

Epping Forest District Council

Epping Town Neighbourhood Plan

Regulation 16 Publication response form

This form may be photocopied or downloaded from the website. Further printed copies can also be obtained from the Council. **Please return by 4pm on Monday 21 October 2024.**

This form can be returned by e-mail to LDFconsult@eppingforestdc.gov.uk by post to **Planning Policy, Civic Offices, High Street, Epping CM16 4BZ**. Email is the Council's preferred method of receiving comments, as it will help us to handle your representation quickly and efficiently.

Comments are invited, regarding whether the Epping Town Neighbourhood Plan and supporting documentation fulfil the "basic conditions", as required by paragraph 8 (1) (a) (2) of Schedule 4B to the Town and Country Planning Act 1990 (inserted by the Localism Act 2011).

If you wish to make comments about the draft Neighbourhood Plan, please specify which of the "basic conditions" you are commenting on. Comments should set out a justification as to why you consider that the basic condition has **NOT** been met, or why you consider that the basic condition has satisfactorily been met. You can also suggest improvements or modification to the draft Neighbourhood Plan.

All comments will be forwarded on to the appointed Examiner for the Plan. You should not assume that there will be an opportunity to add further information, although the Examiner may request additional information from you.

The regulations require that any representations made during the publication period must be submitted to the Examiner together with a summary of the main issues raised. Therefore, comments cannot be treated as confidential, although personal details will not be made publicly available.

Epping Forest District Council will submit all representations made to the Examiner if returned by the deadline. However, please note that late representations will not normally be accepted.

Personal Details		Agents Details (if applicable)	
<i>Organisation Name:</i>	Swifts Local Network: Swifts & Planning Group	<i>Organisation Name:</i>	
<i>Contact Name:</i>	Michael Priaulx	<i>Contact Name:</i>	
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Part 1

Five “basic conditions” form the statutory requirements for the draft Neighbourhood Plan. These require that the Neighbourhood Plan:

Please tick the relevant basic condition / supporting documents and submit a separate Part 2 form for each of the basic conditions / supporting documents you are commenting on

a. having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make neighbourhood plan).	
d. the making of the neighbourhood plan contributes to the achievement of sustainable development.	<input checked="" type="checkbox"/>
e. the making of the neighbourhood plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).	
f. the making of the neighbourhood plan does not breach and is otherwise compatible with EU obligations.	
g. prescribed conditions are met in relation to the plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood plan.	

NB Basic conditions b and c in the above list have been omitted as they only apply to Neighbourhood Development Orders.

Other supporting submission document and supporting documents. Please specific which document you wish to comment on: <hr/>	
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Part 2

Question 1

<p>Why do you consider that the draft Neighbourhood Plan and/ or supporting documents do/ do not meet the specified “basic condition”? Please provide a brief summary of your comments.</p>
<p>The Neighbourhood Plan does not contribute to sustainable development as there is insufficient consideration of biodiversity. In particular, the plan does not consider building-dependent biodiversity, e.g. red-listed bird species such as swifts, house sparrows, and house martins which have significant but declining populations in Epping Town.</p> <p>In more detail, the reason for this is that nest sites in buildings and bird boxes/ bricks and other species features are excluded from the DEFRA Biodiversity Net Gain metric, so require their own clear policy.</p> <p>The Government's response in March 2023 to the 2022 BNG consultation stated that: "We plan to keep species features, like bat and bird boxes, outside the scope of the biodiversity metric... [and] allow local planning authorities to consider what conditions in relation to those features may be</p>

appropriate" (page 27, https://consult.defra.gov.uk/defra-net-gain-consultation-team/technicalconsultation_biodiversitymetric/).

Swift bricks are the only type of bird box specifically mentioned as valuable to wildlife in national planning guidance, along with bat boxes and hedgehog highways (NPPG Natural Environment 2019 paragraph 023). The National Model Design Code Part 2 Guidance Notes (2021) also recommends bird bricks (Integrating Habitats section on page 25, and Creating Habitats section on page 26).

Swift bricks are considered a universal nest brick suitable for a wide range of small bird species including swifts, house sparrows and starlings (e.g. see NHBC Foundation: Biodiversity in New Housing Developments (April 2021) Section 8.1 Nest sites for birds, page 42: https://www.nhbcfoundation.org/wp-content/uploads/2021/05/S067-NF89-Biodiversity-in-new-housing-developments_FINAL.pdf).

Swift bricks are significantly more beneficial than external bird boxes as they are a permanent feature of the building, have zero maintenance requirements, are aesthetically integrated with the design of the building, and have better thermal regulation with future climate change in mind.

Therefore, swift bricks should be included in all developments following best-practice guidance (which is available in BS 42021:2022 and from CIEEM (<https://cieem.net/resource/the-swift-a-bird-you-need-to-help/>)).

The UK Green Building Council (UKGBC) is a membership-led industry network and they have produced a document entitled: "The Nature Recovery & Climate Resilience Playbook" (Version 1.0, November 2022) <https://ukgbc.org/resources/the-nature-recovery-and-climate-resilience-playbook/> This document is designed to empower local authorities and planning officers to enhance climate resilience and better protect nature across their local area, and includes a recommendation (page 77) which reflects guidance throughout this document: "Recommendation: Local planning Authorities should introduce standard planning conditions and policies to deliver low cost/no regret biodiversity enhancement measures in new development as appropriate, such as bee bricks, swift boxes [and bricks] and hedgehog highways."

Many local authorities are including detailed swift brick requirements in their plans, such as Tower Hamlets Local Plan Regulation 18 stage (paragraph 19.70, page 311 - <https://democracy.towerhamlets.gov.uk/mglIssueHistoryHome.aspx?Id=136448>),

which follows the exemplary swift brick guidance implemented by Brighton & Hove since 2020,

and Wiltshire Local Plan Regulation 19 stage, which requires an enhanced number of 2 swift bricks per dwelling (policy 88: Biodiversity in the built environment, page 246 - "As a minimum, the following are required within new proposals: 1. integrate integral bird nest bricks (e.g., swift bricks) at a minimum of two per dwelling;" <https://www.wiltshire.gov.uk/article/8048/Current-consultation-Reg-19>),

and Cotswold District Council are proposing three swift bricks per dwelling in their current Local Plan consultation (Policy EN8 item 6, and paragraph 0.8.4, <https://www.cotswold.gov.uk/planning-and-building/planning-policy/local-plan-update-and-supporting-information/>),

so such an enhanced level should also be considered.

Detailed explanation and proposed modifications. Please give further details of your opinion and the reasons for it, as well as any proposed improvements or modifications to the Plan (continue on a separate sheet as necessary).

Please add to the policy: Swift bricks are a universal nest brick for small bird species, and should be installed in new developments including extensions, in accordance with best practice guidance such as BS 42021 or CIEEM.

Existing nest sites for building-dependent species such as swifts and house martins should be protected, as these endangered red-listed species which are present but declining in Epping Town return annually to traditional nest sites. Mitigation should be provided if these nest sites cannot be protected.

Question 2

The appointed examiner will consider all representations received by the deadline (**4pm on 21st October 2024**). Normally, the examiner will seek to consider all responses through written representations. However, occasionally an examiner may consider it necessary to hold hearing sessions to discuss particular issues.

Please indicate whether you would like to request to be heard before the examiner at the Neighbourhood Plan Examination Hearing: Yes

If you have indicated that you wish to attend the Examination, please explain why you consider this to be necessary. Please note that this is entirely at the discretion of the examiner:
To provide further information, if required.

Question 3

Please indicate whether you wish to be notified of either or both of the following:

The publication of the recommendations of the Neighbourhood Plan Examiner

YES

Final "making" (adoption) of the Neighbourhood Plan by Epping Forest District Council

YES

Signature:



Date: 20/10/24

Thank you for taking the time to respond.