

**From:** Jerry Roos  
**To:** [LDFconsult](mailto:ldfconsult@eppingforestdc.gov.uk)  
**Subject:** Response due to Admin error - response. Mr J P Roos [REDACTED]  
**Date:** 17 May 2018 07:27:40

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Dear Consultee,

Due to an administrative error you/your organisation did not receive the attached letter. You will see that this provided an opportunity to supplement your Regulation 19 representations to take account of the finalised version of the site selection report and appendices which has now been published. The deadline given for responses was Monday 23 April 2018. In order to give you the same period of time please let us have any supplementary representations by 5pm on **Thursday 17 May 2018** to [ldfconsult@eppingforestdc.gov.uk](mailto:ldfconsult@eppingforestdc.gov.uk) or to the postal address set out in the letter.

## Response

**Dear Sir /Madam**

Throughout the planning /consulting process, I have been overlooked on several occasions, Land owner, victim of a proposed Green belt change etc and was very disappointed to have been overlooked again. This is my response to the regulation 19 representation.

I originally submitted a 19 page letter in the consultation period for site SR-0181 giving detailed explanations as to the unsuitability of the proposed site, providing official documents etc to prove that ARUP had made a fundamental error in scoring the land in Mill Lane High Ongar as suitable to go forward to the next stage.

SR-0181 was then re-named as H.ong 1. I made a limited response as many of the supporting decision making documents were not made available for the public to respond to in the second consultation period. It was only due to a delay in proceedings (judicial review) that I was allowed access to the necessary ARUP documents.

### **The following observations/representations in response to this are;**

1. It must be unconstitutional for EFDC to proceed on the main meeting 16.012.18, as they did by not have the full information in front of them to make a correct and proper/legal decision. Members of the public were not able to bring issues to the meeting via their elected councillor as the councillors were directed by the chair not to comment on any issue. This prevented any individual councillor raising any issues about or on behalf his/her constituents about of any individual proposed building sites. They were directed through the chair that this would cause a delay in proceedings and would render EFDC liable to the HM Government Minister taking control of the Epping Plan if they did take time to discuss issues. Essentially all proposed sites were rubber stamped without comment or consideration and allowed the flawed plan to go through to the next part of

proceedings uncontested, regardless as to whether any mistakes, errors had been made. This was completely unconstitutional.

This in turn renders the whole plan vulnerable for judicial review on any individual site as there is no formal way to correct a wrong. As in SR-0181/ H.Ong 1 where there were many factual inaccuracies that, had ARUP used the available evidence supplied by myself and others would have taken H.Ong 1 out of the plan under the 'testing procedures' as defined by ARUP's own rules/guidelines. A clear case of the poacher being the game keeper at the same time. The only way an individual can now right this wrong is to take each individual matter by way of judicial review in order that a Judge could decide on the fairness of play of actions carried out by EFDC. If EFDC had taken the constitutional route and allowed matters to be openly discussed in open committee then there would be a review and ability to correct any gross mistakes made by ARUP in many of their desk top assumptions/ conclusions. This has caused one judicial review already and delayed the plan by many months. I feel sure many more are in the pipe line. I for one am happy to consider such a review.

2. My Reg 19 comment is this. ARUP should have scored SR-181 out if their own rules were followed fairly. This is evidenced clearly in my 19-page response, highlighting many factual inaccuracies by ARUP covering; Complicated ownership. Scrubland, size of plot, No access to the land, loss to green belt (valued by LUC as 'very High'), An Ancient tree to name but a few.

Arup in its re-review (that I am now belatedly allowed to see) makes no comment to any of these very important issues at all! It contradicts itself by saying that access to the land is easily available directly from Mill lane when official Essex County Council documents expressly forbids this and in another section of ARUP's report directs that access to the proposed site must be via Millfields stating that a ransom strip may delay proceedings. The ransom strip it refers already belongs to EFDC and could easily support 6 dwellings easily on the scale that it is proposing to do on the other side of the road if the council so wished without encroaching on this Green belt. There is no access to this land. ARUP knows it and should have not put it forward at any time.

Quite clearly ARUP have tried to cover up their initial desktop assessment errors by simply ignoring their own rules of engagement to try and rubber stamp this through. Judicial review beckons I feel. Examination of their own documents reveal that new members of staff recruited as late as November 2017, with no experience or knowledge of H.Ong 1 have been used to cover up so many of their own mistakes. This comment is supported by clear evidence from EFDC itself that in a 2017 planning application for 8 houses on the same site, ruled that access was not possible from Millfields, documents available to ARUP on a simple search if they had bothered. The site must not be allocated on such flawed decision making.

**In conclusion**, my only option will be to address the Government's Inspector when he/she arrives. I suppose that I will be overlooked for a third time by EFDC on an 'admin error' to prevent me from even doing that. What happened to fair, honest and open local government? I do appeal to whomever reads this document that he or she recommends I have a hearing before the Inspector.

Respectfully submitted

Jerry Roos