

Theydon Bois Action Group

PROTECTING THE VILLAGE OF THEYDON BOIS

Theydon Bois Action Group c/o
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Epping
Essex
CM16 9BR

3rd August 2011

Planning Inspectorate
Room 3/21 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN

Reference Planning Application EPF/1134/10
PI reference APP/J1535/A/11/2155393/NWF.
PP/J1535/A/11/2155393 APP/J1535/A/11/215539

The creation of a commuter car park providing 179 car parking spaces (including 13 disabled spaces), access road, access bridge, lighting, security centre, CCTV installations, landscaping and drainage works.

Land off Abridge Road (ex Old Foresters Club) Theydon Bois Essex CM16 7NN.

Dear Sir or madam

Theydon Bois Action Group and its members welcome the opportunity to comment on the appeal of planning application EPF/1134/10. We wish to object most strongly to the application and request that the appeal be dismissed.

This application for a large-scale commuter car park submitted by Parkeng Limited, company number 04432059, registered at 46-54 High Street, Ingatestone, Essex CM4 9DW, is considered to be inappropriate development in the Metropolitan Green Belt and would harm openness.

As your file will indicate this application was strongly objected to by more than 200 local residents and therefore has little support in the local community.

We believe the applicant company was previously called MSK034 Limited and the directors as at 7th May 2010 were; Rita Newman, Vanessa Bramley, Emma Joanne Dilloway, Kate Newman and Philip Roy Newman. There is one shareholder Newman

Empire Limited, and the directors are Rita Newman, Emma Joanne Dilloway, George Dilloway, Kate Newman and Philip Roy Newman.

The development team, Parkeng Limited, have many of the same directors as Blunts Farm Estates Limited (formerly Parsonage Golf Limited), UK Golf and Leisure Limited (North Weald), Blake Hall Golf Club Limited, Environmental Leisure Developments Limited, UK Golf Leisure Limited (currently in liquidation), Newman Empire Limited, MM Golf Construction LLP (dissolved), Blake Hall Golf Club (No. 2) Limited, RKN Developments Limited, Angel Property Trading (London) Ltd, Trustees of the H and ML Smith 1991 Settlement and too many more to mention.

The access road from the proposed car park to the Abridge Road is via the land known as Blunts Farm and is owned by Trustees of the H and ML Smith 1991 Settlement. An H Smith of Copper House, is notified as an owner or part owner in 'certificate B' of the appeal.

The directors of Blunts Farm Estates Limited are; Philip Roy Newman and Henry Thomas Smith of Aitch Group Holdings Limited.

These individuals are also connected via Environmental Leisure Developments Limited to Roebix Limited who were importing demolition waste at Great Hadham Golf and Country Club, Much Hadham. Roebix Limited are also the subject of dismissed appeal reference APP/Z1585/A/10/2142721 which involved the importation of 69,000 cubic metres of waste.

This development team have caused Theydon Bois and neighbouring Abridge and North Weald untold disruption, damage, and stress. They have a total disregard for the health and safety of residents or of their local environment. Those responsible for the destruction of Blunts Farm have been labelled as 'unscrupulous' by the chairman of the Environment Agency Sir John Harman who was quoted in the local newspaper on 24th June 2006 as saying *"It's an example of an unscrupulous operator looking to run a landfill site while avoiding the appropriate planning and environmental controls by claiming the so-called golf-course' exemption. By flouting the conditions of the exemption for landscaping, this unscrupulous operator has been able to bring tens of thousands of tons of waste onto the site and may have made up to £20m by doing so. I wouldn't want to see the operator get away with this abuse without suffering substantial financial loss."*

Whilst she was Parliamentary Under Secretary of State Baroness Andrews confirmed to Eleanor Laing MP in a letter dated 27th July 2006 that *'It is for the LPA to decide whether or not to take into account a developer's previous conduct when considering a planning application.'*

TBAG ask that you consider both statements of Baroness Andrews and Sir John Harman when considering this appeal .

During November 2009 one of the largest cannabis factories in Essex was detected and raided by Essex Police (who made several arrests) at Blunts Farm. It was reported in the local paper on 10th November that; The farm's co-owner Phil Newman told the Guardian he had only just discovered about the police raid, as he has been away on holiday. He added that he did not know about the drugs and had been renting the warehouse to a group of men. He said: "I didn't know anything about it. It's incredible the number of the plants. I can't believe it. They must have spent a fortune on it, there's lamps and

vents everywhere. You have to see it to believe it."

The previous application for a smaller commuter car park (156 spaces) EPF/2439/08, was refused as it was contrary to policies PPG2, GB2A, GB7A, CP2, DBE1, DBE4, LL2, LL3, ST2,ST4 and RST3.

This application, ostensibly is no different and therefore does not comply with the same policies. There are no very special circumstances why this project should go ahead.

A perceived shortage of commuter parking spaces does not represent very special circumstances.

Enforcement Notices

Two Enforcement Notices, issued and later varied, against Blunts Farm Estates Limited during January and June of 2006, are yet to be fully complied with and remain outstanding. The developers have belatedly and after the expiration of the enforcement notices, are in the process of restoring the land subsequent to the development of a motocross track, neither have they done anything to stop its use as an 'unlawful' motocross venue. The proposed access road would cross this land, that remains the subject of enforcement.

Another Enforcement Notice was issued in May 2007 to Trek Highways who leased the site from Blunts Farm Estates Limited, for an unlawful motorway maintenance depot adjacent to this site and again, this Notice remains outstanding.

After June 2008, two Enforcement Notices were issued for the appeal site, being: '*Without planning permission: the stationing of a portable building approximately 21m x 9 m in size and a caravan on the land*' and '*without planning permission: the construction of a new building measuring approximately 1.6m x 2.1m x 2.3m.*' This case was been delayed several times, 12th March, 16th April, 14th May, 11th June, 27th September 2010, was heard at Chelmsford Crown Court on 6th December and 5th April and only as recent as 31st May 2011 did the landowner plead guilty and accept responsibility for complying with the notices.

The current leaseholder of this site (who informed Theydon Bois Parish Council that he had purchased the land subject to planning permission) has just had an application, EPF/2246/10 for; '*Erection of single and two storey buildings and retention of existing buildings in new locations on site in connection with the proposed use of the site for training and leisure purposes for children in foster care and carers*' refused. Refusal reasons include; '*The proposed built development and material change in use of the land is inappropriate development in the Green Belt. The applicant has failed to demonstrate any very special circumstances in favour of the proposal and none appear to exist. The proposal is therefore contrary to Local Plan and Alterations policy GB2A. No transport statement is submitted with the application and DfT and ECC guidelines state that one is required for D1 developments of between 500 and 1000 square metres. Although the proposal would increase vehicle movements beyond what currently exist on Station Hill, the degree of increase and the type of vehicles the increase would be made up of are not known. Accordingly, the applicant has failed to provide sufficient information to assess the consequences of the development for highway safety and vehicular use of Station Hill. The proposal as submitted is therefore contrary to Local Plan and Alteration Policy ST6.*

By reason of the height and bulk of the proposed two-storey building, its unsympathetic

design and by reason of the number and spread of buildings proposed without proper justification, the development would be a poor design that fails to respect the setting of the site and the character of the locality contrary to Local Plan and Alterations policies CP2 (iv), CP3 (v), DBE1, DBE4 and LL2. Having regard to the size of the development it would clearly be conspicuous and erode the openness of the Green Belt. It would also be harmful to the rural character of this part of the Green Belt and to its visual amenities. This would be readily apparent from the adjacent railway, upper floors of dwellings beyond and from the footpaths that pass to the east of the site to the detriment of the amenity value of the rights of way network. The proposal is therefore contrary to Local Plan and Alterations policy GB7A.

The previous legitimate building on the site was demolished in anticipation of these application's and the leaseholder is known to the enforcement team and is the subject of litigation on another site in Abridge known as Riverfield. The leaseholder has been told that it is unlikely that he will be granted permission for a new build in the Metropolitan Green Belt since he has demolished the original building, but despite this, Mr Jim Harris of Diverse Care Limited continues to occupy the site with unlawful portacabins and building.

Previous applications

All previous planning applications for this site and the adjacent Blunt's Farm site over which the strategic access roadway would run have expired. A second proposed access route from Station Road crosses land which is not owned by the applicant or any of his business colleagues mentioned above. The covenants on this land do not permit public access across the land for anything other than sporting and recreational purposes. A car park does not fulfil this requirement and therefore access over this route would constitute trespass. As far as we are aware, the owner of this land does not intend to allow access to such a development.

The access road onto the Abridge Road is adjacent to Parsonage Farmhouse (118831) and barn 10 metres north of Parsonage Farm House (118832) both Grade II listed buildings. This access was granted under expired permissions EPF/1283/99 and EPF/0765/99 for an *'18 hole golf course, practice ground, academy and associated landscaping/contouring including water features and creation of planted buffer zone to eastern boundaries, and access to Abridge Road.'* Permission for this access road was granted assuming the type of traffic for a golf club NOT for a 350 space commuter car park. Vehicle movements along this road were calculated to be in the order of a maximum of 150 per day during peak daylight hours. We assumed 72 cars, one car for each player spread over 18 holes. Assuming a round takes four hours, over an eight hour period 144 cars and a few extra for staff, 9 cars every half an hour. This implied usage would be much reduced during bad weather and during the autumn and winter months. This is far less than the vehicle movements associated with a 350 space (implied completed phasing) commuter car park, where if used to capacity, 350 cars (implied completed phasing) would potentially arrive over the periods 6-9am and leave between 5-11pm.

This would equate to an average of 58 cars arriving in a given half hour period, with probably a higher expectation of cars arriving between peak commuting hours of 7-8am. On the return journeys an average of 30 cars in a half hour period, with probably a higher probability for cars to leave between 5.30-7.30pm. It should not be assumed that permission granted for a golf course access can be simply transferred to provide access to a large scale commuter car park. These uses are not the same and the

permission should not therefore be transferred.

It is also worth noting that plots of land have been sold on the site adjacent to this site in a 'land-banking' operation that the District Council have been forced to comment on as follows;

'These commonly advertise small plots of agricultural land for sale, on the internet, by phone or through the use of leaflets / brochures or newspaper articles. These parcels of land are advertised as potential investment opportunities. The premise is that planning permission for a new housing development can be sought and if approved, the value of the land should increase at which point it could be sold on to a developer for a substantial profit, or the purchasers could build their own homes. The sales information often gives the impression that planning permission is shortly to be granted, or the use of the land is to be changed via the Development Plan process.

There are examples all over the UK of such schemes, where unsuspecting buyers have purchased plots of land believing that the value will increase significantly. There is no example to date where planning permission has been granted for all or part of an area of land that has been divided into plots in this way. Purchasers are left with a piece of land with agricultural land value, and very little prospect of being able to sell it on or develop it.

Investigations into these types of schemes have been carried out by the Financial Services Authority (FSA), Trading Standards and several national newspapers. Some that have claimed to be able to seek planning permission for a "collective" of plot owners have been closed down. Such "collective investment schemes" need to be authorised by the FSA to be legal.

Castra Land is currently advertising plots of land for sale on land within the Blunts Farm area in Theydon Bois. However, the planning policy position has not changed:

- The land is entirely within the Green Belt, and therefore the normal restrictions on development apply;*
- The areas of land are isolated from the existing built area of Theydon Bois, and the services it provides*
- No means of access has been shown to the parcels of land. Policy CP3 would require this is addressed before any planning application could be made;*
- The land has been submitted to the District Council under the "Call for Sites" exercise, but this does not mean that there is any certainty that this land will be allocated for development purposes.*
- The allocation of 3,500 new homes for Theydon Bois claimed by the vendors refers to the requirement previously contained in the East of England Plan for the whole District over the period 2001-2021. On 6 July 2010, Regional Spatial Strategies were revoked, and it is now for local planning authorities to determine the appropriate number of new houses for their area. The Council will take this forward via the Local Development Framework.*

Castra Land does not offer to seek planning permission for plot owners, nor does it give any guarantee that planning permission will be forthcoming. However, Planning Officers have received a number of calls about the land available, and feel it is important that people should be advised of the true planning policy situation.'

We would ask why owners of these plots of land have not been consulted either in the original application or this appeal?

Public Consultation

Parkeng attempted to mislead residents by associating themselves with Transport for London, with a flyer that they widely distributed in the village in August 2008 and at a presentation at the Village Hall. TfL confirmed in an email to TBPC dated 27th August that *'The flyer proposing a new car park in Theydon Bois has not been produced by TfL, this is not a TfL initiative and the proposed site is not TfL land.'* This application is nothing to do with TfL. TfL have also confirmed that they have no intention of opening the westbound side of the platform making the proposed disabled parking bays ineffective, unless disabled drivers are able to navigate the foot bridge over the railway. The applicant has therefore been guilty of misleading and misinforming.

Eric Pickles MP of neighbouring Ongar and Brentwood confirmed in July 2008 when the developer used his comments for an increase to commuter parking in Theydon Bois in the Guardian newspaper, that it was "certainly not my intention" to endorse in any way the development of a large scale commuter car park on Metropolitan Green Belt. The applicant has again been misleading and misinforming.

The Guardian article dated 3rd July 2008 also quotes from the TfL response to the development of the Commuter Car Park in Theydon Bois "It is also worth considering a large car park would encourage more cars as the demand increases to fill the capacity. As you might expect, anything that causes train to fill near the end of the line needs to be considered very carefully. We have had some preliminary discussion with Epping Forest District Council about car parking provision at Central Line stations in the area and are willing to progress increases in car parking spaces provided it has local support. They must also take into account the impact on local road congestion and would require funding and a business case for the spending required and all the necessary approvals from the Local Authority." This application does not have local support and contains no compelling business case.

Metropolitan Green Belt

We understand that each new application has to be viewed on its own merits. However, both the Old Foresters' site and the adjoining Blunt's Farm land totalling 104 hectares, were put forward by developers on the 'Call for Sites' list, and TBAG would resist any inappropriate development of any part of a site that might set a precedent for development of the entire site.

The development of a commuter car park in Green Belt is not a 'very special circumstance' and would appear not to be a viable and sustainable business prospect without the attraction of further development for housing or for leisure facilities not associated with outdoor sports. The construction of a roadway from much further to the East onto the Abridge Road will cause even greater loss of openness, as the roadway is up hill and can be viewed from most of the rest of the village. We understand that a covenant also exists on this access limiting it to golf course use only.

A development of this nature should have a sustainable business plan, intrusion of this scale onto the Green Belt should be accurately measured and of a sustainable nature. This development neither has a proposal for a business plan and is not sustainable.

Dark Sky Policy

For the Applicant to achieve the recognized national standard for a Car Park would require high levels of illumination typically > 15 -20 Lux which is alien to the local environment and would clearly result in a loss of Visual Amenity.

Theydon Bois has a 'Dark Sky' policy as accepted by the Planning Inspectorate in case reference APP/J1535/05/1172217 and as laid out in the draft Theydon Bois Village Design Statement (VDS).

The VDS states: 'Theydon Bois is an intrinsically dark landscape. Although gas reached the village in 1872 and electricity in 1928 the streets of Theydon Bois have never been lit. In 1963 the BBC sent a camera crew to Forest Drive to interview shoppers about the Great Street-Lighting Debate. This was not the first time that this issue had been raised; a similar attempt had been made before the war. Villagers voted in a referendum by a large majority for 'starlight and torches' in 1963 and again in 1976, calls for another referendum in 1984 were dismissed when Essex County Council confirmed that it was not prepared to contribute to the costs.

The Clean Neighbourhoods and Environment Act 2005 makes light nuisance subject to the same criminal law as noise and smells. It applies to "artificial light emitted from premises so as to be prejudicial to health or a nuisance". (Section 102, Clean Neighbourhoods and Environment Act, which amends section 79 of the Environmental Protection Act 1990).

All forms of exterior lighting can, if badly angled, cause two broad types of problem, namely light pollution and light nuisance. Light pollution can be defined as every form of artificial light which shines outside the areas it is intended to illuminate, including light which is directed above the horizontal into the night sky, creating the skyglow which has erased the stars over both urban and rural areas during the last half-century.

It has been recommended that Local Planning Authorities specify environmental zones for exterior lighting control within their Development Plans. The light levels in Theydon Bois would suggest classification not less than zone E2, low district brightness area, i.e. rural, small villages or relatively dark urban locations and possibly zone E1, intrinsically dark landscape.

In the VDS survey 70.5% strongly agree/agree that that the village should not have street lighting and 78.5% strongly agree/agree that the 'Dark sky policy' contributed to the tranquillity of the village. 18% disagree/strongly disagree that the village should not have street lighting and 11% disagree/strongly disagree that our dark skies contribute to the tranquillity of the village. The suggestion that some parts of the village that do not benefit from domestic lighting should have some street lighting was mixed with 26% strongly agreeing and 21% strongly disagreeing.'

Guidance Notes:

- *The policy is to resist external bright lights/high level lighting including their use in commercial establishments and car parks.*
- *Encourage use of low level external lighting for areas where lighting is essential.*
- *Any new lighting schemes should be designed to provide only the right amount of light for the task and directs light only where it is wanted.*
- *Encourage lighting that helps the environment by not wasting energy and consider*

reducing the length of time lights are left on overnight.

- *For domestic security lights a 150W lamp is adequate. High power (300/500W) lamps create too much glare. For a porch light a 9W lamp is more than adequate in most situations.*
- *Encourage lighting that is correctly adjusted so that they only illuminate the surface intended and do not throw light onto neighbouring property. Security lights should be correctly adjusted so that they only illuminate the movement of persons in the area intended and not beyond. To reduce the effects of glare main beam angles of all lights should be below 70 degrees.*
- *If up-lighting has to be used then install shields or baffles above the lamp to reduce the amount of wasted upward light.*
- *Discourage equipment which spreads light above the horizontal.*

The implementation of any form of illumination in this area which is 500m away from the lit Station will have an adverse impact on this intrinsically dark area of the village.

It can also be assumed that it will be necessary to light the new proposed junction onto the Abridge Road, which will also have a detrimental impact on this intrinsically dark area.

Highways

A Traffic Regulation Order by Essex County Council (Abridge Road, Theydon Bois)(Prohibition of Right Hand Turn and No Entry) Order 200* has not been passed. The TRO's for the prohibition of right turn and no entry into Abridge Road were requested following comments from the safety audit, which was undertaken by the County Council's Consultant. The recommendations of this safety audit and the detailed design was that the above prohibitions be undertaken. It would seem that in order for the access road for the proposed golf course to be safe then a prohibition of right hand lane should be implemented. The TRO was not and it would seem likely that 350 cars entering and leaving the site at similar times of the day could cause more traffic than was envisaged for the golf course. A prohibition of right hand turn from the proposed car park would mean any cars leaving the site would have to turn left then travel to the mini roundabout in Abridge (1 mile away) before being able to travel in a Westerly direction. This would increase traffic in a known bottleneck of Abridge. Alternatively motorists will attempt U turns which may lead to motorists using private drives on the Abridge Road. The Abridge Road has an unrestricted speed limit of 60mph, is not lit and has inadequate pavements. Again the applicant is misinforming and misleading.

The publication of the Transport White Paper 'A New Deal For Transport: Better For Everyone' in 1988 represented a significant point of change for transport policy and planning. Local authorities are expected to promote sustainability through encouraging modal shift and the use of alternative forms of travel to the car, mainly public transport, walking and cycling. Clearly there is a conflict between the objective of this Application and guidance contained within the above document.

It is likely that commuters wishing to gain access to the commuter car park will travel via Coopersale Lane, a quiet Protected Lane, to avoid potential traffic congestion at the Piercing Hill – Coppice Row junction, the Abridge 'pinch point', and the zebra crossing in Theydon Bois. Coopersale Lane is designated a Protected Lane and this application will adversely impact the environment and ambience of this lane.

Many of the roads that may be used to access this site have 7.5 tonne Environmental Weight Restrictions. They include Coppice Row (reference 1014), Abridge Road (1015), Coopersale Lane (1016), Epping Lane (1019) and Loughton Lane, (1020).

Need

The analysis of the data provided by Mr Dilloway to his online consultation submitted under this application shows it was completed by 64 respondents, see appendix 1. Of the 64, four listed their address as Blakes Golf Course and one North Weald Golf course. (These companies are in the same ownership as Parkeng Limited and Blunts Farm Estates Limited). Four live in walking distance of Theydon Bois station. Fifteen live outside the district living closer to either station at Harlow and Romford overground stations. Of the 64 responses in only 13 cases is Theydon Bois station the closest station not in walking distance. Therefore in 80% of cases travelling by car to a commuter car park in Theydon Bois would INCREASE usage of private car journeys and be contrary to received wisdom and Government Policy.

If the consultation was set up to confirm those commuters interested in pre booking a space at this new proposed car park and only 64 responded, but four live within walking distance, and five living at Blakes Golf Course and North Weald Golf Course, it could be assumed that there were only 55 commuters that responded that they were happy to pre book a space in a 350 space (implied final phasing) car park.

There is a 704 space car park at Harlow Mill Station it is operated by NCP and costs £6.40 per day at peak times.

<http://www.nationalrail.co.uk/stations/HWN/details.html>

Annual rail travel season ticket prices correct as at 21 October 2010

Harlow Mill £2,544

Harlow Town £2,748

Waltham Cross £1,472

Brentwood £2,128

Brentwood via Shenfield £2,192

Ingatstone to St Pancras £3,548

An annual ticket covering zones 1-6 is £1,904. This covers Epping, Theydon Bois and Debden into central London.

The applicants have also employed the services of Robert West for a Needs Assessment

and their report was published in 7th May 2010. Robert West are '*consulting civil, structural and transportation engineers, delivering building, infrastructure, transport, civil engineering and rail projects. Our understanding of risk and commercial viability, and our directors' involvement in project delivery means that we always add value. The partnerships we develop are as important as the services we provide. Our breadth and depth of expertise and experience benefits clients long after projects are successfully completed.*' Have they any specific expertise and or experience of producing Needs Assessments? Do they think this project has commercial viability?

Surveys were undertaken by Robert West at Theydon Bois, Epping and Debden Stations for the purposes of gathering information on demand for commuter car parking at Theydon Bois and more specifically: i. To find out the origin and purpose of journeys made at Theydon Bois, Epping and Debden; and ii. To find out about the travel behaviour of those who use the stations and specifically about the behaviour of those who drive to the stations.

We wish to make the following observations / comments about the Need Assessments provided by Robert West.

Executive summary

I This is not a 'redevelopment' site, all planning permissions for the site have expired and the developers have been told that permission to rebuild the sport pavilion that they demolished is unlikely.

III. Planning permission for of a golf club and golf driving range has not been given for this site. Permission, now lapsed, was granted for the adjacent site. Car parking previously approved on the adjacent site would accommodate those wishing to take part in outdoor participatory sport, not a commuter car park and this application cannot be compared or connected to the expired application for the golf club. The number of spaces previously proposed for the golf club granted under EPF/1283/99 was 107 with a further 112 overspill car park constructed on reinforced grass. This is nothing like the prospective 350 spaces (implied final phasing) for the completed phases of this development 179 being phase one.

VI. Postcode data is incomplete. The post code CM16 is the post code for Epping. It covers a wide area including Epping, Theydon Bois, Coopersale Common, Fiddlers Hamlet, North Weald Bassett, Thornwood Common and Tylers Green an area which includes two underground stations. The applicant may have produced evidence that commuters travel from Harlow, Stapleford Abbots and Pilgrims Hatch, but Theydon Bois is not the closest station. Commuters choose to travel greater distances to underground stations because it is more economical for them to do so. Harlow is serviced by two overground stations, Pilgrims Hatch is approximately one mile from Brentwood station, and Stapleford Abbots is closer to both Romford and Gidea Park stations than Theydon Bois. Harlow, Stapleford Abbots and Pilgrims Hatch are NOT in the natural and sustainable catchment area of Theydon Bois tube station.

VII The working population of the appellant's spurious catchment area may be 63,292, however it is not logical that the working population of Buckhurst Hill, Loughton, Debden and Epping are included in any catchment for Theydon Bois as all these areas have their own station that is closer and more convenient. However using the 2001

census, the total population of Theydon Bois was 3,993 and the working population 1,767. The total population of the district as a whole is 120,896. How can the catchment area of Theydon Bois have a working population of 63,292 when the total population of Theydon Bois is 3,993? Who has decided the catchment area, as outlined in this report, what are the limits of this catchment area and what evidence have they used to quantify their conclusion?

According to the Ward Profiles compiled by EFDC in January 2010, 57.1% of Theydon Bois residents drive to work, 25.3% use the underground or train, 10% work from home, 5% walk with the remainder either by bus or bicycle. It can then be deduced that 447 residents of Theydon Bois travel to work via train and a very significant percentage of those are able to walk to the station.

http://www.eppingforestdc.gov.uk/Library/files/planning/Local_Development_Framework/Evidence_Base/Ward_Profiles/Theydon%20Bois.pdf

The ward with the highest percentage of commuters travelling to work via train is Buckhurst Hill West with 33.3%, Buckhurst East with 31.9% Epping Hemnall has 25.1% and Epping Lindsey 21.4%.

http://www.eppingforestdc.gov.uk/Library/files/planning/Local_Development_Framework/Evidence_Base/Ward_Profiles/Ward%20profile%20summary%20FINAL.pdf

X The results of the questionnaire indicate that 65% of commuters using Epping Station and 53% using Debden Station are NOT using the station closest to their home? Why? Commuters should be encouraged to use the station nearest their home. 75% of commuters using Theydon Bois station indicated that it WAS the closest to their home, this may indicate that if more parking was provided commuters would be encouraged to travel greater distances by private car which is not sustainable either under the requirements for reduced car use or by provision of actual service by TfL.

XI Theydon Bois is one of the lowest populated villages in the district. It is certainly the lowest populated village that has direct access to a tube station. Loughton and Debden have a combined population of 30,340, Epping has 11,047 and Theydon Bois 3,993. With 25.3% of the working population of Theydon Bois taking the train to work, this equates to 447 residents using the train daily.

It is interesting to note that according to the Ward profiles those towns in the district that do not have a train station have the highest percentage of residents travelling to work via car. It could therefore be deduced that in order to reduce the dependency of private car usage more stations need to be built NOT more car parks. It is today being seriously debated by Government to reverse the closures to the rail network sanctioned by Dr Beeching in the 1960s as there is now a recognised need for more train stations connecting to the existing network.

XII It would not make sound environmental sense and it would not comply with Government policy to encourage people to travel greater distances by private car simply because they 'preferred' to do so. i.e they would 'prefer' to use Theydon Bois station

even though it is not the closest station to their home.

XIII Parking beat survey data conducted by Robert West, lists cars parked in a selection of 13 residential roads and 1 non residential road in Theydon Bois. It is difficult to gain any useful conclusion from the data. It may show that there were no cars parked in Station Hill before 6am, that is because it is a non residential road and used exclusively by commuters. All the other roads are residential roads and there is no evidence that the cars parked in these roads are commuter cars, they could easily be cars that belong to or are connected with the residents that live in those roads or those using the shops. It is also difficult to accurately analyse the total numbers, as cars present in all four time zones could easily be counted four times, therefore numbers could be overstated by up to 3 times.

XIV It is totally illogical that a commuter that lived closer to Debden station would prefer to travel via Theydon Bois station which is one stop further away, westbound travel in the morning and east bound travel in the evening. The only logical reason for this could be the availability of seats. If a large scale commuter car park were to be built in Theydon Bois then the trains will consequently have more passengers from Theydon Bois rather than station further west and this would just exacerbate the need to travel further east in order to get a seat which would increase private car usage. We would suggest therefore that Epping station would come under pressure as a result of the knock-on effect of this habit.

XV The development site for this proposal is Metropolitan Green Belt. Just because people say they would prefer to park on the suggested site and there may be a perceived demand, does not make the proposal a 'very special circumstance'. Those completing the questionnaire were given no indication of the distance from the parking space to the station, they were given no indication of the potential costs, opening hours or security arrangements. Epping Station NCP car park charge is currently £5.50 per day, in excess of that charged at Theydon Bois and Debden (£3.50), and £1 in excess of charges at Loughton. The discrepancy in charging must have influenced responding commuters' answers.

XVI It is a bizarre statement to say that Loughton, Debden and Harlow are in the catchment area of Theydon Bois. (see VI and VII above).

XVII This statement 'Following the introduction of the proposed car park, it is expected that a proportion of people that currently travel longer distances to other stations on the Epping Branch would divert to Theydon Bois thus reducing road miles per journey on a daily basis.' is totally contradictory. If commuters were encouraged to travel to Theydon Bois rather than Harlow, Debden and Epping they would be INCREASING private car usage and therefore INCREASING road miles, INCREASING road congestion and carbon emissions and congestion on the underground service.

XVIII The location of a large scale commuter car park at Theydon Bois is not a 'very special circumstance' and will only INCREASE car usage, INCREASE carbon emissions, INCREASE road miles and CONGEST the roads locally, CONGEST the underground service, DAMAGE the environment and cause untold and irreversible HARM to the green

belt.

1.3 There is no hard standing on this site. The building has been demolished and is currently the subject of enforcement with regard to the stationing of portable buildings.

2.3 It would be logical to assume that annual entry and exit figures for Theydon Bois station are far lower than Epping and Loughton in line with the differences in population.

The National Rail line from Liverpool Street is not shown on drawing 2743/003/R05/1 as running through Harlow. This is very misleading as it is a main overground link, skirting the edge of Epping Forest District. It travels through Broxbourne, Roydon, Harlow (two stations), Sawbridgeworth and Bishops Stortford. These are all locations from which long distance commuters choose drive to Theydon Bois.

2.4 Table of NCP charges is incorrect. Epping is shown as £3.70 but is £5.50, Loughton is shown as £2.70 but is £4.50 and Theydon Bois is shown as £2.40 but is £3.50.

2.5 The EFDC Pay and Display car park in Burton Road, Debden, with a maximum charge of £2.80 per day, is just 3 minutes walk from Debden tube station and yet there are always unused spaces on every weekday. Our members have been aware of this for some years, since the previously free car park was converted to pay and display. There is documentary evidence (annexed) from articles in the local Epping Forest Guardian newspaper, which confirm that this is the case and proves that commuters will not pay to park, if they can find free parking in local streets. In the Guardian of 9th December 2010 Joan Knight who runs Barnardo's in Debden Broadway is quoted as saying "the car park behind the shop has not been well used since the council started charging people to use it." There is anecdotal evidence that although there are spaces in the pay and display car park in Burton Road, commuters still park in residential streets. In the Guardian article of 14th April 2011 Jenny Figgings of Torrington Drive said "The grass verge opposite the block is often completely churned up by vehicles it is such a mess. There are huge welts in the ground. It has to be commuters as all of the spaces on the verge are taken before 7am. There is a street on the other side of Debden that has the same problem."

There is no justification for building an unsustainable car park on green belt land in Theydon Bois.

It is interesting to note that table 2.3 confirms that Theydon Bois has no off street parking facility or on street pay and display parking facility. How is it possible therefore that the survey indicates that 7 people on 13 October 2009, 10 on 14 October and 1 on 15 October confirmed that they had parked their cars in "on-street pay and display"? We verily suspect that these questionnaire responses have been fabricated.

2.7 Epping, Loughton, Buckhurst Hill and Debden have far more off-street commuter and public car parking because they have far bigger populations and large shopping centres. Each of the locations with an abundance of parking has a large supermarket and a large variety of high street shops. Theydon Bois has a small selection of local shops and a small Tesco Metro store that has its own adequate parking facility. It is

illogical to compare Loughton and Epping with Theydon Bois.

3.6 Just because residents of Pilgrims Hatch and Stapleford Abbots find using Theydon Bois station convenient does not mean that they form part of an exaggerated 'catchment area.'

3.8 Demonstrates that commuters living in Bishops Stortford, Takley, Great Dunmow, Chelmsford and Brentwood choose to commute to Theydon Bois rather than to much closer overground stations. This is probably for economic reasons and does nothing to reduce private car travel in line with Government policy.

Drawing number 2743/003/R05/3. We reiterate, there is no logic in including Harlow, Epping, Loughton, Debden, Stapleford Abbots, Pilgrims Hatch, Chipping Ongar and High Ongar in a spurious 'catchment area' for Theydon Bois when there are, in all cases, much nearer stations on either underground or overground railway networks.

3.1 We dispute the appellant's designated 'catchment area' for this analysis as being nonsensical and counter to Government environmental and public transport policies.

4.2 Two of our members were interviewed on two occasions during the evening OUTSIDE Theydon Bois station. This is contrary to the statement that commuters were on the platform and that interviews were conducted between 6-10am. The response of both of our members was not required because they had walked to the station, this therefore does not give an accurate picture if some respondents were rejected as they did not fit with the prescribed answers.

Table 4.4 As we have evidence that pedestrian visitors to the station were not asked to take part in the survey this would reduce the foot passenger totals stated.

4.15 We agree with the assessment that smaller proportion drive to Theydon Bois station than Epping and Loughton, that is because Theydon Bois is a small conurbation and within walking distance for the majority of the village.

Table 4.5 is misleading and inaccurate. Under parking in Theydon Bois it states that 25 people park at 'pay and display', 39 park 'on street', 66 park in the 'station car park', and 8 park in the 'other car park.' There is no pay and display facility in Theydon Bois therefore 25 respondents that answered yes to that question were mistaken or were giving misleading answers and or the whole survey data is flawed and should be discounted. There is also no 'other car park' available for long term parking. 66 people confirmed that they used the station car park over the three days. This car park has a capacity of 64, therefore a much higher percentage of people that parked at the station car park, 34%, answered the survey than users of other station car parks. This could also indicate flawed or skewed data. Only 58 people who parked at the station car park in Epping answered the survey – that is only 3.7% - why is there such a large discrepancy?

Table 4.7: 74% of people that use Theydon Bois do so because it is the station closest to their home – this is the highest percentage. It stands to reason if the car park was enlarged it would increase commuters travelling from greater distances therefore increasing private car usage and associated road and rail problems.

Table 4.8 There is no logic that commuters would travel by car from Buckhurst Hill or Woodford, (which is closer to London and up to two fare charging zones different) to come to Theydon Bois to commute into central London. This data appears to be another example of flawed data. As Theydon Bois is very close to both Epping and Debden stations, the 92 respondents that use Epping and Debden instead of Theydon Bois would be travelling a very short distance of a mile or two.

4.27 Respondents that said they would prefer to use Theydon Bois Station were given no data on price or location of the car park. The increased figures for people that would rather use Theydon Bois station seems out of place considering the much lower population figures are for Theydon Bois. Again, flawed data.

5.4 We question the assumption that levels of cars parked after 7pm indicate commuters park in these roads. The increase could be, for example that residents have themselves returned from work. There is no evidence that commuters park in Harewood Hill, Loughton Lane or Hill Road since parking data post 7pm is higher or virtually the same as pre- 7pm. Woburn Avenue has virtually no off street parking and is parked at capacity most days, all day, by residents. We question the data obtained for this road. Station Hill is currently used for commuter parking, it is not a residential road and has no access to the proposed site (see Previous Applications above).

We also question the data that indicates no parking in The Green before 6am on the second day as there are always residential cars parked in The Green as there is limited off street parking.

Table 6.1 Debden and Epping stations are well used because they have a larger population and the associated infrastructure to handle a large commuter car park. Theydon Bois is characterised as 'a separate village', and Loughton and Epping as 'suburban' in the *Sustainability Appraisal and Habitats Regulations Assessment Scoping Report* dated March 2010. Just because commuters may prefer to use a car park at Theydon Bois station does not mean that a large scale commuter car park would be appropriate, sustainable, viable or represent a 'very special circumstance' that would outweigh the harm to the Green Belt.

6.4 The Central Line is currently running at capacity and has been since 2008 according to TfL. This was recently reiterated by Peter Tollington, Manager of the Central Line (London Underground Ltd) at the Epping Forest District Council Overview and Scrutiny Committee meeting on 12th July 2011, which was available for public viewing. It is suggested [by whom?] that there is demand for an extra 807 car park spaces in Theydon Bois. This is preposterous, and any increased capacity for parking would just encourage commuters away from the higher priced overground network to the lower

priced underground network, increasing private car usage and underground congestion. This would also result in commuters travelling from stations further west being unable to board trains in the morning let alone get a seat. As long as underground charges are significantly cheaper than overground charges, commuters will continue to drive to Central Line stations from Harlow, Brentwood and Romford. This does not mean to say that we should automatically compromise our Green Belt to accommodate them.

6.5 There is also evidence that local people and organisations do not want a large scale commuter car park. The last application was strongly objected to by Theydon Bois Parish Council, Theydon Bois and District Rural preservation Society, Theydon Bois Action Group, Loughton Town Council, Loughton Residents Association, Epping Forest HF Group, CPRE, Epping Society, London Regional Transport / Transport for London and 81 individual residents. Objections from these bodies far outweighs any anecdotal evidence in the local press.

<http://rds.eppingforestdc.gov.uk/Published/C00000579/M00005378/ADocPackPublic.pdf>

6.6 It is ludicrous to suggest commuters travelling from Buckhurst Hill would drive to Theydon Bois to commute west into central London. (See also 4.8 above). Commuters from Harlow should be encouraged to use either of the two stations at Harlow which are closer and would require less private car miles.

6.9 Theydon Bois, Debden and Epping stations are within a few miles of each other.

Where is the evidence that commuters travel from Waltham Abbey to Theydon Bois? Commuters travelling from Waltham Abbey should be encouraged to use their closest station – Waltham Cross.

TBAG contend the suggestion made in 6.11 of the report *that 'Locally, if current users of Theydon Bois Station were encouraged to use the proposed commuter car park rather than on street locations it can be expected that issues associated with congestion within Theydon Bois and commuters parking on residential streets would be addressed.'* There is no evidence that commuters will pay to park in a commuter car park rather than park for free in residential roads. Essex Highways have confirmed that they have no intention of removing parking restrictions already imposed in residential roads even if it was perceived that the parking situation was resolved. Should Essex Highways remove the restrictions, it could be reasonably anticipated that commuters parking for free would once again become a nuisance on the streets of Theydon Bois.

Any differences between the 8am-10am time zone and the 2pm-4pm time zone would seem to indicate that those parking on residential streets in Theydon Bois were not commuters, as commuters tend not to return to their cars between 2-4pm. Woburn Avenue also throws up some unexplained data; residents in this road tend to have little off street parking and the avenue is generally parked to capacity at most times of the day.

The differential in daily NCP parking charges between Debden at £3.50, Theydon Bois £3.50, Buckhurst Hill £4.50, Loughton £4.50 and Epping at £5.50 is bound to have influenced commuter parking patterns and responses and may have led to a move away

from Epping in favour of Debden and Theydon Bois. Parking charges at Harlow Burnt Mill are £6.40, Waltham Cross £2.60 and Brentwood £5.10

<http://www.tfl.gov.uk/roadusers/tubestationcarparks/default.aspx>

<http://www.nationalrail.co.uk/stations/hwn/details.html>

<http://www.nationalrail.co.uk/stations/wlc/details.html>

<http://www.nationalrail.co.uk/stations/bre/details.html>

Essex County Council have confirmed the following: *It is not ECC policy to provide parking for commuters at 'interchange' points i.e. train, tube, and / or bus stations. ECC's policy is to advocate the use of Public Transportation by commuters for the whole route that includes the journey to the 'interchange'. This is in line with the objective of reducing congestion. Neither Essex County Council nor the District Councils have a 'duty' to provide parking for commuters. ECC would encourage commuters to look at the entire journey they make and consider how this may be made most efficiently from all aspects, which includes the impact of a vehicle being parked for an extended period around a workplace or town centre or at an interchange point. The County spends significant sums supporting public transport operation in outlying areas, where commercial services may not be viable, so that more areas do have access to appropriate public transport. It is accepted however, that this support cannot ensure every property in the County has reasonable access to public transport.*

It can therefore be assumed that Essex County Council would not support this application as it is against their Public Transport Policy.

Change of Use

The application also seeks a change of use from Agriculture to Assembly / Leisure. Assembly / Leisure use, Class D2, includes use as: cinemas, concert halls, bingo halls, dance hall, swimming bath, skating rink, gymnasium or other area for indoor or outdoor sports or recreations, not involving motorised vehicles or firearms. TBAG would ask whether this is really an application for a permanent commuter car park or an application to progress the more profitable proposition of a bingo hall or other D2 use, once the Green Belt status of the land has been irreversible overridden? TBAG has every reason to suspect the applicant is misinforming and misleading their long-term objectives.

Footpaths

The construction of the proposed development would cause unacceptable detrimental impact on public rights of way (Footpaths 4 and 5) which is not outweighed by any proposed benefits contrary to Policy RST3 of the EFD Local Plan 1998 and Alterations 2006. Note that Footpaths 4 and 5 are not correctly marked on the plan where they commence on the east side of the railway line. Furthermore, if permission were to be granted, the harm caused to the openness of the Green Belt would be clearly visible, looking south from the higher points of footpaths 14 and 10. This harmful impact on the openness would also be very evident from the high ground of the Public Open Space adjacent to Great Gregories/Epping Forest buffer land, which is accessed from the end of Forest Drive in Theydon Bois.

Access

Mr R L Jones, the owner of the land adjacent to the site which includes the access road between the site and Station Hill, confirms in his objection to this application dated 16th June 2010 that; *'The proposed electric taxi pick up points would utilise my land and while there is a deeded right of way to the sports ground where this development is planned there are certain covenants regarding its use. The use is for a track 12ft in width and was intended as an access to the playing fields. It is not intended for a commercial venture on the scale envisaged. Parkeng were well aware of these encumbrances when they purchased the site because they approached me on more than one occasion with a view to buying land for a fresh access. I declined their offer. This is a blatant change of use of green belt land.'*

Parkeng have suggested the use of an electric taxi to transport commuters from the car park to the station footbridge in order to address limitations in their previous application EPF/2439/08. If they are unable to use the access point to the station footbridge owned by Mr Jones, and if they are unable to use the previously proposed main access onto the Abridge Road via the golf course because of the prohibition of the right hand turn, the Applicant has not therefore addressed the limitations of the earlier application. The remoteness of the spaces in this Phase One application and the remoteness of any subsequent applications has shortcomings in both security and sustainability.

While the 'Existing Site Access Road' at Parsonage Farm was permitted (now expired planning approvals EPF/765/99 and EPF/1283/99) it was intended for access to a golf course on Blunt's Farm and the two sites are not connected. The golf course was never built.

The proposed development would cause unacceptable visual harm, light pollution and aural harm to the amenity of neighbouring occupiers in Forest Drive and Dukes Avenue contrary to the requirements of Policies RP5A, DBE9, ST4, CP2, DBE1, DBE4, LL2 and LL3 of the Epping Forest District Adopted Local Plan 1998 and Alterations 2006.

Listed Buildings

The proposed development would cause unacceptable harm to the setting of neighbouring listed buildings, Parsonage Farmhouse (118831) and barn 10 metres north of Parsonage Farm House (118832) contrary to Policies HC2, HC12, CP1, CP2, and RST19 of the Epping Forest District Local Plan 1998 and Alterations 2006 and Policy ENV6 of the Regional Spatial Strategy for the East of England 2008.

Figure 9.2a of the *Settlement Edge Landscape Sensitivity Study* indicates that Theydon Bois has six pre 18th Century fields, including one adjacent to this site and several very close to this site which would be irreversibly and negatively compromised by this application.

Conclusion

This application is against Green Belt policy, Epping Forest Local Plan and Alterations, Regional Spatial Strategy, the Theydon Bois Dark Sky Policy, Theydon Bois Village Design Statement, Transport White Paper 'A New Deal For Transport: Better For Everyone' and Essex County Councils Public Transport Policy. It will increase traffic in the locality and will be of no benefit to local residents or businesses.

A commuter car park is not required by local residents and the applicant has not demonstrated that it would achieve any benefit that would outweigh the harm to the openness to the Green Belt to which no 'very special circumstances' have been

demonstrated. There is no history of land being use for commuter car parking on this side of the railway line; the only history is small scale provision for limited sports use when the land was owned by Queen Mary College and previously the Old Foresters (a local school).

Commuters that are able to park for free in residential roads will continue to do so. It will benefit Railway commuters that choose to travel longer distances in their cars to obtain a cheaper fare. This is not environmentally sound and will only increase car usage and cause an increase in associated inherent pollution and congestion problems.

179 cars, (with a potential phased total of 350 cars), entering and exiting a commuter car park at peak rush hour times will represent a significant increase, out of all proportion to normal rush hour traffic in and around the village of Theydon Bois. During the evening those returning west via the village centre will be unable to turn right and will therefore have to either use private drives to turn round, do 'U' turns in Abridge Road (which has a National Speed Limit), or use the mini roundabout in the village of Abridge, all of which are 'unsafe', impractical and may represent a risk to health and safety.

A business plan has not been put forward. At capacity, this car park would generate an income of £627 per day (£3.50 x 179) for 5 days per week. This cannot be viable when taking in consideration the cost of the land, surveys, drawings, construction, lighting, security, maintenance, staff (two full time plus driver?), insurance, shuttle bus etc. It is suspected that this application is a means to a more profitable end for the freeholders who will continue to develop this site once the Green Belt has been breached.

Directors of Parkeng have a history of unfinished projects locally at Blunts Farm. The Planning Inspectorate in appeal decision APP/Z1585/A/10/2142721 at Land adjacent to Blakes Golf Club, Epping Road, North Weald Bassett, CM16 6RZ, many of the directors of which are directors of both Blunts Farm Estates Limited and Parkeng Limited stated *'In order to ensure that the whole scheme would be completed once the planning permission had been implemented, the appellant would also need to ensure that there was a bond in place to cover any financial problems arising during the construction process. However, no such undertaking or bond document were submitted before, or at, the Hearing and consequently there is presently no means by which these matters can be secured.* How can the completion of this project be assured considering the history of the company and associated companies and their track record. This is a cynical application to obtain a seemingly acceptable development that would have very serious implications for the Green Belt locally, purely for financial gain.

We concur with the LPA's refusal reasons and submit that this appeal should be dismissed.

Yours sincerely

David McKelvey
Chair Theydon Bois Action Group
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Plus attachments