

Loughton Residents Association Plans Group



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Essex IG10 2DX
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The Head of Planning & Economic Development
EFDC
Civic Offices
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Dear Sir

EPF/0379/20 - Playing Field Site Epping Forest College Borders Lane Loughton IG10 3SA

Proposal: Redevelopment of the site to provide 285 residential dwellings (Use Class C3) in a series of blocks ranging from 2 to 5 storeys in height, a new Wellness Centre (Use Class D1), creation of a new public park, car parking, communal landscaped amenity areas, secure cycle parking and other associated development.

We have received numerous representations from local residents in opposition to this redevelopment. We consider the planning application is wholly inappropriate for the following reasons;

It will result in demonstrable harm to air quality and the environment of the Epping Forest Special Area of Conservation (SAC). It is inconceivable this development which includes 198 parking spaces and will also attract visitors via cars, will not have a significant impact on the SAC which will be wholly unacceptable. The effect will be particularly acute from queuing and idling traffic on the A121.

13-15a Alderton Hill (Appeal Ref: APP/J1535/W/18/3203410)

Again, we remind the Council of the recent appeal decision at 13-15a Alderton Hill which included 64 parking spaces. The inspector said that due to the relationship of Loughton with the surrounding road network an estimated 20% of the traffic is likely to travel to and from the north via the A121 to the Wake Arms roundabout. This traffic passes through the Epping Forest SAC. The SAC is sensitive to changes in air quality. The proposed mitigation measures, which were considerably better than those put forward in the Borders Lane scheme, included an electric communal minibus, a car club with electric vehicle, electric vehicle charging points, concierge parcel collection and a requirement that only electric vehicles can be parked on site. The inspector concluded these measures were not sufficient to demonstrate the development would not have an adverse effect on the integrity of Epping Forest SAC in relation to air quality.

A financial contribution is suggested by the applicant however, without full details over how this money will be used to mitigate the impact of the development on the SAC and evidence that it will work, the development remains a significant threat to the forest.

Gladman Developments Ltd v Secretary of State for Communities and Local Government & Ors [2019] EWCA Civ 1543 (12 September 2019)

We remind the council of the above case where the Court of Appeal dismissed Gladman's appeal against the High Court's ruling which had unanimously found that the inspector had dealt lawfully with the likely air quality impacts of Gladman's proposed housing development.

Gladman's proposed 470 dwellings were located within an area in which pollutant limit values under the Air Quality Directive were exceeded. Gladman had proposed mitigation measures and financial contributions, including electric vehicle charging points and 'green' travel incentives, that had been calculated using the DEFRA-approved "damage cost analysis". Gladman argued that it was not open to the Inspector to find that their mitigation measures were insufficient.

The Court of Appeal disagreed and found that the Inspector was entitled to conclude that there was no clear evidence to demonstrate the effectiveness of their mitigation measures and was not required to accept that "because an appropriate arithmetical method had been used in calculating the level of financial contributions, the mitigation measures themselves would be effective."

Overall, offering to pay a sum of money is not sufficient to overcome the legitimate concerns regarding the impact on the Epping Forest SAC.

The proposed 198 parking spaces will also result in more congestion along Borders Lane, in particular the junction of Borders Lane and Rectory Lane which is already heavily congested with very long traffic queues during peak times. The recent traffic junction changes have made the situation worse. Frequently cars queue all the way back to the junction at Goldings Hill/Rectory Lane. The road network in this part of Loughton cannot take any more cars. The 198 spaces amount to 69% of the proposed dwellings; this will add additional pressure to the surrounding streets from the 87 units that will inevitably have cars and no dedicated parking spaces.

Luctons Field is virgin land. It has never been built on and is a vital part of the urban open space (which it is zoned as in the 1998 Local Plan). It is the *Green Meadow* of the seminal nature work *Unto the Fields* by Donald Gillingham, published 1953. The access to the site is too close to the college parking and, being on a bend of a narrow and busy road during the rush hours will be dangerous for pedestrians and other car users. The applicant is relying on surveys for car ownership in London and major cities where public transport is good. Loughton is not in London and this is a valuable green asset. Its public transport is inadequate, particularly along Borders Lane. There is no bus service along the road after 7pm.

The excessive number of residential units will result in further congestion to Debden Underground Station. The Central line service has recently been reduced and this will only lead to further congestion to the overloaded trains. The service cannot cope with more commuters.

The applicant claims the design closely relates to the character, appearance and scale of the surrounding area. This is utter nonsense; the site is surrounded by predominately red brick two storey residential homes with traditional pitched roofs. The proposed buildings are

monolithic in nature and wholly out of character with the area. At up to 5 storeys they are too high and overbearing. The college buildings which are on the opposite side of the road and represent a different use is not justification for the proposed height and bulk. It is not unusual for educational buildings to be larger given their use and purpose but the proposed development is domestic and it should take its design lead from the height and bulk of the surrounding residential dwellings.

A health impact assessment (HIA) has not been submitted. The development will have a significant impact on waiting lists for local health centres and no mitigation measures have been provided. Our local surgeries are oversubscribed and residents find it almost impossible to get an appointment. A financial contribution is not sufficient without any evidence existing surgeries can be extended to meet the extra demand.

The proposal will impact on local education provision. Our local schools are already over capacity.

This site needs an Environmental Impact Assessment and legally it should also cover the applicant's other application across the road. The applicant has failed to provide one and we put the applicant on notice that this leaves their scheme open to a judicial review on this matter alone.

Whilst the Wellness Centre is welcome in principle we are concerned that, as this is part of the college, the promises of public access will be dropped later on in the process. The applicant states the "centre will be accessible to residents of the new housing development and the wider local community with gym facilities available for public use throughout the day as well as evenings and weekends. The dance studio and the sports hall will be available for community use during the evenings and weekends at affordable rates".

We wish to be consulted over the full details regarding public access including hours of access and pricing which should be secured via a legal agreement.

The centre, which relies on parking on the other side of the road will attract additional traffic and congestion. There is no evidence the college car park can accommodate the users of the facility and this could lead to patrons parking elsewhere.

Whilst the offer of 28 Shared Ownership and 57 Affordable Rented units are welcome we would want to seek assurances the viability report has been carried out in accordance with RICS guidance and a declaration is signed by the consultant confirming their report is independent and they are not receiving a bonus or any other payment from the developer for securing less affordable housing than the policy requirement.

Contrary to what is said in the Statement of Community Involvement a date was agreed to meet the LRA but the developer pulled out and it became clear they were more interested in meeting the planning officers rather than residents. Their community engagement was a tick box exercise rather than proper engagement with standard questions set to ensure it looks like residents support their application.

The plans say that New City College (NCC) will maintain the grounds in the area around the Wellness Centre. Their record to date is appalling regarding maintenance of the Lucton's Field Site. Any obligation needs to be secured by a section 106 agreement and we want assurances from the council it will be enforced given the poor reputation the college has.

Overall the scheme represents an overdevelopment of the site, is 30% larger than the draft plan allows and will cause significant harm to the forest, congestion on the local roads and to

nearby residents. This is a cherished open space that is well used by the local community. We urge the Council to review its latest draft planning policies and designate this space for protection rather than for a development that will be damaging to the area including the SAC.

We wish to be notified of any changes put forward by the applicant, the heads of terms of any section 106 agreement and any draft planning conditions before the application goes to the planning committee.

We give permission for our comments to be made available on the Council Website.

Yours faithfully

A handwritten signature in black ink, appearing to read 'John Walker', with a stylized flourish at the end.

John Walker (BA Hons MRTPI)
for Loughton Residents Association Plans Group