such as public rights of way, infrastructure and cycle storage (emphasis on convenience). We continue to offer our support to this policy,	
Officer Response Noted.	
Officer Recommendation No change.	

Member Decision

Policy/ Par ST2 & 17.18a	Respondent Reference 0094 / Loughton Residents Association
Representation 00043R	Agent Reference -
Representation Public transport links in the District - in the rural and also in urban areas - do not provide a network allowing easy travel throughout the District - this is a significant difference to the position within cities such as London. We do not therefore consider that providing low levels of parking space constitutes a suitable policy for the District. In urban areas, public transport is not available (or much reduced) in the evening and at weekends. Even where it is available, it does not necessarily offer a service to places where individuals wish to go (hence the high - and increasing - level of car ownership). It is not realistic to believe local public transport in rural areas will ever be adequate in the evenings or at weekends, bank holidays etc. Amend ST2 to reflect the realities of public transport in the District.	
Officer Response Disagree - the approach taken in ST2 and paragraph 17.18a is wholly consistent with national planning policy, in particular - PPG13, PPG3 and PPS6, which together form a consistent and coherent planning policy framework for promoting sustainable patterns of development. Paragraph 17.18a is clear in stating that only in 'locations that could be considered to be very well located in terms of access to public transport, shops and services' will the Council 'consider sympathetically applications for residential development with no or very low provision for parking.' This paragraph would not apply to rural areas. The requirements set out within the second sentence of the paragraph, such as enforceable travel plans and designation of nearby roads as controlled parking zones, provide the necessary tools to ensure that residents of such schemes understand that living within such a development is a lifestyle choice with a reliance on means of transport other than the private car.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par 17.18a, 17.21a, 17.28a & 18.10a	Respondent Reference 0342 / EFDC (Highways)
Representation 00060R	Agent Reference -
Representation In the heading and in the other paragraphs the word 'green' has not been taken out as in the other sections. (This refers to 'travel plans').	
Officer Response Accepted - these are oversights. Paras 17.18a, 17.28a and 18.10a, and the heading to para 17.21a are affected.	
Officer Recommendation Delete <u>'green'</u> from the examples listed.	
Member Decision	

Policy/ Par 17.19a	Respondent Reference 0089 / Cllr Janet Whitehouse
Representation 00329R	Agent Reference -
Representation	
I have reservations about Home Zones. Residents already complain that children kick footballs against their house walls. Balls and children come into front gardens, and cars are damaged by balls. It is surely safer for children to learn that roads are not playgrounds. Special and separate provision for children to play needs to be made within a development.	
Officer Response	
The concept of 'home zones' within this country is still evolving, and it is often misunderstood because it has many interpretations. The type and scale of incorporation of the principles of 'home zones' within any particular development would be consulted upon as part of a planning application. Individual proposals would therefore be judged on their merits, but it is considered important to encourage the principle of home zones. Additionally it is anticipated that any update or replacement of Design Bulletin 32 will incorporate more detailed guidance on 'home zones'. The provision of play and open space within new development is adequately addressed within other policies of the Local Plan and in national guidance - see policies RST8, 14 and 15, DBE7, and LL5 and 6 of the Adopted Local Plan.	
Officer Recommendation	
No change.	
Member Decision	

Policy/ Par 17.20a	Respondent Reference 0138 / ECC (Highways)
Representation 00264R	Agent Reference -
Representation	
The title located almost at the top of the page [following paragraph 17.20a] refers to 'Green Travel Plans'. The word 'green' should be deleted.	
Officer Response	
As response to Representation 00060R above.	
Officer Recommendation	
As response to Representation 00060R	
Member Decision	

Policy/ Par ST3	Respondent Reference 0142 / A & G Cooper
Representation 00198R	Agent Reference -
Representation	
To preserve and maintain the amenity of the Epping Forest District before all developments including new E13 areas. Strict control over policy.	
Officer Response	
As with any policy within the plan, ST3 will be applied where it is relevant - in this case the policy specifies that it will be used with applications for major development, or which have significant traffic implications. It is likely that the proposed two main new E13 areas (or even parts of them) would fall into one of these categories.	
Officer Recommendation	
No change.	
Member Decision	

Policy/ Par ST3	Respondent Reference 0149 / Sworders
Representation 00346R	Agent Reference 0039 / Sworders
Representation	
Changes to this policy do not reflect paragraph 27 (v) of PPS 1 which states that development should be accessible by a range of means of transport but recognises that this may be more difficult to achieve in rural areas. Amend the text to state 'an assessment should ensure that a major development meets the need for the site to be accessible by sustainable modes of transport, by providing an alternative to the private car whilst recognising that this may be more difficult in rural areas.'	
Officer Response	
Disagree - this policy should be seen in the context of other policies within the plan, particularly ST1 (Location of development), which seeks to encourage more sustainable patterns of development and promote means of travel other than the private car, and E12A (Farm Diversification), which within supporting text (para 10.87a) refers to paragraph 43 of PPG13 (importance of promoting employment in rural areas). Policy ST3 is concerned with the requirement and content of transport assessments and as stated within the policy, transport assessments will be required for 'applications for major development, or with significant transport implications'. As such it is not necessary to include any caveat relating to rural areas within the policy.	
Officer Recommendation	
No change.	
Member Decision	

Policy/ Par ST4	Respondent Reference 0142 / A & G Cooper
Representation 00199R	Agent Reference -
Representation	
A priority before development starts, including new E13 areas. Strict control over policy.	
Officer Response	
As the wording of the policy indicates, road safety is a standard consideration for any development proposal which affects traffic numbers and movement or road safety.	
Officer Recommendation	
No change.	
Member Decision	

Policy/ Par ST4	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00252R	Agent Reference -
Representation	
Essex Wildlife Trust continues to offer its support to this policy, which has been modified to include mitigation for adverse road safety implications.	
Officer Response	
Noted.	
Officer Recommendation	
No change.	
Member Decision	

Policy/ Par ST5	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00253R	Agent Reference -
Representation We continue to support this policy, which is important in delivering sustainable transport objectives. The obligation to provide non-car transport option, through legal agreements, is to be welcomed.	
Officer Response Noted.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par 17.31a	Respondent Reference 0246 / Epping Forest Primary Care Trust
Representation 00334R	Agent Reference 0041 / Lawson Planning Partnership
Representation Paragraph 17.31a explains that maximum provision car parking standards will be applied in accordance with the adopted Essex Planning Officers Association standards and PPG13. However, to provide for further flexibility and realism in the application of Policy ST6, it is requested that the following additional text is added to paragraph 17.31a 'The application of a more flexible approach to parking standards may be justified when applying the adopted maximum standards to certain types of health care development such as at multi health care sites, where a higher level of parking provision may be required together with a package of other transport measures if justified within a related transport assessment. In such circumstances the level of required on site car parking may be determined on its merits.' This approach is consistent with paragraph 54 of PPG13.	
Officer Response Disagree - the Vehicle Parking Standards adopted as Supplementary Planning Guidance by the council state ' the standards as proposed within this document are intended to provide a consistent and standard framework that can be equitably applied across the Essex, Southend and Thurrock area.' The SPG gives clear standards in relation to medical centres - one space per full-time staff plus two spaces per consulting room. The justification for these standards states 'Medical centres / day care centres: adapted from 1987 Essex Standards. Spaces for staff are more lenient than PPG13 guidance for hospitals due to economies of size in relation to use.' Additionally as stated in 17.31a, the SPG does allow some flexibility of the application of the standards depending on the location of development. It is therefore not necessary to make specific concessions for one form of development, in this case 'multi health care sites', as deviation from the standards and the reasoning for this, would be dealt with as a material consideration. This approach is consistent with paragraph 54 of PPG13.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par 17.33a	Respondent Reference 0138 / ECC (Highways)
Representation 00265R	Agent Reference -
Representation Lorry park - this should now refer to the fact a planning application has been lodged with EFDC for the redevelopment of the site, although the application is yet to be determined.	
Officer Response Accepted. Although determination of the planning application is imminent (final decision expected November 05), the Environment Agency has objected to proposals on flood risk grounds.	

Officer Recommendation Replace last sentence of 17.33a with: <u>'The County Council owns The Borough and a planning application has now been made for redevelopment of the site for health care uses. A decision on the planning application is expected in November 2005.'</u>
Member Decision

Policy/ Par ST7	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00254R	Agent Reference -
Representation Only a very minor alteration has been made to this policy (deletion of loss of hard shoulders on motorways). We continue to support the Council on its aspirations to reduce the need to travel, discourage the use of private vehicles and encourage the use of greener modes.	
Officer Response Noted.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par 17.36a	Respondent Reference 0155 / Epping & Ongar Holdings Limited
Representation 00026R	Agent Reference 0050 / Holmes & Hills
Representation It is factually incorrect to state 'attempts by a private company to develop a leisure line have come to nothing'. Epping Ongar Railway Limited (EORL) have maintained and undertaken repairs to the line since March 1996. The line between Ongar and Coopersale was recommissioned with the approval of HM Inspector of Railways in September 2004 and a light usage heritage railway tourist attraction commenced on 10 October 2004 with a Sunday only service.	
Officer Response Accept that text needs amending.	
Officer Recommendation In second sentence replace 'come to nothing' with <u>'resulted to date (October 2005) in the re-introduction in September 2004 of a Sunday only service between Ongar and Coopersale.'</u>	
Member Decision	

Policy/ Par 17.36a	Respondent Reference 0155 / Epping & Ongar Holdings Limited
Representation 00027R	Agent Reference 0050 / Holmes & Hills
Representation Further, paragraph 17.36a ought to acknowledge that since the Central Line ceased operation in September 1994, works to provide higher train entry speeds and additional safety have occurred at Epping such that it is now nearly impossible or at the very least it would be highly expensive for trains to now run from Ongar into a rail interchange with the underground system at Epping. It would most definitely not be economic for a private operator to incur such capital expenditure.	
Officer Response Agree that additional information is relevant to the general description.	
Officer Recommendation Add new last sentences: <u>'it should be noted, however, that works to provide higher train entry speeds and additional safety have been carried out at Epping Station which now means that it is nearly impossible for trains from Ongar to access the interchange with the underground system. It would be very expensive to bring the Epping to Ongar line up to main line standards.'</u>	

Member Decision**Policy/ Par ST8****Respondent Reference 0155 / Epping & Ongar Holdings Limited****Representation 00028R****Agent Reference 0050 / Holmes & Hills****Representation**

Although ST8 mentions various studies to extend the routes of the railway either northwards through North Weald airfield or Harlow or even eastwards to Chelmsford these are apparently no more than ideas. There are no published plans for their execution and they are therefore unlikely to occur within the Plan period. It is not accepted that the commercial decisions of my clients and their classification as to what is or is not surplus railway land may be dictated by a local planning policy that effectively either seeks to reserve land for an undefined future event or worse still blights it from economic development.

Officer Response

The policy does not mention these studies. They are outlined in para 17.5a and it is stressed that they are merely indicative. They are also mentioned in para 17.36a but simply in the context that extensions to Harlow or Chelmsford have been considered. The policy is not addressing these issues, because such proposals should be of benefit to the line and ensure its reintroduction and survival. What the policy is dealing with are those proposals for alternative use of land, especially in the vicinity of the stations which, if permitted, could endanger the re-opening of the line. Officers understand that negotiations about the future of the line are continuing and believe that the policy is therefore still valid and needed.

Officer Recommendation

No change.

Member Decision**Policy/ Par ST8****Respondent Reference 0155 / Epping & Ongar Holdings Limited****Representation 00029R****Agent Reference 0050 / Holmes & Hills****Representation**

The reference to proposals that would 'prevent the reinstatement and future operation of the branch line' is ambiguous. As you are well aware, EORL own a significant amount of land adjoining both Ongar Station and North Weald Station, which is surplus to their operational requirements. Further, it was not used even when the line was run by LUL for rail purposes when approximately 60 metres of operating platform were used, there were no sidings or end shunts and 12 customer car parking spaces only provided at each station. It is not accepted that ST8 terms should be imposed that exceed those defined by the Secretary of State in the wording of the Deed of Covenant that governed the transfer of EORL's assets to the present owners on 2 September 1998. The Relevant Land, or permanent way of the branch line, was clearly indicated on the plans of the railways assets as 'coloured blue edged red and hatched black.' Even that covenant designed to protect the route of the branch line for 10 years has now time expired (31 December 2004).

Officer Response

ECC Highways (who are continuing to negotiate on the future of the line) advise as follows: The land necessary to operate a main line operation would certainly require more than was used at the end of the line's life (September 1994). The hatched land referred to was totally inadequate to run a railway. With half a platform at North Weald, and no useable public access to the line at Ongar, it was clear that more land was required, hence the long negotiations.' Officers consider that it is vital to retain this policy while there is still a chance of the line re-opening.

Officer Recommendation

No change.

Member Decision

Policy/ Par 17.36a / ST8	Respondent Reference 0094 / Loughton Residents Association
Representation 00044R	Agent Reference -
Representation	
We consider that it is important that the sites of the stations, including goods yards and sidings should normally be protected from development to allow for car parking should the Epping-Ongar line be reopened in its current sate or become part of a new link. This would stop the potentially short-sighted sale of the 'spare' ground for profit (leaving only the trackbed and station platforms for future transport use) or the building of houses alongside the single track line - which might at some future time be doubled and extended to Chelmsford. The policy should specify that the possibility of the reinstatement and future operation of the branch line between Epping - North Weald - Chipping Ongar, or its development as part of a sub-regional transport link, will be taken into account when considering development proposals which might impinge on this possibility.	
Officer Response	
The policy specifically mentions the re-opening of the Epping to Ongar line. Officers do not think the policy can mention the possibility of a sub-regional transport link (although this is described in the text, especially para 17.5a) as this is outside the time period for the Local Plan and the Alterations.	
Officer Recommendation	
No change.	
Member Decision	

Policy/ Par 17.40a	Respondent Reference 0035 / K A Hellman
Representation 00320R	Agent Reference -
Representation	
Statement that Stapleford is primarily a working airfield serving local businesses is misleading. There are local businesses, but for the most part these are engaged in activities which have nothing to do with flying, or indeed with local transport. Due to a lack of planning controls, some commercial flying does now take place, but Stapleford originally was, and still is, a flying club. With the majority of flights taking place at weekends and holiday times, its use as an airfield per se must surely be said to be predominantly recreational.	
Officer Response	
See also response to Representation 00295R below. Officers accept that this description of Stapleford Airfield is not accurate and propose the following: <u>'Stapleford Airfield has a variety of users including air ambulance and a number of air-related and other businesses. It is also used for training pilots but its main use is probably still for recreational purposes with Stapleford Flying Club having 250 members (October 2005).'</u>	
Officer Recommendation	
Replace 3rd sentence of para with that proposed in the Officer's Response.	
Member Decision	

Policy/ Par ST9	Respondent Reference 0241 / BAA plc & BAA Stansted Airport Ltd
Representation 00206R	Agent Reference -
Representation	
<p>Whilst supporting the inclusion of a policy on Aerodrome Safeguarding, BAA considers that neither the policy nor its supporting text adequately indicate the purpose or process involved. Section should be entitled 'Aerodrome' (not Airfield) 'Safeguarding.' Policy should be redrafted to read 'Within the Aerodrome Safeguarding Zone around Stansted Airport, development which may adversely affect the operational integrity or safety of the Airport, or interfere with the operation of aeronautical navigation aids will not normally be permitted . The Aerodrome Safeguarding Zone is shown on the Alterations Proposals Map.' Para 17.41a should read <u>'Aerodrome Safeguarding Zones around airports are established and defined on Safeguarding Maps approved by the Civil Aviation Authority. The maps define areas within which certain types of development which, by reason of its proposed height or attraction to birds, or inclusion of aviation activity, or interference with aeronautical navigation aids (eg wind turbines) require the local planning authority to consult with the relevant aerodrome operator. Planning advice is set out in Circular 1/2003.'</u></p>	
Officer Response	
<p>This is considered to be generally an improvement on the wording of the Redeposit policy ST9 and paragraph 17.41a. Officers recommend adopting both the new policy and the new para 17.41a, subject to replacing 'may' with 'will' before 'adversely affect' and deleting 'normally' (both from the policy). This minor rewording adds more certainty to the policy and avoids the use of 'normally' in a policy, which is usually frowned on by Government.</p>	
Officer Recommendation	
<p>Section head (before para 17.41a - rename as <u>'Aerodrome Safeguarding'</u>. Replace ST9 with <u>'Within the Aerodrome Safeguarding Zone around Stansted Airport, development which will adversely affect the operational integrity or safety of the Airport, or interfere with the operation of aeronautical navigation aids will not be permitted.'</u> Replace 17.41a as in the Representation.</p>	
Member Decision	

Policy/ Par ST9	Respondent Reference 0141 / The Fairfield Partnership
Representation 00166R	Agent Reference -
Representation	
<p>Policy should include reference to the need for safeguarding around other airfields, including North Weald. Policy ST10 from the First Deposit (Airfield Safeguarding) better reflects the need to take into account airfield activity in considering development proposals. ST10 should therefore be reinstated (with deletion of ST9 of the Redeposit), with clarification that this will apply to Stansted, North Weald and Stapleford.</p>	
Officer Response	
<p>For the reasons given in response to Representation 00388R below, it is not possible to reintroduce policy ST10 of the First Deposit and apply it to North Weald and Stapleford Airfields.</p>	
Officer Recommendation	
<p>No change.</p>	
Member Decision	

Policy/ Par 17.40a/ST9 (latter of First Deposit)	Respondent Reference 0095 / North Weald Bassett Parish Council
Representation 00442R	Agent Reference -
Representation Remove presupposition that North Weald Airfield may be lost due to Stansted and development pressures. Reinstate ST9 for both Stapleford and North Weald Airfields.	
Officer Response It would be misleading to ignore the potential pressures which could affect the future of North Weald Airfield. The issue is presented in entirely neutral terms in the paragraph and deserves to be there as a matter of information. For the reasons given in response to Representation 00295R below, policy ST9 of the First Deposit (for Stapleford Airfield) is not being reintroduced. Policies RST27 to 30 of the Adopted Plan continue to apply to North Weald Airfield.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par ST9 (First Deposit)	Respondent Reference Over 130 identical representations
Representation	Agent Reference -
Representation Objecting to deletion of policy for Stapleford Airfield. This provides an important local and regional resource and it is vitally important that new and refurbished facilities can be provided which support aviation activities at the Airfield. Reinstate a policy for Stapleford Airfield to allow the provision of buildings and facilities which support the continuation of flying activities at the Airfield.	
Officer Response As response to Representation 00295R below.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par ST9 (First Deposit)	Respondent Reference 0149 / Herts & Essex Aeroclub
Representation 00295R	Agent Reference 0039 / Swords

Representation

The airfield is licensed by the CAA. The Stapleford Flight Centre specialises in the training of both private and commercial pilots - it is one of the largest flying schools in Europe with a fleet of over 30 aeroplanes and 25 instructors. In addition to pilot training, Stapleford Flying Club is based at the airfield and has a membership of 250 pilots who fly for pleasure. 9 businesses are based at the airfield employing approximately 300 people - these include London Executive Aviation (private aviation and ambulance services), 2 helicopter maintenance businesses, and one servicing radio and other technical equipment. The airfield buildings were largely constructed during the Second World War and are now reaching the end of their useful life. CAA licensing requires certain minimum standards to be met for safety and operational reasons, so it is necessary for the Airfield to have flexibility to develop and redevelop buildings. There is a chronic shortage of secure covered aircraft storage for businesses and users. There is also a shortage of office and administration space. The Airfield has a number of commercial tenants who enjoy security of tenure, and these are intermingled with aviation occupiers, creating security and operational issues. The long term aim is to segregate the commercial tenants from the aviation occupiers and create a new secure 'airside' access. To enable this consolidation to take place, greater flexibility is required than simple Green Belt designation. The future viability of the airfield and the businesses which operate from it require new buildings to meet 21st century operational standards.

The Airfield has a number of commercial tenants who enjoy security of tenure, and these are intermingled with aviation occupiers, creating security and operational issues. The long term aim is to segregate the commercial tenants from the aviation occupiers and create a new secure 'airside' access. To enable this consolidation to take place, greater flexibility is required than simple Green Belt designation. The future viability of the airfield and the businesses which operate from it require new buildings to meet 21st century operational standards. PPG13: Transport (March 2001) Annex B para 5 advises 'Local planning authorities will need to consider the role of small airports and airfields in serving business, recreational, training and emergency services needs. As demand for commercial and air transport grows, General Aviation (GA) may find access to larger airports increasingly restricted. GA operators will therefore have to look to smaller airfields to provide facilities.

In formulating their plan policies and proposals, and in determining planning applications, local authorities should take account of the economic, environmental and social impacts of GA on local and regional economies.' The economic importance of Stapleford Airfield cannot be underestimated. In social terms the history of the Airfield and its recreational role make it an important part of the local community, in addition to being a recreational resource for the local area and beyond. As regards environmental impact, complaints about noise are limited (responses to the First Deposit indicate that there is concern among local residents). There is an established complaints procedure which has operated over the last 30 years - involving close co-operation with the parish councils of Stapleford Tawney, Stapleford Abbots and Lambourne. Any proposals clearly need to be made within the context of PPG24 and the frameworks on noise control. 2 examples are given of other rural airfields (one partially in the Green Belt) where planning policies permit new buildings and changes of use where these are directly related to flying activities or the operation of the airport. The existing Local Plan has several policies relating to North Weald Airfield, making explicit that the council will promote and enable the use of this airfield - which is not even licensed by the CAA. Policy RST29 specifically allows new buildings for aviation purposes. In terms of aviation activities, Stapleford is undoubtedly a more important GA airfield than North Weald, so it seems illogical to have policies supporting North Weald but not Stapleford. The following policy is suggested: 'Within the limits of the development of Stapleford Airfield as shown on the Proposals Map, the Council will grant planning permission for proposals which support flying activities at Stapleford Airfield. New buildings will be permitted within the limits of development provided they are necessary and appropriate for aviation activities at the airfield.'

Supplementary text should read: 'Consideration will be given as to whether proposals will result in an unacceptable increase in noise and disturbance to residential and other noise sensitive properties in the vicinity and whether the impact can be overcome by the imposition of suitable conditions, with specific reference to guidance contained within PPG24 (Noise).'

Officer Response

Officers recognise that there are operational, logistical and capacity problems with the existing buildings at the Airfield. The policy proposed in the First Deposit was an attempt to address the issue, following a meeting with agents for the Airfield and an exchange of correspondence. The number of responses to the draft policy, and the strength of feeling expressed in those representations, indicate that the issue is far more complex than was first envisaged. There are real concerns from local residents, and one of the parish councils named in the current objection, about noise and the related problems of times, height and direction of flying (particularly early morning, night time and weekend activities) and the increasing size of aircraft. A number of respondents also indicated that flying had significantly increased in recent years, and there was obvious concern that the policy could lead to even more intensive activity. Safety was also a frequently mentioned issue. There is also a lot of disagreement about the use of the airfield, with many objectors saying that it is mainly for leisure use and that business use is minimal. The current objection suggests that use is more mixed, placing greater emphasis on the training function and the role for ambulance services. The local community's concerns about weekend flying suggest that leisure use is particularly significant. Officers believe that there is no possibility, at this stage, of reaching any sort of compromise between the various parties - they are sympathetic to the need for the Airfield to renew some of its buildings to allow reorganisation of the range of users of the site, and perhaps even to make greater provision for secure storage (although this raises significant concerns about the openness of the Green Belt). But consideration also obviously has to be given to the feelings and worries of the local community, so strongly expressed in response to the First Deposit. The policy proposed in the current objection is certainly an improvement on that included in the First Deposit, but officers still feel that it does not go anywhere near being able to satisfy the concerns of local residents. A much more comprehensive study of the Airfield, and of its impact on the local community, is needed before it may be possible to devise a policy which could satisfy all parties. The study should look in detail at all the issues raised in response to the First Deposit (summarised above) and establish whether it would be possible to bring some of these under control through the use of planning obligations. This would necessitate full consultation with the local community, as well as with all Airfield users, and perhaps an investigation of the effectiveness of other authority's policies where there may be similar conflicts between the operation of small airfields and the residential amenities of adjoining communities. While there are other policies in the plan which could be argued address some of the issues raised, officers believe that, if a policy for Stapleford Airfield is to be adopted, it needs to be comprehensive and focused, dealing specifically and directly with all the issues which have been raised in the consultation. If members agree that this is the approach that should be adopted for the future, (and there is no guarantee that a wholly satisfactory compromise could be found), the issue cannot now be pursued through the Alterations, because of the severe time constraints on achieving Adoption before July 2006. It would therefore have to be addressed through the Local Development Framework. Officers do not believe that the policy proposed by the objector, with the supplementary text, will satisfactorily address the wide range of concerns uncovered in the responses to the First Deposit. They therefore do not recommend its adoption and propose instead that there should be no change to the Redeposit (ie that the Alterations should not include a policy for Stapleford Airfield), but that the issue should be pursued under the new development planning system in the form of a comprehensive study as outlined above.

Officer Recommendation

No change.

Member Decision

Policy/ Par 17.44a (First Deposit - now 17.42a)	Respondent Reference 0168 / Environment Agency
Representation 00020R	Agent Reference -
Representation An assessment of any perceived increase in bird strikes would need to be carried out for any proposal that fitted within criteria (i) to (iv) before such proposals could be dismissed. Proposals that fit these criteria should not be dismissed and/or not considered purely on speculation. Aerodromes should identify areas of high risk (usually associated with take off and landing areas) and species of particular concern. Existing bird populations and movements need to be considered, as some developments (even falling within the criteria identified) can actually reduce bird strike risk by encouraging or drawing problem species away from higher risk areas. There is some guidance available on assessing risk.	
Officer Response This is obviously a very technical matter and, in dealing with any proposal which may affect bird strike risk, the council would seek the opinion of relevant authorities and other organisations eg Essex Wildlife Trust, English Nature, RSPB, CAA etc. Each case would have to be assessed on its individual merits as no hard and fast rules can easily be established.	
Officer Recommendation No change.	
Member Decision	

Policy/ Par ST10 (First Deposit)	Respondent Reference 0044 / General Aviation Awareness Council
Representation 00388R	Agent Reference -
Representation Please refer to our previous representations - we wish to see Policy ST10 reinstated, and our previous comments taken into account.	
Officer Response Policy ST10 of the First Deposit was a general one concerning airfield safeguarding, with the implication that it would cover North Weald and Stapleford Airfields, as well as Stansted. In its comments on the First Deposit, GO-East advised that Circular 1/2003 (Safeguarding Aerodromes etc) meant that local plans could only include a policy dealing with officially safeguarded sites, and that a policy could therefore only relate to Stansted - hence the revisions made for the Redeposit. In relation to 'other civil aerodromes' the Circular states that 'local planning authorities are asked to respond sympathetically to requests for non-official safeguarding.' Precisely what this means is not entirely clear, but the Circular goes on to say that the requirements of the Direction at Annex 1 of the Circular (for Safeguarded Aerodromes) will not apply to the 'other' civil aerodromes. The old policy ST10, including the provision for consultation with a range of appropriate bodies (which the objector also commented on) cannot therefore be reinstated.	
Officer Recommendation No change.	
Member Decision	

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Appendix 12

Redeposit Responses **Implementation**

Redeposit Responses
Implementation

Policy/ Par 18.3a-18.12a & I1A	Respondent Reference 0342 / EFDC Highways
Representation 00061R	Agent Reference -
Representation Section should relate to new circular	
Officer Response This point is accepted. The plan should be updated to reflect the recent issue of a new Planning Obligations Circular 05/2005. This will avoid the plan referring to out of date legislation and also becoming "time limited"	
Officer Recommendation That paragraph 18.6 should be amended to read" <u>contained in Circular 05/2005"....</u> and that the following words be added to the last sentence of Policy I1A <u>...", and the current relevant circular"</u>	
Member Decision	

Policy/ Par 18.7a - 18.9a	Respondent Reference 0094 / Loughton Residents Association
Representation 00045R	Agent Reference -
Representation Policy does not make it clear what "appropriate circumstances" might mean. Should reflect guidance in paras 18.7 and 18.8.	
Officer Response The text in 18.7 and 18.8 explains national guidance. There is no need to repeat it in the policy. The last sentence of the policy refers back to the requirements of the guidance. (see also response to 00061R above)	
Officer Recommendation See recommendation above	
Member Decision	

Policy/ Par 18.9a	Respondent Reference 0094 / Loughton Residents Association
Representation 00046R	Agent Reference -
Representation The council should normally seek to secure works before the development is occupied or used. A new sentence should be added to 18.9A to read..." The council will normally seek to ensure that such works or benefits which affect the public highway or nearby properties, or which are required to mitigate or balance harm, will be completed before a development is occupied or used".	
Officer Response The concern of the respondent is understood. However there are certainly instances where obligations may not require works before the development is completed/occupied and indeed there may be cases where ongoing action (or indeed restriction of actions) is required of the developer after completion of the development. In addition the use of the word "normally " is not supported in the new plans. The general issue of timing may however be critical in individual cases so mention of it in the policy would be beneficial.	
Officer Recommendation That a further part (vii) be added to the policy to read..." <u>set out the required timetable /phasing for any of the above"</u> .	
Member Decision	

Policy/ Par I1A	Respondent Reference 0034 / Essex County Council
Representation 00063R	Agent Reference -
Representation previous objection withdrawn	
Officer Response withdrawal noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par I1A	Respondent Reference 0141 / The Fairfield Partnership
Representation 00165R	Agent Reference 0028 / David Lock Associates
Representation Part(vi) of the Policy should refer accurately to the new circular 05/2005, in that obligations must relate directly to the development. There may also be a need for SPD to cover matters not adequately dealt with in the text to the policy.	
Officer Response It is not necessary to repeat the guidance given in government documents, and it is not therefore necessary to include this wording.	
Officer Recommendation No change	
Member Decision	

Policy/ Par I1A	Respondent Reference 0062 / Essex Wildlife Trust
Representation 00252R	Agent Reference -
Representation Support the stronger wording of the policy, especially with regard to mitigation measures/compensation via s 106 agreements	
Officer Response Support noted	
Officer Recommendation No change	
Member Decision	

Policy/ Par 18.10a	Respondent Reference 0246 / Epping Forest PCT
Representation 00335R	Agent Reference 0041 / John Lawson Partnership
Representation The para should include mention of health care facilities which may be required for major schemes. The penultimate sentence should be amended to read..." Such schemes could include for example, town centre enhancement and transport projects, the provision of health care and other community facilities , or financial contributions towards these schemes" .	
Officer Response The paragraph is intended to give general guidance on the types of obligations and schemes that may be required. It is not intended to be and cannot be exhaustive. The sentence relating to education was added because of the specific guidance used to secure such provision on a county-wide basis. There is no need for a longer list and in any event every application will be assessed on its merits. The proposed SPD may also give further guidance on this issue.	
Officer Recommendation No change	
Member Decision	

Policy/ Par 18.10a	Respondent Reference 0034 / Essex County Council
Representation 00552R	Agent Reference -
Representation previous objection withdrawn	
Officer Response withdrawal noted	
Officer Recommendation No change	
Member Decision	

Appendix 13

Redeposit Responses **Miscellaneous**

Redeposit Responses
Miscellaneous

Policy/ Par 2.15	Respondent Reference 0095 / North Weald Bassett Parish Council
Representation 00445R	Agent Reference -
Representation Support in existing para for conservation of the local environment. Council seeks support for the Thornwood Village Design Statement. In the absence of the statement being adopted as Supplementary Guidance, the Council should adopt it as a Village Scheme similar to those mentioned for Waltham Abbey & Ongar.	
Officer Response The production of Village Design Statements by community groups is supported. However, changes in the Planning system and a lack of resources in Forward Planning have meant that it is not possible at present to adopt the Village Design Statement as a Supplementary Planning Document.	
Officer Recommendation No change	
Member Decision	

Policy/ Par All	Respondent Reference 0237 / London Borough of Waltham Forest
Representation 00174R	Agent Reference -
Representation No comments to make on the Redeposit.	
Officer Response None necessary	
Officer Recommendation No change	
Member Decision	

Policy/ Par All	Respondent Reference 0343 / Braintree District Council
Representation 00033R	Agent Reference -
Representation No comments to make on the Redeposit.	
Officer Response None necessary	
Officer Recommendation No change	
Member Decision	

Policy/ Par All	Respondent Reference 0169 / The Countryside Agency
Representation 00034R	Agent Reference -
Representation No comments to make on the Redeposit.	
Officer Response None necessary	
Officer Recommendation No change	
Member Decision	

Report to the Extraordinary Cabinet

Report reference: C/063/2005-06

Date of meeting: 24 October 2005



**Epping Forest
District Council**

Portfolios:

Planning and Economic Development.
Finance and Performance Management.

Subjects:

Restructure of Planning & Economic Development Services.

Officer contact for further information: John de Wilton Preston (01992 564111)

Committee Secretary: A Hendry, (01992 56 4246)

Recommendations/Decisions Required:

1. That the new structure for Planning & Economic Development Services be agreed.
2. That, a report be submitted to the Council recommending that the additional costs generated by the new structure be funded:
 - (a) in the current year in the sum of up to £19,500 from savings in the Planning and Economic Development staffing budgets;
 - (b) in future years in the sum of up to £96,000 (offset by £18,000 per annum from the Building Control ring fenced account) as an increase in the salary budget
 - (c) for the purposes of recommendation 2 (b) above, the normal process for approval of CSB growth items as part of the draft budget for 2006/2007 and future years be waived and this additional expenditure be confirmed at this meeting and included in the 2006/2007 budget as a committed item.
3. That a detailed proposal is requested from TerraQuest to undertake further process mapping exercises in the last quarter of this Financial Year.

Report: (Portfolio Holder for Planning and Economic Development)

1. Senior Management Review 2003 required a review of Planning Services; in particular the movement of Estates out of the Service area, and the arrival of Economic Development back to the Service area are both important.
2. However, this is more of an opportunity to consider strengths and weaknesses including those to which Members have drawn attention. This report follows extensive dialogue with Portfolio Holders (including Councillor Metcalfe) Joint Chief Executives, Human Resources, GMB, Unison and staff at all levels within the Service area.

Issues

3. This report will consider problems that exist with the existing structure; many of which underscore concerns about performance. It will propose and explain key attributes of a new structure as one of the solutions, and it will set out expected outcomes. It will explain the costs envisaged, and how these are to be funded. This report deals firstly with the administrative arrangements. The professional arrangements are dealt with secondly.
4. The existing structure of the service at March 2005 is described in the family tree at

appendix 1.

5. It will be seen from that family tree that the administrative staff operate in small disparate cells; there is no clear management or supervisory hierarchy, no clear career structure, nor are there clear abilities to provide cover for one another, whether that is to answer telephones, or cover leave or peaks of work. The staff operates on a variety of full time and part time hours that compounds the disadvantages. (In some instances the part time arrangements reflect operational need, whilst in others they reflect what budgets have allowed, or what we were able to recruit. Whilst for individuals those arrangements have worked well, or it has been better to have part time rather than no full time post being occupied, the total combination lacks clarity at least)

6. The staff historically sit in separate areas from one another, and have had poor or limited Information and Communication Technology (ICT) systems. Members will probably recall that investments are being made to reorganize accommodation to bring teams together, and that implementation of a major new ICT system is well underway. This report is thus one element of several approaches that are taking place, or are proposed to make changes for the better. A separate report will consider the steps necessary to move Development Control best value performance indicators into the upper quartile.

7. The structure is also being overtaken by events ranging from the departure of staff who were in Estates who dealt with accounts and invoices, and the retirement of the Office Manager; these each call for positive actions.

The Administration Restructure

8. Attached at appendix 2 is the proposed new structure, and which deliberately shows the following attributes;

- Most staff will be in a joint administrative team, with a clear hierarchy under one manager, and this will set supervisory responsibility, allow improved performance management and aid cover arrangements. The joint admin team is intended to sit in one area between the building control professional team and the development control professional team. The joint team will serve building control and development control using the new integrated computer system.
- Some officers who already work within professional teams will stay in those teams, but the hierarchy of posts will better allow for staff to be swapped and develop skills across areas over time.
- Within the joint admin team, there will be three teams, in particular a team with a customer focus, a team with special responsibilities, and the largest numbers in an application processing team. Staff will be able to rotate between teams so as to provide cover, or to gain/refresh experience.
- It will allow future changes to be made more easily; for example, the ability to deal with future growth of work/development, or the recruitment of more staff; the changes to include improved customer/front line arrangements, both now, and, on the assumption that the Council does agree to have a customer contact centre, it would help facilitate that. It would also make it easier to reduce the size of teams if a development corporation were to be imposed upon us.
- Specific arrangements are proposed for specific posts, so that there is clear responsibility for functions such as accounts, gazetteer, and assisting senior managers, and supervising a reasonable and comparable scale of team.
- The teams are shown made up of more full time posts, because that reflects what is generally operationally required. Existing part time staff whose posts are deleted will be able to apply for full time positions on a job share basis, or be assimilated in accordance with the Council's agreed policies.
- Some existing staff have skills from previous appointments or qualifications that are not being used by EFDC or to their advantage; the structure intends to create opportunities to use these existing skills more fully, and to keep developing them in line with Investors in People. The Workforce Development plan that is being created

has also strongly suggested the introduction (more accurately the reintroduction) of a technical officer level; such posts involve skills beyond administrative skills and are to take tasks from professional staff so that the professionals can concentrate more on tasks that their training particularly provides for. These posts also introduce a clearer career path.

Expected outcomes: Administration

9. The proposals cannot be seen in isolation from other steps being taken, or which will be taken to improve performance, in particular changes to accommodation and changes to ICT. Indeed each of those supports one another.

Particular outcomes expected are;

- Administrative staff and Technical staff are effectively put into “one” team with hierarchical and balanced supervision rather than varied and rather inconsistent arrangements.
- The Service Business Manager will have much greater ability to arrange cover for absence, leave or peaks of work; if performance is not meeting targets this should be seen more easily, and be able to be responded to more easily. Supervision will be introduced into the Building Control team, and this will assist the Building Control professionals and Manager.
- Staff roles will change, but many will have greater opportunities, including clearly defined roles and future prospects. Where individuals can further raise their game they will be encouraged to do so. Many have already shown commitment to change, and a capacity to take on greater roles; their enthusiasm needs to be unleashed.
- The key attribute of the proposals is to get the right new structure for the foreseeable future; this does not equate to saying that this structure will remove all issues at a stroke, and the experience of the squad which has been agreed to remove the backlog of planning applications will be the subject of a further report.

Development Control Staffing and Performance

- Staffing levels are the most important resource in development control, which directly affects performance, and performance is important for customer satisfaction and for meeting Government targets, which over the past 3 years has determined the level of grant received from central government. A measure of workload/staffing can be seen in the average number of cases each case officer handles each year.
- The Government states that; “ If authorities are to achieve the BV109 targets, provide quality outcomes and service, and ensure case officers are not overloaded or stressed, caseloads should be in the order of about 150 per case officer or less. There should be lower caseloads where the proportion of major applications is above the national average of 3% of total applications determined. Account needs to be taken of the numbers of applications not included in the PS1 returns e.g. approval of conditions, tree applications, where this work is undertaken by case officers. Similarly the scale of enforcement and appeal work undertaken by case officers should be assessed. In authorities where delegation is lower or there are complex committee structures this will also affect caseloads.”
- The defined application workload is described as follows; The case officer must study and assess the application, undertake the site visit, handle any negotiations, liaise with consultees, consider neighbour and other responses to consultation, consider any revisions resulting from consultation and negotiation, write a report for committee or delegated decision and possibly check any final decision notice before despatch. It does not take into account case officer input into other work e.g. pre-application meetings, appeals, applications not included in the PS1 return, policy work, duty planner duties, corporate initiatives, or training.
(Source: ODPM Research Summary No 4 2005)

- 1996/97 saw the last low point in economic activity and hence planning applications. 1438 were received, handled by 8 application case officers (179 cases per officer) at 63% in 8 weeks. A review implemented in April 1997 reduced the number of case officers to 7.5 Full Time Equivalent (fte), which would have meant 191 cases per officer. However, this coincided with the beginning of a continuous growth in application numbers that has continued until last year.
- By the end of 1998/99, the 7.5 (fte) case officers were handling 233 cases per year with a noticeable slump in performance to 44% in 8 weeks. Two new posts were created (one temporary) but, with workload rises, this still equated to 201 cases per officer by end of 2000/01.
- By the end of 2001/02, one more post had been agreed making 10.5 (fte) in total but still maintaining 190 cases per officer; and by 2004 this had increased once again to 214 cases per officer.
- Efficiency improvements (and by considerable effort) has meant that the performance measure had improved to 74% in 8 weeks by end of 2003/04 but this past year has seen a slight fall to 72% (and a failure to meet any of the stringent Government targets – and hence a fall in grant income) It is not envisaged that any more improvement can be squeezed out of the present system without further increased staffing or other changes.
- In tabular form, the pattern has been thus:

Year	No. of applications	% in 8 weeks	No. of case officers	Average no. of cases per officer
1996/97	1438	63%	8	180
1997/98	1622	53%	7.5	216
1998/99	1745	44%	7.5	233
1999/00	1866	48%	7.5	248
2000/01	1908	52%	9.5	201
2001/02	1998	70%	9.5	210
2002/03	2115	72%	10.5	201
2003/04	2252	74%	10.5	214
2004/05	2086	72%	10.5	199

- In terms of administrative staff, 3.5 officers were handling 1438 applications in 1996/97. This increased to 4.5 staff in September 2000 but applications have continued to increase to 2252 applications last year. This means application numbers have increased by 57% over the period whereas administrative staff have only increased by 29%.
- The processing of applications is plainly the prime focus for professional staff, albeit that dealing with pre application discussions, post decision approval of matters the subject of a condition, general queries and correspondence also all take time.
- In considering why we have not met performance targets set by the Government it is indicative to look at what can be described as the “backlog” of work. (A more accurate phrase might be that there is an excess of work above the resources available)
- In a recent month the team had over four hundred applications being dealt with in that month; at the end of the month one hundred and fifty were over eight weeks old (this equates to one person years worth of work on applications alone)
- A separate report agreed to use a squad, and Planning Delivery Grant 3 to tackle this; however, the applications over eight weeks old are only part of the work exceeding resources issue. To achieve the highest sensible eight week performance would necessitate the professional officer dealing with the case to be starting to attend to it no later than week two; present work pressures have the tendency that the case

officer, having cleared other cases, only gets to start serious work at week four; if everything is going smoothly then a decision in eight weeks is possible, but the slightest issue of lack of replies from consultation, or whatever, means the case is then most likely not to be determined in eight weeks.

- Clearly, we need to be making changes to get the professional staff into a position where they can see applications early enough to make sure that it is exceptional for cases not to be determined within eight weeks, and to keep resources and work in better balance thereafter.
- Any previous staffing changes have tended to follow the event, or be driven by more of a crisis. "Additional" staff resources have tended to be dominated more by an increase in processing the numbers of applications, rather than being able to get on top of performance targets. We must allocate more resources as workload grows, and to allow performance to be at a level that meets and exceeds targets, and gives appropriate grant.
- The desired outcome of these and other measures is to put the performance on each of the key Planning Best Value Performance Indicators into the top quartile, and to keep them there.
- The intended outcome is not designed to lose any existing staff, albeit that roles will and must change and will be more performance orientated. Rather, career opportunities are being created such that an administrator could become a technical officer, and later a professional officer, so that we "grow our own." This is a better use of resources as opposed to expensive and non productive attempts to recruit from a limited pool of professionals who are probably more attracted to private companies or better paying positions in other Councils, or who simply do not exist.
- In the period above members also changed the scheme of delegation, which has enabled officers to take more decisions within limits agreed by Members.
- Planning Services wants to be a place where staff who come to train will want to stay, where staff who come to the offices from outside compare the whole working arrangements, atmosphere, and career prospects favourably, and do see Local Government as a positive choice, and then reflect that in the excellence of service they can and do give to the customer.

Professional restructure

10. The need to restructure in the professional area is much simpler.

Development Control.

11. Further changes to add to the professional team are dependent upon; the introduction of the new ICT system, completion of the administration restructure, and completion of accommodation changes. These will be the subject of a subsequent report, and will pay attention to where workload, income and other efforts to improve performance stand.

Policy Projects and Environment.

12. The existing arrangement on the establishment is that there is an Assistant Head position (vacant since 1/4/04) and two Principal officer positions; that has been an acceptable and workable arrangement in the past, and would continue in an ideal world. Government is giving more functions to us, and changes already made to the Council's top management structure also mean more for Managers to do; accordingly, there might be a case to leave that arrangement alone. However, the importance of other changes required below, including the need to fund those from within existing resources, leads to the proposal now made, which is to advertise the existing Assistant Head post to a ring fence of the two Principal officers, and to delete the post of the successful Principal officer. Consideration can be given to the job title of the remaining Principal, to reflect that it has a managerial role, but the grade would remain the same.

13. Other changes in the teams reflect the experience of a number of positions over the past few years, both in terms of workload, and having sensible structures below the Principal

officers.

14. In the Trees/landscape team the growth in work leads to formalising the one full time and one part time assistant posts (which had been topped up by Planning Delivery Grant funding) and in the Conservation/design team it involves putting the Assistant position onto the establishment. (This post was the successful HERS assistant, which was funded by section 106 contributions to begin with, and latterly by Planning Delivery Grant)

15. In the Forward Planning team there must be a boost to the scale and nature of the team to reflect changes brought in with the new Local Development Framework, including the monitoring and consultation frequencies that go with that, and reflecting the growth area agenda.

16. In recent years below the Senior Officer there were a temporary senior position, an officer, and a trainee position. Over the last year, there has been a temporary officer, and other students.

17. The proposal below the longstanding senior is for a permanent grade 7 post and a permanent grade 6 post. The team will also have the Economic Development Officer, and the Information and Technical Officer posts within it, and a trainee position, and an administration post.

Expected Outcomes; Professional

18. The proposals, like those concerning administration, cannot be seen in isolation from other steps being taken, or which will be taken to improve performance, in particular changes to accommodation and changes to ICT. Again, each of those supports one another.

Particular outcomes expected are;

- Professional staff are able to concentrate on professional tasks, as technical officers, administrative staff and improved ICT better support them.
- Posts that have been left unfilled are refilled and/or replaced, and this will help cope with workload.
- Where workload has justified the uplift or use of temporary positions that these are made permanent; in particular, there are new Best Value indicators concerning Conservation, and an assistant to support the work of the one longstanding officer in that team is important, particularly as more design orientated work is being required generally, not only where special buildings or areas are concerned.
- The Forward Plans team is brought back up to the numerical strength it has had in the past, and this is added to in recognition of the heavy workload it now has to bear.
- The hierarchy in the Policy Projects and Environment teams will remain rather unusual, and less structured than in other teams; we may well need to return to this at a future occasion, as explained at paragraph 12 above.

Costs/Funding

19. A convention in a report of this nature is to show the existing establishment (including posts with budgetary authority, but which have not yet been filled) and the proposed establishment at mid point costs. Some posts remain unchanged, but all new posts have been subject to job evaluation. A detailed spreadsheet gives full details, but because of the level of personal information contained it is not appropriate to put that into the public domain.

The spreadsheet can be summarised as follows;

Total cost now	1,865 010
Total cost proposed	1,961 110
Difference	96 100
Addition to Building control	18 100

ring fenced account	
Net additional requirement	78 000

20. The total number of posts on the establishment changes from a total of 61.52 Full Time Equivalent (Fte) to a total of 64.72 (Fte). Which is an increase of 3.2 (Fte). 16 existing posts are changed by being deleted from the establishment whilst 17 are created; several of these have significantly greater responsibilities, and hence cost more. A schedule of posts proposed to be deleted or added is at appendix 4.

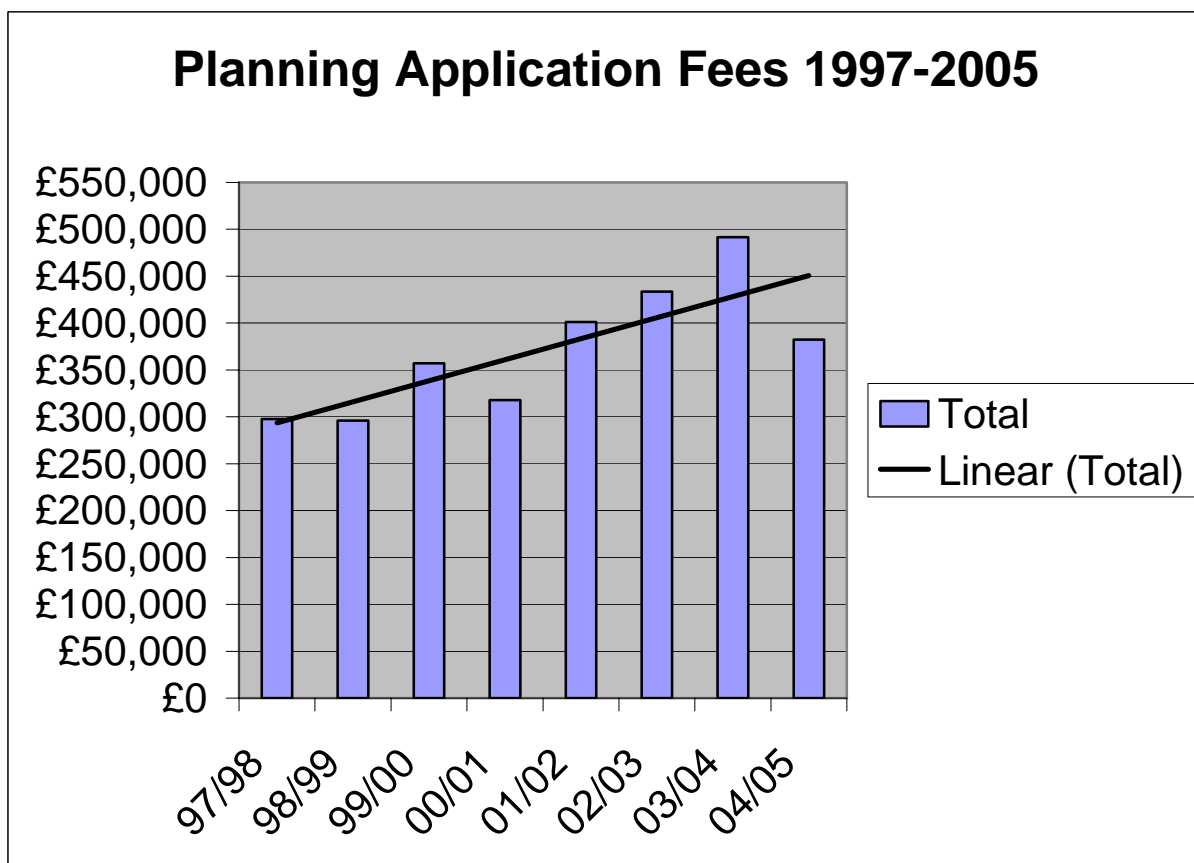
21. A second source of funding is from the deletion of a number of existing posts; this gives some £287,000 for reinvestment in new posts. (The new posts have a cost of £383,000)

22. The existing establishment is funded from two sources; Building Control from a ring fenced account, and other posts from the non-HRA revenue budgets of the Council.

23. The proposed establishment is to be funded from those same resources i.e. firstly increased expenditure from the building control ring fenced account. That account has a current annual operating surplus of £50,000. Over the last two years, the account has contributed £150,000 to the costs of upgrading the Building Control, Local Land Charges and Planning computer system; whilst the new system has an ongoing revenue cost of £15,000 per annum attributable to this account, those "one off costs" will not need to be repeated. Some of that surplus needs to be used to recruit more professional staff, but it can plainly cover both a change from paying overtime costs of up to £8,000 and an increase in administration costs of some £10,000 now. At present that does not require fees to be changed, and posts will be filled having regard to workload, and whether other posts have been filled in the professional team.

24. The third intended funding source anticipated increased planning application fee income. These fees were raised by the Government on 1 April, and to a significant extent, particularly for larger applications. We predicted that our income would rise by 21% as a result of these fee increases.

25. Planning application fee income over the past few years is set out in a table in appendix 3.



26. The above table clearly shows that fee income has been on an upward trend until 2004/2005, and that an increase in fee income of 21% on either the 2003/2004 or the 2004/2005 totals would have provided between £80,00 and £100,000.

27. However, several issues arise. Firstly in the Council's budgets fee income in 2004/2005 had been expected to be £470,000 and has been set as £549,900 for 2005/2006. Thus in 04/05 there was a shortfall approaching £90,000, and the income will have to recover to meet the assumption in the budget for 05/06.

28. Had the linear trend continued, the additional costs of the new administrative and professional structure could have been met from that fee increase, within the existing non-HRA revenue budgets, without requiring supplementary estimate, or a CSB growth bid.

29. Unfortunately, the drop in fee income presently does not give that leeway. The drop in income has been investigated, and clearly arises from there being somewhat fewer applications last year with high fees, and somewhat fewer applications generally; this may herald a downturn in the economy (for which there is now some other evidence)

30. Accordingly a request to Council for up to £78,000 CSB funding for a full year is made to be sure that we meet the costs of the new structure as shown in appendix 2. The new posts will be introduced as soon as possible, but because this will be well after the start of the financial year, and because it will take time to fill the posts, starting at the top of the hierarchy, the first year cost will not be anything like as high. For the purposes of the report it is assumed that all posts are filled on a full time basis; however, any which when considered in more detail can be filled on a lesser basis (perhaps to accommodate retention of particular staff) would not cost as much.

31. In due course it is expected that the fee income will return to the trend shown in the table above, and this would then provide funding in the future without recourse to a

continuing services budget of the amount now bid for. Indeed, in the first quarter of 2005/06 the estimated income was £132,000, whereas the actual was nearly £138,000. The second quarter figures should be available by the time of the Cabinet meeting.

32. From a Gershon perspective the use of ICT, and the better deployment of staff, and the focus on the most productive use of professional officer time by improving technical and administrative arrangements are notable.

33. Assimilation arrangements will be important. The basic proposition is that staff with no significant changes to their posts will be assimilated into an equivalent post in the new structure and others will be ring fenced where there is no clear match. At this stage it is not anticipated that there will be any redundancies as a result of this process. However, the progress of the assimilation and ringfencing process cannot be fully predicted and it is possible that there will be changes to working patterns, duties and associated arrangements, which may lead to a redundancy situation occurring, although this will be avoided if at all possible. Any such redundancies will be reported to Cabinet for approval. The details of assimilation, ring fencing and redeployment will be agreed with the Trade Unions, and will be in accordance with existing HR policies.

Evaluation

34. The report indicates that there are a good number of issues, and that improvements are being made and proposed, but does not give a mathematical or step by step approach to explain all existing processes, or how they would change. It is neither suggested that the process of change simply ends; rather, it is considered necessary to consider what steps to take subsequently. A number of Planning Services at other Councils have had a process mapping exercise undertaken. It is considered that such an exercise should be undertaken here; over and above what has been done already. There are three broad ways in which that might be done, as follows;

- Get an existing member of staff to do the exercise.
- Reflecting on what they have done already in connection with the ICT project, to get TerraQuest Consultants to undertake further exercises.
- Bring in completely fresh consultants.

35. On balance getting an existing staff member has the disadvantages of taking them out of their existing role, and into areas where they may not be skilled. Bringing in fresh consultants will take time for them to be briefed, and risks the obvious being stated before real insight is brought to the equation. TerraQuest has the advantage of already knowing a lot about us, our systems, people, and procedures; it is considered that they should be asked to quote for this exercise, but to also brief an existing staff member on the process used, so that the process can be used by that staff member when it is subsequently repeated on continuing refinements, or on similar exercises.

Statement in support of recommended action:

36. Doing nothing about the present performance issues described is not an option.

37. The departure of certain staff that have had responsibilities for fundamental business processes, such as accounts or post is a threat and an opportunity.

38. The proposals are one vital aspect of making lasting improvements in Planning Services, not only for customers but also for the staff.

Consultation undertaken: Key Members of the relevant Portfolios, Management Board, GMB, Unison, staff side and all relevant staff.

Councillor Metcalfe as Portfolio Holder for ICT wanted confirmation that the potential impacts of the Contact centre and transformation programme had been considered, and that staff were aware that further change was likely.

Staff side comments are; Staff Side representatives have been consulted and have broadly approved of the proposals. The new structure should offer a fairer reflection of the work now being undertaken within Planning and Economic Development and the Staff Side are satisfied that it will offer a bridge to any future contact centre restructure."

GMB comments are: 'The plans are all fine. My members in your department are happy. Thank you for the consultation'.

Unison comments are;

1 The deletion of any posts potentially raises issues of redundancy. Clearly, Unison will protest against any probability of forced redundancies.

2 Unison will insist on the 'ring-fencing' of adverts for all new posts within the revised structure, in accordance with Council policy.

3 There is a deal of uncertainty about the Council's intentions, with regard to the setting up of a service wide customer contact centre. Naturally, Unison will closely monitor this situation.

4 One member has already expressed his individual concerns about the restructure and we would hope that you would take these into account.

5 Unison recognises that the Planning Service is well overdue for a restructure, which will require some drastic changes. As such, we would not wish for our comments to appear negative. However, clearly we must seek to protect the best interests of all staff involved.

Individual staff comments are generally supportive, and raise specific points about the details of the assimilation process. Of concern are;

- The loss of the customer support assistant post, unless the work and focus of that post are maintained in the new structure
- The loss of a Principal Officer post, both because of workload and loss of possible career progression
- Whether the structure, in particular the Forward planning team, will be adequate to cope with the complexities of the Local Development framework and other work pressures

Resource implications:

Budget provision: As set out in the report.

Personnel: As set out in the report

Land: Nil

Community Plan/BVPP reference: A number of BVPIs, such as 109 (a), (b) and (c) are relevant.

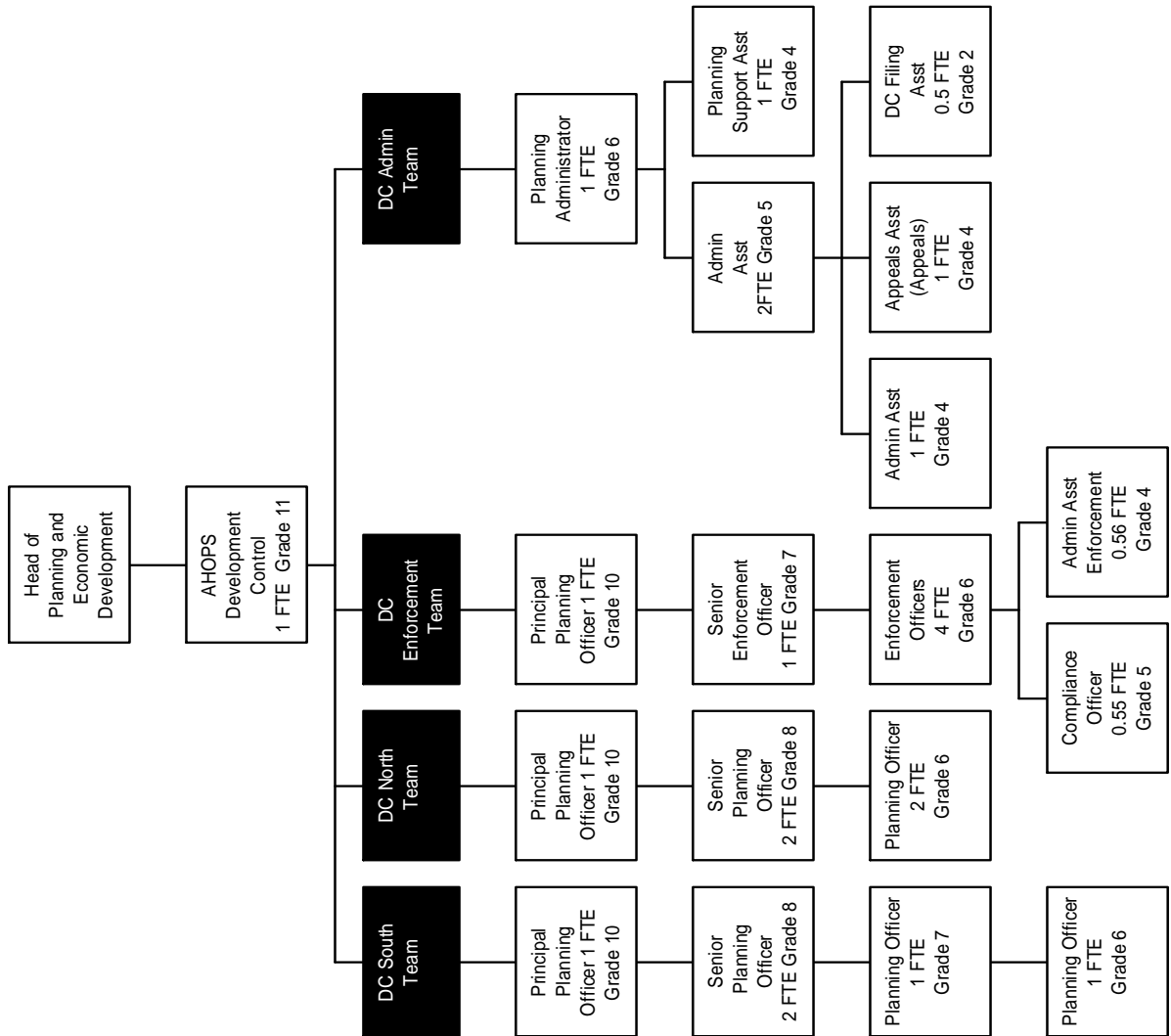
Relevant statutory powers: Processing times for applications (whether building or planning) and processing of invoices are particularly relevant.

Background papers:

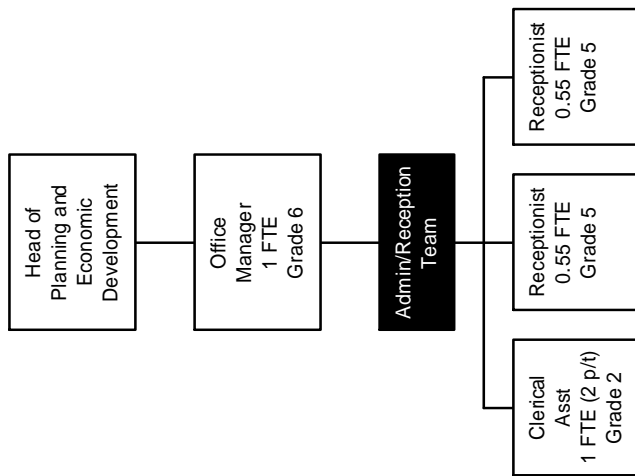
Environmental/Human Rights Act/Crime and Disorder Act Implications:

Key Decision reference: (if required) The total costs and importance of these matters make this a key decision.

Appendix 1 – Development Control Existing Structure

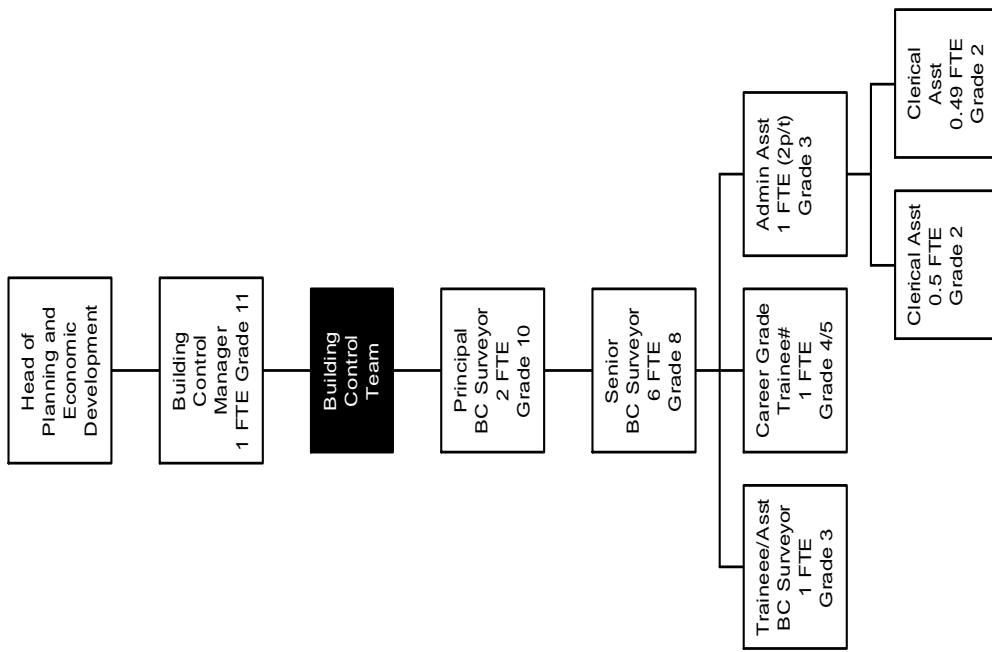


Appendix 1 – Administration Existing Structure



Appendix 1 – Building Control Existing Structure

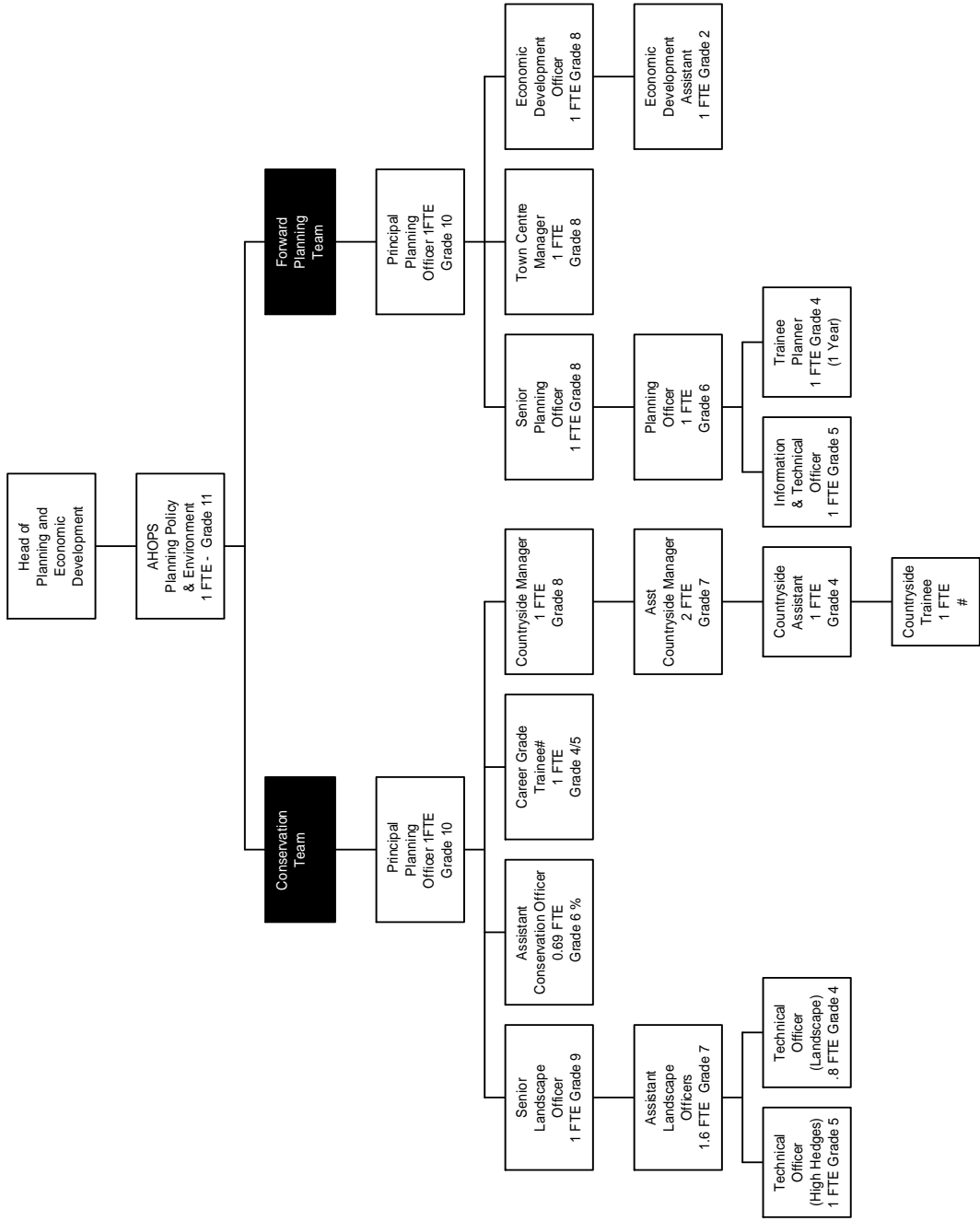
Career Grade Trainee Posts are corporately funded



Appendix 1 – Planning, Policy and Environment Existing Structure

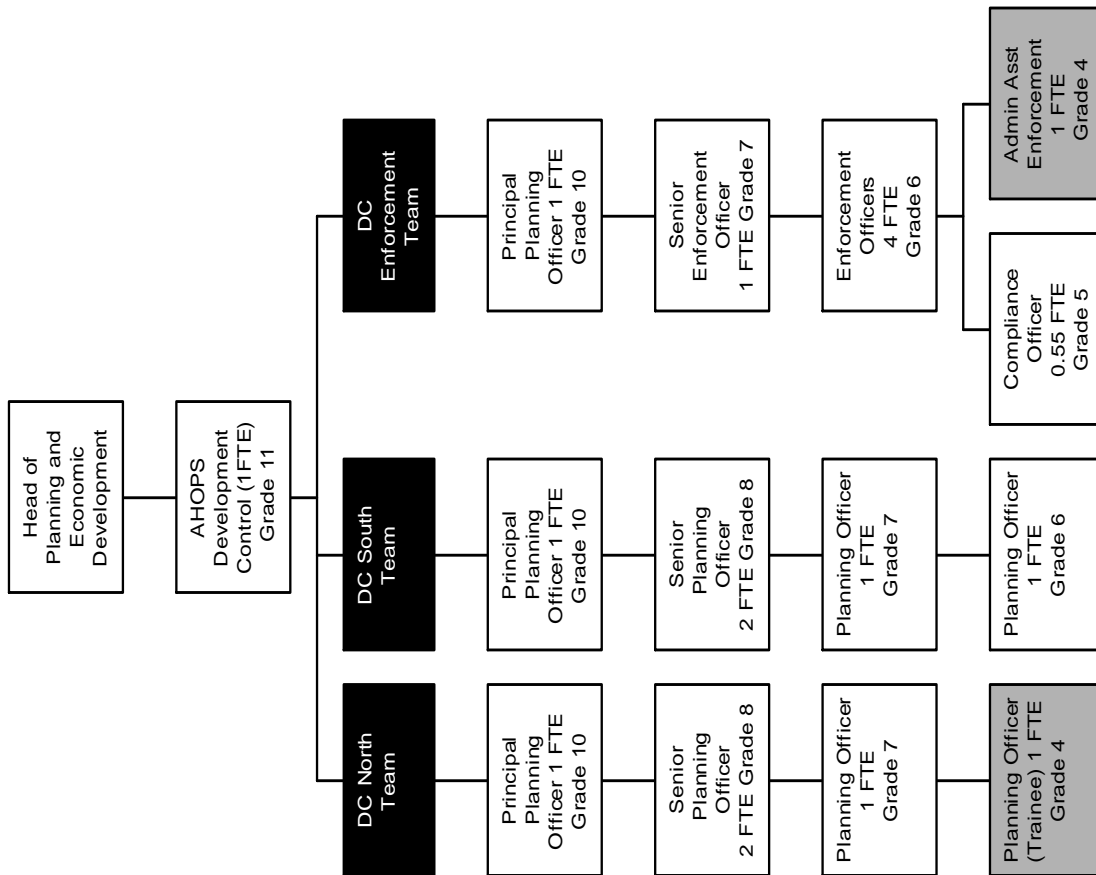
Career Grade Trainee Posts are corporately funded

% Assistant Conservation Officer funded from PDG



Appendix 2 – Development Control Proposed Structure

Grey shaded boxes are new, amended or changed by the restructure

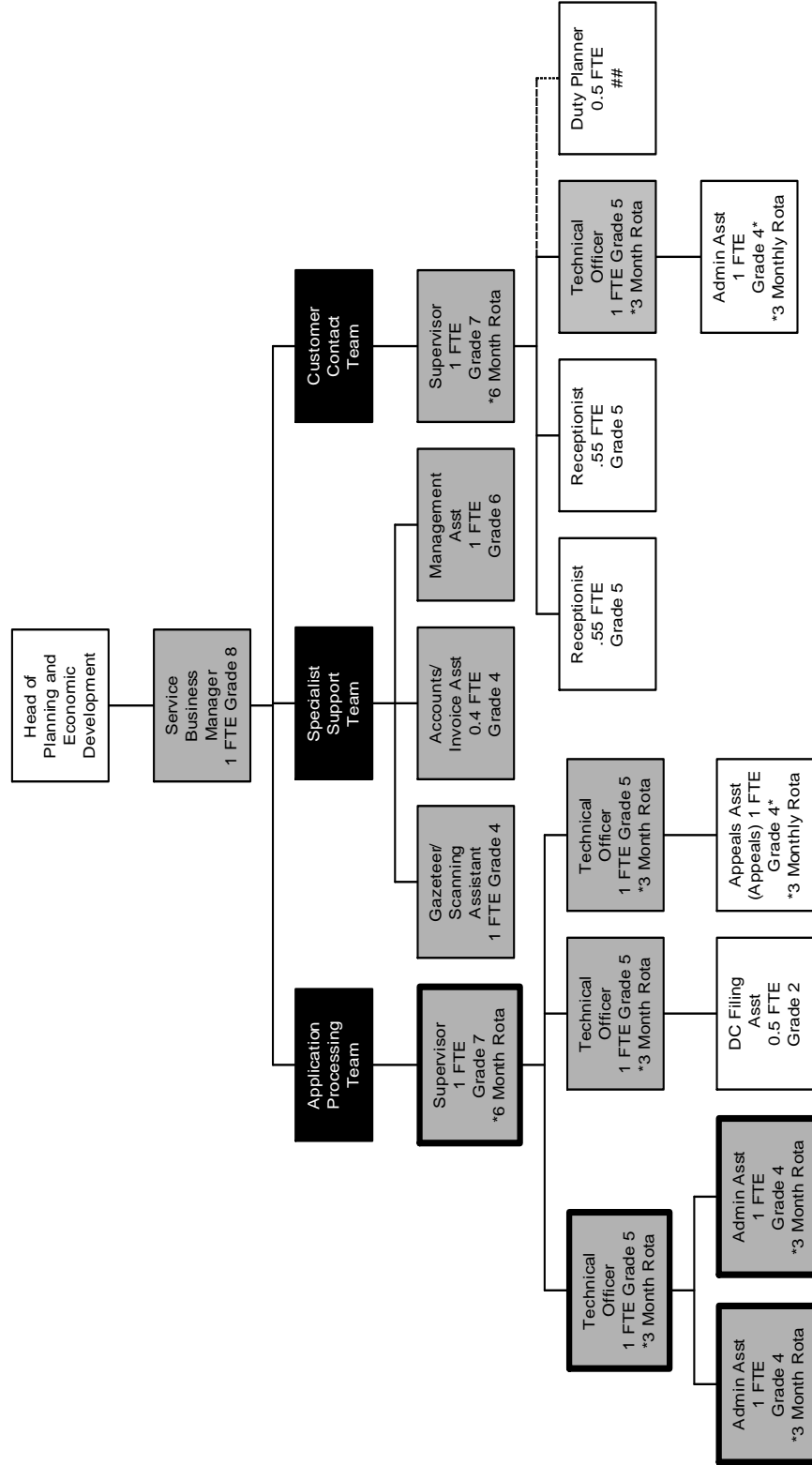


Appendix 2 – Administration & Technical Support Proposed Structure

Grey shaded boxes are new, amended or changed by the restructure
 Posts with a bold outline are funded from the Building Control Ringfenced Account, two of these posts will not be filled initially, and funding is not yet being sought for those two posts.

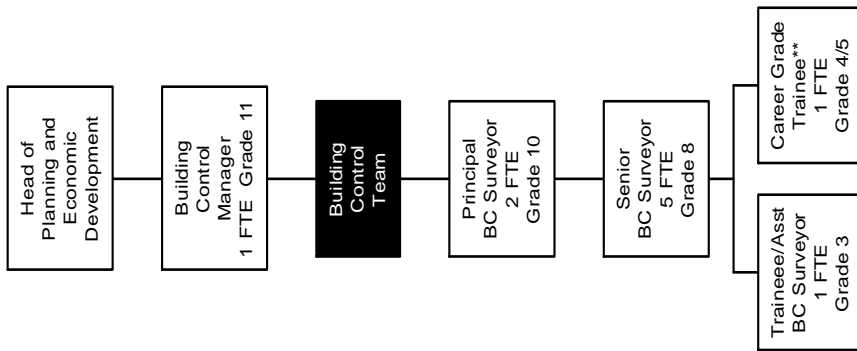
*Posts with a rota indicated will rotate in and out of Customer Contact Team on a 3 or 6 monthly basis.

##Duty Planner is not part of Admin structure, but is shown to demonstrate complete Customer Contact Team



Appendix 2 – Building Control Proposed Structure

Career Grade Trainee Posts are corporately funded

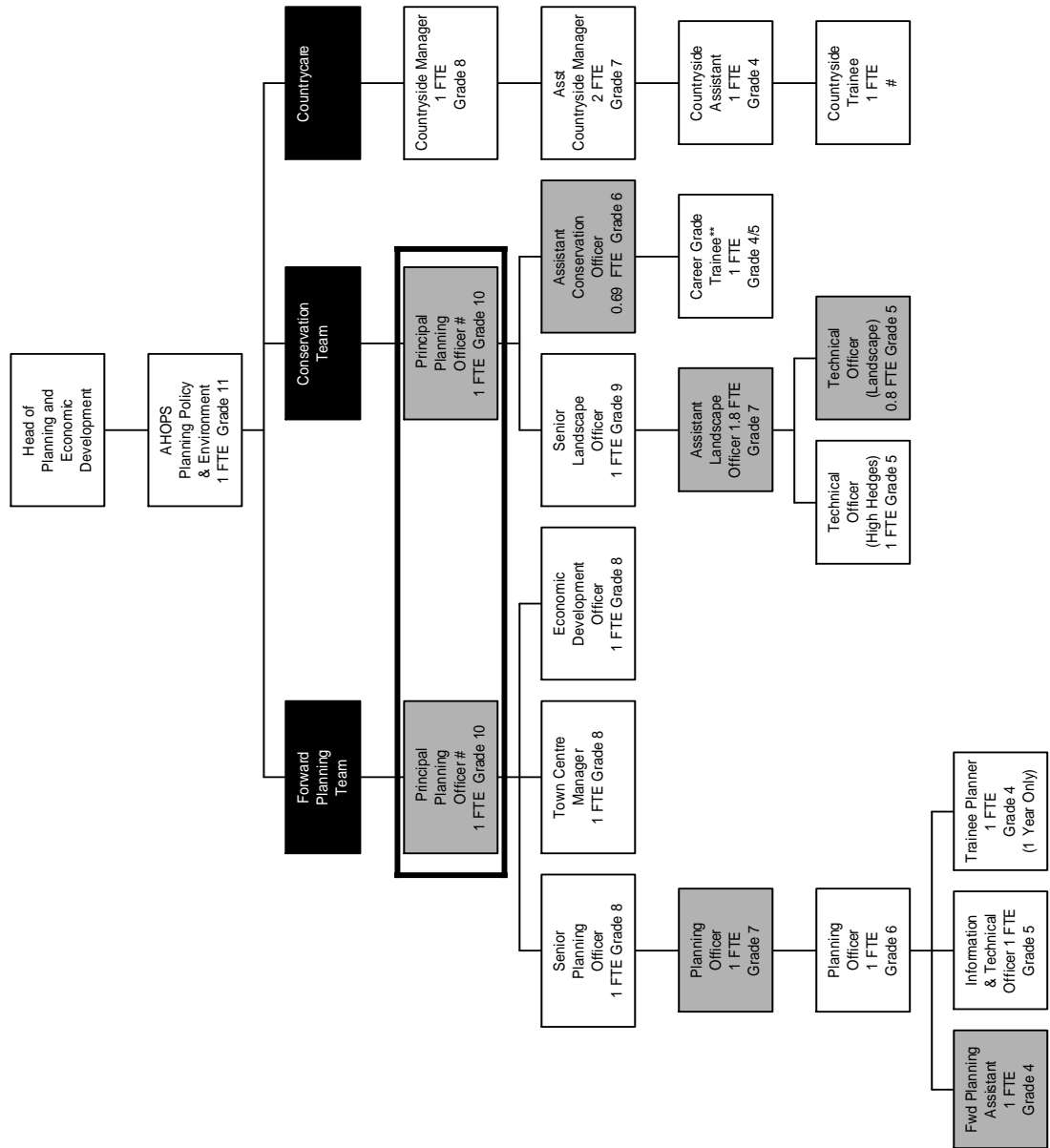


Appendix 2 – Planning, Policy and Environment Proposed Structure

Grey shaded boxes are new, amended or changed by the restructure

**Career Grade Trainee Posts are corporately funded

AHOPS Planning Policy and Environment is Ringfenced for the Two existing Principal Officers in the team, upon filling of the AHOPS post one of the Principal posts is to be deleted. Accordingly, the reporting lines in this structure can only be confirmed after this post is filled.



Planning Application Fees 1997 – 2005	Fee Income		Appl. Nos. (total)	Non fee-earning apps
1997/1998				
1 st quarter	£71036	Gen election May 1997	415	
2 nd quarter	£61083		415	
3 rd quarter	£82561		370	
4 th quarter	£82867		422	
total	£297,547		1622	387
1998/99				
1 st quarter	£75535		470	
2 nd quarter	£75618		435	
3 rd quarter	£78544		400	
4 th quarter	£66375		440	
total	£296,072		1745	357
1999/00				
1 st quarter	£83009	Fee increase 22%	466	
2 nd quarter	£95590		466	
3 rd quarter	£83588		421	
4 th quarter	£94953		513	
total	£357,140		1866	430
2000/01				
1 st quarter	£71252		466	
2 nd quarter	£72841		472	
3 rd quarter	£63148		440	
4 th quarter	£110631		530	
total	£317,872		1908	426
2001/02				
1 st quarter	£109810	Gen election Jun 2001	500	
2 nd quarter	£87305		464	
3 rd quarter	£78410		458	
4 th quarter	£125595		576	
total	£401,120		1998	496
2002/03				
1 st quarter	£119555	Fee increase 14%	532	
2 nd quarter	£108495		509	
3 rd quarter	£88542		519	
4 th quarter	£116994		555	
total	£433,586		2115	484
2003/04				
1 st quarter	£104225		604	139
2 nd quarter	£134805		540	142
3 rd quarter	£105387		507	119
4 th quarter	£147097		601	153
total	£491,514		2252	553
2004/05				
1 st quarter	£85978		504	106
2 nd quarter	£109875		576	149
3 rd quarter	£93676		519	169
4 th quarter	£92790		487	127
total	£382,319		2086	551
2005/06				
1 st quarter	£ 137,874		529	78
total				

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Appendix 4 to Planning Restructure

Post No. Post Title

Posts to be deleted

PBC/15	Admin Assistant P/T
PBC/16	Admin Assistant P/T
PBC/17	Clerical Assistant
PDC/13	Planning Administrator
PDC/14	Admin Assistant
PDC/16	Admin Assistant
PDC/18	Admin Assistant P/T
PDC/19	Planning Officer
PDC/20	Planning Support Asst.
PPE	Principal Planning Officer
PPE/07	Asst Landscape Officer P/T
PPE/14	Clerical Assistant P/T
PPE/12	Office Manager
PPE/17	Admin Assistant P/T
PPE/19	Clerical Assistant P/T
PPE/33	Economic Development Assistant

Posts to be added

PAD/01	Service Business Manager
PAD/02	Gazeteer/Scanning Asst.
PAD/03	Management Assistant
PAD/04	Admin Supervisor
PAD/05	Supervisor
PAD/06	Technical Officer
PAD/07	Technical Officer
PAD/08	Technical Officer
PAD/10	Admin Assistant
PAD/14	Accounts/Invoice Asst. P/T
PAD/16	Admin Assistant Enforcement
PDC/19	Planning Officer
PPE/07	Asst Landscape Officer P/T
PPE/17	Technical Officer (Landscape)
PPE/22	Asst Conservation Officer P/T
PPE/21	Planning Officer
PPE/33	Forward Planning Assistant

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